

Meeting #: 2019-25
Date: Tuesday, October 15, 2019, 7:00 PM
Location: City Hall, Council Chambers, 360 Pitt Street, Cornwall, Ontario, K6J 3P9
Chair: Bernadette Clement, Mayor
Prepared By: Manon L. Levesque, City Clerk

**In-Camera Session / Rise and Report from the In-Camera Meeting of
Tuesday, October 15, 2019**

Motion to move into a Closed Meeting at 5:30 p.m. to address matters pertaining to Section 239 (2) and (3.1) of the Municipal Act, 2001.

A meeting or part of a meeting may be closed to the public if the subject matter being considered is:

Item #1, Report #2019-42-FI, Litigation

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

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

Item #1, Report #2019-43-FI, Litigation

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

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

Action Recommended

Motion to move into a Closed Meeting at xx:xx p.m. to address matters pertaining to Section 239 (2) and (3.1) of the Municipal Act, 2001.

Moment of Personal Reflection

National Anthem

Our home and native land,
True patriot love
In all of us command.
With glowing hearts
We see thee rise,
The true, north, strong, and free.
From far and wide
Oh Canada
We stand on guard for thee.
God keep our land
Glorious and free.
Oh, Canada we stand on guard for thee,
Oh, Canada
we stand on guard for thee.

Terre de nos aïeux,
Ton front est ceint
de fleurons glorieux!
Car ton bras
sait porter l'épée,
Il sait porter
la croix! Ton histoire
est une épopée,
Des plus brillants exploits.
Et ta valeur,
de foi trempée,
Protégera nos foyers et nos droits.
Protégera nos foyers
et nos droits.

The Acting Mayor for this month is Councillor Todd Bennett.

Opening

Roll Call

Additions, Deletions or Amendments

Ajouts, retraites ou modifications

Adoption of Agenda

Disclosure of Interest

Déclarations d'intérêts pécuniaires

Committee of the Whole

Séance de commission étendue à la chambre entire

Adoption of Minutes

Ratification des procès-verbaux

Presentations

Présentations

11.1 Book of Recognition – 2018 Arts Hall of Fame Inductees, 2019-08- Corporate Services

Delegations

Délégations

Consent/Correspondence

Consentement et correspondance

Action Recommended

Motion to approve all recommendations presented in the Consent portion of the Agenda of Tuesday, October 15, 2019.

13.1 Proclamation – Child Care Worker and Early Childhood Educator Appreciation Day, 2019-10-Corporate Services 4

Action Recommended

That Council proclaim Thursday, October 24, 2019, as "Child Care Worker and Early Childhood Educator Appreciation Day" in the City of Cornwall.

13.2 Proclamation – Community Health and Wellbeing Week, 2019-11-Corporate Services 8

Action Recommended

That Council:

- a. Proclaim the week of October 21 to 27, 2019, as "Community Health and Wellbeing Week" in the City of Cornwall.
- b. Authorize the flag to be raised at the Clock Tower located in Lamoureux Park.

13.3 Proclamation – Child and Youth Safety and Well-Being Month, 2019-09-Corporate Services 12

Action Recommended

That Council proclaim October 2019, as "Child and Youth Safety and Well-Being Month" in the City of Cornwall.

13.4 Annual Poppy Drive, 2019-15-Corporate Services 17

Action Recommended

That Council:

- a. Approve the Royal Canadian Legion's request to hold its annual Poppy Drive the weekend of October 25-27, and October 31, 2019 and again on the weekend of November 1-3, 2019, in the City of Cornwall; and

- b. Proclaim the week of November 4-11, 2019, as “Veteran’s Week” in the City of Cornwall.

13.5 Proclamation – Ontario Public Library Week, 2019-12-Corporate Services 22

Action Recommended

That Council proclaim the week of October 20 to 26, 2019, as “Ontario Public Library Week” in the City of Cornwall.

13.6 Proclamation – Waste Reduction Week, 2019-13-Corporate Services 24

Action Recommended

That Council proclaim the week of October 21 to 27, 2019, as “Waste Reduction Week” in the City of Cornwall.

13.7 Proclamation – World Polio Day, 2019-14-Corporate Services 27

Action Recommended

That Council proclaim October 24, 2019, as “World Polio Day” in the City of Cornwall and request the lighting at the Clock Tower be painted red to raise awareness of this terrible disease.

13.8 Temporary Street Closures for Santa Claus Street Hockey Challenge and Parade, 2019-16-Corporate Services 31

Action Recommended

That Council approve the temporary street closure for:

- a. Santa Claus Street Hockey Challenge on Montreal Road between McConnell Avenue and Arthur Street on Saturday, November 16, 2019, from 6:00 a.m. to 18:00 p.m.; and
- b. A partial street closure at 13:00 p.m. for the Santa Claus parade route along Second Street from Anthony Street to Augustus Street and Augustus Street from Second Street West to Water Street and a full closure between the hours of 16:30 p.m. to 19:30 p.m.

Subject to the requirements contained in the City’s Corporate Policy on Temporary Street Closures for Special Events.

13.9 Flag Raising for United Way Month, 2019-19-Corporate Services 37

Action Recommended

That Council approve the United Way / Centraide of S.D. & G. flag be raised at 360 Pitt Street for the period of October 21 to November 15, 2019.

13.10 PAC Report No. 2 - 2019 Waterfront Plan, 2019-20-Planning, Development and Recreation **41**

Action Recommended

That Council adopt the 2019 Waterfront Plan as presented at the PAC Public Meeting of July 29th, 2019, as well as an Information item at the September 16th, 2019 PAC.

13.11 PAC Report No. 1 - St. Antoine Subdivision, 2019-04-Planning, Development and Recreation **45**

Action Recommended

That Council give Draft Plan Approval to the request received from Clark Consulting Services subject to the following:

(a) This Draft Plan Approval will be subject to the satisfaction of City, that the conditions contained in Appendix "A" including the additional Condition #27 have been completed and, furthermore that the Mayor and Clerk are hereby authorized to sign the final version of the Registered Plan upon satisfactory completion of the Subdivider's Agreement and the Draft Plan Conditions.

(b) That Block F, as identified on the Draft Plan of Subdivision, be rezoned from Residential 20 (RES 20) to Residential 30 (RES 30); subject to Section 34(21) of the Planning Act, 1990 if no objections are received, or subject to receiving the approval of the Local Planning Appeal Tribunal (LPAT), if any objections are received. and;

(c) That Blocks A, B & C be rezoned from Residential 20 (RES 20) to Residential 20 (RES 20) with site specific exceptions to Permitted Uses (Section 02-2-2Bi,ii.) Minimum Frontage, the following will apply;

- Block A, Minimum Frontage = 31 metres
- Block B, Minimum Frontage = 24.8 metres
- Block C, Minimum Frontage = 28.9 metres.

Subject to Section 34(21) of the Planning Act, 1990 if no objections

are received, or subject to receiving the approval of the Local Planning Appeal Tribunal (LPAT), if any objections are received.

13.12 AMO Board Report on Liability and Insurance Costs Reforms, 2019-07-Financial Services, 2019-14 **58**

Action Recommended

That Council support the AMO Board request to endorse the report entitled "Towards A Reasonable Balance: Addressing growing municipal liability and insurance costs"; and forward a Resolution of Council to the Ministry of the Attorney General.

Resolutions / Business Arising from Notice of Motion

To be considered by separate motion.

Résolutions et affaires émanant des avis de motions

Pour être considéré par une motion séparé.

Unfinished Business Reports

Rapports des affaires incomplètes

15.1 Environment and Climate Change Committee – Terms of Reference, 2019-02-CAO **80**

Action Recommended

That Council:

(a) Approve the draft Terms of Reference for the Environment and Climate Change Committee;

(b) Proceed with the creation of the Environment and Climate Change Committee and its membership; and

(c) Once the Committee is formed, direct the Committee to explore funding opportunities with FCM (or other programs) for the work required to establish a baseline of greenhouse gas emissions for the City with a corresponding plan for achieving a set target in emission reductions.

15.2 Electronic Participation by Members, 2019-20-Corporate Services **90**

Action Recommended

a. That Council receive Report 2019-20-CL; and

- b. That Council endorse one of the two options provided in this report.

Communications / Reports

Communications et rapports

- | | | |
|-------------|------------------------------------------------------------------------------------------------------------------|------------|
| 16.1 | Land Ambulance Service Grant Information , 2019-01-Cornwall
SDG Paramedic Services | 94 |
| | Action Recommended
That Council receive this report and refer the matter to the 2020 budget planning process. | |
| 16.2 | Ontario Works Program Funding Changes, 2019-01-Social and
Housing Services | 98 |
| | Action Recommended
That Council receive this report and refer the matter to the 2020 budget planning process | |
| 16.3 | Child Care Program Funding Changes, 2019-02-Social and
Housing Services | 104 |
| | Action Recommended
That Council receive this report and refer the matter to the 2020 budget planning process. | |
| 16.4 | Glen Stor Dun Lodge 2020 Funding Changes, 2019-01-Glen Stor
Dun Lodge | 108 |
| | Action Recommended
That Council receive this report and refer the matter to the 2020 budget planning process. | |

Tenders and Requests for Proposals

Soumissions et demandes de propositions

- | | | |
|-------------|----------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| 17.1 | Purchase of Three Replacement Ambulances for Paramedic
Services, 2019-06-Financial Services | 113 |
| | Action Recommended
That Council approves the purchase of three ambulances from Crestline Coach Limited, Saskatoon, Saskatchewan at the price of | |

\$488,265.09 (net cost to the Corporation - \$439,697.84) and modifications for power lifting device systems from Rowland Emergency Vehicle Products Incorporated at the price of \$91,681.06 (net cost to the Corporation - \$82,561.63).

17.2 Tender 19-T69 Purchase of One new Paramedic Response Unit and Conversion Services, 2019-05-Financial Services 116

Action Recommended

That Tender 19-T69 be awarded to Rowland Emergency Vehicle Products Incorporated from Mississauga, Ontario, at the total bid price of \$ 95,739.25 (net cost to the Corporation - \$ 86,216.16) being the best bid meeting the tender specifications.

New Business

Nouvelles affaires

Passing of By-laws

Adoption des règlements municipaux

Action Recommended

Motion to approve By-laws 2019-123 to 2019-128 inclusive, listed on the Agenda.

19.1 2019-123 A By-Law amending the Funding Agreement between the City of Cornwall and Stewardship Ontario, 2019-07-Corporate Services, 2019-06-Corporate Services 118

19.2 2019-124 A By-law to adopt the 2019 Waterfront Plan, 2019-19-Planning, Development and Recreation 144

19.3 2019-125 Draft Plan Approval for St. Antoine Subdivision (Agent - Bob Clark/Clark Consulting Services) being on the lands located at East 1/2 of Lot 6, Concession 2, 2019-XX, 2019-15-Planning, Development and Recreation 147

19.4 2019-127 KEM Development Corporation Northwoods Forest Subdivision Phase 2B – By-Law, 2019-02-Infrastructure and Municipal Works 152

19.5 2019-128 Riverfront Retirement Centre Inc Service Extension Agreement – By-Law, 2019-07-Infrastructure and Municipal Works, 2019-29-Infrastructure and Municipal Works, 2019-122-Planning, 155

Development and Recreation

Reports from Standing / Special Committees of Council

Rapports des comités du Conseil

Notice of Motion

Avis de motion

Pending Business Listing

Liste des dossiers incomplets

Action Recommended

Motion to receive the Pending Business Listing of Tuesday, October 15, 2019.

- | | | |
|-------------|-------------------------------------------------------------------------------------|------------|
| 22.1 | Unfinished Business Listing for October 15, 2019, 2019-17-Corporate Services | 161 |
|-------------|-------------------------------------------------------------------------------------|------------|

Action Recommended

That Council receive the Unfinished Business Listing for October 15, 2019.

Confirming By-law

Règlement municipal de ratification

Action Recommended

Motion to approve By-law 2019-xxx being a By-law to confirm the proceedings of the Council of The Corporation of the City of Cornwall at its meetings held on Monday, /, 2019.

- | | | |
|-------------|--------------------------------------------------------------------------------------------------------------------------------------------|------------|
| 23.1 | 2019-128 A By-law to adopt, ratify and confirm the proceedings of the meetings held on October 15, 2019, 2019-18-Corporate Services | 164 |
|-------------|--------------------------------------------------------------------------------------------------------------------------------------------|------------|

Adjournment

Ajournement

The Corporation of the City of Cornwall
Regular Meeting of Council
Report

Department: Corporate Services
Division: Clerk's Division
Report Number: 2019-08-Corporate Services
Prepared By: Debbie Caskenette, Deputy Clerk
Meeting Date: October 15, 2019
Subject: Book of Recognition – 2018 Arts Hall of Fame Inductees

Purpose

To invite the 2018 Inductees into the Arts Hall of Fame to sign the Book of Recognition for their contributions and achievements towards the Arts in the City of Cornwall.

[Click or tap here to enter text.](#)

Background / Discussion

On October 13, 2018, twelve new artists, all powerful figures, within their fields were inducted into the Cornwall Arts of Fame.

Five of the inductees are historical figures.

- Carm Aubé, a well-known musician and drummer, who founded the Glen Orchestra, the Carm Aubé Trio and the Carm Aubé Big Band.
- Kathleen (Teen) Dancause was the founder of the Cornwall Arts Association and was well known as a painter, artist and teacher.
- Yolande Charbonneau was a musician, community leader and mentor to teens from several French high schools. Ms. Charbonneau also founded the choir and place to learn Les voix d'harmonie.
- Rosemonde Laberge was a visionary musician, violinist, teacher and mentor, who founded the Riverdale School of Music.

- Michel Lamarche was a theatre actor, playwright, television and radio host and a voice for French entertainment. He was a founding member of l'Amalgame, a French art group.

Other inductees included

- Lynne Francis, a musician and teacher. Ms. Francis conducted the Knox Church Choir, the Ecumenical Choir and the Children Central Choir.
- Pierre Giroux, an international professional artist, teacher and illustrator of the series of interpretive plaques celebrating Cornwall's Heritage.
- Katalin Kennedy, a writer and painter.
- Jean-Pierre (Peter) Leclair, a visual artist who uses objects juxtaposed in assemblage to reflect society's concerns about the planet, reconciliation and imbalance. He was the co-founder of Apples and Arts Studio Tour and the Cornwall Regional Art Gallery.
- Brian Morin, a visual arts, nature photographer and naturalist and the founding member of the Cornwall and Area Birding Club.
- Thérèse Motard, a musician, recording artist, cellist, international performer and director of the Riverdale School of Music and Classiq'art Productions.
- Vivianne Panizzon, a musician, composer teacher and performer. She is an innovator in teaching music with the Orf-Schruvuk approach.

Document Title:	Book of Recognition - 2018 Arts Hall of Fame Inductees - 2019-08-Corporate Services.docx
Attachments:	
Final Approval Date:	Oct 8, 2019

This report and all of its attachments were approved and signed as outlined below:

Manon Levesque - Oct 8, 2019 - 9:48 AM

Maureen Adams - Oct 8, 2019 - 12:21 PM

The Corporation of the City of Cornwall
Regular Meeting of Council
Report

Department: Corporate Services
Division: Clerk's Division
Report Number: 2019-10-Corporate Services
Prepared By: Debbie Caskenette, Deputy Clerk
Meeting Date: October 15, 2019
Subject: Proclamation – Child Care Worker and Early Childhood Educator Appreciation Day

Purpose

To proclaim Thursday, October 24, 2019, as “Child Care Worker and Early Childhood Educator Appreciation Day” in the City of Cornwall.

Recommendation

That Council proclaim Thursday, October 24, 2019, as “Child Care Worker and Early Childhood Educator Appreciation Day” in the City of Cornwall.

Background / Discussion

The Ontario Coalition for Better Child Care, the Canadian Union of Public Employees (CUPE) and other labour and community partners are requesting that Thursday, October 24, 2019, be proclaimed as “Child Care Worker and Early Childhood Educator Appreciation Day” in the City of Cornwall.

Document Title:	Proclamation - Child Care Worker and Early Childhood Educator Appreciation Day - 2019-10-Corporate Services.docx
Attachments:	- Proclamation Child Care Worker and Early Childhood Educators Appreciation Day.pdf
Final Approval Date:	Oct 7, 2019

This report and all of its attachments were approved and signed as outlined below:

Manon Levesque - Oct 7, 2019 - 10:56 AM

Maureen Adams - Oct 7, 2019 - 3:31 PM



July 24, 2019

Re: 19th Annual Child Care Worker and Early Childhood Educator Appreciation Day, October 24, 2019

To Ontario mayors and councils,

The Ontario Coalition for Better Child Care (OCBCC), the Canadian Union of Public Employees (CUPE) and other labour and community partners around Ontario have announced **Thursday, October 24, 2019** as the 19th annual Child Care Worker & Early Childhood Educator Appreciation Day, a day of recognition for the many people who work providing early learning and child care services in your community.

Our theme again this year is: ***Champions for Children.***

This annual awareness day recognizes the education, skills, commitment and dedication of Early Childhood Educators (ECEs) and child care staff, and each year is proclaimed by municipalities and school boards across Ontario. Many groups are recognized by way of municipal resolution. Such a day allows us to acknowledge the important contributions of child care workers and ECEs.

We are writing to ask that you and your Council consider proclaiming Child Care Worker & Early Childhood Educator Appreciation Day in your municipality. A sample proclamation is attached.

Even if your council does not issue official proclamations, there are many ways for your municipality to participate in celebrating this special day:

- Your council could sponsor a public announcement;
- Display our posters and distribute our buttons;
- Many municipalities organize events and contests for the day or have councilors or the mayor participate in events hosted by child care centres within the municipality.
- A document of further ideas and examples is attached.

We would love to acknowledge those municipalities celebrating child care workers and ECEs across Ontario on October 24, 2019. Let us know how your municipality is participating in the recognition day and we will add your municipality to our list of proclamations and celebrations.

Please direct any correspondence on proclamations and/or celebration activities to the attention of Carolyn Ferns, by mail: Ontario Coalition for Better Child Care, 489 College St., Suite 206, Toronto, ON M6G 1A5, by fax at 416-538-6737, or by email at: carolyn@childcareontario.org.

Thank you for your consideration.



Sheila Olan-Maclean
President, Ontario Coalition for Better Child Care



Fred Hahn
President, CUPE Ontario Division



Le 24 juillet 2019

Objet : La 19^e Journée de reconnaissance et de célébration du travail des éducatrices et des éducateurs des services d'apprentissage et de garde des jeunes enfants, le 24 octobre 2019.

À l'intention des maires et des conseillers municipaux de l'Ontario,

La Coalition ontarienne pour de meilleurs services éducatifs à l'enfance (COMSÉE), le Syndicat canadien de la fonction publique (SCFP) et d'autres partenaires communautaires et du mouvement syndical partout en Ontario ont proclamé le **jeudi 24 octobre 2019** la 19^e Journée de reconnaissance et de célébration du travail des éducatrices et des éducateurs des services d'apprentissage et de garde des jeunes enfants, une journée d'appréciation pour les nombreuses personnes qui fournissent des services d'apprentissage et de garde d'enfants dans votre communauté.

Une fois encore cette année, notre thème est : ***Les champions des enfants.***

Cette journée de sensibilisation annuelle reconnaît l'éducation, les compétences, l'engagement et le dévouement des éducatrices et éducateurs des services d'apprentissage (ÉPE) et de garde des jeunes enfants. Chaque année, les municipalités et les conseils scolaires partout en Ontario soulignent cette journée. De nombreux groupes sont reconnus par voie de résolution municipale. Une telle journée nous permet de reconnaître les contributions importantes des éducatrices et des éducateurs en garderie et des ÉPE.

Nous vous écrivons pour demander à votre Conseil de proclamer et de célébrer une Journée de reconnaissance et de célébration du travail des éducatrices et éducateurs des services d'apprentissage et de garde des jeunes enfants. Vous trouverez ci-joint un exemple de proclamation.

Même si votre Conseil n'émet pas de proclamation officielle, il y a de nombreuses façons de participer :

- Votre Conseil peut parrainer une annonce publique.
- Apposer nos affiches et distribuer nos macarons.
- Plusieurs municipalités organisent des événements et des concours pendant la journée ou encore des conseillers ou le maire participent à des activités organisées par les garderies.
- Vous trouverez une liste d'idées et d'exemples ci-jointe.

Nous tenons à reconnaître les municipalités qui célébreront les éducatrices et éducateurs des services d'apprentissage et de garde des jeunes enfants, à l'échelle de l'Ontario, le 24 octobre 2019. Veuillez nous informer de la façon dont votre municipalité participera à la Journée d'appréciation et nous l'ajouterons à notre liste de proclamations et de célébrations.

The Corporation of the City of Cornwall
Regular Meeting of Council
Report

Department: Corporate Services
Division: Clerk's Division
Report Number: 2019-11-Corporate Services
Prepared By: Debbie Caskenette, Deputy Clerk
Meeting Date: October 15, 2019
Subject: Proclamation – Community Health and Wellbeing Week

Purpose

To proclaim the week of October 21 to 27, 2019, as “Community Health and Wellbeing Week” in the City of Cornwall.

Recommendation

That Council:

- (a) Proclaim the week of October 21 to 27, 2019, as “Community Health and Wellbeing Week” in the City of Cornwall.
- (b) Authorize the flag to be raised at 360 Pitt Street.

Background / Discussion

Seaway Valley Community Health Centre partnered with Centre de santé communautaire de l’Estrie (CSCE) in requesting that Council proclaim the week of October 21 to 27, 2019, as “Community Health and Wellbeing Week” in the City of Cornwall and authorize the flag to be raised at 360 Pitt Street.

Document Title:	Proclamation - Community Health and Wellbeing Week - 2019-11-Corporate Services.docx
Attachments:	- Proclamation2019 Community Health Wellbeing Week-FR.pdf
Final Approval Date:	Oct 7, 2019

This report and all of its attachments were approved and signed as outlined below:

Manon Levesque - Oct 3, 2019 - 1:42 PM

Maureen Adams - Oct 7, 2019 - 8:38 AM

Proclamation

Semaine de la santé et du bien-être communautaire 21 au 27 octobre 2019

ATTENDU QUE l'Ontario doit réaliser le meilleur état de santé et de bien-être possible pour toutes les personnes qui y résident;

ATTENDU QUE la santé est bien plus que l'absence de maladie; qu'elle est un état de bien-être complet sur les plans physique, mental, spirituel et social;

ATTENDU QU'un meilleur état de santé et de bien-être commence dans nos foyers, nos écoles, nos milieux de travail et les collectivités où nous vivons;

ATTENDU QUE traiter la maladie de l'individu et le laisser retourner dans le milieu qui est à l'origine de la maladie ne peut que prolonger les problèmes de santé;

ATTENDU QU'en assurant un meilleur état de santé et de bien-être pour tous, et en créant des programmes et des services qui améliorent la santé de tous les membres de la collectivité, nous atténuerons les contraintes qui pèsent sur notre système de santé et nous renforcerons l'assurance maladie, l'une des réalisations les plus remarquables de notre pays;

ATTENDU QUE les fournisseurs de services de santé, les organismes de santé, les réseaux locaux d'intégration des services de santé et le gouvernement de la province doivent s'efforcer d'éliminer les obstacles qui empêchent tant de gens de jouir d'une bonne santé, et de réaliser un avenir dans lequel chaque personne est en mesure de faire des choix qui lui permettent de s'épanouir;

ATTENDU QUE la réalisation de cet avenir passe par la transition du système de santé fragmenté de la province à un système de santé et de bien-être communautaire qui favorise le meilleur état de santé et de bien-être possible pour toutes les personnes de l'Ontario;

ATTENDU QUE, la dernière semaine d'octobre, les Canadiennes et les Canadiens des quatre coins de la province tiennent à souligner l'importance d'une meilleure collaboration pour assurer un meilleur état de santé et de bien-être pour tous les gens et toutes les collectivités de la province;

IL EST RÉSOLU QUE le conseil municipal de la Ville de Cornwall, Ontario, déclare « Semaine de la santé et du bien-être communautaire » la semaine du 21 au 27 octobre 2019 dans la Ville de Cornwall.

The Corporation of the City of Cornwall
Regular Meeting of Council
Report

Department: Corporate Services
Division: Clerk's Division
Report Number: 2019-09-Corporate Services
Prepared By: Debbie Caskenette, Deputy Clerk
Meeting Date: October 15, 2019
Subject: Proclamation – Child and Youth Safety and Well-Being Month

Purpose

To proclaim October 2019, as “Child and Youth Safety and Well-Being Month” in the City of Cornwall.

Recommendation

That Council proclaim October 2019, as “Child and Youth Safety and Well-Being Month” in the City of Cornwall.

Background / Discussion

The Children’s Aid Society / La Société de l’aide à l’enfance is requesting that Council proclaim the month of October, 2019, as “Child and Youth Safety and Well-Being Month” in the City of Cornwall.

The Society is also asking that the City light up purple for the month of October to show our commitment to this campaign. October 24th, 2019 will be “Dress Purple Day” in the City and invites Council and City staff to dress in purple to unite in keeping kids safe.

Document Title:	Proclamation - Child and Youth Safety and Well-being Month - 2019-09-Corporate Services.docx
Attachments:	- Proclamation Child and Youth Safety and Well-Being.pdf
Final Approval Date:	Oct 7, 2019

This report and all of its attachments were approved and signed as outlined below:

Manon Levesque - Oct 3, 2019 - 1:38 PM

Maureen Adams - Oct 7, 2019 - 8:40 AM



**The Children's Aid Society
La Société de l'aide à l'enfance**

of the United Counties of | des Comtés unis de
Stormont, Dundas & Glengarry

August 21, 2019

Ms. Bernadette Clément
City of Cornwall
360 Pitt Street
Cornwall, ON K6J 3P9

Dear Ms. Clément:

October is an awareness month and our focus is on promoting **safety and well-being for children and youth**. This month is more commonly referred to in the community as our "Purple Ribbon campaign". Each year, The Children's Aid Society of the United Counties of Stormont, Dundas & Glengarry runs a public awareness campaign to increase participation in our efforts to provide safety and well-being for our children and youth, thereby strengthening the community in which we live. The Children's Aid Society of S. D. & G. wishes to highlight the month of October in order to bring greater awareness in our communities.

To help color SD&G **purple**, we would like to ask City Hall to light up **purple** for the month of October to show your commitment to this very important campaign. During the month of October, we will also be promoting our "**Dress Purple Day**" on October 24th. We invite you and the staff at the City of Cornwall to **dress purple to unite in keeping kids safe**. You will be in good company with the rest of Ontario as the campaign is now province wide. Please feel free to include any communication regarding this campaign on your internal Info Site, Calendars, Facebook & Twitter page.

On behalf of the Children's Aid Society of the United Counties of Stormont, Dundas and Glengarry, I would like to request your support for our campaign through an official proclamation recognizing **October as Child and Youth Safety and Well-Being Month**. I have attached a template proclamation for your review.

Thank you in advance for your support and kind attention to this matter.

Sincerely,

Chelsea Lefebvre
Purple Ribbon Campaign Lead
613-937-7422

**We are here to help.
On est ici pour aider.**

CHILD AND YOUTH SAFETY AND WELL-BEING PROCLAMATION

Whereas, The Children's Aid Society of the United Counties of Stormont, Dundas & Glengarry is mandated to protect every child and youth and their right to safety and well-being, the Society invites all citizens to join in a collective effort to help protect our children; and

Whereas, it is a community problem and finding solutions depends on involvement among people throughout the community; and

Whereas, the effects are felt by whole communities, and need to be addressed by the entire community; and

Whereas, effective awareness prevention programs succeed because of partnerships created among social service agencies, schools, religious and civic organizations, law enforcement agencies, and the business community; and

Whereas, all citizens should become more aware of the negative effects on our children and youth when safety and well-being is compromised its prevention lies within the community, and become involved in supporting parents to raise their children in a safe, nurturing environment; and

Now Therefore Be It Resolve That, I, Bernadette Clément, Mayor of the City of Cornwall, do hereby proclaim October 2019 as "*Child and Youth Safety and Well-Being Month*" in the City of Cornwall and call upon all citizens, community agencies, religious organizations, medical facilities, and businesses to increase their participation in our efforts to protect children and youth, thereby strengthening the community in which we live.

Mayor Bernadette Clément

The Corporation of the City of Cornwall
Regular Meeting of Council
Report

Department: Corporate Services
Division: Clerk's Division
Report Number: 2019-15-Corporate Services
Prepared By: Debbie Caskenette, Deputy Clerk
Meeting Date: October 15, 2019
Subject: Annual Poppy Drive

Purpose

To request approval to hold the Annual Poppy Drive in the City of Cornwall.

Recommendation

That Council:

- (a) Approve the Royal Canadian Legion's request to hold its annual Poppy Drive the weekend of October 25-27, and October 31, 2019 and again on the weekend of November 1-3, 2019, in the City of Cornwall; and
- (b) Proclaim the week of November 4-11, 2019, as "Veteran's Week" in the City of Cornwall.

Background / Discussion

The Royal Canadian Legion is requesting to hold its annual Poppy Drive the weekend of October 25-27 and October 31, 2019 and again the weekend of November 1-3, 2019, in the City of Cornwall.

Document Title:	Annual Poppy Drive - 2019-15-Corporate Services.docx
Attachments:	- Annual Poppy Campaign.pdf
Final Approval Date:	Oct 7, 2019

This report and all of its attachments were approved and signed as outlined below:

Manon Levesque - Oct 3, 2019 - 1:36 PM

Maureen Adams - Oct 7, 2019 - 8:38 AM



THE ROYAL CANADIAN LEGION

John McMartin Memorial Branch No. 297
P.O. Box 1083, Cornwall, Ontario K6H 5V2
Phone: (613) 933-2362 Fax: (613) 933-1122



2019-08-29

City of Cornwall
Attn: Mayor Bernadette Clement

Dear Madam Mayor

The Royal Canadian Legion Branch # 297 respectfully requests the City of Cornwall proclaim the following dates to be set aside for the Legion's annual Poppy Campaign, Friday October 25, Saturday October 26, Sunday October 27, Thursday October 31, Friday November 1, Saturday November 2, and Sunday November 3 2019.

The City's proclamation when announced will enable Legion Br 297 to have our volunteers distribute Poppies at various locations throughout the City of Cornwall.

We remember and we will always remember those men and women who paid the supreme sacrifice with their lives, the Poppies that we distribute each year are a symbol of Remembrance.

We wish to thank the City of Cornwall for the assistance given to us at Legion Br # 297 during previous Poppy Campaigns and on November 11 Remembrance Day, and we trust the City's assistance will continue.

Thank you

ROYAL CANADIAN LEGION
W. E. Bill Beattie
Poppy Chairman
Legion Br # 297

"Lest we forget"



THE ROYAL CANADIAN LEGION

John McMartin Memorial Branch No. 297
P.O. Box 1083, Cornwall, Ontario K6H 5V2
Phone: (613) 933-2362 Fax: (613) 933-1122



2019-08-26

City of Cornwall
Attn: Mayor Bernadette Clement

Dear Madam Mayor,

The Royal Canadian Legion Branch 297 respectfully requests that the City of Cornwall Ont. Proclaim the week of November 4th 2019 through to November 11th 2019 as being Veterans' week.

Thank you


W.E. Bill Beattie
Poppy Chairman

"Lest we forget"

The Corporation of the City of Cornwall
Regular Meeting of Council
Report

Department: Corporate Services
Division: Clerk's Division
Report Number: 2019-12-Corporate Services
Prepared By: Debbie Caskenette, Deputy Clerk
Meeting Date: October 15, 2019
Subject: Proclamation – Ontario Public Library Week

Purpose

To proclaim the week of October 20 to 26, 2019 as “Ontario Public Library Week”.

Recommendation

That Council proclaim the week of October 20 to 26, 2019, as “Ontario Public Library Week” in the City of Cornwall.

Background / Discussion

The Cornwall Public Library is requesting to proclaim the week of October 20 to 26, 2019 as “Ontario Public Library Week” in order to recognize the Cornwall Public Library and to encourage every person to visit the Cornwall Public Library during this week and throughout the year.

Document Title:	Proclamation - Cornwall Public Library Week - 2019-12-Corporate Services.docx
Attachments:	
Final Approval Date:	Oct 7, 2019

This report and all of its attachments were approved and signed as outlined below:

Manon Levesque - Oct 7, 2019 - 10:55 AM

Maureen Adams - Oct 7, 2019 - 3:28 PM

The Corporation of the City of Cornwall
Regular Meeting of Council
Report

Department: Corporate Services
Division: Clerk's Division
Report Number: 2019-13-Corporate Services
Prepared By: Debbie Caskenette, Deputy Clerk
Meeting Date: October 15, 2019
Subject: Proclamation – Waste Reduction Week

Purpose

To proclaim the week of October 21 to 27, 2019, as “Waste Reduction Week” in the City of Cornwall.

Recommendation

That Council proclaim the week of October 21 to 27, 2019, as “Waste Reduction Week” in the City of Cornwall.

The City of Cornwall currently has a diversion rate of 30%, with lots of room to grow. Waste Reduction Week in Cornwall will provide a platform for education, assisting residents with reducing their waste at home before putting it to the curb.

Background / Discussion

The Recycling Council of Ontario is requesting that Council proclaim the week of October 21 to 27, 2019, as "Waste Reduction Week" in the City of Cornwall.

Document Title:	Proclamation - Waste Reduction Week - 2019-13-Corporate Services.docx
Attachments:	- Waste Reduction Week proclamation.pdf
Final Approval Date:	Oct 7, 2019

This report and all of its attachments were approved and signed as outlined below:

Manon Levesque - Oct 3, 2019 - 1:54 PM

Maureen Adams - Oct 7, 2019 - 8:43 AM

**Waste Reduction
Week in Canada**



**WASTE
REDUCTION
WEEK
IN CANADA**

**Semaine canadienne de
réduction des déchets**

(Name of Municipality)

hereby recognizes

Waste Reduction Week in Canada

As a municipality, we are committed to conserving resources, protecting the environment and educating the community.

We recognize the generation of solid waste and the needless waste of water and energy resources as global environmental problems and endeavor to take the lead in our community toward environmental sustainability.

We have declared _____ Waste Reduction Week in
Date

Municipality

Signed

Date

Name and Position

The Corporation of the City of Cornwall
Regular Meeting of Council
Report

Department: Corporate Services
Division: Clerk's Division
Report Number: 2019-14-Corporate Services
Prepared By: Debbie Caskenette, Deputy Clerk
Meeting Date: October 15, 2019
Subject: Proclamation – World Polio Day

Purpose

To proclaim October 24, 2019, as “World Polio Day” in the City of Cornwall.

Recommendation

That Council proclaim October 24, 2019, as “World Polio Day” in the City of Cornwall and request the lighting at the Clock Tower be painted red to raise awareness of this terrible disease.

Background / Discussion

The Rotary Club of Cornwall Sunrise is requesting that Council proclaim October 24, 2019 as “World Polio Day”, in order to bring awareness of this crippling and potentially fatal infectious disease with no cure and to encourage every person to wear red to mark the day.

Document Title:	Proclamation - World Polio Day - 2019-14-Corporate Services.docx
Attachments:	- Proclamation World Polio Day.pdf
Final Approval Date:	Oct 7, 2019

This report and all of its attachments were approved and signed as outlined below:

Manon Levesque - Oct 3, 2019 - 1:55 PM

Maureen Adams - Oct 7, 2019 - 8:44 AM



Invitation du Club Rotary
Gilles Renaud to: bclement
Sent by: info@esolutionsgroup.ca

10/09/2019 11:24 AM

Bonjour Madame la mairesse

Le Club Rotary du soleil-levant souhaite vous inviter afin de participer au souper qui se tiendra au foyer Glen Stor Dun le 16 octobre, dans le cadre de la lutte contre la maladie de la polio. Le jour du 24 octobre prochain célèbre cette lutte au niveau international et on désire prendre la parole devant le Conseil avant le 16 octobre afin de promouvoir la tenue de ce souper et aussi sensibiliser tant le Conseil que vos commettants quant a ce fléau. Notre président, M. Peter Labelle, aimerait cinq minutes afin de discuter de ces questions. On imagine des éléments concrets lors du 24 octobre, notamment d'encourager le port de vêtements de couleur rouge, et de « peindre » en rouge le clocher, et ainsi de suite.
J'aimerais m'entretenir avec vous, si possible.

Merci d'avance.

Gilles Renaud
613-363-1612

origine: https://www.cornwall.ca/fr/city-hall/contact-us.aspx?_mid_=20837

Ce courriel vous vient de Gilles Renaud<gillesrenaud@live.ca> par l'entremise de <https://www.cornwall.ca>.

The members of the Rotary Club of Cornwall Sunrise invite you to a supper to be held at the Glen Stor Dun Lodge on October 16 in the context of World Polio Day, October 24, which commemorates the birth of Jonas Salk, who led the first team to develop a vaccine against polio. We would like to speak before the Council before October 16 to promote the supper and raise the awareness of Council and your [principals] regarding that terrible disease. Our president, Peter Labelle, would like to have five minutes to discuss the issue. We are considering concrete elements for October 24, specifically, encouraging people to wear red, "painting" the bell tower red and so on.

I would also like to discuss this further with you if possible.

Thank you in advance.

The Corporation of the City of Cornwall
Regular Meeting of Council
Report

Department: Corporate Services
Division: Clerk's Division
Report Number: 2019-16-Corporate Services
Prepared By: Debbie Caskenette, Deputy Clerk
Meeting Date: October 15, 2019
Subject: Temporary Street Closures for Santa Claus Street Hockey Challenge and Parade

Purpose

To allow temporary street closure to accommodate the Santa Claus Street Hockey Challenge on Saturday, November 16, 2019, followed by the Santa Claus Parade.

Recommendation

That Council approve the temporary street closure for:

- (a) Santa Claus Street Hockey Challenge on Montreal Road between McConnell Avenue and Arthur Street on Saturday, November 16, 2019, from 6:00 a.m. to 18:00 p.m.; and
- (b) A partial street closure at 13:00 p.m. for the Santa Claus parade route along Second Street from Anthony Street to Augustus Street and Augustus Street from Second Street West to Water Street and a full closure between the hours of 16:30 p.m. to 19:30 p.m.

Subject to the requirements contained in the City's Corporate Policy on Temporary Street Closures for Special Events.

Background / Discussion

The Santa Claus Parade Committee is requesting a temporary street closure of Montreal Road between McConnell Avenue and Arthur Street for the annual Santa Claus Street Hockey Challenge on Saturday, November 16, 2019, from 6:00 a.m. to 18:00 p.m.

The request is also for a partial and full street closure along the Santa Claus parade route on Second Street from Anthony Street to Augustus Street and Augustus Street from Second Street West to Water Street from 16:30 p.m. to 19:30 p.m.

Pursuant to the City's Corporate Policy on Temporary Street Closures for Special Events, organizations are responsible to provide written notice to all merchants and businesses within the geographical area of the suggested street closure with a copy of the proposed detour route. This correspondence was sent on August 30, 2019.

Anyone having any objection to the Street Closure must file a written objection within ten days of the date of the letter. No objections were filed with the Clerk's office.

City departments have no objections to the requested street closure.

The Parade Committee will be responsible to comply with the City's Corporate Policy including notification, public advertisement, contacting the City's emergency services, arrange for detour routes and temporary signage, commercial general liability insurance and indemnification.

Document Title:	Temporary Street Closures for Santa Claus Street Hockey Challenge and Parade - 2019-16-Corporate Services.docx
Attachments:	- Temporary Street Closure Santa Claus Parade.pdf
Final Approval Date:	Oct 7, 2019

This report and all of its attachments were approved and signed as outlined below:

Manon Levesque - Oct 3, 2019 - 1:48 PM

Maureen Adams - Oct 7, 2019 - 8:43 AM

Appendix 'A'

Temporary Street Closure Application Form

Date: September 12, 2019

Organizing Committee Name: Santa Claus Parade Committee

Mailing Address: P.O. Box 2002 Cornwall, ON K6H 6N7

Contact Person: Terry Muir

Phone Number: 613-362-3101

Purpose of Street Closure: Annual Santa's Street Hockey Challenge as part of the Santa Claus Parade

Proposed Date(s) of Closure

Beginning: November 16, 2019 Terminating: November 16, 2019

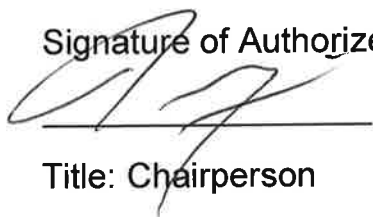
Proposed Time(s) of Closure Hours: Partial closure at 13:00 and full closure at 16:30 to 19:30.

Geographical Area Suggested To Be Closed:

Second Street from Anthony Street to Augustus Street.

Augustus Street from Second Street to Water Street.

Signature of Authorized Committee Member Print Name of Committee Member



Terry Muir

Title: Chairperson

Signature of Authorized Committee Member Print Name of Committee Member

Title:

Code of Conduct Policy Manual T-3. 6 Temporary Street Closure

Appendix 'A'

Temporary Street Closure

Application Form

Date: September 12, 2019

Organizing Committee Name: Santa Claus Parade Committee

Mailing Address: P.O. Box 2002 Cornwall, ON K6H 6N7

Contact Person: Terry Muir

Phone Number: 613-362-3101

Purpose of Street Closure: Annual Santa's Street Hockey Challenge as part of the Santa Claus Parade

Proposed Date(s) of Closure

Beginning: November 16, 2019 Terminating: November 16, 2019

Proposed Time(s) of Closure Hours: 06:00 to 18:00

Geographical Area Suggested To Be Closed:

Montreal Road from McConnell Avenue to Aurthur Street.

Signature of Authorized Committee Member Print Name of Committee Member

 Terry Muir

Title: Chairperson

Signature of Authorized Committee Member Print Name of Committee Member

Title:

Code of Conduct Policy Manual T-3. 6 Temporary Street Closure

Santa Claus Parade
Sponsored by the
Cornwall & District Service Club Council
P.O. Box 2002 Cornwall, On K6H 6N7



August 30, 2019

The Santa Claus Parade Committee wish to host the 7th annual Santa's Street Hockey Challenge on Saturday November 16th between the hours of 6:00 am and 6:00 pm and will be asking municipal council for an endorsement for permission to close, on a temporary basis, Montreal Road from McConnell Avenue to Aurthur Street.

As part of the "Municipal Street Closure Policy" we wish to notify you of our pending request. In accordance with Section 11 (a) (b), you have an opportunity to provide comments no later than 10 days from the receipt of this letter, in writing and addressed to the Clerk's Office located at 340 Pitt Street, Cornwall, Ontario K6H 3P9.

The proposed detour route would be McConnell Avenue to Second Street, Second Street to Marlborough St.

We wish to express our thanks;

Sincerely,

Terry Muir
Parade Chairperson

X

Robin MacIntosh
Tournament Committee Chair

Committee

* Julia Lucio * Gail Montgomery * Terry Muir * Ralph Brunton *
* Rob Porteous * Pat Depratto * Neil Dixon * Wendy Muir *
* Sue Caron * Chantal Gilmour * Gerry Adema * Robin MacIntosh *

Visit our website @ cornwallsantaclausparade.com

The Corporation of the City of Cornwall
Regular Meeting of Council
Report

Department: Corporate Services
Division: Clerk's Division
Report Number: 2019-19-Corporate Services
Prepared By: Debbie Caskenette, Deputy Clerk
Meeting Date: October 15, 2019
Subject: Flag Raising for United Way Month

Purpose

To request that the United Way / Centraide of S.D. & G. flag be raised at 360 Pitt Street for the period of October 21 to November 15, 2019.

Recommendation

That Council approve the United Way / Centraide of S.D. & G. flag be raised at 360 Pitt Street for the period of October 21 to November 15, 2019.

Background / Discussion

The United Way / Centraide of S.D. & G. is requesting that its flag be raised at 360 Pitt Street for the period of October 21 to November 15, 2019, to coincide with their Community Campaign period.

Document Title:	Flag for United Way Month - 2019-19-Corporate Services.docx
Attachments:	- United Way Centraide.pdf
Final Approval Date:	Oct 7, 2019

This report and all of its attachments were approved and signed as outlined below:

Manon Levesque - Oct 7, 2019 - 1:32 PM

Maureen Adams - Oct 7, 2019 - 3:31 PM

Fw: United Way Centraide of S.D.& G. Flag Raising

Manon Levesque to: Debbie Caskenette, Diane Brown

07/10/2019 11:18 AM

Hi Debbie,

Can you please add this Flag Raising request to the Agenda?

Hi Diane,

Can you please make arrangement with Stephanie for the flag raising ceremony?

Thanks.

Sincerely,

Manon L. Levesque, CMO
City Clerk / Greffière municipale
Manager, Clerk's Division / Directrice, Division du secrétariat
Corporate Services / Services corporatifs
The Corporation of the City of Cornwall
360, rue Pitt Street, Cornwall, ON, K6J 3P9
613-930-2787 ext 2316 Phone
613-933-1860 Fax
mlevesque@cornwall.ca

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----- Forwarded by Manon Levesque/CITYHALL/CityCornwall on 07/10/2019 11:17 AM -----

From: Stephanie <stephanie@unitedwaysdg.com>
To: "mlevesque@cornwall.ca" <mlevesque@cornwall.ca>
Date: 07/10/2019 08:45 AM
Subject: United Way Centraide of S.D. & G. Flag Raising

Good morning Monique,
Hope you are well and had a great weekend.

We would like to arrange a time this month to request that the United Way/Centraide of S.D. & G. flag be raised with the City of Cornwall

If it would be possible to have a four week period where the United Way flag would represent our Community Campaign period and fly in front of the City building downtown.

Tentative Dates (October 21st -November 15th)

Thank you in advance for your consideration. We look forward to hearing back

Have a great day, take care

Stephanie Lalonde

Campaign and Communication Coordinator
United Way of Stormont, Dundas and Glengarry
55 Water St West, Unit 240
Cornwall ON, K6H 5T2
Tel/613-932-2051

#UNIGNORABLE



SHOW YOUR LOCAL LOVE

The Corporation of the City of Cornwall
Regular Meeting of Council
Report

Department: Planning, Development and Recreation
Division: Planning
Report Number: [Report Number]
Prepared By: Mary Joyce-Smith, Division Manager
Meeting Date: October 15, 2019
Subject: **PAC Report No. 2 - 2019 Waterfront Plan**

Purpose

To request that Council adopt the 2019 Waterfront Plan which provides an updated vision for the future of the Waterfront and aligns the objective of the recently adopted Official Plan.

This modernized version builds upon its previous iterations while also providing a new and progressive framework for addressing the important economic, social, cultural and environmental benefits the Waterfront offers to the City and to its diverse residents and visitors year round. Intended as a living document, this new plan provides a road map for implementing improvements and serves as a blueprint to enhance Cornwall's Waterfront over the next 25 years.

Recommendation

That Council adopt the 2019 Waterfront Plan as presented at the PAC Public Meeting of July 29th, 2019, as well as an Information item at the September 16th, 2019 PAC.

Financial Implications

In the same way as it has been done with all Waterfront projects, improvements will be proposed within a 5 year capital project forecast, based on the recommendations outlined in the 2019 Waterfront Plan.

The project sequence attempts to evenly distribute the capital costs of all projects over a twenty-five year time frame as well as, the total cost of all projects undertaken each year. This includes costs associated with both design and implementation. The plan outlines a total investment of approximately \$25 million in the long term (25 year horizon). These are reviewed in the newly updated Waterfront Plan; see pages 116-121, "Budget Considerations".

Specific projects to be implemented on a yearly basis will follow the regular budget approval process, subject to the Budget Committee Review and approval and will be ultimately subject to Council approval.

Strategic Priority Implications

The new strategy for the City of Cornwall lists the Waterfront Development as the first of its five key priorities.

Background / Discussion

The City retained **thinc design** to undertake an update of the 2007 Waterfront Plan and to develop a plan which the City could follow and base its Waterfront related decisions in the next decade and beyond.

The study to develop the plan (twelve month process) involved extensive public and stakeholder participation and input. Based on the input received through the community and stakeholder consultation processes, seven guiding principles for Cornwall's Waterfront were identified:

- Improve access/ increase connectivity
- Spaces to celebrate and enjoy
- Enhance culture / historic fibre
- Create a magnetic Waterfront
- Activities for all seasons
- Promote strategic infill
- Be ecologically driven

These Guiding Principles are further described and illustrated in the newly updated Waterfront Plan, see pages 51-54.

A brief description and main findings of the study are summarized in the Executive Summary, pages xiii-xv, of the updated Waterfront Plan.

It has become normal practice to ask for Council's endorsement for such major initiatives as this 2019 Waterfront Plan similar to the recent Bicycle & Pedestrian Master Plan, Recreation Master Plan, etc. Each year staff will draw from the documents to propose Capital Projects for Council's approval.

Document Title:	PAC Report No.docx
Attachments:	
Final Approval Date:	Oct 8, 2019

This report and all of its attachments were approved and signed as outlined below:

Mary Joyce-Smith - Oct 8, 2019 - 9:22 AM

Mark A. Boileau - Oct 8, 2019 - 11:49 AM

Maureen Adams - Oct 8, 2019 - 12:22 PM

The Corporation of the City of Cornwall
Regular Meeting of Council
Report

Department: Planning, Development and Recreation
Division: Planning
Report Number: [Report Number]
Prepared By: Karl Doyle, Senior Planner
Meeting Date: October 15, 2019
Subject: PAC Report No. 1 - Application for a Draft Plan of Subdivision
- Review and Rezoning Application for St. Antoine Subdivision
(Agent - Bob Clark/Clark Consulting Services) (Subdivision #
04T-2018-03, Folder 303, and PAC File# Z-03-18).

Purpose

To request approval from Council for the proposed Draft Plan of Subdivision prepared by K.L Stidwill O.L.S., Professional Engineers and Ontario Land Surveyor., dated July 28th, 2018, on the lands located at East 1/2 of Lot 6, Concession 2, and comprising approximately of 11.5 Ha (28 acres) of land, referred to as the St. Antoine Subdivision and associated Rezoning application.

Recommendation

That Council give Draft Plan Approval to the request received from Clark Consulting Services subject to the following:

(a) This Draft Plan Approval will be subject to the satisfaction of City, that the conditions contained in Appendix "A" including the additional Condition #27 have been completed and, furthermore that the Mayor and Clerk are hereby authorized to sign the final version of the Registered Plan upon satisfactory completion of the Subdivider's Agreement and the Draft Plan Conditions.

(b) That Block F, as identified on the Draft Plan of Subdivision, be rezoned from Residential 20 (RES 20) to Residential 30 (RES 30); subject to Section 34(21) of the Planning Act, 1990 if no objections are received, or subject to receiving the approval of the Local Planning Appeal Tribunal (LPAT), if any objections are received. and;

(c) That Blocks A, B & C be rezoned from Residential 20 (RES 20) to Residential 20 (RES 20) with site specific exceptions to Permitted Uses (Section 02-2-2Bi,ii.) Minimum Frontage, the following will apply;

- Block A, Minimum Frontage = 31 metres
- Block B, Minimum Frontage = 24.8 metres
- Block C, Minimum Frontage = 28.9 metres.

Subject to Section 34(21) of the Planning Act, 1990 if no objections are received, or subject to receiving the approval of the Local Planning Appeal Tribunal (LPAT), if any objections are received.

Background / Discussion

An application for approval of a Draft Residential Plan of Subdivision and Rezoning has been submitted by Clark Consulting Services for a plan consisting of 115 single family dwelling units, 28 semi-detached units, 20 linear townhouse units and 1 (21 unit) apartment building on approximately 11.5 hectares of land. The subdivision proposal is located to the east of McConnell Avenue, west of the City's Industrial Park, south of Tollgate Road east and north of the CN Rail corridor. There is an associated rezoning application requesting a zone change for Block F from Residential 20 (RES 20) to Residential 30 (RES 30) to accommodate a proposed 21 unit apartment building along with site specific exceptions to the Residential 20 (RES 20) zoning for reduced lot frontages to accommodate 3 linear townhouses on Blocks A, B, and C.

The Draft Plan of Subdivision will be a phased residential mixed use development. The first phase will start at the south limit of the lands and subsequently proceed with Phases 2 and 3 to the north.

Planning Division staff has reviewed the Subdivision application and the associated Rezoning application and all supporting documentation to facilitate this Residential Plan of Subdivision and is supportive of the phased development concept. A project of this nature maximizes the use of services, includes appropriate low/medium density residential land uses, is well integrated with natural features, and adheres to such general principles of sustainable land use planning, as promoted in the Cornwall O.P. and P.P.S. documents.

Many residents who reside in the neighbourhood were present at the meeting and expressed frustrations with respect to the large influx of residential units that would be added to the existing neighbourhood. There was a number of questions and concerns expressed during the meeting, ranging from residential land uses, noise and vibration, stormwater management, existing infrastructure, phasing, traffic volumes and the existing road network outletting onto McConnell Avenue. There was significant discussion between the public, City staff, consultants and PAC members.

The main concern received from the public is related to additional traffic volumes that will be generated by the proposed Phased Subdivision and how it will further aggravate the long standing traffic issues at the McConnell Avenue intersection.

After a lengthy debate about whether or not PAC should approve the proposed Draft Plan of Subdivision without first addressing the traffic concerns, it was concluded that an evaluation of the McConnell Avenue corridor intersection west of the proposed residential development be further evaluated by City staff and the Consultant. The purpose of the evaluation is to develop an acceptable solution to the long standing traffic issues expressed at the Planning Advisory & Hearing Committee meeting and they agreed that this could be achieved through the addition of a Draft Plan condition.

At the PAC meeting of September 16, 2019, the following motion was made seconded and carried:

(a) That Draft Plan of Subdivision approval be given to the draft plan prepared by K.L Stidwill O.L.S., Professional Engineers and Ontario Land Surveyor., dated July 28th, 2018, on the lands located at East 1/2 of Lot 6, Concession 2, and comprising approximately of 11.5 Ha (28 acres) of land, referred to as the St. Antoine Subdivision (see Attachment 3). This phased plan will provide for 115 Single Family detached dwelling lots, 14 Semi-Detached lots (28 units), Townhouse Buildings (20 units) on Blocks A, B, C, D & E, 1 Apartment Building (21 units), Blocks H, I & J will accommodate easement accesses and Block G will be dedicated for a Stormwater Management Pond. This Draft Plan will be subject to the fulfilment of the Draft Plan Conditions as shown in Appendix A, and associated Rezoning coming into effect, and will also include the addition of a Draft Plan Condition # 27 which will ask that City Staff and the Consultant work to evaluate and resolve the St. Antoine Street and McConnell Avenue intersection prior to registration of Phase 1 (Attachment 1); and

(b) That Block F, as identified on the Draft Plan of Subdivision, be rezoned from Residential 20 (RES 20) to Residential 30 (RES 30); subject to Section 34(21) of the Planning Act, 1990 if no objections are received, or subject to receiving the approval of the Local Planning Appeal Tribunal (LPAT), if any objections are received; and

(c) That Blocks A, B & C be rezoned from Residential 20 (RES 20) to Residential 20 (RES 20) with site specific exceptions to Permitted Uses (Section 02-2-2Bi,ii.) Minimum Frontage, the following will apply;

- Block A, Minimum Frontage = 31 metres
- Block B, Minimum Frontage = 24.8 metres
- Block C, Minimum Frontage = 28.9 metres.

Subject to Section 34(21) of the Planning Act, 1990 if no objections are received, or subject to receiving the approval of the Local Planning Appeal Tribunal (LPAT), if any objections are received.

Moved By: Carilyne Hébert, Councillor

Seconded By: Bernadette Clément, Mayor

Motion Carried

Document Title:	PAC Report No. 1 - St.docx
Attachments:	- TranPlan Associates - Traffic Impact Assessment -.pdf - St Antoine Modified Draft Plan Conditions September2019.pdf
Final Approval Date:	Oct 7, 2019

This report and all of its attachments were approved and signed as outlined below:

Mary Joyce-Smith - Oct 4, 2019 - 9:17 AM

Mark A. Boileau - Oct 4, 2019 - 11:14 AM

Maureen Adams - Oct 7, 2019 - 8:53 AM

5.0 PRINCIPAL FINDINGS AND RECOMMENDATIONS

This traffic impact study was carried out in support of the proposed *Residential Development* to be located in the southeast corner of the Eamers Corners Residential Community, in the vicinity of St. Antoine Street, east of McConnell Avenue and north of the railroad, in the City of Cornwall. The traffic operational analyses described in this report have provided a detailed examination of the anticipated impacts of future background and site-generated traffic for the proposed development. The following are principal findings from the study and recommendations with respect to the proposed development.

- 5.1 The study considered the weekday peak hour periods using AM and PM peak hour vehicular volumes generated by the proposed development.
- 5.2 Under the existing conditions, all movements at the study intersections currently operate at very good LOS "A" with minimum delay during AM and PM peak hours. The only exception is the critical westbound (outbound) movement at McConnell Avenue/St. Antoine Street intersection which currently operates at LOS "C" during the AM and PM peak hours.
- 5.3 For planning purposes, the 2016 traffic volumes were projected ahead to full build-out in 2020 and a 2025 future planning horizon based on an average growth rate of 1.0% per annum for the roads in the study area. The resulting background traffic volumes are illustrated in **Exhibits 2.2**.
- 5.4 Under the 2020 and 2025 background conditions, all movements at the study intersections are forecast to continue to maintain current very good LOS "A" with minimum delay during AM and PM peak hours. The only exception continues to be the critical westbound (outbound) movement at McConnell Avenue/St. Antoine Street intersection which is forecast to operate at LOS "C" during the

AM and PM peak hours.

- 5.5 The forecasts of future site trip generation for the proposed development were developed using the ITE land use *Residential Condominium/Townhouse (LU 230)* and *Single Family (LU 210)* rates. The forecast peak hour vehicular trip generation by the proposed development is summarized below and the resulting number of site generated vehicle trips is given in **Table 3.1** and illustrated in **Exhibit 3.1**.

	<u>AM Pk Hr</u>	<u>PM Pk Hr</u>
<i>Inbound</i>	43	145
<i>Outbound</i>	133	84
<i>Total</i>	176	229

- 5.6 The directional orientation of the site traffic is expected to be similar to the trip patterns observed at the study intersections and consistent with population distribution within commuting distance. The following directional distributions were assumed by the study analysis, see **Exhibit 3.1**:

	Inbound AM (PM)/Outbound AM (PM)	
To/from North	35% (25%)	/ 20% (40%)
To/from South	65% (75%)	/ 80% (60%)

- 5.7 **Exhibit 3.2** shows the projected 2020 and 2025 total traffic volumes with the trips from the proposed development.
- 5.8 Analyses of the future 2020 and 2025 total conditions indicate that with the continued growth in the McConnell Avenue traffic stream and the additional traffic from the proposed development on St. Antoine Street, the critical westbound (outbound) movement at McConnell Avenue/St. Antoine Street intersection during the AM peak hour will continue to deteriorate to LOS "F" with an average delay of approximately 75 seconds producing 95th percentile queue

of approximately 51 metres, (approximately seven vehicles) and the volume to capacity ratio at 0.85, under the 2025 planning horizon, as there are very limited gaps on McConnell Avenue traffic stream.

- 5.9 The Level of Service and the forecast congestion associated with the critical outbound (westbound left and right turns) movements from St. Antoine Street, could be mitigated by signalizing the St. Antoine Street at McConnell Avenue intersection. St. Antoine Street is situated approximately at a mid-point between two signalized intersections, McConnell Avenue/Tollgate Road East to North and McConnell Avenue/11th Street East to South. The long distance between the traffic signals on McConnell Avenue results in very limited gaps to allow the side street traffic to join the main street traffic. The only viable solution may be to signalize the intersection or turn the intersection into a roundabout intersection control.
- 5.10 Ontario Traffic Manual (OTM) Book 12 Signal Warrant Analysis based on Volume Justification 1 and 2 were carried out for St. Antoine Street/McConnell Avenue intersection based on existing, 2025 background and 2025 total traffic conditions. Furthermore, Justification 7 was performed using future 2025 Peak Hour Volumes to test if the traffic signals will be warranted at the St. Antoine Street/McConnell Avenue intersection. The signal warrant analyses indicate that traffic signals are not warranted at St. Antoine Street/McConnell Avenue intersection based on existing and projected traffic volumes.

However, it may be prudent to start planning (and monitoring traffic levels) for signalizing the St. Antoine Street/McConnell Avenue intersection to mitigate the expected level of congestion on St. Antoine Street during AM and PM peak hours.

- 5.11 No other mitigation measures will be necessary for the study intersections to accommodate the proposed residential development.

REVISED - APPENDIX "A"

FILE NO.: 04-T-2018-03

DATE: September 27th, 2019

The City of Cornwall's conditions and amendments to final Plan approval for registration of subdivision File No. 04-T-2018 -03 are as follows:

NO.	CONDITIONS
1.	That this approval applies to the Draft Plan prepared by K.L Stidwill O.L.S., Professional Engineers and Ontario Land Surveyor., dated July 28th, 2018 which shows 115 Single Family lots, 14 Semi-Detached lots, 5 Linear Townhouse Blocks and 1 Apartment Building Block along with Additional blocks/easements will be required to be dedicated to the City for sewer and watermain locations;.
2.	That the walkway (Blocks H) include a solid fenced and landscaped pathway on the 6.1m wide narrow corridor.
3.	That the streets shall be named to the satisfaction of the City of Cornwall.
4.	That the owner convey up to 5% cash-in-lieu of the land included in the plan to the municipality for park purposes.
5.	That the Developer agrees to fulfill all the comments which were previously provided to the Developer in the letter "SUBJECT: Draft Plan of St. Antoine Subdivision – Engineering Comments". That the Developer shall provide a finalized Preliminary Servicing Report which addresses those comments. That the Developer agrees to fulfill all existing and new conditions the City's Engineering Department identifies upon review of the revised Preliminary and Final Servicing Reports and the Subdivision's Design Drawing submissions, prior to entering into a Subdivider's Agreement with the City.
6.	That the road allowances included in this Draft Plan shall be shown and dedicated as public highways.
7.	That the owner agrees, in writing, to satisfy all requirements, financial and otherwise, of the municipality concerning the provision of roads, including the future streets, sidewalks, fencing, installation of services, drainage and any noise studies, as required.
8.	That the easements, as may be required, for utility or drainage purposes, shall be granted to the appropriate authority.
9.	That the Subdivider's Agreement between the owner and the municipality shall contain a provision wherein the owner agrees to enter into a servicing agreement with Bell Canada to comply with underground servicing conditions imposed by the municipality and if no such conditions are imposed, the owner shall advise the Municipality of the arrangement for such servicing.

NO.	CONDITIONS
10.	That the Owner shall consent, in the Agreement, in words satisfactory to Bell Canada, to grant to Bell Canada any easements that may be required for telecommunication services. Easements may be required on final servicing decisions. In the event of any conflict with existing Bell Canada facilities or easements, the Owner/Developer shall be responsible for the relocation of such facilities or easements.
11.	That any dead ends and open sides of road allowances created by this Draft Plan shall be terminated in 0.3 meter reserves to be conveyed to, and held in trust, by the City of Cornwall.
12.	That the subdivision agreement between the owner and the Municipality is registered against the lands to which it applies, once the plan of subdivision has been registered for this phase.
13.	All measurements in subdivision and condominium final plans must be presented in metric units.
14.	That the owner/Developer shall contact a Delivery Service Officer at Canada Post to determine locations for Community Mailboxes. Community Mailboxes are to be approved by the City of Cornwall's Planning and Engineering Divisions.
15.	That the owner agrees, via the Subdivider's Agreement with the Municipality, to inform all prospective purchasers through a clause in all agreements of purchase and sale, as to the location of all Community Mailboxes.
16.	That all necessary temporary turning circles be shown on the final plan as blocks on the Registered Plan. The easement rights on these blocks shall be conveyed to the Municipality until the future extension of the road allowance, when the future right-of-way shall be dedicated as public highway.
17.	That the Delivery Service Officer at Canada Post shall determine the location for the Community Mail Boxes which shall be indicated on the Engineering drawings. The Community Mail Boxes are to be approved by the City of Cornwall's Planning and Engineering Departments.
18.	That the Developer shall inform all prospective owners of the proposed location of the Community Mail Boxes. Also, the Developer shall provide depressed curbs at the Community Mail Box site. These curbs shall be 2 metres in width and no higher than 25mm. If a grassed boulevard is planned between the curb and the sidewalk, the Developer shall install a 1.0 metre walkway across the boulevard, and this shall be handicap accessible.
19.	If the development includes plans for (a) multi-unit building(s) pertaining to Block F with a common indoor entrance, the developer must supply, install and maintain the mail delivery equipment with parcels compartments within these buildings to Canada Post's specifications.
20.	The Owner agrees that where possible a minimum 10' existing vegetation tree buffer along the east, north and north west should be maintained in order to maintain adequate buffering.

NO.	CONDITIONS
21.	The Owner shall engage a consultant to undertake an analysis of noise. The study must be completed to CN's satisfaction and the mitigations recommended in the report to address impact from noise associated with rail operations are to be implemented in the site and building design.
22.	The Owner shall be required to grant CN an environmental easement for operational noise and vibration emissions, registered against the subject property in favour of CN for lots within 300 meters of the ROW. This easement is required to be registered on title prior to approval of Plan of Subdivision.
23.	The following clause should be inserted in all development agreements, offers to purchase, and agreements of Purchase and Sale or Lease of each dwelling unit within 300m of the railway right-of-way: "Warning: Canadian National Railway Company or its assigns or successors in interest has or have a rights-of-way within 300 metres from the land the subject hereof. There may be alterations to or expansions of the railway facilities on such rights-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). CNR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid rights-of-way."
24.	We would also advise the Proponent that CN undertakes technical reviews and the drafting of required legal agreements on a cost recovery basis at the Proponents expense.
25.	<p>1. The Owner agrees that a Tree Compensation Plan agreement will be entered into prior to registering the Plan of Subdivision.</p> <p>2. That a final stormwater management report be prepared and submitted to the RRCA for review and approval, including:</p> <p>a. A comparison of pre-development vs. post-development runoff, The proponent should demonstrate that post development runoff is relatively equivalent to pre-development runoff from both the 5-year and the 100-year return periods.</p> <p>b. A table summarizing pre and post uncontrolled and controlled flows and a discussion of alternatives for on-site controls (e.g, lot grading) and stormwater quality measures (e.g. options for increased infiltration).</p> <p>c. The receiving waterbody and adjacent wetlands shall not be adversely impacted, For example, enhanced protection shall be achieved prior to discharge off-site and eventually into the Fly Creek outlet. In addition, the natural hydrologic cycle shall be generally maintained.</p> <p>d. The project complies with the current Ministry of the Environment, Conservation and Parks (MECP) Stormwater Management Planning and Design Manual.</p>

NO.	CONDITIONS
	<p>e. The final design shall include sufficient details to ensure the pond retains a permanent wet volume.</p> <p>f. A lot grading and drainage plan depicting the proposed building envelopes, drainage patterns, contours, lot and road grading.</p> <p>i. Please ensure the City of Cornwall has access to the SWM pond for cleaning & maintenance.</p> <p>g. Reasonable assurance that the pond will be delivered to the City "as designed", meaning that sediment and debris resulting from construction will be removed prior to the City of Cornwall taking over the infrastructure.</p> <p>h. Detailed sediment and erosion control measures (pre, during, and post construction), including routine inspection and maintenance procedures.</p> <p>3. The subdivision agreement shall provide that the approved Stormwater Management Plan(s), the Lot Grading and Drainage Plan, and the Tree Compensation Agreement shall be implemented,</p>
26.	That the Final Draft Plan to be authorized by the City of Cornwall must be signed by an Ontario Land Surveyor.
27.	That the Owner's Consultant and City Staff are to evaluate and resolve the vehicular ingress and egress conflicts at the St. Antoine Street and McConnell Avenue intersection prior to registration of Phase 1, the evaluation and solution is to be reviewed and approved to the satisfaction of the City's Traffic Engineer.
<p>NOTES TO DRAFT APPROVAL</p> <p>1. It is the applicant's responsibility to fulfill the conditions of Draft Plan approval and to ensure the required clearance letters are forwarded by the appropriate agencies to the City of Cornwall's Planning Division, 2nd Floor, Civic Complex, 100 Water Street East, quoting the Subdivision File Number.</p> <p>2. It is suggested that you make yourself aware of the <i>Land Titles Absolute</i> under the <i>Land Titles Act</i>, which is available through your solicitor's office. Plans of Subdivision cannot be registered before the requirements of the Certification of Titles Act have been compiled with.</p> <p>3. Clearances are required from the following Departments/Agencies:</p> <p>1. Mrs. Mary Joyce-Smith MCIP, RPP Division Manager Department of Planning, CITY OF CORNWALL P.O. Box 877 Cornwall, ON K6H 5T9</p>	

2. Ms. Kim MacDonald
Watershed Planner
RAISIN REGION CONSERVATION AUTHORITY
P.O. Box 429
Cornwall, ON K6H 5T2
3. Mr. Michael Fawthrop , P.ENG
Division Manager, Department of Infrastructure and Municipal Works
CITY OF CORNWALL
1225 Ontario Street
Cornwall, ON K6H 4E1

The Corporation of the City of Cornwall
Regular Meeting of Council
Report

Department: Financial Services
Division: Finance
Report Number: 2019-07-Financial Services
Prepared By: Tracey Bailey, General Manager
Meeting Date: October 15, 2019
Subject: **AMO Board Report on Liability and Insurance Costs Reforms**

Purpose

To provide Council with the Association of Municipalities of Ontario (AMO) Board report entitled "Towards A Reasonable Balance: Addressing growing municipal liability and insurance costs".

Recommendation

That Council support the AMO Board request to endorse the report entitled "Towards A Reasonable Balance: Addressing growing municipal liability and insurance costs"; and forward a Resolution of Council to the Ministry of the Attorney General.

Financial Implications

Joint and several liability has a profound effect on municipal claim settlements. Joint and several liability is when multiple parties can be held liable for the same event or act and be responsible for all restitution required. The liable parties would be required to pay the entire damage award, which could be split among multiple parties or could come from just one party.

Background / Discussion

On September 27, the AMO Board approved a submission on joint and several liability entitled "Towards A Reasonable Balance: Addressing growing municipal

liability and insurance costs (report attached). AMO President Jamie McGarvey forwarded the report to the Attorney General, The Honourable Doug Downey for consideration.

The report includes seven key recommendations to address these issues:

1. The provincial government adopt a model of full proportionate liability to replace joint and several liability.
2. Implement enhancements to the existing limitations period including the continued applicability of the existing 10-day rule on slip and fall cases given recent judicial interpretations, and whether a 1-year limitation period may be beneficial.
3. Implement a cap for economic loss awards.
4. Increase the catastrophic impairment default benefit limit to \$2 million and increase the third-party liability coverage to \$2 million in government regulated automobile insurance plans.
5. Assess and implement additional measures which would support lower premiums or alternatives to the provision of insurance services by other entities such as non-profit insurance reciprocals.
6. Compel the insurance industry to supply all necessary financial evidence including premiums, claims, and deductible limit changes which support its, and municipal arguments as to the fiscal impact of joint and several liability.
7. Establish a provincial and municipal working group to consider the above and put forward recommendations to the Attorney General.

The AMO paper illustrates that options to find a balance to the issues and challenges of municipal liability and insurance costs exists and can be successfully implemented as other jurisdictions have done.

Municipal councils are encouraged to endorse the report and its recommendations. The Ministry of the Attorney General has agreed to accept municipal resolutions up until November 1, 2019.

Towards a Reasonable Balance:

Addressing growing municipal liability and insurance costs

Submission to the Attorney General of Ontario

October 1, 2019

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Sent via email to: doug.downeyco@pc.ola.org
magpolicy@ontario.ca

October 1, 2019

The Honourable Doug Downey
Attorney General of Ontario
McMurtry-Scott Building, 11th Floor
720 Bay Street
Toronto, Ontario
M7A 2S9

Dear Attorney General Downey,

Municipal governments accept the responsibility to pay their fair share of a loss. Always. Making it right and paying a fair share are the cornerstones of our legal system. Citizens expect nothing less of their local governments.

But what is a challenge for municipalities and property taxpayers alike, is being asked to assume someone else's responsibility for someone else's mistake. Municipal governments should not be the insurer of last resort. For municipalities in Ontario, however, the principle of joint and several liability ensures that they are just that.

Joint and several liability means higher insurance costs. It diverts property tax dollars from delivering public services. It has transformed municipalities into litigation targets while others escape responsibility. It forces municipal government to settle out-of-court for excessive amounts when responsibility is as low as 1%.

There must be a better way. There must be a better way to help ensure those who suffer losses are made whole again without asking municipalities to bear that burden alone. There must be a better way to be fair, reasonable, and responsible.

AMO welcomes the government's commitment to review joint and several liability. It is a complex issue that has many dimensions. Issues of fairness, legal principles, "liability chill", insurance failures and high insurance costs are all intertwined. Many other jurisdictions have offered additional protection for municipalities and AMO calls on the Ontario government to do the same.

What follows is a starting point for that discussion. Our paper reasserts key issues from AMO's 2010 paper, AMO's 2011 insurance cost survey, provides more recent examples, and details some possible solutions of which there are many options.

Municipalities are in the business of delivering public services. Municipal governments exist to connect people and to advance the development of a community. It is time to find a reasonable balance to prevent the further scaling back of public services owing to joint and several liability, "liability chill", or excessive insurance costs.



Together with the provincial government, I am confident we can find a better way.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. McGarvey', is written over a horizontal line.

Jamie McGarvey
AMO President

Executive Summary

AMO's advocacy efforts on joint and several liability in no way intends for aggrieved parties to be denied justice or damages through the courts. Rather, municipal governments seek to highlight the inequity of how much "deep pocket" defendants like municipalities are forced to pay, for both in and out of court settlements.

It is entirely unfair to ask property taxpayers to carry the lion's share of a damage award when a municipality is found at minimal fault or to assume responsibility for someone else's mistake.

Municipal governments cannot afford to be the insurer of last resort. The principle of joint and several liability is costing municipalities and taxpayers dearly, in the form of rising insurance premiums, service reductions and fewer choices. The *Negligence Act* was never intended to place the burden of insurer of last resort on municipalities.

As public organizations with taxation power and "deep pockets," municipalities have become focal points for litigation when other defendants do not have the means to pay. At the same time, catastrophic claim awards in Ontario have increased considerably. In part, joint and several liability is fueling exorbitant increases in municipal insurance premiums.

The heavy insurance burden and legal environment is unsustainable for Ontario's communities. Despite enormous improvements to safety, including new standards for playgrounds, pool safety, and better risk management practices, municipal insurance premiums and liability claims continue to increase. All municipalities have risk management policies to one degree or another and most large municipalities now employ risk managers precisely to increase health and safety and limit liability exposure in the design of facilities, programs, and insurance coverage. Liability is a top of mind consideration for all municipal councils.

Joint and several liability is problematic not only because of the disproportioned burden on municipalities that are awarded by courts. It is also the immeasurable impact of propelling municipalities to settle out of court to avoid protracted and expensive litigation for amounts that may be excessive, or certainly represent a greater percentage than their degree of fault.

Various forms of proportionate liability have now been enacted by all of Ontario's competing Great Lakes states. In total, 38 other states south of the border have adopted proportionate liability in specific circumstances to the benefit of municipalities. Many common law jurisdictions around the world have adopted legal reforms to limit the exposure and restore balance. With other Commonwealth jurisdictions and the majority of state governments in the United States having modified the rule of joint and several liability in favour of some form of proportionate liability, it is time for Ontario to consider various options.

There is precedence in Ontario for joint and several liability reform. The car leasing lobby highlighted a particularly expensive court award made in November of 2004 against a car leasing company by the victim of a drunk driver. The August 1997 accident occurred when the car skidded off a county road near Peterborough, Ontario. It exposed the inequity of joint and several liability for car leasing companies. The leasing companies argued to the government that the settlement had put them at a competitive disadvantage to lenders. They also warned that such liability conditions would likely drive some leasing and rental companies to reduce their business in Ontario. As a result, Bill 18 amended the *Compulsory Automobile Insurance Act*, the *Highway Traffic*

Act and the Ontario *Insurance Act* to make renters and lessees vicariously liable for the negligence of automobile drivers and capped the maximum liability of owners of rental and leased cars at \$1 million. While Bill 18 has eliminated the owners of leased and rented cars as “deep pocket” defendants, no such restrictions have been enacted to assist municipalities.

A 2011 survey conducted by AMO reveals that since 2007, liability premiums have increased by 22.2% and are among the fastest growing municipal costs. Total 2011 Ontario municipal insurance costs were \$155.2 million. Liability premiums made up the majority of these expenses at \$85.5 million. Property taxpayers are paying this price.

These trends are continuing. In August of 2019, it was reported the Town of Bradford West Gwillimbury faces a 59% insurance cost increase for 2019. This is just one example. AMO encourages the municipal insurance industry to provide the government with more recent data and trends to support the industry’s own arguments regarding the impact joint and several has on premiums.

Insurance costs disproportionately affect small municipalities. For 2011, the per capita insurance costs for communities with populations under 10,000 were \$37.56. By comparison, per capita costs in large communities with populations over 75,000 were \$7.71. Property taxpayers in one northern community are spending more on insurance than their library. In one southern county, for every \$2 spent on snowplowing roads, another \$1 is spent on insurance.

In 2016, the Ontario Municipal Insurance Exchange (OMEX), a not-for-profit insurer, announced that it was suspending reciprocal underwriting operations. The organization cited, a “low pricing environment, combined with the impact of joint and several liability on municipal claim settlements” as reasons for the decision. Fewer choices fuels premium increases.

Learning from other jurisdictions is important for Ontario. The Province of Saskatchewan has implemented liability reforms to support its municipalities. As a municipal lawyer at the time, Neil Robertson, QC was instrumental in laying out the arguments in support of these changes. Now a Justice of the Court of Queen’s Bench for Saskatchewan, AMO was pleased to have Neil Robertson prepare a paper and address AMO conference delegates in 2013. Much of the Saskatchewan municipal experience (which led to reforms) is applicable to the Ontario and the Canadian municipal context. Summarised below and throughout this paper are some of Robertson’s key findings.

Robertson found that, regardless of the cause, over the years municipalities in Canada have experienced an accelerating rate of litigation and an increase in amounts of damage awards. He noted these developments challenge municipalities and raise financial, operational and policy issues in the provision of public services.

Robertson describes the current Canadian legal climate as having placed municipalities in the role of involuntary insurer. Courts have assigned municipal liability where liability was traditionally denied and apportioned fault to municipal defendants out of proportion to municipal involvement in the actual wrong.

This increased exposure to liability has had serious ramifications for municipalities, both as a deterrent to providing public services which may give rise to claims and in raising the cost and reducing the availability of insurance. The cost of claims has caused insurers to reconsider not only

what to charge for premiums, but whether to continue offering insurance coverage to municipal clients.

Robertson also makes the key point that it is reasonable for municipal leaders to seek appropriate statutory protections. He wrote:

“Since municipalities exist to improve the quality of life for their citizens, the possibility of causing harm to those same citizens is contrary to its fundamental mission. Careful management and wise stewardship of public resources by municipal leaders will reduce the likelihood of such harm, including adherence to good risk management practices in municipal operations. But wise stewardship also involves avoiding the risk of unwarranted costs arising from inevitable claims.”

And, of course, a key consideration is the reality that insurance premiums, self-insurance costs, and legal fees divert municipal funds from other essential municipal services and responsibilities.

It is in this context that AMO appreciated the commitments made by the Premier and the Attorney General to review the principle of joint and several liability, the impact it has on insurance costs, and the influence “liability chill” has on the delivery of public services. Now is the time to deliver provincial public policy solutions which address these issues.

Recommendations

AMO recommends the following measures to address these issues:

1. The provincial government adopt a model of full proportionate liability to replace joint and several liability.
2. Implement enhancements to the existing limitations period including the continued applicability of the existing 10-day rule on slip and fall cases given recent judicial interpretations, and whether a 1-year limitation period may be beneficial.
3. Implement a cap for economic loss awards.
4. Increase the catastrophic impairment default benefit limit to \$2 million and increase the third-party liability coverage to \$2 million in government regulated automobile insurance plans.
5. Assess and implement additional measures which would support lower premiums or alternatives to the provision of insurance services by other entities such as non-profit insurance reciprocals.
6. Compel the insurance industry to supply all necessary financial evidence including premiums, claims, and deductible limit changes which support its, and municipal arguments as to the fiscal impact of joint and several liability.
7. Establish a provincial and municipal working group to consider the above and put forward recommendations to the Attorney General.

Insurance Cost Examples

The government has requested detailed information from municipalities regarding their insurance costs, coverage, deductibles, claims history, and out-of-court settlements. Municipalities have been busy responding to a long list of provincial consultations on a wide range of topics. Some of the information being sought is more easily supplied by the insurance industry. AMO's 2011 survey of insurance costs produced a sample size of 122 municipalities and assessed insurance cost increases over a five-year period. The survey revealed an average premium increase which exceeded 20% over that period.

All of the same forces remain at play in 2019 just as they were in 2011. Below are some key examples.

Ear Falls - The Township of Ear Falls reports that its insurance premiums have increased 30% over five years to \$81,686. With a population of only 995 residents (2016), this represents a per capita cost of \$82.09. This amount is a significant increase from AMO's 2011 Insurance Survey result. At that time, the average per capita insurance cost for a community with a population under 10,000 was \$37.56. While the Township has not been the subject of a liability claim, a claim in a community of this size could have significant and long-lasting financial and service implications. The Township has also had to impose stricter insurance requirements on groups that rent municipal facilities. This has had a negative impact on the clubs and volunteers' groups and as a consequence, many have cut back on the service these groups provide to the community.

Central Huron – For many years the municipality of Central Huron had a deductible of \$5,000. In 2014, the deductible was increased to \$15,000 to help reduce insurance costs. The municipality also increased its liability coverage in 2014 and added cyber security coverage in 2018. The combined impact of these changes represents a premium cost of \$224,774 in 2019, up from \$141,331 in 2010. Per capita costs for insurance alone are now \$29.67.

Huntsville – Since 2010, the Town of Huntsville reports an insurance premium increase of 67%. In 2019 this represented about 3.75% of the town's property tax levy. At the same time, Huntsville's deductible has increased from \$10,000 to \$25,000. The town also reports a reluctance to hold its own events for fear of any claims which may affect its main policy. Additional coverage is purchased for these events and these costs are not included above.

Ottawa - In August 2018, the City began working with its insurance broker, Aon Risk Solutions ("Aon"), to prepare for the anticipated renewal of the Integrated Insurance Program in April 2019. As the cost of the City's insurance premiums had risen by approximately 25% between 2017 and 2018, this early work was intended to ensure that any further increase could be properly accounted for through the 2019 budget process. Early indications of a possible further 10% premium increase prompted the City and Aon in late 2018 to explore options for a revised Program, and to approach alternative markets for the supply of insurance.

On January 11, 2019, an OC Transpo bus collided with a section of the Westboro Station transit shelter, resulting in three fatalities and numerous serious injuries. This was the second major incident involving the City's bus fleet, following approximately five years after the OC Transpo – VIA train collision in September 2013.

The January 2019 incident prompted insurance providers to re-evaluate their willingness to participate in the City Program. Despite Aon's work to secure an alternative provider, only Frank Cowan Company ("Cowan"), the City's existing insurer, was prepared to offer the City an Integrated Insurance Program. Cowan's offer to renew the City's Program was conditional on revised terms and limits and at a significant premium increase of approximately 84%, or nearly \$2.1 million per year. According to Cowan, these changes and increases were attributable to seven principle factors, including Joint and Several Liability:

1. Escalating Costs of Natural Global Disasters;
2. Joint and Several Liability;
3. Claims Trends (in the municipal sector);
4. Increasing Damage Awards;
5. Class Action Lawsuits;
6. New and/or Adverse Claims Development; and,
7. Transit Exposure.

Cowan also indicated that the primary policy limits for the 2019-2020 renewal would be lowered from \$25 million to \$10 million per occurrence, thereby raising the likelihood of increased costs for the City's excess liability policies.

Joint and Several in Action - Recent Examples

The following examples highlight joint and several in action. The following examples have occurred in recent years.

GTA Municipality – A homeowner rented out three separate apartments in a home despite being zoned as a single-family dwelling. After a complaint was received, bylaw inspectors and Fire Prevention Officers visited the property. The landlord was cautioned to undertake renovations to restore the building into a single-family dwelling. After several months of non-compliance, charges under the fire code were laid. The owner was convicted and fined. A subsequent visit by Fire Prevention Officers noted that the required renovations had not taken place. Tragically, a fire occurred which resulted in three fatalities. Despite having undertaken corrective action against the homeowner, joint and several liability loomed large. It compelled the municipality to make a payment of \$504,000 given the 1% rule.

City of Ottawa - A serious motor vehicle accident occurred between one of the City's buses and an SUV. The collision occurred at an intersection when the inebriated driver of the SUV failed to stop at a red light and was struck by the City bus. This collision resulted in the deaths of the SUV driver and two other occupants, and also seriously injured the primary Plaintiff, the third passenger in the SUV. The secondary action was brought by the family of one of the deceased passengers.

The Court ultimately concluded that the City was 20% liable for the collision, while the SUV driver was 80% at fault. Despite the 80/20 allocation of fault, the City was required to pay all of the approximately \$2.1 million in damages awarded in the primary case and the \$200,000 awarded in the secondary case, bringing the amount paid by the City to a total that was not proportionate to its actual liability. This was due to the application of the principle of joint and several liability, as well as the interplay between the various automobile insurance policies held by the SUV owner and

passengers, which is further explained below. Although the City appealed this case, the Ontario Court of Appeal agreed with the findings of the trial judge and dismissed it.

This case was notable for the implications of various factors on the insurance policies held by the respective parties. While most automobile insurance policies in Ontario provide for \$1 million in third party liability coverage, the insurance for the SUV was reduced to the statutory minimum of \$200,000 by virtue of the fact that the driver at the time of the collision had a blood alcohol level nearly three times the legal limit for a fully licensed driver. This was contrary to the requirements of his G2 license, which prohibit driving after the consumption of any alcohol. Further, while the Plaintiff passengers' own respective insurance provided \$1 million in coverage for underinsured motorists (as the SUV driver was at the time), this type of coverage is triggered only where no other party is in any way liable for the accident. As a result, the primary Plaintiff could only effectively recover the full \$2.1 million in damages if the Court attributed even a small measure of fault to another party with sufficient resources to pay the claim.

In determining that the City was at least partially responsible for the collision, the Court held that the speed of the bus – which according to GPS recordings was approximately 6.5 km/h over the posted limit of 60 kilometres an hour – and momentary inattention were contributing factors to the collision.

To shorten the length of the trial by approximately one week and accordingly reduce the legal costs involved, the parties had earlier reached an agreement on damages and that the findings regarding the primary Plaintiff would apply equally to the other. The amount of the agreement-upon damages took into account any contributory negligence on the part of the respective Plaintiffs, attributable to such things as not wearing a seat belt.

City of Ottawa, 2nd example – A Plaintiff was catastrophically injured when, after disembarking a City bus, he was struck by a third-party motor vehicle. The Plaintiff's injuries included a brain injury while his impairments included incomplete quadriplegia.

As a result of his accident, the Plaintiff brought a claim for damages for an amount in excess of \$7 million against the City and against the owner and driver of the third-party vehicle that struck him. Against the City, the Plaintiff alleged that the roadway was not properly designed and that the bus stop was placed at an unsafe location as it required passengers to cross the road mid-block and not at a controlled intersection.

Following the completion of examinations for discovery, the Plaintiff's claim against the Co-Defendant (the driver of the vehicle which struck the plaintiff) was resolved for \$1,120,000 comprising \$970,000 for damages and \$120,000 for costs. The Co-Defendant's policy limit was \$1 million. The claim against the City was in effect, a "1% rule" case where the City had been added to the case largely because the Co-Defendant's insurance was capped at \$1 million, which was well below the value of the Plaintiff's claim.

On the issue of liability, the pre-trial judge was of the view that the City was exposed to a finding of some liability against it on the theory that, because of the proximity of the bus stop to a home for adults with mental health issues, the City knew or should have known that bus passengers with cognitive and/or physical disabilities would be crossing mid-block at an unmarked crossing. This, according to the judge, could have resulted in a finding being made at trial that the City should

either have removed the bus stop or alternatively, should have installed a pedestrian crossing at this location.

The judge assessed the Plaintiff's damages at \$7,241,000 exclusive of costs and disbursements which he then reduced to \$4,602,930 exclusive of costs and disbursements after applying a reduction of 27.5% for contributory negligence and subtracting the \$970,000 payment made by the Co-Defendant's insurer.

Settlement discussions took place and the judge recommended that the matter be resolved for \$3,825,000 plus costs of \$554,750 plus HST plus disbursements.

Joint and Several Liability in Action - Other notable cases

Deering v Scugog - A 19-year-old driver was driving at night in a hurry to make the start time of a movie. She was travelling on a Class 4 rural road that had no centerline markings. The Ontario Traffic Manual does not require this type of road to have such a marking. The driver thought that a vehicle travelling in the opposite direction was headed directly at her. She swerved, over-corrected and ended up in a rock culvert. The Court found the Township of Scugog 66.7% liable. The at-fault driver only carried a \$1M auto insurance policy.

Ferguson v County of Brant - An inexperienced 17-year-old male driver was speeding on a road when he failed to navigate a curve which resulted in him crossing the lane into oncoming traffic, leaving the roadway, and striking a tree. The municipality was found to have posted a winding road sign rather than a sharp curve sign. The municipality was found 55% liable.

Safranyos et al v City of Hamilton - The plaintiff was leaving a drive-in movie theatre with four children in her vehicle at approximately 1 AM. She approached a stop sign with the intention of turning right onto a highway. Although she saw oncoming headlights she entered the intersection where she was struck by a vehicle driven 15 km/h over the posted speed limit by a man who had just left a party and was determined by toxicologists to be impaired. The children in the plaintiff's vehicle suffered significant injuries. The City was determined to be 25% liable because a stop line had not been painted on the road at the intersection.

Mortimer v Cameron - Two men were engaged in horseplay on a stairway and one of them fell backward through an open door at the bottom of a landing. The other man attempted to break the first man's fall and together they fell into an exterior wall that gave way. Both men fell 10 feet onto the ground below, one of whom was left quadriplegic. The trial judge determined both men were negligent, but that their conduct did not correspond to the extent of the plaintiff's injuries. No liability was attached to either man. The building owner was determined to be 20% and the City of London was found to be 80% liable. The Court awarded the plaintiff \$5 M in damages. On appeal, the City's liability was reduced to 40% and building owner was determined to be 60% liable. The City still ended up paying 80% of the overall claim.

2011 Review of Joint and Several Liability – Law Commission of Ontario

In February 2011 the Law Commission of Ontario released a report entitled, *"Joint and Several Liability Under the Ontario Business Corporations Act"*. This review examined the application of

joint and several liability to corporate law and more specifically the relationship between the corporation and its directors, officers, shareholders and stakeholders.

Prior to the report's release, AMO made a submission to the Law Commission of Ontario to seek to expand its review to include municipal implications. The Law Commission did not proceed with a broader review at that time, but the context of its narrower scope remains applicable to municipalities. In fact, many of the same arguments which support reform in the realm of the *Business Corporations Act*, are the same arguments which apply to municipal governments.

Of note, the Law Commission's¹ report highlighted the following in favour of reforms:

Fairness: "it is argued that it is unfair for a defendant, whose degree of fault is minor when compared to that of other defendants, to have to fully compensate a plaintiff should the other defendants be insolvent or unavailable."

Deep Pocket Syndrome: "Joint and several liability encourages plaintiffs to unfairly target defendants who are known or perceived to be insured or solvent."

Rising Costs of Litigation, Insurance, and Damage Awards: "Opponents of the joint and several liability regime are concerned about the rising costs of litigation, insurance, and damage awards."

Provision of Services: "The Association of Municipalities of Ontario identifies another negative externality of joint and several liability: municipalities are having to delay or otherwise cut back services to limit exposure to liability."

The Law Commission found that the principle of joint and several liability should remain in place although it did not explicitly review the municipal situation.

2014 Resolution by the Ontario Legislature and Review by the Attorney General

Over 200 municipalities supported a motion introduced by Randy Pettapiece, MPP for Perth-Wellington which called for the implementation a comprehensive, long-term solution in 2014. That year, MPPs from all parties supported the Pettapiece motion calling for a reform joint and several liability.

Later that year the Ministry of the Attorney General consulted on three options of possible reform:

1. The Saskatchewan Model of Modified Proportionate Liability

Saskatchewan has adopted a modified version of proportionate liability that applies in cases where a plaintiff is contributorily negligent. Under the Saskatchewan rule, where a plaintiff is contributorily negligent and there is an unfunded liability, the cost of the unfunded liability is split among the remaining defendants and the plaintiff in proportion to their fault.

¹ Law Commission of Ontario. "Joint and Several Liability Under the Ontario *Business Corporations Act*." Final Report, February 2011 Pages 22-25.

2. Peripheral Wrongdoer Rule for Road Authorities

Under this rule, a municipality would never be liable for more than two times its proportion of damages, even if it results in the plaintiff being unable to recover full damages.

3. A combination of both of the above

Ultimately, the government decided not to pursue any of the incremental policy options ostensibly because of uncertainty that insurance cost reductions would result. This was a disappointing result for municipalities.

While these reviews did not produce results in Ontario, many other common law jurisdictions have enacted protections for municipalities. What follows are some of the options for a different legal framework.

Options for Reform – The Legal Framework

To gain a full appreciation of the various liability frameworks that could be considered, for comparison, below is a description of the current joint and several liability framework here in Ontario. This description will help to reader to understand the further options which follow.

This description and the alternatives that follow are taken from the Law Commission of Ontario's February 2011 Report entitled, *"Joint and Several Liability Under the Ontario Business Corporations Act"* as referenced above.²

Understanding the Status Quo and Comparing it to the Alternatives

Where three different defendants are found to have caused a plaintiff's loss, the plaintiff is entitled to seek full payment (100%) from any one of the defendants. The defendant who fully satisfies the judgment has a right of contribution from the other liable parties based on the extent of their responsibility for the plaintiff's loss.

For example, a court may find defendants 1 (D1), 2 (D2) and 3 (D3) responsible for 70%, 20%, and 10% of the plaintiff's \$100,000 loss, respectively. The plaintiff may seek to recover 100% of the loss from D2, who may then seek contribution from D1 and D3 for their 70% and 10% shares of the loss. If D1 and/or D3 is unable to compensate D2 for the amount each owes for whatever reason, such as insolvency or unavailability, D2 will bear the full \$100,000 loss. The plaintiff will be fully compensated for \$100,000, and it is the responsibility of the defendants to apportion the loss fairly between them.

The descriptions that follow are abridged from pages 9-11 of the Law Commission of Ontario's report. These are some of the key alternatives to the status quo.

² Ibid. Page 7.

1. Proportionate Liability

a) Full Proportionate Liability

A system of full proportionate liability limits the liability of each co-defendant to the proportion of the loss for which he or she was found to be responsible. Per the above example, (in which Defendant 1 (D1) is responsible for 70% of loss, Defendant 2 (D2) for 20% and Defendant 3 (D3) for 10%), under this system, D2 will only be responsible for \$20,000 of the \$100,000 total judgement: equal to 20% of their share of the liability. Likewise, D1 and D3 will be responsible for \$70,000 and \$10,000. If D1 and D3 are unable to pay, the plaintiff will only recover \$20,000 from D2.

b) Proportionate Liability where Plaintiff is Contributorily Negligent

This option retains joint and several liability when a blameless plaintiff is involved. This option would cancel or adjust the rule where the plaintiff contributed to their loss. As in the first example, suppose the plaintiff (P) contributed to 20% of their \$100,000 loss. D1, D2 and D3 were responsible for 50%, 20% and 10% of the \$100,000. If D1 and D3 are unavailable, P and D2 will each be responsible for their \$20,000 shares. The plaintiff will remain responsible for the \$60,000 shortfall as a result of the absent co-defendants' non-payment (D1 and D3).

c) Proportionate Liability where Plaintiff is Contributorily Negligent with a Proportionate Reallocation of an Insolvent, Financially Limited or Unavailable Defendant's Share

In this option of proportionate liability, the plaintiff and remaining co-defendants share the risk of a defendant's non-payment. The plaintiff (P) and co-defendants are responsible for any shortfall in proportion to their respective degrees of fault.

Using the above example of the \$100,000 total judgement, with a shortfall payment of \$50,000 from D1 and a shortfall payment \$10,000 from D3, P and D2 must pay for the missing \$60,000. P and D2 have equally-apportioned liability, which causes them to be responsible for half of each shortfall - \$25,000 and \$5,000 from each non-paying defendant. The burden is shared between the plaintiff (if determined to be responsible) and the remaining defendants.

d) Proportionate Liability with a Peripheral Wrongdoer

Under this option, a defendant will be proportionately liable only if their share of the liability falls below a specified percentage, meaning that liability would be joint and several. Using the above example, if the threshold amount of liability is set at 25%, D2 and D3 would only be responsible for 20% and 10%, regardless of whether they are the only available or named defendants. However, D1 may be liable for 100% if it is the only available or named defendant. This system tends to favour defendants responsible for a small portion of the loss, but the determination of the threshold amount between joint and several liability and proportionate liability is arbitrary.

e) Proportionate Liability with a Reallocation of Some or All of an Insolvent or Unavailable Defendant's Share

This option reallocates the liability of a non-paying defendant among the remaining defendants in proportion to their respective degrees of fault. The plaintiff's contributory negligence does not

impact the application of this reallocation. Joint and several liability would continue to apply in cases of fraud or where laws were knowingly violated.

f) Court Discretion

Similar to the fraud exception in the option above, this option includes giving the courts discretion to apply different forms of liability depending on the case.

For example, if a particular co-defendant's share of the fault was relatively minor the court would have discretion to limit that defendant's liability to an appropriate portion.

2. Legislative Cap on Liability

Liability concerns could be addressed by introducing a cap on the amount of damages available for claims for economic loss.

3. Hybrid

A number of jurisdictions provide a hybrid system of proportionate liability and caps on damages. Co-defendants are liable for their portion of the damages, but the maximum total amount payable by each co-defendant is capped to a certain limit.

The Saskatchewan Experience

As referenced earlier in this paper, the Province of Saskatchewan responded with a variety of legislative actions to assist municipalities in the early 2000s. Some of those key developments are listed below which are abridged from *"A Question of Balance: Legislative Responses to Judicial Expansion of Municipal Liability – the Saskatchewan Experience."* The paper was written by Neil Robertson, QC and was presented to the annual conference of the Association of Municipalities of Ontario in 2013. Two key reforms are noted below.

1. Reforming joint and several liability by introducing modified proportionate liability: "The Contributory Negligence Act" amendments

The *Contributory Negligence Act* retained joint and several liability, but made adjustments in cases where one or more of the defendants is unable to pay its share of the total amount (judgement). Each of the parties at fault, including the plaintiff if contributorily negligent, will still have to pay a share of the judgement based on their degree of fault. However, if one of the defendants is unable to pay, the other defendants who are able to pay are required to pay only their original share and an additional equivalent share of the defaulting party's share.

The change in law allows municipalities to reach out-of-court settlements, based on an estimate of their degree of fault. This allows municipalities to avoid the cost of protracted litigation.

Neil Robertson provided the following example to illustrate how this works in practise:

"...If the owner of a house sues the builder for negligent construction and the municipality, as building authority, for negligent inspection, and all three are found equally at fault, they would each be apportioned 1/3 or 33.3%. Assume the damages are \$100,000. If the builder has no funds, then the municipality would pay only its share (\$33,333) and a 1/3 share of the builder's defaulting share

(1/3 of \$33,333 or \$11,111) for a total of \$44,444 (\$33,333 + \$11,111), instead of the \$66,666 (\$33,333 + \$33,333) it would pay under pure joint and several liability.”

This model will be familiar to municipal leaders in Ontario. In 2014, Ontario’s Attorney General presented this option (called the Saskatchewan Model of Modified Proportionate Liability) for consideration. At the time, over 200 municipal councils supported the adoption of this option along with the “Peripheral Wrongdoer Rule for Road Authorities” which would have seen a municipality never be liable for more than two times its proportion of damages, even if it results in the plaintiff being unable to recover full damages. These two measures, if enacted, would have represented a significant incremental step to address the impact of joint and several to Ontario municipalities.

2. Providing for uniform limitation periods while maintaining a separate limitation period for municipalities: “The Limitations Act”

This act established uniform limitation periods replacing many of the pre-existing limitation periods that had different time periods. The Municipal Acts in Saskatchewan provide a uniform one-year limitation period “from time when the damages were sustained” in absolute terms without a discovery principle which can prolong this period. This helps municipalities to resist “legacy” claims from many years beforehand. This act exempts municipalities from the uniform two-year discoverability limitation period.

Limitation periods set deadlines after which claims cannot be brought as lawsuits in the courts. The legislation intends to balance the opportunity for potential claimants to identify their claims and, if possible, negotiate a settlement out of court before starting legal action with the need for potential defendants to “close the books” on claims from the past.

The reasoning behind these limitations is that public authorities, including municipalities, should not to be punished by the passage of time. Timely notice will promote the timely investigation and disposition of claims in the public interest. After the expiry of a limitation period, municipalities can consider themselves free of the threat of legal action, and continue with financial planning without hurting “the public taxpayer purse”. Municipalities are mandated to balance their budgets and must be able to plan accordingly. Thus, legacy claims can have a very adverse affect on municipal operations.

Here in Ontario, there is a uniform limitations period of two years. Municipalities also benefit from a 10-day notice period which is required for slip and fall cases. More recently, the applicability of this limitation deadline has become variable and subject to judicial discretion. Robertson’s paper notes that in Saskatchewan, courts have accepted the one-year limitations period. A further examination of limitations in Ontario may yield additional benefits and could include the one-year example in Saskatchewan and/or the applicability of the 10-day notice period for slip and fall cases.

Other Saskatchewan reforms

Saskatchewan has also implemented other reforms which include greater protections for building inspections, good faith immunity, duty of repair, no fault insurance, permitting class actions, and limiting nuisance actions. Some of these reforms are specific to Saskatchewan and some of these currently apply in Ontario.

Insurance Related Reforms

Government Regulated Insurance Limits

The April 2019 provincial budget included a commitment to increase the catastrophic impairment default benefit limit to \$2 million. Public consultations were led by the Ministry of Finance in September 2019. AMO wrote to the Ministry in support of increasing the limit to \$2 million to ensure more adequate support those who suffer catastrophic impairment.

In 2016, the government lowered this limit as well as third-party liability coverage to \$200,000 from \$1 million. This minimum should also be increased to \$2 million to reflect current actual costs. This significant deficiency needs to be addressed.

Insurance Industry Changes

In 1989 the Ontario Municipal Insurance Exchange (OMEX) was established as a non-profit reciprocal insurance provider for Ontario's municipalities. It ceased operations in 2016 citing, "[a] low pricing environment, combined with the impact of joint & several liability on municipal claim settlements has made it difficult to offer sustainable pricing while still addressing the municipalities' concern about retro assessments."³ (Retro assessments meant paying additional premiums for retroactive coverage for "long-tail claims" which made municipal budgeting more challenging.)

The demise of OMEX has changed the municipal insurance landscape in Ontario. That joint and several liability is one of the key reasons listed for the collapse of a key municipal insurer should be a cause for significant concern. Fewer choices fuels cost. While there are other successful municipal insurance pools in Ontario, the bulk of the insurance market is dominated by for-profit insurance companies.

Reciprocal non-profit insurers are well represented in other areas across Canada. Municipalities in Saskatchewan, Alberta, British Columbia are all insured by non-profit reciprocals.

The questions for policy makers in Ontario:

Are there any provincial requirements or regulations which could better support the non-profit reciprocal municipal insurance market?

What actions could be taken to better protect municipalities in Ontario in sourcing their insurance needs?

How can we drive down insurance costs to better serve the needs of municipal property taxpayers?

³ Canadian Underwriter, August 11, 2016 <https://www.canadianunderwriter.ca/insurance/ontario-municipal-insurance-exchange-suspends-underwriting-operations-1004098148/>

Conclusion

This AMO paper has endeavoured to refresh municipal arguments on the need to find a balance to the issues and challenges presented by joint and several liability. It has endeavoured to illustrate that options exist and offer the reassurance that they can be successfully implemented as other jurisdictions have done.

Finding solutions that work will require provincial and municipal commitment. Working together, we can find a better way that is fair, reasonable, and responsible. It is time to find a reasonable balance.

The Corporation of the City of Cornwall
Regular Meeting of Council
Resolution

Department: Financial Services
Division: Finance
Resolution Number: 2019-14
Report Number: Report Number
Meeting Date: October 7, 2019
Subject: Towards a Reasonable Balance: Addressing Growing
Municipal Liability and Insurance Costs

Whereas the Association of Municipalities of Ontario approved a report on joint and several liability entitled "Towards a Reasonable Balance: Addressing Growing Municipal Liability and Insurance Costs" and

Whereas the report calls on the Government of Ontario to consider seven key recommendations on actions which the government could take to reduce the negative impact of joint and several liability for municipalities; and

Whereas a response has been requested from municipal councils by no later than November 1, 2019;

Now therefore be it resolved that the City of Cornwall support the position taken by the Association of Municipalities of Ontario and endorse the reports; and

Now therefore be it further resolved that this resolution be sent to the Ministry of the Attorney General, the Honourable Doug Downey and to the Association of Municipalities of Ontario.

I, Manon L. Levesque, City Clerk for The Corporation of the City of Cornwall, do hereby certify that the above is a true copy of Resolution Number 2019-14



enacted by Council on Tuesday, October 15, 2019.

Manon L. Levesque
City Clerk

The Corporation of the City of Cornwall
Regular Meeting of Council
Report

Department: CAO
Division: Choose a Division
Report Number: 2019-02-CAO
Prepared By: Maureen Adams, Chief Administrative Officer
Meeting Date: October 15, 2019
Subject: Environment and Climate Change Committee – Terms of Reference

Purpose

To provide Council with a draft Terms of Reference for the Environment and Climate Change Committee.

Recommendation

That Council:

- (a) Approve the draft Terms of Reference for the Environment and Climate Change Committee;
- (b) Proceed with the creation of the Environment and Climate Change Committee and its membership; and
- (c) Once the Committee is formed, direct the Committee to explore funding opportunities with FCM (or other programs) for the work required to establish a baseline of greenhouse gas emissions for the City with a corresponding plan for achieving a set target in emission reductions.

New Business Motion

A New Business motion to create an Environment and Climate Change Committee was passed at the regular Council meeting held on March 25, 2019. This Committee will be tasked to assess our environmental footprint and create a plan to address our impact, both as a Corporation and as a City. A copy of the New Business motion is attached (Appendix A).

Strategic Planning Priority

Further to this motion, Council has also identified the importance of this Committee during the recent Strategic Planning sessions. Specifically, there is a pillar for Environmental Sustainability that further directs the creation of an Environment and Climate Change Committee as a priority. In addition to the creation of this Committee, another priority within this pillar is to track our greenhouse gas emissions and reduce our carbon footprint. A copy of the Strategic Priorities is attached (Appendix B).

Terms of Reference

Many municipalities are creating committees to address the need to create awareness of the impacts of climate change and how to reduce greenhouse gas emissions. The draft Terms of Reference (Appendix C) is very similar to the approach taken by other municipalities.

Per the Terms of Reference, the Environment and Climate Change Committee's mandate is to provide a local perspective on climate change initiatives with respect to greenhouse gas emissions targets as well as provide a framework to work towards climate change goals, strategic direction and priority actions, namely:

- Reduce our contributions to climate change while increasing our ability to adapt to climate change conditions.
- Reduce and offset greenhouse gas emissions produced within our community.
- Establish a baseline of greenhouse gas emissions with a corresponding plan for achieving a set target in emission reductions.

There are grant application funding programs available through FCM available to municipalities to secure the necessary resources to create a local greenhouse gas inventory as well as the creation of a plan to set targets to reduce greenhouse gas emissions. Once the Committee has been formed, an application should be submitted for funding for the creation of a plan.

Composition of the Committee

It is recommended that the membership of the Environment and Climate Change Committee include the following:

- Two members of Council appointed by the Mayor
- One representative from the Raisin Region Conservation Authority
- One representative from the Eastern Ontario Health Unit
- One representative from the St. Lawrence River Institute of Environmental Sciences
- One representative from Transition Cornwall+
- Two community representatives who have climate change knowledge and expertise, with desirable skills and assets that support the Committee
- Staff members including the General Manager of Infrastructure & Municipal Works, the Division Manager of Environment and an administrative resource (to be determined).

Document Title:	Environment and Climate Change Committee - Draft Terms of Reference - 2019-02-CAO.docx
Attachments:	<ul style="list-style-type: none"> - Appendix A - New Business Motion.pdf - Appendix B - Strategic Priorities.pdf - Appendix C - Terms of Reference.pdf
Final Approval Date:	Oct 9, 2019

This report and all of its attachments were approved and signed as outlined below:

Maureen Adams - Oct 9, 2019 - 2:32 PM



Cornwall City Council

DEPARTMENT: Corporate Services
ITEM NUMBER: 2019-031-CL
PREPARED BY: Manon L. Levesque, City Clerk
REPORT DATE: March 20, 2019
MEETING DATE: Mar 25, 2019 07:00 PM
SUBJECT: Creation of an Environment and Climate Change Committee

SUBMITTED BY:

Councillor: Carilyne Hébert

NEW BUSINESS

Whereas; the top scientists of the United Nations have reports that we have 12 years to make unprecedented changes to limit climate change to a moderate level.

Whereas; rising sea levels, devastating droughts and damaging storms make it clear that all levels of government must be working towards reducing their environmental impact.

Whereas; the World Health Organization reports that climate change is the greatest threat to global health in the 21st century.

Whereas as; although the Earth climate has changed throughout history NASA reports that the current warming trend is particularly significant as it is greater than 95% the result of human activity since the mid-20th century and proceeding at a rate that is unprecedented.

Whereas; we are facing global waste crisis that must have local solutions to reduce the impact on environment. The City of Cornwall collected 12581 tonnes of curbside garbage in 2018 and has a stagnate and extremally low diversion rate of 30%.

Whereas; we as a municipality have a responsibility to address this crisis locally

in the efforts to contribute to the global solution.

Therefor be it resolve; that administration provide a report on the creation of an Environment and Climate Change Committee. This committee will be tasked to asses our environmental footprint and create a plan to address our impact both as a corporation and as a city.

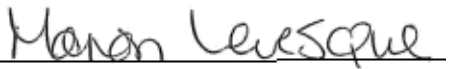
SECONDED BY:

Councillor: Eric Bergeron

Approval

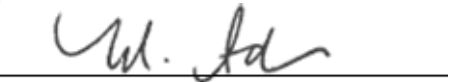
March 20, 2019 01:44 PM

Manon L. Levesque
City Clerk

A handwritten signature in black ink, reading "Manon Levesque", written over a horizontal line.

March 20, 2019 02:06 PM

Maureen Adams
Chief Administrative Officer

A handwritten signature in black ink, reading "Maureen Adams", written over a horizontal line.

Strategy “At a Glance” (2019-2022)

Mission

To provide services that enable a financially and environmentally sustainable community which will care and provide for the needs & values of its residents

Vision

The City of Cornwall is recognized as a welcoming and healthy community with a strong municipal government providing cost effective services and infrastructure. We will earn this reputation by:

1. Developing our **waterfront** through ownership and partnerships creating business and recreational opportunities;
2. Attracting and enhancing a **workforce** that meets the demands of local employers;
3. Pursuing diverse population **growth of 50,000**;
4. Growing the **quality of our housing stock** including attainable housing;
5. Being **leaders in sustainability** and climate change impact

Five Priorities in 2019-2021 (with initiatives)

1. Waterfront development

1. Sustain pressure to own strategic parts of the our waterfront
2. Joint venture with Akwesasne to remediate/develop the Harbour Lands
3. Encourage private sector development (residential, retail, commercial)
4. Pop up businesses:
5. Sports and recreation opportunities (top 10)
6. Development of Pointe Maligne Park with budgeted funds

2. Skilled workforce

1. Explore short-term affordable housing as a way to facilitate the relocation of workers
2. Convene a task force
3. Lobby gov't officials to reverse trends of immigrants to large centres
4. Facilitate liaison activities between job creators, educators and senior government to define needed skills and improve existing programs
5. Investigate/promote more post secondary education programs

3. Housing opportunities

1. Explore short-term affordable housing as a way to facilitate the relocation of workers
2. Create a task force
3. Create rental licensing registry will enable a database and adherence to applicable by-laws and standards.
4. Look at options to increase enforcement of property standards, building & fire codes.

4. Economic development

1. Focus on reducing number of vacant commercial spaces
2. Encouraging infill project e.g. Brookdale
3. Attract remote workers via incentives
4. Attract culture and sporting events via Tourism
5. Promote and utilize branding for areas of the City

5. Environmental sustainability

1. Reduce energy consumption
2. Create Environment & Climate Change Committee
3. Track our green house gas emissions and reduce our carbon footprint
4. Composting
5. Water meters
6. Education on recycling & waste reduction
7. Banning Plastic Bags



ENVIRONMENT & CLIMATE CHANGE COMMITTEE
DRAFT Terms of Reference
(October 2019)

1. MANDATE

The Environment & Climate Change Committee's mandate is to provide a local perspective on climate change initiatives with respect to greenhouse gas emissions targets as well as provide a framework to work towards climate change goals, strategic direction and priority actions, namely:

- Reduce our contributions to climate change while increasing our ability to adapt to climate change conditions.
- Reduce and offset greenhouse gas emissions produced within our community.
- Establish a baseline of greenhouse gas emissions with a corresponding plan for achieving a set target in emission reductions.

Specifically, the Environment & Climate Change Committee will work towards the following objective, based on the four areas of focus:

1. Identify and advise on ways to build local climate action awareness, and promote environmental stewardship within the City of Cornwall.
2. Identify and address local sources of greenhouse gas emissions by developing local greenhouse gas inventories, setting greenhouse targets, developing and carrying out local climate change action plans.
3. Prepare and implement a Climate Change Adaptation Plan.
4. Review, research, and provide feedback on community-related climate action items as directed by Council, including strategic planning, by-laws and policy development.

2. COMPOSITION OF COMMITTEE AND MEMBERSHIP ELIGIBILITY

Membership on the Environment & Climate Change Committee will include:

- Two members of Council appointed by the Mayor
- One representative from the Raisin Region Conservation Authority
- One representative from the Eastern Ontario Health Unit

- One representative from the St. Lawrence River Institute of Environmental Sciences
- One representative from Transition Cornwall+
- Two community representatives who have climate change knowledge and expertise, with desirable skills and assets that support the Committee
- Staff members including the General Manager of Infrastructure & Municipal Works, the Division Manager Environment and an administrative resource (to be determined).

3. TERM OF MEMBERSHIP

The Environment & Climate Change Committee will be appointed for the term of Council. The Chair will be elected from the committee's membership at the first meeting of the term.

4. ROLE OF COMMITTEE MEMBERS AND MEETING PROCEDURE

The role of the Environment and Climate Change Committee is to assist Council with the implementation of the Strategic Plan as it relates to the priorities listed within the pillar for Environmental Sustainability.

The Committee will meet 6 times per year. The Chair may call additional meetings as required or deemed appropriate. Meetings will take place at a City boardroom, or any other designated facility, as needed.

Notice of each meeting confirming the venue, time and date, together with an agenda will be forwarded to each member of the Committee and any other person required to attend, at least three (3) working days before the date of the meeting.

The Committee will use consensus to move directions or actions, no voting or quorum are required. In the absence of the Chair, the members shall appoint one of the members to act as Chair of the meeting.

Only Committee members are automatically entitled to attend meetings. The Committee may invite such other persons to its meetings as it deems necessary.

5. STAFF SUPPORT

The General Manager Infrastructure & Municipal Works and the Division Manager Environmental Services will provide staff support to the Committee.

The Division Manager Environment will act as primary municipal contact, whose responsibilities include working with the Chair to prepare agendas, and researching and collecting any materials as required.

Information related to meetings will be distributed electronically, but will also be available in paper format for those who prefer.

6. RESOURCES AND BUDGET

Members of the Committee will provide the resources as required.

There is no budget established for this Committee. Operating budget requirements will be directed to the Committee or through Committee members as appropriate. Project or capital budgets will require securing external funding sources where available such as grant funding opportunities. Securing these funds will be a requirement of the Committee.

7. COMPENSATION

Council and outside Committee members would be reimbursed for costs incurred by them in carrying out their duties under this mandate.

8. REPORTS TO COUNCIL

Minutes will be kept by administrative staff and distributed to all Members of Council.

The Environment & Climate Change Committee may make recommendations to Council on matters that have been referred to this committee for review or as items may arise.

The Corporation of the City of Cornwall
Regular Meeting of Council
Report

Department: Corporate Services
Division: Clerk's Division
Report Number: 2019-20-Corporate Services
Prepared By: Manon Levesque, City Clerk
Meeting Date: October 15, 2019
Subject: Electronic Participation by Members of Council

Purpose

To provide Council with further information regarding changes to the *Municipal Act* introduced by Bill 68 which includes a provision to allow Members to participate electronically in meetings that are open to the public.

Recommendation

- (a) That Council receive Report 2019-20-CL; and
- (b) That Council endorse one of the two options provided in this report.

Financial Implications

Additional ITT equipment and resources may be required, depending on the direction taken by Council.

Strategic Priority Implications

Under the “Governance Model” of Cornwall’s Strategic Plan, the City of Cornwall offers live streaming of Council Meetings open to the public to facilitate openness and transparency for those who wish to view proceedings but cannot attend in person.

Background / Discussion

On February 11, 2019, Council directed Administration to explore the prospect of electronic participation by Council, Local Boards and Committee Members at Meetings open to the public. Council further directed Administration to prepare a report that would detail the logistics of electronic participation and amend the Procedural By-law to incorporate the new electronic participation provision at a subsequent Regular Council Meeting.

For the purposes of this report “electronic means” includes telephone, video or audio conferencing or other interactive method whereby Council Members, staff and the public are able to hear the Member participating by electronic means and the Member participating by electronic means is able to hear other Members, staff and the public.

The Act further states that electronic participation in closed meetings is not permitted.

Option 1: That Council authorize changes to the City’s Procedural By-law and endorse electronic participation by Council Members at Council Meetings that are open to the public.

The following would be included in the revised Procedural By-law:

1. Members of Council may participate in meetings by Electronic Means subject to the following:
 - (a) Electronic Means of participating in a meeting are available only for Meetings of Council that take place in the Council Chambers, located at City Hall, 360 Pitt Street, Cornwall, Ontario.

- (b) Requests to participate in a Council Meeting by electronic means must be made to the Clerk in writing at least five (5) business days before the Meeting.
- (c) Council Members may not participate electronically in any Council Meeting that is closed to the public.
- (d) A Council Member participating in a meeting by electronic means shall be considered to be present at such Meeting but shall not be counted towards quorum.
- (e) The Mayor must be present in person to Chair a meeting.

Should Council choose this option, Administration is recommending that these practices be followed when a Council Member participates in a Council Meeting by Electronic Means:

- (a) The Council Member participating in a Council Meeting by electronic means shall be available at least thirty (30) minutes before the beginning of the meeting to assist staff in establishing the electronic connection.
- (b) The Council Member participating by electronic means will mute his or her electronic device when he or she is not speaking.
- (c) The Mayor will canvass the Council Member participating by electronic means about his or her intention to speak to a matter on the floor and will notify the Member when it is his or her turn to speak.
- (d) After putting a motion to a vote, the Council Member participating by electronic means will be required to identify verbally how he or she wishes to vote.
- (e) A Council Member participating by electronic means shall inform the Mayor about his or her intention to leave the Council Meeting either on a temporary or a permanent basis.
- (f) A Council Member participating by electronic means will be deemed to have left the Meeting when he or she is no longer electronically connected to the meeting.

- (g) In the case of a loss of connection, or any connection issue which impedes the ability of a Council Member to participate in the Meeting in real time, the Meeting will continue without attempts by either staff or the Member to reconnect.

Option 2: That Council not allow Electronic Participation by Council Members in Council Meetings open to the Public.

This option enables Council Meetings to continue the current practice of Council Members physically in attendance in the Council Chambers.

Electronic participation does not aid in achieving a quorum for Council Meetings as the Council Member attending by electronic means cannot be counted to achieve quorum.

The following would be included in the revised Procedural By-law:

1. Council Members may not participate electronically in any Council Meetings that are open to the public.
2. Council Members may not participate electronically in any Council Meeting that is closed to the public.

Committees, Boards and Commissions

Should Council choose Option 1, the electronic equipment will be available in the Council Chambers, located at City Hall, 360 Pitt Street, Cornwall, Ontario, for Council Members during Council Meetings that are open to the public.

Because Committee, Board and Commission Meetings are held at other locations and because the technology and resources would not be available, those Members will not be able to participate by electronic means.

Accordingly, the following clause would be included in the revised Procedural By-law:

1. Committee, Board and Commissioner Members may not participate in Council Meetings by electronic means.

The Corporation of the City of Cornwall
Regular Meeting of Council
Report

Department: Cornwall & SD&G Paramedic Services
Division: Paramedics
Report Number: 2019-01-Cornwall SDG Paramedic Services
Prepared By: Bill Lister, Chief
Meeting Date: October 14, 2019
Subject: Land Ambulance Service Grant Information

Purpose:

To inform council of the uncertainty related to the provincial grant funding contributions to Land Ambulance Services.

Recommendation

That Council receive this report and refer the matter to the 2020 budget planning process.

FINANCIAL IMPLICATIONS

The Ministry of Health and Long-Term Care funds just under 50% of approved eligible costs of municipal Land Ambulance Services. The municipal share for Land Ambulance is funded between the City of Cornwall and the United Counties of SDG.

It is expected that recent funding announcements will have an impact on the municipal budget for Land Ambulance in 2020. Grant funding is not stable which decreases the confidence the traditional way of preparing budgets related to revenues will be accurate.

Community Paramedic programs are funded 100% by the Local Health Integration Network (LHIN) through a Community Paramedic Secretariat and operates in partnership with the Cornwall Community Hospital, Champlain LHIN



Community Care Access Center and other local health care organizations. In 2019, the City received \$207,089 to run these programs. It is unclear how much, if any funding, will be allocated to Land Ambulance Services in 2020 to continue these programs.

BACKGROUND / DISCUSSION

The City of Cornwall is the Delivery Agent of Ambulance Services for Cornwall and the United Counties of SDG.

The funding required to provide land ambulance services has traditionally been an equally shared responsibility between the province and the local tax base. This process has been in place since 2001. Procedurally, the costs of the previous year forms a base line and the grant funding would adjust for cost of living increases each year. In 2018, the City received \$6,520,873 from the province.

The 2019 land ambulance budget was based on the above mentioned assumption. The anticipated grant funding for 2019 was estimated at \$6,651,290. The budget was approved and the appropriate taxes were levied.

Following the completion of the City's budget cycle, the Provincial government announced ambulance grant funding is frozen at the 2017/2018 levels, effectively reducing the government contributions by 2%.

In August 2019, the Province revised its grant policy. A letter from the Deputy Ministry confirmed funding for land ambulance would be \$6,726,694 for Cornwall and SDG. In this same letter the government stated there will be unspecified increases for the 2020 budget year and the final confirmation of 2020 budget funding will be provided to municipalities in time for their 2020 budget process. The City is preparing the 2020 budget and the Province has not given any written confirmation towards its commitment to the 2020 budget year.

Paramedic Services also receives funding to operate a Community Paramedic Program. Through the Community Paramedic Program, Paramedic Services provides at home care to residents in the community, with a focus on seniors and patients living with chronic conditions. The Community Paramedic Programs promotes collaboration with other health care and community agencies. These connections assist patients to participate in their care, maintain independence and promote involvement in the community.



The funding used to run this program is given to the City through the LHIN. The government has announced it is dismantling the LHIN and has restructured the Ministry of Health and Long Term Care. It is unclear at this time, where the Community Care funding will come from.

Document Title:	Land Ambulance Service Grant information - 2019-01-Cornwall SDG Paramedic Services.docx
Attachments:	
Final Approval Date:	Oct 7, 2019

This report and all of its attachments were approved and signed as outlined below:

Maureen Adams - Oct 7, 2019 - 8:36 AM

The Corporation of the City of Cornwall
Regular Meeting of Council
Report

Department: Social and Housing Services
Division: Social Services
Report Number: [Report Number]
Prepared By: Stacey Fergeson, Administrator
Meeting Date: October 15, 2019
Subject: Ontario Works Program Funding Changes

Purpose

To provide Council with an update regarding the recently announced funding changes for the Ontario Works program by the Ministry of Children, Community and Social Services (MCCSS).

Recommendation

That Council receive this report and refer the matter to the 2020 budget planning process

Financial Implications

The Ministry of Community and Social Services has not yet provided the departmental allocation for 2020. Implications to the 2020 budget will be assessed once the allocation is received.

The department is undertaking measures to offset any potential reduction in funding and is maintaining current service level standards for the Ontario Works Program.

The municipal share is funded 70/30 between the City of Cornwall and the United Counties of SDG

Background / Discussion

Ontario Works is a province-wide social assistance program to help people who are in financial need.

Ontario Works is funded jointly by the province through MCCSS and the municipality (City of Cornwall and the United Counties of SDG). The cost of delivering the Ontario Works program is separated into two distinct components: the social assistance benefits component and the administration component for program delivery.

Social assistance benefits may include money for food, shelter, clothing and other household costs, medical equipment, transportation to medical appointments, and other forms of assistance to people who meet the eligibility criteria.

Since 2018, following the provincial upload, the social assistance benefits noted above have been funded 100% by the province and will continue to be funded by the province.

Support through Ontario Works can also include employment related assistance options to help people find employment or become more job-ready, funds for training programs and other employment related expenses, and employment programs that offer career exploration, skill training and more.

It is anticipated that by 2022, these employment related assistance options will no longer be provided by the municipality, and will be provided by Employment Ontario agencies.

Provincial expenditure requirements determined an established provincial subsidy per case of which MCCSS funds at 100% and, historically, the remaining administration component for program delivery was cost shared on a 50/50 basis between the province and the municipality. The distribution of funding to municipalities was based on this formula. The City has never fully utilized its maximum program delivery funding allocation.

More recently, the City has seen a reduction in the number of cases over the past several years from 2057 cases in July 2017, to 1962 cases in July 2018, and then to 1877 cases, as of July 2019.

On September 12, 2019, the City received communication from MCCSS (letter attached) that the 2020 Ontario Works Program Delivery Funding allocation which supports the cost to administer the program will be based on the 2018 actual expenditures.

From the information we have received, funding will not increase with any cost of living adjustment for program support costs; such as salaries or overhead (rent, utilities, etc.), but will remain flat to the 2018 allocation. This will force a higher municipal contribution.

In 2019, the City received the same announcement, that the 2019 allocation would be based on the 2018 actual expenditures. Impacts to the 2019 budget are currently being managed by the department.

As noted in the correspondence from MCCSS, municipalities have an opportunity to request funding that exceeds their 2018 actuals. For 2019, the City was successful in securing funding for the one month of salaries that were not incurred during the work stoppage of 2018 and for the Alexandria office that was not open in 2018.

City Administration will again approach our Program Supervisor at MCCSS requesting to adjust the 2018 actuals to include a full twelve months of salary at an adjusted 2018 cost base. The costs associated with operating the Alexandria office were not part of the 2018 cost base and no additional funding will be provided to the City to support the operation.

The City is hoping to receive a response from MCCSS within the next month in order to more accurately budget for 2020.

Accessibility Impact

Document Title:	Ontario Works Program Funding Changes - 2019-01-Social and Housing Services.docx
Attachments:	- 2020 OW Municipal PDF Memo FINAL.pdf
Final Approval Date:	Oct 11, 2019

This report and all of its attachments were approved and signed as outlined below:

No Signature - Task assigned to Tracey Bailey was completed by workflow administrator Manon L. Levesque

Tracey Bailey - Oct 11, 2019 - 9:30 AM

No Signature - Task assigned to Maureen Adams was completed by workflow administrator Manon L. Levesque

Maureen Adams - Oct 11, 2019 - 9:30 AM



September 12, 2019

MEMORANDUM TO: Ontario Works Administrators
• Municipalities and DSSABs

FROM: Patti Redmond
Director, Social Assistance Service Delivery Branch

RE: 2020 Ontario Works Program Delivery Funding Allocation

I am writing regarding the 2020 Ontario Works Program Delivery Funding (PDF) Allocation, in follow-up to Minister Clark's announcement around 2020 funding levels at last month's Association of Municipalities of Ontario (AMO) Conference.

As you know, the government is looking for more effective and efficient ways to deliver services that are sustainable for the future and focused on improving outcomes. We know municipalities recognize the need to work together to address our shared fiscal challenges while also finding opportunities to improve service and outcomes for recipients. That is why the ministry is committed to continuing to work collaboratively with you to introduce new digital tools, automate and modernize processes, reduce administrative costs, and enhance life stabilization supports to clients on their path towards employment. Modernized service delivery changes the way work is done so staff can focus on high impact interactions with clients to achieve better outcomes.

We recognize many municipalities need additional time to adjust to new approaches to service delivery. To this end, Steve Clark, Minister of Municipal Affairs and Housing announced during the AMO Conference that the government is not reducing PDF levels for 2020. To support early municipal budget planning, I am confirming the Ontario Works PDF allocation for 2020 will be based on 2018 actuals. Reductions in PDF, reflecting reduced administrative costs from modernization, are being deferred until 2021 to provide municipalities more time to plan and adjust for future budgets.

.../2

Like this year, 2020 requests for additional funds that exceed 2018 levels must be supported by a clear, evidence-based rationale, negotiated with the Program Supervisor and documented in your 2020 service plan. Any requests for funding that exceeds 2018 actuals will be reviewed by the ministry on a case-by-case basis. It is important to note that, in those limited circumstances where a municipality received additional funds for 2019, the additional amount should not be included in the 2020 service plan. Specific details regarding the 2020 Ontario Works Service Delivery Priorities and associated processes will be communicated at a future date.

Over the coming year, we will work with municipalities, through the Provincial-Municipal Social Assistance and Employment Committee (PMSAEC), on a new funding model for Ontario Works to improve fiscal accountability and greater efficiency while supporting clients in achieving positive outcomes.

The Ministry will be communicating shortly with Consolidated Municipal Service Managers located in the three prototype employment services transformation catchment areas regarding implications of employment services transformation on program delivery funding for 2020 and beyond.

If you have questions on this material, please contact your Social Assistance Program Supervisor.

Patti Redmond
Director, Social Assistance Service Delivery Branch

c. Laura Belfie, Director of Social Assistance Program Policy Branch

The Corporation of the City of Cornwall
Regular Meeting of Council
Report

Department: Social and Housing Services
Division: Child Care
Report Number: 2019-02-Social and Housing Services
Prepared By: Stacey Fergeson, Administrator
Meeting Date: October 15, 2019
Subject: Child Care Program Funding Changes

Purpose

To provide Council with an update regarding the recently announced funding changes by the Ministry of Education (EDU) for Child Care Services.

Recommendation

That Council receive this report and refer the matter to the 2020 budget planning process.

Financial Implications

It is expected that recent child care funding announcements will have little impact on the municipal budget in 2020. Provincial changes will create fiscal challenges in 2021 and forward. The municipal share for Child Care Services is funded 70/30 between the City of Cornwall and the United Counties of SDG

Strategic Priority Implications

Background / Discussion

The City of Cornwall, as the Consolidated Municipal Service Manager (CMSM), is responsible for the delivery of Child Care and Early Years programming and services for the City and the United Counties of SDG.

Funding from the Ministry of Education supports the City's responsibility to distribute fee subsidy, special needs resource funding, wage, and operating grants as well as operating funding to the Early ON Child and Family Support Program operators. There are currently 14 operators, with 37 centres, within the child care system and 13 providers in the Home Child Care Agency. The City oversees and supports the child care system comprised of 2,808 licensed spaces (1,449 City/1,359 County). As of May 2019, there are approximately 244 vacant spaces in Cornwall and 385 vacant spaces in the Counties. Additionally, there are 87 expansion spaces approved by the Ministry of Education.

An Expansion Plan program was launched in 2017 by the Province to create 100,000 high-quality licensed child care spaces for children aged 0-4 in Ontario and, at that time, required no municipal contributions. Funding was provided to municipalities to plan for expanded spaces to meet this target and maintain over 5 years.

The following chart outlines the Provincial funding available to support Child Care Services for the City of Cornwall and the United Counties of SDG since 2014.

Year	Ministry of Education Funding						Total Ministry Funding
	General Funding			Enveloped Funding			
	Allocation	Admin	Admin %	Allocation	Admin	Admin %	
2014	6,606,892	734,099	10.0%	0	28,800		7,369,791
2015	6,966,791	774,088	10.0%	291,684	28,800	9.0%	8,061,363
2016	6,996,587	777,399	10.0%	749,916	80,437	9.7%	8,604,339
2017	6,925,165	769,463	10.0%	2,229,620	392,222	15.0%	10,316,470
2018	6,884,753	764,973	10.0%	4,849,243	599,394	11.0%	13,098,363
2019	6,769,556	752,173	10.0%	5,088,841	615,910	10.8%	13,226,480

Specifically, the Early Learning and Expansion Plan funding envelope requires continuous increases to investment in care for children up to Kindergarten age, yet the growing need in our area is in care for children older than this demographic.

While the overall Provincial allocation increased, the increase has been to enveloped funding, with declines in the general funding allocation.

The following chart shows the enveloped allocation that has been returned to the Ministry (Ministry Recovery), since the requirements for use of this enveloped funding does not match our child care system needs.

Year	Total Ministry Allocation	Ministry Recovery	Actual Ministry Funding	Total Child Care Costs	Actual Municipal Share (\$)	Actual Municipal Share (%)
2014	7,369,791	-28,567	7,341,224	7,959,261	618,037	7.8%
2015	8,061,363	-13,837	8,047,526	8,665,563	618,037	7.1%
2016	8,604,339	-68,513	8,535,826	9,153,863	618,037	6.8%
2017	10,316,470	-1,590,289	8,726,181	9,325,433	599,252	6.4%
2018	13,098,363	-1,544,495	11,553,868	12,155,164	601,296	4.9%
2019 Est.	13,226,480	-1,929,781	11,296,699	11,891,186	594,487	5.0%

In response to feedback following funding changes proposed in the Provincial Budget, the Ministry of Education has recently announced that changes to the funding structure for Expansion Plan operating funding will be phased in over a three-year period starting in January 2020.

Effective January 1, 2020: Service Managers will be asked to cost-share Expansion Plan operating funding at a rate of 80/20 provincial/municipal.

Effective January 1, 2021: Services Managers will be asked to continue cost-sharing Expansion Plan operating funding at a rate of 80/20 and be required to cost share all administrative funding at a rate of 50/50.

Effective January 1, 2022: the threshold for allowable funding that Service Managers can spend on child care will be reduced from 10% to 5% in addition to the ongoing cost sharing requirements previously introduced.

In 2019, the total estimated cost for child care is \$11,891,186. The following chart shows the relative impact to the provincial/municipal share to 2022.

Year	Total Child Care Costs	Projected Ministry Funding	Projected Municipal Share (\$)	Cumulative Increase in Municipal Share (\$)	Projected Municipal Share (%)
2019 Est.	11,891,186	11,296,699	594,487	0	5.0%
2020	11,891,186	11,296,699	594,487	0	5.0%
2021	11,891,186	10,836,364	1,054,822	460,335	8.9%
2022	11,891,186	10,575,621	1,315,565	721,078	11.1%

In order for municipalities to plan their 2020 budgets, the Ministry of Education is working on the 2020 allocations and hopes to be able to release further information to Service Managers in the Fall of 2019.

Accessibility Impact

Document Title:	Child Care Program Funding Changes - 2019-02-Social and Housing Services.docx
Attachments:	
Final Approval Date:	Oct 11, 2019

This report and all of its attachments were approved and signed as outlined below:

No Signature - Task assigned to Tracey Bailey was completed by workflow administrator Manon L. Levesque

Tracey Bailey - Oct 11, 2019 - 9:28 AM

No Signature - Task assigned to Maureen Adams was completed by workflow administrator Manon L. Levesque

Maureen Adams - Oct 11, 2019 - 9:29 AM

The Corporation of the City of Cornwall
Regular Meeting of Council
Report

Department: Glen Stor Dun Lodge
Division: Glen-Stor-Dun Lodge
Report Number: [Report Number]
Prepared By: Steven Golden, Administrator
Meeting Date: October 15, 2019
Subject: **Glen Stor Dun Lodge 2020 Funding Changes**

Purpose

To provide Council with an update regarding the announced funding changes provided by the Ministry of Health and Long-Term Care (Ministry) to Long Term Care Homes across Ontario.

Recommendation

That Council receive this report and refer the matter to the 2020 budget planning process.

Financial Implications

This report provides information for funding the GSDL receives from the Ministry through the High Wage Transition Fund (HWTF) and the Structural Compliance Premiums (SCP) and for Level of Care (LOC).

The municipal share for the GSDL is funded by the City of Cornwall and the United Counties of SDG based on a calculation of number of beds. The share is funded approximately 70:30 City/County.

Strategic Priority Implications

Background / Discussion

Following the Provincial Budget, both the HWTF and the SCP were slated to be wound down effective July 1, 2019, but in light of the on-going conversations with sector stakeholders, discontinuation was delayed.

The HWTF was introduced on April 1, 1996 as a three-year temporary transition measure. The objective was to assist long-term care (LTC) home operators to maintain equitable service levels while higher than average wage costs were addressed. The HWTF has now exceeded its intended purpose as the transition to the LOC funding model has since standardized funding approaches across all LTC homes.

The SCP was introduced on April 1, 1998. The Ministry has paid a SCP to LTC home operators who were not eligible at the time to receive other financial assistance from the Ministry to upgrade their homes. The intention was to support eligible operators with complying with relevant design standards until such time that they were eligible for other Ministry support for development and upgrading projects, namely the Construction Funding Subsidy program.

On September 20, 2019, communication was received from the Ministry (attached) that extended the HWTF to December 31, 2019 and the SCP to March 31, 2020.

As a result of the discontinuation of both funding sources, in the 2020 budget, there will be a decrease of Ministry funding of \$69,828 for the HWTF and \$108,405 in the SCP for a total of \$178,233.

The GSDL receives Case Mix Index (CMI) funding for LOC. The CMI modelling approach is based on the care requirements of the residents. The CMI is calculated from assessments that were completed by our employees from April 2017 to March 2018.

Effective August 1, 2019, the CMI funding for the GSDL decreased when compared to the previous year.

The CMI is determined by applying a stability floor and a re-indexing factor. A stability floor is in place to ensure that no home experience a decline of more than 5% in CMI funding from the previous year. A re-indexing factor is applied to

all homes to maintain the provincial average funded CMI.

Home Name	2018-2019 Funded CMI	2019-2020 Home Level CMI	2019-2020 Funded CMI
<i>Provincial Average</i>	<i>1.0178</i>	<i>1.0923</i>	<i>1.02</i>
Glen Stor Dun Lodge	1.0236	1.0779	1.0046

As a result of the CMI funding change, the GSDL will see a decrease of \$1.91 per resident day in the Nursing envelope for 2020. Total projected loss of revenue for 2020 is \$92,202.

The Ministry has announced that it is providing LOC funding of \$1.77 per resident day. This increase is non-CMI adjusted and at this time considered as one-time funding. The projected increase in revenue for 2020 is \$85,278. Administration plans to apply this funding to the Nursing envelope to offset the loss of CMI funding.

Accessibility Impact

Document Title:	Glen Stor Dun Lodge Funding Changes 2020 - 2019-01-Glen Stor Dun Lodge.docx
Attachments:	- MOHLTC memo Sept 20 2019.pdf
Final Approval Date:	Oct 9, 2019

This report and all of its attachments were approved and signed as outlined below:

Maureen Adams - Oct 9, 2019 - 1:50 PM

Ministry of Long-Term Care

Assistant Deputy Minister
Long-Term Care Operations

11th Floor, 1075 Bay Street
Toronto ON M5S 2B1
Tel.: (416) 327-7461
Fax: (416) 327-7603

Ministère des Soins de longue durée

Sous-ministre adjointe
Opérations relatives aux soins de longue durée

1075, rue Bay, 11e étage
Toronto ON M5S 2B1
Téléphone: (416) 327-7461
Télécopieur: (416) 327-7603

September 20, 2019

MEMORANDUM TO: Long-Term Care Home Stakeholders

FROM: Brian Pollard
Assistant Deputy Minister, Long-Term Care Operations Division
Ministry of Long-Term Care

SUBJECT: **Extending High Wage Transition Fund and Structural Compliance Premiums**


Today, the Honourable Dr. Merrilee Fullerton, Minister of Long-Term Care announced that after consulting with stakeholders, Ontario is extending the High Wage Transition Fund and the Structural Compliance Fund while it works on developing new programs to improve how long-term care is delivered in Ontario.

The government heard from stakeholders that minor capital is needed to help maintain long-term care homes. To address this, the government will be extending the Structural Compliance Premium to March 31, 2020, while it launches consultations this Fall on what a new minor capital program could look like.

The government is also extending the High Wage Transition Fund to December 31, 2020 as it develops a long-term care staffing strategy.

Ontario is continuing to work with the long-term care sector to ensure the system is responsive to the needs of Ontarians by increasing access and reducing waitlists, while also maintaining patient safety and ensuring high standards of care.

Sincerely,



Brian Pollard
Assistant Deputy Minister

The Corporation of the City of Cornwall
Regular Meeting of Council
Report

Department: Financial Services
Division: Purchasing
Report Number: 2019-06-Financial Services
Prepared By: Nicole Robertson, Supervisor
Meeting Date: October 15, 2019
Subject: Purchase of Three Replacement Ambulances for Paramedic Services

Purpose

To purchase three replacement ambulances, including additional modifications, for Paramedic Services.

Recommendation

That Council approves the purchase of three ambulances from Crestline Coach Limited, Saskatoon, Saskatchewan at the price of \$488,265.09 (net cost to the Corporation - \$439,697.84) and modifications for power lifting device systems from Rowland Emergency Vehicle Products Incorporated at the price of \$91,681.06 (net cost to the Corporation - \$82,561.63).

Financial Implications

The three ambulances will be included in the 2020 budget submission and will be funded through the Land Ambulance Reserve.

Background / Discussion

Ambulances are ordered through Crestline Coach Limited. This non-competitive purchase is necessary to ensure consistency across the fleet. Consistency minimizes training as well as maintenance complexity.



Ambulances are replaced on a set schedule of 54 months in service. This timeline has been determined to be the maximum reliable life expectancy of these vehicles. The ambulances travel approximately 8,000 kilometers per month and for a total of 432,000 kilometers over the time frame. Increasing mileage above 400,000 kilometers has demonstrated a decrease in reliability and an increase in repair costs.

Due to the lead-time, delivery and payment for ambulances, delaying the initiation of the purchasing process can result in a cost increase as Crestline Coach has guaranteed pricing of the 2020 models at the 2019 price.

To receive three replacement ambulances in the summer of 2020, the purchase order must be initiated prior to November 30, 2019.

Prior to arrival, the ambulances will be modified to incorporate the Power-Load system. The Power-Load system helps to reduce significantly, the risk of paramedic back injuries. Rowland Emergency Vehicle Products Incorporated are the only licensed provider and installer of the Power-Load systems in Eastern Canada.

The following pricing per ambulance and lifting system modification has been obtained:

Crestline Coach Limited, Saskatoon, Saskatchewan

Ambulance Unit Price:	\$144,031.00
HST:	\$18,724.03
Total Price:	\$162,755.03

Rowland Emergency Vehicle Products Incorporated, Mississauga, Ontario:

Lifting System Unit Price:	\$27,044.56
HST:	\$3,515.79
Total Price:	\$30,560.35

Document Title:	2020 Ambulances - 2019-06-Financial Services.docx
Attachments:	
Final Approval Date:	Oct 9, 2019

This report and all of its attachments were approved and signed as outlined below:

Bill Lister - Oct 9, 2019 - 12:59 PM

Tracey Bailey - Oct 9, 2019 - 4:11 PM

Maureen Adams - Oct 9, 2019 - 4:21 PM

The Corporation of the City of Cornwall
Regular Meeting of Council
Report

Department: Financial Services
Division: Purchasing
Report Number: 2019-05-Financial Services
Prepared By: Nicole Robertson, Supervisor
Meeting Date: October 15, 2019
Subject: Tender 19-T69 Purchase of One new Paramedic Response Unit and Conversion Services

Purpose

To obtain costing for the Supply and Delivery of One New Paramedic Response Unit (PRU) 2019 or Current Year Chevrolet Tahoe, and Conversion Services to meet all Ontario Ministry of Health Emergency Response Vehicle (MOH ERV) standards and requirements for Paramedic Services.

Recommendation

That Tender 19-T69 be awarded to Rowland Emergency Vehicle Products Incorporated from Mississauga, Ontario, at the total bid price of \$ 95,739.25 (net cost to the Corporation - \$ 86,216.16) being the best bid meeting the tender specifications.

Financial Implications

The Corporation has budgeted \$31,000 from the Land Ambulance Reserve in the 2019 Budget for the replacement of Public Access Defibrillation vehicle. It is recommended that these funds be reallocated for this purchase and the remaining balance be taken from this Reserve.

Background / Discussion

The department reviewed operations and it was determined that a Paramedic Response Unit (PRU) vehicle would best serve the needs of the department and community and be purchased instead of the Public Access Defibrillation (PAD) vehicle. This new PRU will assist the department in merging the functions of the Community Paramedic Program with that of the emergency response sector of operations, leaving 2 vans for use by all other sectors within the department. The PAD vehicle was primarily used for servicing defibrillators located throughout the community and providing a transportation option to administrative staff attending meetings/functions within the region.

The tender called for the Supply and Delivery of one new Paramedic Response Unit (PRU) 2019 or current year Chevrolet Tahoe, and conversion services to meet all MOH ERV standards and requirements for Paramedic Services, as per specifications listed in the Tender document.

Bidders were required to submit proof of being registered with Ontario Ministry of Health and Long-Term Care (MOHLTC) Vendors of Record Agreements related to supplying Emergency Response Vehicles.

The following tenders were received and opened:

Rowland Emergency Vehicle Products Incorporated, Mississauga, Ontario

Item 1 - Paramedic Response Unit (PRU)

Bid Price: \$47,000.00

HST: \$6,110.00

Total Bid Price: \$53,110.00

Item 2 - Conversion Services

Bid Price: \$37,725.00

HST: \$4,904.25

Total Bid Price: \$42,629.25

Total Bid Price for Item 1 and 2: \$95,739.25

Minor mathematical adjustments were required on the submission from Rowland Emergency Vehicle Products Incorporated.

The Corporation of the City of Cornwall
Regular Meeting of Council
By-law

Department: Corporate Services
Division: Clerk's Division
By-law Number:
Report Number: [Report Number]
Meeting Date: October 15, 2019
Subject: A By-Law amending the Funding Agreement between the City of Cornwall and Stewardship Ontario

Whereas in 2011, the City of Cornwall entered into a funding agreement with Stewardship Ontario, as part of the Waste Management Strategy with a Municipal Hazardous or Special Waste Program (By-law 2011-157);

Whereas this agreement has since be amended twice by By-law 2013-231 and 2015-023 to incorporate changes negotiated in 2014-2015 by the Municipal Association representatives and Stewardship to allow the Municipal Agreement to continue according to Industry Stewardship Plan(s) (ISP) approved by Waste Diversion Ontario;

Whereas the Resource Recovery and Circular Economy Act 2016, has changed the existing Municipal Hazardous Solid Waste(MHSW) ISP programs to be managed according to an individual producer responsibility(IPR) framework, this involves the transition of each material type under the existing MHSW program to IPR framework affecting existing service agreements with Stewardship Ontario for the payment of these materials

Now therefore be it resolved that the Council of The Corporation of the City of Cornwall enacts as follows:

1. That the City of Cornwall enter into an Amending Agreement with Stewardship Ontario.

2. That the Mayor and Clerk be and is hereby authorized to execute all documents to complete this matter.

Read, signed and sealed in open Council this 15th day of October, 2019.

Manon L. Levesque
City Clerk

Bernadette Clement
Mayor

Report Approval Details

Document Title:	A By-law to Amend the Funding Agreement between the City of Cornwall and Stewardship Ontario .docx
Attachments:	
Final Approval Date:	Oct 7, 2019

This report and all of its attachments were approved and signed as outlined below:

Carl Goodwin - Sep 30, 2019 - 9:00 AM

Bill de Wit - Oct 4, 2019 - 1:45 PM

Maureen Adams - Oct 7, 2019 - 8:55 AM

The Corporation of the City of Cornwall
Regular Meeting of Council
By-law Explanatory Note

Department: Infrastructure and Municipal Works
Division: Environment
Report Number: 2019-06-Corporate Services
Prepared By: Danielle Watson, Waste Management Supervisor
Meeting Date: October 15, 2019
Subject: Explanatory Note to amend the existing By-law for the funding agreement between the City of Cornwall and Stewardship Ontario.

Purpose:

An amendment to existing By-law 2015-023 is required to update the funding agreement between The City of Cornwall and Stewardship Ontario for pressurized containers.

Background:

The City of Cornwall currently receives funding from Stewardship Ontario for a variety of diversion programs including the City's hazardous waste depot program. Stewardship Ontario (SO) has been directed by the Minister of Environment, Conservation, and Parks to wind-up the current Municipal Hazardous Solid Waste Program (MHSW). Upon wind-up, hazardous materials collected under the MHSW program will be managed according to individual producer responsibility under the Resource Recovery and Circular Economy Act, 2016.

Under the MHSW Program, SO manages the supply chain for the recycling of single-use dry cell batteries and pressurized containers. The wind-up for single use dry call batteries is to begin June 30th 2020 with the remaining MHSW materials transitioning June 30th 2021 (this includes pressurized containers).



Changes to the Municipal Agreement are necessary to enable Stewardship Ontario to continue to make payments to Cornwall for materials that will continue under the MHSW program until June 30th 2021.

Report Approval Details

Document Title:	Explanatory Note to the Funding Agreement between the City of Cornwall and Stewardship Ontario .docx
Attachments:	<ul style="list-style-type: none"> - By-law 2015-023.pdf - Stewardship Ontario Amendment Agreement.pdf
Final Approval Date:	Oct 7, 2019

This report and all of its attachments were approved and signed as outlined below:

Carl Goodwin - Sep 30, 2019 - 8:59 AM

Bill de Wit - Oct 4, 2019 - 1:44 PM

Maureen Adams - Oct 7, 2019 - 8:54 AM

THE CORPORATION OF THE CITY OF CORNWALL

By-law # 2015-023

A By-law amending the Funding Agreement between The City of Cornwall and Stewardship Ontario.

Whereas in 2011, the City of Cornwall entered into a funding agreement with Stewardship Ontario, as part of the Waste Management Strategy with a Municipal Hazardous or Special Waste program (By-law 2011-157);

Whereas this agreement was amended by By-law 2013-231;

Whereas a new amendment to the agreement is required to incorporate changes negotiated in 2014-2015 by the Municipal Association representatives and Stewardship Ontario to allow the Municipal Agreement to continue according to Industry Stewardship Plan(s) (ISP) approved by the Board of Waste Diversion Ontario (WDO).

Now therefore be it resolved that the Council of the Corporation of the City of Cornwall enacts as follows:


1. That the City of Cornwall enter into an Amending Agreement with Stewardship Ontario.
2. That the Mayor and Clerk are hereby authorized to sign all documentation necessary to enact this agreement.


Read, signed and sealed in Open Council this 9th day of February, 2015.

Helen Finn
City Clerk

Leslie O'Shaughnessy
Mayor

Amends **By-law # 2013-231** and **By-law # 2011-157**

 - By-law 2011-157 -

 - By-law 2013-231 -

Report Feb 9, 2015: Funding Agreement between the City of Cornwall and Stewardship Ontario
- Amendment

THE CORPORATION OF THE CITY OF CORNWALL

By-law # 2013-231

A By-law amending the Funding Agreement between The City of Cornwall and Stewardship Ontario.

Whereas in 2011, the City of Cornwall entered into a funding agreement with Stewardship Ontario, as part of the Waste Management Strategy with a Municipal Hazardous or Special Waste program (By-law 2011-157);

Whereas the City maintains a Municipal Hazardous or Special Waste depot open for 168 hours per year; and

Whereas this agreement provides payment to the City of \$43.90, for each hour that the depot is open to the public; and

Whereas changes to this agreement were negotiated by the Regional Public Works Commissioners of Ontario, the Association of Municipalities of Ontario, and the Municipal Waste Association and Stewardship Ontario;

Whereas this agreement must be amended to reflect reduced administrative burdens, and improvements regarding payments to municipalities, Lab Pack Audits & calculations of the hourly rate;

Whereas The Amending Agreement is effective as of January 1, 2014.

Now therefore be it resolved that the Council of the Corporation of the City of Cornwall enacts as follows:

1. That the City of Cornwall enter into an Amending Agreement with Stewardship Ontario.
2. That the Mayor and Clerk are hereby authorized to sign all documentation necessary to complete this transaction.

Read, signed and sealed in Open Council this 9th day of December, 2013.

Helen Finn
City Clerk

Bob Kilger
Mayor



Amending Agreement - MHSW Agreement.pdf

**AMENDING AGREEMENT
NEW MUNICIPAL HAZARDOUS OR SPECIAL WASTES SERVICES AGREEMENT**

WHEREAS:

1. Stewardship Ontario and Corporation Of The City Of Cornwall (collectively, the "Parties") entered into an agreement concerning municipal hazardous or special wastes dated July 1, 2011, including any previous amendment made by the parties (the "Agreement");
2. The parties wish to make certain amendments to the Agreement as set out herein.

THE PARTIES THEREFORE AGREE AS FOLLOWS:

- 1 The Agreement is hereby amended effective January 1, 2014 as set out in Schedule "A" hereto.
- 2 Any section marked as "Intentionally Deleted" in the Agreement remains "Intentionally Deleted" and is not replaced by or amended by anything in Schedule "A".
- 3 All other provisions of the Agreement remain unamended and in full force and affect.

IN WITNESS WHEREOF the Parties have signed this AMENDING AGREEMENT as of December 31, 2013.

STEWARDSHIP ONTARIO

by: _____

Name: Lyle Clarke

Title: Executive Vice President

CORPORATION OF THE CITY OF CORNWALL

by: _____

Name:

Title:

**SCHEDULE "A" TO THE AMENDING AGREEMENT
NEW MUNICIPAL HAZARDOUS OR SPECIAL WASTES SERVICES AGREEMENT**

1. **Definitions and Interpretation.** The Parties agree that Section 1.2 of the Agreement is deleted in its entirety and replaced with the following:
 - 1.2 In this Agreement:
 - (a) **"Agreement"** means this Agreement and includes all schedules and amendments thereto;
 - (b) **"Business Day"** means Monday through Friday, excluding statutory holidays and any other day that the Government of Ontario has elected to be closed for business;
 - (c) **"Claims Submission"** means submission to SO of data required to validate claim for payment;
 - (d) **"Collection Services"** means all the activities, including those conducted at Events and Depots operated by or on behalf of the Municipality, for the purpose of receiving, classifying, packing, storing and transferring Obligated MHSW onto transportation vehicles, including the manifesting of the MHSW prior to transportation away from the Event or Depot;
 - (e) **"Commingled Materials"** means the materials listed in Schedule E that can be safely packed together for transportation as per the Packing Standards;
 - (f) **"Depot"** means a collection and transfer facility/location operated by or on behalf of the Municipality for receiving MHSW from the public and/or Exempt Small Quantity IC&I Generators and transferring same to transporters for processing or recycling;
 - (g) **"Diversion Report"** means invoices, MHSW material tonnage reports, or other such documents as may reasonably be required by SO from time to time for the validation of Claims Submissions;
 - (h) **"End Processor"** means a Service Provider that processes collected Obligated MHSW;
 - (i) **"Event"** means a one-day or other collection event, operated by or on behalf of a municipality to collect, pack, transport, weigh, and process MHSW from the public and/or Exempt Small Quantity IC&I Generators;
 - (j) **"Exempt Small Quantity IC&I Generator" or "Exempt SQG"** means a business that is not required to submit a Generator Registration Report with respect to MHSW under subsection 18 (1) of Regulation 347, made under the *Environmental Protection Act* (Ontario), as amended from time to time;

- (k) **“FOB”** means free on board;
- (l) **“Generator”** means the final user who generates waste which will be reused, recycled or disposed;
- (m) **“Lab Pack Audit”** means a lab pack study conducted by a third party, with optional observation by no more than two representatives of the Member Associations at their discretion, that follows a methodology designed by SO with input from Member Associations to achieve a high level of statistical confidence, the results of which, after providing an opportunity for representatives of the Member Associations to review them in confidence, are used to determine the proportionate share of each Commingled Material to be paid by SO as set out in this Agreement;
- (n) **“Manifesting”** means those activities associated with preparing a manifest for Post-Collection Services in accordance with Regulation 347 made under the *Environmental Protection Act* (Ontario);
- (o) **“Member Associations”** has the meaning set out in Section 4.3;
- (p) **“MHSW Program Plan”** means the current MHSW waste diversion program as it applies to Phase 1 materials approved by the Minister pursuant to section 26 of the *Waste Diversion Act, 2002* (Ontario), and any amendments thereto and replacements thereof;
- (q) **“MHSW Services”** means the Collection Services and/or Post-Collection Services provided by the Service Provider;
- (r) **“Minister”** means the Minister of the Environment for the Province of Ontario;
- (s) **“Non-Commingled Materials”** means the materials listed in Schedule E that must be packed separately for transportation as per the Packing Standards;
- (t) **“Obligated MHSW”** means MHSW designated as Phase 1 in the Minister's program request letter to Waste Diversion Ontario received on October 25, 2010 requesting a revised waste diversion program for Phase 1 MHSW and as may be further defined by the Minister from time to time;
- (u) **“Packing Standards”** means the Waste Packing Protocols listed in Schedule “E” as amended by SO from time to time;
- (v) **“Post-Collection Services”** means the management of Obligated MHSW after delivery of such MHSW to a transportation Service Provider FOB the Event or Depot location, including but not limited to transportation of Obligated MHSW materials from Events and Depots, consolidation, sorting, weighing, processing, recycling, and safe disposal of residual waste and other post-collection waste management activities;

- (w) **“Service Provider”** means the Municipality and/or a commercial party that provides MHSW Services to SO or the Municipality as the case may be; and
- (x) **“SO Portal”** means SO’s online system for uploading Claims Submissions.

2. **Payment.** The Parties agree that Section 3.2 of the Agreement is deleted in its entirety and replaced with the following:

3.2 Payment

(a) MHSW Services – Depot.

- (i) For Depot Collection Services payable pursuant to Section 3.1(a)(i), SO will pay the Municipality pursuant to this Agreement within thirty (30) days of the end of each calendar month.
- (ii) To receive payment for Depot Post-Collection Services for the Commingled Materials, the Municipality must upload a Claims Submission via the SO Portal and send SO a copy of the shipping manifest(s) and Diversion Report(s) from the End Processor with respect to the Commingled Materials. The Claims Submission is to be submitted by Municipality to SO within thirty (30) days of Municipality receiving the related Diversion Report(s) but no later than the end of the following calendar quarter. SO will validate the Claims Submission with the manifest(s) and Diversion Report(s) received from Municipality within thirty (30) days of receipt and SO will pay the Municipality pursuant to this Agreement within thirty (30) days of the date on which SO determines the claim to be correct and accurate. If any errors or omissions are found, SO will issue a payment adjustment and SO may require a corrected Claims Submission from the Municipality.

(b) MHSW Services - Event.

- (i) To receive payment for Event Collection Services and Post-Collection Services, the Municipality must upload a Claims Submission via the SO Portal and send SO a copy of the shipping manifest(s) and Diversion Report(s) from the End Processor with respect to the Obligated MHSW. The Claims Submission is to be submitted by Municipality to SO within thirty (30) days of Municipality receiving the related Diversion Report(s) but no later than the end of the following calendar quarter. SO will validate the Claims Submission with the Diversion Report(s) received from Municipality within thirty (30) days of receipt and SO will pay the Municipality pursuant to this Agreement within thirty (30) days of the date on which SO determines the claim to be correct and accurate. If any errors or omissions are found, SO will issue a payment adjustment and SO may require a corrected Claims Submission from the Municipality.

(c) MHSW Services – Event (and transportation to Depot).

- (i) To receive payment for Event Collection Services and transportation of Obligated MHSW to a Depot, the Municipality must upload a Claims Submission via the SO Portal and send SO a copy of the shipping manifest(s) with respect to the Obligated MHSW. The Claims Submission is to be submitted by Municipality to SO within thirty (30) days of Municipality receiving the related manifest(s) but no later than the end of the following calendar quarter. SO will validate the Claims Submission with the manifest(s) received from Municipality within thirty (30) days of receipt and SO will pay the Municipality pursuant to this Agreement within thirty (30) days of the date on which SO determines the claim to be correct and accurate. If any errors or omissions are found, SO will issue a payment adjustment and SO may require a corrected Claims Submission from the Municipality.

3. **Late Submission.** The Parties agree that Section 3.5 of the Agreement is deleted in its entirety and replaced with the following:

3.5 Late Submission

- (a) SO may reduce amounts payable under Claims Submissions which are not submitted to SO within the time periods set out in section 3.2(a)(ii), (b) and (c) by five (5%) per cent per month.
- (b) SO will have no responsibility to pay and Municipality will forfeit the right to claim for, any Claim Submission in respect of a calendar year which is not received by SO within three (3) months of the end of that calendar year.

4. **Term.** The Parties agree that Section 4.3 of the Agreement is deleted in its entirety and replaced with the following:

- 4.3 At least one hundred and fifty (150) days prior to the expiration of the Initial Term or the then current Renewal Term (as applicable) SO will invite representatives from the Regional Public Works Commissioners of Ontario, the Association of Municipalities of Ontario, and the Municipal Waste Association (the "Member Associations") to meeting(s) hosted by SO with the purpose of sharing any changes to the Lab Pack Audit methodology and results, and to discuss possible changes to the Collection Accessibility Schedules and Payment for Collection Services as set out in Schedule "B" and Schedule "C" respectively. SO's position on changes to Schedule "B" and Schedule "C" following the foregoing meeting(s) will be communicated to the Municipality within one hundred and twenty (120) days of the expiration of the Initial Term or the then current Renewal Term (as applicable).

5. **Schedules.** The Parties agree that Section 28.1 of the Agreement is deleted in its entirety and replaced with the following:

- 28.1 Schedules "A" through "E" are attached hereto and incorporated in and form part of this Agreement.

6. **Schedule "C"**. The Parties agree that Schedule "C" – Payment for Collection Services of the Agreement is deleted in its entirety and replaced with the following new Schedule "C" – Payment for Collection Services:

SCHEDULE "C" – PAYMENT FOR COLLECTION SERVICES

SO will pay the Municipality for MHSW Collection Services as follows:

For MHSW Services – Depot, SO will pay the Municipality the Hourly Rate (defined below) per hour plus applicable taxes for the Total Reimbursable Hours set out in Schedule "B", to be paid in twelve (12) equal monthly instalments. For greater clarity, the monthly instalment will be calculated as Total Reimbursable Hours divided by twelve (12) and multiplied by the Hourly Rate.

The "Hourly Rate" is \$43.90.

If any individual materials are removed from the scope of this Agreement as a change pursuant to section 2.3 of this Agreement, the component amounts below for the remaining in-scope materials will be used to calculate the new reduced Hourly Rate. In such an event, the Hourly Rate will then be the sum of the component amounts for each individual material that remains within the scope of the Agreement, as set out in the table below.

Individual Material (for Obligated MHSW)	Component Amount
Antifreeze, and the containers in which it is contained	\$0.79
Fertilizers, and the containers in which they are contained	\$0.09
Containers that have a capacity of 30 litres or less and that were manufactured and used for the purpose of containing lubricating oil	\$1.05
Oil filters – after they have been used for their intended purpose	\$0.70
Paints and Coatings, and containers in which they are contained	\$33.32
Pesticides, and the containers in which they are contained	\$0.13
Pressurized containers – non-refillable	\$1.23
Pressurized containers - refillable	\$2.90
Single-use dry cell batteries	\$1.36
Solvents, and the containers in which they are contained	\$2.33

For MHSW Services – Event, SO will pay the Municipality a rate of **\$0.00** per tonne of Obligated MHSW plus applicable taxes.

For MHSW Services – Event (and transportation to Depot), SO will pay the Municipality a rate of **\$0.00** per tonne of Obligated MHSW plus applicable taxes.

7. **Schedule “F”**. The Parties agree that Schedule “F” – Due Dates and Penalties of the Agreement is deleted in its entirety.



Thinking
beyond
the box

Stewardship Ontario

August 28, 2019

To: Head of Municipal Hazardous Waste Management

Subject: 2019 Municipal Amendment Agreement

Attached you will find a copy of the Amended Municipal Agreement for 2019. Your immediate attention to this matter is requested.

As you are aware, Stewardship Ontario has been directed by the Minister of the Environment, Conservation and Parks (MECP) to wind-up the current MHSW program. Upon wind-up, hazardous materials collected under the MHSW Program will be managed according to an individual producer responsibility (IPR) framework under the Resource Recovery and Circular Economy Act, 2016.

Under the MHSW Program, Stewardship Ontario manages the supply chain operations for single-use dry cell batteries and pressurized containers. Wind-up for single-use dry cell batteries is scheduled to take place June 30, 2020 with the remaining MHSW materials occurring on June 30, 2021.

In anticipation of the Wind-up Plan being approved on December 31, 2019, changes to the current Municipal Agreement are necessary to enable Stewardship Ontario to make payments to communities for materials that will continue under the MHSW Program after June 30, 2020, namely pressurized containers. In the absence of this amendment, Stewardship Ontario will have no mechanism to continue payments after the wind-up date for single-use batteries on June 30, 2020 and would be forced to terminate all Agreements effective that date.

Communities that wish to continue receiving payments for collecting pressurized containers after June 30, 2020 are asked sign back the Amending Agreement no later than December 31, 2019. For information regarding, you can go to <https://stewardshipontario.ca/mhsw-windup/>

Regards,

Cullen Hollister

Director of Operations – Blue Box and MHSW

mhsw@stewardshipontario.ca

**AMENDING AGREEMENT
NEW MUNICIPAL HAZARDOUS OR SPECIAL WASTES SERVICES AGREEMENT**

This Amending Agreement (the “**Amending Agreement**”) is made as of August 16, 2019.

BETWEEN:

STEWARDSHIP ONTARIO (“SO”)

and

CORPORATION OF THE CITY OF CORNWALL (the “Municipality”)

(collectively, the “**Parties**”)

WHEREAS:

- A. Stewardship Ontario and the Municipality entered into an agreement concerning municipal hazardous or special wastes (“**MHSW**”) dated July 01, 2011 (as amended, modified or restated from time to time, by the Parties, the “**MHSW Services Agreement**”);
- B. By direction letters dated April 12, 2018, December 11, 2018 and July 2, 2019, the Minister of the Environment, Conservation and Parks for the Province of Ontario directed SO to wind up the waste diversion program for MHSW (the “**MHSW Program**”) for all designated materials. Upon wind up, materials collected under the MHSW Program will be managed according to an individual producer responsibility framework under the *Resource Recovery and Circular Economy Act, 2016*;
- C. In order to reflect the scheduled wind-down of the MHSW Program and in accordance with Section 2.3 of the MHSW Services Agreement, the Parties wish to make certain amendments to the MHSW Services Agreement as set out herein.

NOW THEREFORE, FOR VALUE RECEIVED, the Parties agree as follows:

- 1. The MHSW Services Agreement is hereby amended in accordance with the provisions set out in Schedule “A” hereto effective as of September 1, 2019.
- 2. All capitalized terms which are used herein without being specifically defined herein shall have the meanings ascribed to them in the MHSW Services Agreement.
- 3. Any section marked as “Intentionally Deleted” in the MHSW Services Agreement remains “Intentionally Deleted” and is not replaced by or amended by anything in Schedule “A”.

4. Except as amended by the amendments expressly set forth in Schedule "A" of this Amending Agreement, the MHSW Services Agreement shall remain unchanged and continue in full force and effect and is hereby in all other respects ratified and confirmed.
5. If any provision of this Amending Agreement is or becomes illegal, invalid or unenforceable in any jurisdiction, the illegality, invalidity or unenforceability of that provision will not affect (a) the legality, validity or enforceability of the remaining provisions of this Amending Agreement or (b) the legality, validity or enforceability of that provision in any other jurisdiction.
6. This Amending Agreement shall be governed by and construed in accordance with the laws of the Province of Ontario and the federal laws of Canada applicable therein and each of the Parties hereto agrees irrevocably to conform to the non-exclusive jurisdiction of the Courts of such Province.
7. This Amending Agreement shall enure to the benefit of and shall be binding upon the Parties hereto and their respective successors and permitted assigns. Nothing in this Amending Agreement, express or implied, shall give to any Person, other than the parties hereto and their successors hereunder, any benefit or any legal or equitable right, remedy or claim under this Amending Agreement.
8. If any provision of this Amending Agreement is inconsistent or conflicts with any provision of the MHSW Services Agreement, the relevant provision of this Amending Agreement shall prevail and be paramount.
9. Schedule "A" is attached hereto and incorporated in and forms part of this Amending Agreement.
10. This Amending Agreement may be executed in one or more counterparts, including by means of facsimile and/or portable document format, each of which shall be deemed to be a duplicate original, but all of which, taken together, constitute a single document.

[THIS SECTION LEFT INTENTIONALLY BLANK]

IN WITNESS WHEREOF the Parties have signed this Amending Agreement as of the date first set out above.

STEWARDSHIP ONTARIO

By: _____

Name: Cullen Hollister

Title: Director of Operations

**CORPORATION OF THE CITY OF
CORNWALL**

By: _____

Name:

Title:

**SCHEDULE "A" TO THE AMENDING AGREEMENT
NEW MUNICIPAL HAZARDOUS OR SPECIAL WASTES SERVICES AGREEMENT**

The Parties agree to amend the MHSW Services Agreement as follows:

1. Section 1.1 of the MHSW Services Agreement is hereby amended by deleting the words "*Waste Diversion Act 2002 (Ontario)*" and replacing them with the words "*Waste Diversion Transition Act, 2016 (Ontario)*".
2. Section 2.4 of the MHSW Services Agreement is deleted in its entirety and replaced with the following new Sections 2.4 and 2.5:

"2.4 The Parties also understand that an ISO may, at any time, be approved by the Board of the Authority for one or more of the Obligated MHSW materials. In the event an ISO is approved by the Authority, SO will have no responsibility to pay for MHSW Services provided by the Municipality with respect to the materials for which the ISO is then responsible on and after the effective date of such approval by the Authority, unless SO provides written notice to the Municipality indicating that there will not be any changes to the then current MHSW Services within 30 days of the ISO approval date.

2.5 The Parties also understand that the Minister of the Environment, Conservation and Parks has directed SO to wind-up the MHSW Program Plan under the *Resource Recovery and Circular Economy Act, 2016*, following which individual producers will become responsible for materials collected under the MHSW Program Plan. The Parties agree that effective on the date of wind-up of the MHSW Program Plan in respect of a specific MHSW material (a "**Materials Wind-Up**"), SO will have no further responsibility to pay for MHSW Services provided by the Municipality with respect to such MHSW materials. As a courtesy, SO will provide a written reminder to the Municipality at least 30 days prior to the effective date of such Materials Wind-Up."

3. Subsection 5.1(b) of the MHSW Services Agreement is deleted in its entirety and replaced with the following new subsections 5.1(b) and 5.1(c):

"(b) Notwithstanding the foregoing, in the event an ISO is approved by the Authority, title to the Obligated MHSW with respect to the materials for which the ISO is then responsible will not belong to SO or SO's Service Providers unless SO provides written notice to the Municipality indicating that there will not be any changes to the

then current MHSW Services within 30 days of the ISO approval date.

(c) Notwithstanding the foregoing, in the event of a Materials Wind-Up, title to the Obligated MHSW will not belong to SO or SO's Service Providers as of the effective date of the Materials Wind-Up."

4. Section 18.1 of the MHSW Services Agreement is hereby amended to delete the words "Waste Diversion Ontario" and to replace them with the words "the Authority".

The Corporation of the City of Cornwall
Regular Meeting of Council
By-law

Department: Planning, Development and Recreation
Division: Planning
By-law Number:
Report Number: [Report Number]
Meeting Date: October 15, 2019
Subject: **A By-law to adopt the 2019 Waterfront Plan**

Whereas the 2019 Waterfront Plan was presented at the PAC's (Planning Advisory & Hearing Committee) Public Meeting of Monday, July 29th, 2019, as well as an Information item at its' September 16th, 2019 meeting; and

Whereas the consultant, *thinc design* reviewed and updated the original 2007 Waterfront Plan; and

Whereas the City's Official Plan identifies the role of the Waterfront Plan in its Waterfront Chapter Policies which states: "it will be the intention of the City to:

- Use the adopted Waterfront Plan as the principal document to guide development and redevelopment of the Waterfront, as well as the basis for the various action plans and Capital projects."

Whereas the Official Plan lays out the broad policy framework; and

Whereas the updated Waterfront Plan is the key guiding document to address the major goals of the Official Plan with respect to the St. Lawrence Waterfront.



Now therefore be it resolved that the Council of The Corporation of the City of Cornwall enacts as follows:

- (a) That the 2019 Waterfront Plan of the Corporation of the City of Cornwall be and is hereby adopted; and
- (b) That the Mayor and Clerk be and is hereby authorized to execute all documents to complete this matter.

Read, signed and sealed in open Council this 15th day of October, 2019.

Manon L. Levesque
City Clerk

Bernadette Clement
Mayor

Report Approval Details

Document Title:	A By-law to adopt the 2019 Waterfront Plan - 2019-19-Planning, Development and Recreation.docx
Attachments:	
Final Approval Date:	Oct 8, 2019

This report and all of its attachments were approved and signed as outlined below:

Mary Joyce-Smith - Oct 8, 2019 - 9:22 AM

Mark A. Boileau - Oct 8, 2019 - 11:51 AM

Maureen Adams - Oct 8, 2019 - 12:12 PM

The Corporation of the City of Cornwall
Regular Meeting of Council
Resolution

Department: Planning, Development and Recreation
Division: Planning
Resolution Number: 2019-XX
Report Number: Report Number
Meeting Date: October 15, 2019
Subject: Draft Plan Approval for St. Antoine Subdivision (Agent - Bob Clark/Clark Consulting Services) being on the lands located at East 1/2 of Lot 6, Concession 2

Whereas, a request was submitted for a Draft Plan of Subdivision for the St. Antoine Subdivision (Bob Clark) for one hundred and fifteen (115) single family dwelling lots, fourteen (14) semi-detached lots, five (5) linear townhouse lots and one (1) apartment lot together with Blocks H-I-J; and

Whereas, the property is situated on the east side of McConnell Avenue, and legally described as the East 1/2 of Lot 6, Concession 2, City of Cornwall.

Now therefore be it resolved that the Council of the Corporation of the City of Cornwall enacts as follows:

That approval be given to the Draft Plan of Subdivision prepared by K.L Stidwill O.L.S., Professional Engineers and Ontario Land Surveyor., dated July 28th, 2018, submitted on behalf of 1765629 Ontario Inc., to subdivide the East 1/2 of Lot 6, Concession 2, be given Draft Approval subject to the modified Conditions dated September 27th, 2019.

Now therefore be it further resolved that, the Mayor and Clerk are hereby authorized to sign the final version of the Registered Plan upon satisfactory completion of the Subdividers Agreement and Draft Plan Conditions.



I, Manon L. Levesque, City Clerk for The Corporation of the City of Cornwall, do hereby certify that the above is a true copy of Resolution Number 2019-XX enacted by Council on Tuesday, October 15th 2019.

Manon L. Levesque
City Clerk

Report Approval Details

Document Title:	St. Antoine Subdivision - Resolution.docx
Attachments:	
Final Approval Date:	Oct 7, 2019

This report and all of its attachments were approved and signed as outlined below:

Mary Joyce-Smith - Oct 4, 2019 - 9:05 AM

Mark A. Boileau - Oct 4, 2019 - 11:13 AM

Maureen Adams - Oct 7, 2019 - 8:48 AM

The Corporation of the City of Cornwall
Regular Meeting of Council
By-law 2019-XX Explanatory Note

Department: Planning, Development and Recreation
Division: Planning
Report Number: [Report Number]
Prepared By: Karl Doyle, Senior Planner
Meeting Date: October 15, 2019
Subject: An Explanatory Note to By-law 2019-XX to further amend Zoning By-law #751-1969 as amended, being a By-law respecting the use of land and location of buildings legally described as Part of Lots 19 and 20, Concession 1, Cornwall, Ontario comprising approxim

Purpose

The Purpose and Effect of Bylaw #2019-XX is to rezone Block F as identified on the St. Antoine Draft Plan of Subdivision prepared by K.L Stidwill O.L.S., Professional Engineers and Ontario Land Surveyor., dated July 28th, 2018, on the lands located at East 1/2 of Lot 6, Concession 2, from Residential 20 (RES 20) to Residential 30 (RES 30) and for a site specific exception to the Residential 20 (RES 20) zoning standard Permitted Uses (Section 02-2-2 b) i & ii (k)) Minimum Frontage in support of an application for approval of a Draft Residential Plan of Subdivision and associated Rezoning application.

Recommendation

That Council approve the following in support of the St. Antoine Draft Plan of Subdivision prepared by K.L Stidwill O.L.S., Professional Engineers and Ontario Land Surveyor., dated July 28th, 2018, on the lands located at East 1/2 of Lot 6, Concession 2 Cornwall, Ontario;

1. That Block F, .20 hectares (.51 acre) be rezoned from Residential (RES 20) to Residential 30 (RES 30) to accommodate an apartment building; and
2. That Blocks A, B & C be rezoned from Residential 20 (RES 20) to Residential 20 (RES 20) with site specific exceptions to Permitted Uses (Section 02-2-2 b) i & ii (k)) Minimum Frontage, the following will apply;
 - Block A, Minimum Frontage = 31 metres
 - Block B, Minimum Frontage = 24.8 metres
 - Block C, Minimum Frontage = 28.9 metres.

Background/Discussion

The Draft Residential Plan of Subdivision and accompanying Rezoning application on the subject lands was reviewed by the Planning Advisory & Hearing Committee at the September 16th, 2019 meeting.

Planning Division staff has reviewed the Subdivision application and the associated Rezoning application and all supporting documentation to facilitate this Residential Plan of Subdivision and is supportive of the phased development concept. A project of this nature maximizes the use of services, includes appropriate low/medium density residential land uses, is well integrated with natural features, and adheres to such general principles of sustainable land use planning, as promoted in the Cornwall O.P. and P.P.S. documents.

The Corporation of the City of Cornwall

Regular Meeting of Council

By-law

Department: Infrastructure and Municipal Works
Division: Infrastructure Planning
By-law Number: 2019-
Report Number: [Report Number]
Meeting Date: October 15, 2019
Subject: KEM Development Corporation Northwoods Forest
Subdivision Phase 2B – By-Law

Whereas The Corporation of the City of Cornwall is desirous of entering into a Subdivision Agreement with KEM Development Corporation for the development of the Northwoods Forest Subdivision Phase 2B; and

Whereas this Agreement will allow the developer to proceed with the development of the Northwoods Forest Subdivision Phase 2B; and

Whereas the development consists of 15 single lots and 8 semi-detached lots, legally described as part of Lot 8 and part of east half of Lot 9, Concession 3, part of Part 1 on Reference Plan 52R-7911, in the City of Cornwall, County of Stormont.

Now therefore be it resolved that the Council of The Corporation of the City of Cornwall enacts as follows:

1. That the Corporation of the City of Cornwall enter into a Subdivision Agreement with KEM Development Corporation, for the development of the Northwoods Forest Subdivision Phase 2B.
2. That the Mayor and Clerk be and is hereby authorized to execute all documents to complete this matter.

Read, signed and sealed in open Council this 15th day of October, 2019.

Manon L. Levesque
City Clerk

Bernadette Clement
Mayor

Report Approval Details

Document Title:	KEM Development Corporation Northwoods Forest Subdivision Phase 2B - By-Law - 2019-02-Infrastructure and Municipal Works.docx
Attachments:	
Final Approval Date:	Oct 9, 2019

This report and all of its attachments were approved and signed as outlined below:

Michael Fawthrop - Oct 7, 2019 - 3:29 PM

Bill de Wit - Oct 8, 2019 - 3:47 PM

Maureen Adams - Oct 9, 2019 - 1:51 PM

The Corporation of the City of Cornwall
Regular Meeting of Council
By-law

Department: Infrastructure and Municipal Works
Division: Infrastructure Planning
By-law Number: 2019-
Report Number: 2019-07-Infrastructure and Municipal Works
Meeting Date: October 15, 2019
Subject: **Riverfront Retirement Centre Inc Service Extension Agreement – By-Law**

Whereas a Service Extension Agreement is required with Riverfront Retirement Centre to complete works starting at Montreal Road, extending 165m north along the west side of the property at 1810 Montreal Road. The proposed works are required to complete the construction of a watermain, sanitary sewer and storm sewer to pre-service a proposed subdivision to be constructed behind the retirement home, and to provide new service laterals to supply water and sewer services to the proposed retirement home.

Now therefore be it resolved that the Council of The Corporation of the City of Cornwall enacts as follows:

1. That the City of Cornwall enter into a Service Extension Agreement with Riverfront Retirement Centre.
2. That the Mayor and Clerk are hereby authorized to sign all documentation in order to complete this transaction

Read, signed and sealed in open Council this 15 day of October, 2019.

Manon L. Levesque
City Clerk

Bernadette Clement
Mayor

The Corporation of the City of Cornwall
Regular Meeting of Council
By-law Explanatory Note

Department: Infrastructure and Municipal Works
Division: Infrastructure Planning
Report Number: 2019-29-Infrastructure and Municipal Works
Prepared By: Michael Fawthrop, Division Manager
Meeting Date: October 15, 2019
Subject: Explanatory Note to By-law to enter into a Service Extension Agreement with Riverfront Retirement Centre

PURPOSE

To authorize the City of Cornwall to enter into a Service Extension Agreement with Riverfront Retirement Centre for a watermain, sanitary sewer and storm sewer on Montreal Road, extending 165m north along the west side of the property at 1810 Montreal Road.

BACKGROUND

The Service Extension Agreement with the Developer, Riverfront Retirement Centre is required for the extension of a 375mm diameter storm sewer, a 200mm diameter sanitary sewer and a 200mm diameter watermain from Montreal Road, extending 165m north along the west side of the property at 1810 Montreal Road. The proposed works are required to pre-service a proposed subdivision to be constructed behind the retirement home, and to provide new service laterals to supply water and sewer services to the proposed retirement home.

Report Approval Details

Document Title:	Riverfront Retirement Centre - Service Extension Agreement - Expl Note - 2019-29-Infrastructure and Municipal Works.docx
Attachments:	
Final Approval Date:	Oct 10, 2019

This report and all of its attachments were approved and signed as outlined below:

Michael Fawthrop - Oct 9, 2019 - 4:51 PM

Bill de Wit - Oct 10, 2019 - 12:22 PM

Maureen Adams - Oct 10, 2019 - 12:56 PM

The Corporation of the City of Cornwall
Regular Meeting of Council
By-law Explanatory Note

Department: Planning, Development and Recreation
Division: Economic Development
Report Number: 2019-122-Planning, Development and Recreation
Prepared By: Dana McLean, Development Coordinator
Meeting Date: October 15, 2019
Subject: Explanation of Purpose and Effect for Renaissance Housing
Rehabilitation Program Applications By-law – 17-19-21
Edward and 314 Walton

PURPOSE

The purpose and effect of this By-law is to allow the City Solicitor to register liens against properties approved under the Renaissance Housing Rehabilitation Program (RHRP#2019-01 17-19-21 Edward and RHRP#2019-09 314 Walton)

BACKGROUND/ DISCUSSION

The City of Cornwall, under the Planning and Municipal Acts, respectively, administers the Renaissance Housing Rehabilitation Program Funding Incentive Programs which, in part, offer Forgivable Loans, primarily on a matching dollar basis to residential property owners within the designated Renaissance Community Improvement Area. The Loans are secured by a lien registered against the property for a period of 5 years, for example.

This Bylaw is necessary to allow the City to enter into said Funding Agreements and to subsequently register, on title, as applicable, said Agreements as Mortgages for each stated approved application and to further provide and administer municipal funds to the identified property owners under the RHRP initiative.

The Corporation of the City of Cornwall
Regular Meeting of Council
Report

Department: Corporate Services
 Division: Clerk's Division
 Report Number: 2019-17-Corporate Services
 Prepared By: Debbie Caskenette, Deputy Clerk
 Meeting Date: October 15, 2019
 Subject: Unfinished Business Listing for October 15, 2019

Recommendation

That Council receive the Unfinished Business Listing for October 15, 2019.

Background / Discussion

Number	Title	Department	Date
2019-10	Creation of an Environment and Climate Change Committee (Mar 25/19)	Chief Administrative Officer	Oct 15/19
2019-13	Waterfront Pop-Up Project (May 27/19)	Planning, Development and Recreation	Oct 15/19
2019-05	Electronic Voting (Feb 11/19)	Corporate Services	Oct 15/19
2018-23	Future of Licensing and Inspecting of Rental Housing (Nov 13/18)	Development, Fire Services, Social Services	Oct 28/19

2019-02	Installation of Water Meters (Jan 14/19) Public Engagement Survey is out and the data will be presented to Council in this Report	Infrastructure and Municipal Works	Nov 12/19
2019-22	RFP Council Review Criteria (Sep 9/19)	Financial Services	Nov 12/19
2019-02	Electoral System Review Aka: Ward System and Council Composition (Jan 14/19)	Corporate Services	Nov 25/19
2019-04	Procedural By-law Amendments a) Introduction of New Business Items by Council Members at an In-Camera Meeting (Mar 26/18) b) Electronic Participation by Council, Local Board and Committee Members at Meetings Open to the Public (Feb 11/19) c) Update of Definition of Meeting (Feb 11/19)	Corporate Services	Nov 25/19
2019-25	Audit Committee's Review of the 2019 Municipal Works Redevelopment Plan Report (Aug 12/19)	Financial Services	TBD
2019-24	Review of Parks, Facilities and Street Naming Policy (Sept 9/19)	Corporate Services	TBD
2018-19	Protection and Enhancement of Tree Canopy and Natural Vegetation Policy (Aug 13/18) (Mar 25/19) (Apr 23/19)	Development, Planning and Recreation	TBD

Document Title:	Unfinished Business - October 15, 2019 - 2019-17-Corporate Services.docx
Attachments:	
Final Approval Date:	Oct 9, 2019

This report and all of its attachments were approved and signed as outlined below:

Manon L. Levesque - Oct 3, 2019 - 1:50 PM

Maureen Adams - Oct 9, 2019 - 1:49 PM

The Corporation of the City of Cornwall
Regular Meeting of Council
Confirming By-law

Department: Corporate Services
Division: Clerk's Division
By-law Number: 2019-
Report Number 2019-18-Corporate Services
Meeting Date: October 15, 2019
Subject: A By-law to adopt, ratify and confirm the proceedings of the meetings held on October 15, 2019

A By-law to adopt, ratify and confirm the proceedings of the Council of The Corporation of the City of Cornwall at its meetings held on Tuesday, October 15, 2019.

Whereas Section 5(1) of the Municipal Act, S.O. 2001, c.24 thereto provides that the powers of a municipal Corporation shall be exercised by its Council; and

Whereas Section 5(3) of the Municipal Act, S.O. 2001, c.24 and amendments thereto, provides that the powers of Council are to be exercised by By-law: 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 Section 248 provides that if a council passes a comprehensive general by-law that consolidates and includes the provisions of any By-law previously passed by the Council; and it is deemed expedient that a By-law be passed to authorize the execution of agreements and other documents and that the proceedings of the Council of The Corporation of the City of Cornwall at this meeting be confirmed and adopted by By-law.

Now therefore be it resolved that the Council of The Corporation of the City of Cornwall enacts as follows:

1. (a) That the following Minutes of the Public Meetings of the Municipal Council of The Corporation of the City of Cornwall be and the same are hereby adopted:

(i) Regular Public Meeting of Council #2019 – 24 of Monday, September 23, 2019

(b) That the following Minutes of the In Camera Meeting pertaining to the security or part of the property of the Municipality or Local Board, personal matters about an identifiable individual, including municipal or Local Board employees, a proposed or pending acquisition or disposition of land by the Municipality or Local Board, labour relations or employee negotiations, litigation or potential litigation, including matters before administrative tribunals, affecting the Municipality or Local Board, advice that is subject to solicitor-client privilege, including communications necessary for the purpose, a matter in respect of which a Council, Board, Committee other body may hold a closed meeting under another Act, or for the purpose of educating or training the members and where no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the council, local board or committee, be and the same are hereby adopted:

(i) Regular In Camera Committee of Council #2019 – 13 of Monday, September 9, 2019

(c) That the actions of the Council at its meetings held on Tuesday, October 15, 2019, in respect of each recommendation contained in all reports of the regular and in-camera meetings and in respect of each motion, resolution and other action taken by the Council at its said meeting is, except where the prior approval of the Ontario Municipal Board or other authority is by law required, hereby adopted, ratified and confirmed as if all such proceedings were expressly embodied in the By-law;

(d) That the above mentioned actions shall not include any actions required By-law to be taken by resolutions.

2. That where no By-law has been or is passed with respect to the taking of any action authorized in or by the above mentioned Minutes or with respect to the exercise of any powers by the Council in the above mentioned Minutes, then this By-law shall be deemed for all purposes to be the By-law required for approving and authorizing and taking of any action authorized therein or thereby, or required for the exercise of any powers therein by the Council.

3. The Mayor and proper officials of The Corporation of the City of Cornwall are hereby authorized and directed to do all things necessary to give effect to the above-mentioned actions and to obtain approvals where required.

4. Unless otherwise provided, the Mayor and Clerk are hereby authorized and directed to execute and the Clerk to affix the seal of The Corporation of the City of Cornwall to all documents necessary to give effect to the above mentioned actions.

5. It is declared that notwithstanding that any section or sections of this By-law or parts thereof, may be found by any court of law to be bad or illegal or beyond the power of the Council to enact, such section(s) or part(s) hereof shall be deemed to be severable and that all other sections or parts of this By-law are separate and independent there from and enacts as such.

Read, signed and sealed in open Council this 15th day of October, 2019.

Manon L. Levesque
City Clerk

Bernadette Clement
Mayor

Report Approval Details

Document Title:	Confirming By-law for the Meeting of October 15, 2019 - 2019-18-Corporate Services.docx
Attachments:	
Final Approval Date:	Oct 7, 2019

This report and all of its attachments were approved and signed as outlined below:

Manon Levesque - Oct 3, 2019 - 1:56 PM

Maureen Adams - Oct 7, 2019 - 8:57 AM