

Agenda
Cornwall City Council

Meeting #: 2020-09
Date: Friday, March 20, 2020, 2:00 PM
Location: City Hall, Council Chambers, 360 Pitt Street, Cornwall, Ontario, K6J 3P9
Chair: Bernadette Clement, Mayor
Prepared By: Manon L. Levesque, City Clerk

Pages

Roll Call

Opening

We acknowledge that we are gathering on the traditional territory of the Mohawk people of Akwesasne.

Adoption of Agenda

The following Agenda is being presented for adoption as presented.

Disclosure of Interest

Committee of the Whole

Presentations and Reports

That By-laws 2020-051 to 2020-054 inclusive, listed on the Agenda be taken as read and passed.

6.1	By-law 2020-051 Delegation of Council Authority to CAO During COVIC-19-Pandemic, 2020-209-CAO	1
6.2	By-law 2020-052 Amendment to Procedural By-law 2012-058, 2020-210-CAO	4
6.3	By-law 2020-053 Planning Matters During COVID-19 Pandemic, 2020-285-Planning, Development and Recreation	7
6.4	By-law 2020-054 Alternate Deputy Chief Building Official, 2020-286-	11

Planning, Development and Recreation

6.5 Deferral of Property Tax Collection, 2020-261-Financial Services

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Action Recommended

That Council approve changing the 2020 interim levy instalment dates from March 31, 2020 and April 30, 2020 to May 15, 2020 and June 15, 2020, respectively, and postponing interest charges to June 16, 2020.

Adjournment

The next regular public Meeting of Council is unknown at this time.

The Corporation of the City of Cornwall
Regular Meeting of Council
By-law 2020-051

Department: CAO
By-law Number: 2020-051
Report Number: 2020-209-CAO
Meeting Date: March 20, 2020
Subject: By-law to delegate Council's authority to Chief Administrative Officer for the Corporation of the City of Cornwall in response to the COVID-19 Pandemic

Whereas Section 270 of the Municipal Act, 2001, S.O. 2001, Chapter 25, provides that a municipality may delegate its powers and duties to a person or body subject to the restrictions set out in the Act; and

Whereas, in accordance with Section 270 of the Municipal Act, 2001, S.O. 2001, Chapter 25, the Council of The Corporation of the City of Cornwall has established a policy to delegate its powers and duties to persons or bodies, subject to restrictions set out in the Act; and

Whereas the Council of The Corporation of the City of Cornwall deems it necessary and expedient to delegate certain authority and powers, in the event that Council or its Committees is unable to act due to the current COVID-19 outbreak.

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

1. That the Chief Administrative Officer be delegated the authority to:
 - (a) The disposition and acquisition of any real or personal property of the municipality; and
 - (b) Making any expenditures or incurring any other liability which exceeds \$150,000 which were part of the 2020 Budget; and

(c) Making any expenditures or incurring any other liability which exceeds \$150,000 for unbudgeted emergency expenditures related to COVID-19 and/or flooding; and

(d) Enter into and execute agreements on behalf of the municipality, including but not limited to labour relations or employee negotiations and funding agreements; and

(e) Implement matters that Council has approved with the expectation of a follow-up report.

Read, signed and sealed in open Council this 20th day of March, 2020.

Manon L. Levesque
City Clerk

Bernadette Clement
Mayor

Report Approval Details

Document Title:	By-law 2020-051 Delegation of Council Authority to CAO During COVID-19 Pandemic - 2020-209-CAO.docx
Attachments:	
Final Approval Date:	Mar 19, 2020

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

Maureen Adams - Mar 19, 2020 - 4:10 PM

The Corporation of the City of Cornwall
Regular Meeting of Council
By-law 2020-051

Department: CAO
By-law Number: 2020-051
Report Number: 2020-210-CAO
Meeting Date: March 20, 2020
Subject: By-law to amend Procedural By-law 2012-058 as amended

Whereas Parliamentary Procedures are rooted in principles designed to ensure the fair and efficient disposition of business before a deliberative body; and

Whereas the Municipal Act, 2001 provides that municipalities may pass By-laws respecting accountability and transparency of the municipality; and

Whereas the Municipal Act, 2001 requires a municipality to pass a By-law to govern the rules of procedure and public notice of its meetings; and

Whereas the Municipal Act, 2001 S. 238(3.1) permits a member of Council or of a local board or of a committee to participate electronically in a meeting which is open to the public to the extent and in the manner set out in the By-law provided; and

Whereas Council finds it appropriate to permit electronic participation with regards to emergencies and matters critical to community welfare.

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

1. That Part 5 General Provisions of the Procedure By-Law be amended to add 'Electronic Participation' to read as follows:

- (a) A member of Council or of a Committee or Local Board can participate electronically in a meeting which is open to the public regarding emergencies and matters critical to community welfare;

- (b) Any such member shall not be counted towards quorum of members present at any point in time and shall not be able to vote unless permitted by the Municipal Act;
- (c) “Electronic Means” includes telephone, video or audioconferencing or other interactive method whereby Members, staff and the public are able to hear the Member(s) participating by electronic means and the Member(s) participating by electronic means are able to hear other Members, staff and the public;
- (d) Advance notice of electronic participation shall be required to the Clerk or designate to configure the best means of electronic participation, when applicable; and
- (e) Notwithstanding, ‘electronic participation’ does not exclude the necessity of advance notice of agendas and meetings times/locations for public access and must follow the meeting notice provisions.

2. That temporary electronic participation under this By-Law shall be valid until such a time that it is revoked by Council.

Read, signed and sealed in open Council this 20th day of March, 2020.

Manon L. Levesque
City Clerk

Bernadette Clement
Mayor

Report Approval Details

Document Title:	By-law 2020-052 Amendment to Procedural By-law 2012-058 - 2020-210-CAO.docx
Attachments:	
Final Approval Date:	Mar 19, 2020

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

Maureen Adams - Mar 19, 2020 - 4:12 PM

The Corporation of the City of Cornwall
Regular Meeting of Council
By-law 2020-053

Department: Planning, Development and Recreation
Division: Planning
By-law Number: 2020-053
Report Number: 2020-285-Planning, Development and Recreation
Meeting Date: March 20, 2020
Subject: By-law to delegate Council's Authority to Chief Administrative Officer for The Corporation of the City of Cornwall for Planning matters in respect to the COVIC 19 Pandemic

Whereas Section 5 of the *Planning Act*, R.S.O. 1990, c. P.13 empowers delegation of powers to an appointed officer named in this By-law, other than the authority to approve official plans or the authority to exempt from approval plans as official plans or amendments to official plans; and

Whereas Pursuant to section 9 of the Condominium Act, 1998, section 50 of the former Condominium Act and section 51 of the Planning Act provides for the approval of final descriptions; and

Whereas the Council of The Corporation of The City of Cornwall deems it necessary and expedient to provide the Chief Administrative Officer with delegated powers to address routine matters for municipal service continuity and reduce what must come before Council.

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

That the Chief Administrative Officer be delegated the authority to make decision on the following matters:

- (a) Uncontested Minor Variances under Section 45 of the Planning Act
- (b) Removal of "Holding" (H) on Council approved Zoning by-law amendments under section 36 of the Planning Act subject to the satisfaction of the CAO that provisions of the holding status have been met
- (c) Site Plan Control approval and Site Plan Control agreements as per section 41 (13)(b) of the Planning Act
- (d) Exemptions to part lot control by-laws under section 50 (7.1) of the Planning Act
- (e) Minor changes the conditions of approval of a draft plan of subdivision at any time prior to approval of a final plan pursuant to section 51 (44) of the Planning Act or former Section 51 (18) of the Planning Act shall be and is hereby delegated to the CAO.
- (f) Subdivision agreements supporting a previously Council draft approved plan of subdivision, AS PER
- (g) Exemptions under section 9 (3) of the Condominium Act, 1998, provided an approved Plan of Subdivision or Site Plan Control agreement is in place.
- (h) Pre-servicing agreement supporting a Council draft approved plan of subdivision/condominium
- (i) Uncontested consents within "settlement areas" as per the Provincial Policy Statement and section 54(4) of the Planning Act, subject to standard conditions as applicable consistent with decisions of this sitting Council

2. That upon the termination of this By-law for any reason, the Chief Administrative Officer shall, as soon as practicable, advise Council by way of written public report of any exercise of a power or duty delegated under this By-law.

3. That the temporary delegation of powers and authority under this By-law be valid until such time that it is revoked by Council.
4. That this By-law shall come into force and take effect upon the passing thereof.

Read, signed and sealed in open Council this 20th day of March, 2020.

Manon L. Levesque
City Clerk

Bernadette Clement
Mayor

Report Approval Details

Document Title:	By-law 2020-053 Planning Matters During COVID-19 Pandemic - 2020-285-Planning, Development and Recreation.docx
Attachments:	
Final Approval Date:	Mar 19, 2020

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

No Signature - Task assigned to Mary Joyce-Smith was completed by workflow administrator Manon L. Levesque

Mary Joyce-Smith - Mar 19, 2020 - 3:08 PM

Mark A. Boileau - Mar 19, 2020 - 3:13 PM

Maureen Adams - Mar 19, 2020 - 4:15 PM

The Corporation of the City of Cornwall
Regular Meeting of Council
By-law 2020-054

Department: Planning, Development and Recreation
Division: Building and By-law
By-law Number: 2020-054
Report Number: 2020-286-Planning, Development and Recreation
Meeting Date: January 27, 2020
Subject: By-law to appoint Matthew Testa as alternate Deputy Chief Building Official in response to the COVID-19 Pandemic

Whereas section 3 of the *Building Code Act, 1992* provides for the appointment of a Chief Building Official and Inspectors, and section 77 of the *Legislative Act, 2006* provides for the appointment of Deputies.

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

1. That Matthew Testa is hereby appointed as Deputy Chief Building Official, for The Corporation of the City of Cornwall.
2. That as directed by the Chief Building Official or when the Chief Building Official is absent, the Deputy Chief Building Official shall have all the powers and duties of the Chief Building Official. For the purposes of this

section, “absent” includes when the Chief Building Official is on leave or unavailable for any reason, or when the office is vacant.

3. That this By-Law comes into force on the day it is passed.

Read, signed and sealed in open Council this 20th day of March, 2020.

Manon L. Levesque
City Clerk

Bernadette Clement
Mayor

Report Approval Details

Document Title:	2020-029 By-Law to appoint a Deputy Chief Building Official .docx
Attachments:	
Final Approval Date:	Jan 21, 2020

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

Mark A. Boileau - Jan 20, 2020 - 1:47 PM

Maureen Adams - Jan 21, 2020 - 8:02 AM

Report Approval Details

Document Title:	By-law 2020-054 Alternate Deputy Chief Building Official - 2020-286-PDR.docx
Attachments:	
Final Approval Date:	Mar 19, 2020

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

Charles Bray - Mar 19, 2020 - 3:38 PM

Mark A. Boileau - Mar 19, 2020 - 4:18 PM

Maureen Adams - Mar 19, 2020 - 5:03 PM

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

Department: Financial Services
Division: Finance
Report Number: 2020-261-Financial Services
Prepared By: Tracey Bailey, General Manager
Meeting Date: March 20, 2020
Subject: Deferral of Property Tax Collection

Purpose

That Council consider the deferral of property tax collection and postponing interest charges for homeowners and business in our Community.

Recommendation

That Council approve changing the 2020 interim levy instalment dates from March 31, 2020 and April 30, 2020 to May 15, 2020 and June 15, 2020, respectively, and postponing interest charges to June 16, 2020.

Financial Implications

The City collects property taxes at due dates (March, April, July and August) and through monthly preauthorization payment plans (PAPs).

In 2020, the City will be levying \$75,119,404 in municipal taxes and approximately \$12 million in education taxes.

By March 31st, the City collects approximately \$22.5M (\$19.3M municipal, \$3.2 education) or 26% of total taxes to levy in the year, and by April 30th, approximately \$35.6M (\$30.4M municipal, \$5.2M education) or 40% of total taxes to levy in the year.

Postponing the collection of taxes may have an impact on the City's investment income. Taxes collected are used to pay for salaries, goods and services, capital, transfer payments, etc. The City normally sees a greater requirement for cash during the Summer and the Fall when the City's capital works' projects are underway. The City invests these funds until they are needed. Investment rates have fallen at least 1 percent since the Bank of Canada started lowering its overnight rate. At March 16, 2020, the Bank of Canada lowered, for a second time, its target for the overnight rate to $\frac{3}{4}$ percent.

Last year, the City collected just over \$600K in interest and penalty charges for tax accounts in arrears. The City collected just over \$67K in interest and penalties for water/wastewater accounts in arrears. The City may see a minimal shortfall in this charge to the 2020 budget.

Over the past five years (2014-2018), the Financial Indicator Review completed by MMAH has shown that the City's taxes receivable as a percentage of total taxes levied to be at a low level of risk. Over these years, the City's annual indicator has been from 3.2% to 4.3%. An indicator of <10% is consider a low level of risk.

Background / Discussion

In light of the financial challenges that many are facing due to the COVID-19 crisis, Administration is recommending deferring the first and second instalments of interim taxation.

By-law 2019-152, passed by Council on December 9, 2019, enacts the manner in which the 2020 interim tax levy will be collected. The 2020 interim levy is to be paid into the office of the Treasurer in two instalments no later than the 31st day of March 2020 and the 30th day of April 2020.

Administration is recommending that property tax payments that would be otherwise due on March 31, 2020 and April 30, 2020 be deferred to May 15, 2020 and June 15, 2020, respectively.

Payments made by property owners on a PAP at due date or on the monthly PAP would continue as scheduled. Residents or businesses that would like to postpone their preauthorized payments, would make this request by contacting the Tax Department.



By-law 2019-077 imposes late payment charges for the non-payment of taxes at the rate of 1 ¼ percent of the amount of taxes due and unpaid on the first day of default.

Administration is recommending that until June 16, 2020, no interest or penalty charges be applied to unpaid property tax accounts. Interest will also not be charged on outstanding water bills during this period.

Due dates for the 2020 Final Billing for taxation would not change (July 31, 2020 and August 31, 2020). Supplementary taxation billings will be issued and due no earlier than August 31, 2020.

Document Title:	Deferral of Property Tax Collection - 2020-261-Financial Services.docx
Attachments:	
Final Approval Date:	Mar 19, 2020

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

Tracey Bailey - Mar 19, 2020 - 4:17 PM

Maureen Adams - Mar 19, 2020 - 5:04 PM