

Agenda
Cornwall City Council

Meeting #: 2021-32
Date: November 8, 2021, 7:00 PM
Location: Cornwall Civic Complex, 100 Water Street East, Cornwall, Ontario, K6H 6G4, Salon B, Lower Level
Chair: Glen G. Grant, Mayor
Prepared By: Debbie Caskenette, Deputy Clerk

Pages

In-Camera Session / Rise and Report from the In-Camera Meeting of Monday, November 8, 2021

Motion to move into a Closed Meeting at 6:00 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, 2021-141, Planning, Development and Recreation - Vacant Building

- c) a proposed or pending acquisition or disposition of land by the municipality or local board
- k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board

Moment of Personal Reflection

Réflexion personnelle

National Anthem

Hymne national

The Acting Mayor for this month is Councillor Dean Hollingsworth.

Opening

Ouverture

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

Roll Call

Appel nominal

Additions, Deletions or Amendments

Ajouts, retraits ou modifications

All matters listed under General Consent, save and except “Delegations” are considered to be routine and will be enacted by one motion. Should a Council Member wish an alternative action from the proposed recommendation, the Council Member shall request that this matter be moved to “Communications” at this time.

Adoption of Agenda

Ratification de l'Ordre du jour

The following Agenda is being presented for adoption as presented / amended.

Disclosures of Interest

Déclarations d'intérêts pécuniaires

Committee of the Whole

Séance de commission étendue à la chambre entire

We will now go into Committee of the Whole and that all Minutes, Presentations, Delegations, Consent/Correspondence, Resolutions, Reports and By-laws shall be considered and referred to that Committee.

Adoption of Minutes

1

Ratification des procès-verbaux

The following Minutes are being presented for adoption:

Monday, October 25, 2021

Monday, November 1, 2021

Presentations

Présentations

1. **Environment and Climate Change Committee Update, 2021-87-Infrastructure and Municipal Works**

14

Action Recommended
That Council receive the update from the Environment and Climate Change Committee.

Delegations

Délégations

1. **Request for Climate Emergency Declaration, 2021-96-Infrastructure and Municipal Works** 22

Action Recommended
That Council receive Report 2021-96-IMW and the climate emergency declaration presentation, and direct Administration to bring a report back to Council with recommendations on how to proceed.

Consent Reports

Rapports sur le consentement

1. **Elected Officials Expense Statements for the Period of July 1 to September 30, 2021, 2021-99-Financial Services** 37

Action Recommended
That Council receive the Statement of Expenses for Elected Officials for the period of July 1 to September 30, 2021.

2. **RFP 21-P11 Radio Communication Consulting Services, 2021-94-Financial Services** 49

Action Recommended
That RFP 21-P11 be awarded to Planetworks Consulting Corporation, from North Vancouver, British Columbia, at the total bid price of \$180,873.45 (net cost to the Corporation - \$162,882.14) being the best Proposal meeting the specifications.

3. **Tender 21-T22 Air Handling Unit Replacements at the Glen Stor Dun Lodge, 2021-95-Financial Services** 53

Action Recommended
That Tender 21-T22 be awarded to Carmichael Engineering, from Ottawa, Ontario, at the total bid price of \$1,102,398.38 (net cost to the Corporation – \$997,717.34) being the best bid meeting the tender specifications.

4. Tender 21-T23 New Emergency Generator at Glen Stor Dun Lodge, 2021-98-Financial Services

Action Recommended

That Tender 21-T23 be awarded to Black and McDonald Limited, from Ottawa, Ontario, at the total bid price of \$855,351 (net cost to the Corporation - \$775,243.52) being the best bid meeting the tender specifications.

5. Tender 21-T28 Pathway Lighting Improvements in Lamoureux Park, 2021-96-Financial Services

60

Action Recommended

That Tender 21-T28 be awarded to Dundas Power Line Limited, Chesterville, Ontario, at the total bid price of \$438,097.05 (net cost to the Corporation - \$394,519.96) being the best bid meeting the tender specifications.

Resolutions

Résolutions

Reports from Unfinished Business and Unfinished Business Listing

Rapports des affaires incomplètes

The Unfinished Business Listing for Monday, November 8, 2021, is being presented to Council to receive.

1. Remote Worker Attraction Strategy Update, 2021-27-CAO

65

Action Recommended

That Council receive Report 2021-27-CAO

2. Residential Rental Licensing Registry Update, 2021-09-Fire

81

Action Recommended

That Council:

- a. not implement a Residential Rental Licensing Registry.
- b. direct Administration to utilize existing tools and legislation in a cooperative effort to increase public awareness, public education, and enforcement to ensure that residential rental units in the City of Cornwall maintain a minimum safety requirement.

3. Unfinished Business Listing for November 8, 2021, 2021-137-

141

Corporate Services

Action Recommended

That Council receive the Unfinished Business Listing for November 8, 2021.

Communication Reports

Communications et rapports

- | | |
|---|------------|
| 1. MTO Connecting Links Funding Program – Intake 7, 2021-95-Infrastructure and Municipal Works | 144 |
|---|------------|

Action Recommended

That Council endorse a submission of an application to the 2022-23 MTO Connecting Links Program and that the project submitted for the funding program be a Municipal Class Environmental Assessment for Brookdale Avenue from Seventh Street West to Fourteenth Street West.

New Business Motions

Nouvelles affaires

By-laws

Règlements municipaux

By-laws 2021-122 to 2021-124 inclusive, listed on the Agenda, are being presented to Council for adoption.

- | | |
|--|------------|
| 1. By-law 2021-122 Medical Scholarship Loan Agreement with Karen Poirier, 2021-163-Planning, Development and Recreation, 2021-164-Planning, Development and Recreation | 180 |
| 2. By-law 2021-123 A By-Law to appoint Charles Bray as Chief Building Official, 2021-165-Planning, Development and Recreation | 186 |
| 3. By-law 2021-124 Amendment to the Traffic and Parking By-law 069-1989, Parking Restrictions – Time Limits, 2021-73-Infrastructure and Municipal Works, 2021-81-Infrastructure and Municipal Works | 189 |

Reports from Standing, Advisory, Special and Ad Hoc Committees of Council

Rapports des comités permanents, consultatifs, spéciaux et ad hoc

Notices of Motion

Avis de motion

Confirming By-law

Règlement municipal de ratification

By-law 2021-125, 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, November 8, 2021, is being presented to Council for adoption.

1. **Confirming By-law for the Meeting of November 8, 2021, 2021-138-Corporate Services**

196

Adjournment and Next Regular Meeting of Council

Ajournement et prochaine séance ordinaire du Conseil

The next Regular Public Meeting of Council will be held on Monday, November 22, 2021.



Minutes
Cornwall City Council

Meeting #: 2021-30
Date: Monday, October 25, 2021, 7:00 PM
Location: Cornwall Civic Complex, 100 Water Street East, Cornwall,
Ontario, K6H 6G4, Salon B, Lower Level
Chair: Glen G. Grant, Mayor
Prepared By: Debbie Caskenette, Deputy Clerk

Attendance
Committee
Members: Claude E. McIntosh, Councillor, Elaine MacDonald,
Councillor, Syd Gardiner, Councillor, Dean Hollingsworth,
Councillor, Carilyne Hébert, Councillor, Maurice Dupelle,
Councillor, Glen Grant, Mayor, Todd Bennett, Councillor,
Justin Towndale, Councillor, Eric Bergeron, Councillor
Denis Carr, Councillor

Attendance
Administration: Maureen Adams, CAO, Manon L. Levesque, City Clerk,
Debbie Caskenette, Deputy Clerk, Geoffrey Clarke,
General Manager, Corporate Services, Bill de Wit, Acting
General Manager, Infrastructure and Municipal Works,
Mark A. Boileau, General Manager, Planning, Development
and Recreation, Tracey Bailey, General Manager, Financial
Services, Bill Lister, EMS Chief, Jean Marcil, Transit
Manager

Guests: Iakonikonriiosta, Manager, Native North American
Travelling College, Maie Thomas, Carrie Benedict

**1. In-Camera Session / Rise and Report from the In-Camera Meeting of
Monday, October 25, 2021**

There was no In-Camera Session on Monday, October 25, 2021.

2. Moment of Personal Reflection

3. National Anthem

The Acting Mayor for this month is Councillor Carilyne Hébert.

4. Opening

The Mayor acknowledged that we are gathered on the traditional territory of the Mohawk people of Akwesasne.

5. Roll Call

6. Additions, Deletions or Amendments

Moved By: Elaine MacDonald, Councillor

Seconded By: Todd Bennett, Councillor

Motion to suspend the rules and to allow a presentation on the We Were Children art display created by women from Akwesasne.

Motion Carried

7. Adoption of Agenda

Moved By: Syd Gardiner, Councillor

Seconded By: Dean Hollingsworth, Councillor

Motion to adopt the Agenda, as amended.

Motion Carried

8. Disclosures of Interest

There were no Disclosures of Interest.

9. Committee of the Whole

Moved By: Maurice Dupelle, Councillor

Seconded By: Justin Towndale, Councillor

Motion to go into the Committee of the Whole.

Motion Carried

10. Adoption of Minutes

Moved By: Claude E. McIntosh, Councillor

Seconded By: Elaine MacDonald, Councillor

Motion to adopt the Minutes of October 12, 2021, as presented.

Motion Carried

11. Presentations

Iakonikonriiosta, Manager for the Native North American Travelling College, Maie Thomas and Carrie Benedict spoke on the art display with child-sized moccasin vamps titled We Were Children Shiiakwaksha'okon:a. The art display crafted by various artists from Akwesasne has been dedicated to the memory of Indigenous children who were discovered in graves at residential schools across Canada. Members of the public can view the display at the Cornwall Public Library until October 29, 2021.

12. Delegations

There were no Delegations.

13. Consent Reports

Moved By: Carilyne Hébert, Councillor

Seconded By: Todd Bennett, Councillor

Motion to approve the Consent Items as listed on the Agenda.

Motion Carried

1. Proclamation – Dress Purple Day, 2021-133-Corporate Services

Motion to proclaim October 27, 2021, as “Dress Purple Day” in the City of Cornwall.

2. CPPEG October 116 Pitt Street, 8 Second Street East, 71 and 26 Ninth Street West, 2021-157-Planning, Development and Recreation

Motion to approve the following items:

- a. 116 Pitt St. Inc at 116 Pitt Street for HOTC funding under: Program 2 Building Restoration and Improvement in the amount of \$30,000.

Program 3 Project Design Grant in the amount of \$1,000.
Program 4 Façade Improvement Grant in the amount of \$10,000.
Program 5 Municipal Planning/Development Fees Grant based on actual costs for the permit.
Program 6 Discretionary Municipal Tipping Fees Grant based on 50% of actual weigh bill receipts.

- b. 8587248 Canada Inc at 8 Second Street East for HOTC funding under:
Program 2 Building Restoration and Improvement in the amount of \$1,350 as a forgivable loan.
Program 5 Municipal Planning/Development Fees Grant based on actual costs for the permit.
Program 6 Discretionary Municipal Tipping Fees Grant based on 50% of actual weigh bill receipts.
- c. Lingeswaran Somasundaram In Trust at 71 Ninth Street West for Brownfield funding under:
Program 2 Environmental Site Assessment (ESA) Grant in the amount of \$15,000
- d. Lingeswaran Somasundaram In Trust at 26 Ninth Street West for Brownfield funding under:
Program 2 Environmental Site Assessment (ESA) Grant in the amount of \$15,000

3. Tender 21-T31 Snow Clearing and Ice Control – Housing Services Division, 2021-91-Financial Services

Motion to award Tender 21-T31 to H. Moise Jr. Trucking, from Cornwall, Ontario, at the total bid price of \$9,898.80 per occurrence (net cost to the Corporation - \$8,914.17 per occurrence) being the best bid meeting the tender specifications.

4. RFP Terms of Reference for 21-P09 New Transit Fare System, 2021-92-Financial Services

Motion to receive Report 2021-92 Financial Services.

5. RFP Terms of Reference for 21-P14 Archaeological Management Plan, 2021-93-Financial Services

Motion to receive Report 2021-93-Financial Services.

14. Resolutions

1. Removal of Testing Requirements for Canadians for US Land Border, 2021-136-Corporate Services

Moved By: Denis Carr, Councillor

Seconded By: Syd Gardiner, Councillor

Motion to request the Federal Government remove the requirement for Canadian travelers to be tested for Covid-19 when using a land crossing into the United States after the November 8, 2021 reopening.

A recorded vote on the Motion resulted as follows:

	For	Against	Abstain
Claude E. McIntosh, Councillor		X	
Elaine MacDonald, Councillor		X	
Syd Gardiner, Councillor	X		
Dean Hollingsworth, Councillor		X	
Carilyne Hébert, Councillor	X		
Maurice Dupelle, Councillor		X	
Glen Grant, Mayor	X		
Todd Bennett, Councillor		X	
Justin Towndale, Councillor		X	
Eric Bergeron, Councillor		X	
Denis Carr, Councillor	X		
Results	4	7	0

Motion Defeated (4 to 7)

15. Reports from Unfinished Business and Unfinished Business Listing

1. Unfinished Business Listing for October 25, 2021, 2021-135-Corporate Services

Moved By: Elaine MacDonald, Councillor
Seconded By: Maurice Dupelle, Councillor

Motion to receive the Unfinished Business Listing for October 25, 2021.

Motion Carried

16. Communication Reports

There were no Communication Reports.

17. New Business Motions

There were no New Business Motions.

18. By-laws

Moved By: Todd Bennett, Councillor
Seconded By: Maurice Dupelle, Councillor

Motion to adopt By-laws 2021-118 to 2021-120 as listed on the Agenda.

Motion Carried

1. By-law 2021-118 HOTC 116 Pitt Street and 8 Second Street East Program 2, 2021-158-Planning, Development and Recreation, 2021-159-Planning, Development and Recreation
2. By-law 2021-119 Renaissance Housing Rehabilitation Program 149 St. Felix Street, 2021-160-Planning, Development and Recreation, 2021-161-Planning, Development and Recreation
3. By-Law 2021-120 To Amend Sections of Traffic and Parking By-law - Parking Permit and Fee Schedule, 2021-89-Infrastructure and Municipal Works, 2021-90-Infrastructure and Municipal Works

19. Reports from Standing, Advisory, Special and Ad Hoc Committees of Council

1. Councillor Elaine MacDonald stated that due to technical issues the Change of Command ceremony video will not be available. Councillor MacDonald provided a brief background of the new Chief of Police Shawna Spowart.

2. Councillor MacDonald announced that nineteen people will be inducted into the Arts Hall of Fame at a gala to be held on October 29, 2021.

20. Notices of Motion

There were no Notices of Motion.

21. Confirming By-law

1. Confirming By-law for the Meeting of October 25, 2021, 2021-134-Corporate Services

Moved By: Maurice Dupelle, Councillor

Seconded By: Eric Bergeron, Councillor

Motion to adopt the Confirming By-law for the Meeting of October 25, 2021.

Motion Carried

22. Adjournment and Next Regular Meeting of Council

The next Special Public Meeting of Council will be held on Monday, November 1, 2021.

The next Regular Public Meeting of Council will be held on Monday, November 8, 2021.

Moved By: Syd Gardiner, Councillor
Seconded By: Dean Hollingsworth, Councillor

Motion to adjourn the Regular Meeting of Council of Monday, October 25,
2021, at 7:45 p.m.

Motion Carried

Manon L. Levesque, City Clerk

Glen G. Grant, Mayor



Minutes
Cornwall City Council

Meeting #: 2021-31
Date: Monday, November 1, 2021, 5:00 PM
Location: Cornwall Civic Complex, 100 Water Street East, Cornwall,
Ontario, K6H 6G4, Salon B, Lower Level
Chair: Glen G. Grant, Mayor
Prepared By: Debbie Caskenette, Deputy Clerk

Attendance
Committee
Members: Claude E. McIntosh, Councillor, Elaine MacDonald,
Councillor, Dean Hollingsworth, Councillor, Maurice
Dupelle, Councillor, Glen Grant, Mayor, Todd Bennett,
Councillor, Justin Towndale, Councillor, Denis Carr,
Councillor

Regrets: Syd Gardiner, Councillor, Carilyne Hébert, Councillor, Eric
Bergeron, Councillor

Attendance
Administration: Maureen Adams, CAO, Manon L. Levesque, City Clerk,
Geoffrey Clarke, General Manager, Corporate Services,
Mark A. Boileau, General Manager, Planning, Development
and Recreation, Tracey Bailey, General Manager, Financial
Services, Bill de Wit, Acting General Manager,
Infrastructure and Municipal Works, Jeff Weber, Fire Chief,
Michael Fawthrop, Manager, Infrastructure Planning,
Shawn O'Brien, Manager, Municipal Works, Owen O'Keefe,
Supervisor, Water Purification Plant, Dan Drouin,
Supervisor, Water and Sewer, Daniel Lauzon, SCADA
Technologist

Guests: Marco Vincelli, EVB Engineering; Genevieve Roy, Jacobs
Engineering Group

1. Roll Call

2. Opening

The Mayor acknowledged that we are gathered on the traditional territory of the Mohawk people of Akwesasne.

3. Adoption of Agenda

Moved By: Justin Towndale, Councillor

Seconded By: Todd Bennett, Councillor

Motion to adopt the Agendas as presented.

Motion Carried

4. Disclosures of Interest

There were no Disclosures of Interest.

5. Committee of the Whole

Moved By: Justin Towndale, Councillor

Seconded By: Claude E. McIntosh, Councillor

Motion to go into the Committee of the Whole.

Motion Carried

6. Presentations and Reports

1. Cornwall Water Purification Plant Secondary Intake Environmental Assessment Joint Presentation by EVB Engineering and Jacobs Engineering Group, 2021-92-Infrastructure and Municipal Works

Mr. Marco Vincelli, Senior Municipal Engineer with EVB Engineering and Ms. Genevieve Roy, Senior Municipal Engineer with Jacobs Engineering Group presented a preliminary update to Council on the Cornwall Water Purification Plant - Secondary Intake Environmental Assessment. The update identified the risks associated with the existing infrastructure and outlined alternatives regarding a secondary raw water intake. A final report will be presented to Council upon completion of the EA process.

Moved By: Claude E. McIntosh, Councillor

Seconded By: Maurice Dupelle, Councillor

Motion to receive the Cornwall Water Purification Plant Secondary Intake Environmental Assessment Joint Presentation by EVB Engineering and Jacobs Engineering Group.

Motion Carried

2. Cornwall Water Purification Plant Secondary Intake Environmental Assessment, 2021-93-Infrastructure and Municipal Works

Moved By: Elaine MacDonald, Councillor

Seconded By: Denis Carr, Councillor

Motion to receive the executive summary report jointly developed by EVB Engineering and Jacobs Engineering Group entitled "Cornwall Water Purification Plant Secondary Intake Environmental Assessment".

Motion Carried

7. Adjournment

The next Regular Public Meeting of Council will be held on Monday, November 8, 2021.

Moved By: Dean Hollingsworth, Councillor

Seconded By: Maurice Dupelle, Councillor

Motion to adjourn the Special Meeting of November 1, 2021 at 6:00 p.m.

Motion Carried

Manon L. Levesque, City Clerk

Glen G. Grant, Mayor

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

Department: Infrastructure and Municipal Works
Division: Environment
Report Number: 2021-87-Infrastructure and Municipal Works
Prepared By: Angela Parker, Sustainability Project Coordinator
Katherine Wells, Strategic Planning Coordinator
Meeting Date: November 8, 2021
Subject: Environment and Climate Change Committee Update

Purpose

To provide Council with an update from the Environment and Climate Change Committee.

Recommendation

That Council receive the update from the Environment and Climate Change Committee.

Strategic Priority Implications

The creation of the Environment and Climate Change Committee is a direct priority in the 2019-2022 Strategic Priorities under Pillar 5 “Being leaders in sustainability and climate change impact”.

Background / Discussion

Elaine Kennedy, Chair of the Environment and Climate Change Committee, and Angela Parker, Staff Representative for the Committee, will present Council with an update from the Environment and Climate Change Committee.

Document Title:	Environment and Climate Change Committee Update.docx
Attachments:	- ECCC Council Presentation.pdf
Final Approval Date:	Nov 2, 2021

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

Bill de Wit - Oct 28, 2021 - 4:25 PM

Maureen Adams - Nov 2, 2021 - 6:09 PM



Environment & Climate Change Committee

Presentation to Cornwall City Council
November 8, 2021



Mandate

Reduce the City's 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.



Membership

Two members of Council appointed by the Mayor

- Councillor Eric Bergeron
- Councillor Carilyne Hebert

One representative from the Raisin Region Conservation Authority

- Phil Barnes

One representative from the Eastern Ontario Health Unit

- Caroline Kuate

One representative from the St. Lawrence River Institute of Environmental Sciences

- Georgia Bock

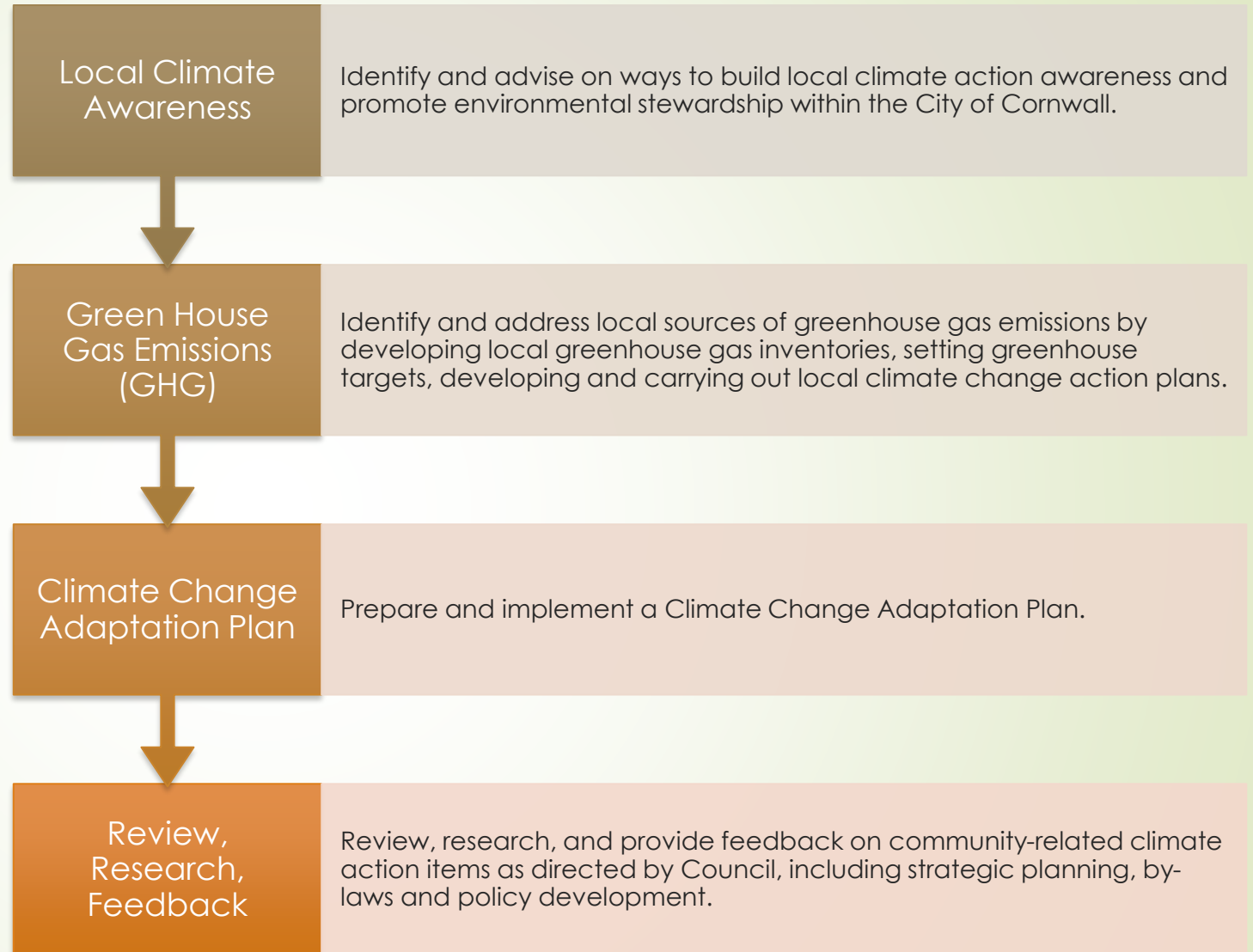
One representative from Transition Cornwall+

- Neil MacLean

Three community representatives

- Elaine Kennedy
- Praisie Hunter
- Jesse Good

Four Areas of Focus



Notable Work



Tree Canopy Policy



Eco Day



Regular Meetings



Reviewing Policies

Future Initiatives

- ▶ Declaring a Climate Emergency
- ▶ Cost analysis for GHG Emissions
- ▶ Inventory of Natural Capital Assets

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

Department: Infrastructure and Municipal Works
Division: Environment
Report Number: 2021-96-Infrastructure and Municipal Works
Prepared By: Angela Parker, Sustainability Project Coordinator
Katherine Wells, Strategic Planning Coordinator
Meeting Date: November 8, 2021
Subject: Request for Climate Emergency Declaration

Purpose

To provide Council with an overview of declaring a climate emergency.

Recommendation

That Council receive Report 2021-96-IMW and the climate emergency declaration presentation, and direct Administration to bring a report back to Council with recommendations on how to proceed.

Strategic Priority Implications

Declaring a climate emergency relates to Pillar 5.6 of the Strategic Priorities: "Identify what the City could take a lead on"

Background / Discussion

Georgia Bock, member of the Environment and Climate Change Committee, will present Council with a briefing on declaring a climate emergency in the City of Cornwall.

Document Title:	Request for Climate Emergency Declaration - 2021-96-IMW.docx
Attachments:	- Climate Change Declaration Presentation (2)_ECCC_October 2021 EDITTED.pdf
Final Approval Date:	Nov 4, 2021

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

Bill de Wit - Nov 3, 2021 - 4:02 PM

Maureen Adams - Nov 4, 2021 - 9:46 AM

Climate Emergency Declaration

– City of Cornwall





Climate Declaration Document Overview

WHEREAS

the Intergovernmental Panel on Climate Change (IPCC) states that human activities related to the burning of fossil fuels have warmed the earth on average 1.1°C since the 1800's, and over the next twenty years the global temperature is expected to reach or exceed 1.5°C;

WHEREAS

thousands of scientists and government reviewers agree that limiting global temperature rise to no more than 1.5°C would help us avoid the worst climate impacts and maintain a livable climate;

WHEREAS

there is less than a decade to half our emissions to avoid the most devastating impacts of climate change which will bring about catastrophic social, economic, cultural and environmental impacts;

WHEREAS

a growing coalition of governments is committing to net zero emissions by 2050, about half of emission cuts must be in place by 2030 to keep warming below 1.5°C;

WHEREAS

Canada's Changing Climate Report states that Canada is warming twice as fast as the rest of the world;

WHEREAS

climate change is currently contributing to billions of dollars in property and infrastructure damage worldwide, stressing local and international economies;

WHEREAS

over 500 Canadian municipalities have now declared climate emergencies;

- Belleville
 - Declared: 2021
 - Population: 50,000
- Peterborough
 - Declared: 2020
 - Population: 60,620
- St. Catharines
 - Declared: 2019
 - Population: 133,133
- Whitby
 - Declared: 2019
 - Population: 36,698

Resources:

Belleville - <https://citybellevilleon.civicweb.net/filepro/documents/?preview=19133>

Peterborough - <https://www.peterborough.ca/en/city-hall/resources/Documents/Chapter-1-City-of-Peterborough-Climate-Action-Plans-FINAL.pdf>

St. Catharines https://www.stcatharines.ca/en/livein/resources/Climate-Change/ClimateAdaptionPlan_FINAL.pdf

Whitby - <https://www.whitby.ca/en/news/whitby-declares-climate-change-an-emergency.aspx>

WHEREAS

current initiatives that the City of Cornwall is undertaking are not sufficient to meet the targets as defined by IPCC scientists;

- ☉ There is no existing GHG emissions inventory for the City of Cornwall

WHEREAS

the City of Cornwall wishes to protect its economy, community, and ecosystems from the impacts of our changing climate;

WHEREAS

one the City of Cornwall's strategic priorities is 'Being leaders in sustainability and climate change impacts';



THEREFORE, BE IT RESOLVED

THAT

the City of Cornwall declares a **climate emergency** for purposes of naming, framing and deepening our commitment to protecting our community, economy and ecosystems from the impacts of climate change;

- Climate emergency: a situation in which urgent action is required to reduce or halt climate change and avoid potentially irreversible environmental damage resulting from it.

Resources:

Climate emergency definition - <https://www.earthday.org/climate-emergency-is-2019-oxford-word-of-the-year/>

THAT

the City of Cornwall adopt the national Greenhouse Gas (GHG) reduction target as its own;

Current Canadian targets:

- 40-45 percent below 2005 levels by 2030.
- Net zero by 2050

Resources:

Current Canadian targets - <https://www.canada.ca/en/environment-climate-change/news/2021/07/government-of-canada-confirms-ambitious-new-greenhouse-gas-emissions-reduction-target.html>

THAT

the City of Cornwall join the Partners for Climate Protection (PCP) by passing the attached Council Resolution and committing to follow it's 5-step framework to create a climate action plan:

- 1. Creating a Baseline Emissions Inventory and Forecast;
- 2. Set Emissions Reductions Targets;
- 3. Develop a local action plan;
- 4. Implement the Local Action Plan;
- 5. Monitor progress and reporting results

Resources:

PCP video - <https://www.youtube.com/watch?v=Y95rluFacA0>

Council Resolution Template - <https://www.pcp-ppc.ca/join>

COUNCIL RESOLUTION TEMPLATE

Council Resolution to Join the FCM-ICLEI Partners for Climate Protection Program

WHEREAS The Federation of Canadian Municipalities (FCM) and ICLEI-Local Governments for Sustainability (ICLEI Canada) have established the Partners for Climate Protection (PCP) program to provide a forum for municipal governments to share their knowledge and experience with other municipal governments on how to reduce GHG emissions;

WHEREAS over 350 municipal governments across Canada representing more than 65 per cent of the population have already committed to reducing corporate and community GHG emissions through the PCP program since its inception in 1994;

WHEREAS the PCP program is based on a five-milestone framework that involves completing a GHG inventory and forecast, setting a GHG reduction target, developing a local action plan, implementing the plan, and monitoring progress and reporting results;

BE IT RESOLVED that the municipality of _____ review the guidelines on PCP Member Benefits and Responsibilities and then communicate to FCM and ICLEI Canada its participation in the PCP program and its commitment to achieving the milestones set out in the PCP five-milestone framework;

BE IT FURTHER RESOLVED that the municipality of _____ appoint the following:

a) Corporate staff person (Name) _____
(Job Title) _____
(Contact number) _____
(Email address) _____

b) Elected official (Name) _____
(Job Title) _____
(Contact number) _____
(Email address) _____

to oversee implementation of the PCP milestones and be the points of contact for the PCP program within the municipality.

Signature

Date

PCP Member Benefits and Responsibilities

The PCP program offers you a proven approach to reducing greenhouse gas (GHG) emissions, and the support you need to achieve success. Being actively engaged in the PCP program gives your municipality the chance to become a leader by taking systematic and organized action on climate change. By participating in the PCP program, Canadian municipalities gain access to the following tools and resources:

- Support and guidance, through the PCP Milestone Framework, to help members reduce GHG emissions.
- Access via the PCP Hub to a network of over 350 local governments across Canada that are taking action on climate change and can help your community succeed by offering their experience and examples.
- Technical support tools, including the PCP Milestone Tool and PCP Protocol.
- Information and access to funding opportunities, such as those offered by FCM's Green Municipal Fund.
- Capacity-building resources, including workshops, case studies and training opportunities.
- Awards and recognition for milestone achievements and for reported measures.

Members of the PCP program have the following responsibilities:

- Move through the Milestone Framework within 10 years of joining
- Report on progress at least once every two years, with our support
- Email us if your contact information changes
- Actively participate in program activities and share your experience with other network members

If your municipality is not able to meet the PCP program requirements, you can always leave the program and rejoin it at a later date. You can also contact the PCP Secretariat anytime for help with submitting documentation to meet the requirements.

Supporting Rationale for Consideration

It is well established that climate change is increasing the frequency of extreme weather events and posing other risks, such as drought, forest fires and rising sea levels, which present serious threats to our natural environment, our health, our jobs and our economy.

The 2016 Paris Agreement, signed by more than 190 countries, including Canada, committed to limit the global temperature increase to below two degrees Celsius and to pursue efforts to limit this increase to 1.5 degrees Celsius, in order to avoid the most severe climate change impacts.

Local governments are essential to the successful implementation of the Paris Agreement.

Canada's cities and communities influence approximately 50 per cent of national greenhouse gas (GHG) emissions and can drive systemic low-carbon practices, including: building high-efficiency buildings, undertaking building retrofits and developing district heating; building active transit, electric vehicle infrastructure and electrified public transit; implementing near-zero GHG waste plans; and delivering high-efficiency water and wastewater services.

Investments in these types of measures also reduce operating costs, help municipalities maintain and plan for future community services, protect public health, support sustainable community development, increase community resilience and reduce a community's vulnerability to environmental, economic and social stresses.

A number of government and international and national organizations have called for greater cooperation among all stakeholders to meet reduction targets, including Canada's Big City Mayors' Caucus, which supports binding GHG emission reduction targets at the international, national and city levels, action plans that cut emissions, identification of risks and mitigation solutions, and regular municipal GHG emissions reporting.

THAT

staff be directed to create a report outlining a process to assess climate adaptation within the community and to determine if joining ICLEI's (Local Governments for Sustainability) Building Adaptive & Resilient Communities (BARC) is beneficial, and;

- ☉ Why BARC: Responding to climate change should be twofold – reducing and stabilizing levels of GHS's (mitigation) and adapting to climate change impacts (adaptation).

BARC OVERVIEW

- Adaptation program which provides a comprehensive adaptation framework
- Build internal capacity & multi-stakeholder collaboration
- Access to innovative tools and resources
- Prepare for costly and extreme weather events
- Make informed decisions to improve resilience

Resources:

BARC – <https://icleicanada.org/barc-program/>

THAT

the City of Cornwall leverage membership in the FCM-ICLEI Clean Air Partnership and Partners for Climate Protection (PCP) to access expert technical advice, funding, and training for employees.

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

Department: Financial Services
Division: Finance
Report Number: 2021-99-Financial Services
Prepared By: Paul Scrimshaw, Accounting Manager and Deputy Treasurer
Meeting Date: November 8, 2021
Subject: Elected Officials Expense Statements for the Period of July 1 to September 30, 2021

Purpose

To provide Council with a financial snapshot of expenses for the period July 1 to September 30, 2021.

Recommendation

That Council receive the Statement of Expenses for Elected Officials for the period of July 1 to September 30, 2021.

Financial Implications

All remuneration and expenses incurred are in compliance with the approved 2021 budget, corporate policies, accounting and reporting procedures.

Strategic Priority Implications

This report achieves the Strategic Plan of corporate excellence ensuring financial transparency and accountability by exercising prudent financial stewardship of managing public funds.

Background / Discussion

The accompanying schedules details expenses incurred up to September 30, 2021 of Council as a Whole and individual Council Members.

Document Title:	Elected Officials Expense Statements for July 1 to Sept 30, 2021 - 2021-99-Financial Services.docx
Attachments:	- Consolidated Jul-Sep 21 expenses.pdf
Final Approval Date:	Nov 3, 2021

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

Tracey Bailey - Nov 2, 2021 - 8:51 PM

Maureen Adams - Nov 3, 2021 - 8:08 AM

STATEMENT OF EXPENSES - ELECTED OFFICIALS
COUNCIL AS A WHOLE

for the period of July 1 to Sep 30, 2021

Council (as a whole)	<u>Food Provisions</u>	<u>Office Supplies</u>	<u>Office Equipment</u>	<u>Memberships, Association Fees</u>	<u>Promotion Costs</u>	<u>Public Relations</u>	<u>Cell Phone Charges</u>	<u>Total Expenses</u>
Previous Expenses	\$600.18	\$227.27	\$74.30	\$37,997.79	\$103.56	\$240.36	\$2,947.70	\$42,191.16
July to September Statement	\$891.02	\$341.92	\$0.00	\$1,175.33	\$103.56	\$963.47	\$2,424.98	\$5,900.28
Total Expenses to Date	\$1,491.20	\$569.19	\$74.30	\$39,173.12	\$207.12	\$1,203.83	\$5,372.68	\$48,091.44
2021 Budget	\$7,000.00	\$2,000.00	\$0.00	\$41,100.00	\$3,000.00	\$7,000.00	\$8,677.00	
Coffee, Juice, Creamers, Water, etc. (Meetings)	\$64.05							
Council Meetings	\$826.97							
Cell Phone Charges							\$2,424.98	
Office Supplies		\$13.18						
Truth and Reconciliation - Calls to Action Booklets		\$142.46						
Municipal Law User Manual		\$186.28						
Municipal Information Network				\$1,175.33				
Canada Day Advertisement						\$703.39		
Truth and Reconciliation - Orange Shirts						\$260.08		
Promotional Costs					\$103.56			

STATEMENT OF EXPENSES - ELECTED OFFICIALS	
SOUVENIRS	
2019	2020
1000	1000
1001	1001
1002	1002
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1148	

for the period of July 1 to Sep 30, 2021

	Mayor Grant	Councillor Bennett	Councillor Bergeron	Councillor Dupelle	Councillor Gardiner	Councillor Carr
Minor Sports Associations						
Schools						
Service Clubs						
Tournaments/Curling Bonspiels						
Local Boards / Organizations						
Miscellaneous						
Community Events						
Visitors/Dignitaries						
	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Councillor Hébert	Councillor Hollingsworth	Councillor MacDonald	Councillor McIntosh	Councillor Towndale	
Minor Sports Associations						
Schools						
Service Clubs						
Tournaments/Curling Bonspiels						
Local Boards / Organizations			\$103.56			
Miscellaneous						
Community Events						
Visitors/Dignitaries						
	\$0.00	\$0.00	\$103.56	\$0.00	\$0.00	

**STATEMENT OF EXPENSES - ELECTED OFFICIALS
CONFERENCES / PROFESSIONAL DEVELOPMENT**

for the period of July 1 to Sep 30, 2021

Previous Expenses	\$610.56
July to September Statement	<u>\$0.00</u>
Total Expenses to Date	\$610.56
2021 Budget	\$25,000.00

No expenses to report

STATEMENT OF EXPENSES - ELECTED OFFICIALS

for the period of July 1 to Sep 30, 2021

Mayor Glen Grant	Police Services Board Honorarium	Car Allowance	Corporate Travel	Public Relations	Miscellaneous	Total Expenses	Souvenirs
Previous Expenses	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
July to September Statement	\$875.00	\$443.10	\$0.00	\$0.00	\$0.00	\$443.10	\$0.00
Total Honorarium to Date	\$875.00						
Total Expenses to Date		\$443.10	\$0.00	\$0.00	\$0.00	\$443.10	\$0.00
2021 Budget	\$1,750.00	\$960.00	-----\$5,000.00-----				

Car Allowance (July to September 2021)

\$443.10

Cornwall Police Services Board

Honorarium (July to September 2021)

\$875.00

Former Mayor Bernadette Clément	Police Services Board Honorarium	Car Allowance	Corporate Travel	Public Relations	Miscellaneous	Total Expenses	Souvenirs
Previous Expenses	\$1,750.02	\$960.05	\$0.00	\$0.00	\$68.13	\$1,028.18	\$103.56
July to September Statement	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total Honorarium to Date	\$1,750.02						
Total Expenses to Date		\$960.05	\$0.00	\$0.00	\$68.13	\$1,028.18	\$103.56
2021 Budget	\$1,750.00	\$960.00	-----\$2,500.00-----				

No expenses to report

STATEMENT OF EXPENSES - ELECTED OFFICIALS

for the period of July 1 to Sep 30, 2021

Councillor Todd Bennett

	Corporate <u>Travel</u>	Public <u>Relations</u>	<u>Miscellaneous</u>	<u>Total Expenses</u>	<u>Souvenirs</u>
Previous Expenses	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
July to September Statement	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total Expenses to Date	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2021 Budget	-----\$1,257.50-----				

No expenses to report

STATEMENT OF EXPENSES - ELECTED OFFICIALS

for the period of July 1 to Sep 30, 2021

Councillor Eric Bergeron

	Corporate <u>Travel</u>	Public <u>Relations</u>	<u>Miscellaneous</u>	<u>Total Expenses</u>	<u>Souvenirs</u>
Previous Expenses	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
July to September Statement	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total Expenses to Date	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2021 Budget	-----\$1,257.50-----				

No expenses to report

STATEMENT OF EXPENSES - ELECTED OFFICIALS

for the period of July 1 to Sep 30, 2021

Councillor Maurice Dupelle

	Corporate <u>Travel</u>	Public <u>Relations</u>	<u>Miscellaneous</u>	<u>Total Expenses</u>	<u>Souvenirs</u>
Previous Expenses	\$0.00	\$0.00	\$234.73	\$234.73	\$0.00
July to September Statement	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total Expenses to Date	\$0.00	\$0.00	\$234.73	\$234.73	\$0.00
2021 Budget	-----\$1,257.50-----				

No expenses to report

STATEMENT OF EXPENSES - ELECTED OFFICIALS

for the period of July 1 to Sep 30, 2021

Councillor Syd Gardiner

	Corporate <u>Travel</u>	Public <u>Relations</u>	<u>Miscellaneous</u>	<u>Total Expenses</u>	<u>Souvenirs</u>
Previous Expenses	\$0.00	\$0.00	\$68.13	\$68.13	\$0.00
July to September Statement	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total Expenses to Date	\$0.00	\$0.00	\$68.13	\$68.13	\$0.00
2021 Budget	-----\$1,257.50-----				

No expenses to report

STATEMENT OF EXPENSES - ELECTED OFFICIALS

for the period of July 1 to Sep 30, 2021

Former Councillor Glen Grant

	Outside Agencies Honorarium	Corporate Travel	Public Relations	Miscellaneous	Total Expenses	Souvenirs
Previous Expenses	\$1,500.00	\$0.00	\$0.00	\$68.13	\$68.13	\$0.00
July to September Statement	\$488.05	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total Expenses to Date	\$1,988.05	\$0.00	\$0.00	\$68.13	\$68.13	\$0.00
2021 Budget	\$1,988.00	\$943.00				

Glen Stor Dun Lodge Board of Management

Honorarium (July to September 2021) \$488.05

STATEMENT OF EXPENSES - ELECTED OFFICIALS

for the period of July 1 to Sep 30, 2021

Councillor Carilyne Hébert

	Outside Agencies Honorarium	Corporate Travel	Public Relations	Miscellaneous	Total Expenses	Souvenirs
Previous Expenses	\$1,500.00	\$0.00	\$0.00	\$68.13	\$68.13	\$0.00
July to September Statement	\$97.61	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total Expenses to Date	\$1,597.61	\$0.00	\$0.00	\$68.13	\$68.13	\$0.00
2021 Budget	\$680.00	\$1,257.50				

Glen Stor Dun Lodge Board of Management

Honorarium (July to September 2021) \$97.61

STATEMENT OF EXPENSES - ELECTED OFFICIALS

for the period of July 1 to Sep 30, 2021

Councillor Dean Hollingsworth

	Corporate <u>Travel</u>	Public <u>Relations</u>	<u>Miscellaneous</u>	<u>Total Expenses</u>	<u>Souvenirs</u>
Previous Expenses	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
July to September Statement	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total Expenses to Date	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2021 Budget	\$1,257.50				

No expenses to report

STATEMENT OF EXPENSES - ELECTED OFFICIALS

for the period of July 1 to Sep 30, 2021

Councillor Elaine MacDonald

	Outside Agencies <u>Honorarium</u>	Corporate <u>Travel</u>	Public <u>Relations</u>	<u>Miscellaneous</u>	<u>Total Expenses</u>	<u>Souvenirs</u>
Previous Expenses	\$0.00	\$0.00	\$0.00	\$68.13	\$68.13	\$0.00
July to September Statement	\$250.00	\$0.00	\$0.00	\$0.00	\$0.00	\$103.56
Total Expenses to Date	\$250.00	\$0.00	\$0.00	\$68.13	\$68.13	\$103.56
2021 Budget	\$1,000.00	\$1,257.50				

Cornwall Police Services Board

Honorarium (July to September 2021) \$250.00

STATEMENT OF EXPENSES - ELECTED OFFICIALS

for the period of July 1 to Sep 30, 2021

Councillor Claude McIntosh

	Corporate Travel	Public Relations	Miscellaneous	Total Expenses	Souvenirs
Previous Expenses	\$0.00	\$0.00	\$58.99	\$58.99	\$0.00
July to September Statement	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total Expenses to Date	\$0.00	\$0.00	\$58.99	\$58.99	\$0.00
2021 Budget	-----\$1,257.50-----				

No expenses to report

STATEMENT OF EXPENSES - ELECTED OFFICIALS

for the period of July 1 to Sep 30, 2021

Councillor Justin Towndale

	Corporate Travel	Public Relations	Miscellaneous	Total Expenses	Souvenirs
Previous Expenses	\$0.00	\$0.00	\$68.13	\$68.13	\$0.00
July to September Statement	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total Expenses to Date	\$0.00	\$0.00	\$68.13	\$68.13	\$0.00
2021 Budget	-----\$1,257.50-----				

No expenses to report

STATEMENT OF EXPENSES - ELECTED OFFICIALS

for the period of July 1 to Sep 30, 2021

Councillor Denis Carr

	Corporate <u>Travel</u>	Public <u>Relations</u>	<u>Miscellaneous</u>	<u>Total Expenses</u>	<u>Souvenirs</u>
Previous Expenses	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
July to September Statement	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total Expenses to Date	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2021 Budget	-----\$314.5-----				

No expenses to report

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

Department: Financial Services
Division: Purchasing
Report Number: 2021-94-Financial Services
Prepared By: Nicole Robertson, Supervisor, Purchasing
Meeting Date: November 8, 2021
Subject: RFP 21-P11 Radio Communication Consulting Services

Purpose

To obtain proposals from qualified independent consultants to provide engineering services to develop and implement a long-term approach to city-wide radio communications.

Recommendation

That RFP 21-P11 be awarded to Planetworks Consulting Corporation, from North Vancouver, British Columbia, at the total bid price of \$180,873.45 (net cost to the Corporation - \$162,882.14) being the best Proposal meeting the specifications.

Financial Implications

The Corporation applied for funding through the Municipal Modernization Program Intake 2 – Third Party Review Stream. The application was successful. This project will be funded 100%.

Strategic Priority Implications

This report addresses Council's accountability and transparency to the ratepayers of the City of Cornwall.

Background / Discussion

The Corporation invited prospective Proponents to submit qualified independent consultants to provide engineering services to develop and implement a long-term approach to city-wide radio communications. The scope of work to be completed by the consultant includes identifying the needs of stakeholders within the Corporation of the City of Cornwall who operate radio communications, review industry standards requirements for each department, preparation of specifications, and project administration for the implementation of the radio communication system. The consultant must not have affiliations to any commercial communication system vendors, manufacturers, or to any maintenance and services companies.

The Corporation has been operating with separate radio systems, which for the most part is no longer serviced or is out of date, and beyond the ability to be maintained by industry service providers.

In 2017, Cornwall Police Service obtained a new dispatch system which identified deficiencies and non-compatibility with other city agencies, such as Fire Services and Municipal Works.

The purpose of this project is to identify the communication needs of organizations and departments within the City of Cornwall, who operate radio communications in an effort to look at a long-term approach to city-wide communications.

The Cornwall Police Services provide dispatch services to the various fire departments of the United Counties of Stormont, Dundas and Glengarry (SD&G Counties). In order to continue to provide dispatch services to the SD&G Fire Departments interoperability capabilities will be required to be reviewed to determine current and future interoperability expectations.

The proposals were evaluated against the following Criteria:

- (1) Experience of Proponent
- (2) Experience and Qualification of Personnel Assigned to the Project
- (3) Understanding of Objectives, Schedule and Project Risks
- (4) Cost

The following Requests for Proposals were received and opened by Purchasing Services and evaluated by the Selection Committee:

Planetworks Consulting Corporation, North Vancouver, British Columbia

Bid Price:	\$160,065.00
HST:	\$20,808.45
Total Bid Price:	\$180,873.45

Tech TXformation Consulting Incorporated o/a PSBN Consulting, Markham, Ontario

Bid Price:	\$169,959.00
HST:	\$22,094.67
Total Bid Price:	\$192,053.67

Proposals were also received from CIMA Canada Incorporated and Federal Engineering Incorporated; however, did not meet the minimum required score to be evaluated for pricing.

Document Title:	21-P11 Radio Communication Consulting Services - 2021-94-Financial Services.docx
Attachments:	
Final Approval Date:	Nov 3, 2021

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

Jeff Weber - Nov 1, 2021 - 11:41 AM

Tracey Bailey - Nov 2, 2021 - 8:46 PM

Maureen Adams - Nov 3, 2021 - 8:04 AM

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

Department: Financial Services
Division: Purchasing
Report Number: 2021-95-Financial Services
Prepared By: Diane Leduc, Senior Buyer
Meeting Date: November 8, 2021
Subject: Tender 21-T22 Air Handling Unit Replacements at the Glen
Stor Dun Lodge

Purpose

To obtain costing for the replacement of five air handling units at the Glen Stor Dun Lodge (GSDL), 1900 Montreal Road, Cornwall, Ontario.

Recommendation

That Tender 21-T22 be awarded to Carmichael Engineering, from Ottawa, Ontario, at the total bid price of \$1,102,398.38 (net cost to the Corporation – \$997,717.34) being the best bid meeting the tender specifications.

Financial Implications

The Corporation has \$614,500 allocated for this project, including \$117,400 Ministry of Health minor capital funding and \$380,000 of ICIP funding. It is recommended that the remaining funds of \$487,888 required for the project be financed.

Strategic Priority Implications

This report addresses Council's accountability and transparency to the ratepayers of the City of Cornwall.

Background / Discussion

The Air Handling Units to be replaced were installed in 1994 and were given a life expectancy of 25 years. In an effort to replace the units before they fail, this tender was issued. The estimated cost for the project as indicated through the Building Condition Assessment project was \$265,000, however, this did not take into consideration the work to remove the units (which includes the removal of a brick wall, cranes, etc.), nor the cost to provide temporary units to supply fresh air into the facility for resident comfort.

An engineering firm was retained to provide engineering design and contract administration services. Their cost estimate for the project was \$665,000. This did not include the price to provide rental units that will supply fresh air into the facility.

Discussions were held with the engineering firm and the sole bidder in an effort to understand the costing difference and review possible means of reducing the overall cost of the project. The costs difference, in addition to the cost to supply fresh air, can be attributed to the pandemic and current market conditions. It was decided to recommend that the project be awarded as submitted as no viable options were available to reduce the cost significantly without additional delays and disruptions to the residents at the GSDL.

The following tenders were received and opened by Purchasing Services on September 20, 2021:

Carmichael Engineering, Ottawa, Ontario

Bid Price:	\$931,326.00
HST:	\$121,072.38
Contingency:	\$50,000.00
Total Bid Price:	\$1,102,398.38

Document Title:	Tender 21-T22 Air Handling Unit Replacements at the Glen Stor Dun Lodge - 2021-95-Financial Services.docx
Attachments:	
Final Approval Date:	Nov 3, 2021

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

Nicole Robertson - Nov 2, 2021 - 2:13 PM

Steven Golden - Nov 2, 2021 - 3:21 PM

Tracey Bailey - Nov 2, 2021 - 9:18 PM

Maureen Adams - Nov 3, 2021 - 8:12 AM

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

Department: Financial Services
Division: Purchasing
Report Number: 2021-98-Financial Services
Prepared By: Diane Leduc, Senior Buyer
Meeting Date: October 25, 2021
Subject: Tender 21-T23 New Emergency Generator at Glen Stor Dun Lodge

Purpose

To obtain costing for the replacement of the current standby generator with a new emergency generator at the Glen Stor Dun Lodge.

Recommendation

That Tender 21-T23 be awarded to Black and McDonald Limited, from Ottawa, Ontario, at the total bid price of \$855,351 (net cost to the Corporation - \$775,243.52) being the best bid meeting the tender specifications.

Financial Implications

The Corporation has budgeted \$650,000 (to be financed) in the 2021 Capital Budget for this project. It is recommended that the remaining funds required for the project also be financed.

Strategic Priority Implications

This report addresses Council's accountability and transparency to the ratepayers of the City of Cornwall.

Background / Discussion

The current generator at the Glen Stor Dun Lodge was installed in 1993 to provide back up power to the facility. The generator is not sufficient in size to operate the heating, ventilation, and air conditioning (HVAC) systems. Should a power outage occur, the HVAC system would not function, which is contrary to the Long-Term Care Homes Act.

This project is for the removal of the old generator and all fuel lines and fuel tank and the supply and installation of a new standby emergency generator at the Glen Stor Dun Lodge that will be capable of operating the HVAC system.

The following tenders were received and opened by Purchasing Services on October 27, 2021

Black and McDonald Limited, Ottawa, Ontario

Bid Price:	\$712,700.00
HST:	\$92,651.00
Contingency:	\$50,000.00
Total Bid Price:	\$855,351.00

Triangle Pump Services Limited, Gloucester, Ontario

Bid Price:	\$717,847.00
HST:	\$93,320.00
Contingency:	\$50,000.00
Total Bid Price:	\$861,167.11

Ferguson Electric Company Limited, Cobourg, Ontario

Bid Price:	\$726,700.00
HST:	\$94,471.00
Contingency:	\$50,000.00
Total Bid Price:	\$871,171.00



Industrial Electrical Contractors Brockville Limited, Brockville, Ontario

Bid Price:	\$807,646.13
HST:	\$104,994.00
Contingency:	\$50,000.00
Total Bid Price:	\$962,640.13

Document Title:	Tender 21-T23 New Emergency Generator at Glen Stor Dun Lodge - 2021-98-Financial Services.docx
Attachments:	
Final Approval Date:	Nov 3, 2021

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

Nicole Robertson - Nov 2, 2021 - 3:11 PM

Steven Golden - Nov 2, 2021 - 3:19 PM

Tracey Bailey - Nov 2, 2021 - 9:25 PM

Maureen Adams - Nov 3, 2021 - 8:13 AM

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

Department: Financial Services
Division: Purchasing
Report Number: 2021-96-Financial Services
Prepared By: Diane Leduc, Senior Buyer
Meeting Date: November 8, 2021
Subject: Tender 21-T28 Pathway Lighting Improvements in Lamoureux Park

Purpose

To obtain costing for new pathway lighting in Lamoureux Park.

Recommendation

That Tender 21-T28 be awarded to Dundas Power Line Limited, Chesterville, Ontario, at the total bid price of \$438,097.05 (net cost to the Corporation - \$394,519.96) being the best bid meeting the tender specifications.

Financial Implications

The Corporation has \$595,000 allocated for the Lamoureux Park Lighting Upgrades. The City budgeted \$250,000 (federal gas tax funding) in the 2021 capital budget and \$345,000 was approved through an application to the Canada Community Revitalization Fund.

Strategic Priority Implications

This report addresses Council's accountability and transparency to the ratepayers of the City of Cornwall.

Background / Discussion

The work includes the removal, supply, and replacement of existing to new decorative post top LED light fixtures, photocells and the straightening of existing steel lighting poles in Existing Electrical Service Area 'A';

The supply and install of new pathway lighting assembly locations (install new City supplied decorative concrete poles and the supply and install of new decorative post top LED light fixtures, photocell, riser cable, in-line fusing, etc.), new polymer concrete handholes, new underground cable & conduit and cable connections to the existing electrical power supply control cabinet assemblies in New Electrical Service Areas 'B', 'C' and 'D';

The removal, supply and replacement of an existing to new electrical power supply control cabinet assembly and the supply and install of new pathway lighting assembly locations (install new City supplied decorative concrete poles and the supply and install of new decorative post top LED light fixtures, photocell, riser cable, in-line fusing, surface restoration, etc.), new polymer concrete handholes, new underground cable & conduit, new and cable connections to the new electrical power supply control cabinet assembly in New Electrical Service Areas 'E'.

The attached map illustrates the service areas.

The following tenders were received and opened by Purchasing Services on October 19, 2021:

Dundas Power Line Limited, Chesterville, Ontario

Bid Price:	\$387,696.50
HST:	\$50,400.55
Total Bid Price:	\$438,097.05

JWK Utilities + Site Service Limited, Carp, Ontario

Bid Price:	\$415,301.70
HST:	\$53,989.22
Total Bid Price:	\$469,290.92

Sega Electric, Navan, Ontario

Bid Price:	\$442,755.60
HST:	\$57,558.23
Total Bid Price:	\$500,313.83

Black and McDonald, Ottawa, Ontario

Bid Price:	\$514,128.50
HST:	\$66,836.71
Total Bid Price:	\$580,965.21

The Hybrid Construction Group Limited, Glenburnie, Ontario

Bid Price:	\$534,873.00
HST:	\$69,533.49
Total Bid Price:	\$604,406.49

Bid received from Canadian Solar Outfitters was deemed non-compliant for failing to meet mandatory requirements / tender specifications.

Minor mathematical adjustments were required on the submission from Sega Electric.

Document Title:	Tender 21-T28 Pathway Lighting Improvements in Lamoureux Park - 2021-96-Financial Services.docx
Attachments:	- Lamoureux Park Pathway Lighting Improvements Map.pdf
Final Approval Date:	Nov 4, 2021

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

Nicole Robertson - Nov 2, 2021 - 2:49 PM

Mark A. Boileau - Nov 2, 2021 - 4:38 PM

Tracey Bailey - Nov 3, 2021 - 5:27 PM

Maureen Adams - Nov 4, 2021 - 8:27 AM



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

Department: CAO
Division: CAO
Report Number: 2021-27-CAO
Prepared By: Katherine Wells, Strategic Planning Coordinator
Meeting Date: November 8, 2021
Subject: Remote Worker Attraction Strategy Update

Purpose

To provide Council with an update on remote worker attraction strategies.

Recommendation

That Council receive Report 2021-27-CAO

Financial Implications

Current resident attraction efforts are included in the 2021 Economic Development budget.

Strategic Priority Implications

Attraction of new residents is a major component of the City's Economic Development Strategic Plan which was adopted in 2016.

This report also addresses the economic development and workforce attraction components of Council's strategic priorities for 2019-2022 in Pillar 4.2:

"Attract remote workers via incentives"

On February 14, 2020, Staff brought a comprehensive report to Council detailing resident attraction efforts, including remote workers, undertaken by the Economic Development department.

At that meeting Council passed a motion to establish a Taskforce to develop a Remote Worker attraction strategy.

The Remote Work Task Force was established with the following members:

- Councillor Eric Bergeron
- Councillor Syd Gardiner
- Councillor Justin Towndale
- Geoff Clark, General Manager of Corporate Services
- Bob Peters, Division Manager, Economic Development
- Katherine Wells, Strategic Planning Coordinator

In March 2020 the community began to feel the impacts of the COVID-19 pandemic. Federal, Provincial and local public health and safety efforts created a situation where many workers were asked to work from home, significantly increasing the number of remote workers.

The Remote Work Task Force has met every month since April 2021 and has held discussions with other stakeholders in the community.

In July 2021, the Task Force launched a survey to gain feedback on remote work, specifically from remote workers currently residing in the City of Cornwall.

The research and discussions have led the Task Force to develop the attached strategy. The strategy is currently considered to be a working document, and is expected to be finalized by the end of the year.

Document Title:	Remote Worker Attraction Strategy - 2021-27-CAO.docx
Attachments:	- Remote Worker Task Force - Strategy - NOV2021.pdf
Final Approval Date:	Nov 4, 2021

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

Bob Peters - Nov 3, 2021 - 11:44 AM

Mark A. Boileau - Nov 3, 2021 - 9:25 PM

Maureen Adams - Nov 4, 2021 - 9:11 AM

Remote Worker Attraction Strategy

The following strategy outlines the efforts to attract remote workers to the City of Cornwall.

BACKGROUND

Defining Remote Work

A remote worker is someone who works from a non-traditional location rather than commute to the office. This is most often someone who works from home, or could choose to rent a co-working space (eg a desk rented by the hour). In most instances, remote workers are required to spend some time in the office, perhaps as often as once or twice a week.

Remote work, alternatively called 'telecommuting' or 'alternative workplace arrangements', can provide benefits to both the employer and the employee. The benefit to the company is less office space requirement, as less employees in the office requires fewer dedicated desks. The benefit to the employee, especially in large cities, is avoiding long commutes. For some workers whose employer accommodates flex time, an additional benefit is the ability to accommodate personal lifestyle needs, such as caring for family members or dealing with an illness.



Flex work is a closely related term that speaks to flexible working arrangements that may exist between an employer and employee, such as different hours of work, and could include the concept of remote work.

Contract work, sometimes also referred to as the 'gig economy' speaks primarily to people who choose to take on short-term contract employment rather than fulltime permanent work. Many contract workers also choose to work remotely.

Remote Work in the Workforce

Remote work, flex work and the gig economy are trendy topics that have caught the eye of many organizations, employers, and workers. The federal government has a policy for accommodating alternative workplace arrangements, as does MPAC. Some professionals, such as realtors, split time between work and home offices. A Conference Board of Canada report from 2010 quotes a survey that found 70% of full-time workers aged 18–29 would be more satisfied in their jobs if they could work remotely using cloud software.

Still, not every company or worker is prepared to consider remote work options. Concerns may include productivity and innovation gaps due to lack of collaboration and teamwork.

According to the 2016 Census, 6% of Canadians worked at home in 2016; 7.4% if farming is included. This represented a continuing decline in remote workers from previous surveys in 2008 and 2010. In Cornwall, the number of people working from home in 2016 was 3.7%.

The federal government did consultations on flexible work arrangements, which include telework, and released a report in 2016. The lack of data on telework/ flexible work was cited as an issue.

Although more recent Census numbers will not be available until after the 2021 Census, anecdotal evidence suggests that the number of remote workers in Cornwall has increased in recent years, particularly due to the COVID-19 pandemic.

Cornwall offers several benefits to remote workers who may consider relocating from other communities, such as lower cost housing compared to larger centres such as Ottawa and Montreal and access to high-speed internet services. Cornwall is a full-service city that offers an enviable lifestyle that is rewarding without the headaches of large urban centres.

At the same time, remote workers in Ottawa, Montreal and/or Toronto may find these benefits offset by the need to travel long distances on the occasions where they are required at the office, a cost employers may not cover.

Economic Development Strategic Plan

Cornwall's Economic Development Strategic Plan was updated in 2016, and touches on the main activity areas of the department. These include marketing, business retention and expansion and development of the Cornwall Business Park, amongst other things. Bringing new investment into Cornwall and helping existing companies expand in Cornwall is the cornerstone of any successful economic development program.

The Strategic Plan recognizes that one of the potential barriers to growth in Cornwall relates to workforce and for the past several years major employers and investors have identified a concern over workforce supply.

A key action plan in the Strategic Plan is to attract people; as population growth is seen as necessary to sustain Cornwall's overall economy.

Council Strategic Priorities

When Council established its Strategic Priorities for 2019-2022, it identified "Attracting, enhancing workforce that meets demands of local employers" as Pillar 2.

Additionally, Pillar 4 is "Economic development and pursuing diverse population growth of 50,000" under which a secondary objective was identified to attract remote workers to the community.

STATISTICAL REVIEW

Statistics measuring the role of remote work as part the Canadian economy continue to evolve. The following represents a sampling of the available data.

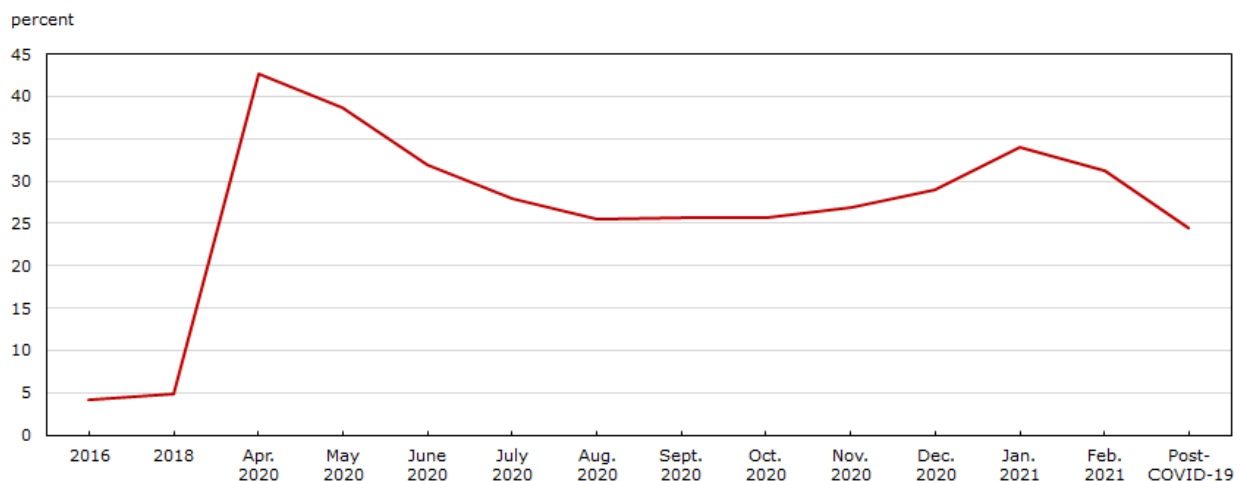


- A little over a year ago, Canada entered an economic shutdown that substantially altered the work arrangements of thousands of workers. At the beginning of 2021, 32% of Canadian employees aged 15 to 69 worked most of their hours from home, compared with 4% in 2016.
- As noted in the most recent release of the [Labour Force Survey](#), 3.1 million Canadians were working from home temporarily in response to the COVID-19 pandemic as of February 2021.
- Most new teleworkers report being at least as productive at home as they were at their usual place of work (February 2021 Labour Force Survey).
- Of all new teleworkers, 90% reported being at least as productive, i.e., accomplishing at least as much work per hour, at home as they were previously at their usual place of work.
- More than half (58%) reported accomplishing about the same amount of work per hour, while roughly one-third (32%) reported accomplishing more work per hour. The remaining 10% mentioned that they accomplished less work per hour while working at

home than they did previously at their usual place of work.

- The likelihood of accomplishing more work per hour varied across industries. For example, the percentage of new teleworkers who reported doing more work per hour was relatively high in public administration (41%) and health care and social assistance (45%). In contrast, the corresponding percentage amounted to 31% in goods-producing industries.
- Focusing on employees who had been with the same employer since at least March 2019, Mehdi and Morissette (2021) show that 80% of these new teleworkers would like to work at least half of their hours from home once the pandemic is over—41% would prefer working about half of their hours at home and the other half outside the home, while 39% would prefer working most (24%) or all (15%) of their hours at home. The remaining 20% would prefer working most (11%) or all (9%) of their hours outside the home.

Chart 1
Share of total hours worked from home by employees from 2016 to February 2021, and share of total hours that employees might prefer working from home once the pandemic is over (post-COVID-19)



Note: The sample consists of employees aged 15 to 64, excluding full-time students and full-time members of the Canadian Armed Forces.
Sources: Statistics Canada, Labour Force Survey, April 2020 to February 2021, and General Social Survey, 2016 and 2018.

- A 2017 report from Regus Canada states that 47% of Canadian employees work from outside of their employer's offices at least 50% of the time.
- In 2010, Stats Canada reported that 1.7 million paid employees worked from home at least one day per week in 2008; 1.8 million self-employed workers worked from home in 2008.
- In 2016, Stats Canada reported that 7.4% of Canadians worked at home in 2016; 6% if you exclude farming. (According to Stats Canada, the size of the Canadian labour force is 19.7 million as of 2017).

PUBLIC OUTREACH

The Remote Work Task Force launched a survey to gain feedback on remote work, specifically from remote workers currently residing in the City of Cornwall.

On July 6, 2021, a Remote Worker survey was launched via the “Have Your Say Platform”. The survey was open until August 5, 2021.

A media release as well as website and social media advertisements were created to promote the survey.

Results

Total number of page visits:

- 202 English
- 16 French

Survey participants:

- 111 English
- 4 French

The top respondents were in the following sectors:

- Computer, Information Technology
- Customer Service
- Public Sector

Key Takeaways

Most respondents work from home for five days a week particularly due to COVID, and they do not see that changing.

Most respondents were already living in Cornwall and did not move here for their work. Of the respondents that did move here, the number was reason was affordable housing.

The survey was promoted digitally to coordinate with the targeted audience.



SWOT Analysis

A SWOT analysis (or SWOT matrix) is a strategic planning technique used to help an organization identify **strengths, weaknesses, opportunities, and threats** related to a particular project.



STRATEGY 1

Add Remote Work to Existing Resident Attraction Efforts

Expand the Resident Attraction efforts by Cornwall Economic Development to include resources, materials and messages aimed at remote workers.

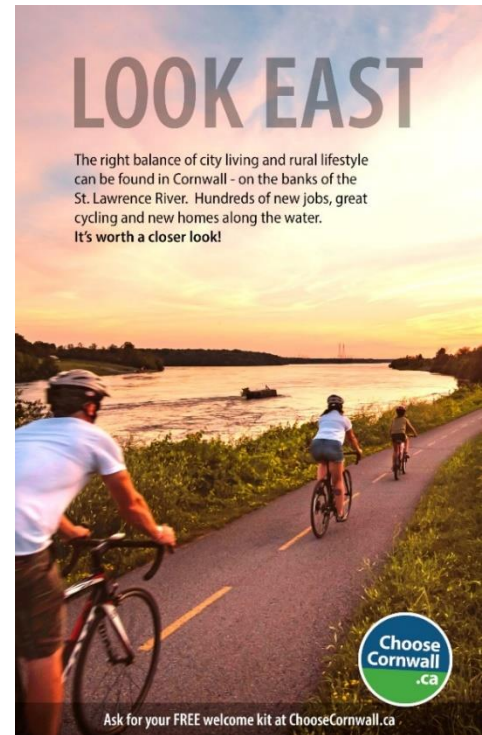
This strategy is already in action with the following notable milestones in 2021:

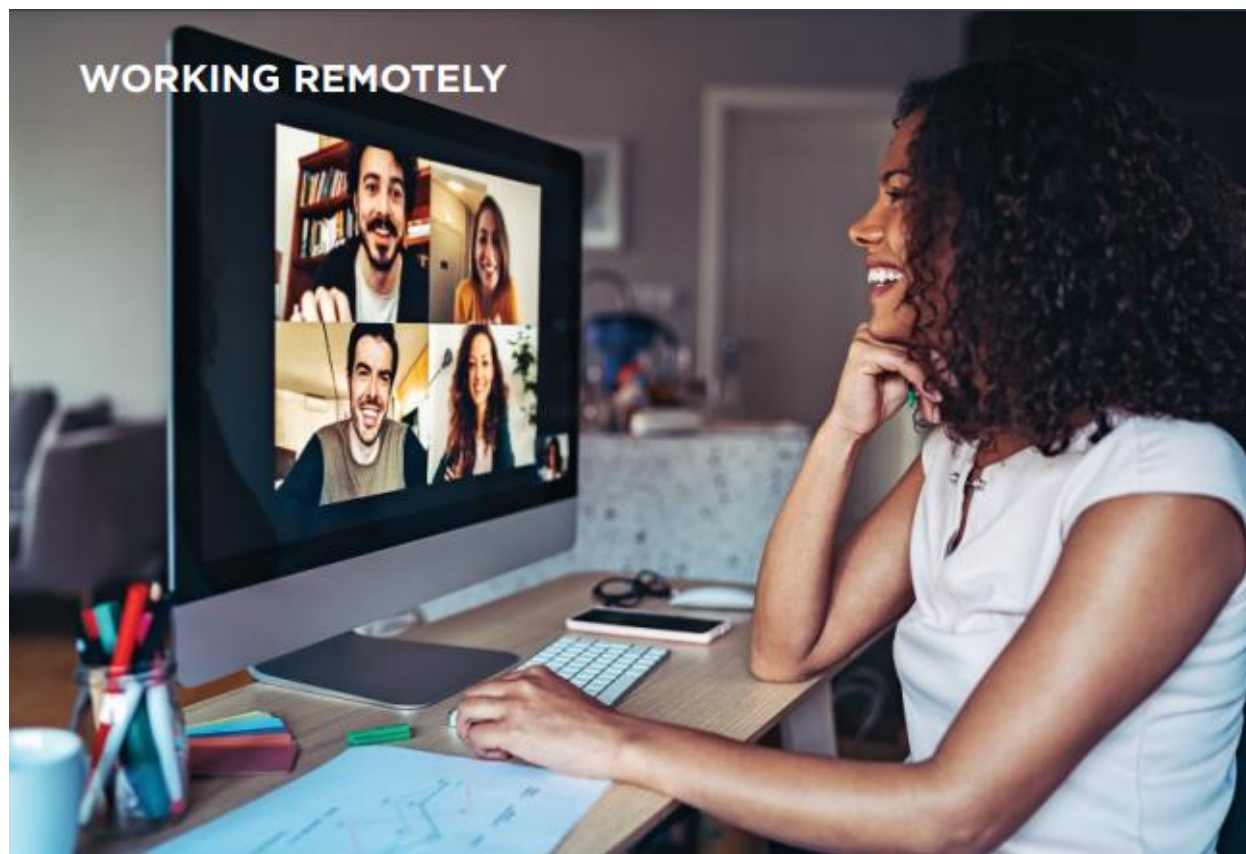
- Remote Work page on ChooseCornwall.ca
- Remote Work Flyer
- *Cornwall Living* feature article - 2021
- *Adamo Nest* Magazine
- *Horizon* Magazine
- *Eastern Ontario Business Journal*
- Remote Work video

All told the above efforts have reached over 1 million people.

Cornwall Living

The 2021 edition of *Cornwall Living* magazine featured a significant article on remote work titled "Remote Workers are Choosing Cornwall". The article interviews two local remote workers on why they choose to remote work in Cornwall. 30,000 copies of *Cornwall Living* magazine are distributed.





WORKING REMOTELY

Connected in Cornwall

As technology brings the world closer together, the option of working from home has become more commonplace.

With less of a need to be in the same city as their company, more and more people are trading in the headaches of living in a big city for the exceptional quality of life found in Cornwall.

Located only an hour from Ottawa and Montreal, Cornwall is ideally situated for remote workers who have the options of alternative workplace arrangements. Starting with attractive housing that won't break the bank, Cornwall offers a robust fibre-optic infrastructure to keep you connected daily – and short travel times to the big city if you need to attend meetings.



Balance work with your own personal lifestyle needs.

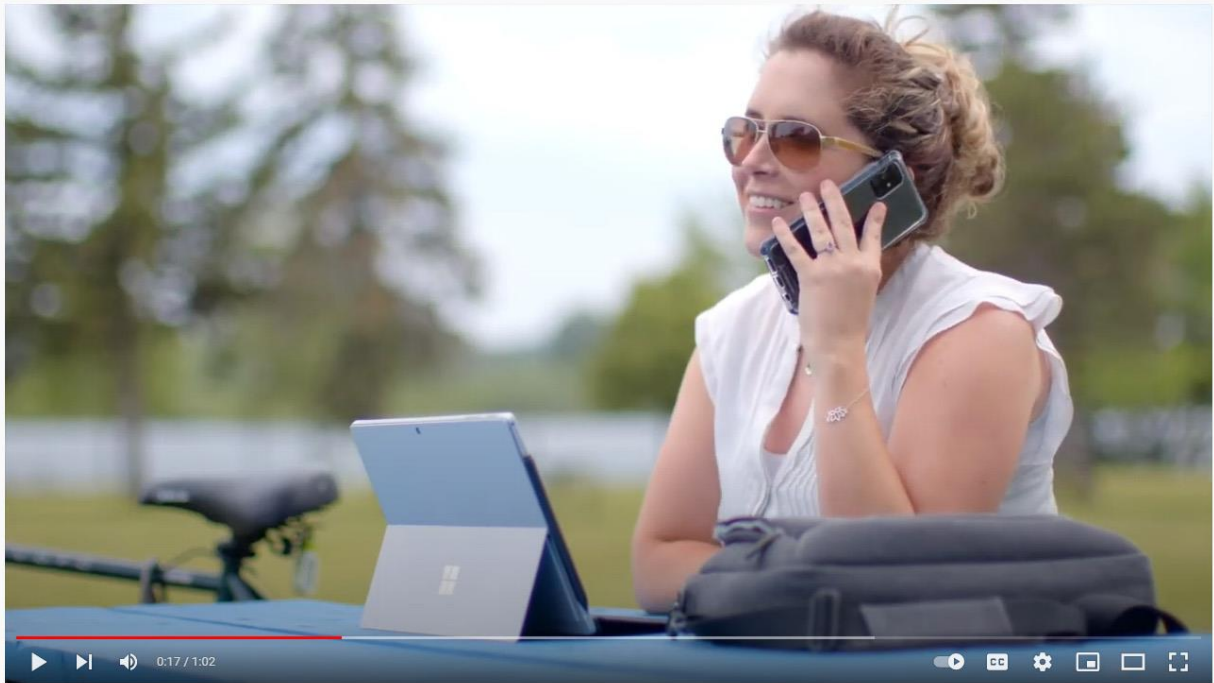
Working out of your home office allows you to enjoy the urban amenities of Cornwall such as going for a jog along the Waterfront Trail or taking a break at one of our many cafés and bistros. You won't miss the traffic jams and parking hassles of the big city!

www.ChooseCornwall.ca

The above brochure is available for download on ChooseCornwall.ca

National Job Fair

The City of Cornwall was the only municipality to attend the 2021 National Job Fair in Montreal. This is the one of the largest non-university organized job fairs, with over 20,000 in attendance. Cornwall had one of the busiest booths and reported a fair number of requests for remote work.



Remote Workers (Strategic Plan)

28 views • Jul 6, 2021

2 0 SHARE SAVE ...

Street Level Video

A Street Level Video dedicated to remote work was filmed in Spring 2021. The video was filmed in a timeless manner for continued use on for social media and other platforms. The video, just over one minute in length, features the St. Lawrence River, downtown Pitt Street and a view of the Co.Lab.

The video was posted in July and reached just under 4,000 people on social media.

STRATEGY 2



Create a FAM Tour Program

FAM stands for “familiarization” tour. It is an effective way of bringing people (in this case, remote workers open to the idea of moving to Cornwall) to a city to experience what the community has to offer first-hand.

This campaign includes a guided tour of the City of Cornwall which will be created for Remote Works interested and/or who consider moving to Cornwall.

The tour is still under development, but will feature the following key elements:

- Volunteer Guide (Team Cornwall and local remote workers)
- Tour of Key Community Spots (2 hours)
 - Waterfront
 - Co-working Hubs and Library
 - Customized elements (schools, retail spaces, etc.)
- Coffee Break and Recap
- Thank You Gift (Hoodie and Welcome Kit)

The Fam Tour would be advertised on social media and in Ottawa with the goal of undertaking 2 Fam tours per weekend in a one-month period (8 total tours).

Campaign Video

Finally, a remote work campaign video is underdevelopment. This video will be longer and more robust than the short Street Level video. It will feature more local amenities, coworking spaces and a variety of residential options. The video will also feature residents who are remote workers residing in Cornwall.

STRATEGY 3



Create a Cornwall Campus Brand

To complement the Fam Tour program, a Cornwall Campus brand is currently under development to provide branding that would be attractive to remote workers.

The effort will feature collegiate-style hoodies that reflect the casual and comfortable work attire of remote workers, and at the same time promote the idea of a “campus” community of remote workers that reside in the city.

The apparel will be available for purchase via local merchant(s) in the near future.



Budget

This activities outlined in this strategy can be undertaken as part of the Economic Development annual marketing budget.

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

Department: Fire Services
Division: Fire
Report Number: 2021-09-Fire
Prepared By: Jeff Weber, Fire Chief
James Morin, Deputy Chief Building Inspector
Katherine Wells, Strategic Planning Coordinator
Meeting Date: November 8, 2021
Subject: Residential Rental Licensing Registry Update

Purpose

To provide Council with an update on the Residential Rental Licensing Registry efforts.

Recommendation

That Council:

- a. not implement a Residential Rental Licensing Registry.
- b. direct Administration to utilize existing tools and legislation in a cooperative effort to increase public awareness, public education, and enforcement to ensure that residential rental units in the City of Cornwall maintain a minimum safety requirement.

Strategic Priority Implications

Creating a rental licensing registry to enable a database and adherence to applicable by-laws and standards is a direct point in the Strategic Plan under Pillar 3: "Growing quality of housing stock, including affordable housing".

Background / Discussion

In 2019, a report was brought to Council to consider a Residential Rental Licensing Program to:

- Assist City administration to better understand the availability of housing, and the community's housing needs.
- Ensure residents are benefitting from safe, high-quality housing.
- Ensure landlords meet certain standards to ensure the health and safety of residents is protected.
- Ensure rental units include required essentials such as smoke and carbon monoxide alarms, plumbing, heating, and water.

What is Residential Rental Licensing?

According to the Ontario Human Rights Commission, Residential Rental Licensing By-laws:

"Licensing bylaws seek to regulate rental housing by requiring that landlords operate their properties according to certain standards."

Consultations

The following communities were consulted regarding their Residential Rental Licensing Programs:

- City of Waterloo (Extensive)
- City of Thorold
- City of North Bay
- City of Kingston
- City of London

The City of Waterloo engaged in lengthy and meaningful discussion with the City of Cornwall staff regarding their program. As one of the longest running Residential Rental Licensing Programs in the Province, the City of Waterloo staff were able to provide a well rounded and accurate description of the ups and downs of the program. Although the City of Waterloo is larger than Cornwall, Cornwall has more rental spaces per capita.



Waterloo's budget to operate a Residential Rental Licensing Program is \$1,397,795. This amount funds several staff positions throughout the organization.

Waterloo stressed that adequate staffing is required at the initiation of the program, for the program to be proactive and effective. Their current ability within the program maintains inspection on a complaint or request basis and backlogs in the program are difficult to clear.

Every rental with three or more unrelated persons requires a license in most Municipalities that operate this type of program. A big incentive for program participation in Waterloo is that both University of Waterloo (UW) and Wilfred Laurier University (WLU) support and promote rentals that are registered in the program to their student population.

Staff did not look for statistical analysis of participation rates in programs, or effectiveness of programs in any of the municipalities we spoke with. There are concerns that the development of a program here in Cornwall will have difficulty engaging a high percentage of building owners to register their properties without incentive. Any program that is considered should have a robust statistical analysis of the effectiveness and participation rates within the program.

Initial inspections and qualification into the program are lengthy and complex, sometimes requiring major renovations for the owner. Once qualified, the annual renewal process is an online self-compliance application. The average cost per property in Waterloo is \$400 per year. In Waterloo's program the following information is required on an annual basis for registry renewal:

- Minimum Fire Prevention self-compliance
- A third-party furnace inspection
- Criminal Record Check

Additional to these requirements, an ESA inspection is required every 5 years to maintain compliance with the electrical code.

Public Consultation

Staff coordinated a comprehensive public consultation campaign to gauge the thoughts of the community on a Residential Rental Licensing Program, which consisted of print and radio advertising, mail-outs, website, and social media efforts.



The Residential Rental Licensing Survey launched on Monday, October 26, 2020 and remained open until Monday, December 23, 2020 (an extension of one week from the original closure date). A total of 1,457 responses were completed, including 1,426 in English and 31 in French.

The survey was made available online through Cornwall.ca, on social media, and via the City's email newsletter. It was widely shared by news organizations, the Chamber of Commerce, and landlord/tenant groups. Full surveys were printed in the Standard-Freeholder on Saturday, October 31, 2020 and in the Seaway News on Wednesday, October 28, 2020. Some Social and Housing Services clients received a copy of the survey directly in the mail. Paper copies of the survey were available at City Hall and by request.

Responses

Method of Response:

- 1,415: online
- 37: newspaper
- 5: mailers

Respondents:

- 451: Landlords with rental units in the City of Cornwall
- 19: Property managers with rental units in the City of Cornwall
- 698: Tenants residing in the City of Cornwall
- 289: Residents of the City of Cornwall

Most responses were received within the first five days of the survey's launch: 1,086 responses were received from October 26 to 30, 2020.

An in-person engagement event was not possible due to COVID-19 gathering limits.

The link to the City Council report was inaccessible directly via SurveyMonkey. A PDF version of the report was made available on the City's website. Fewer than five residents emailed the City about this, and each was provided with a PDF copy.

Some survey respondents assumed the registry would be a public listing of available rental units.

Are you in support of a rental registry?

	Landlords/ property managers	Tenants	Other (residents)	Total
Yes	27	237	123	387
No	250	130	68	448
Unsure	55	146	35	236
Total	332	513	226	1,071

Please explain. (see attached)

	Landlords/ property managers	Tenants	Other (residents)	Total
Cost	159	96	37	292
Time/ bureaucracy	25	0	0	25
More info needed	23	70	19	112
Negative**	76	26	34	136
Positive*	16	185	110	311
Undefined	19	48	8	75
Total	318	425	208	951

*Positive = in support of rental registry

**Negative = against a rental registry

SDG Landlord Association

The SDG Landlord Association has communicated with City Staff throughout the process of public consultation and research. They have maintained their opposition to a Residential Rental Licensing Registry citing costs associated with the registry which will lead to more costs for landlords and higher rents for

tenants. They do agree that offering safe and affordable housing is important in the community.

Roy McMurtry Legal Clinic

The Roy McMurtry Legal Clinic has communicated with City Staff throughout the process of public consultation and research. They have maintained their support of a Residential Rental Licensing Registry citing the safety and quality of life for tenants and the community. The Legal Clinic has also noted that rents can only be increased once a year in accordance with the provincial maximum rent percentage increase (usually between 1.8% and 2.5% depending on the consumer price index).

Ontario Human Rights Commission

Residential Rental License Programs have been challenged to the Ontario Human Rights Commission (OHRC), as was the case for the City of Waterloo and City of North Bay. Cases like these lead to the creation of the OHRC document “Room for Everyone: Human Rights and Rental Housing Licensing”.

This 26-page document outlines the complicated nature of Residential Rental Licensing Programs in terms of human rights. The section entitled “Avoiding the Discriminatory Impacts of Rental Housing Licensing” would need to be considered if such a program was to be created in the City of Cornwall, in consultation with a solicitor.

The full document can be found as an attachment to this report.

Staff will not recommend to Council to proceed with a Residential Rental Licensing Program.

- Housing supply is low, and staff do not want the cost of this license being downloaded onto tenants and making housing even more unaffordable.
- It may also deter individuals from purchasing and/or renting new properties in the City.
- The program may eliminate some lower income rental units as landlords may choose not to invest into their properties, remove units or downsize rental opportunities.
- The program may foster an underground rental economy in Cornwall in which landlords wish to avoid registry costs and complications with registration, and tenants are coerced to cooperate.

However, Staff does recommend a multi-pronged approach for better use of existing tools.

Community Partnerships: Stronger relationships with community partners such as:

- St. Lawrence College (student housing)
- SDG Landlord Association
- Roy McMurtry Legal Clinic
- EOHU
- Cornwall Police
- Cornwall and Community Housing
- Other Agencies

Education:

- Newly created tenant rights booklet (attached to this report)
- Stronger community presence (ex. Tradeshow, open houses, other community contact opportunities)
- Website information
- Empower tenants with proper information including their responsibilities
- Inform landlords of responsibility to provide healthy and safe living accommodations

Increased Enforcement:

- A stronger relationship between Building, By-law Enforcement and Fire Prevention will provide an increased community enforcement presence.
- This will encourage landlords to become compliant and maintain compliance through increased measurement.

Staff:

- Staff resources in both fire prevention and by-law are under constant review regarding workloads and ability to provide inspection based on complaint and request. Any increase to that would have to be established in a business case to go before Council for changes in programs, budget consideration and approval.

- Increased staffing does increase overall inspection, public education, and enforcement capacity and would allow staff to take a more proactive enforcement approach to problematic residential properties.

Current Capability: It should be highlighted that there are already several pieces of Provincial Legislation as well as City by-laws in place to address many of these issues. The existing tools/by-laws that are currently available to address concerns that have been noted include the following:

- Ontario Fire Code
- Ontario Building Code
- Noise By-Law
- Property Standards By-Law
- Zoning By-law
- Traffic & Parking By-Law

Document Title:	Residential Rental Licensing Registry Update - 2021-30-CAO.docx
Attachments:	- tenants booklet v3 (1).pdf - Room for Everyone.pdf
Final Approval Date:	Nov 4, 2021

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

Jeff Weber - Nov 3, 2021 - 3:15 PM

Mark A. Boileau - Nov 3, 2021 - 9:45 PM

Maureen Adams - Nov 4, 2021 - 12:00 PM

a short introduction to

tenants

rights and
responsibilities



in this booklet

The City of Cornwall is hoping this booklet helps you, a tenant, learn about your rights and responsibilities. Everyone deserves a safe place to live - you can help make that happen!

Tenant rights.....	page 2
Safe community.....	page 5
Protecting the environment.....	page 6
Tenant responsibilities.....	page 7
Property standards.....	page 8
Fire safety.....	page 9
Contact information.....	page 10



Document published Summer 2021.

tenants' rights

moving in, moving out



to have a copy of your written tenancy agreement



to live in your rental unit until...

- you give your landlord proper notice that you plan to move out,
- you and your landlord agree that you can move, or
- your landlord gives you a notice to end your tenancy for a reason allowed by the Residential Tenancies Act.



if your landlord gives you a notice to end your tenancy, you do not have to move out if you do not agree. Your landlord must apply to the Landlord Tenant Board to get an order to evict you. You have the right to a hearing and explain why your tenancy should not end.



annual rent increases must follow rent control guidelines.



tenants' rights

inside your home



your landlord can enter the rental unit for reasons allowed by the Residential Tenancies Act.



typically, your landlord needs to give you 24 hours written notice before entering your home. If there is an emergency, or if you agree, the landlord can enter without 24 hours notice.



the Ontario Human Rights Code protects you from discrimination and harassment based on:

- race
- ancestry
- place of origin
- ethnic origin
- colour
- citizenship
- religious beliefs
- political beliefs
- sex
- sexual orientation
- age
- marital status
- family status
- physical disability
- mental disability
- receipt of social assistance



tenants' rights

when there is an issue

- 📍 if someone is disturbing you with excessive noise, call City of Cornwall by-law at **613-930-2787 ext. 2310**
- 📍 if the person making the noise is a tenant in your building, notify your landlord. Take note of dates and times of the noise disturbances.
- 📍 when something in your unit is broken, if there is mould or a pest issue, or when your health and safety is in danger because of the condition of your unit, tell your landlord. Make the report in writing and keep a copy.
- 📍 if the landlord doesn't fix the issue, call City of Cornwall by-law at **613-930-2787 ext. 2310**



safe community

how you can help

-  all tenants are responsible for creating a safe, secure home and community
-  don't let someone into your building if you don't know them. Use the peephole or window when someone knocks on your door.
-  close the main entrance door after you enter or exit the building.
-  keep the doors to your home locked, even when you go to the laundry room. Don't forget to lock the balcony doors.
-  look inside the elevator before you enter. If another passenger makes you uncomfortable, wait for the next elevator.
-  report illegal or threatening behaviour to your landlord. Call 911 in case of emergencies.



protecting the environment

what you can do

-  change your light bulbs when the current ones burn out. Use compact fluorescent bulbs - they use less energy and cost less money.
-  don't block heating vents with curtains or furniture.
-  on cold days, open blinds and curtains to let the sun in to warm your home - then close them at night to trap the heat.
-  on hot days, keep blinds and curtains closed to prevent the sun from warming your home.
-  sort your garbage and recycling. Use leaf and yard waste collection. The City doesn't collect food waste yet, but it will soon. Learn more at www.Cornwall.ca/waste
-  ask your landlord to fix leaking taps to avoid wasting water.

tenants' responsibilities

-  pay your rent on time (usually the first day of every month).
-  keep your unit clean.
-  repair any damage you or your guests cause.
-  get tenant insurance for your belongings.
-  provide proper notice in writing if you want to move out. Usually, give 60 days notice. End of the lease should be on the last day of a period of tenancy.
-  pay the rent and utilities (if they are not included in the rent) for the full notice period, even if you move out early.
-  do not smoke in public areas like halls, lobbies, office, and common rooms.
-  clean up after your pet, repair any damage it causes, make sure it does not harm or disturb other tenants.
-  respect your neighbours and keep noise at a reasonable level at all times.

property standards



The City of Cornwall enforces the Property Standards By-Law.



Every property owner must comply with the Property Standards By-Law by:

- keeping grass and weeds at a height of less than 6 inches,
- maintaining buildings in good condition, including roofs, windows, doors, and eaves troughs,
- maintaining sheds and garages,
- keeping the property free of garbage, refuse, and debris,
- providing working plumbing, heating, and electrical services.










If your home is in need of repair, write to your landlord and keep a copy of your notice. If your landlord does not make repairs, let the City of Cornwall's By-Law Services know at **613-930-2787 ext. 2310** or bylaw@cornwall.ca.



When the By-Law Enforcement Officer investigates your complaint...

- they will contact the tenant and/or landlord/property owner,
- inspect the location, and
- issue a verbal or written order.

fire safety

-  the Ontario Fire Code provides for rules around alarms - alarms that could save your life.
-  your landlord must install and maintain smoke alarms and carbon monoxide alarms.
-  you must never disable, tamper with, or uninstall an alarm.
-  you must let your landlord know if a smoke alarm or carbon monoxide alarm is disconnected, not operating, or impaired. you should also let your landlord know when...
 - the low battery signal on your alarm is on,
 - or when the end of life signal on your alarm is on.
-  your landlord must provide a copy of the alarm manufacturer's maintenance instructions to the occupant in each rental unit.
-  your landlord must test and maintain smoke and carbon monoxide alarms.
-  if you are away for more than seven days, ask a friend to test your alarms.

you should also consider...

- 🏠 you may be responsible for mowing the lawn or shovelling snow, depending on the contract with your landlord.
- 🏠 many Cornwall fires are started by careless smoking and cooking practices. Keep your family safe by learning more at www.Cornwall.ca/prevention
- 🏠 you can apply for housing programs in Cornwall, Stormont, Dundas, and Glengarry at www.Cornwall.ca/housing



we can help.

nosotros podemos ayudar.

ہم مدد کر سکتے ہیں.

nous pouvons aider.

நாங்கள் உதவலாம்.

Wir können helfen.

ما می توانیم کمک کنیم

Ми можемо допомогти.

우리가 도울 수있어.

我们可以提供帮助。



Emergency: 911

Ontario
resources: 211

By-law:
613-930-2787
ext. 2310

Social and Housing
Services: 613-933-
6282 ext. 3315

Fire Prevention:
613-930-2787
ext. 2395

Landlord and
Tenant Board:
1-888-332-3234










Veillez également prendre en compte les points suivants...

- 🏠 Vous pouvez être responsable de la tonte de la pelouse ou du pelletage de la neige, selon le contrat conclu avec votre propriétaire.
- 🏠 Un grand nombre d'incendies à Cornwall sont provoqués par des négligences en matière de tabagisme et de cuisson. Assurez la sécurité de votre famille en vous renseignant sur le site www.Cornwall.ca/preventionfr
- 🏠 Vous pouvez faire une demande pour les programmes de logement à Cornwall, Stormont, Dundas et Glengarry à l'adresse www.Cornwall.ca/logement



Sécurité incendie

-  Le Code de prévention des incendies de l'Ontario prévoit des règles concernant les détecteurs – des détecteurs qui pourraient vous sauver la vie.
-  Votre propriétaire doit installer et entretenir des détecteurs de fumée et des détecteurs de monoxyde de carbone.
-  Vous ne devez jamais désactiver, altérer ou désinstaller un détecteur.
-  Vous devez informer votre propriétaire si un détecteur de fumée ou de monoxyde de carbone est débranché, ne fonctionne pas ou est défectueux. Vous devez également informer votre propriétaire dans les cas suivants...
 - Le signal indiquant que les piles sont faibles sur votre détecteur est activé,
 - Le signal de fin de vie de votre détecteur est activé.
-  Le propriétaire doit fournir une copie des instructions d'entretien du fabricant du détecteur à l'occupant de chaque unité de location.
-  Le propriétaire doit tester et entretenir les détecteurs de fumée et de monoxyde de carbone.
-  Si vous devez vous absenter pendant plus de sept jours, demandez à un ami de tester vos détecteurs.

Normes des biens-fonds



La Ville de Cornwall applique le règlement municipal sur les normes des biens-fonds.



Chaque propriétaire doit se conformer au règlement municipal sur les normes des biens-fonds en:

- Gardant le gazon et les mauvaises herbes à une hauteur de moins de 6 pouces,
- Maintenant en bon état les bâtiments, y compris les toits, les fenêtres, les portes et les gouttières,
- Entretien des remises et les garages,
- Gardant la propriété exempte d'ordures, de déchets et de débris,
- Fournissant des services fonctionnels de plomberie, de chauffage et d'électricité.












Si votre logement a besoin de réparations, écrivez à votre propriétaire et conservez une copie de votre lettre. Si votre propriétaire n'effectue pas les réparations, informez le Service d'application des règlements municipaux de la Ville de Cornwall au **613-930-2787, poste 2310** ou à l'adresse bylaw@cornwall.ca.



Lorsque l'agent d'application des règlements municipaux examine votre plainte...

- Il communiquera avec le locataire et/ou le locateur/le propriétaire,
- Il inspectera les lieux, et
- Il émettra une ordonnance verbale ou écrite.

Responsabilités des locataires

-  Payer le loyer à temps (généralement le premier jour de chaque mois).
-  Garder le logement propre.
-  Réparer tout dommage causé par vous-même ou vos invités.
-  Souscrire une assurance locataire pour vos biens.
-  Donner un préavis approprié par écrit si vous voulez déménager. En général, il faut donner un préavis de 60 jours. Le bail prend fin le dernier jour de la période de location.
-  Payer le loyer et les services publics (s'ils ne sont pas compris dans le loyer) pendant toute la durée du préavis, même si vous déménagez avant la date prévue.
-  Ne pas fumer dans les lieux publics tels que les halls, les vestibules, les bureaux et les salles communes.
-  Ramasser les excréments de votre animal de compagnie, réparer les dégâts qu'il cause et veiller à ce qu'il ne blesse ni ne dérange les autres locataires.
-  Respecter ses voisins et maintenir le bruit à un niveau raisonnable en tout temps.

Protection de l'environnement

Ce que vous pouvez faire

-  Changez vos ampoules lorsque les anciennes sont grillées. Utilisez des ampoules fluorescentes compactes - elles consomment moins d'énergie et coûtent moins cher.
-  Ne bloquez pas les bouches de chauffage avec des rideaux ou des meubles.
-  Par temps froid, ouvrez les stores et les rideaux pour laisser entrer le soleil et réchauffer votre maison, puis fermez-les la nuit pour conserver la chaleur.
-  Par temps chaud, gardez les stores et les rideaux fermés pour empêcher le soleil de réchauffer votre maison.
-  Triez vos déchets et votre recyclage. Utilisez la collecte des feuilles et des déchets de jardin. La Ville ne collecte pas encore les déchets alimentaires, mais elle le fera prochainement. Pour en savoir plus, consultez www.Cornwall.ca/dechets
-  Demandez à votre propriétaire de réparer les robinets qui fuient pour éviter de gaspiller l'eau.

Communauté sécuritaire

Ce que vous pouvez faire

- 🏠 Tous les locataires sont responsables de la sûreté et de la sécurité de leur domicile et de leur communauté.
- 🏠 Ne laissez pas entrer quelqu'un dans votre immeuble si vous ne le connaissez pas. Utilisez le judas ou la fenêtre à des fins de vérification lorsque quelqu'un frappe à votre porte.
- 🏠 Fermez la porte d'entrée principale lorsque vous entrez ou sortez du bâtiment.
- 🏠 Gardez verrouillées les portes de votre domicile, même lorsque vous allez à la buanderie. N'oubliez pas de verrouiller les portes du balcon.
- 🏠 Regardez à l'intérieur de l'ascenseur avant d'y entrer. Si une personne qui s'y trouve vous met mal à l'aise, attendez le prochain ascenseur.
- 🏠 Signalez tout comportement illégal ou menaçant à votre propriétaire. Appelez le 911 en cas d'urgence.



Droits des locataires

En cas de problème

- 🏠 Si quelqu'un vous dérange par son bruit excessif, appelez le Service d'application des règlements de la Ville de Cornwall au **613-930-2787, poste 2310.**
- 🏠 Si la personne qui fait du bruit est un locataire de votre immeuble, avisez votre propriétaire. Prenez note des dates et des heures auxquelles les nuisances sonores se produisent.
- 🏠 Si quelque chose dans votre logement est brisé, s'il y a de la moisissure ou un problème de parasites, ou si l'état de votre logement met votre santé et votre sécurité en danger, informez-en votre propriétaire. Faites le rapport par écrit et gardez-en une copie.
- 🏠 Si le propriétaire ne règle pas le problème, appelez le Service d'application des règlements de la Ville de Cornwall au **613-930-2787, poste 2310.**



Droits des locataires

À l'intérieur de votre logement

- 🏠 Votre propriétaire peut entrer dans le logement locatif pour des raisons autorisées par la Loi sur la location à usage d'habitation.
- 🏠 En général, votre propriétaire doit vous donner un préavis écrit de 24 heures avant d'entrer dans votre logement. En cas d'urgence, ou si vous êtes d'accord, le propriétaire peut entrer sans préavis de 24 heures.
- 🏠 Le Code des droits de la personne de l'Ontario vous protège contre la discrimination et le harcèlement fondés sur :
 - La race
 - L'ascendance
 - Le lieu d'origine
 - L'origine ethnique
 - La couleur
 - La citoyenneté
 - Les croyances religieuses
 - Les convictions politiques
 - Le sexe
 - L'orientation sexuelle
 - L'âge
 - L'état civil
 - La situation familiale
 - Le handicap physique
 - Le handicap mental
 - Le fait de bénéficier d'une assistance sociale



Droits des locataires

Emménager, déménager

- 🏠 Avoir en main un exemplaire du contrat écrit de location
- 🏠 Demeurer dans votre logement jusqu'à ce que...
 - Vous donniez à votre propriétaire un avis approprié de votre intention de déménager,
 - Vous et votre propriétaire conveniez que vous pouvez déménager, ou
 - Votre propriétaire vous donne un avis de résiliation de bail pour une raison autorisée en vertu de la Loi sur la location à usage d'habitation.
- 🏠 Si votre propriétaire vous donne un avis de résiliation de bail, vous n'êtes pas obligé de déménager si vous n'êtes pas d'accord. Votre propriétaire doit faire une demande à la Commission de la location immobilière pour obtenir une ordonnance d'expulsion. Vous avez le droit d'être entendu et d'expliquer pourquoi le bail ne devrait pas être résilié.
- 🏠 Les augmentations annuelles de loyer doivent respecter les directives relatives au contrôle des loyers.



Dans ce document

La Ville de Cornwall espère que ce document vous aidera, en tant que locataire, à connaître vos droits et vos responsabilités. Chacun de nous mérite de vivre dans un endroit sûr - vous pouvez contribuer à réaliser cet objectif!

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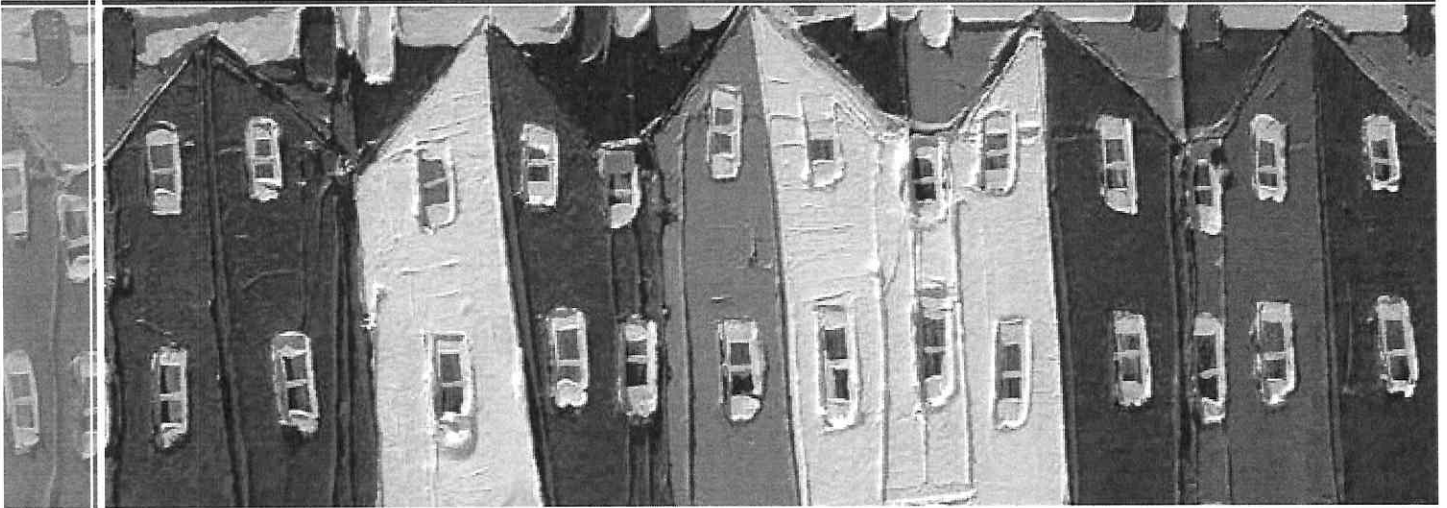
une brève introduction aux
droits et responsabilités des

locataires



Room for everyone:

Human rights and rental housing licensing



Ontario
Human Rights Commission
Commission ontarienne des
droits de la personne

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Introduction

Over the past six years, the Ontario Human Rights Commission (OHRC) has monitored and reviewed various municipal approaches to regulating private rental housing. The OHRC's mandate includes protecting the human rights of people who are vulnerable because of their age, receipt of public assistance, disability, family status, and other factors. This mandate applies to rental housing, because so many people who identify with grounds of the Ontario *Human Rights Code* (the *Code*) are renters. Our goal is to make sure that rental housing regulatory practices, even unintentionally, do not create barriers and discrimination in housing for vulnerable people.

In 2011, the OHRC released *In the Zone: Housing, human rights and municipal planning*. The OHRC examined how zoning provisions in municipal bylaws can affect the availability of housing for *Code*-protected groups. This guide is a companion to *In the Zone*, with a focus on licensing.

Room for everyone: Human rights and rental housing licensing addresses how licensing provisions in municipal bylaws may disadvantage groups protected by Ontario's *Human Rights Code*

(the *Code*),¹ gives an overview of human rights responsibilities in licensing rental housing, and makes recommendations to help municipalities protect the human rights of tenants.

Licensing bylaws seek to regulate rental housing by requiring that landlords operate their properties according to certain standards. Licensing bylaws may reasonably contain provisions relating to garbage and snow removal, maintenance, health and safety standards and parking. However, the OHRC is concerned about some other provisions, such as gross floor area requirements for bedrooms and living spaces that go beyond what is required by the Building Code, bedroom caps and minimum separation distances. These provisions may reduce the availability and range of rental housing (which is a key element of healthy neighbourhoods), and might contravene the *Code* by having an adverse impact on groups who are protected under the *Code*.

The main focus of this guide is on small-scale rentals. However, rooming or boarding houses are occasionally captured by rental housing licensing bylaws. This is one reason why we include information in this guide on

¹ *Human Rights Code*, R.S.O. 1990, c.H.19, as amended.

minimum separation distances. For more discussion on how *Code*-protected groups might be affected by zoning bylaws that restrict rooming and boarding houses from operating in certain parts of a municipality, see *In the Zone* (pages 24-25).

Rental housing licensing is a relatively new and evolving concept – and so are ideas on what best practices might be. So, instead of citing “best practices,” this guide includes a series of “promising practices” – to convey that there are many opportunities for municipalities to enhance their work to advance human rights in rental housing.



What the legislation says

Under the *Municipal Act, 2001* and the *City of Toronto Act, 2006*, municipalities have broad powers to pass bylaws (subject to certain limits) on matters such as health, safety and well-being of the municipality, and to protect persons and property.²

Both Acts also give municipalities the specific authority to license, regulate and govern businesses operating within the municipality. This includes the authority to pass licensing bylaws covering the business of renting residential units and operating rooming, lodging or boarding houses/group homes.

With this authority to license also comes a human rights responsibility. The *Code* has primacy – in other words, takes precedence – over the *Municipal Act* and the *City of Toronto Act*, and requires that municipal programs, bylaws and decisions such as licensing consider all members of their communities. The *Code* requires that decisions do not target or have a disproportionate adverse impact on people or groups who identify with *Code* grounds.³

² Before 2007, municipalities could license rental housing only if that housing did not constitute a “residential unit.” Among other things, a “residential unit” was defined as being a “single housekeeping unit.” The Courts found that a “single housekeeping unit” was one where there was collective decision making about control of the premises (*Good v. The Corporation of the City of Waterloo* (2003), 67 OR (3d) 89 (Ontario Superior Court), aff’d (2004), 72 OR (3d) 719 (Ont. C.A.)) or where there was a use “typical of a single family unit or other similar basic social unit.” (*Neighbourhoods of Windfields Limited Partnership v. Death*, [2008] O.J. No. 3298 at paragraph 62, aff’d [2009] O.J. No. 1324 (Ont. C.A.), [2009] S.C.C.A. No. 253 leave to appeal to S.C.C. refused, 33210 (June 15, 2009)).

Due to amendments to the *Municipal Act*, and the creation of the *City of Toronto Act*, both of which came into effect January 1, 2007, the “residential unit” exemption was removed and municipalities were given more power to license rental housing.

³ Municipalities’ licensing activities are also subject to the *Charter of Rights and Freedoms*. Under section 32(1) the *Charter* applies to the “legislature and government of each province in respect of all matters within the authority of the legislature of each province.” Municipalities are part of the government structure in the province of Ontario, and are therefore subject to the *Charter*.



The Ontario *Human Rights Code*

The *Code* prohibits actions that discriminate against people based on a protected *ground* in a protected *social area*.

Protected grounds are:

- ▶ Age
- ▶ Ancestry, colour, race
- ▶ Citizenship
- ▶ Ethnic origin
- ▶ Place of origin
- ▶ Creed
- ▶ Disability
- ▶ Family status
- ▶ Marital status (including single status)⁴

- ▶ Gender identity, gender expression
- ▶ Receipt of public assistance (in housing only)
- ▶ Record of offences (in employment only)
- ▶ Sex (including pregnancy and breastfeeding)
- ▶ Sexual orientation.

Protected social areas are:

- ▶ Accommodation (housing)
- ▶ Contracts
- ▶ Employment
- ▶ Services
- ▶ Vocational associations (unions).

⁴ In *Swaenepoel v. Henry* (1985), 6 C.H.R.R. D/3045 (Man. Bd. Adj.), the Manitoba human rights tribunal (called the "Board of Adjudication") found that three single women, residing together, were discriminated against by the respondents because of the respondents' assumptions about the characteristics of single people of the same sex, who did not conform to the nuclear family model.

In *Gurman v. Greenleaf Meadows Investment Ltd.* (1982), C.H.R.R. D/808 (Man. Bd. Adj.) the same Manitoba tribunal found that the respondent discriminated against two sisters and a brother, because they were a group of single adults of mixed sexes.

In *Wry v. Cavan Realty(C.R.) Inc.* (1989), 10 C.H.R.R. D/5951 (B.C.C.H.R.), the British Columbia Human Rights Tribunal found that a single man was discriminated against because the respondent only wished to rent to families and married couples. The tribunal found that there was discrimination based on sex and marital status.

In *Vander Schaaf v. M & R Property Management Ltd.* (2000), 38 C.H.R.R. D/251 (Ont. Bd. Inq.) the Ontario Board of Inquiry (the precursor to the Human Rights Tribunal of Ontario) found that a landlord who preferred married couples had discriminated based on marital status by not renting to two single women who wanted to be roommates.

See, however, *Simard v. Nipissing Condominium Corporation No. 4*, 2011 HRT0 1554 and *Nipissing Condominium Corporation No. 4 v. Kilfoyl*, 2010 ONCA 217.



Rental housing bylaws discriminate if they cause someone to be disadvantaged in a protected social area – like housing – because of the person’s association with a protected ground.

If a bylaw is found to be discriminatory, a municipality would have to show that the absence or variation of the bylaw would cause them “undue hardship” in terms of health and safety or cost ramifications.

In some cases, the absence of the bylaw will not cause “undue hardship” because less discriminatory alternatives to the bylaw exist, that would meet the same fundamental goals. For example, if a municipality argues that its bylaw is required to meet a certain standard for preventing fires, but existing *Fire Code* provisions apply a lesser standard (which causes less disadvantage to *Code*-protected groups) then it is arguable that the absence of the bylaw does not cause the municipality undue hardship.

Licensing bylaws are a *Code*-protected “social area”

The OHRC looks at rental housing licensing bylaws from the perspective of two social areas under the *Code*: services and housing.

Services

Municipalities provide a service to their residents through residential rental licensing bylaws. For example, a rental housing licensing bylaw may provide renters (and other residents in the area) with the comfort of knowing that the landlord has established a maintenance and snow removal plan, or has met health and safety standards, for his or her house.

Housing

The *Code* prohibits indirect discrimination. Section 9 provides:

No person shall infringe or do, directly or indirectly, anything that infringes a right under this Part.

Although a municipality is not a landlord or housing provider, it has a responsibility to ensure that it does not indirectly discriminate with respect to the social area of housing when it licenses rental housing through a bylaw.

Licensing bylaws can disadvantage *Code*-protected groups

The OHRC conducted a consultation on human rights and rental housing in 2007. It reported on this consultation in *Right at Home: Report on the consultation on human rights and rental housing in*

Ontario, and the consultation helped to form the OHRC's *Policy on human rights and rental housing*.

During the consultation, the OHRC heard that certain *Code*-protected groups rely on rental housing, and can be disadvantaged by measures that limit it. Examples of groups that may be affected include:

- Aboriginal people (ancestry)
- Racialized groups (race, colour, ethnic origin)
- Newcomers (place of origin, citizenship, ancestry)
- Lone parents (family status and marital status)
- Seniors (age, sometimes disability or receipt of public assistance)
- Large families (family status, sometimes creed, ancestry or ethnic origin).⁵

During the consultation and also through its recent inquiries into rental housing licensing in Waterloo and North Bay, the OHRC also heard that groups not as obviously connected to *Code* grounds – such as students and

low-income individuals – might be disadvantaged by measures that limit affordable rental housing.

Sometimes the link to the *Code* is clear. For example, if a student is told that they cannot rent a unit because they are single, then they have experienced a disadvantage (denial of a rental opportunity) because of their association with a *Code* ground (marital status). But what if someone appears to have experienced a disadvantage because of their student status, or because of their low-income status?

If student status, or low-income status, are “one of the many identifying features” of being a member of a particular *Code* group, or are “inextricably bound up together” with being a member of a *Code* group, then student status or low-income status are a *proxy* for that *Code* group. In that case, there will be a link between any adverse impacts experienced by students or low-income groups, and a *Code* ground. For example, if student status is significantly or overwhelmingly associated with being young,

⁵ Family size and composition can be strongly influenced by a number of *Code* grounds or combinations of grounds, such as ethnic origin, ancestry, creed, race and/or place of origin. As a result, discrimination based on family size can be found to be discrimination based on a number of *Code* grounds.

For example, in a 2003 case called *Cunanan v. Boolean Development Ltd.*, 2003 HRTO 17, the Human Rights Tribunal of Ontario found that an apartment owner discriminated against a mother and three teenage sons, when he would not rent them a three-bedroom apartment because of his policy of applying a “Canadian standard” of “ideal family” numbers per bedroom size.

See also *Fakhoury v. Las Brisas Ltd.* (1987), 8 C.H.R.R. D/4028 (Ont. Bd. Inq.).



then actions that disadvantage students will disadvantage people protected by the *Code* ground of age.⁶

Students

Though students may be more likely than some other community residents to move away after a few years, they are still residents of a community. Students contribute greatly to the economic and social life in their communities. They are as entitled to housing as any other resident.

Student status could be a proxy for age, because the two characteristics appear to be inextricably bound up together. In general, while students may range in age, an overwhelming majority of

students are young people. Data from Statistics Canada shows that in 2010, 49% of university graduates were between the ages of 15 and 24, and over 76% of university graduates were under age 30.⁷ The data also shows that over 63% of college graduates were under the age of 24, and over 76% were under age 30.⁸

Large percentages of young people are students. For example, 79% of 18-20 year-olds are students.⁹ In communities where students are commonly referred to as “young people,” “kids” or other age-related terms, the association between student status and the *Code* ground of age is even clearer.

⁶ In a case called *Espinoza v. Coldmatic Refrigeration of Canada Inc.* (1995), 29 C.H.R.R. D/35 (Ont. Bd.Inq.) (appeal to Ontario Court of Justice denied), a man reported being ridiculed and treated differently in the workplace for his use of the Spanish language. The company argued that there cannot be discrimination based on language, because it is not a protected ground. The Tribunal found that:

In my view, language as a protected ground is not the issue. To the extent that language can be incorporated in the protected ground of “ethnic origin” or “place of origin,” it can be addressed, not as a sub-category, but as one of many identifying features of “ethnicity.”

In a recent case called *Oxley v. Vaughan (City)*, 2012 HRTO 1937, the Tribunal identified language as a proxy, and food as a potential proxy, for *Code* grounds such as place of origin.

In another recent case called *Addai v. Toronto (City)*, 2012 HRTO 2252, the Tribunal stated:

...there are circumstances which are so inextricably bound up with a prohibited ground that they made [sic] be said to be a proxy for that ground. In pregnancy cases it is not a defence to an allegation of sex discrimination that a woman was denied benefits on the basis of pregnancy. Pregnancy and sex are so inextricably bound up together that denying a service to a woman because of pregnancy is synonymous with denying a service on the basis of sex.

In that case, the Tribunal went on to find that the man’s status as a taxi owner was not so inextricably bound up with his race, colour, ethnic origin and place of origin that any disadvantage he experienced as a taxi driver was synonymous with disadvantage based on those personal characteristics.

⁷ *University graduates by age group, 1992-2010*. Statistics Canada, Postsecondary Student Information System (PSIS).

⁸ *College graduates by age group, 1992-2010*. Statistics Canada, Postsecondary Student Information System (PSIS).

⁹ *Participation, Graduation and Dropout Rates*, Statistics Canada, www.statcan.gc.ca/pub/81-595-m/2008070/6000003-eng.htm.

Student status may be a proxy for single status. A significant proportion of single people are students. Forty-four percent of single people in Canada are between the ages of 15 and 30 – and as noted above, 76% of college and university students are under age 30.¹⁰ The link between student status and single status is more clear in communities where students are commonly seen as being incompatible with a “family lifestyle.”

Student status may also be a proxy for receipt of public assistance. According to a Statistics Canada study, approximately 34% of post-secondary students in Canada receive a Canada Student Loan.¹¹ OSAP is essentially a combination of Canada and Ontario Student Loans, so 34% is a very rough approximation of Ontario students receiving social assistance. These numbers do not, of course, take into account students receiving other types of social assistance, such as Ontario Disability Support Program (ODSP) benefits.

If student status is a proxy for age, marital status or receipt of public assistance, elements of the bylaw that disadvantage students because of their student status will be discriminatory and contrary to the *Code*.¹²

Low-income groups

Low income or socioeconomic status is not a protected ground under the *Code*.¹³ However, it directly connects to the ground of receipt of public assistance.

In its work on housing, the OHRC has repeatedly heard that people who identify with certain *Code* grounds or combinations of grounds are more likely to be tenants, and are more likely to experience poverty or to have lower average incomes than the general population.¹⁴ The *Code* may be found to apply when low income is connected to grounds such as age, ancestry, disability, ethnic origin, family status, gender identity, place of origin, race, or being in receipt of public assistance.

¹⁰ Statistics Canada, Age distribution of college and university students, 1992 and 2007.

See also www.globalnews.ca/single+in+the+city/6442719179/story.html.

¹¹ *Canada Student Loans Program, Annual Report*, 2010-2011.

¹² While similar arguments have been raised (see, for example, *Allen v. Canada (Canadian Human Rights Commission)* [1992] F.C.J. No. 934, *Wong v. University of Toronto*, [1989] O.J. No. 979, and *London Property Management Assn v. London (City)*, [2011] O.J. No. 4519), the OHRC is not aware of a decision which establishes that student status is a proxy for a *Code* ground.

¹³ See, for example, *Sugarman v. Sugarman*, 2010 HRTO 1049.

¹⁴ See the OHRC's *Policy on human rights and rental housing*, 2009; *Consultation paper: Human rights and rental housing in Ontario*, 2007; *Right at Home: Report of the consultation on human rights and rental housing in Ontario*, 2008; *In the zone: Housing, human rights and municipal planning*, 2012.

For example, in *Kearney v. Bramalea Ltd.*¹⁵ the Ontario Human Rights Board of Inquiry found that:

[Expert witness] Dr. Ornstein's extensive analysis of the census and other surveys is clear evidence that income criteria [requiring that individuals meet a rent-to-income ratio in order to be eligible to rent a unit] differentially affect groups protected by the *Code* – groups defined on the basis of sex, marital and family status, age, citizenship, race, immigration status, place of origin, and being in receipt of public assistance. The result is to significantly restrict the housing choice of protected groups whose members often end up in higher priced accommodation of poorer quality.

On average, *Code*-protected groups have lower incomes than other groups in society. As a result, low income can sometimes be a proxy for those *Code*-protected groups, and rules that affect low-income people may affect a disproportionate number of *Code*-protected people.

Lower-income tenants have fewer choices in the rental market because many of the housing options are out of their price range. Also, more low-income households move per year compared with higher-income households,¹⁶ and when people move into new private rental units they may have to pay significantly higher rent.¹⁷

This means that a municipality's actions that directly or indirectly restrict or reduce the availability of low-cost market rental and other affordable housing can have an adverse impact on *Code*-protected people. Some groups of people who are more likely to have lower incomes and who may also be protected by specific grounds of the *Code* include:

- ▮ Aboriginal Peoples (ancestry)
- ▮ Newcomers (citizenship, ethnic origin, place of origin)
- ▮ Racialized people (race, colour, ancestry, ethnic origin)
- ▮ Young or lone-parent families or growing families seeking larger accommodation (family status, marital status)

¹⁵ [1998] O.H.R.B.I.D. No. 21 at para. 124. The case was appealed to the Ontario Superior Court of Justice and varied – but not with respect to this point – see [2001] O.J. No. 297.

¹⁶ See the OHRC's *Right at Home: Report of the consultation on human rights and rental housing in Ontario*, 2008.

¹⁷ Rent increases for ongoing tenancies are regulated under the *Residential Tenancies Act*, 2006 and are capped at a maximum of 2.5% per year, but these protections do not extend to new tenancies. See *Residential Tenancies Act*, S.O. 2006 c.17, s.120(1)-120(2).

- Older people with low and fixed incomes (age, receipt of public assistance)
- Students (age, marital status, receipt of public assistance)
- People with disabilities (disability)
- People receiving funds under OSAP, Ontario Works (OW) Ontario Disability Support Program benefits (ODSP), or other types of public assistance (receipt of public assistance)
- Transgender people (gender identity, gender expression)
- Women (sex, family status, age).

Discrimination issues in rental housing often arise because of a combination of *Code* grounds. For example, a lone mother who is receiving social assistance might experience discrimination based on her sex, family status, marital status and receipt of social assistance. Similarly, young people who are looking for rental housing may experience discrimination based on their age and marital status.





Avoiding the discriminatory impacts of rental housing licensing

When drafting, reviewing and monitoring licensing bylaws, municipal planners should apply a human rights lens, to see if they might have an impact on *Code*-protected groups. Situations can change, and so municipalities should regularly monitor for these impacts.

If people experience a disadvantage due to rental housing licensing (such as being forced out of housing, or having a harder time finding housing) because of their connection to *Code* grounds (like age, family status, etc.) then municipalities may be violating the *Code* unless they can prove:

- The municipality adopted the bylaw, or a particular element of it, to achieve a rational planning purpose
- The municipality held a good faith belief that it needed to adopt the bylaw or the requirement to achieve that purpose
- The bylaw requirement was reasonably necessary to accomplish its purpose or goal, in the sense that other, less discriminatory alternatives would present undue hardship relating to health and safety or financial factors.

Bylaws that are arbitrary – that have no clear connection to their stated goal – are particularly vulnerable to being found to be discriminatory, contrary to the *Code*.

In embarking on rental housing licensing, the OHRC advises municipalities to:

1. Consider the Ontario *Human Rights Code* before drafting the bylaw and refer to the *Code* in the bylaw
2. Consult with *Code*-protected groups
3. Make sure that meetings about the bylaw do not discriminate
4. Roll out the bylaw in a consistent, non-discriminatory way
5. Work to secure existing rental stock
6. Avoid arbitrary bedroom caps
7. Avoid gross floor area requirements that exceed the Building Code
8. Eliminate per-person floor area requirements
9. Eliminate minimum separation distances
10. Enforce the bylaw against the property owner, not the tenants

11. Protect tenants in cases of rental shut down
12. Monitor for impacts on *Code* groups
13. Make sure licensing fees are fair.

1. Consider the Ontario *Human Rights Code* before drafting the bylaw and refer to the *Code* in the bylaw

In carrying out their responsibilities under the Provincial Policy Statement, the *Municipal Act, 2001*, the *Planning Act*, the *City of Toronto Act, 2006* and any policies and programs, municipalities must make sure they do not violate the *Code*. Because of its quasi-constitutional status, the *Code* has primacy over all other provincial legislation, unless the legislation explicitly states it applies notwithstanding the *Code*. In other words, if there is a conflict between the *Code* and other laws, the *Code* will prevail. Integrating language about the *Code* into the bylaw signals that the municipality takes these responsibilities seriously, and has thoroughly considered its obligations under the *Code* when drafting the bylaw, and also when monitoring its impact.

Municipalities that specifically cite in their bylaws the need to comply with the *Code* show that human rights must be considered in land use planning decisions.

They also show that protecting human rights is an important municipal goal that contributes to improving the regulation of residential rental properties. This is consistent with the aim of the *Code*, which includes recognizing the dignity and worth of every person.

This message may be reinforced when municipalities issue materials to people applying for rental housing licences. In its work on housing, the OHRC has heard that landlords sometimes exhibit discriminatory attitudes toward tenants because of their connection with *Code* grounds – and so this type of education would be extremely valuable.

Promising practice

The City of Waterloo refers to human rights principles, and the Ontario *Human Rights Code*, in its bylaw. Among other things, it notes that one of its purposes in regulating rental units is to “protect the health and safety and human rights of the persons residing in rental units.”

2. Consult with *Code*-protected groups

Consulting with groups who are likely to be affected by a bylaw is a best practice because it can help prevent *Code* violations before they occur. Sometimes regular public meetings may not be accessible to everyone who may be affected, or people may not be aware



of the meeting because the usual ways of publicizing the meeting and the process are not effective in reaching them. Or, a municipality may see that certain *Code*-protected groups have been underrepresented in public meetings. Conducting targeted outreach to vulnerable or marginalized groups makes sure that their voices are heard, and can help to remove unanticipated barriers to housing access that bylaws can create.

3. Make sure that meetings about the bylaw do not discriminate

Municipalities can use meetings to send the message that any licensing bylaw is about the housing stock being rented, not the people who might live there.

It is important for municipalities to highlight, at meetings and other discussions of the bylaw, that the purpose cannot be discriminatory. Municipalities should lay out ground rules at the beginning of meetings stating that discriminatory language will not be tolerated, and should actively interrupt and object to this type of language when it happens.

Municipalities should provide community education about their bylaws and enforcement activities, to ensure that all residents understand the purposes of the bylaw. Community education can

also build relationships between renters and other residents of the municipality.

4. Roll out the bylaw in a consistent, non-discriminatory way

If a bylaw is meant to serve legitimate planning or safety purposes, it should be needed by – and applied to – every part of the municipality. A bylaw that is applied first or only to a particular area of the municipality is more likely to be arbitrary, and could be seen to be targeting the people within that particular area. If the people in that area identify with certain *Code* grounds – for example, they belong to a racialized community, or they are mostly students – then the municipality may be targeting that group of people and could be susceptible to being found to be discriminatory, contrary to the *Code*.

Promising practice

Waterloo applied its bylaw to the entire city, right away.

5. Work to secure existing rental stock

Grandparenting of existing homes, or variances for purpose-built homes, can help to make sure existing rental housing stock is retained so that *Code*-protected groups are not sharply affected when a licensing bylaw is introduced.

In accordance with the 2005 *Provincial Policy Statement*,¹⁸ municipalities should provide for an appropriate range of housing types and densities required to meet projected requirements of current and future residents by, among other things, establishing and implementing minimum targets for providing housing that is affordable to low and moderate income households.

6. Avoid arbitrary bedroom caps

If setting limits on the number of allowed bedrooms in rental units, municipalities should allow the number of bedrooms based on the original floor plan of the house, or the existing floor plan if alterations were done with municipal approval, in compliance with the Building Code, and/or are consistent with other housing in the area. Arbitrary bedroom caps can reduce the availability of housing for *Code*-protected groups. They can exclude large families with children, or extended families.

Municipalities that set bedroom caps based on medians and averages of demographic data may penalize any family or household that is not “average.” The negative impact could be substantial: according to the 2006 census, nearly half a million households in Ontario had five people or more. Family or

household size can be strongly influenced by ethnic origin, ancestry, creed and place of origin – each a *Code* ground. Recent studies suggest there is also a rise in multi-generational households across cultural backgrounds.

Municipalities need to carefully examine whether the caps they are considering are arbitrary. If they are meant to address parking or other planning concerns, then have they allowed for variances for houses that were originally constructed to have more bedrooms than the cap allows? If they have established caps for rental homes, what is their explanation for not applying those same caps to owned homes that have the same built form? If municipalities cite safety reasons – why do those same safety reasons not apply to owned homes?

Promising practice

The City of North Bay has a cap of five bedrooms, but allows landlords with more than five bedrooms to apply for an exception if their houses were originally constructed to contain more than five bedrooms. While a municipality is best protected against a *Code* complaint if it has no arbitrary bedroom caps at all, allowing for variances may limit negative impacts.

¹⁸ *Provincial Policy Statement*, Government of Ontario, 2005, section 1.4 (Housing).

Some municipalities do not have caps, but rather have a system where properties that rent more than a certain number of units are regulated by a separate lodging house regime. If that separate regime is arbitrarily onerous, then this type of system can create the same issues, and can contravene the *Code* just like a cap might.

7. Avoid gross floor area requirements that exceed the Building Code

The Building Code sets out requirements for floor areas of different rooms and spaces in all housing. Bylaw floor area requirements that are more stringent than Building Code regulations could be found to be arbitrary – and could contravene the *Human Rights Code*.

For example, if gross floor area requirements that limit the percentage of a home that can be devoted to bedrooms are not placed on people in owned homes, this could have an adverse effect on *Code*-protected groups.

8. Eliminate per-person floor area requirements

People should be able to share a bedroom, if they choose, without the landlord or the municipality peeking through the keyhole. In fact, any related questioning or investigation could lead to human rights complaints.

Requirements that dictate how much space a rental unit, or a room in a rental unit, must have *per person* may violate the *Code*.

O. Reg. 350/06, made under the *Building Code Act*, 1992 requires 7 square metres per bedroom, or as little as 6 if there are built-in cabinets;¹⁹ and 9.8 square metres per master bedroom, or 8.8 if built-in cabinets are provided.²⁰ It also allows for bedroom spaces in combination with other spaces in dwelling units, with a minimum area of 4.2 square metres.²¹

Many rental houses or units have bedrooms sized to comply with Building Code regulations, which could accommodate two or more people.

“Per occupant” references can severely limit housing options for people who commonly share rooms, such as couples, families with children, and many other people who identify

¹⁹ Building Code, 1992, Article 9.5.7.1.

²⁰ *Ibid.*, Article 9.5.7.2.

²¹ *Ibid.*, Article 9.5.7.4.

under *Code* grounds. Unless there is a *bona fide* or necessary reason why rented units should be required to meet requirements that exceed those in the Building Code (when owned homes do not face such a requirement), the OHRC finds “per occupant” references to be discriminatory.

Promising practice

The City of North Bay does not include per-person floor area requirements in its rental housing licensing bylaw.

9. Eliminate minimum separation distances

People zoning – where planning is used to control people based on their relationships, characteristics or perceived characteristics, rather than the use of a building – has been illegal for many years.²²

In the OHRC’s view, minimum separation distances for housing are a form of “people zoning.”

Minimum separation distances were originally used to separate land uses such as industry and housing.²³ Their application has broadened over time.

Some municipalities apply minimum separation distances to “lodging houses” – i.e., rental units that are not apartment buildings, but which have a large number of rooms. This means that if one lodging house is established in a certain neighbourhood, others cannot be established within a certain distance or radius.

These minimum separation distances aren’t about regulating buildings. A similar, owned house does not have this restriction. Minimum separation distances are about regulating people, and often flow from stereotypes associated with renters.

²² In *R v. Bell*, [1979] 2 SCR 212, the Supreme Court of Canada heard a challenge to a North York bylaw that limited the use of certain residential zones to dwellings designed or intended for use by an individual or one family. Family was defined as a group of two or more persons living together and related by bonds of consanguinity, marriage or legal adoption.

Justice Spence, speaking for the majority of the Court, found that the bylaw, in adopting “family” as the only permitted occupants of a self-contained dwelling unit, amounted to oppressive and gratuitous interference with the rights of people subject to the bylaw, and that:

the legislature never intended to give authority to make such rules and the device of zoning by reference to the relationship of occupants rather than the use of the building is one which is ultra vires of the municipality under the provisions of The Planning Act.

²³ See, for example, Finkler, L. & Grant, J., “Minimum separation distance bylaws for group homes: The negative side of planning regulation” (2011) 20:1 *Canadian Journal of Urban Research* 33-56 at 36, for a discussion of the typical use of minimum separation distances (to limit the impact of noise, odour or dust on others), and the movement by municipalities over time to other uses.



Instead of planning for inclusive neighbourhoods, minimum separation distances can limit the sites available for development and restrict the number of sites that are close to services, hurting people who are in need of housing.

In its submission to the OHRC's Housing Consultation in 2007, the Ministry of Municipal Affairs and Housing indicated that separation distance requirements should be justified on a rational planning basis, passed in good faith, and in the public interest.

Arbitrary separation distances can contravene the *Human Rights Code*. Some municipalities may try to use minimum separation distances to manage "overconcentration" of some types of housing within one neighbourhood. Minimum separation distances are basically restrictions – and can adversely affect renters by restricting the options available to them. Municipalities should consider incentives and ways to encourage affordable housing throughout the municipality. This is a positive approach, rather than the punitive one that minimum separation distances often cause.

The OHRC has intervened in two cases where bylaws establishing minimum separation distances were alleged to be discriminatory. The first case, at the Ontario Municipal Board, concerned a City of Guelph bylaw and is described below.

The second case, at the Human Rights Tribunal of Ontario, was launched by the Dream Team, an organization that advocates supportive housing for people with disabilities. In this case, the Dream Team challenged the City of Toronto's minimum separation distance requirements for group homes for people with disabilities. An expert hired by the City of Toronto to examine issues arising from the City's imposition of minimum separation distances to group homes said in his report that he could not find a "sound, accepted planning rationale" for those minimum separation distances and recommended that they be removed.²⁴

The OHRC also became a party to a proceeding at the Ontario Municipal Board that was launched by Lynwood Charlton against the City of Hamilton, after the City had refused to grant a site-specific amendment to a zoning bylaw requiring minimum radial separation distances for group homes for persons with mental disabilities.

²⁴ Sandeep K. Agrawal, *Opinion on the Provisions of Group Homes in the City-wide Zoning By-Law of the City of Toronto*, at pages 3 and 28, released February 28, 2013 by the City of Toronto, as a supplementary report to the *Planning and Growth Management Committee, in Final Report on the City-wide Zoning By-law: Supplementary Report on Human Rights Challenge to Group Home Zoning Regulations*, PG13020.

Promising practices

A City of Guelph bylaw used minimum separation distances to limit rental houses with accessory apartments and also reduced the number of units that could be rented in lodging houses. It appeared that these provisions might keep young people out of neighbourhoods, and would also result in a loss of affordable rental housing that would affect other people who identified with *Code* grounds (such as seniors, newcomers, people with disabilities, single-parent families and people in receipt of public assistance). The OHRC intervened in a challenge of that bylaw before the Ontario Municipal Board. In February 2012, before the matter proceeded to a hearing, the City of Guelph repealed the bylaw, and has committed to working with the OHRC to effectively deal with rental housing issues while at the same time promoting the human rights of tenants.

In 2010, the City of Sarnia changed its bylaws to make sure that people with disabilities do not face additional barriers in finding supportive housing. A group of psychiatric survivors had filed a human rights complaint against the City, alleging that its zoning bylaws violated the human rights of people with disabilities living in group homes. The City changed the bylaw so that:

- distancing requirements for all group homes were removed
- the requirement that group homes with more than five residents be located on an arterial or collector road was removed
- group homes may now be included in all zones allowing residential use
- residential care facilities are a permitted use in any residential zone.²⁵

10. Enforce the bylaw against the property owner, not the tenants

If rental housing licensing really is to regulate rental housing (rather than the people in it – which is not an appropriate goal in licensing) then property owners rather than renters should be held responsible for any licensing violations. This should be established clearly in the bylaw, and communicated to tenants and property owners alike.

11. Protect tenants in cases of rental shut down

Sometimes, a licensing bylaw will justifiably cause a rental unit to be shut down. For example, certain safety standards may not be met.

Municipalities should consider the impacts on tenants of any decisions to shut down their rental housing, and work to make sure that tenants are not displaced without recourse or assistance. Tenants should also be informed of

²⁵ OHRC, *In the zone: Housing, human rights and municipal planning*, 2012, p. 26.



Promising practice

The City of Waterloo rental housing licensing bylaw contains the following provision:

5.3 The Director of By-Law Enforcement, before revoking or suspending a licence pursuant to section 5.2 of this by-law, shall consider:

- a) the impact of any such licence revocation or suspension on any Tenants; and,
- b) imposing terms or conditions on any such licence revocation or suspension that would minimize the adverse impact on any Tenants, including the possibility of providing a reasonable time period before the licence revocation or suspension takes place to permit Tenants to find new housing or to seek relief in a Court or before the Ontario Landlord and Tenant Board.

health and safety issues when they are first raised, rather than simply facing eviction on short notice.

12. Monitor for impacts on Code groups

Municipalities should commit to monitor and evaluate the impact of their licensing bylaws on tenants at least every five years, to assess whether the bylaws have a discriminatory effect relating to Code grounds.

One way to minimize liability under the Code is to establish a program that regularly monitors impacts of the bylaw. More information about data collection that could help municipalities can be found in the OHRC handbook *Count Me In!* Data gathered for monitoring purposes should be broken down by Code ground, and collected in a manner

consistent with the Code. For example, a municipality could gather information from a representative sample of tenants and landlords through phone interviews, door-to-door visits, surveys or focus groups. The municipality could then follow up with participants over a period of time.

The municipality should report its findings on a regular basis. A monitoring program will be strengthened if it is conducted in consultation with an expert in data collection.

Promising practices

Both the Cities of North Bay and Waterloo have committed to ongoing monitoring and evaluation of their licensing bylaws.

13. Make sure licensing fees are fair

Certain constitutional rules apply to fees imposed by public bodies such as municipalities. While municipalities are entitled to charge licensing fees, “a nexus must exist between the quantum charged and the cost of the service provided.” In other words, there must be a reasonable connection between the cost of the service and the amount charged.²⁶

Fees associated with licensing, if passed on to renters, might drive up the price of housing.²⁷ The OHRC has heard that increased costs associated with housing can have a particularly adverse impact on Code-protected groups. For example, in its *Right at Home* consultation, the OHRC heard from the Children’s Aid Society of Toronto that a mandatory \$30 apartment insurance fee has an adverse impact on lower-income people, households on social assistance, poor single parents, youth and new-comer families. The OHRC also heard from the Centre for Equality Rights in Accommodation and the Social Rights Advocacy Centre that the same fee

could pose a financial barrier for Aboriginal people and members of racialized communities.²⁸ As the OHRC noted in *In the Zone*, municipalities can encourage development of affordable housing by reducing or waiving fees.²⁹

Promising practice

The City of North Bay reports that it was cautious with the fees it imposed – and instituted a licensing fee that is not 100% cost recovery – to limit any hardship for people affected by the bylaw.

²⁶ *Eurig Estate (Re)*, [1998] 2 S.C.R. 565 at para. 21.

²⁷ Other costs associated with licensing, such as fees for certain inspections, will probably not raise Code concerns if the inspections serve a legitimate health and safety purpose, are uniformly enforced among housing of the same type, and the fees are reasonably connected to the cost of the inspection.

²⁸ *Right at Home*, OHRC, page 33.

²⁹ *In the Zone*, OHRC, page 28-29.

Conclusion

Bylaws that limit housing availability for Code-protected groups could be found to be discriminatory. The Ontario Municipal Board discussed this concept in *Kitchener (City) Official Plan Amendment No. 58*. In that case, the Board investigated a municipal initiative to decrease the “over-concentration” of “single person, low-income households” and “residential care facilities and social/supportive housing” in certain areas.³⁰ The City argued that there was no discrimination because, among other things, “people [could] just go elsewhere.”³¹ The Board found that:

Depending on the ultimate content of revised municipal measures, municipal analysis and preparation may need to include the *Code* and *Charter*. That analysis is glib, if it merely assumes

that telling persons with disabilities and/or on public assistance to “just go elsewhere” is no encroachment on human rights, or that it was just a small one, or that it was for “a greater good.”³²

Bylaws that limit housing availability for Code-protected groups may also be in breach of planning principles. The Ontario Municipal Board stated in the *Kitchener* case:

As a matter of elementary preparation, if the City proposed to revise the rules for care facilities, it was incumbent on the City to devote at least some visible thought to what it was going to do with them. That is consistent not only with the Act and the PPS [Provincial Policy Statement], but with the very concept of “*planning*.”

³⁰ *Kitchener (City) Official Plan Amendment No. 58*, [2010] O.M.B.D. No. 666 at para. 2.

³¹ *Ibid.* at para. 137.

³² *Ibid.* at para. 149.

One does not undertake to reorganize the aquarium, without devoting at least some thought to where to put the fish.³³

“Housing is a fundamental human right. While rental housing licensing can be a valuable tool for promoting the safety and security of tenants, the ability to license must not be a licence to discriminate.”

– Barbara Hall, Chief Commissioner,
Ontario Human Rights Commission

³³ *Ibid.* at paras. 107-108.

Also in the *Kitchener* case, the OMB commented that the *Planning Act* and other instruments including the Provincial Policy Statement require the council of a municipality and other parties to consider matters of provincial interest including adequately providing a full range of housing (para. 21). Based in part on these principles, the OMB found that:

...Although it is fashionable in some circles to reduce all Provincial planning policy to a single glib focus on intensification, that oversimplification overlooks the specific PPS [Provincial Policy Statement] direction (in the explanatory text at Part III) that “a decision-maker should read all the relevant policies as if they are specifically cross-referenced with each other.” Where was the attention to “improving accessibility,” “preventing barriers” etc.?

That is where there is an evidentiary problem. The required planning analysis need not be encyclopaedic; but where the core of an OPA or By-law involves topics specifically itemized by the Province, one would expect at least some overt attention to those specified interests. Indeed, given that care facilities, the disabled, and assisted housing are the direct and intended targets of this initiative, then as a “planning” matter, one would have expected some municipal consideration of the impacts on arrangements for this population, even in the absence of the interests itemized in the Act and PPS.

Yet in the mass of writings during the six years following the ICB in 2003 – including the lead-up and follow-up to OPA 58 and the ZBA – neither the City nor Region were able to point to a *single sentence* showing how the impacts on this population were considered, let alone that Subsection 2(h.1) of the Act or PPS Subsection 1.1.1(f) had been considered in even the most perfunctory way (para. 99-101).



For more information

The following resources are available online:

Ontario Human Rights Commission

www.ohrc.on.ca

In the zone: Housing, human rights and municipal planning

Policy on human rights and rental housing

Human rights for tenants – brochure

Human rights in housing: an overview for landlords – brochure

Writing a fair rental housing ad

Ontario Ministry of Municipal Affairs and Housing

www.mah.gov.on.ca

Affordable housing

Planning Act Tools

Ontario Housing Policy Statement

Municipal Tools for Affordable Housing

To make a human rights complaint – called an application – contact the Human Rights Tribunal of Ontario at:

Toll Free: 1-866-598-0322

TTY Toll Free: 1-866-607-1240

Website: www.hrto.ca

To talk about your rights or if you need legal help, contact the Human Rights Legal Support Centre at:

Toll Free: 1-866-625-5179

TTY Toll Free: 1-866-612-8627

Website: www.hrlsc.on.ca

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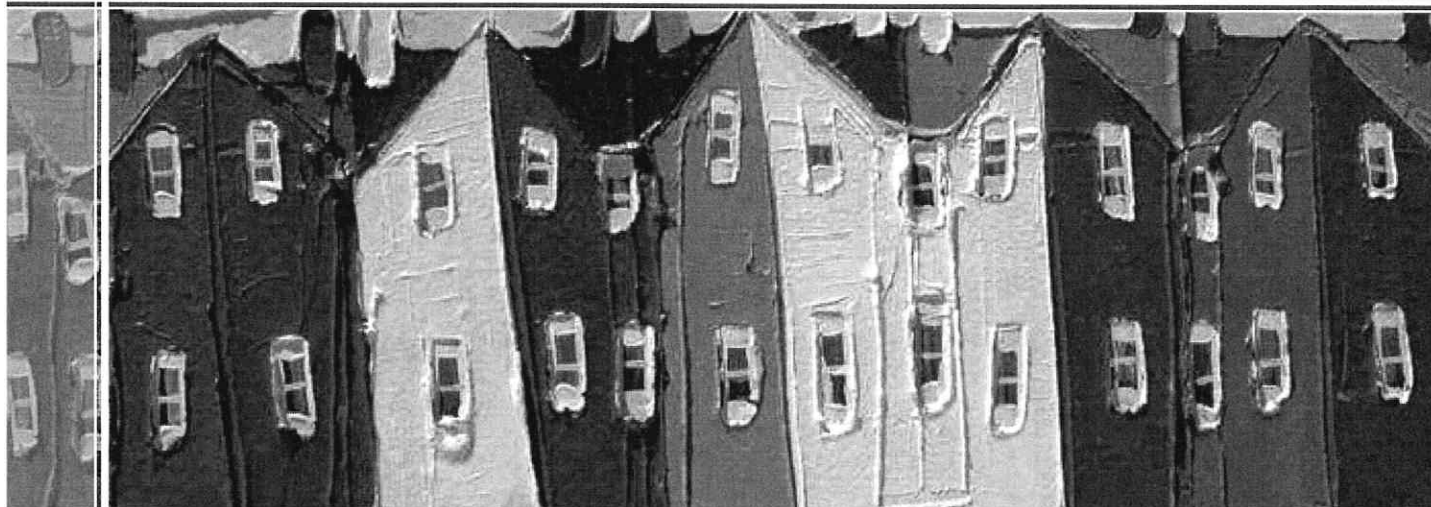
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The Corporation of the City of Cornwall
Regular Meeting of Council
Report

Department: Corporate Services
Division: Clerk's Division
Report Number: 2021-137-Corporate Services
Prepared By: Manon Levesque, City Clerk
Meeting Date: November 8, 2021
Subject: Unfinished Business Listing for November 8, 2021

Recommendation

That Council receive the Unfinished Business Listing for November 8, 2021.

Title	Department	Date
Actionable Items from Environment and Climate Change Committee - November 9, 2020	Infrastructure and Municipal Works	Presentation November 8, 2021
Residential Rental Licensing Public Consultation Results - November 13, 2018 - June 8, 2020 - October 13, 2020 - April 26, 2021	Fire Services, Social Services and Planning, Development and Recreation	November 8, 2021
Creation of Remote Worker Attraction Strategy - January 13, 2020	Working Group	November 8, 2021
Intersection of Vincent Massey Drive and Tollgate Road West - June 14, 2021	Infrastructure and Municipal Works	November 22, 2021
Petition for Removal of Sidewalk on Dunkirk Street - August 9, 2021	Infrastructure and Municipal Works	November 22, 2021

Urban Agriculture and Outdoor Gardening – COVID-19 - May 11, 2020 - June 22, 2020 - April 26, 2021	Planning, Development and Recreation	Zoning By-law
Newspaper Digitization Project - November 9, 2020	CAO	TBD
Domtar Properties - February 22, 2021	CAO	TBD
CIL Property - February 22, 2021	CAO	TBD
Social Media Policy - March 22, 2021	Council Working Group	TBD
Remediation of Gas Stations Upon Closing - April 12, 2021	Infrastructure and Municipal Works and Planning, Development and Recreation	TBD
Grading By-law - April 26, 2021	Planning, Development and Recreation	TBD
Use of Surveillance Cameras on Private Property - May 10, 2021	Planning, Development and Recreation	TBD
Aultsville Theatre - September 13, 2021	CAO	TBD

Document Title:	Unfinished Business Listing for November 8, 2021 - 2021-137-Corporate Services.docx
Attachments:	
Final Approval Date:	Nov 4, 2021

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

Geoffrey Clarke - Nov 3, 2021 - 9:38 AM

Maureen Adams - Nov 4, 2021 - 9:48 AM

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

Department: Infrastructure and Municipal Works
Division: Infrastructure Planning
Report Number: 2021-95-Infrastructure and Municipal Works
Prepared By: Michael Fawthrop, Manager, Infrastructure
Meeting Date: November 8, 2021
Subject: MTO Connecting Links Funding Program – Intake 7

Purpose

To provide information to Council regarding the Ministry of Transportation (MTO) Connecting Links Program Intake for 2022-23 and to recommend a project submission.

Recommendation

That Council endorse a submission of an application to the 2022-23 MTO Connecting Links Program and that the project submitted for the funding program be a Municipal Class Environmental Assessment for Brookdale Avenue from Seventh Street West to Fourteenth Street West.

Financial Implications

The Connecting Links Program will provide \$30 million in 2022-23 to support municipalities with the construction and repair of roads and bridges on Connecting Links. Through the 2021-22 Connecting Links Program, the MTO will provide funding of up to 90%, to a maximum of \$3 million for road projects and \$5 million for bridge projects, of eligible capital costs for approved projects.

The estimated cost to complete a Municipal Class Environmental Assessment (EA) for Brookdale Avenue from Seventh Street West to Fourteenth Street West is \$300,000. Through the Connecting Links Program, the City may receive funding of up to \$270,000 (90%). The remaining \$30,000 would be funded from the Brookdale Avenue – Traffic Analysis capital project which was included in the 2019 Capital Budget.

Strategic Priority Implications

This project includes future upgrades to Brookdale Avenue from Seventh Street West to Fourteenth Street West, which addresses Economic Development and Pursuing Diverse Population Growth of 50,000: (4) Continue to Invest in Infrastructure and (5) Encourage Infill Project (Brookdale).

Background / Discussion

Through the MTO Connecting Links Program, the Province of Ontario is investing \$30 million in 2022-23 for the construction and repair of roads and bridges for Connecting Links. Connecting Links are municipal roads designated under the Public Transportation and Highway Improvement Act that connect two ends of a provincial highway through a municipality or to an international crossing or interprovincial border crossing. The objectives of the program are to make investments that:

- Address critical connecting link improvements;
- Extend the life of the asset;
- Are cost effective and appropriate to address connecting link needs; and
- Ensure the safe and efficient movement of provincial traffic.

The MTO will provide funding of up to 90 percent to a maximum of \$3 million for road projects and \$5 million for bridge projects, of eligible capital costs for approved projects.

There are 77 municipalities with designated connecting links eligible to apply to the MTO's Connecting Links Program. Cornwall is one of those municipalities as Highway No. 138 (Brookdale Avenue) connects from Cornwall Centre Road to the International Bridge access at Water Street.

In 2016, the City was successful in securing funding through Intake 1 of the Connecting Links Program for the Brookdale Avenue at Canadian National Railway (CNR) Overpass Rehabilitation. In 2020, the City was successful in securing funding through Intake 5 of the Connecting Links Program for the Brookdale Avenue North Road Rehabilitation & Widening project from the north limits of the CNR Overpass to the south limits of the Highway 401 Overpass.

For the 2022-23 MTO Connecting Links Program, Administration is recommending that the project submitted for the funding application shall be a Municipal Class EA for Brookdale Avenue from Seventh Street West to Fourteenth Street West. Please refer to the attached sketches of the project location. The current traffic volumes along Brookdale Avenue are substantial with an average of 20,000 vehicles per day. Furthermore, the asphalt/pavement condition ratings (PCR) along the Brookdale Avenue corridor from Seventh Street West to Fourteenth Street West continues to deteriorate, nearing levels which will require substantial investment in the near future. The PCRs along this section of Brookdale Avenue range from 54 to 56 which is well below the City's standard of 70 for an arterial roadway. Prior to any asphalt resurfacing and reconstruction work being completed, an EA for the corridor is proposed in order to assess the existing and future transportation system deficiencies along the corridor and to develop a Recommended Plan. The EA will also identify the improvements needed to ensure safe and efficient traffic flow. The EA will take into consideration the existing high traffic volumes along Brookdale Avenue as well as evaluate the impacts of future growth and development along the corridor.

The goal of the EA will be to improve the Brookdale Avenue transportation network for vehicles, cyclists, and pedestrians. The EA will take into consideration feedback from City residents, local Brookdale Avenue property owners and Council. As noted on the attached sketch, a Harmonized EA was completed along Brookdale Avenue from Water Street to Seventh Street West (2003) and an EA was completed along Brookdale Avenue from Fourteenth Street West to Tollgate Road West (2005) prior to the reconstruction of those sections of roadway. The completion of an EA along Brookdale Avenue from Seventh Street West to Fourteenth Street West is necessary prior to completing any rehabilitation/reconstruction in this corridor. Through the EA process, the existing and future transportation network deficiencies will be identified/assessed and a Recommended Plan for the corridor will be developed. A Recommended Plan for the corridor will allow the City to proceed in planning future capital works.

The MTO Connecting Links Program provides funding for the design, construction, renewal, rehabilitation, and replacement of Connecting Link infrastructure. Connecting Links serve both provincial and local traffic needs; therefore, a Provincial/Municipal cost sharing partnership is considered appropriate. Funds from the program can be used for the following project costs: EA, Design/Engineering, Project Management/Contract Administration, Materials and Construction. A municipality may submit for detailed design and construction as one project; or alternatively, a municipality may submit detailed design for funding as a separate project prior to construction. Additionally, a municipality can elect to submit for an EA as a separate project and submit for the design/construction component of the project in a subsequent year. As such, Administration recommends that the City submit for only the EA along the corridor at this time and plan to submit for the construction component in a subsequent year. Submitting only for the EA will allow the City to develop the Recommended Plan for the corridor which will establish the need for the project which will help justify further funding for the project under the Connecting Links Program in a future intake. Furthermore, by applying for funding in phases, the likelihood of receiving funding for the project increases due to the relatively low cost of the study compared to the cost of construction projects many other municipalities will be submitting for.

The Connecting Links Program is a relatively small program with 77 different Ontario municipalities vying for only \$30 million to fund large scale capital projects. Only a limited number of project applications are approved for funding under the program. Since the City received funding of \$1.6 million (90%) from the MTO through the 2020 Intake for the Brookdale Avenue North Rehabilitation & Widening project, it is recommended that the municipality only submit for the EA at this time and plan to submit for the associated construction works in a subsequent year once the EA has been completed. In 2020, the City applied under Intake 6 of the MTO Connecting Links Program for an EA for Brookdale Avenue from Seventh Street West to Fourteenth Street West; however, the City was not successful in receiving funding through this intake. Although the City was not successful through Intake 6, MTO Review Staff recommended during an application debrief with Administration that the City should reapply for the same project the following year (2022-23 – Intake 7). MTO staff commented that the project and application was received/evaluated very favourably during the application review process and was considered a critical Connecting Link project; however, there were other major capital projects in other municipalities that were given priority during that intake which utilized the majority of the available funding (\$30M). The City was strongly encouraged to reapply for the same project in the following year.



The estimated cost of the project is \$300,000. Through the Connecting Links Program, the City may receive funding of up to \$270,000 (90%). The remaining \$30,000 (10%) would be funded from the Brookdale Avenue Traffic Analysis capital project included in the 2019 Capital Budget. The funding application stipulates that a By-law be submitted with the application declaring that:

- The submitted application meets the requirements of the Ministry of Transportation's Connecting Links program as described in the Program Guide;
- The municipality has a comprehensive asset management plan that includes all of the information and analysis described in Building Together: Guide for Municipal Asset Management Plans in place;
- The municipality will comply with the conditions that apply to the designated connecting links under the Highway Traffic Act to ensure safe and efficient movement of provincial traffic; and
- The information in the application is factually accurate.

Should Council endorse the application, the associated By-law authorizing the submission of a funding application to the 2022-23 MTO Connecting Links Program will be included in the Agenda for the November 22, 2021, regular Council meeting.

If the City is successful in receiving funding through the program, the Mayor and Clerk must be authorized to execute and sign the associated documents and agreements.

Document Title:	MTO Connecting Links Funding Program - Intake 7 - 2021-95-IMW.docx
Attachments:	<ul style="list-style-type: none"> - MTO Connecting Link Program Guide - Intake 7 - 2022-23.pdf - 2022-23 Connecting Link - Project Map 1 - 8-5 x 11.pdf - 2022-23 Connecting Link - Project Map 2 - 8-5 x 11.pdf
Final Approval Date:	Nov 3, 2021

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

Bill de Wit - Nov 3, 2021 - 1:05 PM

Tracey Bailey - Nov 3, 2021 - 2:36 PM

Maureen Adams - Nov 3, 2021 - 4:58 PM



Ministry of Transportation (MTO) Connecting Links Program 2022-23

Guide

September 2021

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Section 1 – Purpose

The Ministry of Transportation's **Connecting Links Program** provides dedicated provincial funding for road and bridge projects on designated connecting link highways.

The Connecting Links Program has been re-designed to provide a sound basis to make provincial funding decisions and ensure that provincial financial accountability and asset management requirements are met. Through a structured application process all applicants are considered in a consistent and transparent manner.

This Program Guide has been prepared to assist connecting link municipalities in completing and submitting the application. The guide includes legislation that applies to connecting links, a detailed description of the scope of work eligible for funding and the requirements for detailed information on connecting link condition and improvement needs.

Applicants are encouraged to contact their local regional office to ask any questions before submitting an application.

The ministry will review all submissions and will notify successful and unsuccessful applicants after funding decisions are made in early 2022.

Funding decisions will be based on an assessment of connecting link needs, the ministry's prioritization of submitted projects and the available budget in any year.

Section 2 – Objectives

The objectives of the program are to make connecting link investments that:

- Address critical connecting link improvement needs;
- Extend the life of the asset;
- Are cost effective and appropriate to address the connecting link need; and
- Ensure the safe and efficient movement of provincial traffic.

The ministry will prioritize projects that best meet these objectives and focus on addressing critical and urgent connecting link needs first. The Connecting Links Program requires that municipalities submit detailed information on all connecting link road section and structures. This will enable the ministry to assess the current and future state of connecting link infrastructure and determine how to best target connecting link investments on a multi-year basis.

Section 3 – Connecting Links Policy

Connecting links are municipal roads that connect two ends of a provincial highway through a community or to an international or interprovincial border crossing. These are critical roadways that serve provincial and municipal interests, as they carry long-distance provincial highway traffic moving through communities, as well as local traffic within the community.

Connecting links are formally designated under section 21 of the *Public Transportation and Highway Improvement Act*, R.S.O. 1990, c. P. 50 as amended. Under the Act, a connecting link remains a "highway" under the jurisdiction and control of the municipality.

Connecting links are typically under the ownership of a lower tier municipality or a single tier municipality. Where a connecting link intersects with an upper tier highway, the intersection remains under the jurisdiction and control of the upper tier municipality. These intersections are eligible for funding under the Connecting Links Program.

The Connecting Links Program provides funding for eligible capital improvement costs – not maintenance. The responsibility for maintenance of connecting links lies with the municipality. Under section 44 of the *Municipal Act*, R.S.O. 2001, the municipality that has jurisdiction over a highway or bridge must keep it in a reasonable state of repair.

Ontario has set out Minimum Maintenance Standards for municipal highways, including connecting links, under the *Municipal Act*. Ontario Regulation 239/02 provides municipalities with guidelines for maintaining municipal highways including winter maintenance, roadway and sidewalk surface condition, traffic control signal systems, regulatory and warning signs, etc.

Ontario Regulation 104/97 of the *Public Transportation and Highway Improvement Act* requires that municipalities visually inspect bridge structures with a span of greater than or equal to three metres (in the direction of traffic) at least once every two years by, or under the direction, of a professional engineer. To be eligible for the Connecting Links Program, municipalities will be required to submit a Municipal Structure Inspection report to MTO every two years for each connecting link bridge and culvert three metres or greater in length (in direction of traffic) as they are completed.

The ministry has the authority under the *Bridges Act* 1990, c. B.12, to approve connecting link bridge projects. MTO will review structure inspections on an ongoing basis and assess proposed structure projects to ensure that critical structure needs on connecting links are addressed.

Under the *Highway Traffic Act*, R.S.O. 1990, c. H.8, the ministry has the authority to approve all municipal by-laws and traffic control signals that restrict or interrupt the flow of through traffic on the connecting link highway including, but not restricted to:

- Limiting weight on bridges;
- Erection of traffic controls and pedestrian signal systems; and
- Regulating motor vehicle traffic on connecting links.

Appendix 1 includes sections of legislation that applies to connecting links. Municipalities should consult with the ministry to ensure that necessary approvals will be in place prior to connecting link funding being granted.

Section 4 – Program Overview

Which municipalities are eligible?

The Ministry of Transportation's Connecting Links Program provides dedicated provincial funding for road and bridge projects on connecting link highways designated under the *Public Transportation and Highway Improvement Act*.

All 77 Ontario municipalities with designated connecting links are eligible for funding. Eligible municipalities and designated connecting link road sections are listed in **Appendix 2**.

A municipality with one designated link is permitted to submit one project per year. A municipality that has more than one designated connecting link may submit a maximum of two projects per year. If submitting for two projects however, each application must be for a project located on separate connecting link sections as identified in Appendix 2. No more than one application per connecting link section is permitted by a municipality.

What amount of funding can be requested?

Connecting links serve both provincial and local traffic needs; therefore, a provincial-municipal cost sharing partnership is considered appropriate.

The ministry will provide funding for up to 90% of total eligible project costs. The maximum amount of funding for eligible costs is \$3 million per road project, and up to \$5 million per bridge project. Project proposals should include a detailed scope of work and cost estimates.

The applicant is required to contribute the remaining 10% of eligible project costs and pay for all ineligible project costs. The municipality cannot use capital funding from any other capital application program (i.e. Investing in Canada Infrastructure Program (ICIP)) for the same road or bridge project funded under the Connecting Links Program.

Despite the foregoing, general formula based or other non-application based funding revenue received from other provincial or federal sources may be used towards a municipality's 10% contribution.

When would funding be provided?

Once funding decisions are made, the ministry will notify successful applicants that their project has been approved for funding. Municipalities may then begin the tendering process and incur project costs starting April 1, 2022. The ministry will provide a Contribution Agreement following the Minister letter.

The execution of the Agreement is required before payments can be made. Payments will be made on a milestone basis (refer to Section 8).

Section 5 – Project Eligibility

What are eligible connecting links projects?

The Connecting Links Program provides funding for the design, construction, renewal, rehabilitation and replacement of connecting link infrastructure. Maintenance costs, including winter maintenance, are not eligible for funding.

A municipality may submit for detailed design and construction as one project; or alternatively, a municipality may submit detailed design for funding as a separate project prior to construction. In the case of the latter, however, the ministry cannot guarantee funding for the construction project in the subsequent year. Funding for the construction would be considered along with other projects submitted in the following year.

Expansion projects (road widening) resulting from general traffic growth (provincial and municipal), will be considered eligible projects. However, the costs for improvements directly related to increased traffic from new development or major expansion of an existing development continue to be the responsibility of the municipality (and/or the developer).

As noted below, land acquisition and the cost of municipal infrastructure within the connecting link right-of-way are not eligible for funding under the Connecting Links Program, such as watermains, sanitary sewers, utilities, etc.

The proposal must not include multiple projects, e.g., projects on separate roads or structures that are not connected. Proposals can include various related works such as road reconstruction and storm sewer repair; road and intersection improvements; multiple spans on one structure; and, structure replacement and approach road improvements like guiderail.

NOTE: The same connecting link **road or bridge** project cannot be submitted under both the Connecting Links Program and another capital application program such as ICIP. A municipality may, however, submit an application for **water or wastewater** work on a connecting link under another funding program. If the same **road or bridge** project is submitted under multiple capital application programs, it will become ineligible for funding under the Connecting Links program.

Projects already underway or awarded at the time of the application period will be deemed ineligible for the program.

What project costs are eligible/ineligible for reimbursement?

Funds can be used for:

- Environmental Assessment costs
- Design/Engineering costs
- Project Management/Contract Administration costs
- Materials
- Construction

Funds cannot be used for:

- Costs incurred before project approval or after committed project completion date
- Land acquisition
- Leasing land, equipment, buildings and other facilities
- Financing charges
- Legal fees

Appendix 3 outlines the scope of eligible work for connecting link projects with more specific requirements detailed in Annexes A-G of **Appendix 4**. MTO encourages municipalities to consider sustainable construction practices for connecting link projects as described in **Appendix 5**.

The connecting link right-of-way typically includes some municipal infrastructure that is not eligible for funding under the Connecting Links Program, such as watermains, sanitary sewers, utilities, etc. The municipality is responsible for costs related to these assets and all other ineligible items.

Municipalities should consult with MTO regional offices (listed in Section 10) to seek clarification on eligible project costs before submitting an application.

What are the eligible project net costs?

The application form requires that the applicant indicate the eligible project net costs, which is the eligible project costs under the Connecting Links Program, *excluding the HST rebate that the municipality expects to receive*. The maximum provincial funding contribution will be 90% of the net eligible costs up to a maximum of \$3 million per road project, and up to \$5 million per bridge project. It is the applicant's responsibility to determine the HST rebate.

Section 6 – Application Submission

The Connecting Links Program has a one-stage application process, where eligible connecting link municipalities are requested to submit specific project information through a standard application form along with supporting documents.

Where can I obtain an application?

The information on how to submit an application is available online at:

<https://www.app.grants.gov.on.ca/gr/tpcr/#/externalLogin>

For more information please call the Program Coordinator at 289-241-8354 or reach out to your local regional Ministry of Transportation office contact, listed in Section 10 of the Program Guide. You can also send an email to the program email address: CLProgram@ontario.ca.

When are applications due?

Applications are due by Friday, November 19, 2021 at 5 p.m. Eastern Standard Time (EST).

How are applications submitted?

New to the 2022-23 Connecting Links Program Year

Connecting link applications will be received through the Transfer Payment Ontario portal. Transfer Payment Ontario (TPON) is a web-based funding management system that provides transfer payment applicants and recipients with a self-service portal to apply for funding.

Follow the steps listed at <https://www.ontario.ca/page/get-funding-ontario-government> to access the TPON portal. This site is best viewed using the Google Chrome Browser.

You can use Transfer Payment Ontario to:

- register, complete, and submit connecting link applications for funding
- find information about other funding opportunities available to your municipality
- check the status of your active submissions.

Section 7 – Project Application

Municipalities are required to complete a project application form to be eligible for connecting link funding. This will provide a consistent basis for the ministry to assess the proposed project and the municipality's multi-year connecting link needs.

In addition to the application form, municipalities must submit a council resolution (template attached to the form) that:

- a) demonstrates council's support of the project identified in application;
- b) confirms that capital funding is available for the municipal contribution component;
- c) indicates that if the application is successful, that the municipality will proceed with the project in accordance with the timelines specified in the application.

Application Requirements

Application Section	Requirements
1. Contact Information	Municipality name, mailing address and authorized contact person (Public Works Manager, CAO, Clerk, etc.).
2. Project Information	Project Title (include municipal road name) and Project Type (e.g., road resurfacing, road reconstruction, bridge rehabilitation or replacement). Fiscal Year of project completion.

Application Section	Requirements
3. Project Location	Description of the project location (start and end points, length, width, latitude and longitude coordinates). Include a map to scale.
4. Project Description	Description of the project outline of scope of work and provide a schedule. If available, provide a detailed proposal and costs as supporting information. If a bridge project over or under a railway, include specifics such as a railway access plan or any discussions with the railway to facilitate the project.
5. Project Rationale	How project addresses critical connecting link needs or extends the life cycle of the asset.
6. Project Readiness	List of any regulatory decisions, approvals, licenses, authorizations, agreements, etc., completed or required by the provincial or federal governments. Provide any additional details on work conducted or consultations undertaken to obtain approvals, agreements etc. that would expedite your project. If the project includes a traffic control signal, municipalities are required to seek MTO approval of the technical warrants for traffic signals and/or pedestrian crossings before submitting the project.
7. Project Innovation/ Sustainable Construction Practices	Where applicable - Identify any innovative or sustainable construction practices that will be applied in the design and construction of the project that will maximize the lifecycle of the asset, demonstrate good environmental stewardship, mitigate future climate change impacts or reduce environmental or traffic impacts. Examples include: culvert re-lining instead of full culvert replacement, reduction in the use of new aggregates in asphalt, or use of higher quality asphalt materials.
8. Milestone/Timelines	Key dates for the program including milestones for payments.
9. Timeline Risks and Mitigation Strategies	Risks, length of possible delay and mitigation strategies to ensure that project will be completed on schedule.
10. Project Financial Information	Total Project Costs, Eligible Project Costs, Provincial Funding Requested (maximum 90%) and sources for financing the municipal share of project costs (10%).
11. Project Cost Details	Estimated project costs (including HST) by fiscal year and project activity e.g., design, construction, contract administration, etc. MTO will fund up to 90% of the Total Net Eligible Costs.
12. Construction Cost-Shared Items	Estimated costs for any work items to be paid for by the municipality or charged to others e.g., utilities and railway. Provide an explanation for each item.
13. Asset Management Planning	Confirm that a comprehensive Asset Management Plan has been completed. If not previously submitted, or if there is updated information, provide structure inspection reports, and provide detailed information on the condition and ten year needs for all of the municipality's connecting link road sections and structures.
14. Supporting Information	If available, provide a detailed Project Proposal and Costs. Indicate what studies/reports have been completed to support the project.
15. Duty to Consult Aboriginal Communities	The Governments of Canada and Ontario, along with municipalities have a duty to consult with Aboriginal communities where a decision or action may adversely impact credibly asserted or established Aboriginal or treaty rights. To determine the Crown's duty to consult obligations, applicants are required to respond to a set of questions listed in the application form.
16. Declaration	<p>Certification by municipal official that:</p> <ul style="list-style-type: none"> • The submitted Application meets the requirements of MTO's Connecting Links Program as described in the Program Guide; • A comprehensive Asset Management Plan including connecting links has been completed and publically posted; • The municipality will comply with the conditions that apply to designated connecting links under the <i>Highway Traffic Act</i> to ensure the safe and efficient movement of provincial traffic; • The project put forward in the application will be completed and the milestones met as stated in the Application; and • The Application is complete and factually accurate.

Application Section	Requirements
17. Documents to be Submitted	<p>List of documents to be submitted along with application form.</p> <p>Use appropriate document titles, for example:</p> <p>“Municipality Name_Application_1”</p> <p>“Municipality Name_OSIM_Structure_1”,</p> <p>“Municipality Name_CL_Road Inventory”</p> <p>“Municipality Name_Project _ 1”</p>

What are the Application Asset Management Plan requirements?

There are four asset management planning requirements for connecting link municipalities.

1. Asset Management Plan

Municipalities applying for connecting link funding must have a recently completed and publically posted asset management plan indicating the asset condition, capital and maintenance needs, investment priorities and financial strategy for all core infrastructure which includes road, bridge, water and wastewater assets.

If the applicant has previously provided a municipal asset management and there are no updates, there is no need to resubmit the same asset management plan. If the applicant has updated the plan or if it's the first time applying to the Connecting Links Program, the applicant is required to provide access to the plan.

2. Connecting Link Structure Inspection

Municipalities are required to submit a Municipal Structure Inspection Manual (OSIM) or equivalent inspection report every other year for each connecting link bridge and large culvert three metres or greater in length (in the direction of traffic).

If the applicant has previously submitted all current Municipal Structure Inspection Forms, there is no need to resubmit the inspection forms. However, if there are updated inspections they should be submitted. If it's the first time applying to the Connecting Links Program, the applicant is required to provide inspection forms for all connecting link structures.

3. Connecting Link Asset Inventory, Conditions and Needs

Municipalities are required to submit detailed asset data on all connecting link road sections and structures (three metres or greater in length in the direction of traffic) under its jurisdiction. A map must be provided showing all connecting link road sections and structures. The map must indicate connecting link street and intersecting street names and other landmark references.

If the applicant has submitted all structure and road data within the last two-years, this information does not need to be resubmitted. However, where the information has been updated, it should be submitted. If it's the first time applying to the Connecting Links Program, the applicant is required to provide this information for all connecting link road sections and structures.

Appendix 6 includes the specific connecting link road section and structure data that must be submitted. The applicant shall submit this information in Excel or equivalent data file(s) that the ministry can import into Excel.

4. Connecting Link Maintenance Plan/Strategy

Applicants are required to indicate that there is an ongoing maintenance plan or strategy for connecting links. Effective maintenance of connecting link roadway and structures is critical to prevent premature deterioration of the asset and defer the need for costly rehabilitation or reconstruction. Examples include routing and sealing of cracks to prevent water entering the pavement structure and washing bridge expansion joints on a routine basis.

Applicants are also required to indicate that there is an ongoing inspection program to assess road sections and structures using sound condition ratings such as a Pavement Condition Index or Bridge Condition Index. Applicants should describe their methodology. All applicants are required to submit this information.

What are the requirements for Aboriginal Community Consultation?

The Governments of Canada and Ontario, along with municipalities, have a duty to consult where a decision or action may adversely impact credibly asserted or established Aboriginal or treaty rights. Aboriginal communities include First Nations, Inuit and Métis communities.

The duty to consult, and where appropriate accommodate, is rooted in the legal principle of the Honour of the Crown and the protection of Aboriginal and treaty rights under section 35 of the *Constitution Act*, 1982.

If engaged, the duty to consult has both informational and response components, and the Crown's duty to consult can vary widely and depends on the specific circumstances of the contemplated project. The Crown's consultation obligations can be influenced by the nature and scope of the established or asserted Aboriginal or treaty right, the strength of the claim to an asserted Aboriginal or treaty right, and the potential impact of the proposed Crown conduct on the established or asserted right. If the duty to consult is triggered, all parties are expected to participate in the consultation process in good faith.

Consultation generally involves providing timely and accessible information to the Aboriginal community on the proposed project, obtaining information on any potentially affected rights, listening to any concerns raised by the Aboriginal community, and determining how to address these concerns, including attempting to avoid, minimize, and/or mitigate adverse impacts on Aboriginal or treaty rights.

Ontario has an ongoing obligation to assess whether or not the duty to consult is engaged. To assist, the application requires municipalities to indicate whether they have already consulted with Aboriginal communities. Applicants should identify any potential triggers which may engage the duty to consult. This includes, but is not limited to the existence of any treaties or agreements with First Nation, Métis, or Inuit communities on the land for the contemplated project, the anticipated footprint of the project, and any water crossings.

Ontario will work with applicants as needed to assess if the duty to consult is triggered and assist with the consultation process where appropriate. It is expected that applicants should advise the Ministry of Transportation if there is a potential for the duty to consult to be triggered. Where this consultation is required, the applicant should appropriately plan and budget for this work as part of the project costs.

For more information on Ontario's duty to consult Aboriginal peoples, refer to the Duty to consult with Aboriginal peoples in Ontario web page at: <https://www.ontario.ca/page/duty-consult-aboriginal-peoples-ontario>.

How will applications be assessed?

Projects will be assessed on the basis of:

- Project criticality based on connecting link deficiencies and/or renewal needs;
- Project urgency based on stated 10-year deficiencies and risk assessment;
- Cost-effective and appropriate project to address stated connecting link need;
- Appropriate project activities and costs under the Connecting Links Program;
- Supporting documentation: asset management plan, bridge inspection reports, detailed project proposal, engineering studies/plans, etc.; and,
- Potential coordination with adjacent, concurrent provincial highway project.

MTO will prioritize projects that best meet the objectives of the Connecting Links Program, addressing critical and urgent connecting link needs first.

Funding decisions will take into consideration the ministry's prioritization of the projects, regional connecting link needs and the available budget in any year.

Will a municipality be notified if its application is unsuccessful?

Yes, both successful and unsuccessful applicants will be notified by the Ministry of Transportation after funding decisions are made. Unsuccessful municipalities are encouraged to contact their regional MTO representatives for feedback regarding their unsuccessful projects.

Section 8 – Contribution Agreement

The Contribution Agreement is a legal agreement that outlines the rights, responsibilities and obligations of the province and the municipality and includes various Schedules, e.g., project costs, milestones/timelines, reporting requirements, etc.

MTO will notify successful applicants by Minister letter that their project has been approved for funding. Municipalities may then begin the tendering process and incur project costs starting April 1, 2022. The ministry will provide the Contribution Agreement following the Minister letter. The execution of the Agreement is required before payments can be made.

The signatures of the Head of Council and the Minister of Transportation (or his delegate) are necessary to execute the agreement. Municipalities are encouraged to obtain Head of Council signature and a council resolution as soon as possible. Three (3) copies of the signed agreement are to be couriered to the MTO Program Coordinator. Once co-signed by the Minister, the Program Coordinator will provide a copy to the municipality and MTO's regional office.

How will the provincial funding flow?

Funding will be provided for eligible project costs on a milestone payment approach:

- Contract Award – 50%
- Substantial Completion – 35%
- Final Report – 15%

In order to be paid at these milestones it is critical that the project be completed on the submitted schedule. In the Application Form, the applicant is required to indicate the fiscal year of completion and any timeline risks, how the long the delay could be and provide mitigation strategies. Schedule risks include the time required for tendering, delays due to regulatory approvals or third party agreements, utility relocations, inclement weather, etc. If the schedule risks are significant, consideration should be given to extending the project completion over two or three years. The ministry will approve the multi-year funding on this basis.

Funded municipalities will be required to state their anticipated dates for Contract, Substantial Completion and Final Report. These milestones must be achieved by specific timelines as follows:

Milestone 1: Award of First Contract	By June 30, 2022
Milestone 2: Substantial Completion	By December 31 of Fiscal Year of Completion
Milestone 3: Final Report	By March 8 of Fiscal Year of Completion

Milestone payments will be disbursed once the ministry has accepted the Milestone Report. The first payment will be made once the contribution agreement has been signed by both parties (spring/summer of 2022) and Milestone 1 has been submitted to MTO for review. The Substantial Completion and Final Report payments will be made on the basis of the actual incurred costs up to the approved funding amount. Cost overruns are not eligible for funding. Any unused funding must be returned to the Government of Ontario.

Required Contribution Agreement Schedules

Agreement Schedule	Description
A. Project Description	Description of the type of project and scope of work.
B. Operational Requirements	Agreement Effective Date, Project Completion Date, Agreement Expiration Date, Insurance Requirements, etc.
C. Financial Information	Maximum Provincial Funding Amount and Provincial Contribution (90%), Milestone Payment terms, etc.
D. Eligible and Ineligible Costs	Eligible and Ineligible General Costs and Eligible Specific Project Costs under the Connecting Links Program.
E. Aboriginal Consultation	Requirements Ontario and municipal responsibilities where Aboriginal community consultation is required.
F. Communications Protocol	Project Signage, Media Events, Materials/Website, Issues, etc.
G. Reporting Requirements	Reports and Due Dates – Budget Reports, Progress Reports, Declaration of Substantial Completion, Final Report, Project Outcomes and Benefits, etc

Section 9 – Reporting

Municipalities will be required to provide reports over the course of the project.

Report Requirements for Municipalities

Name of Report and Details Required	Due Date
1 Contract Award Report – a Report from council including a resolution or bylaw authorizing the award of the first contract to initiate the project.	Within fifteen (15) Business Days of a council resolution and no later than June 30, 2022.

Name of Report and Details Required	Due Date
2 Revised Budget Report must be based on tenders awarded to complete the Project including: (i) first contract for project as part of the Milestone 1 Report, (ii) after award for detail design (if not first contract), and (iii) after award of construction. The Recipient shall use the form set out in the Agreement.	Within fifteen (15) Business Days of a council resolution authorizing the contract award.
3 Progress Report – The Recipient shall use the form set out in the Agreement.	Twice a year by January 15 and July 15 for the Term of the Agreement.
4 Substantial Completion Report – The recipient shall use the form set out in the Agreement.	Within fifteen (15) Business Days of the Project Completion Date (no later than December 31 of the Fiscal Year of Completion).
5 Final Report – including statement of final incurred eligible expenses validated by invoices and/or payment certificates. The Recipient shall use the form set out in the Agreement.	Within sixty (60) Business Days of the Project Completion or no later than March 8 of the fiscal year of Project Completion.
6 Other Reports or information as may be directed by Ontario from time to time, if any	On or before a date directed by Ontario.

The Milestone 1 Report must include statement of the detailed project costs based on the contract award and report on revised budget if different from the application budget. The ministry will disburse payments based on the eligible contract award costs – not the submitted estimated projects costs.

The Progress Reports must include information on eligible costs incurred to date, remaining eligible costs to be incurred, construction milestones completed, any anticipated variances (e.g., project scope, budget or schedule) and verification of the expected completion date.

The Milestone 2 Report must include a Declaration of Substantial Completion attested to by a municipal official, e.g., Clerk or Chief Finance Officer.

The Final Report requires confirmation of project completion, statement of incurred costs supported by the submission of invoices and any variances such as project scope, budget, or schedule, etc., from the Contribution Agreement must be noted and certified by a municipal official. In addition, in the Final Report, the municipality must indicate the benefits of the connecting link improvement such as safety, extended service life, pavement condition, structures in good condition, etc. as well as any economic or other benefits of the project for the community.

Templates for a Revised Budget Report, Progress Report, Declaration of Substantial Completion, Final Report and a chart for monthly invoice tracking will be provided as Schedules in the Contribution Agreement.

Applicants must advise the ministry, in writing or email and certified by a municipal official, of any proposed variation from the approved project scope of work, costs, completion date, etc., before implementation.

Section 10 – Information Contacts

The deadline for the application submission is Friday, November 19, 2021 at 5 p.m. EST.

Questions? Call 289-241-8354 or send an email to CLProgram@ontario.ca.

To discuss your proposed project, please contact your local regional Ministry of Transportation office using the information below.

Ministry of Transportation Regional Office Contacts

MTO Region	Contact	Phone	Email
West	Curtis Cole	226-219-9597	curtis.cole@ontario.ca
Central	Elena Nicol	437-226-0181	elena.nicol@ontario.ca
Eastern	Troy Virtue	613-449-0954	troy.virtue@ontario.ca
Northeastern	Trevor Bartraw	705-471-8348	trevor.bartraw@ontario.ca
Northwestern	John McClelland	807-627-1264	john.mcclelland@ontario.ca

Appendix 1 – Legislation Applicable to Connecting Links

***Public Transportation and Highway Improvement Act* R.S.O. 1990, CHAPTER P.50**

Connecting links, extensions

21. (1) The Minister may designate a highway or part of a highway as a **connecting link** between parts of the King's Highway or as an extension of the King's Highway, to be constructed and maintained by the road authority having jurisdiction over the highway or part of the highway. 1996, c. 1, Sched. M, s. 49.

Jurisdiction and control unchanged

- (2) A highway or part of a highway does not, by reason of its having been designated under subsection (1), become the property of the Crown, but every such highway or part of a highway remains under the jurisdiction and control of the road authority. 1996, c. 1, Sched. M, s. 49.

***Highway Traffic Act* R.S.O. 1990, CHAPTER H.8**

Regulations limiting weight on bridges

123. (1) The Minister may make regulations limiting the gross vehicle weight of any vehicle or any class thereof passing over a bridge forming part of the King's Highway or a highway in territory without municipal organization and notice of the limit of the weights fixed by the regulation, legibly printed, shall be posted up in a conspicuous place at each end of the bridge. R.S.O. 1990, c. H.8, s. 123 (1).

By-laws limiting weight on bridges

- (2) The municipality or other authority having jurisdiction over a bridge may by by-law limit the gross vehicle weight of any vehicle or any class thereof passing over the bridge, and the requirements of subsection (1) with respect to the posting up of notice apply thereto. R.S.O. 1990, c. H.8, s. 123 (2); 1996, c. 33, s. 13 (1); 2002, c. 17, Sched. F, Table.

Same, on connecting links

- (3) Despite subsection (2), where the bridge forms part of a highway designated as a **connecting link** under subsection 21 (1) of the *Public Transportation and Highway Improvement Act*, the by-law shall not become operative until it is approved by the Ministry. 1996, c. 33, s. 13 (2).

Regulations

- (4) The Minister may make regulations establishing standards to determine allowable gross vehicle weight for any vehicle or class of vehicle for the purpose of subsection (2). 1996, c. 33, s. 13 (2).

Traffic control signals and pedestrian control signals

144. (1) In this section :

Erection of traffic control signals and signal systems

- (31) Subject to subsection (31.1), no traffic control signal system or traffic control signal used in conjunction with a traffic control signal system shall be erected or installed except in accordance with an approval obtained from a person designated to give such approvals by the municipality or other authority that has jurisdiction over the highway or the intersection. 1996, c. 33, s. 14.

Same, on connecting links

- (31.1) No traffic control signal system or traffic control signal used in conjunction with a traffic control signal system shall be erected or installed on a highway designated as a **connecting link** under subsection 21 (1) of the *Public Transportation and Highway Improvement Act* except in accordance with an approval obtained from the Minister or an official of the Ministry authorized by the Minister to grant such approval. 1996, c. 33, s. 14.

Effect of by-laws

Inconsistent by-laws deemed repealed

195. (1) If a provision of a municipal by-law passed by the council of a municipality or a police services board for,
(a) regulating traffic on the highways;

(b) regulating traffic on the highways;

(c) prohibiting or regulating the operation of motor vehicles or any type or class thereof on the highways,

is inconsistent with this Act or the regulations, the provision of the by-law shall be deemed to be repealed upon the inconsistency arising. R.S.O. 1990, c. H.8, s. 195 (1); 1996, c. 33, s. 15 (1); 2002, c. 17, Sched. F, Table.

(2) Repealed: 1996, c. 33, s. 15 (2).

Approval of traffic by-laws for connecting links

(3) If the council of a municipality passes a by-law for a purpose mentioned in clause (1) (a) or (c) that affects traffic on a highway designated as a **connecting link** under subsection 21 (1) of the *Public Transportation and Highway Improvement Act*, the clerk of the municipality shall file a copy of the by-law with the Ministry within 30 days of its passing, and the by-law shall not become operative until it is approved by the Ministry. 1996, c. 33, s. 15 (2).

Approval of traffic by-law in whole or in part

(4) Any by-law for regulating traffic on highways that is submitted to the Ministry for approval may be approved in whole or in part and, where part of a by-law is approved only, that part shall become operative. R.S.O. 1990, c. H.8, s. 195 (4).

Withdrawal of approval by Ministry

(5) The Ministry may withdraw its approval to any by-law or any part thereof by notice sent by registered mail to the clerk of the municipality and the by-law or part thereof shall be deemed to be repealed twenty-one days after the sending of the notice. R.S.O. 1990, c. H.8, s. 195 (5).

Bridges Act R.S.O. 1990, CHAPTER B.12

Approval of Minister

2. (1) No person, except a municipal corporation or other authority having jurisdiction over highways, shall build, place, construct, rebuild, replace or alter a bridge or other structure over or across any river or stream or part thereof, except with the approval of the Minister of Transportation. 1996, c. 33, s. 18.

Same

(1.1) A person who builds, places, constructs, rebuilds, replaces or alters a bridge, culvert or causeway in accordance with a work permit or an instrument granted under the *Public Lands Act* or an approval under the *Lakes and Rivers Improvement Act* is not required to obtain an approval under subsection (1). 2006, c. 19, Sched. T, s. 1.

Same

(2) A municipality or other authority having jurisdiction over highways shall not build, place, construct, rebuild, replace or alter any bridge or other structure that forms, or will upon completion form, part of a highway that has been designated as a **connecting link** under subsection 21 (1) of the *Public Transportation and Highway Improvement Act*, except with the approval of the Minister of Transportation. 1996, c. 33, s. 18.

Conditions of approval

(3) The Minister of Transportation may give his or her approval under subsection (1) upon receiving,

- (a) proof that the plan of the proposed bridge or structure or alterations and a surveyor's description of the site or proposed site have been deposited in the proper land registry office;
- (b) proof that notice of the application has been published for three successive weeks in *The Ontario Gazette* and in two newspapers having a general circulation in the locality where the site or proposed site of the bridge or structure is located; and
- (c) such other information or documentation as the Minister may require. 1996, c. 33, s. 18.

Same

(4) The Minister of Transportation may give his or her approval under subsection (2) upon receiving such information or documentation as he or she may require. 1996, c. 33, s. 18.

Appendix 2 – Municipalities with Connecting Links

MTO Region	Municipality Name	Community Location (if Applicable)	Provincial Highway	Connecting Link Roads	Length in Kilometres
Central	Town of Halton Hills	Acton	7	Queen Street, Young Street, Mill Street, Main Street	2.80
Central	Town of Halton Hills	Georgetown	7	Guelph Street, Main Street	5.10
Central	Region of Niagara	Niagara Falls	420	From Stanley Avenue to Rainbow Bridge	1.50
Central	City of Barrie		26	Bayfield Street	2.40
Central	Township of Clearview	Stayner	26	King Street, Main Street	2.00
Central	Town of Collingwood		26	Lakeshore Street, Front Street, First Street, Huron Street, Hume Street, Pretty River Parkway	11.10
Central	Town of Innisfil	Cookstown	89	Queen Street, Church Street	1.30
Central	Town of New Tecumseth	Alliston	89	Young Street, King Street, Victoria Street	5.30
West	City of Brantford		24	King George Road	2.30
West	Town of Saugeen Shores	Port Elgin	21	Goderich Street	4.25
West	Town of Saugeen Shores	Southampton	21	Albert Street, Railway Street	5.55
West	Municipality of South Bruce	Mildmay	9	Elora Street	1.85
West	Town of South Bruce Peninsula	Warton	6	Berford Street	2.00
West	Municipality of Chatham-Kent	Chatham	40	Grand Avenue East, Street Clair Street	7.60
West	Municipality of Chatham-Kent	Wallaceburg	40	Dufferin Avenue, McNaughton Avenue, Murray Street	4.20
West	Town of Shelburne		10	Owen Sound Street	1.20
West	Town of Shelburne		89	Main Street	0.65
West	Town of Shelburne		10/89	Main Street	0.95
West	Town of Aylmer		3	Talbot Street	2.25
West	City of Windsor		3	Huron Church Road	3.75
West	Municipality of Grey Highlands	Markdale	10	Toronto Street	1.45
West	Municipality of Grey Highlands	Flesherton	10	Sydenham Street, Toronto Street	0.55
West	Town of The Blue Mountains	Thornbury	26	Arthur Street, King Street	2.40
West	Township of Chatsworth		6	Garafraxa Street	0.55
West	Municipality of Meaford		26	Sykes Street	3.45
West	City of Owen Sound		26	Highway 26, 16th Street East	2.90
West	City of Owen Sound		6/10	Highways 6/10, 9th Avenue East	1.20

MTO Region	Municipality Name	Community Location (if Applicable)	Provincial Highway	Connecting Link Roads	Length in Kilometres
West	City of Owen Sound		6/21	Highways 6/21, 10th Avenue West	2.65
West	Municipality of West Grey	Durham	6	Garafraxa Street	2.25
West	County of Haldimand	Cayuga	3	Talbot Road	1.25
West	County of Haldimand	Dunnville	3	Broad Street, George Street, Main Street	4.65
West	County of Haldimand	Hagersville	6	Main Street	1.60
West	County of Haldimand	Jarvis	3	Talbot Street	1.65
West	County of Haldimand	Jarvis	6	Main Street	2.30
West	Municipality of Central Huron	Clinton	4	Victoria Street	1.30
West	Municipality of Central Huron	Clinton	8	Huron Street, Ontario Street	2.10
West	Town of Goderich		8	Toronto Street, Huron Road, Elgin Avenue	2.10
West	Town of Goderich		21	Victoria Street, Bayfield Road, Britannia Road	2.55
West	Municipality of Huron East	Seaforth	8	Goderich Street	1.45
West	Municipality of South Huron	Exeter	4	Main Street	3.15
West	Municipality of Lambton Shores	Forest	21	Main Street, King Street	3.55
West	Municipality of Lambton Shores	Grand Bend	21	Ontario Street	3.00
West	Township of Lucan Biddulph	Lucan	4	Main Street	2.00
West	County of Norfolk	Delhi	3	King Street, James Street	2.10
West	County of Norfolk	Simcoe	3	Queensway West and East	4.00
West	County of Norfolk	Simcoe	24	Norfolk Street	2.55
West	Town of Tillsonburg		19	Broadway Street, Oxford Street, Simcoe Street, Vienna Street	5.45
West	Municipality of North Perth	Listowel	23	Main Street, Wallace Avenue	2.45
West	City of Stratford		7	Erie Street	4.00
West	City of Stratford		8	Huron Street	2.55
West	City of Stratford		7/8	Ontario Street	3.25
West	Municipality of West Perth	Mitchell	8	Ontario Road, Huron Road	2.90
West	Municipality of West Perth	Mitchell	23	Blanshard Road, Street George Street	2.10
West	Township of Centre Wellington	Fergus	6	St. David Street, Tower Street, Bridge Street	3.00
West	City of Guelph		6	Woolwich Street, Woodlawn Road.	2.55

MTO Region	Municipality Name	Community Location (if Applicable)	Provincial Highway	Connecting Link Roads	Length in Kilometres
West	City of Guelph		7	Woodlawn Road, Wellington Street, Windham Street, York Road	10.00
West	Town of Minto	Clifford	9	Elora Street	1.75
West	Town of Minto	Harriston	9	Elora Street	0.80
West	Town of Minto	Harriston	89	Arthur Street	0.50
West	Town of Minto	Harriston	23	Arthur Street	0.65
West	Township of Wellington North	Arthur	6	Smith Street, George Street	1.90
West	Township of Wellington North	Mount Forest	6	Main Street, Market Street	2.65
West	Township of Wellington North	Mount Forest	89	Queen Street	3.15
Eastern	Town of Bancroft		28	Monck Road, Bridge Street	3.85
Eastern	Town of Bancroft		62	Mill Street, Hastings Street	7.25
Eastern	City of Belleville		62	North Front Street	2.80
Eastern	Municipality of Centre Hastings	Madoc	62	Russell Street, St. Lawrence Street Durham Street	2.00
Eastern	Municipality of Marmora and Lake		7	Matthew Street	1.30
Eastern	Municipality of Tweed	Tweed	37	Bridgewater Road, Victoria Street Georgetown Street	2.10
Eastern	Separated Town on Smiths Falls		15	Lombard Street, Beckwith Street Elmsley Street, Cornelia Street, Union Street	4.65
Eastern	Loyalist Township	Bath	33	Main Street	2.75
Eastern	Township of Havelock-Belmont-Methuen	Havelock	7	Ottawa Street	1.90
Eastern	Township of Champlain	Vankleek Hill	34	High Street, Queen Street	1.30
Eastern	Town of Hawkesbury		34	McGill Street, Main Street East, John Street	2.25
Eastern	County of Prince Edward	Bloomfield	62	Stanley Street Main Street	2.80
Eastern	County of Prince Edward	Picton	33	Main Street, Bridge Street	2.70
Eastern	Township of Bonnechere Valley	Eganville	60	Bonnechere Street, Cobden Road	1.30
Eastern	Township of Bonnechere Valley	Eganville	41	Bridge Street, Queen Street, Patrick Street Alice Street	1.20
Eastern	Township of Bonnechere Valley	Eganville	41/60	Bonnechere Street	0.80
Eastern	Township of Madawaska Valley	Barry's Bay	60	Opeongo Road	1.40
Eastern	City of Pembroke		41/148	Pembroke Street East, McKay Street River Road, Muskrat Drive, Olympic Drive	6.15

MTO Region	Municipality Name	Community Location (if Applicable)	Provincial Highway	Connecting Link Roads	Length in Kilometres
Eastern	Town of Renfrew		60/132	O'Brien Street Coumbes Street, Raglan Street; Highway 60 - Stewart Street; Highway 132 - Lisgar Avenue, Munro Avenue	6.80
Eastern	City of Cornwall		138	Brookdale Avenue	0.95
Eastern	City of Cornwall		138	Route to Seaway International Bridge	3.80
Eastern	City of Kawartha Lakes	Omeme	7	King Street	2.35
Northeastern	Town of Blind River		17	Causley Street from Lot 11/12 Concession 1 Township of Stricker westerly	4.35
Northeastern	City of Elliot Lake		108	From south junction of Esten Drive South to north of the junction of Timber Road North	5.80
Northeastern	Township of Hornepayne		631	From junction of Second Street and Leslie Avenue easterly	0.80
Northeastern	Municipality of Wawa	Michipicoten	101	From Southwest Townsite Limits easterly to East Townsite Limits	1.30
Northeastern	City of Sault Ste. Marie		550	Second Line West from Great Northern Road westerly	2.21
Northeastern	City of Sault Ste. Marie		550B	Carmen's Way from Second Line West to Queen Street and part of Queen Street	2.88
Northeastern	City of Sault Ste. Marie		17	Part of Trunk Road, Black Road, Second Line East and Great Northern Road	19.40
Northeastern	Town of Thessalon		129	Wharncliffe Road, from junction of Highway 17 northerly	0.87
Northeastern	Township of Black River - Matheson		10	From junction of Highway easterly	0.65
Northeastern	Town of Hearst		11	Front Street from the Township Line of Way and Kendall, easterly to the East Limits of Sixth Street	1.75
Northeastern	Town of Kapuskasing		11	Government Road from the West Limits of Clear Lake Road, westerly to the East Limits of Bonnieview Road	6.80
Northeastern	Town of Smooth Rock Falls		634	Highway 634 by-pass, from junction of Highway 11 northerly to Cloutierville Road East	3.40
Northeastern	City of Timmins	Porcupine	101	From former railway crossing in Porcupine Westerly to East Limits of Kamiskotia Road	21.35
Northeastern	Township of Dysart et al		118	Part of Sunnyside, Maple, Mountain and Pine Streets to South Town Limits	1.15

MTO Region	Municipality Name	Community Location (if Applicable)	Provincial Highway	Connecting Link Roads	Length in Kilometres
Northeastern	Township of Northeastern Manitoulin & The Islands	Little Current	6	From junction of Highway 540, southerly 0.7 kilometres and from junction of Highway 540 northerly	1.60
Northeastern	Township of Northeastern Manitoulin & The Islands	Little Current	540	From junction of Highway 6, westerly on Meredith Street then southerly on Worthington Street	0.95
Northeastern	Town of Mattawa		533	First Street and Main Street from junction of Highway 17 easterly	0.95
Northeastern	City of North Bay		63	Trout Lake Road, from junction of Highways 11/17, easterly to Lee's Road	3.35
Northeastern	Municipality of West Nipissing	Sturgeon Falls	64	From junction of Highway 17, northerly	1.70
Northeastern	Municipality of West Nipissing	Sturgeon Falls	17	Front Street from junction of Coursol Road westerly	2.40
Northeastern	Village of Burk's Falls		520	From South Limit of Burk's Falls to Ryerson Crescent	1.05
Northeastern	Municipality of Powassan	Trout Creek	522	From junction of Highway 522B, southerly to Barrett St	0.55
Northeastern	Town of Espanola		6	Centre Avenue from the East Town Limits northerly	4.10
Northeastern	Town of Kirkland Lake		66	Government Road From Goldthorpe Drive, easterly to East Town Limits	3.70
Northwestern	City of Dryden		17	Government Road, Grand Trunk Avenue	4.70
Northwestern	City of Dryden		594	Duke Street, West River Road, Aubrey Road	3.90
Northwestern	Town of Fort Frances		11	Scott Street, Rainy River Colonization Road, Mill Road	4.75
Northwestern	Town of Fort Frances		71/11	Kings Highway, Rainy River Colonization Road, Third Avenue, Central Avenue, Church Street	4.30
Northwestern	Town of Rainy River		11	Atwood Avenue	2.70

Appendix 3 – Scope Of Eligible Work – Detailed

The following table describes in detail what items may be eligible for funding under the Connecting Links Program. References are made to Annexes which provide specific requirements to be met as a condition of funding for costs.

Types of Work	Scope of Work
Road Works	<ul style="list-style-type: none"> – Sub-Grade Preparation; – Base and Sub-Base Construction; – Surfacing and resurfacing; – Curb and gutter, sewer covers and catch basins; – Replacement of items such as sidewalks, sidewalk ramps, fences, entrances, retaining walls, wheelchair curb cuts, due to grade or alignment change; – Alteration of entrances limited to the return of the entrance to the property line; – Guide rail and end treatments including steel beam guide rail and traffic barrier over 150 metres in length. Shorter sections are considered “Maintenance” and not eligible for funding; – Median and channelization works; – Boulevard paving in lieu of shouldering or sod maintenance for erosion protection; – Retaining walls supporting or protecting roadways; – Noise barriers; – Relocation and/or alteration of other municipal services, such as parking meters; – Construction of detours and temporary accesses, including costs of temporary easements, if required; – Traffic control measures related to construction projects; and – Cost of construction identification signs.
Appliances and Works	<ul style="list-style-type: none"> – Relocation and/or alteration of appliances and works as defined in the <i>Public Service Works on Highways Act</i>, R.S.O. 1990, c. P.49. – Refer to details in Annex A.
Traffic Control Devices	<ul style="list-style-type: none"> – Installation of new or upgrades to existing traffic control signals that are warranted, in accordance with the <i>Highway Traffic Act</i>, R.S.O. 1990, c. H.8, Regulation 626 of the <i>Highway Traffic Act</i>, and the Ministry of Transportation’s Ontario Traffic Manual, Book 12 or accessibility standards as defined in Ontario Regulation 191/11 of the <i>Accessibility for Ontarians with Disabilities Act</i>. Refer to details in Annex B.
Pedestrian Signals	<ul style="list-style-type: none"> – Installation of warranted Mid-Block Pedestrian Signals and pedestrian crossovers (PXO) in accordance with current <i>Highway Traffic Act</i> regulations.
Illumination	<ul style="list-style-type: none"> – Illumination at intersections with warranted traffic signals or unsignalized, full channelized, rural intersections, or at unprotected level railway crossings subject to Canadian Transportation Agency Board Order at crossing. Refer to details in Annex C.
Drainage	<ul style="list-style-type: none"> – Sub drain installation, open ditching, including off-take ditches and related easement costs to the nearest sufficient outlet, if included as a secondary item in a construction contract (i.e. less than 25% of total cost). All other drainage works that are considered to be “Maintenance” are not eligible for funding; – Concrete, asphalt and granite curbs up to the value of equivalent concrete or asphalt curbs; – Storm sewer installation, including pumping stations where required as detailed in Annex D; – Initial drainage construction assessments on roads. Subsequent upkeep is “Maintenance” and is not eligible for funding; – Stream improvements, if required, not to exceed 150 metres beyond a structure; and

Types of Work	Scope of Work
	<ul style="list-style-type: none"> – Culverts under 400 millimetres in diameter, if part of a construction contract, otherwise such culverts are considered to be “Maintenance” and not eligible for funding. Also, outlet sewers for underpasses, including pumping stations when required, subject to limitations as detailed in Annex D.
Stormwater Management	<ul style="list-style-type: none"> – A portion of the cost of storm water detention/retention, ponds/tanks and oversized sewer pipes as detailed in Annex E.
Bridges, Culverts and Grade Separations	<ul style="list-style-type: none"> – Structure costs for new structures, deck replacements, bridge widening, including those with warranted sidewalks, major painting, major repair of existing structures, replacement of primary bridge components such as beams or piles, installation and removal of Bailey bridges and retaining walls. Where culvert installations are done individually and not as part of a construction contract, they are considered to be “Maintenance” and are not eligible for funding, except for culvert installations over 400 millimetres in equivalent circular diameter. Culvert installations over 400 millimetres are always considered to be “Construction” and may be eligible for funding, whether done individually or as part of a construction contract; – Outlet sewers for underpasses, including pumping stations when required, subject to limitations as detailed in Annex D; – Illumination: replacement to the equivalent of existing facilities only where necessary due to construction (see Annex C for details); – Stream improvements, if required, not to exceed 150 metres beyond a structure; – Stream diversion in lieu of structures, if covered by specific approval; – Construction and maintenance of detours in the immediate vicinity of temporary crossings; and – All items as applicable on the approaches for 30 metres from the outer extremities of any new bridge or culvert having an area of 4.5 square metres or more, except for railway grade separations.
Railway Crossings	<ul style="list-style-type: none"> – Crossing improvements as ordered by the Canadian Transportation Agency.
Preservation Management	<ul style="list-style-type: none"> – The following short-term or long-term remedial capital actions, which extend the life of an existing asset by rehabilitation procedures, may be eligible for funding: <ul style="list-style-type: none"> • Road surface: Continuous and Selective Paving, Routing and Sealing, Frost Heave Treatment; • Highway Services: Rehabilitation of intersections, interchanges; • Drainage: Rehabilitation of significant structures, timber culverts, concrete culverts, pipe culverts, roadway drainage; • Structures: Rehabilitation of bridge decks, structure piers, barrier walls and replacement of deck joints, bearings; and • Safety Devices: e.g., illumination, guiderail.
Detailed Design/Engineering	<ul style="list-style-type: none"> – Consultant’s fees for the project design, preparation of tender package and administration of tendering process; – Resurfacing projects will not qualify unless it can be shown that the project required a significant amount of engineering in the opinion of the ministry; – Traffic counting; – Soils and foundation investigations; – Surveys and mapping, including aerial surveys; and – Refer to Annex F for a detailed scope of work.
Contract Administration	<ul style="list-style-type: none"> – Consultant’s fees for contract administration during construction; – Supervision and inspections; – Material testing; – Field office rental; and – Refer to Annex G for detailed tasks and services.

Annex A: Appliances and Works

Where construction or improvement of a connecting link makes it necessary to alter or relocate appliances and works of an operating corporation, the cost that may be eligible for cost sharing under the terms of an applicable agreement is to be established based on the group to which the appliances and works belong.

Group 1

Group 1 relates to appliances and works as defined under *The Public Service Works on Highways Act*, R.S.O. 1990, c.49 s.1, i.e., poles, wires, conduits, transformers, pipes, pipe lines or any other works, structures or appliances except water mains and sewers under **Group 3** placed on or under a highway by an operating corporation. An operating corporation being defined, under the above noted statute, as a municipal corporation or commission or a company or an individual operating or using a telephone or telegraph service, or transmitting, distributing or supplying electricity or artificial or natural gas for light, heat or power.

Group 2

Group 2 relates to appliances and works as defined under *The Public Service Works on Highways Act*, R.S.O. 1990, c.49 s.1, i.e., poles, wires, conduits, transformers, pipes, pipe lines or any other works, structures or appliances except water mains and sewers under **Group 3** placed on or under a highway by Ontario Hydro, Bell Telephone Company, gas pipeline companies operating under Federal Charter.

Group 3

Group 3 relates to watermains and sanitary sewers placed on or under a highway other than storm sewers (see **Annex D**) and operated by the municipality, municipal corporation, or commission or company or individual.

Annex B: Traffic Control Devices

The installation and improvement costs, on connecting links, of warranted traffic control signals and other approved traffic control devices, as detailed in the Ontario Traffic Manual (OTM), may be eligible for funding.

Traffic Control Signals

1. To qualify for funding all traffic control signal installations must comply with the OTM Book 12 and meet the warrants contained in section 4 of the manual;
2. The traffic control signals must also conform to the requirements of the *Highway Traffic Act*, R.S.O. 1990, Chapter H.8, and more specifically Regulation 626;
3. The installation should meet the technical requirements of the ministry as detailed in the Ontario Provincial Standards and Specifications;
4. Ministry approval of the traffic signal design required for all traffic control signals located on a highway designated as a connecting link as required under section 144(31.1) of the *Highway Traffic Act*;
5. The modernization of traffic control signals that were not eligible upon installation may be approved for funding by the ministry if the conditions set out under the requirements in 1. to 3. above, are met;
6. The installation of traffic control signals, as part of the construction or reconstruction of an entrance or within five years thereafter, is not eligible for funding even when the warrants are met. It is assumed the municipality will recover the cost of the installation of such traffic control signals from the owner or developer served by the entrance;
7. The installation of warranted traffic control signals at an existing entrance, more than five years after the construction or reconstruction of the entrance, is eligible for funding provided all other criteria are met;
8. The municipality agrees to maintain such other traffic controls (e.g., parking restrictions) as may, in the opinion of the ministry, be necessary to ensure the efficient operation of traffic signals and will confirm this in writing;
9. A portion of the capital costs associated with a computerized traffic management system may be eligible for funding. The needs of a traffic management system as it relates to the connecting link will dictate the amount of funding. The municipality needs to justify its request to the ministry. The ministry will review each case and approve the funding, as applicable, based on merit; and
10. New or replacements for traffic control signals and the associated appurtenances must meet accessibility standards as defined in Ontario Regulation 191/11 of the *Accessibility for Ontarians with Disabilities Act*.

Other Traffic Control Devices that may be eligible for funding include:

1. All traffic signs defined in Books 5 and 6 of the OTM, including the French translation;
2. Illuminated signs provided that they are eligible under Books 5 and 6 of the OTM and conform to the standard sign, shape and colour;
3. All miscellaneous traffic devices defined in Book 12 of the OTM;
4. All pavement hazard and delineation markings defined in Book 11;
5. Overhead signs approved by the ministry; and
6. All signs and markings defined in Regulation 615 of the *Highway Traffic Act*.

Note:

- All signs and markings regarding pedestrian crossovers are expected to be moved from Regulation 615 to a new Minister's Regulation which will also include signs and markings for new pedestrian crossing devices for lower speed/ lower volume roads.
- This process is expected to be completed by the middle of 2016 provided that Bill 85, *The Strengthening and Improving Government Act*, 2015 passes in 2015.
- Guidelines for new pedestrian crossing treatment devices will be available in OTM Book 15 when the new regulation comes into force.

Annex C: Illumination

The capital cost for the installation of illumination on connecting links at intersections may be eligible for funding under the following conditions:

1. The intersections have warranted traffic signals,
2. The intersections are unsignalized, fully channelized, and classified as rural intersections, or
3. The highway intersects an unprotected level railway crossing subject to National Transportation Agency Board Order.

A warrant for partial illumination is considered to exist for new municipal installations as follows:

1. Intersections in built-up areas (see *Highway Traffic Act*, R.S.O. 1990 c. H.8, for definition of "built-up" area) with raised medians on all approaches, separate right and left turn lanes, and 4 lanes or more on each approach;
2. Intersections in rural areas ("rural area" is an area not classified as "built-up area") where warranted traffic signals exist, or two 4 lane undivided highways meet and warrants for traffic signals are at least 80% fulfilled, or traffic is channelized by one or more islands;
3. Unprotected municipal highway/rail crossing where the National Railway Transportation Agency has authorized the installation of luminaries. The federal government share will be deducted from the total cost before calculating the funding;
4. Highway tunnels in built-up areas where the tunnel is more than 25 metres long;
5. Design levels for illumination, including materials types and luminaries selected, shall not exceed Ministry of Transportation illumination policy; and
6. Illumination necessitated by adjacent development and illumination at private or commercial entrances is the responsibility of the property owner. Funding is not applicable for the design, construction, or power for illuminating these areas.

Annex D: Drainage

The capital cost for the installation of storm sewers on connecting links may be eligible for funding as set out below.

1. Storm sewer must be an economical alternative to the maintenance of an open ditch with numerous entrance culverts;
2. Storm sewer must be necessary in order to increase the use of an existing right-of-way for roadway purposes;
3. Storm sewer must be necessary in order to increase the traffic carrying capacity of an existing roadway by allowing for parking off the travelled way;
4. The replacement of an existing storm sewer must be for reasons of deterioration or to increase the capacity if the existing storm sewer is less than 700 millimetres diameter;
5. Only the facilities required for the drainage associated with the highway are eligible for funding;

6. Where the diameter of a storm sewer to be installed is greater than 700 millimetres, only that portion of the cost that 700 millimetres bears to the diameter of a circle of equivalent area measured in millimetres of the storm sewer installed, may be eligible for funding;
7. Where an off-take storm sewer or open ditch to an appropriate outlet is required, it may be eligible for funding under the following conditions:
 - 7.1. Where the storm sewer pipe is greater than 700 millimetres, the criterion in 6. above applies; or
 - 7.2. Where an open ditch is used, the cost eligible for funding shall be based on the same percentage that was applied to the last section of storm sewer pipe leading to the open ditch.
8. Where an adequate existing storm sewer is altered to accommodate drainage that is not eligible, such alteration is not eligible for funding;
9. Where a storm sewer on a highway under the jurisdiction of the province is designed to accommodate both the provincial highway drainage needs and those of a connecting link eligible under the Connecting Links Program, only the lesser of the municipality's share of the cost of construction or that amount calculated as in 6. above may be eligible for funding;
10. Where the municipality constructs a storm sewer that is eligible for funding and provides additional capacity for the needs of another municipality that are also eligible for funding, only the amount calculated as in 6. above may be eligible for funding;
11. Sewer covers associated with storm sewer systems may be eligible for funding. Where the outlets from the sewer cover are greater than 700 millimetres in diameter, only that portion of the cost that 700 millimetres bears to the diameter of the outlet pipe in millimetres may be eligible for funding; and
12. Where a storm sewer is installed under the provisions of the *Drainage Act*, R.S.O. 1990, Chapter D.17, the assessment made against the municipality will be eligible for funding subject to the limitations in 11 above.

Annex E: Stormwater Management

The capital cost for the installation of stormwater detention facilities on connecting links may be eligible for funding as detailed below.

1. It will be the responsibility of the municipality to analyse and cost various drainage system alternatives and justify the final selection based on the most economical and environmentally responsible solution. At the request of the municipality, the ministry will provide guidance on the degree of detail required in submissions.
2. The maximum cost of a storm water management system, complete with detention components and/or combined sewer components, to be considered cannot exceed the total cost of a conventional system with continuous, separated, normal size pipes and/or ditches by more than 10% as detention facilities have greater environmental benefits than separated systems. The following provisions apply:
 - 2.1. The maximum cost of a stormwater management system is the unadjusted total cost to the municipality, not just the portion of total cost eligible for road funding;
 - 2.2. A subsystem of a larger system is acceptable for consideration; and
 - 2.3. In a combined sewer system, the cost of providing extra sewage treatment capacity to accommodate the extra flows will be included in the total cost for comparison purposes. However, this cost is not eligible for funding.
3. The eligible costs for funding of the stormwater detention system must be adjusted to pay for only that water associated with the connecting link highway.
4. For a stormwater detention facility to be considered for funding, the detention facility must be justified on the basis that a controlled release of water is necessary to prevent water damage downstream.
5. For ponds and retention tanks with pipe inlets, funding will be based on the "700 millimetres diameter rule" (refer to **Annex D**, section 6) applied to the inlet or the sum of the diameters of the inlets. If an oversized inlet is used the diameter of the first normal size upstream pipe is to be used.
6. The "700 millimetres diameter rule" will be applied to oversized pipes whose purpose is not detention.
7. Where funding is applicable for combined sewers, the capital cost is subject to the "700 millimetres diameter rule".
8. Inlet control of stormwater is accomplished by allowing stormwater to temporary pond upstream of catch basins or other outlets. The water slowly subsides as the storm passes. Inlet control, within the highway, is eligible for funding provided the maximum depth of water accumulation at the travelled edge of the roadway does not exceed 75 millimetres (designers use two year flood), and the ponded water does not present a safety or health hazard.

Annex F: Detailed Design/Engineering Studies

A municipality may submit for funding for detailed design/engineering as part of a proposed construction project. Alternatively, a municipality may submit for funding of detailed design/engineering as a separate project prior to construction. In the case of the latter, the ministry will not guarantee funding for the construction project in the subsequent year. Funding for the construction would be considered along with other projects submitted in the following year.

The ministry reserves the right to assess the components of the proposed detailed design and engineering to determine what scope of work is eligible for funding under the Connecting Links Program.

Applicants choosing to submit for funding of a separate detailed design/engineering study should:

1. Where applicable, include a copy of the preliminary design/engineering report for the proposed project completed by a professional engineer;
2. Include a copy of a proposal for detailed design and engineering, with quoted costs from a professional engineer;
3. Ensure road and bridge designs are undertaken according to the applicable municipal, provincial, federal, or other standards;
4. Include the appropriate scope of work for a detailed design/engineering study. Consideration for design elements may include, but are not limited to the following:
 - Site plans
 - Horizontal and vertical control data
 - Geometric design
 - Horizontal and vertical alignments
 - Pavement design, including life-cycle costing
 - Typical cross-sections
 - Design-cross-sections
 - Earth balance design
 - Grading
 - Drainage – quality and quantity, and storm sewer design
 - Utilities locations and relocations, where applicable
 - Illumination
 - Traffic control devices
 - Electrical design
 - Hydrotechnical design
 - General arrangement drawings (structures)
 - Foundation design
 - Substructure design
 - Superstructure design
 - Barriers, railings, expansion joints, bearings, protection systems
 - Traffic control plan, staging and detours
 - Traffic signing and pavement markings
 - PHM-125 approval
 - Property requirements
5. Ensure that the detail design/engineering study will establish a comprehensive cost estimate to construct the project;
6. Develop a schedule detailing the timing for:
 - Issuing RFP for detail design/engineering study
 - Commencement of detail design/engineering study
 - Completion of detail design/engineering study
 - Proposed timing for construction

Annex G: Contract Administration

It is expected that contract administration tasks will be carried out during project construction to verify:

- a) The work that was done during construction of the project;
- b) The quality of work and materials used during construction of the project, and;
- c) How much it will cost to complete construction of the project.

The contract administrator may be the municipality or a consultant retained by the municipality. Consultant's fees for contract administration services are eligible for funding. If the municipality is acting as contract administrator, the maximum amount allowable for contract administration cannot exceed 10% of total net eligible project costs.

The contract administrator will be responsible to monitor and approve any changes to the scope and costs for construction of the project. The municipality is responsible for any increase in project costs resulting from changes in the work. When changes in the work would be eligible for funding, additional funding may be considered on a case by case basis at the discretion of the ministry. The municipality shall pay all costs not approved by the ministry and all unforeseen costs of the construction work.

Change in the work: means the deletion, extension, increase, decrease or alteration of lines, grades, dimensions, quantities, methods, drawings, changes in the character of the work to be done or the materials of the work or part thereof, within the intended scope of the contract.

Consideration for tasks and services required for contract administration should include, but are not limited to:

- Convene and attend a pre-construction meeting(s)
- Convene and attend construction progress meetings as scheduled
- Prepare and distribute agendas and minutes for all meetings
- Respond to contractor's questions, proposals, and requests for information;
- Prepare and issue all work orders, field orders and change orders
- Prepare and certify monthly progress payment certificates
- Co-ordinate and schedule inspection and testing activities related to quality control/quality assurance for construction materials and work
- Communication of all field and laboratory test results (i.e., compaction) in a timely manner

Contract administration services tasks shall accommodate all aspects of the contract process through the Warranty Period and the Final Completion Certificate.

Appendix 5 – Sustainable Construction Practices

MTO encourages municipalities to consider innovation and the use of sustainable construction practices for connecting link projects.

MTO procurement practices allow the use of recycled and reclaimed materials up to the maximum limits imposed by engineering standards to ensure that such materials are not used inappropriately and do not compromise the longevity of pavements and structures.

If recycled and reclaimed materials are used appropriately, then cost savings can be achieved through conservation of resources, elimination of disposal costs and reduction in energy requirements and greenhouse gas emissions.

Ministry specifications permit recycled/reclaimed materials to be used in lieu of natural aggregates. Examples include reclaimed asphalt pavement (RAP), reclaimed concrete material (RCM), air-cooled blast furnace slag (BFS), granulated blast furnace slag, crushed glass and ceramics and roofing shingle tabs (RST).

For example, Ontario Provincial Standard Specification (OPSS) 1151 (hot mix asphalt) allows up to 40% RAP in hot mix binder courses and up to 20% RAP in premium surface courses. Aggregates for road base and sub-base (OPSS.PROV 1010) may include up to 100% RCM, up to 100% BFS, up to 40% RAP, and up to 15% crushed glass and/or ceramics.

MTO and connecting link municipalities share an interest in ensuring the durability of asphalt applied on connecting links. This can best be accomplished by applying ministry quality of material specifications used on provincial highways.

Standard Specification requirements for the properties for the various grades of Performance Graded Asphalt Cements (PGAC) are given in MTO OPSS 1101, November 2014. Connecting link municipalities should have regard to Special Provision No. 111F09M, February 23, 2015 which requires additional testing requirements (including Extended Bending Beam Rheometer) and acceptance criteria for all PGAC grades. Suppliers of PGAC must be listed as an asphalt cement supplier in MTO's Designated Sources for Materials Manual (DSM).

The additional up-front costs for more sustainable construction practices will be offset by the extended life of connecting link pavement and structures. The use of higher grade construction materials, more rigorous materials testing, contact administration, etc., are eligible for subsidy.

For more information contact your local Ministry of Transportation regional office listed in Section 10.

Appendix 6 – Connecting Link Inventory Requirements

Applicants are required to submit an Excel file or equivalent data file for ministry import into Excel that includes the following information for road sections and structures (three metres in length or greater in direction of traffic) for all connecting links in the municipality.

This information will be used to determine the current state of connecting link infrastructure and the ten year capital improvement needs across the province.

Two data tables are required: Table 1 below lists the road data items and Table 2 lists the structure data items to be included. Please submit only connecting link road/bridge data – no other municipal roads or structures.

Table 1

Road Data Items

Highway Number

Street Name

Municipal Owner

Municipal Location (Community Name)

Section ID Number (Municipal Code)

Section From (Intersecting Street/Landmark)

Section To (Intersecting Street/Landmark)

Length (Metres)

Posted Speed

Class (Urban, Rural, or Urban/Rural)

Number of Lanes (e.g. 2 lanes, 4 lanes, 4 lanes plus median, or 4 lanes plus centre lane)

Number of Parking Spaces (if any)

Number of Traffic Signals or Pedestrian Crossings

Average Annual Daily Traffic

Average Daily Truck Traffic

Geometric Deficiencies (e.g. horizontal, vertical, intersection alignment, small culverts)

Operational Deficiencies (e.g. road width, intersection turning lane, traffic signal)

Pavement Deficiencies (e.g. pavement condition rating – documentation of method required)

Remaining Useful Life (Based on current condition – not year of construction)

Road Survey Date

Deficiency Timeline (Now, 1-5 years, or 6-10 years)

Proposed Project Improvement to address Deficiencies

Project Cost Estimate

Table 2

Structure Data Items

Highway Number

Street Name

Municipal Owner

Municipal Location (Community Name)

Structure ID Number (Municipal Code)

MTO Site Number (if known)

Structure Data Items

Longitude Coordinates

Latitude Coordinates

Structure Category (Bridge or Culvert)

Structure Type (e.g. Deck Truss, Through Truss, etc.)

Overall Length (length in direction of traffic)

Overall Width (width perpendicular to traffic)

Number of Lanes

Posted Weight

Year of Construction

Year of Last Rehabilitation

Structural (e.g. Structure deck, joints, beams, barriers, etc.)

Functional (e.g. Number of lanes, lane width, etc.)

Bridge Connection Index (If available)

Overall Structure Condition (Good, Fair, Poor)

Remaining Useful Life (Based on current condition – not structure age)

Year of Last Inspection (Ontario Structure Inspection Manual or equivalent inspection)

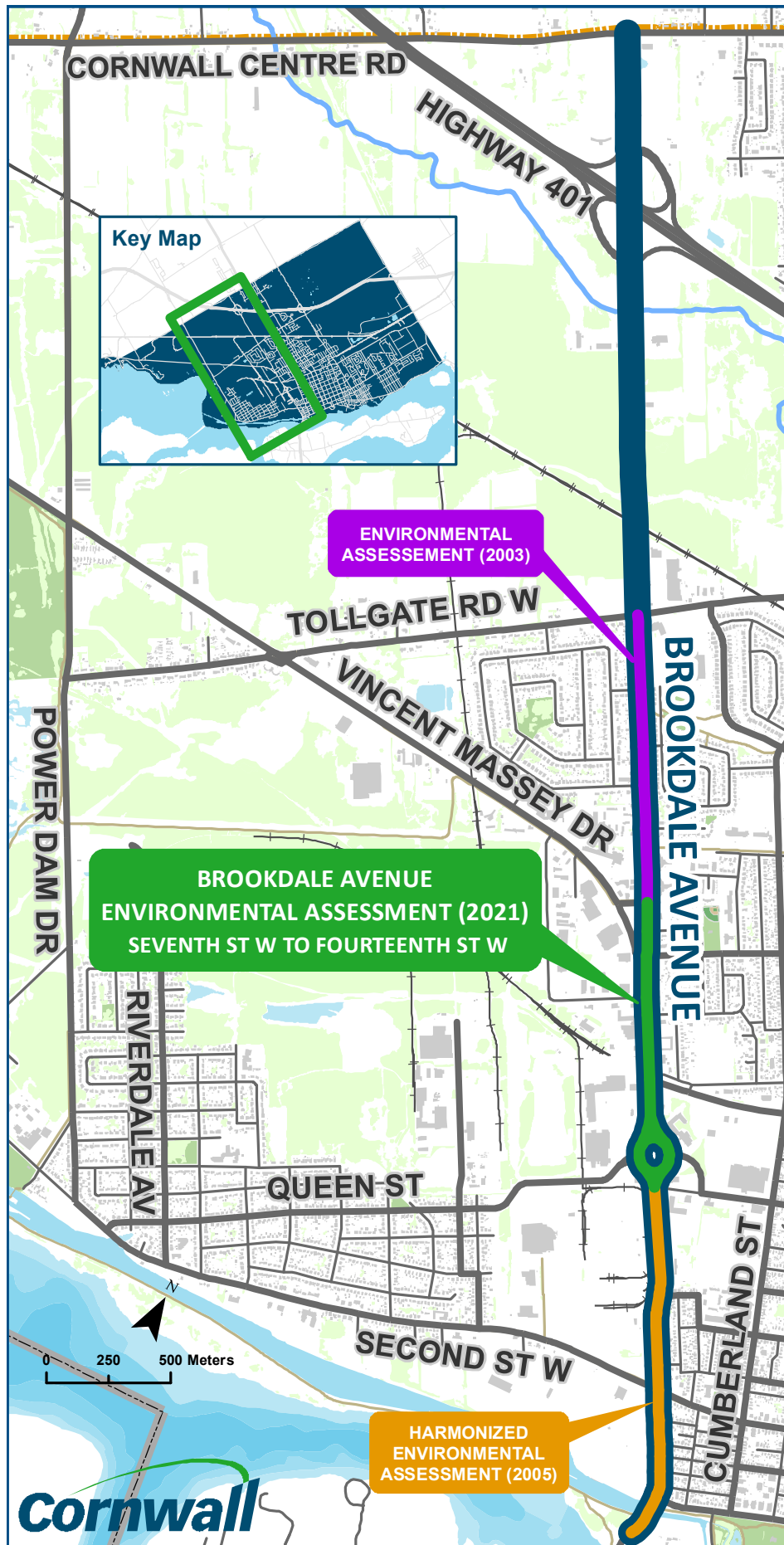
Structural Deficiency Timeline (Now, 1-5 years, or 6-10 years)

Potential Reduced Weight (If the deficiency is not addressed)

Proposed Project Improvement to address Deficiencies

Project Cost Estimate





The Corporation of the City of Cornwall
Regular Meeting of Council
By-law 2021-122

Department: Planning, Development and Recreation
Division: Economic Development
By-law Number: 2021-122
Report Number: 2021-163-Planning, Development and Recreation
Meeting Date: November 8, 2021
Subject: A By-law to authorize The Corporation of the City of Cornwall to enter into a Medical Scholarship Loan Agreement with Karen Poirier

Whereas the Municipal Act, Section 9 provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under the Municipal Act or any other Act; and

Whereas The Corporation of the City of Cornwall under Section 9, has the authority of entering into contracts with private persons and wishes to provide financial assistance to Medical Students, that will establish their medical practice, once graduated, within the City of Cornwall, for the citizens of Cornwall and surrounding area; and

Whereas financial assistance will be provided to those students who will practice medicine in the City of Cornwall, upon successful completion of medical school.

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 Medical Scholarship Loan Agreement with Karen Poirier, medical student, beginning in the calendar year 2021.
2. That the Mayor and Clerk be and are hereby authorized to execute all documents to complete this matter.

Read, signed and sealed in open Council this 8th day of November, 2021.

Manon L. Levesque
City Clerk

Glen Grant
Mayor

Report Approval Details

Document Title:	By-Law 2021-122 Medical Scholarship Agreement Karen Poirier - 2021-163-PDR.docx
Attachments:	
Final Approval Date:	Nov 4, 2021

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

Mark A. Boileau - Nov 3, 2021 - 10:02 PM

Tracey Bailey - Nov 4, 2021 - 8:28 AM

Maureen Adams - Nov 4, 2021 - 9:50 AM

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

Department: Planning, Development and Recreation
Division: Economic Development
Report Number: 2021-164-Planning, Development and Recreation
Prepared By: Mark A. Boileau, General Manager
Meeting Date: November 8, 2021
Subject: Medical Scholarship Loan Agreement, Karen Poirier

Purpose

To provide information to Council on the Medical Scholarship Loan Program, and to recommend a candidate for the 2021 Agreement.

Recommendation

That Council approve Mrs. Karen Poirier as the 2021 Medical Scholarship Loan Program recipient.

Financial Implications

The 2021 Budget includes provisions for the awarding of the 2021 Medical Scholarship Loan Agreement, and the 2022 and subsequent budgets will include amounts to reflect future financial requirements.

Strategic Priority Implications

Medical recruitment efforts are consistent with the City's strategies for ensuring a vibrant and healthy quality of life.

Background / Discussion

The Medical Scholarship Committee met on October 22, 2021 with Mrs. Karen Poirier (Letourneau-Hooper), a candidate for the 2021 Scholarship. The Committee members were unanimously supportive of her application and recommend that she be awarded the 2021 Medical Scholarship.

Originally from Timmins, Ontario, Mrs. Poirier is currently a fourth-year medical student at the North Ontario School of Medicine in Sudbury, Ontario. She has an undergraduate degree and a master's graduate degree in nursing from the University of Ottawa, and a critical care nursing diploma from Algonquin College. She has worked as an intensive care unit (ICU) nurse at Montford Hospital, as a Canada Pension Plan disability medical adjudicator, and a medical adjudicator for Immigrations Canada. In 2018, she began her medical studies with the North Ontario School of Medicine and has completed most of her coursework online during the pandemic. She lives in Cornwall with her family (recently married) and will complete her two-year residency at the Winchester Hospital from July 2022-2024. She intends to open a family medical practice in Cornwall by December 2024.

A Cornwall Medical Scholarship of \$150,000 is usually awarded incrementally over 6 years of medical studies, in the amount of \$25,000 per year. In this situation whereby Mrs. Poirier is in her fourth year of studies, the City of Cornwall would commit \$50,000 in December 2021, which equates to 2 scholarship payments, followed by \$50,000 in 2022 and \$50,000 in 2023. In return, Mrs. Poirier must practice as a family practitioner on a full-time basis within the City, commencing no later than 6 months following medical qualifications, and for the term of a minimum of 5 years. Mrs. Poirier will also undertake hospital privileges at Cornwall Community Hospital and to participate, in a relief capacity, in the hospitalist program.

The Corporation is now in the position to endorse the Medical Scholarship Loan Agreement for 2021, awarding it to Mrs. Poirier, through the corresponding By-law.

Document Title:	Medical Scholarship Agreement With Karen Poirier - 2021-164-PDR.docx
Attachments:	
Final Approval Date:	Nov 3, 2021

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

Mark A. Boileau - Nov 1, 2021 - 8:47 AM

Tracey Bailey - Nov 2, 2021 - 8:58 PM

Maureen Adams - Nov 3, 2021 - 8:10 AM

The Corporation of the City of Cornwall
Regular Meeting of Council
By-law 2021-123

Department: Planning, Development and Recreation
Division: Building and By-law
By-law Number: 2021-123
Report Number: 2021-165-Planning, Development and Recreation
Meeting Date: November 8, 2021
Subject: By-Law to appoint Charles Bray as Chief Building Official

Whereas section 3 of the *Building Code Act*, 1992, c.23, as amended authorizes a municipality to appointment a Chief Building Official and Inspectors;

Whereas section 23.1 of the *Municipal Act*, S.O. 2001, c.25 authorizes a municipality to delegate its powers and duties; and

Whereas section 15 of the *Police Services Act*, 1990, c. P. 15, as amended authorizes a municipality to appoint a Municipal By-Law Enforcement Officer; and

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

1. That Charles Bray is hereby appointed as Chief Building Official, Inspector, Municipal By-Law Enforcement Officer and Property Standards Officer for the Corporation of the City of Cornwall.
2. That the Chief Building Official is authorized to carry out the administrative function of appointing Inspectors and Municipal Law Enforcement Officers, including the function of revoking such appointments under section 3 of the *Building Code Act*, and section 15 of the *Police Services Act*, subject to the following conditions:
 - a. The Chief Building Official maintains an up-to-date list of Inspectors and Municipal Law Enforcement Officers; and

- b. Prior to their appointment, each person for appointment as an Inspector holds the necessary legislated qualification as an Inspector, under the *Ontario Building Code*.
- 3. That By-Law #2020-029 be and is hereby repealed.
- 4. That By-law #2011-010 be and is hereby repealed.

Read, signed, and sealed in open Council this 8th day of November, 2021.

Manon L. Levesque
City Clerk

Glen G. Grant
Mayor

Report Approval Details

Document Title:	By-Law 2021-123 To appoint a Chief Building Official - 2021-165-PDR.docx
Attachments:	
Final Approval Date:	Nov 2, 2021

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

Mark A. Boileau - Nov 2, 2021 - 4:40 PM

Maureen Adams - Nov 2, 2021 - 6:12 PM

The Corporation of the City of Cornwall
Regular Meeting of Council
By-law 2021-124

Department: Infrastructure and Municipal Works
Division: Infrastructure Planning
By-law Number: 2021-124
Report Number: 2021-73-Infrastructure and Municipal Works
Meeting Date: November 8, 2021
Subject: A By-law to amend the Traffic and Parking By-law 069-1989,
Schedule II – Parking Restrictions & Schedule IV – Parking
Restrictions – Time Limits

Whereas City Council endorsed the recommendations of the Parking Working Group for the implementation of additional metered zones; and

Whereas, in order to introduce the aforementioned, it is desirable to amend the Traffic and Parking By-law 069-1989.

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

1. Pursuant to Sections 8, 9 & 11 of the Municipal Act. and amendments;

Schedule VIII, (Parking Meter Zones) of the Traffic & Parking By-law No. 069-1989 and is amended by **adding** thereto the following:

<u>Highway</u>	<u>Side</u>	<u>From</u>	<u>To</u>
Cotton Mill St.	North	A point 60 metres west of McConnell Ave.	A point 80 metres west of McConnell Ave.
Cotton Mill St.	South	Edward St.	McConnell Ave.
Edward St.	West	William St./Cotton Mill St.	Harbour Rd.

2. Schedule II, (Parking Restrictions) of the Traffic & Parking By-law No. 069-1989 and 142-2017 is amended by **repealing** thereto the following:

<u>Highway</u>	<u>Side</u>	<u>From</u>	<u>To</u>
Cotton Mill St.	South	Edward St and a point 95 metres east of Edward St.	Anytime
Edward St.	West	Cotton Mill St. to south limit of Edward St.	Anytime

3. Schedule IV, (Parking Restrictions-Time limits) of the Traffic & Parking By-law No. 069-1989 and 142-2017 is amended by **repealing** thereto the following:

<u>Highway</u>	<u>Side</u>	<u>From</u>	<u>To</u>	<u>Maximum Period Permitted</u>
Cotton Mill Rd.	South	McConnell Ave and a point 95 metres east of Edward St.	Anytime	1 hour

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

Read, signed, and sealed in open Council this 8th day of November, 2021.

Manon L. Levesque
City Clerk

Glen G. Grant
Mayor

Report Approval Details

Document Title:	By-law 2021-124 Amend Traffic and Parking - Parking Meter Zones - 2021-73-IMW.docx
Attachments:	
Final Approval Date:	Nov 3, 2021

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

Bill de Wit - Nov 3, 2021 - 4:01 PM

Maureen Adams - Nov 3, 2021 - 4:56 PM

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: 2021-81-Infrastructure and Municipal Works
Prepared By: Michael Fawthrop, Manager, Infrastructure
Meeting Date: October 25, 2021
Subject: A By-law to amend the Traffic and Parking By-law 069-1989,
Schedule II – Parking Restrictions & Schedule IV – Parking
Restrictions – Time Limits

Purpose

To create additional on-street metered parking zones.

Background / Discussion

City Council endorsed the recommendations of the Parking Working Group for the creation of additional metered parking zones within a commercial area with high parking demand. The creation of the aforementioned will accommodate the demand for parking creating better parking turnover for customers.

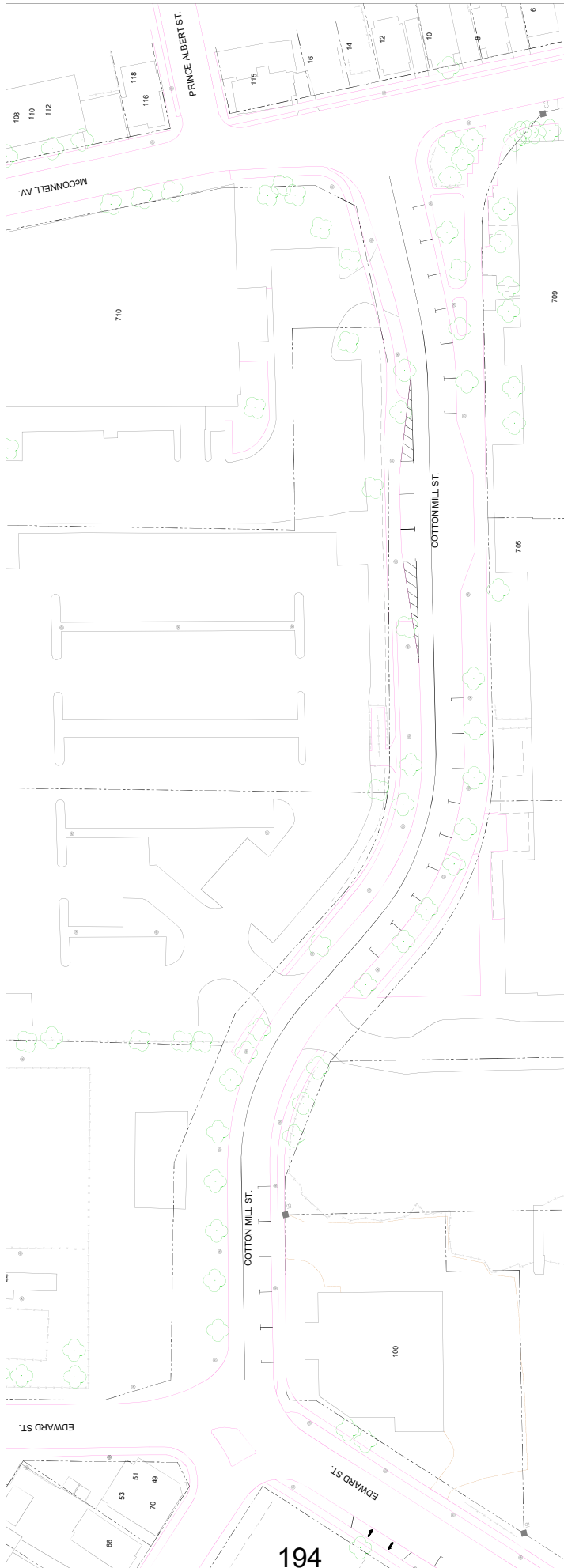
Report Approval Details

Document Title:	Note - Amendment to Traffic and Parking - Parking Metered Zones - 2021-81-IMW.docx
Attachments:	- Map 1.pdf - Map 2.pdf
Final Approval Date:	Nov 3, 2021

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

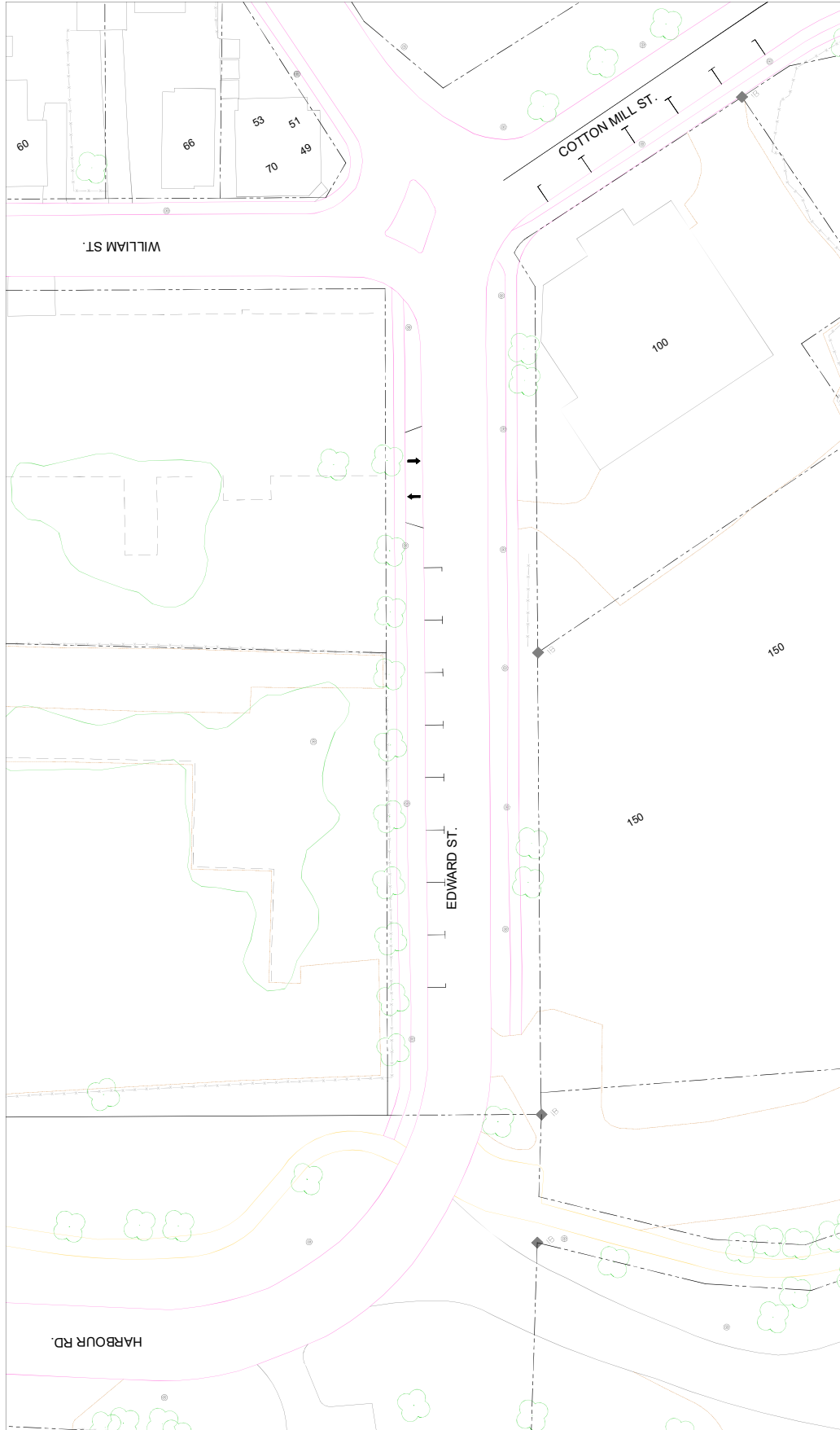
Bill de Wit - Nov 3, 2021 - 4:00 PM

Maureen Adams - Nov 3, 2021 - 4:50 PM



SCALE = 1:250
DATE = JUNE 3, 2021

OPTION 1 : PARKING STALLS W/O CROSSWALK = 22 STALLS



PARKING STALLS = 8 STALLS

SCALE = 1:250
DATE = JUNE 17, 2021

The Corporation of the City of Cornwall
Regular Meeting of Council
Confirming By-law 2021-125

Department: Corporate Services
Division: Clerk's Division
By-law Number: 2021-125
Report Number 2021-138-Corporate Services
Meeting Date: November 8, 2021
Subject: Confirming By-law for the Meeting of November 8, 2021

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 Monday, November 8, 2021.

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 #2021-30 of Monday, October 25, 2021

(ii) Special Public Meeting of Council #2021-31 of Monday, November 1, 2021

(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 #2021-12 of Monday, September 27, 2021

(c) That the actions of the Council at its meetings held on Monday, November 8, 2021, 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 8th day of November, 2021.

Manon L. Levesque
City Clerk

Glen G. Grant
Mayor

Report Approval Details

Document Title:	Confirming By-law for the Meeting of November 8, 2021 - 2021-138-Corporate Services.docx
Attachments:	
Final Approval Date:	Nov 3, 2021

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

Manon L. Levesque - Nov 3, 2021 - 3:16 PM

Geoffrey Clarke - Nov 3, 2021 - 3:17 PM

Maureen Adams - Nov 3, 2021 - 4:47 PM