

The Corporation of the Township of Brock

Council Agenda

Municipal Administration Building

Electronic Meeting

Session Eight

Monday, July 13, 2020

1. **Call to Order & Moment of Silence – Mayor Debbie Bath Hadden – 9:30 a.m.**
2. **Disclosure of Pecuniary Interest and Nature Thereof**
3. **Announcements from Council and Staff - suspended until further notice**
4. **Presentations - suspended until further notice**
5. **Delegations and/or Petitions**

- 1) Mike Walters, Lake Simcoe Region Conservation Authority – 2020 Budget Companions

6. Consent Agenda

a) Adoption of Minutes of Previous Meeting

- 1) 10th Meeting – June 16, 2020

Resolution

That the minutes of the 10th Special Council meeting, as held on June 16, 2020, be approved.

- 2) 10th Meeting – In Camera Session – June 16, 2020

Resolution

That the minutes of the 10th Special Council Closed Session meeting, as held on June 16, 2020, be approved.

- 3) 7th Meeting – June 22, 2020

Resolution

That the minutes of the 7th Council meeting, as held on June 22, 2020, be approved.

- 4) 7th Meeting – In Camera Session – June 22, 2020

Resolution

That the minutes of the 7th Council Closed Session meeting, as held on June 22, 2020, be approved.

b) Reports

- [752](#) Laura Barta – Report: 2020-CO-22, Corporate Credit Card Policy

Resolution

That staff report no. 2020-CO-22, Corporate Credit Card Policy be received for information; and

That Council endorse the implementation of the policy requiring any staff issued a Township credit card to sign the agreement outlining the terms of use.

- 753 Paul Lagrandeur – Report: 2020-CO-24, Tender No. B2020-PW-01 – Rehabilitation of Bridge No. 28

Resolution

That staff report no. 2020-CO-24, pertaining to Tender No. B2020-PW-01 – Rehabilitation of Bridge No. 28 be received;

And further, that Council approve the recommendation to award the tender to Carlington Construction Inc.

- 754 Debbie Vandenaeker – Report: 2020-CO-28, Request for response for a Regional Official Plan Amendment as a result of the severance of a non-abutting surplus farm dwelling

Brock Project No. 03-2020-PL
Brock File No. 03-2020-ROPA
Region File No. OPA 2020-002
Applicant: Clark Consulting on behalf of DS & B Farms Inc.
Location: Part Lot 9, Concession 1 /
C1565 Concession Road 1, Thorah

Resolution

That the following response, along with a copy of this report, be provided to the Region of Durham regarding application OPA 2020-002.

"This is to acknowledge receipt of your correspondence dated February 13, 2020 regarding Regional File Number OPA 2020-002 and your request for comment within 60 days. Due to the COVID-19 pandemic and resulting delays in the public planning processes, the 60-day commenting period was extended.

Please be advised that the Township of Brock has no objection to the above referenced Regional Official Plan Amendment, subject to the following:

- That the requirements of the Township of Brock, financial and otherwise, be satisfied;
- That DS & B Farms purchase the retained 43.3 ha of agricultural lands within 1 year of the ROPA approval from Ed Holder;
- That the rezoning process will prohibit further severance and residential uses on the retained 43.3 ha of agricultural lands;
- That the rezoning process confirm with the Lake Simcoe Region Conservation Authority the zoning preference for the pond and supporting tributary; and
- That the rezoning process will prohibit the "Frame Shed & Kennel" noted on the PPA Sketch from housing livestock or operating as a kennel on the retained 43.3 ha of agricultural lands."

- 755 Debbie Vandenaeker – Report: 2020-CO-27, Request for response for a Land Division Application by the Region of Durham

File No. LD 045/2020
Applicant: Daryl Phoenix
Location: 1841 Cameron Street W., Cannington
Part Lot 19, Concession 12, Township of Brock

Resolution

That the following response, along with a copy of this report, be provided to the Region of Durham regarding application LD 045/2020.

“This is to acknowledge receipt of your correspondence dated June 19, 2020 regarding Regional File Number LD 045/2020 and your request for comment by July 13, 2020. Notice has been provided to the Assistant Secretary-Treasurer that this comment would be received no later than July 15, 2020.

Please be advised that the Township of Brock has no objection to the above referenced Land Division application, subject to:

- Submission of a site plan / sketch showing the full extent of the property municipally known as 1841 Cameron Street W, Cannington to show the full extent of the property, with the existing buildings and marked set-backs from the severance line to verify compliance with the zoning provisions;
- receipt of the Cash in Lieu of parkland payment of \$2500.00, and
- that the requirements of the Township of Brock be satisfied, financially and otherwise.”

756 Debbie Vandenaeker – Report: 2020-CO-26, Request for response for a Land Division Application by the Region of Durham

File No. LD 054/2020
Applicant: Margot Maria Franssen
Location: 27290 Cedarhurst Beach Road, Beaverton
Concession 4, Lot 17

Resolution

That the following response, along with a copy of this report, be provided to the Region of Durham regarding application LD 054/2020.

“This is to acknowledge receipt of your correspondence dated June 19, 2020 regarding Regional File Number LD 054/2020 and your request for comment by July 13, 2020. Notice has been provided to the Assistant Secretary-Treasurer that this comment would be received no later than July 15, 2020.

Please be advised that the Township of Brock has no objection to the above referenced Land Division application, subject to the requirements of the Township of Brock being satisfied, financially and otherwise”.

757 Debbie Vandenaeker – Report: 2020-CO-25, Request for response for a Regional Official Plan Amendment as a result of the severance of a non-abutting surplus farm dwelling

Brock Project No. 02-2020-PL
Brock File No. 02-2020-ROPA
Region File No. OPA 2020-001
Applicant: Clark Consulting on behalf of Darmar Farms / Dale McFeeters
Location: Part Lot 23, Concession 12, Pt 2,
40R-13288 Township of Brock
396 Cameron Street, Cannington

Resolution

That the following response, along with a copy of this report, be provided to the Region of Durham regarding application OPA 2020-001.

“This is to acknowledge receipt of your correspondence dated March 4, 2020 regarding Regional File Number OPA 2020-001 and your request for comment within 60 days. Due to the COVID-19 pandemic and resulting delays in the public planning processes, the 60-day commenting period was extended.

Please be advised that the Township of Brock has no objection to the above referenced Regional Official Plan Amendment, subject to the following:

- That the requirements of the Township of Brock, financial and otherwise, be satisfied;
- That the severed portion of the application be rezoned with an RU-X zoning to provide for the front-yard and centerline set-back deficiencies; and
- That the rezoning process will prohibit further severance and residential uses on the retained 22.23 ha of agricultural lands.”

Correspondence

- 693 City of Oshawa – Recommendation re: Licensing Payday Loan Establishments

Resolution

That communication no. 693 be received for information and filed.

- 696 Gary Brethour, Sunderland Minor Baseball Association – Request to install an outdoor water fill station at the Sunderland Ball Park

Resolution

That communication no. 696 be received; and further that Council have no objection to the request as contained in communication no. 696.

- 701 Town of Ajax – Resolution: Alternatives to Institutionalization of Older Adults

Resolution

That communication no. 701 be received for information and filed.

- 717 Freya Hansen – Dangerous intersection at Main Street and Mara Road, Beaverton

Resolution

That communication no. 717 be received; and further that the communication be referred to staff for a report.

- 722 Bruce Thaxter – Installation of culverts located on the 4^h Concession and Thorah Sideroad / flooding the Jackson property located at B27235 Thorah Sideroad

Resolution

That communication no. 722 be received for information and filed.

- 724 The Regional Municipality of Durham – Recommendations re: Bill 156, Security from Trespass and Protecting Food Safety Act, 2019 (2020-EDT-5)

Resolution

That communication no. 724 be received for information and filed.

- 728 The Regional Municipality of Durham – Recommendations re: Proposed Employment Area Conversion Criteria and Submission Review Process (2020-P-11)

Resolution

That communication no. 728 be received for information and filed.

- 730 The Regional Municipality of Durham – Recommendations re: Residential Energy Retrofit – Durham Home Energy Saving Program

Resolution

That communication no. 730 be received for information and filed.

- 733 Dr. Gerry Laudanski – Request for reduced rent for September and October

Resolution

That communication no. 733 be referred to staff and provide an update at the August 10, 2020 Council meeting.

- 738 Gerald J. Green – Requesting funds from the Township to cover the cost of pruning a lilac hedge due to damage caused by the Township

Resolution

That communication no. 738 be received for information and filed.

- 761 City of Pickering – Resolution: Call to Action (Public Inquiry) – Second Request – Urgent

Resolution

That communication no. 761 be received, and further that the Township of Brock endorse the City of Pickering's Resolution re. Call to Action (Public Inquiry).

- 764 City of Pickering – Resolution: Official Opposition Statement on Municipal Financial Support

Resolution

That communication no. 764 be received for information and filed.

- 765 The Cannington Figure Skating Club – Request a \$2,000 ice fee forgiveness

Resolution

That communication no. 765 be received for information and filed.

- 766 Lisa McConnell – Speeding on Beaver Ridge Drive, Cannington

Resolution

That communication no. 766 be referred to staff for a report.

- 767 Becky Jamieson, Municipal Clerk – Interoffice Memorandum – Letter of Support to Brock Community Health Centre

Resolution

That communication no. 767 be received; further that the Township of Brock provide a letter of support to the Brock CHC's application to the CELHIN for an increase in base funding for primary care positions that would support Dr. Laudanski's patient roster after his retirement; and that staff investigate opportunities for doctor recruitment and costs of such and report back.

c) Reports of Committees

d) Motions

e) By-laws

- 1) By-Law Number 2958-2020 – Being a by-law to appoint a Municipal Law Enforcement Officer for the Corporation of the Township of Brock pursuant to Section 15 of the Police Services Act, R.S.O. 1990, as amended.

Resolution

That By-law Number 2958-2020, to appoint a Municipal Law Enforcement Officer for the Corporation of the Township of Brock, pursuant to Section 15 of the Police Services Act, R.S.O. 1990, as amended., be read a first, second and third time and passed in open Council and that the Mayor and Clerk were authorized to sign the by-law on behalf of the municipality and to have same engrossed in the by-law book.

f) Confirm the following

- [REDACTED]
- [REDACTED]
- [REDACTED]

Resolution

That Brock Township Council acknowledge the following:

- [REDACTED]
- [REDACTED]
- [REDACTED]

7. Items Extracted from Consent Agenda

8. Notices of Motions

9. Other Business

- 1) Becky Jamieson – Update on extended patios

10. Public Questions and Clarification - suspended until further notice

11. Closed Session

- 1) **Ralph Walton, CAO**
Report: 2020-CO-29, Change in Status of Employment – Director of Public Works
(Confidential Communication No. 768)

Pursuant to Section 239(2)(b) of the Municipal Act, 2001 to discuss personal matters about an identifiable individual, including municipal or local board employees.

- 2) **Becky Jamieson, Municipal Clerk**
Request to Waive Requirements in By-law No. 2722-2017-AP
(Confidential Communication Nos. 687, 633, 688)

Pursuant to Section 239(2)(b) of the Municipal Act, 2001 to discuss personal matters about an identifiable individual, including municipal or local board employees.

Pursuant to Section 239(2)(f) of the Municipal Act, 2001 to discuss advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

- 3) **Tom Moutsatsos, Hicks Morley Hamilton Stewart Storie LLP**
Personnel Matter
(Confidential Communication No. 758)

Pursuant to Section 239(2)(b) of the Municipal Act, 2001 to discuss personal matters about an identifiable individual, including municipal or local board employees.

Pursuant to Section 239(2)(f) of the Municipal Act, 2001 to discuss advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

12. Confirmation By-law

By-law Number 2957-2020 – to confirm the proceedings of the Council of the Corporation of the Township of Brock at its meetings held on July 13, 2020.

Resolution

That By-law Number 2957-2020, being a by-law to confirm the proceedings of the Council of the Corporation of the Township of Brock at its meeting held on July 13, 2020, be read a first, second and third time and passed in open Council and that the Mayor and Clerk were authorized to sign the by-law on behalf of the municipality and to have same engrossed in the by-law book.

13. Adjournment

The Corporation of the Township of Brock

Special Council Meeting Minutes

Electronically

Session Ten

Tuesday, June 16, 2020

The Tenth Meeting of the Council of the Township of Brock, in the Regional Municipality of Durham, was held on Tuesday, June 16, 2020, electronically.

Members present:	Mayor:	Debbie Bath-Hadden
	Regional Councillor:	W.E. Ted Smith
	Councillors:	Michael Jubb
		Claire Doble
		Walter Schummer
		Cria Pettingill
		Lynn Campbell

Staff members:	Municipal Clerk Becky Jamieson (recording the minutes) Deputy Clerk Deena Hunt
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1. Call to Order and Moment of Silence

Mayor Bath-Hadden called the meeting to order at 10:30 a.m. She extended condolences to the Director of Public Works and his family in the loss of his father.

2. Disclosure of Pecuniary Interest and Nature Thereof

None

3. Delegations

None

4. Consideration of Business for which Notice was Given

(a) Staff Report

Becky Jamieson, Report: 2020-CO-21, BROCK-RFP No. 2020-01 – Organizational Review

The Clerk provided a summary of the actions taken to date with respect to the Request for Proposal for an Organizational Review. She advised that the company recommended within the report has advised that they would optimize resources based on the Township's budget for this review inclusive of multiple interviews and stakeholder engagements.

There was discussion with respect to the funding received from the Province for this initiative.

Resolution Number 1-10

MOVED by Claire Doble and SECONDED by Lynn Campbell THAT Report: 2020-CO-21 be received and further, that Council award the Organizational Review RFP to Performance Concepts Consulting.

MOTION CARRIED

(b) Closed Session

Resolution Number 2-10

MOVED by W.E. Ted Smith and SECONDED by Lynn Campbell THAT Council move in camera at 9:30 a.m. pursuant to Section 239(2)(b) of the Municipal Act,

2001, to discuss to discuss personnel matters about an identifiable individual, including municipal employees.

MOTION CARRIED

(1) Personnel Matter

Pursuant to Section 239(2)(b) of the Municipal Act, 2001, to discuss personnel matters about an identifiable individual, including municipal employees

Resolution Number 3-10

MOVED by W.E. Ted Smith and SECONDED by Michael Jubb that we rise from in camera at 10:40 a.m.

MOTION CARRIED

Resolution Number 4-10

MOVED by Cria Pettingill and SECONDED by Walter Schummer that the directions of Council given in closed session be adopted.

MOTION CARRIED

Resolution Number 5-10

MOVED by Claire Doble and SECONDED by Lynn Campbell that Council appoint Ralph Walton as an Acting CAO for the Township of Brock and that the by-law be brought forward to appoint him.

MOTION CARRIED

(c) By-laws

- (1) By-Law Number 2954-2020 – being a By-law to appoint a Chief Administrative Officer for the Corporation of the Township of Brock pursuant to Section 228(2) and Section 229 of the Municipal Act, S.O. 2001, as amended

Resolution Number 6-10

By-law Number 2954-2020 – being a By-law to appoint a Chief Administrative Officer for the Corporation of the Township of Brock pursuant to Section 228(2) and Section 229 of the Municipal Act, S.O. 2001, as amended, was read a first, second and third time and passed in open Council. The Mayor and Clerk were authorized to sign the by-law on behalf of the municipality and to have same engrossed in the by-law book.

5. Public Questions

Suspended until further notice.

6. Confirmation By-law

By-law Number 2953-2020 – to confirm the proceedings of the Council of the Corporation of the Township of Brock at its meeting held on June 16, 2020

Resolution Number 7-10

By-law Number 2953-2020 – to confirm the proceedings of the Council of the Corporation of the Township of Brock at its meeting held on June 16, 2020, was read three times and passed in open Council. The Mayor and Clerk were authorized to sign the by-law on behalf of the municipality and to have same engrossed in the by-law book.

7. Adjournment

Resolution Number 8-10

MOVED by Michael Jubb and SECONDED by W.E. Ted Smith that we do now adjourn at 10:44 a.m.

MOTION CARRIED

MAYOR

CLERK

The Corporation of the Township of Brock

Council Minutes - Draft

Electronically

Session Seven

Monday, June 22, 2020

The Seventh Meeting of the Council of the Township of Brock, in the Regional Municipality of Durham, was held on Monday, June 22, 2020, electronically.

Members present: Mayor: Debbie Bath-Hadden
Regional Councillor: W.E. Ted Smith
Councillors: Michael Jubb
Claire Doble
Walter Schummer
Cria Pettingill
Lynn Campbell

Staff Members present: Municipal Clerk Becky Jamieson
(recording the minutes)
Deputy Clerk Deena Hunt
CAO Ralph Walton
Treasurer Laura Barta
Director of Public Works Paul Lagrandeur
Facilities Coordinator Craig Belfry
Chief Building Official Richard Ferguson at 3:00 p.m.

1. Call to Order and Moment of Silence

Mayor Bath-Hadden called the meeting to order at 9:30 a.m. On behalf of Council she advised that June 21 would be proclaimed as National Indigenous Peoples Day and that June 21 – 27, 2020 would be proclaimed National Indigenous Peoples Week in the Township of Brock.

Mayor Bath-Hadden advised that Mr. Ralph Walton, Regional Clerk and Director of Legislative Services in Durham Region would be joining the Township in the role of Acting CAO.

2. Disclosure of Pecuniary Interest and Nature Thereof

Councillor Lynn Campbell declared a pecuniary interest with respect to the minutes of the June 8 Council meeting, and Closed Session communication numbers 687, 633, and 688, as she is related to someone mentioned in these correspondences and refrained from any discussion or voting on the matters.

3. Announcements from Council and Staff

Suspended until further notice.

4. Presentations

Suspended until further notice.

5. Hearing of Delegations and/or Petitions

None

6. Consent Agenda

Resolution Number 1-7

MOVED by W.E. Ted Smith and SECONDED by Michael Jubb that the items listed in Section 6, Consent Agenda (a) through (g) be approved save and except communication numbers 671, 692, 689, 677, 685, and 691.

MOTION CARRIED

Councillor Campbell refrained from any discussion or voting on Resolution Number 1-7.

(a) Adoption of Minutes of Previous Meetings

(1) 8th Special Council meeting – May 29, 2020

Resolution Number 2-7

That the minutes of the 8th Special Council meeting as held on May 29, 2020, be approved.

(2) 8th In Camera Session – May 29, 2020

Resolution Number 3-7

That the minutes of the in camera session of the 8th Special Council meeting as held on May 29, 2020, be approved.

(3) 9th Special Council meeting – June 2, 2020

Resolution Number 4-7

That the minutes of the 9th Special Council meeting as held on June 2, 2020, be approved.

(4) 9th In Camera Session – June 2, 2020

Resolution Number 5-7

That the minutes of the in camera session of the 9th Special Council meeting as held on June 2, 2020, be approved

(5) 6th meeting – June 8, 2020

Resolution Number 6-7

That the minutes of the 6th Council meeting as held on June 8, 2020, be approved.

(6) 6th In Camera Session – June 8, 2020

Resolution Number 7-7

That the minutes of the in camera session of the 6th Council meeting as held on June 8, 2020, be approved

(b) Reports

690 Laura Barta – Report: 2020-CO-19, COVID-19 – Update on Tax Impacts

Resolution Number 8-7

That Council request the Regional Municipality of Durham allow for additional time to pay the July installment to ensure the Township has time to collect the funds once the state of emergency has been rescinded;

That Council authorize the Treasurer to waive penalty and interest as stipulated in the 2020 Final Property Tax By-law #2944-2020 for an additional 30 day period starting with the July 1st Penalty; and,

That the Treasurer be directed to continue to track the cost of these relief measures in the event funding becomes available.

(c) Correspondence

659 Rockin Burger and Pub – Application for a Liquor Sales Licence

Resolution Number 9-7

That communication number 659 be received; and further that Council have no objection to the request as contained therein.

684 Warren Fisher – Speeding in Ethel Park (Victoria Street)

Resolution Number 10-7

That communication number 684 be received; and further that the communication be referred to staff for a report on the feasibility of the request.

694 Cole Fox – Requesting funds from Township to cover the cost of replacing a hedge

Resolution Number 11-7

That communication number 694 be received for information and filed.

705 Gord Kirby – Request to temporarily "block off" the very top North end of Terry Clayton Avenue, Beaverton for Seven Meadows Canada Day Block Party

Resolution Number 12-7

That the request contained within communication number 705 be denied.

(d) Reports of Committees

None

(e) Motions

None

(f) By-Laws

- (1) By-Law Number 2955-2020 – being a by-law to authorize the Regional Municipality of Durham (the "Region") to issue an internal debenture in the principal amount of \$1,000,000 as long-term financing for the Sunderland Fire Hall and to forward a written request to the Region to do so.

Resolution Number 13-7

By-law Number 2955-2020 – being a by-law to authorize the Regional Municipality of Durham (the "Region") to issue an internal debenture in the principal amount of \$1,000,000 as long-term financing for the Sunderland Fire Hall and to forward a written request to the Region to do so, was read a first, second and third time and passed in open Council. The Mayor and Clerk were authorized to sign the by-law on behalf of the municipality and to have same engrossed in the by-law book.

(g) Confirm the Following:

None

7. Items Extracted from Consent Agenda

Items were extracted from (b) Reports and (c) Correspondence.

671 Alicia Bagshaw – Report: 2020-PWF-06, Arena Advertising Program Review

Discussion ensued with respect to staff assuming the facility advertising program which historically was managed by volunteers from the user groups.

Resolution Number 14-7

MOVED by W.E. Ted Smith and SECONDED by Lynn Campbell That Report: 2020-PWF-06, Arena Advertising Program Review be received for information;

That Council authorize staff to revise and rename the User Group Advertising Policy;

That the coordination and collection of facility advertising be assumed by Township staff;

And, further, that 100% of the revenue generated be facility advertising by the municipality remain with the Township of Brock.

MOTION CARRIED

692 Craig Belfry – Report: 2020-CO-17, Cannington Arena Outer Structure Removal Feasibility

There was discussion with respect to a structural assessment of the Cannington arena prior to replacing the roof and the anticipated Sunderland arena renovation project to be partially funded by the Province which would increase the usage of the Cannington and Beaverton arenas. Council noted that a future discussion would consider all options for the municipal arenas.

Resolution Number 15-7

MOVED by W.E. Ted Smith and SECONDED by Cria Pettingill That Report: 2020-CO-17, Cannington Arena Outer Structure Removal Feasibility, be received for information.

MOTION CARRIED

689 Laura Barta – Report: 2020-CO-18, Debenture Issue

There was discussion with respect to financing the cost for legal and other fees for this debenture through the Development Charges Reserve Fund for Fire Services. It was noted that repayment of the debenture from the Capital Reserve Fund would be closely monitored and would not have implications on future capital projects.

Resolution Number 16-7

MOVED by Michael Jubb and SECONDED by Cria Pettingill That Report: 2020-CO-18, Debenture Issue, be received for information;

That the Regional Municipality of Durham (the “Region”) be asked to approve the passing of a by-law authorizing the issuance of a debenture as internal borrowing in the amount of \$1,000,000 for a ten year period to finance the balloon payment due on the Sunderland Fire Hall debenture;

That costs associated with the issuance of the debenture be funded from the Development Charges Reserve Fund for Fire Services; and,

That the debenture issued as internal borrowing be funded from the Township of Brock’s Capital Reserve Fund.

MOTION CARRIED

677 Brock Board of Trade – Request for funding assistance for the 2020 Tourism Summer Student Position

There was discussion with respect to the Township’s inability to provide financial support for the summer student for tourism for the 2020 season due to unexpected costs arising from the pandemic. It was noted that the Township was unsuccessful with their Canada Summer Students Job application but that BBOT were successful with their application. The Clerk advised that the Township and BBOT would continue to work together this summer on various initiatives.

Resolution Number 17-7

MOVED by Michael Jubb and SECONDED by Walter Schummer That Communication number 677 be received for information and filed.

MOTION CARRIED

685 Laura Croft – Request to Operate Food Truck

Resolution Number 18-7

MOVED by Michael Jubb and SECONDED by Claire Doble That Communication number 685 be received; and Further that Council approve the request contained therein.

The Clerk provided a summary of events with respect to this application noting that staff had attended the location on two prior occasions advising that a licence is required to operate and requesting that Ms. Croft cease operation until such time as a licence is obtained. She further noted that Ms. Croft has been licenced in prior years for a chip truck and is familiar with the process and requirements.

Discussion ensued with respect to By-law Number 2382-2011-PP, which governs the licensing of vehicles from which refreshments are sold for consumption by the public within the Township, the process to apply for a licence and importance of following the by-law for public safety, and that the fee for the licence includes the Brock Fire Department inspection.

Regional Councillor Smith requested a recorded vote.

Resolution Number 18-7

MOVED by Michael Jubb and SECONDED by Claire Doble That Communication number 685 be received; and Further that Council approve the request contained therein.

Recorded Vote

Yeas

Michael Jubb
Claire Doble
Cria Pettingill
Debbie Bath-Hadden

Nays

Lynn Campbell
Walter Schummer
W.E. Ted Smith

MOTION CARRIED

Resolution Number 19-7

MOVED by Claire Doble and SECONDED by Lynn Campbell That Council break for a recess at 11:25 a.m.

MOTION CARRIED

Mayor Bath-Hadden reconvened the meeting at 11:35 a.m. with the same members of Council and staff in attendance.

691 Craig Belfry – Report: 2020-CO-20, Commemorative Celebration Program

There was discussion with respect to staff, donors, and business owners agreeing on a location for the bench. It was noted that accessibility of the bench for those with ability challenges should be a consideration.

Resolution Number 20-7

MOVED by Claire Doble and SECONDED by Cria Pettingill That Report: 2020-CO-20, Commemorative Celebration Program be received; That staff recommends to Council that the draft Commemorative Celebration Program

application and guidelines be approved; And further, that staff recommends to Council that the proposed fees for the Commemorative Celebration Program be approved.

MOTION CARRIED

Resolution Number 21-7

MOVED by Claire Doble and SECONDED by Lynn Campbell That Council break for a recess at 11:52 a.m.

MOTION CARRIED

Mayor Bath-Hadden reconvened the meeting at 11:57 a.m. with the same members of Council and staff in attendance.

Resolution Number 22-7

MOVED by Claire Doble and SECONDED by W.E. Ted Smith That Council waive the Rules of Procedure to reconsider a matter on the agenda.

Mayor Bath-Hadden requested a recorded vote.

Recorded Vote

Yeas

Lynn Campbell
Claire Doble
Mike Jubb
Cria Pettingill
Walter Schummer
W.E. Ted Smith

Nays

Debbie Bath-Hadden

MOTION CARRIED

Resolution Number 23-7

MOVED by Claire Doble and SECONDED by W.E. Ted Smith That Communication number 694 be re-opened for reconsideration.

Mayor Bath-Hadden requested a recorded vote.

Recorded Vote

Yeas

Lynn Campbell
Claire Doble
Mike Jubb
Cria Pettingill
Walter Schummer
W.E. Ted Smith

Nays

Debbie Bath-Hadden

MOTION CARRIED

694 Cole Fox – Requesting funds from Township to cover the cost of replacing a hedge

Resolution Number 24-7

MOVED by Claire Doble and SECONDED by Michael Jubb That Council approve the request for funds to replace the hedge.

Discussion ensued with respect to the encroachment of the hedge onto municipal property resulting in complaints by pedestrians, the severity of the hedge trimming, and plans to remove the stumps and seed the area.

Mayor Bath-Hadden requested a recorded vote.

Resolution Number 24-7

MOVED by Claire Doble and SECONDED by Michael Jubb That Council approve the request for funds to replace the hedge.

Recorded Vote

Yeas

Claire Doble
Cria Pettingill

Nays

Lynn Campbell
Michael Jubb
Walter Schummer
W.E. Ted Smith
Debbie Bath-Hadden

MOTION LOST

Resolution Number 25-7

MOVED by Walter Schummer and SECONDED by Lynn Campbell That Council break for a recess at 12:34 p.m.

MOTION CARRIED

Mayor Bath-Hadden reconvened the meeting at 1:10 p.m. with the same members of Council and staff in attendance.

Resolution Number 26-7

MOVED by Lynn Campbell and SECONDED by Cria Pettingill That Communication Number 694 be received for information and filed.

MOTION CARRIED

8. Notices of Motions

- (1) Notice of Reconsideration – Communication Number 627 (Brenda Andress)

Resolution Number 27-7

MOVED by Cria Pettingill and SECONDED by W.E. Ted Smith That the requests contained in Communication Number 627 be opened for reconsideration.

MOTION CARRIED

Discussion ensued with respect to the vagueness of the request and the assumption that funding was being requested for the missing portion of fence located on the property line.

Resolution Number 28-7

MOVED by Cria Pettingill and SECONDED by Michael Jubb That Council request a staff report to come to the July 13, 2020 Council meeting.

MOTION LOST

Resolution Number 29-7

MOVED by W.E. Ted Smith and SECONDED by Lynn Campbell That Communication Number 627 be received for information and that staff inform the resident that the Township would not be participating the repair of the fence.

MOTION CARRIED

9. Other Business

(1) Councillor Michael Jubb

Councillor Jubb requested clarification on the Beaverton Harbour Park Pass program and was advised that local residents who apply for a pass would be permitted to use the harbour beach area subject to social distancing and that a Frequently Asked Questions sheet would be developed. He enquired whether all Brock beaches would be opened on July 6, 2020 and was advised that the Emergency Management Team would address this request. There was discussion with respect to the condition of the pavement at the end of Morrison Avenue.

Councillor Jubb expressed concern for the status of patio extensions for Brock businesses and was advised that staff are addressing each request and ensuring due diligence is exercised for public safety. Further discussion ensued with respect to Provincial policy and municipal policy in this regard.

At this point the video streaming failed.

Resolution Number 30-7

MOVED by Claire Doble and SECONDED by Walter Schummer That Council break for a recess at 2:20 p.m.

MOTION CARRIED

Mayor Bath-Hadden reconvened the meeting at 2:25 p.m. upon reconnection of the video streaming with the same members of Council and staff in attendance.

There was discussion with respect to staff improving communications to businesses, the mistreatment of staff by some businesses, and the limited resources to address all issues as a result of the pandemic.

(2) Councillor Claire Doble

Councillor Doble enquired as to the harbour dredging and was advised that the main harbour does not require dredging, and the outer area would be dredged after July 15 in accordance with Fisheries and Oceans Canada. There was discussion with respect to the Beaverton Harbour Splashpad repairs, abutment removal at the bridge on Mara Road during the Region's rehabilitation of that bridge,

(3) Clerk

The Clerk provided an update on the Brock Emergency Response Benefit program and recommended a staff report be brought forward which would consider revised intake guidelines for the remainder amount that was not disbursed during the initial intake.

10. Public Questions and Clarification

Suspended until further notice.

11. Closed Session

Resolution Number 31-7

MOVED by W.E. Ted Smith and SECONDED by Cria Pettingill that Council move in camera at 3:07 p.m. pursuant to Section 239(2)(b) of the Municipal Act, 2001, to discuss personal matters about an identifiable individual, including municipal or local board employees; and Section 239(2)(f) of the Municipal Act, 2001, to discuss advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

MOTION CARRIED

- (1) Ralph Walton, Acting CAO – Plans for 3-6 months

Pursuant to Section 239(2)(b) of the Municipal Act, 2001 to discuss personal matters about an identifiable individual, including municipal or local board employees.

- (2) Richard Ferguson, Chief Building Official - Personnel Matter (Confidential Memorandum – Communication number 675)

Pursuant to Section 239(2)(b) of the Municipal Act, 2001 to discuss personal matters about an identifiable individual, including municipal or local board employees.

Councillor Campbell left the meeting at 3:33 p.m.

- (3) Becky Jamieson, Municipal Clerk – Request to waive requirements in By-law number 2722-2017-AP (Confidential communication numbers 687, 633, 688)

Pursuant to Section 239(2)(b) of the Municipal Act, 2001 to discuss personal matters about an identifiable individual, including municipal or local board employees.

Pursuant to Section 239(2)(f) of the Municipal Act, 2001 to discuss advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

Staff left the meeting at 3:55 p.m. with the exception of the Clerk.

- (4) Becky Jamieson, Municipal Clerk – Personnel matter (Confidential communication)

Pursuant to Section 239(2)(f) of the Municipal Act, 2001 to discuss advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

Resolution Number 32-7

MOVED BY W.E. Ted Smith and SECONDED by Claire Doble that we rise from in camera at 4:07 p.m.

MOTION CARRIED

12. Confirmation By-law

By-law Number 2956-2020 – to confirm the proceedings of the Council of the Corporation of the Township of Brock at its meeting held on June 22, 2020

Resolution Number 33-7

By-law Number 2956-2020 – to confirm the proceedings of the Council of the Corporation of the Township of Brock at its meeting held on June 22, 2020, was read three times and passed in open Council. The Mayor and Clerk were authorized to sign the by-law on behalf of the municipality and to have same engrossed in the by-law book.

13. Adjournment

Resolution Number 34-7

MOVED by Claire Doble and SECONDED by Walter Schummer that we do now adjourn at 4:09 p.m.

MOTION CARRIED

MAYOR

CLERK

Reports



THE CORPORATION OF THE TOWNSHIP OF BROCK

Finance Department

Treasurer to Council

Report: 2020-CO-22

Date: July 13, 2020

SUBJECT

Corporate Credit Card Policy

RECOMMENDATION

That the Council receive report 2020-CO-22, Corporate Credit Card Policy for information; and

That Council endorse the implementation of the policy requiring any staff issued a Township credit card to sign the agreement outlining the terms of use.

ATTACHMENTS

Corporate Credit Card Policy Document with Employee Agreement

REPORT

Background

The Township of Brock has utilized corporate credit cards for minor purchases as a matter of course for many years. Initially the credit cards were issued primarily for Department Heads to cover minor expenses and travel related costs. With the changes in the economy and the increase in online purchases or registrations, the use of credit cards is becoming a standard method of payment. Having credit cards only available through a department head has been found to be inconvenient and often not efficient. To address the inconvenience and inefficient issues, additional credit cards have been issued to staff for specific purposes. These cards include fuel purchase cards and the current Corporate Visa card.

This policy document has not been designed to apply to the use of fuel cards. The use of these cards is by design limited to fuel for the Township vehicle the card is assigned to. The use of these cards has also been somewhat reduced by the installation of fuel tanks at the Works Depot in Beaverton.


The policy document applies to the current Corporate Visa cards issued to staff by TD Canada Trust. It is understood that should the Township change its banking relationship requiring a new corporate credit card to be issued from another financial institution, the policy would apply to the new card in the same manner as the old.

As detailed in the policy document, the issuing of a corporate credit card in an employee's name is a privilege that comes with an obligation to act in the best interest of the Township. Currently corporate credit cards are issued to Department Heads, their Deputies, and mid-level management with purchasing responsibilities. Other staff may be authorized if, in the opinion of the Department Head, the use of a credit card is warranted.

Until recently no formal policy was deemed necessary however with the changes in staff over the last few years and the increase in the number of credit cards issued it is critical that users understand their responsibilities related to the credit cards assigned. Having clear processes and procedures in place will ensure issues are reported and dealt with in a consistent fashion.

Conclusion

The approval and implementation of a Corporate Credit Card policy will provide staff with the details needed to ensure the cards are used appropriately and responsibly while protecting the interests of the Township of Brock.



Laura E. Barta, CPA, CMA
Treasurer

Reviewed by,



Ralph Walton
Acting Chief Administrative Officer



Township of Brock – Corporate Credit Card Use Policy

1. Background

The Corporation of the Township of Brock is committed to providing service to residents in a fiscally responsible manner. With this commitment in mind, Township staff are required to follow procurement policies and procedures as outlined in Procurement By-law 1912-2004-FI. This By-law details the requirements for procurement depending on the value of the purchase. This By-Law, together with the annual operating and capital budgets, govern the procurement of goods and services for the Township.

The Township of Brock can make payment to vendors in many different formats including corporate cheque, bank transfer, preauthorized payment withdrawal, corporate credit card and when appropriate cash. The most common payment method has always been corporate cheque, however the use of a corporate credit card to pay for products and services is becoming increasingly popular.

2. Purpose

The purpose of this policy is to establish consistent principles, standards and guidelines for the issuing and use of a Corporate Credit Card on behalf of the Township of Brock.

3. Scope and Responsibility

The Treasurer is responsible for the maintenance and reporting on the activity in these accounts in accordance with the existing banking agreements, procurement policies and Council direction.

4. Definitions

In this policy the following definitions are used:

- a) **“Account Administrator”** The Treasurer is recognized as the main contact for all corporate credit cards with the issuing financial institution.
- b) **“Authorized User”** An employee that through their position is required to contract for the purchase of products or services on behalf of the Township and has been issued a corporate credit card. The Township Mayor is also considered an authorized user for the purposes of this policy.
- c) **“Card Holder”** An authorized user for the purposes of this policy.
- d) **“Corporate Credit Card”** Credit card issued in the name of the Township and the individual staff member by the financial institution that the Township currently has a banking agreement with for corporate purchases.
- e) **“Credit Limit”** An amount set by the Treasurer in consultation with the Chief Administrative Officer and the Department Head that should be sufficient for the job functions and expected use of the card.

5. Guiding Principles

The use of a corporate credit card is a privilege extended to management personnel and others employees of the corporation at the Township's corporate direction. The card is intended to be used for the payment of purchases approved in the budget that traditionally are less than \$1,000. It can also be used for budgeted charges that relate to professional fees, conferences and educational events in excess of the \$1,000 provided the credit limit is not exceeded. The responsibility for the security of the card rests with the authorized user and they will be held accountable for all charges.

6. General Policy

- a) Any request for a corporate credit card will be approved by the Treasurer in consultation with the Chief Administrative Officer and the Department Head.
- b) Corporate credit cards will be issued with credit limits ranging from \$2,000 to \$10,000 depending on the position and their intended use.
- c) Contact with the financial institution for the authorization for the issuance of new cards, termination of existing cards and changes to card limits will be the responsibility of the Account Administrator.
- d) When using a corporate credit card for an internet purchase, the number should not be saved on the site for future use.
- e) Corporate credit cards are not to be shared with other staff members unless the card holder is aware of the specific charge and approves the use for that purpose only. The card holder remains accountable for the charge regardless of what other staff member used it.
- f) It is the card holder's responsibility to ensure the charge on their credit card is legitimate.
- g) All charges must be properly receipted and the receipt forwarded to the Accounts Payable Clerk for payment.
- h) All receipts must show the general ledger account that the purchase is to be charged to in accordance with the annual budget document.
- i) When the statements are processed for payment, all charges will be approved at that time by the Department Head or Chief Administrative Officer.
- j) Any credits, bonuses, or cash back balances are the property of the Township of Brock and will be applied to future bill payments.
- k) The card holder will be responsible for any charges that are not supported with proper documentation. These charges will be billed back to the card holder by the Township if proper documentation is not provided.
- l) The card holder should advise the Accounts Payable Clerk if they think their charges may be close to their credit limit. This will allow for an early payment when possible that will avoid rejected charges and over limit fees.
- m) When the card holder is on vacation or on personal leave from the Township, the corporate credit card should be locked up in the Township office to avoid loss or accidental use.
- n) No personal purchase of any type are permitted to be charged on the corporate credit card.
- o) No cash advances shall be permitted on the corporate credit card.
- p) No alcoholic beverages shall be purchased with the corporate credit card.
- q) The card holder is responsible to report lost or stolen cards or unauthorized charges to the issuer as soon as they are aware of the issue.

- r) Any issues reported to the card issuer must also be reported to the Township Treasurer as soon as they are identified. Depending on the issue reported, the card holders Department Head, Chief Administrative Officer and Police may also need to be including in the reporting.



Township of Brock – Corporate Credit Card Use Policy

Employee Acknowledgement and agreement

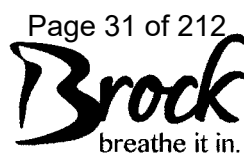
I acknowledge that I have read and understand the Corporate Credit Card Use Policy of the Township of Brock. Further, I agree to adhere to this policy. I understand that if I violate the rules or procedures outlined in this policy, I may face disciplinary action and/or may be required to repay the Township for unauthorized charges.

Name: _____

Signature: _____

Date: _____

Witness: _____



The Corporation of the Township of Brock

Public Works Department

Director of Public Works to Council

Report: 2020-CO-24

Date: Monday, July 13, 2020

Subject

Tender No. B2020-PW-01 – Rehabilitation of Bridge No. 28

Recommendation

That staff Report No. 2020-CO-24 pertaining to Tender B2020-PW-01 – Rehabilitation of Bridge No. 28 be received;

And further, that Council approve the recommendation to award the tender to Carlington Construction Inc.

Attachments

No. 1: Tatham Engineering – Bridge No. 28 Rehabilitation – Tender Review Report

Report

Background

Tender B2020-PW-01 for the rehabilitation of Bridge No. 28 was prepared by our Consulting Engineer, Tatham Engineering and posted on the MERX website.

The tender closed on Thursday, June 25, 2020 at 2:00 p.m. The Treasurer, Director of Public Works and the Public Works Administrative Assistant opened the five (5) tenders received prior to the end of the day.

The tender results are itemized in the table below:

Bidder	Tender Price (excluding H.S.T.)
Carlington Construction Inc.	\$374,584.00
2274084 Ontario Ltd. (GMP Contracting)	\$443,664.14
MTM-2 Contracting Inc.	\$446,670.00
Four Brothers Construction	\$502,470.00
UrbanLink Civil Ltd.	\$601,420.00

The tenders were reviewed by our consultant, Tatham Engineering and were found to satisfy the requirements set out in the tender documents.

Consultation

N/A


Financial

The Capital Budget included an amount of \$475,000.00 for the Rehabilitation of Bridge No. 28 on Concession 6 (Thorah).


The lowest qualified tender received from Carlington Construction Inc. is below the budgeted amount, meets the tender requirements and has demonstrated the capability to undertake this scope of work outlined in the tender document.

Staff will monitor the work closely to ensure the budgeted amount is adhered to.

Respectfully submitted,


 Paul Lagrandeur
 Interim Director of Public Works

Reviewed by,


 Ralph Walton
 Acting Chief Administrative Officer



115 Sandford Fleming Drive, Suite 200
Collingwood, Ontario L9Y 5A6

T 705-444-2565
E info@tathameng.com
tathameng.com

File 117099-3

June 30, 2020

Paul Lagrandeur.
Acting Director of Public Works
Township of Brock
1 Cameron Street East, PO Box 10
Cannington, Ontario L0E 1E0
plagrandeur@townshipofbrock.ca

Re: Bridge No. 28 Rehabilitation, Brock, ON
Tender Review Report

Dear Mr. Lagrandeur:

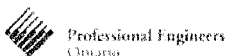
We are pleased to submit our Report on Tenders. The tenders for Contract No B2020-PW-01 were received by the Township of Brock at the Township office until 2:00 pm on Thursday, June 25, 2020. Copies of the tenders were provided to Tatham for review and recommendation.

Tender documents, including two addenda, were posted on MERX during the tender period. Five (5) bids were received on the date of closing.

The extensions and additions have been checked in each submission. Errors were noted in three (3) of the submissions and have been adjusted as per section 1.14 of the Instructions to Bidders. The corrected tender prices did not change the order of the submissions. The verified tender prices from bidders in ascending order, excluding HST are as follows:

BIDDER	TENDER PRICE
Carlington Construction Inc.	\$374,584.00
2274084 Ontario Ltd. (GMP Contracting)	\$443,664.14
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Four Brothers Construction	\$502,470.00
UrbanLink Civil Ltd.	\$601,420.00

The engineer's estimate for the Tender was \$380,000.00 including a \$45,000 contingency allowance and excluding HST. Contractors were required to submit the following with their tender:



Authorized by the Association of Professional Engineers of Ontario to offer professional engineering services.

Enhancing our communities

- Tender Form
- Schedule of Unit Prices
- List of Subcontractors & Suppliers
- Bidder's Ability and Experience Form
- Agreement to Bond
- All Addenda duly signed
- 10% Tender Security

All bidders submitted each of the required items.

COMPARISON OF TENDERS

The low bid received is within 1.5% of the engineer's estimate including contingency, and within 20% of the second low bid received. Comparing the unit prices between the two low bidders with the engineer's estimate and the average prices submitted by all bidders, we believe they are reasonably well balanced.

REFERENCES

We are familiar with Carlington Construction and believe they are generally capable of completing the work. Multiple references were provided for both similar scoped work as well as more complex projects.

SCHEDULE

In accordance with the Tender document, the contract was to commence on July 6, 2020 and was to be Substantially Performed by November 15, 2020. The date of commencement is less than one week away. As such, it is expected that the contract completion date will need to be extended accordingly.

The tender document stipulates liquidated damages in the amount of \$500 per business day, as well as the Owner's additional site supervision, office supervision and administration caused by the delay, should the prescribed date of Substantial Performance not be met.

APPROVALS

The LSRCA permit was received and is included in the Contract. No other permits are required.

ROAD CLOSURE & DETOUR

The Contractor is permitted to close the road for a period of eight (8) weeks. Construction signage including road closure notification is required to be installed a minimum of 2 weeks prior to closure. Any additional construction duration shall be completed with daytime single lane temporary closures using flag persons.



BUDGET

The low bid is less than the estimated construction cost and includes provisional allowances for material testing of \$25,000 and contingency of \$45,000. In addition, the guide rail and end treatment items for installation at culvert 342 are provisional. These provisional items total \$42,809.90.

RECOMMENDATION

Based on our evaluation, we recommend that the Township award the work to the low tenderer, Carlington Construction Inc., for the total tender price of \$374,584.00 (excluding HST).

Once the Township has decided on award, we request that Tatham be authorized to prepare the contract documents for execution.

We trust this report is satisfactory. Please do not hesitate to contact us should you have any questions, comments or require additional information.

Yours truly,

Tatham Engineering Limited



Emma Wilkinson H.B.A., B.E.Sc., P.Eng.

Senior Engineer, Project Manager

EKW: df





115 Sandford Fleming Drive, Suite 200
Collingwood, Ontario L9Y 5A6

T 705-444-2565
E info@tathameng.com
tathameng.com

File 117099-3

June 30, 2020

Paul Lagrandeur,
Acting Director of Public Works
Township of Brock
1 Cameron Street East, PO Box 10
Cannington, Ontario L0E 1E0
plagrandeur@townshipofbrock.ca

Re: Bridge No. 28 Rehabilitation, Brock, ON
Tender Review Report

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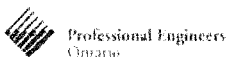
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We trust this report is satisfactory. Please do not hesitate to contact us should you have any questions, comments or require additional information.

Yours truly,

Tatham Engineering Limited



Emma Wilkinson H.B.A., B.E.Sc., P.Eng.

Senior Engineer, Project Manager

EKW: df





The Corporation of the Township of Brock

Planning Department

Planner to Council

Report: 2020-CO-28

Date: Monday, July 13, 2020

Subject

Request for response for a Regional Official Plan Amendment as a result of the severance of a non-abutting surplus farm dwelling.

Brock Project No: 03-2020-PL

Brock File No: 03-2020-ROPA

Region File No: OPA 2020-002

Applicant: Clark Consulting on behalf of **DS & B Farms Inc.**

Location: Part Lot 9, Concession 1 / C1565 Concession Road 1, Thorah

Recommendation

That the following response, along with a copy of this report, be provided to the Region of Durham regarding application OPA 2020-002.

"This is to acknowledge receipt of your correspondence dated February 13, 2020 regarding Regional File Number OPA 2020-002 and your request for comment within 60 days. Due to the COVID-19 pandemic and resulting delays in the public planning processes, the 60-day commenting period was extended.

Please be advised that the Township of Brock has no objection to the above referenced Regional Official Plan Amendment, subject to the following:

- That the requirements of the Township of Brock, financial and otherwise, be satisfied;
- That DS & B Farms purchase the retained 43.3 ha of agricultural lands within 1 year of the ROPA approval from Ed Holder;
- That the rezoning process will prohibit further severance and residential uses on the retained 43.3 ha of agricultural lands;
- That the rezoning process confirm with the Lake Simcoe Region Conservation Authority the zoning preference for the pond and supporting tributary; and
- That the rezoning process will prohibit the "Frame Shed & Kennel" noted on the OPA Sketch from housing livestock or operating as a kennel on the retained 43.3 ha of agricultural lands."

This report is available in alternate formats upon request.
Please contact the Clerk's Department at 705-432-2355.

Attachments

- No 1: Minutes of the Pre-Consultation Meeting
 - No 2: Subject Lands Sketch
 - No 3: Lake Simcoe Region Conservation Authority ROPA Comments
-

Report

The subject farm is owned by the Holder family and the farmland is rented to DS&B Farms. DS&B wish to purchase the farmlands (Retained Parcel) with ownership of the farmhouse (Severed Parcel) remaining with the Holders. A pre-consultation meeting was held in the offices of the Township of Brock on December 6, 2018, with minutes of the meeting included as **Attachment No. 1** to this report.

The sale of the property will depend on the successful completion of the applications. DS&B rents abutting farmlands but does not own an abutting farm, and so this will be a non-abutting farmhouse severance.

The subject farm is 44.33 ha. and can be seen on the Site Plan Map as **Attachment No. 2**. There is about 30 ha of cultivated land, or 70% of the farmland, with the remainder used as woodland and low wet areas. The proposed severed land includes the house and the non-agricultural associated sheds, two operating wells and a septic system totaling approximately 0.93 ha. These lands are the basis of the Surplus Farmhouse Severance. The north west portion of the farm is treed. A watercourse passes through the farm. This watercourse divides the farmed land and no crossing currently exists. Two entrances are currently provided from Thorah Concession Road 1 for agricultural equipment to access the cultivated lands. The field entrance west of the dwelling is accessed across a proposed Right-of-Way over the severed land in favour of the retained parcel. This prevents creating a new access from Concession Road 1 for agricultural equipment.

Bell Canada has an easement crossing the property east of the dwelling. The severed land is shaped in such a way as to capture the septic system to the southeast of the dwelling and limit the size of the severed parcel.

Currently DS&B rents and farms the subject lands. The farm owners live in the farmhouse and use only the severed land area and sheds. This arrangement is proposed to continue following completion of the severance.

Policy Conformity

Provincial Policy Statement (PPS) 2020

The PPS was approved by the Lieutenant Governor in Council, Order in Council No. 229/2020 and was issued under section 3 of the Planning Act and came into effect May 1, 2020. It replaces the Provincial Policy Statement issued April 30, 2014.

Section 2.3.4 details the policies around Lot Creation and Lot Adjustments as describes the creation of a lot as part of a surplus farm severance as follows:

- 2.3.4.1 c) a residence surplus to a farming operation as a result of farm consolidation, provided that:
1. the new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services; and
 2. the planning authority ensures that new residential dwellings are prohibited on any remnant parcel of farmland created by the severance. The approach used to ensure that no new residential dwellings are permitted on the remnant parcel may be recommended by the Province, or based on municipal approaches which achieve the same objective.

The proposed severance is less than one hectare and includes the house, well, septic, and the non-agricultural existing buildings in proximity to the house. A concurrent rezoning application has been received to prevent a future residential dwelling on the remnant parcel. Given the above, the application conforms to the PPS.

Greenbelt Plan

The *Greenbelt Plan* shows that the property is in the "Protected Countryside" and "Natural Heritage" designations.

Section 4.6.1 outlines the policies pertaining to surplus farm consolidation:

- f) The severance of a *residence surplus to a farming operation* as a result of a farm consolidation, on which a habitable residence was an *existing use*, provided that:
- i. The severance will be limited to the minimum size needed to accommodate the use and appropriate sewage and water services; and
 - ii. The planning authority ensures that a residential dwelling is not permitted in perpetuity on the retained lot of farmland created by this severance.

The application limits the size of the severed parcel to only accommodate the appropriate water and sewage services and the rezoning process will prohibit a residential dwelling on the retained farmland in perpetuity. Given the above, the application conforms with the Greenbelt Plan.

Lake Simcoe Protection Plan and Lake Simcoe Region Conservation Authority (LSRCA)

The following are the summary comments received from the Lake Simcoe Region Conservation Authority regarding the Regional Official Plan Amendment. **Attachment No. 3** contains the full comment.

- Consistency with Section 3.1 of the PPS has been demonstrated;

- Ontario Regulation 179/06 does apply to the subject site however as the proposed severance does not include site alteration or development, a permit from the Conservation Authority will not be required prior to lot creation taking place;
- A permit from the LSRCA would be required prior to issuance of any municipal building permits for site alteration or development within the regulated area;
- Conformity with the Greenbelt plan is demonstrated; and
- The subject site is not located within an area that is subject to the policies contained in the Source Protection Plan.

Given the above and attached, there are no objections to this application from the LSRCA.

Durham Regional Official Plan

The subject lands are designated as Prime Agriculture on Schedule A of the Durham Regional Official Plan. Section 9A.2.9 outlines policies pertaining to surplus farm consolidation:

Notwithstanding Policy 9A.2.9, the severance of a farm dwelling rendered surplus as a result of a farmer acquiring a non-abutting farm may be allowed, by amendment to this Plan, provided that:

- a) the dwelling is not needed for a farm employee;
- b) the farm parcel to be acquired is of a size which is viable for farming operations;
- c) within the Protected Countryside of the Greenbelt Plan Area, the dwelling was in existence as of December 16, 2004; and
- d) the farm parcel to be acquired is zoned to prohibit any further severances and the establishment of any residential dwelling.

The applicant has confirmed that the residence is not needed for an employee of the farming operation; the retained farmland is viable for farming operations; the residence is approximately 100 years old and so was built prior to December 16, 2004; and a concurrent rezoning application will ensure no further severances or the establishment of any residential dwelling will be permitted in future. Given the above, the application appears to conform with the Durham Region Official Plan. The Region of Durham will make the formal determination for their Official Plan.

Brock Township Official Plan

The Township of Brock Official Plan was adopted by Council on June 26, 2006, and approved by the Region of Durham on May 9, 2007. The focus of the Official Plan is to provide policy direction and designations for the Settlement Areas in Brock Township. Section 3.2.1.2 says that the Durham Region Official Plan provides policies and designations for the rural portion of the Township.

Given that the property is outside of the Settlement Areas in Brock, the Regional Official Plan policies provide the appropriate direction for this application.

Brock Township Zoning By-law

Land use in the Township of Brock is regulated by Zoning By-law 287-78-PL. The subject lands are identified as being in the Rural (RU) Zone and Environmental Protection (EP) Zone.

Conformity with the zoning by-law requires the consideration of the provisions of Plate C of the zoning by-law, noted in **Table 1: Zoning Considerations** below. The considerations apply only to the severed portion of the application that contains the single detached dwelling and zoned RU. The EP zoning will remain the same on the remnant parcel and an RU-X zoning will be applied to the remnant farm parcel to prevent future residential development.

Table 1: Zoning Considerations

Zoning By-Law Consideration	RU Zoning Provision	Existing Condition for Severed Parcel	Conformity Status
Min Lot Area (sq. metres)	c) 0.4 ha	0.97 ha	Conforms
Min Lot Frontage (m)	c) 46 m	124.7 m	Conforms
Min Front Yard Set-Back (m)	15 m	18.7 m	Conforms
Min Exterior Side (width) (m)	15 m	15.4 m	Conforms
Min Interior Side (width) (m)	8 m	N/A	N/A
Min Rear (depth) (m)	15 m	18.0 m	Conforms
Min Gross Floor Area per Dwelling Unit (sq. m)	100 sq. m	140 sq. m	Conforms
Max Lot Coverage of All Buildings (%)	30%	20.5% (house, shed and metal building)	Conforms
Min Centreline Setback (metres)	25.058 m	Approx. 28.7 m	Conforms
Min Landscaped Open Space (%)	30%	Approx. 70%	Conforms
Max Number of Dwelling Houses per Lot	1	1	Conforms
Max # of Dwelling Units per Lot	2	1	Conforms
Max Height of Buildings (m)	N/A	N/A	N/A
Other Zone Provisions	(r, s, u) N/A	N/A	N/A

MDS Guidelines

Based on the applicant consultant review of Guideline 9, the proposal meets the requirements of MDS and that no MDS setback is to be calculated or applied to the proposal lands.

Conclusion

Based on the planning analysis conducted, the Township of Brock has no objections to the Regional Official Plan amendment allowing the severance of the surplus farm dwelling from the consolidated farming operation, subject to the following:

- That the requirements of the Township of Brock, financial and otherwise, be satisfied;
- That DS & B Farms purchase the retained 43.3 ha of agricultural lands within 1 year of the ROPA approval from Ed Holder;
- That the rezoning process will prohibit further severance and residential uses on the retained 43.3 ha of agricultural lands;
- That the rezoning process confirm with the Lake Simcoe Region Conservation Authority the zoning preference for the pond and supporting tributary; and
- That the rezoning process will prohibit the "Frame Shed & Kennel" noted on the OPA Sketch from housing livestock or operating as a kennel on the retained 43.3 ha of agricultural lands."

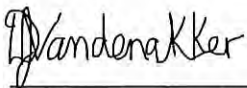
Consultation

N/A

Financial

N/A

Respectfully submitted,



Debbie VandenaKker
Planner

Reviewed by,



Richard Ferguson
Chief Building Official



The Regional
Municipality
of Durham

Planning and Economic
Development Department

Planning Division

605 ROSSLAND RD. E.
4TH FLOOR
PO BOX 623
WHITBY ON L1N 6A3
CANADA
905-668-7711
1-800-372-1102
Fax: 905-666-6208
Email: planning@durham.ca

www.durham.ca

Brian Bridgeman, MCIP, RPP
Commissioner of Planning
and Economic Development

December 17, 2018

Mr. Hugh Stewart, Planner
Clark Consulting Services
52 John Street Port Hope, ON L1A 2Z2

Dear Mr. Stewart,

**Re: Record of Pre-consultation for a proposed Regional Official
Plan Amendment**

Proponent: Clark Consulting Services c/o Scott Brown
DS & B Farms Incorporated
C1510 RR1 Beaverton, L0K 1A0

Property Location: C1565 Thorah Concession Road 1
South ½ Lot 9, Concession 1
Township of Brock (Former Thorah)

In accordance with By-law 2-2008 of the Regional Municipality of Durham, this letter is to confirm that a pre-consultation meeting was conducted in accordance with the provisions of this By-law.

Pre-consultation Date: Thursday, December 6, 2018

Parties in Attendance:

Hugh Stewart - Clark Consulting Services, Planner
Scott Brown and David Brown- Applicants
Thomas G. Gettinby - Township of Brock, CAO & Municipal Clerk
Lesley Kennedy - Region of Durham, Health Inspector
Vannitha Chanthavong - Region of Durham, Planner

Regrets:

Melinda Bessey - LSRCA, Acting Manager of Planning
Jeanette Hesketh - Region of Durham, Works Technician 2

Site Location/Description:

The agricultural property is located on the north side of Thorah Concession Road 1, approximately 1000 metres east of Highway 12/48, in the Township of Brock.

"Service Excellence
for our Communities"

If this information is required in an accessible format, please contact Planning Reception at 1-800-372-1102, extension 2551.

The agricultural property is approximately 44.3 hectares (109.47 acres) in size and is a square shape parcel. The southern portion of the subject farm is occupied by an existing dwelling, a steel-clad building, a shed, and a dog kennel. A woodlot is located at the north-west portion of the farm. A tributary to the Beaver River bisects the middle portion of the site, flowing in a north-south direction. An unevaluated wetland is located along the site's south-easterly boundary limit.

The agricultural property contains approximately 70 acres of workable land and has been used for cultivating cash crops which consists of corn, soy beans, and canola.

Purpose of the Amendment Application:

The purpose of the applicant's proposal is to amend the Regional Official Plan (ROP) to permit the severance of a 1.40 hectare (3.46 acres) parcel of land with an existing dwelling, retaining a 42.9 hectare (106 acre) agricultural parcel. The proponent intends to keep all building structures currently located on the proposed severed parcel. The farm property does not contain any livestock and there is no intent to construct any new buildings/structures in the future.

Durham Regional Official Plan (ROP) Designation: Prime Agricultural Areas

Is the proposal in Conformity with the ROP: No

Conformity Details:

The agricultural property is located within the "Prime Agricultural Areas" designation in the Regional Official Plan (ROP). Lands within the Prime Agricultural Areas are intended for a full range of agricultural, agricultural-related and secondary uses.

The severance of a dwelling rendered surplus as a result of the consolidation of a non-abutting surplus farm dwelling is permitted by an amendment to Policy 9A.2.10 of the ROP subject to the applicant demonstrating/ agreeing that:

- a) the dwelling is not needed for a farm employee;
- b) the farm parcel to be acquired is of a size which is viable for farming operations;
- c) within the Protected Countryside of the Greenbelt Plan Area, the dwelling was in existence as of December 16, 2004; and

- d) the farm parcel to be acquired is zoned to prohibit any further severances and the establishment of any residential dwelling.

No further severance from the retained farm parcel shall be granted.

Provincial Plans and Policies

2017 Greenbelt Plan

The agricultural property is located within the "Protected Countryside" designation of the Greenbelt Plan. Policy 4.6.1.f) i) and ii) of the Greenbelt Plan permits the severance of a residence surplus to a farming operation as a result of a farm consolidation, on which a habitable residence was an existing use, provided that:

- i) The severance will be limited to the minimum size needed to accommodate the use and appropriate sewage and water services; and
- ii) The planning authority ensures that a residential dwelling is not permitted in perpetuity on the retained lot of farmland created by this severance. Approaches to ensuring no new residential dwellings on the retained lot of farmland may be recommended by the Province, or municipal approaches that achieve the same objective should be considered.

Provincial Policy Statement

The 2014 Provincial Policy Statement (PPS) permits the creation of a new lot in prime agricultural areas for a residence surplus to a farming operation as a result of a farm consolidation, provided the planning authority ensures that new residential dwellings are prohibited on any vacant parcel of farmland created by the severance.

Lake Simcoe Protection Plan

The agricultural property is located in the Lake Simcoe Protection Act Watershed Boundary and will be reviewed subject to the policies of the Plan.

Review Agency Comments

Region of Durham

The applicant's proposed lot configuration is generally irregular in shape, however its the result of extending the severed parcel to capture the existing septic bed located at the south-easterly portion of the property.

Both the Greenbelt Plan and the PPS states that the size of the proposed severed parcel shall be limited to the dwelling and private servicing area (i.e. well and septic bed and replacement septic bed). The proposed 1.40 hectare severed parcel is considered oversized and should be revised to be consistent with Provincial Plans and Policies.

Access to the west and east half of the agricultural property is provided by two existing driveways from Thorah Concession Road 1. A shared access easement will be requested over the westerly driveway through the related consent application. The driveway used to access the easterly section of the farm is currently located over the septic bed which will be shifted slightly east. The applicant will be required to obtain an access permit from the Township to relocate this driveway.

A consent application for the shared access easement may be required.

Regional Health Department

Regional Health Department has asked that the proposed concept plan be revised to show the "area for replacement septic bed" as the same size as the "location of septic bed."

The proposed severed parcel contains two wells, a concrete well located south of the existing metal clad building which feeds the building and a drilled well west of the existing dwelling which feeds the existing farm house. Regional Health Department has no issues with the use of the two wells. However, if any issues arise with keeping the two wells on the property, Regional Health Department will notify the applicant.

Lake Simcoe Region Conservation Authority

LSRCA's comments dated December 3, 2018 had been provided to the applicant at the preconsultation meeting.

The agricultural property is located within a regulated area of the LSRCA, therefore a permit will be required prior to any site alteration or development. In addition, the LSRCA will require to be circulated a copy of the proposed Amendment, a Planning Justification Report, and a site plan/40R-plan.

The applicant is recommended to contact the LSRCA prior to filing the ROPA to identify any additional information required (i.e. Environmental Impact Study or Natural Heritage Evaluation, Stormwater Management, and Hydrogeological Analysis).

Township of Brock

Township of Brock staff has requested the applicant to submit both the ROPA and related Zoning By-law Amendment application concurrently to combine both applications and limit to one public meeting.

Regional Works Department

Thorah Concession Road 1 is under the jurisdiction of the Township of Brock. Municipal servicing is not provided to this agricultural property.

Regional Works Department has no concerns with the proposal.

Information/Studies Required:

Regional Planning and Economic Development Department will require the following information to be submitted to support the proposed ROPA and related severance application for the farm property:

- ***A Planning Rational/Justification Report and an Agricultural Assessment Report***- address conformity with relevant Provincial Plans and Policies and Regional Official Plan policies, including the Provincial Policy Statement, Greenbelt Plan, and the Lake Simcoe Protection Plan. Provide proof that the proposal will not result in fragmentation of farm land, impact the natural features within and abutting the subject lands will be protected; the age of the dwelling. Provide a statement of Conformity with Minimum Distance Separation Formulae;
- ***A Total Land Holding Report/Land Inventory Report*** - identify all farm properties owned by the farming operation, include maps, current land holdings of the properties with description of current, use including the primary home;
- ***A Record of Site Condition Compliant Phase One Environmental Site Assessment (ESA) Report or a Site-Screening Questionnaire*** completed and signed by a Qualified Person. If a Phase One ESA is submitted, the Region's Reliance Letter and Certificate of Insurance forms are required; and
- A Survey Sketch or Draft 40-R Plan.

Regional Official Plan Amendment Fees

- Region of Durham's fee for a Minor ROPA \$7,000.00;
- a Deposit fee of \$1,000 for publication costs associated with the notification of the public meeting;
- Regional Health Department's fee for a ROPA \$260.00; and
- LSRCA review fee of a ROPA \$1,000.00.

Other Applications Required for the Site

- Region's Consent Application fee \$1000.00;
- Region's review fee for a Consent Application \$500.00;
- Regional Health Department fee for a Consent Application \$521.00;
- \$750.00 Region's stamping of a deed fee;
- Township of Brock Zoning By-law Amendment Application fee \$1,600.00;
- Township of Brock fee of a Consent Application \$280.00; and
- LSRCA fee for a Consent Application \$500.00.

We recommended the fee amounts be confirmed at the time of submission of the applications. Payments should be by Certified Cheque, Money Order, or Bank Draft.

In accordance with our procedures, please advise whether you concur with the above-noted information and study requirements within seven (7) days of receiving this Record of Pre-Consultation. Should you not agree with the above-noted requirements, another pre-consultation meeting may be requested.

Please contact me at (905) 668-4113, ext. 2543, if you have any questions.

Yours truly,

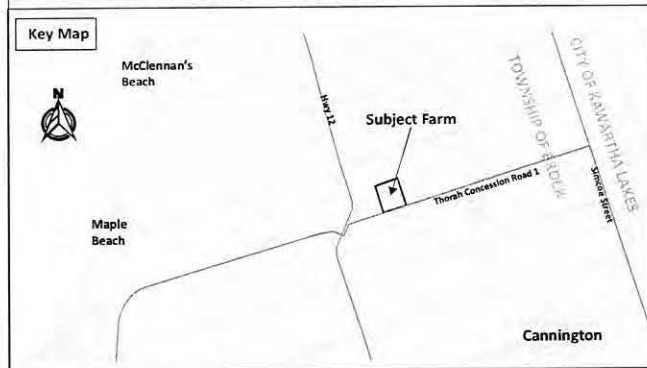
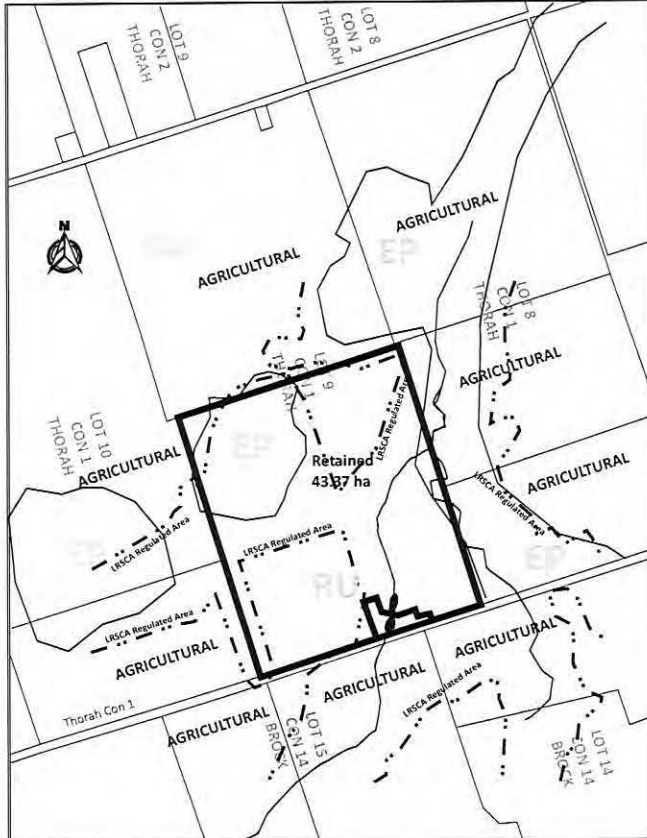


Vannitha Chanthavong, MCIP, RPP
Planner

Attach: LSRCA's comments

cc: Thom Gettinby, Township of Brock
Melinda Bessey, LSRCA
Lesley Kennedy, Regional Health Department
Jeannette Hesketh, Regional Works Department

Attachment 2: Subject Lands Sketch



Clark Consulting Services
52 John Street
Port Hope
905.885.8023
bob@clarkcs.com



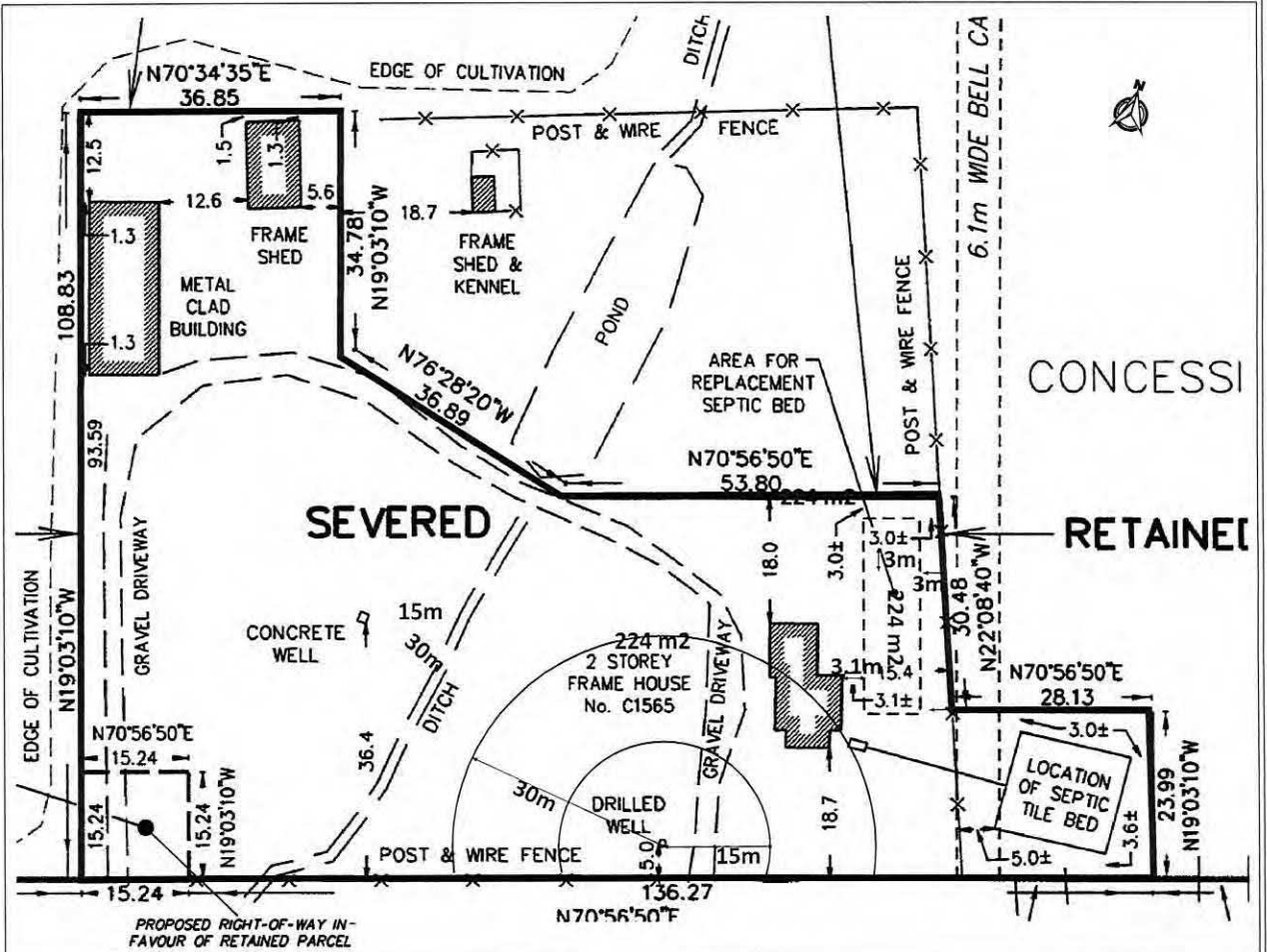
Severed Residential Lot
Area: 9,700 m²
Frontage: 151.51 m

C1565 Thorah Con 1
1 single detached dwelling
septic system, well, 2 sheds

Retained Farm Lot
Area: 43.33 ha
Frontage: 463.45 m

C1565 Thorah Conc Rd 1
One shed, farmland

**ZONING BY-LAW AMENDMENT
SKETCH**
C1565 Thorah Con 1, Beaverton
South Half Lot 9, Concession 1,
Thorah, Township of Brock
1839 030 004 06600
Edward Arthur Holder
and DS&B Farms Inc.





Lake Simcoe Region
conservation authority

www.LSRCA.on.ca

Sent via e-mail: dvandenakker@townshipofbrock.ca

March 13, 2020

Municipal File No: OPA 2020-02; 3-2020-PL
LSRCA File No.: ZO-226060-020720

Debbie Vandenakker
Planner
The Corporation of the Township of Brock
1 Cameron Street East, P.O. Box 10
Cannington, Ontario, L0E 1E0

Dear Ms. Vandenakker:

Re: C1565
Part Lot 9, Consession 1
Township of Brock
Regional Municipality of Durham

LSRCA staff have reviewed the above-noted application for Regional Official Plan Amendment (ROPA) and Brock Zoning By-law Amendment (ZBA) to facilitate the severance of a non-abutting farm house from a farm property.

We understand an application for severance will follow approval of the proposed Regional OPA and Brock ZBA.

Documents Received and Reviewed by Staff

Staff have received and reviewed the following documents submitted with this application:

- Planning Justification Report dated November 12, 2019 prepared by Clark Consulting Services.
- Supporting drawings
- Proposed ROPA

Staff has reviewed this application as per our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2014) and as a regulatory authority under Ontario Regulation 179/06. LSRCA has also provided comments as per our MOU with The Township of Brock and Region of Durham representing the review and comment on Official Plan and Zoning By-law amendments from a watershed management perspective. The application has also been reviewed through our role as a public body under the Planning Act as per our CA Board approved policies. Finally, LSRCA has provided advisory comments related to policy applicability and to assist with implementation of the South Georgian Bay Lake Simcoe Source Protection Plan under the Clean Water Act.

Recommendation

As the proposed farm severance does not impact the key natural heritage or key hydrogeological features on the property, the Lake Simcoe Region Conservation Authority has no objections to the proposed Regional Official Plan Amendment and Brock Zoning By-Law Amendment.

Site Characteristics

Existing mapping indicates that the subject property is within the vicinity of a tributary of the Beaver River

- The proposed area of severance is completely within an area regulated under Ontario Regulation 179/06.
- The property is designated "Prime Agricultural Areas" on Schedule A, Map A1 of the Region of Durham Official Plan and zoned Rural and Environmental Protection on Plate A1 Zoning by-law 287-78.
- The subject lands area designated Protected Countryside under the Greenbelt plan (2017)
- The subject lands are within the Beaver River Subwatershed
- The subject lands are not located within an area that is subject to the policies contained in the Source Protection Plan

Delegated Responsibility and Statutory Comments:

1. LSRCA has reviewed the application through our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement.

- The land holdings contain Natural Hazards associated with Flooding Hazard of the Beaver River. While that area of the proposed farm severance contains natural hazard lands associated with flooding, we acknowledge that no site alteration or development is taking place.
- The applications for Regional Official Plan and Brock Zoning By-law Amendments appears to be consistent with Section 3.1 of the PPS.

2. LSRCA has reviewed the application as per our responsibilities as a regulatory authority under Ontario Regulation 179/06. This regulation, made under Section 28 of the *Conservation Authorities Act*, enables conservation authorities to regulate development in or adjacent to river or stream valleys, Great Lakes and inland lake shorelines, watercourses, hazardous lands and wetlands. Development taking place on these lands may require permission from the conservation authority to confirm that the control of flooding, erosion, dynamic beaches, pollution or the conservation of land are not affected. LSRCA also regulates the alteration to or interference in any way with a watercourse or wetland.

- The land holdings contain lands that are within the LSRCA regulated area however we note the proposed severance does not include site alteration or development of new structures.

Advisory Comments

3. LSRCA has reviewed the application through our responsibilities as a service provider to the Township of Brock and the Region of Durham in that we provide review of Official plan and Zoning By-law amendments through a MOU as well as through our role as a public body, pursuant to the *Planning Act*.

The proposal conforms to the Greenbelt plan as no Natural Heritage system or Water Resources system are being impacted and the proposed severance is outside of any feature on the subject lands. The proposal appears to conform with Section 4.6 of the Greenbelt Plan as the severance is limited to minimum size necessary and these Official Plan and zoning restrictions will be in place to ensure no new dwelling will be permitted on the future retained lot.

We acknowledge that no natural heritage features are being impacted as a result of the proposed Official Plan amendment and Zoning By-law amendment.

5. LSRCA has reviewed the application in terms of the South Georgian Bay Lake Simcoe Source Protection Plan, prepared under the Clean Water Act, 2006. The Source Protection Plan came into effect on July 1, 2015 and contains policies to protect sources of municipal drinking water from existing and future land use activities.

- The subject property is not located within an area subject to the local Source Protection Plan, based on map screening.
- Link to the Source Protection Plan: <https://ourwatershed.ca/assets/uploads/2019/11/08-20-2019-AmendedSourceProtectionPlan.pdf>

Summary

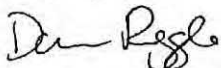
Given the above comments, it is the opinion of the LSRCA that:

1. Consistency with Section 3.1 of the PPS has been demonstrated;
2. Ontario Regulation 179/06 does apply to the subject site however as the proposed severance does not include site alteration or development, a permit from the Conservation Authority will not be required prior to lot creation taking place; A permit from the LSRCA would be required prior to issuance of any municipal building permits for site alteration or development within the regulated area.
3. Conformity with the Greenbelt plan is demonstrated; and
4. The subject site is not located within an area that is subject to the policies contained in the Source Protection Plan.

Please inform this office of any decision made by the municipality with regard to this application. We respectfully request to receive a copy of the decision and notice of any appeals filed.

Should you have any questions, please contact the undersigned.

Sincerely,



Dave Ruggle, BAA, MCIP, RPP
Planner II

c.c. Ashley Yearwood, Region of Durham
Bob Clark, Clark Consulting Services

**The Corporation of the Township of Brock**

Planning Department

Planner to Council

Report: 2020-CO-27

Date: Monday, July 13, 2020

Subject

Request for response for a Land Division Application by the Region of Durham.

File No: LD 045/2020
Applicant: Daryl Phoenix
Location: 1841 Cameron Street W, Cannington
Part Lot 19, Concession 12, Township of Brock

Recommendation

That the following response, along with a copy of this report, be provided to the Region of Durham regarding application LD 045/2020.

"This is to acknowledge receipt of your correspondence dated June 19, 2020 regarding Regional File Number LD 045/2020 and your request for comment by July 13, 2020. Notice has been provided to the Assistant Secretary-Treasurer that this comment would be received no later than July 15, 2020.

Please be advised that the Township of Brock has no objection to the above referenced Land Division application, subject to:

- Submission of a site plan / sketch showing the full extent of the property municipally known as 1841 Cameron Street W, Cannington to show the full extent of the property, with the existing buildings and marked set-backs from the severance line to verify compliance with the zoning provisions;
 - receipt of the Cash in Lieu of parkland payment of \$2500.00, and
 - that the requirements of the Township of Brock be satisfied, financially and otherwise."
-

AttachmentsN/A

Report

This report addresses the Township of Brock Zoning considerations regarding a Land Division application to sever a vacant 12.6 ha agricultural parcel of land, retaining a 14.3 ha agricultural parcel of land with existing dwellings to remain.

The application pertains to the lands shown below in **Figure 1**. They are located both inside and just outside of the Urban Area Boundary of Cannington as shown in **Figure 2**.

Figure 1: Site Plan Map

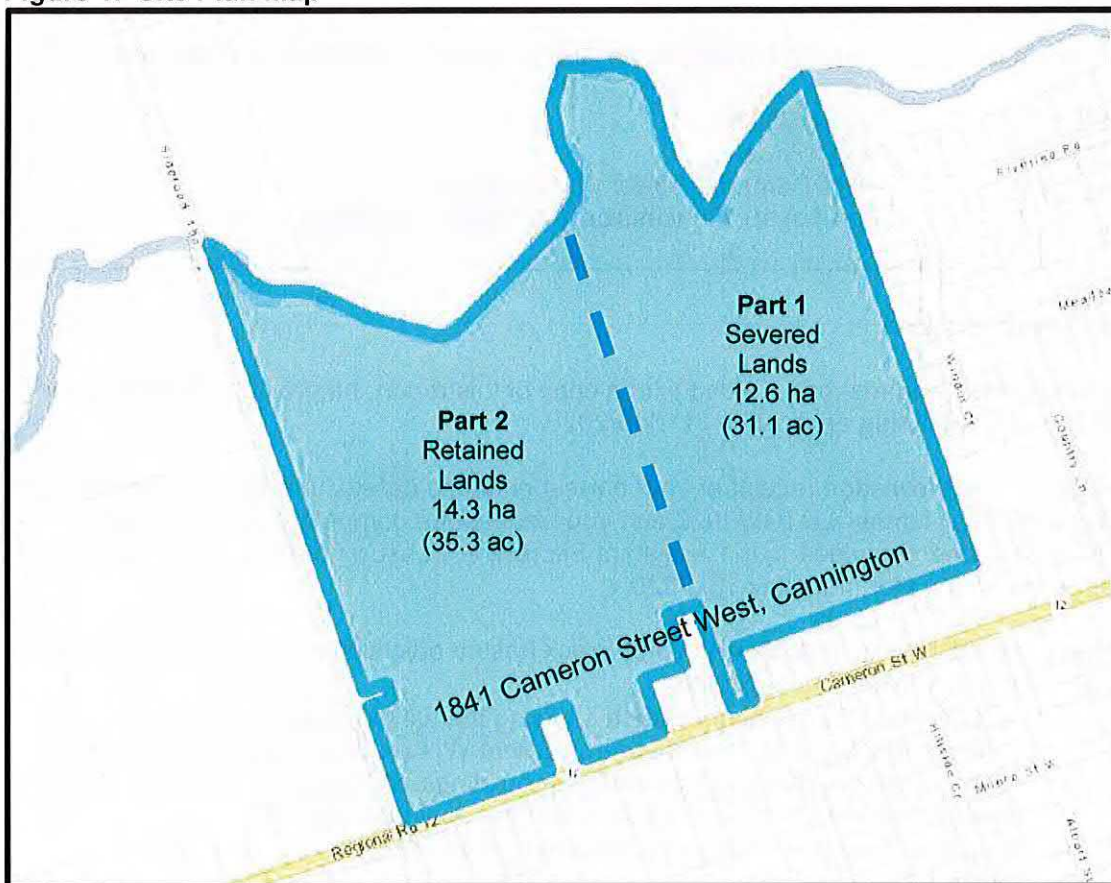
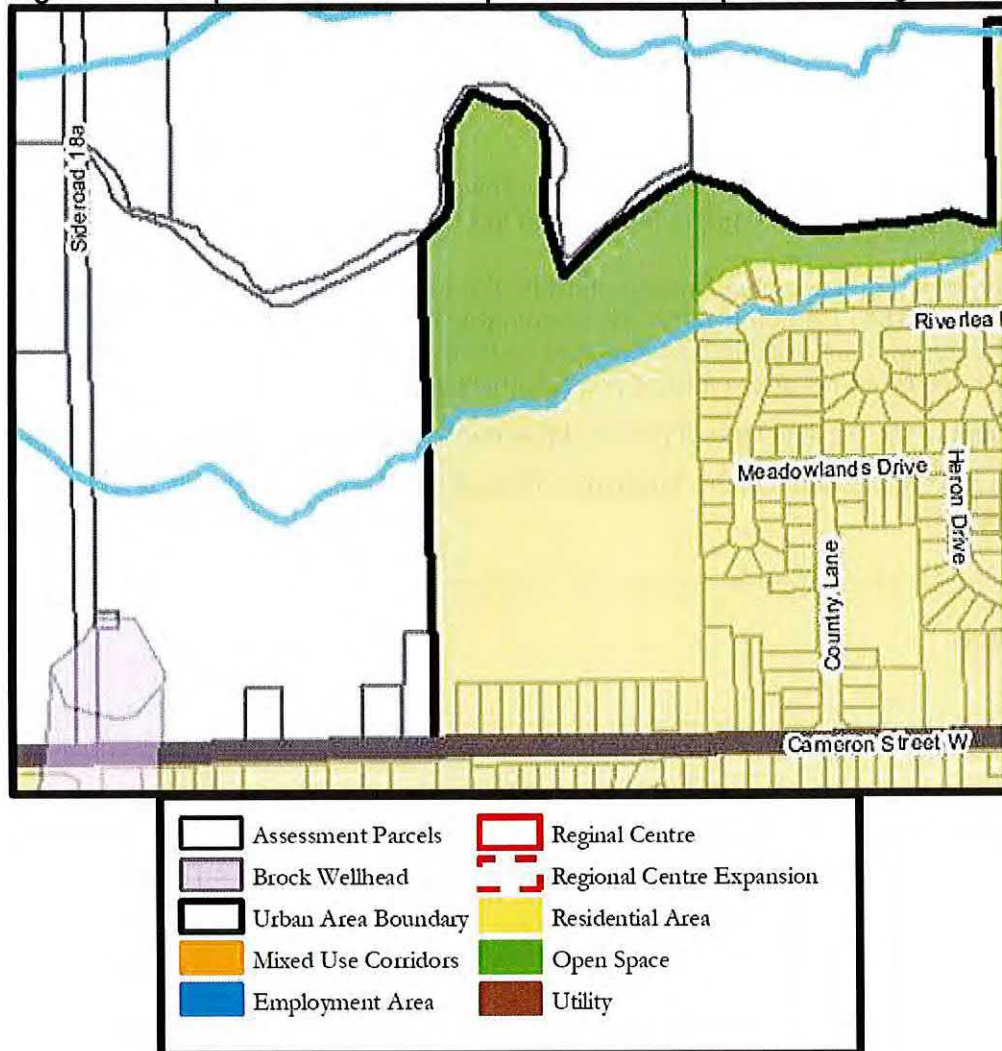


Figure 2: Excerpt of Brock Township Official Plan Map 2-A Cannington Urban Area



Planning Analysis

Brock Township's interest in the Land Division process within the Urban Area Boundary is to ensure that any changes to the parcel fabric meets Zoning by-law 287-78-PL and our Cash-In-Lieu of Parkland policy.

The zoning on both parts of the application is Development (D) and Environmental Protection (EP). The severance appears to meet all minimum yard dimensions on the retained parcel (the severed parcel is vacant) but a confirmation site plan / sketch of the full extent of the property with the existing buildings and marked set-backs from the severance line is requested as a condition of the Land Division approval.

As the severance occurs along the Urban Area Boundary, the severed parcel now falls within the policy for Cash-In-Lieu of Parkland. As such, a fee of \$2500.00 for the now urban area developable lot is required.

Conclusion

Based on the planning analysis conducted, the Township of Brock has no objection to Land Division Application LD 045/2020 subject to the following conditions being met:

- Submission of a site plan / sketch showing the full extent of the parcel municipally known as 1841 Cameron Street W, Cannington to show the full extent of the property, with the existing buildings and marked set-backs from the severance line to verify compliance with the zoning provisions;
 - receipt of the Cash in Lieu of parkland payment of \$2500.00; and
 - that the requirements of the Township of Brock be satisfied, financially and otherwise.
-

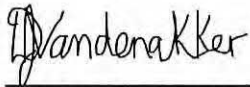
Consultation

N/A

Financial


A Cash-In-Lieu of Parkland fee of \$2500.00 is required.

Respectfully submitted,



Debbie Vandenaeker
Planner

Reviewed by,



Richard Ferguson
Chief Building Official

**The Corporation of the Township of Brock**

Planning Department

Planner to Council

Report: 2020-CO-26

Date: Monday, July 13, 2020

Subject

Request for response for a Land Division Application by the Region of Durham.

File No: LD 054/2020
Applicant: Margot Maria Franssen
Location: 27290 Cedarhurst Beach Road, Beaverton, Brock Township
Concession 4, Lot 17

Recommendation

That the following response, along with a copy of this report, be provided to the Region of Durham regarding application LD 054/2020.

"This is to acknowledge receipt of your correspondence dated June 19, 2020 regarding Regional File Number LD 054/2020 and your request for comment by July 13, 2020. Notice has been provided to the Assistant Secretary-Treasurer that this comment would be received no later than July 15, 2020.

Please be advised that the Township of Brock has no objection to the above referenced Land Division application, subject to the requirements of the Township of Brock being satisfied, financially and otherwise."

Attachments

No 1: Plan of Survey

Report

This report addresses the Township of Brock Zoning considerations regarding a Land Division application on Cedarhurst Beach Road.

The application is a lot line adjustment to accommodate the building of a boathouse on 27290 Cedarhurst Beach Road. It is important to note that the applicant also owns the

This report is available in alternate formats upon request.
Please contact the Clerk's Department at 705-432-2355.

adjacent 27340 Cedarhurst Beach Road. **Figure 1** below illustrates the two properties as they are now.

Figure 1: Site Plan Map



Planning Analysis

Brock Township's interest in the Land Division process within the Urban Boundary of Beaverton is to ensure that any changes to the parcel fabric meets Zoning by-law 287-78-PL. As no new lot is being created, the Cash-In-Lieu of Parkland policy does not apply. The subject lands are located in the Shoreline Residential Zoning.

Part 2 (severed lands) is already an undersized lot based on frontage and lot area. This lot line adjustment will increase the lot area, bringing it closer to compliance with the zoning by-law.

Part 1 (retained lands) meets the zoning by-law requirements.

The "jog" in the property line as seen in **Attachment 1: Plan of Survey** creates irregular lot shapes, but it is understood that the "jog" is due to wanting to ensure that Part 1 meets the 46m frontage requirement in the Shoreline Residential zone. Given this reason, and that the jog follows a previous lot line, the Township has no objection to the irregular shape.

Conclusion

Based on the planning analysis conducted, the Township of Brock has no objection to Land Division Application LD 054/2020 subject to the requirements of the Township of Brock being satisfied, financially and otherwise.

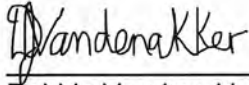
Consultation

N/A

Financial

N/A

Respectfully submitted,

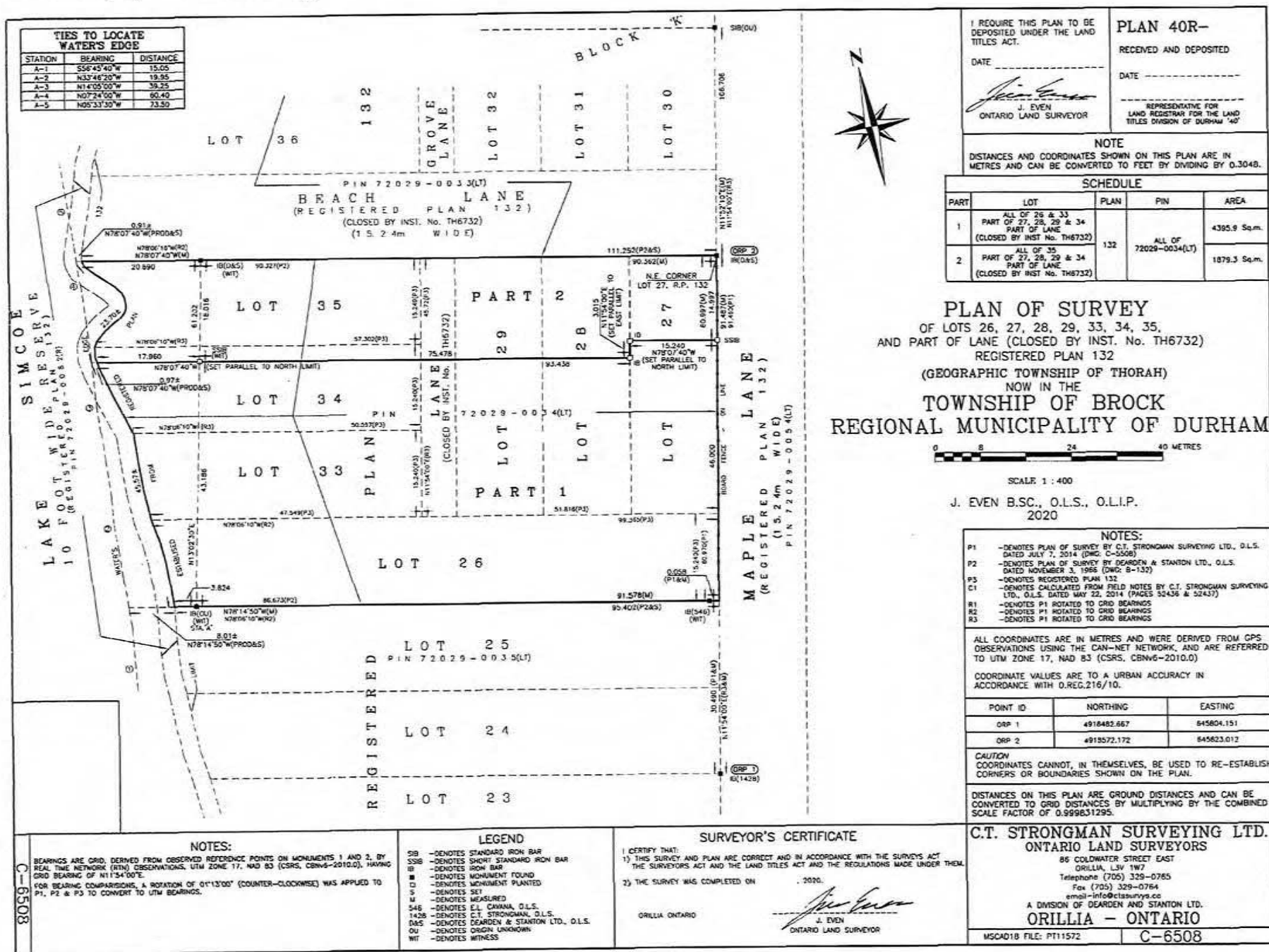


Debbie Vandenakker
Planner

Reviewed by,



Richard Ferguson
Chief Building Official



**The Corporation of the Township of Brock**

Planning Department

Planner to Council

Report: 2020-CO-25

Date: Monday, July 13, 2020

Subject

Request for response for a Regional Official Plan Amendment as a result of the severance of a non-abutting surplus farm dwelling.

Brock Project No: 02-2020-PL

Brock File No: 02-2020-ROPA

Region File No: OPA 2020-001

Applicant: Clark Consulting on behalf of **Darmar Farms / Dale McFeeters**

Location: Part Lot 23, Concession 12, Pt 2, 40R-13288 Township of Brock /
396 Cameron Street, Cannington

Recommendation

That the following response, along with a copy of this report, be provided to the Region of Durham regarding application OPA 2020-001.

"This is to acknowledge receipt of your correspondence dated March 4, 2020 regarding Regional File Number OPA 2020-001 and your request for comment within 60 days. Due to the COVID-19 pandemic and resulting delays in the public planning processes, the 60-day commenting period was extended.

Please be advised that the Township of Brock has no objection to the above referenced Regional Official Plan Amendment, subject to the following:

- That the requirements of the Township of Brock, financial and otherwise, be satisfied;
 - That the severed portion of the application be rezoned with an RU-X zoning to provide for the front-yard and centerline set-back deficiencies; and
 - That the rezoning process will prohibit further severance and residential uses on the retained 22.23 ha of agricultural lands."
-

Attachments

No 1: Minutes of the Pre-Consultation Meeting

No 2: Subject Lands Sketch

No 3: Lake Simcoe Region Conservation Authority ROPA and RA Comments

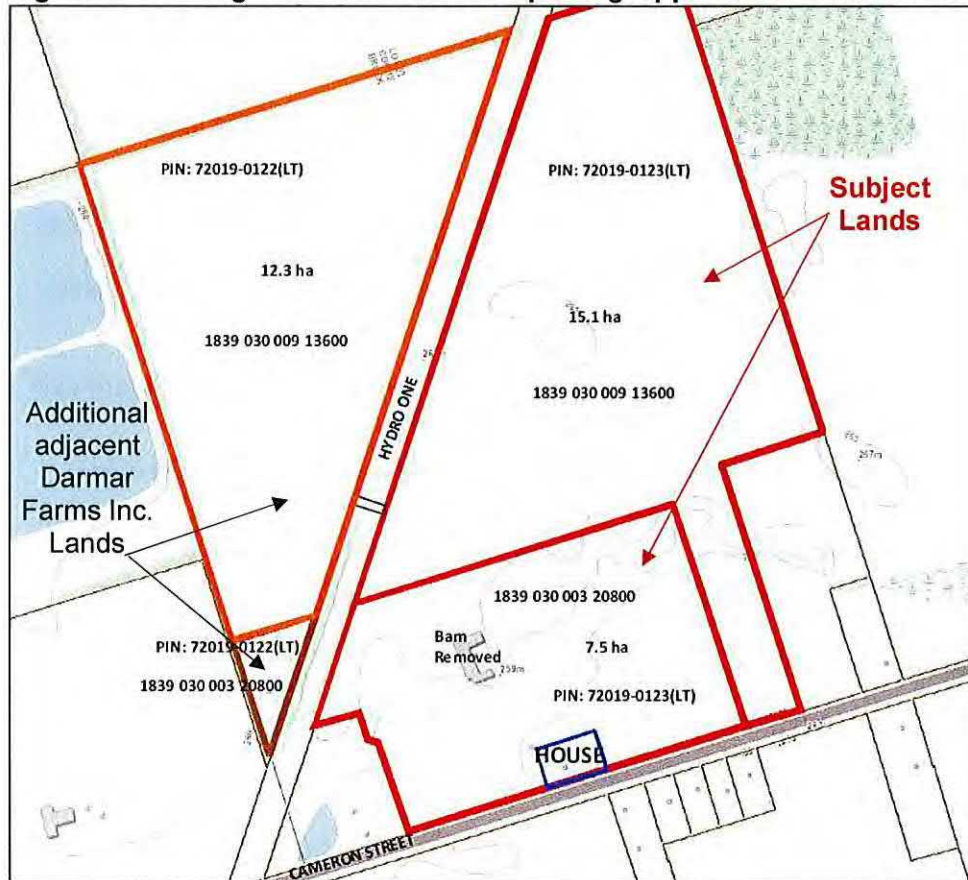
This report is available in alternate formats upon request.
Please contact the Clerk's Department at 705-432-2355.

Report

Please note that this report is only commenting on the Regional Official Plan Amendment portion of the application. The Public Meeting for the Rezoning portion of this application is also being held on July 13, 2020 at 6:30pm. Comments from that Public Meeting will be included in the report regarding the rezoning process on August 9, 2020. Normally, a joint report is prepared, but due to the COVID-19 pandemic, separate reports is the most efficient way to move this application forward.

Darmar Farms Inc. is a bona fide farming operation that operates farms in The Region of Durham and The City of Kawartha Lakes. The farm at 396 Cameron St. E, Cannington, includes a residence that is not required for a family member or employee of Darmar Farms Inc. The farmland western boundary is the former railway line which is now owned by Hydro One. The subject parcel is 22.63 ha. It is notable that Darmar Farms also owns the adjacent lands that were naturally severed by the railway line. **Figure 1** below shows the various parcels all under the same ownership that effectively create a farmed area of 34.9 ha (86.4 ac). Discussions with Regional Planning have determined that the unorthodox configuration of lands in this application are acceptable to represent "viable farmland" as the standard for consideration in this type of severance application.

Figure 1: Configuration of Lots Comprising Application Farmed Area



Policy Conformity

Provincial Policy Statement (PPS) 2020

The PPS was approved by the Lieutenant Governor in Council, Order in Council No. 229/2020 and was issued under section 3 of the Planning Act and came into effect May 1, 2020. It replaces the Provincial Policy Statement issued April 30, 2014.

Section 2.3.4 details the policies around Lot Creation and Lot Adjustments as describes the creation of a lot as part of a surplus farm severance as follows:

- 2.3.4.1 c) a residence surplus to a farming operation as a result of farm consolidation, provided that:
1. the new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services; and
 2. the planning authority ensures that new residential dwellings are prohibited on any remnant parcel of farmland created by the severance. The approach used to ensure that no new residential dwellings are permitted on the remnant parcel may be recommended by the Province, or based on municipal approaches which achieve the same objective.

The proposed severance is less than one hectare and includes the house, well and septic. A concurrent rezoning application has been received to prevent a future residential dwelling on the remnant parcel. Given the above, the application conforms to the PPS.

Greenbelt Plan

The *Greenbelt Plan* shows that the property is in the "Protected Countryside" and "Natural Heritage" designations.

Section 4.6.1 outlines the policies pertaining to surplus farm consolidation:

- f) The severance of a *residence surplus to a farming operation* as a result of a farm consolidation, on which a habitable residence was an *existing use*, provided that:
- i. The severance will be limited to the minimum size needed to accommodate the use and appropriate sewage and water services; and
 - ii. The planning authority ensures that a residential dwelling is not permitted in perpetuity on the retained lot of farmland created by this severance.

The application limits the size of the severed parcel to accommodate the appropriate water and sewage services and the rezoning process will prohibit a residential dwelling on the retained farmland in perpetuity. Given the above, the application conforms with the Greenbelt Plan.

Lake Simcoe Protection Plan and Lake Simcoe Region Conservation Authority (LSRCA)

The following are the summary comments received from the Lake Simcoe Region Conservation Authority regarding the Regional Official Plan Amendment. **Attachment No. 3** contains the full comment.

It is the opinion of the LSRCA that:

1. Consistency with Section 3.1 of the PPS has been demonstrated;
2. Ontario Regulation 179/06 does apply to the subject site however, the area proposed to be severed is outside of the regulatory area. A permit from the Conservation Authority will not be required prior to any development (lot creation) taking place; A permit from the LSRCA would be required prior to issuance of any municipal building permits for site alteration or development within the regulated area.
3. Conformity with the Greenbelt plan is demonstrated; and
4. The subject site is not located within an area that is subject to the policies contained in the Source Protection Plan.

Given the above and attached, there are no objections to this application from the LSRCA.

Durham Regional Official Plan

The subject lands are designated as Prime Agriculture on Schedule A of the Durham Regional Official Plan. Section 9A.2.9 outlines policies pertaining to surplus farm consolidation:

Notwithstanding Policy 9A.2.9, the severance of a farm dwelling rendered surplus as a result of a farmer acquiring a non-abutting farm may be allowed, by amendment to this Plan, provided that:

- a) the dwelling is not needed for a farm employee;
- b) the farm parcel to be acquired is of a size which is viable for farming operations;
- c) within the Protected Countryside of the Greenbelt Plan Area, the dwelling was in existence as of December 16, 2004; and
- d) the farm parcel to be acquired is zoned to prohibit any further severances and the establishment of any residential dwelling.

The applicant has confirmed that the residence is not needed for an employee of the farming operation; the retained farmland is viable for farming operations; the residence was built prior to December 16, 2004; and a concurrent rezoning application will ensure no further severances or the establishment of any residential dwelling will be permitted in future. Given the above, the application appears to conform with the Durham Region Official Plan. The Region of Durham will make the formal determination for their Official Plan.

Brock Township Official Plan

The Township of Brock Official Plan was adopted by Council on June 26, 2006, and approved by the Region of Durham on May 9, 2007. The focus of the Official Plan is to

provide policy direction and designations for the Settlement Areas in Brock Township. Section 3.2.1.2 says that the Durham Region Official Plan provides policies and designations for the rural portion of the Township.

Given that the property is outside of the Settlement Areas in Brock, the Regional Official Plan policies provide the appropriate direction for this application.

Brock Township Zoning By-law

Land use in the Township of Brock is regulated by Zoning By-law 287-78-PL. The subject lands are identified as being in the Rural (RU) Zone and Environmental Protection (EP) Zone.

Conformity with the zoning by-law requires the consideration of the provisions of Plate C of the zoning by-law, noted in **Table 1: Zoning Considerations** below. The considerations apply only to the severed portion of the application that contains the single detached dwelling and zoned RU. Through the rezoning process, the severed lands will be rezoned with a Rural exception number to correctly identify the front yard set-back deficiency.

Table 1: Zoning Considerations

Zoning By-Law Consideration	RU Zoning Provision	Existing Condition for Severed Parcel	Conformity Status
Min Lot Area (sq. metres)	c) 0.4 ha	0.4 ha	Conforms
Min Lot Frontage (m)	c) 46 m	80 m	Conforms
Min Front Yard Set-Back (m)	15 m	10.4 m (7m from porch)	Will conform with RU-X zoning
Min Exterior Side (width) (m)	15 m	42 m	Conforms
Min Interior Side (width) (m)	8 m	11 m	Conforms
Min Rear (depth) (m)	15 m	18 m	Conforms
Min Gross Floor Area per Dwelling Unit (sq. m)	100 sq. m	350 sq. m	Conforms
Max Lot Coverage of All Buildings (%)	30%	10.3%	Conforms
Min Centreline Setback (metres)	30.24 m	Approx. 21 m	Will conform with RU-X zoning
Min Landscaped Open Space (%)	30%	Approx. 80%	Conforms
Max Number of Dwelling Houses per Lot	1	1	Conforms
Max # of Dwelling Units per Lot	2	1	Conforms
Max Height of Buildings (m)	9 m	Standard 2 storey house	Assumed to conform
Other Zone Provisions	(r, s, u) N/A	N/A	N/A

MDS Guidelines

Based on the applicant consultant review of Guideline 9, the proposal meets the requirements of MDS and that no MDS setback is to be calculated or applied to the proposal lands.

Conclusion

Based on the planning analysis conducted, the Township of Brock has no objections to the Regional Official Plan amendment allowing the severance of the surplus farm dwelling from the consolidated farming operation, subject to the appropriate rezoning process being undertaken to prevent any future residential uses on the retained farm parcel and to identify the front yard set-back and centerline set-back deficiencies on the severed residential parcel.

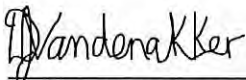
Consultation

N/A

Financial

N/A

Respectfully submitted,



Debbie VandenaKker
Planner

Reviewed by,



Richard Ferguson
Chief Building Official

Attachment 1: Pre-Consultation Meeting Minutes

Via Email Only



The Regional
Municipality
of Durham

Planning and Economic
Development Department

Planning Division

605 ROSSLAND RD. E.
4TH FLOOR
PO BOX 623
WHITBY ON L1N 6A3
CANADA
905-668-7711
1-800-372-1102
Fax: 905-666-6208
Email: planning@durham.ca

www.durham.ca

Brian Bridgeman, MCIP, RPP
Commissioner of Planning
and Economic Development

July 2, 2019

Mr. Hugh Stewart
Senior Planner
Clark Consulting Services
52 John Street Port Hope, ON L1A 2Z2

Dear Mr. Stewart,

**Re: Record of Pre-consultation for Proposed Regional Official Plan
and Zoning By-Law Amendments, and a Future
Land Division Application**

Owners: Darmar Farms Ltd.

Property Location: 396 Cameron Street, Cannington
Part of Lot 23, Concession 12
Township of Brock (Former Thorah)

In accordance with By-law 2-2008 of the Regional Municipality of Durham, this letter is to confirm that a pre-consultation meeting was conducted in accordance with the provisions of this By-law. Comments from the Township of Brock may be provided later.

Pre-consultation Date: Monday, June 24, 2019 – 10:15am-11:00am

Parties in Attendance:

Mr. Hugh Stewart – Clark Consulting Services, Planner (Proponent)
Mr. J. Kent Randall – EcoVue Consulting Services Inc.
Mr. Ian Walker – Kawartha Lakes, Planning Officer
Ms. Lesley Kennedy - Region of Durham, Senior Public Health Inspector
Mr. Ashley Yearwood - Region of Durham, Project Planner
Ms. Carla Acosta – Region of Durham, Planning Analyst

Regrets:

Ms. Becky Jamieson – Township of Brock, Township Clerk

"Service Excellence
for our Communities"

If this information is required in an accessible format, please contact
Planning Reception at 1-800-372-1102, extension 2551.

Site Location/Description:

The subject site is located on the north side of Cameron Street, west of Simcoe Street, and abuts a hydro corridor to its west. The subject site is irregular in shape and is approximately 22.62 ha. The subject site consists of a dwelling which is serviced by municipal water and private septic system. Separate frontages servicing the proposed retained and severed parcels are proposed to be maintained.

The proponent also owns a vacant 12.34 ha of land on the opposite side of the hydro corridor, which was naturally severed from the subject site by the corridor.

Purpose of the Amendment Application:

The proponent purposes to amend the Durham Regional Official Plan (ROP) to facilitate a future severance of approximately 0.4 ha containing a dwelling (396 Cameron Street) considered surplus to a non-abutting farm operation. The retained lot would be approximately 22.2 ha. If approved, the proponent will also require a zoning by-law amendment through the Township of Brock to satisfy specific ROP policy criteria as noted below.

Durham Regional Official Plan (ROP) Designation: Prime Agricultural Areas.

Is the proposal in Conformity with the ROP: No

Conformity Details:

The subject site is located within the "Prime Agricultural Areas" designation in the Regional Official Plan (ROP). Lands within Prime Agricultural Areas are intended for a full range of agricultural, agricultural-related and secondary uses.

Policy 9A.2.10 of the ROP may allow only by amendment to this Plan, the severance of a dwelling rendered surplus as a result of a farmer acquiring a non-abutting farm provided that the applicant demonstrates the following:

- a) the dwelling is not needed for a farm employee;
- b) the farm parcel to be acquired is of a size which is viable for farming operations;
- c) within the Protected Countryside of the Greenbelt Plan Area, the dwelling was in existence as of December 16, 2004; and
- d) the farm parcel to be acquired is zoned to prohibit any further severances and the establishment of any residential dwelling and
- e) no further severance from the retained farm parcel shall be granted.

Information/Studies Required:

The Regional Planning and Economic Development Department will require the following information to be submitted to support the proposed ROPA, ZBA and related severance application for the farm property:

A Planning Rationale/Justification Report and an Agricultural Assessment Report – which incorporates the following:

- consistency and conformity with the relevant Provincial Plans and Policies, including the ROP policies;
- appropriateness of the proposed size of the retained farm parcel;
- proof that the proposal will not result in fragmentation of farm land or impact any natural features within and abutting the subject lands;
- information on the age of the dwellings;
- a Statement of Conformity with Minimum Distance Separation Formulae (we note that prior to the meeting, the proponent provided a Preliminary Planning Review document which outlined the proposed development and its conformity with the above-noted policies).

A Total Land Holding Report/Land Inventory Report – to identify and map out all farm properties owned by the farming operation. This should also include the description of current use, including the primary home.

A Record of Site Condition Compliant Phase One Environmental Site Assessment (ESA) Report or a Site-Screening Questionnaire (SSQ) – this should be completed and signed by a Qualified Person (QP). If a Phase One ESA is submitted, the Region's Reliance Letter and Certificate of Insurance forms are required. These documents must be prepared in accordance with the Region's Site Contamination Protocol, which depending on their findings may result in additional environmental work.

A Survey Sketch or Draft 40-R Plan – to illustrate the location of the well, septic system, and sewage system reserve area

Regional Official Plan Amendment Fees

Agency Fees	Durham Region Official Plan Amendment (ROPA)	Brock Zoning By-law Amendment	Land Division Application
Durham Planning	\$7,000 (minor fee) + \$1,000 publication fee	\$1,500 (Fee Waived If Filed Concurrently with a ROPA)	\$1,500*
Durham Health	\$265 (If Filed Concurrently with a ROPA)		\$531
Township of Brock	N/A	\$1,630	\$285
Lake Simcoe Region Conservation Authority	\$2,000**		

* Application Fee is \$1,000 and Regional Planning Review Fee is \$500

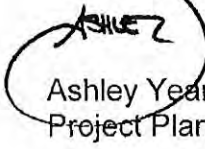
** Zoning Review Fee is \$1000, and \$500 for Consent Application

We recommended the fee amounts be confirmed at the time of submission of the applications. Payments should be by Certified Cheque, Money Order, or Bank Draft.

In accordance with our procedures, please advise whether you concur with the above-noted information and study requirements within seven (7) days of receiving this Record of Pre-Consultation. Should you not agree with the above-noted requirements, another pre-consultation meeting may be requested.

Please contact Ashley Yearwood at (905) 668-7711, ext. 2547, if you have any questions.

Yours truly,


Ashley Yearwood, MCIP, RPP
Project Planner


Carla Acosta, MPL
Planning Analyst

cc: J. Kent Randall, Eco Vue Consulting
Ian Walker, City of Kawartha Lakes

Lesley Kennedy, Durham Region Health Department

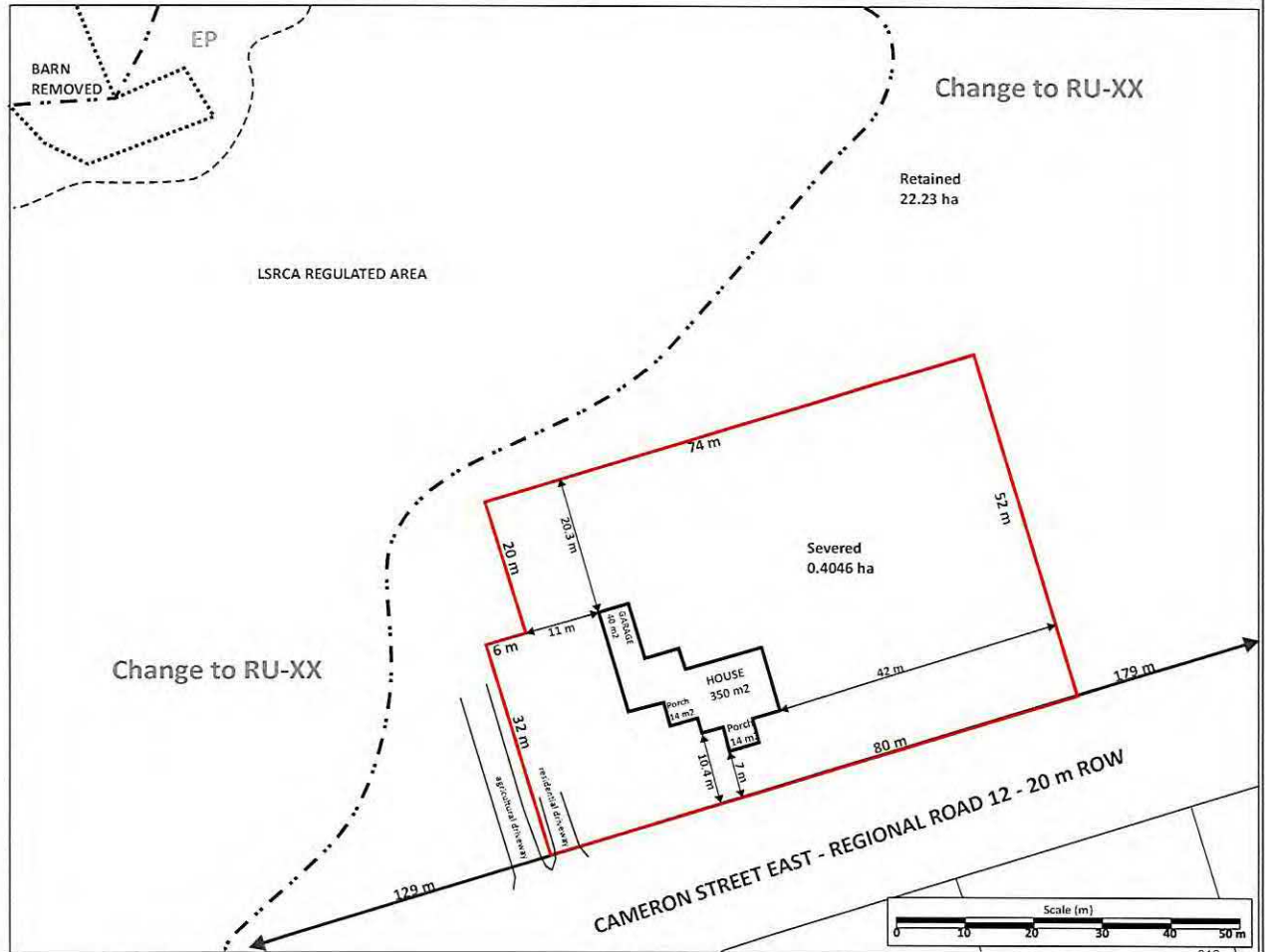
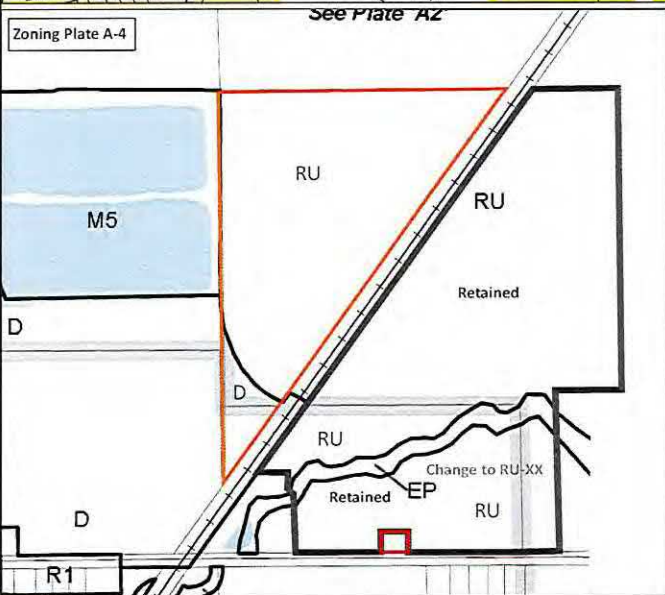
Attachments: 1) Site Screening Questionnaire
2) Reliance Letter and Certificate of Insurance

CLARK
CONSULTING SERVICES

396 Cameron Street
1 single detached dwelling
septic system municipal water
attached garage

396 Cameron Street

Darmar Farms Inc.





Lake Simcoe Region
conservation authority

www.LSRCA.on.ca

Sent via e-mail: dvandenakker@townshipofbrock.ca

March 13, 2020

Municipal File No: OPA 2020—01; 2-2020-PL
LSRCA File No.: ZO-226060-020720

Debbie Vandenakker
Planner
The Corporation of the Township of Brock
1 Cameron Street East, P.O. Box 10
Cannington, Ontario, L0E 1E0

Dear Ms. Vandenakker:

Re: 396 Cameron St E
Lot 23, Concession 12
Township of Brock
Regional Municipality of Durham

LSRCA staff have reviewed the above-noted application for Regional Official Plan Amendment (ROPA) and Brock Zoning By-law Amendment (ZBA) to facilitate the severance of a non-abutting farm house from a farm property.

We understand an application for severance will follow approval of the proposed Regional OPA and Brock ZBA.

Documents Received and Reviewed by Staff

Staff have received and reviewed the following documents submitted with this application:

- Planning Justification Report dated January 10, 2020 prepared by Clark Consulting Services.
- Supporting drawings
- Proposed ROPA

Staff has reviewed this application as per our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2014) and as a regulatory authority under Ontario Regulation 179/06. LSRCA has also provided comments as per our MOU with The Township of Brock and Region of Durham representing the review and comment on Official Plan and Zoning By-law amendments from a watershed management perspective. The application has also been reviewed through our role as a public body under the Planning Act as per our CA Board approved policies. Finally, LSRCA has provided advisory comments related to policy applicability and to assist with implementation of the South Georgian Bay Lake Simcoe Source Protection Plan under the Clean Water Act.

Recommendation

As the proposed farm severance does not bisect a key natural heritage or key hydrogeological feature, the Lake Simcoe Region Conservation Authority has no objections to the proposed Regional Official Plan Amendment and Brock Zoning By-Law Amendment.

Site Characteristics

Existing mapping indicates that the subject property is within the vicinity of a tributary of the Beaver River

- While the broader landholdings are regulated due to the floodplain associated with the Beaver River, we note the area proposed for the farm house severance is outside of the regulated area of the LSRCA
- The property is designated "Prime Agricultural Areas" on Schedule A, Map A1 of the Region of Durham Official Plan and zoned Rural and Environmental Protection on Plate A4 Zoning by-law 287-78.
- The subject lands area designated Protected Countryside under the Greenbelt plan (2017)
- The subject lands are within the Beaver River Subwatershed
- The subject lands are not located within an area that is subject to the policies contained in the Source Protection Plan

Delegated Responsibility and Statutory Comments:

1. LSRCA has reviewed the application through our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement.

- The larger land holdings contain Natural Hazards associated with Flooding Hazard of the Beaver River. The proposed severance is outside of the Natural Hazard lands.
- The applications for Regional Official Plan and Brock Zoning By-law Amendments appears to be consistent with Section 3.1 of the PPS.

2. LSRCA has reviewed the application as per our responsibilities as a regulatory authority under Ontario Regulation 179/06. This regulation, made under Section 28 of the *Conservation Authorities Act*, enables conservation authorities to regulate development in or adjacent to river or stream valleys, Great Lakes and inland lake shorelines, watercourses, hazardous lands and wetlands. Development taking place on these lands may require permission from the conservation authority to confirm that the control of flooding, erosion, dynamic beaches, pollution or the conservation of land are not affected. LSRCA also regulates the alteration to or interference in any way with a watercourse or wetland.

- The larger land holdings contain lands that are within the LSRCA regulated area however we note the lands proposed to be severed for the farm residence is not regulated.

Advisory Comments

3. LSRCA has reviewed the application through our responsibilities as a service provider to the Township of Brock and the Region of Durham in that we provide review of Official plan and Zoning By-law amendments through a MOU as well as through our role as a public body, pursuant to the *Planning Act*.

The proposal conforms to the Greenbelt plan as no Natural Heritage system or Water Resources system are being impacted and the proposed severance is outside of any feature on the subject lands. The proposal appears to conform with Section 4.6 of the Greenbelt Plan as the severance is limited to minimum size necessary and these Official Plan and zoning restrictions will be in place to ensure no new dwelling will be permitted on the future retained lot.

We acknowledge that no natural heritage features are being impacted as a result of the proposed Official Plan amendment and Zoning By-law amendment.

5. LSRCA has reviewed the application in terms of the South Georgian Bay Lake Simcoe Source Protection Plan, prepared under the Clean Water Act, 2006. The Source Protection Plan came into effect on July 1, 2015 and contains policies to protect sources of municipal drinking water from existing and future land use activities.

- The subject property is not located within an area subject to the local Source Protection Plan, based on map screening.
- Link to the Source Protection Plan: <https://ourwatershed.ca/assets/uploads/2019/11/08-20-2019-AmendedSourceProtectionPlan.pdf>

Summary


Given the above comments, it is the opinion of the LSRCA that:

1. Consistency with Section 3.1 of the PPS has been demonstrated;
2. Ontario Regulation 179/06 does apply to the subject site however, the area proposed to be severed is outside of the regulatory area. A permit from the Conservation Authority will not be required prior to any development (lot creation) taking place; A permit from the LSRCA would be required prior to issuance of any municipal building permits for site alteration or development within the regulated area.
3. Conformity with the Greenbelt plan is demonstrated; and
4. The subject site is not located within an area that is subject to the policies contained in the Source Protection Plan.

Please inform this office of any decision made by the municipality with regard to this application. We respectfully request to receive a copy of the decision and notice of any appeals filed.

Should you have any questions, please contact the undersigned.

Sincerely,



Dave Ruggle, BAA, MCIP, RPP
Planner II

c.c. Ashley Yearwood, Region of Durham
Bob Clark, Clark Consulting Services

Correspondence



Corporate Services Department
City Clerk Services

File: A-2100

June 17, 2020

DELIVERED BY EMAIL

The Right Honourable Justin Trudeau,
Prime Minister of Canada
Email: justin.trudeau@parl.gc.ca

The Honourable Doug Ford,
Premier of Ontario
Email: premier@ontario.ca

Re: Licensing Payday Loan Establishments

Oshawa City Council considered the above matter at its meeting of May 25, 2020 and adopted the following recommendation:

1. "That in accordance with Section 5.6.2 of Report CNCL-20-76 concerning Licensing Payday Loan Establishments dated May 20, 2020, the Licensing By-law 120-2005, as amended, and General Fees and Charges By-law 13-2003, as amended, be further amended to:
 - establish a licensing system for payday loan establishments as generally set out in Section 5.6 of the Report
 - restrict the number of payday loan establishments to 2 per ward to a maximum of 10 in the City
 - prohibit new payday loan establishments in the Downtown Urban Growth Centre as defined in the Oshawa Official Plan
 - establish a minimum 150m setback from other payday loan establishments and elementary and secondary schools
 - include appropriate grandfather provisions for existing establishments

and that such an amending by-law be passed in a form and content acceptable to the Commissioner, Corporate Services Department and Legal Services; and,

2. That the notice provisions of By-law 147-2007 be waived in connection with the introduction of the licensing system for payday loan establishments and associated fees; and,
3. That Council requests the Province of Ontario to limit the annual interest rates to a reasonable amount for all payday loans; and,
4. That Council requests the Federal Government to:
 - Require chartered banks and credit unions to have branches in low-income neighbourhoods which offer credit lines to low-income people at the same rates they offer to other customers;
 - Work with partners such as credit unions and chartered banks, to encourage and steward the development of lower-cost financial products that can provide an alternative for users of payday loan establishments; and,
5. That this report and resolution be forwarded to Prime Minister Trudeau, Premier Ford, local Oshawa MPs and MPPs, the Region of Durham, all Durham municipalities, the Federation of Canadian Municipalities and the Association of Municipalities of Ontario.”

Please find attached Report CNCL-20-76.

Oshawa City Council respectfully requests your consideration of the above noted matters.

If you need further assistance concerning this matter, please contact Tracy Adams, Commissioner, Corporate Services Department at the address listed on Page 1 or by telephone at 905-436-3311.



Mary Medeiros
City Clerk

/fb

- c. Region of Durham
Association of Municipalities of Ontario
Federation of Canadian Municipalities
Durham Region area Members of Parliament and Members of Provincial Parliament
Durham Region Municipalities



Public Report

To: Council in Committee of the Whole

From: Tracy Adams, Commissioner,
Corporate Services Department

Report Number: CNCL-20-76

Date of Report: May 20, 2020

Date of Meeting: May 25, 2020

Subject: Licensing Payday Loan Establishments

File: D-2200

1.0 Purpose

This report responds to City Council's ("Council") November 4, 2019 direction as follows:

"Whereas the City of Toronto recently approved regulatory changes required to prohibit the issuance of new business licenses to payday loan outlets; and,

Whereas there are concerns that the payday loan establishments are 'predatory' and take advantage of low-income residents who do not have access to credit and become trapped in debt cycles as a result of payday loan exorbitant fees;

Therefore be it resolved that staff be directed to undertake municipal benchmarking, review licensing options available and report back to the Corporate Services Committee with the results of the review."

This report presents information on municipal benchmarking and seeks direction from Council regarding the recommended option.

Attachment 1 is a copy of the Ministry of Government and Consumer Services Payday Loan Poster.

Attachment 2 is a copy of the City's response to the 2016 correspondence received from the City of Ottawa.

Attachment 3 is a copy of the Provincial guide for payday lenders.

Attachment 4 is a copy of the Provincial information for borrowers.

Attachment 5 is information on municipal benchmarking.

2.0 Recommendation

It is recommended to City Council:

1. That in accordance with Section 5.6.2 of Report CNCL-20-76, "Licensing Payday Loan Establishments", dated May 20, 2020, the Licensing By-law 120-2005, as amended, and General Fees and Charges By-law 13-2003, as amended, be further amended to:
 - establish a licensing system for payday loan establishments as generally set out in Section 5.6 of the Report
 - restrict the number of payday loan establishments to 2 per ward to a maximum of 10 in the City
 - prohibit new payday loan establishments in the Downtown Urban Growth Centre as defined in the Oshawa Official Plan
 - establish a minimum 150m setback from other payday loan establishments and elementary and secondary schools
 - include appropriate grandfather provisions for existing establishmentsand that such an amending by-law be passed in a form and content acceptable to the Commissioner of Corporate Services and Legal Services; and,
2. That the notice provisions of By-law 147-2007 be waived in connection with the introduction of the licensing system for payday loan establishments and associated fees; and,
3. That Council requests the Province of Ontario to limit the annual interest rates to a reasonable amount for all payday loans; and,
4. That Council requests the Federal Government to:
 - Require chartered banks and credit unions to have branches in low-income neighbourhoods which offer credit lines to low-income people at the same rates they offer to other customers;
 - Work with partners such as credit unions and chartered banks, to encourage and steward the development of lower-cost financial products that can provide an alternative for users of payday loan establishments; and,
5. That this report and resolution be forwarded to Prime Minister Trudeau, Premier Ford, local Oshawa MP's and MPP's, the Region of Durham, all Durham municipalities, the Federation of Canadian Municipalities and the Association of Municipalities of Ontario.

3.0 Executive Summary

Not applicable.

4.0 Input From Other Sources

The following were consulted in the preparation of this report:

- Legal Services
- Planning Services
- Ministry of Government and Consumer Services Consumer Services Operations Division – Licensing Unit
- Municipalities: Ajax, Barrie, Chatham-Kent, Clarington, Hamilton, Kitchener, London, Ottawa, Pickering, Sarnia, Toronto, Whitby

The following works are cited in the Literature Review in Section 5.2:

- Bond, Sabrina. “Filling the Gap. Canada’s Payday Lenders.” The Conference Board of Canada. November 2016, https://www.conferenceboard.ca/temp/313ab0b2-5e4c-45c7-89fa-55e381443eed/8369_Filling-the-Gap_RPT.pdf
- Buckland, Jerry. “Payday Lending: A Mature Industry with Chronic Challenges.” March 14, 2016, http://www.pubmanitoba.ca/v1/payday_loan_review2016/cac_4_tab_2_literature_review_j_buckland.pdf
- Dijkema, Brian. “New Powers, New Responsibilities: A Guide for Municipalities on Payday Loan Regulation.” Cardus. April 9, 2018, <https://www.cardus.ca/research/work-economics/reports/new-powers-new-responsibilities-a-guide-for-municipalities-on-payday-loan-regulation/>
- Dijkema, Brian. “The Changing Face of Payday Lending in Canada.” Cardus, June 26, 2019, <https://www.cardus.ca/research/work-economics/reports/the-changing-face-of-payday-lending-in-canada/>.
- Marsh, Sarah, Dildar, Yasir, and Janzen, Rich. “Payday Lending: In Search of a Local Alternative.” Wellesley Institute. March 2010, https://www.wellesleyinstitute.com/wp-content/uploads/2010/05/Payday_loan_final_report.pdf
- Stegman, Michael. “Payday Lending.” Journal of Economic Perspectives. 2007, <https://www.aeaweb.org/articles?id=10.1257/jep.21.1.169>

5.0 Analysis

5.1 Background

This report responds to the Council's November 4, 2019 direction (CORP-19-90) as follows:

"Whereas the City of Toronto recently approved regulatory changes required to prohibit the issuance of new business licenses to payday loan outlets; and,

Whereas there are concerns that the payday loan establishments are 'predatory' and take advantage of low-income residents who do not have access to credit and become trapped in debt cycles as a result of payday loan exorbitant fees;

Therefore be it resolved that staff be directed to undertake municipal benchmarking, review licensing options available and report back to the Corporate Services Committee with the results of the review."

A payday loan is typically described as a small value, unsecured loan taken out for a short time, typically until the client's next payday, which is obtained at a retail store or online. Payday loans are understood to be the most expensive form of consumer loan in Ontario (see **Attachment 1**). These businesses may also offer cheque cashing and provide other services that traditional financial institutions may not. Payday loan establishments may operate through a physical storefront or online website.

Concerns have been raised that payday loan establishments may negatively impact low-income residents who have limited access to financial services. This concern is unsurprising, given that studies have shown that payday loan clients typically have annual household incomes under \$50,000 (Marsh et al. 12). The City of Oshawa ("City") has identified concerns regarding underserved areas of the City and financial services in both the Oshawa Community Needs Assessment and the Wentworth Street West Community Improvement Plan. The Oshawa Community Needs Assessment has identified a need to improve ongoing access to formal financial institutions, especially in Priority Neighbourhoods and the Wentworth Street West Community Improvement Plan seeks to encourage the establishment of a full service financial institution in the Wentworth Street West area.

At its May 24, 2016 meeting, Council received correspondence from the City of Ottawa requesting the City of Oshawa endorse a resolution requesting the Province amend the Municipal Act, 2001, S.O. 2001, c. 25 ("Municipal Act, 2001"), to permit Ontario municipalities to enact licensing by-laws for payday loan establishments that could limit such establishments by location and number (**Attachment 2**). The resolution was endorsed and shared with additional stakeholders. The Municipal Act, 2001 was subsequently amended in 2017, as outlined in Section 5.3 of this Report.

5.2 Literature Review: Benefits and Detractors of Payday Loan Establishments

Payday loan establishments are thought by some to be predatory in nature posing a threat to consumers due, in part, to the high cost of borrowing. An example of this concern is depicted in the Ministry of Government and Consumer Services' poster and handout (**Attachment 1**) which is required to be displayed/provided at all payday loan businesses. Notwithstanding this, they have also been regarded as providing a necessary service to members of the community who may have limited financial services options.

A report by the Conference Board of Canada stated that payday loans can enhance the welfare and productive capacity of informed consumers, leading to improved financial management with labour force participation and better family health outcomes (Bond 42). Obtaining a payday loan may be a better alternative than accumulating nonsufficient funds fees, fees levied by companies for missed bill payments or utility disconnection/reconnection fees (Dijkema, "New Powers" 5). According to some studies, many payday loan users choose payday loans as a tool to meet basic necessities (Dijkema, "New Powers" 5). In fact, one study found that municipal restrictions on the number of payday loan businesses had a negative effect on some consumers in that restrictions created an oligopoly for small-dollar loans with existing locations having an almost permanent, government-protected and enforced oligopoly on the service, limiting available credit options for certain consumers (Dijkema, "Changing Face" 8).

In contrast, some sources state that this form of loan has a high cost and a cyclical nature for users (Buckland 16; Marsh et al. 6). Others claim that the costs of payday loans do not just affect the individual household, but extend into the community. One report contends that payday lending is correlated with violence, property crime, increased need of social assistance, and increased premature mortality (Dijkema, "New Powers" 4). Another found that more restrictive regulations resulted in jurisdictions with fewer payday loan businesses and that would-be borrowers did not substitute new methods of obtaining short-term access to funds, instead employing other financial management strategies such as limiting spending (Buckland 27).

Though clustering prevention controls may decrease customer convenience and make it more challenging for lenders to find prime locations, they may not cause the benefits desired, as those who borrow regularly often use more than one lender at a time in order to pay others back (Stegman 175). Furthermore, anti-clustering attempts may "discourage price competition among payday lenders" (Stegman 175).

5.3 Existing Regulatory Framework

Federal:

The Criminal Code of Canada, R.S.C. 1985, c. C-46 ("Criminal Code") defines "payday loan" as "an advancement of money in exchange for a post-dated cheque, a pre-authorized debit or a future payment of a similar nature but not for any guarantee, suretyship, overdraft protection or security on property and not through a margin loan, pawnbroking, a line of credit or a credit card."

Section 347.1(3) of the Criminal Code permits payday loans subject to the existence of sufficient provincial regulation and protection for recipients of payday loans, including limits on the total cost of borrowing.

Provincial:

Payday loan establishments are regulated through the Payday Loans Act, 2008, S.O. 2008, c. 9 ("Payday Loans Act, 2008") and must be licensed by the Province of Ontario. The Payday Loans Act, 2008 defines "Payday Loan" as "an advancement of money in exchange for a post-dated cheque, a pre-authorized debit or a future payment of a similar nature but not for any guarantee, suretyship, overdraft protection or security on property and not through a margin loan, pawnbroking, a line of credit or a credit card". A "Lender" is a person or thing "that makes a payday loan to a borrower or holds oneself out as available to make such a loan".

Under the Payday Loans Act, 2008:

- a person cannot be charged more than \$15 for every \$100 borrowed
- a person cannot be sold or offered any goods or services in connection with the payday loan
- a person has two (2) business days to cancel a contract for a payday loan without any penalty (e.g. without paying a fee) and without having to give a reason
- "rollover" loans are not allowed (e.g. a person cannot roll what they owe on a payday loan into a second payday loan), as people are prohibited from getting another payday loan from the same lender before paying their first loan in full.

Payday lenders must:

- Be licensed with the Government of Ontario
- Include specific information of the first page of their contracts (e.g. the amount being borrowed, length of loan and cost of the loan)
- Not ask for or accept payment by automatic deduction from your paycheck

Additional regulations relate to things such as:

- What a lender can/cannot do if a customer fails to meet the terms of their loan agreement
- Educating customers about the cost of loans

A provincial guide for payday lenders has been appended as **Attachment 3**. Provincial information for borrowers has been appended as **Attachment 4**.

Municipal:

The Municipal Act, 2001 permits municipalities to license payday loan establishments. The Municipal Act, 2001 was recently amended by the Putting Consumers First Act (Consumer Protection Statute Law Amendment), 2017, S.O. 2017, c. 5 – Bill 59, to permit municipalities to define the area of the municipality in which a payday loan establishment may or may not operate and limit the number of payday loan establishments in any defined area in which they are permitted. It also stipulates that municipalities shall not prohibit the operation of all payday loan establishments in the municipality.

There are currently land-use controls established in the City's Zoning By-law 69-94, as amended ("Zoning By-law"); they are as follows:

- Zoning regulations related to "Financial Institutions"
 - "Financial Institution" means an establishment which provides money management services directly to the public, including a bank, trust company, credit union, securities firm, finance company, mortgage brokerage or any other similar use
- Set back distances in the Central Business District (Section 16.4)
 - "No **payday loan business**, tattoo parlour or pawn shop shall be located closer than 50m to another lot occupied by a payday loan business, tattoo parlour or pawn shop"

5.4 Municipal Benchmarking

Some municipalities have chosen to regulate payday loan establishments through zoning by-laws and/or business licensing by-laws. Some zoning by-laws establish minimum set back requirements between payday loan establishments and other land uses (e.g. gaming institutions, other payday loan establishments, etc.), and limiting zones where the use is permitted, among other restrictions. Business licensing by-laws may involve zoning by-law compliance checks, restrictions on the number of licences issued, setback requirements, and the required provision of information on consumer protection resources, among other requirements. The results of municipal benchmarking have been appended as **Attachment 5**.

5.5 Current Payday Loan Establishments in the City Of Oshawa

A search of a provincial database on March 25, 2020, identified eighteen (18) payday loan establishments licensed to operate in the City. The identified establishments are listed in **Table 1** below.

Table 1 Provincially Licensed Local Payday Loan Establishments

Name	Ward	Location
Money Mart	1	300 Taunton Rd E
Cash 4 You	2	1208 Simcoe St N
Cash Money	2	1180 Simcoe St N Unit 7
Money Mart	2	1053 Simcoe St N
Cash 4 You	4	333 King St W Unit B
Cash 4 You	4	64 Simcoe St N
Cash Express	4	378 King St W Unit 102
Cash King	4	282 King St W Unit 1
Cash Money	4	346 King St W
CashMax	4	1 Warren Ave Unit 105
Money Mart	4	16 Simcoe St N
Money Mart	4	428 King St W
Oshawa Payday Loans	4	204 King St E
Pay2Day	4	420 King St W Unit 2
Payday Loan Direct	4	129 King St E 2
Pay2Day	4	420 King St W Unit 102
Cash Money	5	576 Ritson Rd S
Money Mart	5	301 Wentworth St W

5.6 Regulatory Recommendation: Limit the Number and Location of Payday Loan Establishments and Establish a 150 metre Set Back

Following staff's review of the issue, limiting the number of payday loan establishments in the City and establish a 150 metre set back between other payday loan establishments and certain schools is recommended for Council's consideration:

The number of payday loan establishments would be restricted to two (2) per ward with an overall total of ten (10) in the City subject to the following:

- There would be **no additional licences issued** for locations in wards that do not currently have up to two payday loan locations (e.g. Wards 1 and 3) until the overall number in the City is below ten (10) as appropriate;
- Existing payday loan establishments that obtain a licence would be allowed to continue in their current location, regardless of the per ward limit (e.g. grandfathering);
- Should a payday loan establishment cease to operate, no future licence would be issued in its place if the ward and City-wide capacity is already reached; and,

- Furthermore, existing payday loan establishments would not be permitted to transfer a licence to a new location. In these instances, a new licence would be required and the approval would be subject to compliance with the ward and City-wide licence caps.

The aforementioned approach would encourage the elimination of the current “clustering” of like-businesses with the intent of reducing the number of payday loan establishments in the City over time. Limiting the number of payday loan establishments on a per ward basis may contribute to the City’s poverty reduction goals by helping prevent an oversaturated payday loan market in the City and limiting the number of businesses that provide access to high cost loans.

With this in mind, it is important to note that the online availability of payday loans would be a limitation to the success of a municipal licensing system in enhancing protections for customers of payday loan establishments.

Payday Loan Business Establishment Licensing Requirements and Fees

Applicants for a payday loan establishment business licence would be required to:

- Submit proof of a valid provincial payday lender licence
- Submit proof of applicable insurance
- Receive zoning approval
- Agree to provincial requirements for posters and educational material
- Confirm that they advertise credit-counselling services

In order to assist with cost recovery, the proposed cost of a licence would be \$225 (consisting of a \$150 licensing fee and a \$75 application fee).

Set back requirements would be introduced to the Licensing By-law as required to prohibit a payday loan establishments from operating within 150 metres (492 feet) of another payday loan establishment or schools including public, separate, private elementary and secondary and Montessori schools. In addition, the new payday loan establishments would not be permitted in the Downtown Urban Growth Centre and existing payday loan establishments in this area could not transfer to another location in the area.

Recommendations to the Provincial and Federal Governments: Additional Measures

In addition to the introduction of a new business licence, it is also recommended that the City urge the provincial and federal governments take additional measures regarding financial services and low-income neighbourhoods by requesting:

- That the Province of Ontario limit the annual interest rates for all payday loans to reasonable rates; and,
- That the Federal Government:
 - Require chartered banks and credit unions to have branches in low-income neighbourhoods which offer credit lines to low-income people at the same rates they offer to other customers; and,

- Work with partners such as credit unions and chartered banks, to encourage and steward the development of lower-cost financial products that can provide an alternative for users of payday loan establishments.

This is consistent with the City's initiatives through the Wentworth Street West Community Improvement Plan and the Oshawa Community Needs Assessment, as discussed in Section 5.1 of this Report, to improve access to full service financial institutions in low-income neighbourhoods where there are financial deserts. It also addresses the intent of the Poverty, Reduction Approach approved by Council on April 27, 2020 and the proposed 2020-2023 Oshawa Strategic Plan by addressing economic disparity and poverty matters in our community.

6.0 Financial Implications

There are no financial implications associated with the recommendation in this report. The costs associated with administering the recommendation would be recovered through licensing fees.

7.0 Relationship to the Oshawa Strategic Plan

The recommendation in this report respond to the Oshawa Strategic Plan Goal of Accountable Leadership.



Brenda Jeffs, Director,
Municipal Law Enforcement and Licensing Services



Tracy Adams, Commissioner,
Corporate Services Department

Attachments

Ministry of Government and Consumer Services Poster

Note: All payday loan businesses in Ontario must display the Ministry of Government and Consumer Services' ("Ministry") Poster (Figure 1) and provide the Ministry's handout (Figure 2)

Figure 1 Ministry Poster

Ministry of Government and Consumer Services

How much will \$300 cost you for two weeks?

If you borrow:	Payday loan (Assuming cost of borrowing is \$15 per \$100)*	Credit card (Assuming a daily interest rate at 23% APR and a service fee of \$3.50 for a cash advance)
One loan	\$45	\$6.15
Two loans	\$90	\$12.29
Four loans	\$180	\$24.59
Six loans	\$270	\$36.88

Complaint? Concern? Please call:
Ministry of Government and Consumer Services at
(416) 326-8800 or 1-800-889-9788 | TTY 416-229-6066 or 1-877-666-6545

Learn more about your consumer rights:
ontario.ca/Consumer

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* In Ontario, the maximum allowable cost of borrowing is \$15 per \$100 borrowed (including all fees and charges).

Ontario 

Figure 2 Ministry Handout



Ministry of Government and Consumer Services

How much will **\$300** cost you for **two weeks**?

If you borrow:	Payday loan (Assuming cost of borrowing is \$15 per \$100)*	Credit card (Assuming a daily interest rate at 23% APR and a service fee of \$3.50 for a cash advance)
One loan	\$45	\$6.15
Two loans	\$90	\$12.29
Four loans	\$180	\$24.59
Six loans	\$270	\$36.88


Complaint? Concern? Please call:
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Learn more about your consumer rights:
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* In Ontario, the maximum allowable cost of borrowing is \$15 per \$100 borrowed (including all fees and charges).

Ontario 

File: F-4200

May 31, 2016

DELIVERED BY E-MAIL

(Jim.Watson@ottawa.ca)

Jim Watson
Office of the Mayor
City of Ottawa

Re: Licensing of Payday Loan Establishments

This is in response to your correspondence dated April 21, 2016 to the Premier of Ontario concerning the above-referenced matter.

Oshawa City Council considered the above matter at its meeting of May 24, 2016 and adopted the following resolution:

“That Oshawa City Council endorse the following resolution from the City of Ottawa:

Whereas the interest and fees charged on a loan from a payday loan establishment can exceed by several times the amount of the loan; and,

Whereas there is a clustering of payday loan establishments in areas where financially vulnerable persons reside; and,

Whereas Section 10 of the Municipal Act, 2001 permits the City to enact by-laws respecting: the economic, social and environmental well-being of the municipality; the health, safety and well-being of persons; and the protection of persons and property, including consumer protection; and,

Whereas Sections 10 and 151 of the Municipal Act, 2001 also permits a municipality to license businesses within the municipality; and,

Whereas the City of Hamilton, on February 24, 2016, enacted a licensing by-law amendment in respect of payday loan establishments; and,

Whereas the Municipal Act, 2001 does not permit, other than in respect of adult entertainment establishments, a municipality through licensing to restrict the location or number of the establishments of such business;

Therefore be it resolved that City Council:

1. a) Direct By-law and Regulatory Services to bring a report to the Community and Protective Services Committee and Council recommending an amendment to the Licensing By-law to require that payday loan establishments be subject to licensing by the end of the first quarter of 2017; and,

b) Direct staff to consult with all stakeholders prior to the submission of such report and reflect the results of these consultations in the report; and,
2. Request that the Provincial government bring forward an amendment to the Municipal Act, 2001 that would permit municipalities to enact a licensing by-law for payday loan establishments that could limit such establishments by location and number; and,

Be it further resolved that this motion be circulated to the Federation of Canadian Municipalities, the Association of Municipalities of Ontario, the Large Urban Mayors' Caucus of Ontario, the Big City Mayors' Caucus, the Council of the Region of Durham, and Durham Region Members of Provincial Parliament."

By copy of this letter, I am advising the parties named in the above resolution of Oshawa Council's decision.

If you need further assistance please contact me at the address listed below or by telephone at 905-436-3311.

Sandra Kranc
City Clerk

/kb

copies:

Federation of Canadian Municipalities
Association of Municipalities of Ontario
Large Urban Mayors' Caucus of Ontario
Big City Mayors' Caucus
Joe Dickson, M.P.P., Ajax-Pickering
Tracy MacCharles, M.P.P., Pickering-Scarborough East
Granville Anderson, M.P.P., Durham
Jennifer French, M.P.P., Oshawa
Lorne Coe, M.P.P., Whitby-Oshawa
Laurie Scott, M.P.P., Haliburton/Kawartha Lakes/Brock
Council of the Region of Durham



A guide for payday lenders

Learn about the rules for running a payday loan business.

Overview

In Ontario, the *Payday Loans Act, 2008* (<https://www.ontario.ca/laws/statute/08p09>) is the main law governing payday loans. The *General Regulation* (<https://www.ontario.ca/laws/regulation/090098>) and *Administrative Penalties* (<https://www.ontario.ca/laws/regulation/090209>) Regulation contain additional rules.

This guide explains many of the rules you must follow as a payday lender. You must comply with **all** of the requirements in the act and the regulations — not just the ones summarized in this guide.

If you do not comply with all of the requirements, you could lose your licence or face other enforcement action. Learn more about [compliance and enforcement](#).

Payday loan agreements

A payday loan agreement defines the rights and obligations of both the lender and the borrower. It also includes important information for borrowers.

Content of the agreement

You must make sure that all payday loan agreements include the information set out in [section 18 of the General Regulation](#) (<https://www.ontario.ca/laws/regulation/090098#BK25>). For example, you must include:

- information about borrowers' rights
- a table on the first page of the agreement that provides cost of borrowing information
- the cost of borrowing expressed as an annual percentage rate (APR)

The information must be clear, understandable and easy to see.

Refer to sections [29](#) (<https://www.ontario.ca/laws/statute/08p09#BK33>) and [37](#) (<https://www.ontario.ca/laws/statute/08p09#BK42>) of the *Payday Loans Act, 2008* and section [18](#) (<https://www.ontario.ca/laws/regulation/090098#BK25>) of the *General Regulation* for more information about payday loan agreements.

Restrictions on agreements

As a payday lender, you **cannot**:

- **charge more than \$15 per \$100 borrowed, including all fees and charges directly or indirectly connected to the payday loan agreement**
- offer or provide (including on behalf of someone else) any additional goods or services in connection with the payday loan agreement, such as insurance
- enter into a payday loan agreement if the advance is more than 50 per cent of the borrower's net income per loan
- enter into a payday loan agreement that ends before the borrower is next scheduled to receive income (in most cases, this is the date of the borrower's next paycheque)
- extend a loan agreement past the original termination date
- enter into a new payday loan with a borrower who has an outstanding payday loan balance with you — this means **rollover loans are prohibited**
- use the information in an application for a payday loan, any documentation relating to a payday loan application or the payday loan agreement itself for any purposes other than providing a payday loan

Refer to sections [32 \(https://www.ontario.ca/laws/statute/08p09#BK36\)](https://www.ontario.ca/laws/statute/08p09#BK36), [35 \(https://www.ontario.ca/laws/statute/08p09#BK39\)](https://www.ontario.ca/laws/statute/08p09#BK39) and [36 \(https://www.ontario.ca/laws/statute/08p09#BK40\)](https://www.ontario.ca/laws/statute/08p09#BK40) of the *Payday Loans Act, 2008* and sections [16.2 \(https://www.ontario.ca/laws/regulation/090098#BK23\)](https://www.ontario.ca/laws/regulation/090098#BK23), [17 \(https://www.ontario.ca/laws/regulation/090098#BK24\)](https://www.ontario.ca/laws/regulation/090098#BK24), [23 \(https://www.ontario.ca/laws/regulation/090098#BK30\)](https://www.ontario.ca/laws/regulation/090098#BK30), [27 \(https://www.ontario.ca/laws/regulation/090098#BK36\)](https://www.ontario.ca/laws/regulation/090098#BK36) and [34 \(https://www.ontario.ca/laws/regulation/090098#BK44\)](https://www.ontario.ca/laws/regulation/090098#BK44) of the General Regulation for more information about restrictions on payday loan agreements.

Copy of the agreement

When you enter into a payday loan agreement with a borrower, you must immediately give them a copy of that agreement.

If the borrower requests an extra copy at any time up to a year after the loan agreement ends, you must give it to them:

- for free the first time they request it
- within the first day of receiving the request or the next day that you are open for business

Refer to section [29 \(https://www.ontario.ca/laws/statute/08p09#BK33\)](https://www.ontario.ca/laws/statute/08p09#BK33) of the *Payday Loans Act, 2008* and section [20 \(https://www.ontario.ca/laws/regulation/090098#BK27\)](https://www.ontario.ca/laws/regulation/090098#BK27) of the General Regulation for more information about providing a copy of the agreement.

Instalment payments

If you enter into three or more payday loan agreements with a borrower within a 63-day period, the third agreement (and any subsequent agreements) must provide for an extended payment plan (instalment payments). You must also follow these rules:

- instalment payments must be spread equally over a minimum number of the borrower's pay periods
- instalment payments must not exceed the amount specified in [section 25.1 of the General Regulation \(https://www.ontario.ca/laws/regulation/090098#BK33\)](https://www.ontario.ca/laws/regulation/090098#BK33)
- if a borrower makes a prepayment, you must:
 - adjust all future scheduled instalments and spread them equally over the remaining term of the agreement
 - give the borrower an updated agreement in writing
- the cost of borrowing, when converted to an annual percentage rate, must be less than the criminal rate of interest as defined in the [Criminal Code \(https://laws-lois.justice.gc.ca/eng/acts/c-46/\)](https://laws-lois.justice.gc.ca/eng/acts/c-46/) of Canada (60 per cent), which is calculated differently than the annual percentage rate

Refer to section [25.1 of the General Regulation \(https://www.ontario.ca/laws/regulation/090098#BK33\)](https://www.ontario.ca/laws/regulation/090098#BK33) for more information about instalment payments.

Providing the advance

Before entering into a payday loan agreement, you must:

- tell the borrower about all their options for receiving the loan advance from you (for example, in cash or applied to a debit card)
- provide them with the loan advance in the option they choose

Contacting the borrower's employer

If a borrower consents, you may contact their employer (or employees of that employer) before the borrower enters a payday loan agreement. The contact must be only to confirm the borrower's employment, length of employment, employment income, occupation or business address.

Refer to sections [16.1 \(https://www.ontario.ca/laws/regulation/090098#BK22\)](https://www.ontario.ca/laws/regulation/090098#BK22) and [26 \(https://www.ontario.ca/laws/regulation/090098#BK35\)](https://www.ontario.ca/laws/regulation/090098#BK35) of the General Regulation for more information about providing the advance and contacting the borrower's employer.

Once you enter into an agreement

You must provide the loan advance to borrowers immediately after they enter into the payday loan agreement.

For remote payday loan agreements, such as online loans, you have one hour to make the loan advance accessible to the borrower. Learn more about the [rules for remote payday lenders](#).

If you provide all or part of the loan advance in a form other than cash (for example, the loan advance is applied to a debit card) you must tell borrowers they can:

- immediately receive the loan advance or the outstanding balance in cash and at no charge, if they request it
- make their request for cash verbally or in any other way

If you do not follow these rules, a borrower is only required to repay the loan advance and does not have to pay the cost of borrowing.

Refer to [section 29 \(https://www.ontario.ca/laws/statute/08p09#BK33\)](https://www.ontario.ca/laws/statute/08p09#BK33) of the *Payday Loans Act, 2008* and sections [21 \(https://www.ontario.ca/laws/regulation/090098#BK28\)](https://www.ontario.ca/laws/regulation/090098#BK28) and [22 \(https://www.ontario.ca/laws/regulation/090098#BK29\)](https://www.ontario.ca/laws/regulation/090098#BK29) of the General Regulation for more information about the requirements after you enter payday loan agreements.

Obtaining payment

You must accept payment from a borrower, whether a full payment or partial payment:

- at any time, if they are making payment by one of the methods allowed in the agreement
- without prepayment charge or penalty

No repeat processing charges

You cannot try to process the same payment more than once (such as a pre-authorized debit) if additional attempts will result in the borrower having to pay fees, such as non-sufficient funds (NSF) fees or other charges.

If you attempt to withdraw funds from a borrower's account more than once and the borrower is charged NSF or other fees:

- the borrower is not required to repay the cost of borrowing
- you can be required to pay for any NSF or other fees (after the first attempt)

This rule applies even if you are unaware of any fees payable by the borrower.

Refer to section [31 \(https://www.ontario.ca/laws/regulation/090098#BK41\)](https://www.ontario.ca/laws/regulation/090098#BK41) of the General Regulation for more information about obtaining payments from borrowers.

General restrictions on charges

As a payday lender, you **cannot**:

- impose any default charges on the borrower, except for:
 - reasonable legal costs you incur in collecting the payday loan
 - reasonable costs you incur because the borrower's cheque or pre-authorized debit cannot be processed
- request, require or accept payment that is taken directly from a borrower's paycheque (also known as an assignment of wages)
- request or require payment of any part of the cost of borrowing or the loan advance before the end date specified in the agreement — this includes processing any cheques or pre-authorized debits
 - certain exceptions apply for payday loan agreements with extended payment plans (see [section 25.1 of the General Regulation \(https://www.ontario.ca/laws/regulation/090098#BK33\)](https://www.ontario.ca/laws/regulation/090098#BK33) for more information)

Refer to sections [31 \(https://www.ontario.ca/laws/statute/08p09#BK35\)](https://www.ontario.ca/laws/statute/08p09#BK35), [33 \(https://www.ontario.ca/laws/statute/08p09#BK37\)](https://www.ontario.ca/laws/statute/08p09#BK37) and [34 \(https://www.ontario.ca/laws/statute/08p09#BK38\)](https://www.ontario.ca/laws/statute/08p09#BK38) of the *Payday Loans Act, 2008* and sections [28 \(https://www.ontario.ca/laws/regulation/090098#BK37\)](https://www.ontario.ca/laws/regulation/090098#BK37) and [30.1 \(https://www.ontario.ca/laws/regulation/090098#BK40\)](https://www.ontario.ca/laws/regulation/090098#BK40) of the General Regulation for more information about restrictions on charges.

Contact with borrowers and other persons

The General Regulation contains rules about who you can contact when trying to collect an amount owing under a payday loan agreement. These rules help protect borrowers and their privacy.

As a payday lender you **cannot**:

- collect or attempt to collect from a person who is not the borrower. If the person you contact informs you that they are not the borrower, you must stop contacting them unless you took all reasonable steps to make sure that the person you contacted is the borrower
- contact or attempt to contact the borrower's spouse, family or household members, relative, friend, neighbour or acquaintance, about the borrower's payday loan

The General Regulation also contains rules on how you conduct yourself when contacting a borrower, whether that contact is to collect an outstanding amount or for any other reason:

- telephone calls are restricted to certain times of the day and are not allowed on holidays
- borrowers cannot be contacted more than three times in a seven-day period
- you cannot publish or threaten to publish the borrower's failure to pay
- you cannot use threatening, profane, intimidating or coercive language
- you cannot use undue, excessive or unreasonable pressure
- you cannot communicate or attempt to communicate in a way that results in charges to the borrower (for example, long distance charges)
- you cannot communicate in a manner or with a frequency that can be considered harassment

Refer to sections [26 \(https://www.ontario.ca/laws/regulation/090098#BK35\)](https://www.ontario.ca/laws/regulation/090098#BK35) and [32 \(https://www.ontario.ca/laws/regulation/090098#BK42\)](https://www.ontario.ca/laws/regulation/090098#BK42) of the General Regulation for more information about prohibited practices.

Forfeit of cost of borrowing

As a payday lender, if you do not comply with certain rules, a borrower can refuse to pay you the cost of borrowing or demand a refund of any payment they made to you (other than the amount of the loan advance). For example, they can do this if you:

- exceed the cost of borrowing of \$15 for each \$100 borrowed
- fail to make the loan advance immediately available, or available within one hour if you are a remote lender
- use an application, documentation or agreement relating to a payday loan for any purposes other than providing a payday loan (such as for providing other goods or services)

- request or require early payment of the loan advance or the cost of borrowing before the end of the term of the payday loan agreement (certain exceptions apply for payday loan agreements with extended payment plans)
- process a cheque, preauthorized debit or any other payment more than once where doing so results in a charge to the borrower
- allow the term of the payday loan agreement to end before the borrower is next scheduled to receive income
- fail to give the borrower a written payday loan agreement or one that contains all the information specified in the act and General Regulation

If the borrower demands a refund of the cost of borrowing on the grounds that you failed to comply with the *Payday Loans Act, 2008*, you must give them the refund within the time limits specified in the General Regulation. Failure to do so is an offence.

Refer to sections 6 (<https://www.ontario.ca/laws/statute/08p09#BK7>), 29 (<https://www.ontario.ca/laws/statute/08p09#BK33>), 31 (<https://www.ontario.ca/laws/statute/08p09#BK35>), 32 (<https://www.ontario.ca/laws/statute/08p09#BK36>), 35 (<https://www.ontario.ca/laws/statute/08p09#BK39>) and 44 (<https://www.ontario.ca/laws/statute/08p09#BK52>) of the *Payday Loans Act, 2008* and sections 16.1 (<https://www.ontario.ca/laws/regulation/090098#BK22>), 18 (<https://www.ontario.ca/laws/regulation/090098#BK25>), 21–24 (<https://www.ontario.ca/laws/regulation/090098#BK28>), 27 (<https://www.ontario.ca/laws/regulation/090098#BK36>), 28 (<https://www.ontario.ca/laws/regulation/090098#BK37>), 30–31 (<https://www.ontario.ca/laws/regulation/090098#BK39>) and 34 (<https://www.ontario.ca/laws/regulation/090098#BK44>) of the General Regulation for more information about when a borrower can refuse to pay you the cost of borrowing.

Posters and educational material

Cost of borrowing poster

You must display a poster outlining the cost of borrowing in English at each of your offices. The poster must:

- be visible to borrowers **immediately when they enter the office**
- include **only** the specific information itemized in [subsection 14\(3\) of the general regulation](https://www.ontario.ca/laws/regulation/090098#BK19) (<https://www.ontario.ca/laws/regulation/090098#BK19>)

Refer to section 14 (<https://www.ontario.ca/laws/regulation/090098#BK19>) of the General Regulation for more rules about the cost of borrowing poster.

Approved educational material

If you borrow:	Payday loan (Assuming a two-week term of borrowing at \$15 per \$100)	Credit card (Assuming a 15% interest rate at \$15.00 per \$100 and a purchase fee of \$5.00 for a cash advance)
One loan:	\$250	\$25.00
Two loans:	\$500	\$50.00
Four loans:	\$1000	\$100.00
Six loans:	\$1500	\$150.00

Complaint? Contact? Please call:
 Ministry of Government and Consumer Services
 1-800-387-5829 (toll-free) or 416-325-2600 (toll-free) or 416-325-2600 (toll-free) or 416-325-2600 (toll-free)

Financial Service Providers: For Ontario Payday Lenders: 1-800-387-5829 (toll-free) or 416-325-2600 (toll-free) or 416-325-2600 (toll-free) or 416-325-2600 (toll-free)

The Ontario Government is committed to providing the highest quality of service to its citizens.

Ontario

You must also display the Registrar-approved [educational poster \(https://files.ontario.ca/mgcs-payday-loan-cost-of-borrowing-poster-en-2019-07-03.pdf\)](https://files.ontario.ca/mgcs-payday-loan-cost-of-borrowing-poster-en-2019-07-03.pdf) and provide the [educational handout \(https://files.ontario.ca/mgcs-payday-loan-cost-of-borrowing-letter-en-2019-07-03.pdf\)](https://files.ontario.ca/mgcs-payday-loan-cost-of-borrowing-letter-en-2019-07-03.pdf) at each of your offices.

The educational poster must be visible immediately to anyone who enters the office, and the handout must be provided to anyone interested in a payday loan.

The handout must be at least standard letter size – 8.5 inches x 11 inches.

Download the educational materials

- [poster \(https://files.ontario.ca/mgcs-payday-loan-cost-of-borrowing-poster-en-2019-07-03.pdf\)](https://files.ontario.ca/mgcs-payday-loan-cost-of-borrowing-poster-en-2019-07-03.pdf)
- [handout \(https://files.ontario.ca/mgcs-payday-loan-cost-of-borrowing-letter-en-2019-07-03.pdf\)](https://files.ontario.ca/mgcs-payday-loan-cost-of-borrowing-letter-en-2019-07-03.pdf)

Refer to [section 5 \(https://www.ontario.ca/laws/regulation/090098#BK8\)](https://www.ontario.ca/laws/regulation/090098#BK8) of the General Regulation for more information about Registrar-approved educational material.

Calculate the cost of borrowing as an annual percentage rate (APR)

You must show the cost of borrowing expressed as an annual percentage rate (APR) in all payday loan agreements, cost of borrowing posters and advertisements. The APR illustrates what the annual rate would be, if actually charged to a borrower for a payday loan.

Use this formula to calculate the cost of borrowing as an APR for a payday loan:

$$\text{APR} = [C \div (T \times A)] \times 100$$

Where,

C = Total cost of borrowing for the payday loan

T = Term of the payday loan agreement, in years

A = Principal amount loaned to the borrower under the payday loan agreement (excludes the cost of borrowing)

Sample APR calculation

Example

You are providing a payday loan of \$500 to a borrower. The maximum cost of borrowing that you can charge is \$15 per \$100 borrowed. Let's assume that the borrower will repay the payday loan, including the total cost of borrowing (\$575), on their next pay date in 2 weeks (14 days). What is the cost of borrowing expressed as an APR for this payday loan?

Step 1

Identify each of the variables in the formula $APR = [C \div (T \times A)] \times 100$.

- The principal amount of this payday loan ("A") is \$500
- The total cost of borrowing ("C") for this payday loan is \$75 (or \$15 per \$100 borrowed)

$(\$500 \div \$100 = 5. \$15 \times 5 = \$75)$

- The term of this agreement in years ("T") is 0.0383561

$(14 \text{ day loan period} \div 365 \text{ days in a year} = 0.0383561)$

Step 2

Calculate the APR using the formula above.

$APR = [C \div (T \times A)] \times 100$

$= [\$75 \div (0.0383561 \times \$500)] \times 100$

$= [\$75 \div \$19.18] \times 100$

$= 391 \text{ per cent}$

Step 3

Include the APR in the payday loan agreement.

The cost of borrowing expressed as an APR for this payday loan agreement is 391 per cent.

Refer to sections [14 \(https://www.ontario.ca/laws/regulation/090098#BK19\)](https://www.ontario.ca/laws/regulation/090098#BK19), [15 \(https://www.ontario.ca/laws/regulation/090098#BK20\)](https://www.ontario.ca/laws/regulation/090098#BK20), [18 \(https://www.ontario.ca/laws/regulation/090098#BK25\)](https://www.ontario.ca/laws/regulation/090098#BK25) of the General Regulation and section [55 \(https://www.ontario.ca/laws/regulation/050017#BK108\)](https://www.ontario.ca/laws/regulation/050017#BK108) of Ontario Regulation 17/05 made under the *Consumer Protection Act, 2002* for more information about including the APR in cost of borrowing posters, advertisements and payday loan agreements.

Rules for remote payday lenders

Main requirements

If you offer a remote payday loan (like an online loan or a loan arranged over the phone), you must:

- immediately tell any potential borrowers about the:
 - information contained on the [cost of borrowing poster](#)
 - information on the licence for the main office
 - available [educational material](#) (handout and poster) and immediately provide it upon request
- ensure the borrower can access the agreement online and is able to retain and print it, before entering into the agreement
- ensure that, before the loan advance is delivered, the borrower consents to entering into the loan agreement in a way that allows you to prove the borrower consented
- make the loan advance accessible to the borrower within one hour of entering into the agreement

Additional rules may apply

There are additional rules that apply to remote payday lenders.

Refer to sections [4 \(https://www.ontario.ca/laws/regulation/090098#BK7\)](https://www.ontario.ca/laws/regulation/090098#BK7), [5 \(https://www.ontario.ca/laws/regulation/090098#BK8\)](https://www.ontario.ca/laws/regulation/090098#BK8), [14 \(https://www.ontario.ca/laws/regulation/090098#BK19\)](https://www.ontario.ca/laws/regulation/090098#BK19), [18 \(https://www.ontario.ca/laws/regulation/090098#BK25\)](https://www.ontario.ca/laws/regulation/090098#BK25) and [21 \(https://www.ontario.ca/laws/regulation/090098#BK28\)](https://www.ontario.ca/laws/regulation/090098#BK28) of the General Regulation for more information about the rules for remote payday lenders.

Apply for or renew a payday lender licence

The *Payday Loans Act, 2008* requires all payday lenders and payday loan brokers to be licensed.

The Registrar issues licences and provides a certificate of licence for each location of the licensed payday lender. A payday lender licence is valid for one year and must be renewed annually.

Refer to [Part II \(https://www.ontario.ca/laws/statute/08p09#BK6\)](https://www.ontario.ca/laws/statute/08p09#BK6) and sections [20-21 \(https://www.ontario.ca/laws/statute/08p09#BK23\)](https://www.ontario.ca/laws/statute/08p09#BK23), [24 \(https://www.ontario.ca/laws/statute/08p09#BK28\)](https://www.ontario.ca/laws/statute/08p09#BK28) and [25 \(https://www.ontario.ca/laws/statute/08p09#BK29\)](https://www.ontario.ca/laws/statute/08p09#BK29) of the *Payday Loans Act, 2008* and sections [4 \(https://www.ontario.ca/laws/regulation/090098#BK7\)](https://www.ontario.ca/laws/regulation/090098#BK7), and [9-11 \(https://www.ontario.ca/laws/regulation/090098#BK13\)](https://www.ontario.ca/laws/regulation/090098#BK13) of the General Regulation for more information about payday loan lender licences.

Applying for a licence

To get a payday lender licence, you must:

- [complete the application](http://www.forms.ssb.gov.on.ca/mbs/ssb/forms/ssbforms.nsf/FormDetail?OpenForm&ACT=RDR&TAB=PROFILE&SRCH=&ENV=WWE&TIT=payday&NO=045-12104E)
(<http://www.forms.ssb.gov.on.ca/mbs/ssb/forms/ssbforms.nsf/FormDetail?OpenForm&ACT=RDR&TAB=PROFILE&SRCH=&ENV=WWE&TIT=payday&NO=045-12104E>)
- pay the required fees
- be at least 18 years of age, if applying as an individual
- as a corporation:
 - appoint officers and directors who are at least 18 years of age
 - appoint at least one officer or director who lives in Ontario
- have at least one office that is physically located in Ontario, even if you only offer remote payday loans — please note that a personal residence is **not** considered an office
- have a separate bank account for your business's payday loan activities

Your certificate of licence

Once you are issued a licence to operate as a payday lender, you must post a certificate of licence in each of your offices so it is immediately visible to anyone who enters.

Renewing your licence

Your licence is valid up to the expiry date and must be renewed before it expires to continue operating as a payday lender.

[Renew your licence](http://www.forms.ssb.gov.on.ca/mbs/ssb/forms/ssbforms.nsf/FormDetail?OpenForm&ACT=RDR&TAB=PROFILE&SRCH=&ENV=WWE&TIT=payday&NO=045-12104E) (<http://www.forms.ssb.gov.on.ca/mbs/ssb/forms/ssbforms.nsf/FormDetail?OpenForm&ACT=RDR&TAB=PROFILE&SRCH=&ENV=WWE&TIT=payday&NO=045-12104E>)

Renewal conditions

- If the Registrar received your application and renewal fee before the expiration date, your existing licence will continue to be valid until the Registrar approves your renewal application.
- If you don't pay the application fee by the expiration date, your licence will not be renewed and your business cannot continue to operate. You must submit a new application to get a new licence.

Updating the Registrar

You need to notify the Registrar in writing within five days of any of the following changes to:

- your business address
- for a corporation or partnership:
 - the officers or directors
 - the name and address of the officer or director living in Ontario
- any of the information included in an application for a licence or renewal of a licence
- the bank account required in [subsection 11\(1\) of the General Regulation](https://www.ontario.ca/laws/regulation/090098#BK15)
(<https://www.ontario.ca/laws/regulation/090098#BK15>)

Refer to section 22 (<https://www.ontario.ca/laws/statute/08p09#BK25>) of the *Payday Loans Act, 2008* and section 8 (<https://www.ontario.ca/laws/regulation/090098#BK11>) of the General Regulation for more information about updating your information with the Registrar.

Offices, records and advertising

Office location

You can only operate offices and branches at the addresses listed on the licence certificates.

Municipalities have the authority to restrict the location of payday lenders through licensing by-laws. If you operate an office at a location prohibited by municipal by-law, you are in violation of the *Payday Loans Act, 2008* and your licence may be suspended or revoked.

It is your responsibility to make sure you comply with municipal by-laws.

Refer to section 24 (<https://www.ontario.ca/laws/statute/08p09#BK28>) of the *Payday Loans Act, 2008* and section 4 (<https://www.ontario.ca/laws/regulation/090098#BK7>) of the General Regulation for more information about your office location.

Records

You must maintain all documents and records relating to your payday loan activity, including, but not limited to:

- all payday loan applications
- payday loan agreements
- pre-authorized debits
- payments
- bank account statements

You must keep these documents and records:

- separate from documents and records relating to any other lines of business
- at the office for at least two years from the end of the term of the payday loan agreements to which the documents and records relate

Refer to section 12 (<https://www.ontario.ca/laws/regulation/090098#BK16>) of the General Regulation for more information about documents and records.

Bank accounts

You must maintain a separate bank account for your payday loan business, including the receipt and disbursement of funds. You cannot use the account for anything other than payday loan activities.

The account must be:

- opened in Ontario
- registered in your legal name
- in either a:
 - bank or authorized foreign bank (see section 2 of the *Bank Act* (<https://laws-lois.justice.gc.ca/eng/acts/b-1.01/>))

or

- credit union (see the [Credit Unions and Caisses Populaires Act, 1994 \(https://www.ontario.ca/laws/statute/94c11\)](https://www.ontario.ca/laws/statute/94c11))

Refer to section [11 \(https://www.ontario.ca/laws/regulation/090098#BK15\)](https://www.ontario.ca/laws/regulation/090098#BK15) of the General Regulation for more information about maintaining a payday loan business bank account.

Advertising

If your advertisements about payday loans (both verbal and written) mention the cost of borrowing, the loan amount advanced, the repayment of the loan, or the term of a payday loan agreement, then specific additional information must also be included.

For example, the ads must include the:

- maximum allowable cost of borrowing
- cost of borrowing expressed as an [annual percentage rate](#)

This information must be clear, understandable and prominent, and in a form that allows the borrower to keep it.

Refer to section [37 \(https://www.ontario.ca/laws/statute/08p09#BK42\)](https://www.ontario.ca/laws/statute/08p09#BK42) of the *Payday Loans Act, 2008* and section [15 \(https://www.ontario.ca/laws/regulation/090098#BK20\)](https://www.ontario.ca/laws/regulation/090098#BK20) of the General Regulation for more information about advertising.

Compliance and enforcement

Complaints

Consumers can submit complaints about payday lenders to the Ministry of Government and Consumer Services.

If a complaint is filed against your business, the ministry may request additional information from you. By law, you must provide the requested information to the ministry.

Learn more about the [consumer complaint process \(https://www.ontario.ca/page/consumer-complaints-and-enforcement\)](https://www.ontario.ca/page/consumer-complaints-and-enforcement).

Inspections

The Registrar under the *Payday Loans Act, 2008*, and anyone designated by the Registrar, can inspect your business to:

- make sure you are complying with the law
- deal with complaints

An inspector is allowed to access all documents, records and other items that are relevant to the inspection, including those in electronic form.

If asked, you must assist the inspector. You **cannot**:

- obstruct an inspector
- withhold, conceal, alter or destroy documents, records or other items relevant to the inspection

After an inspection, the inspector will review their findings with you and explain the next steps you must take.

The inspector may also issue a Notice of Contravention, outlining any contraventions they observed and requesting that you address them within a specified timeframe.

Refer to section [47 \(https://www.ontario.ca/laws/statute/08p09#BK58\)](https://www.ontario.ca/laws/statute/08p09#BK58) of the *Payday Loans Act, 2008* for more information about inspections.

The Registrar's compliance and enforcement powers

In addition to inspections, the Registrar under the *Payday Loans Act, 2008* has additional powers to ensure compliance with the act. For example, the Registrar can:

- request that you provide information about your business (such as copies of letters, forms, payday loan agreements or financial information)
- order you to amend, restrict or stop using materials that are believed to be false, misleading or deceptive
- propose to suspend, revoke or place conditions on your licence
- propose to refuse to issue or renew your licence

If you fail to comply with the *Payday Loans Act, 2008* and the Registrar serves you with a Notice of Proposed Order or a Notice of Proposal:

- you have the right to request a hearing before the [Licence Appeal Tribunal \(https://slasto-tsapno.gov.on.ca/lat-tamp/en/general-service/appeals-applications/\)](https://slasto-tsapno.gov.on.ca/lat-tamp/en/general-service/appeals-applications/)
- the request for a hearing must be made within 15 days of the issuance of the Notice of Proposed Order or Proposal
- if you do not request a hearing, the Order will be issued by the Registrar and become legally binding

In some cases, you do not have a right to a hearing. For example, if you fail to meet basic requirements for a licence (e.g., failing to pay the fee), the Registrar must refuse your application and there is no opportunity to appeal.

If the Registrar proposes to suspend or revoke your licence and the Registrar considers it in the public interest to do so, the Registrar may suspend your licence immediately. (You may appeal the order; however, the order remains in effect until at least 15 days after the Licence Appeal Tribunal receives the written request for a hearing.)

Refer to sections [9-19 \(https://www.ontario.ca/laws/statute/08p09#BK10\)](https://www.ontario.ca/laws/statute/08p09#BK10), [23 \(https://www.ontario.ca/laws/statute/08p09#BK26\)](https://www.ontario.ca/laws/statute/08p09#BK26), [46 \(https://www.ontario.ca/laws/statute/08p09#BK56\)](https://www.ontario.ca/laws/statute/08p09#BK56), [47 \(https://www.ontario.ca/laws/statute/08p09#BK58\)](https://www.ontario.ca/laws/statute/08p09#BK58), [47.1 \(https://www.ontario.ca/laws/statute/08p09#BK59\)](https://www.ontario.ca/laws/statute/08p09#BK59) and [53](https://www.ontario.ca/laws/statute/08p09#BK59)

(<https://www.ontario.ca/laws/statute/08p09#BK65>) of the *Payday Loans Act, 2008* and section [13](https://www.ontario.ca/laws/regulation/090098#BK17) (<https://www.ontario.ca/laws/regulation/090098#BK17>) of the General Regulation for more information about the Registrar's powers.

Administrative penalties

You may be ordered to pay administrative penalties of up to **\$3,000 in respect of certain contraventions**, including:

- failing to post the cost of borrowing poster or your certificate of licence (see [posted signs and educational material](#))
- failing to include certain information in your payday loan agreement (see [payday loan agreements](#) and [providing the advance](#))
- accepting an assignment of wages from a borrower (see [general restrictions on charges](#))

If an administrative penalty is imposed, you have the right to appeal. This must be done by filing a [notice of appeal](http://www.forms.ssb.gov.on.ca/mbs/ssb/forms/ssbforms.nsf/MinistryDetail?OpenForm&ACT=RDR&TAB=PROFILE&ENV=WWE&NO=045-12106E) (<http://www.forms.ssb.gov.on.ca/mbs/ssb/forms/ssbforms.nsf/MinistryDetail?OpenForm&ACT=RDR&TAB=PROFILE&ENV=WWE&NO=045-12106E>) with the ministry within 15 days after you receive the Order of Administrative Penalty.

Refer to sections [59-62](https://www.ontario.ca/laws/statute/08p09#BK71) (<https://www.ontario.ca/laws/statute/08p09#BK71>) of the *Payday Loans Act, 2008*, sections [35](https://www.ontario.ca/laws/regulation/090098#BK46) (<https://www.ontario.ca/laws/regulation/090098#BK46>) and [36](https://www.ontario.ca/laws/regulation/090098#BK47) (<https://www.ontario.ca/laws/regulation/090098#BK47>) of the General Regulation, and [Ontario Regulation 209/09 – Administrative Penalties](https://www.ontario.ca/laws/regulation/090209) (<https://www.ontario.ca/laws/regulation/090209>) for more information about administrative penalties.

Charges and offences

If it appears you are not complying with the *Payday Loans Act, 2008*, the regulations or an order made under the act, the Director designated by the Minister of Government and Consumer Services may apply to the Superior Court of Justice for an order, directing you to comply.

You can also be charged with an offence for:

- not complying with the *Payday Loans Act, 2008* or its regulations
- providing false information under the act
- failing to comply with any order made against you under the act

If you are convicted, you can be fined up to \$50,000 and/or imprisoned for up to two years less a day. The same applies to officers and directors who fail to take reasonable care to prevent a corporation from committing an offence and are convicted.

Corporations and other entities can be fined up to \$250,000 upon conviction.

Refer to sections [54](https://www.ontario.ca/laws/statute/08p09#BK66) (<https://www.ontario.ca/laws/statute/08p09#BK66>) and [55](https://www.ontario.ca/laws/statute/08p09#BK67) (<https://www.ontario.ca/laws/statute/08p09#BK67>) of the *Payday Loans Act, 2008* for more information about charges and offences.

Consumer Beware List

If you don't comply with the *Payday Loans Act, 2008* your business name and details will be published on the [Consumer Beware List \(https://www.ontario.ca/page/search-consumer-beware-list\)](https://www.ontario.ca/page/search-consumer-beware-list).

The Consumer Beware List is a public list of businesses that have had compliance or enforcement action taken against them. Information about a business remains on this list for 21 to 27 months.

Learn more about the [Consumer Beware List \(https://www.ontario.ca/page/search-consumer-beware-list\)](https://www.ontario.ca/page/search-consumer-beware-list)

Other services – cheque cashing

The limit on the fee for cashing government cheques is the lesser of:

- \$10
- \$2 plus 1 per cent of the face value of the cheque

For example:

- for a \$500 government cheque, the limit on the fee for cashing the cheque is \$7
- for a \$1,000 government cheque, the limit on the fee for cashing the cheque is \$10

If you require a consumer to purchase a good or service in order to cash a government cheque, the purchase price of the good or service must be included in the fee you charge for cashing the government cheque.

You must also provide a receipt to the consumer that includes:

- a statement that the cheque was a government cheque
- the face value of the cheque
- the amount of the fee that you charged the consumer for cashing the cheque
- a description of any other services or goods provided to the consumer in relation to cashing the cheque
- the balance that you paid to the consumer on cashing the cheque
- the date when you cashed the cheque
- your business name, address, telephone number, and other contact information, such as fax number and e-mail address (if applicable)
- information for contacting the ministry

Refer to sections [71.1 and 71.2 \(https://www.ontario.ca/laws/regulation/050017#BK126\)](https://www.ontario.ca/laws/regulation/050017#BK126) of Ontario Regulation 17/05 under the *Consumer Protection Act, 2002* for more information about cheque cashing.

Contact us

If you have any questions about this guide, please contact us for assistance:

Registrar, *Payday Loans Act, 2008*
Ministry of Government and Consumer Services
56 Wellesley Street West, 16th Floor
Toronto, Ontario M7A 1C1

- Tel: 416-326-6203
- Toll-free: 1-800-889-9768
- TTY: 416-229-6086
- Toll-free TTY: 1-877-666-6545
- CPOLicensing@ontario.ca (<mailto:CPOLicensing@ontario.ca>)

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Related

[Consumer protection information for businesses \(https://www.ontario.ca/page/consumer-protection-information-businesses\)](https://www.ontario.ca/page/consumer-protection-information-businesses)

[Payday Loans Act, 2008 \(https://www.ontario.ca/laws/statute/08p09\)](https://www.ontario.ca/laws/statute/08p09)

[Ontario Regulation 98/09 \(General\) \(https://www.ontario.ca/laws/regulation/090098\)](https://www.ontario.ca/laws/regulation/090098)

[Ontario Regulation 209/09 \(Administrative Penalties\) \(https://www.ontario.ca/laws/regulation/090209\)](https://www.ontario.ca/laws/regulation/090209)



Payday loan: your rights



What you need to know before you take out a short-term, cash advance payday loan from a retail store or online.



As of January 1, 2018, the maximum cost of a payday loan [has been lowered](#).

On July 1, 2018, new rules come into effect affecting both payday lenders and borrowers. [Here's what you need to know. \(https://www.ontario.ca/page/payday-loan-your-rights#section-4\)](https://www.ontario.ca/page/payday-loan-your-rights#section-4)

How it works

A payday loan is:

- usually a small value loan taken out for a short time, typically until your next payday
- loaned at a retail store or online
- the most expensive form of consumer loan in Ontario
- an unsecured loan (you cannot put any property as collateral or guarantee for the loan, you need to provide the lender with a post-dated cheque or a pre-authorized debit)

Most lenders **do not do** credit checks before issuing payday loans. They usually ask borrowers to:

- prove 3 months of continuous employment
- give proof of address (e.g., they can ask to see a utility bill)
- have a chequing account

Costs

Payday loans are an expensive form of credit. Before getting a payday loan, you should consider other ways to borrow money (e.g., from family or friends, a bank or credit union or your credit card).

As of January 1, 2018, the maximum cost of borrowing a payday loan is \$15 for every \$100 that you borrow. This means:

If you borrow \$300 for 2 weeks:	Payday loan (fee)	Credit card (fee with interest at 23%)
1 loan will cost	\$45	\$6.15
2 loans will cost	\$90	\$12.29
4 loans will cost	\$180	\$24.59
6 loans will cost	\$270	\$36.88

The law

The [Payday Loans Act, 2008](https://www.ontario.ca/laws/statute/08p09) (<https://www.ontario.ca/laws/statute/08p09>) helps protect people who take out payday loans.

Under the act:

- you can't be charged more than \$15 for every \$100 that you borrow
- you can't be sold or offered any goods or services in connection with the payday loan
- you have two business days to cancel a contract for a payday loan without any penalty (e.g., without paying a fee) and without having to give a reason
- "rollover" loans are not allowed (this means you can't roll what you owe on a payday loan into a second payday loan. This is because you can't get another payday loan from the same lender before paying your first loan in full)

Rules for payday lenders

Payday lenders must:

- be licensed with the Government of Ontario and follow the rules set by the *Payday Loans Act, 2008*
- include specific information on the first page of your contract
 - the amount you are borrowing
 - the number of days that your loan is for
 - what you will pay to borrow the money
- never ask for or accept payment by automatic deduction from your paycheck (assignment of wages)

If you have not met the terms of your loan agreement (e.g. haven't paid), a lender can't:

- contact you more than 3 times a week (not including regular mail) or on holidays
- contact your spouse, family, household members, relatives, friends, neighbours, or acquaintances at any time
- process a post-dated cheque or pre-authorized debit more than once if it will result in your financial institution charging you any fees, like overdraft or fees for insufficient funds (if a lender does this, you are entitled to recover these fees from the lender and would not be required to pay the cost of borrowing the loan)
- use threatening or intimidating language
- use excessive or unreasonable pressure

New rules coming into effect

Starting on July 1, 2018:

- lenders cannot lend you more than 50% of your net income per loan
- lenders must show the cost of borrowing a payday loan as an annual percentage rate in advertising or agreements
- the maximum fee that cheque cashing services can charge for government-issued cheques is \$2 plus 1% of the face value of the cheque, or \$10 - whichever is less

Extended payment plan

Beginning July 1, 2018, lenders must give you the option of an **extended payment plan** if you take out three loans within a 63-day period.

If you enter into an extended payment plan, you can:

- make prepayments at any time without any additional fee or penalty
- exit the extended payment plan at any time without any additional fee or penalty

You have the option to pay back your loan in equal instalments over multiple pay periods. The amount you pay back per instalment will depend on how frequently you are paid.

If you are paid weekly, bi-weekly, semi-monthly or more frequently:

- your instalments must be spread out over at least three pay periods
- the maximum amount of each instalment is 35% of the combined total of the loan and cost of borrowing

If you are paid monthly or less frequently than semi-monthly:

- your instalments must be spread out over at least two pay periods
- the maximum amount of each instalment is 50% of the combined total of the loan and cost of borrowing

File a complaint

If you believe that a payday lender has broken the rules, you can [file a complaint with us](https://www.ontario.ca/page/filing-consumer-complaint) (<https://www.ontario.ca/page/filing-consumer-complaint>).

Find a licensed lender

Before you get a payday loan:

- always check that a lender is licensed (don't take out a loan unless you see an Ontario licence number, even if borrowing from retail stores or online lenders)
- be aware that there are companies that pose as online payday lenders but are actually "lead generators" that collect personal information from people looking to get a payday loan and then sell it to an actual payday lender (sharing this kind of information can put you at risk of [identity theft](https://www.ontario.ca/page/how-avoid-or-recover-identity-theft) (<https://www.ontario.ca/page/how-avoid-or-recover-identity-theft>)).

[Check if a payday lender is licensed](https://www.consumerbeware.mgs.gov.on.ca/esearch/start.do) (<https://www.consumerbeware.mgs.gov.on.ca/esearch/start.do>)

Ask the right questions

Before you get a pay day loan, you should:

- plan to have enough money in your account to repay the loan and on the day it is due
- understand how much you will pay for the loan if it's overdue
- ask how much will it cost me to borrow this money?
- ask how much will I be charged if I don't pay the loan back on time?
- ask is this payday lender licensed and in good standing?
- ask am I being charged more than \$15 for every \$100 that I'm borrowing?

Updated: September 24, 2019

Published: September 29, 2014

Related

[Collection agency: your rights \(https://www.ontario.ca/page/collection-agency-your-rights\)](https://www.ontario.ca/page/collection-agency-your-rights)

[Credit report \(https://www.ontario.ca/page/credit-reports\)](https://www.ontario.ca/page/credit-reports)

[Consumer Protection Ontario \(https://www.ontario.ca/page/consumer-protection-ontario\)](https://www.ontario.ca/page/consumer-protection-ontario)

2020 Payday Loan Regulations: Municipal Benchmarking

Note: Benchmarking has been based on a scan of municipal websites and by-laws available online.

Municipality	Licensing Fees	Ward Limits	City-wide Cap	Poster/Education Requirements	Zoning and/or Licensing Separation Distances
Ajax	N/A	N/A	N/A	N/A	None
Barrie	N/A	N/A	N/A	N/A	Zoning By-law: <ul style="list-style-type: none"> 100 m from other payday loan businesses, tattoo parlours, body piercing parlours, or pawnshops within the Central area Commercial and Transition Centre Commercial zones
Chatham-Kent	<ul style="list-style-type: none"> Initial: \$575 Renewal: \$118 	N/A	6	Yes	None
Clarington	N/A	N/A	N/A	N/A	None
Hamilton	<ul style="list-style-type: none"> Initial: \$897 - \$1146 Renewal: \$820 Late fee: \$327 	1/ward	15	Yes	None
Kitchener	<ul style="list-style-type: none"> Initial: \$575 Renewal: \$375 Late fee: \$450 	2/ward	10	No	Licensing By-law: <ul style="list-style-type: none"> 500 m from other payday loan businesses, gaming establishments, and gambling or addiction counselling services
London	<ul style="list-style-type: none"> Initial: \$400 Renewal: \$400 Late Fee: \$75 	No	No	Yes	None
Ottawa	N/A	N/A	N/A	N/A	Zoning By-law: <ul style="list-style-type: none"> 1000 m from other payday loan businesses 500 m from casinos and racetracks 300 m from schools and post-secondary educational facilities

Municipality	Licensing Fees	Ward Limits	City-wide Cap	Poster/Education Requirements	Zoning and/or Licensing Separation Distances
Pickering	N/A	N/A	N/A	N/A	None
Sarnia	<ul style="list-style-type: none"> Initial: \$363.65 Renewal: \$317.15 Late fee: \$35-100 	N/A	7	Yes	Licensing By-law: <ul style="list-style-type: none"> 500 m from other licensed payday loan businesses
Toronto	<ul style="list-style-type: none"> Application: \$658.44 Renewal: \$321.47 	Varies	212	Yes	Licensing By-law: <ul style="list-style-type: none"> 500 m from racetracks
Whitby	N/A	N/A	N/A	N/A	None

From: [Alicia Bagshaw](#)
To: [Brock General](#)
Subject: FW: Outdoor water fill station
Date: June 18, 2020 12:59:18 PM
Attachments: [image001.png](#)

Please see the request below from Gary Brethour (Sunderland Lions Club). Please let me know how to proceed, and I will get back to him.

Thanks!



[Alicia Bagshaw](#)

Recreation and Leisure Coordinator

The Corporation of the Township of Brock

1 Cameron Street East, P.O. Box 10

Cannington, Ontario, L0E 1E0

Tel: 705-432-2355, Ext. 243 | Toll-Free: 1-866-223-7668 | Fax: 705-432-3487

abagshaw@townshipofbrock.ca | townshipofbrock.ca | choosebrock.ca

From: Gary Brethour <garyb@brownandbrethour.com>

Sent: Thursday, June 18, 2020 9:25 AM

To: Alicia Bagshaw <abagshaw@townshipofbrock.ca>

Subject: Outdoor water fill station

Hi Alicia

We have had a water drinking fountain at the Sunderland Ball Park for numerous years and it has been broken. The Ball Association has come up with an idea of putting in an outdoor water fill station instead of the fountain. This would allow the ball players to fill their water bottles as well as the people that use the walking trail. The cost for this is about \$5000 to buy the unit and have it installed. The Sunderland Lions Club have agreed to finance this project. Brad Bagshaw (Bagshaw Plumbing) has given us the estimate to install the unit. We would install it by the baseball storage and food booth building.

Please advise if this is something that the Township would give us the okay to proceed with, and please give me a call if you need more information.

Thank You,

Gary Brethour

Sunderland Minor Baseball Association



TOWN OF AJAX
65 Harwood Avenue South
Ajax ON L1S 3S9
www.ajax.ca

DELIVERED BY E-MAIL

Seniors for Social Action (Ontario)
Dr. Patricia Spindel
info@spindelconsulting.com

Linda Till
linda.till@rogers.com

June 17, 2020

RE: Alternatives to Institutionalization of Older Adults

Thank you for your correspondence to the Town of Ajax, regarding the above noted matter. Please be advised that the following resolution was passed by Ajax Town Council at its meeting held June 15, 2020:

That Item 7 of the Correspondence Report "Seniors for Social Action Ontario: Alternatives to Institutionalization of Older Adults 25" be received for information.

Additionally, Council requested that staff distribute your correspondence to the Region and all lower-tier municipalities in Durham. (Background Material [Future for Vulnerable Elderly Citizens](#))

If you require further information please contact me at 905-619-2529 ext. 3342 or alexander.harras@ajax.ca

Sincerely,



Alexander Harras
Manager, Legislative Services/Deputy Clerk

Copy: All Durham Region Municipalities -

From: [Spindel & Assoc](#)
To: [Alexander Harras](#)
Subject: Attached documents
Date: Saturday, May 30, 2020 8:39:12 PM
Attachments: [SSAO NEWS RELEASE AND BACKGROUNDER FINAL.docx](#)
[Envisioning The Future. De-Institutionalization of LTCs-2.docx](#)

[CAUTION: This email originated from outside the organization -- DO NOT CLICK on links or open attachments unless you recognize the sender and know the content is safe.]

Good evening, Mr. Harras,

I have been advised by Lisa Bower that I should ask the Town Clerk to include my documents as correspondence to be included on the agenda and shared with the rest of Council.

Below is my e-mail to Pickering Councillors copied to Joanne Dies and Lisa Bower, my Councillors in Ajax.

Attached is the News Release, Backgrounder, and report prepared by Linda Till that outlines alternatives to institutionalizing older adults.

At the present time, neither Ajax nor Pickering nor Durham Region have established residential alternatives to institutionalizing elders in the community. I would like to propose that a task force be struck to work with experts like Ms Till to examine alternatives to institutions like Orchard Villa, so that no one is forced into this kind of choice in the future for a lack of community-based alternatives.

The municipalities of Ajax and Pickering and Durham Region have a unique opportunity to review, research, and embrace a more positive vision for the future for older adults living in our communities. I would be happy to link staff and Councillors with Ms. Till should they choose to pursue these possibilities.

Dr. Patricia Spindel

Good afternoon, Councillors,

Tomorrow Seniors for Social Action Ontario (SSAO) will be making public a News Release, Backgrounder, and Report on why no one - young or old - should be forced to live and die in a long term care facility. Attached is an advance copy for you.

People were starving and dehydrating to death in Orchard Villa as confirmed by residents' families and hospital staff, but this is nothing new. Years ago children were also being starved to death in these kinds of facilities (see video).

Linda Till, the woman who rescued this child, Becky, who went on to live a full life for decades after almost starving to death in the Jann Lynn Nursing home, has now written the definitive report on how we can prevent the institutionalization of anyone at any age (see Envisioning A New Future For Vulnerable Elderly Citizens report - attached)

Both this video and her report are worth a look.

https://www.youtube.com/watch?v=E_ZTY-GqdfY

Durham Region and each municipality in it, has an opportunity to develop both residential and in-home alternative options so that those whose loved ones from Orchard Villa who are now in hospital recovering will not be forced to go back there.

With no residential options currently available for elders needing care except institutions in Pickering or Ajax, it is time to press the provincial government for necessary funding for alternatives.

It is doable, but will require considerable political will and community effort. Pickering Council can play a key role in generating support for more progressive options. None of us should have to face a bleak future in a long term care facility for lack of other options.

Please take the time to view the video (above) and to read the News Release and Report.

Thank you,

Dr. Patricia Spindel, President

Spindel & Associates Inc. <https://www.spindelconsulting.net/>



NEWS RELEASE

Contact: Linda Till 905-960-2191 linda.till@rogers.com
Dr. Patricia Spindel 905-427-4136 info@spindelconsulting.com

ADVOCATES CALL FOR AN END TO AGEIST POLICY OF INSTITUTIONALIZATION: CREATION OF INNOVATIVE INDIVIDUALIZED ALTERNATIVES

Ontario, May 26, 2020 – Advocates for older adults, with decades of experience challenging government on ageist and ableist policies and practices, today called for an end to the awarding of long term care facility contracts to corporations, non-profits, and municipalities that are only willing to house older adults in institutional beds in large facilities.

“The time has come for a more innovative, respectful and age friendly approach to caring for elderly citizens, because we can do better than dumping them in what have been termed ‘warehouses for death’ as happened during this pandemic,” said Dr. Patricia Spindel. “Inspection reports have confirmed that these facilities are prone to infection, dehumanization of residents, and significant failures in care provision. It is time Ontario become a leader and innovator instead of being mired in the failure of an archaic, inhumane, institutional system. Canada and Ontario sadly have among the highest rates of institutionalization in the world. Anyone living to 85 stands a 1 in 3 chance of ending up in one of these facilities”.

Seniors for Social Action Ontario (SSAO) is calling for age-friendly and respectful non-profit, community-based residential alternatives to institutions, including older adults independent living communities with care hubs designed to promote aging in place; smaller fully staffed community group homes for those with dementia and/or other disabilities that have fenced areas, gardens, and safe areas to wander; 24/7 staffed supported independent living (SIL) programs; caring communities programs on the L’Arche model, and other innovative residential options that offer older adults and their families dignified choices.

“Of critical importance is the need to rebut the oft-held belief that there will always be some people who require institutions. It is simply and blatantly false,” Linda Till, a policy advisor and systemic advocate for older adults and people with disabilities explains. “There is extensive evidence that people with even the most challenging needs for support can be appropriately and safely cared for in their own homes, or in small home-like settings in the community. In so doing they live more comfortable, healthy, normalized, valued, and meaningful lives than those who have been relegated to large, impersonal institutional settings”.

Variations of small home options abound for those who cannot remain in their own home, but which most closely replicate the way that people have lived their whole lives.

“Alternatives to institutionalization, wherein more normalized, respectful, and safer supports can be ensured for elders, exist within many jurisdictions”, says Linda Till, “and they effectively demonstrate the feasibility of a more individualized way of supporting people - one that offers them what they most expressly say and desire.... “I want to stay in my own home”.

We must de-institutionalize our way of responding to the needs of vulnerable elders, and invest in meaningful, respectful alternatives. It is unethical to continue to institutionalize given the abundance of evidence that exists to allow us to eliminate this outdated approach, according to SSAO.

“Older adults remain one of the strongest voting blocks in Ontario, capable of voting out any government that does not act in their best interests. The more assertive baby boomer generation is now approaching the age where they could be institutionalized if they encounter a health problem, so this issue is now on the front burner. Ageism and the institutionalization that arises from it is a human rights issue”, says Dr.Spindel.

BACKGROUNDER
Executive Summary
Envisioning a New Future for Vulnerable Elderly Citizens
Linda Till
linda.till@rogers.com 905-960-2191

- “The prevalence of seniors living in special care facilities, such as nursing homes, chronic care and long-term care hospitals and residences for senior citizens, increased with age (Figure 4). Among the age group 65 to 69, about 1% lived in special care facilities in 2011; among seniors aged 85 and over, the proportion was 29.6%.” https://www12.statcan.gc.ca/census-recensement/2011/as-sa/98-312-x/98-312-x2011003_4-eng.cfm
- Ontario spends \$4.07 billion to institutionalize older adults in long term care facilities <https://www.oltca.com/oltca/documents/reports/tiltc2016.pdf> (Pg. 11)
- Approximately 300 of the province’s 626 long term care facilities are older and need redevelopment (more than 30,000 beds) to meet licensing requirements when licenses expire in 2025. <https://healthydebate.ca/2018/09/topic/ontario-long-term-care-beds>
- “Incomes for long-term care centres are relatively fixed: The province pays \$182 per diem for each licensed bed, with various top-ups and opportunities for user co-payment increasing this figure. With four beds to a room, this is a lucrative daily guaranteed payment for any operator. So, the main avenue to increase profit is to reduce costs: ‘Continuity of care’ – knowing the patient and working with [him or her] on a daily basis – is less important than reducing labour costs.” “Human services such as nursing can be delivered anywhere in the community, and need not be within institutions.” (Professor Ernie Lightman) <https://rabble.ca/blogs/bloggers/views-expressed/2020/05/private-long-term-care-facilities-have-been-understaffed-and>
- The Law Commission of Ontario has provided a detailed illustration of the impact of ageism. <https://www.lco-cdo.org/en/our-current-projects/a-framework-for-the-law-as-it-affects-older-adults/older-adults-funded-papers/ageism-and-the-law-emerging-concepts-and-practices-in-housing-and-health/vii-conclusion/>
- 6% of younger people also live in long term care facilities, most with physical and/or developmental disabilities. People as young as 19 are moving into these facilities. <https://clri-ltc.ca/files/2019/01/Younger-Residents-in-LTC-Handout.pdf>
- The disability sector has long experience with alternatives to institutions having taken part in deinstitutionalizing large facilities over several decades.
- “Long-term care facilities constitute the largest manifestation of institutionalization to date in Ontario, and the institutionalization of the frail elderly is expanding year by year in response to the rising numbers of people who require care. Yet, members of this demographic group are the only people who are routinely placed in facilities for custodial care today....Successful, intentional deinstitutionalization depends on the provision of alternative services for people leaving care.” (Renee Lehnen, R.N. BES., M.A.) <https://lehhnen.ca/about/>
- “In Sweden, municipalities are responsible for elderly care and provide funding for in-home assistance as well as manage the needs of accessible housing. 94% of the elderly over the age of

65 live at home and are given the opportunity to live an independent life, even if someone is in need of supported assistance.” <https://globalhealthaging.org/2014/08/03/sweden-a-role-model-for-elderly-care/>

- “The study concludes that not only is the large corporate business model financially unsustainable but also detrimental to quality.” <https://www.ippr.org/files/2019-09/who-cares-financialisation-in-social-care-2-.pdf>
- Reliance on for-profit institutions is a world-wide trend that is not working. “The truth is that for too long we have let profits come before people. Finance has crept into every aspect of our society on the back of big promises about quality and efficiency. But it has failed to deliver, often putting the most vulnerable members of society at risk.” <https://www.ippr.org/files/2019-09/who-cares-financialisation-in-social-care-2-.pdf>
- “Japan has proved fertile ground for the development of social care co-operatives with the Japanese federation of health and welfare co-operatives currently running 28 nursing care homes, in addition to 75 hospitals and 337 primary health care centres.” “The argument underpinning the model [of co-operatively owned care homes] is that it provides a democratic, equitable, staff-led and community-orientated option to public or private social care provision, allowing for surplus capital to be reinvested into the business to improve quality and reduce costs.” <https://www.mutualinterest.coop/2020/05/forget-big-business-or-the-state-co-operatives-should-run-care-homes>
- “In Bologna, Italy social co-operatives account for 85% of care services for children, the elderly, the poor, the disabled and other vulnerable people and they exceed state and corporate alternatives in their outcomes, for example, these co-operatives give superior care at 50% of the cost of state programs.” <https://www.mutualinterest.coop/2020/05/forget-big-business-or-the-state-co-operatives-should-run-care-homes>
- Sweden is ranked first in elder care provision in the world. <https://www.helpage.org/download/541300b365b65/>
- Current allocation of funding for the elderly and for Long Term Care settings, if redirected into innovative alternatives in homes and communities, would enable such developments. Some jurisdictions have legislated that the funding currently allocated to an individual in an institution must be relinquished and redirected to their care in community, such as the *Money Follows the Person* program within Medicaid in the United States. (<https://www.medicaid.gov/medicaid/long-term-services-supports/money-follows-person/index.html>)
- Long term care settings and their supporters repeatedly call for more funding, claiming that the LTC sector has long been under-funded. If we scrutinize these claims in light of the significant profits and shareholder benefits that the large LTC corporations acknowledge, the argument becomes evidently specious. Accountability systems do not exist in the Ontario government that determine to what extent profit is being made by the same companies calling for additional funds, nor are there ways of guaranteeing that any additional funds would be spent on staffing and supplies for which they are allocated. The MOHLTC currently has no forensic auditors available to the inspection branch.

- An individualized planning approach has been shown to be most effective in ensuring that the supports provided to a person include all aspects of their needs and preferences. The P4P Planning Network provides an example of such an approach. “A key component of the P4P approach is Independent Facilitation – an ongoing process that supports an individual to fulfill these objectives, develop a vision for their future and take the steps necessary to work toward their goals and dreams.” <http://www.partnersforplanning.ca/>
- One would be hard-pressed to find anyone who has a personal goal of one day living in one of the LTC’s in this province. Conversely, the prevailing sentiment is that as people age, they most often state clearly and unequivocally that they want to remain in their own homes.
- Redirecting both funding and staff to supporting people in their own homes as extensively as individually required, is absolutely feasible, and has been shown to be successful for people with disabilities who have similar support requirements to those of our vulnerable elderly. In Sweden, 94% of the elderly over the age of 65 live at home and are given the opportunity to live an independent life, even if someone is in need of supported assistance.
<https://globalhealthaging.org/2014/08/03/sweden-a-role-model-for-elderly-care/>
- Ontario needs to consider expanding current approaches for people with disabilities to the older adults sector including: purchase of services funding through Special Services At Home; expansion of Supported Independent Living (SIL) programs; Double Duty – providing supports to older caregivers as well as those being cared for; small group homes staffed 24/7 in the community; independent living communities with community hubs to provide medical, nursing, and attendant care in people’s own homes; home sharing with support initiatives; paying caregivers to stay home; intentional communities like L’Arche etc.
- Combine housing and care through partnerships – see: L’Avenir Cooperative - a made-in-Canada example of person-centred developments enabling people to live in their own homes in community and Prairie Housing Cooperative in Winnipeg
<https://www.communityworks.info/articles/cooperatives.htm>.

These two organizations operate inter-dependently to provide homes and the required supports to enable people labelled with intellectual and/or physical disabilities to live with dignity, fulfillment, and security in their communities. This model could be expanded to senior care.
<https://lavenircoop.ca/> and <https://www.communityworks.info/articles/cooperatives.htm>

- Most importantly the ageist and patronizing current framework for development of policy concerning the provision of services and supports to older adults needs to be replaced with a more respectful, age friendly consideration of the individual needs of people as they age. Only then will we see a new, innovative vision of what is possible, instead of a deficit-based, inhumane, institutionalized system that awards beds without thinking very much about the people likely to occupy them.

Lesley Donnelly

From: noreply@townshipofbrock.ca on behalf of Freya Hansen <my_sanibel@hotmail.com>
Sent: June 19, 2020 1:21 PM
To: Brock General
Subject: dangerous intersection, Main St. and Mara Rd, Beav

I've emailed this complaint before. There is a very difficult intersection that is hard to use because of visibility of oncoming traffic. This intersection could use 4 way stop signs. It is very dangerous and one of these days, someone is going to get t-boned and coming out of Main St. turning left onto Mara Road. I would be VERY unhappy if it was me.

Origin: <https://www.townshipofbrock.ca/en/municipal-office/municipal-office.aspx>

Correspondence

This email was sent to you by Freya Hansen<my_sanibel@hotmail.com> through <https://www.townshipofbrock.ca>.

Lesley Donnelly

From: kerrie thaxter <kerrie5185@hotmail.com>
Sent: Thursday, June 18, 2020 7:40 AM
To: council@township.ca
Subject: Bruce Thaxter requesting please bring to agenda.....

Request has to do with the questionable installation of the culverts located on the 4th Concession and Thorah Sideroad.

I had to hire a Lawyer to motivate Brock Township to deal with their water that was/is flooding the Jackson Property located at B27235 Thorah Sideroad.

The Engineers decision was to install a 3x6 ft concrete culvert but instead two small dented steel culverts were improperly installed resulting with not being able to handle the volume of water and the mentioned property to date is still getting flooded.

Bruce Thaxter

B1596 Durham Rd 15,
Beaverton, ON
L0K1A0
705 721-3684 Cell
705 426-5185 Land line



The Regional
Municipality
of Durham

Corporate Services
Department
Legislative Services

605 Rossland Rd. E.
Level 1
PO Box 623
Whitby, ON L1N 6A3
Canada

905-668-7711
1-800-372-1102
Fax: 905-668-9963

durham.ca

Don Beaton, BCom, M.P.A.
Commissioner of Corporate
Services

June 25, 2020

The Honourable Ernie Hardeman
Minister of Agriculture, Food and Rural Affairs
77 Grenville Street, 11th Floor
Toronto, ON M5S 1B3

Dear Minister Hardeman:

**RE: Bill 156, Security from Trespass and Protecting Food
Safety Act, 2019 (2020-EDT-5), Our File: D02**

Council of the Region of Durham, at its meeting held on June 24, 2020, adopted the following recommendations of the Planning & Economic Development Committee:

- “A) That the Honourable Ernie Hardeman, Minister of Agriculture, Food and Rural Affairs, be advised that the Council of the Regional Municipality of Durham supports Bill 156, the Security from Trespass and Protecting Food Safety Act; and
- B) That a copy of Report #2020-EDT-5 of the Commissioner of Planning and Economic Development be sent to Durham’s Area Municipalities and the Durham Agricultural Advisory Committee for their information.”

Please find enclosed a copy of Report #2020-EDT-5 for your information.

Cheryl Bandel

Cheryl Bandel, Dipl. M.A.
Deputy Clerk

CB/tf

- c: N. Cooper, Clerk, Town of Ajax
- B. Jamieson, Clerk, Township of Brock
- A. Greentree, Clerk, Municipality of Clarington
- M. Medeiros, Clerk, City of Oshawa
- S. Cassel, Clerk, City of Pickering
- J.P. Newman, Clerk, Township of Scugog
- D. Leroux, Clerk, Township of Uxbridge
- C. Harris, Clerk, Town of Whitby
- B. Bridgeman, Commissioner of Planning and Economic Development

If this information is required in an accessible format, please contact 1-800-372-1102 ext. 2564



The Regional Municipality of Durham Report

To: Planning and Economic Development Committee
From: Commissioner of Planning and Economic Development
Report: #2020-EDT-5
Date: June 2, 2020

Subject:

Bill 156, Security from Trespass and Protecting Food Safety Act, 2019

Recommendation:

That the Planning and Economic Development Committee recommends to Regional Council:

- A) That the Honourable Ernie Hardeman, Minister of Agriculture, Food and Rural Affairs be advised that the Council of the Regional Municipality of Durham supports Bill 156, the Security from Trespass and Protecting Food Safety Act; and
 - B) That a copy of this report be sent to Durham's Area Municipalities and the Durham Agricultural Advisory Committee for their information.
-

Report:

1. Purpose

- 1.1 On March 3, 2020, the Planning and Economic Development Committee considered correspondence from Mitch Morawetz, President, Durham Region Federation of Agriculture (DRFA) requesting Regional Council's support for Bill 156, the Security from Trespass and Protecting Food Safety Act, 2019 (Attachment 1). This correspondence was referred to staff for a report.

2. Background and Additional Information

- 2.1 According to the Bill's Explanatory Note, the purpose of the proposed new legislation is to protect farm animals, the food supply, farmers and others from risks that are created when trespassers enter places where farm animals are kept. The Bill is also intended to discourage persons from engaging in unauthorized interactions with farm animals. Risks associated with these interactions could include exposing animals to disease, stress and introducing contaminants.
- 2.2 Fines of \$15,000 for a first offence and \$25,000 for a subsequent offence are proposed. A person found guilty may also be required to pay for any injury, loss or damages suffered as a result of their actions.
- 2.3 Bill 156 does not place restrictions on reporting suspected animal cruelty, nor does it seek to restrict freedom of speech. Any suspected animal cruelty may continue to be reported to the Ministry of the Solicitor General through the Ontario Animal Protection Call Centre.
- 2.4 To date, the Township of Scugog and the Municipality of Clarington have passed resolutions in support of Bill 156.
- 2.5 The DRFA has almost 1,100 members across Durham Region and is affiliated with the Ontario Federation of Agriculture (OFA), which has over 38,000 members. Both organizations advocate for the agriculture sector.
- 2.6 On February 4, 2020, Durham Region staff and the Durham Agricultural Advisory Committee (DAAC) Chair attended a roundtable in Lindsay regarding Bill 156. The roundtable was hosted by Minister Hardeman and MPP Laurie Scott to gather information and receive feedback from the agriculture community. The feedback at this event was supportive of Bill 156.
- 2.7 At its meeting on March 10, 2020, the Durham Agricultural Advisory Committee considered this matter and passed a motion in support of Bill 156.

3. Conclusion

- 3.1 Upon consulting with stakeholders, it has been determined that the agri-business community is supportive of the proposed legislation. As Bill 156 is a measure to further protect farms and agricultural products from the risks associated with unauthorized trespassers, it is appropriate that Regional Council provide its support for this proposed legislation.

3.2 Corporate Services – Legal Services was consulted in the preparation of this report.

4. Attachments

Attachment #1: Correspondence from Mitch Morawetz, President, Durham Region Federation of Agriculture, re: Bill 156 – Security from Trespass and Protecting Food Safety Act, 2020

Respectfully submitted,

Original signed by

Brian Bridgeman, MCIP, RPP
Commissioner of Planning and
Economic Development

Recommended for Presentation to Committee

Original signed by

Elaine C. Baxter-Trahair
Chief Administrative Officer

Mitch Morawetz, President
3258 Taunton Road
Orono On L0B 1M0
Phone: 905 983-9696
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Karen Yellowlees, Administrative Coordinator
4441 Malcolm Road
Nestleton, Ontario L0B 1L0
905 986-0657
E-mail: drfagric@gmail.com

February 19, 2020

Regional Chair John Henry
Regional Municipality of Durham
605 Rossland Road East
Whitby Ontario L1N 6A3

via email: chair@durham.ca , cc Legislative services

Re: Bill 156 - Security from Trespass and Protecting Food Safety Act, 2019

Dear Chair & Regional Council Members,

The Durham Region Federation of Agriculture (DRFA) is the voice of agriculture in Durham Region and advocates on behalf of our farm family members. In Durham Region and across Ontario, agriculture is one of the leading economic sectors. Along with our commodity partners in Durham Region and the Ontario Federation of Agriculture, we are committed to a sustainable and profitable future for farm families.

On behalf of my fellow Durham Region farmers, I write to you today about an important piece of legislation introduced into the provincial legislature on December 2, 2019. Introduced by Minister Ernie Hardeman, Bill 156, Security from Trespass and Protecting Food Safety Act, is an important way we can keep our farm and food supply safe for all residents in Durham Region and Ontario.

There has been a troubling rise of trespassing on Ontario farms with incidences happening in Durham Region. There is an increasing threat from trespassers and activists who illegally enter property, barns and buildings. They have seized private property and threatened the health and safety of our farms, our employees, our livestock and our crops.

Bill 156 is intended to protect farm animals, farms, farmers and their families, and the safety of the entire food supply by addressing the ongoing threat of unwanted trespassing and unauthorized interactions with farm animals by the public. The risks of these actions include exposing farm animals to stress and potential diseases, as well as the introduction of contaminants into the food supply.

The DRFA along with our counterparts across the province, appreciates the support from the provincial government for taking a strong stance to protect our farms and food safety by introducing more significant consequences for illegal trespassing activities. On behalf of our farm family members in Durham Region and in concert with our colleagues across Ontario, I respectfully ask that your Council show your support for Bill 156 by sending a letter indicating this to Ontario's Minister of Agriculture, Food and Rural Affairs, the Honourable Ernie Hardeman. A copy of a sample letter is attached for your consideration.

If you have already indicated to Minister Hardeman, your support for Bill 156, we thank you for your initiative! Thank you for showing your support for stronger legislation to protect Ontario farms, animals, and food from intruders.

Sincerely,

Mitch Morawetz, President

Sample letter to Minister Hardeman:

Hon. Ernie Hardeman
Minister of Agriculture, Food & Rural Affairs
77 Grenville Street, 11th Floor
Toronto, Ontario M5S 1B3

Via Email: minister.omafra@ontario.ca

Dear Minister Hardeman,

Ontario farms have come under increasing threat from trespassers and activists who illegally enter property, barns and buildings, causing significant disruptions to the entire agri-food sector. These activists are trespassing under false pretenses to gain entry on to farm properties. They have seized private property and threatened the health and safety of Ontario farms, employees, livestock and crops. These individuals and organizations are causing health and safety concerns and undue stress to Ontario farmers, their families, and their businesses. Once peaceful protests have now escalated to trespassing, invading, barn break-ins and harassment. These incidents distress farmers, their families and employees, and threaten the health of livestock and crops when activists breach biosecurity protocols, ultimately putting the entire food system at risk.

We strongly support the new proposed legislation, *Bill 156: Security from Trespass and Protecting Food Safety Act*. This new legislation is an important way to keep our farm and food supply safe for all Ontarians. Bill 156 provides a balanced approach to protecting farms while recognizing a citizen's right to protest. This new legislation will ensure farm businesses have a legal standing to protect their farm, family and employees, livestock, crops and ultimately the entire food system. Bill 156: *Security from Trespass and Protecting Food Safety Act* is good news for Ontario's agri-food industry.

Thank you for this important new legislation.

Sincerely,

cc:Durham Region Federation of Agriculture drfagric@gmail.com

728/20



June 25, 2020

The Honourable Steve Clark
Minister of Municipal Affairs and Housing
777 Bay Street, 17th Floor
Toronto, ON M5G 2E5

Dear Minister Clark:

The Regional
Municipality
of Durham

Corporate Services
Department
Legislative Services

605 Rossland Rd. E.
Level 1
PO Box 623
Whitby, ON L1N 6A3
Canada

905-668-7711
1-800-372-1102
Fax: 905-668-9963

durham.ca

Don Beaton, BCom, M.P.A.
Commissioner of Corporate
Services

**RE: Proposed Employment Area Conversion Criteria and
Submission Review Process (2020-P-11), Our File: D00**

Council of the Region of Durham, at its meeting held on June 24, 2020, adopted the following recommendations of the Planning & Economic Development Committee, as amended:

- "A) That the principles and criteria for assessing requests for Employment Area conversion contained in Section 5 and the submission review process contained in Section 6 of Report #2020-P-11 of the Commissioner of Planning and Economic Development be endorsed;
- B) That a copy of Report #2020-P-11 be forwarded to all Envision Durham interested parties, the Area Municipalities, Building Industry and Land Development (BILD) – Durham Chapter, and the Ministry of Municipal Affairs and Housing; and
- C) That staff be directed to research and report back to Council on a specific mixed use land use designation."

Please find enclosed a copy of Report #2020-P-11 for your information.

Cheryl Bandel

Cheryl Bandel, Dipl. M.A.
Deputy Clerk

CB/tf

c: Please see attached list

- c: M. Harris, Acting Manager, Community Planning and Development,
Ministry of Municipal Affairs and Housing
- N. Cooper, Clerk, Town of Ajax
- B. Jamieson, Clerk, Township of Brock
- A. Greentree, Clerk, Municipality of Clarington
- M. Medeiros, Clerk, City of Oshawa
- S. Cassel, Clerk, City of Pickering
- J.P. Newman, Clerk, Township of Scugog
- D. Leroux, Clerk, Township of Uxbridge
- C. Harris, Clerk, Town of Whitby
- Envision Durham Interested Parties
- Building Industry and Land Development (BILD) – Durham Chapter
- B. Bridgeman, Commissioner of Planning and Economic Development

If this information is required in an accessible format, please contact 1-800-372-1102 ext. 2564



The Regional Municipality of Durham Report

To: Planning and Economic Development Committee
From: Commissioner of Planning and Economic Development
Report: #2020-P-11
Date: June 2, 2020

Subject:

Proposed Employment Area Conversion Criteria and Submission Review Process, File D12-01

Recommendation:

That the Planning and Economic Development Committee recommends to Regional Council:

- A) That the principles and criteria for assessing requests for Employment Area conversion contained in Section 5 and the submission review process contained in Section 6 of this report be endorsed; and
 - B) That a copy of this report be forwarded to all Envision Durham interested parties, the Area Municipalities, Building Industry and Land Development (BILD) – Durham Chapter, and the Ministry of Municipal Affairs and Housing.
-

Report:

1. Purpose

- 1.1 The protection of the Region's supply of employment land is important to the economic vitality of the Region. Policies that speak to the protection and maintenance of an adequate supply of employment areas are found in the Provincial Policy Statement, the Growth Plan, the Regional Official Plan (ROP), and Council's Strategic Plan. As required by the Province, Regional planning staff are in the process of preparing a new Official Plan through a "Municipal

Comprehensive Review” (MCR) process, which has been branded as “Envision Durham”. The MCR is well underway and to date, a number of requests for Employment Area conversion have been received. In the coming months, each conversion request needs to be evaluated and a determination made on whether or not the request merits Council’s approval.

- 1.2 The purpose of this report is to recommend evaluation criteria and a formal process for considering requests for Employment Area conversion through Envision Durham.

2. Background

- 2.1 As part of the Region’s MCR, a Growth Management Study is being completed in two phases. The first phase focuses on the completion of a Land Needs Assessment (LNA). The LNA is a comprehensive review and calculation of the Region’s land base, including existing urban areas, to determine how the Growth Plan population and employment forecasts can be accommodated and how much, if any, additional urban land is required. The second phase of the Growth Management Study, if required, will focus on determining the most appropriate location for Urban Boundary Expansion.
- 2.2 Several studies will be undertaken to inform key inputs for the LNA. The Growth Management Study includes an Employment Analysis to understand employment trends and opportunities in the Region, develop an Employment Area density target, and assess the ability of the Region, and especially its Employment Areas, to accommodate the employment forecast. Evaluating the conversion of Employment Area lands is a key step in the LNA to determine where and how much Employment Area lands may be re-designated to permit non-employment uses (e.g. residential).
- 2.3 The Province is currently undertaking a review of its LNA methodology¹ as well as the population and employment forecasts contained in the Growth Plan. This review has necessitated a pause on certain components of the Region’s Growth Management Study related to the LNA. In the meantime, staff and the consultant team continue to advance the Study where potential changes to Provincial

¹ The Growth Plan requires the completion of a Land Needs Assessment as part of the Region’s Municipal Comprehensive Review. To guide this process and ensure consistency the Province issued a guideline document entitled “Land Needs Assessment Methodology for the Greater Golden Horseshoe” which outlines the steps, variables, data, assumptions and related studies that must be completed when calculating the Region’s land budget. The Provincial LNA methodology is currently under review.

requirements are not anticipated to have a major impact. This work includes establishing the criteria for Employment Area conversion identified within this report.

3. Planning for Employment

Durham's Current Employment (Job) Distribution

- 3.1 Employment (job) distribution in Durham is spread across the Region in a variety of locations, forms, and functions. For forecasting and land needs assessment purposes, employment uses are situated in one of the following land use policy areas:
- a. **Community Areas:** are lands inside the Urban Area Boundary, other than designated Employment Areas, that may be used for residential, commercial and/or other purposes. Community Areas employment is often referred to as “population related”, which includes commercial, some office, retail, institutional (e.g. schools) and community service jobs. More than half (approximately 59%) of all jobs in Durham are currently located within Community Areas.
 - b. **Employment Areas (Urban):** are lands inside the Urban Area Boundary that are within designated Employment Areas. Jobs within these areas tend to be in the form of manufacturing, warehousing, office, storage, and assembly and processing. Roughly one-third (approximately 31%) of all jobs in Durham are currently located within Urban Employment Areas.
 - c. **Employment Related Areas:** are employment generators that are uniquely identified on Schedule “A” of the ROP. This includes the Pickering and Darlington nuclear generating stations and the Oshawa Airport. Approximately 3.5% of all jobs in Durham are currently provided within Employment Related Areas.
 - d. **Rural Employment Areas:** are those areas within the Rural System that are designated as Rural Employment Areas. Employment uses in these areas tend to be similar to Urban Employment Areas but are subject to additional restrictions and considerations for water use, impact on the surrounding natural environment and agricultural areas, and limited pollution / noxious emissions. There are three of these Rural Employment Areas, two of which are in the Township of Uxbridge and one in the Township of Brock. Approximately 0.5% of all jobs in Durham are currently provided within Rural Employment Areas.

- e. **Rural Areas:** are lands outside the Urban Area Boundary. Employment in Rural Areas is primarily agriculture (farms) and related businesses, services and commercial/retail within hamlets, and recreational uses such as golf courses and skiing facilities. Approximately 6% of all jobs in Durham are currently provided within Rural Areas.

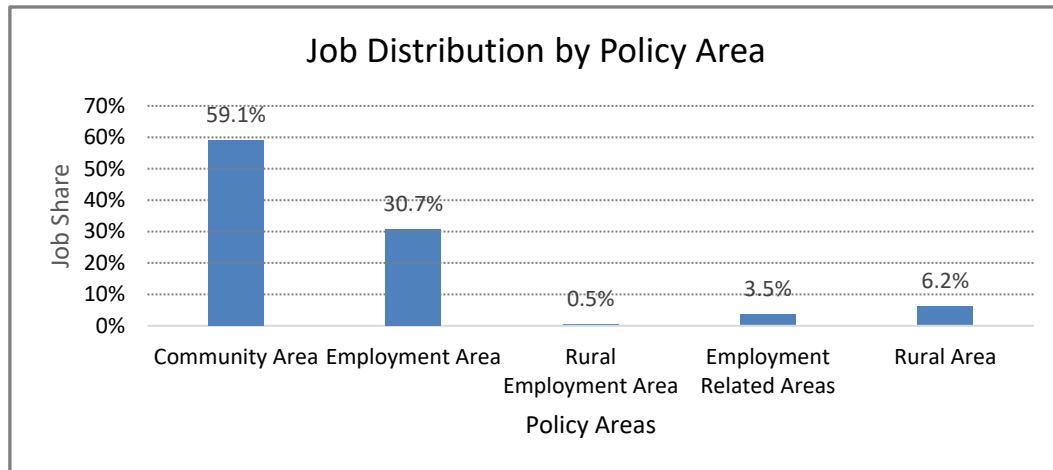


Table 1: The distribution of jobs in Durham Region by Policy Area (source: Durham Region Business Count).

Provincial Policy Requirements for Employment Areas

- 3.2 The Provincial Policy Statement (PPS) requires the Region to plan, protect, and preserve Employment Areas for current and future uses. The Growth Plan requires the Region to designate Employment Areas in the ROP and protect them for appropriate employment uses over the long term. Both the PPS and the Growth Plan require the prohibition of residential uses within designated Employment Areas, while other sensitive uses that are not ancillary to the primary employment use must also be prohibited or limited.
- 3.3 The Growth Plan includes several additional requirements for the planning and protection of Employment Areas. For example, the Region is required to plan to accommodate a long-term employment forecast, specifically through the protection of an adequate supply of designated Employment Areas. The Region's employment forecast included in the Growth Plan is 430,000 jobs by 2041, which is under review by the province.

- 3.4 Further protections and restrictions contained in the Growth Plan include the requirement to establish a threshold for Major Retail² uses. Further, any retail uses that exceed the size and/or scale of the threshold must be prohibited in Employment Areas.
- 3.5 The Growth Plan also includes a requirement that appropriate buffering between Employment Areas and non-employment uses (including sensitive uses) be utilized. The development of sensitive uses, Major Retail uses and/or major office uses must also avoid, or where avoidance is not possible, minimize and mitigate adverse impacts on industrial, manufacturing and other uses that are vulnerable to encroachment.
- 3.6 In recent years the Province of Ontario has undertaken an exercise to identify **Provincially Significant Employment Zones (PSEZs)**³. The Growth Plan broadly defines PSEZs as areas reserved for job creation and economic development.
- 3.7 There are three PSEZs in Durham, all of which are located within the lakeshore municipalities of Pickering, Ajax, Whitby, Oshawa and Clarington. Durham's PSEZs generally encompass Employment Areas in proximity to Highway 401 and rail infrastructure. Further information on the current PSEZs locations in Durham are described in Council Information Report [#2020-INFO-3](#).
- 3.8 Growth Plan Policy 2.2.5.9 outlines the conditions in which lands within Employment Areas may be converted to permit additional, new, non-employment uses through a Municipal Comprehensive Review. It also specifies the conditions/criteria that must be demonstrated to permit the conversion.
- 3.9 The Provincial requirements that must be demonstrated when considering Employment Area conversion are not subject to review or alteration, and have been incorporated into the proposed approach (further discussed in Section 5). The Growth Plan requires Employment Area conversions to demonstrate:

² The Growth Plan defines Major Retail as large-scale or large-format stand-alone retail stores or retail centres that have the primary purpose of commercial activities. The ROP currently defines Major Retail Use as large scale, retail operations and commercial facilities, having a gross leasable area of 2,000 m² or greater.

³ The Growth Plan defines Provincially Significant Employment Zones as Areas defined by the Minister in consultation with affected municipalities for the purpose of long-term planning for job creation and economic development. Provincially Significant Employment Zones can consist of employment areas as well as mixed-use areas that contain a significant number of jobs.

- a. There is a need for the conversion;
 - b. The lands are not required over the horizon of the Growth Plan for the employment purposes for which they are designated;
 - c. The municipality will maintain sufficient employment lands to accommodate forecasted employment growth to the horizon of the Growth Plan;
 - d. The proposed uses would not adversely affect the overall viability of the Employment Area or the achievement of the minimum intensification and density targets in the Growth Plan, as well as the other policies of the Growth Plan; and
 - e. There are existing or planned infrastructure and public service facilities to accommodate the proposed uses.
- 3.10 Growth Plan Policy 2.2.5.10 allows consideration of Employment Area conversion outside a municipal comprehensive review process, provided the conversion would:
- a. Satisfy the requirements of policy 2.2.5.9 a), d) and e);
 - b. Maintain a significant number of jobs on those lands through the establishment of development criteria; and
 - c. Not include any part of an employment area identified as a provincially significant employment zone.
- 3.11 As the Region is currently “within” its MCR process, the above-noted Growth Plan policy is not applicable at this time.
- 3.12 Policy 8C.2.16 of the ROP only permits the consideration of Employment Area conversion as part of a municipal comprehensive review.
- 3.13 The ROP reflects Provincial Policy requirements by designating Employment Areas on Schedule ‘A’ and protecting these lands for appropriate employment uses through associated policies. The ROP’s current planning horizon of 2031 and associated employment forecast of 350,000 jobs is being reviewed and updated through the Growth Management Study to align with new timelines and revised employment forecasts that will be prescribed by the province. The total quantum of required Employment Area land within Durham will then be designated accordingly in consultation with the Area Municipalities and subject to Regional Council approval.

Durham's Current Employment Area Land Supply

3.14 In 2019 the Region, in consultation with the Area Municipalities, completed and published an updated Employment Land Inventory (ELI). As reported in the ELI, there are over 6,000 hectares of designated Employment Areas within Durham's Urban System. The Region's Employment Areas can further be categorized by built and servicing status:

- **Built:** 1,697 ha (28%)
- **Vacant:** 3,040 ha (50%), of which 1,022 hectares of vacant land are serviced⁴
- **Underutilized**⁵: 964 ha (16%), of which 625 hectares of underutilized lands are fully serviced.
- **Constrained:** 340 ha (6%)

3.15 The complete ELI results (both Regional and by Area Municipality), including servicing status of Employment Areas, are available on the Region's website and provided as Attachments #7 through #15 accessible via hyperlinks.

4. Evaluating Employment Area Conversions

4.1 The PPS, Growth Plan, and ROP define and specify requirements for Employment Area conversion. Provincial policy describes Employment Area conversion as the re-designation of Employment Areas to permit non-employment uses. The ROP defines Employment Area conversion as "a re-designation from Employment Areas to another urban designation, or the introduction of a use that is otherwise not permitted in the Employment Areas designation."

4.2 The purpose of an Employment Area conversion may be:

- a. to re-designate Employment Areas to a Living Areas designation to permit primarily residential uses;

⁴ Serviced means water and sewage services are available at the property line.

⁵ Underutilized means that the property has the opportunity for further development. This may include properties with no structures but are used for employment uses (such as truck parking, parking lots and outdoor storage); properties that are designated for employment uses but are currently occupied by non-conforming uses (such as residential dwellings); or properties that are partially built but have remaining capacity for additional development.

- b. to establish a new Regional Centre or delineate a Major Transit Station Area within which a mix of residential and other compatible employment uses, would be permitted; or
- c. to permit other uses that are not permitted within Employment Areas, such as a Major Retail use.

Current Employment Area Conversion Requests

- 4.3 Since the initiation of Envision Durham in 2018, the Region has received both written submissions and informal inquiries for Employment Area conversion. A formal request is categorized as a written submission with a clear “ask” that the Region consider the conversion of specific Employment Area lands to a non-employment use. Informal inquiries include phone calls, emails, and pre-submission meetings in which there appears to be an interest in an Employment Area conversion, however no clear written request has yet been submitted to the Region to accompany the inquiry.
- 4.4 As of April 27, 2020, 14 written submissions for Employment Area conversion have been received by the Region. The lands subject to the existing Employment Area conversion requests are primarily vacant or underutilized. Together, these submissions affect approximately 231 hectares (roughly 4% of designated Employment Areas in Durham). Additional details on each submission are summarized in Attachment #3 with location maps provided in Attachments #4 through #6.

5. Considerations and Proposed Criteria for Evaluating Employment Area Conversion

- 5.1 Lands designated as Employment Areas should be protected and reserved for uses that require access to transportation infrastructure (including goods movement infrastructure), require separation from sensitive land uses (i.e. residential uses), and/or benefit from locating within proximity to similar uses (ROP Policy 8C.2.1). Employment Areas offer a range of land parcel sizes, including large sized land parcels, which are required by land intensive employment uses such as manufacturing, warehousing and logistics.
- 5.2 Inappropriate Employment Area conversions can have substantial and long-term impacts which may include the encroachment of sensitive land uses into an otherwise stable Employment Area. This may cause land use compatibility issues, reduce the viability of existing/future employment uses, and create pressure for additional conversions of the Employment Area. It is essential to have an adequate

supply of designated employment land to accommodate the employment forecasts contained within the Growth Plan. Once converted, it is unlikely the lands will ever return to an employment use. Accordingly, requests for Employment Area conversion must be carefully evaluated.

5.3 Watson and Associates, in their April 30, 2020 Memo (Attachment #1) provided principles and criteria for evaluating requests for Employment Area conversion. In addition, Watson and Associates identified several potential negative impacts if systematic and careful evaluation is not applied to requests for Employment Area conversion, including:

- reduced employment opportunities and imbalances between population and employment (jobs);
- eroding the Region's employment land supply and leading to further conversion pressure through the encroachment of non-employment uses within, or adjacent to, Employment Areas; and
- fragmenting existing Employment Areas and further undermining their ability to function.

5.4 The Memo, which outlines the framework for evaluating requests for Employment Area conversion is summarized below.

Guiding Principles

5.5 Based on Provincial policy direction, and incorporating best practices for the planning, protection and development Employment Areas, the following will serve as the guiding principles for the evaluation of requests for Employment Area conversion:

- a. Protect Employment Areas in proximity to major transportation corridors and goods movement infrastructure to ensure businesses have access to a transportation network that safely and efficiently moves goods and services.
- b. Maintain the configuration, location and contiguous nature of Employment Areas in order to prevent fragmentation and provide business supportive environments.
- c. Provide a variety of Employment Area lands in order to improve market supply potential and Regional attractiveness to a variety of employment sectors and business sizes.
- d. Maintain or improve the employment function and job potential of Employment Areas.

- e. Support efforts of transformational change in Major Transit Station Areas if it can be demonstrated that the employment and job potential of Employment Areas can be maintained or improved.
- f. Align with municipal interests and policies related to Employment Areas.
- g. Limit and/or mitigate land use incompatibilities where necessary.
- h. Consider the Provincial interests and guidance regarding Provincially Significant Employment Zones.

Evaluation Criteria

5.6 To satisfy Provincial policy and implement the previously noted guiding principles, the following criteria will be used to systematically evaluate requests for Employment Area conversion:

- a. To satisfy Provincial Policy Statement policy, it must be demonstrated that the land is not required for employment purposes over the long term and that there is a need for the conversion.
- b. To satisfy Growth Plan policy, it must be demonstrated that:
 - There is a need for the conversion.
 - The lands are not required over the horizon of the Growth Plan for the employment purposes for which they are designated.
 - The municipality will maintain sufficient employment lands to accommodate forecasted employment growth to the horizon of the Growth Plan.
 - The proposed uses would not adversely affect the overall viability of the Employment Area or the achievement of the minimum intensification and density targets in the Growth Plan, as well any other applicable policies.
 - There are existing or planned infrastructure and public service facilities to accommodate the proposed uses.
- c. The site is not located in proximity to major transportation corridors and goods movement infrastructure.
- d. The site does not offer direct access to major transportation corridors and goods movement infrastructure.
- e. The site is located outside or on the fringe of an assembly of Employment Areas.
- f. The site offers limited market supply potential for Employment Area development due to size, configuration, access, physical conditions, and/or servicing constraints, etc.

- g. The proposed conversion to non-employment uses is compatible with surrounding land use permissions and potential land use conflicts can be mitigated.
 - h. The conversion of the proposed site to non-employment uses would not compromise the overall supply of large Employment Area sites at the Regional or Area Municipal level.
 - i. The conversion request demonstrates total job yield of the site can be maintained or improved.
 - j. The conversion request is within a proposed Major Transit Station Area.
 - k. The conversion request is supported by Area Municipal staff/Council and does not conflict with municipal interests and policies.
 - l. The conversion of the site would not present negative cross-jurisdictional impacts that could not be overcome.
- 5.7 The above criteria will be used to evaluate submissions and to provide an indication of whether or not a site is suitable for conversion. The criteria evaluation, paired with a qualitative assessment, will be used to form staff recommendations on requests for Employment Area conversion.
- 5.8 Consultation between Regional staff, the consultant team and Envision Durham's Area Municipal Working Group on the draft Employment Area conversion principles and criteria took place on March 12, 2020. Adjustments were made to incorporate comments from Area Municipal planning staff received as of April 30, 2020.
- 5.9 Upon Council's endorsement, the criteria will be applied to evaluate requests for Employment Area conversion. To aid in the evaluation, it is recommended that any conversion request complete the Submission Form included in Attachment #2 and be supplemented/supported by additional studies and/or reports, such as a planning rationale, land use compatibility study, concept plan(s), etc. as may be necessary to inform the request.

6. Submission and Review Process

- 6.1 Following Council's approval of this Report, a 90-day submission window for new and/or amended requests for Employment Area conversion will commence. **The final date to submit a request for consideration through Envision Durham will be September 23, 2020.** Submissions should be made directly via email to EnvisionDurham@durham.ca and must include a completed Submission Form.

6.2 This report and instructions will be posted to the project web page at durham.ca/EnvisionDurham for public access.

Criteria and Submission Review Process will also be announced by way of:

- a. News release and public service announcement;
- b. Social media platforms, including Facebook, Twitter and LinkedIn;
- c. Email notifications, directly to the Envision Durham interested parties list, as well as to any stakeholders that have already made Employment area conversion requests and/or inquiries; and
- d. Circulation of this report to the Area Municipalities, BILD – Durham Chapter, and the Ministry of Municipal Affairs and Housing.

6.3 Requests for Employment Area conversion, including the Submission Form and any other supporting documentation, will be evaluated by staff and the consultant team. Area Municipalities will be circulated any requests for Employment Area conversion located within their jurisdiction and will be asked to provide their recommendation. The position of Area Municipal staff and/or Councils will be used to inform the Region's review.

6.4 The impact of Employment Area conversions on the Region's land supply will be included as part of the Land Needs Assessment.

7. Conclusion

7.1 The Region is required by Provincial Policy to plan for and protect Employment Areas. Employment Areas play a specific and unique role in attracting and accommodating businesses and creating local jobs.

7.2 Provincial and Regional Policy permits the conversion of Employment Areas to non-employment uses through a Municipal Comprehensive Review. It is recommended that the principles, criteria and process outlined in Sections 5 and 6 of this Report be used to inform recommendations to Council on requests for Employment Area conversion.

7.3 A copy of this report will be sent electronically to all Envision Durham interested parties, including all stakeholders that already submitted a formal request or inquiry for Employment Area conversion. Those that have submitted information previously will be asked to enhance the documentation previously submitted by completing the Submission Form and supplementing their request with additional information, such as a covering letter, professional reports and studies (i.e. planning rationale, land use compatibility assessments, etc.) and land use plans or concept sketches. The

additional information will be used by Regional staff and the consultant team to aide in the evaluation of requests for Employment Area conversion.

- 7.4 A copy of this report will also be forwarded to all Envision Durham Interested Parties, the Area Municipalities, the Building Industry and Land Development (BILD) – Durham Chapter, and the Ministry of Municipal Affairs and Housing.
- 7.5 This report has been prepared in consultation with Corporate Services - Legal Services and Economic Development staff.

8. Attachments

Attachment #1: Employment Conversion Principles and Criteria Memo, May 12, 2020, Watson and Associates Limited

Attachment #2: Submission Form

Attachment #3: Summary of Requests for Employment Area Conversion received as of April 27, 2020

Attachment #4: Map 1: Requests for Employment Area Conversions – Ajax and Pickering

Attachment #5: Map 2: Requests for Employment Area Conversions – Clarington, Oshawa and Whitby

Attachment #6: Map 3: Requests for Employment Area Conversions – Cannington (Township of Brock)

Attachment #7: [Employment Land Inventory – Region of Durham](#)

Attachment #8: [Employment Land Inventory - Ajax](#)

Attachment #9: [Employment Land Inventory - Brock](#)

Attachment #10: [Employment Land Inventory - Clarington](#)

Attachment #11: [Employment Land Inventory - Oshawa](#)

Attachment #12: [Employment Land Inventory - Pickering](#)

Attachment #13: [Employment Land Inventory - Scugog](#)

Attachment #14: [Employment Land Inventory - Uxbridge](#)

Attachment #15: [Employment Land Inventory - Whitby](#)

Respectfully submitted,

Original signed by

Brian Bridgeman, MCIP, RPP
Commissioner of Planning and
Economic Development

Recommended for Presentation to Committee

Original signed by

Elaine C. Baxter-Trahair
Chief Administrative Officer

Memorandum

To	Gary Muller, Director, Region of Durham Colleen Goodchild, Manager, Region of Durham Brad Anderson, Principal Planner, Region of Durham
From	Jamie Cook, Watson & Associates Economists Ltd. Elizabeth Bang, Watson & Associates Economists Ltd.
Date	May 12 th , 2020
Re:	Durham Region Employment Area Conversion Principles and Criteria

Fax ☐Courier ☐Mail ☐Email ☒

The purpose of this memo is to recommend Employment Area Conversion Principles and Criteria for the employment conversion task of the Durham Region Growth Management Strategy (G.M.S.). The recommended criteria has been prepared by drawing on the following:

- A review of best practices across the Greater Golden Horseshoe (G.G.H), considering feedback from Durham staff, Area Municipal staff, as well as a review of the Durham Region Urban Systems Discussion Paper;
- Relevant Provincial planning policies and supporting documents related to A Place to Grow, the Province's Growth Plan for the G.G.H., hereafter referred to as the Grow Plan, 2019, and Provincial Policy Statement (P.P.S.), 2020; and
- The evolving nature of Employment Areas in some areas of Durham Region with respect to land use, economy and transportation.

This memo is intended to provide the following:

- An overview of the impetus of planning for and protecting Employment Areas in Durham Region;
- Recommend principles to guide the approach to the employment conversions criteria development and evaluation process;
- Recommend employment conversion criteria;
- An overview of how the employment conversion would be used; and
- Definitions of common terms that can be found in the criteria.



1.1 Planning for Employment Areas in Durham Region

When considering the Region's regional competitive ranking, a major factor influencing the future competitiveness of the Region's economic base is the structure and quality of its Employment Areas. In Durham Region, Employment Areas typically include a broad range of light, medium and heavy industrial lands, business and research parks, as well as rural Employment Areas.

Employment Areas form a vital component of Durham Region's land-use structure and are an integral part of the local economic development potential of the Region. They are also home to many of the Region's largest employers. Through development of its Employment Area land base, the Region is better positioned to build more balanced, complete and competitive communities. Thus, a healthy balance between residential and non-residential development is considered an important policy objective for Durham Region.

Employment Areas include a wide range of industrial uses (e.g. manufacturing, distribution/logistics, transportation services), specific office commercial and institutional uses, as well as ancillary/accessory retail uses which generally support the industrial/business function of the Region's Employment Areas.

It is important to recognize that structural changes in the broader economy continue to alter the nature of economic activities in Employment Areas as well as impact the built form and character of these lands. It is also important to recognize that tomorrow's industries have siting, space and built-form requirements that are fundamentally different from traditional industrial sites which exist today. This may include requirements related to broad infrastructure, transit access, energy efficiency, building and urban design standards, eco-industrial design principles and labour force access. Site configuration and integration of uses is also evolving particularly in prestige employment areas which often integrate operations combining office, research and development, warehousing and logistics, and on-site manufacturing in a "campus-style" setting.

With an increasing emphasis on "knowledge-based sectors", major office, flex office and multi-purpose facilities encompassing office and non-office uses are becoming an increasingly dominant built form. Recognizing these recent structural changes in the regional economy and increasing preference towards these types of uses and built forms in Employment Areas, there has been a need for Employment Areas to provide for a wider range of amenities and employment-supportive uses which complement both knowledge-based and traditional industrial sectors.

1.2 Supporting Growth of Durham Region's Employment Areas

Employment uses in Employment Areas (e.g. manufacturing, warehousing and logistics) typically require large tracts of land with good access to trade corridors near major



highway interchanges and other major transportation facilities such as ports, rail yards, intermodal facilities and airports. They also primarily accommodate industries which require adequate separation from sensitive land uses (e.g. residential uses, education and health care facilities, day care centres). Designating new Employment Areas in a municipality becomes challenging without adequate consideration for the requirements that support their success. For these reasons, it becomes increasingly important to protect existing Employment Areas because they provide the opportunity to accommodate employment uses that cannot be easily accommodated in other areas of the Region. Both the 2020 P.P.S. and Growth Plan, 2019 contain policies which protect Employment Areas in proximity to major goods movement facilities and corridors which require those locations. For example, policy 1.3.2.6 of the 2020 P.P.S. states:

Planning authorities shall protect *employment areas* in proximity to *major goods movement facilities and corridors* for employment uses that require those locations.

The Growth Plan, 2019 further demonstrates through policy 2.2.5.1. the significance of promoting the economic development and competitiveness of the Greater Golden Horseshoe (G.G.H.) through various means:

Economic development and competitiveness in the *GGH* will be promoted by:

- a) Making more efficient use of existing *employment areas* and vacant and underutilized employment lands and increasing employment densities;
- b) Ensuring the availability of sufficient land, in appropriate locations, for a variety of employment to accommodate forecasted employment growth to the horizon of this Plan;
- c) Planning to better connect areas with high employment densities to transit; and
- d) Integrating and aligning land use planning and economic development goals and strategies to retain and attract investment and employment.

As such, consideration should be given to reserving strategically important land for future employment purposes throughout the Region of Durham well beyond the Region's Official Plan (O.P) horizon.

If not carefully evaluated, the conversion of Employment Areas to non-employment uses can potentially lead to negative impacts on Durham Region's economy in several ways. Firstly, inappropriate Employment Area conversions can reduce employment opportunities, particularly in export-based sectors, creating local imbalances between population and employment. Secondly, employment conversions can potentially erode the Region's employment land supply and lead to further conversion pressure as a result of encroachment of non-employment uses within, or adjacent to, Employment Areas. Finally, inappropriate Employment Area conversions can potentially fragment



existing Employment Areas and/or reduce their size (i.e. critical mass), undermining their functionality and competitive position. Ultimately, inappropriate Employment Area conversions may reduce the Region's ability to attract and accommodate certain industries.

Given the potential negative impacts resulting from the inappropriate conversion of Employment Areas, it is recognized that there is a need to preserve such designated lands within Durham Region for employment uses. Durham Region also recognizes that under some circumstances, an Employment Area conversion may be justified for planning and economic reasons provided such decisions are made through using a systematic approach and methodology as set out herein.

1.3 Principles for Approaching the Evaluation of Employment Conversions

Given the importance of planning for and protecting Employment Areas, a series of principles, as listed below, for approaching the evaluation of employment conversions has been established.

These principles are meant to provide further rationale to the employment conversion criteria. Again, it is noted that these principles were developed using policy directions and guidance from the P.P.S., 2020, the Growth Plan (2019), and referring to best practices of protecting, planning, and developing designated Employment Areas. They were also developed recognizing the evolving nature of Employment Areas occurring in some parts of the Region with respect to land use plans, market, and context.

- 1) Protect Employment Areas in proximity to major transportation corridors and goods movement infrastructure to ensure businesses have access to a transportation network that safely and efficiently moves goods and services;**

In contrast to other urban land uses (e.g. Commercial, Mixed-Use and Residential Areas), Employment Areas are intended to accommodate industrial sectors that should not be accommodated in other areas of the Region. The Growth Plan, 2019 and the P.P.S., 2020 contain policies which protect Employment Areas in proximity to major goods movement facilities and corridors which require those locations. In order for a municipality to continue to be competitive and attractive to a broad range of industrial and commercial sectors, it needs to ensure that its medium to large-scale vacant sites have good access to trade corridors near major highway interchanges as well as other major goods movement and transportation facilities such as ports, rail yards, intermodal facilities, and airports.

- 2) Maintain the configuration, location, and contiguous nature of Employment Areas in order to prevent fragmentation and provide business supportive environments;**



Preserving the overall configuration, location, and contiguous nature of Employment Areas ensures municipalities continue to be competitive and attractive to a broad range of industrial and commercial sectors. This helps ensure any risks of Employment Areas becoming fragmented over time are mitigated. It further enables businesses to establish relationships and synergies, thereby developing strong business supportive environments at various scales (i.e. locally and regionally).

3) Provide a variety of Employment Area lands in order to improve market supply potential and Regional attractiveness to a variety of employment sectors and business sizes;

Municipalities need to ensure a sufficient supply of Employment Area lands by location, access, site size, zoning, tenure, and servicing potential (i.e. serviced and/or serviceable), etc. are offered. This will ensure a sufficient market choice of designated Employment Areas are provided to accommodate a variety of employment sectors and business sizes. A municipality looking to improve market supply potential and attractiveness to large, land extensive industries will also want to ensure it has a sufficient supply of large vacant employment land sites.

4) Maintain or improve the employment function and job potential of Employment Areas;

Recommended Employment Area conversion should maintain or improve the Region's overall ratio of jobs to population (i.e. employment activity rate), without undermining the functionality and competitive position of existing Employment Areas.

5) Support efforts of transformative change in Major Transit Station Areas if it can be demonstrated that the employment and job potential of Employment Areas can be retained or improved;

It is recognized that some proposed Major Transit Station Areas (M.T.S.A.) within Durham Region are within areas that are designated as Employment Areas. These areas represent priority locations for redevelopment and are anticipated to undergo transformative change over the long-term. Efforts which encourage transformative change in M.T.S.A.s should be supported if it can be demonstrated that the employment conversion request also supports principle number four and is aligned with municipal interests and policies related to Employment Areas.

6) Align with municipal interests and policies related to Employment Areas;

It is recognized that there are various municipal interests and policies related to Employment Areas that speak to planning for, protecting, and preserving Employment Areas. As such, the purpose of this principle is to align as best as possible to mandates, goals, and objectives, for example, included in Corporate Strategic Plans, Official Plans, Secondary Plans, etc. which provide insight on the municipality's vision



towards planning, protecting, and preserving Employment Areas. This alignment will also be identified through engagement with Area Municipalities as they provide local insights and circumstances throughout the course of the Employment Area conversion analysis. Area Municipal staff comments and Council resolutions addressing alignment with this principle will need to be provided in order to be considered while evaluating the conversion request.

7) Limit and/or mitigate land use incompatibilities where necessary; and

The Growth Plan, 2019 and the P.P.S., 2020 contain policies that speak to avoiding or limiting land use incompatibilities with sensitive land uses (e.g. residential uses, education and health care facilities, day care centres). Employment Areas may also accommodate industries which require adequate separation from sensitive land uses.

8) Consider the Provincial interests and guidance regarding Provincially Significant Employment Zones.

According to the Province, Provincially Significant Employment Zones (P.S.E.Z.) are areas of high economic output and strategically located to provide stable, reliable employment across the region. The P.S.E.Z. designation provides a higher level of protection for employment uses within Employment Areas requiring the conversion of lands to non-employment uses within such areas to be considered through a municipal comprehensive review. As such, conversions within P.S.E.Z. will be evaluated within the context of this Provincial policy.

Memorandum

1.4 Recommended Employment Area Conversion Criteria

The following recommended Employment Area Conversion Criteria was developed to collectively align with the principles to approach Employment Area conversions previously as described in section 1.3. The criteria consists of two parts – (1) Provincial policies regarding Employment Area conversions and (2) localized criteria developed within the context of Durham Region.

No.	Theme	Principle	Criteria	Relation to Provincial Policy
Provincial Policy				
1	X	X	Provincial Policy Statement (2020) 1.3.2.4 – Planning authorities may permit conversion of lands within <i>employment areas</i> to non-employment uses through a <i>comprehensive review</i> , only where it has been demonstrated that the land is not required for employment purposes over the long term and that there is a need for the conversion.	X
2	X	X	Place to Grow (2019) 2.2.5.9 – The conversion of lands within <i>employment areas</i> to non-employment uses may be permitted only through a <i>municipal comprehensive review</i> where it is demonstrated that: a) there is a need for the conversion; b) the lands are not required over the horizon of this Plan for the employment purposes for which they are designated; c) the municipality will maintain sufficient employment lands to	X



			<p>accommodate forecasted employment growth to the horizon of this Plan;</p> <p>d) the proposed uses would not adversely affect the overall viability of the <i>employment area</i> or the achievement of the minimum intensification and density targets in this Plan, as well as the other policies of this Plan; and</p> <p>e) there are existing or planned <i>infrastructure</i> and <i>public service facilities</i> to accommodate the proposed uses.</p>	
Localized Criteria				
3	Location	1	The site is not located in proximity to major transportation corridors (e.g. highways, goods movement network, cross-jurisdictional connections) and goods movement infrastructure (e.g. airports, intermodal yards, and rail).	P.P.S. 1.3.2.6. P.G. 2.2.5.5. P.G. 3.2.4.1. P.G. 3.2.4.3.
4	Access	1	The site does not offer direct access to major transportation corridors (e.g. highways, goods movement network, cross-jurisdictional connections) and goods movement infrastructure (e.g. airports, intermodal yards, and rail).	P.P.S. 1.3.2.6. P.G. 2.2.5.5. P.G. 3.2.4.1. P.G. 3.2.4.3.
5	Employment Area Configuration	2	The site is located outside or on the fringe of an assembly of Employment Areas.	Localized Criteria
6	Site Configuration	3	The site offers limited market supply potential for Employment Areas development due to size, configuration, access, physical conditions, servicing constraints, etc.	Localized Criteria P.P.S. 1.3.1 b) and c)
7	Land Use	7	The proposed conversion to non-employment uses is compatible with surrounding land use permissions and potential land use conflicts could be mitigated.	P.P.S. 1.2.6.1. P.P.S. 1.2.6.2. P.P.S. 1.3.2.2. P.P.S. 1.3.2.3. P.P.S. 1.6.9.1.
8	Supply	3	The conversion of the proposed site to non-employment uses would not compromise the overall supply of	Localized Criteria



			large Employment Area sites at both the Regional and local level.	P.P.S. 1.3.1 b) and c)
9	Jobs	4	The conversion request demonstrates total job yield of the site can be maintained or improved.	Localized Criteria
10	Major Transit Station Area	5	The conversion request is within a Major Transit Station Area.	Localized Criteria P.P.S. 1.3.1 d)
11	Municipal Interests and Policy	6	The conversion request is supported by Area Municipal Councils and does not conflict with municipal interests and policies.	Localized Criteria
12	Municipal Interests and Policy	6	The conversion of the site would not present negative cross-jurisdiction impacts that could not be overcome.	Localized Criteria

This criteria will generally be used in a check-list style. If the criteria is met, it receives a check mark. If it is not met, it receives an "X". Each criteria is not given a specific weighting, however consideration will be given to site-specific circumstances when evaluating the criteria. A site mostly receiving check marks will generally be considered for conversion. A site not meeting most of the criteria will generally not be considered for conversion.

However, it should not be assumed that a site which does or does not meet more than half of the criteria is immediately considered or not considered for conversion, respectively. This criteria will be used as a starting point during the Employment Area conversion analysis to evaluate the conversion requests and accompanying documentation. It will be accompanied by a qualitative evaluation which also considers local insights and circumstances.

Memorandum

1.5 Definitions

Cross-jurisdictional Connections – A type of transportation network connection between municipal jurisdictions.

Cross-jurisdiction Impacts – Types of impacts that could range from traffic to land use incompatibility issues as a result of the conversion occurring on a site in one municipal jurisdiction. This has been qualified in criteria #12 to consider cross-jurisdiction impacts that could not be overcome through, for example, coordination, planning, infrastructure, etc. solutions.

Market Supply Potential – The site and locational selection options available to different employment sectors and business sizes related to the choice of Employment Area Lands (e.g. various site sizes, locations, access, zoning, tenure, etc.)

Municipal Interests – mandates, goals, and objectives, for example, included in Corporate Strategic Plans, Official Plans, Secondary Plans, etc. which provide insight on the municipality's vision towards planning, protecting, and preserving Employment Areas.

Memorandum

1.6 Provincial Policy or Direction

The following provincial policies and directions were used to inform the employment conversion criteria:

Provincial Policy Document	Section	Policy
Provincial Policy Statement (2020)	1.2.6.1	<i>Major facilities and sensitive land uses</i> shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential <i>adverse effects</i> from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of <i>major facilities</i> in accordance with provincial guidelines, standards and procedures.
	1.2.6.2	Where avoidance is not possible in accordance with policy 1.2.6.1, planning authorities shall protect the long-term viability of existing or planned industrial, manufacturing or other uses that are vulnerable to encroachment by ensuring that the planning and <i>development</i> of proposed adjacent <i>sensitive land uses</i> are only permitted if the following are demonstrated in accordance with provincial guidelines, standards and procedures: <ul style="list-style-type: none"> a) there is an identified need for the proposed use; b) alternative locations for the proposed use have been evaluated and there are no reasonable alternative locations; c) <i>adverse effects</i> to the proposed <i>sensitive land use</i> are minimized and mitigated; and



		d) potential impacts to industrial, manufacturing or other uses are minimized and mitigated.
	1.3.1	<p>Planning authorities shall promote economic development and competitiveness by:</p> <p>a) providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs;</p> <p>b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;</p> <p>c) facilitating the conditions for economic investment by identifying strategic sites for investment, monitoring the availability and suitability of employment sites, including market-ready sites, and seeking to address potential barriers to investment;</p> <p>d) encouraging compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities, with consideration of housing policy 1.4; and</p> <p>e) ensuring the necessary infrastructure is provided to support current and projected needs.</p>
	1.3.2.1	Planning authorities shall plan for, protect and preserve <i>employment areas</i> for current and future uses and ensure that the necessary <i>infrastructure</i> is provided to support current and projected needs.
	1.3.2.2	At the time of the official plan review or update, planning authorities should assess <i>employment areas</i> identified in local official plans to ensure that



		<p>this designation is appropriate to the planned function of the <i>employment area</i>.</p> <p><i>Employment areas</i> planned for industrial and manufacturing uses shall provide for separation or mitigation from <i>sensitive land uses</i> to maintain the long-term operational and economic viability of the planned uses and function of these areas.</p>
	1.3.2.3	<p>Within <i>employment areas</i> planned for industrial or manufacturing uses, planning authorities shall prohibit residential uses and prohibit or limit other <i>sensitive land uses</i> that are not ancillary to the primary employment uses in order to maintain land use compatibility.</p> <p><i>Employment areas</i> planned for industrial or manufacturing uses should include an appropriate transition to adjacent <i>non-employment areas</i>.</p>
	1.3.2.4	<p>Planning authorities may permit conversion of lands within <i>employment areas</i> to non-employment uses through a <i>comprehensive review</i>, only where it has been demonstrated that the land is not required for employment purposes over the long term and that there is a need for the conversion.</p>
	1.3.2.5.	<p>Notwithstanding policy 1.3.2.4, and until the official plan review or update in policy 1.3.2.4 is undertaken and completed, lands within existing <i>employment areas</i> may be converted to a designation that permits non-employment uses provided the area has not been identified as provincially significant through a provincial plan exercise or as regionally significant by a regional economic development corporation working together with affected upper and single-tier municipalities and subject to the following:</p>



		<p>a) there is an identified need for the conversion and the land is not required for employment purposes over the long term;</p> <p>b) the proposed uses would not adversely affect the overall viability of the <i>employment area</i>; and</p> <p>c) existing or planned infrastructure and <i>public service facilities</i> are available to accommodate the proposed uses.</p>
	1.3.2.6	Planning authorities shall protect <i>employment areas</i> in proximity to <i>major goods movement facilities and corridors</i> for employment uses that require those locations.
Place to Grow (2019)	2.2.5.5	Municipalities should designate and preserve lands within <i>settlement areas</i> located adjacent to or near <i>major goods movement facilities and corridors</i> , including major highway interchanges, as areas for manufacturing, warehousing and logistics, and appropriate associated uses and ancillary facilities.
	2.2.5.9	<p>The conversion of lands within <i>employment areas</i> to non-employment uses may be permitted only through a <i>municipal comprehensive review</i> where it is demonstrated that:</p> <p>a) there is a need for the conversion;</p> <p>b) the lands are not required over the horizon of this Plan for the employment purposes for which they are designated;</p> <p>c) the municipality will maintain sufficient employment lands to accommodate forecasted employment growth to the horizon of this Plan;</p> <p>d) the proposed uses would not adversely affect the overall viability of the <i>employment area</i> or the achievement of the minimum intensification and</p>



		<p>density targets in this Plan, as well as the other policies of this Plan; and</p> <p>e) there are existing or planned <i>infrastructure</i> and <i>public service facilities</i> to accommodate the proposed uses.</p>
	2.2.5.10	<p>Notwithstanding policy 2.2.5.9, until the next <i>municipal comprehensive review</i>, lands within existing <i>employment areas</i> may be converted to a designation that permits non-employment uses, provided the conversion would:</p> <p>a) satisfy the requirements of policy 2.2.5.9 a), d) and e);</p> <p>b) maintain a significant number of jobs on those lands through the establishment of development criteria; and</p> <p>c) not include any part of an <i>employment area</i> identified as a <i>provincially significant employment zone</i>.</p>
	2.2.5.12	<p>The Minister may identify <i>provincially significant employment zones</i> and may provide specific direction for planning in those areas to be implemented through appropriate official plan policies and designations and economic development strategies.</p>
	3.2.4.1	<p>Linking <i>major goods movement facilities and corridors</i>, international gateways, and employment areas to facilitate efficient goods movement will be the first priority of highway investment.</p>
	3.2.4.3	<p>Municipalities will provide for the establishment of priority routes for goods movement, where feasible, to facilitate the movement of goods into and out of <i>employment areas</i> and other areas of significant</p>



		commercial activity and to provide alternate routes connecting to the provincial network.
	Definition	<p>Provincially Significant Employment Zones</p> <p>Areas defined by the Minister in consultation with affected municipalities for the purpose of long-term planning for job creation and economic development. <i>Provincially significant employment zones</i> can consist of <i>employment areas</i> as well as mixed-use areas that contain a significant number of jobs.</p>



Office Use Only	
Submission Number:	Date Received:
Municipality:	

Submission Form for Requests for Employment Area Conversion

The protection of the Region's supply of employment land is important to the economic vitality of the Region.

As outlined in Council Report 2020-P-11, requests for Employment Area conversion through the Region's Municipal Comprehensive Review process may be considered subject to certain principles and criteria. **The final date to submit a request for consideration through Envision Durham is September 23, 2020.**

To aid in the evaluation of requests for Employment Area conversion and inform appropriate recommendation to Regional Council, this Submission Form must be completed and submitted to the Regional Planning and Economic Development Department. Please:

- Answer each question on this Form;
- Attach any additional documents (e.g. reports/studies, location map, development concept) to support your conversion request; and
- Submit your request electronically to EnvisionDurham@durham.ca

If the submission must be made in hard copy, submit it to:

Envision Durham
Durham Region Planning Division
605 Rossland Road East, 4th Floor
Whitby, ON L1N 6A3

Should you have any questions prior to making a formal request for an Employment Area conversion, it is recommended that you contact Jonah Kelly, Principal Planner: Jonah.Kelly@durham.ca

Applicant Information

Complete the information below:

Land Owner Contact Information

Name: _____

Address: _____

City/Postal Code: _____

Phone/Fax: _____

Email: _____

Authorized Agent:

Name: _____

Mailing Address: _____

Phone/Fax: _____

Email: _____

Does the request for Employment Area conversion include lands that are not under your ownership?

☐ Yes ☐ No

If yes, please describe the lands subject to the request that are not within your ownership:

Property Information of Subject Lands

Legal Description including Lot & Concession _____

Municipal Address(es) _____

Assessment Roll Number(s) 18- _____ (15 digits total)

Total Parcel Land Area (Hectares) _____

If the request for Employment Area conversion applies to only a portion of the subject property, or conversely, includes lands outside of your ownership, please identify the total land area subject to the request (Hectares) _____

Current use of the subject property _____

Servicing status (indicate if water and/or sanitary sewer is available) _____

Description of the Request

The Submission is:

- ☐ A new request for Employment Area conversion _____
- ☐ Amends a previous request for Employment Area conversion with additional information (write in date of previous submission) _____
- ☐ Replaces a previous request for Employment Area conversion. By checking this box, the content contained in the previous submission will be removed from the Region's files (write in date of previous submission to be replaced) _____

The request is to re-designate the subject lands from Employment Areas to permit the following use(s):

- ☐ Residential uses ☐ Major retail uses ☐ Retail/Commercial uses
- ☐ Mixed Residential/Employment uses ☐ Other (write in) _____

Briefly describe the request for Employment Area conversion, including the full range of proposed land uses:

Employment Area Conversion Details

Is there a demonstrated need for the Employment Area conversion?

☐ Yes ☐ No

If yes, please explain:

Is the proposed Employment Area conversion compatible with the surrounding existing land uses and/or planning permissions?

☐ Yes ☐ No

If yes, please explain how the proposed Employment Area conversion will not have an adverse impact on surrounding land uses and the broader Employment Area:

What is the anticipated population, residential unit count and type (single, semi, townhouse, apartment, etc.), and employment (jobs) that would be created through development of the subject site if the Employment Area conversion request is granted?

Population: _____

Employment (jobs): _____

Units (number and type): _____

Non-Residential Gross Floor Area and type (specify the gross floor area for each non-residential land use):

Are there existing or planned infrastructure and public service facilities needed to accommodate the proposed use(s)?

Yes No

If yes, please provide additional details below:

Existing or planned infrastructure (as defined in A Place to Grow, 2019): _____

Existing or planned public service facilities (as defined in A Place to Grow, 2019): _____

Is the site within proximity to major transportation corridors and/or goods movement infrastructure (arterial roads, highways, airports, harbours/ports, railways)?

☐ Yes ☐ No

If yes, identify which transportation corridors and/or goods movement infrastructure (arterial roads, highways, airports, harbours/ports, railways): are nearby and their approximate distance (measured in metres):

Does the site offer direct access to major transportation corridors and/or goods movement infrastructure (arterial roads, highways, airports, harbours/ports, railways)?

☐ Yes ☐ No

If yes, identify which transportation corridors and/or goods movement infrastructure (arterial roads, highways, airports, harbours/ports, railways) and describe how direct access is provided from the site:

Describe the site's location within the context of the broader Employment Area. Is the site best described as:

- ☐ Located on the edge/fringe of an Employment Area.
- ☐ Located within an Employment Area with existing employment uses/planning permissions for employment use(s) on 1 or more sides of the subject site.
- ☐ Located wholly within an Employment Area and surrounded by existing employment uses/planning permissions for employment use(s) on all sides of the subject site.

Additional description and explanation _____

Is the site constrained for employment use due to the site size, configuration, access, physical conditions and/or servicing availability?

☐ Yes ☐ No

If yes, explain and demonstrate why the lands are constrained for employment uses due to site size, configuration, physical conditions, and/or servicing availability:

Is the site located partially or wholly within a proposed Major Transit Station Area boundary as identified in the Region's [Urban System Discussion Paper](#)?

☐ Yes ☐ No

If yes, which proposed Major Transit Station Area boundary is the site located within?

Is the site located partially or wholly within a Provincially Significant Employment Zone?

☐ Yes ☐ No

If yes, which Provincially Significant Employment Zone is the site located within?

The Applicant acknowledges and agrees that the collection, use and disclosure of information provided to the Regional Municipality of Durham shall be governed by the provisions of the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. c. M.56, as amended (MFIPPA). Information to be submitted on or with the application that the Applicant considers confidential or to be otherwise exempt from disclosure under MFIPPA must be claimed as such in accordance with MFIPPA at the time of submission.

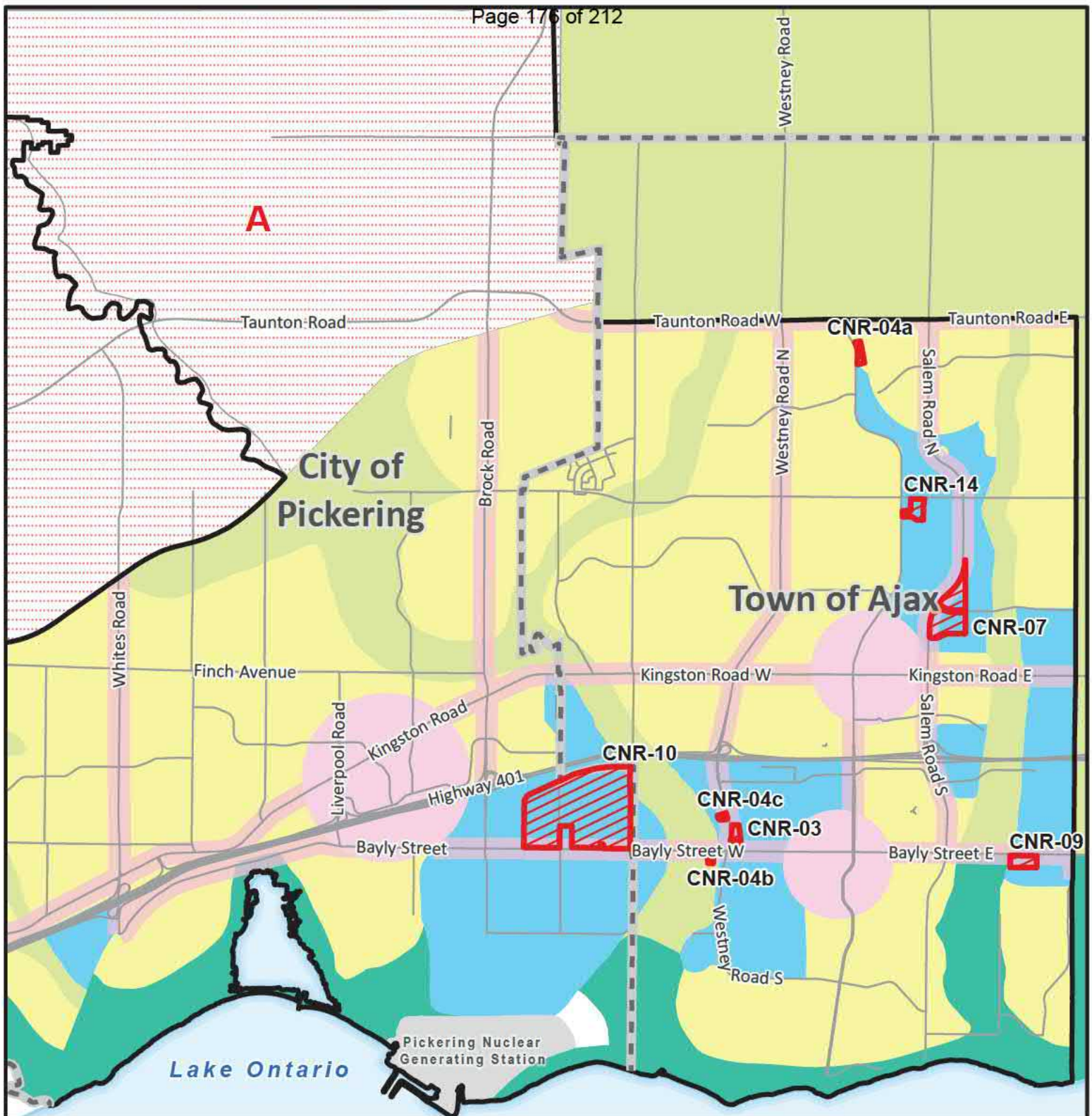
Current Requests for Employment Area Conversion as of April 27, 2020

Conversion Request-ID	Municipality	Date Received	Site Location	Land Area (Hectares)*	Description of Request (as described by proponent)
CNR-01	Brock	August 23, 2018	Multiple lots on the east of Sideroad 18, south of the Beaver River Wetland Trail, Cannington	4.46	To re-designate the subject lands as residential lands.
CNR-02	Whitby	November 15, 2018	1151 & 1275, Dundas Street West	40.14	To add the additional use of mid-density residential that would allow a 15-storey residential building for a mixed-use development with both employment and residential uses.
CNR-03	Ajax	December 20, 2018	275 Westney Road South	1.84	To re-designate the subject lands to permit a mid to high rise residential and employment mixed use development.
CNR-04a	Ajax	February 7, 2019	1901 Harwood Avenue North	1.54	To add and/or intensify residential uses on the subject lands.
CNR-04b	Ajax	February 7, 2019	493 Bayly Street West	0.91	To add and/or intensify residential uses on the subject lands.
CNR-04c	Ajax	February 7, 2019	190 Westney Road South	0.60	To add and/or intensify residential uses on the subject lands.
CNR-05	Oshawa	September 2, 2019	305 Columbus Road West	6.07	To re-designate the subject lands for residential development.

Conversion Request-ID	Municipality	Date Received	Site Location	Land Area (Hectares)*	Description of Request (as described by proponent)
CNR-06	Whitby	September 5, 2019	Lands north of Victoria Street & west of Montecorte Street (referred to as the "West Lands")	18.36	To re-designate the subject lands to permit high density mixed-use residential uses. Also recommend the inclusion of the lands within the Whitby Major Transit Station Area.
CNR-07	Ajax	September 6, 2019	North-east and South-east corners of Salem Road & Kerrison Drive (Part of Lot 6, Concession 2)	18.02	To re-designate the subject lands to Living Areas.
CNR-08	Whitby	September 6, 2019	1730 Dundas Street West	2.21	To re-designate a portion of the subject lands fronting Dundas Street West to Living Areas.
CNR-09	Ajax	September 9, 2019	465 and 479 Bayly Street East	4.03	To re-designate the subject lands fronting Bayly Street East from Employment Area to allow a mix of residential and retail/commercial uses.
CNR-10	Pickering	September 27, 2019	2028 & 1902 Kellino Street and 1802 Bayly Street (referred to as "Durham Live Lands")	91.6	Remove or amend the Employment Areas Designation for the entirety of the subject lands (Durham Live Lands) in order to permit a wider range of uses including retail and residential.

Conversion Request-ID	Municipality	Date Received	Site Location	Land Area (Hectares)*	Description of Request (as described by proponent)
CNR-11	Clarington	October 29, 2019	1766 Baseline Rd, (Courtice)	11.15	Remove the Employment Area designation from the subject lands to allow residential and commercial uses and be included in the Courtice MTSA boundary.
CNR-12	Whitby	November 2, 2019	1275 Dundas Street West	12.89	To re-designate the subject lands to permit mixed use / residential development.
CNR-13	Brock	November 28, 2019	276 Cameron Street East, (Cannington)	13.62	To re-designate the subject property from Employment Area to Living Areas.
CNR-14	Ajax	January 9, 2020	1,3,5 & 7 Rossland Road East and 901 Harwood Ave. North	3.9	To re-designate a portion of the subject lands to Living Areas to permit residential development.

* Land area is as provided by the proponent, or as estimated by staff when not provided by the proponent.



Requests for Employment Area Conversion – Ajax and Pickering



0 1 2 Km

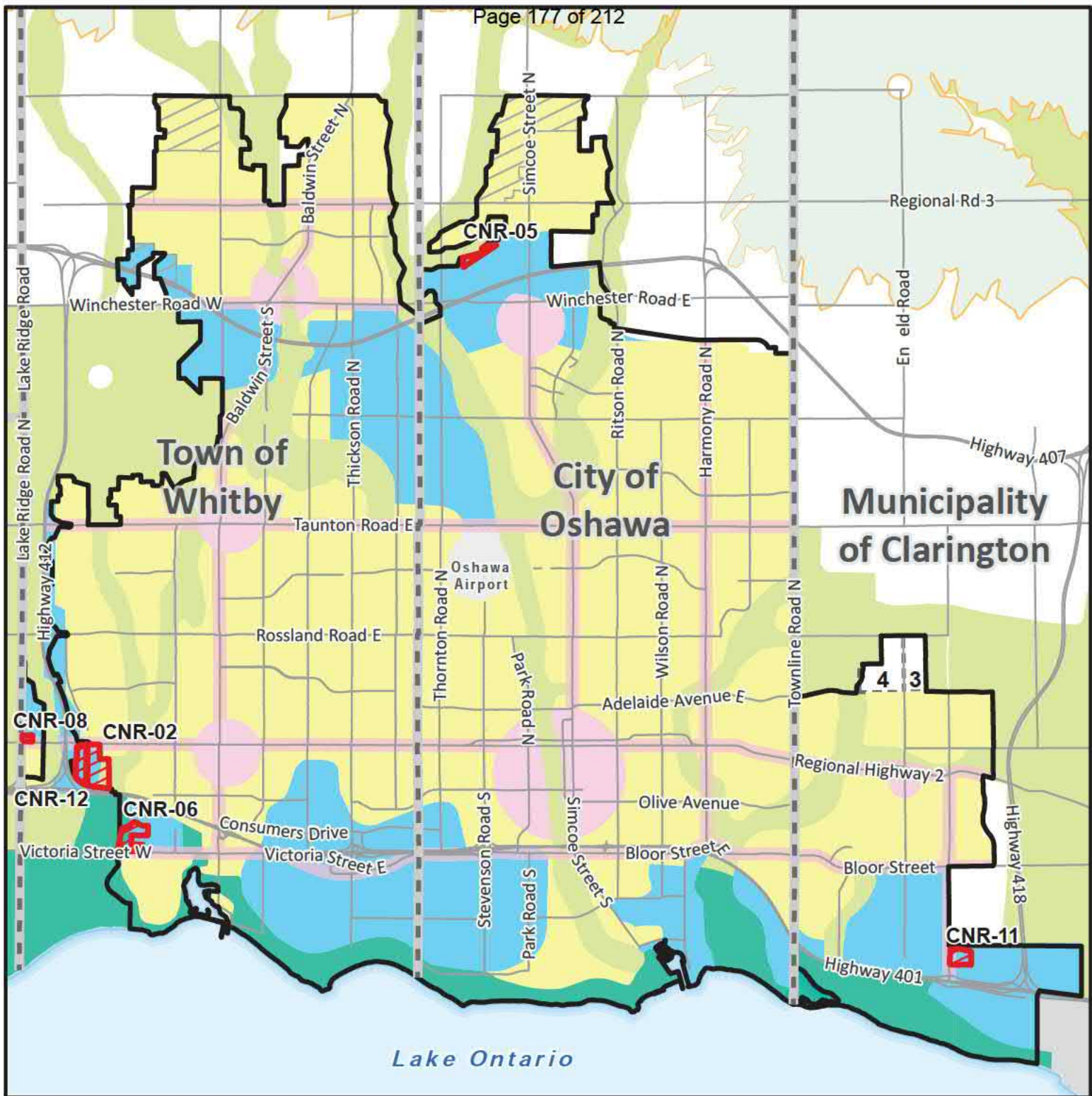
Legend

- Lands Subject to Employment Conversion Request
- Prime Agricultural Areas
- Employment Areas
- Major Open Space Areas
- Waterfront Areas

- Living Areas
- Specific Study Area 'A'
- Regional Corridors
- Regional Centres
- Urban Area Boundary
- Municipal Boundary

Data Sources and Disclaimer

Regional Official Plan, Schedule 'A' composite, 2017 consolidation. This map has been produced from a variety of sources. The Region of Durham does not make any representations concerning the accuracy, likely results, or reliability of the use of the materials. The Region hereby disclaims all representations and warranties. Digital cartography by The Regional Municipality of Durham, Planning and Economic Development Department, 2019. All rights reserved. May not be reproduced without permission. Requests received by the Region of Durham as of April 16, 2020.



Requests for Employment Area Conversion – Clarington, Oshawa and Whitby

Legend

- | | | | |
|--|--|--|---------------------|
| | Lands Subject to Employment Conversion Request | | Deferral Areas |
| | Prime Agricultural Areas | | Special Study Areas |
| | Employment Areas | | Regional Corridors |
| | Major Open Space Areas | | Regional Centres |
| | Waterfront Areas | | Urban Area Boundary |
| | Living Areas | | Municipal Boundary |



0 1.5 3
Km

Data Sources and Disclaimer

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Highway 12

Cannington

CNR-13

CNR-01

Simcoe Street

Requests for Employment Area Conversion – Cannington, Township of Brock



0 0.75 1.5
Km

Legend

-  Lands Subject to Employment Conversion Request
-  Prime Agricultural Areas
-  Employment Areas
-  Major Open Space Areas
-  Waterfront Areas

-  Living Areas
-  Regional Corridors
-  Regional Centres
-  Urban Area Boundary
-  Municipal Boundary

Data Sources and Disclaimer

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**The Regional
Municipality
of Durham**

Corporate Services
Department
Legislative Services

605 Rossland Rd. E.
Level 1
PO Box 623
Whitby, ON L1N 6A3
Canada

905-668-7711
1-800-372-1102
Fax: 905-668-9963

durham.ca

Don Beaton, BCom, M.P.A.
Commissioner of Corporate
Services

THIS LETTER HAS BEEN FORWARDED
TO THE EIGHT AREA CLERKS

June 26, 2020

Becky Jamieson
Clerk
Township of Brock
1 Cameron Street East
Cannington, ON L0E 1E0

Dear Ms. Jamieson:

**RE: Residential Energy Retrofit – Durham Home Energy
Savings Program, Our File: D19**

Council of the Region of Durham, at its meeting held on June 24, 2020, adopted the following recommendations of the Finance and Administration Committee:

- “A) That Regional Council endorse the Durham Home Energy Savings Program, to be funded as part of the overall climate change initiatives recommended in companion Report #2020-A-13, which includes:
- i) The implementation of a comprehensive region-wide residential energy efficiency knowledge to action campaign and web-based engagement platform,
 - ii) The establishment of a home energy coach service to provide one-on-one support to homeowners as they move through the complex process of implementing a home energy retrofit project and,
 - iii) The creation of a voluntary financing offer for eligible program participants in partnership with local utility partners and other third-party capital providers;
- B) That Regional Council direct the Chief Administrative Officer to enter into all necessary agreements with local utility partners, Natural Resources Canada, the Federation of Canadian Municipalities, and other partners, in forms satisfactory to the Regional Solicitor and Commissioner of Finance, to support joint implementation of the Program, as required; and
- C) That Report #2020-A-12 of the Chief Administrative Officer and associated resolution(s) be forwarded to local area municipalities, the Ministry of Municipal Affairs and Housing, the Ministry of

Energy, Natural Resources Canada, and the Federation of Canadian Municipalities for information.”

Please find enclosed a copy of Report #2020-A-12 for your information.

Ralph Walton

Ralph Walton,
Regional Clerk/Director of Legislative Services

RW/ks

Attachment

c: E. Baxter-Trahair, Chief Administrative Officer

If this information is required in an accessible format, please contact 1-800-372-1102 ext. 3803



The Regional Municipality of Durham Report

To: Finance and Administration Committee
From: Chief Administrative Officer
Report: #2020-A-12
Date: June 9, 2020

Subject:

Residential Energy Retrofit - Durham Home Energy Savings Program

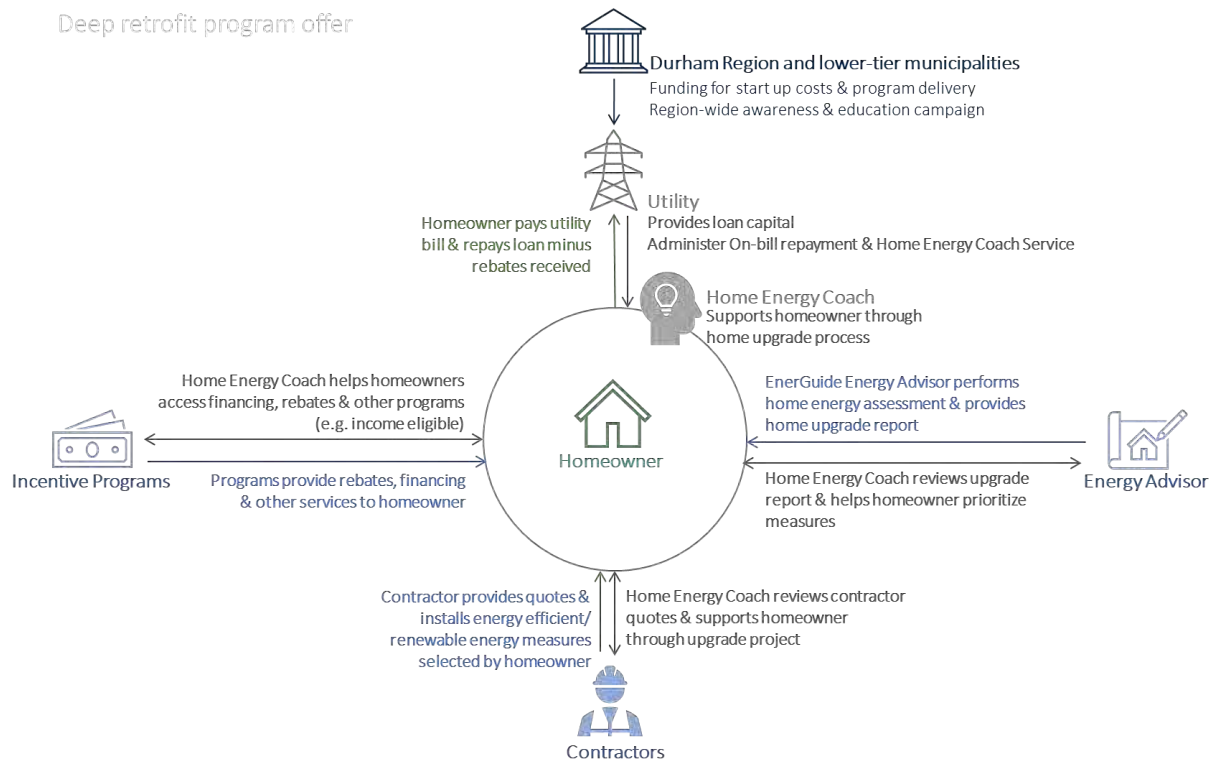
Recommendation:

That the Finance and Administration Committee recommends to Regional Council:

- A) That Regional Council endorse the Durham Home Energy Savings Program, to be funded as part of the overall climate change initiatives recommended in companion Report #2020-A-13, which includes:
 - i) the implementation of a comprehensive region-wide residential energy efficiency knowledge to action campaign and web-based engagement platform,
 - ii) the establishment of a home energy coach service to provide one-on-one support to homeowners as they move through the complex process of implementing a home energy retrofit project and,
 - iii) the creation of a voluntary financing offer for eligible program participants in partnership with local utility partners and other third-party capital providers;
- B) That Regional Council direct the Chief Administrative Officer to enter into all necessary agreements with local utility partners, Natural Resources Canada, the Federation of Canadian Municipalities, and other partners, in forms satisfactory to the Regional Solicitor and Commissioner of Finance, to support joint implementation of the Program, as required; and
- C) This report and associated resolution(s) be forwarded to local area municipalities, the Ministry of Municipal Affairs and Housing, the Ministry of Energy, Natural Resources Canada, and the Federation of Canadian Municipalities for information.

Report:**1. Program Summary**

- 1.1 This report seeks approval to implement the proposed Durham Home Energy Savings Program (the 'Program'), which is designed as a comprehensive voluntary residential retrofit program to support Durham Region homeowners undertaking energy conservation improvements on their property. The Program was developed in collaboration with local area municipalities, local utility partners (OPUC, Elexicon and Enbridge), Durham College and skilled trades contractors. The program responds to a priority recommendation in the Council-endorsed Durham Community Energy Plan (DCEP) and aligns with Durham Region's Official Plan and Strategic Plan.
- 1.2 At full implementation, the Program will be available Region-wide and will feature a broad energy efficiency knowledge-to-action marketing campaign, anchored on an interactive website with home efficiency tools and resources. The program will also include a one-on-one home energy coach service that will guide homeowners through the process of undertaking a home energy conservation project.
- 1.3 As part of the initial implementation, through collaboration with Oshawa Power and Utilities Corporation (OPUC), the Program will feature an innovative on-bill financing program for eligible participants in the City of Oshawa, which is authorized under provincial regulation (O.Reg 131/15, under the *Ontario Energy Board Act, 1998*, and O.Reg 132/15 under the *Ontario Electricity Act, 1998*). While on-bill financing will be optional for eligible participants, it will help expand financing options for those who need it. Participants may choose to use their own sources of financing. The Region will continue to work with collaborating partners to expand program financing options to eligible participants across the Region.



- 1.4 The Program will initially focus on detached, semi-detached and row homes, with the target market being those built between 1970 and 2000 which are understood to present the most cost-effective energy conservation opportunities. Such homes make up 46 per cent of Durham Region's housing stock (92,000 in total), which provides an indication of the market potential for this program. The program is targeting the participation of roughly 1,000 homes in the first four years of implementation across the Region (2021-2024).
- 1.5 Energy and cost savings may be the most important benefit for participants of the program. Other wide-ranging socio-economic benefits, include:
 - a. **Increased home comfort** – thermal comfort, sound transmission, and indoor air quality, are all areas where home occupants will benefit through energy retrofits.
 - b. **Economic development** – this program will generate jobs and help protect homeowners against energy price volatility.
- 1.6 Table 1 below represents some of the program's projected outcomes.

Table 1 Projected region-wide program outcomes for 2021-2024 - cumulative

Program Outcome	Projected program metrics
Estimated program participation	1,066 (completed projects)
Greenhouse gas (GHG) emissions reductions	3,411 (tonnes Carbon Dioxide equivalent)
Energy demand reduction	57,000 (Gigajoules)
Total capital mobilized	19.4 (\$ Millions)
Overall Economic Output ¹	52.9 (\$ Millions)
Job Creation ²	244 (full-time equivalent jobs)

- 1.7 By mobilizing homeowners, contractors, utilities, and other key stakeholders, the program will establish the framework needed to transform the local residential energy efficiency market and position Durham Region to meet the long-term DCEP objective of retrofitting nearly all existing homes (pre-2017) with 50 per cent energy savings on pre-1980 buildings and 40 per cent energy savings on pre-2017 homes.

2. Program Design Approach

- 2.1 In early 2020, Regional staff from the Office of the Chief Administrative Officer (CAO)'s secured a \$68,000 grant from The Atmospheric Fund (TAF) to support a program design phase, including convening key stakeholders from local area municipalities, energy utilities, and post-secondary institutions to form a Retrofit Program Steering Committee. Over the past five months, Regional staff have worked with the Retrofit Program Steering Committee and Dunskey Energy Services and the Sustainable Technology Evaluation Program, to undertake research and analysis to support the development of a proposed program design. Key program design phase activities included:
- a. **Market opportunities assessment** – segmentation of potential Program participants considering both building characteristics (e.g. age, type, square footage) as well as occupant demographics (income, education, etc.). For each market segment, potential energy/GHG reducing measures and associated cost assumptions were identified.

1 A review of research from the U.S. and Canada revealed that on average around \$2.73M of overall economic output could be attributed to an investment of \$1M in energy efficiency retrofits.

2 A review of research from the U.S. and Canada revealed that investments in energy efficiency retrofits could generate an average of 12.6 full-time equivalent (FTE) jobs for every \$1 Million invested in program administration and retrofits.

- b. **Market barriers assessment** – primary market research was conducted via a series of four focus groups with residents across the Region to better understand market barriers, and to explore the role that a Regional program could play in accelerating the adoption of energy efficiency retrofits. Also, as part of this phase, a series of key informant interviews were conducted with local market actors, such as local contractors and energy utilities, who can play a key influencing role in homeowners purchasing and renovation decisions.
- c. **Interviews with potential program partners** – the project team interviewed potential program partners to develop a summary of existing and planned programs which could be leveraged as well as explored partnership scenarios.

3. Financial Impact

- 3.1 This proposed Program, offered in partnership with local utility partners, offers a financing approach that reduces financial risk to the Region and local area municipalities by leveraging private sector capital through a local utility-led on-bill financing mechanism and accessing external grant funding to support initial stages of program implementation. This approach aligns with previous Regional Council direction relating to the use of a municipal local improvement charge financing mechanism (see report #2015-J-17 which is included as attachment #1 to this report).
- 3.2 It is proposed that utility on-bill financing would initially be made available in the City of Oshawa via OPUC starting in 2021, and that the Region and implementing partners would explore options to expand a dedicated financing option to homeowners in other local area municipalities starting in 2022. If implemented, the utility-led on-bill financing program would be a first of its kind in Ontario's residential sector, although successful models are in operation in Nelson, B.C. and Sacramento California, among other jurisdictions.
- 3.3 Initial program start-up costs for the Region and estimated cumulative and operating costs to administer the program from 2021 to 2024 are estimated to total \$2.09 million dollars, including contingencies. To support initial Program start-up including marketing, outreach and other program infrastructure, it is recommended that \$350,000 from the Region's Climate Mitigation and Environmental Initiatives Reserve Fund be allocated to the Program (see companion report #2020-A-13).
- 3.4 To provide the balance of estimated costs for Program implementation, Regional staff are preparing a funding application to the Federation of Canadian Municipalities (FCM) Green Municipal Fund (GMF) under its newly released Community Efficiency Financing Program funding stream. Should the Region's funding application to the FCM GMF program be successful, the Region's initial \$350,000 contribution, as well as TAF's contribution to program design phase, could be leveraged to secure up to \$1.672 million in additional grant funding, for a

total of \$2.09 million in available funds to cover anticipated Program implementation costs for the Region over the initial four-year period. In addition to grant funding for program start-up costs, the FCM funding application will also propose that program financing partners (e.g. OPUC) have access to a loan guarantee that has been set up under the GMF to cover up to 80 per cent of loan losses in the event a homeowner defaults on repayment. This will help reduce risks for financing partners and enable them to provide preferential loan terms to eligible participants and/or extend loan provision to customer segments who might otherwise be unable to access financing.

- 3.5 With the Program potentially leveraging 80 per cent of funding requirements from the FCM, this could provide a cost-effective approach to increasing uptake of residential energy efficiency projects in Durham Region. Securing the external funding is contingent upon Regional Council approval of the Program and cash contribution. External program funders and proposed contributions are detailed below in Table 2:

Table 2 Proposed Program Funding Contributions

Funder	Amount	Cost Allocation	Status
TAF	\$68,000	Program design	Confirmed
FCM	\$1,672,000	Program implementation	Pending Successful Application
Durham Region	\$350,000	Program start-up and implementation	Pending Council Approval (in companion Report 2020-A-13)
Total	\$ 2,090,000		

- 3.6 As noted, capitalization and funds made available to applicants to finance retrofits will be provided through private sector partners. OPUC has indicated a willingness to make available up to \$5 million in loan funding to eligible participants to undertake home energy retrofits, subject to a successful FCM application, including both grant funding and loan guarantee, and completion of a partnership agreement. This financing will help facilitate direct local investment in the skilled trades and equipment manufacturing sector. Discussions are underway with local credit unions to expand the availability of dedicated program financing to eligible participants throughout the Region.
- 3.7 As the lead applicant to the FCM GMF program, the Region will be responsible for consolidating reporting on program outcomes as well as any use of funds for program implementation (including funding allocated to program partners for joint delivery). Should the Region's FCM funding application be successful, the Region will establish a program management committee with representation from the Region's Office of the CAO and Finance department, as well as from each partner organization. Regional staff will report back to Council annually on program

outcomes, including energy & GHG savings, job creation, as well as financial metrics.

4. Next Steps

- 4.1 This program was developed to implement a critical DCEP recommendation by creating a comprehensive residential energy efficiency program in collaboration with local area municipalities, local utilities and other key stakeholders. The proposed program leverages the regulatory framework and financing mechanism of utility on-bill financing to support energy efficiency projects on private properties, which mitigates financial risk to the Region and local area municipalities as compared to a local improvement charge financing mechanism. The overall value proposition, which includes a “one-stop-shop” home energy coaching service as a primary intervention, is expected to generate uptake for more substantive home energy improvements that can achieve deeper energy and GHG savings, as well as added home comfort.
- 4.2 The Program has been designed with insights from local market research, focus groups, detailed research and evaluation of residential energy improvement programs in North America, and in consultations with key stakeholders including local area municipalities, local energy utilities, energy efficiency experts, and representatives from the local financial sector.
- 4.3 The Program has also been designed to limit risk to the Region and local area municipalities through a partnership with local utility partners to provide service delivery. The Program provides an opportunity to implement a resident-facing response to the climate change emergency declaration made at the January 29, 2020 Regional Council meeting, while also generating economic development opportunities that support post-COVID recovery.
- 4.4 Key next steps for program implementation, subject to approval of funding as recommended in companion Report #2020-A-13 include:
 - a. Regional Council endorsement of Program concept
 - b. Completion of Memorandum of Understanding with local utility partners
 - c. Submission of FCM GMF application by June 30th, 2020
 - d. Negotiation and execution of an FCM contribution agreement and supporting agreements with partners relating to use of funds and program evaluation and reporting

5. Attachments

Attachment #1: [Joint Finance & Administration, Health and Social Services, Planning and Economic Development and Works Committee Report # 2015-J-17](#)

Prepared by: Ian McVey, Manager of Sustainability, at 905-668-7711, extension 3803.

Original Signed By

Sandra Austin
Director, Strategic Initiatives

Recommended for Presentation to Committee

Original Signed By

Elaine C. Baxter-Trahair
Chief Administrative Officer



*Dr. Gerry Laudanski, B. Comm., M.D. Family
Physician*

468 Main Street Phone: 705-426-7332
Beaverton, Ontario Fax: 705-426-9661
L0K 1A0
Email dr.laudanski@hotmail.com

June 19, 2020

Ralph Walton - Chief Administrative Officer
Claire Doble – Ward 2 Councillor
1 Cameron Street East
PO Box 10
Cannington ON L0E 1E0

Dear Mr Lamb:

After very careful deliberation and consideration, I have decided to retire from my medical practice in Beaverton at the end of this summer, 2020. The decision has not been an easy one, and I have consulted with many people close to me in my life before making this very difficult decision. I have been in full time practice in Beaverton since June, 1987, and at the time of my retirement, I will have worked 33 1/2 years. It has been an honour and privilege to look after the residents of Beaverton and the surrounding communities of Durham Region, York Region, City of Kawartha Lakes and Ramara Township over the past 33 years. I arrived in June 1987 to join a very busy practice with Dr. Harold Ames and Dr. Fran McCordic. I committed to stay for 1 year - it is now 33 years later.

My last date in the office will be approximately Friday August 28, 2020. My secretarial staff will remain in the office until September 30, to help patients with the transition. To facilitate the secretarial staff, we would like to keep the front office, as long as possible, plus the back office (due to internet connection) until October 31, 2020 or earlier. We would like reduced rent for September and October as our footprint will be smaller.

The 3 exam rooms will no longer be needed as of August 31, 2020. Contact has already been made to have the medical beds and supplies sold, donated or disposed of. Hopefully this will not take longer than one month after closure.

My practice has been fully computerized since 2012 and all patient charts are all on the computer. Measures are being taken to ensure that the patients will receive or have access to their medical records for their new provider.

I understand that this is a very difficult time to announce my retirement in light of the COVID-19 pandemic. I have already notified the Brock Community Health Center of my retirement plans in March, before the pandemic started. We have had one meeting and another was scheduled for Friday April 17th - unfortunately this was cancelled due to the pandemic. I trust that Janet and her team will do their utmost to obtain funding so that a physician and /or nurse practitioner will be able to start later in the fall or sometime in 2021 to look after my patients.

Sincerely,

A handwritten signature in black ink, appearing to read "Gerald J. Laudanski". The signature is fluid and cursive, with the first name "Gerald" being more prominent and the last name "Laudanski" following in a similar style.

Dr. Gerald J Laudanski

CC: Claire Doble – Ward 2 Councillor
Becky Jamieson - Clerk

Lesley Donnelly

From: Gerry Green <greenmeadows@xplornet.ca>
Sent: June 26, 2020 5:12 PM
To: Brock Clerks
Subject: lilac hedge damage

Dr. Gerry Green D.V.M.

C20405, Sideroad 17

Brock Township

Tel. (705)437-1262

Email greenmeadows@xplornet.ca

Brock Township Council and

C.A.O. Robert Lamb

On Friday, March 6th a township employee driving a tractor driven brush cutter removed approximately 1/3 of my 35 year old French Lilac Hedge. I immediately phoned Mayor Bath with no response so asked Regional Councillor Ted Smith and Councillor Cria Pettingil to view the damage. They were kind enough to come on Saturday, March 7th.

The township employee told me his instructions were to cut brush back to the lot line. Measurements from the middle of the road to the centre of the hedge indicate the hedge is on my property 3 ½ feet from the road allowance. No part of it is growing on road allowance property. I was disappointed that nobody from the Works Department contacted me ahead of time regarding what they were going to do. Ontario Hydro, 35 years ago, before removing the fence row after it shorted out the hydro line, discussed it with me and we agreed on a lower growing Lilac Hedge to protect the Hydro line. Also, they always contact me before doing any brush trimming under the hydro line south of the house. I hope this personal contact with property owners is a policy followed rigidly in the future.

I had to hire M.C. Tree Service from Woodville to drastically prune the entire hedge. His invoice is included with this letter. I would appreciate your reimbursing me for the entire expense. This expense to me was entirely unnecessary.

Signed: __Gerald J. Green



M.C. Tree Service Ltd.
1018 Burnside road
Woodville ON L3M 1T0

Office: 705 437 4101
Email: info@mctreeserviceltd.ca
Web: www.mctreeserviceltd.ca

HST T2421 3095 RT0001



wsib



☒ Invoice ☐ Quote ☐ Proposal

To: GERRY GREEN
20405 CON 17
CANNINGTON
At: 705 437 1262

No. _____

Date: _____

Terms: Payable on completion
Payment Type: e-transfer, cheque,
cash, credit card (3.5% service charge)

Performed according to ANSI A300 industry standards for tree care, unless noted otherwise.

Job description

See back for definitions, terms, and conditions.

- REPAIR LILAC HEDGE ALONG ROAD
- CHIP ALL BRUSH, CLEAN UP ALL DEBRIS

Paid in Full APR. 23rd 2020

[Signature]

Provision for a job about \$1500 & was my to estimate when getting competitive quotes

On: 2020-04-23

Mike Cartledge

Date

This proposal is valid for 10 days

Work authorization: All prices, specifications and terms of this proposal are subject to change without notice and without liability.

Subtotal

1500

HST 13%

195

TOTAL

1695

Signature

Date

Sent by Email

July 7, 2020

The Families of Orchard Villa
orchardvillaltchfamilies@gmail.com

Subject: Re: Call to Action (Public Inquiry) - Second Request - Urgent
Corr. 28-20
File: A-1400-001-19

The Council of the Corporation of the City of Pickering considered the above matter at a meeting held on June 29, 2020 and adopted the following resolution:

1. That Corr. 28-20, dated May 29, 2020, from the Families of Orchard Villa, regarding a Call To Action (Public Inquiry) - Second Request – Urgent, be endorsed; and,
2. That a copy of this Resolution be forwarded to the Premier of Ontario, the Lieutenant Governor, Durham MPPs, Opposition Leaders, the Regional Municipality of Durham, and Durham Region municipalities.

A copy of the original correspondence is attached for your reference.

Should you require further information, please do not hesitate to contact the undersigned at 905.420.4660, extension 2019.

Yours truly



Susan Cassel
City Clerk

SC:rp
Enclosure

Copy: The Hon. Doug Ford, Premier of Ontario
The Hon. Elizabeth Dowdeswell, Lieutenant Governor of Ontario
Lorne Coe, Member of Provincial Parliament, Whitby
Jennifer French, Member of Provincial Parliament, Oshawa
Lindsey Park, Member of Provincial Parliament, Durham
The Hon. Rod Phillips, Member of Provincial Parliament, Ajax
The Hon. Laurie Scott, Member of Provincial Parliament, Haliburton-Kawartha Lakes-Brock
The Hon. Peter Bethlenfalvy, Member of Provincial Parliament, Pickering-Uxbridge
Andrea Horwath, Member of Provincial Parliament, Leader of the Official Opposition
John Fraser, Member of Provincial Parliament, Interim Leader of the Ontario Liberal Party
Mike Schreiner, Member of Provincial Parliament, Leader of the Green Party of Ontario
Nicole Cooper, Clerk, Town of Ajax
Becky Jamieson, Clerk, Township of Brock
Anne Greentree, Municipal Clerk, Municipality of Clarington
Mary Medeiros, City Clerk, City of Oshawa
John Paul Newman, Director of Corporate Services/Clerk, Township of Scugog
Debbie Leroux, Director of Legislative Services/Clerk, Township of Uxbridge
Chris Harris, Clerk, Town of Whitby
Ralph Walton, Regional Clerk/Director of Legislative Services, Regional Municipality of Durham

Chief Administrative Officer

From: Families Orchard Villa <orchardvillaltchfamilies@gmail.com>

Date: May 29, 2020 at 3:01:23 PM EDT

Subject: CALL TO ACTION (PUBLIC INQUIRY) - SECOND REQUEST - URGENT

May 29, 2020

Dear Mr. Ford and Ms. Fullerton,

This is our second attempt to contact you as the family members of Orchard Villa, and individuals within our group have been reaching out to you both since early to mid-April, but none of our group or individual attempts have been met with an appropriate response.

We have been watching your daily announcements as we wait at home for updates on our loved ones who still reside in Orchard Villa Long-Term Care Home and Retirement Home, and grieve the loss of our family members who have passed. We mourned the information that was written on the military report, made public on Tuesday May 26, 2020. Our grieving isn't just for the facts contained in the report, but also for the knowledge that these facts have been communicated to you and your offices both by us and in the media for several weeks now. We grieve because our words were not enough and while our pleas for help fell on deaf ears more of our loved ones died. Our one consolation is that the military's voice echoed our own and that their voice was loud enough for you to hear.

Today we write to you first to thank you for the nursing and military support that you have provided to Orchard Villa LTCH, we have seen a change in our family's basic care needs recently and we now are comforted to know that they are being fed and hydrated, however we are far from a full result of having regular updates on our loved ones, having COVID-19 tests being continued and from feeling that our families are safe. We want to know what plan is in place for beyond June 12, 2020 when the military and hospital support has left Orchard Villa. The military report clearly indicates that the current management cannot be left to their own devices.

Mr. Ford, we are one month shy of the two-year anniversary of your swearing in as Premier of Ontario. As we look back to June 29, 2018 we hear you speak the words *"I, Doug Ford, swear that I will duly and faithfully, and to the best of my skill and knowledge, execute the powers and trust reposed in me as Premier ...of the Province Of Ontario, so help me God."* On that day we took you at your word and

trusted that not only would you lead the people of Ontario, but that you would serve them as well.

Ms. Fullerton, we believe you echo Mr. Ford's position that the military report was shocking, however this only indicates that you have not been listening to our pleas.

Today we are asking you to begin an independent public inquiry as soon as possible. You will find that we are united in our need for this type of inquiry, that we do not want an independent commission where information is controlled and stones can be left unturned. With this request we enclose a link to our petition signed by 5,700+ individuals who have added their voices to our own. How many voices will it take until we are finally heard?

<http://chng.it/RfPYgxJg>

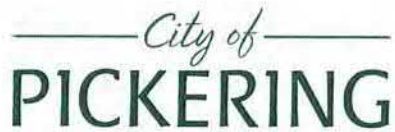
We ask that you please refrain from sending us a generic reply as many of us have received in the past. We ask that you remove the wall that has been built between yourself, your staff and the people that you serve.

A second e-mail will follow this with the contact information for two representatives of our group, and we trust that we will hear from you by no later than Wednesday June 3, 2020.

We have been waiting, writing, speaking and mourning for eight weeks. We have been kept in the dark. We ask that you now respond to us directly and we thank you for your time.

Respectfully,
The Families of Orchard Villa

bcc: National and local media outlets



Corporate Services Department
Legislative Services

Sent by Email

July 6, 2020

Jeff Burch
Member of Provincial Parliament, Niagara Centre
JBurch-CO@ndp.on.ca

Subject: Re: Official Opposition Statement on Municipal Financial Support
Corr. 22-20
File: A-1400-001-19

The Council of the Corporation of the City of Pickering considered the above matter at a meeting held on June 29, 2020 and adopted the following resolution:

1. That Council endorse the NDP motion calling on the provincial government to work with the federal government to address the systemic financial challenges facing municipalities that have been exacerbated by COVID-19, and to implement the recommendations brought forward by the Federation of Canadian Municipalities and the Association of Municipalities of Ontario; and,
2. That Council's endorsement be forwarded to the Premier of Ontario, Durham MP's and MPPs, AMO, FCM and Durham Region municipalities.

A copy of the original correspondence is attached for your reference.

Should you require further information, please do not hesitate to contact the undersigned at 905.420.4660, extension 2019.

Yours truly

A handwritten signature in blue ink, appearing to read "Susan Cassel".

Susan Cassel
City Clerk

SC:rp
Enclosure

Copy: The Hon. Doug Ford, Premier of Ontario
Ryan Turnbull, Member of Parliament, Whitby
Jennifer O'Connell, Member of Parliament, Pickering-Uxbridge
Colin Carrie, Member of Parliament, Oshawa
Mark Holland, Member of Parliament, Ajax
The Hon. Erin O'Toole, Member of Parliament, Durham
Jamie Schmale, Member of Parliament, Haliburton-Kawartha Lakes-Brock
Lorne Coe, Member of Provincial Parliament, Whitby
Jennifer French, Member of Provincial Parliament, Oshawa
Lindsey Park, Member of Provincial Parliament, Durham
The Hon. Rod Phillips, Member of Provincial Parliament, Ajax
The Hon. Laurie Scott, Member of Provincial Parliament, Haliburton-Kawartha Lakes-Brock
The Hon. Peter Bethlenfalvy, Member of Provincial Parliament, Pickering-Uxbridge
Association of Municipalities of Ontario
Federation of Canadian Municipalities
Nicole Cooper, Clerk, Town of Ajax
Becky Jamieson, Clerk, Township of Brock
Anne Greentree, Municipal Clerk, Municipality of Clarington
Mary Medeiros, City Clerk, City of Oshawa
John Paul Newman, Director of Corporate Services/Clerk, Township of Scugog
Debbie Leroux, Director of Legislative Services/Clerk, Township of Uxbridge
Chris Harris, Clerk, Town of Whitby
Ralph Walton, Regional Clerk/Director of Legislative Services, Regional Municipality of Durham

Chief Administrative Officer

From: Burch-QP, Jeff <JBurch-QP@ndp.on.ca>
Sent: Wednesday, June 3, 2020 1:03 PM
To: Mayor Web Email <mayor@pickering.ca>
Subject: Official Opposition Statement on Municipal Financial Support

Dear Mayor Ryan,

I hope this email finds you well.

I wanted to draw your attention to Andrea Horwath's & MPP Burch's joint statement on financial support for municipalities during COVID-19. Federal support for municipal infrastructure is welcome, but still leaves many municipalities without the operating funding they desperately need. Andrea Horwath is calling on the Ontario government to fill that gap, ensuring municipalities have the emergency funding they need to run day cares, transit systems, public health units and water treatment facilities and so much more after the pandemic has wreaked havoc on municipal finances. I have attached a copy of the statement in this email.

MPP Jeff Burch, the Official Opposition Critic for Municipal Affairs, has tabled a motion regarding the issue. The motion calls for the Government of Ontario to work with the federal government to address the systemic financial challenges facing municipalities that have been exacerbated by COVID-19, and to implement the recommendations brought forward by the Federation of Canadian Municipalities and the Association of Municipalities of Ontario. Should you like to read the motion in full and review its status, you can find additional information [here](#).

Please do not hesitate to reach out should you have any feedback.

Best,

Caitlin Hipkiss

Executive Assistant | Adjointe exécutive
Jeff Burch, MPP | Député provincial
Official Opposition Critic for Municipal Affairs

Rm 355, 111 Wellesley St W, Toronto, Ontario
| Tel/ tél: (416) 325-3990 | Cell: (289) 821-0349

Horwath: Municipalities need Doug Ford to get off the sidelines and finally do his part to avoid deep cuts to jobs and public services

QUEEN'S PARK – NDP Official Opposition Leader Andrea Horwath says federal support for municipal infrastructure is welcome, but still leaves many municipalities without the operating funding they desperately need. Horwath is calling on Premier Doug Ford to step up and fill that gap, ensuring municipalities have the emergency funding they need to run day cares, transit systems, public health units and water treatment facilities and so much more after the pandemic has wreaked havoc on municipal finances.

"Families count on their local governments to provide essential services like child care, public transit and public health. All those services are now at risk as municipalities sink into the red, and Doug Ford needs to stop pretending that it's Ottawa's responsibility alone to throw them a lifeline," said Horwath. "Ford has not given them the support they desperately need to make it through the pandemic and to rebuild the local economies that have been left shattered by this crisis — but he can change that today by committing to fund the gap and keep services intact."

The City of Toronto alone says it has a \$1.5 billion shortfall as a result of COVID-19, which it warns will result in transit cuts, firefighting cuts, child care cuts, long-term care cuts and more, if the upper levels of government don't step in with emergency financial support. The Federation of Canadian Municipalities has estimated the hole in operating budgets across all cities at between \$10 billion and \$15 billion over the next six months.

"The federal government's move to transfer infrastructure money a bit faster is a welcome first step — but it will barely scratch the surface of what's needed," said NDP Municipal Affairs critic Jeff Burch, who tabled a motion last week in the Ontario legislature that would give emergency financial support to municipalities that have been deeply impacted by COVID-19.

"Cities and towns throughout the province are on the verge of devastating cuts if Ford does not step up and provide funding right away," said Burch. "And those cuts will stop the economic recovery Ontario needs. Not only are municipal jobs on the line, but the loss of services like child care and transit would hamper everyone's return to work — especially women, and there cannot be a recovery without a she-recovery."

"It's time for the provincial government to step up and create some relief and certainty for municipalities and families who count on them."

Motion 98 [Mr. Burch](#) (Niagara Centre)

That in the opinion of this House, the Government of Ontario should work with the federal government to address systemic financial challenges facing Ontario's municipalities that have been exacerbated by the COVID-19 emergency by implementing both the Federation of Canadian Municipalities' recommendations for immediate financial assistance to help with the delivery of essential services during and after the pandemic, and the joint proposal from the Association of Municipalities Ontario and CUPE Ontario to help strengthen the delivery of municipal services on a long-term basis.

Lesley Donnelly

From: Jennifer Gourlie <jjgourlie@yahoo.ca>
Sent: July 6, 2020 3:19 PM
To: Brock Clerks
Subject: Cannington Figure Skating Club - Ice fee forgiveness

Follow Up Flag: Follow up
Flag Status: Flagged

To whom it may concern,

I am writing on behalf of the Cannington Figure Skating Club to request a \$2,000.00 ice fee forgiveness. We as a club have been working hard for many years to pay back the outstanding debt that a past treasurer had incurred. We had finally reached that point and we're hoping to have our first year in the black. Unfortunately with the Covid pandemic taking the world by storm, we were unable to complete our final two fundraising endeavours. Both our annual carnival and our final flower/chocolate campaigns were expected to raise @ \$1,000 each. A ice fee forgiveness of \$2,000 would allow the club and opportunity to close the 2019/2020 season without falling farther into debt, therefore making it possible to have a 2020/2021 season. Our fear is that if we cannot get out of the red, we will be unable to keep the club running. We have many great fundraisers planned for this season and hope to make it our best year in a long time....

Your consideration in this matter would be greatly appreciated

Jennifer Gourlie
Treasurer/Registrar
The Cannington Figure Skating Club

[Sent from Yahoo Mail on Android](#)

Lesley Donnelly

From: Becky Jamieson
Sent: July 7, 2020 9:46 AM
To: Lesley Donnelly
Subject: Fwd: Vehicle speeding on beaveridge drive cannington

cid:image001.png@01CEF5AC.7BBFF200

Becky Jamieson

Municipal Clerk

The Corporation of the Township of Brock

1 Cameron Street East, P.O. Box 10

Cannington, Ontario, L0E 1E0

Tel: 705-432-2355, Ext. 240 | Toll-Free: 1-866-223-7668 | Fax: 705-432-3487

bjamieson@townshipofbrock.ca | townshipofbrock.ca | choosebrock.ca

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From: Lisa McConnell <LMcConnell@southlakeregional.org>
Sent: Monday, June 15, 2020 5:24:09 PM
To: Becky Jamieson <bjamieson@townshipofbrock.ca>
Subject: Vehicle speeding on beaveridge drive cannington

Good afternoon

I was re directed to you from bylaw regarding a concern with the traffic speed on beaveridge drive in cannington.

In lieu of sidewalks families utilize the side of the road for purposes of walking bike riding etc as well as our children.

There has been much concern as there seems to be a lack of cooperation and consideration from the drivers coming up and down the street, I have personally on many occasions witnessed them speeding right past children with less than 2 feet from vehicle to body and if there isn't some enforcement soon I fear we will see a serious bodily injury and in hopes no fatality.

I wasn't aware earlier that there is one slow down sign at the corner of Ann and beaveridge but it is only on one side at the end of the street and perhaps not visible enough to traffic coming both ways.

I feel it would be of great contribution and would show that the town Acknowledges thier residents concerns by heightening the visible enforcement using such tools as speed bumps or flex signs and more signage of posted speed limits and that this is a family neighbourhood where enforcement is in place.

I understand actual speed enforcement is a drps issue to whom I'll reach out to but I feel it's a collaborative effort and for the safety of our children and us we are begging the township to please:

- 1) construct sidewalks to give us a safe space to commute within the subdivision safely especially in winter months for mothers with strollers
- 2) place more signage regarding children in the area and to slow down as speeds will be enforced
- 3) put some wording out on social media to remind residents that residential areas are packed with families looking to get physical activity in and to please be aware of pedestrians around you as a driver

I feel this is an issue that doesn't have a great time span attached to it and requires action immediately please, I have witnessed to many "near miss events" with children and for that reason requires a proactive approach instead of waiting for an accident to happen.

Please help us in this matter and ensure our community feels safe here please.

Thank you

Lisa

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Township of Brock Interoffice Memorandum

To: Council
From: Becky Jamieson, Municipal Clerk
Subject: Letter of Support to Brock Community Health Centre
Date: Monday, July 13, 2020

Upon the Township of Brock receiving official correspondence no. 733 from Dr. Laudanski, staff and the chair of the Beaverton Thorah Medical Centre Board (BTMCB) Mr. Terry Clayton, had an informal conversation with the Executive Director of the Brock Community Health Centre (CHC), Janet McPherson, to see what their plans are in respect to the CHC and any discussions they have had with Dr. Laudanski. She advised that the CHC is planning to submit an application to the Central East Local Health Integration Network (CELHIN) for an increase to their base funding for primary care positions to support Dr. Laudanski's patient roster after his retirement.

Following this conversation, an emergency BTMCB meeting was called and occurred on Tuesday, June 30 to update the board on Dr. Laudanski and discuss next steps.

The Board passed the following two resolution at its meeting held on Tuesday, June 30th:

"That the BTMCB request that the Township of Brock provide a letter of support the Brock CHC's application to the CELHIN for an increase in base funding for primary care positions that would support Dr. Laudanski's patient roster after his retirement."

"That the BTMCB request that staff investigate opportunities for doctor recruitment and costs of such and report back."

In order to proceed with these items, a resolution of Council is requested.

End of Memorandum

Respectfully submitted,

A handwritten signature in black ink that reads "Becky Jamieson". The signature is written in a cursive, flowing style.

Becky Jamieson
Municipal Clerk

By-laws

THE CORPORATION OF THE TOWNSHIP OF BROCK

BY-LAW NUMBER 2958-2020

BEING A BY-LAW TO APPOINT A MUNICIPAL LAW ENFORCEMENT OFFICER FOR THE CORPORATION OF THE TOWNSHIP OF BROCK PURSUANT TO SECTION 15 OF THE POLICE SERVICES ACT, R.S.O. 1990, AS AMENDED

WHEREAS section 15 of the Police Services Act, R.S.O. 1990, as amended, authorizes municipalities to enact by-laws to appoint Municipal Law Enforcement Officers;

AND WHEREAS the Council of the Corporation of the Township of Brock deems it expedient to appoint a Municipal Law Enforcement Officer;

NOW THEREFORE the Council of the Corporation of the Township of Brock enacts as follows:

1. THAT Liam Cole, [REDACTED] is hereby appointed as a Municipal Law Enforcement Officers for the Corporation of the Township of Brock.
2. THAT said Liam Cole, when acting in her capacity as Municipal Law Enforcement Officer, shall be known as a "By-law Enforcement Officer."
3. THAT this by-law shall come into force and effect upon the date of its enactment.

THIS BY-LAW READ A FIRST, SECOND, AND THIRD TIME AND FINALLY PASSED THIS 13th DAY OF JULY, A.D., 2020.

Mayor
Debbie Bath-Hadden

Clerk
Becky Jamieson