



CORPORATION OF THE CITY OF
CLARENCE-ROCKLAND
COMMITTEE OF THE WHOLE

May 7, 2018, 8:00 pm

Council Chambers

415 rue Lemay Street, Clarence Creek, Ont.

Pages

1. Opening of the meeting
2. Adoption of the agenda
3. Disclosure of pecuniary interests
4. Delegations / Presentations
 - 4.1 Presentation on Bill 139 - Overhaul of the Planning Appeals Process 5
5. Petitions / Correspondence
 - 5.1 Letter from Ernie Hardeman, MPP Oxford to support Bill 16, Respecting Municipal Authority Over Lanfilling Sites Act 17
 - 5.2 Letter from Jacques Taillefer in regards to Solar Array 19
6. Notice of Motion
 - 6.1 Notice of motion of Councillor Jean-Marc Lalonde in regard to the ground signs location for registered non-profit organizations
WHEREAS some registered non-profit organizations have expressed their need to install their ground signs outside of the premises of the organization to which it relates, this being prohibited under Section 9.14 of the Signs By-Law 2015-160 as amended;

BE IT RESOLVED THAT Municipal Council mandates the administration to prepare a by-law to amend the Sign By-Law 2015-160, in order to exempt the application of Section 9.14 for the registered non-profit organizations.

7. Comment/Question Period

Note: Members of the public may come forward to the podium and after seeking permission from the Presiding Officer, shall state their name and direct their question/comment on any matter which is related to any item included in this agenda to the Presiding Officer.

The maximum time allowed in all circumstances for a question/comment shall be three (3) minutes per person per meeting. There shall be a maximum of 30 minutes dedicated to the question/comment period. Any unasked questions/comments due to the time restriction may be submitted in writing to the Clerk.

At no time shall this question period be taken by members of the audience to make speeches or accusations.

8. Report from the United Counties of Prescott and Russell

9. Committee/Staff Reports

9.1	New Parkland Dedication By-law	21
9.2	Awards for Purchase of Front-end Loader	39
9.3	Purchase 1 Ton Truck	47
9.4	Award construction Lacasse Road and replacement of a culvert	55
9.5	Grant – Rural Economic Development (RED) program	65
9.6	Award a contract for the storm water master plan	75
9.7	Daycare services policy (reimbursement of service fees)	83
9.8	Purchase and installation of a level 2 charging station for City Hall	89
9.9	Dog By-Law Amendment	93

10. Other items

11. Adjournment



CORPORATION DE LA CITÉ DE
CLARENCE-ROCKLAND
COMITÉ PLÉNIER

le 7 mai 2018, 20 h 00

Salle du Conseil

415 rue Lemay Street, Clarence Creek, Ont.

Pages

1. Ouverture de la réunion
2. Adoption de l'ordre du jour
3. Déclarations d'intérêts pécuniaires
4. Délégations / Présentations
 - 4.1 Présentation du projet de loi 139 - Réforme sur le processus d'appel 5
5. Pétitions / Correspondance
 - 5.1 Lettre de Ernie Hardeman, MPP Oxford pour appuyer le projet de loi 16 Loi de 2018 sur le respect des pouvoirs des municipalités à l'égard des lieux d'enfouissement 17
 - 5.2 Lettre de Jacques Taillefer au sujet de panneaux solaires 19
6. Avis de motion
 - 6.1 **Avis de motion du conseiller Jean-Marc Lalonde au sujet des enseignes fixées au sol pour les organismes enregistrés sans but lucratif**
ATTENDU QUE certains organismes enregistrés sans but lucratif ont exprimé leur besoin d'afficher leurs enseignes fixées au sol hors des lieux auxquels ils se rapportent, ceci étant prohibé par l'article 9.14 du règlement sur les enseignes 2015-160 tel que modifié;

QU'IL SOIT RÉSOLU QUE le conseil municipal mandate l'administration à préparer un règlement pour amender le règlement 2015-160 sur les enseignes, afin d'exclure l'application de l'article 9.14 aux organismes enregistrés sans but lucratif.

7. Période de Questions/Commentaires

Note: Les membres du public sont invités à se rendre au podium et après avoir reçu la permission du président de l'assemblée, doivent se nommer et adresser leur question et/ou commentaire sur tout sujet qui est relié à n'importe quel item qui figure à l'ordre du jour au président de réunion.

Le temps maximal accordé pour une question/commentaire dans toutes circonstances est de trois (3) minutes par personne par réunion. Il y aura un maximum de 30 minutes consacrés à la période de questions/ commentaires. Toutes questions et/ou commentaires qui n'ont pas été adressés par faute de temps peuvent être soumis par écrit à la greffière.

En aucun cas, cette période de questions/ commentaires ne peut être utilisée par les membres du public pour faire des discours ou porter des accusations.

8. Rapport des Comtés unis de Prescott et Russell

9. Rapports des Comités/Services

9.1	Nouveau règlement sur les affectations de terrains pour les parcs	21
9.2	Octrois pour l'achat d'une chargeuse forestière	39
9.3	Achat d'un camion 1 tonne	47
9.4	Octroi construction chemin Lacasse et remplacement d'un ponceau	55
9.5	Subvention – Programme de développement économique des collectivités rurales	65
9.6	Octroi contrat pour plan maitre des eaux pluviales	75
9.7	Politique du Service de garderie (remboursement de frais de service)	83
9.8	Achat et installation d'une borne de chargement de niveau 2 à l'hôtel de ville	89
9.9	Amendement au règlement sur les chiens	93

10. Autres items

11. Ajournement



**Bill 139/
Projet de loi 139
Réforme sur le processus d'appel/
Overhaul of the Planning Appeals Process**

**Building Better Communities and Conserving
Watersheds Act, 2017**

**Loi de 2017 visant à bâtir de meilleures collectivités
et à protéger les bassins hydrographiques**



Bill 139 Projet de loi 139/

- Bill 139 came into effect on April 3rd, 2018
- The Local Planning Appeal Tribunal (LPAT) replaces the Ontario Municipal Board (OMB)
- Major changes to the appeal process.
- Le projet de loi 139 a entré en vigueur le 3 avril 2018.
- “Le Tribunal d’appel de l’aménagement local (TAAL)” remplace la “Commission des affaires municipales de l’Ontario (CAMO)”.
- Changement majeur au processus d’appel.



New Standard of Review

Nouvelle norme d'examen

For adopted or approved Official Plans and Official Plan Amendments (OP/OPA) and Zoning Bylaws/Zoning Bylaw Amendments (ZBL/ZBLA):

- Every appellant must explain and demonstrate how the adopted or approved OP/OPA or ZBL/ZBLA (or some part of it) is inconsistent with a Provincial Policy Statement, fails to conform with or conflicts with a provincial plan, or fails to conform with an applicable upper-tier official plan.
- LPAT is under a statutory obligation to dismiss any appeal that fails to do so.

Pour des plans officiels adoptés ou approuvés et des modifications à un plan officiel et des règlements de zonage et modifications à un règlement de zonage :

- L'appelant doit expliquer et démontrer comment le plan officiel adopté ou approuvé ou les modifications qui y sont apportées, ou le règlement de zonage et les modifications qui y sont apportées (ou une partie de ceux-ci), sont incompatibles avec la Déclaration de Principes Provinciale, non conformes à un plan provincial ou incompatibles avec un tel plan, ou non conforme au plan officiel de la municipalité de palier supérieur applicable.
- Le TAAL a l'obligation légale de rejeter tout appel qui omet de le démontrer.



New Standard of Review

Nouvelle norme d'examen

For appeals from a refusal of or failure to adopt a privately-initiated OPA or ZBLA:

- Every appellant must explain, first, how the existing policies or provisions of an OP or ZBLA are inconsistent with a provincial policy statement, fails to conform with or conflicts with a provincial plan, or fails to conform with an applicable upper-tier official plan; and, second, how the requested amendment to the official plan or zoning bylaw conform and/or are consistent with higher-order planning instruments.
- LPAT is under a statutory obligation to dismiss any appeal that fails to do so.

Pour les appels d'un refus d'adopter des modifications d'initiative privée à un plan officiel ou à un règlement de zonage ou de l'omission de prendre une décision à cet égard :

- L'appelant doit expliquer, premièrement, comment les politiques existantes ou les dispositions d'un plan officiel ou les modifications d'un règlement de zonage sont incompatibles avec une déclaration de principes provinciale, pas conformes à un plan provincial ou incompatibles avec un tel plan, ou pas conforme au plan officiel de la municipalité de palier supérieur applicable; et, deuxièmement comment la modification demandée au plan officiel ou au règlement de zonage est conforme et/ou compatible avec un document de zonage d'un palier supérieur.
- Le TAAL a l'obligation légale de rejeter tout appel qui omet de le démontrer.



New Standard of Review **Nouvelle norme d'examen**

For appeals from a refusal of or failure to adopt a privately-initiated OPA or ZBLA:

- If an appellant satisfies the 2 test(s) with respect to these appeals, LPAT will remit the appealed matter back to the municipal council for further consideration.
- The municipality will have 90 days to make a new decision.
- Any subsequent municipal decision or non-decision may be appealed.
- LPAT will convene a new hearing to consider the newly appealed matter.

Pour les appels d'un refus d'adopter des modifications d'initiative privée à un plan officiel ou à un règlement de zonage ou de l'omission de prendre une décision à cet égard :

- Si un appelant satisfait à la nouvelle norme concernant ces appels, le TAAL renverra la question qui fait l'objet de l'appel au conseil municipal pour un autre examen.
- Toute décision municipale subséquente ou omission de prendre une décision peut faire l'objet d'un appel.
- Le TAAL convoquera une nouvelle audience pour examiner la nouvelle question qui fait l'objet d'un appel.



Conférence de gestion de la cause obligatoire (CGC) Mandatory Case Management Conference (CMC)

- LPAT is required to hold a case management conference (CMC) for certain *Planning Act* appeals, involving the appellant(s) and municipality/approval authority
- There is an opportunity for participation in a CMC by persons other than the appellant(s) (subject to legislated obligations)
- Consistent with existing OMB practices relating to Prehearing Conferences
- Le TAAL doit tenir une conférence de gestion de la cause (CGC) pour certains appels en vertu de la *Loi sur l'aménagement du territoire*, à laquelle participent l'appelant et la municipalité/l'autorité approbatrice.
- Des personnes autres que l'appelant peuvent participer à une CGC (sous réserve des obligations légiférées).
- Conformément aux pratiques de la CAMO existantes en matière de conférence préparatoire à l'audience.



New Hearing Process/Procedures

Nouveau processus d'audience/Nouvelles procédures d'audience

- Hearings may be oral or written, or potentially by electronic means
- Only LPAT may call a witness and receive evidence through a witness
 - No other party may put forward evidence through a witness or call or question any witness
- Each party may make an oral submissions up to 75 minutes
- Les audiences peuvent être orales, écrites ou électroniques.
- Seul le TAAL peut appeler un témoin et obtenir une preuve par le biais d'un témoin.
 - Aucune autre partie ne peut produire une preuve par le biais d'un témoin ou appeler ou interroger un témoin.
- Chaque partie peut faire des observations orales d'au plus 75 minutes.



Elimination of appeal rights Élimination du droit d'appel

- OP: where approval authority is Minister
 - No appeal permitted – County OP
- PO: Lorsque l'autorité approbatrice est le Ministre
 - Aucun appeal permis – PO Comté



Moratorium on amendments to Secondary Plan Moratorium sur les modifications à un plan secondaire

- 2 year moratorium on requests for amendments to secondary plans
- Moratorium de 2 ans sur les demande d'amendement à un plan secondaire



Timelines Délai

- Timelines extended by 30 days to allow City to make decisions
 - 210 days for OP
 - 150 days for ZBA
 - 150 days for removal of holding
- Délai pour prendre une décision a été prolongé de 30 jours
 - 210 pour PO
 - 150 jours pour Zonage
 - 150 jours pour aménagement différé



Local Planning Appeal Support Centre/ Centre d'assistance pour les appels en matière d'aménagement local

- Independent agency of the Province of Ontario, accountable to a board of directors.
- The Local Planning Appeal Support Centre provides people in Ontario with information on land use planning, offers legal and planning advice, and, in certain cases, provides legal representation at the Local Planning Appeal Tribunal.
- Organisme indépendant de la province de l'Ontario, qui rend compte à un conseil d'administration.
- Le Centre d'assistance pour les appels en matière d'aménagement local informe les Ontariens en ce qui concerne l'aménagement du territoire, les conseille sur des questions juridiques ou liées à l'aménagement du territoire et, dans certains cas, assure leur représentation au Tribunal d'appel de l'aménagement local.



ERNIE HARDEMAN, M.P.P.

Oxford

March 26, 2018

Guy Desjardins
City of Clarence–Rockland
1560 Laurier St.
Rockland, ON K4K 1P7

Queen's Park Office:
Room 413, Legislative Bldg
Toronto, Ontario
M7A 1A8

Tel. (416) 325-1239
Fax (416) 325-1259

Constituency Office:
12 Perry Street
Woodstock, Ontario
N4S 3C2

Tel. (519) 537-5222
Fax (519) 537-3577

Dear Mayor Desjardins,

I am writing to let you know that I recently introduced a private members' bill which would give municipalities the authority to decide whether or not they would be willing to receive a landfill. I have enclosed a copy for your information and comments. I believe municipalities should have a say in the location of something that would have such a lasting impact on their community.

As you know, today municipal governments can decide where a Tim Hortons should go, but they can't decide where something as significant as a landfill should go. That doesn't make sense.

Currently, only the Ministry of the Environment approves a new landfill, but Bill 16, *Respecting Municipal Authority Over Landfilling Sites*, would ensure that waste companies are required to have approval from the municipality as well before they can move forward with the landfill placement.

I know that this authority has been requested by a number of municipalities. The Mayor of Ingersoll requested this legislative change during a committee hearing on Bill 139 last fall at Queen's Park. Since then, nearly 30 municipalities have passed resolutions of support and another 150 municipal leaders have signed petitions to demand this right.

I would appreciate hearing your comments on the bill and any support you can offer. For your convenience I have enclosed a sample resolution of support.

Thank you for your consideration. As always please feel free to contact me if I can be of assistance.

Sincerely,

Ernie Hardeman, MPP
Oxford



Draft resolution

MUNICIPALITIES CALL ON PROVINCE FOR “RIGHT TO APPROVE” LANDFILL DEVELOPMENTS

WHEREAS municipal governments in Ontario do not have the right to approve landfill projects in their communities, but have authority for making decisions on all other types of development;

AND WHEREAS this out-dated policy allows private landfill operators to consult with local residents and municipal Councils, but essentially ignore them;

AND WHEREAS municipalities already have exclusive rights for approving casinos and nuclear waste facilities within their communities, AND FURTHER that the province has recognized the value of municipal approval for the siting of power generation facilities;

AND WHEREAS the recent report from Ontario's Environmental Commissioner has found that Ontario has a garbage problem, particularly from Industrial, Commercial and Institutional (ICI) waste generated within the City of Toronto, where diversion rates are as low as 15%;

AND WHEREAS municipalities across Ontario are quietly being identified and targeted as potential landfill sites;

AND WHEREAS municipalities should be considered experts in waste management, as they are responsible for this within their own communities, and often have decades' worth of in-house expertise in managing waste, recycling, and diversion programs;

AND WHEREAS municipalities should have the right to approve or reject these projects, and assess whether the potential economic benefits are of sufficient value to offset any negative impacts and environmental concerns;

THEREFORE BE IT RESOLVED THAT the **[INSERT NAME OF MUNICIPALITY]** supports *Bill 16, Respecting Municipal Authority Over Landfilling Sites Act* introduced by MPP Ernie Hardeman and calls upon the Government of Ontario, and all political parties, to formally grant municipalities the authority to approve landfill projects in or adjacent to their communities

AND FURTHER THAT the **[INSERT NAME OF MUNICIPALITY]** send copies of this resolution to MPP Ernie Hardeman and all municipalities.

April 21st 2018

Dear members of the City Council,

My wife and I hired a company in 2011 to manage and install a MicroFit Solar Array on a small parcel of vacant land adjacent to our property at 464 Du Ruisseau. The cost was \$85,000 for project management and equipment.

In speaking to Marie-Ève Bélanger in the Fall of 2017, we became aware that the city had no record of Solar Array on file. We were in shock at the lack of city approvals since the company made us sign many documents for various purposes. We could only conclude that the company we hired did not take all proper steps and the company folded (like so many others) after Ontario's Green Energy program was neutered a few years back.

And so, Mrs. Bélanger was asked to share with us what was required by the city to correct the situation. We would also like to thank Councillor Zanth for guidance on the issue and outlining possible solutions, since encroachment was ruled out as an option.

It is therefore felt that a licence of occupation would be appropriate for a rapid resolution to the situation. We therefore propose a \$100 annual fee to the city for temporary use of the small parcel of land.

Sincerely,



Jacques Taillefer and
Josée Valiquette-Taillefer



REPORT N° AMÉ-18-29-R

Date	02/03/2018
Submitted by	Claire Lemay
Subject	New Parkland Dedication By-law
File N°	L07

1) **NATURE/GOAL :**

The goal of this report is to present a new by-law for the dedication of parkland and cash-in-lieu of parkland payments for development.

2) **DIRECTIVE/PREVIOUS POLICY :**

Section 4.4.1 of the Official Plan of the Urban Area of the City of Clarence-Rockland contains a policy regarding the dedication of parkland for any division of land. Section 7.4.9 of the Official Plan of the United Counties of Prescott and Russell contains policies regarding the dedication of parkland or payment of cash-in-lieu of parkland.

3) **DEPARTMENT'S RECOMMENDATION :**

THAT the Committee of the Whole recommends that Council adopts the parkland dedication by-law as recommended by the Infrastructure and Planning Department.

QUE le Comité plénier recommande que le Conseil adopte le règlement sur l'affectation des terrains pour les parcs tel que recommandé par le Département d'Infrastructures et Aménagement du territoire.

4) **BACKGROUND :**

The *Planning Act* authorizes municipalities to require the transfer of land or cash-in-lieu thereof for use as public parks as a condition of approval of the development or redevelopment of land. Some policies exist in the Official Plan, however, these do not cover all aspects of the parkland dedication / cash-in-lieu of parkland payment process. The *Planning Act* authorizes municipalities to pass by-laws regarding the dedication of parkland / cash-in-lieu thereof.

Decisions regarding what land should or should not be accepted as parkland in new subdivision developments have historically been made on a case-by-case basis. The City of Clarence-Rockland has routinely used various means to estimate the land value of property for the purpose of determining the amount of cash-in-lieu of parkland payments. Planners previously used information from MPAC to estimate land value for the purpose of determining the amount of cash-in-lieu of parkland required for land severances, but MPAC no longer provides this information. Recent updates to provincial legislation include modifications to the amount of land that can be

required for subdivision developments and increased requirements for monitoring and reporting on the uses of funds collected as cash-in-lieu of parkland payments.

5) **DISCUSSION :**

A by-law with set standards for determining the value of land used to calculate cash-in-lieu of parkland payments, for deciding what land can or cannot be included as parkland dedications, and to control how the collected funds are used, is now required in order to standardize and streamline the development review process and ensure transparency and accountability for the funds collected.

This proposed by-law, prepared by Infrastructure and Planning Staff, is similar to other by-laws used in neighbouring municipalities to regulate the parkland dedication/cash-in-lieu process for development. The by-law sets out regulations for:

- Amount of land or percentage value of land to be conveyed as parkland or paid as cash-in-lieu of parkland for development and redevelopment;
- How the amounts are calculated in the case of development projects with multiple densities or mixed uses;
- Land that is considered suitable for parkland conveyance;
- Land that is considered unsuitable for parkland conveyance;
- When cash-in-lieu of parkland dedication will be requested instead of a transfer of land;
- What types of documents will be accepted by City staff as proof of the value of the subject land;
- What types of development are exempt from the requirement for parkland dedication / cash-in-lieu thereof;
- How to manage credits for previous conveyances;
- When land should be transferred or payments should be made;
- The ongoing monitoring and reporting on the cash-in-lieu – parkland account; and
- General administration of the by-law and its provisions.

One of the biggest changes that this by-law will introduce is the fact that property owners will now be required to obtain a market appraisal or a letter from an appraiser for severance applications. It was determined that the cost is approximately 300\$. Property owners will be advised at the pre-consultation meeting that an appraisal will be required. The valuation of the land will then be used to apply the 5% parkland. This mechanism, for calculating the 5% cash-in-lieu will be more accurate.

6) **CONSULTATION:**

Staff consulted with planners from the United Counties and the Township of Russell and obtained legal advice from Vice Hunter LLP.

7) **RECOMMENDATIONS OR COMMENTS FROM COMMITTEE/ OTHER DEPARTMENTS :**

N/A

8) **FINANCIAL IMPACT (expenses/material/etc.):**

N/A

9) **LEGAL IMPLICATIONS :**

N/A

10) **RISK MANAGEMENT :**

N/A

11) **STRATEGIC IMPLICATIONS :**

N/A

12) **SUPPORTING DOCUMENTS:**

By-law 2018-XXX "Parkland Dedication By-law"

**THE CORPORATION OF THE CITY OF CLARENCE-ROCKLAND
BY-LAW 2018-xx**

BEING A BY-LAW TO PROVIDE FOR THE CONVEYANCE OF LAND FOR PARK OR OTHER RECREATIONAL PURPOSES, OR CASH-IN-LIEU OF PARKLAND CONVEYANCE

WHEREAS section 42, 51.1 and 53 of the *Planning Act, R.S.O. 1990, c.P13*, as amended, authorize local municipalities to pass by-laws requiring that land or cash-in-lieu thereof be conveyed to the local municipality as a condition of development or redevelopment of land, the subdivision of land, or the granting of provisional consent over land;

AND WHEREAS the Council of the Corporation of the City of Clarence-Rockland has adopted policies within its Official Plan pertaining to the conveyance of land or cash-in-lieu thereof to the City as a condition of development or redevelopment of land, the subdivision of land, or the granting of provisional consent over land under the *Planning Act*;

AND WHEREAS the Council of the Corporation of the City of Clarence-Rockland deems it necessary and expedient to enact a by-law to provide for the provision of lands for park or other public recreational purposes and the use of alternative requirements therefor;

NOW THEREFORE the Council of the Corporation of the City of Clarence-Rockland enacts as follows:

1. TITLE, SCOPE AND INTENT

- 1.1 This By-law shall be known and cited as the "Parkland Dedication By-law" of the City of Clarence-Rockland.
- 1.2 This By-law shall apply to all lands within the geographic boundary of the City of Clarence-Rockland.
- 1.3 The intent of this By-law is to enable the City of Clarence-Rockland to provide land for public parks or other public recreation purposes. The City is permitted to require the conveyance of parkland or cash-in-lieu of parkland as a condition of development or redevelopment, subdivision of land, or the granting of provisional consent as regulated under the *Planning Act*. Land conveyed to the City under this By-law shall be used for Parkland or other public recreational purposes, subject to the policies of the Official Plan and this By-law and provincial laws.

2. DEFINITIONS

2.1 For the purposes of interpretation of this By-law, the following definitions shall apply:

- (a) **"Affordable Housing"** means:
 - i. in the case of ownership housing, the least expensive of:
 - 1. housing for which the purchase price results in annual accommodation costs which do not exceed 30 percent of gross annual household income for low and moderate income households; or
 - 2. housing for which the purchase price is at least 10 percent below the average purchase price of a resale unit in the regional market area;
 - ii. in the case of rental housing, the least expensive of:
 - 1. a unit for which the rent does not exceed 30 percent of gross annual household income for low and moderate income households; or
 - 2. a unit for which the rent is at or below the average market rent of a unit in the regional market area.
- (b) **"Cash-in-Lieu"** means a payment of money for park or other public recreational purposes which is collected in lieu of a conveyance of land which would otherwise be required to be conveyed pursuant to the parkland provisions of the *Planning Act*.
- (c) **"City"** means the Corporation of the City of Clarence-Rockland, as represented by the Director of Infrastructure and Planning.
- (d) **"City User Fees By-law"** means the City of Clarence-Rockland User Fees By-law.
- (e) **"Convey/Conveyed"** means to deed or transfer land for park or other public recreational purposes.
- (f) **"Development"** means:
 - i. any construction, erection or placing on land of one or more buildings or structures, or making of an addition or alteration to a building or structure which has the effect of substantially increasing the size or usability thereof, or laying out and establishment of a commercial parking lot that is subject to Site Plan Control as per the City's Site Plan Control By-law;
 - ii. the creation of one or more lots through the granting of consent, via plan of subdivision, or via plan of condominium;

and includes redevelopment.

- (g) **“Director of Infrastructure and Planning”** means the Director of the Infrastructure and Planning Department of the City of Clarence-Rockland or his authorized agent.
- (h) **“Director of Community Services”** means the Director of the Community Services Department of the City of Clarence-Rockland or his authorized agent.
- (i) **“Dwelling Unit”** means a place of residence with one or more habitable rooms containing separate kitchen and bathroom facilities for private use as a single housekeeping unit.
- (j) **“Gross Floor Area”** means the aggregate area of a building contained within the exterior walls, but does not include attic or basement space unless otherwise specified. Where attic space is located adjacent to floor area as described above and exceeds a headroom clearance of 1.8 metres at any given point, the entire attic space shall be included as floor area.
- (k) **“Gross Land Area”** means the land area of the entire development site, including the parcel of land which is to be dedicated for park purposes, including any easements, roadways and stormwater management facilities etc., but excluding roads, road rights-of-way, and areas that have been dedicated to the local municipality or other public agency or lands designated as Environmental Protection Area or similar designation.
- (l) **“Market Appraisal”** means a written opinion of fair market value of one or more parcels of land supported by presentation and analysis of relevant data by a certified accredited appraiser.
- (m) **“Market Value”** means the monetary price a property would be expected to bring in a competitive and open market, as of the specified date, under all conditions requisite to a fair sale, the buyer and seller each acting prudently, knowledgeably and assuming price is not affected by undue stimulus.
- (n) **“Mixed Use”** means the physical integration of residential and commercial, industrial or others uses within a building or structure or separate buildings or structures on the lands proposed for Development.
- (o) **“Not-for-Profit Organization”** means a corporation registered as a charity and regulated under the *Not-for-Profit Corporations Act, 2010* or regulated by one or more provincial and/or federal act(s).

- (p) **“Official Plan”** means the Official Plan of the Urban Area of the City of Clarence Rockland in effect at the time, the Bourget Official Plan in effect at the time, and the Official Plan of the United Counties of Prescott and Russell in effect at the time.
- (q) **“Parkland”** means developable lands that are suitable for the development of a recreational area, playground, playing fields or similar use and may also include community recreational and leisure facilities, accessory buildings or structures such as a maintenance building, washroom or canteen.
- (r) **“Planning Act”** means the *Planning Act*, R. S. O. 1990 as amended or replaced.
- (s) **“Second Unit”** means:
 - i. the use of two residential units in a detached house, semi-detached house or rowhouse if no building or structure ancillary to the detached house, semi-detached house or rowhouse contains a residential unit; and
 - ii. the use of a residential unit in a building or structure ancillary to a detached house, semi-detached house or rowhouse if the detached house, semi-detached house or rowhouse contains a single residential unit.
- (t) **“Subsidized Housing”** means rental dwelling units where rent is based on rentgeared- to-income (RGI) and does not exceed 30 per cent of gross annual household income up to a defined minimum.

3. INTERPRETATION

- 3.1 Unless otherwise defined, the words and phrases used in this By-law have their normal and ordinary meaning.
- 3.2 This By-law is gender neutral and, accordingly, any reference to one gender includes the other.
- 3.3 Words in the singular include the plural and words in the plural include the singular.
- 3.4 Headings and the table of contents are inserted for convenience of reference purposes only, form no part of this by-law and shall not affect in any way the meaning or interpretation of the provisions of this by-law.

4. PARKLAND DEDICATION

- 4.1 As a condition Development, the City shall require the conveyance of land for park or other public recreational purpose at the rates defined herein.

Commercial and Industrial uses

- 4.2 Where land is developed for commercial or industrial use, the City shall require the conveyance of land for park or other public recreational purpose at a rate of 2% of the gross land area being developed, redeveloped or subdivided.

Residential uses and other uses

- 4.3 Where land is developed for residential use, the City shall require the conveyance of land for park or other public recreational purpose at a rate of 5% of the gross land area being developed, redeveloped or subdivided.
- 4.4 Where land is developed for residential use and where the density is greater than 35 units per hectare, the City may require that the rate used to determine the parkland conveyance be one (1) hectare for each 300 dwelling units proposed, but for mid-high rise apartments, as defined by the City's Zoning by-law, this parkland conveyance will not exceed a maximum of 10% of the land area of the site being developed.

Mixed Uses

- 4.5 When land is developed for Mixed Uses, the land to be conveyed shall be as follows:
- (a) For Mixed uses on a site, the land to be Conveyed shall be the sum of the requirements proportionate to the site area allocated to each use at the rates set out in sections 4.2, 4.3, and 4.4.
 - (b) For Mixed Uses within a building, the land to be conveyed shall be the sum of the requirements proportionate to the gross floor area allocated to each use at the rates set out in sections 4.2, 4.3, and 4.4.

Single lot created by consent

- 4.6 Where land is severed for commercial or industrial use, the City shall require the conveyance of land for park or other public recreational purpose at a rate of 2% of the gross land area being severed.

- 4.7 Where land is severed for residential use, the City shall require the conveyance of land for park or other public recreational purpose at a rate of 5% of the gross land area being severed.

City's determination

- 4.8 The parkland conveyance requirements will be determined at the time of development review and the amount of land will be identified as a condition of approval.
- 4.9 The location and configuration of land required to be conveyed shall be determined by and at the discretion of the City. All conveyances shall be free of any and all encumbrances.

5. LANDS SUITABLE FOR PARKLAND CONVEYANCE

- 5.1 The City may accept land for passive and active Parkland and other public recreational purposes. These lands conveyed to the City shall be in a location and physical condition satisfactory to the Director of Infrastructure and Planning and to the Director of Community Services. Any land parcel configuration, size or location that is constrained or deemed undesirable, as determined by the Director of Infrastructure and Planning or by the Director of Community Services, shall not be acceptable as Parkland Conveyance. Factors that will be considered in determining suitability for conveyance include, but are not limited to the following:
- (a) Open frontage on a public road which provides visibility and accessibility;
 - (b) Adequate size and configuration to accommodate park amenities such as sports fields, playgrounds, and programmable open space as required;
 - (c) Physical state, including lot grading and drainage, to accommodate park amenities such as sports fields, playgrounds, and programmable open space as required;
 - (d) Abutting complementary land uses;
 - (e) Consistent with the Official Plan policies for the area and for parks and leisure areas;
 - (f) Connectivity to the existing trail system, where possible;
 - (g) Pedestrian and cyclist access, including direct access to existing or planned Parkland;
 - (h) Opportunities to co-locate with schools;

- (i) Public access to the Ottawa River;
- (j) Equitable distribution within the community; and
- (k) Connectivity to existing and planned parks and open spaces.

6. LANDS NOT SUITABLE FOR PARKLAND CONVEYANCE

- 6.1 Land that is considered not suitable for park or other public recreational purpose will not be counted towards the amount of land required to be conveyed in order to fulfill the requirements in Section 4 of this By-law. Such land may include, but is not limited to:
- (a) Hazardous or flood prone areas;
 - (b) Steep or unstable slopes;
 - (c) Any land having unsuitable or unstable soil conditions for intended recreation facilities;
 - (d) Utility rights-of-way or easements;
 - (e) Any land containing an easement, encumbrance or right-of-use that limits or restricts the City's use of the land;
 - (f) Any land subject to a no-touch/no-development setback;
 - (g) Stormwater management facilities;
 - (h) Provincial or locally significant wetlands or woodlands;
 - (i) Required setbacks and buffer lands from natural features such as wetlands and watercourses;
 - (j) Roadways or walkways being conveyed for non-parkland purposes;
 - (k) Lands that are deemed to be contaminated; and
 - (l) Lands determined to be unsuitable as Parkland by the Director of Infrastructure and Planning or by the Director of Community Services.
- 6.2 Any land that has been or is to be conveyed to the City for stormwater management facilities, for flood plain or conservation purposes, for roadways, walkways or any other non-parkland purpose, will not be credited against the required parkland conveyance or cash-in-lieu thereof.
- 6.3 Where conveyance of land for park purposes is not feasible within the site being developed, the City may consider the conveyance of land outside of the site being developed if the City is satisfied that

the land provides a benefit to the residents of the land being developed.

7. CASH-IN-LIEU OF PARKLAND DEDICATION

- 7.1 As an alternative to the conveyance of land, the City may require, at its discretion, the payment of money equal to the value of lands otherwise required to be conveyed under this By-law, or a combination of land and money.
- 7.2 Generally, the City may, in the following circumstances, require the payment of cash-in-lieu instead of accepting a conveyance of land:
 - (a) Where there is no land that is either usable or functional on the site for parkland or recreational purposes;
 - (b) Where the conveyance of parkland from the site would reduce the number of dwelling units or the floor space area of the development to the extent that the development is unfeasible;
 - (c) Where the City has identified land in a more appropriate or accessible location and that has been or is to be acquired by the City;
 - (d) Where the area being developed or redeveloped is already well served with parkland; or
 - (e) For the creation of a lot by consent.
- 7.3 The decision whether or not to require a conveyance of land, payment of cash-in-lieu or accepting a conveyance or combination therein, will be made by the Director of Infrastructure and Planning on the advice of the Director of Community Services at the time of development review.
- 7.4 Where Cash-in-Lieu of Parkland is required, the City shall require that the payment be in the amount of the value of the land otherwise to be conveyed as per section 4 of this By-law.
- 7.5 Notwithstanding section 7.4, where the conveyance of Parkland for residential uses is required at a rate of 1 hectare per 300 Dwelling Units, the Cash-in-Lieu payment shall be calculated based on the value of land required to be conveyed at a rate of 1 hectare per 500 Dwelling Units.

8. VALUATION OF LAND

- 8.1 Where Cash-in-Lieu of Parkland is required, the value of the land shall be determined by:
- (a) A market appraisal or a letter of opinion, obtained by and at the owner's expense, approved by the Director of Infrastructure and Planning, as of the day before the granting of the draft approval for development by way of plan of subdivision or condominium, and the day before the granting of provisional consent for a consent application; or
 - (b) A market appraisal or a letter of opinion, obtained by and at the owner's expense, approved by the Director of Infrastructure and Planning, as of the day before planning approval is given for a development by way of site plan control; or
 - (a) The most recent land sale record of the subject property, no more than 12 months prior to the date of the agreement, reviewed and accepted by the Director of Infrastructure and Planning; provided the sale was at market value and there has been no change that may impact the land value, including but not limited to changes in the zoning, Official Plan designation, or severance.

9. EXEMPTIONS

- 9.1 No conveyance of land or payment of cash-in-lieu under this by-law is required in the case of the development of a building that was accidentally damaged or demolished so long as:
- (a) The building continues to be used for the same purpose after it is repaired, replaced or rebuilt; and
 - (b) There is no increase in number of dwelling units or (gross) floor area.
- 9.2 No conveyance of land or payment of cash-in-lieu under this by-law is required in the case of the development of:
- (a) An addition or alteration to an existing residential building that does not result in an increase in dwelling units;
 - (b) A new agricultural lot;
 - (c) A place of worship;
 - (d) A cemetery;
 - (e) A non-profit rental or not-for-profit sponsored ownership residential development or other development that provides

public facilities or services and that is undertaken by a non-profit organization;

- (f) A college or university or a school as defined by subsection 1(1) of the *Education Act*, where the school provides for the student's outdoor recreational needs on-site at the time of development;
- (g) A municipal or other government use;
- (h) A second unit as defined in this By-law or a garden suite as defined in the City's Zoning By-law;
- (i) A home-based business or a home industry as defined in the City's Zoning By-law;
- (j) An addition or alteration to an existing commercial or industrial building that does not require site plan control approval as per the *Planning Act* or the Site Plan Control By-law;
- (k) A temporary use for which an approval has been granted under section 39 of the *Planning Act*; or
- (l) Any development of a use undertaken in partnership with the City.

9.3 No conveyance of land or payment of cash-in-lieu under this by-law is required for:

- (a) A change of use from residential to commercial or industrial or for the alteration of an existing building from a change of use from residential to commercial or industrial; or
- (b) A change of use from commercial or industrial to another commercial or industrial use, or for the alteration of an existing building resulting in a change of use from commercial or industrial to another commercial or industrial use.

9.4 Parkland requirements for Conveyance shall be reduced for Developments and Redevelopments by Not-for-Profit Organizations for Subsidized and Affordable Housing. The reduction in Parkland required for Conveyance or the equivalent Cash-in-Lieu will be proportionate to the percentage of Affordable and/or Subsidized Dwelling Units. This reduction shall be calculated as one per cent of the land area of the land to be conveyed or one percent of the total payment of Cash-in-Lieu for each one per cent of the total number of units in the development which are Affordable and/or Subsidized Dwelling Units.

10. CREDITS FOR PREVIOUS CONVEYANCES

- 10.1 Notwithstanding Sections 4 and 7 of this By-law, where it is known or can be demonstrated that the required parkland conveyance or cash-in-lieu thereof has been previously satisfied in accordance with the *Planning Act*, no additional conveyance or payment will be required in respect of subsequent Development unless:
 - (a) There is a change in the proposed Development which would increase the density of the development providing a net unit gain; or
 - (b) Land originally proposed for Development for commercial or industrial purposes is now proposed for Development for other purposes.

- 10.2 Land or Cash-in-Lieu required to be conveyed or paid to the City for park or other public recreation purposes pursuant to Sections 4 or 7 of this By-law shall be reduced by the amount of land or Cash-in-Lieu previously received by the City in accordance with the *Planning Act* in respect of the land being Developed.

11. TIMING OF PARKLAND CONVEYANCE OR OF CASH-IN-LIEU PAYMENT

- 11.1 Where land is required to be conveyed to the City in accordance with Section 4 of this By-law, the lands shall be conveyed as follows:
 - (a) In the case of Development to be approved pursuant to sections 51 or 53 of the *Planning Act*, the City may require the Conveyance of land as a condition of approval, and said lands shall be Conveyed to the City either prior to or immediately upon registration of the plan or the consent being given, as determined by the Director of Infrastructure and Planning or by the Director of Community Services;
 - (b) In the case of Development where land has not been conveyed or has not been required pursuant to sections 51. 1 or 53 of the *Planning Act*, the City shall require the conveyance of land as a condition of Development prior to building permit issuance, in accordance with section 41 of the *Planning Act*.

- 11.2 Where Cash-in-Lieu of Parkland is required to be paid to the City in accordance with Sections 7 and 8 of this By-law, the payment shall be made as follows:
 - (a) For Development where the City has required the payment of Cash-in-Lieu of Parkland as a condition of an approval or

consent, pursuant to sections 51.1 or 53 of the *Planning Act*, the Cash-in- Lieu payment shall be paid prior to plan registration or the consent being given;

- (b) For Development approved via Site Plan Control pursuant to section 41 of the *Planning Act*, where Cash-in-Lieu has not been required pursuant to sections 51.1 or 53 of the *Planning Act*, the Cash-in-Lieu payment shall be paid upon signing of a Site Plan Agreement or prior to the issuance of the first building permit in respect of the Development as per section 42 (6.1) of the *Planning Act*.

12. DISPUTES

- 12.1 In the event of a dispute between the City and the Owner on the value of land as determined under Section 8 of this By-law:
 - (a) Either party may apply to the Local Planning Appeals Tribunal to have the value of the land determined.
 - (b) For development, the Owner may pay the amount required under protest and shall make an application to the Local Planning Appeals Tribunal in accordance with the provisions under Section 42 of the *Planning Act*.

13. ADMINISTRATION

- 13.1 This By-law will be administered by the Director of Infrastructure and Planning, the Director of Community Services, and the Treasurer.
- 13.2 All money received by the City as a requirement under section 7, and all money received on the sale of any land required to be conveyed under section 4, less any amount spent by the City out of its general funds in respect of the land, shall be paid into a special account referred to as the Cash-in-lieu – Parkland Account, and spent only for the acquisition of land to be used for park or other public recreational purposes, including the erection, improvement or repair of buildings and the acquisition of machinery for park or other public recreational purposes.
- 13.3 The money in the Cash-in-lieu – Parkland Account may be invested in securities in which the City is permitted to invest under the Municipal Act 2001, and the earnings derived from the investment of the money shall be paid into the Cash-in-lieu – Parkland Account, and the auditor in the auditor’s annual report shall report on the activities and status of the account.

- 13.4 The Treasurer shall maintain a record of all lands and cash-in-lieu received including all expenditures from the cash-in-lieu of parkland reserve fund and shall present this information to Council in the form of an annual financial statement which shall be made available to the public.
- 13.5 The statement required under section 13.4 shall include, for the preceding year:
- (a) Statements of the opening and closing balances of the special account and of the transactions relating to the account;
 - (b) Statements identifying:
 - i. Any land or machinery acquired during the year with funds from the special account;
 - ii. Any building erected, improved or repaired during the year with funds from the special account;
 - iii. Details of the amounts spent; and
 - iv. For each asset mentioned in subclauses i and ii, the manner in which any capital cost not funded from the special account was or will be funded; and
 - (c) Any other information that is prescribed.
- 13.6 Council may, by resolution, vary any of the requirements for parkland dedication or payment in lieu thereof set out in this By-law.
- 13.7 Should any section or part of this by-law be declared or determined by a court or tribunal of competent jurisdiction to be invalid that portion of this by-law shall be considered to be severed from the balance of this by-law, which will continue to operate in full force and effect.

READ A FIRST TIME IN OPEN COUNCIL, THIS XTH DAY OF month, 201x.

Guy Desjardins, Mayor

Monique Ouellet, Clerk

READ A SECOND TIME IN OPEN COUNCIL, THIS XRD DAY OF MONTH

201X.

Guy Desjardins, Mayor

Monique Ouellet, Clerk

**READ A THIRD TIME AND PASSED IN OPEN COUNCIL, THIS Xrd DAY
OF MONTH 201X.**

Guy Desjardins, Mayor

Monique Ouellet, Clerk



REPORT N° INF2018-010 Loader landfill

Date	26/04/2018
Submitted by	Philippe Cormier
Subject	Awards for Purchase of Front-end Loader
File N°	INF2018-010

1) **NATURE/GOAL :**

The purpose of this report is to obtain Council's authority to sign a contract with Nortrax Canada Inc. for the Purchase of a new Front-end Loader.

2) **DIRECTIVE/PREVIOUS POLICY :**

N/A

3) **DEPARTMENT'S RECOMMENDATION :**

THAT the Committee of the Whole recommends that Council authorize the execution of a contract with Nortrax Canada Inc. for the Purchase of new Front-end Loader in the amount of \$175,023.00 (excluding HST);

QUE le Comité plénier recommande que le Conseil autorise la signature d'un contrat avec Nortrax Canada Inc. pour l'achat d'une Chargeuse Forestière, pour une somme de 175 023,00\$ (excluant la T.V.H.);

4) **BACKGROUND :**

Through the 2018 budget, Council approved the purchase of new Municipal Works equipment for the Waste Disposal site. An amount of \$250,000 was allocated for the replacement of a front-end loader. The current piece of equipment is a 1993 Michigan L90B with an excess of 48,000 hours logged on the Odometer. Our Asset Management plan indicates such equipment should be replaced every 20years. Currently, the front-end loader is on its 25th year of service.

Staff estimates that there is more than \$65,000 in repairs and upgrades required to meet operational and safety standards. The manufacturer does not recommend these mechanical upgrades due to the age of the equipment. The next major mechanical failure on this loader will render it unsafe for use and will be forced out of commission. In addition, repair costs have increased significantly in the last 2 years due to mechanical failure. The following are costs incurred for repairs in the last 2 years:

- In 2017 the existing loader was out-of-service for more than 8 weeks.

- The department has spent more than \$20,000 in basic repairs.
- Rental of equipment costs in excess of \$3,000.

5) **DISCUSSION :**

On February 20th, 2018 the Department opened tenders for the purchase of a replacement Front-end Loader. Tender F18-INF-2018-009 received the following six (6) submissions, priced as follows:

Font-end Loader Purchase Submissions	
Contractor	Price Submitted (excluding HST)
Nortrax Canada Inc.	\$144,444
Bobcat de Gatineau	\$158,800
J.R. Brisson Equipment	\$159,350
Toromont Cat	\$179,977
J.R. Brisson Equipment	\$189,994
Wajax Equipment	\$191,635

Nortrax Canada Inc. submitted the lowest bid with a bid price of \$144,444 for a 2015 John Deere 444k with 752hrs logged on the odometer.

The City had included provisional bid items such as 5yr/4,000hr maintenance programs and foam filled tires. Both bid prices were deemed fair and competitive. Nortrax's submission was evaluated and found to be in conformity to RFP F18-INF-2018-009.

The Department, therefore, recommends that the City retains the services of Nortrax Canada Inc. for the purchase of the replacement front-end loader.

6) **CONSULTATION:**
N/A

7) **RECOMMENDATIONS OR COMMENTS FROM COMMITTEE/ OTHER DEPARTMENTS :**

8) N/A

9) **FINANCIAL IMPACT (expenses/material/etc.) :**

The 2018 Capital Budget allocated \$250,000 to undertake the purchase of a replacement front-end loader. The contract is recommended to be awarded to the lowest compliant bid, namely Nortrax Canada Inc..

Front-end Loader Purchase	
Budget account 2-4-9523-9921:	\$250,000.00
Items	Amount
2015 John Deere 444k Front-end Loader	\$144,444.00
Maintenance Programme - 5yr/4,000hr	\$22,079.00
Foam filled tires	\$8,500.00
Total Contact Costs (excluding HST)	\$175,023.00
HST (1.8%)	\$3,150.41
Total Contract Costs (including HST)	\$178,173.41
Budget Savings	\$71,826.59

10) **LEGAL IMPLICATIONS :**
N/A

11) **RISK MANAGEMENT:**
Implementation of this purchase will demonstrate the municipality's commitment to providing effective equipment by eliminating the risk of accident and reinforcing the work place safety act.

12) **STRATEGIC IMPLICATIONS:**
The purchase of a replacement front-end loader is consistent with the objectives of our asset management plan strategies for fleet and equipment rehabilitation needs to existing city infrastructure.

13) **SUPPORTING DOCUMENTS:**
By-Law 2018-
Award letter

CORPORATION OF THE CITY OF CLARENCE-ROCKLAND

BY-LAW NO. 2018-

BEING A BY-LAW TO AUTHORIZE THE CORPORATION OF THE CITY OF CLARENCE-ROCKLAND TO AWARD A CONTRACT TO NORTRAX INC.

WHEREAS Sections 8, 9, and 11 of the Municipal Act, 2001, S.O. 2001, Chapter 25 and amendments thereto provides that every municipal Corporation may pass by-laws for the purpose of governing its affairs as it considers appropriate;

WHEREAS the Council of the Corporation of the City of Clarence-Rockland deems it expedient to award a contract with Nortrax inc for an amount of 175 023\$ excluding HST for the purchase of a loader.

NOW THEREFORE, the Council of the Corporation of the City of Clarence-Rockland enacts as follows:

- 1. THAT** Municipal council authorizes the Mayor and the Clerk to sign an agreement with Nortrax inc for an amount of 175 023\$ excluding HST for the purchase of a loader;
- 2. THAT** the agreement be in the form hereto annexed and marked as Schedule "A" to this by-law;
- 3. THAT** this by-law shall come into force on the day of its adoption.

READ, PASSED AND ADOPTED BY COUNCIL THIS ____ DAY OF _____ 2018.

GUY DESJARDINS, MAYOR

MONIQUE OUELLET, CLERK



**CORPORATION
de la Cité de/ of the City of
CLARENCE-ROCKLAND**

Award Letter

Nortrax Inc.
190 David Manchester Rd
Ottawa, ON
K0A 1L0

May 07, 2018

Attention: Mr. Ron Hamelin

SUBJECT: Notice of Award: F18-INF-2018-009 (Loader)

We thank you for your Tender submitted on March 13, 2018 and the subsequent discussions in connection with the above contract. I have been duly authorized by the City of Clarence-Rockland (hereafter referred to as the City), to award to you the contract for the captioned works.

The price for the Works shall be in the amount of \$175,023.00 Canadian dollars excluding taxes. The price is deemed to include the cost of all works necessary for the timely and satisfactory completion of the works in their entirety.

The following letters and documents shall constitute integral parts of the contract hereby Awarded;

- Request for Tender Document dated, February 20, 2018
- Addendum #1 dated February 28, 2018
- Addendum #2 dated March 12, 2018
- Contractor Tender Response, dated March 13, 2018

When all of the Works are properly completed or when each stage of the work described is properly completed, the Contractor shall give the City an invoice for the amount due. The works or each stage of works shall be considered as being properly completed only when they are free from obvious defects.

**THE CORPORATION OF THE CITY OF
CLARENCE ROCKLAND**

Per: _____

Guy Desjardins – Mayor

Date: _____

Per: _____

Monique Ouellet –Clerk

Date: _____

We have authority to bind the Corporation

Please signify your acceptance of the terms and conditions of this award by signing and returning a duplicate copy to us immediately. The original of this Letter of Award is for your retention.

Signed for and on behalf of:

_____ Signature

_____ Print Name (Director/Authorized Signatory*)

_____ (date) _____ (place of signing)



REPORT N° INF2018-025 Purchase 1 Ton Truck

Date	16/04/2018
Submitted by	Yves Rousselle
Subject	Purchase 1 Ton Truck
File N°	V01 2018 1 Ton Truck

1) **NATURE/GOAL :**

The purpose of this report is to obtain Council's authority to sign a contract with Donnelly Automotive Group for the purchase of a one (1) Ton Truck complete with dump box.

2) **DIRECTIVE/PREVIOUS POLICY :**

N/A

3) **DEPARTMENT'S RECOMMENDATION :**

THAT the Committee of the Whole recommends that Council adopts a By-Law to authorize the Mayor and the Clerk to sign a contract with Donnelly Automotive Group for the purchase of a one (1) Ton Truck complete with dump box for the sum of \$53,371.00 excluding H.S.T.

QUE le Comité plénier recommande au Conseil d'adopter un règlement pour autoriser le Maire et la Greffière à octroyer un contrat à Donnelly Automotive Group pour l'achat d'un camion une (1) tonne avec benne pour la somme de 53 371.00\$ excluant la T.V.H.

4) **BACKGROUND :**

Through the 2018 budget, Council approved the purchase of new municipal truck for the Public Works division. An amount of \$65,000 was allocated for the replacement of a 1 Ton Truck. The current piece of equipment is a 2006 Ford one (1) Ton truck with dump box with an excess of 211380 km logged on the Odometer. Our Asset Management plan indicates such equipment should be replaced every 7 years. Currently, the one (1) Ton truck is on its 12th year of service.

This existing truck and dump box requires a lot of maintenance. The down time of the unit causes delays in our work schedule. By replacing the 2006 unit, the department will be more efficient in completing the scheduled works on time.

This is a multi-use truck. It is primarily used to tow the cold mix asphalt trailer for road repairs (pot holes) and to tow other heavy trailers such as the water repair trailer and the wood chipper.

5) **DISCUSSION :**

The tender documents were published on Merx and on the City's website on January 14, 2018. Tenders for the one (1) Ton Truck with dump box were opened on March 1st, 2018. The following two (2) submissions were received with the followings bids:

	Contractor	Price Submitted (excl. HST)
1	Donnelly Automotive Group	\$53 371.00
2	Rockland Ford Sales Ltd.	\$54 317.00

Donnelly Automotive Group submitted the lowest bid with a bid of \$53,371. There were no irregularities with the two (2) bids received. The Department, therefore, recommends that the City retains the services of Donnelly Automotive Group for the purchase of the one (1) Ton truck with dump box.

6) **CONSULTATION:**
N/A

7) **RECOMMENDATIONS OR COMMENTS FROM COMMITTEE/ OTHER DEPARTMENTS :**
N/A

8) **FINANCIAL IMPACT (expenses/material/etc.):**

The 2018 Capital Budget allocated \$65,000 to undertake the purchase of a replacement (1) Ton Truck with dump box. The contract is recommended to be awarded to the lowest compliant bid, namely Donnelly Automotive Group.

One (1) Ton truck c/w dump box Purchase	
Budget account 2-4-3140-9032:	\$65,000.00
Items	Amount
2018 Ford Crew Cab one (1) Ton truck c/w dump box.	\$53 371.00

Total Contact Costs (excluding HST)	\$53 371.00
HST (1.8%)	\$960.68
Total Contract Costs (including HST)	\$54,331.68
Budget Savings	\$10,668.32

9) LEGAL IMPLICATIONS :
N/A

10) **RISK MANAGEMENT :**

Implementation of this purchase will demonstrate the municipality's commitment to providing effective equipment by eliminating the risk of accident and reinforcing the work place safety act.

11) **STRATEGIC IMPLICATIONS :**

The purchase of a replacement of the one (1) Ton truck is consistent with the objectives of our asset management plan strategies for fleet and equipment rehabilitation needs to existing city infrastructure.

12) **SUPPORTING DOCUMENTS:**

Award letter to Donnelly Automotive Group
Proposed By-Law

CORPORATION OF THE CITY OF CLARENCE-ROCKLAND

BY-LAW NO. 2018-XX

BEING A BY-LAW TO AUTHORIZE THE CORPORATION OF THE CITY OF CLARENCE-ROCKLAND TO AWARD A CONTRACT TO DONNELLY AUTOMOTIVE GROUP.

WHEREAS Sections 8, 9, and 11 of the Municipal Act, 2001, S.O. 2001, Chapter 25 and amendments thereto provides that every municipal Corporation may pass by-laws for the purpose of governing its affairs as it considers appropriate;

WHEREAS the Council of the Corporation of the City of Clarence-Rockland deems it expedient to award a contract to **Donnelly Automotive Group for \$53,371.00**.

NOW THEREFORE, the Council of the Corporation of the City of Clarence-Rockland enacts as follows:

- 1. THAT** Municipal Council authorizes the Mayor and the Clerk to award a contract to **Donnelly Automotive Group for \$53,371.00** for the purchase of a One (1) Ton Truck with dump box;
- 2. THAT** this by-law shall come into force on the day of its adoption.

READ, PASSED AND ADOPTED BY COUNCIL THIS 23 DAY OF MAI, 2018.

GUY DESJARDINS, MAYOR

MONIQUE OUELLET, CLERK



**CORPORATION
de la Cité de/ of the City of
CLARENCE-ROCKLAND**

Award Letter

Donnelly Automotive Group
2496 Bank St
Ottawa, ON
K1V 0W8

April 16, 2018

Attention: Mr. Jamie Falle

SUBJECT: Notice of Award: F18-QT-2018-006 (Truck)

We thank you for your Tender submitted on March 01, 2018 and the subsequent discussions in connection with the above contract. I have been duly authorized by the City of Clarence-Rockland (hereafter referred to as the City), to award to you the contract for the captioned works.

The price for the Works shall be in the amount of \$53,371.00 Canadian dollars excluding taxes. The price is deemed to include the cost of all works necessary for the timely and satisfactory completion of the works in their entirety.

The following letters and documents shall constitute integral parts of the contract hereby Awarded;

- Request for Tender Document dated, January 14, 2018
- Contractor Tender Response, dated March 01, 2018

When all of the Works are properly completed or when each stage of the work described is properly completed, the Contractor shall give the City an invoice for the amount due. The works or each stage of works shall be considered as being properly completed only when they are free from obvious defects.

**THE CORPORATION OF THE CITY OF
CLARENCE ROCKLAND**

Per: _____

Guy Desjardins – Mayor

Date: _____

Per: _____

Monique Ouellet –Clerk

Date: _____

We have authority to bind the Corporation

Please signify your acceptance of the terms and conditions of this award by signing and returning a duplicate copy to us immediately. The original of this Letter of Award is for your retention.

Signed for and on behalf of:

_____ Signature

_____ Print Name (Director/Authorized Signatory*)

_____ (date) _____ (place of signing)



RAPPORT N°INF2018-013 Octroi construction chemin Lacasse et remplacement d'un ponceau

Date	07/05/2018
Soumis par	Richard Campeau
Objet	Octroi construction chemin Lacasse et remplacement d'un ponceau
# du dossier	T04-LAC

1) **NATURE / OBJECTIF :**

L'objectif de ce rapport est d'autoriser le département d'infrastructures et aménagement du territoire à mettre en place le processus de signature du contrat avec **Arnco Construction and Excavation division of 1351150 Ontario Inc.** afin qu'il puisse procéder avec les travaux de stabilisation de talus ainsi que le remplacement d'un ponceau sur le chemin Lacasse.

2) **DIRECTIVE/POLITIQUE ANTÉCÉDENTE :**

By-Law 2017-115, dated September 6th, 2017. This by-law was approved by Council to authorize the use of \$20,000 from the maintenance and reconstruction of roads reserve fund for the preliminary engineering work required for Lacasse road.

3) **RECOMMANDATION DU SERVICE:**

QUE le Comité plénier recommande au Conseil d'adopter un règlement pour autoriser le Maire et la greffière à signer un contrat avec Arnco Construction and Excavation division of 1351150 Ontario Inc. pour effectuer les travaux de stabilisation du talus ainsi que le remplacement d'un ponceau sur le chemin Lacasse, pour une somme de 541 002 \$ excluant la T.V.H. ; et

QUE le Comité plénier recommande au Conseil d'autoriser de déroger de la politique d'approvisionnement afin d'autoriser le Maire et la greffière à signer un contrat de 70 329\$ excluant la T.V.H. avec la firme d'ingénieur Stantec pour l'administration et la supervision des travaux de construction.

THAT Committee of the Whole recommends that Council adopts a by-Law to authorize the Mayor and the City Clerk to sign a contract with Arnco Construction and Excavation division of 1351150 Ontario Inc. for the slope stability work and culvert road crossing on Lacasse Road, for an amount of \$541,002 excluding HST; and

THAT Committee of the Whole recommends that Council authorizes to

make an exception to the procurement policy in order to authorize the Mayor and the City Clerk to sign a contract with Stantec for the administration and supervision during the construction on Lacasse road, for the amount of \$70,329 excluding HST.

4) **HISTORIQUE :**

En avril 2017 un glissement de terrain a été observé à ±1.5km au nord du chemin Vinette, la firme d'ingénieur Stantec a été mandatée pour une étude et la préparation de plans et devis pour la réhabilitation et stabilisation du talus.

Le remplacement du ponceau a été incorporé dans ce projet et est en lien avec l'objectif du plan de travail pour la mise en œuvre de la phase 1 de la gestion des actifs du plan de dix (10) ans des projets capitaux.

5) **DISCUSSION:**

Le département a publié un appel d'offres sur les sites internet Merx et de la Cité. Cet appel d'offres s'est terminé le 17 avril 2018, et nous avons reçu huit (8) soumissions. Les soumissionnaires et leurs offres financières sont les suivants:

ENTREPRENEURS	PRIX DE SOUMISSION (excl. TVH)
Arncos Construction	541 002,00\$
Normand Excavation	542 555,00\$
STP Excavation	549 754,35\$
A.L. Blair	558 336,75\$
WH MacSweyn Inc.	671 500,00\$
Synex	673 007,01\$
Goldie Mohr Ltd.	709 000,00\$
Dalcon	777 000,00\$
Landrock	885 710,00\$

La compagnie Arncos Construction and Excavation division of 1351150 Ontario Inc. a soumis la plus basse soumission avec un prix de 541 002,00\$ (excl. la TVH). Après vérification, le département d'infrastructures et aménagement du territoire confirme que la soumission est conforme aux exigences demandé et recommande d'octroyer le contrat à Construction and Excavation division of 1351150 Ontario Inc.

Résumé des coûts:

Les deux (2) projets, stabilisation du talus et remplacement d'un ponceau sur le chemin Lacasse ont été incorporé dans la même soumissions étant donné la proximité des deux (2) projets (approx. 700m) ainsi que d'obtenir des meilleurs prix et maximiser les efforts du département.

Les dépenses détaillées encourues et prévues, suite au processus d'appel d'offre, sont présentées dans les tableaux ci-dessous.

Budget 2018

Comptes:	
2-4-3200-9075 Stabilisation du talus	700 000\$
2-4-3240-9075 Remplacement de ponceau	<u>285 000\$</u>
Budget Total	985 000\$
Items	Coûts
Dépenses commises/déjà encourues	73 236\$
Prix du contrat de construction (excl. TVH)	
Stabilisation du talus	259 010\$
Remplacement du ponceau	281 992\$
Administration et supervision (excl. TVH)	
Stabilisation du talus (admin et supervision)	45 284\$
Remplacement du ponceau (supervision)	25 045\$
Impact de la TVH sur le contrat (1.8%)	10 760\$
Coût total	<u>695 327\$</u>
Balance / Déficit	289 673\$

Une contingence de contrat de 10% est considérée pour ce projet.

6) **CONSULTATION :**
S/O

7) **RECOMMANDATION OU COMMENTAIRES DU COMITÉ :**
S/O

8) **IMPACT FINANCIER (monétaire/matériaux/etc.):**
Le budget de 2018 a approuvé la source de financement suivante pour ce projet:

- 700 000\$ Financement par la dette
- 285 000\$ Federal Gas Tax (FGT)

9) **IMPLICATIONS LÉGALES :**
S/O

10) **GESTION DU RISQUE (RISK MANAGEMENT) :**

- **Stabilisation du talus**

Étant donné que le chemin Lacasse est fermé par mesure préventives depuis le mois d'avril 2017 due à un effondrement du talus sur le côté est du chemin, il est essentiel d'effectuer des travaux correctif afin d'être en mesure de rouvrir le chemin et d'éliminer les risques que le chemin s'effondre en entier.

- Remplacement du ponceaux servira à minimiser le risque d'érosion ou de dommage aux chemins dans le futur ainsi qu'éliminer le risque que le ponceau s'affaissent.

11) **IMPLICATIONS STRATÉGIQUES :**
S/O

12) **DOCUMENTS D'APPUI:**

- Règlement #2018-XX (Route et ponceau)
- Règlement #2018-XX (Administration et supervision)
- Lettres d'octroi



**CORPORATION
de la Cité de/ of the City of
CLARENCE-ROCKLAND**

Award Letter

Arnco Construction and Excavation
57 Main St. West/Box 34,
Hawkesbury, ON
K6A 2R4

April 20, 2018

Attention: Mr. Thomas Arnold

SUBJECT: Notice of Award: F18-INF-2018-001 (Lacasse Road Slope)

We thank you for your Tender submitted on April 17, 2018 and the subsequent discussions in connection with the above contract. I have been duly authorized by the City of Clarence-Rockland (hereafter referred to as the City), to award to you the contract for the captioned works.

The price for the Works shall be in the amount of \$541,002.00 Canadian dollars excluding taxes. The price is deemed to include the cost of all works necessary for the timely and satisfactory completion of the works in their entirety.

The following letters and documents shall constitute integral parts of the contract hereby Awarded;

- Request for Tender Document dated, March 16, 2018
- Addendum #1, dated March 28, 2018
- Addendum #2, dated March 29, 2018
- Addendum #3, dated April 05, 2018
- Addendum #4, dated April 11, 2018
- Contractor Tender Response, dated April 17, 2018

When all of the Works are properly completed or when each stage of the work described is properly completed, the Contractor shall give the City an invoice for the amount due. The works or each stage of works shall be considered as being properly completed only when they are free from obvious defects.

**THE CORPORATION OF THE CITY OF
CLARENCE ROCKLAND**

Per: _____

Guy Desjardins – Mayor

Date: _____

Per: _____

Monique Ouellet –Clerk

Date: _____

We have authority to bind the Corporation

Please signify your acceptance of the terms and conditions of this award by signing and returning a duplicate copy to us immediately. The original of this Letter of Award is for your retention.

Signed for and on behalf of:

_____ Signature

_____ Print Name (Director/Authorized Signatory*)

_____ (date) _____ (place of signing)

CORPORATION OF THE CITY OF CLARENCE-ROCKLAND

BY-LAW NO. 2018-

BEING A BY-LAW TO AUTHORIZE THE CORPORATION OF THE CITY OF CLARENCE-ROCKLAND TO AWARD A CONTRACT TO ARNCO CONSTRUCTION AND EXCAVATION DIVISION OF 1351150 ONTARIO INC.

WHEREAS Sections 8, 9, and 11 of the Municipal Act, 2001, S.O. 2001, Chapter 25 and amendments thereto provides that every municipal Corporation may pass by-laws for the purpose of governing its affairs as it considers appropriate;

WHEREAS the Council of the Corporation of the City of Clarence-Rockland deems it expedient to award a contract to Arnco Construction and Excavation division of 1351150 Ontario Inc for the rehabilitation and slope stability on also a road crossing culvert replacement on Lacasse Road, in the amount of \$541,002 excluding HST.

NOW THEREFORE, the Council of the Corporation of the City of Clarence-Rockland enacts as follows:

- 1. THAT** Municipal council authorizes the Mayor and the Clerk to sign an agreement with to Arnco Construction and Excavation division of 1351150 Ontario Inc for the rehabilitation and slope stability on also a road crossing culvert replacement on Lacasse Road;
- 2. THAT** the agreement be in the form hereto annexed and marked as Schedule "A" to this by-law;
- 3. THAT** this by-law shall come into force on the day of its adoption.

READ, PASSED AND ADOPTED BY COUNCIL THIS 23 DAY OF MAY 2018.

GUY DESJARDINS, MAYOR

MONIQUE OUELLET, CLERK

CORPORATION OF THE CITY OF CLARENCE-ROCKLAND

BY-LAW NO. 2018-

BEING A BY-LAW TO AUTHORIZE THE CORPORATION OF THE CITY OF CLARENCE-ROCKLAND TO AWARD A CONTRACT TO STANTEC.

WHEREAS Sections 8, 9, and 11 of the Municipal Act, 2001, S.O. 2001, Chapter 25 and amendments thereto provides that every municipal Corporation may pass by-laws for the purpose of governing its affairs as it considers appropriate;

WHEREAS the Council of the Corporation of the City of Clarence-Rockland deems it expedient to award a contract to Stantec for administration and supervision during the construction for the rehabilitation and slope stability work along with a road crossing culvert replacement on Lacasse Road for the amount of \$70,329 excluding HST.

NOW THEREFORE, the Council of the Corporation of the City of Clarence-Rockland enacts as follows:

- 1. THAT** Municipal council authorizes the Mayor and the Clerk to sign an agreement with Stantec for the administration and supervision during the construction for the rehabilitation and slope stability work along with a road crossing culvert replacement on Lacasse Road;
- 2. THAT** the agreement be in the form hereto annexed and marked as Schedule "A" to this by-law;
- 3. THAT** this by-law shall come into force on the day of its adoption.

READ, PASSED AND ADOPTED BY COUNCIL THIS 23rd DAY OF MAY 2018.

GUY DESJARDINS, MAYOR

MONIQUE OUELLET, CLERK



RAPPORT N° LOI2018-05-02

Date	23/04/2018
Soumis par	Martin Irwin
Objet	Subvention – Programme de développement économique des collectivités rurales
# du dossier	F11-RUR

1) **NATURE / OBJECTIF :**

L'objectif de ce rapport est de recommander que le conseil municipal approuve la signature d'une entente de contribution avec le Gouvernement de l'Ontario par l'entremise du Programme de développement économique des collectivités rurales (DECOR) pour l'élaboration de plans concepts et spécifications pour l'adaptation de l'Aréna Jean-Marc Lalonde.

2) **DIRECTIVE/POLITIQUE ANTÉCÉDENTE :**

En septembre 2017, le conseil municipal a adopté une résolution mandant les Services communautaires d'évaluer les coûts reliés à l'élaboration de plans concepts et de spécifications pour l'adaptation de l'Aréna Jean-Marc Lalonde.

3) **RECOMMANDATION DU SERVICE:**

ATTENDU QUE les Services communautaires ont fait une demande de subvention au Programme de développement économique des collectivités rurales (DECOR) du Ministère de l'Agriculture, de l'Alimentation et des Affaires rurales de l'Ontario et que le projet identifié dans la demande a été approuvé pour un montant de 55,000 \$.

QU'IL SOIT RÉSOLU que le conseil municipal adopte un Règlement autorisant le Maire et la greffière à signer l'entente entre la Cité de Clarence-Rockland et la Province de l'Ontario.

QU'IL SOIT RÉSOLU que le conseil municipal s'engage à défrayer 50% des coûts reliés au projet identifié dans l'entente ; tel que recommandé.

WHEREAS Community Services applied for a grant from Ontario's Rural Economic Development (RED) program through Ontario's Ministry of Agriculture, Food and Rural Affairs and the project identified in the application was approved for an amount of \$ 55,000.

BE IT RESOLVED that Council adopts a By-law authorizing the Mayor and the City Clerk to sign the agreement between the City of Clarence-Rockland and the Province of Ontario.

BE IT RESOLVED that Council commits itself to pay 50% of the costs related to the project identified in the agreement; as recommended.

4) **HISTORIQUE :**

Le Ministère de l'Agriculture, de l'Alimentation et des Affaires rurales de l'Ontario a annoncé à l'automne 2017 qu'il lançait le Programme de développement économique des collectivités rurales (DECOR) afin de financer des projets qui stimulent la croissance économique dans les collectivités autochtones et rurales de l'Ontario.

Les demandeurs peuvent obtenir jusqu'à 50 % des coûts du projet jusqu'à un maximum de 100,000 \$. Le programme finance des activités qui contribuent à la croissance de l'économie locale et qui éliminent des obstacles au développement économique.

Les Services communautaires ont déposé une demande en décembre 2017. Le 13 avril 2018, la Cité de Clarence-Rockland a reçu une confirmation que la demande fût accepté. La Cité recevra donc 55,000 \$ pour le développement de plans et devis du projet de réaménagement de l'Aréna Jean-Marc Lalonde.

5) **DISCUSSION :**

N/A

6) **CONSULTATION :**

N/A

7) **RECOMMANDATION OU COMMENTAIRES DU COMITÉ :**

N/A

8) **IMPACT FINANCIER (monétaire/matériaux/etc.):**

Le conseil municipal a approuvé \$ 110,000 aux projets capitaux des Services communautaires pour le développement des plans concepts et des spécifications pour le projet de réaménagement de l'Aréna Jean-Marc Lalonde.

9) **IMPLICATIONS LÉGALES :**

N/A

10) **GESTION DU RISQUE (RISK MANAGEMENT) :**

N/A

11) **IMPLICATIONS STRATÉGIQUES :**
N/A

12) **DOCUMENTS D'APPUI:**

1- RED-Council resolution.pdf

2- LetterforFile RED4-08243.pdf



CORPORATION OF THE CITY OF
CLARENCE-ROCKLAND
REGULAR MEETING

RESOLUTION

Resolution:

Title: Resolution to give a mandate to staff in regards to the assessment of the suitability of buildings - Jean-Marc Lalonde Arena / Community Services Garage

Date: September 6, 2017

Moved by Mario Zanth
Seconded by Krysta Simard

BE IT RESOLVED THAT Council hereby mandates the Director of Community Services to proceed with the evaluation of the costs related to the concept plans and specifications of the adaptation of the project of the Jean-Marc Lalonde arena as presented in the report LOI2017-08-05 in order to include the project during the budgetary discussions, as recommended.

CARRIED

Monique Guellet, Clerk



4th Floor
1 Stone Road West
Guelph, Ontario N1G 4Y2
Tel: 1-877-424-1300
Fax: 519-826-3398

4^e étage
1 Stone Road West
Guelph (Ontario) N1G 4Y2
Tél.: 1-877-424-1300
Télééc.: 519-826-3398

Rural Programs Branch

April 12, 2018

File Number: RED4-08243

Jean-Luc Jubinville, Manager
The Corporation of the City of Clarence-Rockland
1072 Rue Landry
Clarence Creek, ON K0A 1N0

Dear Jean-Luc Jubinville:

I am pleased to inform you that your project “**Jean-Marc Lalonde Arena Development**” has been conditionally approved. The Rural Economic Development (RED) program will provide funding at **fifty per cent (50%)** of your total eligible project costs up to the amount of **\$ 55,000.00**. This is subject to the execution of a Contribution Agreement between the recipient(s) and the Ontario Ministry of Agriculture, Food and Rural Affairs.

Please note that your conditionally approved funding must be kept confidential until an announcement is scheduled by the Ministry. Note that only eligible costs incurred after the project has been approved will be funded. **Your approval date is April 6, 2018.**

Prior to finalizing the Contribution Agreement, additional information is required. Please review tables 1 to 4 to confirm the accuracy of the information. Please submit the information requested below by **Thursday, April 19, 2018** or your conditional approval may be withdrawn.

Table #1 lists cost items associated with your project that were deemed eligible following the review of your Application. However, any of these costs that were incurred prior to **April 6, 2018** will be deemed ineligible for funding.

Please advise if your project has incurred any costs prior to the approval date of April 6, 2018. Yes No

Table #1

Eligible Cost Items	
Plans and specifications	
Total Eligible Costs	\$ 110,000.00

Note: Total Eligible Costs cannot be increased.



Please confirm your **project completion date** set out in Table #2 below and advise of any adjustments that may be required.

Table #2

	Project Start Date	Project Completion Date
Project Timeline NOTE: Costs incurred prior to April 6, 2018 will not be eligible for reimbursement	04/06/2018	12/31/2018
Updated (if adjustment required)		

Please confirm the total eligible costs by funding quarters and year(s) for your project as set out in Table #3. Please note, an expense is incurred once the goods or services have been received, regardless of when payments are made.

You may request to move or reduce expenditures due to a later project start date at this time; however, your request will require Ministry approval. After the Contribution Agreement is executed, there may be no flexibility to move funding between funding years.

Table #3

Total Eligible Costs by Funding Year(s)						
	Funding Year	Quarter 1 (Apr - Jun)	Quarter 2 (Jul - Sep)	Quarter 3 (Oct - Dec)	Quarter 4 (Jan -Mar)	Funding Year Total
2018/19	As per Application	\$ 25,000.00	\$ 25,000.00	\$ 60,000.00	\$.00	\$ 110,000.00
	Updated (if required)					
2019/20	As per Application	\$.00	\$.00	\$.00	\$.00	\$.00
	Updated (if required)					
	TOTAL					\$ 110,000.00

Note: Total Eligible Costs in Table #3 should equal Total Eligible Costs in Table #1 and Table #4.

Please confirm the details set out in Table #4 (Sources of Funds) and advise of any adjustments that may be required. (Note: RED funding requested cannot be increased and must match or be lesser than the funding approved. Total Eligible Costs cannot be increased).

Table #4

Sources of Funds	Amount
RED Funding	\$ 55,000.00
The Corporation of the City of Clarence-Rockland	\$ 55,000.00
TOTAL	\$ 110,000.00

Please confirm the full legal name of your organization or municipality and the names and titles of the official signatories for the Contribution Agreement. It is important that the information is accurate (including the spelling of the legal name and signatories).

Legal name:

The Corporation of the City of Clarence-Rockland

Signatory 1

Name:

Title:

Signatory 2

Name:

Title:

The RED program delivers on several Ontario government priorities, one being job creation. We ask that you report any employment opportunities that you will be able to retain or create as a result of this project. Please include temporary positions (construction, seasonal/summer jobs), part-time (approximately 20 hours per week), permanent on-going, and employee retention. Please use the table below for forecasting.

Category	Temporary	Part-Time	Permanent
Jobs created			
Jobs retained			

Please note that as per the RED Program Guidelines, requirements of successful applicants are laid out below for your information:

- Applicants and co-applicants (if applicable) for approved projects are required to sign the Contribution Agreement with the Province of Ontario. In the event of an error, omission or inconsistency between the RED Program Guidelines, the application and the Contribution Agreement, the Contribution Agreement will supersede and prevail.
- All parties signing a Contribution Agreement with the Province of Ontario are required to have comprehensive general liability insurance with coverage for at least \$2 million per occurrence for the term of the Contribution Agreement. This insurance must show the Province (Her Majesty the Queen in right of Ontario) as an additional insured party on the policy, provide a right of “first call” over other persons and contain the endorsements specified by the Contribution Agreement. This is required throughout the term of the Contribution Agreement. A Certificate of Insurance must be submitted to the Ministry prior to the signing of the Contribution Agreement. Note: a “sample” Certificate of Insurance has been included for reference purposes.
- The person(s) signing the Contribution Agreement must also provide the appropriate documents indicating they have the authority to be bound. For example: municipalities and Indigenous communities must submit a municipal by-law or Band Council Resolution, authorizing the municipality or the band to enter into the Contribution Agreement with the Province of Ontario. Moreover, incorporated entities must provide proof of current status and constituting documents (e.g. Articles of Incorporation or Letters Patent) which state the full and proper name of the organization as well as the authorized signatories.

Please return this letter with confirmed and/or updated information by **April 19, 2018** by email, fax or mail to:

- Email: RED@ontario.ca, or
- Fax: 519-826-3398, or
- Mail:
Leah Landriault-Relf – Program Coordinator
Rural Programs Branch
Ontario Ministry of Agriculture, Food and Rural Affairs
1 Stone Road West, 4th Floor
Guelph, ON N1G 4Y2

Upon confirmation of the information in this conditional approval letter, the Ministry will forward the Contribution Agreement for your review and signature(s). Further details will be provided at that time regarding the claims process and other reporting requirements.

Should you have any questions or require additional information, please do not hesitate to contact your project analyst, Elise Senkerik, at Elise.Senkerik@ontario.ca or at (519) 826-3238.

Congratulations on the conditional approval of your RED project.

Sincerely,



Andrea Ruskova, Manager (A)
Business and Rural Investment Programs

Attachment: Sample of Certificate of Insurance



RAPPORT N°INF2018-007 Octroyer contrat pour plan maitre des eaux pluviales

Date	07/05/2018
Soumis par	Richard Campeau
Objet	Octroi contrat pour plan maitre des eaux pluviales
# du dossier	E02-SMP

1) **NATURE / OBJECTIF:**

L'objectif de ce rapport est d'autoriser le département d'infrastructures et aménagement du territoire à mettre en place le processus de signature de contrat avec **WSP Group** afin qu'ils puissent procéder avec l'étude du plan maitre des eaux pluviales de Rockland comme spécifier dans l'appel d'offre F18-INF-2018-003.

2) **DIRECTIVE/POLITIQUE ANTÉCÉDENTE :**

S/O

3) **RECOMMANDATION DU SERVICE:**

QUE le Comité plénier recommande au Conseil d'adopter un règlement pour autoriser le Maire et la greffière à signer un contrat avec **WSP Group** pour l'exécution du plan maitre des eaux pluviales de Rockland au montant de 190 843\$, excluant la T.V.H.; et

QUE le Comité plénier recommande au Conseil d'autoriser le département d'infrastructures et aménagement du territoire de gérer les items provisionnels pour la valeur d'un montant maximum de 40 000 \$.

THAT the Committee of the Whole recommends that Council approves a by-Law to authorize the Mayor and the City Clerk to sign a contract with WSP Group for the execution of the Stormwater Master Plan in the amount of \$190,843 excluding HST.; and

THAT the Committee of the Whole recommends that Council authorizes the Infrastructure and Planning Department to manage the provisional items for a maximum amount of \$40,000.

4) **HISTORIQUE:**

Le plan maitre des eaux pluviales est un document essentiel au département d'infrastructures et aménagement du territoire. En ce moment, aucun plan maitre des eaux pluvial n'existe. Ce nouveau document sera composé d'information afin de bien planifier la construction de conduites pluvial future ainsi que des outils pour apporter des améliorations opérationnelles et d'immobilisations au système des eaux pluviales existant.

Le document permettra également au département d’optimiser l’infrastructure existante afin de bien planifier et promouvoir la croissance de la zone urbaine à Rockland pour les quinze (15) prochaines années et au-delà. De plus, le document permettra à la municipalité de se conformer à règlements provinciaux.

Étant donné qu’un document de la sorte n’a jamais existé dans notre municipalité, lors du montage du document de soumission, certaines informations sur notre système d’égout pluvial existant ne pouvaient être confirmées. C’est pour cette raison que nous devons allouer un montant de 40 000 \$ afin de pouvoir valider l’information manquante et d’être en mesure de produire un bon document de travail.

Un prix (provisionnel) a été demandé dans le document de soumission afin de valider l’information manquante et les prix reçus par le plus bas soumissionnaire sont concurrentiels.

5) **DISCUSSION:**

Le 16 mars 2018, le département d’Infrastructure et aménagement du territoire a reçu six (6) propositions pour le projet de plan maitre des eaux pluviales.

Le processus utilisé pour cette compétions fut un de deux (2) enveloppes. Chaque soumission comprenait une (1) soumission technique et une deuxième financière. La soumission financière est seulement ouverte et évalué une fois l’examen technique complété et ce seulement si les consultants obtenaient une note minimale de 63 sur 90 (70%) sur leurs soumissions techniques.

Voir ci-dessous le tableau détailler pour les notes technique et financière des six (6) soumissions

Pointages:

	WSP	Tatham	JP2G	Atrel	J.L.R.	GHD
Pointage technique (90)	69.6	64.7	64.6	65.5	64.0	55.7
Prix de la soumission	190 843\$	139 860\$	197 305\$	243 825\$	249 659\$	non qual.
Pointage pour le prix (10)	7.3	10	7.1	5.7	5.6	non qual.
Pointage final	76.9	74.7	71.7	71.2	69.6	non qual.

La proposition de **WSP Group** a été validée pour la conformité et déterminée à respecter les critères de qualification. Le département

d'Infrastructure et aménagement du territoire recommande donc que la Cité retienne les services de la firme de consultants **WSP Group** pour l'exécution du plan maître des eaux pluviales.

Items provisionnel:

De plus, pendant le même processus de soumissions, le département a demandé aux soumissionnaires de fournir un taux horaire afin d'effectuer des travaux additionnel.

Voir ci-dessous le tableau détaillé pour les taux horaire fourni par les six (6) soumissionnaires.

	WSP	Tatham	JP2G	Atrel	J.L.R.	GHD
Provisional pricing. -Additional survey & inspection on manhole	125\$/ea.	500\$/ea.	600\$/ea.	100\$/ea.	445\$/ea.	non qual.
Provisional pricing. -Additional survey & inspection on manhole. Includes confined space entry	200\$/ea.	2500\$/ea.	600\$/ea.	200\$/ea.	840\$/ea.	non qual.

Étant donné que le processus compétitif a été effectué pendant la période de soumissions pour les items provisionnel, le département d'infrastructures et aménagement du territoire recommande de procéder avec une valeur maximal de 40 000\$ afin d'effectuer ces travaux.

- 6) **CONSULTATION :**
S/O
- 7) **RECOMMANDATION OU COMMENTAIRES DU COMITÉ :**
S/O
- 8) **IMPACT FINANCIER (monétaire/matériaux/etc.):**

Une somme de 400 000 \$ a été approuvée au budget Capital 2018 afin de produire un plan maître des eaux pluviales pour la zone urbaine à Rockland. Vous trouverez donc ci-dessous le résumé des coûts.

Items financiers	Montants
Compte budgétaire (Storm Master Plan): 2-4-3260-9278	400 000\$

Dépenses commises/déjà encourues; (services professionnel)	24 000\$
Prix du contrat (excl. TVH)	190 843\$
Items provisionnel (Prix unitaire dans la soumission)	40 000\$
Impact de la TVH sur le contrat et items provisionnel (1.8%)	4 155\$
Coût total pour la Municipalité	258 998\$
Balance / Déficit	141 002\$

9) **IMPLICATIONS LÉGALES :**

S/O

10) **GESTION DU RISQUE (RISK MANAGEMENT) :**

Le document du plan maître des eaux pluviales pour la zone urbaine à Rockland permettra à fournir de l'information plus précise au consultants pour la conception des conduites pluvial future et ainsi minimiser les risques de refoulement d'égout pluvial.

11) **IMPLICATIONS STRATÉGIQUES :**

S/O

12) **DOCUMENTS D'APPUI:**

- Règlement #2018-XX
- Lettre d'octroi



**CORPORATION
de la Cité de/ of the City of
CLARENCE-ROCKLAND**

Award Letter

WSP
2611 Queensview Drive
Suite 300
Ottawa, ON
K2B 8K2

April 20, 2018

Attention: Mr. Ben Worth

SUBJECT: Notice of Award: F18-INF-2018-003 (Strom Master Plan)

We thank you for your Tender submitted on January 30, 2018 and the subsequent discussions in connection with the above contract. I have been duly authorized by the City of Clarence-Rockland (hereafter referred to as the City), to award to you the contract for the captioned works.

The price for the Works shall be in the amount of \$ \$190,843.00 Canadian dollars excluding taxes. The price is deemed to include the cost of all works necessary for the timely and satisfactory completion of the works in their entirety.

The following letters and documents shall constitute integral parts of the contract hereby Awarded;

- Request for Tender Document dated, January 30, 2018
- Addendum #1, dated February 08, 2018
- Addendum #2, dated February 13, 2018
- Contractor Tender Response, dated March 15, 2018

When all of the Works are properly completed or when each stage of the work described is properly completed, the Contractor shall give the City an invoice for the amount due. The works or each stage of works shall be considered as being properly completed only when they are free from obvious defects.

**THE CORPORATION OF THE CITY OF
CLARENCE ROCKLAND**

Per: _____

Guy Desjardins – Mayor

Date: _____

Per: _____

Monique Ouellet –Clerk

Date: _____

We have authority to bind the Corporation

Please signify your acceptance of the terms and conditions of this award by signing and returning a duplicate copy to us immediately. The original of this Letter of Award is for your retention.

Signed for and on behalf of:

_____ Signature

_____ Print Name (Director/Authorized Signatory*)

_____ (date) _____ (place of signing)

CORPORATION OF THE CITY OF CLARENCE-ROCKLAND

BY-LAW NO. 2018-

BEING A BY-LAW TO AUTHORIZE THE CORPORATION OF THE CITY OF CLARENCE-ROCKLAND TO AWARD A CONTRACT TO WSP Group.

WHEREAS Sections 8, 9, and 11 of the Municipal Act, 2001, S.O. 2001, Chapter 25 and amendments thereto provides that every municipal Corporation may pass by-laws for the purpose of governing its affairs as it considers appropriate;

WHEREAS the Council of the Corporation of the City of Clarence-Rockland deems it expedient to award a contract to WSP Group.

NOW THEREFORE, the Council of the Corporation of the City of Clarence-Rockland enacts as follows:

- 1. THAT** Municipal council authorizes the Mayor and the Clerk to sign an agreement with WSP Group for the execution of the Stormwater Master Plan in the amount of \$190,843 excluding HST;and
- 2. THAT** that the Committee of the Whole recommends that Council approves a by-Law to authorize the Infrastructure and Planning Department to manage the provisional items for a maximum amount of \$40,000.
- 3. THAT** the agreement be in the form hereto annexed and marked as Schedule "A" to this by-law;
- 4. THAT** this by-law shall come into force on the day of its adoption.

READ, PASSED AND ADOPTED BY COUNCIL THIS ____ DAY OF _____ 2018.

GUY DESJARDINS, MAYOR

MONIQUE OUELLET, CLERK



RAPPORT N° LOI-05-03-2018.

Date	Le 1er mai 2018
Soumis par	Pierre Boucher
Objet	Politique du Service de garderie (remboursement de frais de service)
# du dossier	PO5 Gar

1) **NATURE / OBJECTIF :**

Demande de remboursement des frais de garderies suite à la panne électrique due au verglas du 15 et 16 avril 2018.

2) **DIRECTIVE/POLITIQUE ANTÉCÉDENTE :**

Il n'y a aucune mention dans la politique des Comptes Clients qui concerne une interruption de service dû à la météo ou autre et à notre connaissance, nous n'avons jamais vécu une situation de cette ampleur auparavant.

3) **RECOMMANDATION DU SERVICE:**

ATTENDU QUE les Services communautaires ont reçu une demande de quatre parents demandant un remboursement de frais pour les journées de Service non rendu dû à la fermeture de garderies due au verglas de la mi-avril 2018; et

ATTENDU QUE le Service doit tenir compte des restrictions budgétaires dont le Service de Garderies doit faire face pour l'année 2018; et

ATTENDU QUE le Service recommande au conseil municipal de ne pas déroger de l'entente de Service en place; et

QU'IL SOIT RÉSOLU que le conseil municipal refuse les demandes de remboursements des frais de garde pour les journées visées par l'annulation du service de Garderies, tel que recommandé.

WHEREAS the Community Services received a request from four parents asking a reimbursement of daycare fees for the services that were not rendered due to the fact of the closing of the daycares for the ice storm of mid-April 2018; and

WHEREAS the Service must take into account the budgetary restrictions that the Daycare Services faces for the year 2018; and

WHEREAS the Service recommends to Municipal Council not to depart from the existing service agreement; and

BE IT RESOLVED that Municipal Council hereby refuses the request for the reimbursement of the daycare fees for the days that were cancelled of the daycare services, as recommended.

4) **HISTORIQUE :**

Nous avons eu une panne d'Hydro majeure du 16 au 18 avril 2018, qui a paralysé les opérations des entreprises dans plusieurs secteurs de la Cité de Clarence-Rockland. Le Service de Garderies a dû annuler les services de garde offerts dans les écoles de ½ journée à 2 jours ½, selon les secteurs affectés, afin d'assurer la sécurité et le bien-être des enfants et de son personnel.

Nous avons reçu quatre demandes de clients qui veulent l'annulation des frais de garde pour la durée de la fermeture de la garderie.

Entente de Service :

Chaque client a rempli une entente de service qui stipule :

1. B) *Le parent dont l'enfant fréquente le service de garde parascolaire devra compléter la section « PARASCOLAIRE » du formulaire d'entente de service. Le parent cochera les services qu'il réserve pour une durée de 12 mois, soit du 1^{er} juillet au 30 juin, signera l'Entente et sera lié à cette Entente, nonobstant du service qu'il utilisera pendant la durée de l'Entente.*
1. E) *Il n'y a pas d'option de service différent pour les groupes bambins et préscolaires puisque nous devons maximiser les places disponibles de 5 jours/semaine, vu les places limitées que nous avons dans les garderies.*

5) **DISCUSSION :**

Il est évident que le Service n'avait aucun contrôle sur cet évènement météorologique ni de la durée de l'interruption.

Le Service doit quand même assumer les frais opérationnels tels que; personnels (syndiquer), temps supplémentaire pour faire les appels d'annulations du service, l'administration, perte de nourritures entre autres.

6) **CONSULTATION :**

N/A

7) **RECOMMANDATION OU COMMENTAIRES DU COMITÉ :**

N/A

8) **IMPACT FINANCIER (monétaire/matériaux/etc.):**

Advenant que le conseil demande au Service de déroger de l'entente de Service en place, une somme de **13 431.06 \$** sera nécessaire afin de rembourser les parents sous entente actuelle.

L'Annexe (A) pour l'analyse des frais doit être considéré si le Conseil prend la décision de rembourser la clientèle telle que demandé.

9) **IMPLICATIONS LÉGALES :**

N/A

10) **GESTION DU RISQUE (RISK MANAGEMENT) :**

Lorsque nous considérons la demande des clients, nous devons tenir compte des restrictions budgétaires dont le Service de Garderies doit faire face pour l'année 2018.

11) **IMPLICATIONS STRATÉGIQUES :**

N/A

12) **DOCUMENTS D'APPUI:**

ANNEXE « A » - Analyse de remboursement des frais

Évaluation des fermetures des garderies pour le verglas du 16 au 18 avril 2018					
Date 30/04/18		16-17-18 /04			
Garderies		Nombre d'enfants	Taux par jour	Nombre de jours	Total de remboursement par garderie
Hammond	Bambin	8	46.9	0.5	\$ 187.60
	Préscolaire	15	45.15	0.5	\$ 338.63
AM/PM	Parascolaire	58	20	0.5	\$ 580.00
AM ou PM	Parascolaire	18	15	0.5	\$ 135.00
					\$ 1,241.23
Bourget					
AM/PM	Parascolaire	44	20	2.5	\$ 2,200.00
AM ou PM	Parascolaire	24	15	2.5	\$ 900.00
					\$ 3,100.00
St-Pascal					
AM/PM	Parascolaire	10	20	2.5	500
AM ou PM	Parascolaire	2	15	2.5	75
					\$ 575.00
Clarence Creek	Bambin	3	46.9	0.5	\$ 70.35
	Préscolaire	8	45.15	0.5	\$ 180.60
AM/PM	Parascolaire	28	20	0.5	\$ 280.00
AM ou PM	Parascolaire	24	15	0.5	\$ 180.00
					\$ 640.60
St-Patrick	Bambin	9	46.9	0.5	\$ 211.05
	Préscolaire	8	45.15	0.5	\$ 180.60
AM/PM	Parascolaire	46	20	0.5	\$ 460.00
AM ou PM	Parascolaire	11	15	0.5	\$ 82.50
					\$ 1,114.15
Carrefour	Bambin	10	46.9	1.5	\$ 703.50
	Préscolaire	30	45.15	1.5	\$ 2,031.75
AM/PM	Parascolaire	71	20	1.5	\$ 2,130.00
AM ou PM	Parascolaire	10	15	1.5	\$ 225.00
					\$ 5,090.25
Rockland Pub.					
AM/PM	Parascolaire	17	20	1.5	\$ 510.00
AM ou PM	Parascolaire	20	15	1.5	\$ 450.00
					\$ 960.00
Ste-Trinité	Bambin	14	46.9	0.5	\$ 328.30
	Préscolaire	24	45.15	0.5	\$ 541.80
AM/PM	Parascolaire	115	20	0.5	\$ 1,150.00
AM ou PM	Parascolaire	145	15	0.5	\$ 1,087.50
					\$ 4,067.60
Sous Total					\$ 16,788.83
Parents subventionnés (20 %)					\$ 3,357.77
Total des remboursements					\$ 13,431.06

0.2



Date	07/05/2018
Submitted by	Marie-Eve Bélanger and Claire Lemay
Subject	PURCHASE AND INSTALLATION OF A LEVEL 2 CHARGING STATION FOR CITY HALL
File N°	C00 – Comité Environnement

REPORT N°

INF-2018-008

1) **NATURE/GOAL :**

The purpose of this report is to approve the purchase and installation of a level 2 charging station for electric vehicles at 1560 Laurier St (Rockland City Hall).

2) **DIRECTIVE/PREVIOUS POLICY :**

N/A

3) **DEPARTMENT’S RECOMMENDATION :**

BE IT RESOLVED THAT the Committee of the Whole recommends that Council approves the purchase and installation of a level 2 charging station at City Hall in Rockland.

BE IT FURTHER RESOLVED THAT the Committee of the Whole hereby recommends that Council authorize the transfer of \$2,700 from the Building Reserve Fund to the operating budget for the purchase and installation of an electric vehicle charging station.

QU’IL SOIT RÉSOLU QUE le Comité plénier recommande au Conseil d’approuver l’achat et l’installation d’une borne de chargement de niveau 2 à l’hôtel de ville à Rockland.

QU’IL SOIT ÉGALEMENT RÉSOLU QUE le comité plénier recommande au conseil d’autoriser le transfert de 2 700\$ du fonds de réserve des bâtiments au budget d’opération 2018 afin de défrayer les coûts de l’achat et de l’installation d’une borne de chargement pour véhicule électrique.

4) **BACKGROUND :**

The Clarence-Rockland Environmental Advisory Committee brought forward the idea of having charging stations for electric vehicles as a method of promotion for residents to purchase electric vehicles. The charging station is also a great opportunity to stimulate the local

economy, as travellers that stop at local charging stations will visit local shops and restaurant while waiting for their vehicles to charge.

The location of 1560 Laurier St (City Hall) had been initially proposed by an organisation promoting the use of electric vehicles in 2015, however it was initially assessed that this location could be problematic because of the lack of a parking space available for this type of use in proximity to the building would increase costs for installation. However, the relocation of the day care in late 2017 lowered the required number of accessible parking spaces at 1560 Laurier, allowing for the possibility of a charging station to be installed on the outer wall of the City Hall building.

At the February 8th 2018 meeting, the Clarence-Rockland Environmental Advisory Committee voted to have an employee of the Infrastructure and Planning Department present a report to council analysing the purchase and installation of a level 2 charging station at City Hall.

5) **DISCUSSION :**

The use of plug-in electric vehicles has increased sharply in recent years, with sales doubling every year between 2011 and 2015. Charging infrastructures for electric vehicles (EV) consists of three possible charging stations:

- Level 1: EV is charged using a typical power outlet. Charging time to fully recharge an EV will average 12 hours and can exceed 24 hours depending on the model.
- Level 2: EV is charged using a level 2 power station, which is hardwired on a standard 220V circuit. Charging time to fully recharge an EV will average 3 hours, but can exceed 6 hours depending on the model.
- Fast Charge: EV is charged on a ChaDeMo power station using DC current. Charging time will vary between 20 minutes and 1 hour to fully recharge the vehicle.

While Level 1 and 2 charging stations can cost between a few hundred to few thousand dollars with installation, Fast Charge stations are much more expensive and the price can easily exceed \$25,000 per station.

The exact use of an EV charging station will vary significantly based on the location and number of EV owners in a given area. The City of Vancouver compiled the use of its 75 EV level 2 charging stations. The average time of use per station per day was of 4 hours and 44 minutes. The more popular stations were used in excess of 12 hours a

day, while the least popular ones were used less than 1 hour per day.

6) **CONSULTATION:**
N/A

7) **RECOMMENDATIONS OR COMMENTS FROM COMMITTEE/ OTHER DEPARTMENTS :**

The Infrastructure and Planning department recommends the installation of a level 2 charging station as a demonstration of support for the electrification of transportations. A strong commitment has been made by the federal and provincial governments to electrifying transportation systems. Occasionally, requests have been made by partners (UCPR) to plug an electric vehicle at City Hall.

The Environmental Advisory Committee recommends the installation of a level 2 charging station at the City Hall in Rockland in order to promote electric vehicle use and to promote economic development.

8) **FINANCIAL IMPACT (expenses/material/etc.):**

An estimate was obtained for the installation of a level 2 charging station in one of the parking spaces adjacent to the wall of the City Hall for \$2,246.00.

With an average use of 8kWh per day, as determined in the Vancouver study, and an electricity price of 0.11\$ per kWh, yearly operation costs are estimated at \$321 per year for electricity.

The cost for the purchase and installation of the charging station will be taken from the Building Reserve Fund, while the yearly costs in electricity will be paid by the building operations fund.

9) **LEGAL IMPLICATIONS :**
N/A

10) **RISK MANAGEMENT :**
N/A

11) **STRATEGIC IMPLICATIONS :**
Presence of a level 2 charging station at a central municipally owned location would demonstrate leadership from the City of Clarence-Rockland in the greening of transportation infrastructure.

12) **SUPPORTING DOCUMENTS:**
N/A



REPORT N° ADMIN 2018-013

Date	May 7 th , 2018
Submitted by	Helen Collier, Chief Administrative Officer
Subject	Dog By-Law Amendment
File N°	Click here to enter text.

1) **NATURE/GOAL :**

To amend the current dog by-law # 2015-180.

2) **DIRECTIVE/PREVIOUS POLICY :**

Under the City of Clarence-Rocklands current dog by-law it only permits 3 dogs per residential household and requires that all dogs including service dogs pay a license fee.

3) **DEPARTMENT'S RECOMMENDATION :**

THAT the Committee of the Whole recommends that Council consider the adoption of an amendment to the current dog by-law at its next regular meeting in order to allow 3 dogs per household plus any 'service dog' that may be clinically assigned to a person living in that household and to allow 5 service dog in training, and further allowing rescue centres to have up to 20 dogs in its care as the dogs transition to new homes.

QUE le Comité plénier recommande que le conseil considère l'adoption de l'amendement au règlement sur les chiens à la prochaine réunion régulière afin de permettre 3 chiens par résidence en plus des chiens de service assignés à une personne demeurant dans cette résidence et permettre 5 chiens de service en formation. En plus, permettre aux centres d'opérations de sauvetage jusqu'à 20 chiens à leur charge lors de la transition vers un nouveau foyer.

4) **BACKGROUND :**

A summons was issued to a ratepayer for having more than the allowed limit under the dog by-law. The person had 5 dogs; three of these dogs were prescribed service dogs for Post-Traumatic Stress Disorder (PTSD). The current City by-law 2015-180 simply states that: "No person shall keep or allow to be kept in a residential zone of the Corporation more than three (3) dogs."

To avoid this situation in the future the by-law amendment will now accommodate service dogs in the home.

Rescue centres run by volunteers are being used more across the country to avoid having to take the captured animals in to the pound followed by euthanizing after 72 hours if the animal is not claimed or a home is not found. Currently the municipality has a volunteer who performs this function without compensation. This person has saved the City many \$ in euthanizing costs. One experience can cost \$300 to \$500 per animal dependent on size.

Allowing for a designated rescue centre will allow this person to operate within the law of the by-law. The centre would need to be designated by by-law.

5) **DISCUSSION :**

The situation regarding the service dogs needs to be closely addressed because the Canadian Charter of Rights and freedoms addresses the rights of a disabled person i.e. someone with PTSD and the rights to have a service animal.

The situation of a certified rescue centre will enhance the service delivery to our ratepayers by allowing a longer time for owners to reunite with their missing animal.

The City of Toronto has had progressive wording that captures these two situations it is proposed that the same wording be included in the City of Clarence-Rockland by-law.

The City's current by-law Section 10 states: No person shall keep or allow to be kept in a residential zone of the Corporation more than three (3) dogs.

It is proposed to replace with the following:

No person shall keep more than three (3) dogs in a residential zone of the Corporation. This section shall include Service Dogs required by a person or persons with a disability when determining the number of dogs and allow 5 Service Dogs in training.

- j. **Medical service dog** means a dog that is required, as attested by a note from a medical doctor, by a person with a disability for assistance and is certified, in writing, as having been trained by a professional service animal trainer to assist a person with a disability;
- k. **Medical service dog in training** means a dog that is being trained by or in consultation with a professional service animal trainer to assist a person with a disability;

- l. **Running at large** means a dog not on its owner's property, that is off leash and not under the control of a professional dog trainer or a handler of a certified medical service dog;
- m. **Certified medical service dog** means a dog that has been certified by a reputable medical service dog trainer.

6) **CONSULTATION:**

N/A

7) **RECOMMENDATIONS OR COMMENTS FROM COMMITTEE/ OTHER DEPARTMENTS :**

N/A

8) **FINANCIAL IMPACT (expenses/material/etc.):**

N/A

9) **LEGAL IMPLICATIONS :**

Click here to enter text.

10) **RISK MANAGEMENT :**

N/A

11) **STRATEGIC IMPLICATIONS :**

N/A

12) **SUPPORTING DOCUMENTS:**

Attachment 1 – Pet by-laws in other Ontario Jurisdictions

Attachment 2 – By-Law 2015-180 A by-law to provide for the licensing of dogs and the regulating of the keeping of dogs

Attachment 3 – By-law 2018-XX Licensing of dogs

ATTACHMENT 1 – PET BY-LAWS IN OTHER ONTARIO JURISDICTIONS

CITY (Pop'n & by-law #)	No limit	No licence fee	Not running at large	Definition of service dog
PETAWAWA (Pop'n: 17,187 BL: 174/2001)	No limit on number of dogs or cats	Guide dogs and working dogs are exempt from the payment of licence fees		
PEMBROKE (Pop'n: 16,200 BL: 2005/58)	No limit on number of dogs	No licence fee for service dogs	At large means any animal that is off its owner's property and not under the control of a competent person	A dog trained at a recognized school for service as a guide dog
CORNWALL (Pop'n: 46,589 BL: 112/1998)	No limit on the number of dogs		A dog shall not be considered to be running at large if it is a guide dog or a police working dog.	
GATINEAU (Pop'n: 276,245 BL: 183/2005)		No licence fee for guide dogs		Guide dog means any dog trained or in training to serve as a guide dog to a person suffering from a hearing, visual or physical disability
HAWKESBURY (Pop'n: 10,263 BL: 82/2006)				A pet is a tame animal kept in a household for companionship or amusement
GREATER SUDBURY (Pop'n: 161,531 BL: 2017/22)	No limit on the number of altered dogs	No licence fee for a service animal		"Service Animal" means a guide dog or a service animal as those terms are used in Ontario Regulation 429/07 under the Accessibility for Ontarians with Disabilities Act,

				2005, S.O. 2005, c. 11, as amended or replaced from time to time
TIMMINS (Pop'n: 41,788 BL: 2004/6014)		No licence fee for guide dogs		
TORONTO (Pop'n: 2,731,571 BL: <i>Toronto Municipal Code</i> , Chapter 349, animals, July 1, 2017)	Service animals required by a person or persons with a disability excluded when determining the number of dogs that may be kept in a dwelling unit (same for dogs and cats kept by members of a rescue group for or on behalf of that rescue group)	No licence fee for service animals		<p>Service animal: an animal described in subsection 80.45(4) of O. Reg. 191/11 under the <i>Accessibility for Ontarians with Disabilities Act</i>.</p> <p><i>For the purposes of this Part, an animal is a service animal for a person with a disability if,</i></p> <p>(a) <i>the animal can be readily identified as one that is being used by the person for reasons relating to the person's disability, as a result of visual indicators such as the vest or harness worn by the animal; or</i></p> <p>(b) <i>the person provides documentation from one of the following regulated health professionals confirming that the person requires the animal for reasons relating to the disability: [LIST PROVIDED]</i></p>

CORPORATION OF THE CITY OF CLARENCE-ROCKLAND

BY-LAW 2015-180

A BY-LAW TO PROVIDE FOR THE LICENSING OF DOGS AND THE REGULATING OF THE KEEPING OF DOGS

WHEREAS Sections 8, 9, and 11 of the Municipal Act, 2001, S.O. 2001, Chapter 25 and amendments thereto provides that every municipal Corporation may pass by-laws for the purpose of governing its affairs as it considers appropriate;

WHEREAS the Corporation of the City of Clarence-Rockland deems it appropriate to actualize the by-law for the licensing of dogs and the regulating of the keeping of dogs.

The Council of the Corporation of the City of Clarence-Rockland enacts as follows:

1. **DEFINITIONS:**

- a) **Corporation** means the Corporation of the City of Clarence-Rockland;
- b) **Dog** means a male or female dog member of the species *Canis familiaris*.
- c) **Kennel** means any building or structure which is used to maintain, board, breed, or train pure-bred dogs registered in the Canadian Kennel Club Incorporated or any other lawfully established kennel club.
- d) **Municipal Law Enforcement Officer** means a Peace Officers for the purpose of enforcing municipal by-laws.
- e) **Muzzled** means to have securely affixed around the snout or the mouth and the nose of a dog a device commonly known as a muzzle manufactured by a recognized manufacturer of muzzles for dogs such that the dog when muzzled will be prevented from biting a person or animal;
- f) **Owner of a dog** includes any person who owns, possesses, harbours or has the care and control of a dog and the words "owns" and "owned" have a corresponding meaning, where the owner is a

minor, the person responsible for the custody of the minor;

- g) Person** means an individual, a partnership, or a corporation, to whom or to which the context can apply;
 - h) Residential Zone** means those areas designated as residential in the zoning by-laws of the Corporation of the City of Clarence-Rockland of the City of Clarence-Rockland;
 - i) Vicious dog** means any dog which has bitten another domestic animal or person without provocation.
- 2.** Every owner of a dog shall annually, not later than March 31 of each year or within seven (7) days of becoming an owner of a dog, cause the dog to be licensed with the Corporation. If the last day of registration falls on a Saturday, Sunday, or a Holiday, the next working day shall be the last day of registration.
 - 3.** All licences and tags issued pursuant to this by-law shall be serially numbered and a record of their issue shall be kept by the municipal law enforcement officer. Such record shall set out the name and address of the owner.
 - 4.** At the time of registration, the owner\applicant shall be required to pay to the Corporation the required licence fee as established in current fee by-law.
 - 5.** On payment of the licence fee for a dog, the owner shall be furnished with a dog tag from the Corporation which shall bear the serial number relating to the application, the name and address of the owner and the year in which the tag is valid.
 - 6.** The owner of a dog shall:

 - a)** keep the dog tag securely affixed on the dog for which it was issued at all times until renewed or replaced but the tag may be removed while the dog is being lawfully used for hunting in the bush; and
 - b)** not use the tag upon a dog other than the one for which it was issued.
 - 7.** The set fee for the replacement of lost dog tags shall be that set out as established in current fee by-law.

- 8.** Every person operating a kennel shall annually and not later than March 31 in each year obtain a licence from the Corporation to operate a kennel and shall pay the licence fee as established in current fee by-law.
- 9.** Every licence for a dog issued hereunder is personal to the owner thereof and may not be transferred.
- 10.** No person shall keep or allow to be kept in a residential zone of the Corporation more than three (3) dogs.
- 11.**
 - a)** No person shall permit a dog owned by him or under his care and control to run at large within the limits of the Corporation.
 - b)** For the purposes of this section, a dog shall be deemed to be running at large when found elsewhere than on the property of the owner and not under the control of a competent and responsible person and is not on a leash securely attached to the owner and having a length of less than 2.4 metres (8 feet).
- 12.**
 - a)** Any dog found to be running at large may be seized and impounded by the municipal law enforcement officer or any person acting under his or her authority;
 - b)** The municipal law enforcement officer or any person acting under his or her authority may kill any dog found running at large if:
 - i)** he\she reasonably believes that the dog is likely to cause imminent harm to any person or animal; or
 - ii)** the dog is injured or should be destroyed without delay for humane reasons;and no damage or compensation shall be recovered on the account of such disposition.
- 13.** Any dog seized pursuant to section 12 a) of this by-law, shall be taken to the municipal pound. Whether the dog is claimed or not, the owner shall be liable for the pound and maintenance fee prescribed, and shall pay all fees on demand by the Municipal Law Enforcement Officer.
 - (i)** Where, at the end of the said three (3) days, possession of the dog

has not been restored to the owner, the Municipal Law Enforcement Officer may destroy the dog in a humane manner.

- (ii)** the Municipal Law Enforcement Officer may sell the dog for such price as established in current fee by-law, and no damages or compensation shall be recovered on account of its killing or other disposition.
- 14.** A release form can be obtained by the owner upon payment of the fee established in current fee by-law. However if the dog does not have a valid and subsisting licence, the owner shall be required to pay in addition to the release fee, the licence fee as established in current fee by-law.
- 15.** The owner of a vicious dog shall at all time, when it is not in the owner's dwelling but otherwise within the boundaries of the owner's lands, be secured in the following manners:
 - a)** the dog shall be muzzled so as to prevent it from biting a person or animal.
- 16.** The owner of a vicious dog shall at all times when the dog is outside the boundaries of the owner's lands keep the dog muzzled so as to prevent it from biting a person or animal and securely leashed to the owner of the dog.
- 17.**
 - a)** Every owner of a dog shall remove forthwith and dispose of any excrement left by the dog on any property located in the corporation.
 - b)** The provision of Subsection 17 a) of this by-law does not apply to a blind person accompanied by a dog used as a guide or lead dog.
- 18.** No person shall obstruct, interfere or hinder the Municipal Law Enforcement Officer or any person acting under his\her authority in the lawful performance of his\her duties.
- 19.** Every person who contravenes any provisions of this by-law is guilty of an offence and is subject to the provisions of the Provincial Offences Act, R.S.O. 1990, Chapter P.33, and amendments thereto.
- 20.** Where any provision of this by-law is contravened and a conviction entered, the court in which the conviction has been entered and any court


of competent jurisdiction thereafter may make an order prohibiting the continuation or repetition of the offence by the person convicted.

21. It is declared that if any section, subsection or part(s) thereof be declared by any court of law to be bad, illegal or ultra vires, such section, subsection or part(s) shall be deemed to be separate and independent and enacted as such.
22. By-law 1998-04, 2002-21, 2011-211 and amendments are hereby repealed.
23. This by-law shall come into effect upon its adoption.

READ, DONE AND PASSED IN OPEN COUNCIL THIS 21ST DAY OF DECEMBER 2015.



GUY DESJARDINS, MAYOR



MONIQUE OUELLET, CLERK

**CORPORATION OF THE CITY OF CLARENCE-ROCKLAND
BY-LAW 2018-xx**

**BEING A BY-LAW TO AMEND BY LAW NO. 2015-180,
BEING A BY-LAW FOR THE LICENSING OF DOGS AND
TO REGULATE THE KEEPING OF DOGS**

WHEREAS Council adopted by-law 2015-180 on the 21ST day of December 2015; and

WHEREAS it is deemed expedient to amend the said By-law no. 2015-180, in order to allow for the keeping of service dogs;

NOW THEREFORE the Council of the Corporation of the City of Clarence-Rockland enacts the following:

1. **THAT** By-law No. 2015-180 be amended by replacing adding the following definitions, in alphabetical order and renumbering the section accordingly;
 - a. **Certified medical service dog** means a dog that has been certified by a reputable medical service dog trainer.
 - b. **Medical service dog** means a dog that is required, as attested by a note from a medical doctor, by a person with a disability for assistance and is certified, in writing, as having been trained by a professional service animal trainer to assist a person with a disability;
 - c. **Medical service dog in training** means a dog that is being trained by or in consultation with a professional service animal trainer to assist a person with a disability;
 - d. **Running at large** means a dog not on its owner's property, that is off leash and not under the control of a professional dog trainer or a handler of a certified medical service dog;

2. **THAT** Section 4.1 be added immediately after Section 4, and shall read as follows:
 - a. **Section 4.1** – Notwithstanding section 4, medical service dogs shall be exempt of licensing fees.

3. **THAT** Section 10.1 be added immediately after Section 10, and shall read as follows:
 - a. **Section 10.1** – Notwithstanding section 10, the number of medical service dogs shall not be calculated within the set limit; and the number of medical service dogs in training shall be set at a maximum of 5.
4. **THAT** all other sections of By-Law 2015-180 remain in full force;
5. **THAT** this by-law shall come in full force and effect on the date of its adoption.

READ, DONE AND PASSED IN OPEN COUNCIL THIS ____th DAY OF _____ 2018.

Guy Desjardins, Mayor

Monique Ouellet, Clerk