

Finance and Administration Committee

Tuesday, May 19th, 2009, 5:15 p.m.
City Hall - Council Chambers

<u>Committee Members</u>	<u>Areas of Responsibility:</u>	
Councillor J. Baker, Chair	Finance	Joint Services Committee
Councillor L. Journal	Clerk's Office	Safe Communities
Councillor J. Fullarton	Human Resources	Coalition
Mayor D. Henderson, Ex-Officio	Legal	Volunteer Awards

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BUSINESS FROM MEMBERS OF COUNCIL

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MAY 13, 2009

REPORT TO FINANCE & ADMINISTRATION – MAY 19, 2009

**2009-064-05
2009 WORK PLAN
QUARTERLY REPORT**

**BOB CASSELMAN
CITY MANAGER**

RECOMMENDATION

THAT report 2009-064-05, 2009 Work Plan Quarterly Report, be received for information purposes.

PURPOSE

This report covers the period January – April 2009. The purpose of the report is to keep Council and the public current with performance and operational challenges associated with the 2009 Work Plan.

BACKGROUND

This report will be submitted quarterly, details of which are outlined in Schedule 1.

Analysis/Options

There are a number of significant work plan initiatives that are currently underway including:

1. WPCC Secondary Treatment Plant
 - project design/management on schedule for Summer 2009 tender
 - Federal / Provincial Contribution Agreements completed
 - tender to be issued May, 2009
2. ERP System
 - request for proposal process completed, contract awarded
 - service purchased
 - internal training of staff underway
 - initial conversion plan completed, to be implemented in second quarter

3. Official Plan

- Phase One Public Workshops completed (Kick-off / Economic Development / Downtown & Waterfront)
- Growth Analysis Report completed
- draft Foundation Report received

4. Strategic Planning

- project completed
- approval in principle received

5. 2009 Budget

- budget deliberations completed
- analysis of Federal / Provincial Stimulus package
- four (4) grant applications submitted
- BCF 2010 Canada 55+ Senior Games
- Stimulus Program (street lighting, sewer separation, building/energy retrofit)

6. Maritime Discovery Centre

- Build Canada Grant application submitted and approved for \$11.7 million from the Federal and Provincial Governments
- terms of Contribution Agreement under review

FINANCIAL IMPLICATIONS

None at this time.

CONCLUSION

Quarterly reports with respect to status of Work Plans provides for both Performance Measurement and Staff Accountability.


for B. Casselman, City Manager

2009 DEPARTMENTAL GOALS/OBJECTIVES

	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.	Comments/Barriers
Fire Dept.					
Corporate Objectives 1. Maintain compliance with Emergency Management & Civil Protection Act.	SMT has been asked to update contact info. Mandatory training of the community control group and required Emergency table top exercise to be arranged subject to availability of EMO staff.				
2. Revamp Establishing & Regulating By-Law to reflect the level of service that Council deems necessary after Service Delivery Review	Working on draft by-law				
3. Submit Fireworks By-Law to Council for discussion and approval	Working on draft by-law				
Department Objectives 1. Implementation of Service Delivery Review recommendations	On-going				
2. Continue work & development of RFP for replacement of Centracom Control Unit	Continue to work with UCLG to ensure system is compatible with County communication tower system.				
3. Continuation of Home Inspection Program	On-going - firefighting crews have commenced 2009 program				
4. Negotiation of an Agreement with Fire Depts. in Leeds & Grenville to provide remote access to Crisys System used in Fire Dispatch	Elizabethtown, Augusta, Prescott & North Grenville (Kemptville) are enrolled in the program				

2009 DEPARTMENTAL GOALS/OBJECTIVES

Fire Dept.	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.	Comments/Barriers
Department Objectives (continued) 5. Continuation of Company Officer's program through the Ontario Fire College	On-going subject to availability of Ontario Fire College courses and manpower availability.				
6. Haz-mat Training Program Update	Awaiting the replacement of the retiring Training Officer				
7. Update all response crew members on High-Rise Training	Awaiting the replacement of the retiring Training Officer				

2009 DEPARTMENT GOALS/OBJECTIVES					
PLANNING	1 ST QTR.	2 ND QTR.	3 RD QTR.	4 TH QTR.	COMMENTS/BARRIERS
<u>Corporate Objectives</u>					
1. Official Plan – Implementation of comprehensive work plan to update Official Plan including Urban Design Guidelines, Waterfront Public use Strategy, Growth Management Plan, and Economic Development Strategy	Extensive data gathering completed by staff for use as background by consultants. Public Workshops held Feb. 26 (Community Kick-off), Mar. 3 (Economic Development Mission) & Mar. 4 (Downtown & Waterfront)				
2. Brownfields Community Improvement Plan – Agreements on case by case basis	Master Brownfields Redevelopment Agreement prepared.				
3. Downtown Community Improvement Plan <ul style="list-style-type: none">• Implementation Agreements/Strategy/Annual Reporting• Ongoing interaction with DBIA/Director of Economic Development to reduce vacancy rate	TIERR Grant Agreements for six eligible projects sent to owners. Execution and implementation imminent. Significant efforts expended with Ec. Dev. Director to solidify redevelopment plan by investor for former Liquidation World property failed at hands of property owner.				
4. Planning Review / Site Plan Approval <ul style="list-style-type: none">• Tall Ships Landing• CPHC Project	Site plan submission for TSL pending developer's redesign of condo units to better respond to market conditions. CPHC project development team has selected Parkedale Ave. site and				

2009 DEPARTMENT GOALS/OBJECTIVES				
PLANNING	1 ST QTR.	2 ND QTR.	3 RD QTR.	4 TH QTR.
				COMMENTS/BARRIERS
	retained architect, planner, to complete development concept and file applications for Official Plan and Zoning By-law amendments.			
5. Facilitation of planning approvals required for redevelopment of JUNCIC lands including Brownfields Redevelopment Agreement.	Draft of Brownfields Agreement for former Phillips Cables site prepared and shared with developer.			
6. In association with the Director of Economic Development, create a Community Improvement Plan and incentive programs associated therewith targeted at new industrial opportunities in the business parks and expansion of existing industrial enterprises throughout the City	Pre-consultation commenced with Ministry of Municipal Affairs & Housing, including meeting with Regional Director. MMAH opinion on City submission for introduction of CIP to cover Greenfield industrial development pending review of authority under Sec. 28 of Planning Act.			
<u>Department Objectives</u>				
1. Assist City Manager in completion/implementation of department SDR and Corporate Reorganizational Plan.	Pending.			
2. Completion of staff performance reviews.	Pending			

2009 DEPARTMENT GOALS/OBJECTIVES				
PLANNING	1 ST QTR.	2 ND QTR.	3 RD QTR.	4 TH QTR.
				COMMENTS/BARRIERS
3. Preparation/monitoring of 2009 Budget.	2009 Budget preparation complete. Implementation of 2009 building/plumbing fees delayed to provide for public consultation.			
4. Staff to be proactive with respect to By-law Enforcement, especially in areas of historical concern (Property Standards and Signage).	All Property Standards complaints being acted upon as received, including hiring of contractors to give effect to Orders to Comply. Summer student to be hired in Q2 will provide staffing to enhance sign by-law enforcement.			
5. Bill 124 BRAGG – training requirements for Building Code compliance.	Ongoing training for Inspection Officer.			
6. Subdivision file closure and assumption.	Progress is being made on older inactive files, as reported to EDP and Council in May.			
7. Short wording of by-laws to facilitate enforcement <ul style="list-style-type: none"> • Building By-law • Sign By-law 	Commenced in Q1 with assistance of Clerk's office.			
8. Update of Swimming Pool By-law	Draft being prepared for internal review.			

2009 DEPARTMENTAL GOALS/OBJECTIVES

	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.	Comments/Barriers
Parks & Recreation Corporate Objectives					
1. Completion & implementation of Service Delivery Review	ratified by Council implementation ongoing				
2. Coordinate project management of "Project Encore"	on-going				
3. Assist Director of Planning on the project management of Official Plan update as Technical Steering Committee member	on-going				
4. Fundraising complete - Skateboard Park	not complete				
5. Assist Director of Finance with Tangible Capital Asset Program	on-going				
6. Assist Director of Finance with update of Ten Year Capital Program resulting from Building Audit Program.	on-going				
7. Project Management of Hardy Park Play Structure					

2009 DEPARTMENTAL GOALS/OBJECTIVES

Parks & Recreation Corporate Objectives (cont'd.)	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.	Comments/Barriers
8. Complete Risk Assessment Boardwalk Design of Reynolds Park	on-going				
<u>Department Objectives</u>					
1. Development/monitoring of 2009 budget	on-going				
2. Development of 2010 budget	not yet initiated				
3. Completion of staff performance reviews pursuant to corporate policy	not yet initiated				
4. Assist City Manager in development/implementation of Corporate Reorganization Plan	not yet initiated				

2009 DEPARTMENTAL GOALS/OBJECTIVES

	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.	Comments/Barriers
H.R. 1. Renegotiate/Negotiate 4 collective agreements in 2009 within Corporate framework	Commenced in May-09				
2. Negotiate benefit renewals leverage LAS Plan to reduce/control costs	Complete LAS declined to quote				
3. Implement SDR recommendations applicable to 2009	75% Complete				
4. Develop/amend policies that are dates or required, ie cell phones	Cell Phone Procedure Complete				
5. Investigate wellness initiatives in an effort to reduce rate of absenteeism by 1 shift/employee/year	Working with JHSC				
6. Evaluate results of 2008 Employee Recognition Program with initial focus group	Meet in June				
7. Implement new photo I.D. program	95% Complete				
8. Assist City Manager & Dept. Heads in organizational review	Not initiated				

2009 DEPARTMENTAL GOALS/OBJECTIVES

H.R.	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.	Comments/Barriers
9. Assist with implementation of new Enterprise Resource Program (ERP)	June 1009 Implementation MIS Training Done				
10. Conduct bi-annual compensation survey as per Policy # 108	Fall of 2009				
11. Continue collaborative efforts to find alternate sources of funding Schedule 2 WSIB costs	Appealing LOE for 2 claims				
12. Process 4 outstanding grievances	3 Resolved 1 to Arbitration				

2009 DEPARTMENTAL GOALS/OBJECTIVES

<u>Operations Department</u>	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.	Comments/Barriers
<u>Corporate Objectives</u>					
1. WPCC Secondary Treatment - completion of CSIF contribution agreement project design / tendering/ construction commencement	Federal/provincial funding agreements completed. Design 90% complete.				
2. Wastewater System Capacity - ongoing implementation of corrective actions pursuant to report # 2007-144-08	Keefer/King sewer operation projects ready for tender.				
3. Technical support to review development proposals/ implementation of Brownfield projects (Junic)	Ongoing				
4. 2009 Operations Department Capital Projects.					
5. RFP - Para Transit contract	On schedule Scheduled for 2nd quarter				
6. Complete/implement drinking water quality management system	On schedule for May adoption and implementation				
7. Complete/implement asset inventory of PSAB/Asset Management Program in conjunction with Finance Department					
8. Develop long term operational plan for waste collection, disposal, recycling (RFP)	Ongoing				
	Scheduled for 3rd/4th quarter				

2009 DEPARTMENTAL GOALS/OBJECTIVES

	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.	Comments/Barriers
Corporate Objectives (contd.)					
9. Participate in renegotiation CUPE Contracts.	Assisted Director of HR in preparation for negotiations				
10. Participate in Official Plan review as a member of the Technical Steering Committee	Ongoing				
Department Objectives					
Assist City Manager in completion of:					
1. Service Delivery Review for Operations Dept. (water/ sewer, public works)	Scheduled for 2nd/3rd quarter				
2. Performance Reviews on Supervisory Staff	Scheduled for 2nd/3rd quarter				
3. Implementation/monitoring of 2009 budget	Ongoing				
4. Preparations for 2010 budget	Start 2nd quarter				
5. Corporate Reorganization	Scheduled for 2nd/3rd quarter				

2009 DEPARTMENTAL GOALS/OBJECTIVES

Finance Department Corporate Objectives	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	Comments/Barriers
1. Review of annual budget process including the phased incorporation of business plans.	ongoing process business plan development has been slow				
2. Development, implementation, monitoring of annual city budget.	presentations to Council completed; awaiting final JSC budget to have 2009 budget approved by Council				
3. Completion of annual year-end statements, MPMP, FIR, Annual Reports pursuant to the <i>Municipal Act</i> requirements.	staff are working on completing 2008 year end requirements				
4. Assist in the development of a Community Improvement Plan including Brownfield Tax Incentives for environmental remediation.	ongoing				
5. Ten year Capital Plan	ongoing process				
6. Identification & development of Corporate Strategy relating to PSAB requirements.	developing policies project delayed until new ERP system decided upon				
7. Corporate Financial Policy Review of following: (a) Investment Strategy (b) Cash Flow Analysis					
8. Commence implementation of new Financial System.	Council approval received Feb				

2009 DEPARTMENTAL GOALS/OBJECTIVES

	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	Comments/Barriers
Finance Department					
9. Development Charges Study / By-Law	completed contractual paperwork				
		Council decision to not complete DC study at this time and to review again in Nov			
Department Objectives					
1. Completion of annual performance reviews for departmental supervisory and non-union staff.	waiting in conjunction with job description updates				
2. Assist City Manager in implementation of SDR in Finance Department.	continue to progress while incorporating planning strategies in conjunction with new ERP installation				
3. Assist City manager with development of capital MIS strategy.	partially tracking through ERP upgrade				To be discussed with City Manager and Director of Human Resources
4. Assist City Manager with Joint Services Committee Sub Committee Review relative to cost sharing formulas, EMS, Social Services, Economic Development.	ongoing process				
5. Update of departmental job descriptions in conjunction with SDR implementation.	reviews put on hold				emphasis has been placed on 2008 year end, 2009 Budget, ERP awaiting organizational review prior to proceeding

2009 DEPARTMENTAL GOALS/OBJECTIVES

1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.	Comments/Barriers
Economic Development Corporate Objectives 1. Continue on advisory function with City Manager on design & implementation of a corporate strategic plan encompassing the priorities of Council 2. Upon completion of corporate directions, continue refinement of a new economic development strategy providing direction for economic vitality identified in the Eastern Ont. Strategic report & related documents 3. As ex-officio of MDC provide assistance & communications to the project manager. Continue coordination of the research necessary for the Centre's operations & advisory direction on communication. 4. Provide City representation to Brockville Mental Health Steering Committee towards realizing stability & sustainability for this important institution & to complete results based Management & Accountability Framework on same. 5. Assist Director of Operations on the sewer capacity issues as well as provide necessary linkage with industrial sector.	Project completed & approved by Council May 11/09 Coordination / facilitation of assemblage of date for 2 workshops completed in March & May. Working closely with consultant on next steps. Target for completion in Aug-09			Input on advisory capacity with City Manager & Steering Committee. Specific focus on Economic Development & Environmental pillars with detailed outline of Performance Measures for Economic Development Indicators & quality of life factors. Current the document will be utilized as a base document for Strategic Plan
				Currently working with City Manager on Contribution Agreement and further refinement of timelines for implementation
				Working towards new directions/options for Brockville Mental Health Centre. Key negotiations being coordinated at Senior Political level on recommended directions.

2009 DEPARTMENTAL GOALS/OBJECTIVES

Economic Development Department Objectives	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.	Comments/Barriers
1. Work with City Manager on development & implementation of the service review of Economic Development & Tourism	Compl. SDR & presented to Council with ratification on all recommendations				Twenty percent of recommendations already completed with another twenty percent under implementation.
2. Provide assessment & potential direction on opportunities associated with Sports Tourism	Three meetings in 1st Qtr with Sport Tourism Comm.				Research & interviewing completed with contact proceeding with Sports Coordinating Organizations. Facilitations/hosting plan with coordinators now under development
3. Ensure high standard on the operations of Leeds & Grenville Small Business Enterprise Centre. Achieve annual performance targets & expand outreach programming on business retention.	Continuing to meet all small business/entrepreneurship targets & workshop participation				Have added yearly contract person to assist on centre deliverables
4. Update all relevant research/database info associated with Brockville's investment attraction.	Research ongoing with database management of community statistics				Additional refinement being completed through the OP Process. Seventy percent of data current with remaining anticipated by summer end
5. Ensure all marketing and communication materials are updated inclusive of website	See comments/barriers section for update				Marketing & Communication material updating to be completed following acceptance of the new Economic Strategy in summer 2009. Revised message & communication - fall 2009
6. Monitor & provide appropriate reporting on department revenues & budgets, making necessary adjustment & ensuring controls.	Budgetary surpluses in most accounts at this point in time				

2009 DEPARTMENT GOALS/OBJECTIVES

Economic Development Department Objectives (cont'd.)	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.	Comments/Barriers
7. Ensure execution of Corporate aftercare initiative to assist existing corporations on export readiness, expansion & retention needs & financial assistance.	Completed 10 Corporate call visits & facilitated coordination with Upper Teir Gov'ts.				Assisted in securing 5 government grants/loans with assistance of local government officials. Corporate calls to accelerate during summer 2009
8. Assist City Manager in development & implementation of Corporate Organizational Plan.	No specific action pending outcomes of other base documents				
9. Prepare new performance targets for economic development with applicable benchmarks following ratification of economic development strategy by Council.	Waiting outcomes of economic strategy to establish new development benchmarks & Perf. Meas.				Working on behalf of Economic Development Association of Canada (EDAC) in establishing realistic benchmarks for the profession
10. Implement an Immigration Settlement Plan for Brockville & area & commence development of immigrant investment attraction plan.	Successful immigration workshop with 60 delegates from across Canada in April @ Wedgewood				Next session more targeted to immigrants and focus on establishing a "Made in Brockville" tool kit. Next session in June at YMCA. Still awaiting work on grant funding to accelerate program. Seeking United Way to manage program once plan established.

2009 DEPARTMENT GOALS/OBJECTIVES

Clerk's Department	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	Comments/Barriers
Corporate Objectives					
1. Assist Governance Committee with procedural by-law review/automation of Council procedures/activities	ongoing				Waiting for revisions from Mayor. Reviewing revision suggested by Councillor Noble.
2. Review & Update Corporate By-laws:					
a. Licensing	1 st draft completed being reviewed by staff				Report to F&A in June
b. Parking	1 st draft completed being reviewed by staff				
c. Animal control	1 st draft underway				
3. Review and amend fines for the following by-laws:					
a. Building & sanitary sewers					
b. Heating					
c. Noise					
d. Plumbing					
e. Signage	New short wording drafted and under review				Progress will be slow due to staffing levels and workloads of Clerk and Planning Departments
f. Swimming pools and fencing					
g. Waste collection and disposal					
h. Care and use of streets					
i. Traffic					

Clerk's Department	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	Comments/Barriers
Department Objectives					
1. Completion of Staff Performance reviews	continuous process				
2. 2009 budget monitoring	continuous process				
3. 2010 budget preparation					
4. Assist City Manager in development and implementation of departmental Service Delivery Review	ongoing				
5. Centralize records management – re leases/agreements and City owned property	testing existing system (iCompass) to determine suitability				
6. Assist City Manager with development and implementation of Corporate Reorganizational Plan	ongoing				

MAY 7, 2009

REPORT TO FINANCE & ADMINISTRATION COMMITTEE – MAY 19, 2009

2009-066-05

MUNICIPAL INTERNSHIP PROGRAM

J.D. BAKER

DIRECTOR HUMAN RESOURCES

RECOMMENDATION

THAT Council receive this report which updates the status of the City's application to A.M.C.T.O. for a Municipal Intern.

PURPOSE

For information purposes.

ANALYSIS/OPTIONS

During budget deliberations for the 2009 Operating Budget Council approved an incremental item to employ (if approved by AMCT) a Municipal Intern on a twelve month contract basis. The City's contribution to this program is \$28,183 and is to be funded from the Fiscal Policy Reserve.

The City's application for a Municipal Intern was approved by A.M.C.T. After reviewing applications and conducting interviews, the City selected Mr. Curtiss Law. Mr. Law has accepted our offer and an employment contract has been executed. The City has entered into a contract with A.M.C.T.O. which is attached to this report as Attachment #1.

Mr. Law is from Burlington, Ontario but expressed a desire to do his internship in a smaller Eastern Ontario municipality. He has a Masters degree in Public Administration from Dalhousie University.

The City has a work plan which will provide the candidate with exposure and experience in a number of municipal functions. The work plan will also be beneficial to the City given the projected work load on City departments.

POLICY IMPLICATIONS

There are no policy implications.

FINANCIAL IMPACT

The amount of \$28,183 has been approved by City Council and will cover the candidate's wages and statutory benefits in conjunction with A.M.C.T.O.'s \$20,000 contribution.

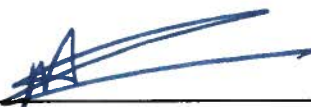
Any additional costs associated with travel, conferences, training, etc. will be reimbursed upon prior approval, by A.M.C.T.O.

CONCLUSION

This program is an excellent means to develop and encourage future municipal managers and executives.



J.D. Baker
Director of Human Resources

D. Cyr
Director of Finance

B. Casselman
City Manager

Attachment 1 – Contract

**ONTARIO MUNICIPAL INTERNSHIP PROGRAM
GRANT AGREEMENT**

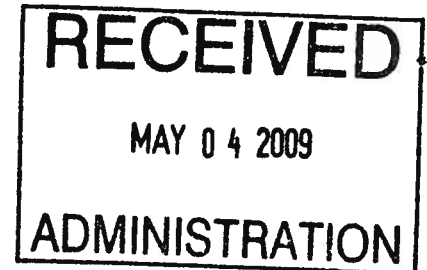
**BETWEEN: ASSOCIATION OF MUNICIPAL MANAGERS, CLERKS AND
TREASURERS OF ONTARIO**

(hereinafter called "AMCTO")

and

CITY OF BROCKVILLE

Victoria Building, One King Street West
P.O. Box 5000
Brockville, ON K6V 7A5



(hereinafter called "the Municipality")

WHEREAS AMCTO has approved the Municipality's grant application and has agreed to disburse the sum of **TWENTY THOUSAND DOLLARS (\$20,000)** (hereinafter called "**the Grant**") to the Municipality pursuant to the Municipality's successful fulfillment of the conditions as outlined in the terms of reference attached to this agreement as Schedule A;

AND WHEREAS AMCTO has agreed to further reimburse the Municipality up to the sum of **FIVE THOUSAND DOLLARS (\$5,000)** (hereinafter called "**the Expenses**") for ancillary expenses related to the Municipal Internship Program.

AND WHEREAS the Municipality and AMCTO are entering into a Conditional Grant Agreement (hereinafter called "the Agreement") governing the use and purpose of the Grant.

Preamble:

The Municipality is a corporation as defined under the Municipal Act. AMCTO is supportive of the Municipal Internship Program that is intended to attract recent graduates into municipal administration by providing them with a year-long management training opportunity. The Municipal Internship Program is intended to help attract and develop the next generation of talented leaders for Ontario's municipal corporations.

The parties agree as follows:

1. AMCTO shall:

- (a) subject to the provisions of this Agreement, pay the Municipality a conditional grant, disbursed in equal quarterly installments to a total amount of **TWENTY THOUSAND DOLLARS (\$20,000)**, to carry out the Project as set out in Schedule "A" (hereinafter called "**the Project**") as attached hereto and forming a part of this Agreement;
- (b) subject to the provisions of this Agreement, reimburse the Municipality up to the sum of **FIVE THOUSAND DOLLARS (\$5,000)** (hereinafter called "**the Expenses**") for ancillary expenses related to the Municipal Internship Program following submission to AMCTO of receipts by the Municipality;

- (c) have the right to conduct an evaluation or audit of the Project at any time; and
- (d) review and monitor quarterly reports submitted by the Municipality.

2. The Municipality shall:

- (a) carry out the Project as set out in Schedule "A" without material alteration;
- (b) use the entire amount of the Grant for the purpose of carrying out the Project;
- (c) complete the Project and use the Grant, including any income earned thereon, by the end of one year following the start of the internship or by June 30, 2010, whichever comes first;
- (d) be responsible for any cost overruns incurred in carrying out the Project;
- (e) notify and seek approval from AMCTO in writing of any significant changes in the circumstances that may affect the Project time lines specified in sub-clause 2(c) above;
- (f) submit interim reports to AMCTO's satisfaction on a quarterly basis during the internship year that briefly summarizes the intern's progress and activities to date in relation to the workplan and the expected activities to be undertaken during the remainder of the internship year;
- (g) submit a final report to AMCTO's satisfaction, within 30 days after the completion of the Project, that provides a summary of the activities undertaken in the internship year relative to the workplan, a financial report outlining the allocation of the program funding, any recommendations for improvement of the program, and the benefits recognized by the municipality and the intern of participating in the Project;
- (h) carry out the Project in accordance with all applicable laws, regulations and generally accepted standards;
- (i) ensure that all personnel involved in the Project are suitably qualified; and
- (j) refund any unexpended portion of the Grant and any amounts expended for purposes other than for those specified in this Agreement to AMCTO.

3. The Municipality represents and warrants to AMCTO that the execution of the Agreement has been duly and validly authorized by the Municipality in accordance with all applicable laws.

4. If the Municipality does not meet all of its obligations under this Agreement, or uses the Grant for any unauthorized purpose, AMCTO will notify the Municipality of such breach in writing and the Municipality will have 20 days to remedy such breach. If, in the opinion of AMCTO, the Municipality does not remedy the breach, AMCTO may terminate the Agreement without further notice to the Municipality and demand the immediate refund of the Grant, or such lesser amount as AMCTO may determine, to AMCTO.

5. AMCTO may terminate this Agreement for any reason by notifying the Municipality in writing upon 60 days notice. Upon receipt of the notice of termination, the Municipality shall only use the Grant to pay reasonable wind-down costs and committed expenses related to the Project. Immediately upon termination of the Agreement, the Municipality shall refund to AMCTO any unexpended portion of the Grant and any amounts expended for purposes other than those specified in this Agreement.

6. This Agreement shall come into effect on the date that the authorized representative of AMCTO signs the Agreement.
7. This Agreement shall cease to be in effect on the date that the Municipality has met all provisions of this Agreement, unless terminated earlier by AMCTO in accordance with this Agreement.
8. Amendments to this Agreement, including changes to Schedule "A", may be necessary from time to time and may be initiated by either AMCTO or the Municipality in writing and shall be agreed upon by both parties.
9. AMCTO and the Municipality acknowledge that the Freedom of Information and Protection of Privacy Act (FOI), and also the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) apply to the information generated, collected or provided under this Agreement, and will comply with its provisions.
10. The Municipality will indemnify and hold harmless AMCTO, its employees, servants and agents, and program partners against any claim, demand, action, suit or proceeding that may at any time be brought against AMCTO, its employees, servants and agents, or program partners arising out of the use of the Grant or the performance or non-performance of this Agreement.
11. The Agreement, including the attached Schedule "A" is the entire Agreement between AMCTO and the Municipality with respect to the Grant from AMCTO for the Project. There are no other agreements, representations, warranties, terms, conditions or commitments except as expressed in this Agreement.
12. The following clauses shall survive conclusion or termination of this Agreement:
 - a. FOI and MFIPPA – Clause 9,
 - b. Indemnity – Clause 10, and
 - c. Entire Agreement – Clause 11.
13. Any notice under this Agreement shall be deemed to be given to the other party if in writing and personally delivered, sent by prepaid registered mail, sent by facsimile transmission, or e-mailed to the addresses as follows:

AMCTO

c/o the Executive Director,
AMCTO
2680 Skymark Avenue Suite 910
Mississauga, ON L4W-5L6
Fax: (905) 602-4295
Email: akoopmans@amcto.com

The Municipality

c/o City Manager
City of Brockville
Victoria Building, One King Street West
P.O. Box 5000
Brockville, ON K6V 7A5
Fax: (613) 342-8780 email: bcasselman@brockville.com

The rights, remedies, and privileges of AMCTO under this Agreement are cumulative and any one or more may be exercised.

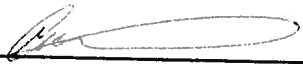
14. If any portion of this Agreement is deemed illegal or invalid, then that portion of the Agreement shall be deemed to have been severed from the remainder of the Agreement and the remainder of the Agreement shall be enforceable.

15. This Agreement is binding upon the parties and their successors.

16. The parties agree that this Agreement will be governed by the laws of the Province of Ontario.

The parties have therefore executed this Agreement, each by its duly authorized representative(s), on the respective dates shown below.

**AMCTO (Association of Municipal
Managers, Clerks and Treasurers of
Ontario)**



Witness (or Seal)

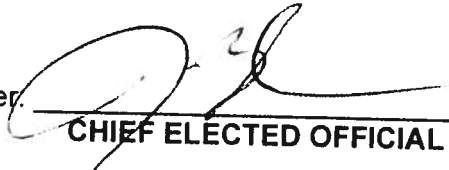
Per: 

EXECUTIVE DIRECTOR

Date: March 17/09

CITY OF BROCKVILLE

Witness (or Seal)

Per: 

CHIEF ELECTED OFFICIAL

Date: March 12/09

Witness (or Seal)

Per: 

DULY AUTHORIZED SIGNING OFFICER

Date: March 12/09

Schedule A

Terms of Reference

Municipal Internship Program

The Municipality agrees to:

1. Recruit and enter into a one year employment contract, covering the duration of the intern program year, with an intern selected from the short list of candidates provided by AMCTO.
2. Develop a customized workplan to the satisfaction of AMCTO using the template provided by AMCTO as a guide. The workplan is to provide a framework for ensuring that the intern is exposed to a variety of municipal duties, and gains an understanding of municipal structures and operations. All activities in which the intern is engaged during the program year must be directly relevant to the overall management perspective.
3. Submit the workplan to AMCTO by April 14th, 2009.
4. Use the workplan developed under (2) to guide intern activities for the duration of the internship.
5. Appoint a senior management employee to supervise the intern over the period of the internship.
6. Inform AMCTO of the date the intern commences employment.
7. Communicate to staff within the municipality the role and responsibility of the intern.
8. Permit the intern's supervisor, or designate, to attend the Municipal Internship Program orientation session facilitated by AMCTO. All expenses incurred by the supervisor are the responsibility of the host municipality and cannot be allocated to the internship grant.
9. Permit the intern's attendance at all Internship Program training sessions and/or workshops facilitated by AMCTO and/or the Ontario Ministry of Municipal Affairs and Housing.
10. Submit Interim Reports to AMCTO on a quarterly basis per an agreed upon schedule, to be reviewed prior to disbursement of funding allocations.
11. Have the intern's designated supervisor review and sign off progress reports developed by the intern throughout each program module

(placement in each key operation area of the municipality), for submission to AMCTO.

12. Monitor and ensure the completion of the workplan by the intern in the prescribed timeframe.
13. Expend the total amount of the grant for the purposes of providing the intern a comprehensive training opportunity. A grant of \$20,000, that must be used for the intern's salary, will be disbursed to each host municipality in equal quarterly installments. The program will provide up to an additional \$5,000 to cover ancillary expenses related to the Internship that may include; travel and accommodations for the intern to attend training programs, workshops, and conferences prescribed for the intern as part of the program experience. Host municipalities and/or interns are required to submit receipts to AMCTO in order to be reimbursed for expenses.
14. In collaboration with the intern, submit an end of year evaluation report to AMCTO within 30 days of completion of the internship program year.

The final reports will include:

- A summary of the year's activities,
- Recommendations for program enhancements and,
- A financial report outlining how the funding was allocated.

Eligible Expenses for 2009-2010 Internship Grant

Notes	
Salary Maximum: \$20,000	Benefits may not be paid out of the \$20,000 salary portion of the grant.
Expenses Maximum: \$5,000	Each host municipality is provided up to \$5,000 to be used to cover expenses incurred by its intern specific to fulfilling the expectations of the program during the year. Allocation of these expenses is to be determined by the host municipality in consultation with its intern. No part of the \$5,000 expense portion can be allocated to salary or benefits. Host municipalities and/or interns must submit receipts to AMCTO in order to be reimbursed for expenses.
Required: AMCTO and Ministry Workshops	Attendance at prescribed AMCTO and Ministry Workshops are a required part of the Program for the interns. All expenses associated with having the interns attend these workshops (e.g. accommodation, parking expenses, mileage) can be allocated to this component of the grant. Expenses for the intern's supervisor to attend meetings are not eligible to be covered by the grant.
Required: Attendance at Conferences	Interns are to be permitted to attend at least one AMCTO conference during the year, as well as one MAH regional conference All expenses associated with having the interns attend these workshops (e.g. accommodation, parking expenses, mileage) can be allocated to this component of the grant. Expenses for the intern's supervisor to attend conferences are not eligible to be covered by the grant.
Optional: Relocation Costs	The host municipality may choose whether it will cover any of its intern's relocation costs.

Municipal Internship Program 2009 -2010

Orientation Session - May 28th & 29th

2680 Skymark Ave., Mississauga, Ontario
Bentall Boardroom - Ground floor

Agenda

Day 1:

Time	Item
8:30 - 9:00 am	Breakfast
9:00 - 9:30 am	Introductions-Interns
9:30 - 11:00 am	Your Gives, Gets, and Concerns of the Program
11:00 - 11:15 pm	Break
11:15 - 12:15 pm	Intern Alumni Discussions
12:15 - 12:45 pm	Lunch – Municipal and MSO Mentors arrive
12:45 - 1:30	Introductions- Mentors
1:30 - 2:30 pm	Program Overview & Review Expectations
2:30 - 2:45 pm	Break
2:45 - 4:00 pm	3 Mentor Presentations
4:15 - 4:30 pm	Break
4:30 - 5:00 pm	MSO Mentor presentation (the Municipal/Provincial relationship)
5:00 - 5:15pm	Wrap up
5:15 pm	Dinner at Sky Lounge

Day 2:

Time	Item
8:00 - 8:30 am	Breakfast (Interns are not required until 9:30 am)
8:30 - 9:30 am	Municipal Mentor Round Table Discussions
9:30 - 9:45 pm	Break – Interns arrive
9:45 - 12:00 pm	Personality Dimensions (True Colours)
12:00 - 12:30 pm	Lunch
12:30 -1:30 pm	3 Mentor Presentations
1:30 - 1:45 pm	Break
1:45 - 2:45pm	Generational Dynamics Exercise
2:45 - 3:00 pm	Wrap up

MAY 7, 2009

REPORT TO FINANCE & ADMINISTRATION COMMITTEE – MAY 19, 2009

2009-067-05

**ACCESSIBILITY FOR ONTARIANS
WITH DISABILITIES ACT AND
EMPLOYMENT STANDARDS**

**J.D. BAKER
DIRECTOR HUMAN RESOURCES**

RECOMMENDATION

THAT Council receive this information report on proposed changes to Employment Standards under the Accessibility for Ontarians with Disability Act (AODA).

PURPOSE

This information will provide Council with proposed employment changes related to the "Employment Life Cycle" process.

ANALYSIS/OPTIONS

The Accessibility for Ontarians with Disabilities Act (AODA) was given Provincial approval in 2005. The goal of this Act is to make Ontario accessible for Ontarians with disabilities by 2025. The Act applies to private and public sector employers although proposed compliance deadlines vary depending on the size of the private sector employer. Public sector employers have the same deadline regardless of size.

The proposed amendments to the employment standards cover the following "Employment Life Cycle" steps:

- Recruitment
- Assessment
- Selection
- Hiring
- Retention
- Separation and Termination

In short form the standards will require the City to focus in many areas such as employee training, policy development, process review, and reporting results.

The standards build on current applicable human resources practices such as; human rights code compliance and WSIB return to work legislation.

**ACCESSIBILITY FOR ONTARIANS
WITH DISABILITIES ACT AND
EMPLOYMENT STANDARDS**

The Ontario Municipal Human Resources Association has put a position paper before the Provincial government representing the concerns/recommendations of its member municipalities of which Brockville is one (Attachment #1).

POLICY IMPLICATIONS

The standards, if adopted, will require City Council to review and approve various employment policies.


FINANCIAL IMPACT

There are no financial implications associated with this report however certain standards such as employee training, identification of essential job duties, physical demands analysis etc. will require budget funds.

CONCLUSION

The proposed standards and the AODA are admirable however the ability to financially comply, especially employers with few employees, may be a concern.



J.D. Baker
Director, Human Resources

D. Cyr
Director of Finance

B. Casselman
City Manager

Attachment 1 – Position Paper



Ontario Municipal Human Resources Association
Suite 307, 1235 Fairview St, Burlington ON, L7S 2K9

The Honourable Madeleine Meilleur
Minister of Community and Social Services
Province of Ontario
80 Grosvenor Street, Hepburn Block 6th Floor
Toronto, Ontario
M7A 1E9

Dear Madame Minister

The Ontario Municipal Human Resources Association (O.M.H.R.A.) represents over 250 members and in excess of 135 organizations including municipalities, local public sector boards, and commissions. O.M.H.R.A. was formed to exchange information pertaining to employment matters between members and to represent the interests of its members with respect to legislation, policies and programs.

O.M.H.R.A. believes in and supports the principle of full inclusion of individuals with disabilities in society, as outlined in the Accessibility for Ontarians with Disabilities Act (A.O.D.A.). Our Association believes that workplace accessibility for individuals with disabilities should extend for the entire employment "life cycle", as contemplated by the proposed Employment Standards under the Act. These objectives are not only the right thing to do, but make good business sense. Individuals with disabilities represent a pool of talent, creativity, and energy that can create a positive business impact for workplaces across our Province.

It is in this spirit that O.M.H.R.A. submits the attached response to the proposed Employment Standards under the A.O.D.A. The concerns noted are identified in the hope of creating a final standard that is workable and balances the needs of all interested parties in order to ensure success.

Thank you for the opportunity to submit our comments. We would be pleased to meet with you to discuss the issues noted.

John Fleck
President, Ontario Municipal Human Resources Association
Director HR Services, Town of Ajax

George Vandermey
O.M.H.R.A. Member
Director of Human Resources, City of Cambridge

ONTARIO MUNICIPAL HUMAN RESOURCES ASSOCIATION (O.M.H.R.A.)

SUBMISSION

PROPOSED EMPLOYMENT STANDARDS UNDER THE ACCESSIBILITY FOR
ONTARIANS WITH DISABILITIES ACT (A.O.D.A.)

The Ontario Municipal Human Resources Association (O.M.H.R.A.) appreciates and supports the inclusion of various stakeholders in the development of the proposed Employment Standards. Specifically, O.M.H.R.A. appreciates the voice given to Ontario Municipalities, through the representative from the Association of Municipalities of Ontario, at the committee level. We believe that this type of inclusionary process is important in policy development.

In addition, O.M.H.R.A. supports:

- The concept of accessibility and equity not only during the hiring process, but throughout the employment life cycle. In supporting this, we also appreciate the importance of workforce training and education.
- The “non-prescriptive” approach to the standard. The standard appears to provide flexibility for organizations in the achievement of many of the requirements.
- The exclusion of independent contractors and volunteers from the proposed Employment Standards. Both of these groups have an obvious different relationship to employers in terms of an “employment life cycle”.
- The exclusion from the proposed Standard of specific hiring “targets” or “quotas”. We believe that these types of measurements can actually work against accessibility and equity.

Notwithstanding the above, and our general agreement with the principles of the A.O.D.A., our Association has identified the following concerns in the hope that they are addressed prior to the final approval of the Employment Standards:

- **Organization classes** – The proposed standard has one class for municipalities, regardless of size. This may be very onerous for small municipalities. We recommend that the same breakdown in organization class based on size be applied to the public sector as is contemplated for the private sector.
- **Standards Harmonization** – A number of Standards are being developed under the A.O.D.A. We recommend that the Standards be harmonized and released for comment at the same time. There are obvious overlaps between the Standards,

such as the reference in the Employment Standard to the proposed Information and Communication Standard. It is not possible for organizations to understand the impact of these references and overlaps without the ability to review all proposed standards at one time.

In addition, each proposed Standard contains administrative and operational requirements for organizations. It is not possible to comment on the resources required for full implementation without one full comprehensive review of all Standards.

The implementation timeframes outlined in the Employment Standards must also be harmonized with the implementation timeframes in other Standards in order to determine impact and practicality.

- **Harmonization with other Legislation** – Organizations currently comply with various employment related legislation, including the Human Rights Code, Workplace Safety and Insurance Act, Employment Standards Act, and the Occupational Health and Safety Act. We recommend that the proposed Employment Standards are worded in such a way as to ensure that it works seamlessly with existing legislation, by removing the potential for confusion and conflicting language. Examples include ensuring that the principles of undue hardship are consistent with the Human Rights Code, and the term “equivalent work” under the Standard is changed to “suitable work” as per the Workplace Safety and Insurance Act.

In addition, an organization’s responsibility under the standard must be harmonized with their respective obligations under collective agreement language. Examples include requirements with respect to advertising vacancies and outreach recruitment under the proposed Standard.

- **Training Requirements** – Our Association supports the need for training and education as an essential tool to successful implementation of the Employment Standard. However, it appears as though all Standards being developed under the A.O.D.A. have a training component. It is therefore recommended that a separate training standard should be developed that harmonizes all training requirements under the A.O.D.A. This will reduce duplication and ensure a meaningful and applicable training program.
- **Determination of “Essential Duties”**- The proposed Standard contemplates a predetermination of “Essential Duties” for all positions. Our Association believes that this is an extremely time consuming process, and is complicated by the relationship between duties, job descriptions, job evaluation processes, and collective agreement implications. We recommend that “essential duties” be required on an “as needed” basis, as per the current process for modified work considerations under WSIB.

- **Administration and Costs** – There is little doubt that the requirements under the proposed Standard are administratively significant and time consuming. This should be reduced wherever feasible and practical. In addition, our Association respectfully questions the costing assumption used by Deloitte when reaching the conclusion that the requirements under the Employment Standards can be assumed by existing Human Resources staff through a shifting of focus or priorities. The focus and priorities of Human Resources staff are on important functions such as Health and Safety, Recruitment and Selection, Organizational Development, Performance Management, and Employee/Union Relations. Providing less attention to any of these priorities will result in organizational and legal difficulties in other areas. Therefore our Association recommends that the assumption utilized by Deloitte be revisited and amended, and that funding be provided to support the implementation of the Employment Standard.
- **Implementation and Enforcement** – Under the proposed standard, organizations are able to set their own indicators of progress towards accessible employment and collect information that measures performance against the indicators. The flexibility that this allows is welcome, however our Association recommends that some guidelines be established regarding acceptable measures, and how the measures will be monitored and enforced be established.

The Ontario Municipal Human Resources Association thanks the Province of Ontario for the opportunity to provide this input in the Proposed Employment Standards under the Accessibility for Ontarians with Disabilities Act. We would be pleased to meet and discuss this matter further.

MAY 1, 2009

REPORT TO FINANCE & ADMINISTRATION COMMITTEE – MAY 19, 2009

2009-070-05

BROCKVILLE SENIOR CITIZENS INC.

FILE: F11-071

D. CYR

DIRECTOR OF FINANCE

RECOMMENDED

THAT Council consider a request from the Brockville Senior Citizens Inc. for an annual contribution towards the operating and maintenance costs of their facility during the 2010 budget process.

PURPOSE

To direct through Council an annual contribution request from the Brockville Senior Citizens Inc. (BSC)

BACKGROUND

Members of the BSC attended the Finance & Administration Committee meeting on April 21st. Mr. Les Pettem, a representative of the club, provided the Committee with an overview of the amount of involvement of local seniors in activities that are held at the club's facilities on Elm Street.

There is concern that the BSC may not be eligible in the future for funding assistance under the Elderly Persons Centres Act if the City does not contribute monies towards the maintenance and operating costs of the BSC. Mr. Pettem explained that the BSC works on a very tight budget and if the club did not receive a subsidy from the Ministry of Health and Long-Term Care (MHLTC), which in 2008 totaled \$17,625, the club would not be able to function.

ANALYSIS/OPTIONS

The BSC has contacted the City in regard to the current legislation under Section 4 (2) of the Elderly Persons Centres Act which states:

Maintenance and operating grants

(2) There shall be paid to every municipality or approved corporation a sum computed in accordance with the regulations towards the cost of maintaining and operating its approved centre, but no payment shall be made to the approved corporation unless the council of the municipality in which the centre operated by the corporation is situate, or the council of that municipality together with the councils of one or more contiguous municipalities, directs payment to the approved corporation of a sum equal to at least the percentage prescribed by the regulations of the cost as so computed or contributes to the approved corporation personal property or services,

approved by the Minister, equivalent in value to at least the prescribed percentage of the said cost. R.S.O. 1990, c. E.4, s. 4 (2).

This requirement was brought to their attention by their auditor. However, MHLTC had never questioned their submissions until recently.

City staff contacted Ann Scott, Senior Program Consultant with the MHLTC, who confirmed that in order for an Elderly Persons Centre to receive funding assistance from MHLTC, current legislation requires the local municipality to commit for funding of at least 20% of the net monthly cost to the approved corporation of maintaining and operating its approved centre. This may be done by in-kind services (grass cutting, snow removal, etc.), monetary contributions or a combination of the two. Ms. Scott indicated that there are very few municipalities throughout Ontario who do not contribute to their local senior's centre.

Based upon the BSC's 2008 financial statements (Attachment #1 to Report 2009-070-05), the City's required contribution, for the BSC to maintain its provincial funding, would be approximately \$8,625.

POLICY IMPLICATIONS

There are no policy implications associated with this report.

FINANCIAL CONSIDERATIONS

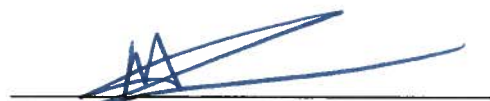
Any financial support to the BSC should be funded from the tax rate as it will be an ongoing expenditure which may increase in future years depending upon the BSC's net shareable expenditures.

CONCLUSION

The City receives many requests for financial assistance from groups and organizations for a variety of worthwhile projects. Due to legislative requirements, the BSC's request is being made in order to continue to receive provincial funding which currently represents approximately 38% of their revenue sources.



D. Cyr, Director of Finance



B. Casselman, City Manager

BROCKVILLE SENIOR CITIZENS INC.

FINANCIAL STATEMENTS

**FOR THE YEAR ENDED
MARCH 31, 2008**

BROCKVILLE SENIOR CITIZENS INC.

MARCH 31, 2008

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AUDITOR'S REPORT

To the Board of Directors of
Brockville Senior Citizens Inc.:

We have audited the balance sheet of Brockville Senior Citizens Inc. as at March 31, 2008, the statements of operations and unrestricted net assets and cash flows for the year then ended. These financial statements are the responsibility of the organization's management. Our responsibility is to express an opinion on these financial statements based on our audit.

We conducted our audit in accordance with Canadian Generally Accepted Auditing Standards. Those standards require that we plan and perform an audit to obtain reasonable assurance whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation.

In our opinion, these financial statements present fairly, in all material respects, the financial position of the company as at March 31, 2008 and the results of its operations for the year then ended, in accordance with Canadian Generally Accepted Accounting Principles.

George Caners Chartered Accountant Professional Corporation

George Caners Chartered Accountant Professional Corporation, Authorized to practise public accounting by The Institute of Public Accountants of Ontario.

Brockville, Ontario
June 30, 2008

BROCKVILLE SENIOR CITIZENS INC.**Balance Sheet****As At March 31, 2008**

	2008	2007
ASSETS		
Current Assets		
Cash	\$ 6,195	\$ 6,701
Long-Term Assets		
Investments - Note 3	97,397	86,218
Land and Building - Note 2	<u>137,415</u>	<u>137,415</u>
Total Long-Term Assets	<u>234,812</u>	<u>223,633</u>
Total Assets	\$ <u>241,007</u>	\$ <u>230,334</u>

LIABILITIES

Current Liabilities		
Accounts Payable	\$ 2,126	\$ 2,227
Due to Ministry of Health and Long-Term Care - Note 4	<u>6,797</u>	<u>0</u>
Total Current Liabilities	8,923	2,227

NET ASSETS

Net Assets		
Net Investment in Capital Assets	137,415	137,415
Unrestricted Net Assets	<u>94,669</u>	<u>90,692</u>
Total Net Assets	<u>232,084</u>	<u>228,107</u>
Total Liabilities & Equity	\$ <u>241,007</u>	\$ <u>230,334</u>

Approved on Behalf of the Board:

Director_____
Director

BROCKVILLE SENIOR CITIZENS INC.
Statement of Operations and Unrestricted Net Assets
For The Year Ended March 31, 2008

	2008	2007
Revenues		
Ministry of Health and Long-Term Care:		
Fiscal Subsidy	\$ 17,726	\$ 18,077
Special Grant	7,500	0
Luncheons	4,300	2,812
Donations	10,070	6,421
Interest Earned on Investments	2,897	2,628
Membership Fees	1,940	2,070
Other Revenue - Note 5	9,470	8,441
Due to Ministry of Health and Long-Term Care	<u>(6,797)</u>	<u>0</u>
Total Revenue	47,106	40,449
 Expenses		
Fees, Dues & Donations	140	767
General	4,509	5,922
Insurance	1,785	1,749
Luncheons	244	1,063
Municipal Taxes	3,249	3,070
Professional Fees	2,103	2,226
Repairs & Maintenance	6,405	8,400
Special Grant Expenditures	7,500	0
Subcontract	12,527	13,096
Telephone	560	926
Utilities	<u>4,107</u>	<u>3,559</u>
Total Expenditures	<u>43,129</u>	<u>40,778</u>
 Excess (Deficiency) of Revenues Over Expenses	3,977	(329)
 Unrestricted Net Assets - Beginning of Year	<u>90,692</u>	<u>91,021</u>
 Unrestricted Net Assets - End of Year	<u>\$ 94,669</u>	<u>\$ 90,692</u>

BROCKVILLE SENIOR CITIZENS INC.**Cash Flow Statement****For The Year Ended March 31, 2008**

Cash Provided (Used) By:

	2008	2007
Operating Activities		
Revenues Over (Under) Expenses	\$ 3,977	\$ (329)
Net Change in Non-Cash Working Capital*	<u>(4,483)</u>	<u>3,952</u>
Total from Operating Activities	(506)	3,623
 Cash - Beginning of Year	 6,701	 3,078
Increase (Decrease) in Cash	<u>(506)</u>	<u>3,623</u>
Cash - End of Year	\$ <u>6,195</u>	\$ <u>6,701</u>

*Consisting of changes in Investments, Accounts Payable and Due to Ministry of Health and Long-Term Care.

BROCKVILLE SENIOR CITIZENS INC.

Notes to the Financial Statements For The Year Ended March 31, 2008

1. Nature of Operations

Brockville Senior Citizens Inc. organizes a variety of events for senior citizens in the local area. It is incorporated without share capital under the laws of Ontario, and is a registered charity.

2. Significant Accounting Policies

a) Capital Assets

Land and building are recorded at cost, with no allowance for amortization being reflected in the financial statements.

b) Capital Expenditures

Capital Expenditures are charged to operations in the year of acquisition to the extent of the amount paid for the asset.

3. Investments

Investments consist of the following:

<u>Bank of Montreal</u>	2008	2007
Treasury Bill Mutual Fund	\$ 10,586	\$ 10,282
Variable Rate GIC at prime less 2.50%, due May 13, 2008	5,121	0
Variable Rate GIC at prime less 2.40%, due September 9, 2008	5,079	0
GIC #13 at 2.70%, due January 30, 2009	8,038	8,040
GIC #25 at 2.75%, due September 27, 2010	27,329	26,652
GIC #26 at 3.70%, due June 4, 2007	0	41,244
GIC #27 at 3.75%, due December 5, 2008	<u>41,244</u>	<u>0</u>
	<u>\$ 97,397</u>	<u>\$ 86,218</u>

GIC #25 is a 'Rate Riser', and is shown at the interest rate for the current year. On September 26, 2008 the interest rate for GIC #25 will be increased to 3.00%.

4. Due to Ministry of Health and Long-Term Care

The amount of money due to the Ministry of Health and Long-Term Care depends upon their own internal audits. Therefore, the amount of funds classified as net assets could be changed at a future date depending on the outcome of future audits and or reconciliations.

5. Other Revenue

	2008	2007
Club Efforts	\$ 3,572	\$ 3,866
Card Parties	<u>5,898</u>	<u>4,575</u>
	<u>\$ 9,470</u>	<u>\$ 8,441</u>

MAY 7, 2009

REPORT TO FINANCE & ADMINISTRATION COMMITTEE – MAY 19, 2009

**2009-072-05
2008 DEVELOPMENT CHARGES
ANNUAL REPORT
FILE: F21-02**

**D. CYR
DIRECTOR OF FINANCE
L. FERGUSON
SUPERVISOR OF ACCOUNTING SERVICES
C. WARD
TREASURY OFFICER - RESERVES & CAPITAL**

RECOMMENDATION

THAT Council receives the 2008 Annual Report and Continuity Financial Statement with respect to the City's Development Charge Reserve Funds [Attachment 1 to Report # 2009-072-05];

AND THAT this be forwarded as required to:

Municipal Finance Branch
Ministry of Municipal Affairs & Housing
777 Bay Street, 13th Floor
Toronto, ON M5G 2E5

PURPOSE

To provide Council with a financial statement relating to development charge by-laws and the associated reserve funds, as stipulated in the *Development Charge Act, 1997*.

BACKGROUND

Development Charges are fees imposed and collected by municipalities to help offset the capital costs associated with growth related infrastructure projects. Municipalities are given the authority to impose such fees by the Development Charges Act of 1997.

On June 22, 2004, the Corporation of the City of Brockville passed by-law 076-2004 under Section 2(1) of the Development Charges Act of 1997. This by-law establishes development charges upon all lands within the boundaries of the City of Brockville. It exempts these fees from developments in the downtown area (Part II Item 15) and industrial land uses (Part III Item 22).

The fees imposed through Development Charges are payable upon the issuance of the first building permit.

Our current Development Charge by-law 076-2004 expires in June of 2009. A background study, as well as at least one public meeting, has to be completed before

the next Development Charge by-law can be passed. The Development Charge by-law must be passed within one year of the completion of the background study.

Due to the current economic climate, Council has decided to not complete the background study at this time and to allow the current by-law to expire. Council has given staff direction to review this topic again at the City's Economic Development and Planning Committee meeting in November of this year.

The Treasurers of Ontario municipalities are required to file with Council an annual report and financial statements on the purpose and activities associated with Reserve Funds for which Development Charges have been initiated. As well, a copy of this report must be sent to the Minister of Municipal Affairs and Housing within 60 days of Council receiving the aforementioned report.

A copy of Ontario Regulation 82/98 which outlines the reporting requirements is provided as [Attachment 2 to Report # 2009-072-05].

ANALYSIS

The City of Brockville has provided for the following Development Charges Reserve Funds:

- A. Public Utilities Water Systems – Development Charge Reserve Fund
- B. Public Utilities Hydro Electric Systems – Development Charge Reserve Fund
- C. Growth Management Development Charge Reserve Fund
- D. Transportation Development Charge Reserve Fund
- E. Water Pollution Control Plant Development Charge Reserve Fund

Attachment 1 to Report 2009-072-05 is the statement of continuity which shows the revenues, deposit interest earned and monies paid for each Development Charges Reserve Fund during the 2008 fiscal year.

Purpose

The purpose of each Development Charge Reserve Fund is as follows:

A. Public Utilities Water Systems Development Charge Reserve Fund:

Funds were collected to aid in offsetting the growth related net capital costs for projects involving the supply of water, in accordance with the provisions of the Development Charges Act, Chapter 58, Section 16, and amendments thereto.

B. Public Utilities Hydro Electric Systems – Development Charge Reserve Fund

Funds were collected to aid in offsetting the growth related net capital costs for projects involving the supply of electricity, in accordance with the provisions of the Development Charges Act, Chapter 58, Section 16, and amendments.

C. Growth Management Development Charge Reserve Fund

For the provision of services related to designated growth as defined in the Development Charges By-Law 70-99.

D. Transportation Development Charge Reserve Fund

For the provision of transportation services related to designated growth, as defined in the Development Charges By-Law 70-99.

E. Water Pollution Control Plant Development Charge Reserve Fund


For the upgrade / expansion of the Water Pollution Control Plant, as defined in the Development Charges By-Law 70-99.


FINANCIAL CONSIDERATIONS

There are no financial considerations associated with this report.

CONCLUSION

After Council has received and reviewed this report, a copy will be sent to the Minister of Municipal Affairs and Housing.


C. Ward, Treasury Officer –
Reserves & Capital


L. Ferguson, Supervisor of Accounting
Services


D. Cyr, Director of Finance


B. Casselman, City Manager

Corporation of the City of Brockville
Development Charge Reserve Funds
As at December 31, 2008

	<u>By-Law 240-91</u>		<u>By-Law 076-2004</u>			Total
	951	971	958	968	983	
2008	Public Utilities Water Systems - Development Charge Reserve Fund	Public Utilities Hydro Electric Systems - Development Charge Reserve Fund	Growth Management Development Charge Reserve Fund	Transportation Development Charge Reserve Fund	Water Pollution Control Plant Development Charge Reserve Fund	
Opening	82,189	47,699	28,506	22,577	871,537	1,052,508
Interest income	2,586	1,500	1,043	890	25,988	32,006
Developers' Charges	0	0	4,754	7,911	129,582	142,247
Transfers to capital	0	0	0	0	(870,000)	(870,000)
Transfers to current	0	0	0	0	0	0
Closing	84,776	49,199	34,302	31,378	157,106	356,761

Français

Development Charges Act, 1997

ONTARIO REGULATION 82/98

GENERAL

Consolidation Period: From July 22, 2004 to the e-Laws currency date.

Last amendment: O.Reg. 206/04.

This is the English version of a bilingual regulation.

DEFINITIONS

1. (1) For the purposes of the Act and in this Regulation,

“existing industrial building” means a building used for or in connection with,

- (a) manufacturing, producing, processing, storing or distributing something,
- (b) research or development in connection with manufacturing, producing or processing something,
- (c) retail sales by a manufacturer, producer or processor of something they manufactured, produced or processed, if the retail sales are at the site where the manufacturing, production or processing takes place,
- (d) office or administrative purposes, if they are,
 - (i) carried out with respect to manufacturing, producing, processing, storage or distributing of something, and
 - (ii) in or attached to the building or structure used for that manufacturing, producing, processing, storage or distribution; (“immeuble industriel existant”)

“gross floor area” means the total floor area, measured between the outside of exterior walls or between the outside of exterior walls and the centre line of party walls dividing the building from another building, of all floors above the average level of finished ground adjoining the building at its exterior walls. (“surface de plancher hors oeuvre brute”) O. Reg. 82/98, s. 1 (1).

(2) For the purposes of paragraph 3 of subsection 2 (4) of the Act,

“land for parks”,

- (a) includes land for woodlots and land that is acquired because it is environmentally sensitive, and
- (b) does not include land for an enclosed structure used throughout the year for public recreation and land that is necessary for the structure to be used for that purpose, including parking and access to the structure. O. Reg. 82/98, s. 1 (2).

EXCEPTION RELATING TO THE CREATION OF ADDITIONAL DWELLING UNITS

2. For the purposes of clause 2 (3) (b) of the Act, the following table sets out the name and description of the classes of residential buildings that are prescribed, the maximum number of additional dwelling units that are prescribed for buildings in those classes and the restrictions for each class.

Name of Class of Residential Building	Description of Class of Residential Buildings	Maximum Number of Additional Dwelling Units	Restrictions
Single detached dwellings	Residential buildings, each of which contains a single dwelling unit, that are not attached to other buildings.	Two	The total gross floor area of the additional dwelling unit or units must be less than or equal to the gross floor area of the dwelling unit already in the building.
Semi-detached dwellings or row dwellings	Residential buildings, each of which contains a single dwelling unit, that have one or two vertical walls, but no other parts, attached to other buildings.	One	The gross floor area of the additional dwelling unit must be less than or equal to the gross floor area of the dwelling unit already in the building.
Other residential buildings	A residential building not in another class of residential building described in this table.	One	The gross floor area of the additional dwelling unit must be less than or equal to the gross floor area of the smallest dwelling unit already in the building.

O. Reg. 82/98, s. 2.

WHEN INTENTION TO MEET INCREASED NEED IS SHOWN

3. For the purposes of paragraph 3 of subsection 5 (1) of the Act, the council of a municipality has indicated that it intends to ensure that an increase in the need for service will be met if the increase in service forms part of an official plan, capital forecast or similar expression of the intention of the council and the plan, forecast or similar expression of the intention of the council has been approved by the council. O. Reg. 82/98, s. 3.

LEVEL OF SERVICE

4. (1) For the purposes of paragraph 4 of subsection 5 (1) of the Act, both the quantity and quality of a service shall be taken into account in determining the level of service and the average level of service. O. Reg. 82/98, s. 4 (1).

(1.1) In determining the quality of a service under subsection (1), the replacement cost of municipal capital works, exclusive of any allowance for depreciation, shall be the amount used. O. Reg. 206/04, s. 1.

(2) A geographic area of the municipality may be excluded in determining the service and average level of service if,

(a) the service is not provided in the excluded geographic area; and

(b) the excluded geographic area is identified in the by-law. O. Reg. 82/98, s. 4 (2).

(3) If the average level of service determined is lower than the standard level of service required under another Act, the standard level of service required under the other Act may be deemed for the purposes of paragraph 4 of subsection 5 (1) of the Act to be the average level of service. O. Reg. 82/98, s. 4 (3).

(4) Subject to subsection (2), if a development charge by-law applies to a part of the municipality, the level of service and average level of service cannot exceed that which would be determined if the by-law applied to the whole municipality. O. Reg. 82/98, s. 4 (4).

UNCOMMITTED EXCESS CAPACITY

5. For the purposes of paragraph 5 of subsection 5 (1) of the Act, excess capacity is uncommitted excess capacity unless, either before or at the time the excess capacity was created, the council of the municipality expressed a clear intention that the excess capacity would be paid for by development charges or other similar charges. O. Reg. 82/98, s. 5.

REDUCTIONS IN RESPECT OF CAPITAL GRANTS, ETC.

6. (1) If a capital grant, subsidy or other contribution has been made in respect of capital costs and, at the time the grant, subsidy or other contribution was made, the person making it expressed a clear intention that all or part of the grant, subsidy or other contribution be used to benefit existing development or new development, the capital costs determined under paragraph 7 of subsection 5 (1) of the Act shall be reduced by the amount of the grant, subsidy or other contribution, but only to the extent that the grant, subsidy or other contribution was intended to benefit new development. O. Reg. 82/98, s. 6 (1).

(2) If subsection (1) does not apply, the capital costs determined under paragraph 7 of subsection 5 (1) of the Act shall be reduced by the amount of any grant, subsidy or other contribution made in respect of the capital costs in the same proportion as the increase in the need for service was reduced under paragraph 6 of subsection 5 (1) of the Act. O. Reg. 82/98, s. 6 (2).

PRESCRIBED INDEX

7. The Statistics Canada Quarterly, *Construction Price Statistics*, catalogue number 62-007 is prescribed as the index for the purposes of paragraph 10 of subsection 5 (1) of the Act. O. Reg. 82/98, s. 7.

BACKGROUND STUDY

8. A development charge background study under section 10 of the Act shall set out the following for each service to which the development charge relates:

1. The total of the estimated capital costs relating to the service.
2. The allocation of the costs referred to in paragraph 1 between costs that would benefit new development and costs that would benefit existing development.
3. The total of the estimated capital costs relating to the service that will be incurred during the term of the proposed development charge by-law.
4. The allocation of the costs referred to in paragraph 3 between costs that would benefit new development and costs that would benefit existing development.
5. The estimated and actual value of credits that are being carried forward relating to the service. O. Reg. 82/98, s. 8.

NOTICE OF PUBLIC MEETING

9. (1) The notice of the public meeting the council is required to give under clause 12 (1) (b) of the Act shall be given in one of the following ways:

1. To every owner of land in the area to which the proposed by-law would apply, by personal service, fax or mail.

2. By publication in a newspaper that is, in the clerk's opinion, of sufficiently general circulation in the area to which the proposed by-law would apply to give the public reasonable notice of the meeting. O. Reg. 82/98, s. 9 (1).

(2) For the purposes of paragraph 1 of subsection (1), the owners are the owners shown on the last revised assessment roll, subject to any written notice of a change of ownership of land the clerk of the municipality may have received. A notice given by mail to an owner shall be mailed to the address shown on the last revised assessment roll or, if applicable, to the address shown on the notice of a change of ownership of land received by the clerk. O. Reg. 82/98, s. 9 (2).

NOTICES OF DEVELOPMENT CHARGE BY-LAWS

10. (1) This section applies to the notices relating to the passage of a development charge by-law that the clerk of a municipality is required to give under section 13 of the Act. O. Reg. 82/98, s. 10 (1).

(2) Notice shall be given in one of the following ways:

1. By personal service, fax or mail to every owner of land in the area to which the by-law applies.
2. By publication in a newspaper that is, in the clerk's opinion, of sufficiently general circulation in the area to which the by-law applies to give the public reasonable notice of the passing of the by-law. O. Reg. 82/98, s. 10 (2).

(3) Subsection 9 (2) applies, with necessary modifications, for the purposes of paragraph 1 of subsection (2). O. Reg. 82/98, s. 10 (3).

(4) In addition to the notice under subsection (2), notice shall be given, by personal service, fax or mail, to the following:

1. To every person and organization that has given the clerk of the municipality a written request for notice of the passing of the by-law and has provided a return address.
2. In the case of a by-law passed by the council of an area municipality, to the clerk of the upper tier municipality that the area municipality is in.
3. In the case of a by-law passed by the council of an upper tier municipality, to the clerks of the area municipalities within the upper tier municipality.
4. To the secretary of every school board having jurisdiction within the area to which the by-law applies. O. Reg. 82/98, s. 10 (4).

(5) Each notice shall set out the following:

1. A statement that the council of the municipality has passed a development charge by-law.
2. A statement setting out when the by-law was passed and what its number is.
3. A statement that any person or organization may appeal the by-law to the Ontario Municipal Board under section 14 of the Act by filing with the clerk of the municipality a notice of appeal setting out the objection to the by-law and the reasons supporting the objection.
4. A statement setting out what the last day for appealing the by-law is.
5. An explanation of the development charges imposed by the by-law.
6. A description of the lands to which the by-law applies.
7. A key map showing the lands to which the by-law applies or an explanation of why a key map is not provided.
8. An explanation of where and when persons may examine a copy of the by-law. O. Reg. 82/98, s. 10 (5).

MINIMUM INTEREST RATE

11. (1) The minimum interest rate that a municipality shall pay under subsections 18 (3) and 25 (2) of the Act and section 36 of the Act, in relation to a development charge by-law, is what the Bank of Canada rate is on the day the by-law comes into force. O. Reg. 82/98, s. 11 (1).

(2) Despite subsection (1), if the by-law so provides, the minimum interest rate is what the Bank of Canada rate is on the day the by-law comes into force updated on the first business day of every January, April, July and October. O. Reg. 82/98, s. 11 (2).

TREASURER'S STATEMENT

12. (1) The information described in subsection (2) is prescribed as information to be included in the statement of the treasurer of a municipality under section 43 of the Act. The information is in addition to the opening and closing balance for the previous year and the transactions relating to the year, as required by subsection 43 (2) of the Act. O. Reg. 82/98, s. 12 (1).

(2) The information referred to in subsection (1) is the following, for each reserve fund:

1. A description of the service for which the fund was established. If the fund was established for a service category, the services in the category.

2. For the credits in relation to the service or service category for which the fund was established,
 - i. the amount outstanding at the beginning of the previous year, given in the year, used in the year and outstanding at the end of the year,
 - ii. the amount outstanding at the beginning of the previous year and outstanding at the end of the year, broken down by individual credit holder.
3. The amount of any money borrowed from the fund by the municipality during the previous year and the purpose for which it was borrowed.
4. The amount of interest accrued during the previous year on money borrowed from the fund by the municipality.
5. The amount and source of any money used by the municipality to repay, in the previous year, money borrowed from the fund or interest on such money.
6. A schedule that identifies credits recognized under section 17 and, for each credit recognized, sets out the value of the credit, the service against which the credit is applied and the source of funds used to finance the credit. O. Reg. 82/98, s. 12 (2).

(3) The following is also prescribed as information to be included in the statement of the treasurer of a municipality under section 43 of the Act:

1. For each project that is financed, in whole or in part, by development charges,
 - i. the amount of money from each reserve fund established under section 33 of the Act that is spent on the project, and
 - ii. the amount and source of any other money that is spent on the project. O. Reg. 82/98, s. 12 (3).

13. (1) The treasurer of a municipality shall, on or before such date as the council of the municipality may direct in each year that reserve funds described in subsection 63 (3) of the Act exist, give the council a financial statement relating to those reserve funds. O. Reg. 82/98, s. 13 (1).

(2) A statement must include, for the preceding year, statements of the opening and closing balances of the reserve funds and of the transactions relating to the funds and the information required by subsections 12 (2) and (3), with necessary modifications. O. Reg. 82/98, s. 13 (2).

PAMPHLET EXPLAINING BY-LAW

14. (1) A municipality shall prepare a pamphlet for each development charge by-law in force setting out,
 - (a) a description of the general purpose for which the development charges under the by-law are being imposed;
 - (b) the rules for determining if a development charge is payable in a particular case and for determining the amount of the charge;
 - (c) a list of the services to which the development charges relate; and
 - (d) a description of the general purpose of the statement of the treasurer of the municipality and the place where it may be reviewed by the public. O. Reg. 82/98, s. 14 (1).
- (2) The municipality shall prepare the pamphlet,
 - (a) if the by-law is not appealed to the Ontario Municipal Board, within 60 days after the by-law comes into force;
 - (b) if the by-law is appealed to the Ontario Municipal Board, within 60 days after the Board's decision or, if the Board orders the municipality to amend the by-law, within 60 days after the municipality does so. O. Reg. 82/98, s. 14 (2).
- (3) If a development charge by-law is amended, the municipality shall revise the pamphlet for the by-law as necessary. O. Reg. 82/98, s. 14 (3).
- (4) If the municipality is required to revise the pamphlet, it shall do so,
 - (a) if the amendment is not appealed to the Ontario Municipal Board, within 60 days after the amendment comes into force;
 - (b) if the amendment is appealed to the Ontario Municipal Board, within 60 days after the Board's decision or, if the Board orders the municipality to amend the amendment, within 60 days after the municipality does so. O. Reg. 82/98, s. 14 (4).
- (5) The municipality shall give a copy of the most recent pamphlet, without charge, to any person who requests one. O. Reg. 82/98, s. 14 (5).
- (6) The municipality may charge a fee for additional copies of a pamphlet given to a person but the fee must be no more than is needed to pay for the cost of the additional copies. O. Reg. 82/98, s. 14 (6).
- (7) A person may reproduce and distribute the pamphlet in any form. O. Reg. 82/98, s. 14 (7).

NOTICE RELATING TO CREDITS UNDER SECTION 13 OF THE OLD ACT

15. (1) A notice required under paragraph 1 of subsection 64 (1) of the Act shall be given by the clerk of the municipality,
- (a) by personal service, fax or mail to every person who holds a credit from the municipality under section 13 of the *Development Charges Act* as it read immediately before March 1, 1998; and
 - (b) by publication in a newspaper that is, in the clerk's opinion, of sufficiently general circulation in the area to which the by-law applied to give the public reasonable notice of the right to apply for a refund of ineligible credits. O. Reg. 82/98, s. 15 (1).
- (2) A notice required under paragraph 1 of subsection 64 (1) of the Act shall contain the following:
- 1. A statement setting out the date the by-law expired or was repealed and what its number was.
 - 2. A statement setting out the last day for applying under section 64 of the Act for a refund of ineligible credits.
 - 3. A statement describing the credits for which refunds are available under section 64 of the Act, including a summary of the definition of "ineligible credit" in subsection 64 (2) of the Act and a list of the services referred to in paragraphs 1 to 7 of subsection 2 (4) of the Act.
 - 4. A statement that there is no right of appeal to the Ontario Municipal Board in respect of a claim under section 64 of the Act for a refund of ineligible credits. O. Reg. 82/98, s. 15 (2).

TRANSITION RULES FOR CREDITS UNDER SECTION 14 OF THE OLD ACT

16. In sections 17 to 20,

"new Act" means the *Development Charges Act, 1997*; ("nouvelle loi")

"old Act" means the *Development Charges Act* as it read immediately before March 1, 1998. ("ancienne loi") O. Reg. 82/98, s. 16.

17. The following rules apply with respect to credits given or required to be given under section 14 of the old Act:

- 1. The owner or former owner of land is entitled to the recognition of a credit towards a development charge imposed under a development charge by-law passed under the new Act by the council of the municipality that gave the credit.
- 2. If there is a conflict between a development charge by-law passed under the new Act and an agreement referred to in paragraph 3, the provisions of the agreement prevail over the by-law to the extent of the conflict.
- 3. Paragraph 2 applies with respect to an agreement made between a municipality and the owner or former owner of land if, before the coming into force of a development charge by-law under the old Act,
 - i. the owner or former owner of the land paid all or a portion of a charge related to development under the agreement with respect to the land and the land is within the area to which a development charge by-law passed under the new Act may apply, or
 - ii. the owner or former owner of the land provided services in lieu of the payment referred to in subparagraph i.
- 4. If a credit has been recognized under this section with respect to a service referred to in paragraphs 1 to 7 of subsection 2 (4) of the new Act, the value of the credit cannot be recovered from future development charges.
- 5. An application for the recognition of a credit under paragraph 1 must be made,
 - i. on or after March 1, 1998 and on or before March 1, 1999, or
 - ii. on or after September 27, 1999 and on or before October 31, 1999.
- 6. An application for the recognition of a credit shall set out the amount of the credit that is sought and the services to which the applicant claims the credit should be applied.
- 7. The municipality shall give each applicant written notice of whether the municipality agrees or refuses to recognize the credit in accordance with the application. The notice must be given,
 - i. on or before September 1, 1999 for an application made during the period described in subparagraph 5 i, and
 - ii. on or before December 31, 1999 for an application made during the period described in subparagraph 5 ii.
- 8. If the municipality agrees to recognize a credit in accordance with an application, or does not give the applicant a notice within the time required under paragraph 7, the applicant is entitled to have the credit recognized for the services set out in the application in the amount set out in the application.
- 9. A municipality may agree to recognize some credits in accordance with an application and refuse to recognize other credits and, if the municipality does so, paragraph 8 applies but only with respect to the credits that the municipality agrees to recognize.

10. If the municipality refuses to recognize a credit in accordance with an application, the applicant may appeal the municipality's decision to the Ontario Municipal Board by filing with the clerk of the municipality, within 30 days after the applicant receives the notice of the municipality's refusal, a notice of appeal.
11. If a notice of appeal under paragraph 10 is filed with the clerk of the municipality, the clerk shall,
 - i. compile a record that includes a copy of the application and the notice of the municipality's refusal,
 - ii. forward a copy of the notice of appeal and the record to the secretary of the Ontario Municipal Board within 30 days after the notice is received, and
 - iii. provide any other information and material that the Board may require in respect of the appeal.
12. The Ontario Municipal Board shall hold a hearing to deal with the notice of appeal.
13. The parties to the appeal are the appellant and the municipality.
14. The Ontario Municipal Board shall give notice of the hearing to the parties.
15. After the hearing, the Ontario Municipal Board shall determine whether the appellant is entitled to the recognition of a credit and, if so, shall determine the amount of the credit to be recognized and the services to which it relates.
16. Despite paragraph 12, the Ontario Municipal Board may, where it is of the opinion that the complaint set out in the notice of appeal is insufficient, dismiss the appeal without holding a full hearing after notifying the appellant and giving the appellant an opportunity to make representations as to the merits of the appeal.
17. An applicant and the municipality may, at any time before the commencement of the hearing before the Ontario Municipal Board, agree that the applicant is entitled to the recognition of a credit and may agree to the amount of the credit to be recognized and the service to which it relates.
18. If the applicant and the municipality enter into an agreement under paragraph 17, the applicant shall withdraw the appeal to the Ontario Municipal Board and the appeal shall be deemed to be terminated. O. Reg. 82/98, s. 17; O. Reg. 439/99, s. 1.

TRANSITION RULES FOR DEBTS UNDER THE OLD ACT

18. (1) This section applies with respect to a debt, other than credits, incurred with respect to a service referred to in paragraphs 1 to 7 of subsection 2 (4) of the new Act under a development charge by-law under the old Act that expires or is repealed during the transition period or expires, under section 63 of the new Act, at the end of the transition period. O. Reg. 82/98, s. 18 (1).

(2) For the purposes of developing a development charge by-law, the debt, reduced by the amount of any reserve funds held in respect of the same service, may be included as a capital cost if the following requirements are met:

1. The debt relates to a service contained in a development charge by-law on or before November 25, 1996.
2. The project for which the debt was incurred was tendered for construction on or before November 25, 1996.
3. The debt was either debentured or the subject of documented internal fund borrowing on or before November 25, 1996. O. Reg. 82/98, s. 18 (2).

TRANSITION RULES FOR DEVELOPMENT CHARGE BY-LAWS

19. (1) A development charge by-law passed under section 3 of the old Act before March 1, 1998 may be approved by the Minister after March 1, 1998 and before the end of the transition period. O. Reg. 82/98, s. 19 (1).

(2) Section 62 of the new Act applies to a by-law described in subsection (1). O. Reg. 82/98, s. 19 (2).

TRANSITION RULES FOR OLD FRONT-ENDING AGREEMENTS

20. (1) The old Act continues to apply to a front-ending agreement under Part II of the old Act if the agreement was entered into before March 1, 1998, even if the agreement is not yet in force on that day. O. Reg. 82/98, s. 20 (1).

(2) If an agreement mentioned in subsection (1) comes into force, it continues in force until it expires or otherwise ceases to be in force. O. Reg. 82/98, s. 20 (2).

(3) The following rules apply with respect to deductions under subsection 28 (9) of the old Act as it applies under subsection (1):

1. If a development charge by-law under the old Act applies, the deduction under subsection 28 (9) of the old Act shall be made from the amount otherwise payable under that by-law.
2. An amount not deducted under paragraph 1 shall be deducted from any applicable development charge under the new Act. Such an amount shall be deducted only from a development charge that is for the same development for which the payment being deducted was made.

3. A deduction is not a credit and the provisions of the new Act in relation to credits do not apply. O. Reg. 82/98, s. 20 (3).

21. OMITTED (PROVIDES FOR COMING INTO FORCE OF PROVISIONS OF THE ENGLISH VERSION OF THIS REGULATION).
O. Reg. 82/98, s. 21.

[Français](#)

[Back to top](#)

REPORT TO THE FINANCE AND ADMINISTRATION COMMITTEE
May 19, 2009

2009-073-05
REQUEST FOR
ENCROACHMENT AGREEMENT
GARY NEWBURY
44 AMY STREET, BROCKVILLE

S.M. SEALE
CITY CLERK

RECOMMENDATION

THAT Council authorize the Mayor and Clerk to execute an encroachment agreement with Gary Newbury, 44 Amy Street, Brockville, for the encroachment a portion of a front porch and front steps that encroach onto the Amy Street road allowance to a maximum of 1.77 metres (5.8 ft.).

ORIGIN

This matter arises from a request by Gary Newbury to replace the existing porch on his property located at 44 Amy Street.

ANALYSIS

An application has been received in the Clerk's Office from Gary Newbury for the encroachment of a portion of a front porch and front steps at 44 Amy Street. Mr. Newbury will be applying for building permits to reconstruct a front porch that was damaged due to a vehicle accident. A portion of the front porch and steps exiting the dwelling will encroach onto the Amy Street road allowance to a maximum of 1.77 metres (5.8' ft) as shown on Schedule "A" to this report.

Through circulation to various City Departments, comments from the Engineering Division and the Planning Department indicate that there are no concerns or objections to Council granting this encroachment.

FINANCIAL CONSIDERATION

As per the City of Brockville Fees and Charges By-law, there is a \$109.52 (plus GST) fee for processing the encroachment agreement, which would be deposited to G1240-0320-0799.



S.M. Seale, City Clerk



for B. Casselman, City Manager

			0	B.O.B
				APR/09
				FOR REVIEW
			No.	By
				Date
				Revisions

All drawings, specifications and related documents are the copyright property of the Engineer and must be returned upon request. Reproduction of drawings, specifications, and related documents in part or whole is forbidden without the Engineer's written permission.

The contractor must check and verify all dimensions on the job prior to start of construction.

DRAWINGS ARE NOT TO BE SCALED



ENGINEERING GROUP INC.
CONSULTING ENGINEERS

Brookville Centre
125 Stewart Blvd., Suite 212
Brookville, Ont. K6V 4W4
Telephone: (913) 345-0400
Facsimile: (913) 345-0008
Web: www.EastEng.com



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PLUMBING HOUSE
SMALL BUILDINGS

Abstract Title

**FIRST ON SITE RESTORATION
44 AMY STREET
BROCKVILLE, ONTARIO**

Drawing Time

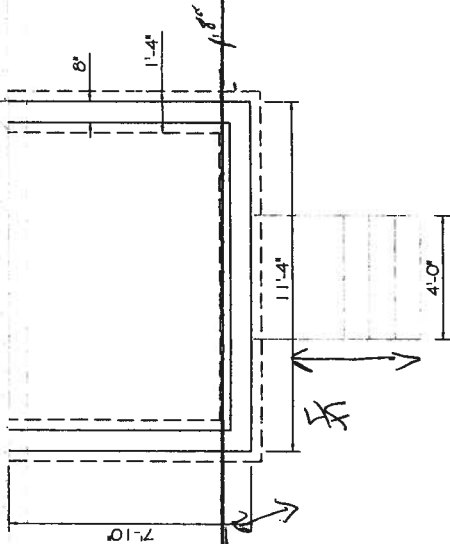
FOUNDATION PLAN & FLOOR PLAN

Design	L.A.F.	Checked	L.A.F.	Approved	L.A.F.	Project No.	4429
Drawn	BOB	Checked	L.A.F.	Date	APR/09	Control No.	
Basic				Drawing No.			
 Horizontal: 0				 Vertical: 0			

File No: 0220-1

Vertical:

EXISTING HOUSE



Property line

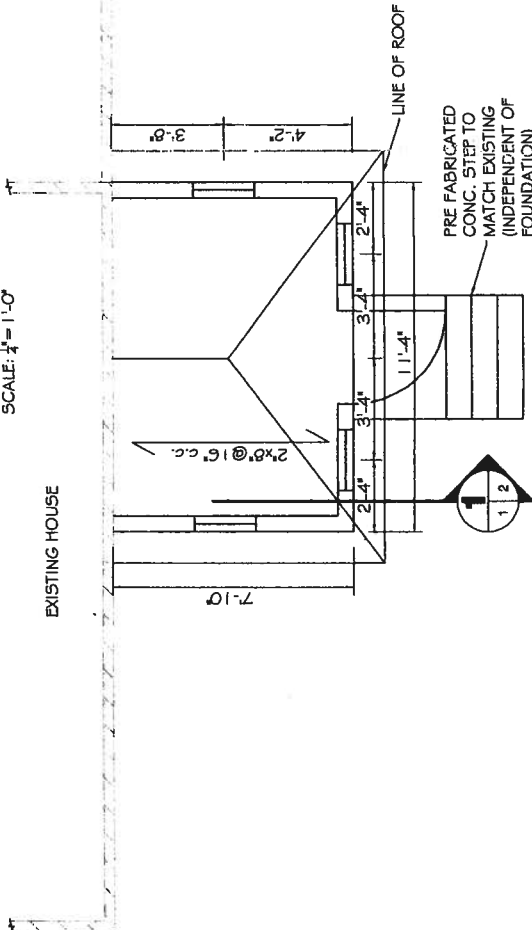
NOTE TO BUILDING OFFICIAL:
I have reviewed and take responsibility for the design activities which bear this declaration and meet the requirements set out in the OBC as a registered designer.

Description of Designer's Work: STRUCTURAL
 RCIN No. 19463 Design Signature: [Signature]
 This drawing is considered preliminary, and not for construction
 unless signed by the designer, and dated within 30 days of Building
 Permit Application

Drug/kr

FOUNDATION PLAN

SCALE: $\frac{1}{4}'' = 1'-0''$



FLOOR PLAN

SCALE: $\frac{1''}{4'} = 1'-0''$

SEE DWG. No. 2
FOR NOTES

0	B.O.B.	APR/09	FOR REVIEW
No.	By	Date	Revisions

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The contractor must check and verify all dimensions on the job prior to start of construction.

DRAWINGS ARE NOT TO BE SCALED



**EASTERN
ENGINEERING GROUPING.**
CONSULTING ENGINEERS

Brookville Centre
126 Stewart Blvd. Suite 212
Brookville, Ont. L4Y 4H4
Telephone: (913) 343-0400
Facsimile: (913) 343-0008
Web: www.easteng.com

EASTERN ENGINEERING GROUPING.
BUILDING CODE IDENTIFICATION No.
19467

CLASSES OF REGISTRATION:
BUILDING SERVICES
BUILDING STRUCTURAL
DETECTION, LIGHTING & POWER
MECHANICAL
PLUMBING
SMALL BUILDINGS
ON SITE SEWAGE
PLUMBING ALL BUILDINGS
PLUMBING SEWAGE
SMALL BUILDINGS

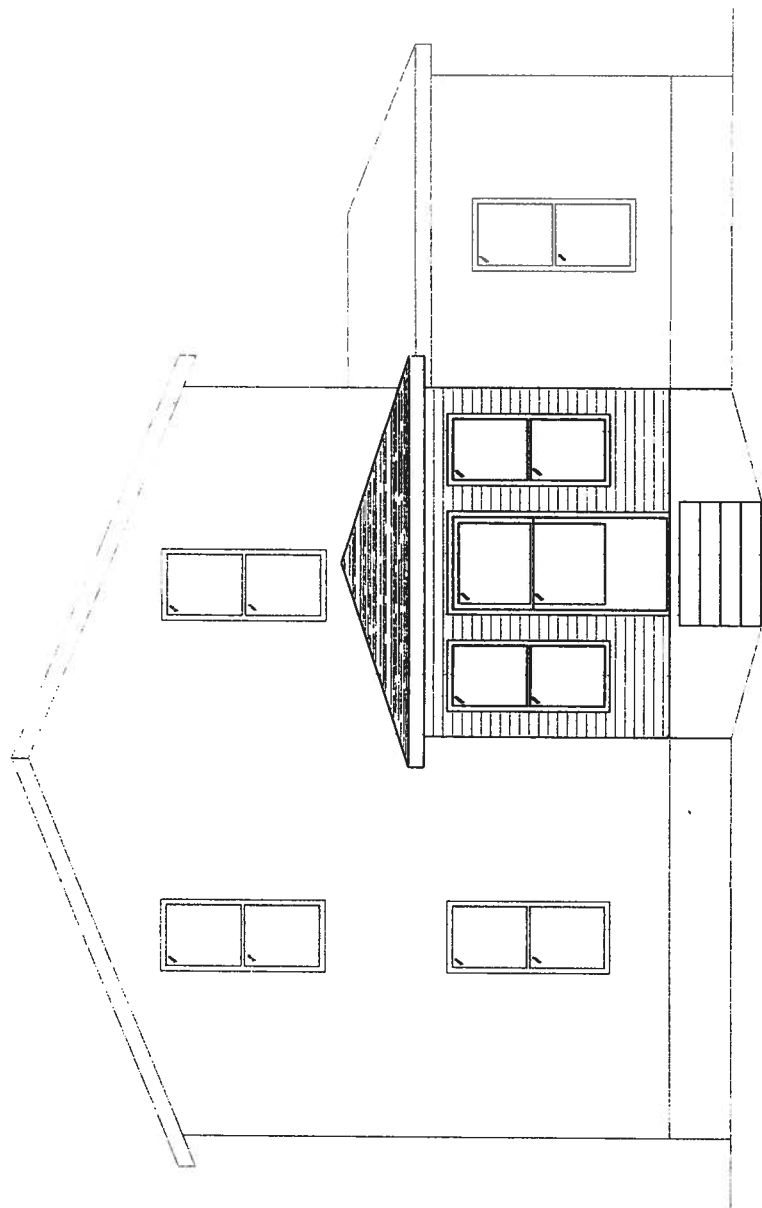
Project Title

**FIRST ON SITE RESTORATION
44 AMY STREET
BROCKVILLE, ONTARIO**

Drawing Title

ELEVATION

Design	L.A.F.	Checked	L.A.F.	Approved	L.A.F.	Project No.	4229
Drawn	B.O.B.	Checked	L.A.F.	Date	APR/09	Contract No.	
Scale	Drawing No.						3
Route							File No. 4229-1
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FRONT ELEVATION

SCALE: $\frac{1}{4}'' = 1'-0''$

MAY 13, 2009

REPORT TO FINANCE & ADMINISTRATION – MAY 19, 2009

2009-074-05

INFRASTRUCTURE STIMULUS FUND

**B. CASSELMAN
CITY MANAGER**

RECOMMENDATION

THAT Council authorize staff to pursue long-term financing for the secondary treatment upgrade to the Water Pollution Control Centre(WPCC).

PURPOSE

To update Council in regard to the City's economic stimulus plan applications and to request Council's authorization for staff to pursue long-term financing for the secondary treatment upgrade to the WPCC in order to take advantage of current low interest rates.

BACKGROUND / ANALYSIS

Economic Stimulus Plans

On April 18, 2009 details of the Federal Government Economic Action Plan was provided to Council. As directed, staff has completed grant requests for the following projects:

1. Build Canada Fund – Intake 2

(a) 2010 Canada 55+ Senior Games	\$630,000
after discussions with BCF amended to	\$425,000

2. Infrastructure Stimulus Fund

(a) Sewer Separation Program	\$1.5 Million
(b) Building/Energy Retrofit Program	\$1.5 Million
(c) Street Lighting Conversion Program	\$1.5 Million

3. Human Resources and Skills Development Canada
(HRDC) Enabling Accessibility Fund

Accessible Entrance Ways	\$50,000
--------------------------	----------

4. Recreational Infrastructure Canada program in Ontario (RInC Ontario)

Applications can now be submitted under this new program for funding for facility upgrades and repairs to community recreational sites. (Attachment #1 to Report 2009-074-05) The deadline for applications is May 29th.

Secondary Treatment Upgrade to WPCC

The WPCC will be undergoing a \$46 Million secondary treatment upgrade commencing August 2009 with a projected completion of March 2012.

The financing of this project is outlined as follows:

Grants	\$30,666,665
Development Charges	1,020,000
Debentures	8,000,000
Hydro One Reserve	<u>6,313,335</u>
	\$46,000,000

There are two financing programs that have been established through the Federal Economic Action Plan that should be pursued by the City of Brockville to secure long-term financing (debentures) for the Secondary Treatment Project.

1. CMHC Municipal Infrastructure Loan Program

- \$2 billion over two years
- must be housing related infrastructure projects
- 15 year term/extensions possible
- Interest Rate based upon Government of Canada 15 year rate + 0.5%
- Project must be completed by March 31, 2012
- Straight forward application/approval process
- Annual repayment schedule

2. Federation of Canadian Municipalities (FCM)
Green Municipal Fund

- \$550 Million
- Interest Rate 1.5% less than Bank of Canada Bond Rate
- Term – up to 10 years (or up to 20 years for “exceptional” projects)
- Eligible projects: Waste, Water, Brownfields, Energy, Transportation
- Grants and Loans available
- Loan capped @ \$4 Million for Secondary Treatment Project
- Application timeframe – 4-6 months
- Funds disbursed in one installment after project is completed

Another option is to obtain financing through Infrastructure Ontario (OIPC), which has been the City’s main financing source for the last several years. OIPC offers:

- competitive rates

- varied terms
- loan monies may be advanced prior to completion of project (new)
- ability to make lump sum payments
- simplified application process
- staff familiarity with process

POLICY IMPLICATIONS

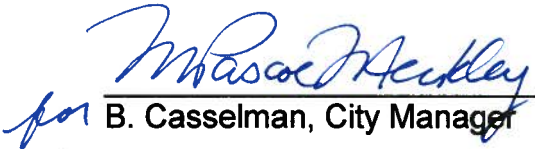
There are no policy implications associated with this report.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

CONCLUSION

If successful in any or all of its bids under the infrastructure stimulus programs, the City will benefit not only through the new or refurbished infrastructure but it will also translate into efficiencies within the City's operating budget.


for B. Casselman, City Manager

News Release

GOVERNMENTS ACT TO RENEW RECREATIONAL CENTRES

Browckville, Ontario, May 11, 2009 — Local hockey rinks, arenas, swimming pools, sports fields and other community recreational sites throughout Ontario will be eligible to receive funding for facility upgrades and repairs thanks to the new Recreational Infrastructure Canada program in Ontario (RInC Ontario).

Today, MP Gord Brown and MPP Bob Runciman were pleased to announce that project applications can now be submitted under the new program.

“By investing in recreational infrastructure, our government continues to show their commitment to supporting our communities,” said MP Brown. “Our recreational facilities are vital social and athletic hubs where families, friends and neighbours can come together to get fit and to have fun.”

The 2009 Federal Budget – *Canada's Economic Action Plan* – provided \$500 million over two years for the Recreational Infrastructure Canada program to support upgrading and renewal of recreational facilities in communities. The federal allocation for Ontario for this construction season is \$68 million, which is being matched by the Government of Ontario. Projects will be selected on the basis of merit and construction readiness.

The governments of Canada and Ontario can each fund up to one third of a project's total eligible cost up to a maximum of \$1 million each per project, with recipients providing the remaining balance.

“The renewal of recreational infrastructure is critical to preserving and creating jobs today while revitalizing our communities for tomorrow,” said MPP Runciman. “Investments in recreation build better communities, stronger families and a healthier Ontario.”

To maximize the number of recipients able to take advantage of the 2009 construction season, projects submitted before 5:00 p.m. EST on May 29, 2009, will be reviewed immediately with approved projects to be announced in June 2009.

Projects that come in after May 29, 2009, will be assessed and those approved will be announced in a timely fashion on an ongoing basis.

For details on project eligibility and how to submit an application, please refer to the program [background](#) and website at www.rinc-on.ca.

LEARN MORE

Get more information about the Recreational Infrastructure Canada program in Ontario (RInC Ontario).

Learn how the Government of Canada is investing in infrastructure.

Learn how the Government of Ontario is helping to build and revitalize infrastructure across the province.



May 11, 2009

Dear Head of Council,

On April 14, the governments of Canada and Ontario called on Ontario municipalities to apply for money under the new, national \$4-billion Infrastructure Stimulus Fund. The aim is to get shovels in the ground for infrastructure projects that can start quickly and be completed over the next two years. Both the Government of Canada and the Government of Ontario are committed to making significant investments to help communities weather this economic storm, create jobs and inject much needed stimulus money into the economy.

We are pleased to report that Ontario municipalities have risen to the challenge. Over 2700 project applications worth a total of \$6 billion from 425 separate municipalities and communities across the province were received by the deadline of Friday, May 1.

We would like you to know that our two governments are committed to assessing applications quickly. Priority will be given to those projects that are truly shovel ready.

Successful proponents will be notified as soon as possible so that they can move projects forward. Financial agreements will be signed between the Province of Ontario and municipalities. Prior to final approval of project funding and the conclusion of an agreement with the Province, the Municipality must provide proof of Council support for the approved project and the municipal contribution.

In addition to the new Stimulus Fund, we are also assessing the 420 applications – worth more than \$1 billion in total project costs – received through the second intake of the Communities Component of Building Canada. In its Budget 2009, the federal government announced a Communities Component Top-Up of \$500 million available to municipalities for projects that could be started and completed by March 31, 2011. The Government of Ontario has set aside matching funds for Ontario's portion of the top-up funding in its recent provincial budget. Results of this second intake will be announced soon so work can get under way.

/...2

The early results of this process are testament to a great deal of collaboration and shared enthusiasm in responding to the economic crisis by all three levels of government. We are encouraged particularly by the willingness of Ontario municipalities to put forward immediate investments in infrastructure.

Sincerely,



John Baird, P.C., M.P.
Canada's Minister of Transport,
Infrastructure and Communities



George Smitherman, M.P.P.
Ontario's Deputy Premier and
Minister of Energy and
Infrastructure

P.S. In addition to the Stimulus Fund and the Building Canada Fund Communities Component, there will be additional project funding announced for major infrastructure projects in Ontario.

For more information, visit:
www.buildingcanada.gc.ca and
www.bcfontario.ca

May 14, 2009

REPORT TO FINANCE & ADMINISTRATION COMMITTEE – May 19, 2009

**2009-075-05
BUSINESS LICENSING
TYPES OF BUSINESSES
TO BE LICENSED**

**S.M. SEALE
CITY CLERK**

RECOMMENDED

THAT the Finance & Administration Committee direct staff to prepare a business licensing by-law for review for the types of business identified on "Schedule A" to Report 2009-075-05, Business Licensing – Types of Businesses to be Licensed.

PURPOSE

To permit staff to develop a by-law containing the applicable type of businesses to be licensed. A new licensing by-law will be presented to Finance & Administration Committee for approval at a future meeting.

BACKGROUND

Municipal business licencing has been a subject of discussion for City Council for a number of years. The introduction of the *Municipal Act*, 2001 imposed changes to the process a municipality had in place for user fees and licenses. These changes were so extensive that Councillors Earle and Kostuch were appointed in 2003 to review user fees and license fees with staff. Due to a change in Council and other contributing factors, the review was delayed until 2005 and then assigned to the Finance and Administration Committee. The Committee at the time recognized the substantial changes to the legislation and therefore suspended the licensing by-law until the review could be completed. The committee compiled a list of types of business that should be licenced (attached as Schedule A).

Meanwhile, Bill 130, the *Municipal Statute Law Amendment Act*, 2006 was introduced (June 2006), which again substantially amended the licensing provisions. Most sections of Bill 130 were proclaimed January 1, 2007, and the remaining provisions came into force on January 1, 2008.

ANALYSIS/OPTIONS

Direction from the Committee will enable staff to prepare a by-law for consideration by Council.

FINANCIAL CONSIDERATIONS

There are no financial considerations with respect to this report.

A handwritten signature in blue ink, appearing to read "S.M. Seale", written over a horizontal line.

S.M. Seale
City Clerk

A handwritten signature in blue ink, appearing to read "B. Casselman", written over a horizontal line.

for B. Casselman
City Manager

Schedule A

Business Licenses

	Brockville NEW by-law	Brockville (previously licensed)	Kingston	Hawkesbury	Markham	Owen Sound	Woodstock	Stratford	Health & Safety	Nuisance Control	Consumer Protection
Type			Municipality						Reason		
Alarm Installers			⊗	⊗						⊗	⊗
Alarm Monitoring			⊗							⊗	⊗
Amusement Arcades	⊗		⊗	⊗	⊗		⊗		⊗	⊗	
Antenna Installation Contractor				⊗					⊗		⊗
Antique Sales				⊗							⊗
Appliance Repairs				⊗							⊗
Auctioneers	⊗	⊗	⊗	⊗	⊗	⊗	⊗	⊗	⊗		⊗
Automotive Body Repair				⊗					⊗		⊗
Automotive Repair			⊗	⊗							⊗
Automobile Leasing/Rental				⊗	⊗				⊗		⊗
Automotive Sales				⊗							⊗
Automobile Wrecking Yard	⊗			⊗	⊗						⊗
Bakeries			⊗						⊗		⊗
Barbers		⊗	⊗		⊗				⊗		⊗
Bed and Breakfast Establishment				⊗		⊗			⊗		⊗
Bill posters			⊗							⊗	
Billiard Tables (Pool or Bagatelle)		⊗	⊗		⊗				⊗		
Body Piercing Parlour	⊗			⊗				⊗	⊗		⊗
Bowling Alley				⊗	⊗				⊗		⊗
Car Wash				⊗	⊗						⊗
Carnival, Circus & Similar Shows	⊗	⊗		⊗			⊗	⊗	⊗	⊗	⊗
Caterers				⊗					⊗		⊗
Delivery/Courier Service				⊗					⊗		⊗
Driving School Operator				⊗	⊗				⊗		⊗
Dry Cleaner				⊗	⊗				⊗		⊗
Electrical Contractor			⊗	⊗							⊗
Escort Attendant				⊗					⊗		⊗
Escort Service				⊗					⊗		⊗
Fish Sales			⊗						⊗		
Flea Market (x3)(Location/Owner/Vendor)				⊗				⊗	⊗	⊗	⊗
Food Service Premises			⊗	⊗	⊗				⊗		⊗
Food Stores					⊗						
Gasoline Sales			⊗	⊗	⊗				⊗		
Garage (Public)					⊗						
General Contractor	⊗			⊗					⊗		⊗
Hair Salons		⊗	⊗	⊗	⊗				⊗		⊗

	Brockville NEW by-law	Brockville (previously licensed)	Kingston	Hawkesbury	Markham	Owen Sound	Woodstock	Stratford	Health & Safety	Nuisance Control	Consumer Protection
Hawkers and Peddlers (transient traders)	⊗		⊗	⊗		⊗	⊗	⊗	⊗	⊗	⊗
Horse Riding Establishments					⊗				⊗		
Jewellery Sales (Old Gold & Other Precious & Old)								⊗		⊗	⊗
Laundromat				⊗					⊗	⊗	⊗
Laundry				⊗					⊗		⊗
Lawn Maintenance Contractor				⊗							
Limousines (Owners & Drivers)					⊗				⊗		
Lodging Houses			⊗						⊗		⊗
Massage Therapists			⊗						⊗		⊗
Meat Sales			⊗						⊗		
Mechanical Contractor Gas Fitter	⊗			⊗					⊗		⊗
Menagerie				⊗					⊗	⊗	⊗
Mobile Vendors (flowers/apples/corn)	⊗	⊗			⊗				⊗		
Motel				⊗					⊗		⊗
Music/Concert Hall				⊗						⊗	⊗
Outdoor Cafes (on Municipal Property)								⊗	⊗	⊗	
Paving/Resurfacing Contractor				⊗							⊗
Pawnbrokers		⊗	⊗				⊗		⊗		⊗
Pet Groomer				⊗					⊗		⊗
Pet Stores			⊗	⊗					⊗		⊗
Photographer				⊗		⊗	⊗				⊗
Physical Fitness Centre				⊗							⊗
Plumbing Contractor		⊗	⊗	⊗					⊗		⊗
Public Halls - Commercial				⊗	⊗				⊗	⊗	⊗
Recreational Vehicle/Watercraft Leasing & Repairs & Sales				⊗					⊗	⊗	⊗
Refreshment Vehicles	⊗	⊗	⊗	⊗	⊗	⊗	⊗	⊗	⊗		
Restaurants		⊗									
Ricksaw/Pedicab		⊗		⊗					⊗		⊗
Sandblaster				⊗					⊗		
Second Hand Sales				⊗	⊗		⊗		⊗		⊗
Sheet Metal Contractor				⊗					⊗		⊗
Shoe Repair/Shine Shop				⊗							⊗
Sign Installer				⊗	⊗						⊗
Sign Lessor				⊗	⊗						⊗
Small Engine Repair				⊗					⊗		⊗
Snack Bar				⊗	⊗				⊗		⊗
Snow Removal Contractor				⊗						⊗	⊗
Special Event/Commerical/Entertainment				⊗	⊗		⊗		⊗	⊗	⊗
Specific Location Sales		⊗	⊗	⊗	⊗		⊗				⊗
Street Performers			⊗						⊗	⊗	

	Brockville NEW by-law	Brockville (previously licensed)	Kingston	Hawkesbury	Markham	Owen Sound	Woodstock	Stratford	Health & Safety	Nuisance Control	Consumer Protection
Tattoo Parlour	⊗			⊗				⊗	⊗		⊗
Taxis (Owners & Drivers)		⊗			⊗		⊗				
Theatres			⊗	⊗					⊗		
Tobacco Sales	⊗	⊗	⊗	⊗	⊗				⊗		⊗
Tow Trucks					⊗				⊗		
Trade Show				⊗			⊗				⊗
Tree Cutting Contractor				⊗					⊗	⊗	⊗
Videotape Sales/Rentals				⊗							⊗
Adult Entertainment Businesses											
Adult Entertainment Establishments	⊗	⊗	⊗	⊗	⊗		⊗	⊗	⊗	⊗	
Adult Entertainment Attendants	⊗		⊗		⊗				⊗	⊗	
Adult Entertainment Performers	⊗	⊗						⊗	⊗		
Adult Entertainment Stores	⊗		⊗		⊗				⊗	⊗	
Body Rub Parlours Owner	⊗				⊗		⊗	⊗	⊗	⊗	
Body Rub Parlours Operator	⊗				⊗			⊗	⊗	⊗	
Body Rub Parlours Attendant	⊗				⊗			⊗	⊗	⊗	
Adult Shops	⊗				⊗			⊗	⊗	⊗	
Municipalities that do not license businesses: * Pembroke											
(at this time)											

Finance and Administration Committee Business Licence Review

Background and review of licensing legislation

Licensing under the *Municipal Act*, 2001 (circa 2003)

In an effort to enhance public accountability, the *Municipal Act*, 2001 imposed many changes to the way a municipality charged for user fees and licenses. Regulations introduced new criteria and processes that municipalities needed to follow when implementing fees for certain services. The process rules were designed to ensure transparency and give the public, the business community and other groups a chance to provide their input.

According to the *Municipal Act*, 2001 user fee and license by-laws in place at the time could continue until the ***sunset dates*** set out by Ontario Regulation, provided that the by-laws were not amended or repealed after December 31, 2002.

If an existing user fee or licensing by-law was amended or repealed on or after January 1, 2003, a municipality would be required to ***adhere to all of the requirements*** of the *Municipal Act*, 2001 and Ontario Regulation 244/02 when passing new user fee/licensing by-laws.

LICENSING

Existing by-laws expired on December 31, 2006 unless the City enacted a change prior to that date. Accordingly, City Council suspended the issuing of business licences under by-law 99-86 in 2005 (for the year 2006) pending the review.

The *Municipal Act*, 2001 gave municipalities a broad authority to license businesses. It detailed the types of businesses that could be licensed and provided exemptions from licensing for certain activities. Licensing fees were distinguished from User Fees under the new Act.

If a municipality chose to license any type of business, it must have fallen under one or more of the following purposes;

- health and safety
- nuisance control
- consumer protection

A by-law licensing a business must have included an explanation as to the reason why it was licensing or imposing the conditions and how that reason relates to the purpose. The type of businesses that could have been licensed include the following;

- ☆ trades and occupations
- ☆ exhibitions, concerts and festivals
- ☆ sale or hire of goods or services on an intermittent or one-time basis
- ☆ display of samples, patterns and specimens for sale or hire

The follow types of businesses were prohibited from being licensed;

- * manufacturing and industrial businesses
- * wholesale businesses
- * businesses involved with natural resources
- * group homes
- * couriers
- * transportation businesses
- * real estate businesses

Fees were limited to direct costs of administration and enforcement which could have included the preparation of the by-law; inspection; enforcement; and prosecution.

As an alternative to licensing, a business registry could have been established. The registry must have included a statement as to why the municipality was requiring registration but the reason did not have to be tied to the purposes of licensing. A business that was subject to licensing could not be required to register as well.

Under the Act, municipalities could have entered into reciprocal agreements with other municipalities, police service boards or other public bodies.

Prior to passing by-laws to establish business licensing or business registration, a municipality must have held a public meeting and provided advance notice of the meeting and allowed public submission regarding the by-law(s).

Municipalities must have established and maintained a list, for public inspection, of licensed or registered businesses by January 1, 2005. The list must have included the classes of businesses that were subject to licensing or registration, the amount of the license fee and how the fee was calculated.

Licensing under the *Municipal Act, 2001*, as amended by Bill 130 **(circa January 2007 and January 2008)**

What's the Same?

The restricted/prohibited type of businesses from being licenced:

- * manufacturing and industrial businesses; except when selling product/raw material by retail
- * wholesale businesses
- * businesses involved with natural resources
- * couriers
- * transportation businesses
- * real estate businesses
- * electricians, master electricians or electrical contractors

- * or any other trade, occupation or skill set if the individual holds a certificate under the *Trades Qualification and Apprenticeship Act* or the *Apprenticeship and Certification Act, 1998*

What's Gone?

- * categories or purposes of licensing: health & safety, nuisance control, consumer protection
- * public notice requirements (for licensing)
- * five year sunset clause for by-law
- * fees based on costs of "administration and enforcement"; common law does require *some* correlation between the fee and the cost of service
- * requirement to provide rationale

What's New?

- * Authority to license in broad power or sphere:
 - o formerly needed to define a public nuisance and declare it so; now can prohibit or regulate an irritating situation even before it becomes a problem
 - o part of power to regulate eateries may require that they be closed from midnight Saturday to Sunday at noon in response to a request by the police for the purpose of preservation of law and order during that time
- * delegation of power; quasi-judicial or legislative powers
 - o another body (i.e. Health Unit)
 - o members of Council or a committee of Council, i.e. hear licensing appeals
 - o an officer, employee for issues of a minor nature, i.e. power to issue and impose conditions on a licence; decision-maker on noise exemption
- * Administrative suspension of licenses (if satisfied that the continuation of a business poses an immediate danger to the health or safety of any persons or to any property)
- * Administrative penalties; if the person has failed to comply with any part of a system of licenses
 - o Administrative monetary penalty for failure to comply with parking by-law as an alternative to prosecution under the Provincial Offences Act
- * Residential Rental Accommodations
 - o Could regulate rentals in specific problem neighbourhoods (e.g. student housing?)
- * Administrative power of entry and inspection
- * Order to discontinue, order to correct
- * Authority to establish fines

Motion from Councillor Beach

COMPUTERS FOR SENIORS

WHEREAS our Brockville grown Computers for Seniors program is at jeopardy of ending due to the lack of Federal or Provincial Funding; and

WHEREAS this program has had tremendous response, been of benefit to local seniors and is quickly spreading across all of Ontario;

NOW THEREFORE City Council hereby approves funding for the program for the year 2009 in the amount of \$10,000 from the Fiscal Policy Reserve; and

THAT the MIS department make further applications for funding for future years.



The Kinsmen Club of Brockville
Box 24, Brockville, Ontario, Canada K6V 5T7

Brockville City Hall
1 King Street
Brockville, ON

May 13, 2009

Dear Ms. Seale;

This letter is to confirm that the Kinsmen Club of Brockville Inc. are interested in assuming complete responsibility for running the Computers for Seniors project for the Brockville area.

Our interest is contingent upon the City providing initial funding of \$10K. The Kinsmen are willing to provide funding of up to \$5K per year for a 3 year period. Our club has members with the necessary expertise in training seniors and informatics technology to ensure we can successfully deliver the project with this kind of funding.

We feel this project is important for Brockville Citizens. We also feel that as the City that started this project which has the potential to grow nationwide, we want to ensure that Brockville retains the reputation as the birthplace of such a wonderful project.

If you have any questions, I may be contacted at the cell number below.

Yours in kin

David Tidbury

Chair,
Computers for Seniors Project
(613) 340 7556

Budget Chart

Item 1	This is the cost of transportation of computers from Industry Canada in Hull QC to your location.
Item 2	Once computers arrive this could be the cost to store the computers until they are delivered to the participant. If you can find free storage then remove this item from your budget.
Item 3	The CFS program allow \$25.00 towards the set-up of internet in the participant's residence / house. This can be optional
Item 4	Most times the local school boards, library or seniors association donate computer labs for training. This budget item is for a knowledgeable trainer based on \$30.00 per hour for 8, 2 hour classes. High school students can be used to help in class as part of their volunteer hours required to graduate. Class size should be around 15
Item 4a	Copying or printing of handouts from the training for seniors to take home as reference
Item 5	Admin Costs are for your mailings, bank account, photo copying letters and notices in seniors' clubs
Item 6	Local delivery service of computer to senior's resident
Item 7	Computers may have a cost in the future

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