



## Finance, Administration and Operations Committee

Wednesday, December 5, 2012, 4:15 pm.  
City Hall, Council Chambers

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<u>Committee Members</u>	<u>Areas of Responsibility:</u>	
Councillor D. LeSueur, Chair	Clerk's Office	CRCA
Councillor D. Beatty	Environmental Services	Cemetery
Councillor L. Bursey	Finance Department	Health Unit
Councillor J. Earle	Fire Department	Joint Services Committee
Councillor J. Fullarton	Human Resources Dept.	PLMG
Mayor D. Henderson, Ex-Officio	Operations Department	Police Services Board
	Airport Commission	Safe Communities Coalition
	Arena Advisory Board	St. Lawrence Lodge
	Brockville Municipal Accessibility Advisory Committee (BMAAC)	Management Board
		Volunteer Awards
		All legal matters [excepting the purchase and sale of land]

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## AGENDA

Page

### DISCLOSURE OF INTEREST

### DELEGATION(S) AND PRESENTATION(S)

- 5 1. Spring Valley Homes Ltd.  
(Mr. Michael Veenstra)

*Mr. Veenstra will speak to the Committee regarding Development Charges.*

2. Youth Advisory Committee  
(Councillor Bursey)

*The Youth Advisory Committee would like to address the Committee with respect to the results of the youth survey.*

### CORRESPONDENCE

- 6 - 8 1. 1000 Islands & Seaway Cruises  
Mr. Andrew Neeteson

*THAT correspondence from 1000 Islands & Seaway Cruises be received.*

## STAFF REPORTS

9 - 30

1. 2012-190-12  
Bicycle Friendly Community Application

*THAT Council endorse the Cycling Advisory Committee's preparation of an application to the Share The Road Cycling Coalition in pursuit of a Bicycle Friendly community designation for Brockville; and*

*THAT staff be directed to provide assistance to the Cycling Advisory Committee in gathering information related to the build environment, by-law, policies and practices, traffic statistics and other pertinent information as required for the Bicycle Friendly Community application; and*

*THAT staff be directed to review, approve and submit the application prepared by the Cycling Advisory Committee.*

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2. Arts Task Force  
(Howard Alexander and Deborah Dunleavy)

*THAT Council recognize that the Creative Economy is already and important economic driver in the City economy; and*

*THAT Council develop a Cultural Plan to promote the Creative Economy for the City, focused on economic development and tourism; and*

*THAT Council support the creation of an at-arms-length, not-for-profit Arts Council which will have the capacity to access and distribute grant money currently unavailable to the City and its cultural institutions; and*

*THAT Council continue to financially support the Cultural Institutions - the Public Library, the Museum, the Aquatarium and the Arts Sentry not only for their immense contributions to the quality of life, but also for their unique place as economic drivers in the City.*

32 - 50

3. 2012-195-12  
Fire Marque Billing Service for Fire Department

*THAT Council of the City of Brockville accepts Report 2012-195-12 - Fire Marque proposal for billing services for fire response and insured perils; and*

*THAT Council approve the negotiating of a modified version of an agreement with Fire Marque to implement their indemnification technology program to recover funds on behalf of the Brockville Fire Department; and*

*THAT the terms of the agreement be limited to three (3) years and that the Fire Department Administration be afforded some latitude in directing Fire Marque on the pursuit of specific responses; and*

*It is further recommended, if the above recommendations are achievable, that staff be directed to prepare the by-law required to proceed with this agreement.*

- 51 - 87      4.      2012-196-12  
Supplementary Report to Report 2011-056-05  
Development Charges Background Study
- THAT the City retain the services of Hemsom Consulting Ltd. at a fee of \$25,000.00 plus HST to complete a Development Charges Background Study as well as to develop a proposed by-law based upon the results of the study; and*
- THAT this study be funded from the Growth Management Reserve Fund.*
- 88 - 89      5.      2012-185-12  
2013 Interim Tax Levy and Establishment of Due Dates
- THAT Council authorize the City to impose its 2013 interim tax levy with a due date of February 27, 2013; and*
- THAT Council establish the due date of August 29, 2013 for the second and final tax levy for 2013; and*
- THAT the necessary by-law be enacted.*
- 90 - 91      6.      2012-186-12  
Temporary Borrowing By-Law
- THAT Council hereby authorizes the passing of a Temporary By-Law providing for the Mayor and the Treasurer to borrow temporary working capital, as may be required for the Current Fund Operations, of up to \$5,000,000 for the year 2013; and*
- THAT the necessary by-law be enacted.*
- 92 - 120      7.      2012-194-12  
Variance Report At October 31, 2012
- THAT Council receives the Variance Report as of October 31, 2012 for information purposes.*
- 121 - 135      8.      2012-187-12  
2013 Departmental Work Plans
- THAT Council approve the 2013 Departmental Work Plans as outlined in Schedule 1, Report 2012-187-12.*

- 136 - 184      9.      2012-188-12  
Tunnel Bay Docking  
(Schedule 1 to report 2012-188-12, will be distributed prior to or at the meeting)

*THAT Council approve the modified docking design as depicted in Schedule 1 to report 2012-103-06; and*

*THAT Council authorize the Mayor and Clerk to execute a Partnership Agreement with Tall Ships Landing Inc. as depicted in Schedule 2 to report 2012-103-06.*

**NEW BUSINESS**

- 185 - 186      1.      OLG Resolution Support  
(Mayor Henderson)

*THAT Council supports the current location in the Township of Leeds and Thousand Islands for the OLG Casino Thousand Islands in the Eastern Ontario Zone: E3.*

**FAO - CONSENT AGENDA**

**MOTION TO MOVE INTO CLOSED SESSION**

## Sandra Seale

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**From:** Sandra Seale  
**Sent:** November-29-12 4:49 PM  
**To:** 'Spring Valley Homes Ltd.'  
**Subject:** RE: Finance committee meeting

Hi Michael,

Yes, the development charge matter is going to FAO on Wednesday, December 5<sup>th</sup> at 4:15 pm. We will list you as a delegation to the Committee.

See you on Wednesday,

Sandi

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**From:** Spring Valley Homes Ltd. [<mailto:svhomes@cogeco.ca>]  
**Sent:** November-29-12 4:17 PM  
**To:** Sandra Seale  
**Subject:** Finance committee meeting

Hi Sandi,

I understand "Development Charges" are going to be brought up at the next "Finance and Administration Committee" meeting, could you please check and let me know the date and time, as well as include me as a delegate if that is so.

Thank you,

Michael Veenstra | Spring Valley Homes Ltd.  
NEW email address: [svhomes@cogeco.ca](mailto:svhomes@cogeco.ca)



## 1000 Islands & Seaway Cruises

30 Block House Island Pkwy.  
P.O. Box 1465, Brockville, Ontario, CANADA K6V 5Y6  
Tel: (613)345-7333 • Fax: (613)345-6454 • Toll Free: (800)353-3157

Internet: [www.1000islandscruises.com](http://www.1000islandscruises.com) E-Mail: [captain.andy@sympatico.ca](mailto:captain.andy@sympatico.ca)

Wednesday, November 21, 2012

Finance, Administration and Operations Committee  
c/o Conal Cosgrove  
City of Brockville

Dear Committee,

It has been brought to my attention that the Organizers of the Hydroplane Races have again filed application with the City to host their event on the Canada Day weekend in 2013.

As you will recall, I was opposed to this request in 2012 (see attached correspondence from 2012) but at Council reached a compromise with the Hydroplane Race Organizers that was endorsed by City Council with the understanding that such permission was being granted for the 2012 event only. Given that the Organizers of this event have again filed application for the Canada Day weekend, it now appears that they have secured this weekend with their governing body on an annual basis. In light of this development, I must again raise my opposition to their request to have Blockhouse Island cordoned off for their event.

Undoubtedly, the Hydroplane Races of 2012 were more successful than any of their previous events; the weather was fair and the winds relatively light. However, their attendance was still soft with just a few dozen people watching the races along the east wall of Blockhouse Island.

While I don't want to discourage the Organizers of this event, I have real concerns about any request to close off or restrict access to Blockhouse Island and my Business. I am still of the opinion that the event can be held without closing off Blockhouse Island. It simply doesn't make sense to me that the whole of Blockhouse Island needs to be closed off for a few spectators to enjoy the view along the east wall of the Island. Moreover, the Races appeal to a very small demographic of hydroplane racing enthusiasts only and not a broad spectrum of the public and Brockville residents, unlike Riverfest in its hay day.

In consideration that the Application has been filed in a more timely manner than was the case last year, there is plenty of time to configure the event in a manner that wouldn't require the closure of Blockhouse Island.

Sincerely,

Andrew Neeteson  
1000 Islands & Seaway Cruises



## 1000 Islands & Seaway Cruises

Blockhouse Island  
P.O. Box 1465, Brockville, Ontario, CANADA K6V 5Y6  
Tel: (613)345-7333 • Fax: (613)345-6454 • Toll Free: (800)353-3157  
Internet: [www.1000islandscrecruises.com](http://www.1000islandscrecruises.com) E-Mail: [captainandy@recorder.ca](mailto:captainandy@recorder.ca)

Tuesday, April 17, 2012

Finance, Administration and Operations Committee  
c/o Conal Cosgrove  
City of Brockville

Dear Committee,

Early in February it was to my attention that the organizers of the Hydroplane Races were proposing to host their event on the Canada Day weekend, now that Riverfest has vacated.

I understand that the Organizers of this event have only recently filed application with the City requesting the closure of Blockhouse Island, so they can create a perimeter and charge their attendees and the Water Street Parking Lot, to stage the camp for the events participants. I understand too that this application is being considered by the FAPC today.

While I don't want to discourage the Organizers of this event, I have real concerns about these requests.

Not that I'm dancing in the street over the demise of Riverfest, however I am anxious to have the first opportunity in almost 20 years to offer my attraction without the aggravation that the Festival created, in so far as the negative impact it presented my customers in accessing my facility and parking in close proximity. So, I'm opposed to the idea that the Hydroplane Races could potentially inhibit accessibility to the park and eliminate a significant amount of parking on what is traditionally one of the busiest weekends of the summer.

While it could be argued that permitting this would simply be a continuance of the status quo, I beg to differ. Riverfest was much more family-oriented event and, particularly in the early days, attracted visitors from every demographic from places far and near but, the same cannot be said for the Hydroplane Races. Over their four or five year history, they have struggled to draw any significant attendance and the appeal of the event is limited primarily to enthusiasts of their sport. Furthermore, due to wind and sea conditions they have not been able to deliver a consistent product with races being regularly cancelled as a result. You can't imagine how frustrating it's been for me over the years to see a handful of people mulling around the Island because the races have been cancelled and having the Park still closed off.

I haven't taken issue with this event before because, initially it was held in early to mid-June, when traffic on the boats was lighter and fewer customers were inconvenienced but, now that the event will encroach on the peak tourism season, I can't stay quiet! I have provided a reliable tourism service and have grown my business steadily over the past nineteen years and continue to draw 25,000 to 35,000 visitors annually so, I would hope by this time that my concerns will be given equal consideration.

My business is negatively impacted each and every time the Island is closed or restricted in its access including, the Hydroplane Races, Riverfest, Automotion , 1000 Islands Triathalon and even during Downtown Sidewalk Sales, when the signed access to my facility is obstructed by street barricades. Though I've brought these issues up before nobody seems to be too concerned. Likewise, my requests to be notified about applications requesting the closure of BHI have fallen on deaf ears.

In February, I attended a Tourism Advisory Committee Meeting where I raised my concerns and we had some discussions about alternative solutions, including the possibility of gating only the park area in front of the tunnel and erecting a screen along the east wall of BHI to obstruct the view from the Island. I discussed this option again last week with Bert Henderson but, to my knowledge, they haven't amended their request to the City.

While I would like to see the event continue and potential grow, I simply don't support the closing of Blockhouse Island and the Water Street Parking Lot in their entirety on such a big tourism weekend for such a small and select group of hydroplane racing enthusiasts.

Thank you for your consideration.

Sincerely,

Andrew Neeteson  
1000 Islands & Seaway Cruises

**November 20, 2012**

**REPORT FOR FINANCE, ADMINISTRATION AND OPERATIONS COMMITTEE**  
– December 5, 2012

**2012-190-12**

**Bicycle Friendly Community Application**

**Alan Medcalf**  
**Chair, Cycling Advisory Committee**

**RECOMMENDATION**

THAT Council endorse the Cycling Advisory Committee's preparation of an application to the Share The Road Cycling Coalition in pursuit of a Bicycle Friendly Community designation for Brockville, and further;

THAT staff be directed to provide assistance to the Cycling Advisory Committee in gathering information related to the built environment, by-laws, policies & practices, traffic statistics and other pertinent information as required for the Bicycle Friendly Community application, and further;

THAT staff be directed to review, approve and submit the application prepared by the Cycling Advisory Committee.

**PURPOSE**

The Bicycle Friendly Community (BFC) application and evaluation process will create discussion and yield suggestions for priorities and next steps for improving the City's bicycling environment. The designation, once achieved, will bolster the City's competitiveness with respect to lifestyle and economic attractors for talent, families and businesses. Pursuing a designation is closely aligned with the City's Strategic Plan and Official Plan.

**BACKGROUND**

The Cycling Advisory Committee has, over the past two years, advised Council on the myriad benefits that accrue from encouraging more people to ride bicycles more often for transportation and leisure. These benefits are well documented and demonstrated in an increasing number of cities worldwide, in North America, and indeed in Ontario where fully 30% of Ontarians now live in one of 18 designated BFC's.

As described in the attached pamphlet, "A Bicycle Friendly Community welcomes cyclists by providing well-engineered bicycle facilities, creating new places to ride, educating motorists and cyclists on the rules of the road, and encouraging people to bike for transportation and recreation."

The BFC program was launched by the Share the Road Cycling Coalition in Canada in August 2010 in partnership with the Washington based League of American Bicyclists. It's modelled on the highly successful program in the USA. In Canada, sponsors include the Bicycle Trade Association of Canada (BTAC) and Trek Canada.

The BFC applicant is judged in five categories often referred to as the Five "E's". These are Engineering, Education, Encouragement, Enforcement, and Evaluation & Planning.

A community must demonstrate achievements in each of the five categories in order to be considered for an award on the Bronze, Silver, Gold or Platinum level. Communities with more significant achievements in these areas receive higher awards.

The application will collect information aligned with the Five E's, and includes, for e.g.:

- Community profile (demographics, population, other census-like data)
- Information on bicycle network, parking, signage and other physical facilities
- Elements of Strategic and Official plans, policies, by-laws pertaining to cycling
- Information on School Travel Planning projects
- Education programs for road users (motorists and cyclists)
- Information on facilities, materials and events that encourage cycling such as rodeos, festivals, tours, maps, Bike to Work program, bike racks, and so on
- Awareness and engagement of police service with respect to cycling
- Traffic and road data (crash data, traffic counts)

The benefits of the application and evaluation process include a report on the strengths, weaknesses and gaps with respect to achieving a BFC designation, suggestions on next steps and priorities, and a presentation to Council and staff on Brockville's particular opportunities.

The second attachment to this report is a recently published article describing how several cities have turned their walk and bike friendly environments to positive economic gains. While there is ample hard research available, this article provides a concise, readable set of examples showing why achieving BFC designation is important.

The third attachment to this report is the Share the Road's "2012 Bicycle Friendly Community Yearbook", highlighting achievements in BFCs across Ontario.

### **FINANCIAL IMPLICATIONS**

There are indirect costs in staff time to assist cycling committee members in preparation of the application. Based on conversation with City of Burlington staff and Share the Road's BFC co-ordinator, it's estimated that two to three days of staff time spread over several weeks will be required to provide data and review the application.

### **POLICY IMPLICATIONS**

There are no policy implications inherent in the BFC application process.

### **CONCLUSION**

Council's endorsement of the proposed recommendation will help to create momentum towards a Bicycle Friendly Community designation as a milestone in helping Brockville become the community envisioned in the Strategic Plan.



Alan Medcalf, Chair, Cycling Advisory Committee

# MINNPOST

## Bikes mean better business

By Jay Walljasper | 11/16/12



Courtesy of Mn

"We want young talent to come here and stay. And good biking is one of the least expensive ways to send that message."

"Biking is definitely part of our strategy to attract and retain businesses in order to compete in a mobile world," says Minneapolis Mayor R.T. Rybak as we glide across the Mississippi river on a bike-and-pedestrian bridge — one of two that connect downtown to the University of Minnesota. "We want young talent to come here and stay. And good biking is one of the least expensive ways to send that message."

the **line**

As we turn onto to a riverside bike path to inspect another span the mayor wants to convert to a bike-ped bridge, he recounts a recent conversation. "I was having dinner with a creative director that a local firm was eager to hire for a key post. He was an

American living in Europe, and we spent most of the evening talking about the importance of biking and walking to the life of a city,” Rybak says, smiling. “He took the job.”

Minneapolis has invested heavily in biking — creating a network of off-street trails criss-crossing the city, adding 180 miles of bike lanes to city streets with plans to double that, launching one of the country’s first large-scale bikeshare programs, and creating protected lanes to separate people riding bikes from motor traffic — which is why it lands near the top of all lists ranking America’s best bike cities.

That “ratchets up” the city’s appeal to businesses in many fields, Rybak says.

“We moved from the suburbs to downtown Minneapolis to allow our employees to take advantage of the area’s many trails and to put the office in a more convenient location for commuting by pedal or foot,” explained Christine Fruechte, CEO of the large advertising firm [Colle + McVoy](#), in a newspaper op-ed. “Our employees are healthier, happier and more productive. We are attracting some of the best talents in the industry.”

David A. Wilson, who directs 1,600 employees at the Minneapolis office of the [Accenture](#) management consulting company, says good biking opportunities are important to the well-educated 25-35 year-olds he seeks to hire.

“Five years ago, I don’t think business people were even thinking about bikes as a part of business. Today it’s definitely part of the discussion.” He notes that Accenture recently relocated its Boston and Washington, D.C., offices from suburbs to the city to offer employees better opportunities for biking, walking, and transit.

## A creative generation loses its car keys

Young people today are driving significantly less than previous generations, according to a flurry of recent reports. Even Motor Trend magazine notes that young professionals flocking to cities today are less inclined to buy cars and “more likely to spend the money on smartphones, tablets, laptops and \$2,000-plus bikes.” Annual miles traveled by car among all 16- to 34-year olds dropped 23 percent from 2001 to 2009, according to a study from the “Frontier Group” think tank — and that does not even count the past three years of recession and \$4 gallon gas. The Federal Highway Administration found the miles traveled by drivers under 30 dropped from 21 percent to 14 percent of the total between 1995 and 2009.

These young people represent the “creative class” talent pool that many companies

covet. That's why civic, business, and political leaders in cities around the country are paying attention to the next generation's wishes for lively, livable places to work and play. This means diverse cultural opportunities, plentiful cafés and restaurants, a tolerant social climate, a variety of housing choices, and ample transportation options like biking — not only for commuting to work, but also for recreation after work and, in some cases, over the lunch hour.

Richard Florida, the economic forecaster who coined the phrase "creative class," recently described these sought-after workers in the Wall Street Journal as "less interested in owning cars and big houses. They prefer to live in central locations, where they can rent an apartment and use transit or walk or bike to work."

## New York's lanes

Florida sees bicycling as critical for thriving cities, which is why he joined New York City's heated debate last year about the proliferation of bike lanes across the city.

"New York has became a haven for creative-class professionals," he wrote in the Daily News, which makes good biking facilities important to the city's future. He added that biking remains important to workers in creative fields even as they grow older. "When they put their kids in child seats or jogging strollers, traffic-free bike paths become especially important to them."

Thirty-three executives at New York high-tech companies — including Foursquare, Meetup, and Tumblr — also weighed in on biking issues, urging Mayor Michael Bloomberg to "support a bikeshare system as a way to attract and retain the investment and talent for New York City to remain competitive in the fast-growing digital media- and internet-oriented economy."

Bloomberg agreed, and the bikeshare program begins next March with 7,000 bikes for rent.

## The city that bikes

Chicago Mayor Rahm Emanuel was elected last year on an aggressive platform of bringing new tech and creative businesses to the city. When he scored a major coup this summer with Google-Motorola Mobility's announcement that it was moving more than 2,000 jobs from a suburban campus to the heart of the city, Emanuel explained, "One of the things that employees look [at] today is the quality of life and quality of transportation because of the ease that comes with it. And that ease is having trains as a choice, buses as a choice, and bikes as a choice getting to and from work."

The City of Chicago's Chief Technology Officer, John Tolva, says it's no coincidence that Google-Motorola Mobility's new home in the Merchandise Mart is right next to Kinzie Street, the city's first **green lane** — where bike lanes are physically separated from rushing traffic to make riders feel safer and more comfortable on the road. This idea of creating protected space for people on bikes, borrowed from Northern European countries where bikes account for 10-30 percent of trips, is now spreading throughout the U.S.

Martha Roskowski, director of the **Green Lane Project**, which promotes protected bike lanes across the country, explains, "Cities that want to shine are building these kind of better bike facilities as part of a suite of assets that attract business. And they find that bike infrastructure is cheap compared to new sports stadiums and light rail lines, and can be done much faster."

George Washington University business professor Christopher Leinberger, a leading authority on real estate who predicted the current urban boom in a series of articles for the Atlantic magazine, points out "Biking is no longer just a niche for the macho guys. It's for a lot of people now. Ideally, we should have a 20-25 percent mode shift for bikes in cities. Great urban spaces are all about choices, including in transportation."

## The D.C. shift

Leinberger marvels at how bicycles are changing Washington, D.C., where he lives. "Bikes have been a critical part of D.C.'s turnaround. They are putting in protected bike lanes, which does a lot more to encourage riding than just a white line of paint between people and a one-ton vehicle."

Ellen Jones, director of Washington's **Downtown Business Improvement District**, says, "It's just crazy how biking has taken off here, especially the new bikeshare system, which a lot of people are using for commuting."

We spoke after she returned from an appointment with managers of a high-tech company wanting to rent an old warehouse downtown. "A lot of their employees bike to work and they were concerned about whether they could easily get their bicycles upstairs. When bicycling is part of the final decision on where a company relocates, then we know its impact."

The boom in biking is also creating opportunities in the real estate sector. Jair Lynch, founder and CEO of a D.C. real-estate development and construction company, declares, "We don't work in places that aren't near bike lanes." Even in the slow

economy, \$200 million in new apartments are currently under construction adjacent to the Midtown Greenway in Minneapolis, a bike “freeway” cutting through the south side of the city.

Another benefit businesses see for locating in bike-friendly locations is a break on health insurance costs. [QBP](#), a bike parts distributor in the Minneapolis area employing 600, offered a series of incentives for employees to commute by bike and discovered an unexpected bonus — a 4.4 percent reduction in health-care costs, totaling \$170,000 a year. Tracy Pleschourt — partner at [Carmichael Lynch](#), an ad agency in downtown Minneapolis that promotes biking — is excited about the possibilities of the just-launched Zap program, which electronically documents bike trips using on-bike RFID (Radio Frequency Identification) devices and trail-edge sensors. Right now the program offers only gift certificates and discount gear as prizes for frequent biking, but insurers are looking at it as a way to reward health-conscious companies with lots of employees riding bikes.

## Boosting the business climate elsewhere

Bikes are improving the business climate even in cities not ranked as bike capitals or large metropolitan regions. Mayor Lee Leffingwell of Austin, Texas, said, “I certainly recognize the environmental, public health, and quality-of-life benefits that more bicycling can bring our city, but I also value the contribution to the economy that comes with the provision of smart transportation options that attract major employers to Austin.”

Austin is ambitiously expanding its bike infrastructure; its first green lane opened last spring, one of 10 planned for the city. [Cirrus Logic](#), a computer chip company that depends on specially trained engineers, moved to downtown Austin last summer from an outlying location “to become more attractive as an employer,” says PR director Bill Schnell. “We can’t just pluck anybody for our jobs. The people we want are mostly younger, and biking is part of the equation for them.”

CEO Tyson Tuttle relocated [Silicon Labs](#), which designs integrated circuits for computers, to downtown Austin five years ago to be close to the city’s bike trail system. It was one of the first of many tech companies that are now in the area. Tuttle, who himself sometimes rides to work, says it was a smart move. “Biking on the trails is something a lot of employees enjoy, and when people think about joining the company it’s a big draw. It also helps with wellness and fitness.”

## Biking in Memphis

You might think that Memphis would be the last place in America to believe bikes can take us down the path to prosperity.

In 2008, with not a single bike lane inside the city limits, Memphis was named one of the three “Worst Cities for Cycling in America” by Bicycling magazine (alongside Dallas and Miami). That prompted the city to stripe a few lines of bike lanes, but it landed on the three worst cities list again in 2010 (this time joined by Birmingham and Jacksonville). This year Bicycling honored Memphis as the “most improved” city for bicycling. It was also named as one of six cities (along with Portland, Ore.; San Francisco; Washington; Chicago and Austin) to receive support from the Green Lane Project in creating a network of protected bike lanes to serve as best practices for other cities to follow.

### What happened?

For one thing Mayor A C Wharton became a champion of biking, announcing, “We believe in the power of bicycle facilities to enhance the health, economy, and safety of our community.” He hired a bike-pedestrian coordinator for the city and put plans into motion that led to more than 60 miles of bike lanes.

Memphis business leaders began talking about the importance of biking to city’s future. Shepherd Tate — an attorney at the large Bass, Berry & Sims law firm — puts it plainly. “There’s no question about it. Biking makes a difference in attracting talent.” Eric Matthews, CEO of [Launch Memphis](#) and two other initiatives to nurture and attract new businesses, notes, “Biking correlates with entrepreneurs.”

The city, already home to the world famous St. Jude Children’s Research Hospital, is positioning itself to become a center for new biomedical firms. “My job is to convince emerging companies that they can get the workers they want to come here,” says Dr. Steven Bares, President of the [Memphis Bioworks Foundation](#), an initiative to bring emerging health companies to Memphis. “The bike is part of the overall strategy to compete for talent.”

*Jay Walljasper, author of "The Great Neighborhood Book" and "All That We Share: A Field Guide to the Commons," chronicles urban life for a variety of publications. This story first appeared first on the [Green Lane Project website](#); it is reprinted in partnership with [The Line](#), an online chronicle of Twin Cities creativity in entrepreneurship, culture, retail, placemaking, the arts, and other elements of the new creative economy.*



# About Share the Road

Share the Road Cycling Coalition (STR) was created to unite cycling organizations and cyclists from across Ontario and. STR works with and on behalf of municipalities to give them the tools they need to become more bicycle-friendly. Our objective is simple: To make Ontario more bicycle friendly. The Bicycle Friendly Communities (BFC) Program is an initiative of the League of American Bicyclists the largest bicycling advocacy organization in the U.S. and has over 200 designated communities across the U.S. Share the Road launched the initiative in Ontario in partnership with the League in 2010.

**“**The Town of Ajax has made it a priority to be the leader in providing cycling infrastructure for the community as a means to create recreational and tourism opportunities, we have to make sure that we have a product that cyclists want.  
**”**

— Steve Parish, Mayor of Ajax

## Bicycle Friendly Community Program Partners:

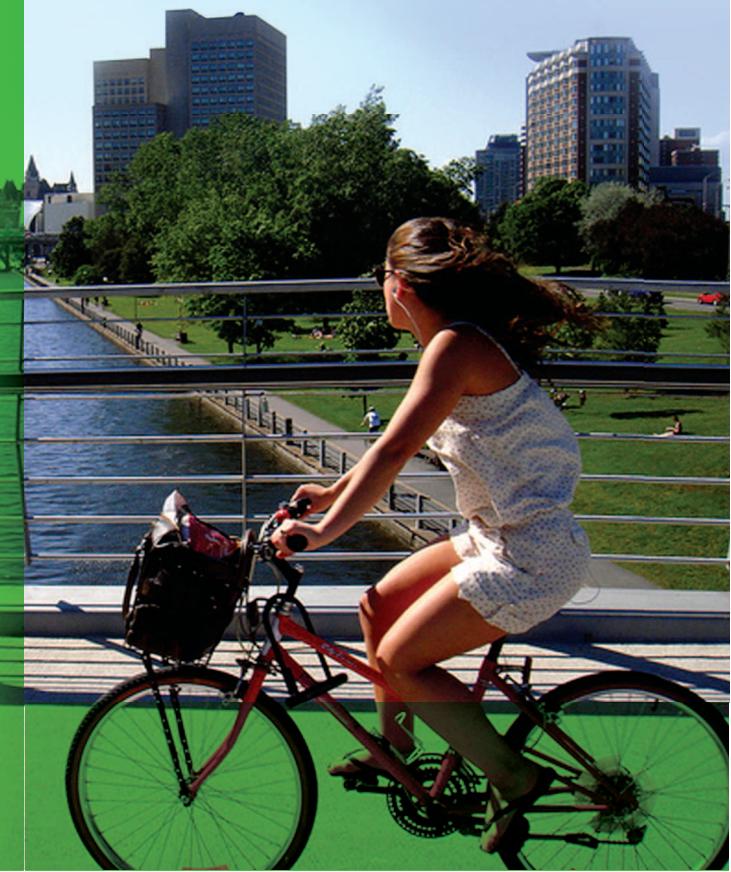


Share the Road Cycling Coalition  
[info@sharetheroad.ca](mailto:info@sharetheroad.ca)  
[sharetheroad.ca](http://sharetheroad.ca)



# Becoming A Bicycle Friendly Community

The Bicycle Friendly Community Program inspires communities to improve conditions and opportunities for bicycling.





# What is a Bicycle Friendly Community?

A Bicycle Friendly Community welcomes cyclists by providing well-engineered bicycle facilities, creating new places to ride, educating motorists and cyclists on the rules of the road, and encouraging people to bike for transportation and recreation.

## Why should my community apply?

Bicycle Friendly Communities have a high quality of life that translates into sustainable development, tourism, business growth and even increased property values. Encouraging bicycling is an effective way to increase physical activity, improve air quality, reduce traffic congestion and tackle climate change and obesity.

Benefits for communities that have applied for BFC status include:

- » Inspiration to do more
- » Technical assistance and training
- » Recognition and promotion

## What are the requirements?

The Bicycle Friendly Community application is an audit of a community's efforts to create a bicycling culture. The audit reviews engineering, education, encouragement, enforcement, and evaluation and planning efforts for bicycling.

## Who reviews the applications?

Each application is reviewed by expert judges and local cyclists to determine whether the community should get a BFC designation. Feedback from these reviewers creates a valuable roadmap for action.

## How will my community be recognized?

Deserving communities will be recognized at one of four award levels: bronze, silver, gold, or platinum. Share the Road issues a press release, presents an award at a press conference and provides a BFC sign. Communities can order additional signs and invite Share the Road to local unveilings and celebration events.

## What if my community isn't designated bicycle friendly?

Get involved with your local bike club or advocacy organization, join your community's bicycle advisory committee, engage local retailers and work with your city staff. Use the BFC application and feedback as a task list to improve the state of cycling in your community — then apply again! Every applicant gets in-depth feedback, so applying is well worth your time.

## What is the cost?

The BFC Program is provided free of charge thanks for the generosity of Trek Bicycle Corporation, local TREK dealer and the Bicycle Trade Association of Canada.

## Where can I get an application?

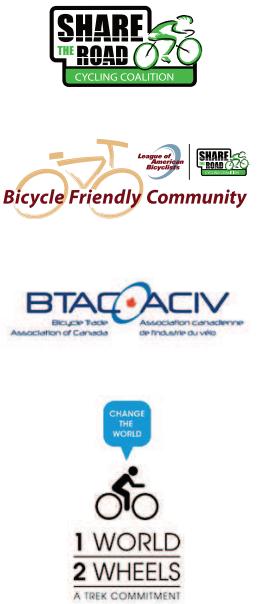
The BFC application is available at [sharetheroad.ca](http://sharetheroad.ca). The site also provides resources and technical assistance to help you with the on-line application. Contact the BFC Coordinator Katherine Glowacz at [katherine@sharetheroad.ca](mailto:katherine@sharetheroad.ca)



# What are the next steps?

- 1 Access the application and resources at [www.sharetheroad.ca](http://www.sharetheroad.ca)
- 2 Create a partnership between local government and advocates to complete the application.
- 3 Submit a completed application online!





[www.sharetheroad.ca](http://www.sharetheroad.ca)





Dear Friends:

It was at a League of American Bicyclists conference in Austin Texas in 2007 where I first heard about the Bicycle Friendly Communities Program.

League President Andy Clarke gave a presentation on the program – and I was instantly sold. Here was an initiative that was demonstrating powerful results, acting as a platform for change – a data driven tool which helps us all move beyond the often polarized conversation that bicycling has become. Best of all, it allows us to celebrate .. and showcase .. the kind of positive and innovative investments communities are making.

The communities in this yearbook are agents of positive change and representative of what can happen when excellent planning, political leadership and citizen input combine for improved conditions for bicycling – with all of the ensuing benefits.

While these are early days for the Bicycle Friendly Community program here, we are inspired by the response to the program, and the potential it holds for the future. At its core, the program's appeal is not only the community recognition and civic pride – but the opportunity to receive unbiased expert analysis coupled with local feedback.

This recipe for success is already yielding powerful results. The League of American Bicyclists has in the last 10 years, received more than 550 applications. The program now encompasses states, businesses and universities .. and we intend to follow their lead. This bodes well for our program, for our municipalities and our province.

The decision to enter the process is the first step. As the communities captured in this yearbook demonstrate the results speak for themselves. We look forward to Ontario's future – one that increasingly includes Bicycle Friendly Communities in a Bicycle Friendly Ontario.

A handwritten signature in blue ink that reads "Eleanor McMahon".

Eleanor McMahon  
CEO and Founder  
Share the Road Cycling Coalition



## Bicycle Friendly Community Awards

The Bicycle Friendly Community Award (BFC) Program was launched by the Share the Road Cycling Coalition in Canada in August 2010 in partnership with the Washington based League of American Bicyclists. The BFC Program provides incentives, hands-on assistance, and award recognition for communities that actively support bicycling. In Canada the Bicycle Trade Association of Canada (BTAC) and Trek Canada sponsor the program.

Communities complete a thorough application and are judged in five categories often referred to as the Five "Es." These are

Engineering, Education, Encouragement, Enforcement, and Evaluation & Planning. A community must demonstrate achievements in each of the five categories in order to be considered for an award on the Bronze, Silver, Gold or Platinum level. Communities with more significant achievements in these areas receive higher awards. The BFC application is a great self-assessment tool, as communities see where they can improve in each of these categories.

To begin the application process and learn more about the program go to [www.sharetheroad.ca](http://www.sharetheroad.ca).

### The 5 'Es'

#### **Engineering**

Communities are asked about what is on the ground; what has been built to promote cycling in the community.

#### **Education**

The questions in this category are designed to determine the amount of education there is available for both cyclists and motorists.

#### **Encouragement**

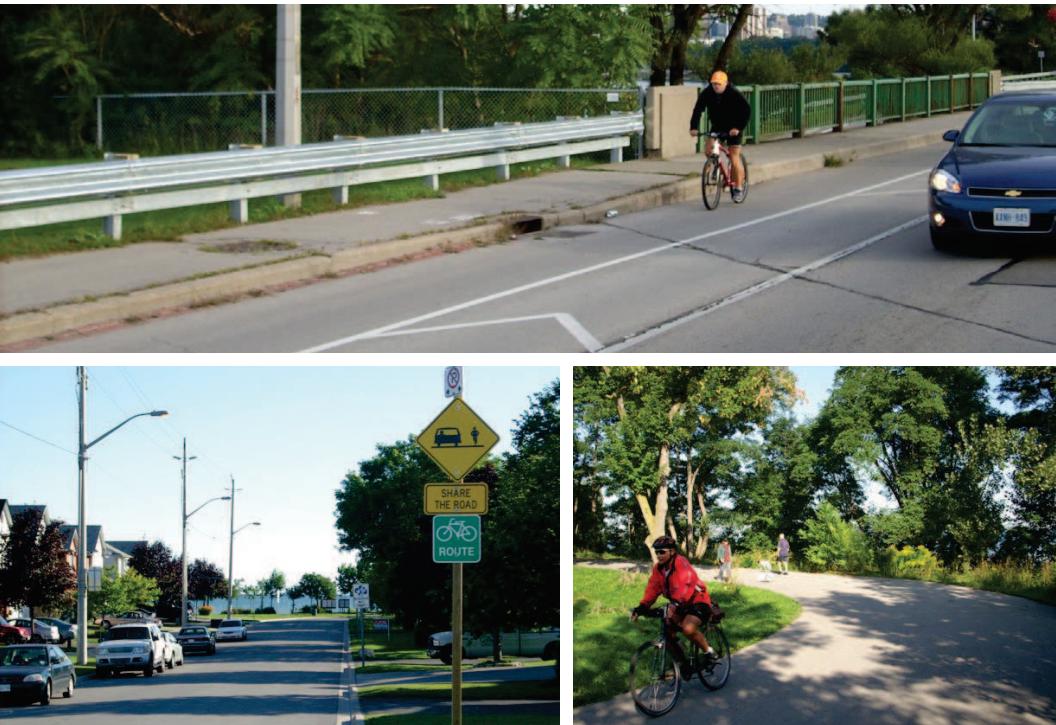
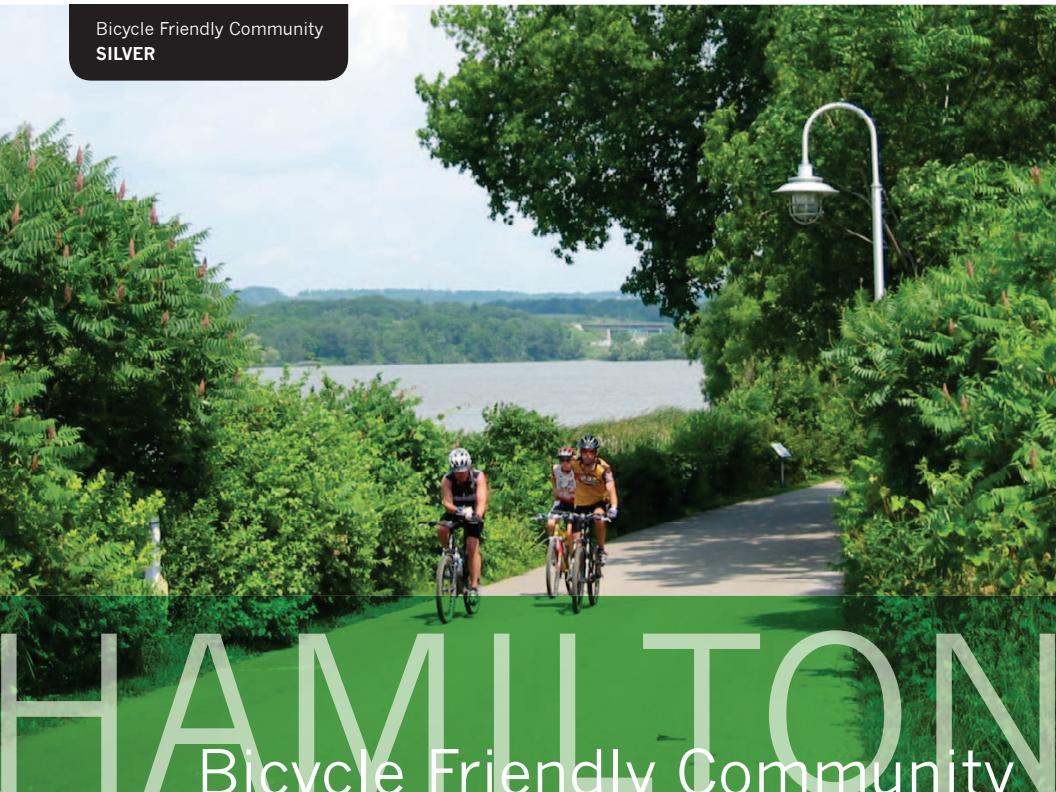
Questions concentrate on how the community promotes and encourages bicycling.

#### **Enforcement**

The enforcement category contains questions that measure the connections between the cycling and law enforcement communities.

#### **Evaluation & Planning**

Here the community is judged on the systems that they have in place to evaluate current programs and plan for the future.



## HAMILTON

**Population:** 519,949  
**Contact:** Daryl Bender,  
Project Manager,  
Alternative Transportation  
[daryl.bender@hamilton.ca](mailto:daryl.bender@hamilton.ca)

### Community Highlights

Hamilton population is 540,000. This historic city is bisected by the Niagara escarpment with about 50% of the population living below the escarpment,

closer to the shores of Lake Ontario; and the other 50% living above the escarpment. The urban area of the city is nestled around Hamilton Harbour and Cootes Paradise and approximately 75% of the city is rural lands surrounding the urban area.

completing the Red Hill Valley trail network northerly to the shore of Lake Ontario and 2) a prime corridor trail for both commuter and recreational cyclists (& pedestrians) connecting the west end of downtown over Hwy 403 to the McMaster University area and into Dundas Valley.

Commencing CAN-Bike courses embedded in the City's Recreation Program in Apr 2012 - by providing a CAN-Bike Instructor course and the

prerequisite last fall which created a pool of 7 qualified instructors in Hamilton. Until these instructors were qualified we continually had a problem to find people willing to come to Hamilton to teach CAN-Bike courses.

The City initiated a pilot to understand the implications, including cost, of additional winter maintenance of bike lanes in the winter.

### Most Compelling Community Statistic

Hamilton launched an Active Transportation (AT) Benchmarking Program in fall 2011 to collect activity statistics along multi-use trails and bike lanes. The City recorded an average of 5,300+ trips/day (cycling & pedestrian trips) on the top 6 most frequently used multi-use trails in the City during fall 2011 and 4,600+ trips/day along the top 6 multi-use trails in the following mild winter 2012. Spring and summer data is being collected to provide a full view of seasonal AT patterns.

### Positive Outcome from Receiving a BFC Designation

The award seems to have raised the profile of Hamilton in other communities, lending to a branding of Hamilton with the positive lifestyle image of high quality leisure activity, great trail networks, and delivering commuter options for residents that want to embed healthy lifestyles with their daily activity of a morning bike ride to work or school.

# OTTAWA

## Bicycle Friendly Community

### OTTAWA

**Population:** 812,135

**Contact:** Robert Grimwood, P.Eng.  
Senior Project Manager,  
Sustainable Transportation  
[robert.grimwood@ottawa.ca](mailto:robert.grimwood@ottawa.ca)

#### Community Highlights

With thousands of cyclists on its streets and pathways every day, Ottawa is one of the most bike-

friendly cities in Canada. The City has an extensive network of cycling facilities – including bike lanes, paved shoulders, signed bicycle routes, and multi-use pathways – as well as a variety of other features that support cycling.

City residents are highly engaged about cycling, as evidenced by a recent cycling survey which had over 2,000 responses. Also, cycling is well integrated throughout the

city – including infrastructure (bike lanes, pathways, etc.), integration with transit (“rack & roll”, bike racks at transit stations, etc.) supportive measures (stair ramps, bike racks, etc.) and information/promotion (cycling maps, tourist info, etc.). Ottawa has a large number of commuter and recreational cyclists, as well as cycling activities – people love to cycle in Ottawa!



#### Most Significant Recent Accomplishment

The City of Ottawa implemented the first downtown segregated bike lanes in Ontario in a two-year pilot project on Laurier Avenue West. The bike lanes are separated from motor vehicles through the use of concrete curbs, plastic poles, parked cars and planter boxes. They extend over eight city blocks, and were officially opened in July 2011.

The project is a ground-breaking new approach to cycling infrastructure and a model for technical excellence in transportation planning, engineering and design. The physical separation of cyclists from motor vehicle lanes includes many innovative

design features such as green thermoplastic pavement treatments, new ‘yield-to-cyclists’ signage, and ‘left-turn bike boxes’; all of which are new and ground-breaking concepts for both the City of Ottawa and all of Ontario.

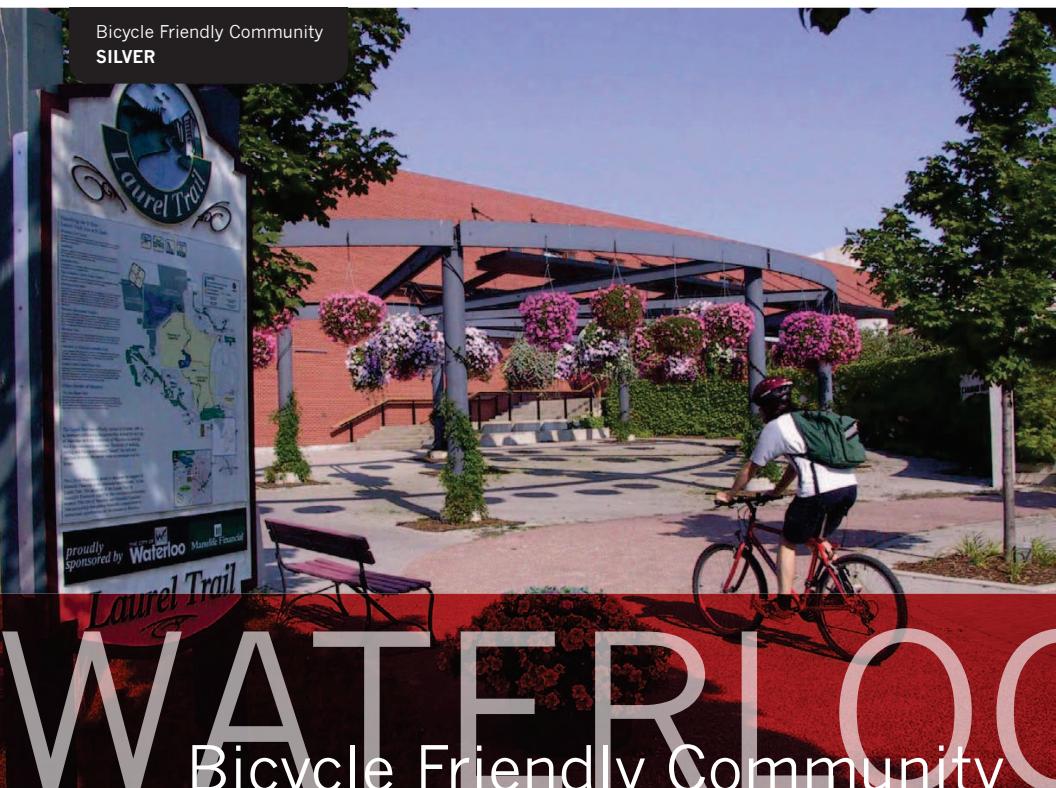
#### Most Compelling Community Statistic

The level of cycling activity along Laurier Avenue has skyrocketed since the new Segregated Bike Lanes were implemented, with daily counts exceeding 2,400 bike trips, which represents nearly triple the amount of cycling activity that was previously observed on Laurier Avenue before the new bike lanes were implemented. As of

March 2012, over 200,000 bike trips have been observed on Laurier since the lanes opened on July 10, 2011.

#### Positive Outcome from Receiving a BFC Designation

The BFC designation has confirmed many of the priority areas that the City continues to work on in order to maintain Ottawa as a bicycle friendly community. The award presentation at the 2011 Ontario Bike Summit also generated a lot of positive attention to the efforts being made by the City and others to continue to improve cycling in Ottawa and the wider National Capital Region.



## WATERLOO

**Population:** 123,000

**Contact:** Scott Nevin,  
Director of Policy Development  
[scott.nevin@waterloo.ca](mailto:scott.nevin@waterloo.ca)

### Community Highlights

The City of Waterloo has a long history of constructing on and off-road cycling facilities; the City adopted its first Bikeways and Trails Master Plan in 2000 and has been implementing

it since. Today, there are more than 180 kms of cycling facilities in the City and half of all Regional arterial roads have cycling facilities along all or parts of them. Another 120 kms of facilities are planned for implementation through the City's new Transportation Master Plan. The Waterloo Cycling Club built and maintains over 8 kms of singletrack open to the public within the City and more on adjacent lands.

Waterloo has a healthy cycling culture. City Council

has had an Advisory Committee on cycling and walking issues since 1998 and before that had a joint advisory committee on cycling with a neighbouring city. The Waterloo Cycling Club is celebrating its 45th anniversary and had over 400 members in 2011. The Club holds many organized rides and annually hosts learn to road and mountain bike ride sessions and womens' clinics. Other community events and programs include the Tour de Waterloo, Bikeapalooza and



the first Ontario Bike Summit in 2009. Today, almost 40% more residents report cycling or walking to work than in other Ontario municipalities.

Private business support for cycling is growing in Waterloo – there are full service bike shops in the City, a large employer developed a loaner bike program for staff and students at the University of Waterloo operate a public bike workshop and a have a loaner bike program, as well. Also, all public buses are equipped with bike racks.

### Most Significant Recent Accomplishment

In 2010, the City completed a road diet on a busy collector roadway, reducing traffic lanes

from 4 to 2 and installing bike lanes, a bike box and bike lay-bys. In 2011 the City constructed new covered bike parking in Uptown, published its second bike map (free for the asking) and held a walkable, bikeable Waterloo forum, which led to the first-ever Square to Square road closure (car-free) and celebration for four summer Sundays. Council also approved its first Transportation Master Plan, which includes a second generation cycling and trails master plan.

### Most Compelling Community Statistic

For a relatively small city of about 125,000 people, we have a lot of bike lanes and trails – over 180 kms.

### Positive Outcome from Receiving a BFC Designation

Waterloo's receiving the BFC Silver Award designation reinforced that the City and community stakeholders have been on the right path. It reinforced past efforts and also helped bring home what the community could be doing and reinvigorated us to reach for more. As an example, since completing the application process and receiving its award, the City created a new cycling-specific web page and Council approved a new Transportation Master Plan, which includes Complete Streets policies. The City also constructed a new sheltered bike parking facility and released the second version of its Cycling and Trails Guide.

Bicycle Friendly Community  
**BRONZE**



# AJAX

## Bicycle Friendly Community

### AJAX

**Population:** 109,600  
**Contact:** Nadia Sukovski,  
Sr. Economic Development Officer  
[nadia.sukovski@ajax.ca](mailto:nadia.sukovski@ajax.ca)

#### Community Highlights

Ajax is a leader for cycling advocacy and infrastructure improvements in Durham Region. The Town has set the bar when it comes to dedication to active transportation and

political will to implement change. This includes the Town's completion of a Pedestrian and Bicycle Master Plan, allocating significant resources to improve the pedestrian and bicycle infrastructure in Town, and lobbying for improved trail connections between municipalities. Over the next 20 years, the plan will create 62 km of new sidewalks, 63 km of new trails, 13 km of pedestrian priority corridors, 47 km of new bike lanes, 13 km of new bike

priority streets and marked shared lanes, 47 upgraded street and freeway crossings and 1.8 km of special treatment in signature districts of Ajax (Pickering Village and Downtown Ajax).

Not only has Ajax planned its course of action for years to come, it has dedicated significant funding to ensure that these actions are executed. Pending annual budget approval, over the next five years the Town will dedicate approximately \$6.7



million towards the creation and improvement of the Ajax trail and cycling networks.

#### Most Significant Recent Accomplishment

The Town is currently working with a consultant on a pilot project to introduce "Bicycle Wayfinding Signage", to help new cyclists navigate between the Ajax Downtown and the Ajax GO Station. This initiative is partly sponsored by the Ministry of Transportation through the Transportation Demand Management (TDM) Municipal Grant program. The project has developed a blueprint for wayfinding that will be implemented in conjunction with the development of bicycle facilities within the Town and can assist other municipalities to develop similar tools.

#### Most Compelling Community Statistic

The Town of Ajax is perhaps best known for its breathtaking publically-owned waterfront, across which a seven kilometer Waterfront Trail extends. This open and unspoiled area stretches across the Town's southern border along the shores of Lake Ontario. It is accessible to the public, with bridges spanning creeks, natural and maintained areas. The trail is part of the Waterfront Trail that runs from Hamilton to Belleville, and is also part of the Trans-Canada Trail. It remains one of the most picturesque waterfronts in southern Ontario.

#### Positive Outcome from Receiving a BFC Designation

The Bicycle Friendly Community designation has provided Ajax with an opportunity to conduct a comprehensive review of

the current state of cycle infrastructure, programs and activities. While there are many areas in which the Town excels, the feedback we have received as part of the designation process has identified areas of improvement. Many of these areas are identified in the Ajax Pedestrian and Bicycle Master Plan, which will guide Ajax's activities related to active transportation over the next 20 years.

The Bicycle Friendly Community designation will also be used as an important tool to grow Ajax as a Cycle Tourism destination. With the 2012 cycling season just around the corner, marketing and promotion efforts will centre around building awareness of Ajax as a cyclist friendly community that has the infrastructure, attractions and amenities that cyclists are looking for.



# BLUE MOUNTAINS

## Bicycle Friendly Community

### BLUE MOUNTAINS

**Population:** 6,453  
**Contact:** Shawn Everitt,  
Director of Recreation  
[severitt@thebluemountains.ca](mailto:severitt@thebluemountains.ca)

#### Community Highlights

The Blue Mountains is located on the Nottawasaga Bay along the Shores of Georgian Bay. The natural amenities and landscape provide exceptional Georgian Bay vistas as well as challenging

elevation contours that provide world class cycling opportunities in the spring, summer and fall seasons. The Blue Mountains has truly become a destination for all types of cyclists as well benefits from having an active resident population that utilizes many forms of Active Transportation and is clearly committed to providing a sustainable community. The Bicycle Friendly Community designation has been an excellent opportunity for The

Blue Mountains and we continue to strive for cycling excellence.

#### Most Significant Recent Accomplishment

Our biggest accomplishment is the success of our Share the Road Program and its commitment to increase strong marketing and promotion, in particular the connection of marketing and education with cycling and our agricultural community. The sharing

of our roadways through our agricultural areas with cycling traffic and agricultural equipment along with typical vehicular traffic is a constant area of concern.

For 2012/2013 it is a key goal of our town to create educational and promotional techniques that address these concerns. Having a consistent message that regardless of which community you are in there are similar roadway use expectations.

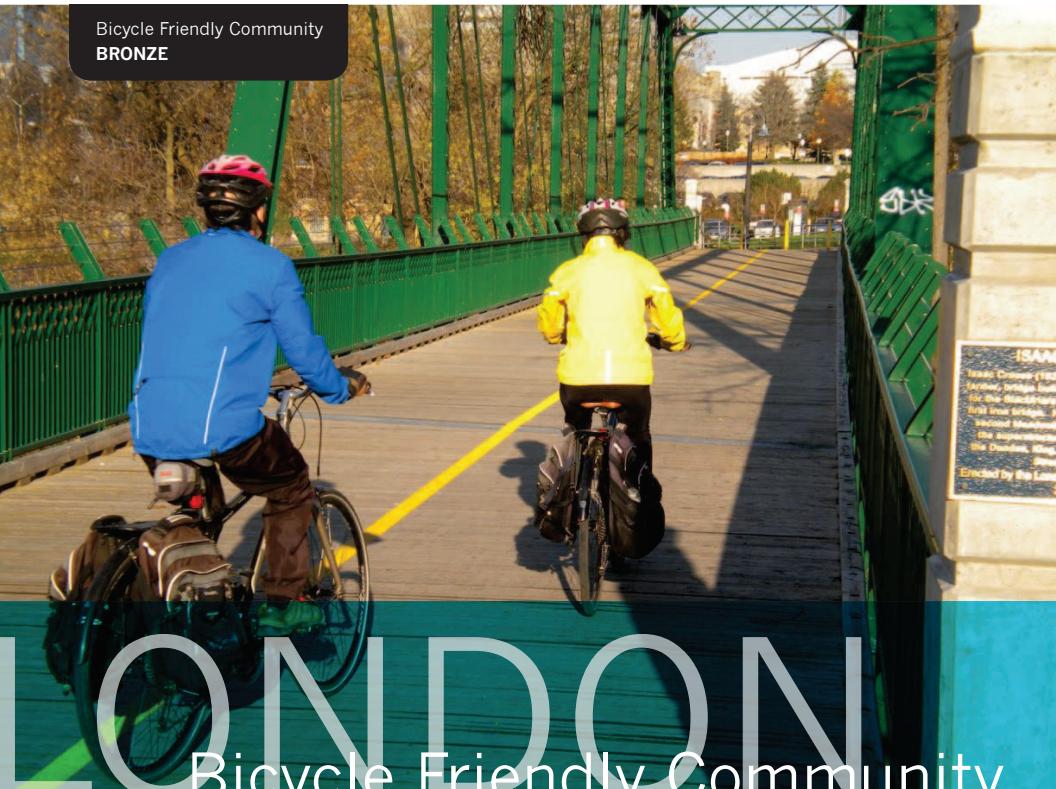
#### Most Compelling Community Statistic

Most compelling in the Town of Blue Mountains is the overall interest in cycling from the community. An annual cycling event held in the community saw an drastic increase in participation from 1351 in 2010 to 2814 in 2011. This event further brings riders to prepare and train during the summer months.

#### Positive Outcome from Receiving a BFC Designation

This award has allowed the Town of Blue Mountains to become a leader in our region as a Bicycle Friendly Community and in spreading the Share the Road program and message. This in turn has created new opportunities for stronger ties and a more regional approach to thinking about cycling with our neighbouring communities.

Bicycle Friendly Community  
**BRONZE**



## LONDON

**Population:** 366,151  
**Contact:** Allison Cook,  
TDM Coordinator, City of London  
ACook@london.ca

### Community Highlights

London has a long established track record of facilitating and encouraging cycling dating back to the early 1990s when our community was one of the first municipalities to employ

a cycling specialist and made early advances in bicycle infrastructure. In 2005, the City approved a Bicycle Master Plan. It is a long term, comprehensive guide for an on and off-road commuter and recreational cycling network.

The University of Western Ontario is home to London's first bike share system, Purple Bikes. It encourages bicycle use in an affordable and friendly way; while also facilitating education on bicycle use and repair.

The Thames River Ecological Association (TREA), has organized London's annual Bicycle Festival for over 20 years. This week-long festival encourages Londoners to bike for transportation, fitness and fun, while promoting bicycle safety and maintenance, local trails and tours.

London's most-requested publication is the Bike & Walk Map, a joint effort by the Healthy Living Partnership and the City of London, to show all of

London's cycling and walking routes. The map also features how-to tips, facts and local environmental resources.

### Most Significant Recent Accomplishment

The Bicycle Master Plan sets out a network of on and off-road cycling facilities. Since its approval in 2005, bike lanes and sharrows have been introduced to London roads, key multi-use pathway sections have been added to the system, and a primary pedestrian bridge into downtown has been renovated to make it easier for cyclists and pedestrians to cross the Thames River.

### Most Compelling Community Statistic

London has over 250 km of bicycle facilities, including 40 km of the Thames Valley Parkway, a multi-use pathway that runs along the Thames River and connects all corners of the city. It is a much-loved amenity for Londoners. Tourism London promotes London as a distinguished cycling destination for visitors as the city has a fairly flat topography, is ideally located between two great lakes and has comfortable routes leading out of the city to explore the surrounding farmland and quaint towns on two wheels.

### Positive Outcome from Receiving a BFC Designation

The biggest benefit to being designated a Bronze-level Bicycle-Friendly Community has been bringing partners in the community together. Cycling is a topic that has been highlighted in the public eye and has brought the City and community organizations together with a common goal of making it easier for Londoners to get around on two wheels. The benefits of cycling are recognized, including the environmental, health, and pocket book savings for individuals and families.

Bicycle Friendly Community  
**BRONZE**



# OSHAWA

## Bicycle Friendly Community

### OSHAWA

**Population:** 149,607

**Contact:** Dewan Masud Karim,  
Transportation Planning Engineer,  
dkarim@oshawa.ca

#### Community Highlights

Oshawa is located on the northern shores of Lake Ontario and attracts visitors with scenic rides along the waterfront including Darlington Provincial Park, which is accessible by transit. With both a bike tourism company providing tours of Oshawa and a Bike-Transit initiative bicycle tourism is poised to see growth in 2012. In 2011, downtown Oshawa

experiences more than 10,000 pedestrians and over 1,500 cyclists on a typical weekday.

#### Most Compelling Community Statistic

In recent years, daily walking and cycling trips increased by 4.0% and over 3,500 residents in Oshawa identify themselves as regular cyclists. In 2011, Oshawa's downtown experienced 200-300 cyclists during the lunchtime peak.

#### Positive Outcome from Receiving a BFC Designation

Oshawa has had a number of positive outcomes from receiving a Bronze BFC award.

It now has request for cycling infrastructure to be included in the site plan reviews and a developer in Windfields, an area north of the city, is considering a network of on-road bicycle lanes and dedicated bicycle pathways in boulevards.

Local businesses can now be certified "Bicycle Friendly" as Oshawa has become part of the Welcome Cyclist Network and is conducting cycling counts to assist business owners in locating in downtown Oshawa. Finally, Oshawa is a partner in the Durham Bike Summit, which will be an opportunity to learn new strategies to reach the Silver award level.





# WINDSOR

## Bicycle Friendly Community

### WINDSOR

**Population:** 210,891  
**Contact:** Josette M. Eugeni,  
Manager of Transportation Planning  
[jeugeni@city.windsor.on.ca](mailto:jeugeni@city.windsor.on.ca)

#### Community Highlights

There are many things to be proud of as Windsor continues to make great strides towards developing our reputation as a safe and attractive place for bicyclists. In addition to

actively expanding our inventory of cycling infrastructure, some of the highlights include a significant increase in the number of new bike parking spots around the community as well as City Policy mandating cycling accommodations for any new developments. We are particularly proud of our zoning by-law provision that allows for bicycle parking to replace parking spaces. Our Parks and Recreation Department is implementing a wide array of

cycling related programs for the whole family and encouraging participation. We are also developing new tourism related initiatives such as the Bike Train.

#### Most significant accomplishment to date

As construction begins on the Windsor-Essex Parkway, administration has worked extensively with the Ministry of Transportation to establish community connections to the



twenty kilometre Windsor Essex Parkway trail system. The Windsor-Essex Parkway is the most significant single highway investment in Ontario's history, and much work has been done to insure that local cyclists will be able to take advantage of the incorporated amenities.

As well, during the past two years, 18 "way finding" signs have been installed at various locations in city neighbourhoods. These bicycling facility maps have been erected to educate and encourage cyclists to explore the existing City network. The way finding signage will eventually be available citywide.

We are also pleased with establishing close to 1 kilometre of multi-use trail along Ojibway Parkway. While these changes have improved bicycling opportunities dramatically, there are many more great things to come.

#### Most Compelling Community Statistic

Windsor's moderate climate and flat terrain facilitate year-round

cycling, allowing riders to take advantage of approximately 177 kilometres of on and off-road bike facilities, including access to more than 2,800 acres of green space in 215 parks scattered around the city. Our riverfront is home to kilometres of walking paths, spectacular views and extraordinary water features, as well one of the world's most unique outdoor sculpture gardens. Described as a "museum without walls," the Odette Sculpture Park is a showcase of more than 31 works of contemporary sculpture.

Cycling tourism enthusiasts have recently discovered Windsor, with nationally recognized wine trail rides offered by WindsorEats.com and Bike Train-Ontario Southwest destinations.

#### Positive Outcome from Receiving a BFC Designation

There are already many positive results from receiving the Bicycle Friendly Community (BFC) designation. First and foremost, with the cycle-friendly changes we

are making on an ongoing basis, we are recognizing a change to the perception that Windsor is still an automotive community, heavily dependent on automobiles as the primary form of transportation.

Not only have there been advertising dollars spent and partnerships established to promote the health benefits of bicycling and how to do it safely, many municipal employees are "walking the walk" so to speak, by riding their bicycles to work. This is all contributing to our efforts to promote healthy active living in our community.

The valuable feedback we received during the BFC application process has helped to reinforce our planning direction. In addition, the feedback has also given us an external perspective in identifying key elements needed as we move toward securing a platinum designation for Windsor as a Bicycle Friendly Community.



Waterloo, Ontario

## **AMENDED RECOMMENDATIONS FROM**

### **Arts Task Force**

Prepared by Howard Alexander and Deborah Dunleavy

November 28, 2012

On November 20, 2012 a presentation on the Arts Task Force was delivered to the Finance Committee of the Brockville City Council. While there was overwhelming support from most committee members it was recommended that we give further explanation to Bob Casselman, CAO of the City.

#### **RECOMMENDATIONS:**

1. That Council recognize that the Creative Economy is already an important economic driver in the City economy.
2. That Council develop a Cultural Plan to promote the Creative Economy for the City, focused on economic development and tourism.
3. That Council support the creation of an at-arms-length, not-for-profit Arts Council which will have the capacity to access and distribute grant money currently unavailable to the City and its cultural institutions.
4. That Council continue to financially support the Cultural Institutions – the Public Library, the Museum, the Aquatarium and the Arts Centre not only for their immense contributions to the quality of life, but also for their unique place as economic drivers in the City.

#### **EXPENSE OF IMPLEMENTATION OF A CULTURAL POLICY**

The Arts Task Force does not see that the implementation of an Arts Policy will be an expense to the City other than the cost of photocopying documentation.

The Arts Task Force does not see the need for an independent consultation for the City.

The Arts Task Force believes that there are many studies already done for similar communities that can be easily adapted to fit Brockville; notably Smiths Fall. (See below)

The Arts Task Force does not see a need to overuse city staff time and is prepared to do the necessary work to put a template together for the City's approval.

#### **EXPENSE OF CREATING AN ARTS COUNCIL**

The Arts Task Force is not asking the City for a financial commitment.

The Arts Task Force is asking for a free meeting space for the initial meetings necessary for the establishment of the Arts Council.

The Arts Task Force would appreciate assistance in the cost of photocopying minutes from the meetings.

The Arts Task Force requests that the city incur the expense of inviting the arts community to the first meeting only. The list will be supplied by the Arts Task Force.

## **REPORT TO FINANCE, ADMIN. & OPERATIONS COMMITTEE – 2012 12 05**

**2012-195-12**

**FIRE MARQUE BILLING SERVICE FOR  
FIRE DEPARTMENT**

**C. DWYRE  
FIRE CHIEF**

### **RECOMMENDATION**

THAT Council of the City of Brockville accepts Report 2012-195-12 - Fire Marque proposal for billing services for fire response and insured perils.

THAT Council approve the negotiating of a modified version of an agreement with Fire Marque to implement their indemnification technology program to recover funds on behalf of the Brockville Fire Department.

THAT the terms of the agreement be limited to three (3) years and that the Fire Department Administration be afforded some latitude in directing Fire Marque on the pursuit of specific responses.

It is further recommended, if the above recommendations are achievable, that staff be directed to prepare the by-law required to proceed with this agreement.

### **PURPOSE**

Council entertained a presentation by Mr. Ted Woods of Fire Marque on October 16, 2012 outlining a billing service for the collection of insurance fees on behalf of the Brockville Fire Department for response costs incurred to fires and insured perils from the insurance companies.

As a result of the presentation, the Fire Chief was directed to review the program and provide a recommendation.

### **BACKGROUND**

Fire Marque Incorporated is a relatively new company providing a specialty service in regards to a newly recognized revenue source for municipal fire departments.

The process of accessing this revenue is referred to as "Indemnification Technology®" which requires data collection, review of insured perils, policy wording interpretation, invoicing, follow-up and recordkeeping. The staff at Fire Marque are former insurance

professionals who have the knowledge, experience and infrastructure to perform this type of monies recovery.

The majority of home insurance policies provide coverage to the insured for fire department costs incurred when called upon. The amount of coverage can range from \$500. to \$25,000. depending on the policy.

Fire Marque offers to act on behalf of the municipal fire department to collect from the insurance company in the cost recovery of fire services where applicable.

In payment for this service, Fire Marque receives 30% of all monies collected with the remaining 70% forwarded to the Fire Department.

## **ANALYSIS/OPTIONS**

The proposal put forward by Fire Marque has both positive and negative aspects should it be implemented.

### Positive

- The potential of increased revenue for fire department services without increasing the tax base. The projected revenue as per Fire Marque estimate from Indemnification Technology® for 2012 was \$32,148.90
- The Fire Department would receive 70% of the monies recovered by Fire Marque by forwarding the existing Standard Incident Reports that are already generated for the Office of the Fire Marshal and Department records.
- A minimum amount of extra clerical work needs to be generated to forward the required reports.
- The economic necessity to increase fees and changes to existing Fire Department services may be less with this as an alternative revenue source.
- The program requires no additional budget considerations to fund this service. Fire Marque only draws its percentage on what is collected.

### Negative

- Public perception that their existing taxes already pay for the fire protection service received and this program is an additional taxation.
- Perception that by calling the Fire Department for an emergency will result in an insurance claim or being invoiced.
- A further concern exists with home owners not calling when they do need Fire Department assistance resulting in added property loss or injury.
- The possibility of the insurance companies changing existing policy premiums to offset their costs in municipalities that are participating in this program.

- Fire Marque is relatively new in the fire service (two years) and as such has not developed a history of success to date. There is very little information from existing participants to gather enough results.

## POLICY IMPLICATIONS

A by-law is required to enter into an agreement with Fire Marque.

## FINANCIAL CONSIDERATIONS

The financial impact to the budget is unknown as any monies received are based on insured dollar loss value (a number that fluctuates annually.) A budget account would be required to receive the proceeds from this program.

It should be noted that the use of the monies is dictated by the Insurance Board to be used by the Fire Department in three areas: Training, Fire Prevention or Equipment Purchases. In this respect, some municipalities have concerns about the propriety of Council entering into a private sector agreement that prescribes how revenues to the municipality must be allocated.

## CONCLUSION

Although they are a relatively young company, Fire Marque offers a new concept in revenue generation to Fire Departments. The level of expertise and experience in the insurance industry cannot in all probability be matched within the municipal labour pool. There is no cost for their services until the monies are found, from which Fire Marque then draws 30% of the total.

The monies from this program cannot be considered as a stable source of revenue in regards to budget purposes due to the unpredictability of emergency calls and the unknown factor if insurance coverage is available.

  
C. Dwyre  
Fire Chief

  
Bob Casselman  
City Manager

  
L. Ferguson  
Acting Director of Finance



Indemnification Technology®

August 2012

Thank you for your interest in the Fire Marque program.

Through Indemnification Technology® your Fire Department can receive “free” monies, without any cost to your residents or the municipality.

How? What’s the next step?

Your municipality will be required to revise the Fee and Charges by-law to enable Fire Marque Inc. to act on your municipality’s behalf.

To assist you, we have enclosed in this package:

1. A letter of recommendation from Mayor Terry Dowdall and Fire Chief Paul Macdonald of Essa Township.
2. Fire Marque’s Canadian Intellectual Property Office Certificate of Registration in both official languages.
3. A definition of Indemnification Technology® in both official languages.
4. Examples of insurance policy wordings showing various amounts of coverage.
5. Examples of invoices showing real savings for your property tax payers.
6. Examples of current by-laws supporting Fire Marque’s program.

Please check out our website [www.firemarque.com](http://www.firemarque.com) for additional information.

We would be pleased to discuss your questions and work with you to ensure a smooth start to the Fire Marque program in your municipality.

**Chris Carrier**

National Municipal Accounts Manager

[chris@firemarque.com](mailto:chris@firemarque.com)

705-888-7230 cell

**Fire Marque Inc.**

P.O. Box 2018, Thornton, ON L0L 2N0 • Tel: 705.424.5991 • Toll Free: 855.424.5991 • Fax: 705.424.5702  
[www.firemarque.com](http://www.firemarque.com)

Corporation of the Township of Essa  
5786 County Road 21  
Utopia, Ontario  
LOM 1T0



Telephone: (705) 424-9770  
Fax: (705) 424-2367  
Web Site: [www.essatownship.on.ca](http://www.essatownship.on.ca)

March 29, 2012

Re: Letter of Recommendation

To Whom It May Concern:

The Township of Essa appointed Fire Marque Inc., as its exclusive agent for the purpose of filing on behalf of the municipality all claims with insurers and to recover from any insurers on our behalf any insurance proceeds which are recoverable in accordance with the terms of any policy agreement through indemnification technology® with respect to insured perils.

The Township of Essa entered into an agreement with Fire Marque Inc., in 2011. The indemnification funds recovered are specifically identified for public education initiatives, fire prevention, training and equipment. The Township of Essa believes the insurance proceeds will benefit our residents as a whole through the development of a fire safe community.

Fire Marque Inc., is professional, provides complete and detailed accounting of all records, claims and funds collected while maintaining confidentiality of all documents in their possession.

The Township of Essa would recommend Fire Marque Inc., to anyone looking for an agent to provide indemnification technology® expertise for the collection of insurance proceeds for fires and insured perils.

Sincerely,

Terry Dowdall  
Mayor

  
Paul Macdonald  
Fire Chief



Office de la propriété  
Intellectuelle  
du Canada

Un organisme  
d'Industrie Canada

Canadian  
Intellectual Property  
Office

An Agency of  
Industry Canada

## *Marques de commerce*

### *Certificat d'enregistrement*

La présente atteste que la marque de commerce identifiée dans l'extrait ci-joint, tiré du registre des marques de commerce, a été enregistrée et que ledit extrait est une copie conforme de l'inscription de son enregistrement.

Conformément aux dispositions de la *Loi sur les marques de commerce*, cette marque de commerce est renouvelable tous les quinze ans à compter de la date d'enregistrement.



## *Trade-marks*

### *Certificate of Registration*

This is to certify that the trade-mark, identified in the attached extract from the register of trade-marks, has been registered and that the said extract is a true copy of the record of its registration.

In accordance with the provisions of the *Trade-marks Act*, this trade-mark is subject to renewal every 15 years from the registration date.

## **INDEMNIFICATION TECHNOLOGY**

Numéro d'enregistrement  
Registration Number

**TMA792,198**

Numéro de dossier  
File Number

**1478801**

Registraire des marques de commerce  
Registrar of Trade-marks

(CIPO 186)11-10

**Canada**

Date d'enregistrement  
Registration Date  
**7 mars/Mar 2011**

**1,478,801.** 2010/04/28. Fire Marque Inc., c/o 15th Floor, Bankers Court, 850-2nd Street SW, Calgary, ALBERTA T2P 0R8  
**Representative for Service/Représentant pour Signification:**  
FRASER MILNER CASGRAIN LLP, 99 BANK STREET, SUITE 1420, OTTAWA, ONTARIO, K1P1H4

## **INDEMNIFICATION TECHNOLOGY**

**SERVICES:** Fire department incident reporting, data collection, and property insurance policy wording interpretation to maximize billing opportunities on behalf of fire departments by involving insurance companies for costs of fire department attendance with respect to insured perils. Used in CANADA since at least as early as March 22, 2010 on services.

**SERVICES:** Production de rapports d'incident des services d'incendie, collecte de données et interprétation de libellés de police d'assurance de biens pour maximiser les occasions de facturation pour le compte des services d'incendie par la facturation aux sociétés d'assurances des coûts de surveillance des services d'incendie en ce qui a trait aux risques couverts. Employée au CANADA depuis au moins aussi tôt que le 22 mars 2010 en liaison avec les services.

# ALLSTATE - ELITE HOMEOWNERS POLICY

coverage for debris removal expenses if the damaged property is repaired or placed at your premises.

## 5. Emergency Removal of Property:

We will pay for insured property damaged in any way while removed from your premises because of danger from a loss we insure. Protection is limited to a 30 day period from date of removal.

This protection does not increase the amount of insurance applying to the property being removed.

## 6. Credit Cards, Banking Cards, Forgery and Counterfeit Money:

You are insured for losses arising from your legal obligation to pay due to the unauthorized uses of credit cards, issued to or registered in your name, which have been lost or stolen.

You are also insured for losses arising from the unauthorized use of banking cards, issued to or registered in your name, which have been lost or stolen.

The maximum we will pay under this Coverage is \$3000 in the aggregate per occurrence.

An occurrence is the loss or theft of one or more cards, regardless of the number of cards lost or stolen or how many times they are used.

We will pay for losses which occur while this policy is in effect and which are not discovered up to one year after its cancellation or termination.

We will also pay up to \$3000 for any loss caused by forgery or alteration of any cheques or negotiable instruments when the loss is caused by any one person or group of persons regardless of the number of cheques or instruments involved.

If a claim is made or a suit is brought against you for liability under this coverage, we will provide a defense at our expense by counsel of our choice.

We may make any investigation and settle any claim or suit that we decide is appropriate.

We do not pay for loss arising out of business pursuits unless from the unauthorized use of a credit card and/or banking card issued or registered to you and for which you are personally liable. We do not pay for any loss arising out of your dishonesty or use of a card by a resident of your household or any person who has been entrusted with the card.

You must comply with all the conditions under which the card was issued and notify the issuing card company or companies and us as soon as you discover the loss.

We will pay any loss sustained through acceptance in good faith of counterfeit United States or Canadian paper currency up to \$2500 for any one transaction and a total of \$2500 in any one policy term.

This protection does not increase the amount of insurance in this policy.

Any deductible specified in the Declaration page does not apply to this coverage.

## 7. Property Insurance Adjustment:

During the term of this policy, we will automatically increase the amount of insurance on your Dwelling Building (Coverage A) to reflect the increased value of your property since the inception date of this policy or the latest renewal or anniversary date.

We will automatically increase the amounts of insurance on your Private Structures (Coverage B), Personal Property (Coverage C) and Additional Living Expense (Coverage D) by the same proportion.

On renewal or anniversary date, we will automatically increase the amounts of insurance shown on the Declaration page in the same way and adjust the premium.

If, at your request, we change the amount of insurance on your Dwelling Building (Coverage A) shown on the Declaration page, we will apply this Property Insurance Adjustment on the changed amount of insurance from the date the change is made...

All other terms and conditions of the policy to which this provision applies remain unchanged.

## 8. Fire Department Charges:

We will reimburse you up to \$5000 for fire department charges you are required to pay when a fire department attends your Dwelling because of an Insured Peril. We will not pay for charges incurred as a result of a false alarm.

We do not pay for any liability claim arising from the use of the responding fire equipment or caused by the actions of any member or members of the responding fire department.

This protection does not increase the amount of insurance in this policy.

Any deductible specified in the Declaration page does not apply to this coverage.

## 9. Collapse:

A. We will insure:

a) entire or partial collapse of the Dwelling Building and Detached Private Structures insured under Coverages A and B of this policy, and;

b) the Personal Property insured under Coverage C of this policy, which is directly damaged as a result of the collapse in (a)

B. For coverage to apply, the collapse must be directly caused by one or more of the following items:

- a) a loss we insure under Coverage C;
- b) hidden decay or vermin damage;
- c) weight of persons, animals, equipment or contents;
- d) weight of rain, snow or ice which collects on a roof;
- e) defective methods or materials used in repair, remodelling or renovation, but only if the collapse occurs in the course of the repair, remodelling or renovation.

Collapse does not include settling, contraction, moving, shifting, bulging, buckling, or cracking.

We do not insure loss or damage to outdoor swimming pools, spas, saunas or equipment attached.

## 10. Glass:

Glass that forms part of your Dwelling or Private Structures on your premises, including glass which forms part of storm windows and doors, is insured against accidental breakage.

This coverage does not include repairs to, or replacement of the structure to prevent installation of the glass.

This coverage does not include loss or damage occurring while a building is under construction, even if permission for construction has been given by us.

## 11. Lock Replacement:

We will pay up to \$750 for the replacement of locks on the exterior doors of your premises if the keys are stolen.

This protection does not increase the amount of insurance in this policy.

Any deductible specified in the Declaration page does not apply to this coverage.

## 12. Mass Evacuation:

We will reimburse you for any necessary and reasonable increase in living expense you incur while access to your dwelling is prohibited by order of civil authority, but only when such an order is given for mass evacuation as a direct result of a sudden and accidental event within Canada or the United States of America.

You are insured for a period not exceeding two weeks from the date of the order of evacuation and up to \$5000 exceeding the deductible amount stated in the policy.

You are not insured for any claim arising from evacuation resulting from:

1. flood meaning waves, tides, tidal waves and the rising of, breaking out or the overflow of, any body of water, whether natural or manmade;
2. earth movement;
3. war, invasion, act of foreign enemy, hostilities, (whether war be declared or not), civil war, Terrorism, rebellion, revolution, insurrection or military power;
4. nuclear incident as defined in the Nuclear Liability Act, nuclear explosion or contamination by radioactive material.

Definition: The term "civil authority" referred to in this section shall mean any person acting under the authority of the Governor General in Council of Canada or the Lieutenant Governor in Council of a Province, and/or any person acting with the authority under a Federal Provincial or Territorial Legislation with respect to the protection of persons and property in the event of an emergency.

## 13. Fuel Leakage (Applicable to Coverages A, B and C):

This protection means loss or damage caused by the sudden and accidental escape of fuel oil from a fixed household type tank or apparatus and pipes, which feeds the dwelling's existing heating system(s). Coverage is not included for damage caused by continuous or repeated seepage or leakage.

We do not insure loss or damage caused by the escape of fuel oil from a household type storage tank or apparatus and pipes located below ground outside the Dwelling, whether active service or not.

We do not insure loss or damage to the land on which the Dwelling is situated.

## 14. Reward:

We will pay up to \$1000 for information which leads to the conviction of any person or persons who rob from any person insured under this policy, or steal, vandalize, burglarize or commit arson to any covered property insured by this policy. The \$1000 limitation applies regardless of the number of people providing the information.

This coverage does not apply to an Insured as defined under Section I. Law enforcement officers or agencies are not eligible.

Any deductible specified in the Declaration page does not apply to this coverage.

## 15. Fungi or Spores, Wet or Dry Rot Remediation as a Direct Result of a Covered Water Loss:

We will pay up to a maximum of \$20,000 in the aggregate per occurrence for the remediation of Fungi or Spores, or wet or dry rot, as a direct result of a covered water loss.

This extension of coverage applies to Coverage A – Dwelling Building, Coverage B – Detached Private Structures, Coverage C – Personal Property, and Coverage D – Additional Living Expenses.

This protection does not increase the amount of insurance in this policy.

Definition: Remediation means the reasonable and necessary treatment, removal or disposal of Fungi or Spores, wet or dry rot, as required to complete repair or replacement of property we cover under Coverage A – Dwelling Building, Coverage B – Detached Private Structures or Coverage C – Personal Property damaged by a covered water loss. Remediation also includes any investigation or testing to detect, measure or evaluate Fungi or Spores, wet or dry rot, as well as payment for any reasonable increase in living expenses necessary to maintain your normal standard of living if Fungi or Spores, wet or dry rot makes your residence premises uninhabitable.

## INSURED PERILS (Applicable to Coverage C)

You are insured against direct loss or damage to your Personal Property described in Coverage C caused by the following perils as described and limited:

1. FIRE OR LIGHTNING.
2. EXPLOSION: This peril does not include electric arcing, water hammer or rupture of a vessel or conduit due to water or ice pressure therein.
3. SMOKE: This peril means smoke due to a sudden, unusual and faulty operation of any heating or cooking unit in or on the premises.
4. FALLING OBJECT: This peril means a falling object which strikes the exterior of a building but not objects which strike the building because of earth movement.



### **Fire Department Charges**

The Insurer will reimburse the "Insured" for fire department service charges for a total limit of five thousand dollars (\$5,000) for any one "occurrence" when:

- (a) The "Insured" has assumed such charges by Municipal contract or agreement prior to the loss;
- (b) The Fire department is called to save or protect the insured property from a peril insured against; and
- (c) The insured property is on the "premises" described in the Declaration(s) Page.
- (d) The "Insured" becomes legally obligated to pay to protect property from imminent hostile fire

Hostile fire means a fire that becomes uncontrollable or breaks out from where it was intended to be.

This coverage is not subject to a deductible.

The limit stated above does not reduce the amount of insurance.

### **Inflation Protection**

If there is a loss insured under Section I, we will automatically increase the "Amount(s) of Insurance" shown on the Declarations Page, under Section I, by amounts which are solely attributable to the inflation increase:

- (i) since the inception date of this policy; or
- (ii) the latest renewal date; or
- (iii) from the date of the most recent change to the "Amount(s) of Insurance" shown on the Declarations Page; whichever is the latest.

On the renewal date of your policy, if required, we will automatically increase the "Amount(s) of Insurance" shown on the Declarations Page, under Section I, by amounts which are solely attributable to the inflation increase since the inception date of this policy or the latest renewal date.

### **Lock Repair or Replacement**

We will pay up to one thousand dollars (\$1,000) in all to replace or rekey at our option, the locks on the insured premises or your private passenger automobile(s) or the car ignition if your keys are stolen, provided the theft is reported to the police or law enforcement agency having jurisdiction at the location of the theft.

This coverage is not subject to a deductible.

### **Mass Evacuation Additional Living Expense**

We will pay any necessary and reasonable increase in living expense incurred by you while access to your "dwelling" is prohibited by order of civil authority but only when such order is given for mass evacuation as a direct result of a sudden and accidental event within Canada or the United States of America.

You are insured for a period not exceeding four (4) weeks from the date of the order of evacuation.

You are not insured for any claim arising from evacuation resulting from:

- (i) flood, meaning waves, tides, tidal waves or the rising of, the breaking out or the overflow of, any body of water, whether natural or man-made;
- (ii) earthquake;
- (iii) war, invasion, act of a foreign enemy, declared or undeclared hostilities, civil war, rebellion, revolution, insurrection or military power;
- (iv) any nuclear incident as defined in the Nuclear Liability Act, or any other nuclear liability act, law or statute, or any law amendatory thereof, or nuclear explosion, except for ensuing loss or damage which results directly from fire, lightning or explosion of natural, coal or manufactured gas;
- (v) contamination from radioactive material.

The term "civil authority" shall mean any person acting under the authority of the Governor General in Council of Canada or the Lieutenant Governor in Council of a province and/or any person acting with authority under a Federal, Provincial or Territorial legislation with respect to the protection of persons and property in the event of an emergency.

### **Permission to Remove Property**

If you must remove insured property from your premises to protect it from loss or damage covered by this policy, it is insured by this policy for ninety (90) days or until your policy ends - whichever occurs first. The "Amount of Insurance" will be divided in the proportions that the value of the property removed bears to the value of all property insured at the time of loss.

# ECONOMICAL BUSINESS Policy

- (a) \$500,000 on any newly Acquired Building, owned by the Insured, and used for similar occupancy or warehouse purposes; and
- (b) \$500,000 on Stock and Equipment at any location owned, rented or controlled by the Insured;

If the building or Stock and Equipment are situated within the territorial limits of Canada, and have been acquired by the Insured after the inception date of this Section.

This coverage shall cease 60 days from the date of such acquisition, or at the inception of more specific insurance, or at expiration of this policy, whichever occurs first.

When such building or Stock and Equipment are to be insured under this Section beyond such period of 60 days, premium therefore shall be payable from the date of such acquisition.

- (ii) **Buildings in Course of Construction** - This Section insures, subject to all its terms and conditions for not more than: \$500,000 on new additions, new buildings and new structures and intended for similar occupancy. This coverage shall cease 60 days from the date construction begins, or at the inception of more specific insurance, or at expiration of this policy, whichever occurs first.
- (iii) **Automatic Inflation Protection** - It is agreed that, the amount of insurance applicable to Building(s) shall be increased during the policy period by the proportion by which the latest published Building Construction Index has increased since the last premium due date.
  - (a) At the premium due date, the amount of insurance shall be increased automatically in accordance with the latest published Building Construction Index and the appropriate premium charged.
  - (b) If the amount of insurance applicable to Building(s) is changed at the request of the Insured during the policy period, the increase will be calculated from the effective date of such change.
  - (c) If the policy insures two or more items, the foregoing shall apply separately to each item to which this endorsement applies.
  - (d) In this endorsement,
    - (i) "Building Construction Index" means the Construction Building Material Price Indexes (Non-residential) published by Statistics Canada;
    - (ii) "Premium Due Date" means the inception, renewal or anniversary date of the policy.
- (iv) **Seasonal Automatic Increase** - When a limit of liability is shown in the Declarations for Stock or Equipment the limit of liability for such coverages is automatically increased by 25% to provide for seasonal variations. However, this increase shall not apply unless the limit of liability shown in the Declarations is 100% or more of the Insured's average monthly values for the 12 months immediately preceding the date of loss, or in the event the Insured has been in business for less than 12 months, such shorter period of time.
- (v) **Extra Expense** - Up to \$10,000 in any one occurrence for the extra expense necessarily incurred by the Insured to continue normal operations which are interrupted as a result of loss by a peril insured against to the building(s) or contents covered hereunder and only for the period of time required with the exercise of due diligence and dispatch to restore normal operations.
- (vi) **Valuable Papers and Records** (Only applicable where this Section insures Stock, or Equipment) - Up to \$25,000 in any one occurrence, for the extra expense necessarily incurred in the cost of compiling books of account, drawings, card index systems or other records including film, tape, disc, drum, cell or other magnetic recording or storage media for electronic "data" processing, all the property of the Insured; when such records are lost or damaged by a peril insured against.
- (vii) **Accounts Receivable** (Only applicable where this Section insures Stock, or Equipment) - Up to \$25,000 in the aggregate on:
  - (a) All sums due the Insured from customers, provided the Insured is unable to effect collection thereof as the direct result of loss of or damage to records of accounts receivable by a peril insured against contained on the Insured's premises described herein;
  - (b) Interest charges on any loan to offset impaired collections pending re-payment of such sums made uncollectible by such loss or damage;
  - (c) Collection expense in excess of normal collection cost and made necessary because of such loss or damage;
  - (d) Other expenses, when reasonably incurred by the Insured in re-establishing records of accounts receivable following such loss or damage.

## (viii) Automatic Fire Suppression System Recharge Expense

This form insures, for not more than \$25,000 in any one occurrence, any automatic fire suppression system recharge expense incurred by the Insured due to the leakage or discharge of the fire suppressant within any automatic fire suppression system at the premises of the Insured where such discharge or leakage is caused by or results from a peril insured against under this form.

## (ix) Fire Department Service Charges

This form insures, for not more than \$25,000 in any one occurrence, the liability of the Insured assumed by contract or agreement prior to loss or damage, for fire department charges incurred when the fire department is called to save or protect property insured from a fire.

## (x) Installation Floater

This form insures, for not more than \$10,000, supplies, machinery, equipment and materials (the property of the Insured or for which the Insured is legally liable) which the Insured has contracted to install or which will be used in completing an installation contract, anywhere in Canada or the continental United States (excluding Alaska), but only while such property is in transit to the premises of installation or while thereat awaiting installation or while being installed, it being agreed that coverage on all property ceases when:

- (a) the Insured's interest ceases; or
  - (b) the property installed has been accepted; or
  - (c) thirty (30) days after completion of the installation; or
  - (d) this policy expires;
- whichever shall first occur.

## Additional Exclusions

This extension does not insure loss or damage to:

- (a) buildings, but building materials and supplies are covered until such time as they become part of any realty;
- (b) accounts, bills, deeds, jewellery or precious stones, plans, blueprints, designs, specifications or any similar property;
- (c) tools, contractor's equipment and any property not a part of or destined to become a part of any installation undertaken by the Insured except tools and equipment, the cost of which was included in the contract price;
- (d) any installation or part thereof from the commencement of use for purposes for which it was intended;
- (e) property while in airborne transit, unless by scheduled airlines;

## NOR DOES THIS EXTENSION INSURE

- (f) (f) against loss or damage covered under any guarantee or warranty (expressed or implied) by any contractor, manufacturer or supplier, whether or not such contractor, manufacturer or supplier is an Insured under this form.

## (xi) Sewer Back-up

# Example \$1,000.00 Policy

Fire Marque Inc.

## Example

/ACCOUNT/AP/ACTIVEAP/AP/ACTIVEAPFH/4237

FM Invoice Date	FM Invoice #	Fire Marshal Report (SIR) #	Description	Amount	Cross Account	Payment Received Date
Feb 13, 2012	1204	2011-17	7 Vol Firefighters- 43 man hrs @ \$24.79/hr	1,065.97		
			5 units- 26.5 unit hrs @ MTO Rate \$410/hr	10,865.00		
			Status Quo-Recoverable from property tax payers	11,930.97		
			Net Insurance recovery before HST	884.96		
			HST	115.04		
			Maximum Recoverable thru Insurance Policy	\$ 1,000.00	Insurance Co.	Feb 16, 2012
			Less FM apportionment	-265.49		
			Less FM apportionment of HST	-34.51		
			FM 30% Fee of file recoverable	\$ -300.00		
			Fire Department apportionment	-619.47		
			Fire Department apportionment of HST	-80.53		
			Fire Department 70% Fee of file recoverable	-700.00		
			New Recoverable from property tax payers	\$ 11,311.50		

**5.2% Savings**

## Example \$2,000.00 Policy

Fire Marque Inc.

### Example

/ACCOUNT/AP/ACTIVEAP/ACTIVEAPPF/4237

FM Invoice Date	FM Invoice #	Fire Marshal Report (SIR) #	Description	Amount	Cross Account	Payment Received Date
Feb 13, 2012	1204	2011-17	7 Vol Firefighters- 43 man hrs @ \$24.79/hr 5 units- 26.5 unit hrs @ MTO Rate \$410/hr	1,065.97 10,865.00		
			Status Quo-Recoverable from property tax payers	11,930.97		
			Net Insurance recovery before HST	1,769.91		
			HST	230.09		
			Maximum Recoverable thru Insurance Policy	\$ 2,000.00	Insurance Co.	Feb 16, 2012
			Less FM apportionment	-530.97		
			Less FM apportionment of HST	-69.03		
			FM 30% Fee of file recoverable	\$ -600.00		
			Fire Department apportionment	-1238.94		
			Fire Department apportionment of HST	-161.06		
			Fire Department 70% Fee of file recoverable	-1400.00		
			New Recoverable from property tax payers	\$ 10,692.03		
						<b>10.4% Savings</b>

# Example \$5,000.00 Policy

Fire Marque Inc.

## Example

/ACCOUNT/AP/ACTIVEAP/ACTIVEAPPFH/4237

FM Invoice Date	FM Invoice #	Fire Marshal Report (SIR) #	Description	Amount	Cross Account	Payment Received Date
Feb 13, 2012	1204	2011-17	7 Vol Firefighters: 43 man hrs @ \$24.79/hr 5 units - 26.5 unit hrs @ MTO Rate \$410/hr	1,065.97 10,865.00		
			Status Quo-Recoverable from property tax payers	11,930.97		
			Net Insurance recovery before HST	4,424.78		
			HST	575.22		
			Maximum Recoverable thru Insurance Policy	\$ 5,000.00	Insurance Co.	Feb 16, 2012
			Less FM apportionment	-1327.43		
			Less FM apportionment of HST	-172.57		
			FM 30% Fee of file recoverable	\$ -1,500.00		
			Fire Department apportionment	-3097.35		
			Fire Department apportionment of HST	-402.65		
			Fire Department 70% Fee of file recoverable	-3500.00		
			New Recoverable from property tax payers	\$ 8,833.62		
						26% Savings

# Example \$25,000.00 Commercial Policy

Fire Marque Inc.

## Example

/ACCOUNT/AP/ACTIVEAP/ACTIVEAPFH/4237

FM Invoice Date	FM Invoice #	Fire Marshal Report (SIR) #	Description	Amount	Cross Account	Payment Received Date
Feb 13, 2012	1204	2011-17	7 Vol Firefighters- 43 man hrs @ \$24.79/hr 5 units- 26.5 unit hrs @ MTO Rate \$410/hr	1,065.97 10,865.00		
			Status Quo-Recoverable from property tax payers	11,930.97		
			Net Insurance recovery before HST	11,930.97		
			HST	1,551.03		
			Maximum Recoverable thru Insurance Policy	\$ 13,482.00	Insurance Co.	Feb 16, 2012
			Less FM apportionment	-3579.29		
			Less FM apportionment of HST	-465.31		
			FM 30% Fee of file recoverable	\$ -4,044.60		
			Fire Department apportionment	-8351.68		
			Fire Department apportionment of HST	-1085.72		
			Fire Department 70% Fee of file recoverable	-9437.40		
			New Recoverable from property tax payers	\$ 3,579.29		



**BY-LAW NUMBER 074 – 2011  
OF THE  
CORPORATION OF THE MUNICIPALITY OF MEAFORD**

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**BEING A BY-LAW TO AUTHORIZE THE MAYOR AND CLERK  
TO ENTER INTO AN AGREEMENT WITH FIRE MARQUE INC.  
FOR THE PURPOSE OF INDEMNIFICATION TECHNOLOGY**

**WHEREAS** Section 9 of the *Municipal Act 2001*, S.O. 2001, c. 25, as amended, grants municipalities the rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act; and

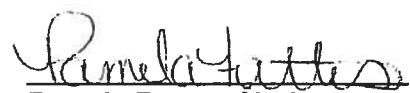
**WHEREAS** Council of the Corporation of the Municipality of Meaford deems it expedient to enter into an agreement with Fire Marque Inc. for the purpose of indemnification technology;

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE  
MUNICIPALITY OF MEAFORD ENACTS AS FOLLOWS:**

1. That this Council does hereby authorize the Mayor and Clerk to execute the Agreement with Fire Marque Inc., attached hereto as Schedule "A" (the Agreement), for the establishment of indemnification technology.
2. That Schedule "A", the Memorandum of Agreement, forms part of this by-law.
3. This By-law shall come into force and take effect upon being passed by Council.

**READ a FIRST, SECOND and THIRD time and finally passed this 26<sup>th</sup> day of September, 2011.**

  
**Francis Richardson**, Mayor

  
**Pamela Fettes**, Clerk

THE CORPORATION OF THE TOWNSHIP OF ESSA

BY-LAW 2011 – 21

**A By-law to adopt and provide for the imposition of Fees and  
Charges for services provided by the Township of Essa  
[Repeals By-law 2010-39].**

WHEREAS Section 391(1) of the *Municipal Act 2001*, S.O. 2001, c.M.25, as amended, permits a municipality to pass By-laws imposing fees or charges on persons for services or activities provided or done by or on behalf of it; for costs payable by it for services or activities provided or done by or on behalf of any other municipality or local board; and for the use of its property including property under its control; and

WHEREAS economic necessity requires the Municipality to increase fees and charges to recover its costs so as to not impose a burden upon the general tax rate of the municipality; and

WHEREAS all fees or charges imposed pursuant to this By-law are due and payable by the person invoiced, immediately upon receipt of the invoice, and that unpaid fees or charges imposed pursuant to this By-law are subject to an interest rate of 1.25% per month; and

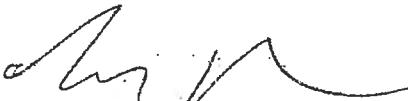
WHEREAS public notice was provided of the Township's intention to pass the by-law in newspapers having general circulation in the municipality, and on the Township website prior to the public meeting, and a public meeting was held on 20 April 2011 allowing the public to address Council and provide comment regarding the proposed fee increases; and

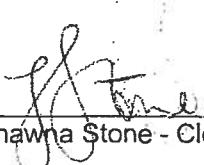
WHEREAS it is deemed advisable that all charges related to sewer and water services, and police protection be provided in a separate by-law;

NOW THEREFORE the Council of the Corporation of the Township of Essa enacts as follows:

1. That Schedule "A" attached hereto sets out the fees for various Township services and forms part of this By-law.
2. That By-law 2010-39 is hereby repealed as of May 1, 2011.
3. That this By-law and all fees and charges for services set out in Schedule "A" shall come into force and take effect on May 1, 2011.

READ A FIRST, AND TAKEN AS READ A SECOND AND THIRD TIME AND FINALLY PASSED on this the 20<sup>th</sup> day of April 2010.

  
Terry Dowdall - Mayor

  
Shawna Stone - Clerk

**SCHEDULE OF FEES**

<b>FIRE DEPARTMENT FEES</b>		
Burning Permit	2 days .....	\$5.00
Call-out to set fires not in compliance to By-Law	Station callout .....	fire call rate x # ffs
	Officer callout .....	fire call rate x 3 ffs
Commercial and Industrial Inspections	Under 280 sq.metres .....	\$100.00
	Over 280 sq.metres .....	\$200.00
Emergency Services on Roadways, Waterways, Railways and Trails in the Municipality	.....	current MTO rates
False Alarms / Automatic Systems	First alarm in 1 year .....	\$250.00
	2nd alarm in year .....	\$350.00
	3rd alarm in year .....	\$450.00
Fire Apparatus Standby	.....	current MTO rates
Fire Prevention Training	Not-for-profit.....	exempt from fee
	Industrial or other groups (3 firefighters provided) .....	\$100.00
Fire Search Fees	Letters of compliance.....	\$75.00
	Fire reports .....	\$75.00
	File search .....	\$75.00
Fire Watch Fees	Personnel .....	fire call rate
	Vehicle .....	current MTO rates
Fireworks Permit	.....	\$35.00
Institutional Assembly	.....	\$75.00
On-Site Inspections	Woodstoves – new installation – refer to Building Department – existing – owner to provide WETT Certificate from a certified company	
	Residential inspection .....	per unit \$ 50.00
	Inspection residential/commercial bldg.....	2-10 units \$100.00
		..... 10 or more - \$150.00
Other or Additional Follow-up Inspections	per visit .....	\$ 40.00
Propane Storage and Handling Facilities -- Risk and Safety Management Plan Review	application.....	\$600.00
	municipal department review .....	\$60.00/hr after 10 hours
	..... peer review if applicable charged directly to applicant	
Plans Examination/Review	.....	\$ 75.00
Plans Re-Examination	.....	\$ 50.00
Response to Hazardous Materials (CBRNE and HAZMAT). Incident responses. Total replacement cost for any contaminated or damaged equipment or materials, costs for containment and mitigation.	.....	current MTO rates
	.....	cost of equipment or materials
	.....	cost of containment and mitigation
Use of special chemicals and agents	.....	cost of replacement

**SCHEDULE OF FEES**

Schedule "A" to By-law 2011-21

<b>EMERGENCY SERVICES FEES</b>	
Use of specialized equipment, heavy equipment or other services for the purpose of fire extinguishment, fire investigation, specialized rescue, CBRNE, HAZMAT and specialized response of emergency services or companies.	.....cost of equipment and services
Indemnification Technology®	.....in accordance with Indemnification Technology®

<b>FALSE ALARMS/AUTOMATIC ALARMS FEES</b>	
The following fees are administered by the Nottawasaga Detachment of the Ontario Provincial Police (O.P.P.), under the Nottawasaga Police Services Board False Alarms Policy. All fees are payable to the Nottawasaga Police Services Board.	
False Alarms/Automatic Alarms	.....no charge
First false alarm in any calendar year	.....no charge
Second false alarm in any calendar year	.....no charge
Third false alarm in any calendar year	.....\$100.00
Fourth false alarm in any calendar year	.....\$200.00
Fifth false alarm in any calendar year	.....\$300.00
Sixth false alarm in any calendar year	Notice of suspension of service will be issued for the remainder of the calendar year.



**CORPORATION OF THE TOWN OF HUNTSVILLE**

**BY-LAW NUMBER 2012-12**

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**Being a By-law to authorize the entering into an Indemnification  
Technology Fees Collection Agreement between the Corporation of the  
Town of Huntsville and Fire Marque Inc.**

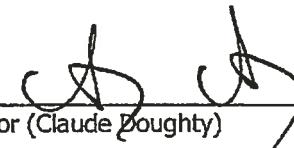
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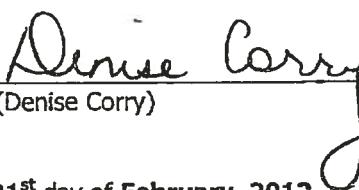
**WHEREAS:** The Council of the Corporation of the Town of Huntsville finds it expedient to confirm the services, terms and conditions of the Agreement attached hereto and forming part of this by-law;

**NOW THEREFORE:** the Council of the Corporation of the Town of Huntsville enacts as follows:

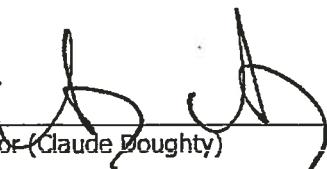
- 1) That the Council of the Corporation of the Town of Huntsville authorizes the Mayor and Clerk to execute and affix the Corporate Seal to the Indemnification Technology Fees Collection Agreement between the Corporation of the Town of Huntsville and Fire Marque Inc.

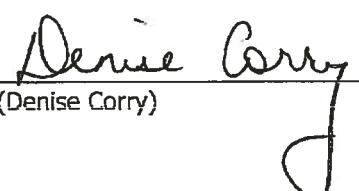
**READ a first time this 21<sup>st</sup> day of February, 2012.**

  
\_\_\_\_\_  
Mayor (Claude Doughty)

  
\_\_\_\_\_  
Clerk (Denise Corry)

**READ a second and third time and finally passed this 21<sup>st</sup> day of February, 2012.**

  
\_\_\_\_\_  
Mayor (Claude Doughty)

  
\_\_\_\_\_  
Clerk (Denise Corry)

**29 November 2012**

**REPORT TO THE FINANCE, ADMINISTRATION AND OPERATIONS COMMITTEE -  
5 DECEMBER, 2012**

**2012-196-12**

**SUPPLEMENTARY REPORT TO  
REPORT 2011-056-05  
DEVELOPMENT CHARGES BACKGROUND STUDY**

**M. PASCOE MERKLEY  
DIRECTOR OF PLANNING  
B. CASSELMAN  
CITY MANAGER**

**RECOMMENDATION:**

THAT the City retain the services of Hemsom Consulting Ltd. at a fee of \$25,000.00 plus HST to complete a Development Charges Background Study as well as to develop a proposed by-law based upon the results of the study; and

THAT this study be funded from the Growth Management Reserve Fund.

**PURPOSE:**

This is a Supplementary Report to Report 2011-056-05 – Development Charges Background Study; and to the resolution of Council dated June 28, 2011 that stated the Development Charges Background Study be referred to the Finance, Administration, and Operations Committee meeting of December 2012.

The purpose of this supplementary report is to provide updated information on development charges, and to make a recommendation regarding preparation of a Development Charge Background Study.

**BACKGROUND:**

On May 17, 2011, Report 2011-065-05 – Development Charges Background Study was before the Finance, Administration and Operations Committee for discussion. The matter appeared before Council at the June 28, 2011 meeting, at which meeting a presentation was made by Craig Binning of Hemson Consulting Ltd. Council later moved to refer the matter of a Development Charges Background Study to the Finance, Administration and Operations Committee meeting of December 2012.

**ANALYSIS:**

Updated information is provided in this report on the subject of development charges, including statements made through the City of Brockville Organizational and Operational Review, recent survey of other municipalities in Ontario, Leeds and Grenville and surrounding area respecting development charges. Further discussion is also provided respecting consultant selection.

The material attached to this report as Schedules 1 through 5 is provided for information purposes, being:

1. Schedule 1 – Excerpt from Council Meeting of June 28, 2012;
2. Schedule 2 – Copy of Report 2011-065-05 – Development Charges Background Study;
3. Schedule 3 – Copy of presentation from Hemson Consulting Ltd.
4. Schedule 4 – BMA – Municipal Study 2011 – Total Development Charges
5. Schedule 5 – Development Charges – other local municipalities

#### Excerpts from the City of Brockville Organizational and Operational Review

The following statements are excerpts from the City of Brockville Organization and Operation Review which, in part, speak to revenue generating options including development charges.

*"Cost containment alone will not help Council achieve the long term economic competitiveness and prosperity that it seeks for the City.*

*Two other aspects need to be dealt with. First, Brockville Council has chosen to be at the low end of revenue generating options (development charges, building permits, user fees) and these need to be reconsidered.*

*Second, Emergency Services (Police and Fire) are taking an ever increasing percentage of the budget and no amount of cost cutting in the other departments can overcome this. The levels of service provided need to be reconsidered as well."*

#### Survey of Other Municipalities

MUNICIPALITIES	Development Charges	BREAKDOWN OF CHARGES
Town of Smiths Falls	No	
United Counties of Leeds and Grenville	No	
Town of Gananoque	No	
Town of Athens	No	
Town of Perth	Yes	See Schedule 5
Town of Prescott	In final stages of approval	See Schedule 5
Township of Elizabethtown/Kitley	Yes	See Schedule 5
Township of Leeds and Thousand Islands	Yes	\$2,028 all development of vacant lands
Municipality of North Grenville	Yes	See Schedule 5

Development charge information gathered by BMA Management Consulting Inc. in its Municipal Study – 2011 indicates that development charges are a common source of revenue for Ontario municipalities.

#### Consultant Selection

Proposals for completion of a Development Charges Background Study were received in 2010. Hemson Consulting Ltd. was the recommended bidder. Craig Binning of Hemson Consulting Ltd. has confirmed that the original proposal with quote of \$25,000 plus HST will be honoured. While a discount of \$1300 had been offered in consideration of the growth forecasts prepared as part of the Official Plan project, these forecasts will need to be updated for the Development Charges Background Study in light of more current data released from the 2011 Census.

Staff continues to recommend that Hemson be hired to undertake the process of completing a Development Charges Background Study and preparation of a DC by-law, including Council, stakeholder and public consultation.

#### **POLICY IMPLICATIONS:**

In accordance with the City's Purchasing By-law 009-2005, Council's authorization is required for the engagement of consultants where expertise is not available locally and the fees are between \$10,000 and \$30,000.

Council authorization is required to use additional funds from the Growth Management Reserve Fund.

#### **FINANCIAL CONSIDERATIONS:**

Council approved an allocation of \$20,000 towards an updated Development Charge Study in the 2009 budget from the Growth Management Fund.

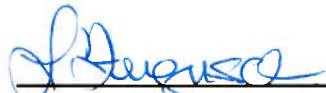
Sufficient funds are available within the Growth Management Reserve Fund to cover the costs associated with this study.

#### **CONCLUSION:**

As stated previously in Report 2011-056-05, development charges are a valuable and essential revenue source to offset costs associated with capital costs required due to growth which is evidenced by the monies received from development charges that were applied towards the WPCC upgrade.



**Maureen Pascoe Merkley, MCIP, RPP**  
**Director of Planning**



**Lynda Ferguson**  
**Director of Finance (Acting)**



*per*  
**Bob Casselman**  
**City Manager**

**SCHEDULE "1"**  
**Report 2012-196-12**



Excerpt from Council meeting of  
June 28, 2011

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**STAFF REPORTS**

**2011-056-05**

**Development Charges Background Study**

Moved by: Councillor Baker

THAT the City retain Hemson Consulting Ltd. to complete a development charges background study as well as to develop a proposed by-law based upon the results of the study; and

THAT this study be funded from the Growth Management Reserve Fund.

**REFERRED**

**MOTION TO REFER**

Moved by: Councillor Baker

THAT the Development Charges Background Study be referred to the Finance, Administration, and Operations Committee meeting of December 2012.

**CARRIED**

**SCHEDULE "2"**  
**Report 2012-196-12**

May 9, 2011

**REPORT TO FINANCE, ADMINISTRATION AND OPERATIONS COMMITTEE  
MEETING – MAY 17, 2011**

**2011-056-05  
DEVELOPMENT CHARGES BACKGROUND STUDY  
FILE: F21-01**

**M. PASCOE-MERKLEY  
DIRECTOR OF PLANNING  
D. CYR  
DIRECTOR OF FINANCE**

**RECOMMENDATION**

THAT the City retain Hemson Consulting Ltd. to complete a development charges background study as well as to develop a proposed by-law based upon the results of the study; and

THAT this study be funded from the Growth Management Reserve Fund.

**PURPOSE**

To retain a consultant to complete a development charges background study as well as to develop a proposed by-law based upon the results of the study.

**BACKGROUND**

**General Information on Development Charges (DC)**

The first *Development Charges Act* was enacted in 1989. The legislation evolved at a time when provincial transfer payments were being withdrawn, thus there was the expectation that local funding would supplement infrastructure costs.

DC are fees imposed by by-law and collected by municipalities to help offset capital costs associated with growth related infrastructure projects. Municipalities are given the authority to impose such fees by the *Development Charges Act, 1997*. Section 10 of the *Development Charges Act, 1997*, requires that prior to passing a DC by-law a DC background study must be completed. A DC by-law may only be passed within the one-year period following the completion of the background study.

Attachment #1 to Report 2011-056-05, is general information on DC which has been taken from the Municipal Finance Officer's Association of Ontario's DC 101 seminar presented in April 2010.

BMA Management Consulting Inc. completes a variety of municipal studies on a regular basis. Their 2010 Municipal Study includes a section on DC. It is noted that there are four municipalities throughout Ontario which do not charge DC – Brockville, Sault Ste. Marie, Thunder Bay and Timmins. Attachment #2 to Report 2011-056-05 is a copy of the User Fees and Revenue Information within the 2010 BMA study which pertain to DC rates.

City of Brockville DC History

DC were first implemented in Brockville in 1991 following the completion of a DC background study and public consultation. Initial DC were a source of revenue for growth related capital projects including sanitary sewer collection and treatment, water treatment and distribution, and electric power and distribution facilities. New construction was subject to DC unless it was associated with manufacturing.

Subsequent DC by-laws were passed, following the completion of background studies and public consultation in 1999 and 2004.

On June 14, 2004, the City of Brockville passed a by-law, under Section 2(1) of the *Development Charges Act, 1997*, to establish development charges upon all lands within the boundaries of the City where the development of the land would increase the need for municipal services based upon a study which was completed earlier that year. The development charges were established based upon three designated services which are provided by the City: wastewater treatment; transportation and growth management. The by-law also contained provisions to exempt these fees from developments in the downtown area (Part II Item 15) and industrial land uses (Part III Item 22). The by-law's five year term expired on June 22<sup>nd</sup>, 2009.

During the 2009 budget process, Council approved an allocation of \$20,000 from the Growth Management Fund towards an updated Development Charge Study.

In April 2009 staff recommended to Council, through Report 2009-058-04, to retain the services of a consulting firm to complete a new development charges background study and the development of a corresponding by-law to be implemented prior to the expiration of By-Law # 076-2004. Due to the economic environment, Council decided to allow the by-law to expire in an attempt to stimulate development and referred the topic to the EDP meeting in November where it was again deferred until the completion of the 2010 budget process.

Council, at their meeting held on April 27, 2010, gave staff the following directive:

THAT the City retain a consultant to complete a development charges background study as well as to develop a proposed by-law based upon the results of the study; and

THAT this study be funded from the Growth Management Reserve Fund and other sources, should they be required, to be determined during the 2010 budget process.

In May 2010, staff contacted three consulting firms who had bid in 2009 and requested a written proposal / quote to complete a new development charge background study as well as to develop a proposed by-law based upon the results of the study to be accepted by City Council. The quotes received ranged from \$23,665 - \$29,005.

Council's approval was requested once again in August 2010 as additional funds were required to complete the study as well as the fact that staff was not recommending the lowest bid of the three quotes. As the study takes three to six months to complete, including public meetings, and with the upcoming election, Council felt that the decision should be made by the new Council and deferred the study until 2011.

Staff is tabling this topic to the current Council to confirm the wish to move forward with a development charges background study.

## ANALYSIS

The following bids were received in June 2010:

	Bid excl. taxes	Net Cost	Difference over low bid
Clark Consulting Services*	\$ 23,258.00	\$ 23,667.34	
Hemson Consulting Services* <sup>a</sup>	\$ 23,700.00	\$ 24,117.12	\$ 449.78
Watson & Associates Economists Ltd.	\$ 28,500.00	\$ 29,001.60	\$ 5,334.26

\* includes a developer/stakeholder session

<sup>a</sup> initial bid revised by \$1,300 to reflect work already completed by the City with respect to growth projections in Official Plan study

Staff believes that an important part of this study is to have the consultants meet with our development community.

Hemson Consulting and Watson & Associates are both well known for their expertise with growth forecasts and development charges, whereas, Clark Consulting's experience with development charges has been predominately with smaller lower-tier rural municipalities.

As the City of Brockville is a single tier urban municipality, it is the opinion of staff that the expertise of Hemson Consulting Services is required for the scope of this project.

Hemson Consulting Services has confirmed that the 2010 proposal is still valid.

## POLICY IMPLICATIONS

In accordance with the City's Purchasing By-Law 090-2005, Council's authorization is required for the engagement of consultants where expertise is not available locally and the fees are between \$10,000 and \$30,000.

Council authorization is required to use additional funds from the Growth Management Reserve Fund.

### **FINANCIAL CONSIDERATIONS**

Council approved an allocation of \$20,000 towards an updated Development Charge Study in the 2009 budget from the Growth Management Fund.

It is anticipated that there are sufficient funds within the Growth Management Reserve Fund to cover the costs associated with this study.

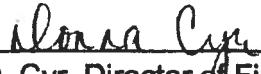
### **CONCLUSIONS**

Development charges are a valuable and essential revenue source to offset costs associated with capital costs required due to growth within the City. This is very evident in the \$1.02 million being applied towards the WPCC upgrade from development charges.

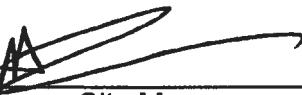
This background study is an essential tool to determine the appropriate development charge rates to impose for the next five years.

---

M. Pascoe-Merkley, Director of Planning

  
D. Cyr, Director of Finance

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B. Casselman, City Manager

## **General Information on Development Charges**

*Information taken from "Development Charges 101" Course  
provided by MFOA in April 2010*

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### **Purpose of Development Charges**

- to recover the capital costs associated with residential and non-residential growth within the municipality
- the capital costs are in addition to what costs would normally be constructed as part of a subdivision (ie. internal roads, sewers, water mains, roads, sidewalks, streetlights, etc.)
- municipalities are empowered to impose these charges via the DCA

### **Development Charges Act, 1989 (DCA)**

- original *Development Charges Act, 1989* was enacted "to regularize a diverse system of municipal charges or levies imposed on development" in order to bring "certainty, uniformity and predictability" to the funding of municipal and school capital infrastructure
- *Development Charges Act, 1989* signified a major policy change by shifting the tax burden for financing municipal infrastructure and education from the provincial to the municipal level
- the statute is based on the principle that growth ought to pay for itself – new development creates new demands for municipal infrastructure and this cost should be borne by new, not existing, municipal residents
- development charges enable municipalities to impose charges against land to pay for increased capital costs required because of increased needs for services arising from development
- DCA stipulates that the development of land in Ontario may require (if municipality passes a by-law) the payment of development charges unless the development is exempted from the imposition of such charges
- development charges are individually imposed by municipalities by by-law in accordance with the DCA

### **Development Charges Act, 1997 (DCA)**

- new *Development Charges Act, 1997* came into force on March 1, 1998 and was accompanied by omnibus regulation 82/98
- new *Development Charges Act, 1997* made a number of very significant modifications to the DC scheme:
  - reduction of eligible services
  - 10 per cent reduction for all but specific services
  - new front-end financing provisions
  - imposition of a mandatory calculation methodology
  - removal of education development charges
  - new provisions re: credits and old credits
  - new industrial expansion exemption
  - mandatory background study

The DCA 1997 provided a major change to the DCA 1989 which resulted in a significant loss of potential revenue to municipalities. The new DCA introduced a number of service limitations, service standard restrictions, mandatory reductions and mandatory exemptions.

#### **Limitations on Services**

Some forms of capital and some services cannot be included in the DCA :

- headquarters for the general administration of the municipality
- arts, culture, museums and entertainment facilities
- tourism facilities
- provision of a hospital
- parkland acquisition
- waste management services

#### **Service Standards**

Service Standard measure provides a ceiling on the level of the charge which can be imposed.

- DCA, 1989 provided that the DC be "no higher than" the highest level attained over the previous 10 year period.
- DCA, 1997 provides that the DC be the "average of the past 10 years".

The impact to the municipality is that this generally lowers collection levels and may provide for spiral downwards if the municipality does not keep up with construction services.

#### **Mandatory versus Discretionary Exemptions**

##### ***Mandatory Exemptions***

- for industrial building expansions (may expand by 50% with no DC)
- may add up to 2 apartments for a single as long as size of home does not double
- add one additional unit in medium and high density buildings
- upper / lower tier governments and school boards

##### ***Discretionary Exemptions***

- reduce in part or whole DC for types of development or classes of development (ie. industrial or churches)
- may phase-in over time
- redevelopment credits to recognize what is being replace on site (not specific in the Act but provided by case law)

### ***Development Charges***

The recovery of costs by Ontario municipalities for capital infrastructure required to support new growth is governed by the *Development Charges Act (1997)* and supporting regulations.

#### **Timing of By-Law Updates**

This legislation provides for the periodic (maximum 5 year) replacement of existing development charge by-laws, at which time a detailed background study is required to support new charges to be incorporated into the revised development charge (D.C.) by-law. The Act also provides that a municipality can, notwithstanding the term of the by-law, revise all or part of the current by-law in the event that material changes have occurred that require adjustments to the quantum of charges. In the case of revisions to the existing by-law, either as a result of the termination of an existing by-law or in the event that the current by-law is amended prior to its expiry. The Act is prescriptive in the documentation that must be included in the background study.

#### ***Comparison of Development Charges***

A comparison of development charges was undertaken using the most current data available. These rates reflect properties in the urban areas. Municipalities with varying development charge rates, based on location within the municipality, have been included in the report for the urban centre. Examples include Hamilton, Halton, Ottawa, Greater Sudbury and Kawartha Lakes. The tables on the next few pages summarize the total development charges in each municipality, including upper, lower and education charges.

#### ***General Introductory Comments***

- The municipalities of Brockville, Sault Ste. Marie, Thunder Bay, and Timmins do not charge development charges
- There were no school board charges for the Region of Niagara, Belleville, Brockville, Central Elgin, Chatham-Kent, Cobourg, Greater Sudbury, Haldimand, Kawartha Lakes, Kingston, Lambton Shores, District of Muskoka, Middlesex Centre, North Bay, Peterborough, Prince Edward County, Quinte West, Sarnia, Saugeen Shores, St. Marys, St. Thomas, Stratford, The Blue Mountains, Tillsonburg, Timmins and Woodstock.
- There is a significant range in terms of development charges across the survey
- 13 municipalities have no municipal industrial development charges, 11 of which are located in Southwest Ontario
- 2 municipalities have no municipal commercial development charges

**2010 Development Charges**  
(sorted by single detached)

Municipality	Single Detached Dwellings per unit	Multiples Dwelling 3+ per unit	Apartment units < 2 per unit	Apartment units >=2 per unit	Non Residential Commercial per sq. ft.	Non Residential Industrial per sq. ft.
Brockville	none	none	none	none	none	none
Sault Ste. Marie	none	none	none	none	none	none
Thunder Bay	none	none	none	none	none	none
Timmins	none	none	none	none	none	none
St. Marys	\$ 2,621	\$ 1,938	\$ 1,061	\$ 1,635		
Quinte West	\$ 3,000	\$ 2,294	\$ 1,486	\$ 2,082	\$ 1.10	\$ 1.10
Chatham-Kent	\$ 3,266	\$ 2,483	\$ 1,247	\$ 2,449	\$ 3.30	\$ 1.47
Central Elgin	\$ 4,733	\$ 3,623	\$ 2,677	\$ 2,677	\$ 2.34	
Middlesex Centre	\$ 4,837	\$ 3,469	\$ 2,086	\$ 2,757	\$ 1.46	\$ 0.59
North Bay	\$ 5,032	\$ 4,133	\$ 2,390	\$ 2,390	\$ 1.24	\$ 1.24
Sarnia	\$ 5,063	\$ 3,803	\$ 2,274	\$ 3,190	\$ 4.25	\$ 4.25
Kingsville	\$ 5,915	\$ 4,856	\$ 2,748	\$ 4,032	\$ 0.88	\$ 0.88
Kawartha Lakes	\$ 6,257	\$ 4,056	\$ 2,868	\$ 4,252	\$ 5.43	\$ 5.43
Belleville	\$ 6,692	\$ 4,675	\$ 3,237	\$ 4,094	\$ 2.81	
St. Thomas	\$ 6,799	\$ 5,529	\$ 2,862	\$ 4,283	\$ 5.28	\$ 2.01
Prince Edward County	\$ 7,382	\$ 5,466	\$ 3,076	\$ 3,786	\$ 2.50	\$ 2.50
Saugeen Shores	\$ 7,476	\$ 6,402	\$ 4,982	\$ 5,969	\$ 1.89	\$ -
Greater Sudbury	\$ 8,444	\$ 5,253	\$ 5,253	\$ 5,253	\$ 4.71	\$ 2.02
St. Catharines	\$ 8,500	\$ 6,000	\$ 5,000	\$ 5,000	\$ 8.00	\$ 2.20
Wainfleet	\$ 8,500	\$ 6,000	\$ 5,000	\$ 5,000	\$ 8.00	\$ 2.20
Peterborough	\$ 9,081	\$ 7,853	\$ 5,296	\$ 5,296	\$ 4.05	
Haldimand	\$ 9,575	\$ 6,228	\$ 3,865	\$ 3,865	\$ 3.27	\$ 3.27
Lambton Shores	\$ 9,985	\$ 8,593	\$ 4,496	\$ 6,365	\$ 5.48	\$ 5.48
Amherstburg	\$ 10,014	\$ 9,467	\$ 9,024	\$ 9,024		
Cobourg	\$ 12,243	\$ 9,619	\$ 5,685	\$ 9,619	\$ 6.64	\$ 2.89
Toronto	\$ 12,281	\$ 9,884	\$ 5,275	\$ 8,157	\$ 9.34	\$ 0.58
Learnington	\$ 12,362	\$ 8,727	\$ 5,565	\$ 7,147	\$ 1.04	\$ 1.04
Woodstock	\$ 12,936	\$ 10,149	\$ 5,167	\$ 6,899	\$ 2.87	
Wellesley	\$ 13,003	\$ 9,315	\$ 7,819	\$ 7,819	\$ 8.83	\$ 8.83
Stratford	\$ 13,134	\$ 9,698	\$ 5,178	\$ 7,529	\$ 2.06	
Lakeshore	\$ 13,501	\$ 10,675	\$ 5,786	\$ 8,764	\$ 5.48	\$ 2.40
Ottawa	\$ 13,901	\$ 10,636	\$ 6,667	\$ 9,037	\$ 10.41	\$ 6.37
Kingston	\$ 14,050	\$ 10,756	\$ 6,287	\$ 8,988	\$ 12.07	\$ 7.00
Pelham	\$ 14,810	\$ 10,552	\$ 7,607	\$ 8,972	\$ 8.00	\$ 2.20
Welland	\$ 14,925	\$ 11,010	\$ 7,831	\$ 9,313	\$ 12.20	\$ 6.40
Thorold	\$ 14,978	\$ 10,472	\$ 7,796	\$ 8,639	\$ 10.40	\$ 2.70
West Lincoln	\$ 15,294	\$ 10,141	\$ 7,390	\$ 8,631	\$ 10.53	\$ 4.73
North Dumfries	\$ 15,376	\$ 11,688	\$ 10,192	\$ 10,192	\$ 8.83	\$ 8.83
Grimsby	\$ 15,759	\$ 11,020	\$ 7,892	\$ 9,415	\$ 10.45	\$ 4.65
Port Colborne	\$ 15,980	\$ 11,191	\$ 7,997	\$ 9,554	\$ 10.79	\$ 3.49
Tillsonburg	\$ 16,193	\$ 13,589	\$ 7,390	\$ 9,864	\$ 3.33	
Windsor	\$ 16,378	\$ 12,726	\$ 8,515	\$ 8,515	\$ 3.50	
Bracebridge	\$ 16,618	\$ 14,618	\$ 7,331	\$ 10,938	\$ 4.28	\$ 4.28
Huntsville	\$ 16,651	\$ 14,694	\$ 7,570	\$ 11,235	\$ 3.11	\$ 2.09
Niagara-on-the-Lake	\$ 17,116	\$ 12,745	\$ 8,835	\$ 10,858	\$ 12.52	\$ 6.72
Woolwich	\$ 17,332	\$ 12,793	\$ 9,930	\$ 10,552	\$ 10.43	\$ 10.43

**2010 Development Charges (cont'd)**

Municipality	Single Detached Dwellings per unit	Multiples Dwelling 3+ per unit	Apartment units < 2 per unit	Apartment units >=2 per unit	Non Residential Commercial per sq. ft.	Non Residential Industrial per sq. ft.
Orillia	\$ 18,209	\$ 15,761	\$ 10,263	\$ 13,317	\$ 10.22	\$ 10.22
Niagara Falls	\$ 18,500	\$ 12,667	\$ 10,440	\$ 10,440	\$ 12.43	\$ 6.63
Gravenhurst	\$ 19,038	\$ 17,126	\$ 8,512	\$ 12,935	\$ 4.83	\$ 4.83
Fort Erie	\$ 19,072	\$ 15,035	\$ 9,394	\$ 15,267	\$ 14.36	\$ 4.78
Wilmot	\$ 19,279	\$ 14,543	\$ 10,796	\$ 12,060	\$ 11.88	\$ 10.36
Kitchener	\$ 21,994	\$ 15,525	\$ 12,914	\$ 12,914	\$ 12.91	\$ 12.91
Orangeville	\$ 22,126	\$ 18,555	\$ 9,181	\$ 12,858	\$ 7.28	\$ 0.58
Brantford	\$ 16,211	\$ 11,287	\$ 7,734	\$ 8,750	\$ 5.13	\$ 5.13
Lincoln	\$ 22,555	\$ 16,210	\$ 10,895	\$ 13,958	\$ 15.28	\$ 9.48
The Blue Mountains	\$ 23,184	\$ 23,184			\$ 11.31	
London	\$ 23,300	\$ 16,821	\$ 10,134	\$ 14,048	\$ 15.67	
Cambridge	\$ 23,890	\$ 20,202	\$ 14,578	\$ 14,578	\$ 10.53	\$ 10.53
Guelph	\$ 24,125	\$ 18,490	\$ 10,881	\$ 15,035	\$ 11.63	\$ 3.95
Waterloo	\$ 26,530	\$ 18,725	\$ 14,120	\$ 16,012	\$ 13.67	\$ 13.67
Hamilton	\$ 27,017	\$ 19,556	\$ 11,434	\$ 16,821	\$ 19.18	\$ 6.83
Oshawa	\$ 27,212	\$ 22,330	\$ 11,416	\$ 17,644	\$ 15.86	\$ 3.33
Barrie	\$ 28,454	\$ 24,834	\$ 14,562	\$ 17,087	\$ 16.58	\$ 10.73
Pickering	\$ 30,155	\$ 24,079	\$ 12,607	\$ 18,025	\$ 16.91	\$ 7.20
Whitby	\$ 30,873	\$ 25,746	\$ 12,750	\$ 20,093	\$ 13.04	\$ 3.33
Ajax	\$ 31,767	\$ 25,966	\$ 12,861	\$ 19,009	\$ 16.31	\$ 6.60
Georgina	\$ 32,571	\$ 27,837	\$ 14,625	\$ 21,283	\$ 24.97	\$ 13.67
Mississauga	\$ 34,165	\$ 34,165	\$ 14,248	\$ 25,776	\$ 14.67	\$ 11.08
Clarington	\$ 34,604	\$ 29,451	\$ 14,910	\$ 22,479	\$ 18.17	\$ 6.14
Burlington	\$ 34,763	\$ 27,345	\$ 15,083	\$ 20,445	\$ 20.26	\$ 15.76
Caledon	\$ 37,592	\$ 33,528	\$ 15,440	\$ 26,465	\$ 13.16	\$ 10.66
East Gwillimbury	\$ 39,023	\$ 32,568	\$ 16,900	\$ 24,554	\$ 26.36	\$ 15.06
King	\$ 39,339	\$ 33,089	\$ 16,915	\$ 24,591	\$ 27.22	\$ 15.92
Richmond Hill	\$ 39,634	\$ 32,861	\$ 17,455	\$ 25,176	\$ 27.13	\$ 18.14
Whitchurch-Stouffville	\$ 39,714	\$ 32,651	\$ 18,054	\$ 25,926	\$ 32.18	\$ 15.13
Halton Hills	\$ 41,098	\$ 33,249	\$ 16,771	\$ 23,173	\$ 18.36	\$ 14.84
Vaughan	\$ 41,245	\$ 34,656	\$ 20,297	\$ 26,019	\$ 25.16	\$ 13.86
Newmarket	\$ 41,529	\$ 33,241	\$ 17,083	\$ 25,674	\$ 25.02	\$ 13.72
Brampton	\$ 42,637	\$ 38,576	\$ 17,025	\$ 30,046	\$ 17.76	\$ 10.56
Aurora	\$ 42,871	\$ 35,170	\$ 19,222	\$ 27,165	\$ 25.67	\$ 14.37
Milton	\$ 43,399	\$ 34,533	\$ 18,777	\$ 26,915	\$ 21.61	\$ 19.35
Markham	\$ 46,457	\$ 37,960	\$ 19,334	\$ 29,565	\$ 24.21	\$ 12.85
Oakville	\$ 48,446	\$ 38,153	\$ 19,745	\$ 30,085	\$ 20.57	\$ 20.57
<b>Average</b>	\$ 20,387	\$ 16,386	\$ 9,461	\$ 12,823	\$ 11.31	\$ 7.25
<b>Median</b>	\$ 16,618	\$ 12,745	\$ 8,514	\$ 10,316	\$ 10.45	\$ 6.26
<b>Minimum</b>	\$ 2,621	\$ 1,938	\$ 1,061	\$ 1,635	\$ 0.88	\$ -
<b>Maximum</b>	\$ 48,446	\$ 38,576	\$ 20,297	\$ 30,085	\$ 32.18	\$ 20.57

**2010 Development Charges—Grouped by Location**

**North Ontario**

Municipality	Single Detached Dwellings per unit	Multiples Dwelling 3+ per unit	Apartment units < 2 per unit	Apartment units >=2 per unit	Non Residential Commercial per sq. ft.	Non Residential Industrial per sq. ft.
Sault Ste. Marie	none	none	none	none	none	none
Thunder Bay	none	none	none	none	none	none
Timmins	none	none	none	none	none	none
North Bay	\$ 5,032	\$ 4,133	\$ 2,390	\$ 2,390	\$ 1.24	\$ 1.24
Greater Sudbury	\$ 8,444	\$ 5,253	\$ 5,253	\$ 5,253	\$ 4.71	\$ 2.02
North Average	\$ 6,738	\$ 4,693	\$ 3,822	\$ 3,822	\$ 2.98	\$ 1.63

**Simcoe/Muskoka/Dufferin Area**

Municipality	Single Detached Dwellings per unit	Multiples Dwelling 3+ per unit	Apartment units < 2 per unit	Apartment units >=2 per unit	Non Residential Commercial per sq. ft.	Non Residential Industrial per sq. ft.
Bracebridge	\$ 16,618	\$ 14,618	\$ 7,331	\$ 10,938	\$ 4.28	\$ 4.28
Huntsville	\$ 16,651	\$ 14,694	\$ 7,570	\$ 11,235	\$ 3.11	\$ 2.09
Orillia	\$ 18,209	\$ 15,761	\$ 10,263	\$ 13,317	\$ 10.22	\$ 10.22
Gravenhurst	\$ 19,038	\$ 17,126	\$ 8,512	\$ 12,935	\$ 4.83	\$ 4.83
Orangeville	\$ 22,126	\$ 18,555	\$ 9,181	\$ 12,858	\$ 7.28	\$ 0.58
Barrie	\$ 28,454	\$ 24,834	\$ 14,562	\$ 17,087	\$ 16.58	\$ 10.73
Simcoe/Musk./Duff. Average	\$ 20,183	\$ 17,598	\$ 9,570	\$ 13,062	\$ 7.72	\$ 5.46

**Niagara/Hamilton**

Municipality	Single Detached Dwellings per unit	Multiples Dwelling 3+ per unit	Apartment units < 2 per unit	Apartment units >=2 per unit	Non Residential Commercial per sq. ft.	Non Residential Industrial per sq. ft.
St. Catharines	\$ 8,500	\$ 6,000	\$ 5,000	\$ 5,000	\$ 8.00	\$ 2.20
Wainfleet	\$ 8,500	\$ 6,000	\$ 5,000	\$ 5,000	\$ 8.00	\$ 2.20
Pelham	\$ 14,810	\$ 10,552	\$ 7,607	\$ 8,972	\$ 8.00	\$ 2.20
Welland	\$ 14,925	\$ 11,010	\$ 7,831	\$ 9,313	\$ 12.20	\$ 6.40
Thorold	\$ 14,978	\$ 10,472	\$ 7,796	\$ 8,639	\$ 10.40	\$ 2.70
West Lincoln	\$ 15,294	\$ 10,141	\$ 7,390	\$ 8,631	\$ 10.53	\$ 4.73
Grimsby	\$ 15,759	\$ 11,020	\$ 7,892	\$ 9,415	\$ 10.45	\$ 4.65
Port Colborne	\$ 15,980	\$ 11,191	\$ 7,997	\$ 9,554	\$ 10.79	\$ 3.49
Niagara-on-the-Lake	\$ 17,116	\$ 12,745	\$ 8,835	\$ 10,858	\$ 12.52	\$ 6.72
Niagara Falls	\$ 18,500	\$ 12,667	\$ 10,440	\$ 10,440	\$ 12.43	\$ 6.63
Fort Erie	\$ 19,072	\$ 15,035	\$ 9,394	\$ 15,267	\$ 14.36	\$ 4.78
Lincoln	\$ 22,555	\$ 16,210	\$ 10,895	\$ 13,958	\$ 15.28	\$ 9.48
Hamilton	\$ 27,017	\$ 19,556	\$ 11,434	\$ 16,821	\$ 19.18	\$ 6.83
Niagara Average	\$ 16,385	\$ 11,738	\$ 8,270	\$ 10,144	\$ 11.70	\$ 4.85

**2010 Development Charges—Grouped by Location**

**Eastern Ontario**

Municipality	Single Detached Dwellings per unit	Multiples Dwelling 3+ per unit	Apartment units < 2 per unit	Apartment units >=2 per unit	Non Residential Commercial per sq. ft.	Non Residential Industrial per sq. ft.
Brockville	none	none	none	none	none	none
Quinte West	\$ 3,000	\$ 2,294	\$ 1,486	\$ 2,082	\$ 1.10	\$ 1.10
Kawartha Lakes	\$ 6,257	\$ 4,056	\$ 2,868	\$ 4,252	\$ 5.43	\$ 5.43
Belleville	\$ 6,692	\$ 4,675	\$ 3,237	\$ 4,094	\$ 2.81	
Prince Edward County	\$ 7,382	\$ 5,466	\$ 3,076	\$ 3,786	\$ 2.50	\$ 2.50
Peterborough	\$ 9,081	\$ 7,853	\$ 5,296	\$ 5,296	\$ 4.05	
Cobourg	\$ 12,243	\$ 9,619	\$ 5,685	\$ 9,619	\$ 6.64	\$ 2.89
Ottawa	\$ 13,901	\$ 10,636	\$ 6,667	\$ 9,037	\$ 10.41	\$ 6.37
Kingston	\$ 14,050	\$ 10,756	\$ 6,287	\$ 8,988	\$ 12.07	\$ 7.00
Eastern Average	\$ 9,076	\$ 6,919	\$ 4,325	\$ 5,894	\$ 5.63	\$ 4.22

**Southwest Ontario**

Municipality	Single Detached Dwellings per unit	Multiples Dwelling 3+ per unit	Apartment units < 2 per unit	Apartment units >=2 per unit	Non Residential Commercial per sq. ft.	Non Residential Industrial per sq. ft.
St. Catharines	\$ 8,500	\$ 6,000	\$ 5,000	\$ 5,000	\$ 8.00	\$ 2.20
Wainfleet	\$ 8,500	\$ 6,000	\$ 5,000	\$ 5,000	\$ 8.00	\$ 2.20
Pelham	\$ 14,810	\$ 10,552	\$ 7,607	\$ 8,972	\$ 8.00	\$ 2.20
Welland	\$ 14,925	\$ 11,010	\$ 7,831	\$ 9,313	\$ 12.20	\$ 6.40
Thorold	\$ 14,978	\$ 10,472	\$ 7,796	\$ 8,639	\$ 10.40	\$ 2.70
West Lincoln	\$ 15,294	\$ 10,141	\$ 7,390	\$ 8,631	\$ 10.53	\$ 4.73
Grimsby	\$ 15,759	\$ 11,020	\$ 7,892	\$ 9,415	\$ 10.45	\$ 4.65
Port Colborne	\$ 15,980	\$ 11,191	\$ 7,997	\$ 9,554	\$ 10.79	\$ 3.49
Niagara-on-the-Lake	\$ 17,116	\$ 12,745	\$ 8,835	\$ 10,858	\$ 12.52	\$ 6.72
Niagara Falls	\$ 18,500	\$ 12,667	\$ 10,440	\$ 10,440	\$ 12.43	\$ 6.63
Fort Erie	\$ 19,072	\$ 15,035	\$ 9,394	\$ 15,267	\$ 14.36	\$ 4.78
Lincoln	\$ 22,555	\$ 16,210	\$ 10,895	\$ 13,958	\$ 15.28	\$ 9.48
Hamilton	\$ 27,017	\$ 19,556	\$ 11,434	\$ 16,821	\$ 19.18	\$ 6.83
Niagara Average	\$ 16,385	\$ 11,738	\$ 8,270	\$ 10,144	\$ 11.70	\$ 4.85

**2010 Development Charges—Grouped by Location**

**GTA Municipalities**

**Summary by Geographic Location**

Municipality	Single Detached Dwellings per unit	Multiples Dwelling 3+ per unit	Apartment units < 2 per unit	Apartment units >=2 per unit	Non Residential Commercial per sq. ft.	Non Residential Industrial per sq. ft.
Toronto	\$ 12,281	\$ 9,884	\$ 5,275	\$ 8,157	\$ 9.34	\$ 0.58
Oshawa	\$ 27,212	\$ 22,330	\$ 11,416	\$ 17,644	\$ 15.86	\$ 3.33
Pickering	\$ 30,155	\$ 24,079	\$ 12,607	\$ 18,025	\$ 16.91	\$ 7.20
Whitby	\$ 30,873	\$ 25,746	\$ 12,750	\$ 20,093	\$ 13.04	\$ 3.33
Ajax	\$ 31,767	\$ 25,966	\$ 12,861	\$ 19,009	\$ 16.31	\$ 6.60
Georgina	\$ 32,571	\$ 27,837	\$ 14,625	\$ 21,283	\$ 24.97	\$ 13.67
Mississauga	\$ 34,165	\$ 34,165	\$ 14,248	\$ 25,776	\$ 14.67	\$ 11.08
Clarington	\$ 34,604	\$ 29,451	\$ 14,910	\$ 22,479	\$ 18.17	\$ 6.14
Burlington	\$ 34,763	\$ 27,345	\$ 15,083	\$ 20,445	\$ 20.26	\$ 15.76
Caledon	\$ 37,592	\$ 33,528	\$ 15,440	\$ 26,465	\$ 13.16	\$ 10.66
East Gwillimbury	\$ 39,023	\$ 32,568	\$ 16,900	\$ 24,554	\$ 26.36	\$ 15.06
King	\$ 39,339	\$ 33,089	\$ 16,915	\$ 24,591	\$ 27.22	\$ 15.92
Richmond Hill	\$ 39,634	\$ 32,861	\$ 17,455	\$ 25,176	\$ 27.13	\$ 18.14
Whitchurch-Stouffville	\$ 39,714	\$ 32,651	\$ 18,054	\$ 25,926	\$ 32.18	\$ 15.13
Halton Hills	\$ 41,098	\$ 33,249	\$ 16,771	\$ 23,173	\$ 18.36	\$ 14.84
Vaughan	\$ 41,245	\$ 34,656	\$ 20,297	\$ 26,019	\$ 25.16	\$ 13.86
Newmarket	\$ 41,529	\$ 33,241	\$ 17,083	\$ 25,674	\$ 25.02	\$ 13.72
Brampton	\$ 42,637	\$ 38,576	\$ 17,025	\$ 30,046	\$ 17.76	\$ 10.56
Aurora	\$ 42,871	\$ 35,170	\$ 19,222	\$ 27,165	\$ 25.67	\$ 14.37
Milton	\$ 43,399	\$ 34,533	\$ 18,777	\$ 26,915	\$ 21.61	\$ 19.35
Markham	\$ 46,457	\$ 37,960	\$ 19,334	\$ 29,565	\$ 24.21	\$ 12.85
Oakville	\$ 48,446	\$ 38,153	\$ 19,745	\$ 30,085	\$ 20.57	\$ 20.57
<b>GTA Average</b>	<b>\$ 36,881</b>	<b>\$ 30,774</b>	<b>\$ 15,763</b>	<b>\$ 23,558</b>	<b>\$ 20.63</b>	<b>\$ 11.94</b>

- There are clear trends across Ontario in terms of the DC practices and costs, with the lowest DCs generally in the North and East and the highest DCs in the GTA
- 3 of the 5 North municipalities in the study do not have Development Charges
- Brockville in the Eastern Ontario municipalities has no DCs. Of the remaining Eastern municipalities, 2 exempt Industrial properties
- All Niagara/Hamilton municipalities charge DCs for all types of properties
- A number of Southwest municipalities exempt Industrial properties from DCs to promote employment

# SCHEDULE "3"

## Report 2012-196-12

### CITY OF BROCKVILLE DEVELOPMENT CHARGES COUNCIL INFORMATION SESSION



**HEMSON**  
Consulting Ltd.



### What Are Development Charges?

- A fee charged to new development to finance the cost of growth-related capital facilities and infrastructure
- As a municipality grows, new infrastructure and facilities are required to maintain service levels (e.g. Roads, Fire Stations, etc.)
- Principle behind development charges is that "Growth pays for growth" so that the financial burden of servicing new development is not borne by existing taxpayers

**HEMSON**

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## Property Taxes versus Development Charges

- Property Taxes
  - Fund operating costs and long-term repair and replacement of municipal infrastructure
- Development Charges
  - Fund a share of the initial capital cost of expanding municipal infrastructure to service the needs arising from new development

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## Does Growth Fully Pay For Growth?

- Development charge shortfalls
  - Legislative discounts
  - 10% service discounts
  - Ten-year historic service level limitations
  - The “transit” issue
  - Non-statutory exemptions
  - Capital cost increases beyond indexing

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3

## Overview of the DCA

- Service Exclusions:
  - Cultural and entertainment facilities, including museums, theatres and art galleries
  - Tourism facilities including convention centres
  - Parkland acquisition
  - Hospitals
  - Headquarters for general administration of municipalities and local boards
  - Waste management

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## Overview of the DCA

- Eligible Capital Costs:
  - Costs to acquire and improve land
  - Building and structure costs
  - Rolling stock with a useful life of 7 years or more
  - Furniture and equipment, excluding computer equipment
  - Development-related studies
  - Interest and financing costs

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## DC By-law Policies and Practices

- The Act provides for some mandatory exemptions, but allows municipalities the ability to provide its own exemptions
- Exemptions provide that certain classes of development will not be required to pay DCs.  
May be determined by:
  - Use (i.e – place of worship, farm buildings)
  - Geographic area (i.e – downtown BIA)
  - Development type (i.e – industrial buildings)
- Council has full discretion of how much, and when to implement the DC

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## Key Steps in Calculating DCs

### STEP 1 – GROWTH FORECAST

- Forecast amount, type and location of development
- Establish areas to which DCs apply (city-wide/area-specific)
- Establish planning periods:
  - Maximum 10 years for 'soft' services
  - Longer for 'hard' services
- Types of development
  - Residential – reasonable growth outlook for population and housing, including housing by unit type
  - Non-residential – forecast of future non-residential floor space (and employment)

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## Key Steps in Calculating DCs

### STEP 2 – SERVICE LEVELS

- Cannot use DCs to increase level of service above 10-year historic average (on service by service basis)
- Average service level sets cap on eligible DC funding – “maximum allowable funding envelope”
- No service level limitation to water and wastewater services

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## Key Steps in Calculating DCs

### STEP 3 – DEVELOPMENT-RELATED CAPITAL PROGRAM

- Future capital costs must be identified and Council must express intent to undertake capital works
- Cost reductions required for:
  - Grants, subsidies & contributions
  - Replacement shares
  - Uncommitted DC reserve funds
  - 10% of 'soft' service capital costs

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## Key Steps in Calculating DCs

### STEP 4 – FINAL ADJUSTMENTS

- Allocate costs between residential and non-residential sectors
- Calculate charge using cash flow analysis
- Charge levied as follows:
  - Residential – per unit
  - Non-residential – per square foot of GFA

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## Key Steps in Passing a DC By-law

- Advertise for Public Meeting
- Publish DC Background Study and proposed by-law
- Hold statutory public meeting
- Receive feedback and amend proposed charges and by-law if warranted
- Passage of by-law by Council

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## Brockville DC History

- Brockville has historically collected DCs since 1991
- City allowed most recent DC By-law to expire in June 2009 to stimulate development
- City does not currently collect DCs
- If new by-law is not passed, the City cannot collect DCs

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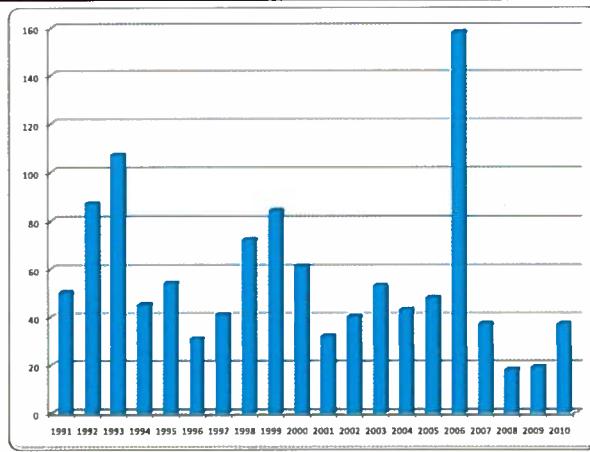
## Why Reinstate DCs Now?

- Two-year freeze on DCs has not stimulated new development in a significant manner
- Staff have identified capital projects that are eligible for recovery through DCs:
  - Widening and servicing of Stewart Blvd
  - Twinning of ice pads
  - Water Pollution Control Centre (WPCC) Secondary Treatment
  - Various intersection improvements and road widenings
  - Up to 90% of the DC Study

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13

## New Residential Building Permits Issued



Period in which DCs were levied (1991-2008)      DC Freeze (2009-10)

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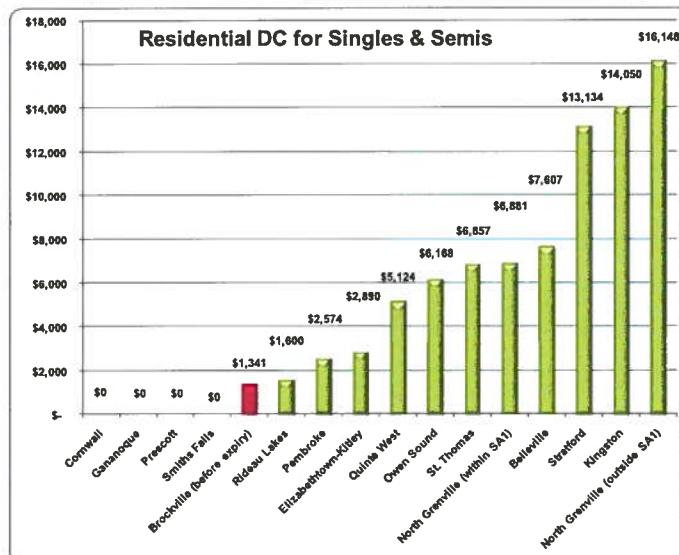
## Consequences of DC Freezes

- Municipalities have very few revenue-raising tools available to them
- Forgoing DCs shifts the costs of growth-related capital works to the existing community (i.e – taxpayers asked to subsidize new development)
- Cost of growth-related capital works then relies upon:
  - Property tax base
  - User fees
  - Upper level grants

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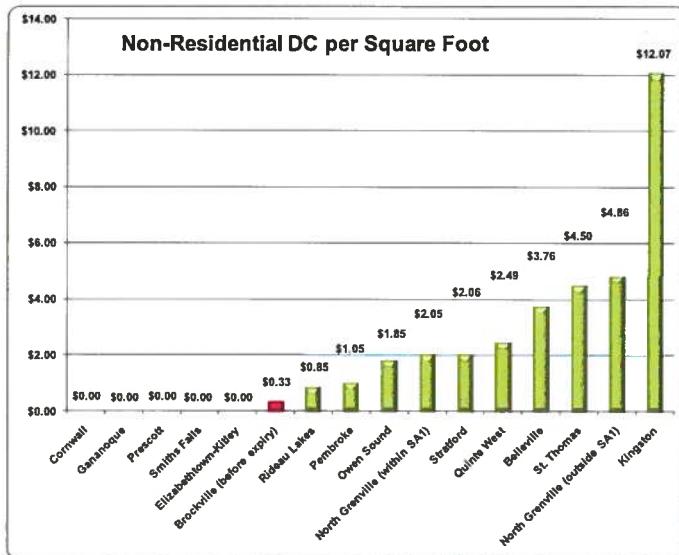
15

## Residential DC Rate Comparisons



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## Non-Residential DC Rate Comparisons (Retail)



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**SCHEDULE "4"**  
**Report 2012-196-12**

**BMA**  
Management Consulting Inc.

**Municipal Study 2011**

**2011 Total Development Charges**  
*(sorted by single detached)*

	Single Detached Dwellings per unit	Multiples Dwelling 3+ per unit	Multiples Dwelling 1&2 per unit	Apartment units < 2 per unit	Apartment units >=2 per unit	Non Residential Commercial per sq. ft.	Non Residential Industrial per sq. ft.
Brockville	none	none	none	none	none	none	none
Cornwall	none	none	none	none	none	none	none
Fort Frances	none	none	none	none	none	none	none
Kenora	none	none	none	none	none	none	none
Sault Ste. Marie	none	none	none	none	none	none	none
Seguin	none	none	none	none	none	none	none
Thunder Bay	none	none	none	none	none	none	none
Timmins	none	none	none	none	none	none	none
St. Marys	\$ 2,641	\$ 1,954	\$ 1,954	\$ 1,069	\$ 1,649	none	none
Chatham-Kent	\$ 3,266	\$ 2,483	\$ 2,483	\$ 1,247	\$ 2,449	\$ 3.30	\$ 1.47
Central Elgin	\$ 4,733	\$ 3,623	\$ 3,623	\$ 2,677	\$ 2,677	\$ 2.34	none
Quinte West	\$ 5,124	\$ 3,233	\$ 3,233	\$ 1,876	\$ 3,265	\$ 2.49	\$ 2.49
Middlesex Centre	\$ 5,210	\$ 3,653	\$ 3,653	\$ 2,271	\$ 3,003	\$ 1.00	\$ 0.40
Sarnia	\$ 5,643	\$ 4,239	\$ 4,239	\$ 2,535	\$ 3,554	\$ 4.38	\$ 4.38
Kingsville	\$ 5,915	\$ 4,856	\$ 4,856	\$ 2,748	\$ 4,032	\$ 0.88	\$ 0.88
North Bay	\$ 6,160	\$ 5,082	\$ 5,082	\$ 2,938	\$ 2,938	\$ 1.82	\$ 1.82
Kawartha Lakes	\$ 6,307	\$ 4,089	\$ 4,089	\$ 2,891	\$ 4,286	\$ 5.48	\$ 5.48
Meaford	\$ 6,392	\$ 5,576	\$ 5,576	\$ 5,576	\$ 5,576	\$ 1.32	\$ 0.53
St. Thomas	\$ 6,857	\$ 5,576	\$ 5,576	\$ 2,886	\$ 4,319	\$ 5.32	\$ 2.03
Prince Edward County	\$ 7,191	\$ 5,325	\$ 5,325	\$ 2,996	\$ 3,688	\$ 2.44	\$ 2.44
Belleville	\$ 7,607	\$ 5,286	\$ 5,286	\$ 3,095	\$ 5,391	\$ 3.76	none
St. Catharines	\$ 9,090	\$ 6,368	\$ 6,368	\$ 5,356	\$ 5,356	\$ 8.59	\$ 2.20
Peterborough	\$ 9,154	\$ 7,916	\$ 7,916	\$ 5,338	\$ 5,338	\$ 4.08	none
Lambton Shores	\$ 9,985	\$ 8,593	\$ 8,593	\$ 4,496	\$ 6,365	\$ 5.48	\$ 5.48
Greater Sudbury	\$ 11,597	\$ 7,243	\$ 7,243	\$ 7,243	\$ 7,243	\$ 7.36	\$ 3.16
Tecumseh	\$ 11,844	\$ 8,642	\$ 8,642	\$ 5,512	\$ 7,077	\$ 4.71	\$ 3.28
Leamington	\$ 12,906	\$ 8,793	\$ 8,793	\$ 5,607	\$ 7,202	\$ 1.05	\$ 1.05
Stratford	\$ 13,265	\$ 9,795	\$ 9,795	\$ 5,230	\$ 7,604	\$ 2.08	none
Wellesley	\$ 13,740	\$ 10,113	\$ 10,113	\$ 8,643	\$ 8,643	\$ 9.81	\$ 9.81
Toronto	\$ 14,569	\$ 11,784	\$ 11,784	\$ 6,367	\$ 9,584	\$ 10.61	\$ 0.58
Brantford	\$ 14,661	\$ 10,228	\$ 10,228	\$ 7,026	\$ 7,943	\$ 5.00	\$ 5.00
Kingston	\$ 15,075	\$ 11,437	\$ 11,437	\$ 6,771	\$ 9,590	\$ 12.60	\$ 7.31
Pelham	\$ 15,400	\$ 10,920	\$ 10,920	\$ 7,963	\$ 9,328	\$ 8.59	\$ 2.20
Thorold	\$ 15,413	\$ 10,733	\$ 10,733	\$ 8,085	\$ 8,908	\$ 11.37	\$ 4.98
Welland	\$ 15,605	\$ 11,449	\$ 11,449	\$ 8,227	\$ 9,729	\$ 12.85	\$ 6.46
Ottawa	\$ 15,752	\$ 11,808	\$ 11,808	\$ 7,345	\$ 9,560	\$ 12.14	\$ 7.35
Wainfleet	\$ 15,804	\$ 10,872	\$ 10,872	\$ 7,956	\$ 9,307	\$ 12.55	\$ 6.16
West Lincoln	\$ 15,946	\$ 10,547	\$ 10,547	\$ 7,767	\$ 9,021	\$ 11.14	\$ 4.75
North Dumfries	\$ 16,113	\$ 12,486	\$ 12,486	\$ 11,016	\$ 11,016	\$ 9.81	\$ 9.81
Windsor	\$ 16,378	\$ 12,726	\$ 12,726	\$ 8,515	\$ 8,515	\$ 3.50	none
Tillsonburg	\$ 16,453	\$ 13,807	\$ 13,807	\$ 7,508	\$ 10,022	\$ 3.39	none
Port Colborne	\$ 17,025	\$ 11,875	\$ 11,875	\$ 8,536	\$ 10,188	\$ 11.56	\$ 3.49
Niagara-on-the-Lake	\$ 17,779	\$ 13,169	\$ 13,169	\$ 9,226	\$ 11,265	\$ 13.20	\$ 6.81

**2011 Total Development Charges (cont'd)**

	Single Detached Dwellings per unit	Multiples Dwelling 3+ per unit	Multiples Dwelling 1&2 per unit	Apartment units < 2 per unit	Apartment units >=2 per unit	Non Residential Commercial per sq. ft.	Non Residential Industrial per sq. ft.
Woolwich	\$ 18,113	\$ 13,625	\$ 13,625	\$ 10,775	\$ 11,403	\$ 11.42	\$ 11.42
Huntsville	\$ 18,901	\$ 16,676	\$ 16,676	\$ 8,571	\$ 13,202	\$ 3.62	\$ 2.55
Niagara Falls	\$ 19,182	\$ 13,096	\$ 13,096	\$ 10,847	\$ 10,847	\$ 13.06	\$ 6.67
Grimsby	\$ 19,281	\$ 13,410	\$ 13,410	\$ 9,415	\$ 11,555	\$ 13.30	\$ 6.91
Bracebridge	\$ 19,415	\$ 17,079	\$ 17,079	\$ 8,653	\$ 12,812	\$ 7.67	\$ 7.67
Fort Erie	\$ 19,662	\$ 16,940	\$ 15,403	\$ 9,750	\$ 15,623	\$ 15.95	\$ 9.56
Wilmot	\$ 19,998	\$ 15,326	\$ 15,326	\$ 11,612	\$ 13,856	\$ 12.86	\$ 11.34
Penetanguishene	\$ 21,112	\$ 16,382	\$ 16,382	\$ 14,537	\$ 14,537	\$ 2.92	\$ 2.92
Gravenhurst	\$ 21,186	\$ 14,750	\$ 19,016	\$ 9,456	\$ 14,352	\$ 5.29	\$ 5.29
Orangeville	\$ 22,203	\$ 18,619	\$ 18,619	\$ 9,217	\$ 12,904	\$ 7.80	\$ 7.80
London	\$ 22,599	\$ 16,317	\$ 16,317	\$ 9,835	\$ 13,630	\$ 15.19	none
Kitchener	\$ 23,149	\$ 16,615	\$ 16,615	\$ 13,978	\$ 13,978	\$ 14.27	\$ 14.27
Lincoln	\$ 23,623	\$ 16,925	\$ 16,925	\$ 11,451	\$ 14,619	\$ 16.12	\$ 9.73
The Blue Mountains	\$ 23,630	\$ 23,630	\$ 23,630	none	none	\$ 11.40	\$ 11.40
Cambridge	\$ 25,311	\$ 21,586	\$ 21,586	\$ 15,813	\$ 15,813	\$ 11.90	\$ 11.90
Guelph	\$ 25,615	\$ 19,933	\$ 19,933	\$ 12,259	\$ 16,448	\$ 11.72	\$ 5.79
Waterloo	\$ 27,730	\$ 19,847	\$ 19,847	\$ 15,196	\$ 17,107	\$ 15.04	\$ 15.04
Hamilton	\$ 27,752	\$ 20,064	\$ 20,064	\$ 11,793	\$ 17,369	\$ 19.18	\$ 7.02
Barrie	\$ 28,377	\$ 24,768	\$ 24,768	\$ 14,524	\$ 17,042	\$ 16.53	\$ 10.70
Oshawa	\$ 29,109	\$ 23,857	\$ 23,857	\$ 12,118	\$ 18,780	\$ 21.41	\$ 4.75
Innisfil	\$ 29,813	\$ 26,844	\$ 26,844	\$ 15,766	\$ 19,071	\$ 10.79	\$ 10.79
Pickering	\$ 31,918	\$ 25,499	\$ 25,499	\$ 13,256	\$ 19,046	\$ 22.41	\$ 8.66
Whitby	\$ 32,893	\$ 27,389	\$ 27,389	\$ 13,497	\$ 21,312	\$ 18.50	\$ 4.75
Ajax	\$ 33,874	\$ 27,661	\$ 27,661	\$ 13,632	\$ 20,222	\$ 21.90	\$ 8.15
Mississauga	\$ 35,265	\$ 35,265	\$ 35,265	\$ 14,672	\$ 26,591	\$ 14.95	\$ 11.28
Clarington	\$ 35,893	\$ 30,353	\$ 23,989	\$ 14,886	\$ 22,942	\$ 24.07	\$ 7.58
Burlington	\$ 36,371	\$ 28,833	\$ 22,085	\$ 16,373	\$ 21,822	\$ 20.86	\$ 16.29
Caledon	\$ 37,967	\$ 33,866	\$ 33,866	\$ 15,582	\$ 26,724	\$ 13.30	\$ 10.77
Georgina	\$ 38,262	\$ 32,595	\$ 32,595	\$ 16,916	\$ 24,882	\$ 38.72	\$ 16.03
Halton Hills	\$ 42,418	\$ 34,828	\$ 24,820	\$ 18,087	\$ 24,592	\$ 18.93	\$ 15.35
Brampton	\$ 43,129	\$ 39,019	\$ 39,019	\$ 17,208	\$ 14,359	\$ 13.21	\$ 10.68
East Gwillimbury	\$ 44,921	\$ 37,514	\$ 37,514	\$ 19,282	\$ 28,284	\$ 30.24	\$ 17.55
Milton	\$ 45,143	\$ 36,134	\$ 36,134	\$ 19,933	\$ 28,105	\$ 22.22	\$ 19.92
King	\$ 45,299	\$ 38,090	\$ 38,090	\$ 19,322	\$ 28,356	\$ 31.15	\$ 18.46
Richmond Hill	\$ 45,433	\$ 37,726	\$ 37,726	\$ 19,798	\$ 28,849	\$ 30.99	\$ 20.61
Whitchurch-Stouffville	\$ 46,010	\$ 37,905	\$ 37,905	\$ 20,635	\$ 29,928	\$ 36.42	\$ 17.72
Vaughan	\$ 46,242	\$ 38,840	\$ 38,840	\$ 22,160	\$ 29,214	\$ 29.09	\$ 16.40
Oakville	\$ 47,249	\$ 37,502	\$ 31,882	\$ 20,003	\$ 29,697	\$ 19.52	\$ 19.52
Newmarket	\$ 47,339	\$ 38,115	\$ 29,159	\$ 18,780	\$ 27,692	\$ 28.90	\$ 16.21
Aurora	\$ 48,798	\$ 40,136	\$ 40,136	\$ 21,622	\$ 30,916	\$ 29.56	\$ 16.87
Markham	\$ 52,892	\$ 43,326	\$ 43,326	\$ 21,915	\$ 33,631	\$ 28.11	\$ 15.35
<b>Average</b>	\$ 22,496	\$ 18,068	\$ 17,608	\$ 10,502	\$ 13,970	\$ 12.89	\$ 8.43
<b>Median</b>	\$ 19,232	\$ 14,279	\$ 14,567	\$ 9,415	\$ 11,555	\$ 11.72	\$ 7.33
<b>Minimum</b>	\$ 2,641	\$ 1,954	\$ 1,954	\$ 1,069	\$ 1,649	\$ 0.88	\$ 0.40
<b>Maximum</b>	\$ 52,892	\$ 43,326	\$ 43,326	\$ 22,160	\$ 33,631	\$ 38.72	\$ 20.61

**2011 Development Charges—Grouped by Location**

**North Ontario**

	Single Detached Dwellings per unit	Multiples Dwelling 3+ per unit	Multiples Dwelling 1&2 per unit	Apartment units < 2 per unit	Apartment units >=2 per unit	Non Residential Commercial per sq. ft.	Non Residential Industrial per sq. ft.
Fort Frances	none	none	none	none	none	none	none
Kenora	none	none	none	none	none	none	none
Sault Ste. Marie	none	none	none	none	none	none	none
Seguin	none	none	none	none	none	none	none
Thunder Bay	none	none	none	none	none	none	none
Timmins	none	none	none	none	none	none	none
North Bay	\$ 6,160	\$ 5,082	\$ 5,082	\$ 2,938	\$ 2,938	\$ 1.82	\$ 1.82
Greater Sudbury	\$ 11,597	\$ 7,243	\$ 7,243	\$ 7,243	\$ 7,243	\$ 7.36	\$ 3.16
North Average	\$ 8,879	\$ 6,163	\$ 6,163	\$ 5,091	\$ 5,091	\$ 4.59	\$ 2.49

**Simcoe/Muskoka/Dufferin Area**

	Single Detached Dwellings per unit	Multiples Dwelling 3+ per unit	Multiples Dwelling 1&2 per unit	Apartment units < 2 per unit	Apartment units >=2 per unit	Non Residential Commercial per sq. ft.	Non Residential Industrial per sq. ft.
Huntsville	\$ 18,901	\$ 16,676	\$ 16,676	\$ 8,571	\$ 13,202	\$ 3.62	\$ 2.55
Bracebridge	\$ 19,415	\$ 17,079	\$ 17,079	\$ 8,653	\$ 12,812	\$ 7.67	\$ 7.67
Penetanguishene	\$ 21,112	\$ 16,382	\$ 16,382	\$ 14,537	\$ 14,537	\$ 2.92	\$ 2.92
Gravenhurst	\$ 21,186	\$ 14,750	\$ 19,016	\$ 9,456	\$ 14,352	\$ 5.29	\$ 5.29
Orangeville	\$ 22,203	\$ 18,619	\$ 18,619	\$ 9,217	\$ 12,904	\$ 7.80	\$ 7.80
Barrie	\$ 28,377	\$ 24,768	\$ 24,768	\$ 14,524	\$ 17,042	\$ 16.53	\$ 10.70
Innisfil	\$ 29,813	\$ 26,844	\$ 26,844	\$ 15,766	\$ 19,071	\$ 10.79	\$ 10.79
Simcoe/Musk./Duff. Avg.	\$ 23,001	\$ 19,303	\$ 19,912	\$ 11,532	\$ 14,846	\$ 7.80	\$ 6.82

**Niagara/Hamilton**

	Single Detached Dwellings per unit	Multiples Dwelling 3+ per unit	Multiples Dwelling 1&2 per unit	Apartment units < 2 per unit	Apartment units >=2 per unit	Non Residential Commercial per sq. ft.	Non Residential Industrial per sq. ft.
St. Catharines	\$ 9,090	\$ 6,368	\$ 6,368	\$ 5,356	\$ 5,356	\$ 8.59	\$ 2.20
Pelham	\$ 15,400	\$ 10,920	\$ 10,920	\$ 7,963	\$ 9,328	\$ 8.59	\$ 2.20
Thorold	\$ 15,413	\$ 10,733	\$ 10,733	\$ 8,085	\$ 8,908	\$ 11.37	\$ 4.98
Welland	\$ 15,605	\$ 11,449	\$ 11,449	\$ 8,227	\$ 9,729	\$ 12.85	\$ 6.46
Wainfleet	\$ 15,804	\$ 10,872	\$ 10,872	\$ 7,956	\$ 9,307	\$ 12.55	\$ 6.16
West Lincoln	\$ 15,946	\$ 10,547	\$ 10,547	\$ 7,767	\$ 9,021	\$ 11.14	\$ 4.75
Port Colborne	\$ 17,025	\$ 11,875	\$ 11,875	\$ 8,536	\$ 10,188	\$ 11.56	\$ 3.49
Niagara-on-the-Lake	\$ 17,779	\$ 13,169	\$ 13,169	\$ 9,226	\$ 11,265	\$ 13.20	\$ 6.81
Niagara Falls	\$ 19,182	\$ 13,096	\$ 13,096	\$ 10,847	\$ 10,847	\$ 13.06	\$ 6.67
Grimsby	\$ 19,281	\$ 13,410	\$ 13,410	\$ 9,415	\$ 11,555	\$ 13.30	\$ 6.91
Fort Erie	\$ 19,662	\$ 16,940	\$ 15,403	\$ 9,750	\$ 15,623	\$ 15.95	\$ 9.56
Lincoln	\$ 23,623	\$ 16,925	\$ 16,925	\$ 11,451	\$ 14,619	\$ 16.12	\$ 9.73
Hamilton	\$ 27,752	\$ 20,064	\$ 20,064	\$ 11,793	\$ 17,369	\$ 19.18	\$ 7.02
Niagara/Ham. Average	\$ 17,812	\$ 12,798	\$ 12,679	\$ 8,952	\$ 11,009	\$ 12.88	\$ 5.92

**2011 Development Charges—Grouped by Location**

**Eastern Ontario**

	Single Detached Dwellings per unit	Multiples Dwelling 3+ per unit	Multiples Dwelling 1&2 per unit	Apartment units < 2 per unit	Apartment units >=2 per unit	Non Residential Commercial per sq. ft.	Non Residential Industrial per sq. ft.
Brockville	none	none	none	none	none	none	none
Cornwall	none	none	none	none	none	none	none
Quinte West	\$ 5,124	\$ 3,233	\$ 3,233	\$ 1,876	\$ 3,265	\$ 2.49	\$ 2.49
Kawartha Lakes	\$ 6,307	\$ 4,089	\$ 4,089	\$ 2,891	\$ 4,286	\$ 5.48	\$ 5.48
Prince Edward County	\$ 7,191	\$ 5,325	\$ 5,325	\$ 2,996	\$ 3,688	\$ 2.44	\$ 2.44
Belleville	\$ 7,607	\$ 5,286	\$ 5,286	\$ 3,095	\$ 5,391	\$ 3.76	none
Peterborough	\$ 9,154	\$ 7,916	\$ 7,916	\$ 5,338	\$ 5,338	\$ 4.08	none
Kingston	\$ 15,075	\$ 11,437	\$ 11,437	\$ 6,771	\$ 9,590	\$ 12.60	\$ 7.31
Ottawa	\$ 15,752	\$ 11,808	\$ 11,808	\$ 7,345	\$ 9,560	\$ 12.14	\$ 7.35
Eastern Average	\$ 9,459	\$ 7,013	\$ 7,013	\$ 4,330	\$ 5,874	\$ 6.14	\$ 5.01

**Southwest Ontario**

	Single Detached Dwellings per unit	Multiples Dwelling 3+ per unit	Multiples Dwelling 1&2 per unit	Apartment units < 2 per unit	Apartment units >=2 per unit	Non Residential Commercial per sq. ft.	Non Residential Industrial per sq. ft.
St. Marys	\$ 2,641	\$ 1,954	\$ 1,954	\$ 1,069	\$ 1,649	none	none
Chatham-Kent	\$ 3,266	\$ 2,483	\$ 2,483	\$ 1,247	\$ 2,449	\$ 3.30	\$ 1.47
Central Elgin	\$ 4,733	\$ 3,623	\$ 3,623	\$ 2,677	\$ 2,677	\$ 2.34	none
Middlesex Centre	\$ 5,210	\$ 3,653	\$ 3,653	\$ 2,271	\$ 3,003	\$ 1.00	\$ 0.40
Sarnia	\$ 5,643	\$ 4,239	\$ 4,239	\$ 2,535	\$ 3,554	\$ 4.38	\$ 4.38
Kingsville	\$ 5,915	\$ 4,856	\$ 4,856	\$ 2,748	\$ 4,032	\$ 0.88	\$ 0.88
Meaford	\$ 6,392	\$ 5,576	\$ 5,576	\$ 5,576	\$ 5,576	\$ 1.32	\$ 0.53
St. Thomas	\$ 6,857	\$ 5,576	\$ 5,576	\$ 2,886	\$ 4,319	\$ 5.32	\$ 2.03
Lambton Shores	\$ 9,985	\$ 8,593	\$ 8,593	\$ 4,496	\$ 6,365	\$ 5.48	\$ 5.48
Tecumseh	\$ 11,844	\$ 8,642	\$ 8,642	\$ 5,512	\$ 7,077	\$ 4.71	\$ 3.28
Leamington	\$ 12,906	\$ 8,793	\$ 8,793	\$ 5,607	\$ 7,202	\$ 1.05	\$ 1.05
Stratford	\$ 13,265	\$ 9,795	\$ 9,795	\$ 5,230	\$ 7,604	\$ 2.08	none
Wellesley	\$ 13,740	\$ 10,113	\$ 10,113	\$ 8,643	\$ 8,643	\$ 9.81	\$ 9.81
Brantford	\$ 14,661	\$ 10,228	\$ 10,228	\$ 7,026	\$ 7,943	\$ 5.00	\$ 5.00
Windsor	\$ 16,378	\$ 12,726	\$ 12,726	\$ 8,515	\$ 8,515	\$ 3.50	none
North Dumfries	\$ 16,113	\$ 12,486	\$ 12,486	\$ 11,016	\$ 11,016	\$ 9.81	\$ 9.81
Tillsonburg	\$ 16,453	\$ 13,807	\$ 13,807	\$ 7,508	\$ 10,022	\$ 3.39	none
Woolwich	\$ 18,113	\$ 13,625	\$ 13,625	\$ 10,775	\$ 11,403	\$ 11.42	\$ 11.42
Wilmot	\$ 19,998	\$ 15,326	\$ 15,326	\$ 11,612	\$ 13,856	\$ 12.86	\$ 11.34
London	\$ 22,599	\$ 16,317	\$ 16,317	\$ 9,835	\$ 13,630	\$ 15.19	none
Kitchener	\$ 23,149	\$ 16,615	\$ 16,615	\$ 13,978	\$ 13,978	\$ 14.27	\$ 14.27
The Blue Mountains	\$ 23,630	\$ 23,630	\$ 23,630			\$ 11.40	\$ 11.40
Cambridge	\$ 25,311	\$ 21,586	\$ 21,586	\$ 15,813	\$ 15,813	\$ 11.90	\$ 11.90
Guelph	\$ 25,615	\$ 19,933	\$ 19,933	\$ 12,259	\$ 16,448	\$ 11.72	\$ 5.79
Waterloo	\$ 27,730	\$ 19,847	\$ 19,847	\$ 15,196	\$ 17,107	\$ 15.04	\$ 15.04
Southwest Average	\$ 14,086	\$ 10,961	\$ 10,961	\$ 7,251	\$ 8,495	\$ 6.97	\$ 6.59

**2011 Development Charges—Grouped by Location**

**GTA Municipalities**

	Single Detached Dwellings per unit	Multiples Dwelling 3+ per unit	Multiples Dwelling per unit	Apartment units < 2 per unit	Apartment units >= 2 per unit	Non Residential Commercial per sq. ft.	Non Residential Industrial per sq. ft.
Toronto	\$ 14,569	\$ 11,784	\$ 11,784	\$ 6,367	\$ 9,584	\$ 10.61	\$ 0.58
Oshawa	\$ 29,109	\$ 23,857	\$ 23,857	\$ 12,118	\$ 18,780	\$ 21.41	\$ 4.75
Pickering	\$ 31,918	\$ 25,499	\$ 25,499	\$ 13,256	\$ 19,046	\$ 22.41	\$ 8.66
Whitby	\$ 32,893	\$ 27,389	\$ 27,389	\$ 13,497	\$ 21,312	\$ 18.50	\$ 4.75
Ajax	\$ 33,874	\$ 27,661	\$ 27,661	\$ 13,632	\$ 20,222	\$ 21.90	\$ 8.15
Mississauga	\$ 35,265	\$ 35,265	\$ 35,265	\$ 14,672	\$ 26,591	\$ 14.95	\$ 11.28
Clarington	\$ 35,893	\$ 30,353	\$ 23,989	\$ 14,886	\$ 22,942	\$ 24.07	\$ 7.58
Burlington	\$ 36,371	\$ 28,833	\$ 22,085	\$ 16,373	\$ 21,822	\$ 20.86	\$ 16.29
Caledon	\$ 37,967	\$ 33,866	\$ 33,866	\$ 15,582	\$ 26,724	\$ 13.30	\$ 10.77
Georgina	\$ 38,262	\$ 32,595	\$ 32,595	\$ 16,916	\$ 24,882	\$ 38.72	\$ 16.03
Halton Hills	\$ 42,418	\$ 34,828	\$ 24,820	\$ 18,087	\$ 24,592	\$ 18.93	\$ 15.35
Brampton	\$ 43,129	\$ 39,019	\$ 39,019	\$ 17,208	\$ 14,359	\$ 13.21	\$ 10.68
East Gwillimbury	\$ 44,921	\$ 37,514	\$ 37,514	\$ 19,282	\$ 28,284	\$ 30.24	\$ 17.55
Milton	\$ 45,143	\$ 36,134	\$ 36,134	\$ 19,933	\$ 28,105	\$ 22.22	\$ 19.92
King	\$ 45,299	\$ 38,090	\$ 38,090	\$ 19,322	\$ 28,356	\$ 31.15	\$ 18.46
Richmond Hill	\$ 45,433	\$ 37,726	\$ 37,726	\$ 19,798	\$ 28,849	\$ 30.99	\$ 20.61
Whitchurch-Stouffville	\$ 46,010	\$ 37,905	\$ 37,905	\$ 20,635	\$ 29,928	\$ 36.42	\$ 17.72
Vaughan	\$ 46,242	\$ 38,840	\$ 38,840	\$ 22,160	\$ 29,214	\$ 29.09	\$ 16.40
Oakville	\$ 47,249	\$ 37,502	\$ 31,882	\$ 20,003	\$ 29,697	\$ 19.52	\$ 19.52
Newmarket	\$ 47,339	\$ 38,115	\$ 29,159	\$ 18,780	\$ 27,692	\$ 28.90	\$ 16.21
Aurora	\$ 48,798	\$ 40,136	\$ 40,136	\$ 21,622	\$ 30,916	\$ 29.56	\$ 16.87
Markham	\$ 52,892	\$ 43,326	\$ 43,326	\$ 21,915	\$ 33,631	\$ 28.11	\$ 15.35
GTA Average	\$ 40,045	\$ 33,465	\$ 31,752	\$ 17,093	\$ 24,797	\$ 23.87	\$ 13.34

**Summary by Geographic Location**

- There are clear trends across Ontario in terms of the DC practices and costs, with the lowest DCs generally in the North and East and the highest DCs in the GTA
- 6 of the 8 North municipalities in the study do not have Development Charges
- Brockville and Cornwall in the Eastern Ontario municipalities have no DCs. Of the remaining Eastern municipalities, 2 exempt Industrial properties
- All Niagara/Hamilton municipalities charge DCs for all types of properties
- 6 of the Southwest municipalities exempt industrial properties from DCs to promote employment

## **SCHEDULE 5 – Report 2012-196-12**

<b>Development Charges from Local Municipalities</b>
Town of Perth
Town of Prescott
Township of Elizabethtown/Kitley
Municipality of North Grenville

**SCHEDULE "B" TO BY-LAW NO. 3995**  
**THE CORPORATION OF THE TOWN OF PERTH**  
**Development Charge for Designated Uses of Land, Buildings or Structure**

<b>SUMMARY OF DEVELOPMENT CHARGES</b>				
<b>RESIDENTIAL &amp; NON-RESIDENTIAL USE</b>				
Municipal service	Residential charge per dwelling unit			Non-residential charge per sq. ft.
	Single	Semi/Converted/ Double/Town	Apartment	
Fire service	\$ 223	\$ 156	\$ 96	\$ 0.15
Transportation	2,570	1,799	1,105	1.76
Sewage works	1,647	1,153	708	1.13
Water works	93	65	40	0.06
Recreation	305	214	131	-
Police service	14	10	6	0.01
Library service	781	547	336	-
Studies	57	40	25	0.04
Interest				
Total maximum development charge	\$ 5,690	\$ 3,983	\$ 2,448	\$ 2.75
Special Area Charge – per Section 6.5.1	\$ 1,000	\$ 700	\$ 430	\$ 2.27 <sup>1.</sup>

1. See Section 6.5.2 for non-residential development under 929 m<sup>2</sup> (10,000 ft.<sup>2</sup>)

<b>Proposed Development Charges – Town of Prescott</b>	
Single detached home	\$3,142
Semi -detached or duplex	\$2,933
Row-dwelling or townhouse	\$2,514
Three bedroom apartment	\$2,409
Two bedroom apartment	\$2,200
One bedroom apartment	\$1,676
Bachelor apartment	\$1,257
Non-residential charges for new business and industrial buildings are based on square footage, starting at \$0.94 for the first 2,500 square feet and rising in different increments for additional footage.	

Schedule "B" to By-law 12-38

TOWNSHIP OF ELIZABETHTOWN-KITLEY

**DEVELOPMENT CHARGE**

<u>USE</u>	<u>Township Wide (Per Unit)</u>	<u>Water Service Area (Per Service)</u>
<b><u>Residential:</u></b>		
All Dwelling Units		\$ 890*
Singles/Semis	\$2,300	
Multiples	\$1,575	
Apartments	\$1,575	
<b><u>Non-Residential</u></b>		
All Development Types	\$0.00 Per square foot of building space, or \$0.00 Per square metre of building space	
<b><u>Mixed Use</u></b>	Charged as determined by the equivalency to the above uses	

\*Cost of connection, extension and installation of waterline to be incurred by property owner is  
over and above this charge.

**THE CORPORATION OF THE MUNICIPALITY OF NORTH GRENVILLE  
SCHEDULE "C" to BY-LAW NO. 55-09**

**Schedule "C" to By-law No. 55-09 as updated Sept. 1, 2012 with 4.1% NRBCPI**

SERVICE	RESIDENTIAL				NON-RESIDENTIAL (Per ft <sup>2</sup> of Gross Floor Area)
	Single & Semi Detached	Apartments 2 Bedrooms +	Apartments Bachelor & 1 Bedroom	Multiple Dwellings	
<b>MUNICIPAL WIDE SERVICES</b>					
Roads and Related Services	\$951	\$564	\$401	\$631	\$0.73
Fire Protection Services	\$172	\$103	\$73	\$113	\$0.09
Outdoor Recreation Services	\$896	\$532	\$377	\$593	\$0.12
Indoor Recreation Services	\$2,544	\$1,509	\$1,070	\$1,684	\$0.34
Library Services	\$315	\$186	\$133	\$209	\$0.04
Administration Services	\$240	\$142	\$102	\$158	\$0.18
<b>Total Municipal Wide</b>	<b>\$5,118</b>	<b>\$3,036</b>	<b>\$2,156</b>	<b>\$3,388</b>	<b>\$1.50</b>
<b>RURAL SERVICE AREA</b>					
Septage Treatment Services	\$71	\$42	\$29	\$46	\$0.07
<b>Total Rural Services Area</b>	<b>\$71</b>	<b>\$42</b>	<b>\$29</b>	<b>\$46</b>	<b>\$0.07</b>
<b>URBAN SERVICE AREA (Within Kemptville Service Area 1)</b>					
Water Treatment Plant	\$2,391	\$1,418	\$1,006	\$1,582	\$0.73
<b>Total Urban Service Area (Within Service Area 1)</b>	<b>\$2,391</b>	<b>\$1,418</b>	<b>\$1,006</b>	<b>\$1,582</b>	<b>\$0.73</b>
<b>URBAN SERVICE AREA (Outside Kemptville Service Area 1)</b>					
Wastewater Services	\$9,012	\$5,346	\$3,792	\$5,968	\$2.73
Water Services	\$1,103	\$654	\$465	\$731	\$0.32
<b>Total Urban Serve Area (Outside Service Area 1)</b>	<b>\$10,115</b>	<b>\$6,000</b>	<b>\$4,257</b>	<b>\$6,699</b>	<b>\$3.05</b>
<b>Total Rural Service Area</b>	<b>\$5,189</b>	<b>\$3,078</b>	<b>\$2,185</b>	<b>\$3,434</b>	<b>\$1.57</b>
<b>Total Urban Services Area (Within Service Area 1)</b>	<b>\$7,509</b>	<b>\$4,454</b>	<b>\$3,162</b>	<b>\$4,970</b>	<b>\$2.23</b>
<b>Total Urban Services Area (Outside Service Area 1)</b>	<b>\$17,624</b>	<b>\$10,454</b>	<b>\$7,419</b>	<b>\$11,669</b>	<b>\$5.28</b>

*[Signature]*  
Sheila Kehoe, Treasurer Municipality of North Grenville

**November 19, 2012**

**REPORT TO THE FINANCE, ADMINISTRATION & OPERATIONS COMMITTEE –  
DECEMBER 5, 2012**

**2012-185-12  
2013 INTERIM TAX LEVY  
AND ESTABLISHMENT OF DUE DATES**

**L. FERGUSON  
DIRECTOR OF FINANCE (ACTING)  
D. SMITH  
TAX COLLECTOR**

**FILE: F22-18**

**RECOMMENDED:**

THAT Council authorize the City to impose its 2013 interim tax levy with a due date of February 27<sup>th</sup>, 2013; and

THAT Council establish the due date of August 29<sup>th</sup>, 2013 for the second and final tax levy for 2013; and

THAT the necessary by-law be enacted.

**PURPOSE:**

To authorize the interim tax levy for 2013 and establish the due dates for both instalments of 2013 tax levy in an effort to assist ratepayers in their financial plans.

**BACKGROUND:**

Municipalities traditionally levy interim taxes in order to have operating funds until the annual budget is approved. A by-law must be passed to allow for the billing of these tax bills.

**ANALYSIS / FINANCIAL IMPLICATIONS:**

The interim taxes will be levied at 50% of the 2012 annualized taxes.

By establishing the two tax due dates at this time, property tax owners will have additional time to assist in their financial planning in regard to their property taxes.

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### POLICY IMPLICATIONS:

Section 317 of the Municipal Act establishes the rules for an interim tax levy.

**317.** (1) A local municipality, before the adoption of the estimates for the year under section 290, may pass a by-law levying amounts on the assessment of property in the local municipality rateable for local municipality purposes. 2001, c. 25, s. 317 (1).

#### By-law

(2) A by-law under subsection (1) shall be passed in the year that the amounts are to be levied or may be passed in November or December of the previous year if it provides that it does not come into force until a specified day in the following year. 2001, c. 25, s. 317 (2); 2006, c. 32, Sched. A, s. 132.

### CONCLUSION:

Upon approval of this by-law the interim tax due date will be February 27<sup>th</sup>, 2013 and the due date for the second and final tax levy for 2013 will be established as August 29<sup>th</sup>, 2013.



D. Smith, Tax Collector



L. Ferguson, Director of Finance (Acting)



B. Casselman, City Manager

**November 19, 2012**

**REPORT TO FINANCE, ADMINISTRATION & OPERATIONS COMMITTEE -  
DECEMBER 5, 2012**

**2012-186-12  
TEMPORARY BORROWING BY-LAW**

**FILE: CO1-07**

**L. FERGUSON  
DIRECTOR OF FINANCE (ACTING)**

**RECOMMENDATION**

THAT Council hereby authorizes the passing of a Temporary By-Law providing for the Mayor and the Treasurer to borrow temporary working capital, as may be required for the Current Fund Operations, of up to \$5,000,000 for the year 2013; and

THAT the necessary by-law be enacted.

**PURPOSE**

This temporary by-law gives the Mayor and Treasurer the ability to borrow funds for current operations if required.

**BACKGROUND**

Municipalities are required annually to pass a temporary borrowing by-law for funds it deems it may require to accommodate operating expenditures until taxes are levied. The City of Brockville levies their taxes in two installments – currently the interim bill is due in late February and the final tax bill is due in late August.

This by-law authorizes both external borrowing from a financial institution and internal borrowing from our reserve fund accounts. Internal borrowing rates are based between the prime bank rate and the current investment rate. In this way, the reserve funds and the current fund investments / borrowing are optimized.

**ANALYSIS**

Cash flow has become tighter in the last few years due to the size of capital projects as well as the impact of reduced City reserves.

Borrowing requirements are dependent upon spending requirements, debt repayment

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and the collection of taxes. Historically the City has not found it necessary to exercise the use of this by-law. It is necessary that a sufficient borrowing limit be established with the bank in order to make available a draw should it be needed.

## **FINANCIAL CONSIDERATIONS**

There are no financial considerations at this time as there is no immediate requirement for borrowing.

## **CONCLUSION**

This by-law is a contingency plan allowing the City to be prepared in the event of a short-fall in funds between tax billing due dates.



L. Ferguson, Director of Finance (Acting)



B. Casselman, City Manager

November 26, 2012

**REPORT TO FINANCE, ADMINISTRATION & OPERATIONS COMMITTEE –**

**December 5, 2012**

**2012-194-12**

**VARIANCE REPORT AT OCT 31, 2012**

**FILE: F05-43**

**L. FERGUSON,  
ACTING DIRECTOR OF FINANCE**

**D. GORDON,  
FINANCIAL ANALYST-GENERAL**

**C. WARD,  
TREASURY OFFICER - RESERVES AND CAPITAL**

**RECOMMENDATION**

THAT Council receives the Variance Report as of October 31<sup>st</sup>, 2012 for information purposes.

**PURPOSE**

To report to Council the City of Brockville's financial position as of October 31<sup>st</sup>, 2012.

**BACKGROUND**

The City's Corporate Financial Controls which Council adopted on April 26<sup>th</sup>, 2005 requires that a variance analysis of forecasted year-end surpluses/deficits be conducted as of June 30<sup>th</sup>, September 30<sup>th</sup> and November 30<sup>th</sup>. An interim year end variance is to be prepared by January 31<sup>st</sup>. The analysis is to be conducted at a sufficient level of detail so that variances of line item activities may be identified in conjunction with the parameters set by the Budgetary Control By-Law.

Staff continues to prepare the variances for the 2012 fiscal year for Council's review a month earlier than customary to provide for more time to mitigate shortfalls, if anticipated, as well as to receive updated information prior to commencing the 2013 budget process later this fall.

**ANALYSIS / FINANCIAL IMPLICATIONS**

This report represents the on-going, updated Financial Statements and Analyses of Budgets – General, Water and Wastewater which is provided for information purposes.

This reporting process ensures that staff are held responsible and accountable for thorough investigations and research in determining and reporting their department's variances – especially the identification of potential over-expenditures. A detailed variance analysis for each department has been included.

Department heads have been given the directive to plan and implement the appropriate actions necessary to mitigate these shortfalls.

### Operating Budget

The current projection for the City is a surplus of \$124,964. The main contributors to the change in the variance are as follows:

- ◆ The Arts Centre is experiencing a drop in ticket sales for City Sponsored Shows due to increased competition and a weak economy. The shortfall is estimated at \$10,000. Revenues from auditorium rentals and seat surcharges which were previously expected to create a \$15,000 surplus will no longer exceed budget due to lower attendance and unbudgeted fee waivers.
- ◆ Corporate Finance surplus increased by \$94,038. This is due to the several factors.
  - An increase of \$56,580 is estimated for revenues received through supplementary taxes.
  - A reduction of \$15,000 in the deficit estimated for Current Taxes Written Off.
  - An increase of \$15,000 in the surplus estimated for interest income due to higher interest rate achieved on investment in September and cash flow timing allowing higher bank balances.
- ◆ Environmental Services found savings in leachate monitoring, resulting in a \$23,000 reduction in expenses. Bag tag sales have increased so that the previous deficit reported has been reduced by \$7000. A surplus increase of \$5000 is also reported for Household Hazardous Waste day. Blue Box funding allocation from Waste Diversion Ontario was higher than anticipated resulting in a surplus increase of \$10,877.
- ◆ A reduction of \$31,732 in the surplus reported for Fleet service maintenance revenues
- ◆ Higher fuel prices and contracted service expenses contributing to an increase of \$10,946 in the deficit reported under Direct Vehicle Costs.

- ◆ Changes in personnel and retirement in Human Resources resulted in a deficit of \$16,160
- ◆ Increased construction activity resulted in a \$38,500 projected surplus for Building Permit Fees
- ◆ Surplus for hot patch sectional mill/repave areas under Roadway Maintenance reduced by 25,760
- ◆ Additional work under Stormwater System Maintenance reduced previously reported surplus by \$36,976
- ◆ Transportation services deficit increased by \$21,079 due to transit drivers on short/long term disability, maintenance required for traffic signals, and additional fuel and fleet maintenance costs involved in Pedestrian Vehicle Infrastructure field services.
- ◆ Police deficit reduced by \$54,000 due to a reduction in enforcement training and a reduction in the expenses projected for legal fees.

#### Water Rate Administration Budget

The anticipated variance for water rate administration is a surplus of \$59,572 mainly attributed to higher than average water use.

#### Wastewater Rate Administration Budget

The anticipated variance for wastewater rate administration is a surplus of \$140,000 mainly attributed to Sewage Plant surpluses in utilities and chemicals and higher than average water consumption.

#### Capital Budget

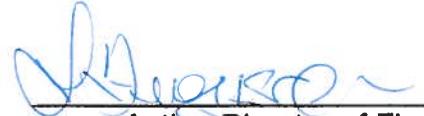
This report illustrates all outstanding capital projects. Please note that not all of the debentures associated with these projects have been issued but are included as part of the carry-forward balances from previous years.

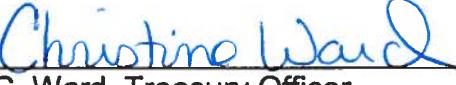
## **CONCLUSION**

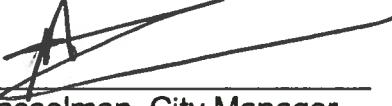
It is important that staff review their variances throughout the fiscal year in order to have time to implement any necessary actions to mitigate potential shortfalls, it is also important for Council to be updated on the City's financial position in order to assist in their decision making processes – especially with the upcoming 2013 budget process.

  
D. Gordon

Financial Analyst – General

  
L. Ferguson, Acting Director of Finance

  
C. Ward, Treasury Officer –  
Reserves and Capital

  
B. Casselman, City Manager

**SUMMARY OF TAX LEVIES**

	BALANCE OUTSTANDING <u>January 1, 2012</u>	LEVIED IN <u>2012</u>	COLLECTED TO DATE <u>October 31'12</u>	BALANCE OUTSTANDING	
<b>2012 LEVY SUPPLEMENTARY</b>		\$ 30,649,310 \$ 341,081			
<b>TOTAL 2012</b>		\$ 30,990,391	\$ 28,557,569	\$ 2,432,822	92.15 Collected
<b>2011 LEVY</b>	\$ 1,502,508		\$ 633,508	\$ 869,000	
<b>2010 LEVY</b>	\$ 954,059		\$ 401,163	\$ 552,896	
<b>2009 + PRIOR</b>	\$ 324,444		\$ 267,453	\$ 56,991	
	<b>\$ 2,781,011</b>	<b>\$ 30,990,391</b>	<b>\$ 29,859,693</b>	<b>\$ 3,911,709</b>	

	As At <u>October 31, 2011</u>	As At <u>October 31, 2012</u>
Percentage of Current Levy and arrears collected:	89.76	88.42
Percentage of Current Levy and arrears outstanding:	10.24	11.58
<b>Percentage of taxes levied outstanding at December 31, 2011:</b>		<b>9.00%</b>

**City of Brockville  
Treasurer's Report  
Comparative Balance Sheet  
For the period ending October 31, 2012**

		<u>October 31, 2011</u>	<u>October 31, 2012</u>
<b>ASSETS</b>			
CASH	Current Fund (includes Debenture bank account)	3,436,837	6,036,895
	Capital Fund	400,112	418,662
	Reserve Funds	1,457,692	549,666
	Hydro One Reserve Fund	304,761	48,195
	Water	847,696	671,946
	Wastewater Funds	67,816	89,023
	Trust Funds	517,719	324,643
		7,032,633	8,139,030
INVESTMENTS	Current Fund		7,000,000
	Capital Fund		0
	Reserve Funds	1,345,462	3,550,000
	Hydro One Reserve Fund	203,643	320,761
	Water	400,000	
	Wastewater Funds		
	Trust Funds	839,859	936,695
		2,788,964	11,807,456
TAXES RECEIVABLE		5,335,753	4,836,793
ACCOUNTS RECEIVABLE	City - Receivable	1,951,375	1,720,238
	School Board Receivable		0
	Water / Wastewater Receivable	1,341,286	1,536,413
	Trust Funds	0	698
		3,292,661	3,257,349
OTHER ASSETS	Inventory	664,369	656,311
	Prepads	416,623	30,667
		1,080,992	686,978
	<b>TOTAL ASSETS:</b>	<b>19,531,003</b>	<b>28,727,606</b>
<b>LIABILITIES</b>			
ACCOUNTS PAYABLE & ACCRUED LIABILITIES		3,518,006	7,070,637
CONSTRUCTION FINANCING		6,400,000	8,500,000
* EMPLOYEE BENEFITS / SPECIAL LIABILITIES		7,962,029	8,168,725
(as calculated and filed in the Audited Financial Statements)			
(see summary listing on next page)			
SPECIAL LIABILITY - WSIB		1,179,788	1,387,187
* NET LONG TERM LIABILITIES (Debenture Principal)		23,388,299	22,175,019
	<b>TOTAL LIABILITIES</b>	42,448,122	47,301,568
<b>EQUITY (MUNICIPAL POSITION)</b>			
General Fund		7,810,898	12,688,048
Water / Wastewater		8,699,442	5,597,405
Reserves-General		532,641	922,591
Reserve Funds		4,755,341	4,538,814
Hydro One Reserve Fund		508,404	20,180
Trust Funds		1,323,780	1,183,321
Unexpended Capital Financing		40,522	40,522
Capital Fund (Deficit)		(14,058,031)	(11,833,912)
	<b>TOTAL EQUITY</b>	9,612,997	13,156,969
	<b>TOTAL LIABILITIES AND EQUITY:</b>	<b>52,061,119</b>	<b>60,458,537</b>
LESS: * Amounts to be recovered from the Revenue of Future Budgets		(32,530,116)	(31,730,931)
		<b>19,531,003</b>	<b>28,727,606</b>

**AMOUNTS TO BE RECOVERED  
FROM THE  
REVENUE OF FUTURE BUDGETS  
as at October 31, 2012**

These liabilities are required to be expressed under the Public Sector Accountability Board (PSAB).

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Employee Benefits	\$ 4,399,730
Landfill Closure ( General )	3,200,000
Landfill Closure ( Capital )	320,000
Accrued Debt Interest	<u>248,995</u>
Employee Benefits / Special Liabilities	\$ 8,168,725
Special Liability - WSIB	\$ 1,387,187
Debenture Principal	<u>22,175,019</u>
Total Amounts to be Recovered	<u>\$ 31,730,931</u>

**City of Brockville**  
**Cash Accounts**  
**As at October 31, 2012**  
 (unaudited)

	Interest Rate	Current & Reserves	Capital	Hydro One Proceeds	Reserve Funds	Water & Wastewater	Trust Funds	Total
	1.20%	6,036,895	418,662	48,195	549,666	760,969	324,643	8,139,030
<b>Total Bank Accounts</b> (Bank of Montreal)		6,036,895	418,662	48,195	549,666	760,969	324,643	8,139,030

The numbers reflected above are actual G/L balances as the pertinent bank statements have not yet been received to complete a reconciliation. Some items such as interest have not yet been recorded to the G/L.

**City of Brockville**  
**Statement of Amounts Invested**  
**As at October 31, 2012**  
 (unaudited)

Institution	Instrument	Investment Date	Term (Days)	Due Date	Interest Rate	Current & Reserves	Capital	Hydro One Proceeds	Reserve Funds	Water & Wastewater	Trust Funds	Total
City of Brockville	Debentures							69,761				69,761
Toronto Dominion Bank	Guaranteed Investment Ce	27-Sep-12	60	26-Nov-12	1.64%	5,000,000	-					5,000,000
Toronto Dominion Bank	Guaranteed Investment Ce	27-Sep-12	91	27-Dec-12	1.68%	2,000,000		250,000	3,550,000			5,800,000
Toronto Dominion Bank	Guaranteed Investment Ce	27-Sep-12	175	21-Mar-13	1.66%						900,000	900,000
Scotia Trust	Investment Group		Revolving			-	-	1,000			36,695	36,695
City of Brockville	Debentures										-	1,000
<b>Total Investments</b>						7,000,000	-	320,761	3,550,000	-	936,695	11,807,456
<b>Total Cash and Investments</b>						13,036,895	418,662	368,956	4,099,666	760,969	1,261,338	19,946,486

**CORPORATION OF THE CITY OF BROCKVILLE**  
**RESERVE FUND REPORT**  
**AS AT**  
**OCTOBER 31, 2012 - UNAUDITED**

NAME OF RESERVE FUND	ACCOUNT NUMBER	BALANCE OF ACCOUNT BEFORE COMMITMENTS	RESTRICTED AND COMMITTED AMOUNTS	USABLE BALANCE** Within the Confines of the Establishing By-Law
<b>Statutory Reserve Funds</b>				
<b>Development Charges: Bylaw 145-93</b>				
GROWTH MANAGEMENT	RL410-8600-L958	36,335	20,000	16,335
TRANSPORTATION SERVICES	RL410-8600-L968	33,246	0	33,246
WPCP DEVELOPMENT CHARGES	RL410-8600-L983	61,564	0	61,564
		<b>131,145</b>	<b>20,000</b>	<b>111,145</b>
<b>Development Agreement Reserve Funds</b>				
NORTH TRUNK SANITARY SEWER	RL410-8600-L972	10,197	0	10,197
MILLWOOD AVENUE EXTENSION	RL410-8790-L979	57,645	0	57,645
CENTRE STREET DEVELOPMENT	RL410-8600-L999	16,283	0	16,283
		<b>84,126</b>	<b>0</b>	<b>84,126</b>
<b>Other Statutory Reserve Funds</b>				
PARKLAND	RL410-8790-L953	7,128	0	7,128
FEDERAL GAS TAX ( <i>includes Transit subsidies</i> )	RL410-2490-L978	2,493,569	2,493,569	0
		<b>2,500,698</b>	<b>2,493,569</b>	<b>7,128</b>
		<b>2,715,968</b>	<b>2,513,569</b>	<b>202,399</b>
HYDRO ONE PROCEEDS MANAGEMENT	RL410-7790-L945	<b>20,180</b>	<b>20,180</b>	<b>0</b>
<b>Tax Rate Smoothing Reserve Funds</b>				
ELECTION	RL410-8790-L954	51,422	51,422	0
SELF INSURANCE (RISK MANAGEMENT)	RL410-8790-L956	203,526	203,526	0
RETired ELECTRIC EMPLOYEE'S BENEFITS	RL410-8790-L965	183,370	183,370	0
SICK LEAVE CREDIT	RL410-8790-L967	67,058	67,058	0
OCCUPATIONAL HEALTH & SAFETY	RL410-8790-L974	695	0	695
INDUSTRIAL LAND SITES	RL410-8790-L982	309,602	0	309,602
SANITARY LANDFILL SITE	RL410-8600-L992	22,230	0	22,230
		<b>837,902</b>	<b>505,376</b>	<b>332,526</b>
<b>Boards &amp; Commissions Reserve Funds</b>				
HERITAGE BROCKVILLE	RL410-8950-L984	8,918	0	8,918
BROCKVILLE PUBLIC LIBRARY	RL410-8950-L987	31,407	0	31,407
DBIA ASSESSMENT ADJUSTMENTS SMOOTHING	RL410-8950-L990	41,338	0	41,338
T.C. COSSITT	RL410-8950-L993	118,563	0	118,563
BROCKVILLE MUSEUM BOARD	RL410-8950-L994	23,293	0	23,293
AIRPORT COMMISSION	RL410-8950-L995	129	3,795	(3,666)
LEEDS AND GRENVILLE SMALL BUSINESS ENTERPRISE	RL410-8950-L943	58,164	0	58,164
		<b>281,812</b>	<b>3,795</b>	<b>278,017</b>
<b>Equipment Reserve Funds</b>				
EMERGENCY PLANNING & COMMUNICATION EQPT.	RL410-8870-L948	28,710	0	28,710
OPERATIONAL FIRE EQUIPMENT	RL410-8870-L959	18,126	0	18,126
FLEET ADMINISTRATION MANAGEMENT	RL410-8870-L961	399,228	399,228	0
BUILDING & EQUIPMENT MAINTENANCE	RL410-8600-L966	51,949	51,949	0
PARKING	RL410-8790-L969	84,464	84,464	0
PARKLAND EQUIPMENT	RL410-8870-L977	83,498	83,498	0
MAJOR OFFICE EQUIPMENT	RL410-8870-L981	37,139	37,139	0
		<b>703,114</b>	<b>656,279</b>	<b>46,835</b>
<b>TOTAL RESERVE FUNDS</b>		<b>4,558,978</b>	<b>3,699,200</b>	<b>859,778</b>



**City of Brockville**  
**Treasurer's Report**  
**Projected Year End Surplus (Deficit)**  
**Operating Budget - Tax Rate**  
**For the period ending October 31, 2012**

	EXPENDITURES	REVENUES	PROJECTED NET YEAR END SURPLUS (DEFICIT)
<b>CITY MANAGEMENT &amp; SERVICES</b>			
Administration	15,000	0	15,000
Animal Control	0	0	0
Arts Centre	10,000	(30,500)	(20,500)
Clerk	11,500	(16,999)	(5,499)
Computer Services	(16,845)	0	(16,845)
Corporate Finance	(43,855)	145,055	101,200
Economic Development	(3,000)	1,416	(1,584)
Environmental Services	58,277	(30,000)	28,277
Facilities	(35,800)	8,350	(27,450)
Finance - Administration	1,500	6,180	7,680
Fire	(26,976)	(7,000)	(33,976)
Fleet	(61,739)	40,078	(21,661)
Human Resources	2,000	(18,160)	(16,160)
Mayor and Council	(3,000)	3,472	472
Operations Administration	2,000	0	2,000
Parking	4,300	565	4,865
Parks	(12,781)	(13,160)	(25,941)
Planning	14,500	43,100	57,600
Public Works	212,040	(3,058)	208,982
Tourism	0	0	0
Transportation Services	(84,314)	(2,725)	(87,039)
	<b>42,807</b>	<b>126,614</b>	<b>169,421</b>
<b>CITY BOARDS &amp; COMMISSIONS</b>			
Airport	(25,484)	43,060	17,576
Cemetery	(4,250)	4,250	0
Committee of Adjustment			0
Heritage Brockville			0
Library			0
Museum	(4,133)	(5,000)	(9,133)
Police	(173,900)	121,000	(52,900)
	<b>(207,767)</b>	<b>163,310</b>	<b>(44,457)</b>
<b>Outside Boards</b>			
Conservation Authority			0
Downtown Board (DBIA)			0
Health Unit			0
St. Lawrence Lodge			0
			<b>0</b>
<b>Joint Service Charges</b>			
Debt Charges			0
<b>PROJECTED YEAR END SURPLUS/(DEFICIT)</b>	<b>(164,960)</b>	<b>289,924</b>	<b>124,964</b>

**GENERAL VARIANCE ANALYSIS  
FOR THE MONTH ENDING OCTOBER 31, 2012**

**Projected for December 31st**

Department/Board/Division					<b>Impact on Budget</b>
	<b>EXPENSE</b>	<b>REVENUE</b>			
	<b>Surplus</b>	<b>(Deficit)</b>	<b>Surplus</b>	<b>(Deficit)</b>	<b>Surplus</b>
<b>ADMINISTRATION</b>					
Legal & Professional Services	15,000				15,000
<b>TOTAL VARIANCE FOR ADMINISTRATION</b>	<b>15,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>15,000</b>
<b>ANIMAL CONTROL</b>					
No variances to report at this time.					
<b>TOTAL VARIANCE FOR ANIMAL CONTROL</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>ARTS CENTRE</b>					
<b>Wages and Benefits</b> St. Lawrence College using their own stage labour. Smaller productions in 2012.					(5,000) (5,000)
<b>Building Burden</b> Decreased costs of natural gas and contracted services since renovation	10,000				10,000
<b>City Sponsored Movies</b> Good movie choices and effective marketing			7,500		7,500
<b>Canteens</b> Increase bar sales			2,000		2,000
<b>City Sponsored Shows</b> Continuous problems with on-line sales. Lower ticket sales revenue due to increased competition from outside promoter shows. Less consumer discretionary spending due to weak economy				(10,000)	(10,000)
<b>Summer Theatre</b> Soft tourism season combined with increased competition				(25,000)	(25,000)
<b>TOTAL VARIANCE FOR ARTS CENTRE</b>	<b>10,000</b>	<b>0</b>	<b>9,500</b>	<b>(40,000)</b>	<b>(20,500)</b>
<b>CLERK</b>					
<b>Fees and Service Charges</b> Bingo Licensing - less than anticipated (changes in prize boards by licensee) Vital Statistics - less marriage licenses than budgeted (10) Nevada License - less than budgeted Wedding Ceremonies - more than anticipated					(799) (799) (1,200) (1,200) (15,000) (15,000) 1,000 1,000
<b>Wages and Benefits</b> Wages & Benefits - surplus due to vacancy	4,000				4,000
<b>Office Expense</b> Printing, Postage and Stationary - reduced printing costs from implementation of iPads Printing, Postage and Stationary - reduced spending to offset loss of revenues General Advertising - reduced ads - more website notices	1,800 3,200 1,500				1,800 3,200 1,500
<b>TOTAL VARIANCE FOR CLERK</b>	<b>11,500</b>	<b>0</b>	<b>0</b>	<b>(16,999)</b>	<b>(5,499)</b>

**FOR THE MONTH ENDING OCTOBER 31, 2012**

**Projected for December 31st**

Department/Board/Division	EXPENSE		REVENUE		Impact on Budget Surplus (Deficit)
	Surplus	(Deficit)	Surplus	(Deficit)	
<b>COMPUTER SERVICES - (UNCHANGED FROM AUGUST)</b>					
Wages and Benefits		(6,723)			(6,723)
Overtime higher than expected due to personnel changes, communications installation, system updates in Finance, Theatre Manager upgrades, storage issues, viruses and additional demands for afterhours service					
Human Resource Management		-			-
Office Expense		(5,492)			(5,492)
Higher than expected increases in licensing and support costs for software applications. Planning software not installed on time - additional costs associated with purchasing license renewal of old software.					
Inter Municipal Services		(4,630)			(4,630)
Additional training for enhanced system including SD&G; additional equipment needed for workstation, video, cabling, reconfiguration; additional terminal, software, for web cam to Fire #1; additional terminal for 911 raw data screen plus associated installation and cabling.					
<b>TOTAL VARIANCE FOR COMPUTER SERVICES</b>	<b>0</b>	<b>(16,845)</b>	<b>-</b>	<b>-</b>	<b>(16,845)</b>
<b>MAYOR/COUNCIL</b>					
Mayor					
Recovery of expense from HST higher than budgeted as regulations increase recovery from 5% to 13%.					
Business travel expenses higher than budget due to trip to France.		(3,000)	800		800 (3,000)
Council					
Recovery of expense from HST higher than budgeted as regulations increase recovery from 5% to 13%.			2,672		2,672
<b>TOTAL VARIANCE FOR MAYOR AND COUNCIL</b>	<b>0</b>	<b>(3,000)</b>	<b>3,472</b>	<b>0</b>	<b>472</b>
<b>CORPORATE FINANCE (MONEY MANAGEMENT)</b>					
Recoveries and Adjustments					
Tax Sale Recoveries higher than estimated			540		540
Taxes on City Owned Land - Victoria Hall			484		484
Miscellaneous Revenue - Stale dated cheques reversed			5,700		5,700
Unanticipated revenue from LAS electricity rebate			3,734		3,734
Risk Management					
Surplus in insurance fees due	3,843				3,843
Municipal Tax					
Interest/Penalty on Overdue Taxes higher than anticipated due to economy, large tax sales			71,688		71,688
Supplementary taxes higher than estimated			81,580		81,580
Current taxes written off		(15,555)			(15,555)
Interest on taxes written off		(143)			(143)
Vacancy Rebates - MPAC slow to return 2011 rebates		(45,000)			(45,000)
Charity Rebates	13,000				13,000
Projected deficit in Post Capping Adjustments due to property re-assessment				(26,900)	(26,900)
Payments in lieu of taxes projecting slight deficit due to lower student forecast by College				(900)	(900)
Payments in lieu of taxes projecting deficit for Jail			750		750
Payments in lieu of taxes projecting surplus for Ontario Hydro due to calculation error on per acre			3,379		3,379
Other Revenue					
Interest Revenue - higher bank balances and investment interest rates than estimated			25,000		25,000
Solar revenue reduced due to delays in Gord Watts Municipal Building project				(20,000)	(20,000)
<b>TOTAL VARIANCE FOR CORPORATE FINANCE</b>	<b>16,843</b>	<b>(60,698)</b>	<b>192,855</b>	<b>(47,800)</b>	<b>101,200</b>

**FOR THE MONTH ENDING OCTOBER 31, 2012**

**Projected for December 31st**

Department/Board/Division	EXPENSE		REVENUE		Impact on Budget
	Surplus	(Deficit)	Surplus	(Deficit)	Surplus (Deficit)
<b>ECONOMIC DEVELOPMENT</b>					
<b>Human Resource Management</b>					
Business travel and subscriptions and memberships less than anticipated	900				900
<b>Office Expense</b>					
Reduced printing costs	1,800				1,800
<b>Promotional</b>					
Savings in Advertising	500				500
<b>Fireworks</b>					
Increased Federal Grant			1,416		1,416
<b>Investment Attraction</b>					
Hosting Russian Delegation in October		(2,900)			(2,900)
<b>Special Projects</b>					
Business travel higher than anticipated		(3,300)			(3,300)
<b>TOTAL VARIANCE FOR ECONOMIC DEVELOPMENT</b>	<b>3,200</b>	<b>(6,200)</b>	<b>1,416</b>	<b>0</b>	<b>(1,584)</b>
<b>ENVIRONMENTAL SERVICES DEPARTMENT</b>					
<b>SOLID WASTE</b>					
<b>Waste Collection/Disposal</b>					
1) Fees & Service Charges -Bag Tag Sales Lower than anticipated.				(30,000)	(30,000)
2) Collection - Wages & Benefits - Solid Waste Officer (SWO) not hired until June 2012 budget for full year.	11,600				11,600
<b>Garbage-Landfill</b>					
1) Human Resources - Professional development anticipated for whole year - SWO hired in June.	500				500
2) Landfill Operations - Cost for GAIA charged to this account.		(39,000)			(39,000)
3) Monitoring - Leachate - Cost for GAIA charged to Landfill Operations.	50,000				50,000
<b>Waste Diversion</b>					
1) Leaf & Yard Composting - Wages & Benefits - Solid Waste Officer not hired until June 2012 budget for full year.	2,500				2,500
2) Hazard Waste Day - Wages & Benefits - (a) Service cost lower than anticipated. (b) Solid Waste Officer not hired until June 2012 budget for full year.	10,000				10,000
3) WEEE Program - Communications costs lower than expected due to provincial stewardship program advertising.	1,800				1,800
<b>Waste Management Recycling</b>					
1) Ontario Specific Grants - Higher than anticipated for Blue box funding allocation from Waste Diversion Ontario (WDO).	20,618				20,618
2) Wages and Benefits - Solid Waste Officer not hired until June 2012 budget for full year.	14,759				14,759
3) Collection - Recycling capture higher than anticipated in year.		(14,500)			(14,500)
<b>TOTAL SOLID WASTE VARIANCE</b>	<b>111,777</b>	<b>(53,500)</b>	<b>0</b>	<b>(30,000)</b>	<b>28,277</b>

**FOR THE MONTH ENDING OCTOBER 31, 2012**

**Projected for December 31st**

Department/Board/Division					Impact on Budget  Surplus (Deficit)
	EXPENSE Surplus (Deficit)	REVENUE Surplus (Deficit)			
<b>ENGINEERING</b>					
<b>Administration</b> Within budget at this time.					0
<b>Design Engineering</b> Within budget at this time.					0
<b>Field Engineering</b> Within budget at this time.					0
<b>TOTAL ENGINEERING VARIANCE</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>TOTAL VARIANCE FOR ENVIRONMENTAL SERVICES</b>	<b>111,777</b>	<b>(53,500)</b>	<b>0</b>	<b>(30,000)</b>	<b>28,277</b>
<b>FACILITIES DIVISION</b>					
<b>Administration</b> Within budget at this time.					0
<b>GWMC Building Maintenance</b> Unforeseen HVAC repairs and plumbing.		(3,000)			(3,000)
<b>Victoria Building Maintenance</b> 1) Wages & Benefits - A surplus may result pending the demand for staffing needs to attend City hall evening activities.	4,000				4,000
2) Repairs - expenses lower than anticipated.	4,000				4,000
<b>Youth Arena</b> 1) Fees and Services - (a) Due to cancellation of August summer ice rentals. (b) Retuned hours from BMHA.			(12,000)		(12,000)
2) Wages and Benefits -(a) Due to re-organization of fulltime staff between facilities. (b) No major summer work during May-June.	70,000				70,000
3) Building Burden - No major building maintenance during May-June.	7,500				7,500
4) Canteens - Revenues higher than expected.		350			350
5) Snow Removal less than budgeted amount.	500				500
6) Arena Janitorial - Expenses higher than expected.		(1,500)			(1,500)
<b>Memorial Centre</b> 1) Fees & Service Charges - Rental overall have exceeded original budget projections.			10,000		10,000
2) Wages and Benefits - (a) Re-organization of staff structure. (b) Additional staff time to cover operational hours. (c) Due to additional P/T operators to cover off Full time for vacation and sick time. (d) Projected surplus from Youth Arena wages to offset deficit.		(81,000)			(81,000)
3) Building Burden - (a) Unexpected repairs to Condenser Unit, Brine Pipe, Safety Lights, Compressor. (b) Engineer Report for Electrical Compressor Room. (c) General unforeseen Repairs.		(30,000)			(30,000)
4) Snow Removal - Less snow removal during the first 3 months of 2012, therefore resulting in less services required.	3,000				3,000
5) Community Hall - Estimated hall rental activities booked to the end of year will generate revenue increase.		10,000			10,000
6) Arena Janitorial - Expenses higher than anticipated.		(10,000)			(10,000)
<b>Programs</b> Old Fashioned Family Picnic expenses less than budgeted.	700				700
<b>TOTAL FACILITIES DIVISION VARIANCE</b>	<b>89,700</b>	<b>(125,500)</b>	<b>20,350</b>	<b>(12,000)</b>	<b>(27,450)</b>
<b>FINANCE - ADMINISTRATION</b>					
<b>Fees and Service Charges</b> More revenue than expected from New Owner Fee			6,180		6,180
<b>Wages &amp; Benefits</b> Using less part-time than budgeted	2,500				2,500
<b>Office Expense</b> Postage expenses higher than anticipated		(1,000)			(1,000)
<b>TOTAL VARIANCE FOR FINANCE</b>	<b>2,500</b>	<b>(1,000)</b>	<b>6,180</b>	<b>0</b>	<b>7,680</b>

**FOR THE MONTH ENDING OCTOBER 31, 2012**

**Projected for December 31st**

Department/Board/Division		EXPENSE		REVENUE		Impact on Budget
		Surplus	(Deficit)	Surplus	(Deficit)	
<b>FIRE</b>						
<b>Wages and Benefits</b>						
Retirement and sick leave necessitated additional personnel coverage in the administration and dispatch areas; non standard hours higher than anticipated			(28,718)			(28,718)
<b>Administration</b>						
Telecommunications equipment upgrades required at Fire Station #1			(3,444)			(3,444)
Uniform cleaning expense higher because of additional personnel in Administration			(300)			(300)
Crisis Report contracts cancelled				(6,000)		(6,000)
<b>Building Burden</b>						
Materials and Supplies higher than anticipated						
Electricity lower than anticipated	1,000		(2,000)			(2,000)
Natural gas charges lower than anticipated	2,100					1,000
						2,100
<b>Fire Prevention</b>						
National Fire Protection Subscription more than anticipated						
Fewer requests for Inspections/Fire safety Plans			(414)			(414)
Public relations - Fire prevention kits, smoke alarms less than anticipated	500				(1,000)	(1,000)
						500
<b>Fire Fighting</b>						
HR Management - Materials and supplies less than anticipated		4,300				4,300
<b>TOTAL VARIANCE FOR FIRE</b>		<b>7,900</b>	<b>(34,876)</b>	<b>0</b>	<b>(7,000)</b>	<b>(33,976)</b>
<b>FLEET &amp; LOGISTICS DIVISION</b>						
<b>Fleet Administration</b>						
1) Wages & Benefits -(a) Less part-time coverage required. (b) Projected surplus under non-standard hours due to less after hour calls.		900				900
2) Human Resources - (a) Additional cost for Safe Driver Awards recognition due to number of qualifying employees. (b) Surplus being reported under training and professional development due to work load unable to attend training courses.		300	(274)			26
<b>Inventory Control &amp; Mgmt</b>						
1) Wages & Benefits - Surplus being projected under non-standard hours due to less after hour calls.		400				400
2) Human Resources - Projected year end surplus being reported under training materials, training and professional development due to illness unable to attend training courses.		409				409
3) Inventory Control - (a) Additional sales of Parts & Accessories. (b) Parts and Accessories cost higher than anticipated. (c) Freight charges higher than budgeted amount.		(7,380)		3,129		(4,251)
<b>Fleet Maintenance</b>						
1) (a) Service Maintenance Revenues from out side agents are higher due to increased costing of fuel prices and purchasing. (b) Projected year end surplus being reported under service maintenance revenues for internal departments/divisions for maintaining City vehicles and equipment.				36,949		36,949
2) Office expenses - Printing/postage and stationary slightly higher than budgeted amount.			(138)			(138)
3) Indirect Vehicle Accounts - (a) Cost of maintaining and operating of second lite vehicles. (b) Surplus being projected under non-standard hours due to less after hour calls. (c) Projected year end surplus being reported under training and professional development due to workload unable to attend courses. (d) Reduced the purchases of materials and supplies to help off set deficit.			(13,785)			(11,285)
4) Direct Vehicle Accounts - (a) Fuel prices higher than budgeted. (b) Contract services higher than budgeted amount to maintain City Fleet. (c) Wages and benefits higher due to delay of transfer of maintenance technician to Water Treatment Plant. (d) Purchase of Parts and Accessories cost lower than anticipated.		2,500				
		48,506	(93,177)			(44,671)
<b>TOTAL FLEET &amp; LOGISTICS DIVISION VARIANCE</b>		<b>45,635</b>	<b>(107,374)</b>	<b>40,078</b>	<b>0</b>	<b>(21,661)</b>

**FOR THE MONTH ENDING OCTOBER 31, 2012**

**Projected for December 31st**

Department/Board/Division	EXPENSE		REVENUE		Impact on Budget  Surplus (Deficit)
	Surplus	(Deficit)	Surplus	(Deficit)	
<b>HUMAN RESOURCES</b>					
<b>Wages and Benefits</b> Wages and Benefits higher than anticipated due to retirement and changes and personnel		(12,000)			(12,000)
<b>Human Resource Management</b> Ontario Grant reduced In House training and professional development less than anticipated	14,000			(13,160)	(13,160) 14,000
<b>Recruiting</b> Additional advertising required		(1,000)			(1,000)
<b>Health and Safety</b> Health and Safety reserve depleted - unable to withdraw for contribution Materials and supplies expense less than anticipated	1,000			(5,000)	(5,000) 1,000
<b>TOTAL VARIANCE FOR HUMAN RESOURCES</b>	<b>15,000</b>	<b>(13,000)</b>	<b>0</b>	<b>(18,160)</b>	<b>(16,160)</b>
<b>OPERATIONS DEPARTMENT ADMINISTRATION DIVISION</b>					
<b>Operations Section</b> Human Resources - Association Fees/memberships greater than expected		(400)			(400)
<b>TOTAL OPERATIONS ADMINISTRATION SECTION</b>					(400)
<b>Parks Section</b> 1) Human Resource - Training, association fees/memberships less than expected.	400				400
2) Office Expense - Printing/postage/stationery and cellular costs less than expected.	2,000				2,000
<b>TOTAL PARKS ADMINISTRATION SECTION</b>					2,400
<b>TOTAL OPERATIONS ADMINISTRATION VARIANCE</b>	<b>2,400</b>	<b>(400)</b>	<b>0</b>	<b>0</b>	<b>2,000</b>
<b>PARKING</b>					
<b>Fees and Service Charges</b> Boat Ramp revenue higher than anticipated Parking Permits - higher sales Meters - Street - lower revenues			3,565 12,000		3,565 12,000 (15,000) (15,000)
<b>Office Expense</b> Programming - paid by MIS budget	5,500				5,500
<b>Signs - metered areas</b>	1,000				1,000
<b>Parking meter maintenance</b>		(2,000)			(2,000)
<b>Parking - Street Painting</b>		(200)			(200)
<b>TOTAL VARIANCE FOR PARKING</b>	<b>6,500</b>	<b>(2,200)</b>	<b>15,565</b>	<b>(15,000)</b>	<b>4,865</b>
<b>PLANNING</b>					
<b>Planning Administration</b>					
<b>Fees and Service Charges</b> Number of Planning applications exceeded expectations			2,500		2,500
<b>Building Services</b>					
<b>Fees and Service Charges</b> Building Permit Fees - construction activity higher than anticipated Plumbing Permit Fees - construction activity higher than anticipated			38,500 2,100		38,500 2,100
<b>Wages and Benefits</b> Commencement date for replacement Building Officer later than anticipated	14,500				14,500
<b>TOTAL PLANNING VARIANCE</b>	<b>14,500</b>	<b>0</b>	<b>43,100</b>	<b>0</b>	<b>57,600</b>

**FOR THE MONTH ENDING OCTOBER 31, 2012**

**Projected for December 31st**

Department/Board/Division	EXPENSE Surplus (Deficit)	REVENUE Surplus (Deficit)	Impact on Budget	
			Surplus (Deficit)	Surplus (Deficit)
<b>PUBLIC WORKS/ PARKS DIVISION</b>				
<b>ROAD/STORM SEWER SECTION</b>				
<b>Roadside Maintenance</b>				
1) (a) Work & Customer Services - Less work requested by outside agencies/individuals. (b) Less work requested to be carried out by outside agencies/individuals than budgeted for.	2,748		(3,058)	(310)
2) Boulevards – Unable to undertake boulevard profile due to lack of available manpower and requests for men/equipment by other Department/Divisions.	8,541			8,541
3) DBIA Area - Unable to carry out painting of tree protectors due to lack of available manpower and requests for men/equipment by other Department/Divisions.	3,222			3,222
4) Special Events - Additional unbudgeted events (Isaac Brock Rededication, Gay Pride Parade, TISS Track Meet) resulted in over expenditure.		(4,840)		(4,840)
5) Litter Pickup - Students commenced employment later and left earlier than budgeted for.	1,920			1,920
6) Guard Rails/Fencing - Unable to carry out bridge post replacement on Abbott Street bridge due to lack of available manpower and requests for men/equipment by other Department/Divisions.	11,945			11,945
7) Railway Crossing Improve - No road closures/detours required by railways.	1,553			1,553
8) Internal Concrete Program - Unable to carry out local roadway and driveway entrance upgrades due to lack of available manpower and requests for men/equipment by other Department/Divisions.	16,747			16,747
9) Riverfest Activities - Riverfest festival cancelled for 2012.	3,842			3,842
<b>Roadway Maintenance</b>				
1) Cold Patch - Pothole repairs limited to those meeting Minimum Maintenance Standards (MMS) due to lack of available manpower and requests for men/equipment by other Department/Divisions.	6,000			6,000
2) Road Grading - Grading shoulders kept to minimum required as per MMS due to lack of available manpower and requests for men/equipment by other Department/Divisions.	7,337			7,337
3) Dust Control - No dust control required.	305			305
4) Bridges & Culverts - Unable to carry out sidewalk replacement on North Augusta Road/CNR overpass due to lack of available manpower and requests for men/equipment by other Department/Divisions.	5,753			5,753
5) Street Cleaning - Students commenced employment later and left earlier than budgeted for.	3,246			3,246
<b>Traffic Maintenance</b>				
1) Zone Painting - (a) Additional labour required to complete spring painting of crosswalks/stop bars/arrows. (b) Centre line and lane line contract over budget amount.		(8,000)		(8,000)
2) Regulating Signs - Program reduced to minimum requirements as per MMS due to lack of available manpower and requests for men/equipment by other Department/Divisions.	10,549			10,549
3) Signs Street Name - Program reduced to replacement of damaged/stolen signs due to lack of available manpower and requests for men/equipment by other Department /Divisions.	3,000			3,000
<b>Winter Control – Roads</b>				
1) Wages - Standby - (a) Funds for 1 day of standby for 3 operators for 12 weekends between January 7 and March 25 was not included in budgeted funds. (b) Equipment standby increase from Nov. 5 to Dec. 31 not budgeted for.		(10,491)		(10,491)
2) Snow Plowing -Less major snowfalls resulted in less full scale plowing operations.	8,075			8,075
3) Snow Removal - Minimal snowfall (64 cm) resulted in no major snow removal operations.	125,721			125,721
4) Abrasive Application - Milder winter temperatures resulted in more thaw/freeze cycles which necessitated additional mix/salting operations.		(1,649)		(1,649)

**FOR THE MONTH ENDING OCTOBER 31, 2012**

**Projected for December 31st**

Department/Board/Division		EXPENSE Surplus (Deficit)	REVENUE Surplus (Deficit)	Impact on Budget	
				Surplus (Deficit)	Surplus (Deficit)
<b>Winter Controls – Sidewalks</b>					
1) Wages Standby - Funds for 1 day of standby for 3 operators for 12 weekends between January 7 and March 25 was not included in budgeted funds.		15,749	(900)		(900)
2) Snow Plowing - Less snowfall resulted in less plowing operations.					15,749
3) Abrasive Application - Milder winter temperatures resulted in more thaw/freeze cycles which necessitated additional sidewalk sanding operations.			(22,199)		(22,199)
<b>Administration</b>					
Human Resources - (a) Less replacement clothing required to be purchased. (b) No contract training carried out.		2,400			2,400
<b>Public Works Garage Operating</b>					
1)Wages and Benefits - (a) Additional short term sickness by Operators resulted in deficit. (b) Additional work requested by other departments with cost to be absorbed by Public Works.			(38,790)		(38,790)
2) Human Resources - (a) Less replacement safety clothing required to be purchased. (b) Annual shirt/pant purchase less than budgeted amount.		4,604			4,604
3) Equipment Training - Additional contract services required for operators training on public works equipment.			(11,018)		(11,018)
4) Yard Maintenance - Additional labour required for upper yard stock line transfer.			(4,586)		(4,586)
5) Vehicle Maintenance - (a) Insurance costs less than budgeted amount. (b) Less major repairs to equipment required.		56,724			56,724
<b>Storm Water Maintenance</b>					
1) Catch Basin Cleaning - Less labour than budgeted was required to clean the 1,083 catch basins identified in the program.		3,000			3,000
2) Ditches and Culverts - Surplus labour as ditching project on North Auguts Road cancelled.		11,532			11,532
<b>TOTAL PUBLIC WORKS VARIANCE</b>		<b>314,513</b>	<b>(102,473)</b>	<b>0</b>	<b>(3,058)</b>
<b>PARKS SECTION</b>					
<b>Administration</b>					
Human Resource Mgt - Less training carried out than budgeted.		1,700			1,700
<b>Garage Maintenance</b>					
1) Wages & Benefits - Less casual sick days taken by operators than budgeted for.		2,173			2,173
2) Human Resource Mgt - (a) Less replacement safety clothing required to be purchased. (b) Annual shirt/pant purchase less than budgeted amount.		4,551			4,551
3) Equipment Training - Additional training required on Mule and new vehicles coming into Fleet.			(1,500)		(1,500)
4) Garage Maintenance - More repairs to equipment required.			(4,288)		(4,288)
<b>Green House</b>					
1) Building Burden - Unbudgeted water charged.			(25)		(25)
2) Plants - Supply of tulip bulbs and bedding plants cost less than budgeted.		1,310			1,310
<b>Priority Parks</b>					
Grounds Maintenance - (1) Unbudgeted material purchased (a) water for splash pad, (b) J. L. Jordan donation for play structure, (c) netting for Blockhouse play structure, resulting in over expenditure. (2) Unbudgeted light pole replacement for Hardy Park.			(16,042)		(16,042)
<b>Community Parks - Operating</b>					
(1) Grounds Maintenance - No fertilizer application or weed spraying carried out.		2,000			2,000
(2) Litter Pick-up - Additional fulltime labour was required.			(3,233)		(3,233)

**FOR THE MONTH ENDING OCTOBER 31, 2012**

**Projected for December 31st**

Department/Board/Division				Impact on Budget
	EXPENSE Surplus (Deficit)	REVENUE Surplus (Deficit)	Surplus (Deficit)	
<b>Athletic Fields - Operating</b>				
1) Fees & Service Charges - More non-Brockville/Elizabethtown-Kitley residents utilizing fields resulting in increased non-resident revenues.		1,336		1,336
2) Building Burden - Electricity costs less than budget amount.	2,000			2,000
3) Ground Maintenance - (a) Additional material required for top dressing of soccer fields. (b) Hydro charges to provide - 24 hour power outages on First Ave to erect fence extension at Fulford Ball Park.		(2,900)		(2,900)
<b>Community Rinks</b>				
1) Outdoor Ice Maintenance - Mild winter resulted in late start and early termination of rink operations.	13,340			13,340
2) Snow Plowing - Mild winter resulted in less plowing operations being carried out.	2,266			2,266
<b>St. Lawrence Park</b>				
1) Fees & Service Charges - Hot/sunny summer resulted in additional camping revenue.		2,345		2,345
2) Building Burden - Electricity, water and janitorial supplies less than budgeted for.	3,371			3,371
3) Canteens - No contract service for plumbing/electrical problems required.	166			166
4) Grounds Maintenance - (a) Unbudgeted work required for kayak location. (b) Unbudgeted removal and disposal of transformer from old Philips Cable Pump house.		(11,543)		(11,543)
<b>Trees</b>				
1) Tree Maintenance - Freezing rain/heavy wet snow in January resulted in additional labour to clean up fallen limbs. (b) Additional contract services required for removal of large trees. (c) Relocate 16 trees from General Hospital to Rotary Field House.		(18,000)		(18,000)
<b>Islands</b>				
1) Fees and Services - Hot dry summer resulted in increased island usage and subsequently increase revenue.		3,263		3,263
2) Grounds Maintenance - Additional labour to supplement regular 3-man crew not required for Spring set up and Fall teardowns.	11,612			11,612
<b>Aquatics</b>				
Required purchase of spring board resulted in deficit.		(383)		(383)
<b>Recreational Programs</b>				
1) Riverfest - Festival cancelled for 2012.	5,192			5,192
2) Special Events - Overtime costs reduced as temporary labour utilized for major events. ie. Ribfest.	1,252			1,252
<b>Tunnel/Bay/Price Park</b>				
1) Deficit a result of decline in number of transient boaters using the laundry facilities and buying ice.			(1,477)	(1,477)
2) Building Burden - Electricity costs less than budgeted amount.	3,000			3,000
3) Grounds Maintenance - Additional labour required (a) for seaweed removal (b) docks relocations (c) overtime budget not sufficient to pay students/temp. overtime for Stat holidays.		(8,800)		(8,800)
4) Docking Facilities - (a) Transient docking revenue less than projected as fewer transient boaters requesting dockage. (b) Loss of 4 slips due to dock reallocation to seasonal.			(18,627)	(18,627)
<b>TOTAL PARKS DIVISION VARIANCE</b>	<b>53,933</b>	<b>(66,714)</b>	<b>6,944</b>	<b>(20,104)</b>
<b>TOTAL PUBLIC WORKS/PARKS DIVISION VARIANCE</b>	<b>368,446</b>	<b>(169,187)</b>	<b>6,944</b>	<b>(23,162)</b>
				<b>183,041</b>

**FOR THE MONTH ENDING OCTOBER 31, 2012**

**Projected for December 31st**

Department/Board/Division	EXPENSE		REVENUE		Impact on Budget  Surplus (Deficit)
	Surplus	(Deficit)	Surplus	(Deficit)	
<b>TOURISM</b>  No variances to report at this time.					0
<b>TOTAL VARIANCE FOR TOURISM</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>TRANSPORTATION DIVISION</b> <b>Transit Section</b> <b>Transit Administration</b> 1) Human Resources - Annual Meeting to be held locally - no travel or hotel.  2) Office Expenses - Print updated transit maps for route change.	2,000	(1,105)			2,000  (1,105)
<b>Transit Operating</b> 1) Wages & Benefits - Higher than budget amount due to numerous drivers on short term/long term sick leave.  2) Human Resource - Uniform replacements complete for the year.  3) Vehicle Maintenance - Fuel and maintenance more than budgeted. 4) Promotional - Actually expenses less than budgeted.	500	(52,863)			500  (10,000)  700
<b>Transit – Para</b> 1) Projected year end ridership down 1,360 rides from 2011 resulting in reduced fare revenue.  2) (a) 1,500 surplus in training due to annual meting held locally. (b) 500 surplus in various other accounts.	2,000			(2,725)	(2,725)  2,000
<b>TOTAL TRANSIT VARIANCE</b>	<b>5,200</b>	<b>(63,968)</b>	<b>0</b>	<b>(2,725)</b>	<b>(61,493)</b>
<b>PEDESTRIAN &amp; VEHICLE INFRASTRUCTURE</b> <b>PVI- Supervisory Administration</b> 1) Human Resource - Training expenses for staff (PVI and electrician).		(1,506)			(1,506)
<b>Roadways</b> 1) Current Roads Reconstruction - Staff wages and benefits are split between all the accounts in PVI based on actual work completed so surplus in one PVI account is offset by a deficit in other PVI account  2) Bridges & Culvert - Staff wages and benefits are split between all the accounts in PVI based on actual work completed so surplus in one PVI account is offset by a deficit in other PVI account	7,000				7,000  3,000
<b>PVI- Field Services</b> 1) Human Resource - Training expenses for staff electrician.  2) Field Services - Staff wages and benefits are split between all the accounts in PVI based on actual work completed so surplus in one PVI account is offset by a deficit in other PVI account  3) Fleet Maintenance - Fuel and maintenance cost higher than budgeted amount.		(850)			(850)  (10,410)  (2,000)
<b>Traffic Control</b> 1) Traffic Signals Maintenance - No annual maintenance program and repairs are done as needed. Several units are obsolete and parts are no longer available.  2) Traffic & Transportation Survey- Staff wages and benefits are split between all the accounts in PVI based on actual work completed so surplus in one PVI account is offset by a deficit in other PVI account  3) Traffic Counting- Staff wages and benefits are split between all the accounts in PVI based on actual work completed so surplus in one PVI account is offset by a deficit in other PVI account.		(20,000)			(20,000)  3,000  3,500

**FOR THE MONTH ENDING OCTOBER 31, 2012**

**Projected for December 31st**

Department/Board/Division				Impact on Budget Surplus (Deficit)
	EXPENSE Surplus (Deficit)	REVENUE Surplus (Deficit)		
<b>Crossing Guards</b> Within budget at this time.				0
<b>Street Lighting</b> 1) Street Lighting Improvements - Surplus if no new light installed.	4,050			4,050
2) Street Lighting Maintenance- (a) Staff wages and benefits are split between all the accounts in PVI based on actual work completed so surplus in one PVI account is offset by a deficit in other PVI account. (b) Deficit in contracted services/insurance c		(11,330)		(11,330)
<b>TOTAL PEDESTRIAN &amp; VEHICLE INFRASTRUCTURE</b>	20,550	(46,096)	0	0 (25,546)
<b>TOTAL TRANSPORTATION DIVISION VARIANCE</b>	25,750	(110,064)	0	(2,725) (87,039)
<b>AIRPORT</b>				
<b>Human Resource Management</b> Less training expenses than budgeted	141			141
<b>Office Expenses</b> Reduced insurance costs	750			750
<b>Fuel</b> Increased Fuel Sales Increased Fuel purchases due to increased sales		(27,000)	43,060	43,060 (27,000)
<b>Field Maintenance</b> Expenses less than anticipated	1,000			1,000
<b>Terminal &amp; Hangar</b> Expenses more than anticipated		(625)		(625)
<b>Navigational Aids</b> Expenses less than anticipated	250			250
<b>TOTAL AIRPORT VARIANCE</b>	2,141	(27,625)	43,060	0 17,576
<b>CEMETERY</b>				
<b>Revenue</b> Columbarium sales Grave plot sales Foundations Vaults & Niches Miscellaneous			8,000 3,000 750	(4,000) (3,500) 750 (4,000) 8,000 3,000 (3,500) 750
<b>Wages and Benefits</b> Standby weekly increase not in budget; returning student at higher wage; increased overtime		(4,250)		(4,250)
<b>TOTAL CEMETERY VARIANCE</b>	0	(4,250)	11,750	(7,500) 0
<b>MUSEUM</b>				
<b>Wages &amp; Benefits</b> Accounting for time in lieu that will not be taken until 2013		(2,500)		(2,500)
<b>Building Burden</b> Elevator repairs more than anticipated Thorough safety inspections deemed necessary for sprinkler and fire alarms		(1,500) (1,000)		(1,500) (1,000)
<b>Exhibitions</b> Exhibition spending less than anticipated	867			867
<b>Programs</b> Programming bookings decreased due to teacher job action; increased travel expense to outlying areas			(5,000)	(5,000)
<b>TOTAL VARIANCE FOR MUSEUM</b>	867	(5,000)	0	(5,000) (9,133)

**FOR THE MONTH ENDING OCTOBER 31, 2012**

**Projected for December 31st**

Department/Board/Division	EXPENSE Surplus (Deficit)	REVENUE Surplus (Deficit)	Impact on Budget	
			Surplus (Deficit)	Surplus (Deficit)
<b>BROCKVILLE POLICE SERVICE</b>				
<b>Administration</b>				
Legal Fees - Police Service Act hearing		(44,000)		(44,000)
Bell Annual Maintenance Fees higher than expected		(6,600)		(6,600)
In Car Laptop		(5,000)		(5,000)
Building Maintenance - Carpet replacement (Health & Safety \$4,400) and other repairs (\$12,000)		(16,400)		(16,400)
Reduction in Training	7,000			7,000
<b>Criminal Record Checks</b>				
Based on actual checks from January to October		110,000		110,000
<b>Court Services</b>				
No variance to report at this time		0		0
<b>Police Services Board</b>				
Legal fees not as high as expected	12,000			12,000
<b>Enforcement</b>				
YIPI Grant		11,000		11,000
Required Overtime		(131,000)		(131,000)
Investigation Costs		(5,000)		(5,000)
Ammunition and Tasers		(9,900)		(9,900)
Reduction in Training	25,000			25,000
<b>TOTAL VARIANCE FOR POLICE</b>	<b>44,000</b>	<b>(217,900)</b>	<b>121,000</b>	<b>0</b>
<b>TOTAL VARIANCE</b>	<b>793,659</b>	<b>(958,619)</b>	<b>515,270</b>	<b>(225,346)</b>
				<b>124,964</b>

**VARIANCE REPORT AS AT OCTOBER 31, 2012**

**WATER RATE ADMINISTRATION**

**Projected to December 31st**

Department/Board/Division					Impact on Budget
	EXPENSE Surplus (Deficit)	REVENUE Surplus (Deficit)			
ENVIRONMENTAL SERVICES DEPARTMENT – WATER SYSTEMS ADMINISTRATION DIVISION					
Human Resource - Attended Ontario Water Works Association Conference.		(400)			(400)
<b>TOTAL ADMINISTRATION DIVISION VARIANCE</b>	<b>0</b>	<b>(400)</b>	<b>0</b>	<b>0</b>	<b>(400)</b>
FLEET INVENTORY CONTROL & MGMT DIVISION					
1) Projected year end surplus being reported under Non-Standard Hours.	450				450
2) Human Resources - (a) Projected surplus being reported under training and professional development due to illness unable to attend training courses. (b) Reduced the purchase of uniforms and safety shoes.	498				498
3) (a) Deficit under Inventory Control due to less obsolete parts sold at auction/outside agents. (b) Reduced the purchase of materials and supplies to help off set deficit.	500			(715)	(215)
4) Fleet Maintenance - Fleet maintenance charges to maintain & operate second life water vehicles.		(161)			(161)
<b>TOTAL FLEET INVENTORY CONTROL &amp; MGMT DIVISION VARIANCE</b>	<b>1,448</b>	<b>(161)</b>	<b>0</b>	<b>(715)</b>	<b>572</b>
ENGINEERING DIVISION					
Within budget at this time.					0
<b>TOTAL ENGINEERING DIVISION VARIANCE</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
WATER SYSTEMS DIVISION					
WATER DISTRIBUTION					
Administration					
Vehicle Maintenance - Increase fuel cost and operational cost of maintaining 2nd life vehicles.		(3,000)			(3,000)
Main Repair/Replacement					
Within budget at this time.					0
Service Repair/Replacement					0
Within budget at this time.					0
Cleaning/Disinfect					0
Within budget at this time.					0
Inspection/Leak Detect					0
Within budget at this time.					0
Water Quality/Sampling					0
Within budget at this time.					0
Hydrants/Water					0
Within budget at this time.					0
Works/Customer Service					0
Within budget at this time.					0
Surface Repair					0
Within budget at this time.					0
<b>TOTAL WATER DISTRIBUTION MAINTENANCE VARIANCE</b>	<b>0</b>	<b>(3,000)</b>	<b>0</b>	<b>0</b>	<b>(3,000)</b>
WATER TREATMENT PLANT					
Administration					
1) (a)Wages & Benefits - Project \$15,000 surplus due to delayed transfer of the Maintenance Mechanic from Fleet to Water Systems Division. (b) A deficit of \$8,118 in Wages charged to WTP for staff placement from Public Works for January to April 2012.	7,000				7,000
2) Office Expenses - Projected deficit due to unexpected phone system upgrade and programming.		-1,100			-1,100
2) Vehicle Maintenance - Increase fuel cost and the cost of maintaining 2nd life vehicles higher than expected.		-5,000			-5,000
<b>TOTAL WATER TREATMENT PLANT VARIANCE</b>	<b>7,000</b>	<b>-6,100</b>	<b>0</b>	<b>0</b>	<b>900</b>
<b>TOTAL WATER SYSTEMS DIVISION VARIANCE</b>	<b>7,000</b>	<b>-9,100</b>	<b>0</b>	<b>0</b>	<b>-2,100</b>
FINANCE - WATER REVENUE					
Water Revenue					
Consumption higher than anticipated			65,000		65,000
Shortfall in interest revenue				(3,500)	(3,500)
<b>TOTAL FINANCE DIVISION VARIANCE</b>	<b>-</b>	<b>0</b>	<b>65,000</b>	<b>0</b>	<b>65,000</b>
<b>TOTAL VARIANCE FOR WATER RATE ADMINISTRATION</b>	<b>8,448</b>	<b>(9,661)</b>	<b>65,000</b>	<b>(715)</b>	<b>59,572</b>

# VARIANCE REPORT AS AT OCTOBER 31, 2012

## WASTEWATER RATE ADMINISTRATION

**Projected to December 31st**

Department/Board/Division					<b>Impact on Budget</b> <b>Surplus (Deficit)</b>
	<b>EXPENSE</b> <b>Surplus</b>	<b>REVENUE</b> <b>Surplus</b>	<b>(Deficit)</b>	<b>(Deficit)</b>	
<b>OPERATIONS DEPARTMENT – WASTEWATER SYSTEMS</b>					
<b>ADMINISTRATION DIVISION</b> Within budget at this time.					0
	<b>TOTAL ADMINISTRATION VARIANCE</b>	0	0	0	0
<b>ENGINEERING</b> Within budget at this time.					0
	<b>TOTAL ENGINEERING VARIANCE</b>	0	0	0	0
<b>Wastewater Collection System</b>					
<b>Wastewater Collection Administration</b> Within budget at this time.					0
<b>Equipment Training</b> Within budget at this time.					0
<b>Work &amp; Customer Services</b> Within budget at this time.					0
<b>Surface Repair</b> Within budget at this time.					0
<b>Wastewater Mainline Cleaning</b> Within budget at this time.					0
<b>Wastewater Connection Maintenance</b> Within budget at this time.					0
<b>Debt Charges</b> Within budget at this time.					0
	<b>TOTAL WASTEWATER COLLECTION VARIANCE</b>	0	0	0	0
<b>WATER POLLUTION CONTROL CENTRE</b>					
<b>Sewage Plant</b> 1) Wages and Benefits - A deficit at the WPCC and a surplus at the Leachate and Main pumping Stations as more time allocated due to the Upgrade Project.		(75,000)			(75,000)
2) Human Resources - Training onsite as part of the Upgrade Project has reduced out of town training cost.	15,000				15,000
3) Plant Operations - Projected surplus for utilities and chemicals due to the late start-up of the Secondary Treatment Process.	75,000				75,000
<b>Abatement</b> Within budget at this time.					0
<b>Main Pumping Station</b> Wages and Benefits - A deficit at the WPCC and a surplus at the Leachate. The Main and Pumping Stations as more time allocated due to the Upgrade Project.	15,000				15,000
<b>Pump Stations</b> Wages and Benefits - A deficit at the WPCC and a surplus at the Leachate. The Main and Pumping Stations as more time allocated due to the Upgrade Project.	35,000				35,000
<b>Leachate Station</b> Wages and Benefits - A deficit at the WPCC and a surplus at the Leachate. The Main and Pumping Stations as more time allocated due to the Upgrade Project.	25,000				25,000
	<b>TOTAL WATER POLLUTION CONTROL CENTRE VARIANCE</b>	165,000	(75,000)	0	90,000
	<b>TOTAL WASTEWATER SYSTEMS VARIANCE</b>	165,000	(75,000)	0	90,000
<b>FINANCE</b>					
<b>Wastewater Revenue</b> Consumption higher than anticipated			50,000		50,000
	<b>TOTAL FINANCE VARIANCE</b>	0	0	50,000	50,000
	<b>TOTAL VARIANCE FOR WASTEWATER RATE ADMINISTRATION</b>	165,000	(75,000)	50,000	0
					140,000

**Corporation of the City of Brockville**  
**Capital Variance Report**  
**Interim for the period ending October 31, 2012**

Project	Budget Carry-Forward (from previous years-UNAUDITED)	2012 Budget	Project Balance as at October 31, 2012	Projected Variance	Notes / Comments
BMAAC	(4,927)	45,000	40,073		Projects are on-going.
Building Maintenance	(57,510)	163,300	104,910	10,356	Net surplus attributable to projects approved from 2010-2012. Surplus of \$359 from FGT projects. Remaining \$9,998 can be returned to the Building Maintenance Reserve Fund.
Brockville History Book	(71,117)	0	(68,309)		Deficit to be offset by future book sales. Prices have been lowered to encourage sales.
Fleet	(314,873)	386,212	187,931	71,915	Will apply for OILC financing of \$306,410 for the Sewer Vactor purchase approved in 2011. Surplus of \$71,915 reported for 2011/2012 will be distributed according to funding sources at year end.
GIS Engineering	(21,473)	-	(21,473)		Work is in progress. COMRIF-AMP funds of \$10,800 have been received. No funding source identified for current deficit of \$21,473.
GWMC Solar Project	458,315	-	18,971		Rooftop panels are generating power.
Corporate Systems Upgrade	171,807	274,500	361,000		Projects are on-going. Police radio console project budget was increased to \$204,500 from \$160,000 via Council report # 2012-093-05.
Computer Replacement Program	10,876	122,600	7,389		Project is on-going and it is anticipated that it will be completed within budget.
Land Sales & Acquisitions	-	-	(13,309)		Project is on-going.
Minor Capital (pre-2011)	20,973	-	20,973		Telecom redundancy, portable photo I.D, parking meter purchase and breathing apparatus projects remain open.
2011 Minor Capital	44,870	-	2,086	(5,226)	Projects are complete. Deficit is due to non-FGT eligible projects. It is anticipated that a funding source will be identified during the year-end process for this account.
2012 Minor Capital	-	112,775	30,585	7,727	Projects are on-going and anticipated to be completed within budget. Two projects reporting surplus's at this time; street light poles anticipated \$1,000 surplus; traffic controllers \$6,727 (FGT funds).
Aquarium	951,727	1,450,000	1,683,150		Project is on-going.
Protective and Security Measures	11,378	-	1,552		Funds to be used in 2012 for security related projects.
Brockville Memorial Centre Solar Project	(1,104,611)	-	131,289		Memorial Centre Solar originally budgeted for \$1,100,000 from FGT (\$800,000 in 2009 and \$300,000 in 2010). This project was awarded to Upper Canada for \$1,429,000. This project was approved for a FCM loan. The City will repay the loan from FGT. No variance anticipated.
Replace Portable & Mobile radios	17,542	24,000	41,542		Project is on-going. In 2011, the City received two grants totalling \$29,845.
Breathing Apparatus	232	36,700	36,932		Project is on-going.

**Corporation of the City of Brockville**  
**Capital Variance Report**  
**Interim for the period ending October 31, 2012**

Project	Budget Carry-Forward (from previous years- UNAUDITED)	2012 Budget	Project Balance as at October 31, 2012	Projected Variance	Notes / Comments
Waste management study	28,421	-	28,421		Sufficient funds to cover carrying costs for several years. 2012 budget funded from previous years surplus.
Landfill Site Closure	(15,300)	-	(15,300)		Funds of \$46,498 were approved in late 2009 to fund a Waste Management Sustainability Study. Study has cost \$47,825. In addition, the 2010 Operating Budget included a contribution of \$147,000 from this project.
Asphalt/Concrete Program (includes Parking lot improvements)	3,392	532,862	49,871	49,871	Project complete. Would like to carry forward unused FGT allocation from 2012 to 2013.
Victoria Avenue parking lot expansion	-	17,110	(1,186)	(1,186)	Originally funded from Parking Reserve Fund. Deficit can be funded from other capital surpluses or from the Parking Reserve Fund if sufficient funds are available at year end.
North August Rd. overpass	(22,367)	-	(22,367)	(22,367)	Project can be closed once a funding source for the deficit is identified. It is anticipated that a funding source will be identified during the year end process.
Bridge Inspection Services	10,849	-	10,849		Project completed in November 2011, however funds will be retained for future bridge inspections.
Broad Street	275,000	-	275,000		
Brockville Transportation Planning Study	73,747	-	23,747	23,747	Funding of \$50,000 reallocated by Council resolution during the July 24, 2012 meeting. Project has been cancelled and remaining funds may be used to offset the deficit(s) in other capital projects.
Centre Street Reconstruction	(122,302)	125,000	24,068		Project is on-going.
CN Railway Crossing Improvements	(2,504)	-	(2,504)		Project can be closed once a funding source for deficit is identified.
Fencing - CN Railways	3,225	-	3,225		Used continuously to make repairs to fences from vandalism.
Front Ave. railway crossing	(41,378)	-	93	93	OILC debenture proceeds of \$41,544 received August 1, 2012. Project to be closed during year end process.
Grenville Court Reconstruction	(367,717)	-	1,172	1,172	Project has been completed. Debenture proceeds of \$370,000 received on August 1, 2012.
James Street Reconstruction	(3,626)	700,000	139,505		Project is completed. Follow-up camera inspection to be completed in 2013.
Kingston Bridge Repairs	27,000	-	23,469		Project to be completed in 2013.
Opticom Equipment - vehicular and traffic light	26,981	33,500	16,406		Project is on-going.
Ormond Street Bridge Repairs	-	540,000	518,670		Project to be completed in 2013.



**Corporation of the City of Brockville**  
**Capital Variance Report**  
**Interim for the period ending October 31, 2012**

Project	Budget Carry-Forward (from previous years- UNAUDITED)	2012 Budget	Project Balance as at October 31, 2012	Projected Variance	Notes / Comments
Parking Meters	22,678	-	22,678		Project postponed due to delay in release of meter technology.
North Augusta Rd culvert repairs	170,000	-	165,718		Project to be completed in 2013.
Pre-Engineering Services	15,783	10,000	10,016		Annual project used for expenses related to future years projects.
Parkedale Avenue Realignment	107,084	-	107,084		Project is complete. Funds have been held to offset the future cost of traffic signals, if mandated, to install.
Parkview Blvd. Reconstruction	(335,170)	-	777	777	Project has been completed. Debenture proceeds of \$337,000 received August 1, 2012.
Energy Efficient Street Light Conversion	(16,092)	-	(33,955)	(33,955)	Project was completed in April 2012 with a deficit of \$33,955. Project originally funded from FGT.
Traffic and Transportation Master Plan	75,000	-	75,000	75,000	Project has been deferred to a future date. Funds (FGT) can be reallocated to other eligible projects.
Central Ave. West Manhole/Sewer Rehabilitation	(7,891)	-	(21)	(21)	OILC debenture proceeds of \$12,221 received on August 1, 2012. Project is complete.
Dechlorination Station Equipment	50,283	-	50,283		On-going. Engineering staff researching for a suitable solution.
Ferguson Drive - Pressure Reducing Valve Installation	(12,240)	-	(12,240)	(12,240)	Project complete. May be closed once a funding source for the deficit is identified. Originally funded from the Water Fund.
George Street Sewer Separation	(58,288)	-	(103)	(103)	Project is complete. OILC debenture proceeds of \$58,288 received August 1, 2012.
Jessie Street Sewer Separation	(151,711)	-	(268)	(268)	Project is complete. OILC debenture proceeds of \$151,711 received August 1, 2012.
North Trunk Sanitary Sewer	110,000	-	110,000		Project is on-going.
Ormond Street Watermain	(225,920)	-	(639)	(639)	Project is complete. OILC debenture proceeds of \$225,920 received August 1, 2012.
Ormond Street Watermain (2012 phase)	-	180,000	167,431		Project is completed. Follow-up camera inspection to be completed in 2013.
Sewer Inflow/Infiltration Analysis	129,853	-	131,532		Project is on-going
Service Upgrades	14,280	-	14,280		Project is on-going.

**Corporation of the City of Brockville**  
**Capital Variance Report**  
**Interim for the period ending October 31, 2012**

Project	Budget Carry-Forward ( <i>from previous years-UNAUDITED</i> )	2012 Budget	Project Balance as at October 31, 2012	Projected Variance	Notes / Comments
Stewart Blvd	78,447	-	78,447		Project is on-going.
Water/Wastewater Meter replacement	-	140,000	126,466		The process of changing water meters will commence in January 2013. A public education campaign will also be deployed to help inform the residents of the meter changes.
Water Pollution Control Plant Equipment	430,000	275,000	656,350	(126)	Projects are on-going. Small deficit resulting from the completion of the Lighting Retrofit project. \$112,782 to be deferred to 2013 while \$275,000 will be transferred to the Water Pollution Control Centre upgrade.
Water Pollution Control Plant Secondary Treatment Upgrade	5,732,878	-	2,838,668		Project is on-going. Project has been approved for 50% Federal funding and 16.67% Provincial funding. As well, FCM financing has been secured. Temporary borrowing of \$8M not shown in totals. Approval of second phase was announced on Nov.2/12.
Water Systems Master Plan	48,422	-	46,844		Project is on-going.
Water Treatment Plant Work	46,281	435,000	300,627	(217)	Projects are on-going. Overall deficit is the net of various surpluses and deficits for various projects.
Expansion of the Zone 3 pressure area	40,452	-	40,452		Project is on-going.
Dredging	(189,783)	90,000	(99,783)		
Project Encore - Including Theatre Manager Software and Fire Curtain	(25,518)	-	3,803		Grand Opening was October 3, 2009. OILC debenture proceeds of \$28,371 for the fire curtain installation received August 1, 2012.
Island Environmental Assessment	6,424	-	6,424	6,424	Project is complete and will be closed in 2012. Surplus can be used to offset deficits in other projects.
Pedestrian Pathway Linkage	10,831	-	10,831		Funds have been held for possible future phases.
Pedestrian Bridge Repairs	(17,407)	-	30	30	OILC debenture proceeds of \$17,467 received August 1, 2012. Project is complete.
Parkland Equipment Management Program	17,253	92,160	94,556	1,981	Surplus will be transferred back to the funding source - Parkland Equipment Reserve Fund at year end. Surplus is the result of the dock, ramp and picnic table replacements at various locations.
Power Pedestals - Centeen Park	45,000	-	45,000		No variance anticipated. Deferred \$45,000 pending on grant money.
RMC - Memorial Centre	(22,645)	-	(0)		Project complete and will be closed in 2012. Low-E ceiling costs to be funded from FGT.
Skatepark	(53,193)	53,193	-		Project is complete and will be closed in 2012. Deficit to be funded from Finance Plan contribution.
Rotary Park Splash-Pad	95,559	-	103,647		City's contribution to community project was \$180,000. Project balance includes City's contribution, donations and expenses incurred to date. No variance anticipated. An additional contribution of \$50,000 approved by Council at the Council meeting held July 24, 2012.



**Corporation of the City of Brockville**  
**Capital Variance Report**  
**Interim for the period ending October 31, 2012**

Project	Budget Carry-Forward ( <i>from previous years-UNAUDITED</i> )	2012 Budget	Project Balance as at October 31, 2012	Projected Variance	Notes / Comments
St. Lawrence Park Design	16,951	-	16,951		Project is on-going.
Tunnel Bay Docking	(4,810)	50,000	10,367		Project is on-going.
Tunnel Tourism	176,628	-	150,110		Railway Tunnel committee has been re-established. Project is on-going.
Waterfront Public Use Study	5,459	-	5,459		Project is on-going in conjunction with the Official Plan and can be used towards any deficit incurred in that project.
Water Street Park Development (Reynolds Park)	21,446	-	21,446		Project is on-going.
Development Charge Background Study	20,000	-	20,000		Project on hold until Council decision on pursuing study is made.
Comprehensive Zoning By-law	79,746	68,254	148,000		Project has not yet commenced.
Bridlewood Subdivision	99,365	-	99,365		Funds received from developers.
Stormwater Management - Brockwoods	3,536	0	3,536		Funds received from developers.
Sidewalk contributions	49,859	-	49,859		Funds received from developers.
St. Lawrence Lodge Redevelopment Project	179,520	0	179,520		Brockville's share of this project is 60.26%.
	6,764,980	5,957,166	9,402,978	172,744	

**NOVEMBER 23, 2012**

**REPORT TO FINANCE & ADMINISTRATION – DECEMBER 5, 2011**

**2012-187-12**

**2013 DEPARTMENTAL WORK PLANS**

**BOB CASSELMAN  
CITY MANAGER**

**RECOMMENDATION**

THAT Council approve the 2013 Departmental Work Plans as outlined in Schedule 1, Report 2012-187-12.

**BACKGROUND**

The City of Brockville adopted a Corporate Strategic Plan in April 2009. The Strategic Plan established Goals/Objectives to be achieved during a five (5) year period of 2009-14. To accomplish these goals, a number of strategic initiatives have been developed and are incorporated into the annual budget process through the use of Departmental Work Plans.

Details of the Departmental Work Plans are outlined in Schedule 1 attached hereto.

The City Manager will report on the status of Departmental Work Plan on a quarterly basis throughout 2013.

**FINANCIAL IMPLICATIONS**

None at this time.

**CONCLUSION**

The creation of annual Departmental Work Plans in compliance with our Corporate Strategic Plan ensures that the City of Brockville is moving forward towards the achievement of their stated goals.

  
**B. Casselman, City Manager**

**2013  
Work Plan  
City Manager**

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**Corporate Objectives**

1. Oversee implementation of Strategic Plan initiatives to meet Corporate goals reporting annually on progress to date.
  - Initiatives include:
    - Develop Carbon Baseline and Reduction Plan
    - Prepare Energy Management Plan
    - Develop and coordinate Window Replacement Program
    - Develop and implement Water Meter Replacement Program
2. Oversight on Fiscal Management & Legislative Compliance of the Corporation
  - Direct and oversee the preparation of:
    - Annual operating budget
    - Annual capital budgets
    - Long term financial forecasts
  - Quarterly status reporting to council of corporate work plans and activity
3. Service Delivery Reviews (Internal)
  - Police/Fire Dispatch
  - Development of water meter replacement strategy
  - Implementation of external Service Delivery Review recommendations
4. Jointly administer inter- municipal Physician Recruitment Program.
5. Facilitate Aquatarium project where possible to move forward
6. Facilitate Wayfare project where possible to move forward
7. Assist Council in negotiating the Elizabethtown-Kitley Boundary restructuring plan.
8. Negotiate terms/conditions for acquisition of Brockville Small Craft Harbour.
9. Negotiate terms/conditions for the relocation of tenant of 45 Water Street.

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B. Casselman, City Manager

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David L. Henderson, Mayor

November, 2012

**2013  
Work Plan  
Economic Development**

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## **1. People**

### **Immigration Initiatives**

- Continue the execution of the strategy completed in June 2012 with focus on immigrant investment attraction and tracking new arrivals. Follow-up on both Russian and Chinese contacts from previous missions on reaction basis only

### **People Attraction Program**

- Launch the new Lifestyle Initiative with introduction on new materials and coordinate the program delivery and distribution including the engagements of new team members

### **Entrepreneurship**

#### **Development/Economic Gardening**

- Focus on ensuring the Business Success Mentoring Program meets benchmarks identified

## **2. Economy**

- Investigate Attraction – OEEDC Food Sector Program delivery on investment sourcing and focus on lead generator approach
- Broker presentations in Ottawa, Montreal and Toronto on community attributes and business offerings
- Complete an investment readiness assessment for community and recommend to Council necessary actions to enhance readiness
- Assist Angel Network on a refinement to the process for a more structured template for evaluation of investment proposals. Target of two new projects per year for consideration

### **Water Street Realignment Project**

- Facilitate the process to the point of formal confirmation to Council. City Manager to take lead on negotiations and technical coordination with City Staff thereafter. Manage communications between Waterfront Improvement Committee and City Committees/Council and strive towards priority goals of waterfront strategy for short to long term

**Focus on Abbotts Labs, Black and Decker and Regional Group Properties for new business acquisition and/or redevelopment**

### **Business Retention and Expansion/Aftercare**

- Corporate calling – Newterra, 3M, P & G and Invista will be primary firms for this program

**2013  
Work Plan  
Economic Development**

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Ensure successful Tall Ships – 1812 Festival and secure a succession plan and hand off for to new organization

Brockville Mental Health Centre

- Continue advocacy for site redevelopment upon completion of the required government process for the sale or transfer of assets

Community Improvement Plan

- Assist Planning Department with the communications and marketing of the revised programming

Employment Lands

- Proceed with assessment process towards a new 200 acre business park

**3. Amenities**

- Refresh on 401 highway entrance signage at both interchanges. Assist Aquatarium with GCC roadside signage

Algoma Post-Secondary Learning Centre

- To establish an university program for 25 students by 2013/2014 preferably in a downtown location

**4. Sustainability**

Tomlinson Project/Central Avenue

- Ensure continued development of the process to redevelop this property with three new business units

Continue the process to assess new economic delivery models that have linkage for regional cooperation. Recommendations of the recently completed external review will provide guidelines for this review

Workforce Development

- Partnership with local labour board and St. Lawrence College



B. Casselman, City Manager



D. Paul, Director Economic Development

November, 2012

**2013  
Work Plan  
Finance Department**

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**1. Economy**

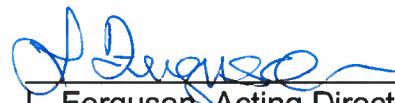
- Continued promotion and review of the Community Improvement Plan including Brownfield Tax Incentives for environmental remediation and the effectiveness for new development
- Development of BFTIP By-Laws
- Continued involvement in local MUSH Sector Purchasing Group

**2. Sustainability**

- Development, implementation, monitoring of annual city budget
- completion of annual year-end statements such as FIR and MPMP, or any other Annual Reports pursuant to legislated requirements
- Updating, monitoring of the Ten Year Capital Plan which includes the information technology master plan
- Continued implementation of water / wastewater meter replacement project
- Continued development and implementation of Corporate Strategy of new practices involved with PSAB requirements (tangible capital assets)
- Completion of Asset Management Plan in compliance with provincial guidelines
- Development/implementation of new financial reporting requirements for Aquatarium
- Consolidate and develop new Water /Wastewater Agreements with Elizabethtown-Kitley
- Complete implementation of new Financial System – specifically the Asset Management module with Water and Wastewater. Continue implementation/update of Fixed Asset Accounting module in Work Tech.
- Review Water / Wastewater Rate Structure



B. Casselman, City Manager



E. Ferguson, Acting Director of Finance

November, 2012

**2013  
Work Plan  
Human Resources Department**

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**Corporate Objectives**

**1. People**

- Negotiate 1 Collective Agreements (Fire)
- Complete implementation of External Review recommendations –
- Develop Transition Plan for H.R. Department
- Present Draft Communications Policy
- Develop H & S Policies & Corporate Management Policies
- Address additional development needs for Succession Planning
- Recruit Director of Planning/Development
- Customer Service Training

**2. Economy**

- Attendance Monitoring
- Review and recover surplus WSIB appeals (Fire)

**Departmental Objectives**

- 2013 Budget Monitoring
- 2014 Budget Preparation



B. Casselman, City Manager



D. Neilson, Manager Human Resource

November, 2012



## 2013 Work Plan Clerk's Department

### **1. People**

- a. AODA Integrated Accessibility Standard – planning, training and implementation
- b. Improve public's access to documents via website

### **2. Economy**

- a. Complete (department) trial of iCompass Action Tracking module and introduce/train other departments on module
- b. Corporate Policies – Communication and Alcohol

### **3. Amenities**

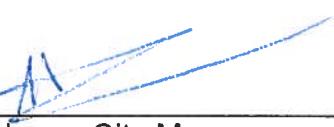
- a. Complete implementation of parking program initiatives from the departmental Service Delivery Review (on-line ticket payments; new meters in Court House area)

### **4. Sustainability**

- a. Assist Governance Committee with procedural by-law review/automation of Council procedures/activities
- b. Prepare plan for centralize records management program (including electronic records)
- c. Implement TOMRMS (filing classification system)
- d. 2013 Budget monitoring
- e. 2014 Budget preparation

### **Personal Development**

- 1. C.M.O. designation

  
B. Casselman, City Manager

  
S. Seale, City Clerk

## **2013 Work Plan Fire Department**

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### **People**

- Continue Home Inspection Program
- Continue involvement with the resurgence of the Safe Community Program
- Continue to assist those with impairments and seniors to ensure that they have working smoke alarms in accordance with the Ontario Fire Code (emphasis on hearing)
- Public Safety Awareness Campaigns – posters on buses, at public places and on the digital sign board at Station 2
- Promote Fire Prevention education and materials at any viable opportunity and/or community functions

### **Economy**

- Continue to promote remote access to our computer aided dispatch program Crisys to fire departments across Leeds and Grenville and S D & G
- Regular monitoring and evaluation of dispatch services to South Dundas, South Stormont and South Glengary
- Monitor the 2013 Budget and report variance concerns as required and as they occur
- Work with Human Resources Manager on Interest Arbitration (2011 and 2012) contract and vacancy grievance hearings tentatively scheduled into 2013
- Work with City Manager and Finance Department staff to develop 2014 budget
- Renewal of EMS Lease Agreement

### **Amenities**

- Support tourism by attending festivals and events that require Fire Department presence
- Maintain City's compliance with the Emergency Management and Civil Protection Act
- Present an updated Fire Department Establishing and Regulating By-law to Council for adoption.
- Maintain City's compliance with the Fire Protection and Prevention Act – Section 2(1)(a).
- Complete radio/paging system equipment procurement for upgrade and transition to a digital communications system throughout L & G Counties
- Conduct preliminary preparations for construction and transition of communications equipment from St. Vincent to Water Tower in partnership with Public Works and Police Departments

- Assist City Manager with the implementation of the recommendations for the External Organizational and Operational Review
- Research, reports, action, etc.
- Renewal of EMS/Fire Medical Response Agreement with Counties

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B. Casselman, City Manager

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C. Dwyre, Fire Chief

November, 2012

**2013  
Work Plan  
Planning Department**

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**Corporate Objectives**

**1. People**

Continue implementation of data and application management software (Marmak's MiLISA) for building and planning.

Continue training of CBO and Inspection Officers to ensure full compliance with Ontario Building Code Act.

Ensure opportunities for Continuous Professional Learning for planners to meet requirements of OPPI (Mandatory commencing 2014)

Continue subdivision file closure and assumption

Rationalize Developer Deposits/Contributions

**2. Economy**

Community Improvement Plans (Downtown and Brownfields)

- Develop and implement communication strategy for new downtown incentive programs (Façade Improvement Grant and Residential and Commercial Conversion/Rehabilitation Grant) and establish administrative protocols and standardized funding agreements
- Continue administration of applications for other program assistance under Downtown and Brownfields CIP's.
- BFTIP by-laws to be completed as necessary

Planning and Building Review / Approvals (Ongoing and as needed)

- TSL/Aquatarium
- The Wayfare Condos
- Junic
- Centre St.
- Wildwood Ph. 2
- BGH
- Blockhouse Square

Employment Lands

- Assist with advancement of rationale for future employment lands in Brockville or in association with Elizabethtown-Kitley.

Approval and implementation of 2013 budget, and preparation of 2014 budget.

### **3. Amenities**

Improve response times to Property Standards complaints; continue training of By-law Enforcement Officer/Animal Control Officer to assist

### **4. Sustainability**

#### Official Plan/Downtown & Waterfront Master Plan & Urban Design Strategy

- Obtain direction from Council with respect to prioritization of actions to be undertaken within the life of the Official Plan and DWMPUDS as identified therein
- Update planning applications and procedures related thereto for consistency with new Official Plan

#### Sustainability Plan

- Implement Recommended Program 5.1.5 by developing a Green Building Standards check list as an appendix to current planning and development application forms, and a tracking system for green building elements included in proposed development and construction projects

#### New Comprehensive Zoning By-law

- Develop Terms of Reference for updating the City's comprehensive Zoning By-law
- Seek approval on consultant selection.
- Commence project.

## **Personal Development**

### Continuous Professional Learning (OPPI/CIP)

  
B. Casselman, City Manager

  
M. Pascoe Merkley, Director Planning

November, 2012

**2013  
Work Plan  
Operations Department**

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**Corporate Objectives**

**1. People**

- a. In partnership with community groups, enhance existing and plan for new facilities to draw families and seniors ie Rotary Park, Brock Trail, Railway Tunnel
- b. Facilitate departmental support for festivals and events which benefit residents and draw visitors ie Ribfest, 1812 Bicentennial Celebrations, hydroplane regatta (with linkage to Economy objectives)
- c. Complete review of Non-resident User Fee

**2. Economy**

- a. Facilitate/monitor brownfield remediation projects (TSL, Wayfare, Junic etc.) and linkages with City amenities associated with or adjacent to these development
- b. Provide technical support to industrial park land assembly initiative

**3. Amenities**

- a. Assist City Manager in negotiation of harbour divestiture
- b. Relocation of Boardwalk docking to east wall
- c. Facilitate TSL/Aquarium related projects – docking, Broad St.
- d. 2013 Capital Projects – roads, bridges, fleet, parkland, facilities
- e. RFP – Canteen operations

**4. Sustainability**

- a. WPCC Secondary Treatment - main project wrap-up; Main Pumping Station/forcemain environmental assessment and design
- b. Participate in the Energy Management Committee – development of City's Energy Management Plan
- c. Asset Management – coordinate with Environmental Services to meet provincial requirements for funding eligibility

**2013  
Work Plan  
Operations Department**

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**Departmental Objectives**

Assist City Manager in completion of:

- Implementation/monitoring of 2013 Budget
- Preparations for 2014 Budget
- Implement next steps of Corporate Reorganization as necessary

**Personal Development**

Parks/recreation/facilities workshops/conferences – continue to expand knowledge base; networking opportunities

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B. Casselman, City Manager

C.J. Cosgrove, Director of Operations

November 2012

**2013  
Work Plan  
Environmental Services Department**

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**Corporate Objectives**

1. WPCC Secondary Treatment
  - Construction Project Management
  - Environmental Assessment of Main Pumping Station
2. Wastewater System Capacity Analysis
  - Ongoing completion of corrective actions as per Report 2007-144-08
3. Ongoing Implementation/Improvement of City's Operational Plan (DWQMS)
4. Water Systems Master Plan
  - Water Distribution System Hydraulic Modeling Review
5. Continued Implementation of Long Term Solid Waste Management Study
  - Work with homeowners and property managers to review current collection policies and determine feasibility of providing the service to those that currently do not receive the service
  - Complete a comprehensive review of solid waste management practices and services and identify program improvements
6. Completion of 2013 Environmental Services Department's Capital Projects
7. Participate in the preparation of the City's Asset Management Plan
8. Participate in the Implementation of a Geographic Information System (GIS)
9. Complete Risk Assessment of Reynolds Park in cooperation with Operations Department
10. Continued Monitoring of Brownfields Remediation Projects (TSL, JUNIC, Brockville Landings, etc)

**Department Objectives**

1. Assist City Manager in completion/implementation of:
  - Implement Service Delivery Review Recommendations
  - Performance Reviews on Supervisory Staff
  - Implementation/Monitoring of 2013 Budget
  - Preparation of 2014 Budget

**Personal Development**

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B. Casselman, City Manager

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P. Raabe, Director  
Environmental Services

November 2012

**NOVEMBER 22, 2012**

**REPORT TO FINANCE ADMINISTRATION OPERATIONS – DECEMBER 5, 2012**

**2012-188-12  
TUNNEL BAY DOCKING**

**BOB CASSELMAN  
CITY MANAGER**

**RECOMMENDATION**

- 1) THAT Council approve the modified docking design as depicted in Schedule 1 to report 2012-103-06; and
- 2) THAT Council authorize the Mayor and Clerk to execute a Partnership Agreement with Tall Ships Landing Inc. as depicted in Schedule 2 to report 2012-103-06.

**PURPOSE**

The purpose of this report is twofold:

To have Council approve a revised docking design for Tunnel Bay Harbour and to authorize the execution of a Partnership Agreement with Tall Ships Landing Inc. for the provision of a full service marina within Tunnel Bay.

**BACKGROUND**

On January 12, 2010 City Council approved the Tunnel Bay Harbour Marina Redesign as depicted in Option "A" and outlined in report 2010-001-01 (Schedule 3).

At this same meeting, Council agreed to consider a further redesign of the marina and docking facilities other than Option "A" in form and contents satisfactory to the Developer and the City both acting reasonably and in the context of prior consultation and public consultation be undertaken by the City. If this additional consultation results in a new design for the Marina other than Option "A" that is acceptable to the Developer and the City then this new design will be built based on terms agreeable to both parties. Should this design not be agreed to by the Developer and the City on or before February 26, 2010 the City and the Developer agree that the Memorandum of Agreement of May, 2008 will be amended to stipulate Option "A" as the agreed to design for the Marina.

There were two (2) follow-up meetings on the issue with no agreement on an alternative design to Option "A".

Once approved by Council, the dock design must be approved by Transport Canada pursuant to the provisions of the Navigatable Waters Act.

On February 22, 2012, Tall Ships Landing Development Inc. completed their design of docking for submission to Transport Canada as outlined in Schedule 1. In so doing, minor modifications have been necessitated to:

- (1) Increase the capacity of the number of boats to be docked
- (2) Eliminate the pinch point of the Faire Jeanne to dock on the end of the "U" design versus dock at the south or west wall of the "Hockey Stick" design and therefore is a safer design
- (3) Freed up space to service those wishing to park for fuel or pump-outs.
- (4) Eliminates the eight (8) foot moat in front of the Boardwalk.

While the new design is somewhat longer, extending approximately five to ten (5-10) metres further in to the basin, conceptually it remains much the same as originally envisioned.

Transport Canada is the approval authority and has determined that the revised design is safe from a navigational perspective.

On May 14, 2008, the City entered into a Memorandum of Agreement with Tall Ships Landing Development Inc. outlining the general Terms and Conditions associated with the provision of a Full Service Marina within Tunnel Bay as depicted in Schedule 4.

The City and Tall Ships Landing Development Inc. have concluded negotiations for a long-term Partnership Agreement to provide marina facilities within Tunnel Bay a copy of which is shown as Schedule 2.

## **FINANCIAL IMPLICATIONS**

The capital and operating costs of operating a full service marina within Tunnel Bay Harbour (Quay and Broad Street waterlots) are borne by Tall Ships Landing Development Inc. The City of Brockville will realize annual lease revenues based on twenty percent (20%) of net revenues.

## CONCLUSION

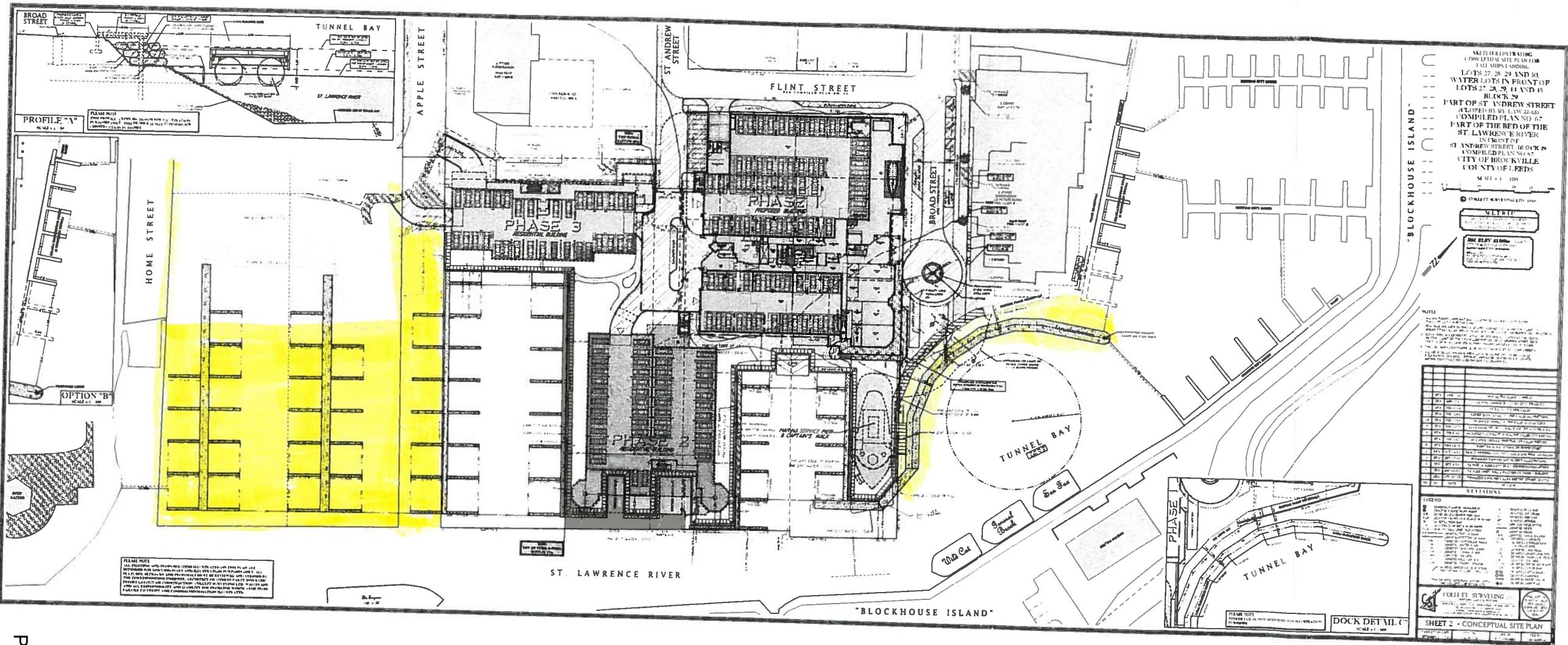
City approval of the docking design and long-term Partnership Agreement provides Tall Ships Landing Development Inc. the necessary comfort to move forward with further approvals relating to the development of the Captain's Walk including TSSA, CRCA and Site Plan.



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Bob Casselman, City Manager

## SCHEDULE A



## **SCHEDULE 2**

**THIS MARINA OPERATIONAL AGREEMENT MADE THIS      DAY OF  
NOVEMBER      , 2012**

**Between**

**THE CORPORATION OF THE CITY OF BROCKVILLE  
(herein after referred to as the "City")**

**And**

**TALL SHIPS LANDING DEVELOPMENTS INC.  
(herein after referred to as the "Developer")**

**WHEREAS:**

- A. The Developer has purchased certain lands and water lots in the City of Brockville and is planning to construct a mixed-use development on the lands and utilize its water lot;
- B. The City owns a water lot in front of Ernie Fox Quay (herein after referred to as the "Quay Water Lot"), which is presently leased to the Developer. On this water lot are floating docks, which amongst other things, the Developer owns and operates a marine facility. This Quay Water Lot lease expires on October 31, 2012;
- C. The City leases from the Federal Department of Fisheries and Oceans a water lot at the foot of Broad Street (herein after referred to as the "Broad Street Water Lot"), which lease expires on December 31, 2014;
- D. The Developer intends to utilize its water lot in the construction of its mixed-use development;
- E. The City would like to have constructed and maintained a full service marina in Tunnel Bay and the Developer is willing to provide, on terms and conditions acceptable to both Parties, such a marina;
- F. The Developer is of the opinion, that the City accepts, that to construct and maintain a full service marina as contemplated in this Agreement, more than just boat slips are required, namely, washrooms, fuel and pump-out facilities. This suggests a longer term lease or if terminated earlier by the City, a corresponding financial obligation;

- G. The City acknowledges that Tall Ships Landing Developments Inc. may be substituted with Fuller Marine Services;
- H. The Parties are entering into this Marina Operational Agreement in order to set out the framework of their relationship in respect to the financing, construction, operations and ownership of the Tunnel Bay Marina facility.

NOW THEREFORE in consideration of the covenants herein contained together with other good and valuable consideration, the Parties agree as follows:

1.0 Recitals – The Recitals set out are true and correct and form part of the Marina Operational Agreement.

2.0 The Premises

Certain water lots and surrounding land owned/or leased by the City located at the foot of Home Street and at the foot of Broad Street, in the City of Brockville, Province of Ontario, all of which lands and water lots and premises are herein after referred to as “the Premises” as detailed on the attached map shown as Schedule ‘A’.

3.0 The City to lease to the Developer, the Quay Water Lot and the Broad Street Water Lot pursuant to the Terms and Conditions set out in this Agreement.

4.0 Developer Responsibilities

4.1 The Developer commits to constructing a new marina facility on its water lot, the Quay Water Lot and the Broad Street Water Lot at its cost:

- i) the marina to be full service, containing showers, washrooms and fuelling/pump out facilities, and to be located at the Developer's Development presently referred to as the Tall Ships Landing and operated at appropriate times and during appropriate months;
- ii) the cost of decommissioning the present facility is to be borne by the Developer. The Parties acknowledge that the present marine facilities will have to be decommissioned and the timing of this will be undertaken with the view to cause as little disruption to the use of the marina by its patrons as possible.
- iii) the cost of building, maintaining and staffing the marina is to be borne by the Developer for the term of the Agreement.

- 4.1 The Parties acknowledge and agree that in order for the above marina to be viable, the Developer will have to be able to create approximately one hundred and twenty (120) docks. One hundred and ten (110) docks to be allocated to seasonal boaters and ten (10) to be allocated to transient boaters.

It will be the responsibility of the Developer, at its cost, to:

- 4.2 Operate and maintain the existing and new small craft harbour system, engineered, designed and installed in a configuration and manner, in accordance with the manufacturer and City specifications which ensure that it provides for a safe, efficient and attractive docking system.
- 4.3 Provide and maintain the utilities consisting of a minimum of 30 amp power outlet and individual water source for each boat slip, to be installed in accordance with the manufacturer's specifications and all applicable building/electrical or other code requirements.
- 4.4 Maintain the lighting on the installed dock system to provide for safe usage during night hours all of which must be mutually acceptable to and approved by both parties.
- 4.5 Pay all applicable utility costs including hydro electricity, water and sewer service charges associated with the operation of the docking facilities.
- 4.6 Provide, on a seasonal basis (May 1 – Labour Day Weekend) qualified staff to attend to the daily needs of the docking facilities seven (7) days per week including all holidays or other such hours as may be required to properly accommodate boater needs.

Provide, on a seasonal basis (Labour Days Weekend – September 30) adequate qualified staff on the weekends to attend to the needs of the boating public.

- 4.7 Provide, on a seasonal basis (May 15 – September 30), and be responsible for the installation and maintenance of security measures necessary to ensure the safety of boats and boaters using the docking facilities. This may include but not be limited to a secured dock entrance gate and dock lighting.
- 4.8 Provide on a seasonal basis (May 15 – September 30), and maintain a telephone service during the hours that the docking facility is not attended so that customers may request service or report emergencies.

- 4.9 Provide, on a seasonal basis (May 15 – Labour Day Weekend), a thorough daily housekeeping and cleaning of the docking facilities including the supply of any necessary cleaning materials, tools, garbage bags, light bulbs, etc.
- Provide, on a seasonal basis (Labour Day Weekend – September 30), a thorough weekly housekeeping and cleaning of the docking facilities including the supply of any necessary cleaning materials,, tools, garbage bags, light bulbs, etc. A high standard of cleanliness is to be maintained on the docking facilities.
- 4.10 Provide, on a seasonal basis (May 15 – Labour Day Weekend), a daily inspection of the docking facilities for the purpose of identifying any unsafe conditions and correcting such conditions in an expedient manner so as to create a safe condition.
- Provide, on a seasonal basis (Labour Day Weekend - September 30), a weekly inspection of the docking facilities for the purpose of identifying any unsafe conditions and correcting such conditions in an expedient manner so as to create a safe condition.
- 4.11 Provide, while the docks are in use, for the collection, transportation to and disposal of docking facilities garbage in an approved waste disposal site once per week. The disposal of all garbage from the facilities shall be the responsibility of the Developer.
- 4.12 Furnish annual reports to the City on the operation of the docking facilities including a statement of annual revenues and provide such other information as the City may require from time to time including items on safety and boater statistics for use as economic impacts and trends in boater visitation for community planning. Keep accurate records as the City may require including but not necessarily limited to:
- a) records of site inspections and facility cleaning
  - b) records of safety inspections of the docking facilities
  - c) log of daily transient docking usage
  - d) log of daily and/or other equipment inspections and actions taken to rectify problems
  - e) notify the City and proper authorities of any and all accidents, thefts, damage or other occurrences that may occur on the docking facilities
  - f) investigate and report on, at the City's request, the desirability of establishing other activities and services as may be deemed advisable or necessary for, or in conjunction with, the operations of the docking facilities

- g) actively promote and assist in promoting business, tourism, as recreational uses of the docking facilities and report on such progress to the City.
- 4.14 Allow seasonal boat owners using the premises the right to have their own licensed mechanics, or other marine service personnel, repair their boats, subject to:
- a) these trades providing proof of third party liability insurance coverage in an amount of not less than two million dollars (\$2,000,000);
  - b) the boat owners advising the Developer in writing of their intention to do so.
- 4.15 Make available, a full service marina, containing showers and fueling/pump out facilities to be located on a portion of the adjacent Tall Ships Landing Development Inc. property, to be maintained, manned and staffed by the Developer during the term of the Agreement.
- 4.16 Make docking facilities located on the premises available to both City residents and summer residents (seasonal boaters from out-of-town) and be managed in a manner which will make additional transient docking space within Tunnel Bay.
- 4.17 No commercial ventures, other than the provision of marine-related services and trades, shall be permitted on the leased premises.
- 4.18 It is contemplated by the Parties that the marina will be constructed and decommissioning will occur in phases as the Developer's project progresses with the marina facility comprising the three (3) water lots to be completed by June 2015.
- 4.19 The City water lot and the Developer's water lots will be managed and slips will be assigned by the Developer subject to the following:

The Quay Water Lot and the Developer's water lots will be allocated to seasonal use with priority going first to purchasers in the Developer's project, next to the residents of the City of Brockville, and finally to non-residents, with the proviso that slips that are currently leased to Brockville residents on the City water lot will have the first right to continue with the new docks on new terms and conditions.

- 4.20 The Developer is not required to provide any parking on its lands for the marina.
- .

## **5.0 Responsibility of the City**

The City shall be responsible for, and pay any costs applicable for, the following subject to the head lease extension and/or acquisition of Tunnel Bay Harbour from the Department of Fisheries and Oceans:

- a) Provide for an adequately sized water connection and hydro electric power supply connecting panel box and the on-going repair and maintenance of these source utility connections in order to ensure the availability of power and water to the docking facilities.
- b) Required maintenance to the adjacent harbour basin park property and amenities including park lighting, pathways, boat ramp and boat ramp docking, including collection and disposal of garbage, grass cutting and other ground maintenance duties as may be required.
- c) The City is required to provide on a seasonal basis, one "15 Minute Loading/Unloading" parking space to serve the Quay Water Lot.

## **6.0 Rights of the City**

Notwithstanding any agreement to be entered into with respect to the operation and management of the premises, the City shall at all times, reserve unto itself, the following rights:

- a) The right to enter upon the premises owned by the City at any reasonable time and for any reasonable purposes and such right may be exercised by the City, its servants or employees and any designated employee of the Corporation of the City of Brockville. Such persons will carry identification sufficient to prove they are, in fact, representatives of the City.
- b) The right to operate and manage a public boat launching facility located at the foot of Home Street, directly adjacent to, and sharing access with, the subject premises within the small craft harbour basin.

## **7.0 Agreement**

- 7.1 The term of this Agreement shall be for a period of twenty-five (25) years for the Quay waterlot commencing November 1, 2012 to October 31, 2037.

The term of this Agreement for the Broad Street waterlot shall be from November 1, 2012 to December 31, 2014 and to be further extended to December 31, 2037 subject to a further head lease extension and/or acquisition by the City of the Tunnel Bay Harbour from the Department of Fisheries and Oceans.

## **7.2. Termination of Agreement**

The City and Developer have the right to terminate this Agreement on six (6) months notice (with similar notice provision that are in effect in the present lease) at five (5) year intervals on the anniversary of the signing of this Agreement upon the following terms and conditions:

- i) the Developer will have to expend significant capital sums to fulfill its obligations under this Agreement;
- ii) a significant portion of the infrastructure will take place on the Developer's adjacent lands, not on the water lots;
- iii) if the City terminates this Agreement early the City shall be required to pay to the Developer those capital costs of the marina facility amortized over twenty-five (25) years. For further clarity, should such termination be exercised by the City, then at the Developer's option, the City shall purchase the docking facilities from the Developer at a pre-determined value as set out in the mutually agreed upon Schedule "B". Notice of this option shall be served to the City within thirty (30) days of September 15<sup>th</sup> of the year of notice. This purchase by the City will close on October 30<sup>th</sup> with all monies due and payable on this date. No applicable taxes which may be assessed on this value (ie. GST, RST, blended sales taxes, etc.) shall be paid to the Developer, its liens or successors. Title to the assets (docking facilities) shall be transferred to the City from the Developer, free and clear of any and all encumbrances.

Payment of the pre-determined value as detailed in Schedule "B" shall be based upon the docking facilities being turned over to the City in a good and sound, well maintained condition,, normal wear and tear will be rectified by the Developer prior to delivering up the docks to the City. In the event that the parties cannot agree on the degree of "wear and tear" a mutually agreeable marine industry professional will be engaged jointly by the parties, pursuant to the Arbitrations Act R.S.O. 1990, Chapter A.24 as amended from time to time, and he shall provide an assessment of work required over and above normal wear and tear. The Developer agrees to comply with and rectify this disrepair before the docking is accepted by the City.

- iv) the parties agree to establish a capital budget by November 1, 2012. Actual Costs to be verified by open book to June 2015;
- v) on the 15<sup>th</sup> and 20<sup>th</sup> anniversary of the signing of this Agreement, the City of Brockville has the right to terminate the Agreement and

lease from the Developer the marina facilities owned and operated by the Developer at fair market rent. Should such termination be exercised by the Developer, then the City has no obligation to purchase the docking.

- vi) At the expiration of this Agreement, the City of Brockville can (1) with the Developer's agreement , purchase the docking for the amortized value remaining as outlined in Schedule "B". (2) extend the Agreement on mutually agreeable terms and conditions or (3) have the Developer remove the docking facilities from the premises.
- vii) Should the City for whatever reason, no longer have a head lease with the Department of Fisheries and Oceans or is the Owner of the Broad Street Water Lot it could at the Developer's option, result in the termination of the Quay Water Lot Marina Lease Agreement.

## **8.0 Bankruptcy**

Subject to the provisions of the *Bankruptcy and Insolvency Act* or any successor legislation or any other applicable legislation, where, during the term of the contract, The Developer makes an assignment for the benefit of its creditors, or becomes bankrupt or insolvent, or undergoes reorganization or makes a proposal to its creditors, or otherwise becomes financially unable to perform this contract, the City may, at its option, declare the contract void. Where the City declares the contract void, the City will purchase the assets in accordance with Clause Termination of the Agreement, and the City shall be entitled to enter into a contract with another party without the consent of the Developer. The exercise by the City of its right to declare the contract void and to enter into a contract with another party shall in no way prejudice any rights or remedies that the City may have at law against the Developer.

## **9.0 Insurance**

The Developer shall, throughout the contract term, at its sole cost and expense, take out and keep in full force and effect:

- a) 1) Marina Operators Protection and Indemnity Insurance and 2)Environmental Liability Insurance all on an occurrence basis, with respect to the business carried on, or from, the docking facility and the Developer's use and occupancy of the docking with coverage for any one occurrence or claim of not less than \$5,000,000, or such other amount as the City may reasonably require upon not less than one month's notice at any time during the term of the Agreement.

- b) Property and business interruption insurance on an "all risk" basis respecting all property of every description and kind owned by the Developer or for which the Developer is legally liable, or installed by or on behalf of the Developer, and which is located in or at the docking facility, including, without limitation, installations, alterations, additions, partitions, fixtures and anything in the nature of a lease-hold improvement and the Developer's stock and trade, furniture and moveable equipment.
- c) All policies of insurance required to be held by the Developer shall name the City as a named insured and shall be taken out and maintained with insurer's licensed to do business in Ontario and acceptable to the City and shall contain an undertaking by the insured to notify the City in writing not less than thirty (30) days prior to any material change, cancellation or termination thereof.

## **10.0 Indemnity**

The Developer shall indemnify and save harmless the City from and against all claims, demands, loss, damages, actions, suits and other proceedings by whomever may sustain, brought or prosecuted in any manner, based upon, occasioned to, by or attributable to any injury or damage arising or resulting from any action or omission of the Developer, its servants or agents using or occupying the set premises.

## **11.0 Lease Payments**

The City is to receive twenty percent (20%) of the gross annual mooring revenue received from the Quay Waterlot and Broad Street Waterlot. Gross revenue is defined as the total revenue from the said water lots less the Developer's capital repayment on the capital improvements, i.e. docks (on the said water lots). It is understood by both parties that the Developer will charge full market rental for docking taking into consideration the bench mark established by the City.

Lease payments for lease of the premises shall be made to the City by the Developer on a monthly basis, in advance, and shall be due and payable on the first of each month.

It is further understood by the Parties that the premises being leased are exempt from property taxes.

## **12.0 Employment Standards**

The Developer shall comply with the requirements of the Ontario Occupational Health and Safety Act, as amended, the Employment

Standards Act, as amended, and any other provincial legislation or regulations with respect to any and all workers employed in carrying out the terms of this Agreement.

### **13.0 Assignment / Sublet Rights**

The Developer shall have the right to assign the Agreement or to sublet the Premises for the purpose of entering into an agreement with a third party to operate a marina facility. Any assignment of the Agreement or subletting of the premises shall not relieve the Developer from any liability or obligation under the terms of the Agreement and the Developer shall be responsible for all the acts, defaults or neglect of any assignment, subtenant or its agents or servants in all respects as if they were the facts, defaults, or subletting of the premises shall be subject to the consent of the City, such consent to be not unreasonably withheld.

### **14.0 Due Diligence**

Both parties agree that they will do their utmost to work together to permit the installation and commencement of operations of the docking facilities on as timely a basis as is possible, recognizing that certain circumstances such as weather, availability of parts, strikes, etc. may delay either party from completing the project within their estimated timeframes. It is agreed that both parties will work together as cooperatively and quickly as possible and will not hold the other accountable for such unforeseen delays.

### **15.0 Unavoidable Delay**

The term "Unavoidable Delay" means any prevention, delay, stoppage or interruption due to (a) strike, lockout, labour dispute, act of God or (b) inability to obtain labour or materials or failure to obtain any necessary permit or approval, in each case after the party obligated to do so has used its best efforts to do so, or (c) laws, ordinances, rules, regulations or orders of governmental authorities, or (d) enemy or hostile action civil commotion, fire or other casualty, or (e) other conditions or causes, whether of the foregoing character or not, (other than financial conditions) beyond the reasonable control of the party obligated to perform and not caused by its default or act of commission or omission and not avoidable by reasonable effort or foresight. Neither party hereto shall be in default in the performance of any obligation hereunder other than a financial obligation during the period of any Unavoidable Delay relating thereto and any period for the performance of such obligation shall be extended accordingly.

## **16.0 Successors and Assigns**

All of the covenants and agreements contained in this Agreement shall be binding upon the parties and their respective successors and permitted assigns and shall enure to the benefit of and be enforceable by the parties and their respective successors and assigns pursuant to the Terms and Conditions of this Agreement.

SIGNED, SEALED AND DELIVERED  
IN THE PRESENCE OF

**CORPORATION OF THE  
CITY OF BROCKVILLE**

Witness

By: \_\_\_\_\_  
seal

(print full name)

(print full name)

Print full name)  
I have the authority to bind the  
corporation

By: \_\_\_\_\_

(print full name)

(print full name)

SIGNED BY TALL SHIPS LANDING DEVELOPMENT INC. THIS \_\_\_\_ DAY OF  
\_\_\_\_\_, 2012

Witness

By: \_\_\_\_\_  
Name: \_\_\_\_\_ seal  
Title:  
I have the authority to bind the  
corporation

---

(print full name)

By: \_\_\_\_\_

Name:

Title:

I have the authority to bind the  
corporation

Description	Cost	Amortization Period	Annual Amortization assuming straight line method
Docks at Ernie Fox Quay Only approx 50- each slip valued at \$10,000	\$ 500,000	25 Years	\$ 20,000.00
<b>Electricity and Water (per slip at Ernie Fox Quay) \$1800</b>	\$ 90,000	25 Years	\$ 3,600
<b>Hockey Shaped Service Dock on Broad Street (does not include any submitted costs for dredging or costs covered under brownfields CIP)</b>	\$ 250,000	25 Years	\$ 10,000.00
<b>Fuel Dock including storage and dispensing</b>	\$ 225,000	25 Years	\$ 9,000
<b>Dock Masters Office &amp; Shoreside Infrastructure includes Pier Fixtures and Bulkhead Protection</b>	\$ 400,000	25 Years	\$ 16,000
<b>Marina Washrooms &amp; Shower Facilities</b>	\$ 120,000	25 Years	\$ 4,800
<b>Servicing of Water, Electricity, Sanitary Pumpout</b>	\$ 75,000	25 Years	\$ 3,000
<b>Total:</b>	<b>\$ 1,660,000</b>		<b>\$66,400.00</b>

\*Removable Docks that encroach on Apple Street water lot are not included in this calculation

## SCHEDULE 3

DECEMBER 23, 2009

### REPORT TO ECONOMIC DEVELOPMENT & PLANNING COMMITTEE – JANUARY 5, 2010

2010-001-01

TUNNEL BAY HARBOUR MARINA REDESIGN

B. CASSELMAN  
CITY MANAGER

#### RECOMMENDATIONS:

THAT Brockville City Council approve the Tunnel Bay Harbour Marina Redesign as depicted in Option "A" attached to report 2010-001-01; and

THAT the Mayor and Clerk are hereby authorized to execute all documentation associated thereto.

#### BACKGROUND

In response to the City of Brockville's request, Tall Ships Landing Developments Inc. (TSL) has proposed to provide marina services including the replacement of docks, relocation of fuel services, pump out facilities, washrooms and dock masters office in exchange for a long-term lease of the City's water lot, details of which are outlined with Schedules "1" and "2".

Paragraph 5 of the aforementioned Schedule "1" reads as follows:

*"The Parties acknowledge and agree that in order for the above marina to be viable, the Developer will have to be able to create approximately one hundred and twenty (120) docks. One hundred and ten (110) docks to be allocated to seasonal boaters and ten(10) docks to be allocated to transient boaters. The Parties acknowledge a further term;*

- 1) *The City wishes to undertake a review of the proposed marina facilities east of the centre line of Phase 1. The City has requested the cooperation of the Developer in this review. The Parties agree to create the terms of reference of the review. Should both Parties not support the recommendation of the review by October 31, 2008, the Developer and the City acknowledge that the draft conditions of Site Plan and the existing or new configuration of the docks stand. The Parties further agree that a Site Plan for this area may be submitted at a later date, such delay will not hinder the Site Plan submission the balance of Phase 1.*

Over the course of the past fifteen (15) months, a series of meetings have been held with various stakeholders including representatives from the City of Brockville, Leeds

Condo Corp. 18, Tunnel Bay Marina, 1000 Islands & Seaway Cruises, Brockville Yacht Club, and Fuller Marine Services.

A set up of objectives was established at our first meeting including:

1. Safe navigation
2. Full service marina/service dock located on the wharf
3. Maximum number of transient docks
4. Mooring of Fair Jeanne/Program Relationship to Maritime Discover Centre (MDC)
5. Create space for enhanced island programming through water taxi/shuttle
6. The terminus of Broad Street to become one of the major vistas to the City

Given that form must follow function our initial series of meetings included a review of the regulations/restrictions concerning storage above or below ground and handling/sale of fuel for a marina.

The parties acknowledged that the Technical Standards and Safety Authority (TSSA) is the regulatory body relative to fuel Storage/Dispensing.

The Developer will be responsible for creating a design that is fully compliant with TSSA requirements.

Our subsequent meetings focused on vessel circulation including service dock location, turning circle, maximization of moorings, the location of Fair Jeanne and creating a major vista to the City at the terminus of Broad Street.

There were a variety of options considered by the stakeholder group including those outlined in the attached Options "A - C".

To be clear, there is not consensus amongst the stakeholder group relating to vessel circulation. While the majority of the stakeholder group prefers Option "A", representatives of the Boardwalk Tunnel Bay Boat Club prefer Option "C".

Transport Canada is the regulatory body that will approve the reconfiguration of the inner harbour including docking and vessel circulation.

## **ANALYSIS**

The Brockville Harbour is owned by the federal government (Ministry of Fisheries and Oceans) and is defined as Part 1 on Reference Plan 28R-11123. This part abuts the lands owned by the Leeds Condo Corp. 18 described as Part 1 on Plan 28R-5565.

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The City of Brockville holds the head lease of the Brockville Harbour pursuant to a lease dated January 1, 2007.

The City of Brockville subleased to the Leeds Condo Corp. 18, a portion of the harbour pursuant to the terms outlined in Schedule "3". While the subject sublease expires on December 31, 2009 it is subject to a further one (1) year extension at the discretion of the City.

Option "A" is the preferred redesign of Tunnel Bay Harbour because it:

- 1) Provides approximately 300' of service dock to be used for transient boaters in close proximity to the MDC.
- 2) Maximizes the turning radius within the inner harbour.
- 3) Provides an alternative location for the Fair Jeanne thus reducing vessel navigation congestion between the south extremity of the wharf and Block House Island seawall.
- 4) Provides the 1000 Islands & Seaway Cruises opportunity to facilitate passengers pick up/drop off at the terminus of Broad Street.
- 5) Promotes the Broad Street promenade as being a major vista for the City thus promoting the City's desire to create and support a regionally significant anchor attraction.
- 6) Provides the Tunnel Bay Boat Club with the same mooring space albeit reallocated to the east seawall.
- 7) Provides for controlled access by transient boaters from the service dock to the wharf.
- 8) Provides unimpeded access to/from the fuel/pump out service docks.

## **FINANCIAL IMPLICATIONS**

The cost to relocate the existing docks owned by the Tunnel Bay Boat Club to the east seawall will be at the expense of the City. Should security fencing be desired by the Tunnel Bay Boat Club along the east seawall, it will at the expense of the City. The sublease with the Leeds Condo Corp. 18 be extended to December 31, 2010 with a further one (1) year extension at the discretion of the City. The rent during the period of sublease extension January 1, 2010 – December 31, 2010 shall be waived.

All costs associated with design, construction and maintenance of fuel dispensing/storage and service docks will the responsibility of TSL/Fuller Marine Services as outlined in the aforementioned Memorandum of Understanding.

## CONCLUSION

The need for change to our current design and operation of the Brockville Inner Harbour has been well documented in the Anchor Attraction for Brockville: The Maritime Discovery Centre and other Waterfront Enhancements Report, Anchor Attraction proposal, and the Premier Ranked Tourism Project. The redesign concept outlined in Option "A" addresses several of the needs identified in the aforementioned documentation and furthers the City's desire to create a regional attraction and in so doing revitalize the historic Downtown of Brockville.



B. Casselman, City Manager

**Schedule "1"**

This Memorandum of Understanding made this      day of      , 2008

Between:

**THE CORPORATION OF THE CITY OF BROCKVILLE**

(herein referred to as the "City")

And:

**Tall Ships Landing Developments Inc.**

(herein referred to as the "Developer")

**WHEREAS:**

- A. The Developer has purchased certain lands and water lots in the City of Brockville and is planning to construct a mixed-use development on the lands and utilize its water lot;
- B. The City owns a water lot in front of Ernie Fox Quay (herein after referred to as the "Quay Water Lot"), which is presently leased to the Developer. On this water lot are floating docks, which amongst other things the Developer owns and operates as a marine facility. This Quay Water Front Lease expires on October 31, 2008;
- C. The City leases from the Federal Department of Fisheries and Oceans a water lot at the foot of Broad Street (herein after referred to as the "Broad Street Water Lot"), which lease expires in 2011;
- D. The Developer intends to utilize its water lot in the construction of its mixed-use development;
- E. The City would like to have constructed and maintained a full service marina in Tunnel Bay and the Developer is willing to provide, on terms and conditions acceptable to both Parties, such a marina;
- F. The Developer is of the opinion, and the City accepts, that to construct and maintain a full service marina as contemplated in this memorandum, more than just boat slips are required, namely, washroom, fuel and pump-out facilities. This suggests a longer term lease or if terminated earlier by the City, a corresponding financial obligation;
- G. The City acknowledges that Tall Ships Landing Developments Inc. may be substituted with Fuller Marine Services;

SO THEREFORE the Parties are setting forth below their general understandings which will govern the preparation of the Public Private Partnership Agreement for the provision of the marine facilities on the lands and water lots described above. It is further understood in this Memorandum of Understanding that there will be many specific terms, calculations and definitions that are not contained in this memorandum, which will have to be included in the Partnership Agreement, and the Parties agree to work diligently in the negotiation of these terms

1. The recitals set out above are true and form part of this MOU.
2. The City to lease to the Developer or a related company part of the Quay Water Lot being 43,977 square feet which is the area currently being leased on terms and conditions set out in this memorandum.
3. The Parties acknowledge that the present marine facilities will have to be decommissioned and the timing of this will be undertaken with the view to cause as little disruption to the use of the marina by its patrons as possible.
4. The Developer commits to constructing a new marine facility on its water lots, the Quay Water Lot at its cost.
  - i) the marina to be full service, containing showers, washroom and fueling/pump out facilities, and to be located on to the Developer's Development presently referred to as the Tall Ships Landing and operated at appropriate times and during appropriate months;
  - ii) the cost of decommissioning the present facility is to be borne by the Developer;
  - iii) the cost of building, maintaining and staffing the marina is to be borne by the Developer for the term of the agreement.
5. The Parties acknowledge and agree that in order for the above marina to be viable, the Developer will have to be able to create approximately one hundred and twenty (120) docks. One hundred and ten (110) docks to be allocated to seasonal boaters and ten (10) docks to be allocated to transient boaters. The Parties acknowledge a further term:
  - i) The City wishes to undertake a review of the proposed Marina Facilities east of the centre line of Phase 1. The City has requested the cooperation of the Developer in this review. The Parties agree to create the terms of reference of the review. Should both Parties not support the recommendation of the review by July 31, 2008, the Developer and the City of Brockville acknowledge that the draft conditions of site plan and the existing or new configuration of the docks stand. The Parties further agree that a site plan for this area

may be submitted at a later date, such delay will not hinder the site plan submission for the balance of Phase I.

However, at a minimum, the Developer shall provide the City with an easement for public access to the elevated walkway to be constructed over a portion of the wharf in Phase 1.

6. It is contemplated by the Parties that the marina will be constructed and decommissioning will occur in phases as the developer's project progresses with the marina facility comprising the three (3) water lots to be completed by June 2015.
7. The City water lot and the developer's water lots will be managed and slips will be assigned by the Developer subject to the following:
  - i) the Quay Water Lot and the developer's own water lot will be allocated to seasonal use with priority going first to the purchasers in the developer's project, next to the residents of the City of Brockville, and finally to non-residents, with the proviso that slips that are currently leased to Brockville residents on the City water lot will have the first right to continue with the new docks on new terms and conditions.
8. The Developer is not required to provide any parking on its lands for the marina.
9. The City is to receive twenty percent (20%) of the gross annual mooring revenue received from the Quay Water Lot. Gross revenue is defined as the total revenue from the said water lots less the developer's capital repayment on the capital improvements, i.e. docks (on the said water lot). It is understood by both parties that Fuller Marine Services will charge full market rental for docking taking into consideration the benchmark established by the City.
10. The present lease agreement between the Parties for the operation of the marine facility may be extended for a period of up to (3) years.
11. The Term of this agreement is to be a twenty-five (25) years commencing November 1, 2008 and ceasing on October 31, 2033.
12. The City and Developer have the right to terminate this agreement on six (6) months notice (with similar notice provisions that are in effect in the present lease) at five (5) year intervals on the anniversary of the signing of this lease upon the following terms and conditions,
  - i) the Developer will have to expend significant capital sums to fulfill its obligations under this agreement;

- ii) a significant portion of the infrastructure will take place on the developer's adjacent lands, not on the developer's water lots;
- iii) if the City terminates this lease early the City shall be required to pay to the Developer the residual of the capital costs of the marine facility amortized over twenty-five (25) years;
- iv) if the Developer terminates the lease early the City will not be required to pay any sums to the Developer;
- v) the parties agree to establish a capital budget by September 1<sup>st</sup>, 2008 Actual Costs to be verified by open book to June 2015;
- vi) on the 15<sup>th</sup> and 20<sup>th</sup> anniversary of the signing of this lease, the City of Brockville has the right to cancel the lease and lease from the Development the Marina Facilities owned and operated by the Developer at fair market rent. Further particulars of this lease option to the City to be incorporated in the agreement, which will flow from this Memorandum of Understanding.

13. The parties agree that they shall, no later than October 1, 2008, enter into a formal and binding agreement in respect to the subject matter of this agreement.

IN WITNESS WHEREOF, the parties have executed this Memorandum of Understanding as of the date first above written.

Signed, Sealed and Delivered )      The Corporation of the City of Brockville  
In the presence of                  )  
                                        )  
                                        )  
                                        ) Per: \_\_\_\_\_  
                                        ) Name/Title  
                                        )  
                                        )  
                                        ) Per: \_\_\_\_\_  
                                        ) Name/Title  
                                        )  
                                        )  
                                        ) Tall Ships Landing Developments Inc.  
                                        )  
                                        )  
                                        ) Per: \_\_\_\_\_  
                                        ) Name/Title

## Schedule "2"

This agreement, made as of the      day of May, 2008

between

**The Corporation of the  
City of Brockville  
(hereinafter referred to as "the City")  
of the first part**

and

**3700518 Canada Inc.  
(hereinafter referred to as "Fuller Marine Services")  
of the second part.**

### 1.0 The Premises

Certain water lots and surrounding land owned by the City located at the foot of Home and Apple Streets, in the City of Brockville, in the province of Ontario, all of which lands and water lots and premises are hereinafter referred to as "the Premises" as detailed on the attached map shown as Schedule "A".

NOW THEREFORE in consideration of the mutual agreements and covenants contained herein and other valuable consideration, the receipt in sufficiency of which is hereby acknowledged by each of the parties hereto, the parties agree as follows:

### 2.0 IN THIS AGREEMENT, THE TERM

- (a) "Docking facilities" shall mean all docks, power outlets, lighting fixtures, security fences and all other amenities and equipment that are housed on the premises.
- (b) "Tall Ships Landing Developments Inc. lands" shall mean those lands owned by the Tall Ships Landing Developments Inc. bounded by Broad Street to the east, Flint Street to the north and "the premises" to the west, all of which is identified on the attached map exclusive of any lands severed for condominiums or freeholds.

### 3.0 MANAGEMENT, RESPONSIBILITIES AND SERVICES TO BE PROVIDED BY FULLER MARINES SERVICES

It will be the responsibility of Fuller Marine Services, at its cost, to:

- 3.1 Operate and maintain the existing small craft harbour system, engineered, designed and installed in a configuration and manner, in accordance with the manufacturer and City specifications which ensure that it provides for a safe, efficient and attractive docking system.
- 3.2 Provide and maintain the existing utilities consisting of a minimum 30 amp power outlet and individual water source for each boat slip, to be installed in accordance with the manufacturer's specifications and all applicable building/electrical or other code requirements.

- 3.3 Maintain the existing lighting on the installed dock system to provide for safe usage during night hours all of which must be mutually acceptable to and approved by both parties.
- 3.4 Maintain the existing security in the form of a gated entrance to the docking system in a design which must be mutually acceptable to and approved by both parties.
- 3.5 Pay all applicable utility costs including hydro electricity, water and sewer service charges associated with the operation of the docking facilities.
- 3.6 Provide, on a seasonal basis (May 15 – September 30), adequate qualified staff to attend to the daily needs of the docking facilities seven days per week including all holidays or other such hours as may be required to properly accommodate boater needs.
- 3.7 Provide, on a seasonal basis (May 15 – September 30), and be responsible for the installation and maintenance of security measures necessary to ensure the safety of boats and boaters using the docking facilities. This may include but not be limited to a secured dock entrance gate and dock lighting.
- 3.8 Provide on a seasonal basis (May 15 – September 30), and maintain a telephone service during the hours that the docking facility is not attended so that customers may request service or report emergencies.
- 3.9 Provide, on a seasonal basis (May 15 – September 30), a thorough daily housekeeping and cleaning of the docking facilities including the supply of any necessary cleaning materials, tools, garbage bags, light bulbs, etc. A high standard of cleanliness is to be maintained on the docking facilities on a daily basis.
- 3.10 Provide, on a seasonal basis (May 15 – September 30), a daily inspection of the docking facilities for the purpose of identifying any unsafe conditions and correcting such conditions in an expedient manner so as to create a safe condition.
- 3.11 Provide, while the docks are in use, for the collection, transportation to and disposal of docking facilities garbage in an approved waste disposal site once per week. The disposal of all garbage from the docking facilities shall be the responsibility of Fuller Marine Services.
- 3.12 Furnish annual reports to the City on the operation of the docking facilities including a statement of annual revenues and provide such other information as the City may require from time to time including items on safety and boater statistics for use as economic impacts and trends in boater visitation (3.13c) for community planning.

- 3.13 Keep accurate records as the City may require including but not necessarily limited to:
- a) records of site inspections and facility cleaning
  - b) records of safety inspections of the docking facilities
  - c) log of daily transient docking usage
  - d) log of daily and/or other equipment inspections and actions taken to rectify problems
  - e) notify the City and proper authorities of any and all accidents, thefts, damage or other occurrences that may occur on the docking facilities
  - f) investigate and report on, at the City's request, the desirability of establishing other activities and services as may be deemed advisable or necessary for, or in conjunction with, the operation of the docking facilities
  - g) actively promote and assist in promoting business, tourism, and recreational uses of the docking facilities and report on such progress to the City.
- 3.14 Allow boat owners using the premises the right to have their own licensed mechanics, or other marine service personnel, repair their boats, subject to:
- a) these trades providing proof of third party liability insurance coverage in an amount not less than \$2 million (\$2,000,000).
  - b) the boat owners advising Fuller Marine Services in writing of their intention to do so.
- 3.15 Make available, a full service marina, containing showers, washroom and fueling/pump out facilities to be located on a portion of the adjacent Tall Ships Landing Development Inc. property, to be maintained, manned and staffed by Fuller Marine Services during the term of the agreement.
- 3.16 Make docking facilities located on the premises available to both City residents and summer residents (seasonal boaters from out-of-town) and be managed in a manner which will make additional transient docking space within Tunnel Bay.
- 3.17 No commercial ventures, other than the provision of marine-related services and trades, shall be permitted on the leased premises.

#### **4.0 RESPONSIBILITY OF THE CITY**

The City shall be responsible for, and pay any costs applicable for, the following:

- 4.1 Provide for an adequately sized water connection and hydro electric power supply connecting panel box and the on-going repair and maintenance of these source utility connections in order to ensure the availability of power and water to the docking facilities.
- 4.2 Required maintenance to the adjacent harbour basin park property and amenities including park lighting, pathways, boat ramp and boat ramp docking, including collection and disposal of garbage, grass cutting and other ground maintenance duties as may be required.

## **5.0 RIGHTS OF THE CITY**

Notwithstanding any agreement to be entered into with respect to the operation and management of the premises, the City shall at all times, reserve unto itself, the following rights:

- 5.1 The right to enter upon the premises owned by the City at any reasonable time and for any reasonable purposes and such right may be exercised by the City, its servants or employees and any designated employee of the Corporation of the City of Brockville. Such persons will carry identification sufficient to prove they are, in fact, representatives of the City.
- 5.2 The right to operate and manage a public boat launching facility located at the foot of Home Street, directly adjacent to, and sharing access with, the subject premises within the small craft harbour basin.

## **6.0 AGREEMENT**

- 6.1 The term Agreement shall be for a period of three (3) years commencing November 1, 2008 to October 31, 2011.
- 6.2 Termination of Agreement

The City and Fuller Marine Services has the right to terminate this Agreement for any reason, in any year of the Agreement, at the end of the boating season (October 30<sup>th</sup>), with six (6) months prior written notice. Should such termination be exercised by the City, then at Fuller Marine Services option, the City shall purchase the docking facilities from Fuller Marine Services at a pre-determined value as set out in Schedule "B". Notice of this option shall be served to the City within thirty (30) days of September 15<sup>th</sup> of the year of notice. This purchase by the City will close on October 30<sup>th</sup> with all monies due and payable on this date. No payments in any kind, other than the established value, plus any applicable taxes which may be assessed on this value (i.e. GST, RST, blended sales taxes, etc.) shall be paid to Fuller Marine Services, its liens or successors. Title to the assets (docking facilities) shall be transferred to the City from Fuller Marine Services, free and clear of any and all encumbrances.

Payment of the pre-determined value as detailed in Schedule "B" shall be based upon the docking facilities being turned over to the City in a good and sound, well maintained condition, normal wear and tear excepted. Any disrepair, other than normal wear and tear will be rectified by Fuller Marine Services prior to delivering up the docks to the City. In the event that the parties cannot agree on the degree of "wear and tear" a mutually agreeable marine industry professional will be engaged jointly by the parties, pursuant to the Arbitrations Act R.S.O. 1990, Chapter A.24 as amended from time to time, and he shall provide an assessment of work required over and above normal wear and tear. Fuller Marine Services agrees to comply with and rectify this disrepair before the docking facilities are accepted by the City.

Should such termination be exercised by Fuller Marine Services, then the City has no obligation to purchase the docking facilities.

6.3 Bankruptcy of Fuller Marine Services

Subject to the provisions of the *Bankruptcy and Insolvency Act* or any successor legislation or any other applicable legislation, where, during the term of the contract, Fuller Marine Services makes an assignment for the benefit of its creditors, or becomes bankrupt or insolvent, or undergoes reorganization or makes a proposal to its creditors, or otherwise becomes financially unable to perform this contract, the City may, at its option, declare the contract void. Where the City declares the contract void, the City will purchase the assets in accordance with Clause 6.2.1., Termination of Lease, and the City shall be entitled to enter into a contract with another party without the consent of Fuller Marine Services. The exercise by the City of its right to declare the contract void and to enter into a contract with another party shall in no way prejudice any rights or remedies that the City may have at law against Fuller Marine Services.

6.4 Insurance

Fuller Marine Services shall, throughout the contract term, at its sole cost and expense, take out and keep in full force and effect:

- a) Comprehensive general public liability insurance, all on an occurrence basis, with respect to the business carried on, or from, the docking facility and Fuller Marine Services' use and occupancy of the docking facilities with coverage for any one occurrence or claim of not less than \$2,000,000, or such other amount as the City may reasonably require upon not less than one month's notice at any time during the term of the contract.
- b) Property and business interruption insurance on an "all risk" basis respecting all property of every description and kind owned by Fuller Marine Services or for which Fuller Marine Services is legally liable, or installed by or on behalf of Fuller Marine Services, and which is located in or at the docking facility, including, without limitation, installations, alterations, additions, partitions, fixtures and anything in the nature of a lease-hold improvement and Fuller Marine Services' stock and trade, furniture and moveable equipment, in the amount of not less than \$100,000 for business interruption and not less than \$250,000 for property owned by Fuller Marine Services or for which Fuller Marine Services is legally liable.
- c) All policies of insurance required to be held by Fuller Marine Services shall name the City as an additional insured and shall be taken out and maintained with insurer's licensed to do business in Ontario and acceptable to the City and shall contain an undertaking by the insured to notify the City in writing not less than thirty days prior to any material change, cancellation or termination thereof.

**6.5      Indemnity**

Fuller Marine Services shall indemnify and save harmless the City from and against all claims, demands, loss, damages, actions, suits and other proceedings by whomever may sustain, brought or prosecuted in any manner, based upon, occasioned to, by or attributable to any injury or damage arising or resulting from any action or omission of Fuller Marine Services, its servants or agents using or occupying the set premises

**6.6      Lease Payments**

Lease payments for lease of the premises shall be made to the City by Fuller Marine Services on a monthly basis, in advance, and shall be due and payable on the first day of each month. This lease is a gross lease and the amounts hereunder constitute full and final consideration to be paid by Fuller Marine Services to the City in each of the year listed"

<u>Year</u>	<u>Annual Total Lease Payment</u>	<u>Monthly Total Lease Payment</u>
2009	13,954	1,131
2010	14,348	1,196
2011	14,753	1,229

**6.7      Employment Standards**

Fuller Marine Services shall comply with the requirements of the Ontario Occupational Health and Safety Act, as amended, the Employment Standards Act, as amended, and any other provincial legislation or regulations with respect to any and all workers employed in carrying out the terms of this agreement.

**6.8      Assignment / Sublet Rights**

Fuller Marine Services shall have the right to assign the Agreement or to sublet the Premises for the purpose of entering into an agreement with a third party to operate a marina facility. Any assignment of the Agreement or subletting of the premises shall not relieve Fuller Marine Services from any liability or obligation under the terms of the Agreement and Fuller Marine Services shall be responsible for all the acts, defaults or neglect of any assignment, subtenant or its agents or servants in all respects as if they were the facts, defaults, or neglects of Fuller Marine Services. Any assignment of the Agreement or subletting of the premises shall be subject to the consent of the City, such consent to be not unreasonably withheld.

**6.9      Due Diligence**

Both parties agree that they will do their utmost to work together to permit the installation and commencement of operations of the docking facilities on as timely a basis as is possible, recognizing that certain circumstances such as weather, availability of parts, strikes, etc. may delay either party from completing the project within their estimated timeframes. It is agreed that both parties will work together as cooperatively and quickly as possible and will not hold the other accountable for such unforeseen delays.

#### 6.10 Unavoidable Delay

The term "Unavoidable Delay" means any prevention, delay, stoppage or interruption due to (a) strike, lockout, labour dispute, act of God or (b) inability to obtain labour or materials or failure to obtain any necessary permit or approval, in each case after the party obligated to do so has used its best efforts to do so, or (c) laws, ordinances, rules, regulations or orders of governmental authorities, or (d) enemy or hostile action civil commotion, fire or other casualty, or (e) other conditions or causes, whether of the foregoing character or not, (other than financial conditions) beyond the reasonable control of the party obligated to perform and not caused by its default or act of commission or omission and not avoidable by reasonable effort or foresight. Neither party hereto shall be in default in the performance of any obligation hereunder other than a financial obligation during the period of any Unavoidable Delay relating thereto and any period for the performance of such obligation shall be extended accordingly.

6.11 Acceptance

This offer is open for acceptance by the City and is irrevocable by Fuller Marine Services until 5:00 p.m. on , 2008

ACCEPTED BY THE CITY THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 200

SIGNED, SEALED AND DELIVERED  
IN THE PRESENCE OF

**CORPORATION OF THE  
CITY OF BROCKVILLE**

Witness

By: \_\_\_\_\_  
seal

(print full name)

(print full name)

(print full name)  
I have the authority to bind the corporation

By: \_\_\_\_\_

(print full name)

(print full name)

SIGNED BY 3700518 CANADA INC. THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 200

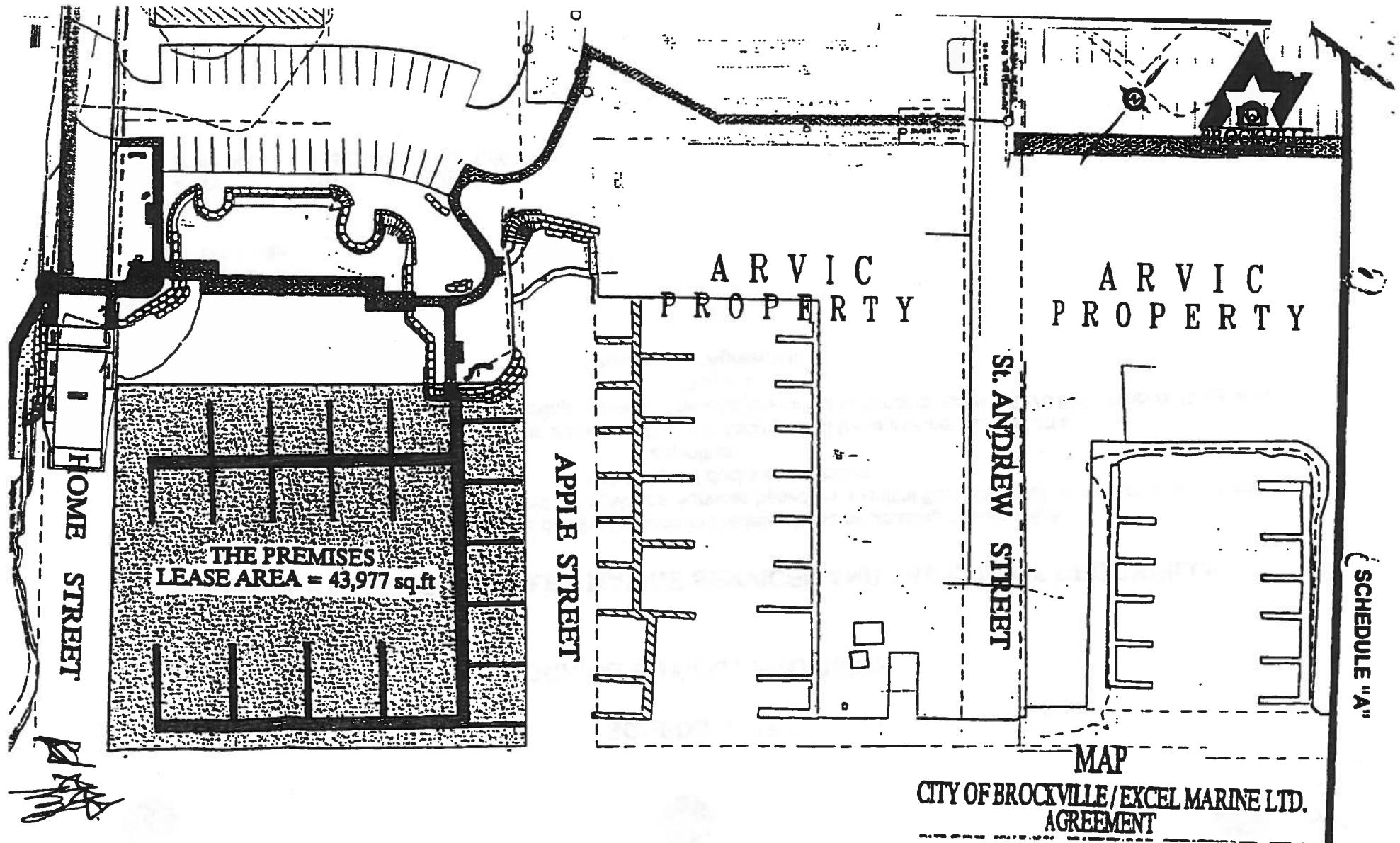
**3700518 CANADA INC**

Witness

By: \_\_\_\_\_  
Name: \_\_\_\_\_ seal  
Title:  
I have the authority to bind the corporation

(print full name)

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title:  
I have the authority to bind the corporation



**SCHEDULE "B"**

**DOCKING BUY-OUT PROVISION**

**AGREEMENT BETWEEN FULLER MARINE SERVICES AND THE CITY OF BROCKVILLE**

The following schedule details a maximum predetermined decreasing buyout value agreed upon between the City of Brockville and Fuller Marine Services based on an initial \$270,000 cost for the construction and installation of docks and docking amenities.

The City agrees to pay an amount detailed, in each year of the agreement based on a 25 year amortization of the total cost of the docking facilities. The total amount of cost not to exceed \$270,000, in accordance with Clause 6.2 Termination of Agreement.

Amount Paid to  
Fuller Marine Services  
by City of Brockville

<u>2009</u>	<u>2010</u>	<u>2011</u>
\$142,800	\$132,200	\$121,600

**THE CORPORATION OF THE CITY OF BROCKVILLE**

**By-Law Number 049-2009**

*By-law to authorize the execution of a Sublease Agreement with Leeds Condo Corp. #18 for waterlot fronting on Part 1, Plan 28R5565, in the City of Brockville.*

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WHEREAS the City of Brockville has entered into an agreement with the Minister of Fisheries and Oceans pursuant to the Fishing and Recreational Harbours Act Section 8, Statutes of Canada 1978, for the occupancy and use of the Brockville Harbour, said agreement authorized by By-Law Number 027-2007; and

WHEREAS it is deemed expedient to enter into a sublease agreement with 772792 Ontario Inc.;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF BROCKVILLE ENACTS AS FOLLOWS:-

1. THAT the Mayor and Clerk be and they are hereby authorized to execute a sublease agreement with Leeds Condo Corp. #18 of the City of Brockville in the County of Leeds, in the Province of Ontario, for waterlot fronting on Part 1, Plan 28R5565, in the City of Brockville, County of Leeds and Province of Ontario, for a period of one (1) year, effective January 1, 2009 to December 31, 2009. At the sole discretion of the Sublessor, the terms of this agreement may be extended one additional year.
1. THAT when executed a copy of the lease agreement will be attached to and form part of this by-law.

Given under the seal of the  
Corporation of the City of Brockville  
and passed this 28<sup>th</sup> day of April 2009

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MAYOR

---

CLERK

THIS INDENTURE made this \_\_\_\_ day of March, A.D., 2009

BETWEEN:

THE CORPORATION OF THE CITY OF BROCKVILLE

hereinafter called the "SUBLESSOR"

**OF THE FIRST PART**

- and -

LEEDS CONDO CORP. #18

of the City of Brockville, in the County of Leeds,

hereinafter called the "SUBLESSEE"

**OF THE SECOND PART**

**SUBLEASE**

WITNESSETH that the Sublessor in consideration of the rent, covenants, provisos and conditions contained herein hereby leases unto the Sublessee:

ALL THE SINGULAR that certain parcel of land and land covered by waters of the St. Lawrence River hereinafter referred to as "the said lands" situate, lying and being in the City of Brockville, in the County of Leeds shown outlined in red on the Plan hereto annexed and designated as Schedule "A" provided that the length of the docks that may be placed on the east seawall of the timber wharf shall not exceed twenty feet (20');

TO HAVE AND TO HOLD the said lands unto the Sublessee from and after the first day of January 2009 to and including the 31<sup>st</sup> day of December 2009 and then fully to be complete and ended;

YIELDING AND PAYING therefore during the currency of this sublease unto the Sublessor the sum of ONE THOUSAND FOUR HUNDRED AND TWENTY-TWO DOLLARS AND NINETY-TWO CENTS (\$1,422.92) of lawful money of Canada and an administration fee directed by Small Craft Harbours to be paid on or before the sealing and delivery hereof.

**IN THIS AGREEMENT:**

- (i) "Minister" means the Minister of Fisheries and Oceans and any person he has delegated to act on his behalf;

- (ii) "Director" means the Regional Director of Small Craft Harbours Branch Ontario Region, of the Department of Fisheries and Oceans of Canada and any person he has delegated to act on his behalf;

IT IS AGREED by and between the parties hereto that these presents are made and executed upon and subject to the covenants, provisos, conditions and reservations hereinafter set forth and contained, namely:

1. The Sublessee shall use and maintain the said lands, docks and catwalks thereon in conjunction with the use of Part 1, Plan 28R5565 in the City of Brockville.
2. That the Sublessee shall pay all rental herein reserved at the time and in the manner in these Presents set forth, without any abatement or deduction whatever.
3. That the Sublessee shall pay or cause to be paid all rates, taxes and assessments, whatsoever description, that may at any time during the existence of these Presents be imposed, or become due and payable upon, or in respect of the said lands.
4. The Sublessee shall in all respects abide by and comply with all rules, regulations and by-laws of municipalities and other governing bodies, in any manner affecting the said lands.
5. That the Sublessor, its servants or agents shall at all times and for all purposes have full and free access to any and every part of the said land while acting within the scope of their duties or employment.
6. That the Sublessee shall not make any assignment of these Presents, nor any transfer of any of the lands, rights or privileges demised or leased hereunder, without obtaining the prior consent in writing of the Director to such assignment or transfer provided that the Sublessee may rent dock space to individual boat owners during each summer season without prior consent.
7. That no concessions of any kind shall be granted by the Sublessee without the prior approval of the Director.
8. That the Sublessee shall not, during the currency of this sublease, do suffer or permit to be done any act or thing which may impair, damage or injure the said lands beyond the damage occasioned by reasonable use and shall at the Sublessee's own cost and expense maintain and repair all portions of the said land which may at any time be damaged by the Sublessee or its agent other than in the reasonable use thereof, the Minister to be the sole judge of the meaning of the words "reasonable use".
9. That the Sublessee shall not construct or erect any buildings or other structures on the said land without obtaining the approval of the Director, of plans showing the design and nature of construction of such buildings or structures and their proposed

locations, and all such buildings or structures shall be constructed and thereafter maintained by and at the cost and expense of the Sublessee all to the satisfaction of the Director.

10. That the Sublessee shall not, at any time during the currency of this sublease do cause or permit to be done, any act or thing in or upon the said land which shall or may be, or might become an annoyance, nuisance or disturbance to the occupiers of any lands or premises adjoining or in the vicinity of the said land and of which matters the Minister shall be the sole judge and his decision thereon binding on the Sublessee.
11. That it is hereby declared, and this sublease is accepted by the Sublessee upon the express condition that the Sublessee shall have no recourse against the Sublessor, should the Sublessor's title to the said lands be found to be defective, or should these Presents prove ineffectual by reason of any defect in such title.
12. That the Sublessee shall not have any claim or demand against the Sublessor for loss, damage or injury of any nature whatsoever, or howsoever caused to the said lands or to any person or property, at any time brought, placed or made or being on the said lands unless such damage or injury is due to the negligence of any officer or servant of the Sublessor while acting within the scope of its duties or employment.
13. That the Sublessee shall at all times indemnify and save harmless the Sublessor from and against all claims and demands, loss, costs, damages, actions, suits or other proceeds by whomsoever make, brought or prosecuted, in any manner based upon, occasioned by or attributable to the execution of these Presents, or any action taken or things done or maintained by virtue hereof, or the exercise in any manner or rights arising hereunder, except claims for damage resulting from the negligence of the Sublessor while acting within the scope of its duties or employment.
14. That this sublease may be extended:
  - (a) At the sole discretion of the Sublessor, the terms of this agreement may be extended one additional year, and then fully to be complete and ended on the 31<sup>st</sup> day of December 2010.
  - (b) The sublessee shall notify the sublessor a minimum of sixty (60) days in advance of the December 31, 2009 termination date of their desire to extend the terms of this contract one additional year.
15. That this sublease may be terminated at any time:
  - (a) By the Sublessor upon sixty days notice in writing and either delivered to the Sublessee or mailed to the last known place of residence of the Sublessee.
  - (b) By the Sublessee upon sixty days notice in writing such notice to be signed

by the Sublessee and delivered to or mailed, addressed to The City of Brockville, Victoria Building, One King Street West, P.O. Box 5,000, Brockville, Ontario, K6V 7A5

and thereupon, after the expiration of such period of notification, these Presents shall be determined and ended, and the Sublessee shall thereupon, and also in the event of the determination of this sublease in any other manner except re-entry under Clause No. 15 hereof, forthwith remove from the said land all things at any time brought or placed thereon by the Sublessee and shall also to the satisfaction of the Director repair all and every damage and injury occasioned to the said land by reason of such removal or in the performance thereof, but the Sublessee shall not, by reason of any action taken or things performed or required under this clause be entitled to any compensation whatever, provided that, unless required by the Minister, no goods, chattels, materials, effects or things shall be removed from the lands and premises of the Sublessor until all rent due or to become due under this lease is fully paid.

16. That, notwithstanding anything in this sublease contained if the rent above reserved, or any part thereof, shall be in arrears or unpaid, whether or not the same shall have been in any manner demanded or in case default, breach or non-observance be made or suffered by the Sublessee at any time or times, in or in respect of any of the covenants, provisos, conditions and reservations herein contained, which on the part of the Sublessee ought to be observed or performed, then, and in every such case provided such non-payment or rent, default, breach or non-observance is not cured within fifteen days from the date of notice thereof in writing from the Sublessor to the Sublessee and signed by or on behalf of the Minister, the Sublessor may terminate this sublease by giving notice to the Sublessee in writing and either delivered to the Sublessee or mailed to the last known place of residence of the Sublessee and thereupon after the delivery or mailing of such written notification this sublease shall be determined and ended and in that event, it shall be lawful for the Sublessor, its servants or agents, to re-enter and thereafter to have, possess and enjoy the said land and all improvements thereon. And no acceptance of rent subsequent to any breach or default, other than non-payment of rent, nor any condoning, excusing or overlooking by the Sublessor or previous occasions of breaches or defaults similar to that for which re-entry is made shall be taken to operate as a waiver of this condition nor in any way to defeat or affect the rights of the Sublessor hereunder.
17. Provided always and that it is hereby agreed by and between the parties hereto that if the said Sublessee shall hold over after the expiration of the term hereby granted, and the Sublessor shall accept rent, the new tenancy thereby created shall be a tenancy at will and not a tenancy from year to year, and the Sublessee shall pay as rent during the time of such occupancy a rental to be determined at the discretion of the Sublessor, and shall be subject to the covenants and conditions herein contained so far as the same are applicable to tenancy at will.

18. That the Sublessee shall fulfill in all respects the requirements of Part 1 of the Navigable Waters' Protection Act, Chapter N-19 of the Revised Statutes of Canada, 1970.
19. That the Sublessee shall at the Sublessee's own cost and expense, at all times during the currency of this sublease, keep the said lands in a neat and tidy condition, removing or causing to be removed therefrom all papers, refuse, litter, waste, or rubbish arising out of the operation of the Sublessee under this sublease, all to the satisfaction of the Director.

IN WITNESS WHEREOF the parties hereto have executed these Presents this \_\_\_\_\_ day of March, 2009.

SIGNED, SEALED AND DELIVERED in the presence of:

THE CORPORATION OF  
THE CITY OF BROCKVILLE

LEEDS CONDO CORP. #18

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Mayor

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Clerk

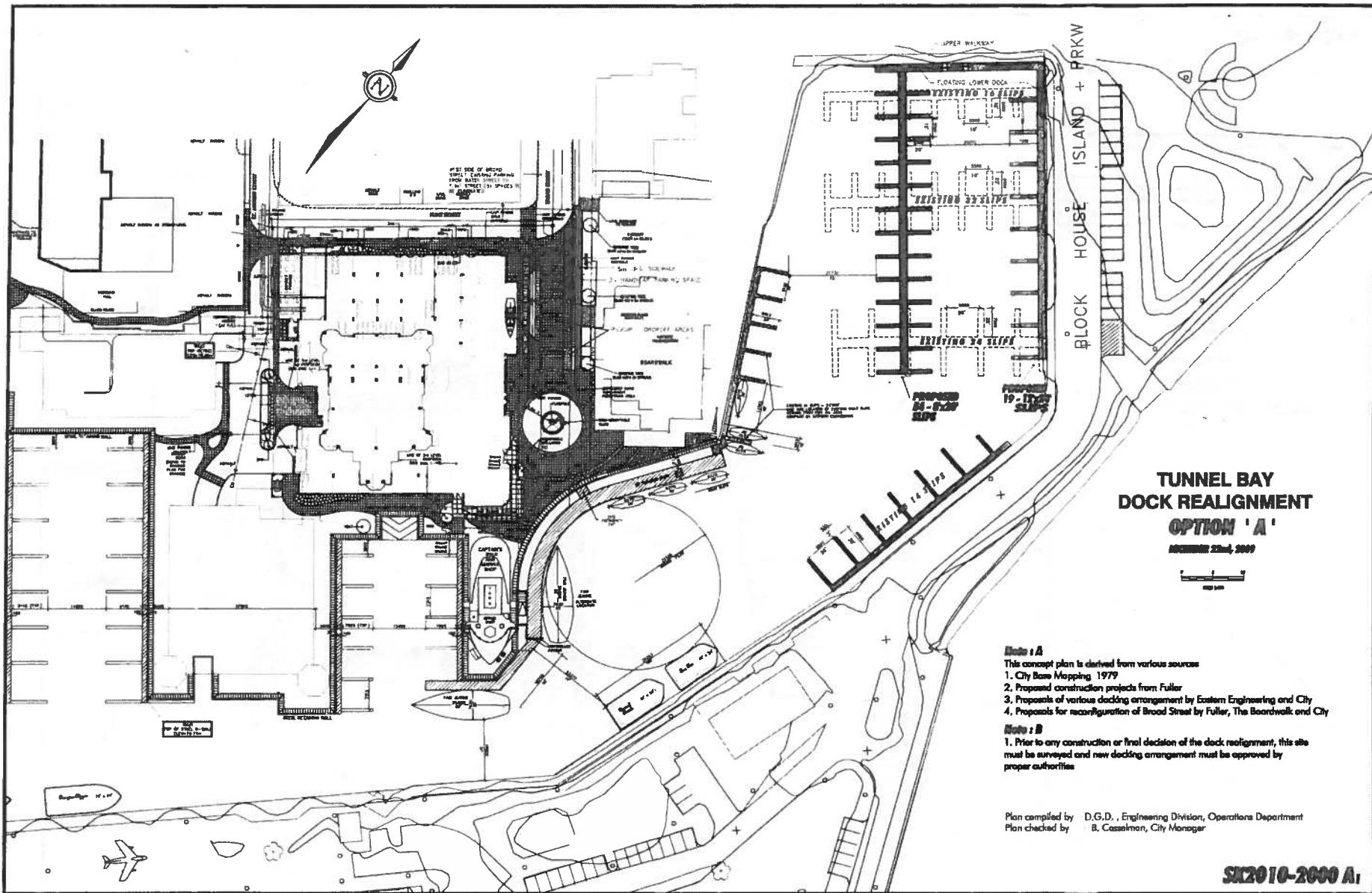
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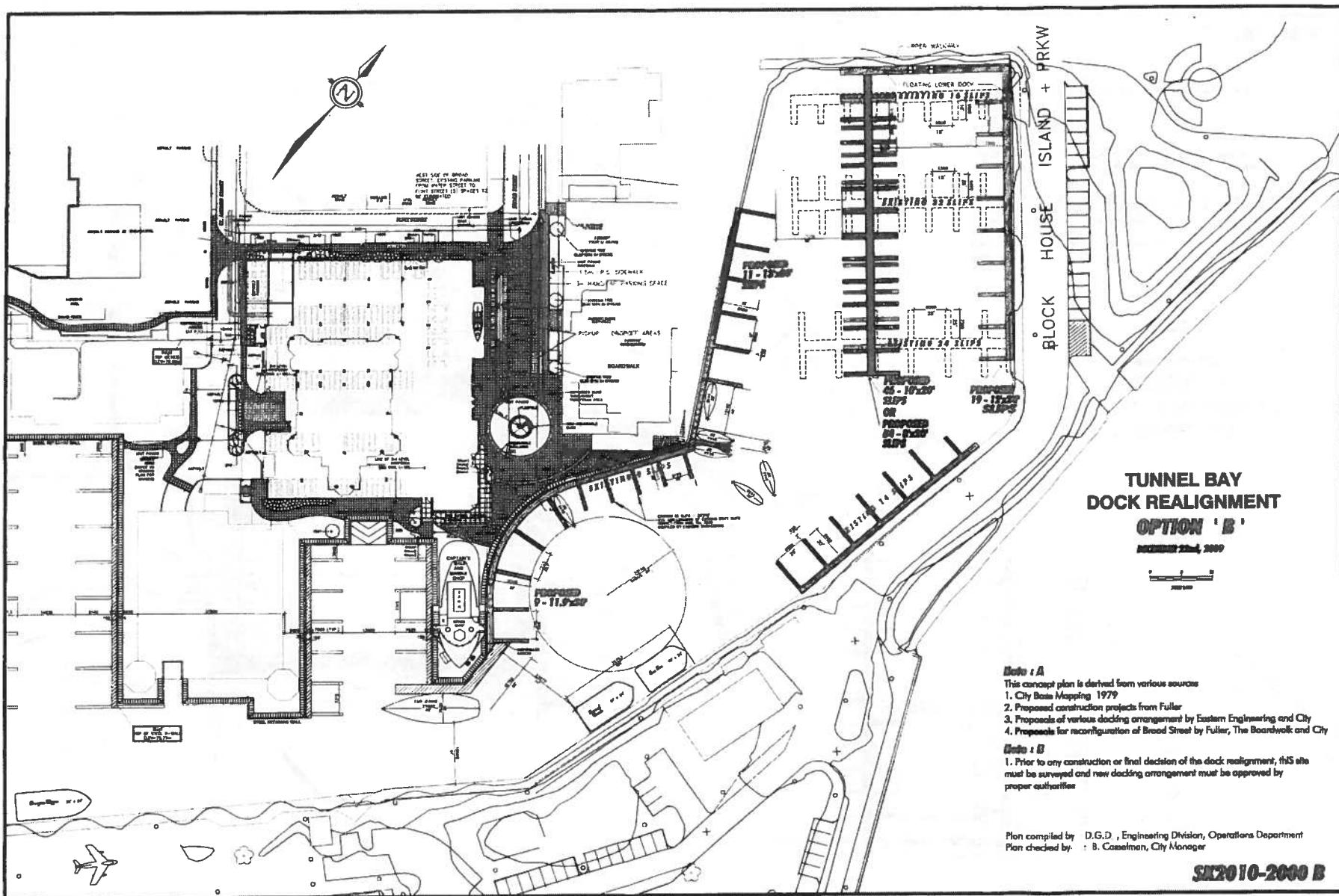
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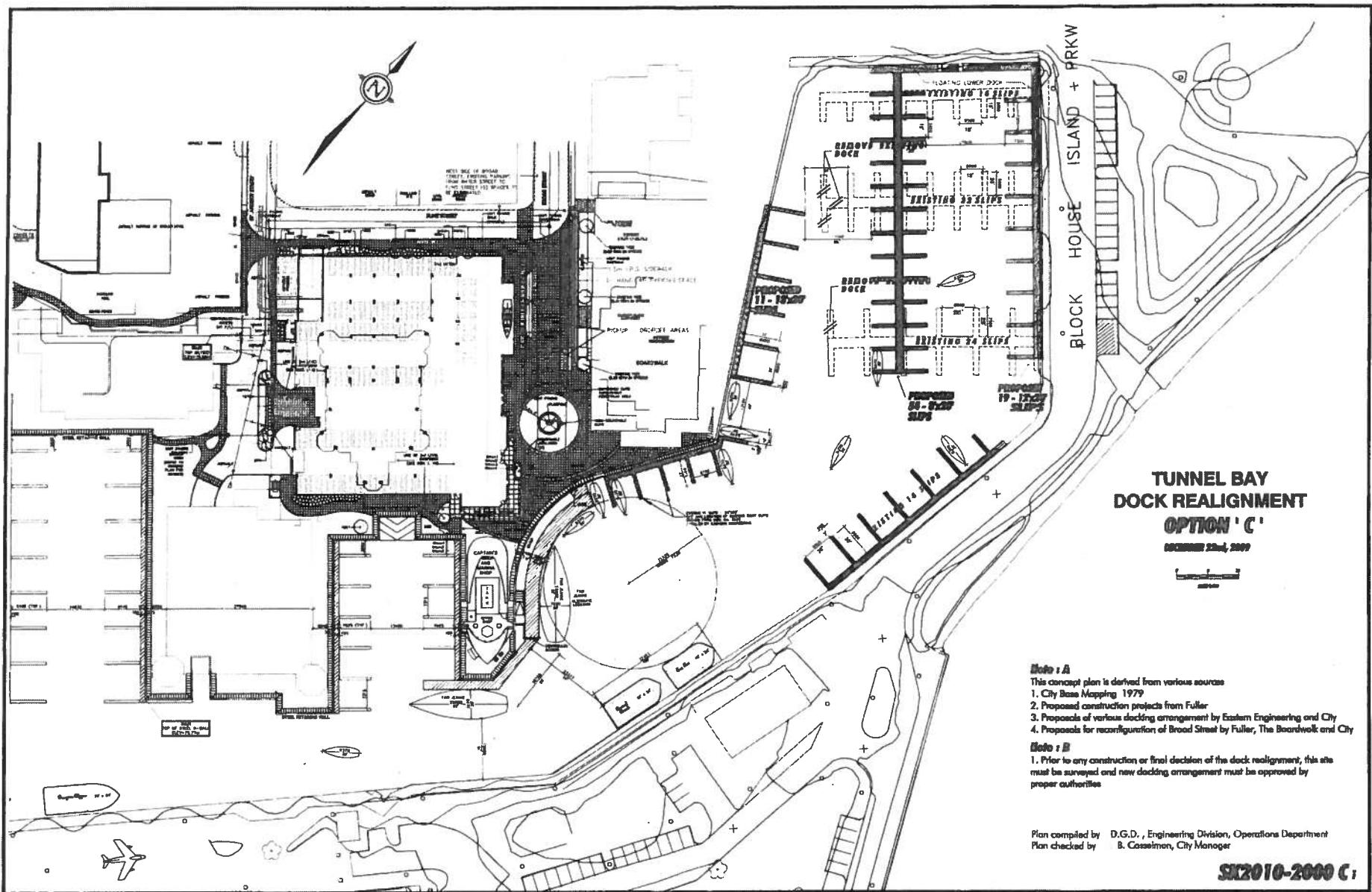
## Waterlot Lease Agreements

Name	Term	Lease Agreement		Description	Termination Clause	Financial		
		Start	End			Revenues	Year	Expenses
Lease (with City of Brockville) Tunnel Bay Marina <i>Docks owned by Fuller Marine Services</i>	7 months + provision for 1 year extension	Apr 1 2007	Oct 31 2011 <i>Memorandum of Understanding extended</i>	Docks	See "Termination of Agreement" Clause 6.2	\$12,060 \$12,400 \$12,751 \$13,199 \$13,571 \$13,571	2004 2005 2006 2007 2008 2009	
Lease (with City of Brockville) Fisheries & Oceans Brockville Municipal Harbour  <i>Docks owned by City</i>	5 yrs	Jan 1 2007	Dec 31 2011	Brockville waterlots  20% of gross revenues	Agreement may be terminated at any time: a) by the City upon 60 days notice in writing b) by the Minister upon 60 days notice in writing		2004 2005 2006 2007 2008 2009	\$28,821 \$28,693 \$32,384 \$31,685 \$32,214 \$36,553
Lease (with City of Brockville) 1082233 Ontario Limited <i>1100 Islands &amp; Seaway Cruises</i>	3 yrs	May 1 2009	Dec 31 2011	Docking plus misc. services	Agreement may be terminated by either party with six months advance notice	\$12,733 \$12,800 \$13,262 \$13,940 \$14,029 \$14,367	2004 2005 2006 2007 2008 2009	
Sublease (with City of Brockville) Leeds Condo Corp. #18 <i>Boardwalk Condominiums</i> <i>Docks owned by Leeds Condo Corp.</i>	1 yr + provision for 1 year extension	Jan 1 2009	Dec 31 2009	Tunnel Bay waterlot	Agreement may be terminated at any time: a) by the City upon 60 days notice in writing b) by the Leeds Condo Corp #18 upon 60 days notice in writing	\$1,250 \$1,250 \$1,250 \$1,357 \$1,390 \$1,423	2004 2005 2006 2007 2008 2009	
Sublease (with City of Brockville) Brockville Yacht Club <i>Docks owned by Yacht Club</i>	5 yrs	Jan 1 2007	Dec 31 2011	foot of St. Paul waterlot	Agreement may be terminated at any time: a) by the City upon 60 days notice in writing b) by the Brockville Yacht Club upon 60 days notice in writing	\$2,500 \$2,500 \$2,500 \$2,713 \$2,770 \$2,608	2004 2005 2006 2007 2008 2009	

2009 12 21







**SCHEDULE 4****SCHEDULE 2**

This Memorandum of Understanding made this 12 day of May , 2008

Between:

THE CORPORATION OF THE CITY OF BROCKVILLE

(herein referred to as the "City")

And:

TALL SHIPS LANDING DEVELOPMENTS INC.

(herein referred to as the "Developer")

WHEREAS:

- A. The Developer has purchased certain lands and water lots in the City of Brockville and is planning to construct a mixed-use development on the lands and utilize its water lot;
- B. The City owns a water lot in front of Ernie Fox Quay (herein after referred to as the "Quay Water Lot"), which is presently leased to the Developer. On this water lot are floating docks, which amongst other things the Developer owns and operates as a marine facility. This Quay Water Lot Lease expires on October 31, 2008;
- C. The City leases from the Federal Department of Fisheries and Oceans a water lot at the foot of Broad Street (herein after referred to as the "Broad Street Water Lot"), which lease expires in 2011;
- D. The Developer intends to utilize its water lot in the construction of its mixed-use development;
- E. The City would like to have constructed and maintained a full service marina in Tunnel Bay and the Developer is willing to provide, on terms and conditions acceptable to both Parties, such a marina;
- F. The Developer is of the opinion, that the City accepts, that to construct and maintain a full service marina as contemplated in this memorandum, more than just boat slips are required, namely, washroom, fuel and pump-out facilities. This suggests a longer term lease or if terminated earlier by the City, a corresponding financial obligation;
- G. The City acknowledges that Tall Ships Landing Developments Inc. may be substituted with Fuller Marine Services;

SO THEREFORE the Parties are setting forth below their general understandings which will govern the preparation of the Public Private Partnership Agreement for the provision of the marine facilities on the lands and water lots described above. It is further understood in this Memorandum of Understanding that there will be many specific terms, calculations and definitions that are not contained in this memorandum, which will have to be included in the Partnership Agreement, and the Parties agree to work diligently in the negotiation of these terms

1. The recitals set out above are true and form part of this MOU.
2. The City to lease to the Developer or a related company part of the Quay Water Lot being 43,977 square feet which is the area currently being leased on terms and conditions set out in this memorandum.
3. The Parties acknowledge that the present marine facilities will have to be decommissioned and the timing of this will be undertaken with the view to cause as little disruption to the use of the marina by its patrons as possible.
4. The Developer commits to constructing a new marine facility on its water lots, the Quay Water Lot at its cost.
  - i) the marina to be full service, containing showers, washroom and fueling/pump out facilities, and to be located on the Developer's Development presently referred to as the Tall Ships Landing and operated at appropriate times and during appropriate months;
  - ii) the cost of decommissioning the present facility is to be borne by the Developer;
  - iii) the cost of building, maintaining and staffing the marina is to be borne by the Developer for the term of the agreement.
5. The Parties acknowledge and agree that in order for the above marina to be viable, the Developer will have to be able to create approximately one hundred and twenty (120) docks. One hundred and ten (110) docks to be allocated to seasonal boaters and ten (10) docks to be allocated to transient boaters. The Parties acknowledge a further term;
  - i) The City wishes to undertake a review of the proposed Marina Facilities east of the centre line of Phase 1. The City has requested the cooperation of the Developer in this review. The Parties agree to create the terms of reference of the review. Should both Parties not support the recommendation of the review by July 31, 2008, the Developer and the City of Brockville acknowledge that the draft conditions of site plan and the existing or new configuration of the

the docks stand. The Parties further agree that a site plan for this area may be submitted at a later date, such delay will not hinder the site plan submission for the balance of Phase 1.

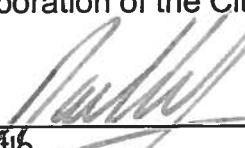
However, at a minimum, the Developer shall provide the City with an easement for public access to the elevated walkway to be constructed over a portion of the wharf in Phase 1.

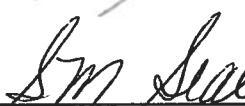
6. It is contemplated by the Parties that the marina will be constructed and decommissioning will occur in phases as the developer's project progresses with the marina facility comprising the three (3) water lots to be completed by June 2015.
7. The City water lot and the Developer's water lots will be managed and slips will be assigned by the Developer subject to the following:
  - i) the Quay Water Lot and the Developer's water lots will be allocated to seasonal use with priority going first to the purchasers in the Developer's project, next to the residents of the City of Brockville, and finally to non-residents, with the proviso that slips that are currently leased to Brockville residents on the City water lot will have the first right to continue with the new docks on new terms and conditions.
8. The Developer is not required to provide any parking on its lands for the marina.
9. The City is to receive twenty percent (20%) of the gross annual mooring revenue received from the Quay Water Lot. Gross revenue is defined as the total revenue from the said water lots less the developer's capital repayment on the capital improvements, i.e. docks (on the said water lots). It is understood by both parties that Fuller Marine Services will charge full market rental for docking taking into consideration the benchmark established by the City.
10. The present lease agreement between the Parties for the operation of the marine facility may be extended for a period of up to three (3) years.
11. The Term of this agreement is to be twenty-five (25) years commencing November 1, 2008 and ceasing on October 31, 2033
12. The City and Developer have the right to terminate this agreement on six (6) months notice (with similar notice provisions that are in effect in the present lease) at five (5) year intervals on the anniversary of the signing of this lease upon the following terms and conditions:
  - i) the Developer will have to expend significant capital sums to fulfill its obligations under this agreement;

- ii) a significant portion of the infrastructure will take place on the developer's adjacent lands, not on the water lots;
  - iii) if the City terminates this lease early the City shall be required to pay to the Developer these capital costs of the marine facility amortized over twenty-five (25) years;
  - iv) if the Developer terminates the lease early the City will not be required to pay any sums to the Developer;
  - v) the parties agree to establish a capital budget by September 1<sup>st</sup>, 2008 Actual Costs to be verified by open book to June 2015;
  - vi) on the 15<sup>th</sup> and 20<sup>th</sup> anniversary of the signing of this lease, the City of Brockville has the right to cancel the lease and lease from the development the marina facilities owned and operated by the Developer at fair market rent. Further particulars of this lease option to the City to be incorporated in the agreement, which will flow from this Memorandum of Understanding.
13. The parties agree that they shall, no later than October 1, 2008 enter into a formal and binding agreement in respect to the subject matter of this agreement.

IN WITNESS WHEREOF, the parties have executed this Memorandum of Understanding as of the date first above written.

Signed, Sealed and Delivered ) The Corporation of the City of Brockville  
In the presence of )

) Per:   
Name/Title \_\_\_\_\_

) Per:   
Name/Title \_\_\_\_\_

) Tall Ships Landing Developments Inc. 

) Per:   
Name/Title \_\_\_\_\_

## Sandra Seale

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**From:** Barb Robinson  
**Sent:** November-20-12 1:14 PM  
**To:** Sandra Seale  
**Subject:** FW: OLG Resolution Support  
**Attachments:** OLG Resolution.pdf

The Mayor just mentioned that this should go to subcommittee first. Thanks  
Barb

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**From:** Kimberly Almeida [<mailto:kimberly@townshireleeds.on.ca>]  
**Sent:** November 20, 2012 12:11 PM  
**To:** Frank Kinsella; Dave Henderson; Elizabethtown - Kitley - Jim Pickard; Front of Yonge - Roger Haley ; Merrickville-Wolford; North Grenville - David Gordon; Prescott - Brett Todd; Rideau Lakes - Ron Holman; TLTI - Frank Kinsella; Town of Gananoque; Township of Athens - Herb Scott; Westport - Bill Thake  
**Cc:** Rodney Burkard  
**Subject:** OLG Resolution Support

Good Day Everyone,

At the request of Mayor Kinsella, I have attached the OLG Casino 'Support the Current Location' resolution that both our Council and the Town of Gananoque's Council have passed.

Please include it in your next agenda package for your Council's consideration and support. I trust this is satisfactory; if you require any further information, please do not hesitate to contact myself or Mayor Kinsella.

Regards,

*Kimberly Almeida*  
Administrative Assistant  
Township of Leeds and the Thousand Islands  
Phone: 1-866-220-2327 x 205  
Phone: 1-613-659-2415 x 205  
Fax: 1-613-659-3619  
[kimberly@townshireleeds.on.ca](mailto:kimberly@townshireleeds.on.ca)

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Information from ESET NOD32 Antivirus, version of virus signature database 7712 (20121120)

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The message was checked by ESET NOD32 Antivirus.

<http://www.eset.com>

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Information from ESET NOD32 Antivirus, version of virus signature database 7712 (20121120)

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# TOWNSHIP OF LEEDS & THOUSAND ISLANDS

DATE	October 29, 2012
RESOLUTION NO.	509-12

MOVED BY Councillor Dickson

SECONDED BY Councillor Kelsey

**WHEREAS** the Ontario Lottery and Gaming Corporation (OLG) has initiated a process to modernize gaming in Ontario; and

**WHEREAS** the OLG has established a process for municipal participation and resolutions; and

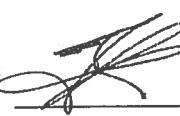
**WHEREAS** the OLG identified geographic zones where a service provider will be permitted to operate a single gaming site; and

**WHEREAS** the service provider within each geographic zone will have the option to relocate each facility or maintain the current location;

**THEREFORE BE IT RESOLVED THAT** Council supports the current location in the Township of Leeds and Thousand Islands for the OLG Casino Thousand Islands in the Eastern Ontario Zone: E3.

REQUESTED BY:		
YEA	TITLE	NAE
	Mayor Kinsella	
	Deputy Mayor Conarroe	
	Councillor Dickson	
	Councillor Emmons	
	Councillor Kelsey	
	Councillor Lesage-Tye	
	Councillor Merkley	
	TOTALS	

Carried/Lost

MAYOR