



TOWN OF COLLINGWOOD
COUNCIL AGENDA
Monday, January 31, 2022

“Collingwood is a responsible, sustainable, and accessible community that leverages its core strengths: a vibrant downtown, a setting within the natural environment, and an extensive waterfront. This offers a healthy, affordable, and four-season lifestyle to all residents, businesses, and visitors.”

A meeting of Council will be held Monday, January 31, 2022 by Videoconference with regular business commencing at 5:00 p.m. and an In-camera Meeting commencing at 2:00 p.m.

To participate in the webinar please visit the following link or contact clerk@collingwood.ca
<https://us02web.zoom.us/j/84754885746?pwd=V2tGQ0lCL2lPeWgvVjhiZnNMV0hLUt09>

Or dial in by telephone: +1 647 374 4685 or +1 647 558 0588

Webinar ID: 847 5488 5746

Passcode: 272835

ORDER OF BUSINESS

Page

1. CALL OF COUNCIL TO ORDER

2. ADOPTION OF AGENDA

2.1. Motion to adopt agenda

THAT the content of the Council Agenda for January 31, 2022 be adopted as presented.

3. DECLARATIONS OF PECUNIARY INTEREST

Note: In accordance with the Council Code of Conflict, Procedural By-law and the Municipal Conflict of Interest Act Council members must file with the Clerk a written statement of the conflict, for inclusion on the Conflict of Interest Registry.

4. IN-CAMERA (2:00 P.M.)

4.1. Proceed In-Camera

WHEREAS the Clerk hereby concurs the reason(s) for the in-camera session have been duly reviewed and considered and the matters are authorized under the exception provisions to conduct a closed session in accordance with the Municipal Act prior to proceeding into closed session;

THEREFORE BE IT RESOLVED THAT this Council proceeds in camera in order to address a matter pertaining to:

- litigation or potential litigation, including matters before administrative tribunals, affecting the Town or a Local Board; (a)

- the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; (a)
- a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on, or to be carried, by or on behalf of the municipality or local board. (a)

Items for discussion: a) OLT Matters (31 Huron St. and 12 Fourth St. W)

4.2. Rise and Report

5. REGULAR BUSINESS OF COUNCIL (5:00 P.M.)

5.1. For more than 15,000 years, the First Nations walked upon, and cared for, the lands we now call home. Anishinaabek, Haudenosaunee, Ojibwe, and many others who were families, friends, and communities, the way we are today. The Town of Collingwood acknowledges the Lake Simcoe-Nottawasaga Treaty of 1818 and the relationship it establishes with the original inhabitants of Turtle Island. We acknowledge the reality of our shared history, and the current contributions of Indigenous people within our community. We seek to continue empowering expressions of pride amongst all of the diverse stakeholders in this area. We seek to do better, and to continue to recognize, learn, and grow, in friendship and community, Nation-to-Nation.

6. ADOPTION OF MINUTES

6.1. Regular meeting of Council held January 24, 2022

9 - 22

THAT the minutes of the Council meeting held January 24, 2022 be approved as presented.

[Council - 24 Jan 2022 - Minutes - Pdf](#)

6.2. Business arising from the previous minutes

7. COMMUNITY ANNOUNCEMENTS

8. PUBLIC MEETINGS

If you wish to provide comment or speak at the public meeting, please view the meeting using the following link:

<https://us02web.zoom.us/j/84754885746?pwd=V2tGQ0lCL2lPeWgvVjhiZnNMV0hLUT09>

Or dial in by telephone: +1 647 374 4685 or +1 647 558 0588

Webinar ID: 847 5488 5746

Passcode: 272835

This link allows you to participate in the ZOOM Webinar as a participant using one of the three options provided below. Please ensure you have good connectivity and audio functionality on the device (smartphone, laptop, tablet, etc.) you will be using. Depending on your device you may need to download the ZOOM App ahead of the meeting.

You may ask questions or provide comment in one of the following manners:

- Use the “Raise your Hand” feature (*9 by telephone) and the host will unmute your microphone; or
- Request to speak through a message in the Webinar Chat, and the host will unmute your microphone; or
- If you prefer to provide a comment or question, but do not want to speak please enter your comment or question in the Webinar Chat.

Written comments and questions may also be provided ahead of the meeting to clerk@collingwood.ca. These comments will be circulated to Council for consideration.

8.1. Proposed Draft Plan of Vacant Land Condominium - Residences of Silver Creek (Town File No. D07121)

23 - 24

TAKE NOTICE that the Council of the Corporation of the Town of Collingwood will hold a public meeting on Monday January 31st at 5:00 p.m. virtually by ZOOM webinar to hear the planning merits and gather public input regarding a proposed Draft Plan of Vacant Land Condominium under Section 51 of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended. This application has been deemed to be a complete submission under Section 51(19.1) of the *Planning Act*.

LOCATION: The proposed Draft Plan of Vacant Land Condominium (Town File No. D07121) pertains to land located on the south side of Highway No. 26 West and is municipally addressed as 11403, 11453, & 11642 Highway 26, Town of Collingwood, County of Simcoe. The proposed development is otherwise known as the Residences of Silver Creek.

THE PURPOSE of the proposed Draft Plan of Vacant Land Condominium is to create five (5) vacant condominium units. Unit 5 would be sold for the proposed future development of townhouse dwellings. Unit 1 would be retained for the proposed future development of apartment dwellings. Unit 2 would contain a proposed future amenity building that would serve all residents of the condominium plan. Units 3 and 4 would contain proposed future signage for the full condominium plan. The proposed Draft Plan of Vacant Land Condominium would also have a common elements block for legal rights, such as access for the proposed condominium units.

THE EFFECT of the Draft Plan of Vacant Land Condominium is to facilitate the sale of Unit 5 for the proposed future development of townhouse dwellings with shared ownership and maintenance of the common elements.

APPLICATION DETAILS

All of the information associated with this application can be found at: collingwood.ca/D07121

ANY PERSON may attend the public meeting and/or make written or verbal representation either in support of or in opposition to the proposed Draft Plan of Vacant Land Condominium.

If a person or public body does not make oral submissions at a public meeting, if one is held, or make written submissions to the Town of Collingwood in

respect of the proposed Draft Plan of Vacant Land Condominium before the approval authority gives or refuses to give approval to the Draft Plan of Vacant Land Condominium, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

If you wish to be notified of the decision of the Council of the Town of Collingwood in respect of the proposed Draft Plan of Vacant Land Condominium, you must make a written request to Ms. Sara Almas, Clerk, Town of Collingwood, P.O. Box 157, 97 Hurontario Street, Collingwood, Ontario L9Y 3Z5. Email salmas@collingwood.ca

FOR MORE INFORMATION about this matter, including information about preserving your appeal rights, contact Planning Services by email at iteakle@collingwood.ca or telephone number (705) 445-1290 Monday to Friday 8:30 am to 4:30 pm. For application details, visit the website here: collingwood.ca/D07121
[Notice of Public Meeting File No. D07121](#)

9. DEPUTATIONS

- 9.1. Proposed Telecommunication Tower 879 Sixth St. - *Vallari Patel on behalf of FONTUR International Inc.*
- 9.2. Code of Conduct Complaint Investigation Report, *Principles Integrity* 25 - 37
THAT the Principle's Integrity Complaint Investigation Report regarding a Code of Conduct complaint against a Councillor dated January 17, 2022 be received.
[Integrity Commissioner Complaint Investigation Report](#)

10. INTERIM CONTROL BY-LAW UPDATES

- 10.1. Update on Water Capacity and Land Use Planning Study, *CAO Skinner*

11. STANDING COMMITTEE REPORT

11.1 STANDING COMMITTEE REPORT - Development & Operations Services, January 17, 2022

- 11.1.1 38 - 42
THAT Council receive the Development & Operations Services Standing Committee Report from its meeting held January 17, 2022, and hereby approve the recommendations contained within the report as presented.

[Development & Operations Services Standing Committee - 17 Jan 2022 - Minutes - Pdf](#)

STAFF REPORTS

Only need to list separately if the vote at standing committee was not unanimous.

Only need to list separately if the vote at standing committee was not unanimous.

- 11.1.2 P2022-02 Radiocommunications Tower Proposal: 879 Sixth Street (File No. D112020) (Defeated 2:2) 43 - 51

THAT Staff Report P2022-02 Radiocommunications Tower Proposal: 879 Sixth Street (File No. D112020) be received;

AND THAT Council approve a concurrence for the radiocommunications tower proposed at 879 Sixth Street to be provided to Industry Science and Economic Development Canada.
[P2022-02 Radiocommunications Tower 879 Sixth St](#)

12. STAFF REPORTS

- 12.1. CAO2022-01 Interim Control By-law No. 2021-024 Exemption Requests – Deadline for Acceptance of ICBL Exemption Applications 52 - 55

THAT Staff Report CAO2022-01 Interim Control By-law No. 2021-024 Exemption Requests - Deadline for Acceptance of ICBL Exemption Applications be received;

AND FURTHER THAT Council provide staff direction to advise the community that the window to apply for eligible exemptions to Interim Control By-law No. 2021-024 will close on February 14, 2022, in order to be considered by Strategic Initiatives Committee, Development and Operations Committee and/or Council in the March meeting cycle.

[CAO2022-01 ICBL Exemption Applications Deadline](#)

- 12.2. C2022-02 Filling of Office Vacancy (Councillor) re: Resignation 56 - 64

THAT Staff Report C2022-02 Filling of Office Vacancy (Councillor) re: Resignation, be received;

AND FURTHER THAT Council authorize staff to immediately proceed with one of the following options to fill the vacancy by appointment:

Option 1: Invite applications from any interested qualified elector to be considered for the vacancy, and approve the Appointment Procedure attached hereto;

Option 2: Appoint an eligible candidate from the most recent municipal election (2018) who ran for the same office or another office;

Option 3: Appoint any other qualified individual who consents to the appointment; or

Option 4: Appoint an existing member of Council to the vacant office.

[C2022-02 Filling of Office Vacancy Councillor Resignation](#)

13. MOTIONS

- 13.1. No Scheduling of Council and Standing Committee Meetings over School Holidays, *Councillor Hamlin*
Notice provided at the 24 January 2022 Council meeting

WHEREAS Council supports encouraging a broader pool of candidates for council and committees including individuals with school aged children and younger adults;

AND WHEREAS the holding of council, standing committee and other committee and board meetings during regular school holidays creates potential scheduling and daycare challenges that could discourage such candidates from standing for election;

THEREFORE BE IT RESOLVED THAT Staff prepare the necessary amendments to the Procedural By-law to not hold or schedule regular meetings of Council, Standing Committee or Other Committees and Boards on a date that coincides with a regular Simcoe County District School Board holiday inclusive of the December Holiday Break and Spring Break that generally occurs in March.

AND THAT these changes be reflected in the 2022 Town of Collingwood meeting schedule pending the approval of the amending by-law.

- 13.2. Procedural By-law Amendment in the Instance of a Vacancy of the Positions of both the Mayor and Deputy Mayor, *Councillor Jeffery*
Notice provided at the 24 January 2022 Council meeting (revised)

WHEREAS Procedural By-Law 2.5 'Absence of Mayor' provides for the absence of the Mayor or Deputy Mayor and does not address the vacancy of the Office of the Mayor or Deputy Mayor;

AND WHEREAS Procedural By-Law 2.5 does not take into consideration various qualifications and the best interests of the municipality which can be very circumstance specific as it relates to alternate roles and responsibilities;

AND WHEREAS a pillar of the Community Based Strategic Plan is based on Transparent and Accountable Local Government committed to continuous improvement and enhancement of the public trust;

THEREFORE BE IT RESOLVED that Council direct the Clerk to prepare an amendment to Procedural By-law 2021-090 to include a provision on how the temporary role and responsibilities of the Mayor and Deputy Mayor are addressed if their seat becomes vacant to provide for the County Council alternate to assume the responsibilities of the vacant seat until another person is appointed, and in the event of a vacancy of both the Mayor and Deputy Mayor Offices, that the County Council Alternate assume the responsibilities of the Mayor and provide Council the authority to appoint a Councillor to fill the temporary role of the Deputy Mayor as Council deems appropriate and in the best interest of the municipality until such time as the vacancy can be filled in accordance with the *Municipal Act, 2001*.

14. NOTICE OF MOTION

15. COUNTY REPORT

Simcoe County Council Highlights are not available at this time, County Council agendas and minutes can be found on the [Simcoe County Council Portal](#).

16. CONSENT AGENDA

General Consent Items

THAT Council herein receive the General Consent Agenda;

AND FURTHER that the information and opinions provided in the General Consent Agenda Items are that of the author(s) and are not verified or approved as being correct.

- | | | |
|-------|---|---------|
| 16.1. | Proclamation - World Thinking Day (February 22, 2022)
<i>Clock Tower will be illuminated blue February 21-21, 2022 for World Thinking Day and Guide-Scout Week</i>
Proclamation - Guide Scout Week - World Thinking Day | 65 |
| 16.2. | Proclamation - Black History Month (February 2022)
Proclamation - Black History Month (Feb 2022) | 66 |
| 16.3. | Proclamation - Kin's Canada Day & Kin's Canada Week (February 20-26, 2022)
Proclamation - Kins Canada Day & Week 2022 | 67 |
| 16.4. | Ministry of Transportation - 2021-22 Gas Tax Program Funding Allocation
MTO - 2021-2022 Gas Tax Program Funding | 68 - 69 |
| 16.5. | Tina Comi - Response to Integrity Commissioner's Report
Tina Comi - Response to IC Code of Conduct Complaint Report | 70 - 77 |

17. COUNCIL BUSINESS

17.1 OLD OR DEFERRED BUSINESS

17.2 OTHER BUSINESS

- | | | |
|--------|---|---------|
| 17.2.1 | NVCA Board Meeting Highlights, November 22, 2021 and December 10, 2021
<i>Item pulled from 17 January 2022 Development & Operations Services standing committee meeting consent agenda</i>
NVCA Highlights 12-10
NVCA Highlights 11-22 | 78 - 81 |
|--------|---|---------|

18. CONFIRMATORY BY-LAW

18.1. **THAT By-law No. 2022-004**, being a by-law to confirm the proceedings of the regular meeting of Council held January 31, 2022, be enacted and passed this 31st day of January, 2022
[BL2022-004 Confirmatory](#)

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19. ADJOURNMENT

**Presentations using electronic devices must be submitted to Clerk Services 48 hours prior to the scheduled meeting. After this deadline, electronic presentations will not be permitted.*



TOWN OF COLLINGWOOD
COUNCIL MINUTES
Monday, January 24, 2022

“Collingwood is a responsible, sustainable, and accessible community that leverages its core strengths: a vibrant downtown, a setting within the natural environment, and an extensive waterfront. This offers a healthy, affordable, and four-season lifestyle to all residents, businesses, and visitors.”

A regular meeting of Council was held Monday, January 24, 2022 by Videoconference with the in-camera session commencing at 2:00PM and regular business commencing at 5:00PM for the specific reasons provided below.

Council Present: Mayor Saunderson
Councillor McLeod
Councillor Madigan
Councillor Doherty
Councillor Berman
Councillor Jeffery
Councillor Hamlin

Council Absent: Deputy Mayor Hull

Staff Present: Sonya Skinner, CAO
Amanda Pegg, Executive Director, Customer & Corporate Services
Sara Almas, Clerk
Dean Collver, Director, Parks, Recreation and Culture
Monica Quinlan, Treasurer
Peggy Slama, Director, Public Works, Engineering & Environmental Services
Summer Valentine, Director, Planning and Building Services
Ross Parr, Fire Chief
Stefanie Hochrein, Committee Secretary

1. CALL OF COUNCIL TO ORDER

Mayor Saunderson called Council to order at 2:00 p.m.

2. ADOPTION OF AGENDA

RES-004-2022

Moved by Councillor Madigan
Seconded by Councillor Berman

THAT the content of the Council Agenda for January 24, 2022 be adopted as amended:

- Remove 4.1 In-Camera Item c) IBEW-W Negotiations
- Add 17.2.1 Welcoming Family Physicians to Collingwood, *Councillor Hamlin*

- Revise order of business by moving Item 9.1 Update on Water Capacity and Land Use Planning Study before Item 8 - Public Meetings
- Add Motion under Section 12: 12.4 Declaration of Vacant Office of Councillor for the Town of Collingwood

CARRIED.

3. DECLARATIONS OF PECUNIARY INTEREST

None.

4. In-Camera (2:00 p.m.)

4.1. Proceed In-Camera

RES-005-2022

Moved by Councillor Hamlin

Seconded by Councillor Jeffery

WHEREAS the Clerk hereby concurs the reason(s) for the in-camera session have been duly reviewed and considered and the matters are authorized under the exception provisions to conduct a closed session in accordance with the Municipal Act prior to proceeding into closed session;

THEREFORE BE IT RESOLVED THAT this Council proceeds in camera in order to address a matter pertaining to:

- personal matters about an identifiable individual, including Town or Local Board employees; (a)
- ~~labour relations or employee negotiations; (c)~~
- litigation or potential litigation, including matters before administrative tribunals, affecting the Town or a Local Board; (d)
- a proposed or pending acquisition or disposal of land for Town or Local Board purposes; (b)
- the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; (a) (d)

Items for discussion: a) CJI Follow-up Legal Advice; b) Property Disposal - Ann Street Unopen Road Allowance; ~~c) BEW-W Negotiations~~ and d) Correspondence

CARRIED. (2:02 p.m.)

4.2. Rise and Report

RES-006-2022

Moved by Councillor Jeffery

Seconded by Councillor Berman

BE IT RESOLVED THAT Council rise from in-camera and return to public session. (3:37 p.m.)

CARRIED.

Mayor Saunderson provided that Council received legal advice with respect to follow up items regarding the Collingwood Judicial Inquiry and have instructed staff and legal counsel to take appropriate next steps. Council additionally received legal advice regarding motions later on the agenda and will proceed accordingly.

5. Regular Business of Council (5:00 p.m.)

Council recessed and resumed regular business of Council at 5:00 p.m.

Councillor Berman provided recognition and acknowledgement of the traditional territory of the Indigenous peoples.

6. ADOPTION OF MINUTES

- 6.1. Regular meeting of Council held December 20, 2021 and Special Meeting of Council held January 10, 2022

RES-007-2022

Moved by Councillor Doherty
Seconded by Councillor Madigan

THAT the minutes of the Council meetings held December 20, 2021 and the special meeting of Council held January 10, 2022 be approved as presented.

CARRIED.

- 6.2. Business arising from the previous minutes

None.

7. COMMUNITY ANNOUNCEMENTS

- 7.1. Available Shelter Services, *Sara Peddle, Executive Director, Busby Centre*

Ms. Peddle discussed the role of the Busby Centre and partnership with Out of the Cold Collingwood noting the Busby Centre works closely with various community stakeholders monitoring the needs of the community. She advised that the Busby Centre has taken over operations of the shelter program due to the complex pandemic response and growing needs in the community. She further discussed the urgency of affordable housing in Collingwood and developing sustainable and supportive housing solutions.

Council reported on various community announcements and events.

8. Interim Control By-law Updates

- 8.1. Update on Water Capacity and Land Use Planning Study, *CAO Skinner*

CAO Skinner provided a detailed update to Council and the community regarding the current water capacity issues, the Land Use Planning Study progress, reviewed next steps, and responded to questions.

9. PUBLIC MEETINGS

Mayor Saunderson reviewed the process regarding the public planning meeting, including requirements of the Planning Act, participation and rights pertaining to any future matter in regard to the subject application.

Director Valentine confirmed notice for the proposed public planning meeting was provided in accordance with the Planning Act.

9.2. ICBL Zoning By-law Amendment and ICBL Land Use Planning Policy Study

Director Valentine provided an overview of the proposed Zoning By-law Amendment , noting the application is municipally initiated and is a recommended outcome of the Land Use Planning Policy Study associated with the Interim Control By-law No. 2021-024, as amended.

Nick McDonald, Meridian Planning reviewed the background and actions to date, discussed the servicing capacity allocation framework, reviewed the intent and contents of the recommended allocation policy, and provided a detailed overview of the proposed by-law amendments noting the relationship between the ICBL and proposed zoning by-law.

Purpose and Effect: The proposed Zoning By-law Amendment would apply to the entirety of the geographic area of the Town of Collingwood, except where specifically exempted. The purpose of the proposed Zoning By-law Amendment is to prohibit the use of land or the erection or use of buildings or structures unless adequate municipal services are available to service the land, buildings or structures, except where development is permitted on private individual onsite water and wastewater systems and/or for minor construction activities. The proposed change was recommended through the Land Use Planning Policy Study associated with the Interim Control By-law No. 2021-024, as amended.

The effect of the proposed Zoning By-law Amendment is to allow the Town's Chief Building Official, in consultation with the Environmental Services Division, to consider whether adequate services are available when considering an application for a building permit thereby providing an ability to control and track the allocation of municipal servicing capacity at the building permit stage if not already addressed through previous planning approvals and/or agreements.

Additional information and material regarding the proposed Zoning By-law Amendment, including related staff reports and the draft amending by-law, is available to the public for inspection via the following website:
<https://engage.collingwood.ca/interim-control-by-law-icbl>

9.3. Public Comment

Patrick Harrington, on behalf of Crestpoint Real Estate Investments Ltd., expressed concern regarding the use of the word "adequate" with respect to water and wastewater capacity in the proposed zoning by-law amendment, and requested consideration be given to exempt existing employment users or commercial users to be able to undertake necessary renovations for re-tenanting to existing spaces that already have water.

John Welton, expressed concern regarding the timing of the Land Use Policy Study and options being considered, and requested consideration be given to lengthen the meeting with the development community in February to allow for further public input into the proposed policy.

Mayor Saunderson called for the second and third time for public comment. There being no further comment, the public portion of the meeting closed at 6:18 p.m.

Director Valentine responded to questions from Council.

10. REPORTS/MINUTES OF OTHER COMMITTEES/BOARDS

RES-008-2022

Moved by Councillor Berman
Seconded by Councillor Jeffery

THAT the minutes of the following Boards be hereby received, and recommendations contained therein be approved:

- Special Collingwood Public Library Board minutes, December 14, 2021 and December 16, 2021

CARRIED.

11. STANDING COMMITTEE REPORT

11.1. STANDING COMMITTEE REPORT - Strategic Initiatives, January 10, 2022

11.1.1. Director Valentine provided an update regarding Staff Report P2022-01 noting the report is meant to provide clarity to Council, developers, staff and the public on how land use planning appeals are managed by the municipality, and provided clarification with respect to the existing OLT appeal "Huntingwood" and reviewed provisions regarding settlement negotiations and the settlement process in the OLT Process report.

RES-009-2022

Moved by Councillor Madigan
Seconded by Councillor Doherty

THAT Council receive the Strategic Initiatives Standing Committee Report from its meeting held January 10, 2022, and hereby approve the recommendations contained within the report as presented.

P2022-01 Ontario Land Tribunal (OLT) Appeals Process

- Recommendation that the general process identified in the report be followed when major OLT appeals are received and staff report back to Council on budget and workload implications.

CCS2022-01 COVID-19 Considerations to Align with Moving to Modified Step Two of the Roadmap to Reopen

- Recommendation to receive the report

CARRIED.

11.2. STAFF REPORTS

11.2.1. CCS2022-01 COVID-19 Considerations to Align with Moving to Modified Step Two of the Roadmap to Reopen

RES-010-2022

Moved by Councillor Doherty
Seconded by Councillor Hamlin

THAT Council reconsider RES-324-2021 specific to the reinstatement of Townhall Customer Service; (2/3 majority vote required)

DEFEATED.

11.3. STANDING COMMITTEE REPORT - Corporate & Community Services, January 10, 2022

11.3.1. **RES-011-2022**

Moved by Councillor McLeod
Seconded by Councillor Madigan

THAT Council receive the Corporate & Community Services Standing Committee Report from its meeting held January 10, 2022, and hereby approve the recommendations contained within the report as presented.

Collingwood Downtown BIA Board of Management Minutes, December 9, 2021

- BIA Recommendation: **THAT** the BIA Board of Management recommends the Town investigate the acquisition of property in the Downtown for a Market Square (matter to be discussed at a future in-camera session).

CARRIED.

12. MOTIONS

12.1. Support for Joint and Several Liability Reform, *Councillor Doherty*

Notice provided at the 10 January 2022 Strategic Initiatives standing committee meeting

RES-012-2022

Moved by Councillor Doherty
Seconded by Councillor Hamlin

THAT Council support AMO's call upon the province to re-establish the priority for legislative action on joint and several liability before the end of its mandate; and to support AMO's previously submitted recommendations for joint and several liability reform.

CARRIED.

Mayor Saunderson relinquished the Chair to Councillor McLeod.

- 12.2. Revocation of the Order of Collingwood, *Mayor Saunderson*
Notice of motion provided at the 10 January 2022 Strategic Initiatives standing committee meeting

RES-013-2022

Moved by Mayor Saunderson
Seconded by Councillor Berman

WHEREAS the Order of Collingwood was established in 1983 to recognize exemplary Volunteer achievements by people who improve the social well-being, natural or cultural environment, or recreational character of the Town of Collingwood;

AND WHEREAS a recipient of the Order of Collingwood becomes a lifelong member of the Order of Collingwood and is entitled to all such privileges as may be bestowed upon members of the Order of Collingwood from time to time;

AND WHEREAS Council has the authority to rescind or revoke an award from a recipient at its discretion when a recipient's conduct deviates significantly from recognized standards and is seen as undermining the credibility, integrity, or relevance of the Order;

AND WHEREAS Mr. Ed Houghton was awarded the Order of Collingwood in 1998;

AND WHEREAS Mr. Houghton was the CEO of Collus Power Corporation and Acting CAO of the Town of Collingwood when the Town closed the sale of 50% of its interest in Collus Power Corporation to Powertstream Incorporated in 2012 and subsequently used the proceeds to purchase 2 Sprung buildings for the Town's recreation facilities through a sole-sourced procurement;

AND WHEREAS the Council of 2014-2018 asked the Chief Justice of the Superior Court of Ontario to strike a Judicial Inquiry into these 2 transactions in 2018 and the then Associate Chief Justice Frank Marrocco was appointed the Commissioner of the Collingwood Judicial Inquiry;

AND WHEREAS Justice Marrocco released his report on November 2, 2020, in which he found that, “undisclosed conflicts, unfair procurements, and lack of transparency stained both transactions;”

AND WHEREAS Justice Marrocco found that Mr. Houghton, “enjoyed unusual influence and freedom in his roles with the Town and Collus corporations” and that Mr. Houghton was a central figure in both transactions;

AND WHEREAS Mr. Justice Marrocco did not accept Mr. Houghton’s evidence on critical aspects of the Inquiry including the preparation of the staff report on the Sprung buildings and contract. Specifically, Justice Marrocco found that, “the staff report recommended a sole-sourced procurement based on misrepresentations, misstatements, mischaracterizations, omissions, and other inaccuracies;”

AND WHEREAS Mr. Justice Marrocco found that when, “the answers to legitimate questions are dismissive, spun, or obfuscated, public trust further erodes” and that, “the relationship between the public and its municipal government may never be the same;”

AND WHEREAS Mr. Houghton’s actions during these two transactions, as found by Justice Marrocco in his report, undermined the credibility and integrity of the Order of Collingwood and had a profound, devastating and lasting impact on our community.

NOW THEREFORE BE IT RESOLVED THAT Council revoke Mr. Houghton’s Order of Collingwood effective immediately.

CARRIED. (recorded vote)

Yea: Mayor Saunderson, Councillor McLeod, Councillor Madigan, Councillor Doherty, Councillor Berman, Councillor Jeffery, and Councillor Hamlin
Nay: None

- 12.3. Termination of Town's Membership in the Ontario Municipal Water Association (OMWA), *Mayor Saunderson*
Notice provided at the 10 January 2022 Strategic Initiatives standing committee meeting

RES-014-2022

Moved by Mayor Saunderson
Seconded by Councillor Berman

WHEREAS Collingwood is a member of the Ontario Municipal Water Association (OMWA);

AND WHEREAS the OMWA website lists Mr. Ed Houghton as the Executive Director of OMWA;

AND WHEREAS Mr. Houghton was the CEO of Collus Power Corporation and the Acting CAO for the Town of Collingwood when the Town closed the sale of 50% of its

interest in Collus Power Corporation to Powertsream Incorporated in 2012 and subsequently used the proceeds to purchase 2 Sprung buildings for the Town's recreation facilities through a sole-sourced procurement;

AND WHEREAS the Town of Collingwood Council of 2014-2018 asked the Chief Justice of the Superior Court of Ontario to strike a Judicial Inquiry into these 2 transactions in 2018 and the then Associate Chief Justice Frank Marrocco was appointed the Commissioner of the Collingwood Judicial Inquiry;

AND WHEREAS Justice Marrocco released his report on November 2, 2020, in which he found that, "undisclosed conflicts, unfair procurements, and lack of transparency stained both transactions;"

AND WHEREAS Justice Marrocco found that when, "the answers to legitimate questions are dismissive, spun, or obfuscated, public trust further erodes" and that, "the relationship between the public and its municipal government may never be the same;"

AND WHEREAS Justice Marrocco found that Mr. Houghton, "enjoyed unusual influence and freedom in his roles with the Town and Collus corporations" and that Mr. Houghton was a central figure in both transactions;

AND WHEREAS Mr. Houghton's actions during these two transactions, as found by Justice Marrocco in his report, undermined the credibility and integrity of the Town of Collingwood and had a profound, devastating and lasting impact on our community.

NOW THEREFORE BE IT RESOLVED THAT Council terminate the Town's membership in OMWA effectively immediately;

AND FURTHER THAT a letter be sent to the OMWA Board and copied to all members of OMWA attaching this motion and the link to Justice Marrocco's Report, "Transparency and the Public Trust: Report of the Collingwood Judicial Inquiry."

CARRIED. (recorded vote - unanimous)

Yea: Mayor Saunderson, Councillor McLeod, Councillor Madigan, Councillor Doherty, Councillor Berman, Councillor Jeffery, and Councillor Hamlin
Nay: None

Mayor Saunderson reassumed the Chair position.

12.4. Declaration of Vacant Office of Councillor for the Town of Collingwood

RES-015-2022

Moved by Councillor Berman
Seconded by Councillor Jeffery

WHEREAS subsection 259(1)(d) the Municipal Act, 2001 provides that the office of a member of council of a municipality becomes vacant if the member resigned from his or her office and the resignation is effective under section 260 of the Act;

AND WHEREAS notice of the resignation was provided in writing by Councillor Tina Comi to the Deputy Clerk who was acting as the Clerk at the time the notice was received, being Friday January 21, 2022 in accordance with section 260 of the Act with the notice stating the resignation to be effective immediately;

AND WHEREAS section 262(1) of the Act provides that if the office of a council becomes vacant under section 259, the council shall at its next meeting declare the office to be vacant;

THEREFORD BE IT RESOLVED THAT, in accordance with section 262 of the Municipal Act, 2001, Council of the Town of Collingwood does hereby declare the office of one (1) Councillor seat, previously filled by Councillor Tina Comi, to be vacant;

AND THAT a staff report be prepared for the Council meeting of January 31, 2022 to provide Council with options to fill the vacant seat.

CARRIED.

13. BY-LAWS

13.1. 2022 Temporary Borrowing By-law

RES-016-2022

Moved by Councillor Madigan
Seconded by Councillor Doherty

THAT By-law No. 2022-002, being a by-law to authorize temporary borrowing to meet the current expenditures of the Town of Collingwood until taxes are collected and other revenues are received, be enacted and passed this 24th day of January, 2022.

CARRIED.

14. NOTICE OF MOTION

14.1. No Scheduling of Council and Standing Committee Meetings over School Holidays,
Councillor Hamlin

Councillor Hamlin provided the following notice of motion to be considered at the next meeting of Council:

WHEREAS Council supports encouraging a broader pool of candidates for council and committees including individuals with school aged children and younger adults;

AND WHEREAS the holding of council, standing committee and other committee and board meetings during regular school holidays creates potential scheduling and daycare challenges that could discourage such candidates from standing for election;

THEREFORE BE IT RESOLVED THAT Staff prepare the necessary amendments to the Procedural By-law to not hold or schedule regular meetings of Council, Standing Committee or Other Committees and Boards on a date that coincides with a regular Simcoe County District School Board holiday inclusive of the December Holiday Break and Spring Break that generally occurs in March.

AND THAT these changes be reflected in the 2022 Town of Collingwood meeting schedule pending the approval of the amending by-law.

14.2. Vaccination Program for Teachers and Students, *Mayor Saunderson*

Mayor Saunderson noted the Simcoe Muskoka District Health Unit posts a walk-in schedule for community vaccine clinics on their website, and the health unit has pivoted to making vaccine clinics more available by offering vaccination clinics at schools and prioritizing students and education staff, thus withdrawing his notice of motion.

WHEREAS Health Canada has approved the use of the paediatric Pfizer COVID-19 vaccine for children aged 5-11 and the Pfizer COVID-19 vaccine for youth aged 12-17;

AND WHEREAS vaccines are safe, effective and the best way to stay protected from COVID-19 and the variants;

AND WHEREAS walk-in capacity for COVID-19 vaccination clinics in Simcoe County is limited and predominantly restricted to high risk individuals and adults aged 50 and over;

AND WHEREAS schools across Ontario reopened for in-person learning on January 17, 2022 exposing school aged children to a greater risk of contracting COVID-19;

THEREFORE BE IT RESOLVED THAT Council petition the Ontario Ministry of Health to support and prioritize a vaccination program dedicated to students and teachers across Ontario to mitigate the risk of adverse COVID-19 outcomes in schools.

14.3. Councillor Jeffery provided the following notice of motion to be considered at the next meeting of Council:

WHEREAS Procedural By-Law 2.5 Absence of Mayor speaks to the absence of the Mayor or Deputy Mayor;

AND WHEREAS Procedural By-Law 2.5 does not address the potential impacts of the absence of both Mayor and Deputy Mayor within a term;

AND WHEREAS the Town of Collingwood has not experienced a multiple absence in recent history to test Procedural By-Law 2.5 as it exists;

AND WHEREAS Procedural By-Law 2.5 does not take into consideration the qualifications and experience of members of Council as it relates to alternate positions;

AND WHEREAS a pillar of the Community Based Strategic Plan is based on Transparent and Accountable Local Government committed to continuous improvement and enhancement of the public trust;

THEREFORE BE IT RESOLVED that Council amend Procedural By-Law 2.5 as follows:

1. to remove “and so on” at the end of paragraph one
2. to add after amended paragraph one “In the event of the absence of both Mayor and Deputy Mayor Council shall appoint to Acting Mayor, the Member who received the highest votes, and shall appoint Acting Deputy Mayor and alternate(s) from the remaining members of Council originally elected to the term who express interest of accepting the appointment(s) to the Clerk a minimum of 7 days prior to the appointment decision with consideration based on the following criteria:
 - Leadership experience
 - Participation in Governance training provided by Town of Collingwood to Council;
 - Municipal Leadership training (AMO, etc.)
 - Committee participation beyond required Standing Committees of Council
 - Member attendance during the term to date
 - Existing Commitments
 - Other qualifications as may be deemed appropriate by Council at the time of the appointment.

AND FURTHER BE IT RESOLVED that the Clerk develop for Council’s approval an open and transparent process for Council to appoint the Acting Deputy Mayor and alternates in the case of the absence of both Mayor and Deputy Mayor;

AND FURTHER BE IT RESOLVED that Council direct the Clerk of the Town of Collingwood to implement the procedural requirements for public notice and engagement in a proposed change to a Procedural By-Law.

15. COUNTY REPORT
No update provided.

16. CONSENT AGENDA
General Consent Items

16.1. Items 16.3 and 16.6 were pulled for further discussion.

Clerk Almas provided an overview of the process for proceeding In-Camera in accordance with the Municipal Act and Procedural By-law, and reviewed the results of the Ombudsman’s Office - Closed Meeting Investigation Report noting the report concludes that Council did not contravene the Municipal Act and held appropriately called In-Camera meetings on February 6 and June 11, 2018.

It was noted the Simcoe County Cart Exchange Request System is open and residents can exchange their carts for a smaller size free of charge until July 30, 2022.

RES-017-2022

Moved by Councillor McLeod
Seconded by Councillor Jeffery

THAT Council herein receive the General Consent Agenda;

AND FURTHER that the information and opinions provided in the General Consent Agenda Items are that of the author(s) and are not verified or approved as being correct.

- 16.1 Proclamation - Crime Stoppers Month (January 2022)
- 16.2 Madison MacKay - Vaccination Site Walk-in Capacity for Teachers and Students
- 16.3 County of Simcoe - Solid Waste Management Cart Exchange Program
- 16.4 Sunvale Homes - Comments Regarding ICBL Zoning By-law Amendment and Land Use Planning Policy Study
- 16.5 Various - Streamlining of OLT Processes
- 16.6 Ombudsman's Office - Closed Meeting Investigation Report

CARRIED.

17. Council Business

17.1. OLD OR DEFERRED BUSINESS
None.

17.2. OTHER BUSINESS

17.2.1. Welcoming Family Physicians to Collingwood, *Councillor Hamlin*

Councillor Hamlin advised that the Joint Municipal Physician Recruitment and Retention Committee has received confirmation from the Ministry of Health that the Town of Collingwood has been declared as an Area of High Physician Need and Council will have a presentation on next steps at an upcoming meeting.

18. CONFIRMATORY BY-LAW

RES-018-2022

Moved by Councillor Berman
Seconded by Councillor Madigan

THAT By-law No. 2022-003, being a by-law to confirm the proceedings of the regular meeting of Council held January 24, 2022, be enacted and passed this 24th day of January, 2022.

CARRIED.

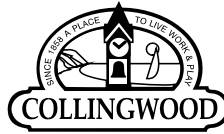
19. ADJOURNMENT

Moved by Councillor Jeffery

THAT the meeting of Council be hereby adjourned. **CARRIED.** (7:39 p.m.)

Mayor

Clerk



**NOTICE OF PUBLIC MEETING
CONCERNING A PROPOSED DRAFT PLAN
OF VACANT LAND CONDOMINIUM**

TAKE NOTICE that the Council of the Corporation of the Town of Collingwood will hold a public meeting on **Monday January 31st at 5:00 p.m.** virtually by ZOOM webinar to hear the planning merits and gather public input regarding a proposed Draft Plan of Vacant Land Condominium under Section 51 of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended. This application has been deemed to be a complete submission under Section 51(19.1) of the *Planning Act*.

This public meeting will take place during the regular meeting of Council. Meeting link to the virtual zoom webinar will be included on the January 31, 2022 Council agenda.

Council meeting agendas are located here: <https://collingwood.civicweb.net/Portal/> or subscribe to receive automatic emails to meeting agendas here: <https://collingwood.civicweb.net/Portal/Subscribe.aspx>

LOCATION: The proposed Draft Plan of Vacant Land Condominium (Town File No. D07121) pertains to land located on the south side of Highway No. 26 West and is municipally addressed as 11403, 11453, & 11642 Highway 26, Town of Collingwood, County of Simcoe. The proposed development is otherwise known as the Residences of Silver Creek.

THE PURPOSE of the proposed Draft Plan of Vacant Land Condominium is to create five (5) vacant condominium units. Unit 5 would be sold for the proposed future development of townhouse dwellings. Unit 1 would be retained for the proposed future development of apartment dwellings. Unit 2 would contain a proposed future amenity building that would serve all residents of the condominium plan. Units 3 and 4 would contain proposed future signage for the full condominium plan. The proposed Draft Plan of Vacant Land Condominium would also have a common elements block for legal rights, such as access for the proposed condominium units.

THE EFFECT of the Draft Plan of Vacant Land Condominium is to facilitate the sale of Unit 5 for the proposed future development of townhouse dwellings with shared ownership and maintenance of the common elements.

APPLICATION DETAILS

All of the information associated with this application can be found at: collingwood.ca/D07121

ANY PERSON may attend the public meeting and/or make written or verbal representation either in support of or in opposition to the proposed Draft Plan of Vacant Land Condominium.

If a person or public body does not make oral submissions at a public meeting, if one is held, or make written submissions to the Town of Collingwood in respect of the proposed before the approval authority gives or refuses to give approval to the Draft Plan of Vacant Land Condominium, the person or public body is not entitled to appeal the decision of the Town of Collingwood to the Ontario Land Tribunal.

If a person or public body does not make oral submissions at a public meeting, if one is held, or make written submissions to the Town of Collingwood in respect of the proposed Draft Plan of Vacant Land Condominium before the approval authority gives or refuses to give approval to the Draft Plan of Vacant Land Condominium, the person or public body may not be added as a

party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

If you wish to be notified of the decision of the Council of the Town of Collingwood in respect of the proposed Draft Plan of Vacant Land Condominium, you must make a written request to Ms. Sara Almas, Clerk, Town of Collingwood, P.O. Box 157, 97 Hurontario Street, Collingwood, Ontario L9Y 3Z5. Email salmas@collingwood.ca

FOR MORE INFORMATION about this matter, including information about preserving your appeal rights, contact Planning Services by email at jteakle@collingwood.ca or telephone number (705) 445-1290 Monday to Friday 8:30 am to 4:30 pm. For application details, visit the website here: collingwood.ca/D07121



DATED at the Town of Collingwood this 13th day of January, 2022.

Justin Teakle
Community Planner

Town File No. D07121

Principles
Integrity

Recommendation Report

Complaint against Councillor Tina Comi

Town of Collingwood

January 17, 2022

Introductory Comments

- [1] Principles *Integrity* has served as the Integrity Commissioner for the Town of Collingwood since January 1, 2018. We are also privileged to serve as Integrity Commissioner for a number of other Ontario municipalities. The operating philosophy which guides us in our work with all of our client municipalities is this:

The perception that a community's elected representatives are operating with integrity is the glue which sustains local democracy. We live in a time when citizens are skeptical of their elected representatives at all levels. The overarching objective in appointing an integrity commissioner is to ensure the existence of robust and effective policies, procedures, and mechanisms that enhance the citizen's perception that their Council (and local boards) meet established ethical standards and where they do not, there exists a review mechanism that serves the public interest.

- [2] The Town of Collingwood has as part of its ethical framework a Code of Conduct which is the policy touchstone underlying the assessments conducted in this report. It represents the standard of conduct against which all members of Council are to be measured when there is an allegation of breach of the ethical responsibilities established under the Code of Conduct. The review mechanism contemplated by the Code, one which is required in all Ontario municipalities, is an inquiry/complaints process administered by an integrity commissioner.
- [3] Integrity commissioners carry out a range of functions for municipalities (and their local boards). They assist in the development of the ethical framework, for example by suggesting content or commentary for codes of conduct. They conduct education and training for members of council and outreach for members of the community. One of the most important functions is the provision of advice and guidance to members to help sort out ethical grey areas or to confirm activities that support compliance. And finally, but not principally, they investigate allegations that a person has fallen short of compliance with the municipality's ethical framework and where appropriate they submit public reports on their findings, and make

Principles *Integrity*

recommendations, including recommending sanctions, that council for the municipality may consider imposing in giving consideration to that report.

- [4] It is important that the integrity commissioner's broad range of functions be mentioned at the outset of this investigation report. Our goal, as stated in our operating philosophy, is to help members of the community, indeed the broader municipal sector and the public, to appreciate that elected and appointed representatives generally carry out their functions with integrity. In cases where they do not, there is a proper process in place to fairly assess the facts and, if necessary, recommend appropriate sanctions. In every case, including this one, the highest objective is to make recommendations that serve the public interest, if there are recommendations to be made.

- [5] Our role differs from other 'adjudicators' whose responsibilities generally focus, to state it colloquially, on making findings of fact and fault. While that is a necessary component when allegations are made, it is not the only component.

- [6] Our operating philosophy dictates the format of this report. The tenets of procedural fairness require us to provide reasons for our conclusions and recommendations, and we have done that.

- [7] In this regard, we have assessed the information fairly, in an independent and neutral manner, and have provided an opportunity to the respondent named in this Report to respond the allegations and to review and provide comment on the preliminary findings.

The Complaint

- [8] On August 25, 2021, we received complaints from Councillors Doherty, Jeffery, Madigan, McLeod and Mayor Saunderson alleging that, during a virtual *in camera* (closed session) meeting held July 19, 2021, Councillor Comi was observed to be speaking to someone during the meeting. In accordance with the agenda for the *in camera* meeting, staff were providing training focused on the importance of maintaining the confidentiality of *in camera* meetings.

- [9] When called out on the concern of the presence of an unauthorized person, it is alleged that Councillor Comi took to social media, complaining about the exchange in a manner which, again, shared information on social media pertaining to matters discussed exclusively in an in-camera meeting.

- [10] It is alleged that this conduct of Councillor Comi contravened the Collingwood Code of Conduct.

Process Followed for the Investigation

Principles *Integrity*

[11] In conducting this investigation, Principles *Integrity* applied the principles of procedural fairness and was guided by the complaint process set out under the Code of Conduct.

[12] This fair and balanced process includes the following elements:

- Reviewing the complaint to determine whether it is within scope and jurisdiction and in the public interest to pursue, including giving consideration to whether the complaint should be restated or narrowed, where this better reflects the public interest
- Notifying the Respondent Councillor of the Complaint and seeking her response, including extending time so that she could retain legal counsel
- Reviewing the Code of Conduct
- Reviewing screen shots of social media posts, the recording of the *in camera* meeting and other relevant documents
- Interviewing witnesses, as necessary
- Providing the Respondent with an opportunity to review and respond to the draft findings of the Integrity Commissioner
- Extending the time for the Respondent Councillor to respond to our draft findings so that she could retain legal counsel

Background and Context

[13] The Town of Collingwood has experienced significant transformation as Council and senior staff look to implement the lessons arising from the Town of Collingwood Judicial Inquiry which examined issues of transparency, impropriety and failure of best practices during the previous term of Council.

[14] In the wake of the 306 recommendations issued by then Associate Chief Justice Marrocco in the official Report of the Judicial Inquiry, new and more robust ethical, accountability and governance policies are being adopted to ensure members of Council embrace the highest standards of ethical conduct and behaviour.

[15] Concurrently, during the Covid-19 pandemic, municipalities implemented virtual electronic meetings in lieu of in-person meetings.

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- [16] Virtual meetings present unique challenges, one of which is that members of Council may be participating in a closed *in camera* session meeting while other individuals are within earshot of the discussion.
- [17] In recent months, some members of Collingwood Council expressed concerns that information discussed *in camera* was finding its way into the public realm and the media.
- [18] Against this backdrop, at the July 19, 2021 Council meeting, an item was added to the *in camera* portion of the meeting, titled *Protection of Confidentiality*, for the specific purpose of obtaining training from senior administrative staff to explain appropriate steps for securing privacy during closed meetings.
- [19] As the meeting progressed, it became apparent to members of Council that Councillor Comi was speaking with someone within earshot of the virtual meeting although beyond the view of her camera.
- [20] Although her conversation was muted, it was apparent that she herself was not wearing headphones and therefore the audio of the *in camera* meeting would have been heard by anyone with her in her home office.
- [21] When Councillor Comi was questioned on this, she advised that it was her 11-year old child who was present, stating she did not know what she was supposed to do regarding parenting during meetings... (“what’s a mother supposed to do..?”)
- [22] The exchange of conversation included explanation that members should ensure they are able to be in a confidential space for *in camera* meetings, utilizing headphones if there is any chance someone might come into the room.

Application of Code of Conduct:

- [23] A Code of Conduct provides an ethical guide and framework for members of Council for conduct and behaviour which promotes confidence in the office which they hold as elected officials of municipal government.
- [24] Collingwood has recently adopted a new, more robust Code of Conduct¹. As at the date of this complaint, the new Code had not yet been adopted, and so reference is made throughout this Report to the 2015 Code of Conduct in place at the time of the complaint.
- [25] That Code of Conduct sets out, in the General Introduction:

Preamble

¹ On November 29, 2021 Council adopted a new Code of Conduct, C2021-17.

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A Code of Conduct reinforces the Town of Collingwood's Accountability and Transparency Policy and other relevant legislation within which all Members of Council, Local Boards and Advisory Committees must operate. The Code of Conduct serves to enhance public trust and improve the quality of public administration and governance by encouraging high standards of conduct on the part of all government officials, ensuring that those Members share a common standard of integrity through adherence to its principles. The Code of Conduct is intended to supplement and be compatible with the laws governing the conduct of Members.

The key principles include:

- *Members are expected to perform their duties of office and to arrange their private affairs in a manner that promotes public confidence and will bear close legal and public scrutiny; and,*
- *Members shall serve the public interest by upholding the laws and policies established by ... the Town.*

Statutory Provisions Regulating Conduct

This Code of Conduct operates along with and as a supplement to the existing statutes governing conduct.

The following federal and provincial legislation governs the conduct of Members of Council:

- *by-laws and policies of Council as adopted and amended from time to time, including but not limited to the procedural by-law, procurement by-law and social media policy.*

Rule 10 Communications and Media Relations

Members will attempt to accurately and adequately communicate the attitudes and decisions of Council or the Local Board, even if they disagree with a majority decision of Council or the Local Board so that:

- a) there is respect for the decision making processes of Council or the Local Board;*
- b) ...*
- c)...and*
- d) confidential information will be communicated only when and after determined by Council or the Local Board.*

Rule 12 Confidential Information

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Under the Town's or the Local Board's Procedural By-law, a matter that has been discussed at an in-camera (closed) meeting remains confidential. No Member shall disclose the content of any such matter, or the substance of deliberations, of the in-camera meeting until the Council or committee or the Local Board discusses the information at a meeting that is open to the public or releases the information to the public.

Analysis and Findings:

- [26] Closed or *in camera* meetings provide an important and tightly regulated opportunity for Council to obtain information, deliberate and discuss only a short list of matters identified permitted by the *Municipal Act* to be discussed in the absence of the public. Closed session matters typically relate to issues of litigation or legal advice, personnel or labour relations, negotiations, property acquisition or disposition, and education and training.
- [27] Maintaining confidentiality around *in camera* information and discussion is a cardinal rule for members of Council, and is always highlighted during orientation and training.
- [28] There is some irony in the fact that Council was obtaining additional guidance (education and training) on this very subject during its July 19, 2021 *in camera* meeting, when Councillor Comi's child entered the office area of her home.
- [29] Only when pointedly asked did the Councillor advise that she had been speaking with her child who was off-camera, but that he was not wearing a shirt; she asked if he needed to 'return to the room to prove his identity'.
- [30] To many of her fellow Council members, her unapologetic response and her claim – that she did not know what she was supposed to do regarding parenting responsibilities – rang hollow.
- [31] Councillor Comi did not acknowledge any impropriety or the necessity of modifying her behaviour during *in camera* sessions.
- [32] Had she simply apologized and committed to take more appropriate steps for future *in camera* meetings, it is doubtful the complaints would have been filed.
- [33] Instead, immediately following the exchange in the meeting, Councillor Comi proceeded to post on social media, referencing the exchange, as follows:

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When you're on with council keeping an eye out for your kid who's an hour late getting home only to find out they were having a blast learning the C2 at open paddle...



8:24 PM · Jul 19, 2021 · Twitter for iPhone



Tonight's council meeting was also a reminder women continue to wear the stigma of "figure it out." We say we want working moms at the table but how many truly want to offer support? Spoiler alert - not many.

8:29 PM · Jul 19, 2021 · Twitter for iPhone

- [34] In terms of finding that the Code of Conduct was breached, it is clear – and Councillor Comi readily admitted – that her son entered the room where she was sitting to attend the virtual meeting.
- [35] There is no doubt that Councillor Comi was visited, during the *in camera* meeting, by someone who was not a staff member nor a member of Council.
- [36] This constitutes a breach of the provisions which require members of Council to maintain confidentiality around *in camera* information.
- [37] It is a technical breach which, under other circumstances, would likely never result in a complaint and would certainly not give rise to an investigation and a recommendation report.

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- [38] However, the complaints filed by the majority (all but two) of members of Council, including by the Mayor, are a reaction to the fact that the incident occurred during a session the very purpose of which was to reinforce the need to properly protect the security of confidential information discussed during *in camera* meetings.
- [39] The Councillor's response to the incident appeared to demonstrate a disregard for the need to meet the expectation of protecting confidentiality, to respect the rules, or take any responsibility for her child walking in on her.
- [40] Her reaction within the meeting was reiterated by her broadcasting on social media what can only be interpreted as sarcasm; and although her post does not explicitly publicize the content of the discussion *in camera*, the tone is unmistakably unapologetic.
- [41] In response to our draft findings report, Councillor Comi continued to demonstrate a lack of willingness to simply acknowledge the breach and to take ownership by assuring she would take measures to ensure it would not happen.
- [42] Rather, her approach has been to dispute and deflect and make legalistic arguments; among her assertions to us directly or through her legal counsel, the Councillor:
- disputed that her child entering the room during the *in camera* session constitutes a breach of confidentiality
 - disputed that the content of a closed session for education and training can be considered confidential and that, as only the Town Clerk was speaking at the time, the information cannot be considered confidential
 - asserted that the complainants were obligated to pursue an informal resolution with her, but failed to do so, and that the complaint by the 5 other members of Council was political-motivated during this, an election year
 - equivocated on her responsibility to secure a confidential environment at home for closed session meetings by suggesting a lack of training, or process, or equipment, provided by the Town
- [43] In pivoting to be able to conduct meetings during the COVID-19 pandemic, the implementation of virtual electronic meetings by municipalities, the Town of Collingwood included, has not been without its challenges.
- [44] Particular attention must be given during closed meetings to whether members are meeting in confidential spaces, since other participants cannot be assured that unauthorized persons are not in the room or within earshot.

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- [45] It is self-evident that permitting access to an unauthorized person within earshot of an *in camera* meeting constitutes a breach of confidentiality, and any member of Council who allows this to occur has breached their confidentiality obligations under the Code of Conduct.

- [46] Council may conduct *in camera* meetings for a number of reasons which are prescribed by legislation, including 'educational or training sessions'; contrary to Councillor Comi's assertion that the content of any training session cannot be considered confidential, all discussions at any meeting which is conducted *in camera* are considered confidential.

- [47] We find that Councillor Comi's conduct, permitting her child to enter the space where she was participating in an *in camera* council meeting, technically breached the Code of Conduct; by virtue of her child's presence in the room, confidential information was inadvertently 'shared' when she failed to prevent her child from overhearing the *in camera* meeting, albeit briefly.

- [48] Simply put, the expectation on all members of Council is to take appropriate steps to protect the security of confidentiality during *in camera* meetings, regardless of their family situation or parental obligations. Although this may place a burden on working parents, it is no different than the challenge faced by working parents everywhere throughout the pandemic.

- [49] It is a privilege to be elected to serve on Town Council, and members are expected to arrange their affairs to enable them to participate as necessary in the business of the municipality, even if that requires occasionally using headphones.

- [50] While there is no obligation to pursue an informal resolution prior to filing a formal complaint, the fact is that her colleagues immediately brought the incident to her attention in real time during the meeting and were met with an unapologetic, defensive deflection ('what is a parent to do...').

- [51] Indeed, while our approach as Integrity Commissioner is always to seek informal resolution through acknowledgment and course correction, there is certainly no obligation on complainants to pursue mediation, or early resolution - a step occurring in the prosecution of charges before the court - as part of filing complaints of ethical transgressions under their Code of Conduct by elected officials.

- [52] Councillor Comi's somewhat sarcastic retort to her colleagues was unnecessary and dismissive.

- [53] Particularly in light of the serious efforts by Town Council and senior administration to embrace the highest standards of accountability, ethical integrity and good

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governance over the past year following the Judicial Inquiry Report, Councillor Comi's tone struck a sour note.

- [54] That said, it might still not have prompted a complaint had it not been for the social media posts immediately following.
- [55] We find that the act of posting comments and alluding to the exchange made during the *in camera* meeting, while certainly not reflecting the high standards of behaviour expected of members, are not so revealing as to constitute a breach of the Code.

Concluding Comments and Recommendations:

- [56] Notwithstanding the Town's focus on accountability, including confidentiality concerns, the incident giving rise to the complaint was certainly not the most egregious breach of closed session rules we have witnessed in the course of our work as Integrity Commissioner for municipalities across the province.
- [57] That said, Councillor Comi's response to the concern can be likened to the making of a mountain from a molehill.
- [58] It is doubtful that in the normal course of events this incident would give rise to more than a raised eyebrow, much less a Code of Conduct complaint.
- [59] However, Councillor Comi's response during the meeting, when the matter was drawn to her attention, appeared to some to demonstrate lack of accountability or due regard for her obligations.
- [60] The fact that Council and the senior administrative staff at the Town had identified the breach of *in camera* confidentiality as a topic for focused education and training underscores the seriousness with which this issue should be treated.
- [61] The unapologetic and defensive response by Councillor Comi appeared to demonstrate a lack of appreciation of that perspective. Her publicly posted social media comments immediately following confirmed that perception.
- [62] Though we come short of finding a breach of the Code of Conduct for the social media post, we find that the comments in that post – referencing in a veiled way the exchange that took place *in camera* – again demonstrated a disregard for, or lack of willingness to accept accountability for, the indiscretion which had occurred.
- [63] The Councillor has alleged to us that the complaint was politically motivated with no real basis. In fact, the incident did occur as alleged, and it does constitute a breach of the Councillor's obligation to maintain confidentiality.

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- [64] We have been provided no evidence of the complaint representing a political campaign against the Councillor. Even if there had been a political motivation to criticize her, that would not stand in the way of a review of a matter which on its face suggested that a breach of the Code of Conduct had occurred.
- [65] While a full-throated acknowledgement would likely have resolved the issue at the very beginning, or frankly at any time during this complaint process, the Councillor appears to us to be resolute in her position, and remains tone-deaf to the concern legitimately raised by her colleagues.
- [66] To the Councillor's assertion that, 2022 being an election year, this complaint must be seen a politically-driven, we say it was within her power to bring it to a must speedier – and less public – resolution at any time during the fall.
- [67] While we notified the Councillor of the complaints on August 26, 2021, she has twice sought extensions in order to respond, first on September 3 where she requested a one-month extension while “seeking legal counsel”, and subsequently, following receipt of our November 28 draft findings report, on December 13 where she requested a further one-month extension at the request of her lawyer.
- [68] While members of council may retain legal counsel to assist them when under investigation by an Integrity Commissioner, an Integrity Commissioner's investigation is an administrative process which does not necessarily benefit from the involvement of litigation counsel.
- [69] Though the Councillor is free to disagree, the Councillor was not well-served in taking an approach to responding to the complaint as if she were a party in litigation. The matter represented a technical breach of a Code responsibility in circumstances which could, by accident, happen to any other Member of Council.
- [70] Rather than acknowledge her missteps, and unequivocally agree to do better, the Councillor cast aspersions, without evidence, of political partisanship; took the position that a discussion which was on its face confidential was not so; and blamed a lack of process, or guidance, or equipment on her failure to maintain confidentiality.

Recommendations

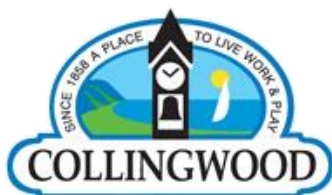
- [71] Where an allegation of a Code violation is found to be substantiated, and the matter has not been amenable to informal resolution, an Integrity Commissioner is expected to issue a public report.
- [72] It is generally understood (and a provision of many Codes) that where the Integrity Commissioner determines that a contravention of the Code occurred although the member took all reasonable measure to prevent it, or that a contravention occurred

Principles *Integrity*

that was trivial or committed through inadvertence or an error in judgment made in good faith, the Integrity Commissioner shall so state in the report and shall recommend that no penalty be imposed.

- [73] We are of the view that a public report in this particular matter is beneficial in that it provides guidance and clarification on a question that has been the subject of concern in several other municipalities, as a result of the need for virtual electronic *in camera* council meetings.
- [74] While the momentary attendance by the minor child constitutes no more than a technical breach of the confidentiality obligations under the Code, we think the overarching message is clear: members of Council are obligated to take appropriate measures to ensure their attendance at *in camera* Council meetings does not permit – inadvertently or otherwise – unauthorized persons to overhear what is being discussed. Regardless of who is speaking, or what is being said, information shared *in camera* is confidential.
- [75] To this end, the Town now includes a statement on its *in camera* meeting agenda which cautions members to take all appropriate steps to ensure that confidentiality can be maintained: ensure that their workspace is in a confidential location, doors closed, headsets used if voices can be carried.
- [76] Realizing confidentiality might be breached, a Member is expected to do *something* about it. Ask for a short recess; turn off the sound; leave the meeting. No such common-sense steps were taken in this instance. Instead, the Councillor tweeted with disdain, and equivocated over her responsibility.
- [77] In our view, notwithstanding the nature of Councillor Comi’s responses to the concerns when they were raised, these are not circumstances which warrant the imposition of any sanction.
- [78] We do, however, make these remedial recommendations in the interest of preventing further occurrence:
1. That Councillor Comi be requested to attend training provided by the Integrity Commissioner on a Council Member’s obligation to maintain confidentiality, particularly with respect to closed session matters, and related governance matters, and
 2. That until such time as the training is conducted, Councillor Comi not serve in the capacity as Chair or Vice-Chair of any meetings to which the Procedural By-law applies.
- [79] Finally, we wish to thank all those who participated in this investigation and will be in attendance when the Report is before Council.

Principles
Integrity



**DEVELOPMENT & OPERATIONS SERVICES
STANDING COMMITTEE REPORT TO COUNCIL**

Monday, January 17, 2022

Submitted to: Mayor and Council

Subject: Development & Operations Services Standing Committee Meeting

RECOMMENDATION

That Council receive the Development & Operations Services Standing Committee Report from the meeting of Monday, January 17, 2022 as presented.

Present: Councillor Hamlin, Chair
Councillor Jeffery, Vice Chair
Mayor Saunderson
Councillor Doherty

Absent: Deputy Mayor Hull

Staff Present: Sonya Skinner, CAO
Becky Dahl, Deputy Clerk
Summer Valentine, Director, Planning and Building Services
Peggy Slama, Director, Public Works, Engineering & Environmental Services
Stefanie Hochrein, Committee Secretary

1. CALL OF STANDING COMMITTEE TO ORDER

Chair Councillor Hamlin called the Development and Operations Services Standing Committee to order at 5:00 p.m. and provided recognition and acknowledgement of the traditional territory of the Indigenous peoples.

2. ADOPTION OF AGENDA

DEVT-001-2022

Moved by Member Councillor Doherty
Seconded by Member Councillor Jeffery

THAT the content of the Development & Operations Services Standing Committee Agenda for January 17, 2022 be adopted as presented.

CARRIED.

3. DECLARATIONS OF PECUNIARY INTEREST

None.

4. BUSINESS ARISING FROM THE PREVIOUS MEETING

None.

5. Interim Control By-law Updates

Update on Water Capacity and Land Use Planning Study, CAO Skinner

CAO Skinner provided a detailed update to Council and the community regarding the current water capacity issues, the Land Use Planning Study progress, and reviewed next steps.

6. STAFF REPORTS

P2022-02 Radiocommunications Tower Proposal: 879 Sixth Street Street (File No. D112020)

Community Planner Teakle provided a detailed overview of the proposed tower location and discussed the height and design in consideration with the Town's Radiocommunications Protocol, noted the estimated coverage improvements of the proposed tower, and responded to questions from the Standing Committee regarding consideration to better camouflage the tower and if there are time constraints for the municipality providing a response to the application.

Moved by Member Mayor Saunderson
 Seconded by Member Councillor Jeffery

THAT Staff Report P2022-02 Radiocommunications Tower Proposal: 879 Sixth Street (File No. D112020) be received;

AND THAT Council approve a concurrence for the radiocommunications tower proposed at 879 Sixth Street to be provided to Industry Science and Economic Development Canada.

DEVT-002-2022

Moved by Member Councillor Doherty
 Seconded by Member Councillor Hamlin

THAT Staff Report P2022-02 Radiocommunications Tower Proposal: 879 Sixth Street (File No. D112020) be referred back to staff.

DEFEATED.

DEVT-003-2022

Moved by Member Mayor Saunderson
 Seconded by Member Councillor Jeffery

THAT Staff Report P2022-02 Radiocommunications Tower Proposal: 879 Sixth Street (File No. D112020) be received;

AND THAT Council approve a concurrence for the radiocommunications tower proposed at 879 Sixth Street to be provided to Industry Science and Economic Development Canada.

DEFEATED.

7. REPORTS/MINUTES OF OTHER COMMITTEES/BOARDS

Collingwood Heritage Committee

DEVT-004-2022

Moved by Member Councillor Jeffery
Seconded by Member Councillor Doherty

THAT the minutes of the Collingwood Heritage Committee meeting held December 7, 2021 be received and the recommendations contained therein be approved.

CARRIED.

8. CONSENT AGENDA

Item 8.1, 8.2, and 8.3 were pulled for further discussion.

Director Slama provided an update on drainage concerns and advised staff are aware of the issues and will be investigating catch basis and drainage infrastructure in the Spring in the Sunset Point area and noted that as part of the Stormwater Master Plan staff will be working with a consultant to investigate stormwater scenarios that are high risk, identify projects to improve infrastructure, and prioritize projects and funding opportunities through a study to be completed later this year. She also noted engineering staff will be speaking with the Committee of Adjustment and Planning staff regarding drainage concerns at their February meeting.

Director Slama advised staff will be undertaking a Town wide road safety review noting Sunset Point Park area will be included, and following the results of the review there may be opportunity for traffic calming measures to improve that area.

Director Slama provided an update regarding the September 23 bypass event that occurred at the wastewater treatment plant due to a high amount of precipitation over a long period of time, and advised that following the event engineering and environmental services discussed ways to improve these occurrences and limit bypass events noting the 2022 budget includes an enterprise risk review to identify areas of high risk and opportunities to move forward.

It was noted to included item 8.3 on the Consent Agenda for the next Council meeting to allow Councillor McLeod to provide an update to NVCA matters.

DEVT-005-2022

Moved by Member Mayor Saunderson

Seconded by Member Councillor Jeffery

THAT Council herein receive the General Consent Agenda;

AND FURTHER that the information and opinions provided in the General Consent Agenda Items are that of the author(s) and are not verified or approved as being correct.

- 8.1 Heather and George Powell - Sunset Point Drainage and Traffic Concerns
- 8.2 Rupert Kindersley - Municipal Sewage Overflows and September 23, 2021 Collingwood Overflow
- 8.3 NVCA Board Meeting Highlights, November 22, 2021 and December 10, 2021

CARRIED.

9. DEPARTMENTAL UPDATES/DISCUSSION

*Updates (if any) on Department operations / initiatives / projects

Year End Building Stats and Zoning Certificate Program, Chief Building Official Miller

Chief Building Official Miller provided an overview of the 2021 building permit activity noting 780 building permits were issued with a total construction value of \$168.5 million, and reviewed the new public portal for submitted building permits online and the new zoning certificate process.

County Municipal Comprehensive Review - Project Update, Director Valentine

Director Valentine provided a thorough overview of the memo received from Simcoe County responding to comments and questions raised at the Special County Meeting for the Municipal Comprehensive Review (MCR) and highlighted key aspects applicable to Collingwood, reviewed the feedback received from Council regarding growth projections and land needs assessment, discussed next steps for the MCR noting the consultants are reviewing the comments received from the Town and another workshop is anticipated for early March with a statutory public meeting scheduled for May/June, and responded to questions from the Standing Committee regarding dividing the County into north and south regional market areas, future infrastructure needs and demands, and provincial support.

ACE Cabs and Accessible Taxi Service Update, Director Slama

Coordinator Wiszniak advised that ACE Cabs has reduced its hours of operation due to lack of staff resources and ridership in light of the provincial health restrictions, and reviewed the contract between ACE Cabs and the Town to provide 24/7 on demand accessible services noting there is a clause in the contract that the hours of service may be reduced due to provincial or federal public health restrictions. He further advised ACE Cabs is providing accessible on demand service from 6 a.m.-7 p.m. and are able to accommodate pre booked after hour service noting they are also in contact with the Collingwood General and Marine Hospital should any patients need accessible services after hours, and responded to questions regarding the ability to implement on-demand service in lieu of limited services offered by ACE Cabs.

Transit Terminal Update, Director Slama

Coordinator Wiszniak discussed concerns at the transit terminal station with people not adhering to public health measures and advised starting tomorrow security services will be reinstated at the terminal to enforce public health measures and ensure it is a safe environment for all residents.

10. PUBLIC DELEGATION(S) (maximum 5 minutes per delegation)

James Orr, R.J. Burnside & Associates Limited addressed the Standing Committee regarding his correspondence received at the December 13 Council meeting with respect to the Water and Wastewater Allocation Policy and requested clarification to exemptions and implementation of separate pools for minor changes to land use, secondary suites and existing vacant residential lots.

Director Valentine responded to Mr. Orr's questions, and advised there is a public meeting for the draft Zoning By-law Amendment on January 24, and there will be a second round of consultation on the draft Servicing Capacity Allocation Policy in January/February.

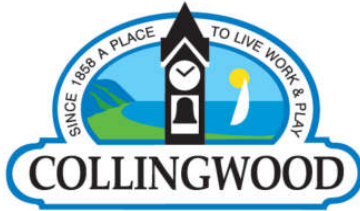
11. OTHER BUSINESS

None.

12. ADJOURNMENT

Moved by Member Councillor Jeffery

THAT the meeting of the Development and Operations Services Standing Committee adjourn at 6:49 p.m. **CARRIED.**



STAFF REPORT P2022-02
Standing Committee 1/17/2022
Council 1/31/2022
Amendments: no

Submitted to: Development and Operations Standing Committee | Council
Submitted by: Summer Valentine, Director of Planning, Building, & Economic Development
Prepared by: Justin Teakle, Community Planner
Subject: Radiocommunications Tower Proposal: 879 Sixth Street (File No. D112020)

PURPOSE

The purpose of this report is to provide Council with an analysis regarding the appropriateness of a proposed radiocommunication tower at 879 Sixth Street.

RECOMMENDATION

THAT Council receive report P2022-02 “Radiocommunications Tower Proposal: 879 Sixth Street (File No. D112020)” dated January 17, 2022.

AND THAT Council approve a concurrence for the radiocommunications tower proposed at 879 Sixth Street to be provided to Industry Science and Economic Development Canada.

AMENDMENTS

None

1. BACKGROUND

The Town received an application for a 40 m shrouded tri-pole radiocommunications tower at 879 Sixth Street in September 2020 from Fontur International Inc. (Signum Wireless).

The subject property contains Bygone Days Heritage Museum and is located on the north side of Sixth Street immediately west of Fisher Field Park. The tower is proposed at the west end of the property; west of the pond, behind and north of the treed area visible from Sixth Street (see Appendix A).

Industry Science and Economic Development Canada (ISED) is a department of the Government of Canada that issues authorizations for radiocommunication antennas and their supporting structures (i.e. towers). As the “land-use authority” the Town makes a recommendation for concurrence or non-concurrence with the proposal, but the final decision for approval rests with ISED.

To guide the formulation of recommendations to the ISED, the Town has a Radiocommunication Protocol. The purpose of the Protocol is to outline the process proponents are required to follow to establish and/or expand radiocommunication facilities in Collingwood. Its objectives in summary are:

- a) To preserve and enhance the natural and cultural landscapes by limiting the impact of visually incompatible or harmful radiocommunication support facilities;
- b) To minimize the number of new towers;
- c) To minimize the impacts and encourage alternatives to tower structures.

A pre-consultation meeting was held for the proposal in early 2020. The proponent was made aware that the Town was seeking the following key items to be considered in review of the proposal:

- There is a need to demonstrate coverage improvements;
- There is a need to demonstrate confirmed carriers;
- Tower design should be of a lower height (relative to the coverage needs) and a stealth design.

2. INPUT FROM OTHER SOURCES

Planning services has circulated the proposal to Town department and external agencies for comment.

This report was forwarded to Department Heads on January 11, 2022 and the content responds to the feedback received.

Economic Development Division:

Telecommunications infrastructure is extremely important to investment attraction and job creation for Collingwood, as or more critical to many businesses than water and wastewater infrastructure. This includes the numerous home-based businesses and remote workers in our community that require these services to ensure they can continue to produce an income.

Support for this infrastructure is consistent with priorities identified in the Economic Development Action Plan (2020-2025), including Goal #3 – “Ensure Collingwood is Investment Ready”.

Public Consultation:

The Town’s protocol requires the proponent to provide notification and hold a public open house for their proposals. Notice goes to all property owners within three times the proposed tower height measured from the lot line of subject property. Signage is also required to be posted on the property and a notice placed in the newspaper at least 30 days prior to the open house meeting.

Notice was given and a (virtual) public open house was held by Fontur International on August 4, 2021. No members of the public attended the open house. Two members of the public who own lots to the west of the subject property provided written comments in opposition, stating that the tower was too close to their properties and requesting that tower be moved further east towards the pond. One of the owners also expressed concerns about their property value.

Following the formal public commenting period, Town staff received a phone call from one owner south of Sixth Street within the circulation area who noted general support for the tower in hope of improved wireless services in the area.

Clearview Township:

The proposal was circulated to Clearview Township staff and provided to their Council for information. Clearview Township staff have indicated that they do not have any comments on the proposal.

Ministry of Transportation (MTO):

The proposed tower site is within the Mountain Road West Corridor Secondary Plan area of the Town’s Official Plan. This secondary plan area has the potential for a future Provincial Highway corridor. The tower proposal was forwarded to the MTO for their review and comment and the MTO stated that they have no objections to the proposal.

3. APPLICABLE POLICY OR LEGISLATION

- [CPC-2-0-03 Radiocommunication and Broadcasting Antenna Systems \(ISED\)](#)
- [Town’s Radiocommunication Protocol](#)

4. ANALYSIS

This section of the report provides a review of the proposals relative to the policy framework as outlined in the Town’s Protocol. Communication infrastructure is permitted in any designation under the Town’s Official Plan. Utilities are permitted within any zone of the Town’s Zoning By-law.

The Radiocommunication Protocol states that facilities will be evaluated on a site-by-site basis to determine “sensitivity”. Sensitivity will be measured by a variety of factors including: environmental issues, visual impacts, land use compatibility, and other community planning matters that may be significant at any proposed radiocommunications facility location.

Staff have assessed the proponent’s submissions against the Town’s Protocol as well as their responses to staff comments.

Location:

The Town’s Radiocommunication Protocol provide preferences in terms of tower locations. Co-location on existing towers or antenna installations on existing structures (i.e. water tower) are the preferred location options. For new structures, public lands followed by private industrially designated/zoned lands are preferred locations.



Figure 1 Proposed tower location

The subject property is designated “Rural” and “Environmental Protection” by the Town’s Official Plan and zoned “Rural” (RU) and “Environmental Protection” (EP) by Zoning By-law 2010-040, as amended. Surrounding land uses include rural lands to the west with some existing residential uses, undeveloped residential lands to the north (i.e. draft plan approved Linksvew Subdivision), Fisher Field Park to the west, and residential uses to the south within Clearview Township.

There is no industrial land in this area of Town with the closest industrial lands located east of Tenth Line along Mountain Road. The tower will be fully within the Rural designation and zone and outside of Environmental Protection designation and zone associated with the pond located on the property. It is also outside of the area regulated by the NVCA. The applicant has not moved the proposed location further east (as requested by some members of the public) in order to keep the tower out of the Environmental Protection designation and zone. The tower is proposed to be sited at the western end of the property, north of the tree line visible from Sixth Street which will help to screen the tower from public view.

Given that there is no nearby industrial lands to locate the proposed tower and a demonstrated coverage gap in the area without co-location options, staff are supportive of the proposed tower location.

Proposed Height and Tower Design:

At pre-consultation, the proposed tower was a 50 m lattice tri-pole. Staff found this concept to be less sensitive to the context of the site given the adjacent residential lands to the north and existing residential uses in Clearview Township to the south and asked for a revised design lower in height (30 m) and of a stealth design.

The proposed tower is taller than 30 m, but lower in height at 40 m and a different tower type than originally proposed. The shrouded tri-pole design that is now proposed consists of three columns with crisscrossing supports between and a screened or shrouded area at the top of the tower to hide antenna installations. Reduced tower height needs to be balanced with the direction of the Town’s Protocol to encourage co-location. Shorter towers have a reduced coverage area and therefore a reduced number of antennas that can co-locate on the tower. Staff are satisfied that the proposed 40 m height is justified in this location.

The proposed location is setback from Sixth Street as well as future residential to the north (i.e. Linksvie Subdivision). The location behind the treed areas will assist in mitigating public views of the tower from Sixth Street (see Appendix B).

Per the Town’s Protocol, the sensitivity of future proposals will be assessed individually and a concurrence for a 40 m tower at this location does not obligate the Town to concur with a tower of this height at another location.

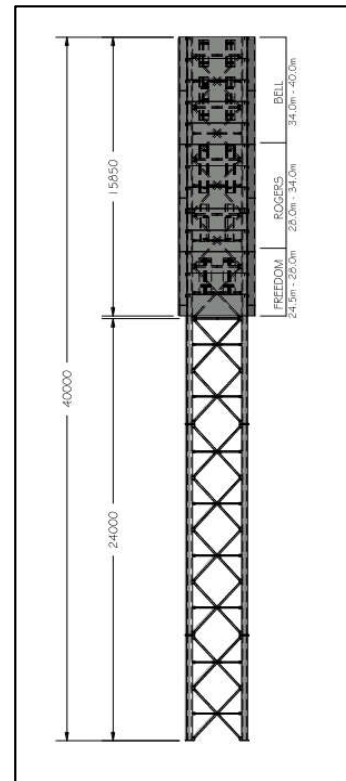


Figure 2 Elevation of the proposed tower

Carriers and Coverage:

It is the understanding of staff that while carriers will express interest in proposals as they are proceeding through the approvals process, they will not sign on to lease space on a tower until the tower has been authorized by ISEDC. Therefore, staff do not find merit in assessing a tower on the basis of whether it will host a specific carrier as carriers will be required to locate on the structure that is available regardless of which structure is authorized. The proposed tower would facilitate colocation of multiple carriers.

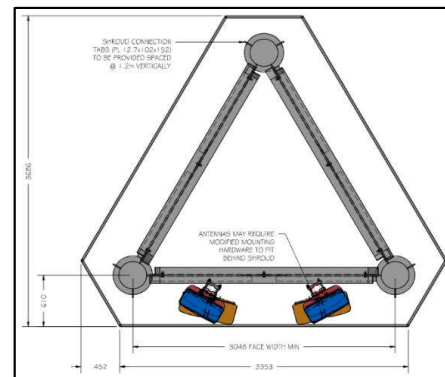


Figure 3 Plan view of the proposed tower

Network coverage heat maps were provided by the proponent and are attached to this report in Appendix C. These maps make it clear that there is a coverage gap in this part of Town that needs to be addressed. Staff are satisfied that there is a coverage gap in this part of Town and that the proposal will be able to co-locate multiple providers and improve the coverage in this area.

Conclusion:

Staff have concluded that the proposal for 879 Sixth Street is consistent with the Town’s Radiocommunications Protocol. Staff are satisfied from the submissions that the requested height is justified in addressing coverage improvements and facilitating carrier co-location. Staff therefore recommend that Council approve a concurrence for the proposed tower at 879 Sixth Line.

5. CONSIDERATIONS

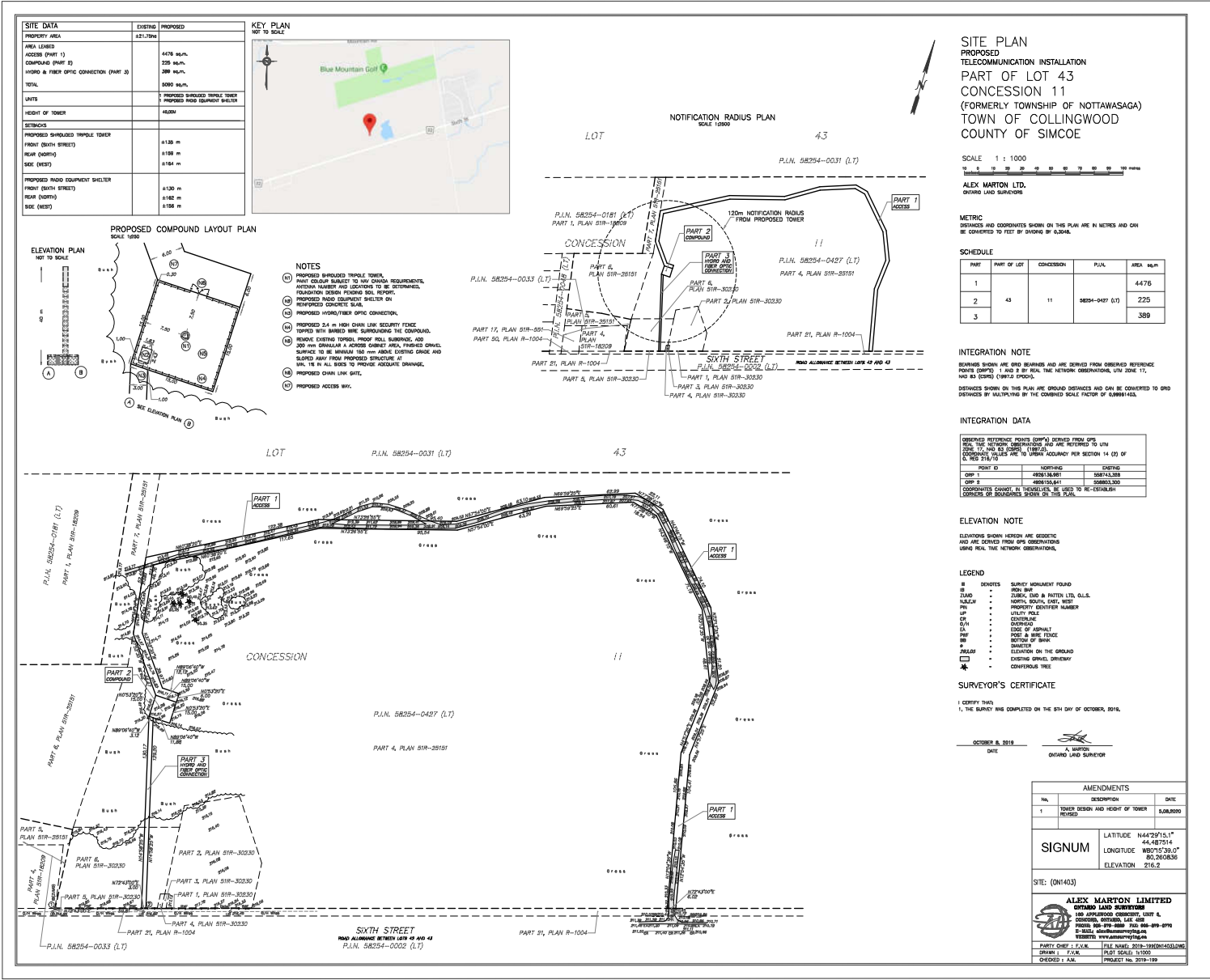
- Community Based Strategic Plan: N/A or Explain: Consistent with CBSP
- Climate Change / Sustainability: N/A or Explain: Choose an item.
- Accessibility: N/A or Explain: Choose an item.
- Communication / Engagement: N/A or Explain: Consultation has occurred
- Accountability / Transparency: N/A or Explain: Enhances Accountability and Transparency

6. APPENDICES & OTHER RESOURCES

Appendix A	Site Plan
Appendix B	Renderings
Appendix C	Coverage Maps

SIGNATURES

Prepared by:		Department Head:
<i>Justin Teakle, MCIP, RPP Community Planner</i>		<i>Summer Valentine, MCIP, RPP Director of Planning, Building, & Economic Development</i>
Town of Collingwood		Town of Collingwood



APPENDIX 'B' – Renderings



ON1403 - 879 6th Street, Collingwood, Ontario

Before

After



View from Sixth Street looking north towards the proposed Signum tower.



Proposed shrouded tri-pole tower shown at approximately 40.0 metres in height.

PHOTOGRAPHIC SIMULATION
BEFORE AND AFTER



ON1403 - 879 6th Street, Collingwood, Ontario

Before

After



View from the property, 879 6th Street, looking west towards the proposed Signum tower.



Proposed shrouded tri-pole tower shown at approximately 40.0 metres in height.

PHOTOGRAPHIC SIMULATION
BEFORE AND AFTER



APPENDIX 'C' – Coverage Map

ON1403 - 6th & Nottawasaga – Bell Coverage Analysis



- A lack of towers in the west end of Collingwood creates a wide gap in coverage
- The proposed tower would address this gap, improving service provision to residents and visitors in the area

ON1403 - 6th & Nottawasaga – Bell Coverage Analysis



Estimated network improvements with the new telecommunications tower



STAFF REPORT #CAO2022-01
Standing Committee None
Council 1/31/2022
Amendments: No

Submitted to: Council
Submitted by: Summer Valentine, Director of Planning, Building and Economic Development
Prepared by: Nathan Wukasch, Community Planner
Subject: Interim Control By-law No. 2021-024 Exemption Requests – Deadline for Acceptance of ICBL Exemption Applications

PURPOSE

The purpose of this report is to receive direction from Council on a deadline for accepting Interim Control By-law Exemption applications.

RECOMMENDATION

THAT Report CAO2022-01 “Interim Control By-law No. 2021-024 Exemption Requests - Deadline for Acceptance of ICBL Exemption Applications ” dated January 31, 2022 be received;

AND FURTHER THAT Council provide staff direction to advise the community that the window to apply for eligible exemptions to Interim Control By-law No. 2021-024 will close on February 14, 2022, in order to be considered by Strategic Initiatives Committee, Development and Operations Committee and/or Council in the March meeting cycle.

1. BACKGROUND

On April 26, 2021 Council received the following staff reports:

- 1. PW2021-09 provided an update on the status of the available drinking water supply and wastewater treatment capacity remaining to service development including options to mitigate limitations while the upgraded and expanded water treatment plant

is constructed; and

2. P2021-12 provided justification and rationale for implementing interim control of all development requiring water and or wastewater servicing capacity within the Town of Collingwood pending completion of a Land Use Planning Policy Study and contemplates the potential for exemptions to the Interim Control By-law during the Study period.

Following receipt of these reports, the Town of Collingwood passed Interim Control By-law No. 2021-024 (hereafter referred to as the “ICBL”). The ICBL applies to all lands within the Town, except as outlined in Schedule “A” to the ICBL and sets out parameters for when building permits may be issued while the ICBL is in effect.

Various stakeholders expressed the desire to be exempted from the ICBL both prior, and subsequent to its passing. On May 31, 2021, Special Strategic Initiatives Standing Committee and thereafter Council received Staff Report CAO2021-07, which set out the process for, and the broad criteria with which Council would evaluate exemption requests to the ICBL. During the period while the ICBL is in place, Council has expressed the desire to continue to support goals including employment, housing supply and predictability for the development industry within a complete community context. Therefore, Report CAO2021-07 recommended limited exemptions to advance construction and development of a very specific nature without compromising the availability of water supply prior to the conclusion of the Land Use Planning Policy Study.

Further exemptions requests were received in June and reviewed following the process set out in Report CAO2021-07. On July 26, 2021, Council approved Report CAO2021-10 providing additional exemptions to the ICBL for shovel-ready projects. Capacity was also reserved for a Town-led affordable housing project.

The resolution of Report CAO2021-10 indicated:

“AND FURTHER THAT any further exemption requests received, as well as the remainder of the submitted exemption requests be processed and reviewed **and held for Council approval until the completion of the Study and recommendations implemented.**” (emphasis added)

However, the report also recommended that Council may consider further exemptions for Industrial, Commercial or Institutional projects that do not require additional water or planning applications.

Additionally, Staff report CAO2021-15, dated December 13, 2021 was endorsed by Council and provided direction to review and advance exemption requests for accessory residential units for consideration by Council on a case-by-case basis, in order to support housing affordability and options in the community.

2. INPUT FROM OTHER SOURCES

This report has been reviewed by Department Heads on January 25, 2022 and the content responds to input and advice received. The recommendation contained in this report was intended to proceed to February 7, 2022 Strategic Initiatives Committee along with specific ICBL Exemption requests. However, it was severed at the request of Department Heads, and is brought directly to Council to obtain timely direction on the deadline to accept ICBL exemption

applications, and provide the public with enough lead time to make eligible exemption requests prior to February 14, 2022.

3. APPLICABLE POLICY OR LEGISLATION

The authority to pass an Interim Control By-law and initiate a study in respect of land use planning P2021-35 ICBL Draft Land Use Planning Policy Study Recommendations for Public Consultation policies is set out in Section 38 of the Planning Act:

Interim control by-law

38 (1) Where the council of a local municipality has, by by-law or resolution, directed that a review or study be undertaken in respect of land use planning policies in the municipality or in any defined area or areas thereof, the council of the municipality may pass a by-law (hereinafter referred to as an interim control by-law) to be in effect for a period of time specified in the by-law, which period shall not exceed one year from the date of the passing thereof, prohibiting the use of land, buildings or structures within the municipality or within the defined area or areas thereof for, or except for, such purposes as are set out in the by-law.

Further relevant legislation to consider was referenced in Report P2021-12.

4. ANALYSIS

Setting a Deadline for Accepting Applications for Interim Control Bylaw Exemptions

The Town has been working quickly towards completing the Land Use Planning Policy Study and associated servicing capacity allocation framework in advance of the expiry of the Interim Control By-law 2021-024 on April 26, 2022. Staff intend advance the zoning by-law amendment and the Servicing Capacity Allocation Policy for approval by Council in March 2022, allowing time for the appeal landscape to be understood and additional action taken by Council as necessary should the ICBL be extended. Exemptions would cease to exist once the Interim Control By-law is repealed, unless the servicing allocation framework provides a mechanism that would continue to allocate capacity to those projects that have received exemptions to date. This option could be considered by the Town as part of the Servicing Capacity Allocation Policy or by resolution.

Due to the Land Use Planning Policy Study project nearing completion, staff recommend that Council consider setting a deadline for ICBL exemption applications in mid-February, which provides lead time to evaluate and make recommendations at the March meeting cycle of Committees and Council. This also provides time for the proponents to seek building permits before the ICBL is set to expire in April. If the related zoning by-law amendment is appealed and the ICBL is automatically extended under the Planning Act, the exemptions would also continue and Council may wish to consider re-opening another window for further exemption requests at that time.

5. CONSIDERATIONS

- Community Based Strategic Plan: N/A or Explain: Consistent with CBSP
- Climate Change / Sustainability: N/A or Explain: No net effect on climate change/sustainability
- Accessibility: N/A or Explain: Choose an item.
- Communication / Engagement: N/A or Explain: Advertising/notice will be provided
- Accountability / Transparency: N/A or Explain: Enhances Accountability and Transparency

6. APPENDICES & OTHER RESOURCES

N/A

SIGNATURES

Submitted by:		
Summer Valentine Director of Planning, Building and Economic Development Town of Collingwood		Sonya Skinner Chief Administrative Officer Town of Collingwood
Prepared by:		
Nathan Wukasz Community Planner Town of Collingwood		



STAFF REPORT C2022-02
Standing Committee NA
Council 1/31/2022
Amendments: No

Submitted to: Council
Submitted by: Sara Almas, Clerk
Subject: Filling of Office Vacancy (Councillor) re: Resignation

PURPOSE

This report is to provide Council with options for the appointment of an individual to fill the current vacancy for the office of one (1) Councillor to the Council of the Town of Collingwood.

RECOMMENDATION

THAT Staff Report C2022-02, entitled “ Filling of Office Vacancy (Councillor) re: Resignation ”, be received;

AND FURTHER THAT Council authorize staff to immediately proceed with one of the following options to fill the vacancy by appointment:

Option 1: Invite applications from any interested qualified elector to be considered for the vacancy, and approve the Appointment Procedure attached hereto;

Option 2: Appoint an eligible candidate from the most recent municipal election (2018) who ran for the same office or another office;

Option 3: Appoint any other qualified individual who consents to the appointment; or

Option 4: Appoint an existing member of Council to the vacant office.

AMENDMENTS

None

1. BACKGROUND

Staff Report C2021-25 was presented to the Strategic Initiatives Standing Committee (December 7, 2021) and Council (December 13, 2021) to consider options in fulling a vacancy should a member of Council resign. This report was based on the positions of Mayor and/or Deputy Mayor becoming vacant due to the temporary leave of absence and the Mayor's ineligibility to continue office if elected in the upcoming provincial elections. The recommendation included in the report specific to the filling of a vacant seat was deferred until confirmation to the Deputy Mayors return is known.

In the event that a Council seat becomes vacant, Council authorize staff to immediately proceed with a call for interest from current members of Council interested in filling the vacancy for Council's consideration, prior to a call for other eligible candidates from the public to fill the vacancy for the remainder of the Council term (until November 14th, 2022) for Council's consideration.

2. INPUT FROM OTHER SOURCES

- MMAH Guidance on Filling a Council Position
- Discussion with the County Clerk to requirements and process in filling vacancies at the County level.

3. APPLICABLE POLICY OR LEGISLATION

Municipal Act, 2001, S.O. 2001, c. 25

Vacant Seat

259 (1) The office of a member of council of a municipality becomes vacant if the member,
(d) resigns from his or her office and the resignation is effective under section 260;

Resignation as member

260 (1) A member of council of a municipality may resign from office by notice in writing filed with the clerk of the municipality.

Declaration

262 (1) If the office of a member of a council becomes vacant under section 259, the council shall at its next meeting declare the office to be vacant, except if a vacancy occurs as a result of the death of a member, the declaration may be made at either of its next two meetings.

Lower-tier declaration (applies to Alternate Members)

262 (3) If a local municipality declares the office of one of its members who also holds office on the council of the upper-tier municipality to be vacant, the local municipality shall immediately forward a copy of its declaration to the council of the upper-tier municipality.

The MA sets out the following with respect to the filling of a vacancy of the office of a Member of Council:

Filling vacancies

263 (1) If a vacancy occurs in the office of a member of council, the municipality shall, subject to this section,

- (a) fill the vacancy by appointing a person who has consented to accept the office if appointed; or
- (b) require a by-election to be held to fill the vacancy in accordance with the *Municipal Elections Act, 1996*. 2001, c. 25, s. 263 (1).

Applicable rules for filling vacancies

263 (5) The following rules apply to filling vacancies:

- 1. Within 60 days after the day a declaration of vacancy is made with respect to the vacancy under section 262, the municipality shall,
 - i. appoint a person to fill the vacancy under subsection (1) or (4), or
 - ii. pass a by-law requiring a by-election be held to fill the vacancy under subsection

Term

264 A person appointed or elected to fill a vacancy under section 263 shall hold office for the remainder of the term of the person he or she replaced.

Municipal Elections Act, 1996, S.O. 1996, c. 32: By-elections

65 (1) The clerk shall conduct by-elections in accordance with this section. 1996, c. 32, Sched., s. 65 (1).

(2) Despite any Act, no by-election shall be held to fill an office that becomes vacant after March 31 in the year of a regular election and no by-election shall be held with respect to a question or by-law after March 31 in the year of a regular election unless it is held in conjunction with a by-election for an office. 1996, c. 32, Sched., s. 65 (2); 2002, c. 17, Sched. D, s. 24 (1).

(3) Subject to subsections (4) and (5), by-elections shall be conducted as far as possible in the same way as regular elections.

4. ANALYSIS

On January 21, 2022 a written notice of resignation was provided to the Clerks Office by Councillor Tina Comi, effective immediately. As required by the Municipal Act, a motion was brought forward at the next regular meeting of Council, being January 24, 2022 to declare the office of one (1) Councillor for the Town of Collingwood as being vacant.

In the analysis provided for in Staff Report C2021-25 and as provided for in the Municipal Act, the following options are available to fill the vacancy. A vacancy is required to be filled within 60 days after the day a declaration of vacancy is made, unless the vacancy occurred within 90 days of a regular election.

- (a) fill the vacancy by appointing a person who has consented to accept the office if appointed; or
- (b) require a by-election to be held to fill the vacancy in accordance with the *Municipal Elections Act*

The individual appointed or elected to fill a vacancy is required to hold office for the remainder of the term which expires November 15, 2022.

Undertaking a by-election to fill a vacancy:

In accordance with the Municipal Elections Act, a by-election cannot occur after March 31 within an election year and furthermore would not be recommended so close the Municipal Election. Staff are currently preparing for the regular municipal election to take place on October 24, 2022. There are many tasks required to be completed prior to election day including but not limited to the preparation of all election procedures, candidate nomination and information packages, updating related policies and by-laws, preparation of training and communications plan, conducting information sessions for candidates and the public, finalizing the voters list, etc. The cost and resources needed to run a by-election are similar to the cost to run a regular election.

By-elections are to be conducted by the Clerk in accordance with section 65 of the Municipal Elections Act, 1996 (MEA). Costs associated with a by-election would be similar to a regular election as Collingwood’s elections are ‘At Large’. It would require notice be mailed to all residents with information on the voting process. The vendor selected for the 2022 Municipal Election could be requested to provide the service, otherwise a voting place for in-person voting could occur compliant with provincial and local health unit COVID protocols. Staff estimate a by-election could range from \$50,000 to \$80,000, dependent on the voting method selected by Council.

Filling a vacancy by appointment (Recommended):

Clerk Services has canvassed a number of municipalities’ processes and has found the following options have been used to fill vacancies on council outside of a by-election:

1. Invite applications from any interested qualified elector to be considered for the vacancy. Applicants could be provided an opportunity to address Municipal Council and respond to questions before a vote is taken.
2. Appoint an eligible candidate from the most recent municipal election (2018) who ran for the same office or another office.
3. Appoint an eligible candidate that was a previously elected to the same office or another office.
4. Appoint any other qualified individual who consents to the appointment.

Considerations: Based on the options noted above, ability, qualifications and experience of potential candidates require careful consideration. Council needs to be cognizant of candidates who may wish to run in the 2022 Municipal Election and such an appointment to the advantage/disadvantage of a potential candidate.

With respect to existing policies that identify an order of seniority for various matters being the Councillor with the highest vote, then the next highest and so on, the new Councillor being appointed would become the seventh Councillor.

- 1. Invite applications from any interested qualified elector to be considered for the vacancy. Applicants could be provided an opportunity to address Municipal Council and respond to questions before a vote is taken.**

This process would allow any eligible elector to submit an application to the Clerk of their interest in filling the vacancy. Notice would be provided to the public of the vacancy and how to submit an application. All applications would be reviewed by the Clerk to ensure the eligibility of the applicant. A special meeting of Council would be called to consider the applications in open session, allowing each candidate an opportunity to speak to council to their interest and qualifications to fill the vacancy. Voting would occur as provided in the draft procedure (Appendix A), with a by-law to be passed appointing the successful candidate as Councillor for the remaining term.

This method provides transparency to the public to the selection of a candidate to fill the vacancy in lieu of a by-election.

2. Appoint an eligible candidate from the most recent municipal election (2018) who ran for the same office or another office

Option 2 provides Council the ability to select a name from the certified list of candidates from the 2018 municipal election. It typically is the unsuccessful candidate that received the next highest number of votes for the same, however, it can be any unsuccessful candidate. A special meeting of Council would be required to consider applicants in closed session, after which time the Clerk would contact the candidate to ensure he or she still meets the eligibility requirements prior and seek acceptance of the appointment from the candidate prior to being named at a public meeting. If the candidate consents to the appointment and a declaration of qualifications is provided to the Clerk, a by-law to consider the appointment would be provided at an open meeting of Council.

Certified election results from the 2018 municipal election has been provided in Resource A to this report.

3. Appoint any other qualified individual who consents to the appointment.

This option would provide ability to appoint a specific individual such as an actively engaged community member without going through an application process. The appointment of such individual would follow the same process as Option 2 above.

4. Appoint an existing member of Council to the vacant office.

Generally the purpose of this option is to provide an opportunity to promote an existing council member to a higher position such as Mayor or Deputy Mayor should those seats become vacant. As this vacancy is to fill a Councillor seat, this option is not applicable unless the Mayor or Deputy Mayor wish to relinquish their current office and accept the appointment to the role of Councillor.

5. EFFECT ON TOWN FINANCES

N/A

6. APPENDICES & OTHER RESOURCES

Appendix A	Draft Council Vacancy Appointment Procedure
Resource 1	2018 Municipal Election Results
Resource 1	Municipal Act, 2001, s.o. 2001, as amended
Resource 2	Municipal Elections Act, 1990, as amended

SIGNATURES

Prepared by:		Department Head Approval:
<i>Becky Dahl, Deputy Clerk</i>		<i>Sara Almas, Clerk</i>
Town of Collingwood		Town of Collingwood

**Town of Collingwood
Council Vacancy Appointment Procedure**

1. Purpose

1.1. The following procedure will be used when appointing an Eligible Elector to fill a vacancy in the office Councillor.

2. Definitions

“Act” means the *Municipal Elections Act, 1996, S.O., 1996, c.32, Sched.* as amended.

“Candidate” means an individual seeking to be appointed to fill a vacancy in the office of Councillor, having met the eligibility requirements and who has completed the requisite documentation as required by this procedure.

“Chair” means the Member of Council presiding at the Council meeting to appoint an individual to fill a Council vacancy.

“Clerk” means the municipal clerk appointed by Council of The Corporation of the Town of Collingwood.

“Council” means the Council of The Corporation of the Town of Collingwood.

“Eligible Elector” has the same meaning as subsection 17(2) of the Act, namely a person:

- a) who is a resident of the Town of Collingwood, or an owner or tenant of land in Collingwood or the spouse of such an owner or tenant;
- b) who is a Canadian Citizen;
- c) who is at least 18 years old; and,
- d) who is not prohibited from voting under any other Act or from holding municipal office.

“Lot” means a method of determination by placing the names of the Candidates on equal size pieces of paper and placed in a container with one Candidate name being drawn by the Town Clerk.

“Procedural By-law” means By-law No. 2021-090, as amended.

“Town” means The Corporation of the Town of Collingwood.

3. General

3.1. Any individual filling the vacancy must be an Eligible Elector.

3.2. Any employee of the Town who seeks appointment to Council must be an Eligible Elector. The employee is required to give written notice, prior to submitting any documentation required by the procedure, of his or her intention to take unpaid leave, in accordance with the Act. If the employee is appointed to office, he or she will be deemed to have resigned from their position with the Town immediately before making the declaration of office.

4. Appointment Procedure

4.1. The Town will post a Council Vacancy notice on the municipal website, social media and in the local newspaper. The notice will outline the requirements to be considered for an appointment and the application process.

**Town of Collingwood
Council Vacancy Appointment Procedure**

- 4.2. Any individual wishing to be considered for appointment to fill the Council vacancy will complete and sign the Council Appointment Consent of Nominee Form and a Council Vacancy Declaration of Qualifications Form prescribed by the Clerk. Applications for the vacant seat may be filed with the Clerk within the time period determined by the Clerk and provided in the required notice. Candidates shall submit the forms to the Clerk in-person by the deadline established by the Clerk, with such deadline providing a minimum of 10 business days for the submission of applications.
- 4.3. Any individual wishing to be considered for appointment to fill the Council vacancy will be required to provide identification to prove his or her identity and qualifying address to the satisfaction of the Clerk.
- 4.4. Candidates may submit a personal statement of qualification with their application, for consideration of Council, maximum 2 pages.
- 4.5. It is the Candidate's sole responsibility to meet any deadline, complete a bone fide application or otherwise comply with any requirement of this procedure.
- 4.6. The Clerk will create a list of all eligible Candidates that have complied with the application process. All applications shall be considered public documents and will be made available for public viewing upon request at the Town Hall, 97 Hurontario Street, Collingwood, Ontario with a list of the names of the candidates posted to the municipal website.
- 4.7. A Candidate who wishes to withdraw his/her application may do so in person and in writing to the Clerk. The deadline for any withdrawal shall be up to noon of the date of the special Council meeting called to fill the vacancy.

5. Council Meeting

- 5.1. A vote to fill a vacancy on Council by appointment will occur at an open Council meeting. The meeting shall be a special Council meeting called for that purpose. All qualified candidates who have submitted an application for the vacant seat will be notified by the Clerk of the date and time of the special meeting of Council, at which time they may address Council. Candidates are required to notify the Clerk no later than 24 hours before the start of the special meeting of Council of their intention to address Council at the meeting.
- 5.2. Notwithstanding the requirements of the Procedural By-law, the agenda for the meeting shall be set by the Clerk to allow for the orderly proceedings of selecting a Candidate.
- 5.3. At the meeting, the following will take place:
 - a) The Chair will make a short statement of the purpose of the meeting and the general order of proceedings to be followed.
 - b) Each of the Candidates will be afforded the opportunity to address Council for a period of not more than five (5) minutes. The order of speaking will be by candidate surname in alphabetical order, similar to that of an election ballot.
 - c) Upon hearing all the submissions of the Candidates, Council will proceed to vote as follows:
 - i. Candidate names will be called and/or displayed in alphabetical order, by the Clerk or designate.
 - ii. The Clerk will call the vote for each candidate in order of surname by alphabetical order.
 - iii. Members of Council will vote for one Candidate only.
 - iv. Each Member shall confirm their vote by raising their hand or using their voting cards at the call of each vote.

Town of Collingwood
Council Vacancy Appointment Procedure

- v. After the vote for each of the Candidate's has been completed, the Clerk will tabulate the results and call out the results.
- d) The following procedure shall be used for counting the votes:
 - i. The Candidate who receives the votes of more than one-half of the number of members of Council present and voting shall fill the vacancy.
 - ii. If the Candidate receiving the greatest number of votes does not receive more than one-half the votes of all voting members of Council, the Candidate or Candidates who received the fewest number of votes will be excluded from further consideration. The name of a Candidate or Candidates excluded shall be removed from the list of Candidates being called and/or displayed.
 - iii. The vote will be taken again by the Clerk and, if necessary, more than once, excluding in each successive vote the Candidate or Candidates who receive the fewest number of votes. This process will be repeated until the Candidate receiving the greatest number of votes has also received more than one-half of the votes of the voting members of Council.
 - iv. Where the votes cast are equal for all the Candidates and if:
 - a. There are three or more Candidates remaining, the Clerk will by Lot select one such Candidate to be excluded from the subsequent votes;
 - b. If only two (2) Candidates remain, the tie will be broken by selecting a Candidate by Lot to fill the vacancy, as conducted by the Clerk.
- e) Upon conclusion of voting, the Clerk will declare the Candidate receiving the votes of more than one-half of the number of the voting members of Council or the Candidate selected through section (d)(iv)b.
- f) The appointment of the Candidate will be made by by-law. A by-law confirming the appointment will be enacted by Council.
- g) The Clerk will administer the Declaration of Office required by subsection 232(1) of the *Municipal Act, 2001*, at the meeting where the by-law is enacted by Council, or as directed by Council.
- h) Where a situation occurs that is not otherwise accounted for in these procedures, the Clerk shall recommend an alternate process to Council, which Council may adopt with a simple majority vote.

Office of the Mayor • Town of Collingwood



Proclamation

- WHEREAS,** Girl Guides of Canada is a member of the World Association of Girl Guides & Girl Scouts (WAGGS) and celebrates World Thinking Day, first celebrated in 1926, that champions issues affecting girls and young women around the world; and
- AND WHEREAS,** World Thinking Day 2022 will celebrate diversity and inclusion and is a global movement with members from 150 countries, representing diverse cultures and backgrounds; and,
- AND WHEREAS,** Girl Guide Movement has been continuously active in Collingwood since 1914.

NOW THEREFORE, I, Brian Saunderson, Mayor of the Town of Collingwood,

DO HEREBY PROCLAIM February 22, 2022 as “World Thinking Day” in the Town of Collingwood.

Dated this 21st day of **February 2022.**

-Original Signed-

Mayor



Proclamation

- WHEREAS,** On December 14, 1995, Jean Augustine, the first Black Canadian woman elected to Parliament and the Parliamentary Secretary to the Prime Minister, requested and received the unanimous agreement of the House of Commons on her motion to declare February Black History Month in Canada;
- AND WHEREAS,** Black History Month is an opportunity to celebrate the diversity of the Black community in Canada and our community, to honour the important contributions made by the Black community in the settlement, growth and development of all sectors of society and to recognize its importance to the history of this Country;
- AND WHEREAS,** Collingwood has a long and rich Black history and wants to recognize and celebrate the vital role our Black community played in the growth and development of our Town;
- AND WHEREAS,** Diversity and inclusion are priorities of this Council and we have committed to working with our residents to eradicate racism in all its forms and to promote the United Nations Sustainable Development Goal #11, to be a community that is inclusive, safe, resilient and sustainable.

NOW THEREFORE, I, Brian Saunderson, Mayor of the Town of Collingwood,

DO HEREBY PROCLAIM February 2022 as “Black History Month” in the Town of Collingwood.

Dated this 1st day of **February 2022**

-Original Signed-

Mayor



Proclamation

WHEREAS, Kin Canada is a vibrant, all-Canadian association of service clubs devoted to the concept of serving communities throughout Canada since its founding in Hamilton, Ontario on February 20, 1920;

AND WHEREAS, Kin Canada is dedicated to meeting the needs of our community and seeks to develop and implement programs that are timely and relevant to our ever changing and evolving society;

AND WHEREAS, Kin Canada is celebrating its 102nd anniversary on February 20, 2022, and welcomes the opportunity to pause and reflect with pride on Kin Canada's rich history of accomplishment throughout the 102 years that Kinsmen, Kinette and Kin clubs have been in operation in Canada and the importance of the contributions of our local club.

NOW THEREFORE, I, Brian Saunderson, Mayor of the Town of Collingwood,

DO HEREBY PROCLAIM Sunday February 20, 2022 as **Kin Canada Day** in the Town of Collingwood and **DELARE** the week of February 20 to 26, 2022 as **Kin Canada Week**.

Dated this 31st day of **January, 2022**

-Original Signed-

Mayor

**Ministry of
Transportation**

Office of the Minister

777 Bay Street, 5th Floor
Toronto ON M7A 1Z8
416 327-9200
www.ontario.ca/transportation

**Ministère des
Transports**

Bureau de la ministre

777, rue Bay, 5^e étage
Toronto ON M7A 1Z8
416 327-9200
www.ontario.ca/transports



January 19, 2022

107-2022-110

His Worship Brian Saunderson
Mayor, Town of Collingwood
97 Hurontario Street, PO Box 157
Collingwood ON L9Y 3Z5
bsaunderson@collingwood.ca

Dear Mayor Saunderson:

I am pleased to announce the launch of the 2021-22 Gas Tax Program and to advise you of your funding allocation.

Our government is committed to working with municipalities to improve Ontario's transportation network and support economic growth. Investing in transit will reduce traffic congestion, create jobs and help businesses to develop and prosper.

The Town of Collingwood will be eligible to receive an allocation of **\$351,950** for this program year. In the coming days we will be forwarding the electronic versions of your Letter of Agreement, along with program guidelines, reporting forms and the Canadian Content for Transit Vehicle Procurement policy to the primary contact at the Town of Collingwood.

Please return a scanned copy of the signed Letter of Agreement, in pdf format, and the required supporting by-law (if applicable), and the 2021 Reporting Forms to **MTO-PGT@ontario.ca**.

The Town of Collingwood currently provides a public transit service that includes service to, and receives financial contributions from, the Town of The Blue Mountains.

As your municipality is the host for the provision of this joint service, we therefore request that your supporting Council by-law confirm that your municipality is continuing to act as the host for the other supporting municipalities.

.../2

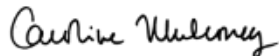
-2-

The ministry recognizes that COVID-19 impacted gasoline sales in 2020-21. As a result, the province has committed \$120M in *one-time* additional funding to address the impacts of COVID-19 on the 2021-22 Gas Tax program. The one-time additional funding announced through the 2021 Fall Economic Statement (FES) maintains the funding envelope at the level of the 2020-21 program year. This funding will help stabilize 2021-22 program allocations as the province continues its COVID-19 recovery and transit systems begin to build back their ridership levels.

In order to further mitigate the impact of COVID-19, the ministry is using 2019 ridership instead of 2020, and will be using municipal spending figures from either 2019 or 2020, whichever is higher, when calculating municipal allocations. These actions will stabilize allocations, ensure that all municipalities can receive their largest allocation possible under the program, and ensure that no municipality is unduly penalized.

If you have any questions regarding the Gas Tax program, please contact Kevin Dowling, Acting Director, Municipal Programs Branch, at kevin.dowling@ontario.ca.

Sincerely,



Caroline Mulroney
Minister of Transportation

- c. Alar Soever, Mayor, The Blue Mountains
Jim Wilson, MPP, Simcoe—Grey

December 17, 2021

To: Principles Integrity
Jeffrey A. Abrams and Janice Atwood-Petkovski
postoffice@principlesintegrity.org
647-259-8697

Via Email: PostOffice@principlesintegrity.org

RE: Code of Conduct Complaint "Maintenance of Confidentiality of Closed Session Meeting" Initial Finding Report Response

The basis of this complaint is an alleged confidentiality breach: my 11-year-old son walked into my home office during the in-camera training session to tell me his older sister (14 years old) was not home yet from sports practice, and he was concerned as to her whereabouts, given it was getting dark out.

Please note that in Principles' initial complaint letter it was stated that following my written explanation a Zoom call would be held with me to further discuss the matter, to-date I have not heard from anyone from Principles to schedule a meeting.

As previously stated my very brief interaction with my child caused no disruption to the training, as I was muted. The training session would have proceeded if, when Councillor Marianne McLeod inquired with whom I was speaking, she had accepted my simple explanation rather than engaging the Clerk.

The findings reference that the minor was not wearing a shirt. I find this a concerning detail to include in a public document. It's my opinion that this detail only serves to illustrate that he is indeed a child in his own home. This was an unexpected exchange, with information provided that was worrying to me, placing me in a state of concern. I did not interrupt or distract my colleagues with this information and was so taken aback by their response to my explanation that I was placed into a defensive posturing. If I had been met with understanding from the onset of my explanation I would have been inclined to offer my apologies for the interruption.

The complainants appear to have not included any of their callous remarks in these findings.

I hold concerns regarding privacy and security in the highest regard. I have held high level government security clearances throughout my career and worked for agencies such as the Department of Homeland Security and the FBI. I respectfully suggest that perhaps the irony that is mentioned in this report is not towards my son's entrance but rather found in the fact that Mayor Saunderson is able to take these calls

from the privacy and security of Town Hall yet launched a formal complaint against a Councillor working from home.

I use headphones when necessary but note again that my son's entrance was unexpected - he was not home at the start of the meeting, I was the only person in my home and he has never entered my office prior during my working hours. I am absolutely agreeable to wearing a earphones and there are many Council meetings where my airpods are visible.

It might have been a fair comparison to see how other members of council deal with young children in their homes, but I am not aware that any of these members manage any interruptions other than their pets. Although most recently Councillor ██████ stated during an in-camera session that ██████ accidentally entered the room briefly, unaware we had moved into closed session. No one questioned ██████ explanation or engaged the Clerk or to my knowledge has filed a formal complaint.

A correction to Point 23 which states I left the meeting. This is inaccurate: I briefly left the meeting at the request of the Mayor to try to reach my daughter and returned once she was located. This is evident in the rise-and-report session of Council. *Further to this, I typed into the Zoom chat upon my return that my daughter had been located and thanked Council members for their understanding.* This is evident in the closed session recording, as well as the rise-and-report, and verifiable by the Clerk.

Point 28 refers to the nature of in-camera sessions but I ask it be further punctuated that the event in question was a *training session* and therefore is not held to the same standard of confidentiality. On October 14, 2021, Mr. Abrams attended Collingwood's Special Strategic Standing Committee to answer questions related to a revised Code of Conduct. Councillor Hamlin raised the question of in-camera training and education sessions, in which Mr. Abrams stated his view: that closed session training is, "a general approach is that, we've had education and training today, the public is entitled to know some of this, they can get the record, should we be agreeing on what statement comes out of today." This suggests training sessions are not by definition - confidential.

The initial findings has made a point of stating that the Mayor signed this complaint. Section 225 of the Municipal Act states, in their role as head of Council, a Mayor should, "provide leadership to the council." I think it is reasonable for me to question how using this *formal complaint process* to resolve this matter rather than encouraging empathy and teamwork is demonstrable of leadership. *An informal resolution to this matter was never sought* despite our Code of Conduct laying out a process that sets this as the preferred method. Mayor Brian Saunderson did not call, email, or reach out via the Clerk.

Point 44 states that this situation is, "no different than the challenge faced by working parents everywhere throughout the pandemic." As a professional with a full- time career I respectfully disagree. To make this situation comparable to the private sector is to suggest that if a child briefly (less than one minute) entered a Zoom meeting that various colleagues could band together to launch a formal complaint to human resources. It is doubtful to me that any private sector workplace would give credence to such a complaint but would most likely refer the complainants to policies related to harassment-free workplaces and the Ontario Human Rights Code, both which, incidentally, are overarching to the Town's Code of Conduct yet omitted from any regard in this investigation.

Parents around the world are doing their best to juggle their families and work confounded by the unsettled rules of a pandemic including in our own community of Collingwood. Children have also been adjusting to these new normals.

I do commit to seek ways to reduce any potential future interruptions and welcome the opportunity for any further discussion that the Mayor or Council feels is warranted for members working from home with young family members.

Respectfully,

Councillor Tina Comi

Eric Comartin

Civil Litigation & Labour Law

Via Email: postoffice@principlesintegrity.org

January 3, 2022

Jeffrey A. Abrams and
Janice Atwood-Petkovski
Principles Integrity

Dear Ms. Atwood and Mr. Abrams:

Re: Town of Collingwood Code of Conduct Complaint initiated by Mayor Brian Saunderson and Councillors Kathy Jeffrey, Mariane Mcleod, Bob Madigan, Deborah Doherty and Steve Berman as against Councillor Tina Comi

I write further to my correspondence of December 24, 2021, to provide additional submissions on behalf of Councillor Comi regarding the above noted complaint(s) and to respond to the draft Preliminary Findings Report of Principles Integrity acting in the capacity of Integrity Commissioner under Article 18 of the Collingwood Code of Conduct. While the submissions set out below are based on the information available to Councillor Comi at this time, there remains outstanding documentation and information regarding the complaints. Specifically, Councillor Comi requests that the author of the Schedule "A" that is replicated in each of the identical copied complaints of Mayor Saunderson and Councillors, Jeffrey, Mcleod, Madigan, Doherty and Berman be revealed. Councillor Comi requests particulars of the complaints be provided regarding the campaign that led to the filing of the complaints. Of note is the fact that the complaint of Councillor Berman is dated Sunday August 15, 2021, Councillors McLeod and Jeffrey dated their complaint(s) Monday August 16, 2021, Councillor Madigan dated his complaint Tuesday August 17, 2021, Councillor Doherty dated her complaint Wednesday, August 18, 2021, and Mayor Saunderson dated his complaint on Friday August 20, 2021. As stated previously, all of the complaints are virtually identical and demonstrate an organized campaign. Councillor Comi states that all of the complainants are opposed, politically, to positions advance by Councillor Comi and wish to campaign for her removal from her elected position as Town Councillor.

A Summary Position

1. Without prejudice to Councillor Comi's request for the outstanding documentation and information set out above, she submits that there is no *prima facie* case in the complaint(s) that sets out a breach of Articles 10 and 12 of the Town of Collingwood Code of Conduct. To be clear at no time did Councillor Comi disclose any confidential information of any kind to any person. Councillor Comi emphasizes that there was no confidential matter that was discussed at the training session that was interrupted by her son. At the time that her son interrupted the training session, Councillors were being advised as to the purpose and requirements of in-camera meetings. It was a training session; it was not an in-camera meeting authorized by statute. There can be no prima facie violation of Article 12 unless there

1312 Hurontario Street, Mississauga, ON L5G 3H3
Tel: 416.951.2280, Fax: 905-278-1329, Email: eric@comartin.ca

was 1) confidential information discussed and 2) disclosure of this confidential information. In the alternative, even if an inadvertent interruption of a training session could amount to nominal breach of Article 12 there is simply no loss suffered by the Town of Collingwood and or gain by Councillor Comi or her minor child. In the further alternative there can be no breach of Article 12 where the interruption was inadvertent to a minor child in the case of an emergency. Councillor Comi does recognize and agrees that best practices require that she attend future virtual council meetings, whether they are in camera or otherwise, with the assistance of noise cancelling headphones that would reduce the likelihood of information being disclosed in the event of inadvertent interruptions.

B Agreed Facts

2. As a result of the pandemic Collingwood Town Council has met virtually instead of in council chambers.
3. This has presented challenges to the Councillors as there is little if any support provided for information technology.
4. Councillors are not provided with any assistance for home offices or administrative support.
5. Councillor Comi is fortunate that she has access to a home that allows her to maintain a temporary office space for certain times when necessary. However this is due to her personal financial situation and not to any assistance from Collingwood Town Council.
6. Councillor Comi agrees that in the course of the training session of council on July 19, 2021, her son, a minor child then aged 11, interrupted the meeting to inform Councillor Comi that his older sister (Councillor Comi's daughter) was not home yet.
7. Councillor Comi responded to the concerns of her son and sought clarification regarding her daughter's whereabouts.
8. The interruption by Councillor Comi's minor child were of concern to him and demanded her attention.
9. There was no confidential information of any kind being discussed by Council at the time that Councillor Comi's minor child interrupted the Council training session.

C Code of Conduct

10. Article 12 of the Collingwood Code of Conduct sets out the importance of protecting confidential information.
11. The key points that Article 12 makes that are alluded to in the complaints are as follows:

Confidential information includes information in the possession of, or received in confidence by the Town or the Local Board that the Town or the Local Board is either prohibited from disclosing, or is required to refuse to disclose, under the Municipal Freedom of Information and Protection of Privacy Act (referred to as “MFIPPA”), or other legislation.

.....

For the purposes of the Code of Conduct, “confidential information” also includes this type of information. No Member shall disclose or release by any means to any member of the public, any confidential information acquired by virtue of their office, in either oral or written form, except when required by law or authorized by Council or the Local Board to do so.

.....

Under the Town’s or the Local Board’s Procedural By-law, a matter that has been discussed at an in-camera (closed) meeting remains confidential. No Member shall disclose the content of any such matter, or the substance of deliberations, of the in-camera meeting until the Council or committee or the Local Board discusses the information at a meeting that is open to the public or releases the information to the public. The following are examples of the types of information that a Member must keep confidential: items under litigation, negotiation, or personnel matters; information that infringes on the rights of others (e.g., sources of complaints where the identity of a complainant is given in confidence); information deemed to be “personal information” under MFIPPA; and statistical data required by law not to be released (e.g. certain census or assessment data). The above list is provided as an example and is not exclusive.

- 12. In order to allege a breach of Article 12, a complaint must set that there was some confidential information that was disclosed. No such allegation has been made as against Councillor Comi.
- 13. The only allegation was that the training session that was held in the absence of the public was interrupted by Councillor Comi’s minor child.
- 14. It is submitted that a training session does not meet the requirements of an in-camera meeting as set out in statute or municipal by-laws.
- 15. As there was no breach of Article 12, any public comment of this event could not amount to an ancillary breach of Article 10 of the Code of Conduct.

16. Article 10 of the Code of Conduct sets the requirements of Members of Council to

attempt to accurately and adequately communicate the attitudes and decisions of Council or the Local Board, even if they disagree with a majority decision of Council or the Local Board so that:

- a) there is respect for the decision making processes of Council or the Local Board;*
- b) official information related to decisions and resolutions made by Council or the Local Board will normally be communicated in the first instance to the community and the media in an official capacity by the Mayor/Chair or designate;*
- c) information concerning adopted policies, procedures and decisions of the Council or the Local Board is conveyed openly and accurately; and*
- d) confidential information will be communicated only when and after determined by Council or the Local Board.*

17. Councillor Comi states that all comments regarding the nature of the meeting of July 19, 2021, were fair and accurate, did not disclose any confidential information and in all respects are protected speech that cannot be censored.

D Conclusion

18. My client does not wish to belabor the key points set out above and previously. It is of significant concern that the complaints of Saunderson et al. were pursued by the Integrity Commissioner under Article 18 of the Code of Conduct. Councillor Comi submits that the Integrity Commissioner should find that the complaint(s) are frivolous, vexatious or not made in good faith, or that there are no or insufficient grounds for an investigation under Article 18.4 of the Code of Conduct.
19. While Councillor Comi appreciates the difficult position of the Integrity Commissioner when dealing with the campaign of complaint(s) by the Mayor and 5 Councillors against a political adverse councillor, it is submitted there must be more than simple animas to give rise to an investigation. There must a prima facie violation alleging a breach of the Code of Conduct. No such prima facie violation is set out in the complaint(s) of Saunderson et al.
20. In the alternative, there was no breach of the Code of Conduct by Councillor Comi in any manner should a prima facie breach be found.
21. Finally, should the Integrity Commissioner find that there was a breach by Councillor Comi then any recommendation of a penalty against Councillor Comi cannot be authorized by Collingwood Town Council as Mayor Saunderson, and Councillors

Jeffrey, Mcleod, Madigan, Doherty and Berman will be conflicted from imposing a penalty on the very complaint(s) that they have sought to be prosecuted.

22. Councillor Comi remains open to working with the Integrity Commissioner for resolving these complaints under Article 18.5 of the Code of Conduct but reserves the right to reserves the right to challenge this process and any related damages to her in the Superior Court and/or the Ontario Human Rights Tribunal.

All of which is respectfully submitted.

Sincerely,

Eric Comartin

Eric Comartin.

Cc. T. Comi via email



NVCA December 2021 Board Meeting Highlights

Next Meeting: NVCA Annual General Meeting held virtually on January 28, 2022.

For the full meeting agenda including documents and reports, visit [NVCA's website](#).

NVCA 2022 Budget Approved

The Board of Directors unanimously approved NVCA's 2022 budget at \$5,095,130.30 compared to the 2021 approved budget of \$4,949,422. This includes a \$89,768.15 increase to the municipal levy (shared among all 18 member municipalities), with the remainder coming from grants, fees for services, and other sources. Funds from municipal levy represent 50% of NVCA's revenues.

Over 97% permits and clearances approved within prescribed timelines

Between June 9, 2021 to November 23, 2021, 382 permits and clearances were approved. In the majority of instances (97.8%) NVCA staff met the prescribed timelines as outlined in the MNRF guideline document.

NVCA's permit application service timelines are governed by the Conservation Authority Liaison Committee (CALC), which requires NVCA to complete a policy review within 21 days, and complete a technical review within 30 days for minor applications and 90 days for major applications.

Applicants are encouraged to pre-consult with NVCA staff prior to submission of an application to determine complete permit application requirements for projects.

Housekeeping Changes to Fees for Planning and Permit Applications

In 2016, the NVCA Board of Directors approved the current [Policy to Charge Fees for Services Related to Planning and Permit Applications](#) and associated review fees.

In October 2021, staff performed housekeeping updates to the 2016 fees by seeking input from key stakeholders, including watershed municipalities the development sector (BILD).

Going forward, NVCA staff will review the fees annually and may as minimum recommend cost of living adjustments at future Board of Director's meetings.

Increase to NVCA's event booking fees

As per NVCA board direction, staff deliver recreational opportunities and event bookings to watershed residents and visitors through a fee-for-service basis.

The revenues that are generated through these programs are used to reduce the overall levy funds required by member municipalities to support conservation lands and infrastructure and are applied to general ownership costs, such as maintenance, health/safety, and infrastructure development.

The NVCA Board of Directors approved a fee increase to event booking fees.

Afternoon booking

Current	New
\$550	\$1,000

Celebration of Life (standard)

Current	New
\$1,125	2,250

Celebration of Life (specialty)

Current	New
\$1,125	\$6,000

Evening party

Current	New
\$2,250	\$2,250

Wedding

Current	New
\$4,620	\$6,000



NVCA November 2021 Board Meeting Highlights

Next Meeting: December 10, 2021, held virtually.

For the full meeting agenda including documents and reports, visit [NVCA's website](#).

Presentation on NVCA's Living Snow Fence Program

Rick Grillmayer, NVCA's Manager of Forestry, gave a presentation regarding the living snow fence program.

Living snow fences are trees or other plants that are strategically planted to stop snow from blowing from fields to roadways. These fences form a barrier that slows the wind that carries the snow, in turn stopping the snow from drifting onto roads.

In many municipalities in the Nottawasaga Watershed, snow drifting on roads creates dangerous driving conditions, forcing road closures. While living snow fences are a good option solve this problem, the distance where the trees are planted must three times the height of the trees.

As road allowances in the watershed are too narrow to allow this distance, living snow fences must be planted on private land. However, the majority of private land in the watershed is used for agriculture, therefore once living snow fences are planted, farmers lose around 0.4 hectares (1 acre) of area where they can farm, as it is difficult to manipulate large farming equipment between the rows of trees.

The County of Dufferin worked with NVCA and the Grand River Conservation Authority and created an incentive program for private landowners to plant living snow fences. However, the uptake was very low.

Possible solutions are to create a performance incentive tied to the value of the land, or purchasing the land where snow fences should be planted.

2022-2026 Lake Huron Lakewide Action and Management Plan

Under the Great Lakes Water Quality Agreement, the governments of Canada and the United States are committed to restore and maintain the physical, biological and chemical integrity of the waters of the Great Lakes.

Every five years, the two countries prepare and issue Lakewide Action and Management Plans (LAMP) for each of the five Great Lakes.

The Lake Huron Partnership will deliver the next Lake Huron LAMP by the end of 2021.

2021 Year End Surplus/Deficit Allocation

The NVCA Board of Directors approved that any deficit/surplus for 2021 will be allocated accordingly to the budget reserve.

Transition Plan for Submission to the Ministry of Environment Conservation and Parks

The *Conservation Authorities Act (CA Act)* requires conservation authorities to prepare transition plans outlining steps and timelines for the preparation of an inventory of program and services and for the development and execution of funding agreements with participating municipalities.

NVCA's transition plan sets out the process and timelines for the development and execution of memorandum of understandings/agreements between partner municipalities to fund program and services that are not deemed to be provincially mandatory services outlined in the *CA Act* and associated regulations. [Please refer to NVCA's website for the details of the transition plan.](#)

**Updates to the Hearing Guidelines
Appendix B of Procedures for
Implementation of Ontario
Regulation 172/06**

NVCA staff work with permit applicants in an attempt to find a solution to their proposal to ensure that it is in conformity with approved policies and legislation.

However, there are occasions when a mutually agreeable solution cannot be reached, and NVCA staff may recommend refusal of the application to the Board of Directors. In these cases, applicants can request a hearing by NVCA's Board of Directors, in accordance to Section 28 of the *CA Act*.

With the passage of Bill 229, *Protect, Support and Recover from COVID-19 Act* (Budget Measures), 2020, a new section of the *Conservation Authorities Act* (Section 28.01) came into force. This section governs the appeal process for applicants granted Minister Zoning Orders.

NVCA's Board of Directors approved an update to the hearing guidelines to reflect the changes related to Minister's Zoning Orders.

**BY-LAW No. 2022-004
OF THE
CORPORATION OF THE TOWN OF COLLINGWOOD**



BEING A BY-LAW TO CONFIRM THE PROCEEDINGS OF COUNCIL OF THE CORPORATION OF THE TOWN OF COLLINGWOOD

WHEREAS the Municipal Act 2001, S.O. 2001, c 25, Section 5(1), provides that the powers of a municipality shall be exercised by its council;

AND WHEREAS the Municipal Act 2001, S.O. 2001, c 25, Section 5(3), provides a municipal power, including a municipality's capacity, rights, powers and privileges under section 9, shall be exercised by by-law unless the municipality is specifically authorized to do otherwise;

AND WHEREAS it is deemed expedient that the actions of all meetings of Council of The Corporation of the Town of Collingwood be confirmed and adopted by by-law;

NOW THEREFORE COUNCIL OF THE CORPORATION OF THE TOWN OF COLLINGWOOD ENACTS AS FOLLOWS:

1. **THAT** the actions of the Council of The Corporation of the Town of Collingwood in respect of:
 - a) each recommendation in the reports of the Committees;
 - b) each motion, resolution or other action passed, taken or adopted at the meetings listed below are hereby adopted, ratified, and confirmed as if same were expressly included in this by-law, provided that such adoption and confirmation shall not be deemed to include the final passing of a by-law the requires the prior approval of a Minister, a Ministry, to the Ontario Municipal Board or any other governmental body:
 - Regular meeting of Council held January 31, 2022
2. **THAT** the Mayor and the proper officials of The Corporation of the Town of Collingwood are hereby authorized and directed to do all things necessary to give effect to the action of the Council referred to in Section 1.
3. **THAT** the Mayor, or in the absence of the Mayor, the Deputy Mayor, and the Clerk, or in the absence of the Clerk, the Chief Administrative Officer;
 - a) are authorized and directed to execute all documents to the action taken by Council as described in Section 1;
 - b) are authorized and directed to affix the seal of The Corporation of the Town of Collingwood to all such documents referred to in Section 1.
4. **THAT** this by-law shall come into effect upon the passing thereof.

ENACTED AND PASSED this 31st day of January, 2022

MAYOR

CLERK