

AGENDA Wasaga Beach Council Meeting

Thursday, May 15, 2025, 10:00 a.m. Council Chambers

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Pages

1. CALL TO ORDER

1.1 Land Acknowledgement

The Town of Wasaga Beach acknowledges it is located upon the traditional territory of the Anishnaabe people of the Three Fires Confederacy. We also acknowledge that the people of the Wyandot Nation also inhabited these lands.

We acknowledge that these nations were sovereign nations existing before the arrival of settlers.

We respect the spiritual interconnection among these nations to the land and to the water.

We also acknowledge that waterways near us have a long history predating European arrival. Since time immemorial, waterways were the lifeblood of the Indigenous people by trade and hunting routes.

We are dedicated to inclusivity of First Nations, Inuit and Metis people in our future stewardship of the land and the longest freshwater beach in the world. In the spirit of reconciliation, we welcome the opportunity of learning to be sustainable caretakers of the land and waterways for all future generations.

2. PROCLAMATIONS

There are none.

3. DISCLOSURE OF PECUNIARY INTEREST

4. ADOPTION OF AGENDA

Recommended Motion:

1. **THAT** the contents of the agenda for May 15, 2025, be approved as

circulated.

5. APPROVAL OF MINUTES

5.1 Regular Council Minutes - April 24, 2025

Recommended Motion:

1. **THAT** the minutes of the Council Meeting held April 24, 2025, be adopted as circulated.

6. PUBLIC MEETINGS

There are none.

7. PRESENTATIONS

7.1 Collingwood General and Marine Hospital & Collingwood General and Marine Hospital Foundation Re: Tomorrow is Built Today: CGMH Strategic Plan and CGMHF Foundation Fundraising Campaign Michael Lacroix, President and CEO, CGMH and Jory Pritchard-Kerr,

President and CEO, CGMH Foundation will be in attendance to present to Council the CGMH Strategic Plan and CGMH Foundation Fundraising Campaign.

Recommended Motion:

1. **THAT** the presentation by Michael Lacroix and Jory Pritchard-Kerr, to Council pertaining to the CGMH Strategic Plan and CGMH Foundation Fundraising Campaign, be received.

8. DELEGATIONS

There are none.

9. GOVERNMENT RELATIONS

- 9.1 Beachfront Update
- 9.2 Legislative Updates
 - 9.2.1 Bill 5, Protect Ontario by Unleashing our Economy Act, 2025
 - 9.2.2 Bill 9, Municipal Accountability Act, 2025

10. STAFF REPORTS

Recommended Motion:

1. **THAT** the following Consent List items under Staff Reports and all the

9

recommendations contained therein be adopted, excluding items pulled and moved to Matters for Consideration to be voted on separately:

10.1 Environmental - Water Pollution Control Plant (WPCP) Monthly Performance Report

Recommended Motion:

1. **THAT** the report titled: Wasaga Beach WPCP Performance Report January 1, 2025 to April 30, 2025, 2025 to the Council meeting of May 15, 2025, be received for information.

10.2 Environmental - Drinking Water System (DWS) Monthly Performance Report

Recommended Motion:

1. **THAT** the report titled: Wasaga Beach DWS Performance Report January 1, 2025 to April 30, 2025 to the Council meeting of May 15, 2025, be received for information.

10.3 Beach Area 1 Roadway Reconstruction Phase 1 - Contract No. PW2025-15 - Tender Award - 20250515-20

Recommended Motion:

- 1. **THAT** the report titled: Beach Area 1 Roadway Reconstruction Phase 1 - Contract No. PW2025-15 - Tender Award, for the Council meeting of May 15, 2025, be received; and
- 2. **THAT** Council award the contract to Arnott Construction Ltd. for the Beach Area 1 Roadways Reconstruction Phase 1 capital works project, in accordance with the terms of reference within tender PW2025-15, at a cost of \$25,919,764.50, which includes contingencies but excludes HST; and
- 3. **THAT** the additional unbudgeted 2025 project cost of \$2,239,185 be approved, funded as per the financial implications section of this report; and
- 4. **THAT** the total project cost of \$28,690,991 be approved as a multi-year capital project; and
- 5. **THAT** the Mayor and Clerk be authorized to execute the contract with Arnott Construction Ltd.

10.4 Application for Extension to approved Golden Sand Draft Plan of Subdivision (PS0125) Wasaga Heights Inc.

80

35

53

71

Recommended Motion:

1. **THAT** the report titled: Application for an Extension to the Approval of the Wasaga Heights Inc. Draft Plan of Subdivision (PS0125), to the Council meeting of May 15, 2025, be received;

and

2. THAT Council approve a three year extension to the Draft Approval for the Wasaga Heights Inc. Plan of Subdivision, including minor amendments to the associated conditions of draft plan approval, with a lapsing date of May 26, 2028.

10.5 Wasaga Beach Farmers Market Agreement 2025 Amendment - 20250424-43

Recommended Motion:

- 1. **THAT** the report titled: Wasaga Beach Farmers Market Agreement 2025 Amendment, to the Council meeting of May 15, 2025, be received; and
- 2. **THAT** Council approve the amended Farmers Market Agreement, attached as Appendix A.

10.6 Parking Request - 40th Street North - 20250515-34

Recommended Motion:

- THAT the report titled: Parking Request 40th Street North, to the Council meeting of May 15, 2025, be received;
- 2. **THAT** the request to prohibit on-street parking on 40th Street North be granted on a temporary basis until such time as a more fulsome Parking Strategy can be undertaken by the Town to determine whether on-street parking should be permanently prohibited on 40th Street North;
- 3. **THAT** if further requests are received to consider prohibiting onstreet parking prior to the Parking Strategy being undertaken, a minimum of 90% neighbour support on the impacted street be requested prior to Council's consideration of the request; and
- 4. **THAT** the municipal Dunkerron parking lot be retained until such time as a more fulsome parking strategy has been undertaken.

10.7 Accessibility Plan Annual Status Report for 2024 - 20250515-30

Recommended Motion:

1. **THAT** the report titled: Accessibility Plan Annual Status Report Update for 2024, to the Council meeting of May 15, 2025, be received for information.

10.8 Strong Mayor Legislation - 20250515-33

Recommended Motion:

1. **THAT** the report titled: Strong Mayor Legislation, to the Council meeting of May 15, 2025, be received for information.

123

112

10.9 Water Pollution Control Plant (WPCP) Inlet Building and Barscreen Retrofit Project - 20250515-29

Recommended Motion:

- 1. **THAT** the report titled: Contract Award Water Pollution Control Plant (WPCP) Bar Screen Replacement and HVAC Upgrades to the Council meeting of May 15, 2025, be received;
- 2. **THAT** W. A. Stephenson Mechanical Contractors Limited be awarded Contract RFB#25-41 in the amount of \$3,424,640.00 (Excl. HST);
- 3. **THAT** the works be approved as a multi-year project, with an estimated scheduling as presented in the Project Financial Plan, attached as Appendix A; and
- 4. **THAT** the Mayor and Clerk be authorized to execute the necessary contract documents.

10.10 Administrative Monetary Penalties By-law Update - 20250515-32

146

Recommended Motion:

- 1. **THAT** the report titled: Administrative Monetary Penalties Bylaw Update, to the Council meeting of May 15 2025, be received;
- 2. **THAT** Staff be directed to bring By-law #2025-17 being a Bylaw to establish a System of Administrative Monetary Penalties for Parking forward for adoption;
- 3. **THAT** Staff be directed to bring By-law #2025-18 being a Bylaw to establish a System of Administrative Monetary Penalties for Non-Parking forward for adoption;
- 4. **THAT** Council enact the following policies attached to this report:
 - a. #5-8 AMPS Prevention of Political Interference
 - b. #5-9 AMPS Conflict of Interest
 - c. #5-10 AMPS Financial Management and Reporting
 - d. #5-11 AMPS Public Complaint Filing
 - e. #5-12 AMPS Financial Hardship
 - f. #5-13 AMPS Appointment of Screening and Hearing Officer;
- 5. **THAT** Council approve the administrative fees associated with AMPS, listed in Appendix I and detailed in this report; and
- 6. **THAT** Staff be directed to include these fees in the Town's Fees and Charges By-law, as amended.

11. CORRESPONDENCE ITEMS

Recommended Motion:

12.

13.

14.

15.

16.

| 1. | THAT the following Consent List items under Correspondence be received for information, excluding items pulled and moved to Matters for Consideration to be voted on separately: | |
|---------|---|-----|
| 11.1 | Town of Parry Sound Resolution April 15, 2025 Re: Call for inclusive research to reflect diversity of Canadian Communities | 226 |
| 11.2 | Town of Georgina Resolution dated April 7, 2025 Re: Salt Management | 227 |
| 11.3 | Municipality of Grey Highlands Resolution dated April 16, 2025 Re: Opposition to NVCA & LSRCA Amalgamation | |
| 11.4 | Municipalities Opposing Strong Mayors (23 Pieces of Correspondence Attached) | |
| MINU | TES OF BOARDS & COMMITTEES | |
| Recon | nmended Motion: | |
| 1. | THAT the Consent List items under Minutes of Boards and Committees be received for information: | |
| 12.1 | Economic Development and Tourism Advisory Committee - Minutes - January 22, 2025 | 283 |
| 12.2 | Property Standards Committee - Minutes - April 15, 2025 | 286 |
| MATT | ERS FOR CONSIDERATION | |
| RECO | MMENDATIONS ARISING FROM BOARDS & COMMITTEES | |
| COUN | ICIL REQUESTED STAFF REPORTS | 288 |
| As list | ed in the attached document. | |
| ΝΟΤΙΟ | CES OF MOTION/MOTIONS | |
| 16.1 | Councillor Ego - Re: Town Arranged Transportation - Clothing Drive Attachment: Letter of Support from Pastor Christina, Wasaga Community Church | 289 |

Recommended Motion:

WHEREAS the current economy it contributing to financial constraints that prevent Town residents from purchasing basic clothing, which can

impact their well-being and opportunities;

AND WHEREAS clothing is a fundamental need for hygiene, protection from the elements, and social acceptance. Clothing insecurity can affect individuals' self-esteem, social interactions, and ability to seek employment;

AND WHEREAS the Clearview Community Church on Sunnidale Road operates a Clothing Depot run by volunteers on the 1st and 3rd Thursday of each month from 4-6pm for those in need;

AND WHEREAS there is currently no public transportation directly to the Clearview Community Church to allow those in need to attend the Clothing Depot to obtain the necessary basic clothing needs;

THEREFORE BE IT RESOLVED THAT Staff be directed to arrange for a bus service on the first Thursday of each month from the Food Bank to the Clearview Community Church located at 800 Sunnidale Road between 3:30pm-5pm;

AND FURTHER THAT Town Staff design a 1 page "print out" advertising the Clothing Depot and free public transportation, to be displayed at the Food Bank and other locations such as Churches, and Town facilities.

17. CLOSED SESSION

Recommended Motion:

- 1. **THAT** pursuant to the Municipal Act, 2001, as amended, the next portion of the May 15, 2025, Council Meeting, will move into Closed Session to consider the following matters:
- 17.1 Disclosure of Pecuniary Interest
- 17.2 Approval of Closed Minutes
- 17.3 Closed Session Items

17.3.1 Proposed Disposition/Acquisition of Lands

In accordance with Section 239(2)(c) a proposed or pending acquisition or disposition of land by the municipality or local board

17.3.2 Security of the CorporationIn accordance with Section 239 (2) (a) the security of the property of the municipality or local board; and (b) personal

matters about an identifiable individual, including municipal or local board employees;

17.3.3 Proposed Disposition/Acquisition of Lands

In accordance with Section 239(2)(c) a proposed or pending acquisition or disposition of land by the municipality or local board

17.3.4 Committee Appointments

In accordance with Section 239 (2) (b) personal matters about an identifiable individual, including municipal or local board employees;

17.4 Closed Session Adjournment

18. CLOSED SESSION - Rise and Report

19. BY-LAWS

Recommended Motion:

| 1. | THAT the following By-laws be received and be deemed to have been |
|----|---|
| | read a first, second and third time and finally passed: |

| 19.1 | 2025-15 A By-law to set the TaxRates and to Levy Taxes for the year 2025 | 290 |
|------|---|-----|
| 19.2 | 2025-16 A By-law to appoint Municipal Law Enforcement Officers for the Town of Wasaga Beach | 295 |
| 19.3 | 2025-17 A By-law to establish a System of Administrative Monetary Penalties - Parking | 297 |
| 19.4 | 2025-18 A By-law to establish a System of Administrative Monetary Penalties - Non-Parking | 316 |
| 19.5 | 2025-19 A By-law to confirm the proceedings of the Council of the Corporation of the Town of Wasaga Beach at its Regular Council meeting held Thursday May 15, 2025 | 350 |

20. ADJOURNMENT



Wasaga Beach Council Meeting

Meeting Minutes

Thursday, April 24, 2025, 9:00 a.m. Council Chambers

Members Present: Mayor B. Smith Deputy Mayor T. Snell Councillor J. Belanger Councillor F. Ego Councillor E. Timms Councillor R. White

Members Absent: Councillor S. Dileo

1. CALL TO ORDER

1.1 Land Acknowledgement

2. PROCLAMATIONS

2.1 Children's Mental Health Week - May 5 - May 11, 2025

Resolution No: COU-2025-136

Moved by: F. Ego Seconded by: E. Timms

THAT Council proclaim May 5 - 11, 2025 as Children's Mental Health Week in the Town of Wasaga Beach

CARRIED

3. DISCLOSURE OF PECUNIARY INTEREST

There was none noted.

4. ADOPTION OF AGENDA

The Clerk noted that Staff are pulling item 5.3.4 from the Closed Session, this will come before Council at a future meeting.

Resolution No: COU-2025-137

Moved by: T. Snell Seconded by: R. White 1. **THAT** the contents of the agenda for April 24, 2025, be approved as circulated.

CARRIED

5. <u>CLOSED SESSION</u>

Council moved into Closed Session at 9:04 a.m.

Resolution No: COU-2025-138

Moved by: J. Belanger Seconded by: E. Timms

1. **THAT** pursuant to the Municipal Act, 2001, as amended, the next portion of the April 24, 2025 Council Meeting, will move into Closed Session to consider the following matters:

CARRIED

5.1 Disclosure of Pecuniary Interest

5.2 Approval of Closed Minutes

5.3 Closed Session Items

- 5.3.1 Legal Matter
- 5.3.2 OLT-24-001047 (10 Club Court)
- 5.3.3 Community Hub
- 5.3.4 ITEM PULLED FROM CLOSED SESSION Proposed Disposition/Acquisition of Lands
- 5.3.5 Proposed Disposition/Acquisition of Lands

5.4 Closed Session Adjournment

6. <u>APPROVAL OF MINUTES</u>

Council recessed from Closed Session at 11:43 a.m. and took a 10-minute break. Open Session resumed at 11:53 a.m.

In recognition of time for the scheduled open session meeting, Council has recessed from Closed session and will re enter Closed session after Item 18 Notices of Motion on the regular agenda to consider item 5.3.5 Proposed Disposition/Acquisition of Lands. The Rise and Report from the closed session will be provided at that time.

6.1 Regular Meeting of Council Minutes - April 10, 2025

Resolution No: COU-2025-139

Moved by: R. White Seconded by: F. Ego

1. **THAT** the minutes of the Council Meeting held April 10, 2025, be adopted as circulated

CARRIED

7. PUBLIC MEETINGS

There were none.

8. PRESENTATIONS

There were none.

9. <u>DELEGATIONS</u>

9.1 Mr. Nick Vidinovski Re: Food Trucks at Beach Area 1

Mr. Vidinovski was in attendance to request permission from Council to allow Food Trucks at his property on 10 Main Street for 2025. Members of Council addressed their questions and comments pertaining to this matter.

Resolution No: COU-2025-140

Moved by: F. Ego Seconded by: R. White

- 1. **THAT** the delegation by Nick Vidinovski to Council pertaining to food trucks at Beach Area 1, be received, and
- 2. **THAT** Council permit a food truck and a mobile unit tattoo shop at 10 Main Street for 2025, subject to the businesses obtaining a business licence from the Town.

CARRIED

10. GOVERNMENT RELATIONS

10.1 Accessibility Advisory Committee - Council Representative

Mayor Smith spoke to this item advising of the change of Council representative for this committee from Councillor Dileo to Deputy Mayor Snell.

11. STAFF REPORTS

Resolution No: COU-2025-141

Moved by: R. White Seconded by: T. Snell 1. **THAT** the following Consent List items under Staff Reports and all the recommendations contained therein be adopted, excluding items pulled and moved to Matters for Consideration to be voted on separately:

CARRIED

11.1 March 2025 Monthly Fire Report - 20250424-35

Resolution No: COU-2025-141

Moved by: R. White Seconded by: T. Snell

1. **THAT** the report titled: Fire Department Report-March 2025, to the Council meeting of April 24, 2025, be received for information.

CARRIED

11.2 PW2025-05 Asphalt Resurfacing - 20250424-46

Resolution No: COU-2025-141

Moved by: R. White Seconded by: T. Snell

- 1. **THAT** the Report titled Tender #PW2025-05 for the Supply, Placement & Compaction of Hot Mix Asphalt, to the Council meeting of April 24, 2025, be received; and
- 2. **THAT** the Tender #PW2025-05 for the Supply, Placement & Compaction of Hot Mix Asphalt be awarded to Dig-Con International Limited, in the amount of \$500,996.80.

CARRIED

11.3 Wasaga Beach - Water Pollution Control Plant (WPCP) - 2024 Annual Performance Report - 20250424-48

Resolution No: COU-2025-141

Moved by: R. White Seconded by: T. Snell

> THAT the report titled: Wasaga Beach – Water Pollution Control Plant (WPCP) 2024 Annual Performance Report to the Council meeting of April 24, 2025, be received for information.

CARRIED

11.4 Debenture Renewal - 20250424-50

Resolution No: COU-2025-141

Moved by: R. White Seconded by: T. Snell

- 1. **THAT** the report titled: Debenture Renewal, to the Council meeting of April 24, 2025, be received;
- 2. **THAT** Council authorize staff to renew the TD Bank Debenture maturing on May 11, 2025 through TD Bank;
- THAT the current loan balance be floated at the current variable rate (Prime – 0.75%) for a short-term period, at the discretion of the Treasurer, in order to monitor interest rate trends and determine the optimal timing to lock in a fixed rate; and
- 4. **THAT** the Treasurer be authorized to lock in the fixed rate when deemed appropriate.

CARRIED

11.5 Alternative Voting Methods – 2026 Municipal Election - 20250424-57

Resolution No: COU-2025-141

Moved by: R. White Seconded by: T. Snell

- THAT the report titled: Alternative Voting Methods 2026 Municipal Election, to the Council meeting of April 24, 2025, be received; and
- 2. **THAT** the Clerk be directed to continue to use the alternative voting methods as outlined in this report and By-law 2021-50.

CARRIED

12. CORRESPONDENCE ITEMS

There were none.

13. MINUTES OF BOARDS & COMMITTEES

Resolution No: COU-2025-142

Moved by: R. White Seconded by: J. Belanger

1. **THAT** the Consent List items under Minutes of Boards and Committees be received for information:

- 13.1 Climate Action Advisory Committee Minutes March 18, 2025
- 13.2 Property Standards Committee Minutes May 21, 2024
- 13.3 Committee of Adjustment Minutes March 19, 2025

14. MATTERS FOR CONSIDERATION

14.1 Recreation and Facilities 2025 Q1 Department Update - 20250424-49

Members of Council spoke to their questions and comments pertaining to this item.

Resolution No: COU-2025-143

Moved by: T. Snell Seconded by: E. Timms

1. **THAT** the report titled: Recreation & Facilities 2025 Q1 Department Update to the Council meeting of April 24, 2025, be received for information.

Yea (6): B. Smith, T. Snell, J. Belanger, F. Ego, E. Timms, and R. White

Absent (1): S. Dileo

CARRIED (6 to 0)

14.2 Boulevard Planting Policy - 20250424-56

Members of Council spoke to their questions and comments pertaining to this item.

Resolution No: COU-2025-144

Moved by: F. Ego Seconded by: R. White

- 1. **THAT** the report titled: Boulevard Planting Policy to the Council meeting of April 24, 2025, be received; and
- 2. **THAT** Council adopt the Boulevard Planting Policy, as presented in Appendix A of this report.

Yea (6): B. Smith, T. Snell, J. Belanger, F. Ego, E. Timms, and R. White

Absent (1): S. Dileo

CARRIED (6 to 0)

14.3 Beach Area 1 Self-Cleaning Washroom Pilot - 20250410-40

Members of Council spoke to their questions and comments pertaining to this item. The CFO noted a change in the reserves from Casino reserves to the Uncommitted reserves.

Resolution No: COU-2025-145

Moved by: F. Ego Seconded by: E. Timms

- 1. **THAT** the report titled Beach Area 1 Self Cleaning Washroom Pilot, to the Council meeting of April 24th, 2025, be received;
- 2. **THAT** Urben Blu be selected as the preferred supplier for the selfcleaning public washroom unit, and that staff be authorized to proceed with procurement and installation as outlined in this report;
- 3. **THAT** Council approve a Non-Competitive Procurement in accordance with the Town's Procurement Policy, as this project exceeds \$100,000.00, and only two vendors submitted eligible responses to the Request for Information (RFI); and
- 4. **THAT** Council approve funding the project from two reserves -\$324,626 from the COVID Reserve and \$122,467 from the Uncommitted Reserve, to cover the total project cost of \$447,093.

Yea (6): B. Smith, T. Snell, J. Belanger, F. Ego, E. Timms, and R. White

Absent (1): S. Dileo

CARRIED (6 to 0)

14.4 Doctor Recruitment - Municipal Clinic - 20250424-58

Members of Council spoke to their questions and comments pertaining to this item.

Resolution No: COU-2025-146

Moved by: F. Ego Seconded by: J. Belanger

- THAT the report titled: Beck Street Medical Clinic Lease Extension and Physician Recruitment Incentive, to the Council meeting of April 24th, 2025, be received; and
- THAT Council authorize staff to enter into a lease extension for the Beck Street Medical Clinic for an additional five years ending August 31st, 2032 ; and
- 3. **THAT** Council approve the use of the funding model outlined in the report to support the clinic lease for the duration of the five-year term; and

4. **THAT** Council support the proposed succession plan, whereby the physician will gradually assume one-third of the clinic's overhead costs following the five-year incentive, with the long-term objective of full cost recovery through the recruitment of two additional physicians within the clinic.

Yea (6): B. Smith, T. Snell, J. Belanger, F. Ego, E. Timms, and R. White Absent (1): S. Dileo

CARRIED (6 to 0)

15. <u>RECOMMENDATIONS ARISING FROM BOARDS & COMMITTEES</u>

There were none.

16. COUNCIL REQUESTED STAFF REPORTS

17. NOTICES OF MOTION/MOTIONS

17.1 Councillor Ego Re: Town Arranged Transportation - Clothing Drive

Councillor Ego noted the highlights of her Notice of Motion which will come forward to the next meeting of Council.

17.2 Mayor Smith Re: Reconsideration of the Discharge and Sale of Fireworks Report and By-law

The Clerk noted the rules of procedure surrounding a reconsideration vote.

Mayor Smith passed the Chair to Deputy Mayor Snell for this Notice of Motion.

Mayor Smith noted the highlights of his Notice of Motion requesting a reconsideration of the Fireworks By-law that was passed at the April 10, 2025 Council meeting. Mayor Smith relayed that he would like the By-law reconsidered to allow the By-law to come into full force and effect on October 1, 2025.

Members of Council addressed their questions and comments pertaining to this matter.

Deputy Mayor Smith resumed as Chair following conclusion of this Notice of Motion.

Resolution No: COU-2025-147

Moved by: J. Belanger Seconded by: F. Ego

That Council deem it necessary to not delay the consideration of the Mayor's reconsideration on the Fireworks Report and By-law and that

pursuant to Section 6.11(c) the Mayor's reconsideration be considered at this meeting.

CARRIED

Resolution No: COU-2025-148

Moved by: B. Smith Seconded by: F. Ego

That Council consider a reconsideration of the adoption of the Fireworks By-law 2025-12 being a By-law to regulate Fireworks and the Sale of Discharge of Fireworks Bylaw report passed at the April 10, 2025 Meeting of Council.

CARRIED

Resolution No: COU-2025-149

Moved by: B. Smith Seconded by: R. White

- 1. **THAT** the report titled: Sale and Discharge of Fireworks By-law, to the Council meeting of April 10, 2025, be received; and
- 2. **THAT** Council adopt By-law #2025-12 being a By-law to regulate Fireworks.

Amendment: Resolution No: COU-2025-150

Moved by: B. Smith Seconded by: R. White

That the main motion be amended to include the following:

"THAT the By-law come into effect October 1, 2025."

CARRIED

Resolution No: COU-2025-151

Moved by: B. Smith Seconded by: R. White

- 1. **THAT** the report titled: Sale and Discharge of Fireworks By-law, to the Council meeting of April 10, 2025, be received; and
- 2. **THAT** Council adopt By-law #2025-12 being a By-law to regulate Fireworks.

3. THAT the By-law come into effect October 1, 2025.

Yea (5): B. Smith, T. Snell, J. Belanger, F. Ego, and R. White

Nay (1): E. Timms

Absent (1): S. Dileo

CARRIED (5 to 1)

17.3 Deputy Mayor Snell Re: Moratorium on Sale of Fireworks for Hawker and Peddlers

Deputy Mayor Snell noted the highlights of her Notice of Motion, requesting Council put a moratorium on the issuance of Business Licensing By-law for Hawker and Peddler business licenses for those who sell fireworks. Due to the Victoria weekend in May, the Deputy Mayor requested that the provisions of the Procedure By-law be waived to hear the motion at this meeting.

Members of Council addressed their questions and comments pertaining to this item.

Council resumed Closed Session at 1:50 p.m. following this matter.

Councillor S. Dileo joined the meeting at 1:40 pm.

Councillor S. Dileo left the meeting at 1:40 pm.

Resolution No: COU-2025-152

Moved by: T. Snell Seconded by: R. White

That Council deem it necessary to not delay the consideration of the Deputy Mayor's notice of motion regarding a moratorium on the Business Licensing By-law for Hawker and Peddler licenses and that pursuant to Section 6.11(c) the Deputy Mayor's notice of motion be considered at this meeting.

CARRIED

Resolution No: COU-2025-153

Moved by: T. Snell Seconded by: F. Ego

That Council put a moratorium on the Business Licensing Bylaw for the issuance of Hawker and Peddler business licences for those who sell fireworks.

18. CLOSED SESSION - Rise and Report

Council entered Closed Session on April 24*th* 9:04am to discuss the following items:

5.3.1 Legal Matter in accordance with Section 239 (2) (e) and Section (f) of the Municipal Act, as a result of this discussion there is nothing further to report.

5.3.2 OLT-24-001047 (10 Club Court) in accordance with Section 239 (2) (e) and Section (f) of the Municipal Act.

5.3.3 Community Hub in accordance with Section 239 (2)(i) of the Municipal Act.

As a result of these discussion the following motions below were before Council for consideration.

Council recessed from Closed session at 11:43 a.m. to address open session matters and resumed closed session at 1:49 p.m. until 3:01 p.m., at that time Council discussed:

Item 5.3.5 Proposed Disposition/Acquisition of Lands in accordance with Section 239(2)(c) of the Act, as a result of this discussion there is nothing further to report at this time.

Resolution No: COU-2025-154

Moved by: T. Snell Seconded by: R. White

ITEM 5.3.2 OLT-24-001047 (10 Club Court)

WHEREAS the Town has identified a number of significant public health and safety threats associated with the proposed servicing scheme for the Achille development;

AND WHEREAS the threats supersede the land use planning grounds to be considered by the Ontario Land Tribunal (the "**Tribunal**") and compel the Town to categorically reject the facilitation, accommodation, acceptance or assumption of any of the public works proposed by Achille.

NOW THEREFORE BE IT RESOLVED THAT Council of the Town of Wasaga Beach hereby declares that it will not enter into any development agreements with Achille, its successors or assigns, accept and/or assume any public works proposed by Achille, its successors or assigns, or in any other way facilitate or accommodate the development proposed by Achille.

CARRIED

Resolution No: COU-2025-155

Moved by: J. Belanger Seconded by: F. Ego

Item 5.3.3 Community Hub

THAT Staff be directed to proceed with an application to the Community Sport and Recreation Infrastructure Fund;

THAT Council commit unbudgeted costs for the theatre for the K-12 School and Community Hub to an upset limit of \$2,400,000 to be funded from the Casino Reserve.

CARRIED

19. <u>BY-LAWS</u>

Resolution No: COU-2025-156

Moved by: E. Timms Seconded by: F. Ego

1. **THAT** the following By-laws be received and be deemed to have been read a first, second and third time and finally passed:

CARRIED

19.1 By-law 2025-14 A By-law to confirm the proceedings of the Council of the Corporation of the Town of Wasaga Beach at its Regular Council meeting held Thursday April 24, 2025

20. ADJOURNMENT

This meeting was adjourned at 3:04 p.m.



TOMORROW IS BUILT TODAY

Presentation to Town of Wasaga Beach May 15, 2025 Michael Lacroix, President & CEO, CGMH Jory Pritchard-Kerr, President & CEO, CGMH Foundation

H CGMH FOUNDATION



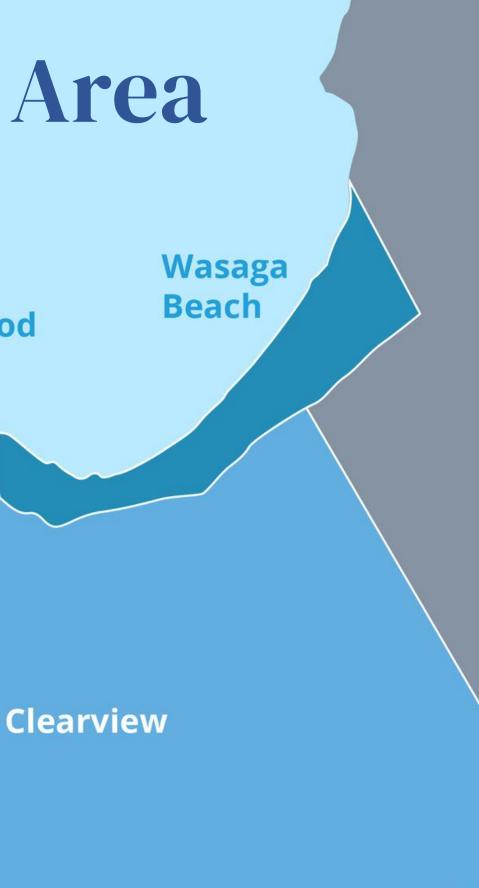
CGMH Service Area

The Blue Mountains

Grey Highlands

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Collingwood



Our Hospital Today - Our Team, Our Impact

675+ Employees 250+ Physicians, Midwives & Dentists 235+ Volunteers

84

Beds

30,900

Patient Days

43,250

Outpatient Clinic Visits

550

Births

39,700

Emergency Visits

6,100

Surgical Procedures

65,000

Imaging Tests

9,400

Mental Health Clinic Visits



Wasaga Beach By the Numbers 2024/25

- 119 babies safely delivered
- Over 12,000 emergency visits
- 675 surgical cases
- 122 Staff Members
- 37 Volunteers

The Hospital of Tomorrow

132 Private Patient Rooms – Designed for enhanced privacy, comfort, and improved infection prevention and control.

New Inpatient Rehabilitation Program – Providing

intensive, short-term, non-specialized rehabilitation for patients with diverse medical needs.

Expanded Specialty Clinics and Programs – Including

an oncology satellite program, and new pain management and heart function clinics to address a broader range of patient needs.

Enhanced Diagnostic and Surgical Services -

Increased capacity for diagnostic imaging and surgical services to support more timely care.

Interprofessional Education & Innovation Centre -

Featuring high-fidelity simulation labs with cutting-edge technology to advance healthcare training and collaboration.



TONORROW Is built to be a second seco

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Elevate Quality

Enhance the patient and family experience
 Advance patient safety and access to care



How will we define success?

By 2030:

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We will have increased patient and family satisfaction.

We will have met or exceeded provincial wait time targets for diagnostic imaging, surgery, and emergency care.

We will have been recognized as a Best Practice Spotlight Organization.

We will have introduced new programs and services.

ullet

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By 2030:

Develop Team

· Strengthen CGMH's culture · Invest in CGMH team members · Scale up our workforce



How will we define success?

We will have high levels of team engagement and satisfaction.

We will attract and retain highperforming and inspired team members.

We will have implemented an organizational development program focused on leadership competencies, clinical skill sets, customer service, cultural literacy, continuous improvement, and change management.

We will have developed a robust recruitment strategy for today and for the future.

Create Capacity

· Build a new hospital for South Georgian Bay · Expand existing programs and services

ightarrow

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•

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How will we define success?

By 2030:

We will have broken ground on a new state-of-the-art hospital for South Georgian Bay.

We will have increased space for key clinical programs and services within the existing hospital.

We will have expanded key diagnostic services to meet growing demand and reduce wait times.

Sectional Commitments

Health Analytics and Technology

Health Partnerships and Comunity Engagement

Inclusion, Diversity, Equity, and Accessibility

Financial and Environmental Sustainability

We're out of space. But never out of hope.

TOMORROW IS BUILT TODAY.

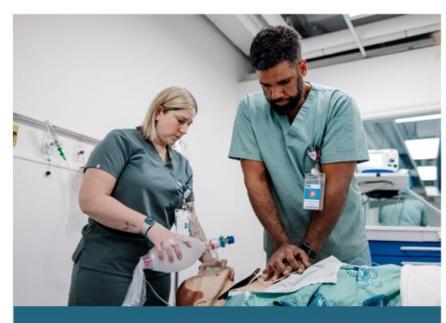
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H CGMH FOUNDATION

Bringing Care Closer to Home



Satellite chemotherapy Unit



Learning Centre



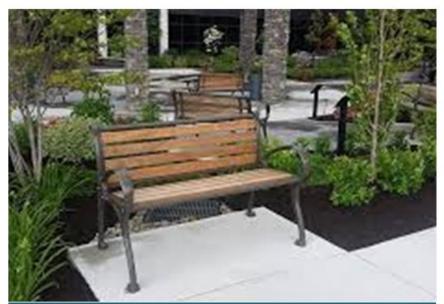
Diagnostic Imaging



Obstetrics Unit



Inpatient Mental Health



Sustainability & Green space



Emergency Department



Surgical Suites

\$100+ Million Capit Campaign

Local Share

10% of construction costs 100% equipment & furnishing costs 100% site development Over \$65 million committed to date

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Wasaga Beach's Kerry McCartney, RPN, OBS/Surgical at CGMH

Making care more accessible for the people of Wasaga Beach



Thank you for helping us build Tomorrow today!

Page 33 of 351

Department

Thank You

cgmh.on.ca | cgmhf.com



H CGMH FOUNDATION

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WASAGA BEACH WATER POLLUTION CONTROL PLANT

PERFORMANCE REPORT

For the period of JANUARY 1, 2025 to APRIL 30, 2025

Prepared by the Ontario Clean Water Agency



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Note: This report may not represent the most recent available data. Any missing data will be added in the following months report.

1. Process Performance & Regulatory Compliance

1.1 Summary of Compliance Limit and Objective Exceedances & Non-Compliances

From January 1, 2025 to April 30, 2025:

- Number of Regulatory Limit Exceedances = 1
- Number of Regulatory Objective Exceedances = 1
- Number of Non-Compliances = 1

The Wasaga Beach WPCP performed within the regulatory limits set out in:

- Environmental Compliance Approval (ECA) #0766-CM9RQA
- The Federal Wastewater Systems Effluent Regulation (WSER)

| 2025 | ECA Limit Exceedance | ECA Objective Exceedance | Non-Compliances |
|-----------|----------------------|-----------------------------|-----------------|
| January | 1 | 1 | 1 |
| February | 0 | 0 | 0 |
| March | 0 | 0 | 0 |
| April | 0 | 0 | 0 |
| May | | | |
| June | | | |
| July | | | |
| August | | | |
| September | | | |
| October | | | |
| November | | | |
| December | | | |

1.1.1 Description of ECA Limit and Objective Exceedances

The following is a summary of any environmental compliance approval limit and objective exceedances, their respective cause; as well as the measures that were taken to correct the issue:

| Exceedance(s) | Cause | Corrective Actions |
|---|---|--|
| For January 2025, the total phosphorus (TP) monthly average was 0.21 mg/L, which was higher than the ECA limit (0.20 mg/L) and Objective (0.15 mg/L | Treatment process upsets, the January 8 bypass incident and filter issues all resulted in the exceedance | Corrective actions include: improving upstream treatment processes, filter repairs and preventive maintenance |

1.1.2 Description of Single Sample Exceedances

The following is a summary of any single sample environmental compliance approval limit and/or objective exceedances, their respective cause, as well as the measures that were taken to correct the issue. Note that single sample exceedances are occurrences where an individual sample may have contained a result above the ECA limit/objective but does not result in an exceedance of the monthly/annual average ECA limit or objective exceedance as defined by the facility ECA.

| Exceedance(s) | Cause | Corrective Actions | |
|--|------------------------|-------------------------------|--|
| Jan 7 – Total Phosphorus (TP) was 0.28 | Filter leques | Donaired filter | |
| mg/L > 0.15 mg/L (objective limit) | Filter Issues | Repaired filter | |
| Jan 21 – TP 0.17 mg/L > 0.15 mg/L | Filter leques | Donaired filter | |
| (objective limit) | Filter Issues | Repaired filter | |
| Jan 28 – Total Suspended Solids (TSS) | | | |
| was 11 mg/L > 5 mg/L (objective limit) | Filter issues and high | Repaired filter and increased | |
| Jan 28 – TP was 0.25 mg/L > 0.15 mg/L | solids inventory | wasting | |
| (objective limit) | | | |

1.1.3 Description of Non-Compliances

The following is a summary of the requirements of the wastewater systems effluent regulation, the environmental compliance approvals, and any orders applicable to the system that were not met at any time during the time period covered by this report; as well as the duration of the failure and the measures that were taken to correct the failure:

| Non-Compliance(s) | Duration | Required Actions & Corrective Actions |
|---|----------|--|
| Incident Description Wasaga Beach WPCP exceeded the monthly final effluent concentration for Total Phosphorus for the month of January, 2025. The monthly average TP concentration was 0.24 mg/L and the ECA limit is 0.20 mg/L, overage of 0.04 mg/L External Total Phosphorus laboratory results from weekly sampling on January 7, January 14, January 21 and January 28 were 0.28, 0.14, 0.17 and 0.25 mg/L respectively. Causes: On January, 2025 the disk filters were not keeping up with plant flows due to excess solids inventory within the secondary treatment process leading to high TSS concentration (30-40 mg/L) in the secondary effluent above the recommended operating conditions for the disk filters (under 20 mg/L), bypass incident 1-FREB8T occurred, which produced a sample result of 0.35 mg/L for TP, elevating the monthly average. | N/A | Corrective Actions More frequent analysis of secondary effluent TSS was done. Increased wasting to reduce solids inventory should result in better settling and lower TSS concentrations in the secondary effluent. Operations staff continued to monitor and adjust the plant processes to improve the secondary effluent Operations staff continued to trouble shoot disk filter issues in order to keep sand filters off line. Secondary effluent is improving, and in-house and lab (SGS) final effluent TP is trending down All other ECA parameters are within compliance limits |

1.2 Summary of Process Performance

1.2.1 Raw Flow – Current Year

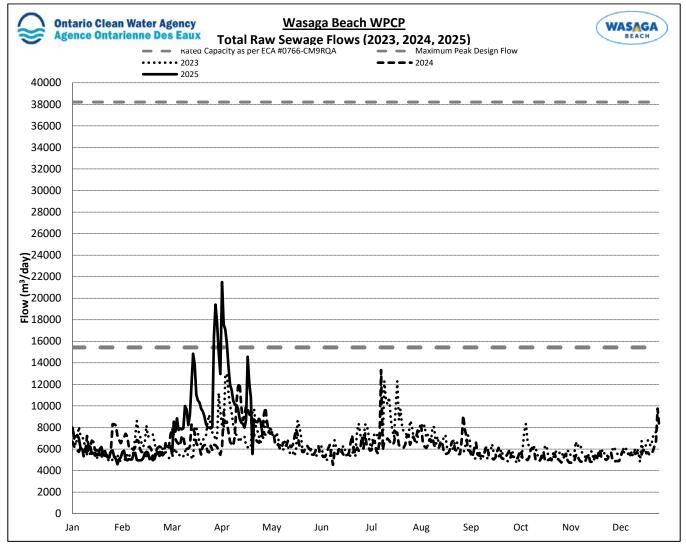
For 2025 to date the Wasaga Beach WPCP has operated within the Peak Design Flow of the wastewater treatment plant. For March and April 2025, the WPCP operated outside of the rated capacity, this is not a reportable non-compliance.

| 2025 | Maximum Daily Raw Sewage Flow (m ³ /d) | % of Rated Capacity | Within Rated Capacity (15,433 m ³ /d) | % of Peak Design Flow Rate | Within Peak Design Flow Rate (38,210 m ³ /d) |
|-----------|--|------------------------|--|----------------------------------|---|
| January | 7,961 | 51.58% | Yes | 20.83% | Yes |
| February | 5,833 | 37.80% | Yes | 15.27% | Yes |
| March | 19,409 | 125.76% | No | 50.80% | Yes |
| April | 21,493 | 139.26% | No | 56.24% | Yes |
| May | | | | | |
| June | | | | | |
| July | | | | | |
| August | | | | | |
| September | | | | | |
| October | | | | | |
| November | | | | | |
| December | | | | | |

The following is a graphic representation of 2025 raw sewage flow compared to Rated Capacity and Maximum Peak Design Flow Rate:

1.2.2 Raw Flow – Comparison with Previous Years

The following is a graphic representation of the raw sewage flow over the last three years (2023-2025):



The total raw sewage flows for January 2025 was 306,006 m³ for the Wasaga Beach WPCP which was lower than April 2025 327,967 m³, but higher than April 2024, 246,651 m³.

1.2.3 Weather Conditions

- January 2025 had 25.0 mm of precipitation (compared to 68.9 mm in January 2024), and an average temperature of -8.7°C (compared with -4.2°C in January 2024) with a minimum of -26.2°C (compared with -19.4°C in January 2024) and a maximum of 1.3°C (compared with 5.9°C in January 2024).
- February 2025 had 69.9 mm of precipitation (compared to 38.2 mm in February 2024), and an average temperature of -4.3°C (compared with -2.9°C in February 2024) with a minimum of -24.3°C (compared with -18.9°C in February 2024) and a maximum of 6.2°C (compared with 13.7°C in February 2024).

- March 2025 had 43.2 mm[^] of precipitation (compared to 81.2 mm in March 2024), and an average temperature of 0.0°C[^] (compared with -2.1°C in March 2024) with a minimum of -21.5°C[^] (compared with -12.5°C in March 2024) and a maximum of 18.5°C[^] (compared with 16.0°C in March 2024)
- April 2025 had 77.1 mm[^] of precipitation (compared to 195.9 mm in April 2024), and an average temperature of 4.4°C[^] (compared to 6.4°C in April 2024) with a minimum of -1.2°C[^] (compared with -4.0°C in April 2024) and a maximum of 28.1°C[^] (compared to 21.1°C in April 2024)

*Weather Data from Environment Canada (Historical Weather Database)

^Environment Canada for March 2025 currently has incomplete data

1.2.4 Effluent Quality

| | | C | BOD₅ | | | Total Sus | pended Solids | 5 |
|-----------|---------|---------|-----------|------------|---------|-----------|---------------|------------|
| 2025 | Monthly | Annual | Within | Within | Monthly | Annual | Within | Within |
| 2025 | Average | Average | Limits | Objectives | Average | Average | Limits | Objectives |
| | (mg/L) | (mg/L) | (10 mg/L) | (5.0 mg/L) | (mg/L) | (mg/L) | (10 mg/L) | (5.0 mg/L) |
| January | 4.67 | | | | 14.00 | | | |
| February | 3.75 | | | | 6.50 | | | |
| March | 7.00 | | | | 7.00 | | | |
| April | <2.00 | | | | 3.00 | | | |
| May | | | | | | | | |
| June | | 3.67 | Yes | Yes | | 5.33 | Yes | No |
| July | | 5.07 | 105 | 105 | | 5.55 | 105 | |
| August | | | | | | | | |
| September | | | | | | | | |
| October | | | | | | | | |
| November | | | | | | | | |
| December | | | | | | | | |

1.2.4.1 Effluent Quality vs. ECA Compliance Limits & Objectives

| | Tota | al Phospho | orous | | E.Coli+ | |
|-----------|---|------------------------------------|--|---|---------------------------------------|---|
| 2025 | Monthly Average including bypasses (mg/L) | Within Limits (0.20 mg/L) | Within Objectives (0.15 mg/L) | Monthly Geometric Mean Density (orgs/100 mL) | Within Limits (200 orgs/100 mL) | Within Objectives (150 orgs/100 mL) |
| January | 0.24 | No | No | 4.75 | Yes | Yes |
| February | 0.15 | Yes | Yes | 0.50 | Yes | Yes |
| March | 0.13 | Yes | Yes | 11.00 | Yes | Yes |
| April | 0.08 | Yes | Yes | 3.15 | Yes | Yes |
| May | | | | | | |
| June | | | | | | |
| July | | | | | | |
| August | | | | | | |
| September | | | | | | |
| October | | | | | | |

Town of Wasaga Beach Wasaga Beach Water Pollution Control Plant Performance Report: January 1, 2025 to April 30, 2025

| | Total Phosphorous | | | E.Coli+ | | |
|----------|---|------------------------------------|--|---|---------------------------------------|---|
| 2025 | Monthly Average including bypasses (mg/L) | Within Limits (0.20 mg/L) | Within Objectives (0.15 mg/L) | Monthly Geometric Mean Density (orgs/100 mL) | Within Limits (200 orgs/100 mL) | Within Objectives (150 orgs/100 mL) |
| November | | | | | | |
| December | | | | | | |

+ Based on a monthly geometric mean density of E.Coli lab results from weekly sampling.

| | Amm | onia (Dec 1 – A | pr 30) | Am | monia (May 1 · | – Nov 30) |
|-----------|---------|-----------------|------------|---------|----------------|------------|
| 2025 | Maximum | Within | Within | Maximum | Within | Within |
| 2025 | Daily | Limits | Objectives | Daily | Limits | Objectives |
| | (mg/L) | (5.0 mg/L) | (4.0 mg/L) | (mg/L) | (1.1 mg/L) | (1.0 mg/L) |
| January | 0.30 | Yes | Yes | - | - | - |
| February | 0.50 | Yes | Yes | - | - | - |
| March | 0.10 | Yes | Yes | - | - | - |
| April | 0.10 | Yes | Yes | - | - | - |
| May | _ | _ | _ | | | |
| June | _ | - | _ | | | |
| July | _ | - | _ | | | |
| August | _ | - | _ | | | |
| September | - | - | - | | | |
| October | _ | _ | _ | | | |
| November | _ | _ | _ | | | |
| December | | | | _ | _ | _ |

1.3 Sludge Haulage

The hauling and spreading of sludge from the Wasaga Beach WPCP occurs as required (storage capacity). Sludge haulage and agricultural land application is contracted to Region of Huronia Environmental Services.

As required by the Nutrient Management Act, chemical analyses of the sludge storage tanks contents are to be completed and the results sent to the contractor prior to haulage and spreading. Samples are taken on a monthly basis and sent for chemical analysis.

Agriculture, Food and Rural Affairs (OMAFRA) approved Non-Agricultural Source Material Plans (NASM Plans) and Certificates of Approval based on Ontario Regulation 338/09 made under the Nutrient Management Act, 2002. NASM Plans under the Nutrient Management Act are issued to the owner (farmer) who is responsible for managing the plan with assistance from the NASM Plan Developer.

1.3.1 Volume of Biosolids

From January 1, 2025 to April 30, 2025:

• Total Sludge Haulage (2025) to date = 7,031.2 m³

| 2025 | Monthly Sludge Haulage Volume (m ³) | NASM Disposal Site |
|---------|--|--------------------|
| January | 0 | N/A |

| 2025 | Monthly Sludge Haulage Volume (m ³) | NASM Disposal Site |
|-----------|--|--------------------|
| February | 0 | N/A |
| March | 1514.00 | N/A |
| April | 5517.20 | N/A |
| May | | |
| June | | |
| July | | |
| August | | |
| September | | |
| October | | |
| November | | |
| December | | |

1.4 Reportable Events: Spills & By-Pass/Overflow Events

From January 1, 2025 to April 30, 2025:

• Number of Reportable Events to date= 6

| 2025 | Date (yyyy/mm/dd) | Event | Details |
|----------|----------------------|-------------------------|--|
| January | 2025/01/08 | Partial Bypass Filter 2 | SAC Reference Number: 1-FREB8T Bypass Time: 1323 to 1324 hrs Duration: 1 minute Bypass Contents: Partially Treated, UV Disinfected Secondary Effluent Approximate Volume: 0.5 m ³ <u>Incident Description</u> During maintenance/trouble shooting, disk filter 2 was unable to keep up with the flow passing through the facility. All effluent passed through UV disinfection. <u>Corrective Actions</u> In response to this event, the sand filter inlets were opened partially. <u>Reporting</u> Verbal notification provided to SAC, MoH, MECP provided on January 8, 2025. No further actions advised. Written notification to the same provided on January 9, 2025. |
| February | 2025/02/18 | Partial Bypass Filter 2 | SAC Reference Number: 1-HJO42N Bypass Location: Disk Filter #2 Bypass Time: 0603 to 0716 hrs and 1120 to 1130 hrs Duration: 1 hour, 13 minutes and 10 minutes; Total time between the two events 1 hour and 23 minutes Bypass Contents: Partially Treated, UV Disinfected Secondary Effluent |

| 2025 | Date (yyyy/mm/dd) | Event | Details |
|----------|----------------------|------------------------------------|---|
| | | | Approximate Volume: approximately 25 + 6.3 = 31.3 m ³ Incident Description: On February 18, OCWA staff received a Disc Filter 2 Backwash pump low pressure alarm. Staff responded by shutting down Backwash Pump 2. Filter 2 became fouled and started to overflow into the UV disinfection channel. <u>Corrective Actions:</u> - Sand filters were put online to keep up with incoming flow. - Grab samples were taken as per ECA. - In response to Low Pressure Alarms, Disc Filter 2 was shutdown for maintenance. - Leaking backwash heads were replaced. <u>Reporting:</u> Verbal notification provided to SAC, MoH, MECP provided on February 18, 2025. No further actions |
| | | | advised. Written notification was given to the same on February 26, 2025. SAC Incident Number: 1-HLXQX2 |
| February | 2025/02/19 | Partial Bypass Filter 1 | Duration: 4 minutes Bypass Contents: Partially Treated, UV Disinfected Secondary Effluent Approximate Volume: 5.5 m ³ <u>Incident Description:</u> On Wednesday February 19, 2025, operations staff were onsite to immediately respond to a partial bypass of Disk Filter 1. Due to ineffective backwashing of the filters causing reduced pressure, the filters are not cleaning adequately. Disk Filter 2 was still operating during this time. <u>Corrective Actions:</u> - Influent flows through Disk Filter 1 were reduced. - Influent flows through Disk Filter 2 were increased. - An additional filter, Sand Filter 3 was brought online to mitigate flows. - Samples were collected as per ECA requirements. <u>Reporting:</u> Verbal notification provided to SAC, MOH, MECP provided on February 19, 2025. No further actions advised. Written notification was given to the same on February 24, 2025. |
| March | 2025/03/29 | Partial Bypass Effluent Filters | SAC Incident Number: 1-MZ9SW7 Bypass Location: Final Effluent Filters |

| 2025 | Date (yyyy/mm/dd) | Event | Details |
|-------|----------------------|------------------------------------|--|
| | | | Bypass Time: 10:40 to 10:50 (10 minutes) Bypass Contents: Disinfected, Partially Bypassed Tertiary Effluent Volume: 1 m ³ Incident Description On Saturday, March 29, 2025, operations staff responded to a High Filter Inlet Channel Alarm. An ice storm/rain fall event was causing high flows into the plant (16,418 m3/day). The high inflow caused Clarifier 1 to flow over the scum ring. The flow over the scum ring caused high solids concentration to enter the filters. The high concentration of solids was outside the parameters of the filter specifications. As a result, the disk filter filterability was unable to keep up with the inflow. The before mentioned conditions caused the filter inlet channel to overflow into the filter outlet box, bypassing the filters. <u>Corrective Actions</u> - Opened Sand Filter 4 - Increased Return Activated Sludge (RAS) flow rate <u>Reporting Communications</u> Verbal notification provided to SAC, MoH, MECP provided on March 29, 2025. Written notification provided on April 3, 2025. No further actions advised. |
| March | 2025/03/30 | Partial Bypass Effluent Filters | SAC Incident Number: 1-MZDBZG Bypass Location: Bypassed Final Effluent Filters Bypass Date & Time: March 30, 2025 04:20 to 04:25 (10 minutes) Bypass Contents: UV Disinfected, Partially Bypassed Tertiary Effluent Volume: 2 m ³ <u>Incident Description</u> On Sunday, March 30, 2025, operations staff responded to a High Filter Inlet Channel Alarm. An ice storm/rain fall event caused high flows into the plant (19,409 m3/day), and a large power outage. The high inflow caused Clarifier 1 to flow over the scum ring. The flow over the scum ring caused high solids concentration to enter the filters. A combination of the two conditions caused the disk filter filterability to drop below acceptable causing the filter inlet channel to overflow into the filter outlet box, bypassing the filters. In addition, the emergency backup power |

| 2025 | Date (yyyy/mm/dd) | Event | Details |
|-------|----------------------|--------------------------------------|--|
| | | | generator failed to start, no power caused the disk filters to stop backwashing, resulting in extremely low flow through the disc filters. <u>Corrective Actions</u> - Opened Sand Filter 4 - Increased Return Activated Sludge (RAS) flow rate <u>Reporting Communications</u> Verbal notification provided to SAC, MoH, MECP on March 29, 2025. Written notification provided on April 3, 2025. No further actions advised. SAC Incident Number: 1-N74T59 Date & Time of Start: April 3, 2025 at 0210 hrs Date & Time of End: April 3, 2025 at 0225 hrs |
| April | 2025/04/03 | Collection System Overflow- SPS 9 | Duration: 15 minutes Volume: 30 m ³ Discharge Location: Nottawasaga River, under Schoonertown Bridge <u>Incident Description</u> Thursday, April 3, 2025, On call OCWA Operator arrived on site paged for Pump Station 9 High Level Alarm. Operator arrived on site and observed all four (4) pumps faulted out on VFDs with over temperature alarms. No visual observation of overflow; however milltronics readings indicated that an overflow occurred <u>Corrective Actions</u> Operator reset all VFDs, wet well levels dropped Turned off duty 4 pump to reduce flow towards the plant to prevent a slug from bypassing Pumps were reset after another fault, and jackets flushed. Pumps were continuously rotated to allow Duty Pump 4 to cool down. Visual observations – no apparent flow from wet well into bypass. Samples collected as required. <u>Reporting Communications</u> Verbal notification provided to SAC, MECP and MoH on April 3, 2025. Written notification provided April 4, 2025. |
| April | 2025/04/03 | Spill | SAC Incident Number: 1-N7HNV8 Spill Contents: Raw Sewage Spill Location: Parking Lot/Grass on site at Wasaga Beach WPCP Date & Time of Start: April 3, 2025 at 0540 hrs Date & Time of End: April 3, 2025 at 0600 hrs Duration: 20 minutes Approximate Volume: 40 m ³ |

| 2025 | Date (yyyy/mm/dd) | Event | Details |
|-----------|----------------------|-------|---|
| | | | Incident Description Inclement weather and high flows caused increased flows towards the inlet works of the WPCP. All pumps faulted out, alarm received and responded to. Upon arrival operations staff observed that the incoming flow exceeded the capacity to divert flow to the raw EQ tank and flooded the grit bin bay. Raw sewage escaped under the bay and entry doors into the parking lot and surrounding grass area, but remained on site. <u>Corrective Actions</u> Operator reset pumps, pumps restored operations, and wet well level dropped within a couple of minutes. Visual observations – spill observed on site, Continued to monitor flows Samples were collected as required by the ECA Spill contents hosed down, and large debris removed <u>Reporting Communications</u> Verbal notification provided to SAC, MECP, and MoH on April 3, 2025. Written notification provided April 4, 2025. |
| May | | | |
| June | | | |
| July | | | |
| August | | | |
| September | | | |
| October | | | |
| November | | | |
| December | | | |

1.5 Report Submissions

A summary of the reports submitted by OCWA on behalf of the Municipality are summarized in the table below:

| Report | Submission Frequency | Submitted To | Last Submission Date | Next Report Due |
|---|-------------------------------------|---|--|----------------------------------|
| Annual Performance Report | Annual (March 31 st) | MECP – District Manager | March 31, 2025 (2024 Report) | March 31, 2026 (2025 Report) |
| Discharge Data Reports | 45 days after the Quarter | MECP | February 14, 2024 (2024 Q4 Report) | May 15, 2025 (2025 Q1 Report) |
| Monitoring Reports – Wastewater Systems Effluent | 45 days after the Quarter | Environment Canada – Effluent Regulatory Reporting | February 14, 2024 (2024 Q4 Report) | May 15, 2025 (2025 Q1 Report) |

| Report | Submission Frequency | Submitted To | Last Submission Date | Next Report Due |
|----------------------|-------------------------|-------------------------------|-------------------------|-----------------|
| Regulation (WSER) | | Information System (ERRIS) | | |

1.5.1 Annual Performance Report

An Annual Performance Report is submitted as required by the ECA for the Wasaga Beach WPCP within 90 days following the end of the period being reported upon. The most recent Annual Performance Report was submitted as per ECA #0766-CM9RQA. The following items are required to be included in the report:

- (a) a summary and interpretation of all Influent, and Imported Sewage monitoring data, and a review of the historical trend of the sewage characteristics and flow rates;
- (b) a summary and interpretation of all Final Effluent monitoring data, including concentration, flow rates, loading and a comparison to the design objectives and compliance limits in this Approval, including an overview of the success and adequacy of the Works;
- (c) a summary of all operating issues encountered and corrective actions taken;
- (d) a summary of all normal and emergency repairs and maintenance activities carried out on any major structure, equipment, apparatus or mechanism forming part of the Works;
- (e) a summary of any effluent quality assurance or control measures undertaken;
- (f) a summary of the calibration and maintenance carried out on all Influent, Imported Sewage and Final Effluent monitoring equipment to ensure that the accuracy is within the tolerance of that equipment as required in this Approval or recommended by the manufacturer;
- (g) a summary of efforts made to achieve the design objectives in this Approval, including an assessment of the issues and recommendations for pro-active actions if any are required under the following situations:

i. when any of the design objectives is not achieved more than 50% of the time in a year, or there is an increasing trend in deterioration of Final Effluent quality;

ii. when the Annual Average Daily Influent Flow reaches 80% of the Rated Capacity;

(h) a tabulation of the volume of sludge generated, an outline of anticipated volumes to be generated in the next reporting period and a summary of the locations to where the sludge was disposed;

(i) a summary of any complaints received and any steps taken to address the complaints;

(j) a summary of all Bypasses, Overflows, other situations outside Normal Operating Conditions and spills within the meaning of Part X of EPA and abnormal discharge events;

(k) a summary of all Notice of Modifications to Sewage Works completed under Paragraph 1.d. of Condition 10, including a report on status of implementation of all modification.

(I) a summary of efforts made to achieve conformance with Procedure F-5-1 including but not limited to projects undertaken and completed in the sanitary sewer system that result in overall Bypass/Overflow elimination including expenditures and proposed projects to eliminate Bypass/Overflows with estimated budget forecast for the year following that for which the report is submitted;

(m) any changes or updates to the schedule for the completion of construction and commissioning operation of major process(es) / equipment groups in the Proposed Works;

(n) a summary of any deviation from the monitoring schedule and reasons for the current reporting year and a schedule for the next reporting year;

1.5.2 Discharge Data Report (MECP)

The Ontario Clean Water Agency (OCWA) has an agreement with the Ministry of Environment, Conservation and Parks (MECP) to submit quarterly discharge data for all OCWA operated municipal sewage treatment facilities 45 days at the end of each quarter. Monitoring data is submitted via the Ministry of Environment Wastewater System (MEWS). The MECP stores these reports in a shared location where MECP Inspectors can obtain and review them. There are no limits/objectives for the quarterly Discharge Data Report.

1.5.3 Monitoring Reports (WSER)

A monitoring report required under the Wastewater Systems Effluent Regulation (WSER) is submitted on a quarterly basis to Environment Canada via the Effluent Regulatory Reporting Information System (ERRIS). The quarterly monitoring report requires that the following information be reported for the Wasaga Beach WPCP:

- Number of days effluent was deposited
- Total volume of effluent deposited
- Average CBOD (limit of 25 mg/L)
- Average concentration of suspended solids (limit of 25 mg/L)
- Acute Toxicity (limit of 50% mortality rate)

1.6 Third-Party Inspections & Results

There have been no third party inspections performed during the reporting period. The last MECP Inspection was performed on **January 10, 2019**.

2. **Operations & Maintenance**

2.1 Major Maintenance, Repair & Capital

| 2025 | Maintenance, Repair & Capital Summary |
|-----------|---|
| | Monthly Facility Inspections- Clarifier, H&S, Panels, Genset, Valve Gate, UV, |
| January | Compressor, MCC, O&M Inspections (PM) |
| | Inlet Building Emergency HVAC Repairs (CORR) |
| February | • Monthly Facility Inspections- Clarifier, H&S, Panels, Genset, Valve Gate, UV, |
| Tebruary | Compressor, MCC, O&M Inspections (PM) |
| March | • Monthly Facility Inspections- Clarifier, H&S, Panels, Genset, Valve Gate, UV, |
| IVIAI CIT | Compressor, MCC, O&M Inspections (PM) |
| | Monthly Facility Inspections- Clarifier, H&S, Panels, Genset, Valve Gate, UV, |
| April | Compressor, MCC, O&M Inspections (PM) |
| Артт | Sunnidale Generator Transfer Switch Repair (CORR) |
| | Biosolids Complex Upgrades In Progress (CAP) |
| May | |
| June | |
| July | |
| August | |
| September | |
| October | |

| 2025 | Maintenance, Repair & Capital Summary |
|----------|---------------------------------------|
| November | |
| December | |

Where, PM is Preventive Maintenance, CAP is Capital, CORR is Corrective

2.2 Call-Ins

| 2025 | # of Call- Ins | Details of Call-Ins |
|----------|-------------------|---|
| January | 10 | January 1, WPCP - Disk Filter Influent Box High Level Alarm January 4, WPCP - Disk Filter Influent Box High Level Alarm January 7, WPCP - Disk Filter Influent Box High Level Alarm January 9, WPCP - Disk Filter Influent Box High Level Alarm January 13, Pump Station 3 – Wetwell High Level Alarm January 19, WPCP - Disk Filter Influent Box High Level Alarm January 22, WPCP - RAS2 Clarifier Torque Alarm January 23, WPCP - High Filter Inlet Alarm January 25, WPCP – High Filter Inlet Channel Alarm January 26, Pump Station 20 – Late to Test Alarm |
| February | 8 | February 8, Pump Station 19 – Late to test Alarm February 11, WPCP – Inlet Sump High Level Alarm February 17, Pump Station 6 – General Alarm February 18, Disk Filter Influent Box High Level Alarm February 19, Pump Station 6 High Level Alarm February 19, WPCP – Clarifier Torque Alarm February 20, Pump Station 6 – High Level Alarm February 22, WPCP – Filter Inlet High Level Alarm |
| March | 11 | March 6, WPCP – Disk Filter Influent Box High Level Alarm March 7, WPCP – Disk Filter Influent Box High Level Alarm March 8, WPCP – Disk Filter Influent High Level Alarm March 15, WPCP – Disk Filter Influent High Level Alarm March 15, Pump Station 9 – Temperature Alarm March 16, Pump Station 9 – Temperature Alarm March 16, WPCP – Disk Filter Influent High Level Alarm March 28, WPCP – Disk Filter Influent High Level Alarm March 29, WPCP – Disk Filter Influent High Level Alarm March 30, WPCP – Disk Filter Influent High Level Alarm March 31, WPCP – Disk Filter Influent High Level Alarm |
| April | | April 3, PS09 – High Level Alarm April 3, PS09 – High Level Alarm April 5, PS09 – Wet Well High and Drive Fail Alarm April 5, WPCP – Less than 2 Blowers Running Alarm April 5, WPCP – Disk Filter Inlet High Level Alarm April 6, PS02 – General and High Level Alarm |

| 2025 | # of Call- Ins | Details of Call-Ins |
|-----------|-------------------|--|
| | | April 9, WPCP – RAS 2 High Level Alarm |
| | | April 18, WPCP – Disk Filter Influent High Level Alarm |
| | | April 19, WPCP – Disk Filter Influent High Level Alarm |
| | | April 19, WPCP – Disk Filter Influent High Level Alarm |
| May | | |
| June | | |
| July | | |
| August | | |
| September | | |
| October | | |
| November | | |
| December | | |

2.3 Community Complaints/Inquires

| 2025 | # of Comm. Complaints | Details of Community Complaints/Inquires | |
|-----------|-----------------------------|---|--|
| January | 0 | • N/A | |
| February | 0 | • N/A | |
| March | 0 | • N/A | |
| April | 1 | • April 29, 2025 – Oxbow Park Drive – Odour Complaint | |
| May | | | |
| June | | | |
| July | | | |
| August | | | |
| September | | | |
| October | | | |
| November | | | |
| December | | | |

3. Health & Safety

3.1 Health & Safety Incidents

From January 1, 2025 to April 30, 2025:

• Number of Health & Safety Incidents Reported = 0

| 2025 | Health & Safe | ety Incidents |
|----------|---------------|---------------|
| 2025 | # Reported | Details |
| January | 0 | N/A |
| February | 0 | N/A |
| March | 0 | N/A |
| April | 0 | N/A |

| 2025 | Health & Safety Incidents | | | | | |
|-----------|---------------------------|---------|--|--|--|--|
| 2025 | # Reported | Details | | | | |
| May | | | | | | |
| June | | | | | | |
| July | | | | | | |
| August | | | | | | |
| September | | | | | | |
| October | | | | | | |
| November | | | | | | |
| December | | | | | | |

3.2 Health & Safety Training

The following safety training and safety topics were provided to staff:

| 2025 | H&S Topics |
|-----------|--|
| | Monthly Safety Topic: Eye Protection |
| | Health, Safety & Wellness First: Making STOP Part of Your 2025 Safety Commitment |
| January | Health, Safety & Wellness First: Eye Protection |
| | Weekly Health & Safety Topic: Back Injury Prevention |
| | Weekly Health & Safety Topic: Get Up Day |
| | Monthly Safety Topic: Respect for Each Other |
| | Health, Safety & Wellness First: S.T.O.P. and only proceed when it is safe |
| February | Health, Safety & Wellness First: Winter Safe Diving |
| | Health, Safety & Wellness First: How Cold Weather Impacts Mental Health |
| | Health, Safety & Wellness First: Ladder Safety Tips |
| | Monthly Safety Topic: Housekeeping |
| March | Health, Safety & Wellness First: Time Changes |
| Ivia ch | Health, Safety & Wellness First: Finding Balance |
| | Health, Safety & Wellness First: Don't Walk By |
| | Monthly Safety Topic: Support for Our Family |
| | Health, Safety & Wellness First: Distracted Driving |
| April | Health, Safety & Wellness First: Don't Walk By |
| | Health, Safety & Wellness First: Health, Safety and Wellness Week 2025 |
| | Health, Safety & Wellness First: Important Notice |
| May | |
| June | |
| July | |
| August | |
| September | |
| October | |
| November | |
| December | |



WASAGA BEACH DRINKING WATER SYSTEM

PERFORMANCE REPORT

For the period of January 1, 2025 to April 30, 2025

Prepared by the Ontario Clean Water Agency



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Note: This report may not represent the most recent available data. In the following months report, missing data will be added.

1. Process Performance & Regulatory Compliance

1.1 Summary of Non-Compliances & AWQIs

From January 1, 2025 to April 30 2025:

- Number of Non-Compliances = **0**
- Number of Adverse Water Quality Incidents (AWQIs) = 1

The table below is a summary of Wasaga Beach DWS performance in accordance with the regulatory limits in:

- Municipal Drinking Water License (MDWL) 131-101, Issue 4, expires March 16, 2026
- Permit To Take Water (PTTW) 3432-DDEQEP, expire December 31, 2034
- Ontario Regulation 170/03 and 169/03

| 2025 | Non-Compliances | AWQIs |
|-----------|-----------------|-------|
| January | 0 | 0 |
| February | 0 | 0 |
| March | 0 | 0 |
| April | 0 | 1 |
| May | | |
| June | | |
| July | | |
| August | | |
| September | | |
| October | | |
| November | | |
| December | | |

1.1.1 Description of Non-Compliances

The following is a summary of the requirements of the Safe Drinking Water Act (SDWA), Ontario Regulation 170/03 and 169/03, Certificates of Approval (CofAs), Drinking Water Works Permit (DWWP), Municipal Drinking Water License (MDWL), and any orders applicable to the system that were not during the time period covered by this report; including duration and measures taken to correct a failure:

| Non-Compliance(s) | Duration | Required Actions & Corrective Actions |
|-------------------|----------|--|
| N/A | N/A | N/A |

1.1.2 Description of AWQIs

The following contains details on notices submitted in accordance with subsection 18(1) of the Safe Drinking-Water Act or section 16-4 of Schedule 16 of O.Reg.170/03 and reported to the Spills Action Centre:

| Incident Date (yyyy/mm/dd) | Parameter/ Notice of | Result & Unit | Reporting Summary, Corrective Actions & Resolution |
|----------------------------------|---|------------------|---|
| 2025/04/30 | Observations of Improperly Disinfected Water | N/A | AWQI #168074 OCWA on-call Operator immediately began back flushing the contact main, took treated water free chlorine residuals and two microbiological samples at PS6 and PS4. Operator set Jenetta Pumphouse offline for the night until further troubleshooting of the pre- chlorination system could be performed on May 1, 2025. OCWA on-call operator contacted the Town of Wasaga Beach- Public Works Department for assistance. The Town of Wasaga Beach sent their on-call distribution system operator to take distribution chlorine residuals at nearby hydrants. All residuals taken were above compliance requirements at 2158 hrs- 1.29 mg/L at 2201 hrs- 1.25 mg/L at 2209 hrs- 1.37 mg/L at 2226 hrs- 1.28 mg/L at 2236 hrs- 1.33 mg/L at 2241 hrs- 1.32 mg/L at 2241 hrs- 1.32 mg/L Sample results received May 2, 2025. 0 Total Coliform and 0 E.Coli Written notification of Adverse submitted May 1, 2025. Written resolution notice submitted May 5, 2025. |

1.2 Summary of Process Performance

1.2.1 Flow - Raw and Treated

1.2.1.1 Raw Water Flow: Jenetta and Powerline Pumphouses

During the reporting period, the raw water takings at the Jenetta and Powerline Pumphouses were **within the limits** of the current PTTW as per the summary of the maximum daily flow for the month.

| | Jenetta Pu | mphouse | Powerline I | Pumphouse |
|-----------|--|---|--|---|
| 2025 | Maximum Daily Flow (m ³ /day) | Within Limits (15,707.52 m ³) | Maximum Daily Flow (m ³ /day) | Within Limits (15,707.52 m ³) |
| January | 2,517 | Yes | 4,604 | Yes |
| February | 2,242 | Yes | 4,600 | Yes |
| March | 3,345 | Yes | 4,643 | Yes |
| April | 6,106 | Yes | 5,548 | Yes |
| May | | | | |
| June | | | | |
| July | | | | |
| August | | | | |
| September | | | | |
| October | | | | |
| November | | | | |
| December | | | | |

1.2.1.2 Treated Water Flow: Jenetta Pumphouse

During the reporting period, the Jenetta Pumphouse operated **within the rated capacity** set out in current MDWL.

| 2025 | Average Flow | % of Rated | Maximum Flow | % of Rated | Within Limits |
|-----------|--------------|------------|--------------|------------|-------------------------------|
| 2025 | (m³/d) | Capacity | (m³/d) | Capacity | (15,707.52 m ³ /d) |
| January | 1,958.90 | 12.47% | 2,517.00 | 16.02% | Yes |
| February | 1,946.89 | 12.39% | 2,242.00 | 14.27% | Yes |
| March | 2,056.36 | 13.09% | 3,345.00 | 21.30% | Yes |
| April | 2,792.73 | 17.77% | 6,106.00 | 38.87% | Yes |
| May | | | | | |
| June | | | | | |
| July | | | | | |
| August | | | | | |
| September | | | | | |
| October | | | | | |
| November | | | | | |
| December | | | | | |

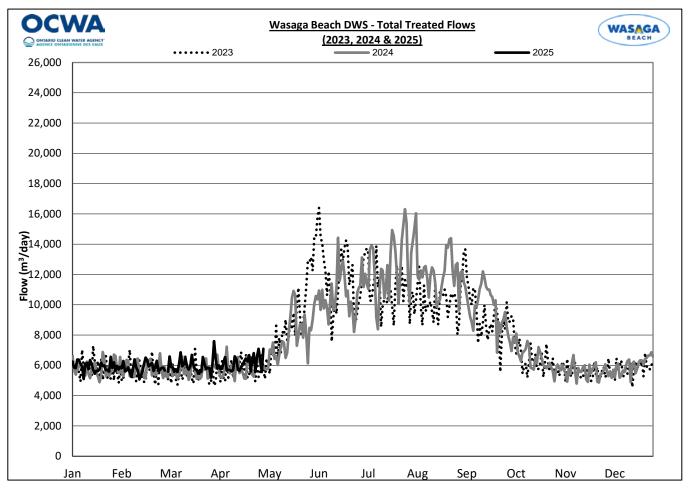
1.2.1.3 Treated Water Flow: Powerline Pumphouse

During the reporting period, the Powerline Pumphouse operated **within the rated capacity** set out in current MDWL.

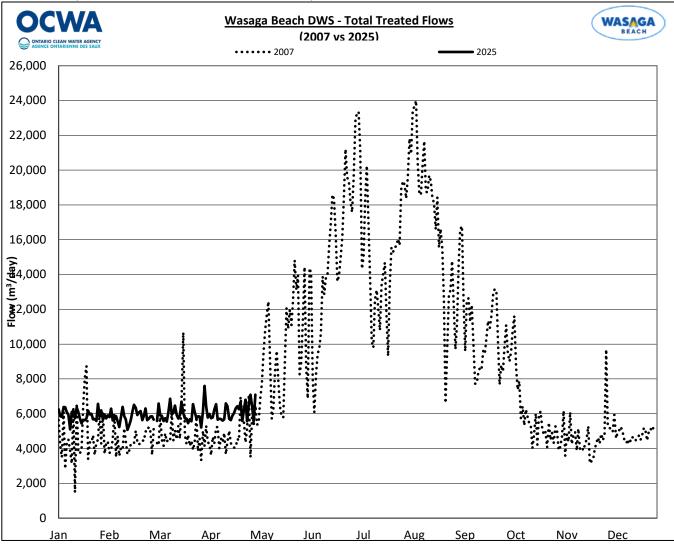
| 2025 | Average Flow (m ³ /d) | % of Rated Capacity | Maximum Flow (m ³ /d) | % of Rated Capacity | Within Limits (15,707.52 m ³ /d) |
|-----------|-------------------------------------|------------------------|-------------------------------------|------------------------|---|
| January | 3,955.94 | 25.19% | 4,642.00 | 29.55% | Yes |
| February | 3,887.43 | 24.75% | 4,472.00 | 28.47% | Yes |
| March | 3,948.23 | 25.14% | 4,668.00 | 29.72% | Yes |
| April | 3,317.07 | 21.11% | 5,548.00 | 35.32% | Yes |
| May | | | | | |
| June | | | | | |
| July | | | | | |
| August | | | | | |
| September | | | | | |
| October | | | | | |
| November | | | | | |
| December | | | | | |

1.2.1.4 Treated Water Flow: Comparison with Previous Years [Graphs]

The following is a graphic representation of the treated water flow over the last three years:



The following is a graphic representation of the comparison of treated water of flow in 2025



with 2007 (before water-meters were installed):



| 2025 # of Sample | # of | E.Coli (cfu/100mL) | | | Total Coliforms (cfu/100mL) | | |
|---------------------|---------|------------------------------|---------|--------------------------------|--------------------------------|---------|--------------------|
| | Samples | Minimum | Maximum | Within Limits? ⁺ | Minimum | Maximum | Within Limits?⁺ |
| January | 24 | 0 | 0 | N/A | 0 | 0 | N/A |
| February | 24 | 0 | 0 | N/A | 0 | 0 | N/A |
| March | 24 | 0 | 0 | N/A | 0 | 0 | N/A |
| April | 19* | 0 | 0 | N/A | 0 | 0 | N/A |
| May | | | | | | | |
| June | | | | | | | |
| July | | | | | | | |
| August | | | | | | | |
| September | | | | | | | |

| 2025 | # of | E.Coli # of (cfu/100mL) | | Total Coliforms (cfu/100mL) | | | |
|----------|---------|----------------------------|---------|--------------------------------|---------|---------|--------------------------------|
| 2025 | Samples | Minimum | Maximum | Within Limits? ⁺ | Minimum | Maximum | Within Limits? ⁺ |
| October | | | | | | | |
| November | | | | | | | |
| December | | | | | | | |
| YTD | 91 | 0 | 0 | N/A | 0 | 0 | N/A |

⁺*Raw water bacteriological samples do not have regulatory limits.*

Note: *PL1 Well Offline for 1 week, J3 Well Offline for 1 week, PW3 offline for 2 weeks, due to the valve retrofitting project and maintenance

| | | | E. Co | i | Тс | otal Colif | forms | | HPC ⁺ | |
|-----------|---------|------------------|-------|-------------------|------|---------------|-------------------|------|-------------------------|-------------------|
| 2025 | # of | # of (0 c | | (0 cfu/100mL) | | (0 cfu/100mL) | | | (cfu/100mL) | |
| 2023 | Samples | Min. | Max. | Within Limits? | Min. | Max. | Within Limits? | Min. | Max. | Within Limits? |
| January | 8 | 0 | 0 | N/A | 0 | 0 | N/A | <10 | 10 | Yes |
| February | 8 | 0 | 0 | N/A | 0 | 0 | N/A | <10 | <10 | Yes |
| March | 8 | 0 | 0 | N/A | 0 | 0 | N/A | <10 | 10 | Yes |
| April | 8 | 0 | 0 | N/A | 0 | 0 | N/A | <10 | 10 | Yes |
| May | | | | | | | | | | |
| June | | | | | | | | | | |
| July | | | | | | | | | | |
| August | | | | | | | | | | |
| September | | | | | | | | | | |
| October | | | | | | | | | | |
| November | | | | | | | | | | |
| December | | | | | | | | | | |
| YTD | 32 | 0 | 0 | N/A | 0 | 0 | N/A | <10 | 10 | Yes |

⁺ There is no regulatory limit for Heterotrophic Plate Count (HPC); it is used as an indicator test.

1.2.2.3 Distribution Water Quality: Wasaga Beach

| | # of | | E. Coli | 0 | Т | otal Colif | orms | | | | |
|-----------|---------|---------------|---------|-------------------|-----|------------|-------------------|-----------------|-----|-----|-------------------|
| 2025 | Samples | es (0 cfu/100 | | mL) | (| 0 cfu/10 | OmL) | (cfu/100mL) | | | |
| 2025 | | Min | Max | Within Limits? | Min | Max | Within Limits? | # of Samples | Min | Max | Within Limits? |
| January | 36 | 0 | 0 | N/A | 0 | 0 | N/A | 12 | <10 | 10 | Yes |
| February | 36 | 0 | 0 | N/A | 0 | 0 | N/A | 12 | <10 | <10 | Yes |
| March | 36 | 0 | 0 | N/A | 0 | 0 | N/A | 12 | <10 | 30 | Yes |
| April | 36 | 0 | 0 | N/A | 0 | 0 | N/A | 12 | <10 | <10 | Yes |
| May | | | | | | | | | | | |
| June | | | | | | | | | | | |
| July | | | | | | | | | | | |
| August | | | | | | | | | | | |
| September | | | | | | | | | | | |
| October | | | | | | | | | | | |

| 2025 | # of Samples | E. Coli (0 cfu/100mL) | | Total Coliforms (0 cfu/100mL) | | HPC⁺ (cfu/100mL) | | | | | |
|----------|-----------------|---------------------------------|-----|----------------------------------|-----|---------------------|-------------------|-----------------|-----|-----|-------------------|
| 2025 | | Min | Max | Within Limits? | Min | Max | Within Limits? | # of Samples | Min | Max | Within Limits? |
| November | | | | | | | | | | | |
| December | | | | | | | | | | | |
| YTD | 144 | 0 | 0 | N/A | 0 | 0 | N/A | 48 | <10 | 30 | Yes |

⁺ There is no regulatory limit for Heterotrophic Plate Count (HPC); it is used as an indicator test. At least 25% of distribution samples must be tested for Heterotrophic Plate Count (HPC).

1.2.3 Water Quality - Operational Testing

1.2.3.1 Treated Water Quality: Jenetta Pumphouse, Free Chlorine Residual

| 2025 | Minimum Chlorine (mg/L) | Maximum Chlorine (mg/L) | Within Limits? (CT Achieved) |
|-----------|----------------------------|----------------------------|---------------------------------|
| January | 1.22 | 2.38 | Yes |
| February | 1.09 | 2.06 | Yes |
| March | 1.15 | 2.23 | Yes |
| April | 0.01* | 2.42 | Yes |
| May | | | |
| June | | | |
| July | | | |
| August | | | |
| September | | | |
| October | | | |
| November | | | |
| December | | | |

* AWQI #168074, see Table 1.1.2 Description of AWQIs for more information.

1.2.3.2 Treated Water Quality: Powerline Pumphouse, Free Chlorine Residual

| 2025 | Minimum Chlorine | Maximum Chlorine | Within Limits? |
|-----------|------------------|------------------|----------------|
| 2025 | (mg/L) | (mg/L) | (CT Achieved) |
| January | 1.25 | 2.01 | Yes |
| February | 1.23 | 1.91 | Yes |
| March | 1.00 | 1.89 | Yes |
| April | 1.02 | 2.25 | Yes |
| May | | | |
| June | | | |
| July | | | |
| August | | | |
| September | | | |
| October | | | |
| November | | | |
| December | | | |

1.2.3.3 Distribution Water Quality: Wasaga Beach System, Free Chlorine Residual

| 2025 | Minimum Chlorine (mg/L) | Maximum Chlorine (mg/L) | Within Limits? (>0.05 mg/L) |
|-----------|----------------------------|----------------------------|--------------------------------|
| January | 1.06 | 2.20 | Yes |
| February | 1.21 | 1.90 | Yes |
| March | 1.19 | 1.95 | Yes |
| April | 0.91 | 2.15 | Yes |
| May | | | |
| June | | | |
| July | | | |
| August | | | |
| September | | | |
| October | | | |
| November | | | |
| December | | | |

1.2.4 Water Quality – Chemical Testing

1.2.4.1 Treated Water Quality: Jenetta and Powerline Pumphouses, Nitrites (Quarterly)

| | Jenetta Pur | nphouse | Powerline Pumphouse | | |
|-----------|------------------------------------|----------------------------|------------------------------------|----------------------------|--|
| 2025 | Nitrite Concentration (mg/L) | Within Limits? (1 mg/L) | Nitrite Concentration (mg/L) | Within Limits? (1 mg/L) | |
| January | 0.003 < MDL | Yes | 0.003 < MDL | Yes | |
| February | - | - | - | - | |
| March | - | - | - | - | |
| April | 0.003 < MDL | Yes | 0.003 < MDL | Yes | |
| May | - | - | - | - | |
| June | - | - | - | - | |
| July | | | | | |
| August | - | - | - | - | |
| September | - | - | _ | - | |
| October | | | | | |
| November | - | - | _ | - | |
| December | - | - | _ | - | |

* Where MDL refers to the Minimum Detection Limit.

| 1.2.4.2 Treated Water Quality | : Ienetta and Powerline Pumph | ouses. Nitrates (Ouarterly) |
|----------------------------------|-------------------------------|-----------------------------|
| Tizi fiz fi culcu fi ulci Quunty | jenetta ana i owernne i ampi | |

| | Jenetta Pur | mphouse | Powerline Pumphouse | | |
|-----------|------------------------------------|-----------------------------|------------------------------------|-----------------------------|--|
| 2025 | Nitrate Concentration (mg/L) | Within Limits? (10 mg/L) | Nitrate Concentration (mg/L) | Within Limits? (10 mg/L) | |
| January | 0.006 < MDL | Yes | 0.006 < MDL | Yes | |
| February | - | - | - | - | |
| March | - | - | - | - | |
| April | 0.006 < MDL | Yes | 0.006 < MDL | Yes | |
| May | - | _ | - | - | |
| June | - | _ | - | - | |
| July | | | | | |
| August | - | - | - | - | |
| September | - | - | - | - | |
| October | | | | | |
| November | - | - | - | - | |
| December | - | - | - | - | |

* Where MDL refers to the Minimum Detection Limit.

1.2.4.3 Distribution Water Quality: Total Trihalomethanes (TTHMs) (Quarterly)

| 2025 | TTHM Concentration | Running Annual | Within Limits? |
|-----------|--------------------|----------------|----------------|
| 2025 | (µg/L) | Average (µg/L) | (100 μg/L) |
| January | 20.00 | 24.00 | Yes |
| February | - | - | - |
| March | - | - | - |
| April | 22.00 | 24.75 | Yes |
| May | - | - | - |
| June | - | - | - |
| July | | | |
| August | - | - | - |
| September | - | - | - |
| October | | | |
| November | - | - | |
| December | - | - | - |

1.2.4.4 Distribution Water Quality: Haloacetic Acids (HAAs) (Quarterly)

| 2025 | HAA Concentration | Running Annual | Within Limits? |
|----------|-------------------|----------------|----------------|
| 2025 | (µg/L) | Average (µg/L) | (80 μg/L) |
| January | 5.3 < MDL | 5.3 < MDL | Yes |
| February | - | - | - |
| March | - | - | - |
| April | 5.3 < MDL | 5.3 < MDL | Yes |
| May | - | - | - |
| June | - | - | - |
| July | | | |
| August | - | - | - |

| 2025 | HAA Concentration (µg/L) | Running Annual Average (μg/L) | Within Limits? (80 μg/L) |
|-----------|-----------------------------|----------------------------------|-----------------------------|
| September | - | - | _ |
| October | | | |
| November | - | - | - |
| December | - | - | - |

* Where MDL refers to the Minimum Detection Limit.

1.2.5 Water Quality - Lead, Alkalinity and pH (Semi-Annual)

1.2.5.1 Distribution Water: Wasaga Beach

Lead Semi-Annual sampling is required every 36 months and twice in the applicable year; once in the period from December 15th to April 15th and once in the period June 15th to October 15th. Lead sampling is next required in **January** and **July**, **2026**; the latest samples were taken in January and July 2023 and those results were **within the regulatory limits**

Alkalinity and pH Semi-Annual sampling is required twice a year; once in the period from December 15th to April 15th and once in the period June 15th to October 15th.

| | | Lead (µg/L) | | Alkalinity (mg/L) | | | рН | | | |
|---------|-----------------|----------------|------|--------------------------------|------|------|---------------------------------------|------|------|--|
| | # of Samples | Min. | Max. | Within Limits? (10 µg/L) | Min. | Max. | Within Limits? (30-500 mg/L) | Min. | Max. | Within Limits? (<i>6.5-8.5)</i> |
| January | 4 | - | - | - | 176 | 193 | Yes | 7.70 | 8.00 | Yes |
| July | _ | - | _ | - | | | | | | |

1.2.6 Water Quality – Schedule 23 & Schedule 24 (36 Months)

Treated water Inorganic and Organic chemicals were last tested at Powerline and Jenetta Pumphouse on **January 18, 2024** and the sample results were **within the regulatory limits** as per O. Reg. 169/03. The next set of Schedule 23 and Schedule 24 samples are scheduled to be taken in January, 2027.

1.2.7 Water Quality - Sodium & Fluoride (60 Months)

Treated water sodium and fluoride were last tested at Powerline and Jenetta Pumphouse on July 18, 2023 and the sample results were within regulatory limits. The next set of sodium and fluoride samples is scheduled for July 2028.

1.3 Reporting

A summary of the reports submitted by OCWA to/on behalf of the Town are summarized in the table below:

| Report | Submission Frequency | Submit To | Last Submission Date |
|------------------------------|----------------------|-----------|----------------------|
| Annual Report (Section 11) | Annually | Owner | February 28, 2025 |
| Summary Report (Schedule 22) | Annually | Owner | February 28, 2025 |

1.3.1 Annual Report (Section 11)

As required by Section 11 of O. Reg. 170/03, OCWA prepares a report for the Town that covers the period from January 1 to December 31 by no later than February 28 of the following year. The annual report must:

- a) contain a brief description of the drinking water system, including a list of water treatment chemicals used by the system during the period covered by the report;
- b) summarize any reports made to the Ministry under subsection 18 (1) of the Act or section 16-4 of Schedule 16 during the period covered by the report;
- c) summarize the results of tests required under this Regulation, or under an approval, municipal drinking water license or order, including an OWRA order, during the period covered by the report and, if tests required under this Regulation in respect of a parameter were not required during that period, summarize the most recent results of tests of that parameter;
- d) describe any corrective actions taken under Schedule 17 or 18 during the period covered by the report;
- e) describe any major expenses incurred during the period covered by the report to install, repair or replace required equipment;
- f) in the case of a large municipal residential system or a small municipal residential system, include a statement of where a report prepared under Schedule 22 will be available for inspection under subsection 12 (4); and
- g) in the case of a large municipal residential system, small municipal residential system or nonmunicipal year-round residential system, specify the number of points sampled during the periods described in subsection 15.1-4 (2) or subsection 15.1-5 (5) of Schedule 15.1 to the Regulation, the number of samples taken, and the number of points where a sample exceeded the prescribed standard for lead during those periods. O. Reg. 170/03, s. 11 (6); O. Reg. 418/09, s. 8; O. Reg. 458/16, s. 6 (1).

"The owner of a drinking water system shall ensure that a copy of an annual report for the system is given, without charge, to every person who requests a copy. If a drinking water system is connected to and receives all of its drinking water from another drinking water system, the owner of the system that obtains the water shall ensure that a copy of an annual report for the system from which the water is obtained is given, without charge, to every person who requests a copy. Every time that an annual report is prepared for a drinking water system, the owner of the system shall ensure that effective steps are taken to advise users of water from the system that copies of the report are available, without charge, and of how a copy may be obtained. If the DWS serves more than 10,000 people, the owner of the system shall ensure that a copy of every report prepared under this section is available to the public at no charge on a website on the Internet."

1.3.2 Summary Report (Schedule 22)

As required by Schedule 22 of O. Reg. 170/03 OCWA prepares a report on behalf of the Town by no later than March 31 each year for the preceding year. This report is to be given to members of council.

"The report must,

- a) List the requirements of the Act, the regulations, the system's approval, drinking water works permit, municipal drinking water license, and any orders applicable to the system that were not met at any time during the period covered by the report; and
- b) For each requirement referred to that was not met, specify the duration of the failure and the measures that were taken to correct the failure.

The report must also include the following information for the purpose of enabling the owner of the system to assess the capability of the system to meet existing and planned uses of the system:

- 1. A summary of the quantities and flow rates of the water supplied during the period covered by the report, including monthly average and maximum daily flows.
- 2. A comparison of the summary referred to in paragraph 1 to the rated capacity and flow rates approved in the system's approval, drinking water works permit or municipal drinking water license, or if the system is receiving all of its water from another system under an agreement pursuant to subsection 5 (4), to the flow rates specified in the written agreement."

1.4 Third Party Inspections & Results

The most recent Ministry of Environment, Conservation and Parks (MECP) inspection was an announced inspection, which occurred on **January 28, 2025** for the 2024 reporting year. The final inspection report was received on March 27, 2025 and a rating of **100%** was given.

1.5 Drinking Water Quality Management Standard (DWQMS)

The Ministry of Environment and Climate Change (now MECP) released a revision of the standard (DWQMS Version 2.0) on April 6, 2017. The Wasaga Beach Well Supply System has its own Operational Plan under DWQMS and it has been updated to reflect the requirements outlined in the DWQMS Standards version 2.0.

1.5.1 Risk Assessment

As required by the DWQMS, potential hazardous events and associated risks are ranked and control measures/critical control points are identified during the risk assessment process. A risk assessment is conducted at least once every 36 months and the currency of the risk assessment is verified at least once a year. The risk assessment verification is included as part of the 36 month risk assessment process.

The last annual risk assessment review was performed on **June 28, 2023** and is due again in June, 2025. The 36-month risk assessment was performed on **October 3, 2024**; the next 36-month risk assessment is due in October 2027.

1.5.2 Review & Provision of Infrastructure

On an annual basis, Operators and the Senior Operations Manager discuss Capital Works requirements. The Senior Operations Manager conducts a review of the drinking water system's infrastructure to assess its adequacy for the operation and maintenance of the system. The output of the review is a Summary of Capital Works Recommendations that is submitted to the owner for review and comment (typically in autumn). Together with the owner, timelines and responsibilities for implementation of priority items are determined and documented. The Senior Operations Manager ensures that results of the review are included as input to the Management Review process.

1.5.3 Internal Audits

As required by DWQMS, internal audits occur at least once every calendar year. **June 20, 2024**, the last internal audit was completed. The purpose of the internal audit is to ensure that the requirements of DWQMS were met, and that measurable steps are being taken to continually improve.

1.5.4 External Audits

Annually, an external audit is performed by a third-party (SAI Global) so that the Operating Authority may maintain their accreditation of the facility. The external audits run on a 3-year cycle as follows:

- Full scope (re)accreditation
- S1: Surveillance Audit
- S2: Surveillance Audit

The Wasaga Beach DWS has completed a **Full scope (re) accreditation** audit. Interek-SAI Global conducted a **Part 1 - Off-site Remote System Audit** on February 12, 2025. The result was a recommendation to continue with **Part 2 - On-Site Reaccreditation Audit**, which occurred on May 2, 2025. The system received a recommendation for re-accreditation. There were no (0) non-conformances, and one (1) opportunity for improvement.

1.5.5 Management Review

A Management Review is to be completed at least once every calendar year and the minutes from the Management Review are sent to the Town following the completion of the review. The most recent Joint-Management Review with the Town of Wasaga Beach was completed on **October 13, 2024**. During the management review, participants are required to review:

- a. incidents of regulatory non-compliance,
- b. incidents of adverse drinking-water tests,
- c. deviations from critical control point limits and response actions,
- d. the efficacy of the risk assessment process,
- e. internal and third-party audit results,
- f. results of emergency response testing,
- g. operational performance,
- h. raw water supply and drinking water quality trends,
- i. follow-up on action items from previous management reviews,
- j. the status of management action items identified between reviews,
- k. changes that could affect the Quality Management System,
- I. consumer feedback,
- m. the resources needed to maintain the Quality Management System,
- n. the results of the infrastructure review,
- o. Operational Plan currency, content and updates, and
- p. Staff suggestions.

q. Review/consideration of Best Management Practices [new for DWQMS 2.0]

2. **Operations & Maintenance**

2.1 Major Maintenance, Repair & Capital

| 2025 | Maintenance, Repair & Capital Summary |
|-------------------|---|
| | Analyzer Lab Turbidity & Chlorine Calibration/Testing (PM) |
| | Facility Health and Safety Inspection (PM) |
| | Diesel Genset Testing (PM) |
| | Alarm Dialer Testing (PM) |
| | Well Monitoring Inspection (PM) |
| lonuon/ | MCC Testing (PM) |
| January | Jenetta DWS Gas Heater Repairs (CORR) |
| | Powerline DWS High Lift Pump #3 Refurbishment – In Progress (CAP) |
| | Powerline and Jenetta DWS Well #2 Level Transducer Replacements – In Progress |
| | (CAP) |
| | Tower 1 Altitude Valve External Components (CORR) |
| | Powerline DWS MCC Electrical Breaker Repairs – In Progress (CAP) |
| | Analyzer Lab Turbidity & Chlorine Calibration/Testing (PM) |
| | Facility Health and Safety Inspection (PM) |
| | Diesel Genset Testing (PM) |
| | Alarm Dialer Testing (PM) |
| | Well Monitoring Inspection (PM) |
| February | MCC Testing (PM) |
| | Jenetta DWS Gas Heater Repairs (CORR) |
| | Powerline DWS High Lift Pump #3 Refurbishment – In Progress (CAP) |
| | Powerline and Jenetta DWS Well #2 Level Transducer Replacements (CAP) |
| | Powerline DWS MCC Electrical Breaker Repairs – In Progress (CAP) |
| | Powerline DWS Chemical Dosing Replacement Parts (CAP) |
| | Analyzer Lab Turbidity & Chlorine Calibration/Testing (PM) |
| | Facility Health and Safety Inspection (PM) |
| | Diesel Genset Testing (PM) |
| | • Alarm Dialer Testing (PM) |
| N 4 a cala | Well Monitoring Inspection (PM) |
| March | MCC Testing (PM) |
| | Jenetta Well Pump and Well Pump Performance Testing – In Progress (CAP) |
| | Powerline DWS High Lift Pump #3 Refurbishment – In Progress (CAP) |
| | Powerline DWS MCC Electrical Breaker Repairs – In Progress (CAP) |
| | Powerline DWS Chemical Dosing Replacement Parts (CAP) |
| | Analyzer Lab Turbidity & Chlorine Calibration/Testing (PM) |
| | Facility Health and Safety Inspection (PM) |
| April | Diesel Genset Testing (PM) |
| | Alarm Dialer Testing (PM) |
| | Well Monitoring Inspection (PM) |

| 2025 | Maintenance, Repair & Capital Summary | | | |
|-----------|--|--|--|--|
| | MCC Testing (PM) | | | |
| | Powerline and Jenetta Well Control Valve Retrofits (CAP) | | | |
| May | | | | |
| June | | | | |
| July | | | | |
| August | | | | |
| September | | | | |
| October | | | | |
| November | | | | |
| December | | | | |

2.2 Call-Ins

| 2025 | # of Call-Ins | Details of Call-Ins | |
|-----------|---------------|--|--|
| | | Jan 9, Jenetta Pre-chlorine HI/LOW Alarm | |
| | | Jan 10, Jenetta Pre-chlorine HI/LOW Alarm | |
| | | Jan 11, Jenetta Pre-chlorine HI/LOW Alarm | |
| January | 7 | Jan 12, Jenetta Pre-chlorine HI/LOW Alarm | |
| | | Jan 13, Jenetta Pre-chlorine HI/LOW Alarm | |
| | | Jan 26, Reservoir Chlorine HI/LOW Alarm | |
| | | Jan 29, Powerline Well 3 ALARM | |
| February | 0 | • N/A | |
| March | 1 | March 31, Powerline SCADA Failure Alarm- Ice Storm | |
| | | • April 7, Powerline Well 2 Pump Alarm | |
| | | April 12, Jenetta Pre-chlorine Low Alarm | |
| April | 3 | April 18, Powerline Reservoir Low Chlorine Alarm | |
| | | | |
| May | | April 30, Jenetta Post-chlorine Low Chlorine Alarm | |
| 1 | | | |
| June | | | |
| July | | | |
| August | | 1 | |
| September | | | |
| October | | | |
| November | | | |
| December | | | |

2.3 Community Complaints/Inquires

| 2025 | # of Comm. Complaints | Details of Community Complaints/Inquires |
|----------|--------------------------|--|
| January | 1 | Water hardness inquiry |
| February | 0 | • N/A |
| March | 1 | Fluoride in water inquiry |
| April | 0 | • N/A |

| 2025 | # of Comm. Complaints | Details of Community Complaints/Inquires |
|-----------|--------------------------|--|
| May | | |
| June | | |
| July | | |
| August | | |
| September | | |
| October | | |
| November | | |
| December | | |

3. Health & Safety

3.1 Health & Safety Incidents

From January 1, 2025 to April 30, 2025:

• Number of Health & Safety Incidents Reported = 0

| 2025 | Health & Safe | ty Incidents |
|-----------|---------------|--------------|
| 2025 | # Reported | Details |
| January | 0 | N/A |
| February | 0 | N/A |
| March | 0 | N/A |
| April | 0 | N/A |
| May | | |
| June | | |
| July | | |
| August | | |
| September | | |
| October | | |
| November | | |
| December | | |

3.2 Health & Safety Training

Refer to Section 3.2 in the Wasaga Beach WPCP Monthly Performance Report for safety topics/training provided to staff during this reporting period.



CORPORATE REPORT The Corporation of the Town of Wasaga Beach Meeting Date: 5/15/2025

DATE:4/29/2025SUBJECT:Beach Area 1 Roadway Reconstruction Phase 1 - Contract No. PW2025-
15 - Tender AwardCONTACT:Mike Pincivero, P.Eng., Manager of Engineering ServicesREPORT NUMBER:2025/05/15-20

RECOMMENDATION:

- 1. **THAT** the report titled: Beach Area 1 Roadway Reconstruction Phase 1 Contract No. PW2025-15 Tender Award, for the Council meeting of May 15, 2025, be received; and
- 2. **THAT** Council award the contract to Arnott Construction Ltd. for the Beach Area 1 Roadways Reconstruction Phase 1 capital works project, in accordance with the terms of reference within tender PW2025-15, at a cost of \$25,919,764.50, which includes contingencies but excludes HST; and
- 3. **THAT** the additional unbudgeted 2025 project cost of \$2,239,185 be approved, funded as per the financial implications section of this report; and
- 4. **THAT** the total project cost of \$28,690,991 be approved as a multi-year capital project; and
- 5. **THAT** the Mayor and Clerk be authorized to execute the contract with Arnott Construction Ltd.

EXECUTIVE SUMMARY:

- Public Works / Engineering staff previously completed a request for prequalification to short-list qualified contractors to bid on the Beach Area 1 Roadway Reconstruction tender. Six contractors were selected for the short list.
- The Town of Wasaga Beach advertised privately to the six general contractors through Bids & Tenders on March 10, 2025 and closed the tender on April 22, 2025.
- Five out of the six short-listed contractors submitted a bid.
- The lowest bid was submitted by Arnott Construction Ltd.
- Staff recommend issuing the award to Arnott.

BACKGROUND:

The Town of Wasaga Beach will be reconstructing its main beachfront area roadways, to update the underground infrastructure as well as renew the look and feel of the street through new architectural features and street furniture. Components of the work include steel sheet pile wall for shoreline protection, structural components for the related ramps, stairs and railings, as well as underground servicing, significant streetscaping and landscaping, reconstruction and improvement to the 2nd Street boat launch, and construction of a roundabout at Main Street / Mosley Street / Spruce Street intersection.

In order to ensure only quality contractors would submit bids for the works, Public Works completed a Request for Pre-Qualification for General Contractor Services (RFPQ#PW2024-17), for the project. The Town short-listed six (6) qualified general contractors: GIP Paving Inc., Dufferin Construction Company, Arnott Construction Ltd., John Bravakis Enterprises Ltd., Trisan Construction, and B&J Contracting.

DISCUSSION:

Firstly, it should be noted that the tender was originally scheduled to close on April 4, 2025 to allow for recommendation of award to go to the April 24, 2025 Council meeting and allow the contractor to get started ahead of the summer. However, during the tender period, one of the contractors advised that the company specified in the tender to supply the steel sheet pile wall materials for the shore wall (to raise Beach Drive by 1.5m) had indicated that they were closing their business as of April 1st, 2025. This was due to the anticipated impacts from the (then proposed) U.S. tariffs. New specifications were prepared for the required materials to provide contractors with more options and availability for material supply, and the tender closing was pushed to April 22, 2025 (i.e. after Easter weekend).

Further to the above, it is also noted that the implications of the now imposed U.S. tariffs likely had a significant impact on anticipated costs of materials and therefore drove up the contractors' bids relative to our engineer's cost estimate of \$22,129,243.70.

The five (5) general contracting companies who submitted are listed below from lowest to highest with the bid price including provisional items and contingency costs, excluding HST.

| COMPANY | BID PRICE |
|---|-----------------|
| Arnott Construction Ltd. | \$25,919,764.50 |
| GIP Paving Inc. | \$26,585,201.25 |
| Trisan Construction | \$26,848,669.96 |
| Dufferin Construction Company (CRH Canada Group Inc.) | \$27,308,000.00 |
| John Bravakis Enterprises Ltd. | \$28,416,825.45 |

It is noted that although B&J Contracting was approved as one of the short-listed general contractors, they did not submit a bid.

Additionally, Dufferin Construction Company was the only bidder that submitted a price for expediting the completion date. However, as the bid prices were all over the expected / budgeted amount, it is not recommended to proceed with expedited proposal, as the total cost would be significantly higher than planned.

Arnott Construction Ltd. demonstrated their abilities through the RFPQ short-listing process and have completed numerous successful projects in Wasaga Beach. Additionally, please see attached recommendation report from Tatham Engineering regarding award to Arnott.

CORPORATE IMPLICATIONS:

Financial Implications:

The 2025 Public Works budget included the subject project, with financing discussed with the Treasurer, and a three year project schedule and cost allocation is as follows:

| Year 1 | 40% project completion | \$ 9,819,130 |
|------------|------------------------|--------------|
| Year 2 | 40% project completion | \$ 8,161,213 |
| Year 3 | 20% project completion | \$ 4,165,896 |
| Total Proj | ect Estimated Cost | \$22,146,239 |

At the time of the budget, the funding model included using development charges; Canada Community Building Fund (CCBF) – federal infrastructure grant funding; and proceeds from surplus land sales. It was noted in the forecast at the time of budget, that funding for years 2 and 3 were still to be identified.

Since the time of the budget preparation, more information has become available regarding funding and the tender results inform the actual costs expected to be incurred.

The total cost for awarding the low bid to Arnott Contracting Ltd. **together with the unrecoverable amount of HST (1.76%) is \$26,375,952.40**.

A summary of the total costs associated with the Beachfront Redevelopment project, and the financial funding plan is attached as Schedule A – Financial Plan – Beach Dr.

Noteworthy in the financial plan is the need to put in place a construction financing loan from Infrastructure Ontario (I/O). A construction financing loan operates like a credit line and you only access the line if and when needed. If sufficient funding is available when payments are due, then the line may not be utilized. There is no cost if the line is not used. For any amounts owing on the construction credit line, interest will be charged at Infrastructure Ontario's construction financing rate which varies month to month. For the month of April 2025, the interest rate was 3.65%. Any interest costs incurred in 2025 will be funded through in-year surplus or general reserves if required. Future budgets will estimate the amount of interest that may be required and the cost will be included in the budget and funded by taxation. A separate report will be presented for the construction financing loan in the near future.

A project this size warrants having an alternate funding path given that some of the revenue streams used to fund the project come from future revenues not yet realized, such as development charges and land sales. In the past the development charge reserves were very high, and the development activity was strong, so large projects could be undertaken using the existing development charge reserves and no alternate funding path was needed. The building of the new arena and library consumed a significant portion of development charge revenues, with their service reserves going into a borrowed state, of approximately (\$12M). The advancement of the River Road West project consumed most of the Roads development charge reserves on hand. To accommodate the development charge low reserve levels, there may be a need to use general reserves, or consideration of debt may be required, if these future revenue streams are not available. At the time of writing, Treasury staff expect the funding streams will be available and as such have referenced them as the primary financial plan for the project.

The approval of the project will require a budget adjustment for the 2025 fiscal year of \$2,239,185. The increased budget will be funded through development charges, if available, or the alternate funding options if not available, and the provincial grant funding stream.

Term of Council Priorities:

Pursue Complete Neighbourhoods:

- Beachfront Redevelopment
- Main Street Redevelopment
- Pursue Complete Streets
- Enhance Community Activation

Diversify the Economy & Create Jobs

- Support Small Business
- Grow Tourism

Show Leadership in Responding to Climate Change

• (Shore wall design accounts for increased storms due to climate change)

CONCLUSION:

Beach Area 1 Roadway Reconstruction is a major step towards redevelopment and revitalization of the Town's primary tourist destination. It is necessary for the redevelopment of the area.

Arnott Construction Ltd. have proven to deliver high quality construction and they submitted the lowest qualified bid. It is recommended that the tender be awarded to Arnott Construction Ltd.

Authored by:

Reviewed and finalized by:

Mark Taylor, Project Coordinator Mike Pincivero, P.Eng. Manager of Engineering Services, RMO/RMI

Appendices:

Appendix A: Financial Plan – Beach Dr Appendix B: Tatham Recommendation Report

Schedule A Project Financial Plan Beach Drive Reconstruction including 3rd St, Beach Dr, Spruce St Roundabout

| Project Number: | 2025-1 Beach Drive Reconstruction including srd St, Beach Dr, S |
|----------------------|---|
| Priority Status: | High |
| Project Name: | Beach Drive - Full Limits NEW Phase 1 |
| Project Lead: | Kevin Lalonde, General Manager Infrastructure and Director Public Works |
| Project Description: | Raising of Beach Drive. 3rd, Beach, Spruce, Roundabout |
| Project Total Cost: | 28,690,990 |

Project Special Notes:

This project is a key strategic initiative for redevelopment of Beach 1 and a catalyst to economic development for the downtown master plan. This is the top council priority of this term of council.

Note: Contract Admin Cost - Actual proposal is less. This is based on 5.1% of tendered contract price. Update is pending.

| | | | | | Construction | Schedule 409 | %/40%/20% |
|----------------------------|--------------|--------------------|--------------|-----------------|--------------|--------------|------------------|
| Project Cost Breakdown | Total-No Tax | HST(unrecoverable) | Total | | 2025 | 2026 | 2027 |
| Design cost | 586,750 | 10,327 | 597,077 | (only for 2025) | 597,077 | | |
| Contract Admin | 1,321,908 | 23,266 | 1,345,174 | | 538,069 | 538,069 | 269,035 |
| Contract Cost | 25,919,765 | 456,188 | 26,375,953 | Tender Award | 10,550,381 | 10,550,381 | 5,275,191 |
| Utility Relocates | 306,340 | 5,392 | 311,732 | | 311,732 | | |
| Soiles/Legal/Misc. | 60,000 | 1,056 | 61,056 | | 61,056 | | |
| Total Project Cost | \$28,194,763 | \$496,228 | \$28,690,991 | | 12,058,315 | 11,088,451 | 5,544,225 |
| | | | | | | | |
| Financial Plan: | Condition | 2025 | 2026 | 2027 | Total | | |
| DC- Roads & Bridges | Yes | 5,029,158 | 3,544,225 | 2,772,113 | 11,345,495 | | |
| Federal Gas Tax | | 1,000,000 | 2,000,000 | | 3,000,000 | | |
| Provincial Grant | | 6,029,158 | 4,921,001 | | 10,950,159 | | |
| OCIF Grant Funds | | | | 1,573,120 | 1,573,120 | | |
| Transfer from Land Reserve | Yes | | 623,224 | 1,198,993 | 1,822,217 | 2025 E | Budget Adjustmer |
| Total Financial Plan-> | | \$12,058,315 | \$11,088,450 | \$5,544,226 | \$28,690,991 | | \$2,239,185 |

Backup Financial Plan:

General Reserves; debt; construction financing

Conditions:

This project has a few conditions associated with the financial plan. The first condition is the requirement for a Construction Financing Loan. This will allow the smooth processing of the project expenditure payments, recognizing revenue flow may not coincide with expenditure flow. The second condition is recognition that the DC revenues have been slow in 2024 and may take a little longer to pick back up again. The third condition is using some of the surplus land reserves to pay for some of the project. This assumes these revenues will be achieved. Lastly, recognition that should these revenue streams not materialize within the construction timeline, then a debenture may be required to accommodate covering a portion of the cost of the project. Current assumptions expect revenue streams to be realized. The timeline assumption for construction schedule is 40%/40%/20%. Actual construction schedule will be determine by General Contractor.



tathameng.com

File 121273

April 28, 2025

Mike Pincivero Manager of Engineering Services Town of Wasaga Beach 30 Lewis Street Wasaga Beach, Ontario L9Z 1A1 pwengineer@wasagabeach.com

Re: Beach Area One Reconstruction, Town of Wasaga Beach Report on Tenders - Beach Area One Reconstruction, Phase 1, Tender No. PW2025-15

Dear Mike:

We are pleased to provide our report on the tenders received in support of the Phase 1 of the Beach Area One Reconstruction project (Tender No. PW2025-15).

TENDER PERIOD

The call for tenders was issued to the 6 pre-qualified contractors on March 10, 2025, through the Town of Wasaga Beach Bids & Tenders platform. The official closing time was 2:00 pm on April 4, 2025. As per Addendum 6, an extension was issued, revising the closing date to 3:00 pm on April 22, 2025. This resulted in a 43 day tender period.

TENDER QUESTIONS & ADDENDA

Questions were accepted through the Bids & Tenders platform until 3:00 pm on April 11, 2025. Six addenda were issued during the tender period, as summarized below:

- Addendum 1, issued March 18, 2025 provided the sewage pumping station (including process pumping and electrical) drawings and special provisions.
- Addendum 2 issued March 21, 2025 provided responses to bidder questions.
- Addendum 3 issued March 27, 2025 provided an updated schedule of items and prices, 2nd Street boat launch design, minor drawing updates and responses to bidder questions.
- Addendum 4 issued March 27, 2025 added new requirements, including an option for an accelerated construction schedule and Statement 4, regarding the number of Canadian employees. The addendum also included revised Special Provisions and a copy of the Ontario Parks permit.
- Addendum 5 issued April 1, 2025 provided responses to bidder questions.



Authorized by PEO and PGO to offer professional services in the fields of Engineering and Geoscience in Ontario. Addendum 6 issued April 15, 2025 provided responses to bidder questions and minor drawing updates.

TENDER OPENING

Tenders were received through the Town's Bids and Tenders website until 3:00 pm on April 22, 2025. We understand the tender submissions were reviewed by Town Staff and a total of 5 complete and compliant submissions were received. We understand the 6th prequalified contractor (B&J Contracting) did not submit.

ENGINEER'S ESTIMATE

The Engineer's estimate for this project, which reflects average unit prices received on projects of comparable size and scope in 2023 and 2024, was \$22,129,243.70 (including a \$1,900,000 contingency allowance).

TENDER RESULTS

All bids were found to be mathematically correct and no errors were identified. The tenders are valid until a formal Contract is executed by a successful bidder or until July 21, 2025 (90 days), whichever event occurs first. A summary of the prices received from the bidders is provided in Table 1 below, while a detailed comparison of the tenders submitted is enclosed.

| Table 1: Tender | Summary | (including | Contingency) |
|-----------------|---------|------------|--------------|
|-----------------|---------|------------|--------------|

| RANK | CONTRACTOR | TENDER PRICE |
|------|---|-----------------|
| 1 | Arnott Construction Limited | \$25,919,764.50 |
| 2 | GIP Paving Incorporated | \$26,585,201.25 |
| 3 | 614128 Ontario Ltd. O/A Trisan Construction | \$26,848,669.96 |
| 4 | Dufferin Construction Company | \$27,308,000.00 |
| 5 | JB Enterprises Limited | \$28,116,825.15 |

The tender prices in Table 1 include a Contingency Allowance of \$1,900,000 but exclude HST.

The tender price submitted Arnott Construction Limited is lower than the second tender price by \$665,436,75 (2.6%) lower. Based on our review, we did not identify any prices that appeared unbalanced or inappropriate. The value listed in the Tender form for Arnott Construction appears to have omitted the HST and a revised Tender form should be requested prior to execution.

ABILITY AND EXPERIENCE OF LOW BIDDERS

The low bidder, Arnott Construction Limited, has successfully completed various reconstruction projects that were designed, administered and inspected by Tatham Engineering over the past five years. Most recently, the Thornbury West Reconstruction – Phase 1 (2022-2023) and the Fifth Street Reconstruction project (2022) were successful, local reconstruction projects well received by Town staff and local residents. Additionally, Arnott completed both the Dunlop Street Streetscaping project in the City of Barrie (2020-2021) and the King Street Rejuvenation project in the Town of Midland (2018-2020), both main street reconstruction projects with significant streetscaping within core tourism areas. Arnott has also recently completed the Centennial Drive Reconstruction (2022-2023) for the City of Orillia.

From our experience with Arnott Construction, we are confident in their ability to complete the scope of work for Phase 1 of the Beach Area One project.

The second low bidder, GIP Paving Incorporated, has worked on numerous projects of a similar size, including the current River Road West Reconstruction for the Town. Based on GIP Paving Incorporated's experience record and history, we are confident they also have the ability and experience required to complete this project.

APPROVALS

The Consolidated Linear Infrastructure Environmental Compliance Approval (CLI-ECA) package and Form 1 for watermains have been prepared and will be submitted to the Town for the storm and sanitary sewers for their review and approval is expected prior to the contractor mobilizing on site.

The NVCA Permit was issued on April 25, 2025 and the Ontario Parks Work Permit has been received and was circulated to bidders with Addendum 4.

No other approvals are outstanding for this project.

TIME FOR COMPLETION

In accordance with the Tender, the originally anticipated start date was June 2, 2025. However, based on the extension provided via Addendum 6, the anticipated start date is now June 23, 2025. The works are to be substantially performed within 64 weeks from the issuance of the Start Work Order (exclusive of seasonal shutdowns), or prior to June 25, 2027, whichever comes first. Completion of all work is to be achieved within 4 weeks from the date of Substantial Performance.

The Tender Document stipulates that liquidated damages in the amount of \$1,500 per day plus additional Contract Administration and Construction Inspection fees will be applied if the applicable milestone dates are not achieved.

SUMMARY AND RECOMMENDATION

Arnott Construction Limited is the low bidder and based on our past experience working with them directly, we consider them to be capable of successfully completing the project. Subject to Town of Wasaga Beach Council approval, we recommend awarding Tender No. PW2025-15 to Arnott Construction Limited.

We understand the Town of Wasaga Beach will issue a Purchase Order and prepare a Contract for execution with Arnott directly. Upon receipt of a copy of the executed Contract, we will prepare a list of required documentation and coordinate a pre-construction meeting.

We trust this is satisfactory. Should you require further information or clarification, please do not hesitate to call.

Yours truly, Tatham Engineering Limited

Aaron Roeper, B.A.Sc., P.Eng. Engineer, Project Manager APR/JK: rlh Encl.

Alan Bren

Allan Brownridge, B.E.Sc., P.Eng. Director, Manager - Municipal

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CORPORATE REPORT The Corporation of the Town of Wasaga Beach Meeting Date: 5/1/2025

DATE: 5/15/2025

- **SUBJECT**: Application for an Extension to the Approval of the Golden Sand Draft Plan of Subdivision (PS0125)
- CONTACT: Matt Ellis, Senior Planner

REPORT NUMBER: 2025/05/15-23

RECOMMENDATION:

- 1. **THAT** the report titled: Application for an Extension to the Approval of the Wasaga Heights Inc. Draft Plan of Subdivision (PS0125), to the Council meeting of May 15, 2025, be received; and
- 2. THAT Council approve a three year extension to the Draft Approval for the Wasaga Heights Inc. Plan of Subdivision, including minor amendments to the associated conditions of draft plan approval, with a lapsing date of May 26, 2028.

EXECUTIVE SUMMARY:

- The Wasaga Heights Inc. (also known as Golden Sand) Draft Plan of Subdivision approval consists of 102 lots for townhouse and semi-detached dwellings, three commercial blocks as well as a common element condominium block for roads, communal amenity area, stormwater management and environmental protection/parkland dedication.
- The Plan of Subdivision received Draft approval for the subject lands on May 26, 2022 and has a current lapsing date of May 26, 2025.
- Planning staff confirms the application remains consistent with; or conforms to; applicable land use planning policies. The subject lands are appropriately designated and zoned for residential and commercial uses, appropriately located for residential infill and includes a conveyance of lands for Environmental Protection to the Town. Planning staff recommend approval of the Extension of Draft Plan of Subdivision for a period of 3 years, with minor amendments to the conditions of draft approval, and a new lapsing date of May 26, 2028.

BACKGROUND:

Subject Lands

The subject lands, as shown in **Figure 1**, are bounded by a commercial centre to the north, single-detached residential dwelling lots to east, Knox Road West to the south and 45th Street South to the west.

Surrounding land uses include Canadian Tire and Mark's Work Warehouse stores (commercial centre), a further mix of commercial businesses that includes grocery, gas station, restaurants, a range of medical uses and low density residential development.

The subject lands are designated "Residential", "District

Figure 1: Property Location



Commercial" and "Natural Hazards" on Schedule A-3 of the Town's Official Plan. Within the Town's Comprehensive Zoning By-law the lands are zoned "Residential Type 3 Hold- Exception 35" (R3H-35), District Commercial Hold (CD-H) and Open Space (OS).

Proposal

An application for extension to Draft Plan Approval was received from Goldberg Group on behalf of Wasaga Heights Inc. (the Owner) on March 25th, 2025. The Draft Plan of Subdivision is scheduled to lapse on May 26, 2025. Should Council approve the extension request, Planning staff recommend extending the Draft Plan of Subdivision for a period of **3 years**, resulting in a new lapsing date being **May 26th**, **2028**.

The approved Draft Plan of Subdivision for the subject lands, appended to this report as **Attachment 1**, proposes to subdivide the subject lands into a total of 21 blocks over two phases. Phase One consists of 18 blocks for 100 proposed townhome and two semi-detached residential dwelling units, a common element block for private roads, common amenity space, stormwater management and pedestrian access as well as an environmental protection/park block to be dedicated to the Town as part of the Draft Plan conditions that contains the Carly Patterson Memorial Trail. Phase Two consists of three commercial blocks.

At the time of writing this report, the Owner has cleared the majority of the conditions of draft approval. Among the conditions that have been cleared are the plans for the development being Approved for Construction (AFC'd), an abbreviated version of which is appended to this report as **Attachment 2.** According to the Owner's agent, however, current market conditions have delayed the ability to commence the sales process for the proposed units and as a result, the Owner has been delayed in executing the Subdivision Agreement and the ability to clear the remaining conditions. The Owner, therefore, requests an extension to the Draft Plan Subdivision approval.

DISCUSSION:

Summary of Written Comments Received

Comments received for the requested extension to the Draft Plan of Subdivision are summarized below:

| Letters of Concern: | None |
|--------------------------|---|
| Letters of Objection: | None |
| Letters of No Objection: | The Town of Wasaga Beach Public Works/Engineering Department has no comments and additions or revisions to the current Draft Plan Conditions. |
| | Enbridge Gas does not have changes to the previously identified conditions for this extension of the Draft Plan of Subdivision. |
| | The Nottawasaga Valley Conservation Authority (NVCA) has no objection to the application for extension to draft plan approval. The NVCA, however requests a number of revisions to the draft plan conditions to reflect current legislative authority, administrative procedures and remove redundancy. |
| | The MTO has reviewed the site location and has no comments to provide as this site is outside of MTO permit jurisdiction. No MTO permits or approvals would be required for this site. |
| | The County of Simcoe has no comments on the extension of Draft Approval for this Subdivision. |

Changes to the draft plan conditions to reflect comments from applicable approval/ review agencies are noted below:

Condition #13 is revised by adding an Invasive Species Management Plan to the list of items that must be submitted to the Town's satisfaction prior to final approval, to reflect recent legislative changes, as per the comments for Conditions #52d and #55 noted below.

Conditions #52d and #55 are revised by replacing the NVCA as the approval agency with the Town and Ministry of the Environment, Conservation and Parks (MECP) to reflect recent changes to the <u>Conservation Authorities Act</u> and its regulations.

Condition #54 is revised to clarify the Developer's responsibilities regarding the provision of fencing along the rear and side lot lines adjacent to the natural hazard and environmentally sensitive lands within Block 23.

Condition #60 is revised to add clarity regarding the payment of fees in accordance with the NVCA's Fee Policy under the <u>Conservation Authorities Act</u>.

Note #9 is revised to clarify that only the Developer is required to execute the Subdivision Agreement (as opposed to the Developer and the Town) to receive clearance of the draft plan conditions for the NVCA.

Note #10 is deleted as this requirement is addressed in Condition #60.

Other minor changes have been made throughout the document to reflect the Town's current practices for Draft Plan of Subdivision conditions, language and overall formatting. The revised Conditions of Draft Plan approval is appended to this report as **Attachment 3**.

LEGISLATION AND POLICY REVIEW

The Planning Act, R.S.O. 1990, c. P.13

The Ontario Planning Act (the *"Planning Act"*) outlines the framework through which municipalities may develop Official Plans and Zoning By-laws (e.g. in conformity with Provincial policies and applicable upper-tier policies), and articulates the processes through which a proponent can propose the development of lands (e.g. conforming to applicable policies, consulting with the public).

Section 2 of the *Planning Act* outlines matters of Provincial interest that municipalities must have regard to when carrying out their planning responsibilities.

The *Planning Act*, under Section 3, also establishes the authority for the Province to issue policy statements that articulate matters of Provincial interest for use in guiding municipal land use planning decisions. In this case, the applicable policy statement is the Provincial Planning Statement that came into force on October 20, 2024, which is a consolidation of the former Provincial Policy Statement and the Growth Plan for The Greater Golden Horseshoe (or the Growth Plan).

Under the *Planning Act*, applications for a Draft Plan of Subdivision are required to be consistent with applicable policy statements and applicable Provincial plans currently in effect, or shall not conflict with them as the case may be. Section 51 of the *Planning Act* includes policies for the approval of Plans of Subdivision. Specifically, Section 51(24) of the *Planning Act* provides criteria that must be considered when reviewing a draft Plan of Subdivision.

The proposed development is consistent with the matters of Provincial interest as referred to in Section 2 of the *Planning Act*, and the matters within Section 51(24) of the *Planning Act*.

Provincial Planning Statement, 2024

The Provincial Planning Statement, 2024 ("PPS") provides policy direction on land use planning and development throughout Ontario. The policies set out how land and resources should be managed over time to promote building strong communities that contribute to a more effective and efficient land use planning system. The *Planning Act* requires that municipal decisions on land use planning matters in Ontario be consistent with the policies of the PPS. In reviewing the policy directions of the PPS, Planning staff are satisfied the approved Draft Plan of Subdivision is consistent with the PPS, 2024.

County of Simcoe Official Plan (2023)

The County of Simcoe's Official Plan directs growth to settlement areas, promotes the efficient use of land and infrastructure and the protection of natural features. Consistent with Provincial Policy, the Simcoe County Official Plan requires that the Town of Wasaga Beach ensure that 20% of all growth is through intensification. Planning Staff summarizes that the current request for extension is appropriate, and complies with the policies of the County of Simcoe Official Plan.

Town of Wasaga Beach Official Plan (2004)

The Town of Wasaga Beach Official Plan articulates the Town's vision for land use and development patterns at the local level, while remaining consistent with or conforming to applicable Municipal and Provincial land use planning policies. Development applications made under the *Planning Act* are required to comply with the policy framework provided in the Official Plan.

The subject lands are designated "Residential", "District Commercial" and "Natural Hazards" on Schedule A-3 of the Town's Official Plan.

Residential Designation

Objectives of the Residential designation of the Town of Wasaga Beach Official Plan include the following among other policies:

- To provide distinct residential areas which have a harmonious integration of housing types.
- To encourage and provide for a Town wide structure of residential communities separated from industrial and tourism areas.
- To encourage the provision of a wide range of housing types and styles on a range of lot sizes.
- Ensure the majority of approved residential development occurs within the serviced areas.
- Encourage a recreational trails system and particularly linkages to established or proposed trail systems in the design of any new development.
- To maintain and encourage evenly spaced natural buffering zones which provide drainage, encourage and protect wildlife and their habitat and assist with controlling air and noise pollution.

Developments consisting of townhouse dwelling units are considered as medium-density and are generally limited to a maximum density of 37 units per net hectare, in accordance with Policies 5.2.5(a) and (b). Net residential hectare is defined in Policy 20.4.2 as residential lots or blocks only, excluding any public lands. Therefore, accounting for the lands as part of the Draft Plan of Subdivision to be dedicated to the Town for purposes such as environmental protection/parkland, (Block 23); the proposed development would result in a net density of 23 residential units per net hectare.

Planning staff also notes the subject lands are located within an area of Town that is serviced by municipal water and sanitary sewer, in accordance with Policy 5.2.5.6 and Phase One of the development would accessed by two entrances along 45th Street South, which is identified as an Arterial Road on Schedule B, in accordance with Policy 5.2.5.7.

District Commercial Designation

Objectives of the Commercial designations (which include Local Commercial, District Commercial, Service Commercial and Recreational Commercial) of the Town's Official Plan include the following among other policies:

- To provide a wide range of commercial facilities and services and to increase the level of service available within the Municipality to permanent and seasonal residents and visitors;
- To recognize the existing under supply of commercial services and reduce the deficiency of commercial space and degree of market leakage;
- To promote the distribution of commercial facilities in order to ensure adequate levels of service in the west, central area and the eastern portions of the Municipality and to ensure that a sufficient supply of land is provided for new commercial development in appropriate locations;

As per Policy 6.2.2, permitted uses in the District Commercial designation include a wide range of cultural, retail, personal service, tourism accommodation, automotive, institutional, office and accessory residential uses.

As per Policy 6.3.1 commercial developments are encouraged to develop in that is compact, attractive and efficient and located to provide for active transportation features and be easily accessible by vehicular traffic. Where possible the use of mutual access points and internal road connections are encouraged.

In accordance with Policy 6.3.8 screening and buffering are required between commercial and noncompatible uses. In this respect, Planning staff note that Phase One of the subject development includes an acoustic barrier along the north lot line of Blocks One through Three to mitigate noise impacts for the future residents of these dwelling units from the loading docks of the adjacent Canadian Tire and Mark's Work Warehouse stores to the north. Phase One also includes landscaping and privacy/acoustical fencing along the common lot line between residential blocks 4, 16-18 and commercial blocks 19-21 to mitigate any noise impacts for the residents of these dwelling units from the future commercial uses on blocks 19-21.

In reviewing the policies of the Official Plan, Planning staff concludes the proposed development and request to extend the approved Draft Plan of Subdivision is consistent with the policies of the Town of Wasaga Beach Official Plan.

Town of Wasaga Beach Zoning By-law 2003-60

The proposed residential blocks of the Draft Plan of Subdivision are zoned "Residential Type 3 Hold- Exception 35 (R3H-35) within the Town of Wasaga Beach Comprehensive Zoning By-law 2003-60.

The proposed commercial blocks are zoned District Commercial Hold (DC-H). The Environmental Protection/Parkland Block that is to be conveyed to the Town as a condition of the Draft Plan of Subdivision is zoned as Open Space (OS) in the Comprehensive Zoning Bylaw 2003-60.

The proposed blocks meet the minimum lot area and frontage requirements of their respective zones in Comprehensive Zoning Bylaw 2003-60.

Planning staff concludes, that the approved Draft Plan of Subdivision continues to be consistent with Town of Wasaga Beach Comprehensive Zoning By-law 2003-60, as amended.

CORPORATE IMPLICATIONS:

A review of the Term of Council Priorities (TOCP's) was undertaken, it is the opinion of Planning Services staff that the TOCP's are not applicable to the proposed development.

CONCLUSION:

The subject lands are situated in an appropriate location to accommodate a mediumdensity/commercial infill project, with proximity to a wide range of commercial and medical uses that cater to daily needs, have direct access along an arterial road and are serviced by Town water/sanitary sewer services. The proposed development would, therefore, contribute to intensification within the Town's delineated built boundary. Furthermore, Planning staff note the proposed development contributes to the efforts of a Complete Community within the Springhurst Junction Strategic Growth Area (SGA) and is consistent with the policies of the Town's draft Official Plan.

Lastly, the proposed development would ensure the continued protection of the Carly Patterson Memorial Trail and adjacent Trillium Creek as these lands are to be transferred to the Town through the conditions of the Draft Plan of Subdivision.

In consideration of the department and agency comments received and the policy analysis, it is the opinion of Planning staff that the application for Extension to Draft Plan of Subdivision (PS0615):

- Satisfies the Provincial interests outlined under Section 2 of the *Planning Act*.
- Is consistent with or does not conflict (as applicable) to policies of the Provincial Planning Statement.
- Conforms to the policies of the:
 - Simcoe County Official Plan, 2023, as amended; and,
 - Town of Wasaga Beach Official Plan (2004), as amended.
- Can be appropriately implemented through the current zoning contained in the Town of Wasaga Beach Comprehensive Zoning By-law 2003-60, as amended and the revised draft plan conditions.

Based on these factors, planning staff support the requested extension to the approved Draft Plan of Subdivision. The extension request has been circulated to Town Departments and external agencies for review and comment. No negative comments were received at the time of writing this report.

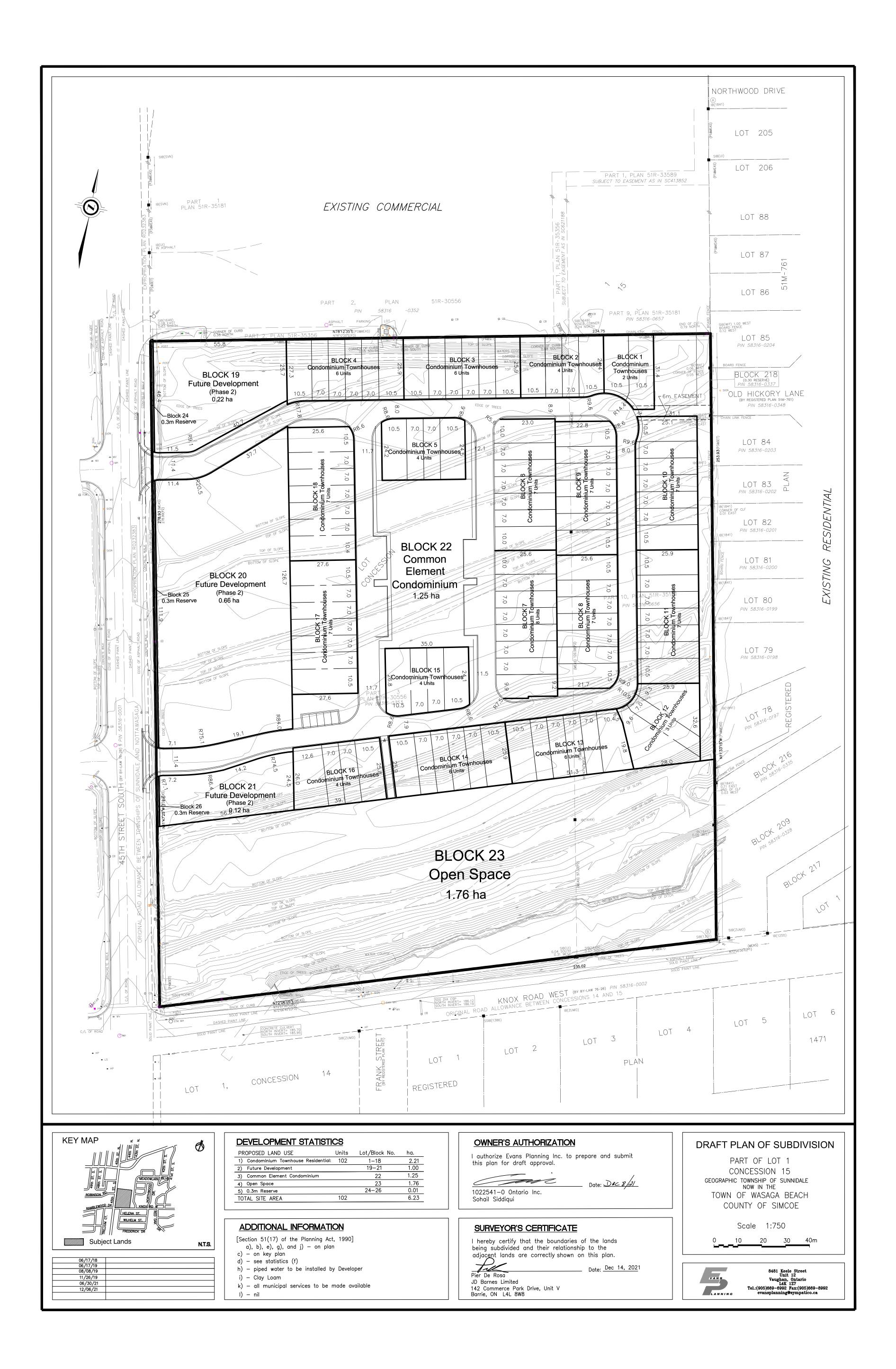
Accordingly, Planning staff recommend that Council approve the requested Extension to Draft Plan of Subdivision (PS01/25).

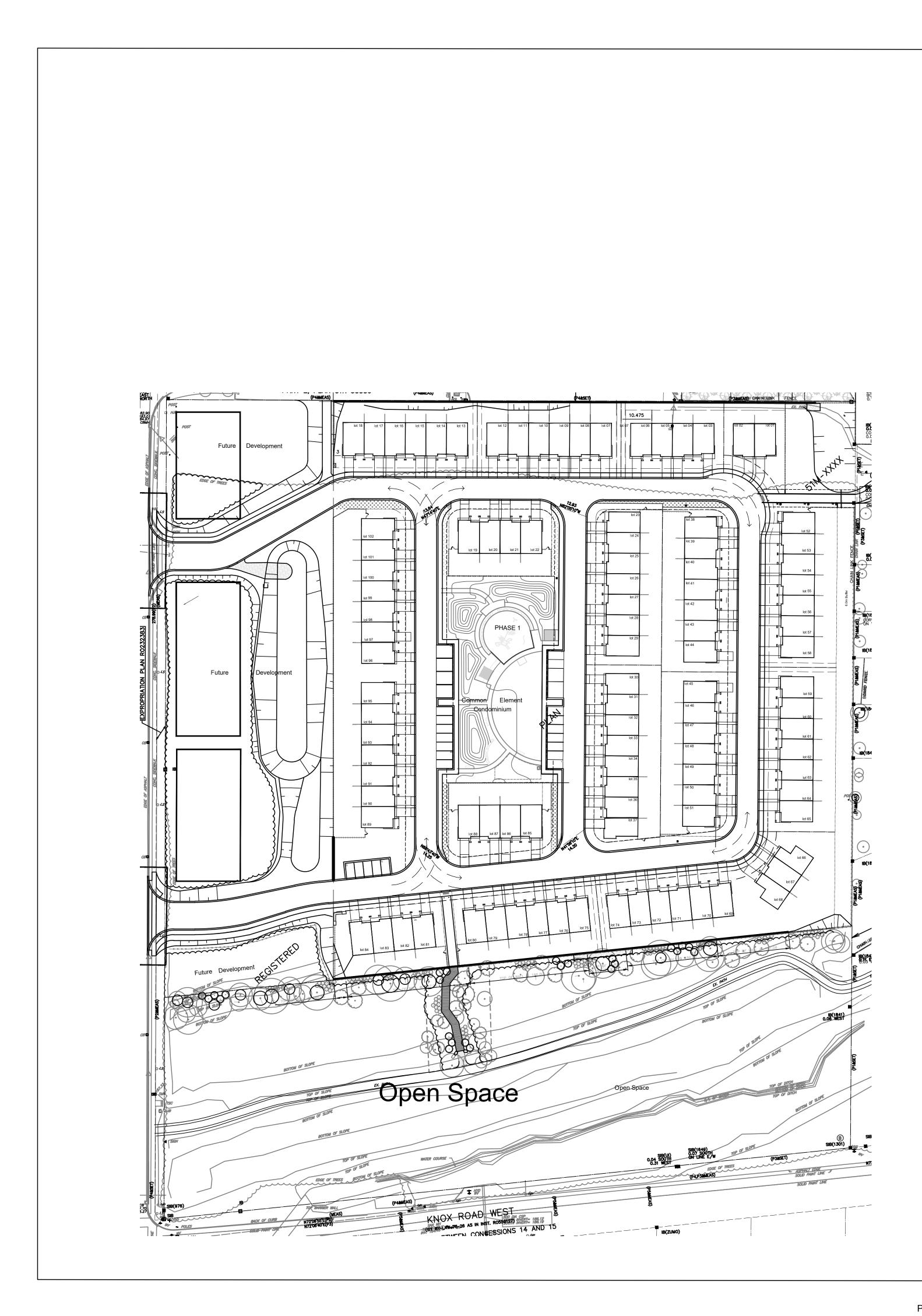
Authored by:

Matt Ellis, BES, RPP, MCIP Senior Planner

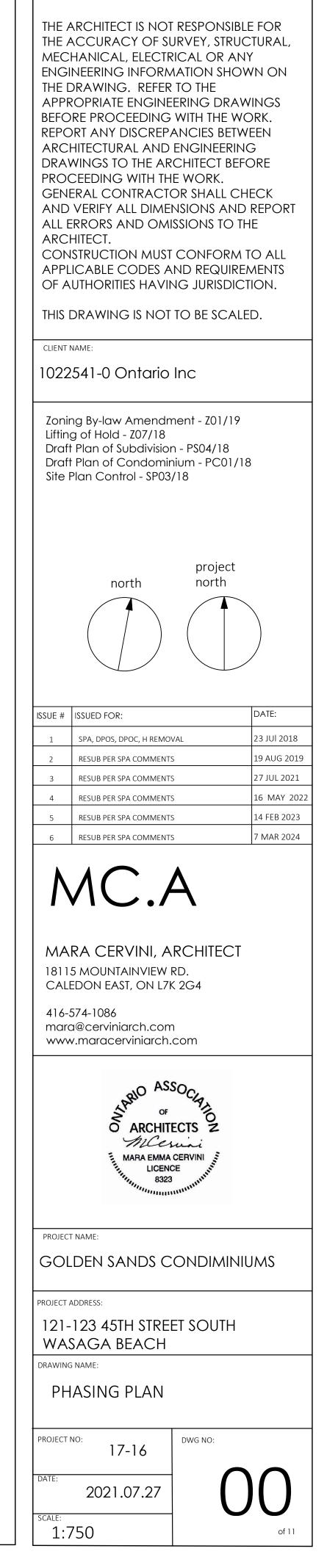
Appendices:

Attachment 1: Draft Plan of Subdivision Attachment 2: Approved for Construction (AFC'd) Development Plans Attachment 3: Revised Draft Plan of Subdivision Conditions

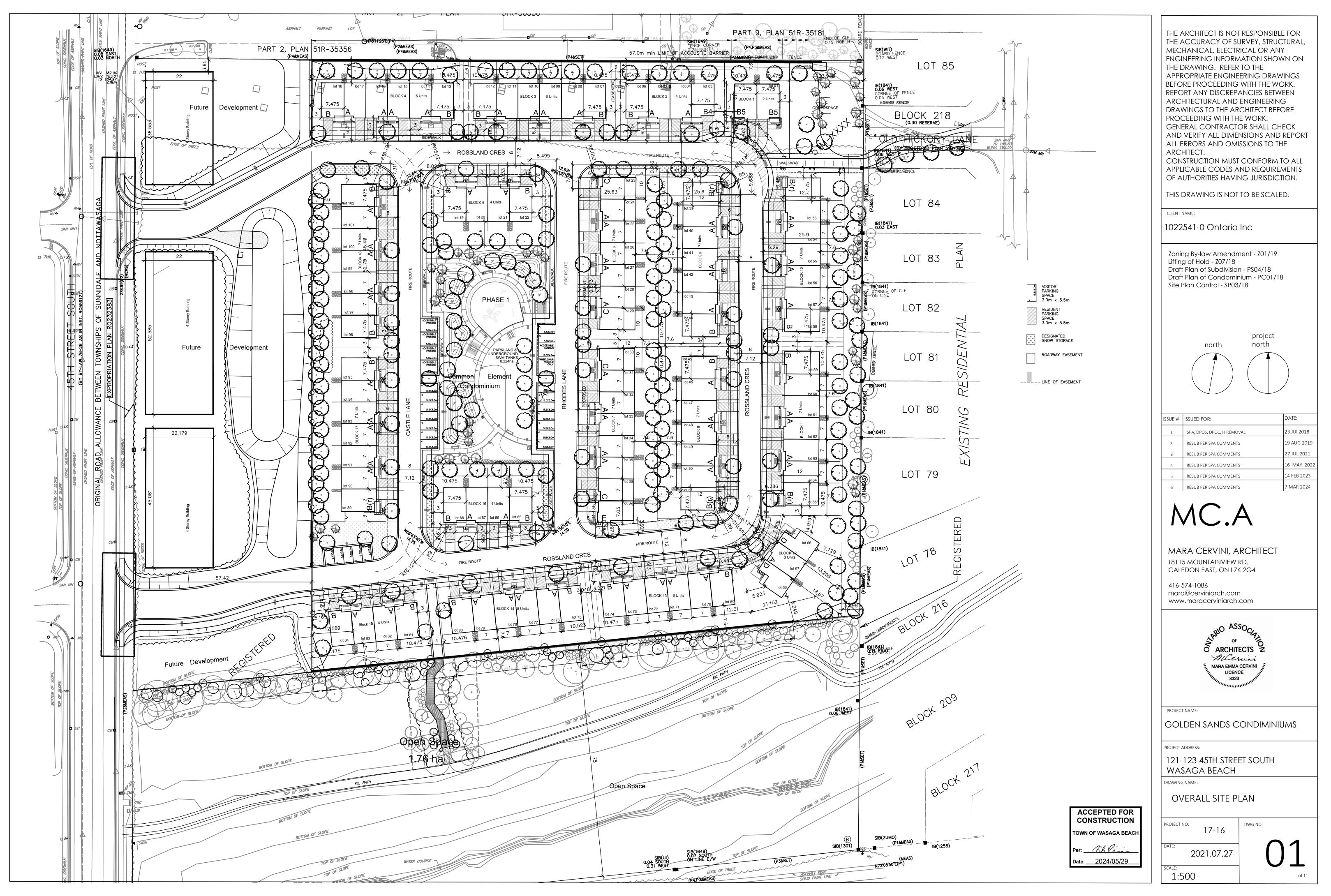




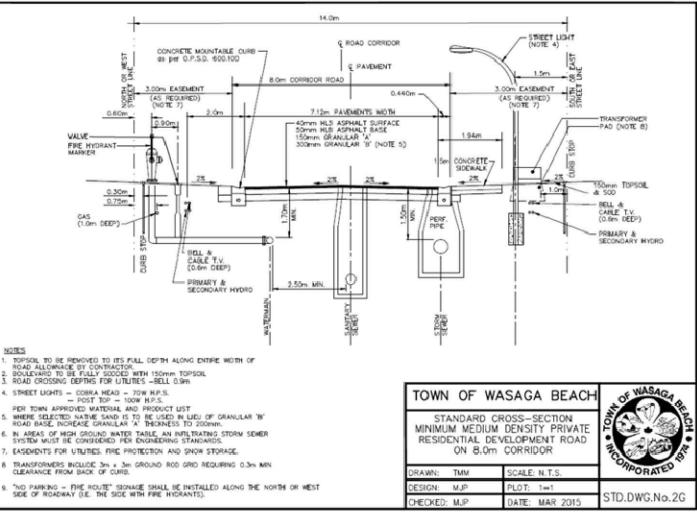
| Archi | tectural Drawing List | |
|-------|--|--|
| | | |
| 00 | Phasing Plan | |
| 01 | Overall Site Plan | |
| 02 | Partial Site Plan | |
| 02a | Partial Site Plan & lot coverages | |
| 03 | Unit Plans and Elevations (4,13,14) | |
| 03a | Unit Plans and Elevations (3) | |
| 04 | Unit Plans and Elevations (5,15,16) | |
| 04a | Unit Plans and Elevations (2) | |
| 05 | Unit Plans and Elevations (1) | |
| 06 | (removed) | |
| 07 | Unit Plans and Elevations (12) | |
| 08 | Unit Plans and Elevations (8,9,10,17,18) | |
| 09 | Unit Plans and Elevations (7) | |
| 10 | Unit Plans and Elevations (6) | |
| 11 | Coloured Elevations and 3d view | |
| 12 | Material and Colour Packages | |
| 13 | Standard Details and Precedent | |



| ACCEPTED FOR CONSTRUCTION | | |
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| TOWN OF WASAGA BEACH | | |
| Per: <u>hhlim</u> | | |
| Date: <u>2024/05/29</u> | | |
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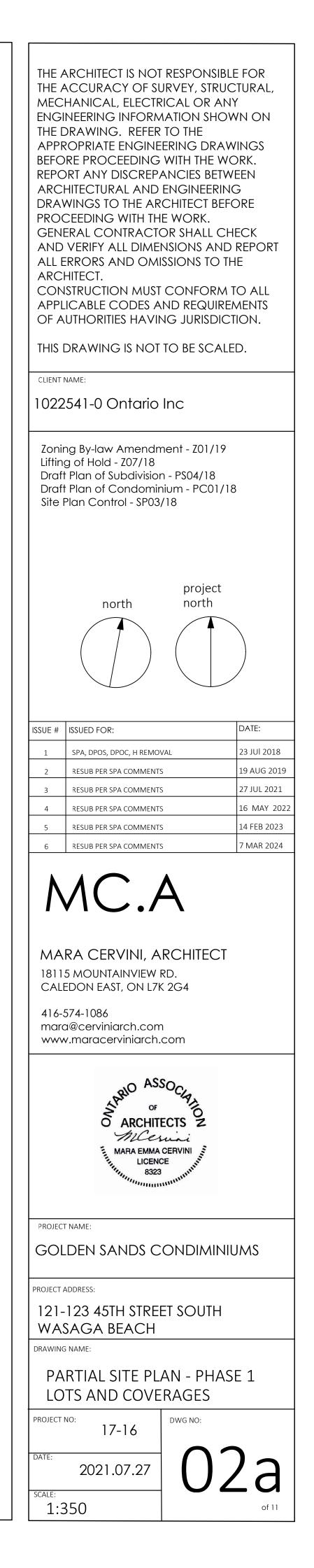




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| | | m2 165 | | % 55 |
| | Area MM mm2 | Lot Area m2 | coverage area m2 | Coverage % |
| | 316172199.5 | <mark>31</mark> 6.17 | 88.7 | 28.05 |
| | 266964569 | 266.96 | 88.7 | 33.23 |
| | 264255115.8 181235277.1 | 264.26 | 88.7 85.27 | |
| | 181235275.5 | 181.24 | 85.27 | |
| | 271335099.3 | 271.34 | 88.59 | 32.65 |
| | 271364186.7 | 271.36 | 88.59 | |
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| | 267897676.3 | 267.90 | 88.59 | |
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| | 179187977.7 | 179.19 | 85.27 | |
| | 179187978.3 | 179.19 | 85.27 | |
| | 179187978.9 | 179.19 | 85.27 | 47.59 |
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| | 263443050.8 | 263.44 | 79.73 | |
| | 264085622.4 | 264.09 | 88.25 | |
| | 179160863.7 | 179.16 | 85.27 | |
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| | 268229405.5 | 268.23 | 88.59 | |
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| | 260027677.1 259490419.1 | 260.03 | 88.25 88.25 | |
| | 181024218.6 | 181.02 | 85.25 | |
| | 181235274.7 | 181.24 | 85.27 | |
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| | 181235276.3 271464550.9 | 181.24 271.46 | 85.27 88.59 | |
| | 271464551.5 | 271.46 | 88.59 | |
| | 181235276.2 | 181.24 | 85.27 | |
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| | 278055470.7 | 278.06 | 88.59 | |



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The Town of Wasaga Beach's conditions to final plan approval for registration of this Plan of Subdivisionare as follows:

No. Conditions

- That this approval applies to the draft plan of subdivision located on Concession 15, Part of Lot 1;RP 51R-30556, Part 3 RP51R-35181 Part 10 in the Town of Wasaga Beach, County of Simcoe, prepared by Evans Planning Inc., dated December 6th, 2021, certified by the Owner on December 8th, 2021and certified by the Surveyor Pier De Rosa, O.L.S., on December 14th, 2021., showing a total of 102 dwelling units:
 - a) Eighteen (18) Medium Density blocks (102 townhouse units) (Blocks 1-18)
 - b) Three (3) Future Commercial blocks (Blocks 19-21)
 - c) One (1) Common Element Block (including Private Road, Visitor Parking, Pedestrian Paths, Condominium Park, and Landscape Buffer Block) (Block 22)
 - d) One (1) Open Space Block (Block 23)
 - e) 0.3 metre Reserves (Block 24-26)

HEADINGS

2. The headings inserted in these draft plan conditions are inserted for convenience only and shall not be used as a means of interpreting these draft plan conditions.

TOWN OF WASAGA BEACH

- 3. That prior to final approval and registration, the appropriate zoning shall be in effect for the proposed plan of subdivision to the satisfaction of the Town of Wasaga Beach (Town).
- 4. That a Subdivision Agreement shall be entered into between the Owner and the Town of Wasaga Beach in which the Owner agrees to satisfy all of the requirements financial and otherwise, of theTown of Wasaga Beach.
- 5. That a Subdivision Agreement shall be entered into with the Town of Wasaga Beach and the municipality shall confirm that the Subdivision Agreement has been registered by the municipality against the lands to which it applies as provided for the <u>Planning Act, R.S.O.</u> <u>1990</u>. A copy of the executed Agreement shall be provided to the Approval Authority prior to final approval.

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- 6. That the Subdivision Agreement between the Owner and the Town of Wasaga Beach provide for a dedication of Block 23 (Open Space) for parkland or other public recreational purposes and that these lands be conveyed by deed to the Town of Wasaga Beach without monetary consideration and free of encumbrances, in satisfaction of the parkland dedication requirement pursuant to Sec. 42 and/or Sec. 51.1 of the *Planning Act, R.S.O. 1990 c.P.13*, without monetary consideration and free of all encumbrances.
- 7. That the Owner shall agree in the Subdivision Agreement that development charges, processing, and administration fees be paid in accordance with the provisions of the Subdivision Agreement with the Town of Wasaga Beach, County of Simcoe and applicable school board policies and by- laws in effect at the time payment is due.
- 8. That the Owner shall enter into a site preparation, pre-servicing, development and/or any other necessary agreements, satisfactory to the Town of Wasaga Beach or any other appropriate authority before any development or site alteration occurs within the plan area. These Agreements may deal with matters including but not limited to the following;
 - a) Engineering and conservation works which include municipal services;
 - b) Professional services including preparation of reports, plans, inspections, certifications and approval;
 - c) Monitoring wells,
 - d) Stormwater management, sediment and erosion control;
 - e) Storm sewers, watermains, sanitary sewers, road widening(s) and reconstruction;
 - f) Securities, cash contributions, development charges;
 - g) Emergency services;
 - h) Land dedications and easements, reserves, noise abatement;
 - i) Fencing, berming, buffer blocks and plantings;
 - j) Hydro, Utilities;
 - k) Grading and sodding, signed entry features;
 - I) Parkland, tree preservation, hoarding and vegetation removal (clearing and grubbing);
 - m) Construction access; and,
 - n) Warning clauses.
 - o) A detailed Vibration Monitoring program.

The details of which are indicated in correspondence from appropriate commenting agencies and departments.

- 9. That prior to final approval, the Owner shall agree in the Subdivision Agreement that a municipal numbering system shall be assigned to the satisfaction of the Town of Wasaga Beach with regard to 911 emergency servicing. The Owner agrees in the Subdivision Agreement to display the lot number and corresponding assigned municipal address in a prominent location on each lot during construction and prior to building occupancy.
- 10. That prior to final approval and plan registration, the private roads be named to the atisfaction of the Town of Wasaga Beach with regard to 911 emergency servicing.

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- 11. That the Owner shall agree in the Subdivision Agreement to construct all streets (including private roads) in accordance with municipal standards, to the satisfaction of the Town of Wasaga Beach.
- 12. That the Subdivision Agreement between the Owner and the Town of Wasaga Beach provide for a dedication of Blocks 24-26 for the purpose of 0.3 metre reserves and that these lands be conveyed by deed to the Town of Wasaga Beach, without monetary consideration and free of all encumbrances.
- 13. That prior to final approval, the Owner shall submit the following to the satisfaction of the Town of Wasaga Beach and/or any other applicable agencies, and the Owner shall implement the recommendations of such plans, studies, assessments and reports once deemed satisfactory to the Town of Wasaga Beach and/or any other agencies:
 - a) An Archaeological Assessment Report;
 - b) A Traffic Impact Study;
 - c) A Geotechnical Report;
 - d) A Site Grading and Drainage Plan;
 - e) A Functional Servicing Report;
 - f) A Site Phasing Plan;
 - g) A Detailed Site Servicing Plan;
 - h) A Composite Utility Plan;
 - i) An Environmental Noise Assessment/Acoustic Study;
 - i) Architectural Design Guidelines:
 - k) An Environmental Impact Study;
 - An Invasive Species Management Programm) Landscaping Plans;
 - n) A Tree Assessment and Preservation Plan;
 - o) An Erosion and Sedimentation Control Plan;
 - p) A detailed Stormwater Management Report; and,
 - q) A detailed Vibration Monitoring program.
- 14. That prior to any site alteration, the Owner shall submit the following to the satisfaction of the Town of Wasaga Beach and/or any other applicable agencies:
 - a) An Archaeological Assessment Report and appropriate archaeological resources conservation requirements;;
 - b) An Environmental Impact Study (Species at Risk Assessment):
 - A detailed Stormwater Management Report; C)
 - d) Site Grading and Drainage Plan;
 - A Tree Assessment and Preservation Plan; e)
 - A Geotechnical Report f)
 - g) An Erosion and Sedimentation Control Plan; and,
 - h) A detailed Vibration Monitoring program.

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- 15. As recommended by the Ministry of Natural Resources and Forestry (MNRF) best management practices for Species at Risk are to be incorporated. Exclusion fencing is to be erected around any future construction activities, and shown on the required accepted for construction drawings.
- 16. That prior to final approval, the Owner shall submit a Traffic Impact Study to the satisfaction of the Town of Wasaga Beach, and shall implement the recommendations of the Traffic Impact Study. The Owner acknowledges, pending the results of the Traffic Impact Study and the detailed engineering design that changes to the draft approved plan of subdivision may be required.
- 17. That prior to final approval the Owner shall submit Landscape Plans to the satisfaction of the Town. These plans shall be prepared by a qualified landscape architect in good standing with the Ontario Association of Landscape Architects (OALA) and shall include the following:
 - a) Lot, block, and street tree planting and/or buffer landscaping in accordance with the standards and requirements of the Town of Wasaga Beach;
 - b) Fencing in accordance with the standards and requirements of the Town of Wasaga Beach in locations as may be required by the Town;
 - c) Subdivision entrance feature(s);
 - d) Pathways and Trails/Walkways;
 - e) Any other landscaping as determined by the Town of Wasaga Beach or other applicable Authority.
- 18. That prior to final approval, the Owner shall retain a Professional Engineer to review the proposed works and existing soil conditions and define a Zone of Influence of vibrations as well as submit a proposed vibration monitoring program. The Zone of Influence shall include the area of land (and buildings and structures existing on such land) within or adjacent to the proposed development that potentially may be impacted by vibrations emanating from a construction activity as defined by the Professional Engineer referred to above in the vibration monitoring program, to the satisfaction of the Town.
- 19. Prior to commencement of construction, the Developer shall retain a qualified consultant to complete a pre-condition survey of all existing dwellings within the Zone of Influence as described above. The survey shall include photographic inventory of existing conditions of the interior and exterior of all buildings. In the event that a property owner will not permit access to the interior of the dwelling, the consultant shall provide written documentation to the Developer and the Town. The Developer shall provide a copy of the full pre-condition survey to the Town Engineer.

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- 20. The Owner shall agree as part of a Subdivision Agreement that vibration levels shall be measured by the Developer's Engineer during construction on /at all existing buildings and structures within the defined Zone of Influence during construction in accordance within the monitoring program submitted with the subdivision approval.
- 21. That the Owner shall agree in the Subdivision Agreement that the detailed design and construction of all landscaping shall be at no cost to the Town of Wasaga Beach or the County of Simcoe and inaccordance with the provisions of the approved landscape plans.
- 22. That the Owner shall agree in the Subdivision Agreement that the detailed design and construction of the trail connection through Block 23 to the Carly Patterson Trail shall be completed at no cost to the Town of Wasaga Beach and in accordance with the provisions of the approved landscape plans.
- 23. That the Subdivision Agreement between the Owner and the Town of Wasaga Beach provide for privacy fencing and/or acoustical fencing, as applicable, along the boundary lines of proposed residential lots and Commercial Blocks 19, 20 and 21, and the existing commercial lands to the immediate north.
- 24. That the Owner shall agree in the Subdivision Agreement that privacy fencing will be required along the entire length of Block 22 (east property line) abutting residential lots (Blocks 1, 10, 11, 12) accommodating the pedestrian connection from Old Hickory Lane. The height and specifications for the fence will be determined as part of Site Plan Approval.
- 25. That the Owner shall agree in the Subdivision Agreement that all vacant lots and blocks within the development shall be:
 - a) Kept clear of weeds and noxious plants and shall be maintained by the Owner in accordance with standards determined by the Town of Wasaga Beach, and;
 - b) Rough graded such that best efforts are taken to ensure there is no standing water and maintained in general conformance with the approved comprehensive grading plan. Furthermore, silt fencing shall be installed and maintained to the satisfaction of the Town of Wasaga Beach to ensure no off-site impacts from earthworks or stormwater run-off.
- 26. The Owner shall agree in the Subdivision Agreement that all disturbed lots or blocks not proceeding to construction within twelve (12) months of registration of the plan are to be covered in topsoil, hydro-seeded and maintained to the satisfaction of the Town of Wasaga Beach.
- 27. That the Owner and the Town of Wasaga Beach shall agree in the Subdivision Agreement that the construction of the Plan of Subdivision may occur in phases, as approved by the Town of Wasaga Beach.

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- 28. That the Owner shall agree in the Subdivision Agreement that all exterior lighting to be installed shall minimize off-site illumination, in compliance with dark sky engineering design standards. The height, intensity and all technical design specifications of lighting systems will be determined based on applicable studies to the satisfaction of the Town of Wasaga Beach Engineering Standards and shall be dark sky compliant.
- That prior to final approval, the Owner shall prepare and implement architectural design 29. guidelines to govern the character of residential structures in a manner acceptable to the Town of Wasaga Beach. The Owner shall agree in the Subdivision Agreement to construct all buildings and structures in conformity with the approved architectural design guidelines outlined in the Urban Design Brief submitted, and to the inclusion of the approved architectural design guidelines as a schedule to the Subdivision Agreement.
- 30. That the Owner shall agree in the Subdivision Agreement to provide for all necessary installations and connections to any existing municipal storm sewer, sanitary, and water servicing systems to service the proposed development, to the satisfaction of the Town of Wasaga Beach.
- 31. The Owner shall agree in the Subdivision Agreement that prior to issuance of the Certificate of Substantial Completion (Basic Services), the internal and external servicing works associated with that phase must be completed including but not limited to storm sewer and sanitary sewer piping and watermain piping.
- 32. That the Owner shall agree in the Subdivision Agreement that the Certificate of Substantial Completion (Basic Services) and building permits for lots requiring special attention will not be issued until all retaining wall deemed necessary in the detailed design for that construction phase have been constructed and certified by a Professional Engineer to the satisfaction of the Town.
- 33. That the Owner shall agree in the Subdivision Agreement to make payment for all water and sewer connection fees to the satisfaction of the Town.
- 34. That the Owner shall agree in the Subdivision Agreement that a suitable construction access shall be provided in a location approved by the Town.
- 35. That the Owner shall agree in the Subdivision Agreement, prior to final approval to provide for a Comprehensive Easement Plan identifying all easements, including a 3.0m easement across the frontage or flankage of all residential lots which are adjacent to a road with a right-of-way width less than 20.0 metres.
- 36. That the Owner shall agree in the Subdivision Agreement to provide for any easements required for access for maintenance purposes, fire hydrants, stormwater drainage, roadside snow storage, utilities and servicing purposes and that these easements be granted to the appropriate authority, to the satisfaction of the Town, free of all charge and encumbrances.

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- 37. That the Subdivision Agreement between the Owner and the Town of Wasaga Beach shall include provisions whereby all Offers of Purchase and Sale will include information that satisfies subsection 59(4) of the Development Charges Act and the requirements of the Town of Wasaga Beach.
- 38. That the Owner shall agree in the Subdivision Agreement to engage a gualified engineer and that the Owner's Engineer certify that their reports conform with applicable standards to the satisfaction of the Town of Wasaga Beach and that the Engineer provides certification that the final constructed works conform to the approved design.
- 39. That the Owner shall agree in the Subdivision Agreement, prior to offering any of the residential lots for purchase, to place a 'Display Map' in a prominent location in the sales office in a place visible to the public, which indicates the approved location of all sidewalks, walkways, trails, community mail boxes, parks, schools, open space areas, environmental protection areas, stormwater mangement ponds, buffer areas, watercourses, and surrounding land uses. The Owner shall also agree to keep Accepted for Construction drawings in the sales office which show easements, hydrants, utilities, lighting, lot grading, landscaping, and noise attenuation measures.
- 40. The Owner shall cause the following warning clauses to be included in a schedule to the Subdivision Agreement:
 - a) All offers of purchase and sale, or lease for all lots/blocks:
 - i. "Purchasers and/or tenants are advised that mail delivery will be from a designated community mailbox, the location of which will be identified by the Owner prior to any home closings."
 - "Purchasers and/or tenants are advised that the proposed finished lot and/or ii. block grading may not meet Town lot grading criteria in certain areas, to facilitate preservation of existing vegetation and to maintain existing adjacent topographical conditions.
 - iii. The municipality does not hold any deposits on account for grading requirements or damage to infrastructure on behalf of purchasers and/or tenants. The municipality holds security from the developer to enforce such obligations directly with the Developer and has no authority to release funds to purchasers and/or tenants"
 - "Purchasers and/or tenants are advised that despite the inclusion of noise iv. control features within the development area and within individual units, noise levels from construction activity may continue to be of concern occasionally interfering with some activities of the building occupants."
 - ٧. That the Owner shall agree in the Subdivision Agreement to include in all Offers of Purchase and Sale a clause advising the prospective purchasers that landscaping improvements adjacent to the driveway (i.e. driveway

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curbing/edging) must be flush with the driveway surface and back of curb to a minimum of 1.5 metres beyond the edge of roadway curb line. Where sidewalk exists along the frontage of the dwelling, driveway edging must be flush with the driveway surface for a minimum 0.5 metre beyond the back of driveway.

- b) All offers of purchase and sale abutting any open space or woodlot (Block 23):
 - "Purchasers and/or tenants are advised that the adjacent open space or i. woodlot is to be left in a naturally vegetated condition and receive minimal maintenance."
- c) All offers of purchase and sale for Blocks 1 to 3, 6, 9 and 10:
 - "Purchasers/tenants are advised that due to the proximity of the adjacent i. Canadian Tire store, noise from this facility may at times be audible"
 - Purchasers/tenants are advised that sound levels due to the adjacent ii. Canadian Tire store are required to comply with sound level limits that are protective of indoor areas and are based on the assumption that windows and exterior doors are closed. This dwelling unit has been supplied with a ventilation/air conditioning system which will allow windows and exterior doors to remain closed"
- d) All offers of purchase and sale abutting a park block:
 - i. "Purchasers and/or tenants are advised that the lot abuts a "Neighbourhood or Community Park" and that noise and lighting should be expected from the designed active use of the park."
- e) All offers of purchase and sale abutting a community trail:
 - "Purchasers and/or tenants are advised that any lot abutting a "Public Trail" i. that noise should be expected from the designed active use of the trail."
- f) All offers of purchase and sale abutting Block 22 along the east property line lands zoned OS-4 (Open Space Exception 4):
 - i. "Purchasers and/or tenants are advised that the lot abuts an OS-4 (Open Space Exception 4) zone and that the lands are only to be used for a treed landscaped buffer as per the Town approved Accepted for Construction Drawings"
- g) All offers of purchase and sale abutting existing commercial lands shall stipulate any recommended warning clauses regarding noise levels adjacent to the existing commercial lands to the north as well as the future commercial uses on Blocks 19-21. Such warning clauses are also to be included in the Subdivision Agreement and registered on title. Such clauses and notifications shall be to the satisfaction of the Town of Wasaga Beach.

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- 41. The Owner shall agree in the Subdivision Agreement that final engineering design(s) may result in minor variations to the Plan (e.g. in the configuration of road allowances and lotting, number of lots, etc.), which may be reflected in the final plan to the satisfaction of the Town.
- 42. That prior to final approval and registration of the Plan or any Phase thereof, the Town shall confirm that there is sufficient water capacity available and allocated to service the entire plan of subdivision or phase based on actual usage as determined by the Town's monitoring of water flows.
- The owner apply best management practices for Species at Risk to ensure exclusion 43. fencing is erected around any future construction activities.
- 44. That tree removal should be undertaken outside the bird-nesting season which extends from about mid-March to mid-August.
- 45. The owner shall supply and install all fire route / parking signage to the satisfaction of the Town.

With respect to meeting the requirements of noise control measure:

- 46. That the Owner shall submit a request to the Municipality to change the current MECP's designation from Class 1 to Class 4. Based on the projected sound levels from the Canadian Tire, Class 4 would be met at all proposed residential blocks during the daytime and nighttime periods. Meeting the current Class 1 designation is not feasible because of the very high noise barrier requirements (well above 12.0 metres high). All dwelling units in Blocks 1 to 3, 6, 9 and 10 would need to be centrally air conditioned and each occupant provided with a warning clause (Class 4) notifying them of the condition, as recommended in Appendix C, Warning Clause F of the Noise Impact Study (dated July 21st, 2021).
- 47. That the Owner incorporate a minimum 4.5 metre acoustic barrier on Block 1 to 3 along the north limit of the development shield the Canadian Tire operation. The barrier is to be a minimum length of 57.0 metres, sufficient to shield the rear yards and first level of the dwellings in Block 1 to 3. See Appendix A, Figure 3 of the Noise Impact Study (dated July 21st, 2021).
- 48. That the Owner make the second and third levels of Blocks 1 to 3 be designed so that noise insensitive rooms (i.e., kitchen, closets, bathrooms and staircases) are placed along the north, east, and west facades. The remainder of the Blocks 1 to 3 where noise sensitive uses are located (i.e., bedrooms, living and dining rooms) have been strategically placed along the façades with sufficient setback from the noise source to meet the proposed Class 4 designation sound level limits during the day and night.

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- 49. That the Owner is aware of the Ontario Building Code-compatible construction based on the bedroom and living/dining room window-area to floor-area ratios will be sufficient to meet the MECP's interior noise criteria. Large window-area to floor-area ratios can be used and still meet the interior noise criteria without the need for upgraded glazing or exterior wall construction. There are no special glazing requirements for the kitchens and bathrooms, where applicable.
- 50. That the Owner is aware of the Agreements of Purchase and Sale for Blocks 1 to 3, 6, 9 and 10 to include a warning clause notifying homeowners of the adjacent commercial operation, as recommended in Appendix C, Warning Clause E of the Noise Impact Study (dated July 21st, 2021).

COUNTY OF SIMCOE

- 51. The Owner shall agree in the Subdivision Agreement to include the following warning clause in the Condominium/Site Plan Agreement, the Condominium Declaration registered for the project under section 2 of the *Condominium Act,* and within all Agreements of Purchase and Sale or Lease, to the satisfaction of the County of Simcoe:
 - i. The private condominium roads within this development have not been designed to meet the County's design requirements to safely and consistently provide County waste collection services as per the County of Simcoe's Multi-Residential & Private Road Waste Collection Policy and applicable Waste Collection Design Standards document. Furthermore, the County of Simcoe is not obligated to provide curbside waste collection services to residential dwelling units accessed by private condominium roads. It is the responsibility of the Condominium Corporation to arrange for waste collection services for these residential dwelling units through a private contractor, to be paid for by the Condominium Corporation.

NOTTAWASAGA VALLEY CONSERVATION AUTHORITY

- 52. That prior to final approval the following shall be prepared to the satisfaction of the NottawasagaValley Conservation Authority and Town of Wasaga Beach:
 - a) A detailed Stormwater Management Report
 - b) A detailed Erosion Control Plan
 - c) A detailed Grading Plan
- 53. That the owner shall agree in the Subdivision Agreement, in wording acceptable to the Nottawasaga Valley Conservation Authority, to carry out or cause to be carried out the recommendations and measures contained within the plans and reports set out above.

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- 54. That the owner shall agree in the Subdivision Agreement in wording acceptable to the Nottawasaga Valley Conservation Authority to construct at its own cost, suitable separation fencing as may be required along the rear and/or side lot lines of all residential lots and/or blocks abutting natural hazard/environmentally sensitive lands within Block 23, to the satisfaction of the Nottawasaga Valley Conservation Authority.
- 55. That the owner shall agree in the Subdivision Agreement in wording acceptable to the Town of Wasaga Beach to utilize directional lighting as may be required along the rear and/or side lot lines of all residential lots and/or blocks abutting natural environmental areas to the satisfaction of the Nottawasaga Valley Conservation Authority.
- 56. That the owner shall agree in the Subdivision Agreement, in wording acceptable to the Nottawasaga Valley Conservation Authority, to ensure that all sediment and erosion control measures will be in place prior to any site alteration. The agreement must also contain a provision stating that all major stormwater management facilities must be in place prior to the creation of impervious areas such as roads and buildings.
- 57. That the owner shall agree in the Subdivision Agreement to engage a qualified professional to certify in writing that the works were constructed in accordance with the plans, reports and specifications, as approved by the Nottawasaga Valley Conservation Authority.
- 58. That any easements required for storm water drainage purposes shall be dedicated/granted to the Town of Wasaga Beach.
- 59. That prior to any site alteration, a permit, under the <u>Conservation Authorities Act</u>, will be obtained from the Nottawasaga Valley Conservation Authority.
- 60. Prior to final approval, the Owner shall pay all applicable fees of the Conservation Authority as required in accordance with the Nottawasaga Valley Conservation Authority's Fee Policy, under the <u>Conservation Authorities Act.</u>

MINISTRY OF HERITAGE, SPORT, TOURISM AND CULTURE

- 61. That prior to any site alteration and final approval, the Owner shall carry out a Stage 1 and 2 Archaeological Assessment, and any further assessment as may be required, of the subject property prepared by a person who holds a license that is effective with respect to the subject land, issued under Part VI (Conservation of Resources of Archaeological Value) of the <u>Ontario Heritage Act</u>. A conservation plan for any archaeological resources identified in the assessment will be required.
- 62. That prior to any site alteration and final approval, the Ministry of Heritage Sport, Tourism and Culture shall confirm in writing to the Approval Authority that the Archaeological Assessment as required in the above Conditions is acceptable and that all archaeological resource concerns meet licensing and resource conservation requirements.

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WASAGA DISTRIBUTION INC. & UTILITIES

- 63. That prior to final approval, the Owner shall provide confirmation to the Town of Wasaga Beach that satisfactory arrangements, financial and otherwise, have been made with necessary utility companies for any facilities serving this draft plan of Subdivision.
- 64. That the Owner shall agree in the Subdivision Agreement to enter into a separate Agreement with Wasaga Distribution Inc. for the provision of hydro utility services.
- 65. That the Owner shall agree in the Subdivision Agreement to co-ordinate the preparation of a composite utility distribution plan to the satisfaction of all affected authorities and the Town.

ENBRIDGE GAS DISTRIBUTION

- 66. The Owner shall contact Enbridge Gas Distribution for service and meter installation details and to ensure all gas piping is installed prior to the commencement of site landscaping (including, but no limited to: tree planting, silva cells, and/or soil trenches) and/or asphalt paving.
- 67. That the Owner should decide if the gas main needs to be relocated as a result of changes in the alignment or grade of the future road allowances or for temporary gas pipe installation pertaining to phase construction, all costs are the responsibility of the Owner.
- 68. That the Subdivision Agreement between the Owner and the Town of Wasaga Beach require thatthe streets be graded to final elevation prior to the installation of the gas lines, and provide the necessary field survey information required for the installation of the gas lines, all to the satisfaction of Enbridge Consumers Gas.
- 69. That the Owner should show if easements are required to service this development and any future adjacent developments. The applicant will provide all easement(s) to Enbridge Gas Distribution at no cost.

BELL CANADA

- 70. That the Owner shall agree in the Subdivision Agreement, in words satisfactory to Bell Canada togrant to Bell Canada any easement that may be required, which may include blanket easement, for communication/telecommunication infrastructure. In the event of any conflict the existing Bell Canada facilities or easement(s), the Owner shall be responsible for the relocation of such facilities or easement(s).
- 71. The Owner shall contact Bell Canada during detailed design to confirm the provision of communication/telecommunication infrastructure needed to service the development.
- 72. That prior to commencing any work, the Owner must confirm that sufficient wire-line communication/telecommunication infrastructure is available. In the event that such

Municipality:Town of Wasaga BeachSubject Lands:Concession 15, Part of Lot 1; RP 51R-30556,
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infrastructure is unavailable, the Owner shall be required to pay for the connection to and/or extension of the existing communication/telecommunication infrastructure.

- 73. If the Owner elects not to pay for the above noted connection, then the Owner will be required to demonstrate to the satisfaction of the Town of Wasaga Beach that sufficient altertnative communication/telecommuncation will be provided to enable, at a minimum, the effective delivery of communication/teleciommunication services for emergency management services (i.e. 911 Emergency Services).
- 74. That the Owner shall agree in the Subdivision Agreement to provide any necessary servicing easements required by the telecommunication provider and provide a letter of undertakingcomplying with any underground servicing conditions imposed by the municipality.

CANADA POST

- 75. The Owner will consult with Canada Post to determine suitable locations for theplacement of Community Mailboxes and to indicate these locations on appropriate servicing plans.
- 76. The Owner agrees, prior to offering any of the residential units for sale, to place a "Display Map" on the wall of the sales office in a place readily available to the public which indicates the location of all Canada Post Community Mailbox site locations, as approved by Canada Post and the Town of Wasaga Beach.
- 77. The Owner agrees to include in all offers of purchase and sale a statement, which advises the prospective new home purchaser that mail delivery will be from a designated Community Mailbox, and to include the exact locations (list of lot #s) of each of these Community Mailbox locations; and further, advise any affected homeowners of any established easements granted to Canada Post.
- 78. The Owner will be responsible for officially notifying the purchasers of the exact Community Mailbox locations prior to the closing of any home sales with specific clauses in the Purchase offer on which the homeowners do a sign off.
- 79. The Owner agrees to provide the following for each Community Mailbox site and include these requirements on appropriate servicing plans:
 - a) A Community Mailbox concrete base pad per Canada Post specifications.
 - b) Any required walkway across the boulevard, as per municipal standards.
 - c) Any required curb depressions for wheelchair access.
- 80. The Owner further agrees to determine, provide and fit up a suitable gravel area 30 to 60 days prior to the first occupancy to act as a Temporary Community Mailbox location(s) which may be utilized by Canada Post until the permanent mailbox pads, curbs, 113/1

| Applicant: | Wasaga Heights Inc. – Golden Sands |
|------------|------------------------------------|
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sidewalks and final grading have been completed at the permanent CMB site locations. This is will enable Canada Post to provide mail service to new residences as soon as homes are occupied. Specifications for this gravel area will be provided at the time the developer notifies Canada Post of the first occupancy date. (The developer should provide evidence of how they intend to co-ordinate this activity in a timely manner to a safe and clean usable area).

- 81. The Owner will be required to provide signature for a License to Occupy Land agreement forany Condominiums and provide winter snow clearance.
- 82. If applicable, Canada Post Corporation's Multi Unit Policy will be in effect for any blocks designated to have Multi Unit Buildings. It will be the Owner's responsibility to purchase and maintain Centralized Mail Boxes for this development type.
- 83. That the Owner note Enhanced Community Mailbox Sites with roof structures will require additional documentation as per Canada Post Policy.
- 84. That the Owner ensure there will be no more than one mail delivery point to each unique address assigned by the Town of Wasaga Beach. As the project nears completion, it is requested that the Owner contact Canada Post Corporation directly to communicate the first occupancy date at which time Postal Coding will be provided. Existing postal coding will not apply and new postal codes will be issued for this development.
- 85. It is requested that the Owner notify all new homebuyers of the process to initiate Mail Delivery; Once the homeowner has closed their home sale, the new homeowner can go to the local Post office and show their warranty documentation as well as a license for identification to begin the process of requesting mail delivery. Of note, any mail which has been sent to this homeowner in the interim - to this new address - will also be available for pickup at this local Post Office - this is where mail will be held until mail delivery begins.
- 86. That the Owner note the above mentioned project will receive mail delivery to a centralized mail facility via lock box assembly or mailroom. The centralized mail facility is to be supplied and installed at the Owner's expense. The centralized mail facility is to be installed in accordance with Canada Post standards.

SIMCOE COUNTY DISTRICT SCHOOL BOARD

- 87. That the Owner shall agree in the Subdivision Agreement to include in all Offers of Purchase and Sale, a clause advising prospective purchasers that the Simcoe County Student Transportation Consortium will determine bus routes and stop locations.
- 88. That the Owner(s) agree in the Subdivision Agreement to include in all Offers of Purchase and Sale a statement advising prospective purchasers that accommodation within a

| Applicant: | Wasaga Heights Inc. – Golden Sands |
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public school in the community is not guaranteed and students may be accommodated in portable classrooms, in schools outside of the community, or temporarily accommodated in a "holding school" outside of the municipality.

89. That the Owner(s) agree to include in all offers of purchase and sale a statement which advises the prospective purchaser that school buses will not enter the subdivision and that pick-up points will generally be located on the through street at a location convenient to the Simcoe County Student Transportation Consortium.

SIMCOE MUSKOKA CATHOLIC DISTRICT SCHOOL BOARD

90. That the Owner include in all Offers of Purchase and Sale, a clause advising prospective purchasers that pupils from this development attending educational facilities operated by the Simcoe Muskoka Catholic District School Board may be transported to/accommodated in temporary facilities out of the neighbourhood school's area.

CLEARANCE LETTERS

- 91. That prior to final approval, the Approval Authority is to be advised in writing by the Town of Wasaga Beach how Conditions under the heading "Town of Wasaga Beach" Beach have been satisfied.
- 92. That prior to final approval the Approval Authority is to be advised in writing by the County of Simcoe how the Conditions above, under the heading "County of Simcoe", have been satisfied.
- 93. That prior to final approval the Approval Authority is to be advised in writing by the NottawasagaValley Conservation Authority how the Conditions above, under the heading "Nottawasaga Valley Conservation Authority" have been satisfied.
- 94. That prior to final approval, the Approval Authority is to be advised in writing by Enbridge Consumers Gas how the Conditions above, under the heading "Enbridge Consumers Gas" have been satisfied.
- 95. That prior to final approval the Approval Authority is to be advised in writing by Bell Canada how the Conditions above, under the heading "Bell Canada" have been satisfied.
- 96. That prior to final approval the Approval Authority is to be advised in writing by Canada Post how the Conditions above, under the heading "Canada Post" have been satisfied.
- 97. That prior to final approval the Approval Authority is to be advised in writing by the

Town of Wasaga Beach

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Municipality:

Date of Original Decision: Date(s) of Extension(s) to Draft Approval: Date of Notice: Last Date of Appeal: Subject Lands: Concession 15, Part of Lot 1; RP 51R-30556,

SimcoeCounty District School Board how the Conditions above, under the heading "Simcoe County District School Board" have been satisfied.

- 98. That prior to final approval the Approval Authority is to be advised in writing by the SimcoeMuskoka Catholic District School Board how the Conditions, under the heading "Simcoe Muskoka Catholic District School Board" have been satisfied.
- 99. That prior to final approval the Approval Authority is to be advised in writing by the Ministry of Heritage, Sport, Tourism and Culture how the conditions, under the hdeaing "Ministry of Heritage, Sport, Tourism and Culture" have been satisfied.
- 100. That prior to final approval the Approval Authority is to be advised in writing by Wasaga Distribution Inc and other applicable utility companies how the conditions under the heading Wasaga Distribution Inc. & Utilities have been satisfied.

NOTES TO DRAFT APPROVAL

- 1. It is the applicant's responsibility to fulfill the conditions of draft approval and to ensure that the required clearance letters are forwarded by the appropriate agencies to the Approval Authority, quoting file number **PS04/18**.
- 2. It is suggested that the Owner be aware of Section 144 of the Land Titles Act and subsection 78(10) of the Registry Act. Subsection 144(1) of the Land Titles Act requires that a plan of Subdivision of land that is located in a land titles division be registered under the Land Titles Act. Exceptions to thisprovision are set out in subsection 144(2).
- 3. Subsection 78(10) of the *Registry Act* requires that a plan of Subdivision of land that is located onlyin a registry division cannot be registered under the Registry Act unless the title of the Owner of the land has been certified under the Certification of Title Act. Exceptions to this provision are set out in clauses (b) and (c) of subsection 78(10).
- 4. It is suggested that the municipality register the Subdivision Agreement as provided by subsection 51(26) of the Planning Act, R.S.O. 1990 against the land to which it applies, as notice to prospective purchasers.
- 5. The Town of Wasaga Beach and County of Simcoe require all engineering drawings to be submitted in electronic format as well as a hard copy. Please contact the Town of Wasaga Beach Information Technology Department and the County GIS Department for additional information.
- 6. All measurements in Subdivision final plans must be presented in metric units.
- 7. For your information, easements required for utility or drainage purposes shall be granted

| Applicant: | Wasaga Heights Inc. – Golden Sands |
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to the appropriate authority.

- 8. All deeds to be conveyed must be free and clear of all encumbrances.
- 9. The Nottawasaga Valley Conservation Authority will require a copy of the developer executed subdivision agreement prior to the clearance of draft plan conditions.
- 10. The Owner is advised that Draft Plan approval does not constitute a guarantee that water/sewage allocation will be available or continue to be available in the future.
- 11. The Owner is advised that the natural gas distribution system shall be installed within the proposed road allowances.
- 12. The Owner is advised that all new commercial and medium/high density residential uses are subject o Site Plan Control in accordance with Town of Wasaga Beach Site Plan Control By-law 2010-115.
- 13. A Development Charge, adjusted to the date of payment, with respect to water supply services, storm drainage services, electrical power or energy services, roads and transportation services, paramedic services, long term care services, social housing, childcare services, public works and library services shall be calculated and payable in accordance with the policies of the Town of Wasaga Beach, the County of Simcoe, and the applicable school boards at building permit issuance.
- 14. The Nottawasaga Valley Conservation Authority, the Simcoe Muskoka Catholic District School Board, Simcoe County District School Board, the Town of Wasaga Beach, and the County of Simcoe may require a copy of the executed Subdivision Agreement prior to the clearance of draft plan conditions.
- 15. The Owner will be required to contact the Communication/Telecommunication Provider's Engineering Department, Bell Canada and Rogers Communications, regarding the details for servicing within the Subdivision as well as the necessary Letters of Understanding, Agreements, Easements, etc.
- 16. The Owner will be required to contact Wasaga Distribution regarding the details of utility servicing for the Subdivision as well as the necessary Agreement. The Wasaga Distribution contact is Nanette Dupuis 705-429-2517.
- 17. The reports, plans, studies, assessments identified in Condition 13 above must be prepared in conformity with the requirements of the relevant approval authority and Draft Plan of Subdivision Approval may be subject to redline revisions pending the results of these reports.
- 18. Clearances are required from the following agencies:

Applicant:Wasaga Heights Inc. – Golden SandsFile No.:PS04/18

Date of Original Decision: Date(s) of Extension(s) to Draft Approval: Date of Notice: Last Date of Appeal: May 26, 2022 May 15, 2025 May 23, 2025 June 12, 2025

Municipality:Town of Wasaga BeachLSubject Lands:Concession 15, Part of Lot 1; RP 51R-30556,
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Town of Wasaga Beach 30 Lewis Street Wasaga Beach,ON L9Z 1A1

The Ministry of Tourism, Culture and SportHeritage Operations/Archaeology 400 University Avenue, 4th FloorToronto, ON M7A 2R9

Nottawasaga Valley Conservation Authority8195 Concession 8 Utopia, ON L0M 1T0

Simcoe County District School Board 1110 Highway 26 West Midhurst, ON LOL 1X0 Simcoe Muskoka Catholic District School Board 46 Alliance Blvd. Barrie, ON L4M 5K3

Enbridge Gas Distribution Planning 500 Consumers RoadNorth York, ON M2J 1P8

Bell Canada Right-of-Way Control Centre Floor 5-Blue 100 Borough Drive Scarborough, ON M1P 4W2

Canada Post Delivery Planning 73 Morrow Road Barrie, ON L4N 3V0 Applicant:Wasaga Heights Inc. – Golden SandsFile No.:PS04/18

May 26, 2022 May 15, 2025 May 23, 2025 June 12, 2025

Municipality:Town of Wasaga BeachISubject Lands:Concession 15, Part of Lot 1; RP 51R-30556,
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County of Simcoe 1110 Highway 26 West Midhurst, ON L0L 1X0

Utility Providers for the following as/if required: Electricity Service provider (Wasaga Distribution)

- 24. If agency draft plan conditions concern conditions within the Subdivision Agreement, a copy of the Agreement should be sent to them. This will expedite the clearance of the final plan.
- 25. Please be advised that the approval of this draft plan will lapse on_____, **2025**. This approval may be extended pursuant to subsection 51(33) of the *Planning Act*, but no extension can be granted once the approval has lapsed.

If final approval is not given to this plan within five (5) years of the draft approval date, and no extensions have been granted, draft approval will lapse under subsection 51(32) of the *Planning Act, R.S.O. 1990*. If the Owner wishes to request an extension to draft approval, a written explanation, together with a resolution from Council, must be received by the Approval Authority sixty (60) days prior to the lapsing date.

- 26. Please note that an updated review of the plan, and revision of the conditions of approval, may be necessary if an extension is to be granted.
- 27. The Final Plan approved by the Approval Authority must be registered within 30 days or the Approval Authority may withdraw its approval under subsection 51(59) of the <u>Planning Act</u>, <u>R.S.O. 1990</u>, as amended.

Subject to the conditions set forth above, this Draft Plan is approved under Section 51 of the *Planning Act R.S.O 1990*, Chapter 13, as amended.

This_____day of_____, 2025.

Trevor Houghton, Director of Planning Town of Wasaga Beach



CORPORATE REPORT The Corporation of the Town of Wasaga Beach Meeting Date: 5/15/2025

| DATE: | 4/28/2025 |
|----------------|--|
| SUBJECT: | Wasaga Beach Farmers Market Agreement 2025 Amendment |
| | Anna Olson, Economic Development Coordinator |
| REPORT NUMBER: | 2025/04/24-43 |

RECOMMENDATION:

- 1. **THAT** the report titled: Wasaga Beach Farmers Market Agreement 2025 Amendment, to the Council meeting of May 15, 2025, be received; and
- 2. **THAT** Council approve the amended Farmers Market Agreement, attached as Appendix A.

EXECUTIVE SUMMARY:

- The Wasaga Beach Farmers Market has operated successfully for the past 8 years, and continues to be a favourite summer activity in the community.
- As a result of growing size, the market has formed a new leadership board to distribute the increasing responsibility of running the market.

BACKGROUND:

In 2024, Council approved an amendment to the ongoing Farmers Market Agreement, which established a new location for the market. The new location in the southwest corner of the RecPlex parking lot was a successful location, with minimal interruption to parking requirements of other user groups. Next to the Oakview Woods Park, the market coincides with weekly "Music at the Park" programming, making Tuesday nights a night of fun and community connection.

Due to the growth of the market over the past few years, the requirements of the volunteer-based leadership have increased significantly. In addition, the previous president of the market announced her retirement from the position. Thus, the position needed to be filled. In response to these changes, members of the market stepped in to form a board of directors to support the new president with their increased responsibilities. Most board members are active vendors at the Wasaga Beach Farmers Market, others bringing with them previous market management experience.

DISCUSSION:

An amended agreement is attached as Appendix A, which reflects the changes in the Board. Staff have also amended the agreement to include the implementation of reporting requirements, which

would have the market, as a non-profit entity which utilizes Town property, complete a year-end financial report, to be provided to the Town and available publicly. The Economic Development Officer has met with members of the new board, who have agreed to the proposed changes to the market agreement. In addition, the market will now be running from June 3rd to thanksgiving weekend.

CORPORATE IMPLICATIONS:

Financial Implications:

There are no financial implications associated with this report.

CONCLUSION:

Staff view the Farmers Market as a valuable addition to the Wasaga Beach community and a positive opportunity for local businesses. Staff support the ongoing improvements to the Farmers Market, and appreciate the community-building efforts of previous and current market leadership. Therefore, it is recommended that Council approves the amended agreement between the Wasaga Beach Farmers Market and the Town.

Authored by:

Anna Olson, Economic Development Coordinator

Appendices:

Appendix A: Wasaga Beach Farmers Market Agreement

AGREEMENT

BETWEEN:

THE CORPORATION OF THE TOWN OF WASAGA BEACH

Hereinafter called the "Town" of the First Part

-and-

THE WASAGA BEACH FARMERS' MARKET

Hereinafter referred to as "Operator" of the Second Part

WHEREAS the Town of Wasaga Beach is the owner of the RecPlex Community Centre Parking Lot;

AND WHEREAS the Operator wishes to operate the Wasaga Beach Farmers' Market out of this area;

NOW THEREFORE this Agreement witnesses that the parties agree here to as follows:

TOWN'S RESPONSIBILITIES

The Town's responsibilities will be as follows:

(a) The Town agrees to provide the space at the RecPlex Community Centre Parking Lot as indicated on Appendix "A" to this Agreement for use as a Farmers' Market between the hours of 1:00 p.m. and 8:00 p.m. Tuesday only, including set-up, take-down and clean-up, from June 1st until Thanksgiving.

THE OPERATOR'S RESPONSIBILITIES

The Operator's responsibilities are as follows:

- a) To designate two (2) people to be responsible for the operation of the Wasaga Beach Farmers' Market. The Operators shall be responsible for the operation and management of the Farmers' Market including: vendor recruitment, market logistics, market administration and marketing and advertising.
- b) To ensure that at least one of the designated representatives of the Farmers' Market is present during each market day. In the event neither designated representative is available, an alternate must be assigned, and the Town staff must be informed of the alternate's name and contact information prior to the market day.
- c) To provide the Town with an Insurance Certificate naming the Town as an additional insured with a minimum of \$5,000,000.00 commercial liability coverage in advance of the anticipated start date. It shall be the Operator's responsibility to make the necessary arrangements to provide this Insurance Certificate to the Town.

- d) To ensure that all certificates of approval that may be required from various agencies such as the Simcoe Muskoka District Health Unit have been obtained for market vendors. A copy of all Health Unit permits must be displayed at the farmers' market and to the Town for their records prior to a vendor's arrival at the Wasaga Beach Farmers' Market site.
- e) To ensure that all vendors are located within the approved area shown on Appendix "A". It shall be the responsibility of the Operators to relocate within the approved area, any vendors who set up, or attempt to set up, their booth outside the approved area. In addition, the Operators shall ensure that there are no vehicles parked in the approved area shown as Appendix "A" during the event hours.
- f) To provide the Town with a financial statement at the beginning of each market season and another at the end of the market season. The initial statement should outline the planned budget and anticipated expenses, while the final statement should summarize actual revenue and expenditures for the season.
- g) To ensure that the Operator is aware of the number of booths that they have registered each week, and ensure that the Market only takes up the necessary about of parking needed week to week.
- h) To not permit live animal sales of any kind, with or without compensation. In the event that a vendor sells or gives away or attempts to sell or give away any live animals, the Operators shall immediately advise the vendor to cease the prohibited activity.
- i) To not permit cooking of any type in the designated Wasaga Beach Farmers' Market area without the proper permits and approvals including but not limited to Health Unit, Fire Department and licensing. In the event that a vendor cooks or attempts to cook any food without permits or permission, the Operators shall immediately advise the vendor to cease the prohibited activity.
- j) To ensure that there are no unauthorized food trucks at the event without the proper permits and approvals including but not limited to Health Unit, Fire Department and municipal licensing.
- k) To only operate within the designated hours, unless an exception is approved by the Town. The Operators shall ensure that the site is cleaned up and returned to its previous state within two hours of its permitted use.
- I) With prior approval, the Wasaga Beach Farmers' Market may erect temporary signage to advertise the market hours and location on Town owned land subject to any restrictions under the Municipal Sign By-law and the Ontario Building Code. The signs will be professionally designed and manufactured to promote the Wasaga Beach Farmers' Market.

- m) To collaborate with Town staff, ensuring alignment of the Farmers' Market with other concurring Town-approved programming at Oakview Woods Park and the RecPlex. The Operator shall participate in planning discussions as needed to facilitate a smooth flow of events and maximize community engagement.
- n) To adhere to all municipal by-laws.

TERM OF AGREEMENT

- a) Termination of the Agreement will take place at the end of the 2026 market season. In the event that the Operator wishes to renew the Agreement, the Operators shall submit a request in writing, prior to the termination of the Agreement indicating their desire to return for an additional four (4) years.
- b) In the event that the Operator does not submit this request, the Town may enter into an Agreement with another party for the next season and the Wasaga Beach Farmers' Market use may be discontinued without notice.
- c) The length of Agreement is two (2) years, with an option to renew for four (4) additional years, if both parties are in agreement.
- d) The Town reserves the right to cancel the Wasaga Beach Farmers' Market operation for public health, safety or security reasons following the procedure in the next paragraph. No liability will be incurred by the Town of Wasaga Beach, its agents or employees, by reason of such cancellation.
- e) In order to access the RecPlex Community Centre Parking Lot, the Renter shall sign the attached Assumption of Risk and Waiver found in Appendix "B", and shall thereby indemnify and hold harmless the Representatives (as therein defined) from all Claims (as therein defined) both on Renter's own behalf, and on behalf of all of its instructors, invitees, members, and attendees (sometimes referred to hereinafter as "my group").
- f) In order to access the RecPlex Community Centre Parking Lot, the Operator shall sign the appended Assumption of Risk and Waiver found in Appendix "B", and shall thereby indemnify and hold harmless the Representatives (as therein defined) from all Claims (as therein defined) both on Operator's own behalf, and on behalf of all of its vendors, invitees, members, and attendees (sometimes referred to hereinafter as "participants").
- g) Agreement may be terminated by either party with thirty (30) days' notice in writing given to the representatives of the other party.

DISPUTE RESOLUTION

a) In case of a dispute between the Town and the Operator, the CAO and/or the Economic Development Officer will convene a meeting between two representatives of the Town

and two representatives of the Wasaga Beach Farmers' Market to identify, discuss and come to a fair and amicable solution to the dispute. In the event that a mutually agreeable solution cannot be reached, Council will be the final arbitrator and its decision shall be final.

Signed this _____ day of _____ , 20___.

The Corporation of the Town of Wasaga Beach

Brian Smith, Mayor

Nicole Rubli, Clerk

We have the authority to bind the Committee

Wasaga Beach Farmers' Market

Witness

Anthony Butcher, President

Witness

Shawn Bell, Vice-President



2024 Farmers Market Appendix "A" - Site Plan

10

Metres

20

Town of Wasaga Beach



Appendix "B" – Assumption of Risk and Waiver

ASSUMPTION OF RISK AND WAIVER

PLEASE READ CAREFULLY:

1. ACKNOWLEDGMENT OF INHERENT RISK BY ATTENDANCE AT THE RECPLEX COMMUNITY CENTRE

I understand that participation in a farmers' market or any other activity occurring at the RecPlex Community Centre is voluntary, and involves inherent risk during participation, including the risk of possible accidents, physical injury, **or exposure to the COVID-19 virus or other infections or infectious diseases** as a result of attendance at the RecPlex Community Centre. On my own behalf, and on behalf of my group, I freely accept and fully assume all such risks, dangers and hazards, including but not limited to personal injury, disease transmission, death, property damage or loss, resulting from my attendance and/or participation.

2. WAIVER

I do for myself (and all members of my group), and our respective heirs, executors, administrators, successors and assigns, hereby waive, release, and forever discharge the Corporation of the Town of Wasaga Beach, their Councillors, Officers, partners, agents, employees, servants, representatives, volunteers, officials, successors and assigns (the "Representatives") of and from any actions, causes of action, complaints, demands and claims or any recourse whatsoever ("Claims") that I have or may have in the future in any way connected with my (or any member of my group's) participation in the activity contemplated herein, whether in law or in equity, in respect of personal injury, illness or disease transmission, loss of life, or property damage of any kind or nature, and I do hereby discharge the Representatives from any such liability. This includes negligence, breach of contract or breach of any statutory or other duty of care.

3. INDEMNIFICATION

I further agree to fully indemnify and defend the Representatives, including all related costs and expenses, and against any loss, costs, damages, or expenses which the Representatives may sustain, suffer, incur, or be liable for resulting from, arising from, or in any way related to my (or any member of my group's) participation in the activity. I also agree and undertake not to make any claim or take any proceedings against the Representatives set out above, or any other person or corporation which might claim contribution or indemnity under the provisions of any statute or otherwise from the Representatives set out above.

4. SEVERABILITY

The provisions of this Assumption of Risk and Waiver shall be deemed severable and if any provision or portion thereof is held invalid, illegal or unenforceable for any reason, the remainder shall not thereby be invalidated, but shall remain in full force and effect.

Acknowledgement: I am aware of the nature and effect of this Assumption of Risk and Waiver and I fully understand all of the terms and conditions above. I understand that I have given up substantial rights by signing this Assumption of Risk and Waiver and I am signing it freely and voluntarily without inducement on my own behalf and on behalf of all members of my group.

Operator's Name:

Operator's Signature:

Date (DD/MM/YYYY): ____ /____/



CORPORATE REPORT The Corporation of the Town of Wasaga Beach Meeting Date: 5/15/2025

| 9/2025 |
|--------|
| 2 |

SUBJECT: Parking Request – 40th Street North

CONTACT: Andrew McNeill, CAO

REPORT NUMBER: 2025/05/15-34

RECOMMENDATION:

- 1. **THAT** the report titled: Parking Request 40th Street North, to the Council meeting of May 15, 2025, be received;
- 2. **THAT** the request to prohibit on-street parking on 40th Street North be granted on a temporary basis until such time as a more fulsome Parking Strategy can be undertaken by the Town to determine whether on-street parking should be permanently prohibited on 40th Street North;
- 3. **THAT** if further requests are received to consider prohibiting on-street parking prior to the Parking Strategy being undertaken, a minimum of 90% neighbour support on the impacted street be requested prior to Council's consideration of the request; and
- 4. **THAT** the municipal Dunkerron parking lot be retained until such time as a more fulsome parking strategy has been undertaken.

EXECUTIVE SUMMARY:

- Residents from 40th Street North requested that on-street parking be prohibited on their street.
- A signed petition was received from the majority of residents making this request.
- Permitting this request on a temporary basis will allow the Town time to monitor impacts of the decision, as well as provide an opportunity to revisit the decision should it be in conflict with any future Parking Strategy recommendations.

BACKGROUND:

Residents of 40th Street North contacted the Town requesting removal of on-street parking.

DISCUSSION:

Residents of 40th Street North contacted the Town to request a prohibition of on-street parking. Reasons for the request include the following:

- 40th Street is relatively narrow;
- Linda Lane terminates at 40th Street exacerbating traffic issues;
- With on-street car parking the street functions as a yield street and can be challenging for pedestrians;
- The street also functions as a shared-street and residents are of the opinion that on-street parking is contributing to safety concerns;
- Parked cars can cause access/egress concerns for residents as a result of the narrow travel lanes;
- Parking is being primarily utilized by day-trippers who are trying to avoid paying for parking at public lots; and
- Off-street parking opportunities should be prioritized for day-trippers.

Residents were asked to provide a letter demonstrating that the majority of residents support this parking change. They have complied and provided the Town with a list of signatures from homeowners on 40th Street North. The Town currently does not have a policy for a threshold that residents must achieve to make changes to their street; however, it is recommended that 90% approval be required moving forward. This ensures that the majority of residents agree and support the change. It also allows residents to have a democratic voice in shaping their immediate neigbourhood environment.

There are currently off-street parking opportunities throughout town at both municipal and provincial lots. It is anticipated that a Parking Strategy will review the number and location of offstreet parking opportunities to determine if there is adequate parking in town. Given the impending parking strategy, it is recommended that the Dunkerron Lot (that was being considered for surplus declaration) be retained pending the outcome of the strategy.

CORPORATE IMPLICATIONS:

Financial Implications:

There are no financial implications associated with this report.

Term of Council Priorities:

This report has relevance to TOCP's # D. Pursue Complete Streets and S. 65 Seek ways to make government more transparent.

CONCLUSION:

Residents of 40th Street North have requested the elimination of on-street parking. Until such time as a more fulsome Parking Strategy can be undertaken, it is recommended that this request be granted.

Authored by:

Andrew McNeill, CAO



CORPORATE REPORT The Corporation of the Town of Wasaga Beach Meeting Date: 5/15/2025

| DATE: | 5/1/2025 |
|----------------|---|
| SUBJECT: | Accessibility Plan Annual Status Report Update for 2024 |
| CONTACT: | Barbara Kane, Records and Information Management Specialist |
| REPORT NUMBER: | 2025/05/15-30 |

RECOMMENDATION:

1. **THAT** the report titled: Accessibility Plan Annual Status Report Update for 2024, to the Council meeting of May 15, 2025, be received for information.

EXECUTIVE SUMMARY:

- Note the summary and highlights of the report (key element, stats, etc.) Multi-Year Plan and Progress Reports provide the overall approach of how the Town is meeting the requirements of the Integrated Accessibility Standards Regulation
- A Progress Report is mandated to be submitted to Council annually.
- All Operating Departments and staff have provided their progress in regards to Accessibility Accomplishments for 2024.

BACKGROUND:

In 2012, the Town's Accessibility Plan was adopted into a multi-year format, initially covering the years 2013 to 2017. The legislated Multi-Year Plan and Progress Reports provide the overall approach of how the Town is meeting the requirements of the Integrated Accessibility Standards Regulation (IASR). In December 2017, the Plan was updated with a new five (5) year Plan (2018-2022 which was then further updated for 2022-2026) to enable the Town to stay on track for meeting requirements, highlight achievements that have been made and make any adjustments needed to meet the timelines and requirements under the IASR. A Progress Report is mandated to be submitted to Council annually.

DISCUSSION:

As per the Multi-Year Accessibility Plan, all Operating Departments and staff have provided their progress in regards to, the Accessibility Accomplishments for 2024 and initiatives for 2025.

The Accessibility Advisory Committee (AAC) was circulated a copy of these reports at their February 19, 2025 meeting, and formally received them for information and provided input with respect to their 2024 accomplishments and proposed 2025 initiatives.

The report will be added to the 2022-2026 Multi-Year Plan for information.

CORPORATE IMPLICATIONS:

Financial Implications:

No financial implications are associated with this annual status report.

Term of Council Priorities:

This report establishes the TOCP's - Happy, Healthy & Safe Residents

CONCLUSION:

In accordance with the Integrated Accessibility Standards Regulation, staff are submitting an Annual Status Report to Council for information.

Authored by:

Barbara Kane Records and Information Management Specialist

Appendices:

Appendix A: Accessibility Plan Annual Status Report for 2024

2024 Town of Wasaga Beach Accessibility Plan Annual Status Report

The Town of Wasaga Beach has established a multi-year accessibility plan to prevent and remove barriers to accessibility and to meet requirements under the Accessibility for Ontarians with Disabilities Act and the Integrated Accessibility Standards.

This Annual Status Report details the required annual update for 2024 on the progress of measures taken to improve accessibility. The purpose of this report is to track our organization's progress and make the public aware of our initiatives.

This report is available online at: <u>https://www.wasagabeach.com/en/services-and-payments/accessibility-services.aspx? mid =54252</u>.

To request an alternate format of this annual status report, please contact:

Barbara Kane, Records and Information Management Specialist <u>barbara.kane@wasagabeach.com</u> 705-429-3844 ext. 2262

2024 Accessibility Accomplishments

Legislative Services

Legislative Services provides assistance to the Accessibility Advisory Committee and staff with respect to the legislative requirements of the AODA.

Accessibility Advisory Committee

- Multi Year Accessibility Plan & Progress Report review
- Hosted Easter and Thanksgiving Food Drives for the Wasaga Beach Food Bank in collaboration with the Fire Department
- Attended the Seniors Information and Active Living Expo providing information to members of the public on the Committee and various services available for those with disabilities
- Provided consultation to departments with respect to various initiatives as outlined within the individual department updates
- Installed new mobi-mat wings to existing mobi-mat locations to enhance accessibility
- Recommended and obtained approval to purchase and install mobi-decks at Beach Areas 1 and 2
- Provided consultation to the Simcoe County District Public School Board on a site plan for a new public school
- Created a Site Plan checklist to use as a guide for the Committee when reviewing site plans identified for review under Section 42 of the Planning Act

Clerk's Department

- Oversaw the use of four mobi-chairs for residents and tourists. These floating wheelchairs allow users to easily transition from the beach to the water. They are available on a first-come basis at the Wasaga Beach Provincial Park Office.
- Worked with the Provincial Parks, to oversee the mobi-mats, wings and platforms located on Provincial Park lands
- Communications began with Ontario Parks to enter into a Memorandum of Understanding for the installation and maintenance of mobi-mats, wings, platforms and chairs within provincial parks including the installation of signage
- New Agenda Management Software was implemented at the end of 2023 allowing for more accessible access to past, current and upcoming Council and Committee meetings.

Human Resources and Training Accomplishments

- Continued to provide online AODA training with Systems 24/7 as part of employee orientation
- Human Resource continued to update policies and procedures to address standards outlined within the Employment Standard which included Individual Accommodation Plans when requested
- Employees received MSD & ME (Ergonomics) training with Systems 24/7
- An accommodation statement is now included within all job postings for the Town of Wasaga Beach and each candidate is asked if they require any accommodation to participate in the recruitment process
- "In an emergency...Would you require assistance to evacuate the building" form is now included with each employee's "New Hire Package"

Information Technology Accomplishments

- To enhance accessibility on our website, the Town has successfully integrated Monsido tools on the current website. We have begun working with a website developer to launch a new AODA compliant website with anticipation of going live in Q1 of 2025.
- "Worked in conjunction with the Treasury Department to launch "My Wasaga" site in 2024. This initiative provides the public with a central platform for conveniently handling tax and water bill payments
- Continues to offer support to the AAC members by providing technical accommodations

Communications Accomplishments

- Three (3) in person "Town Hall Meetings" were held providing members of the public an in-person opportunity to ask Council and staff questions pertaining to Town matters
- The CAO's office was opened on Monday mornings to provide members of the public with an opportunity to meet one on one with the CAO to ask questions pertaining to Town matters
- Implemented "Engage Wasaga" providing members of the public the opportunity to participate in surveys and review municipal priorities, programs, services and projects

Recreation and Facilities Accomplishments

- A tour of the new Twinpad Arena and Library was held for the AAC in the Spring of 2024. Facilities received feedback from the committee and additional accessibility improvements were made to the Twinpad which included rails along penalty boxes to protect walkers and wheelchairs, delineation of uprights in the Community Rinks, contrasting stair railings, cement drains correct to remove tripping hazard
- Annually painting sidewalk ramps blue so they are easily recognizable
- Rec Guide both spring/summer and fall/winter issues are formatted for text to audio (TTA) in the digital format with the anticipation of blending the guide with the Town website
- Planning underway for accessible washroom upgrades on both floors of the town hall as well as utilizing grant funding to upgrade the elevator to be far more user friendly by the end of 2024. This initiation was placed on hold on the anticipation that the Town will be building a new Town hall.
- The washroom at the Youth Centre was renovated to include an AODA washroom
- Signage at the Twinpad is now AOD compliant and includes Brail with more directional signage added for the elevator
- The Municipal Law Enforcement and Licensing Office has been moved to the first floor to provide for a more accessible location
- Upgrade/renovations at Old Fire Hall Station (Special Events Department/Transit). Renovations at the Old Fire Hall Station have been cancelled in preparation for the revitalization of the Beachfront.
- Visible fire/emergency alarms in all public buildings ongoing
- Levered faucets ongoing. The majority of the faucets have been converted to touchless.
- Youth Centre pathway upgrades. Further upgrades to the Youth Centre pathway are anticipated for 2025. An accessible fire pit was installed at the Youth Centre
- Accessible parking space signs
- Exterior paths of travel (e.g. sidewalks, walkways, ramps, stairs, etc.)
- Spruce Street Public Washroom southern ramp has been completed

• A directional sign was installed at the Youth Center providing direction to the accessible ramp located at the back of the facility

Public Works, Engineering, Roads and Parks Accomplishments

Roads

- Undertook sidewalk improvements and replacement/repairs throughout Town to eliminate vertical sidewalk discontinuities (trip hazards >2cm)
- Installed an accessible concrete sidewalk ramp at the end of the sidewalk on Jenetta Street
- Completed select intersection pedestrian pushbutton upgrades
- Addition of AODA parking stalls and signage at Third Street Parking lot, Nancy Island Parking lot and at the Archives Building
- Completed new streetlight installations, at select locations, throughout the Town

Parks

- Initiated a plan for expanding trail Wayfinding signage
- Completed the Oakview Woods Playground Redevelopment project, with accessibility enhancements
- Completed the William Arnill Park Playground Redevelopment project, with accessibility enhancements
- Completed the new River Road East Playground project on, with accessibility features
- Installation of accessible swings at Red Oak, Wasaga Village, and Wasaga Sports Park playgrounds.

Engineering

- Continued construction of the River Road West Urbanization project; including bike lanes, sidewalks on both sides of the roadway, new and upgraded traffic signals, bus stop improvements, and additional street lighting, and improved pedestrian & vehicle signage.
- Continued with the detail design for road improvements of Mosley Street, between 45th Street and Beachwood Road; including an off-road multi-use trail on the south side for cyclists and pedestrians, new sidewalks, new and upgraded traffic signals, bus stop improvements, and additional street lighting.
- Continued with the detail design for Beach Area One Roadways project, including barrier free streetscaping, designated bike lanes/cycle track and boardwalk
- Updating Town Engineering Standards with AODA requirements and specifications.

Transit

- Strengthened fully accessible specialized transit system, in partnership with the Town of Collingwood and Clearview Township. Implemented mobile app and online booking to help riders and transit service provider with trip planning and tracking.
- Acquired an additional accessible van for TransitPLUS door-to-door specialized transit service.
- Continued with the pilot of on-demand transit service, to expand service to unserved areas, on the east side of Town.
- Utilized mobile app and online booking with on-demand transit service for riders to book their rides. Mobile app and online booking to help riders and transit service provider with trip planning and tracking. On-demand transit service aligns with Simcoe County LINX and neighbouring (municipal) transit systems.
- Completed the installation of four (4) new transit shelters
- Consulted with the Accessibility Advisory Committee, regarding the construction, renovation or replacement of transit stops and shelters or alterations/additions to routes
- Initiated review of proposed locations for 2 new transit shelters to be installed in 2025, which will be presented to the Accessibility Advisory Committee

Planning

- The Planning Department was relocated to 120 Glenwood Drive across from the Town Hall which now provides accessible access
- Planning Department provided training to the AAC with respect to requirements for Site Plans under the Planning Act and circulated site plans to the AAC for review and comments
- "MyWasaga" CityView portal was rolled out in 2024 providing residents the ability to apply, pay, request and check the status of a planning applications eliminating the need to attend Town hall.

Building Accomplishments

- Administration and interpretation of the ongoing enhancements to the accessibility requirements of the Ontario Building Code so they are more understandable and accessible to our residents.
- Building Department was relocated to 120 Glenwood Drive across from the Town Hall which now provides accessible access
- "MyWasaga" CityView portal was rolled out in 2024 providing residents the ability to apply, pay, request and check the status of a permit application and inspections, thus eliminating the need to attend Town Hall.

Treasury Accomplishments

- Continue to budget capital funding for all facilities, trails and parks which includes accessibility upgrades.
- Treasurer to ensure continuous training will be provided by purchasing to ensure that new suppliers understand and comply with the Accessibility standards for Customer Service
- Treasurer to ensure wording to be incorporated into billings and correspondence (i.e. newsletter) that alternative formatting is available upon request.
- Treasurer to ensure that all Department Heads/staff are aware of the accessibility guidelines when creating their specifications for purchase.
- Future change to billing to allow for more e-billing.
- Move sale of Yard Sales from By-law Department to Treasury for easier accessibility. This item has not yet been completed
- Assist Roll Book users by finding the information they are looking for.
- Continue providing notices and bills printed on white paper only.
- Assist customers by coming out from behind the counter or meeting with them at the seating area if easier for them.
- "Worked in conjunction with the Treasury Department to launch "My Wasaga" site in 2024. This initiative provides the public with a central platform for conveniently handling tax and water bill payments.

Bylaw Enforcement Accomplishments

- Installation of new parking lot name/identification signs have been installed
- New taxi company licensing are to provide requirement of accessible cabs subject to direction from AAC and Council

Library Accomplishments

- Expanded large print collection in order to offer more reading options for people with visual impairment
- Replaced Junior Fiction collection blue item labels with clear, white labels to make it easier to read for everyone
- Made available a multilingual collection that was donated by Simcoe County to support language barriers
- Provided tablets at the front desk for staff to communicate with patrons who do not speak English
- New service desks and workstations for the public that are wheelchair accessible
- Provided more computers and some have large, lettered keyboards for vision impairments
- Achieved a grant from the International Dyslexia Association to add decodable books, which assist people with dyslexia with reading
- CNIB Smart Life in Barrie donated a desktop magnifier for public use

Fire Department Accomplishments

- Upon request, assist individuals with installation of smoke and carbon monoxide alarms in their homes
- Implement online version of the inquiry and citizen complaint form available on the Town website
- Ensure that all forms meet current accessibility standards
- Provide accessible station tours for community members
- Maintain communication assistance cards available on trucks and in the office
- Partnered with Accessibility Advisory Committee to complete an Easter and Thanksgiving food drive in support of the Wasaga Beach Food Bank
- Fire Administration Assistant completed American Sign Language and is not able to assist various departments in communicating with members of the public
- Renovation of Station 2 has been completed, meeting AODA compliance as outlined within the Ontario Building Code. Upgrades include an accessible washroom, powered entry doors and barrier free access.

SCHEDULE "D"

2025 Accessibility Goals/Identified Improvements

Accessibility Advisory Committee (AAC)

- Consult with the Municipality in the future development of accessible design criteria to be considered in the construction, renovation or replacement of bus stops and shelters
- Redesign logo for Accessibility Advisory Committee
- Attend Seniors Information and Active Living Expo
- Create Videos promoting accessible features within the Town
- Spring and Fall Food Drives in support of the Wasaga Beach Food Bank
- Continue to provide accessible devices at Provincial Beaches by installing mobi mats, wings and decks
- Work with Communications to create pamphlets identifying accessible features at Provincial Beaches
- Work with Bylaw Enforcement to finalize Bicycle By-law
- Investigate Access, Awareness and Inclusion programs during local government week

Overall Accessibility

 Ongoing training in Accessible Customer Service for all new employees, members of Council, volunteers and those who provide services on behalf of the Town of Wasaga Beach

Clerks/Administration/Cemetery

- Incorporate a "Refresher" Accessibility training course for all staff (Re: AODA/IASR)
- Increase awareness of the availability of hearing assistive devices for meetings of Council and Committees
- Work in partnership with the Human Resources Department to provide volunteer onboarding online

Recreation, Events & Facilities

 Inclusion of a Business Accessibility Package with new Business Licensing Packages is being investigated for 2025

Public Works/Parks/Engineering/Transit

- Complete the Multi-Modal Transportation Master Plan, including Master Transit Study; evaluate and implement recommendations made therein, subject to Council approval.
- Continue to monitor policies and procedures for the various requirements relating to conventional and specialized transit services to comply with the Standards
- Continue to receive feedback from our customers, act on it when possible and ensure that we provide an equitable service to our customers.
- Acquire a new conventional transit bus, compliant with AODA technical requirements
- Initiate the construction of accessible playground facilities at Sunnidale Trails Pacific Homes Development (NEW) and Blueberry Trails Park (Replacement)
- Finalize the construction of River Road West, between Blueberry Trails and Veterans Way, including new sidewalks and designated bike lanes.
- Initiate the construction of Beach Area One road improvements, including streetscaping, improved sidewalks and multi-use pathways

Human Resources

- Draft and update policies to incorporate changes to Human Resources policies to address standards outlined in the Employment Standard.
- Work in partnership with the Clerk's Department to provide volunteer onboarding online

Treasury/Information Technology

 Including availability of alternate formats on invoices issued to members of the public.

Information and Communications

- Continuous improvement in Town's webpage design, by reviewing and ensuring the information being conveyed meets customer's requirements.
- Continuous review of Town's corporate social media platforms to ensure that information being conveyed is accurate and factual meeting customer's requirements.
- Develop a corporate policy, on the availability of Town documents in alternate formats
- Develop a public process on the availability of alternate formats and communication supports for public notifications (e.g. website)
- Town Clerk to ensure municipal election is fully accessible and inclusive
- Develop a process for creating and circulating accessible notices of services provided by the Town. Consult with various departments to alter various applications with provision that alternate formats are available upon request.

Municipal Law Enforcement & Licensing Department/Parking

• Continue to enforce and educate members of the public on parking by-laws

Library

• Continue to build accessible collections including audiobooks large print as well as language items

Economic Development & Tourism

• Will be consulting with the AAC when moving forward with the implementation of the Downtown Master Plan.

Building Department

- Continue to enforce the AODA requirements within the Building Code
- Implement new changes AODA changes under the Building Code

Planning

- Updating Zoning By-law which will recognize the AODA
- Creating Urban Design Standards which will recognize the AODA

Fire Department/Emergency Services

- Deliver fire safety programs at local retirement homes, senior events, and throughout the community.
- Provide assistance with home fire safety inspections, including the installation of smoke alarms, carbon monoxide alarms, and guidance on home escape planning as requested.
- Implement barrier-free car seat installation assistance at Station 1.
- Partnering with the County of Simcoe and a local church to open an overnight warming centre with barrier free access for vulnerable community members.

SCHEDULE "E"

Wasaga Beach Transit System Plan

The Town of Wasaga Beach operates a public transportation system (Wasaga Beach Transit System).

1. Transit Buses:

The Wasaga Beach Transit System currently has four (4) transit buses. All buses are accessible, and all buses are equipped with a driver operated wheelchair lift with room for two (2) wheel chairs on board.

2. Features of Wasaga Beach Transit Accessible Buses:

- Automated, audible (interior / exterior) and visual stop announcements (All Buses equipped since the summer of 2016)
- High visibility (yellow) step tread markings and grab handles
- High visibility (yellow lettering) destination signage (exterior / interior)
- Priority Seating (signage) near the front of the bus
- Bus Stop request button (lower elevation) for wheelchair passengers at the rear of the bus

3. Accessibility Measures taken at the transit level

- Regular meetings with Landmark Bus Lines (Towns Transit contractor) management to discuss service improvements, customer complaints, accessibility issues.
- Semi-Annual Meetings with Transit Drivers (Landmark) to discuss service improvements, customer complaints, etc.
- Logging / Record Keeping of all related transit complaints and/or suggestions.
- Automated, Audible, and visual stop announcements

4. Customer Feedback

- Customer feedback for conventional transit is received through a designated telephone number/email address
- Calls are logged, managed and to evaluate customer feedback
- Feedback is also encouraged through the Town's website by emailing or calling the designated transit contact.

5. Specialized Transportation Demand

- Currently under review by the Town
- The Town does not currently operate a designated Specialized Transit System.

- The Transit Drivers stop along the fixed route(s) at the passenger's request for accessibility reasons.
- Passengers are encouraged to contact the Canadian Red Cross Simcoe Muskoka Branch transit system that will transport passenger's door to door

6. Accessibility Equipment Failures

- Should accessibility equipment failures occur on the Town owned conventional system, the Town's transit contractor (Landmark) is responsible for the immediate replacement of the failed vehicle with another Town –owned accessible vehicle or if not available because of mechanical reasons the contractor will deploy their own accessible vehicle.
- The use of a non-accessible vehicle is not permitted.

7. Consultation with the Accessibility Advisory Committee

- The Town shall consult with the Accessibility Advisory Committee (AAC) regarding the construction, renovation or replacement of transit stops and shelters or alterations/additions to routes.
- The Accessibility Advisory Committee, the public and persons with disabilities shall be consulted in the annual public consultation regarding public transportation (See Section 6.3 Transportation).



CORPORATE REPORT The Corporation of the Town of Wasaga Beach Meeting Date: 5/15/2025

| 4/22/2025 |
|--|
| Strong Mayor Legislation |
| Nicole Rubli, GM of Legislative & Development Services/Clerk |
| 2025/05/15-33 |
| |

RECOMMENDATION:

1. **THAT** the report titled: Strong Mayor Legislation, to the Council meeting of May 15, 2025, be received for information.

EXECUTIVE SUMMARY:

- Strong Mayor Legislation was introduced in Ontario in 2022.
- The Ontario government has granted strong mayor powers to an additional 169 municipalities as of May 1st, which includes the Town of Wasaga Beach
- The report provides an overview of the Strong Mayor legislation

BACKGROUND:

In August 2022, the Ontario government introduced the Strong Mayors, Building Home Act. The bill received Royal Assent on September 8, 2022. The strong mayor powers is a tool provided to the heads of council to reduce red tape and allow municipalities to quickly support municipal and provincial priorities. The municipal-provincial priorities are identified in Ontario Regulation 580/22 of the Municipal Act and are designed to assist the province in meeting their housing target to get 1.5 million homes built by 2031. The municipal-provincial priorities include constructing and maintaining infrastructure to support housing, including:

i. transit, ii. roads, iii. utilities, and iv. servicing (Ontario Regulation 580/22: Provincial Priorities)

All new powers afforded to the head of Council with the legislation change are outlined in Part VI.1, Special Powers and Duties of the Head of Council in the Municipal Act. In addition, to advancing provincial priorities, the new legislation provides additional powers to the head of Council which are outlined in S. 284 of the Act.

When announced the new legislation was intended for Ottawa and Toronto, it was then expanded to fifty communities across Ontario. To be eligible the designated communities had to commit to increasing the housing supply in Ontario by committing to their assigned target through a housing pledge.

On April 9, 2025 the Province announced that they were proposing to expand strong mayor powers to heads of Council to an additional 169 municipalities including the Town of Wasaga Beach effective May 1, 2025.

DISCUSSION:

Strong Mayor powers for the additional 169 municipalities came into effect May 1st, 2025. The chart below provides a high level summary of the strong mayor powers found in Sections 284.2 to 284.17 of the Municipal Act, as well as some rules surrounding the use of the powers:

| Strong Mayor Power | Specific Powers | Notes |
|---|--|---|
| S. 284.3 - Direction to Municipal Staff | Direct Staff to: Undertake research Provide advice to Mayor and Council on municipal policies and programs Carry out duties related to Mayoral decisions related to the powers under the Act | Written record of direction must be provided to the Clerk and Chief Administrative Office by the next business day. Direction must be circulated to all of Council Direction to staff that is not confidential must be posted on municipal website |
| S. 284.5 – Chief Administrative Officer (CAO) | Appoint CAOAssign duties to the CAO | This power may be delegated to Council |
| S. 284.6 – Organizational Structure | Determine the municipal organizational structure Hire or dismiss the head of any division or the head of any other part of the organizational structure, with the exception of the following officials, which must be appointed by Council: Clerk or deputy clerk. Treasurer or deputy treasurer. Integrity Commissioner. Ombudsman. Auditor General. Registrar. Chief Building Official Chief of Police Fire Chief Medical Officer of Health Other Officers or Heads of Divisions required to be appointed under this or any other Act Any other prescribed persons. | Determining the organizational structure and the hiring/dismissal of division's heads or head of any part of the organizational structure may be delegated to Council or the CAO. Delegation of these items may be done on a situational basis All delegations of these powers are required to be completed in writing and posted on the municipal website. |
| | Page 138 of 351 | |

| Strong Mayor Power | Specific Powers | Notes |
|--|---|---|
| S. 284.7 & S. 284.8 Local Boards and Committees | Appoint chairs and vice-chairs of local boards Establish or dissolve a committee Appoint chairs and vice-chairs of committees Assign functions to committees | Powers may be delegated to Council. Delegation must be in writing and posted on the municipal website. |
| S. 284.11 Veto Powers/Veto By- laws (Advance and/or Prevent Interference with Provincial Priorities) | Applies to by-laws associated with the Municipal Act, Planning Act and Section 2 of the Development Charges Act Veto a by-law if Mayor is of opinion the by- law interferes with provincial priority | Powers cannot be delegated. Veto does not allow Mayor to introduce amendments or new by-laws, may only nullify Council decision. Written veto document must be provided to Clerk with reasons for veto. Clerk must provide written veto document to Council and make it available to public next business day. Copy of veto decisions must be posted on municipal website Council will have 21 days to possibly override the head of council's veto with a two-thirds council vote By-law proposed by head |
| | May propose certain by-laws that would advance provincial priorities | of Council can be enacted by a vote of one- third plus one member of a municipal council |
| S. 284.16 Budget | Prepare and propose budget to Council for consideration before February 1 Veto amendments to budget made by Council within 10 days after the period for Council to pass amendments Mayor may shorten the 10 day veto period | Powers cannot be delegated. Power to prepare and present budget reverts to Council if Mayor fails to present by February 1. Council has 30 days to amend the budget after presented, if no amendments, Mayor's proposed budget is adopted. Council may vote to shorten this period. Council may override Mayor's veto with two- |
| | Page 139 of 351 | thirds of Council voting to override the veto |

There are additional requirements within the legislation relating to strong mayor powers that prescribes that a by-election must be held if there is a vacancy, to fill the office of mayor. In municipalities that do not have strong mayor powers, they may fill the head of council vacancy by appointment or by-election. Deputy Mayors are not permitted to exercise strong mayor powers when filling the role.

The Clerk's Division will be responsible to provide public notice in accordance with the legislative requirements and a webpage on the Town's website has been dedicated to the legislation. The Ministry of Municipal Affairs and Housing (MMAH) has indicated that they will offer province-wide technical briefings for municipal staff and elected officials. The briefings will be virtual and are expected to take place within the next few weeks, Council will be made aware of when these sessions will be held. Guidance on the strong mayor framework is also available to Council via the MMAH's <u>Ontario's Councillor's Guide</u>.

CORPORATE IMPLICATIONS:

Financial Implications:

There are no financial impacts associated with this report.

CONCLUSION:

This report is provided to Council for information.

Authored by:

Nicole Rubli General Manager, Legislative and Development Services/Clerk



CORPORATE REPORT The Corporation of the Town of Wasaga Beach Meeting Date: 5/15/2025

DATE: 4/30/2025

SUBJECT:Contract Award - Water Pollution Control Plant (WPCP) Bar Screen
Replacement and HVAC Upgrades

CONTACT: Kevin Lalonde, P.Eng., General Manager, Infrastructure Services

REPORT NUMBER: 2025/05/15-29

RECOMMENDATION:

- 1. **THAT** the report titled: Contract Award Water Pollution Control Plant (WPCP) Bar Screen Replacement and HVAC Upgrades to the Council meeting of May 15, 2025, be received;
- 2. **THAT** W. A. Stephenson Mechanical Contractors Limited be awarded Contract RFB#25-41 in the amount of \$3,424,640.00 (Excl. HST);
- 3. **THAT** the works be approved as a multi-year project, with an estimated scheduling as presented in the Project Financial Plan, attached as Appendix A; and
- 4. **THAT** the Mayor and Clerk be authorized to execute the necessary contract documents.

EXECUTIVE SUMMARY:

- The Request for Bids (RFB#25-41) was publicly posted on March 5, 2025 and closed on April 11, 2025.
- Two bids were received.
- Based on the bid evaluation, it is recommended that W.A. Stephenson Mechanical Contractors Limited be awarded the contract in the amount of \$3,424,640.00 (exclusive of HST).

BACKGROUND:

The Wasaga Beach WPCP is equipped with rotating curved bar screens that are original from the 1995 plant expansion. There are two parallel channels and each bar screen has a design peak flow rate of 442 L/s with 12 mm screen openings (combined capacity of 884 L/s). The bar screens are reaching the end of life and are in need of replacement. Additionally, the 12 mm screen spacing provide poor preliminary screening, as inorganics are able to pass through which causes downstream process inefficiencies.

A finer screen of at least 6 mm is required to provide screening that is more effective. A Flow Projections Design Memo was completed by OCWA in July 2021, which used population information from the Town to develop flow projections up to the year 2051 for the Wasaga Beach

WPCP. This was used as the design basis when OCWA completed the Headworks Technology Study in October 2021.

The work covered under this contract includes the following:

- Demolition and removal of the existing bar screens and related equipment
- Installation and commissioning of a new pre-selected screening system in the existing screening channels. The new screens are rated to provide a firm capacity of 46,000 m3/d (533 L/s).
- Modifications of the existing channels to suit the new equipment
- Instrumentation and electrical modifications to suit new equipment
- Miscellaneous structural modifications
- HVAC System Upgrades to the Inlet Works Building

DISCUSSION:

The Request for Bids (RFB#25-41) was publicly posted on *Jaggaer* electronic tendering service on March 5, 2025 for 37 calendar days.

A mandatory pre-bid site tour between perspective bidders and OCWA representatives was conducted on March 13, 2025.

Eight different firms attended the mandatory site visit and the bid submission closing was scheduled for April 11, 2025.

Two bids from the following firms were received that submitted by the closing date of April 11, 2025.

- W.A. Stephenson Mechanical Contractors Limited (WASM)
- BGL Contractors Corp. (BGL)

Please note, a third bid was received after the deadline, however, this bid was disqualified in accordance with stipulated procurement procedures.

The two bids were evaluated in accordance with the stages as detailed within the RFB documentation as follows:

| Stage | Evaluation Criteria | Points Allocated |
|-------|----------------------|--|
| I | Mandatory Submission | Pass / Fail |
| II | Rated Requirements | 60 Points |
| | Pricing | 40 Points |
| | Cumulative Score | Total Points Available in Stage II + III = 100 |

The scores were tabulated and the Bidders were ranked in the order of the average of the awarded points. In stage III (upon completion of the technical evaluation), each Bidder was then requested to provide the respective passwords for their sealed price submissions. The two financial bids were opened and reviewed for compliance, errors and/or omissions.

Upon completion of the evaluation, the total score was determined factoring in both the technical (Stage I) and financial (Stage II) components of each bidder's submission as follows:

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| BIDDER | STAGE I COMPLIANCE WITH ALL MANDATORY REQUIREMENTS (YES/N0) | STAGE II TECHNICAL RATED CRITERIA SCORING (MAX OF 60 POINTS) | STAGE III PRICING SCORE (MAX OF 40 POINT) | TOTAL SCORE |
|--------|--|--|--|-------------|
| BGL | Yes | 33.3 | 40.0 | 73.3 |
| WASM | Yes | 40.1 | 35.5 | 75.6 |

CORPORATE IMPLICATIONS:

Financial Implications:

The 2025 budget for the project is \$3,795,080 with planned funding coming from the General Sewer Reserve.

The tendered construction price, including contingencies and provisional items is \$3,424,640 Excl. HST. The construction works represented about 91% of the total project cost.

Explanation for Water Reserve Loan:

The Water and Wastewater programs are funded from water and sewer rates and generally the Water program contributes a significant contribution to the Water Reserve at the end of the year. This contribution is part of the financial sustainability plan for the water system. The Sewer Program is still generating deficits at the end of each year which requires draws on its reserve. While sewer rates have been increased each year to address the sewer sustainability issue, the rates have not yet reached a sufficient sustainable level.

The 2025 budget has significant capital draws on the General Sewer Reserve that as a result would make the reserve go into a borrowed state. With continued draws on this reserve in the outlook years, it is necessary to borrow funding from the General Water Reserve to offset this project being funded through the Sewer Reserve. The financial plan includes payments of principal and interest to be funded from the sewer rates and paid back to the Water Reserve. The timing and amounts of the borrowing will be determined through the Water/Wastewater study at the end of this year.

The funding for this project will be drawn from the General Sewer Reserve with the establishment of a Water Reserve loan for \$3,000,000 to offset the negative reserve balance.

The total project cost is \$3,840,802 which includes the Construction Cost, unrecoverable HST, Project Management, Agency Approvals, and Contract Admin. The total cost is \$46k over the current 2025 budget amount and will be adjusted in the 2026 budget year as the project has a three year scheduling period.

Appendix A – Project Financial Plan is attached which summarizes the project cost break-down and funding plan.

Term of Council Priorities:

The subject upgrades and implementation of the recommended improvements will support the "Inclusive" pillar of this Term of Council Priorities: to "foster a community where residents are healthy, happy and safe".

CONCLUSION:

Based on the bid evaluation summarized above, it is recommended that W.A. Stephenson Mechanical Contractors Limited be awarded the contract in the amount of \$3,424,640 (exclusive of HST), which includes a \$251,750 Contingency Allowance.

The estimated number of working days to complete the works is 250 days.

Authored by:

Kevin Lalonde, P.Eng. General Manager, Infrastructure Services Director of Public Works

Appendix A – Project Financial Plan

Schedule A Project Financial Plan Barscreen Penlacement and HVAC Ungrades

| Project Number: | 2025-2 Barscreen Replacement and HVAC Opgrades |
|----------------------|--|
| Priority Status: | High |
| Project Name: | Water Pollution Control Plant (WPCP) Barscreen Replacement and HVAC Upgrades |
| Project Lead: | Kevin Lalonde, General Manager Infrastructure and Director Public Works |
| Project Description: | Barscreen replacement and HVAC upgrades |
| Project Total Cost: | 3,424,640 |

Project Special Notes:

This project is addressing asset management replacement and upgrades in the Water Pollution Control Plant.

| | | | | | Expected | d Project Sch | edule |
|-----------------------------------|--------------|--------------------|-------------|-----------------|-------------|---------------|----------|
| Project Cost Breakdown | Total-No Tax | HST(unrecoverable) | Grand Total | | 2025 | 2026 | 2027 |
| OCWA Project Management | 101,678 | 1,790 | 103,468 | (only for 2025) | 48,588 | 45792 | 9087.168 |
| MECP-Agency Approvals | 40,000 | 704 | 40,704 | | 40,704 | | |
| Contract Admin | 208,055 | 3,662 | 211,717 | Tender Award | 166,392 | 33,917 | 11,408 |
| Construction (Barscreen & HVAC | 3,424,640 | 60,274 | 3,484,914 | | 3,341,941 | 142972.8 | |
| | | | | | | | |
| Total Project Cost | \$3,774,373 | \$66,429 | \$3,840,802 | | 3,597,625 | 222,681 | 20,495 |
| | | | | | | | |
| Financial Plan: | Condition | 2025 | 2026 | 2027 | Total | | |
| Sewer General Reserve | Yes | 3,597,625 | 222,681 | 20,495 | 3,840,802 | | |
| with borrowing from Water Reserve | | | | | 0 | | |
| - | | | | | 0 | | |
| Total Financial Plan-> | | \$3,597,625 | \$222,681 | \$20,495 | \$3,840,802 | | |

Conditions:

The project conditions include internal borrowing of \$3,000,000 from the Water Reserve to accommodate the works for this project. There are significant draws on the Sewer Reserve in 2025 and the outlook years, making it necessary to borrow from the Water Reserve to cover funding this project. The borrowed funds will include an interest payment (based on internal investment rates) paid back to the Water Reserve for the use of the funds.



CORPORATE REPORT The Corporation of the Town of Wasaga Beach Meeting Date: 5/15/2025

DATE: 4/30/2025

SUBJECT: Administrative Monetary Penalties By-law Update

CONTACT: Rachael Ivak, Coordinator, Municipal Law Enforcement & Property Standards

REPORT NUMBER: 2025/05/15-32

RECOMMENDATION:

- 1. **THAT** the report titled: Administrative Monetary Penalties By-law Update, to the Council meeting of May 15 2025, be received;
- 2. **THAT** Staff be directed to bring By-law #2025-17 being a By-law to establish a System of Administrative Monetary Penalties for Parking forward for adoption;
- 3. **THAT** Staff be directed to bring By-law #2025-18 being a By-law to establish a System of Administrative Monetary Penalties for Non-Parking forward for adoption;
- 4. THAT Council enact the following policies attached to this report:
 - a. #5-8 AMPS Prevention of Political Interference
 - b. #5-9 AMPS Conflict of Interest
 - c. #5-10 AMPS Financial Management and Reporting
 - d. #5-11 AMPS Public Complaint Filing
 - e. #5-12 AMPS Financial Hardship
 - f. #5-13 AMPS Appointment of Screening and Hearing Officer;
- 5. **THAT** Council approve the administrative fees associated with AMPS, listed in Appendix I and detailed in this report; and
- 6. **THAT** Staff be directed to include these fees in the Town's Fees and Charges By-law, as amended.

EXECUTIVE SUMMARY:

- This report aims to present Council with a summary of the thorough review conducted on the Town's current AMPS program.
- Staff recommend adopting two distinct AMPS By-laws: one for parking-related offences and another for other regulatory By-laws.
- An updated overview of administrative penalties for key parking and other regulatory By-laws is provided, ensuring alignment with the Town's "strict but fair" enforcement approach.
- O. Reg. 333/07: Administrative Penalties, requires certain policies and procedures be adopted to administer the AMPS system
- Proposed amendments to the Fees and Charges By-law are included to support the implementation of the new AMPS framework.

BACKGROUND:

In June 2024, Council approved the introduction of the Administrative Monetary Penalty System (AMPS) framework for both parking and other regulatory By-laws. Nearly a year has passed since Council approved the implementation of the AMPS, marking a pivotal step in rethinking how By-law enforcement is administered in the Town. This initiative stemmed from Council's broader strategic direction to modernize By-law administration in response to the growing impact on the community and the recognized limitations of the traditional court system.

As part of this transformation, a single AMPS By-law was initially adopted to provide a unified framework for both parking and other regulatory By-laws. Over the past year, staff have undertaken a comprehensive review of the system, assessing its effectiveness and comparing it with evolving best practices in other Ontario municipalities. Internal feedback and operational experience have highlighted the need for greater clarity and flexibility within the enforcement process.

Based on these findings, staff are recommending a transition to two distinct AMPS By-laws: one focused solely on parking offences and another dedicated to regulatory infractions. This separation is expected to enable more targeted enforcement, streamline procedural guidance, and improve alignment with the Town's operational timelines. Staff continually monitor and review the effectiveness of all regulatory By-laws.

DISCUSSION:

The decision to transition to two separate AMPS By-laws was driven by several key considerations aimed at improving clarity and efficiency in By-law enforcement. Parking enforcement is typically high-volume and straightforward, which contrasts with the complexity of other regulatory offences like noise, property standards, or business licensing. By separating the two, each By-law can be tailored to the specific nature of its infractions, reducing confusion for staff, the public, and adjudicators. Additionally, operational efficiency is enhanced, as parking enforcement often involves different processes compared to other regulatory By-laws. This separation allows for more streamlined administrative practices, improved alignment with timelines, and mirrors internal administrative structures, ensuring the Town's enforcement practices remain current and effective.

This report also includes an updated overview of the administrative penalties applied under AMPS for several key By-laws. These include the Parking By-law, Building Maintenance By-law, Business Licensing By-law, Car Rally By-law, Clean Neighbourhoods By-law, Fence Maintenance By-law, Noise Disturbance By-law, Nuisance By-law, Shopping Cart By-law, and the Special Events By-law. By clearly identifying and reviewing the penalties associated with each By-law, staff aim to increase transparency and consistency in enforcement, ensuring that the penalties align with the seriousness of the offences and the Town's broader goals of compliance.

In keeping with the Town's "strict but fair" enforcement approach, staff have also reviewed and adjusted administrative penalties where necessary. These adjustments are designed to ensure that penalties remain meaningful, support voluntary compliance, and ensure consistency with comparable jurisdictions. Together, these changes represent the next step in the Town's ongoing modernization efforts and reinforce Council's commitment to effective and community-responsive enforcement.

- a. Prevention of Political Interference
- b. Conflict of Interest
- c. Financial Management and Reporting
- d. Public Complaint Filing
- e. Financial Hardship
- f. Appointment of Screening and Hearing Officers

The formal adoption of these policies are crucial for ensuring that AMPS programs are fair, transparent, and effective in promoting compliance.

Finally, with the introduction of two separate AMPS By-laws, staff are recommending updates to the Town's Fees and Charges By-law. These amendments would introduce new administrative fees to help offset the costs of managing infractions, including fees for certified documents, screening non-appearances, late payments, and hearing non-appearances. These fees are intended to support the ongoing operational needs of the AMPS process and ensure the efficiency and accountability of By-law enforcement.

CORPORATE IMPLICATIONS:

Financial Implications:

AMP monetary penalties are reflected in the 2025 revenue budget.

To support the implementation with AMPS, the Town required a new software module of Gtechna. Additional costs for 2025 will be \$33,048 plus HST, and recurring annual costs are \$16,564 plus HST each year, subject to annual inflationary increases.

CONCLUSION:

The decision to transition to two separate AMPS By-laws for parking and other regulatory By-laws marks a significant step in the Town's ongoing efforts to modernize and streamline By-law enforcement. This change stems from a thorough review of the initial AMPS framework, which highlighted the need for increased clarity, and operational efficiency. By separating parking-related offences from other regulatory By-laws, the Town is better positioned to address the unique characteristics of each enforcement area, improving both the public's understanding and the Town's ability to manage infractions effectively. The updated framework ensures that enforcement practices are tailored to the specific needs of each By-law, enhancing both the fairness and efficiency of the system.

These changes, coupled with updates to administrative penalties and the introduction of new administrative fees, support the Town's "strict but fair" enforcement approach. The adjustments are designed to promote compliance, and align with best practices in Ontario municipalities. By introducing two distinct By-laws and refining the Town's enforcement processes, Council and staff are reinforcing their commitment to a responsive and effective By-law enforcement system that meets the evolving needs of the community.

Authored by:

Rachael Ivak, Coordinator, Municipal Law Enforcement & Property Standards

Appendices:

- Appendix A By-law #2025-17 System of Administrative Monetary Penalties for Parking
- Appendix B By-law #2025-18 System of Administrative Monetary Penalties for Non-Parking
- Appendix C Prevention of Political Interference Policy
- Appendix D Conflict of Interest Policy
- Appendix E Financial Management and Reporting Policy
- Appendix F Public Complaint Filing
- Appendix G Financial Hardship
- Appendix H Appointment of Screening and Hearing Officers
- Appendix I Recommended User Fees

THE CORPORATION OF THE TOWN OF WASAGA BEACH

BY-LAW 2025-17

Being a By-law to establish a System of Administrative Monetary Penalties – Parking

WHEREAS Sections 23.1, 23.2 and 23.5 of the *Municipal Act, 2001, S.O. 2001, c. 25,* as amended, hereinafter referred to as the "*Municipal Act*" authorizes the municipality to delegate its administrative and hearing powers;

AND WHEREAS Section 102.1 of the *Municipal Act*, a municipality may require a person to pay an administrative penalty if the municipality is satisfied that the person has failed to comply with any By-laws respecting the parking, standing, or stopping of a vehicle;

AND WHEREAS Ontario Regulation 333/07: Administrative Penalties, under the *Municipal Act*, a municipality may establish a system of administrative penalties respecting the parking, standing, or stopping of vehicles;

AND WHEREAS Section 391 of the *Municipal Act* authorizes a municipality to pass bylaws imposing fees or charges for services or activities provided or done by or on behalf of it;

AND WHEREAS Council is satisfied that the system of administrative penalties provided for herein, are not punitive in nature and are in amounts reasonably required to promote compliance with the by-laws of the municipality;

AND WHEREAS the *Statutory Powers Procedure Act, R.S.O. 1990, c. S. 22,* as amended, applies to all hearings conducted under this By-law;

AND WHEREAS the Council of the Corporation of the Town of Wasaga Beach deems it desirable to establish an Administrative Monetary Penalty System to promote compliance with Town By-laws that deal with parking, standing or stopping of vehicles;

NOW THEREFORE the Council of the Corporation of the Town of Wasaga Beach enacts as follows:

1. SHORT TITLE

1.1 This By-law may be referred to as the "AMPS By-law - Parking".

2. **DEFINITIONS**

2.1 For the purposes of this By-law:

"**Adjourn**" means to temporarily end a **Hearing**, where no decision is reached until the **Hearing** resumes;

"Administrative Fee" means any fee imposed by this By-law and as set out in the Fees and Charges By-law;

"Administrative Penalty" means an administrative monetary penalty as set out in Schedule 'A' of this By-law for a contravention of a **Designated By-law**;

"Certified Document Fee" means an Administrative Fee, for conducting a search, making a request for or obtaining documents, information or records from the **Ministry** and includes any search of documents or information, requests including plate denial, and notification about a vehicle or the **owner of a vehicle**;

"Council" means the Council of the Town;

"**Date of Service**" means the date service is deemed in effect in accordance with the provisions of this By-law;

"Decision of a Hearing Officer" means a notice that contains the decision of a Hearing Officer;

"**Decision of a Screening Officer**" means a notice that contains the decision of a **Screening Officer**;

"**Designated By-law**" means a **Town** By-law, or part or provision of a **Town** Bylaw, that is designated under this By-law or another By-law;

"Electronic Hearing" means a Hearing held by conference telephone or some other form of electronic technology allowing **Persons** to hear one another;

"Fails to appear" or "Failure to appear" means failure to appear or participate by conference telephone, or some other form of electronic technology allowing **Persons** to hear one another, or in person, on the scheduled date as the case may be within ten (10) minutes of the start time of a **Screening Review** meeting or **Hearing**;

"Fails to respond" means failure to respond in writing to a request for information, documents or submissions by the **Screening Officer** or **Hearing Officer** or **Hearing Officer** or the date set by the **Screening Officer** or **Hearing Officer** for responding;

"Fees and Charges By-law" means the Town By-law, adopted from time to time, for imposing fees and charges with respect to various services and activities provided;

"General Manager" means the General Manager of Legislative and Development Services for the Town, or their designate or successor;

"Hearing" means a review of a Decision of a Screening Officer by a Hearing Officer;

"Hearing Non-Appearance Fee" means an Administrative Fee, in respect of a Person's failure to appear for a Hearing;

"Hearing Officer" means a Person who performs the functions of a Hearing Officer in accordance with this By-law and any other applicable Town By-law;

"**Holiday**" means a Saturday, Sunday and any statutory holiday in the Province of Ontario or any day the offices of the **Town** are officially closed for business;

"Late Payment Fee" means an Administrative Fee, in respect of a Person's failure to pay an Administrative Penalty within the time prescribed in this Bylaw;

"**Ministry**" means Ontario Ministry of Transportation, Land Registry Office, Service Ontario or any other Ontario Ministry or related authority;

"Municipal Act" means the Municipal Act, 2001, S.O. 2001, c. 25, as amended;

"**NSF Fee**" means an **Administrative Fee**, in respect of a payment by negotiable instrument, for which there are insufficient funds in the account on which the instrument is drawn;

"Officer" means a Municipal Law Enforcement Officer, Police Officer or any other **Person** appointed by By-law to enforce a **Town** By-law;

"**Oral Hearing**" means a **Hearing** at which the parties or their representatives attend before the **Hearing Officer** in person;

"Owner of a Vehicle" means:

- (a) the **Person** whose name appears on the permit of the vehicle; and
- (b) if the vehicle permit consists of a vehicle portion and plate portion and different **Persons** are named on each portion, the **Person** whose name appears on the plate portion;

"Penalty Notice" means a notice for a contravention of a Designated By-law;

"Penalty Notice Date" means the date of the contravention of a Designated Bylaw;

"Penalty Notice Number" means a unique reference number;

"**Person**" includes an individual, sole proprietorship, partnership, limited partnership, trust, or corporation and an individual in his or her capacity as a trustee, executor, administrator, or other legal representative and includes the **Owner of a Vehicle**;

"Screening Non-Appearance Fee" means an Administrative Fee, in respect of a Person's failure to appear at a Screening Review meeting;

"Screening Officer" means a Person who performs the functions of a Screening Officer in accordance with this By-law and any other applicable Town By-law;

"Screening Review" means a review of an Administrative Penalty by a Screening Officer;

"Town" means the Corporation of the Town of Wasaga Beach.

3. APPLICATION

- 3.1 The **Town's** By-laws, or portion of the **Town's** By-laws, listed in Schedule 'A' of this By-law are hereby **Designated By-laws** to which the **Administrative Penalty** listed in Schedule 'A' of this By-law applies.
- 3.2 Schedule 'A' of this By-law sets out the short form wording to be used on a **Penalty Notice** for the contravention of a **Designated By-law**.
- 3.3 The **Administrative Fee(s)** imposed for the purposes of this By-law shall be as set out in the **Fees and Charges By-law**.
- 3.4 The *Provincial Offences Act, R.S.O, 1990, c. P.* 33, as amended, does not apply to a **Designated By-law** respecting the parking, standing, or stopping of vehicles.
- 3.5 Council is of the opinion that the powers delegated in this By-law are of a minor nature.

4. PENALTY NOTICE

- 4.1 An Officer who has reason to believe that a **Person** has contravened a **Designated By-law** may issue a **Penalty Notice** to that **Person** as soon as reasonably practical.
- 4.2 Every **Person** who contravenes a provision of a **Designated By-law** shall, upon service of a **Penalty Notice**, be liable to pay the **Town** an **Administrative Penalty** set out in the **Penalty Notice** by the due date.
- 4.3 A **Penalty Notice** shall include the following information:
 - (a) the vehicle licence plate number or vehicle identification number, as applicable;
 - (b) the **Penalty Notice Date**;
 - (c) the **Penalty Notice Number**;
 - (d) the identification number and name of the issuing **Officer**;
 - (e) the short form wording for the contravention listed in Schedule 'A' of this By-law;
 - (f) the location of the contravention;
 - (g) the amount of the **Administrative Penalty**;
 - (h) when the **Administrative Penalty** is due and payable;
 - (i) the payment options;
 - such information as the General Manager determines is appropriate, respecting the process by which a Person may exercise the Person's right to request a review of an Administrative Penalty; and
 - (k) a Statement advising that an Administrative Penalty, including any applicable Administrative Fee(s), will constitute a debt of the Person to the Town, unless cancelled in accordance with the provisions of this Bylaw.

5. PAYMENT OF AN ADMINISTRATIVE PENALTY

- 5.1 Where an **Administrative Penalty** has been paid, the **Penalty Notice** shall not be subject to any further review.
- 5.2 An **Administrative Penalty** shall be deemed to have been paid when the **Administrative Penalty** and all applicable **Administrative Fee(s)** have been paid.
- 5.3 A **Person** who has been issued a **Penalty Notice** shall pay the **Administrative Penalty** within fifteen (15) days of the **date of service** of a **Penalty Notice**.

5.4 No Officer may accept payment of an Administrative Penalty or Administrative Fee(s) payable in accordance with this By-law.

6. NON-PAYMENT OF AN ADMINISTRATIVE PENALTY

- 6.1 Where a request for a **Screening Review** has not been made in accordance with Section 7 of this By-law, and the **Administrative Penalty** is not paid within fifteen (15) days of the **date of service** of the **Penalty Notice**:
 - (a) the **Administrative Penalty**, and any applicable **Administrative Fee(s)**, are deemed to be affirmed and payable, and is not subject to further review except as provided in Section 7.2; and
 - (b) notwithstanding Section 7.2, the **Person** that the **Penalty Notice** was issued to, shall pay the **Town** a **Late Payment Fee** and the applicable **Certified Document Fee**.

7. REVIEW BY SCREENING OFFICER

- 7.1 A **Person** who is served with a **Penalty Notice** may request a **Screening Review** in accordance with Section 7.4 of this By-law on or before the date the **Administrative Penalty** is due and payable.
- 7.2 If a **Person** has not requested a **Screening Review** on or before the date on which the **Administrative Penalty** is due and payable, the **Person** may request that the **Screening Officer** extend the time to request a **Screening Review** in accordance with Section 7.4 of this By-law within thirty (30) days of the **date of service** of the **Penalty Notice**.
- 7.3 A **Person's** right to request an extension of time for a **Screening Review** expires, if it has not been exercised within thirty (30) days of the **date of service** of the **Penalty Notice** and:
 - (a) the **Person** shall be deemed to have waived the right to request a **Screening Review**;
 - (b) the **Administrative Penalty**, and any applicable **Administrative Fee(s)** are deemed to be affirmed and payable; and
 - (c) the **Administrative Penalty**, and any applicable **Administrative Fee(s)** shall not be subject to any further review, including a review by any Court.
- 7.4 A **Person's** request for a **Screening Review** or request for an extension of time to request a **Screening Review** shall be made in a format provided by the **General Manager** for that purpose together with all relevant information, documents, photographs and videos.

- 7.5 The **Screening Officer** may grant a request to extend the time to request a **Screening Review** within the time prescribed in Section 7.2 of this By-law, where a **Person** demonstrates, to the satisfaction of the **Screening Officer**, the existence of extenuating circumstances.
- 7.6 Where an extension of time to request a **Screening Review** is not granted by the **Screening Officer**, the **Screening Officer** shall deliver in accordance with Section 9 of this By-law, a Notice, and:
 - (a) the **Administrative Penalty**, and any applicable **Administrative Fee(s)** are deemed to be affirmed and payable; and
 - (b) the **Administrative Penalty**, and any applicable **Administrative Fee(s)** shall not be subject to any further review, including review by any Court.
- 7.7 A **Screening Review** shall be conducted by written form or by electronic document submission unless there is a requirement on a case-by-case basis, as determined by the **Screening Officer**, to provide the **Screening Review** through other means.
- 7.8 Where a **Screening Review** is being conducted by written form or by electronic document submission, the **Screening Officer** may request such information, documents, photographs and videos from the **Person** that requested the **Screening Review** as the **Screening Officer** considers relevant to the conduct of the **Screening Review**, and may rely upon the information, documents, photographs and videos provided without the need for the attendance of the **Person**.
- 7.9 Where a **Screening Review** is granted and is not being conducted by written form or by electronic document submission, the **Screening Officer** shall deliver in accordance with Section 9 of this By-law, a Notice of an Appointment for a **Screening Review**, to the **Person** that requested the **Screening Review** that contains:
 - (a) the date and time of the **Screening Review** meeting;
 - (b) the format of the **Screening Review** meeting including details about the manner in which the **Screening Review** meeting will be held; and
 - (c) a statement that if the **Person fails to appear** that the:
 - (i) Person shall be deemed to have abandoned the request for a Screening Review;
 - (ii) Administrative Penalty, and any applicable Administrative Fee(s) are deemed to be affirmed and payable;
 - (iii) **Person** shall be required to pay the **Town** a **Screening Non-Appearance Fee**; and

- (iv) Administrative Penalty, and any applicable Administrative Fee(s) shall not be subject to any further review, including a review by any Court.
- 7.10 Where a **Person** or an authorized representative **fails to appear** for a **Screening Review** meeting, or **fails to respond** in accordance with a request by a **Screening Officer**:
 - (a) the **Person** shall be deemed to have abandoned the request for a **Screening Review**;
 - (b) the **Administrative Penalty**, and any applicable **Administrative Fee(s)** are deemed to be affirmed and payable;
 - (c) the **Person** shall pay the **Town**, a **Screening Non-Appearance Fee**, where applicable; and
 - (d) the **Administrative Penalty**, and any applicable **Administrative Fee(s)** shall not be subject to any further review, including a review by any Court.
- 7.11 Where a **Person** or an authorized representative, behaves in a disorderly, uncooperative, or abusive manner during the **Screening Review**, or refuses to appropriately participate in the **Screening Review**, the **Screening Officer** may end the **Screening Review**:
 - (a) the **Administrative Penalty**, and any applicable **Administrative Fee(s)** are deemed to be affirmed and payable; and
 - (b) the **Administrative Penalty**, and any applicable **Administrative Fee(s)** shall not be subject to any further review, including a review by any Court.
- 7.12 The **Screening Officer** may request such information, documents, photographs or videos from a **Person** as the **Screening Officer** considers relevant to conduct the **Screening Review**.
- 7.13 The Screening Officer may request, consider and rely on information, documents, photographs and videos from an Officer, or other Town staff as the Screening Officer deems relevant, without the need for the attendance of the Officer or other Town staff, including but not limited to: a certified statement of an Officer, other documents respecting a contravention created by an Officer, and any other documents, photographs and videos prepared by an Officer, or other Town staff.
- 7.14 Upon completion of a Screening Review, a Screening Officer may affirm the Administrative Penalty, including any Administrative Fee(s), or cancel or reduce the Administrative Penalty, and any applicable Administrative Fee(s), or extend the time for payment of the Administrative Penalty, and any applicable Administrative Fee(s) on the following grounds:

- (a) where a **Person** establishes on a balance of probabilities, that they did not contravene the **Designated By-law** as described in the **Penalty Notice**;
- (b) the **Penalty Notice** is defective in substance or form;
- (c) the **Penalty Notice** was not served in accordance with Section 9 of this By-law;
- (d) the **Person's** prior history of non-compliance with a **Designated By-law**;
- (e) whether the **Person** has any unpaid **Penalty Notices**; or
- (f) where a **Person** provides clear and sufficient evidence to establish that the cancellation, reduction or extension of time for payment of the **Administrative Penalty**, and any applicable **Administrative Fee(s)**, is necessary to relieve any financial or undue hardship.
- 7.15 A Screening Officer may give a decision orally at the time of the Screening Review meeting and shall deliver in accordance with Section 9 of this By-law a Decision of a Screening Officer to the Person that requested the Screening Review.
- 7.16 A Screening Officer may where multiple Penalty Notices have been issued to the same Person, review Screening Review requests together, if it is reasonably practical to do so, and the Person that requested a Screening Review does not object to doing so.
- 7.17 A Person that requested a Screening Review may cancel the Screening Review by paying the Town the Administrative Penalty, and any applicable Administrative Fee(s) prior to the Screening Review.
- 7.18 A **Screening Officer** conducting a **Screening Review** under this By-law does not have jurisdiction to consider any question relating to the validity of a statute, regulation or By-law including but not limited to the constitutional applicability or operability of any statute, regulation, or By-law.

8. APPEAL TO HEARING OFFICER

- 8.1 Where an **Administrative Penalty** has not been cancelled, a **Person** may request a **Hearing** within fifteen (15) days of the **date of service** of the **Decision of a Screening Officer**.
- 8.2 If a **Person** does not request a **Hearing** within fifteen (15) days of the **date of service** of the **Decision of a Screening Officer**, the **Person** may request the **General Manager** to extend the time to request a **Hearing** within thirty (30) days of the **date of service** of the **Decision of a Screening Officer**.
- 8.3 A **Person's** right to request an extension of time for a **Hearing** expires, if it has not been exercised, within thirty (30) days of the **date of service** of the **Decision of a Screening Officer**, at which time:

- (a) the **Person** shall be deemed to have waived the right to request a **Hearing**;
- (b) the **Decision of a Screening Officer**, which includes the **Administrative Penalty**, and any applicable **Administrative Fee(s)** are deemed to be affirmed on the date the **Decision of a Screening Officer** was issued and are payable; and
- (c) the **Administrative Penalty**, and any applicable **Administrative Fee(s)** shall not be subject to any further review, including a review by any Court.
- 8.4 A **Person's** request for a **Hearing** or request for an extension of time to request a **Hearing** shall be made in a format provided by the **General Manager** for that purpose together with all relevant information, documents, photographs and videos.
- 8.5 A **General Manager** may grant a request to extend the time to request a **Hearing** within the time prescribed in Section 8.2 of this By-law, where a **Person** demonstrates, to the satisfaction of the **General Manager**, the existence of extenuating circumstances.
- 8.6 Where an extension of time to request a **Hearing** is not granted by the **General Manager**:
 - (a) the Decision of a Screening Officer, which includes the Administrative Penalty, and any applicable Administrative Fee(s) are deemed to be affirmed on the date the Decision of a Screening Officer was issued and are payable; and
 - (b) the **Administrative Penalty**, and any applicable **Administrative Fee(s)** shall not be subject to further review, including a review by any Court.
- 8.7 A **Hearing** shall be conducted as an **Electronic Hearing** unless there is a requirement on a case-by-case basis, as determined by the **General Manager**, to provide the **Hearing** through other means.
- 8.8 Prior to an **Electronic Hearing**, the **General Manager** shall deliver in accordance with Section 9 of this By-law, a Notice of an Appointment for a Hearing to the **Person** that requested a **Hearing**, that contains:
 - (a) a reference to the statutory authority under which the **Hearing** will be held and the purpose of the **Hearing**;
 - (b) the date, time and details about the manner in which the **Hearing** will be held;
 - (c) the date, time and method for submitting any relevant information, documents, photographs and videos;
 - (d) information on how to obtain disclosure;

- (e) a statement that the Person may, by satisfying the General Manager that holding the Hearing as an Electronic Hearing is likely to cause the Person significant prejudice, require the Hearing Officer to hold the Hearing as an Oral Hearing, and the procedure to be followed for that purpose; and
- (f) a statement that if the **Person fails to appear**:
 - (i) the **Hearing Officer** may proceed in the **Person's** absence and the **Person** will not be entitled to any further notice in the proceeding;
 - (ii) the **Person** shall be required to pay the **Town** a **Hearing Non-Appearance Fee**;
 - (iii) the Administrative Penalty, and any applicable Administrative Fee(s) shall not be subject to any further review, including a review by any Court.
- 8.9 Prior to an **Oral Hearing**, the **General Manager** shall deliver in accordance with Section 9 of this By-law, a Notice of an Appointment for a Hearing, to the **Person** that requested a **Hearing**, that contains:
 - (a) a reference to the statutory authority under which the **Hearing** will be held and the purpose of the **Hearing**;
 - (b) the date, time and place of the **Hearing**;
 - (c) the date, time and method for submitting any relevant information, documents, photographs or videos;
 - (d) information on how to obtain disclosure; and
 - (e) a statement that if the **Person fails to appear**:
 - (i) the **Hearing Officer** may proceed in the **Person's** absence and the **Person** will not be entitled to any further notice in the proceeding;
 - (ii) the **Person** shall be required to pay the **Town** a **Hearing Non-Appearance Fee**;
 - (iii) the Administrative Penalty, and any applicable Administrative Fee(s) shall not be subject to any further review, including a review by any Court.
- 8.10 A **person** who has been issued a Notice of Appointment for a **Hearing** may make a written request to the **General Manager** to reschedule the date of the **Hearing** provided such request is received by the **General Manager** two (2) business days prior to the **Hearing** date.
- 8.11 Where a **Person** or authorized representative **fails to appear** for a **Hearing** or **fails to respond** in accordance with a request by a **Hearing Officer**, the **Hearing Officer** may proceed with the **Hearing** in the **Person's** absence, or without the information to be supplied by the **Person** to the **Hearing Officer**, and the **Person** shall pay the **Town** a **Hearing Non-Appearance Fee**, where applicable.

- 8.12 Where a **Person** or an authorized representative, behaves in a disorderly, uncooperative, or abusive manner during a **Hearing**, or refuses to appropriately participate in the **Hearing**, the **Hearing Officer** may end the **Hearing**:
 - (a) the Administrative Penalty, and any applicable Administration Fee(s) are deemed to be affirmed and payable; and
 - (b) the **Administrative Penalty**, and any applicable **Administrative Fee(s)** shall not be subject to any further review, including a review by any Court.
- 8.13 The provisions of the *Statutory Powers Procedure Act, R.S.O. 1990, c. S.22*, as amended, shall apply to all **Hearings** conducted under this By-law.
- 8.14 A **Hearing Officer** may request such information, documents, photographs and videos from a **Person** as the **Hearing Officer** considers relevant to conduct the **Hearing**.
- 8.15 A **Hearing Officer** may request, consider and rely on information, documents, photographs and videos from an **Officer**, or other **Town** staff as the **Hearing Officer** deems relevant, including but not limited to: a certified statement of an **Officer**, other documents respecting a contravention created by an **Officer**, and any other document prepared by an **Officer**, or other **Town** staff and materials presented to a **Hearing Officer**.
- 8.16 If evidence referred to Section 8.15 is being admitted at a **Hearing**, the **Hearing Officer** shall not **adjourn** the **Hearing** for the purpose of having an individual attend to give evidence unless the **Hearing Officer** is satisfied that the oral evidence of the individual is necessary to ensure a fair **Hearing**.
- 8.17 A Hearing Officer shall not make a decision respecting a review of a Decision of a Screening Officer unless the Hearing Officer has given the Person and a representative of the Town an opportunity to be heard at the scheduled Hearing.
- 8.18 A Hearing Officer is not bound by, and need not have regard for, any Decision of a Screening Officer.
- 8.19 After conducting a **Hearing**, a **Hearing Officer** may affirm the **Administrative Penalty**, and any applicable **Administrative Fee(s)**, or cancel or reduce the **Administrative Penalty**, and any applicable **Administrative Fee(s)**, or extend the time for payment of the **Administrative Penalty**, and any applicable **Administrative Fee(s)** on the following grounds:
 - (a) where a **Person** establishes on a balance of probabilities, that they did not contravene the **Designated By-law** as described in the **Penalty Notice**;
 - (b) the **Penalty Notice** is defective in substance or form;

- the **Penalty Notice** was not served in accordance with Section 9 of this By-law;
- (d) the **Person's** prior history of non-compliance with a **Designated By-law**;
- (e) whether the **Person** has any unpaid **Penalty Notices**; or
- (f) where a **Person** provides clear and sufficient evidence to establish that the cancellation, reduction or extension of time for payment of the **Administrative Penalty**, and any applicable **Administrative Fee(s)**, is necessary to relieve any financial or undue hardship.
- 8.20 A **Hearing Officer** may **adjourn** a **Hearing** for a period no longer than thirty (30) days.
- 8.21 A Hearing Officer may amend the Penalty Notice as may be necessary if it appears that it fails to state or states defectively anything that is required to be stated. In considering whether or not an amendment should be made, the Hearing Officer shall consider the evidence presented at a Hearing and whether the Person has been misled or prejudiced by the error or omission and whether the proposed amendment can be made without injustice being done.
- 8.22 After a **Hearing** has concluded, a **Decision of a Hearing Officer** shall be delivered by the **General Manager** in accordance with Section 9 of this By-law to the **Person** that requested the **Hearing**.
- 8.23 The decision of a **Hearing Officer** is final, and shall not be subject to further review, including a review by any Court.
- 8.24 A **Person** who requested a **Hearing** may cancel the **Hearing** by paying the **Town** the **Administrative Penalty**, and any applicable **Administrative Fee(s)** as set out in the **Decision of a Screening Officer** up to the date of the **Hearing**.
- 8.25 A **Hearing Officer** conducting a **Hearing** under this By-law does not have jurisdiction to consider any question relating to the validity of a statute, regulation or By-law including but not limited to the constitutional applicability or operability of any statute, regulation, or By-law.

9. SERVICE OF DOCUMENTS

9.1 A document, notice or decision issued in accordance with this By-law, shall be served using one or more of the following methods of service noted in Column A below and is deemed served on the date noted in Column B below:

| COLUMN A | COLUMN B |
|----------------------------|---|
| Method of Service | Deemed Date of Service |
| Personal | Date personally delivered to Person to whom it is addressed |
| Fax/Email | Date fax/email is sent to the Person's last known fax/email address |
| Regular/Registered Mail | Five (5) days after the date of mailing to the Person's last known mailing address |

9.2 Notwithstanding Section 9.1, an **Officer** shall serve a **Penalty Notice** for a contravention of a **Designated By-law** respecting the parking, standing, or stopping of vehicles on a **Person** who is the **Owner of a Vehicle** by using one or more of the following methods of service noted in Column A below and is deemed served on the date noted in Column B below:

| COLUMN A | COLUMN B |
|------------------------------|--|
| Method of Service | Deemed Date of Service |
| Affixing the Penalty | Date affixed to the vehicle |
| Notice to the vehicle | |
| in a conspicuous | |
| place at the time of | |
| the contravention | |
| Personal delivery of | Date personally delivered to Person having care and |
| the Penalty Notice at | control of the vehicle |
| the time of the | |
| contravention | |
| Regular/Registered | Five (5) days after the date of mailing to the Owner of |
| Mail of the Penalty | the Vehicle |
| Notice | |

- 9.3 For the purposes of this By-law, a **Person's** last known address, facsimile number, and electronic mail address includes:
 - (a) an address, facsimile number and electronic mail address provided by the **Person** to the **Town** as may be required by a form, practice or policy under this By-law; or
 - (b) the most recent address that appears on the **Ministry's** records.

9.4 Where service is affected by multiple methods, the **date of service** shall be on the earliest applicable date.

10. ADMINISTRATION

- 10.1 The **General Manager** shall administer this By-law and establish any additional practices and procedures necessary to implement this By-law and may amend such practices and procedures from time to time, as the **General Manager** deems necessary, provided that such practices and procedures are not in conflict, or inconsistent with this By-law.
- 10.2 The **General Manager** shall prescribe all forms and notices including the **Penalty Notice**, necessary to implement this By-law and may amend such forms and notices from time to time, as the **General Manager** deems necessary, provided that the contents of such forms and notices are not in conflict, or inconsistent with this By-law.
- 10.3 The **General Manager** may cancel an **Administrative Penalty**, and any applicable **Administrative Fee(s)**, where a **Penalty Notice** was issued to a **Person** because an error was made by the **Town** or the licence plate or vehicle subject to the contravention had been stolen from the **Owner of the Vehicle** at the time of the contravention.
- 10.4 The **General Manager** may cancel an **Administrative Fee**, without cancelling the **Administrative Penalty**, where the **Administrative Fee** was imposed as a result of an error made by the **Town**.
- 10.5 Where a **Person** has paid an **Administrative Penalty**, a **Screening Review** or **Hearing** request will not be granted.
- 10.6 Where in the event of extenuating circumstances, a **Person fails to appear** for a **Hearing**, they may submit a written request to the **General Manager** that the matter be reviewed. Upon the **Person** providing evidence satisfactory to the **General Manager**, the **Hearing Non-Appearance Fee** may be cancelled, and an opportunity for another **Hearing** granted, with the decision of the **General Manager** being final.
- 10.7 The **General Manager** shall appoint such **Screening Officers** and **Hearing Officers** that are necessary for the administration of this By-law.
- 10.8 A **Person** shall pay an **NSF Fee** to the **Town** where payment of an **Administrative Penalty** or **Administrative Fee(s)** was unable to be processed, and payment was not received by the **Town**.

- 10.9 A **Person** shall pay a **Certified Document Fee** to the **Town** where the **Town** conducts a search, makes a request for or obtains documents, information or records from the **Ministry** for the purposes of administering and enforcing this By-law.
- 10.10 An **Administrative Penalty**, and any applicable **Administrative Fee(s)**, that are affirmed or reduced, or in respect of which the time for payment has been extended, is due and payable and constitutes a debt to the **Town** owed by the **Person** to whom the **Penalty Notice** was issued to.
- 10.11 Where an **Administrative Penalty**, and any applicable **Administrative Fee(s)**, are not paid by the **Person** to whom the **Penalty Notice** was issued to within thirty (30) days of the date on which they are due and payable, the **Town** may:
 - (a) notify the **Ministry** of the default which shall result in plate denial; or
 - (b) pursue any other collection mechanisms available to the **Town**.
- 10.12 Where an Administrative Penalty, and any applicable Administrative Fee(s), are not paid by the Person to whom the Penalty Notice was issued to within thirty (30) days of the date on which they are due and payable, the Person to whom the Penalty Notice was issued shall pay the Town the applicable Certified Document Fee.
- 10.13 Where the **Town** notifies the **Ministry** of a default under this By-law, the **Person** to whom the **Penalty Notice** was issued to shall pay any applicable administrative(s) fees imposed by the **Ministry**. The **Ministry** shall not validate the permit nor issue a new permit for the vehicle to which the **Administrative Penalty** and **Administrative Fee(s)** apply, until such time as the **Administrative Penalty** and **Administrative Fee(s)** are paid.
- 10.14 Where an Administrative Penalty is cancelled by a Screening Officer or Hearing Officer, any Administrative Fee(s) are also cancelled.
- 10.15 An authorized representative is permitted to appear on behalf of a **Person** who has been issued a **Penalty Notice** at a **Screening Review** meeting or **Hearing**, or to communicate with the **Town** on behalf of that **Person** upon producing written authorization.
- 10.16 Any time limit that would otherwise expire, is extended to the next day that is not a **Holiday**.

11. SEVERABILITY

11.1 Should any provision, or any part of a provision of this By-law be declared invalid, or to be of no force and effect by a court of competent jurisdiction, it is the intent

of **Council** that such provision, or part of a provision, shall be severed from this By-law, and every other provision of this By-law shall be applied and enforced in accordance with its terms to the extent possible according to law.

12. SINGULAR AND PLURAL USE

12.1 In this By-law, unless the context otherwise requires words importing the singular shall include the plural, where applicable.

13. SCHEDULES

- 13.1 The following schedule attached hereto forms part of this By-law:
 - (a) Schedule 'A' Designated By-laws and Administrative Penalties

14. AMENDMENTS

- 14.1 That By-law 2024-47 be amended by deleting Section 5.4 and replacing it with:
 - "5.4 AMPS By-law Parking being By-law 2025-17, as amended, applies to this By-law. Every Person who contravenes a provision of this By-law designated in Schedule A of By-law 2025-17, as amended, shall upon the issuing of a penalty notice be and is liable to pay to the Town an administrative penalty in the amount set out in Schedule A of By-law 2025-17, as amended."

15. REPEAL

15.1 That By-laws 2024-40 and 2024-60 are hereby repealed.

16. EFFECTIVE DATE

16.1 That this By-law shall come into force and take effect on May 15, 2025.

READ A FIRST, SECOND, THIRD TIME AND FINALLY PASSED THIS 15th DAY OF MAY 2025.

THE CORPORATION OF THE TOWN OF WASAGA BEACH

Brian Smith, Mayor

Nicole Rubli, Clerk

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SCHEDULE A DESIGNATED BY-LAWS AND ADMINISTRATIVE PENALTIES

- 1. For the purposes of Section 3.1 of this By-law:
 - (a) Column 1 in Table 1 below lists the designated provisions in the Town 's Parking By-law Number 2024-47, as amended, that are hereby designated for the purposes of Section 3 (1) (b) of Regulation Number 333/07 of the Municipal Act;
 - (b) Column 2 in Table 1 sets out the short form wording to be used in a **Penalty Notice** for the contravention of the designated provisions listed in Column 1;
 - (c) Column 3 in Table 1 sets out the **Administrative Penalty** amounts that are payable by a **person** for a contravention of the designated provisions listed in Column 1.

| | Column 1 | Column 2 | Column 3 |
|----|----------------|---|------------------------|
| | Designated | Short Form Wording | Administrative Penalty |
| | Provision | | - |
| 1 | Section 3.1.1 | Park on or over sidewalk | \$75.00 |
| 2 | Section 3.1.2 | Park on or over a boulevard | \$75.00 |
| 3 | Section 3.1.3 | Park within 3 metres of Fire Hydrant | \$110.00 |
| 4 | Section 3.1.4 | Park in a manner as to obstruct traffic | \$75.00 |
| 5 | Section 3.1.5 | Park - Interfere with traffic | \$75.00 |
| 6 | Section 3.1.6 | Park within pedestrian crossover | \$75.00 |
| 7 | Section 3.1.7 | Park within intersection | \$75.00 |
| 8 | Section 3.1.8 | Park within 9 metres of intersection | \$75.00 |
| 9 | Section 3.1.9 | Park to display vehicle for sale | \$75.00 |
| 10 | Section 3.1.10 | Park within 1.5 metres of lane or driveway | \$75.00 |
| 11 | Section 3.1.11 | Park on or within 100 metres of a bridge | \$75.00 |
| 12 | Section 3.1.12 | Park a heavy vehicle | \$90.00 |
| 13 | Section 3.1.13 | Park more than 0.15 metres from far from curb | \$75.00 |
| 14 | Section 3.1.13 | Park left wheels to curb | \$75.00 |
| 15 | Section 3.1.13 | Park left wheels to boundary | \$75.00 |
| 16 | Section 3.1.14 | Park where prohibited by sign | \$75.00 |
| 17 | Section 3.1.15 | Park interfere with snow clearing | \$75.00 |
| 18 | Section 3.1.16 | Park between 1 AM and 7 AM | \$75.00 |

TABLE 1

SCHEDULE A DESIGNATED BY-LAWS AND ADMINISTRATIVE PENALTIES

| | Column 1 | Column 2 | Column 3 |
|----|----------------|--|------------------------|
| | Designated | Short Form Wording | Administrative Penalty |
| | Provision | | |
| 19 | Section 3.1.17 | Stop where prohibited by sign | \$75.00 |
| 20 | Section 3.1.18 | Park detached trailer or camper on street | \$75.00 |
| 21 | Section 3.1.19 | Park on an unauthorized area | \$75.00 |
| 22 | Section 3.1.20 | Park in marked/ closed off area | \$75.00 |
| 23 | Section 3.1.21 | Park prohibited in electric charging station | \$75.00 |
| 24 | Section 3.2 | Park in tow away zone | \$110.00 |
| 25 | Section 3.3 | Park in fire route | \$110.00 |
| 26 | Section 3.4 | Park in designated disabled parking space | \$385.00 |
| 27 | Section 3.5 | Park in lot between 2 AM and 8 AM | \$75.00 |
| 28 | Section 3.6 | Park in designated bike lane | \$75.00 |
| 29 | Section 3.7 | Park oversized vehicle in prohibited area | \$110.00 |
| 30 | Section 3.8 | Park oversized vehicle between 2 AM and 8 AM | \$75.00 |
| 31 | Section 4.7 | Park validation ticket not visible | \$60.00 |
| 32 | Section 4.8 | Park validation ticket expired | \$60.00 |
| 33 | Section 4.10 | Park not entirely in single space | \$75.00 |
| 34 | Section 4.11 | Tamper with or damage parking control device | \$150.00 |
| 35 | Section 4.12 | Repair, service, paint vehicle without | \$150.00 |
| | | permission | |
| 36 | Section 4.13 | Park unlicenced vehicle on a highway | \$75.00 |
| 37 | Section 4.14 | Park unlicenced vehicle on a parking lot | \$75.00 |

TABLE 1 - CONTINUED

THE CORPORATION OF THE TOWN OF WASAGA BEACH

BY-LAW 2025-18

Being a By-law to establish a System of Administrative Monetary Penalties - Non-Parking

WHEREAS Sections 23.1, 23.2 and 23.5 of the *Municipal Act, 2001, S.O. 2001, c. 25,* as amended, hereinafter referred to as the "*Municipal Act*" authorizes the municipality to delegate its administrative and hearing powers;

AND WHEREAS Section 391 of the *Municipal Act* authorizes a municipality to pass bylaws imposing fees or charges for services or activities provided or done by or on behalf of it;

AND WHEREAS Section 434.1 of the *Municipal Act* authorizes a municipality to require a person, subject to such conditions as the municipality considers appropriate to pay an administrative penalty if the municipality is satisfied that the person has failed to comply with a by-law of the municipality passed under the *Municipal Act*, in order to assist the municipality in promoting compliance with its by-laws;

AND WHEREAS Section 434.1(3) of the *Municipal Act* provides that the amount of an administrative penalty established by a municipality shall not be punitive in nature and shall not exceed the amount reasonably required to promote compliance with a by-law;

AND WHEREAS Section 434.2 of the *Municipal Act* provides that an administrative penalty imposed by a municipality on a person constitutes a debt of the person to the municipality and may be added to the tax roll of a property located in the municipality if not paid within fifteen (15) days after the date it becomes due and payable;

AND WHEREAS Council is satisfied that the system of administrative penalties provided for herein, are not punitive in nature and are in amounts reasonably required to promote compliance with the by-laws of the municipality;

AND WHEREAS Section 15.4.1 of the *Building Code Act, 1992, S.O. 1992, c. 23*, as amended, hereinafter referred to as the *Building Code Act,* authorizes a municipality to require a person, subject to such conditions as the municipality considers appropriate to pay an administrative penalty if the municipality is satisfied that the person has failed to comply with a by-law passed under Section 15.1 of the *Building Code Act*, and order made under Section 15.2 (2) of the *Building Code Act*,

AND WHEREAS the *Statutory Powers Procedure Act, R.S.O. 1990, c. S. 22,* as amended, applies to all hearings conducted under this By-law;

AND WHEREAS the Council of the Corporation of the Town of Wasaga Beach deems it desirable to establish an Administrative Monetary Penalty System to promote compliance with Town By-laws including penalties for continuing contraventions and escalating penalties for repeat contraventions;

NOW THEREFORE the Council of the Corporation of the Town of Wasaga Beach enacts as follows:

1. SHORT TITLE

1.1 This By-law may be referred to as the "AMPS By-law – Non-Parking".

2. DEFINITIONS

2.1 For the purposes of this By-law:

"**Adjourn**" means to temporarily end a **Hearing**, where no decision is reached until the **Hearing** resumes;

"Administrative Fee" means any fee imposed by this by-law and as set out in the Fees and Charges By-law;

"Administrative Penalty" means an administrative monetary penalty as set out in the Schedules of this By-law for a contravention of a **Designated By-law**;

"Certified Document Fee" means an Administrative Fee, for conducting a search, making a request for or obtaining documents, information or records from the **Ministry** and includes any search of documents or information, requests, and notification about a vehicle or the **owner of a vehicle**;

"**Corporation**" means a separate legal entity incorporated pursuant to provincial or federal law;

"Council" means the Council of the Town;

"**Date of Service**" means the date service is deemed in effect in accordance with the provisions of this By-law;

"Decision of a Hearing Officer" means a notice that contains the decision of a Hearing Officer;

"Decision of a Screening Officer" means a notice that contains the decision of a Screening Officer;

"**Designated By-law**" means a **Town** By-law, or part or provision of a **Town** Bylaw, that is designated under this By-law or another By-law;

"Electronic Hearing" means a Hearing held by conference telephone or some other form of electronic technology allowing **Persons** to hear one another;

"Fails to appear" or "Failure to appear" means failure to appear or participate by conference telephone, or some other form of electronic technology allowing **Persons** to hear one another, or in person, on the scheduled date as the case may be within ten (10) minutes of the start time of a **Screening Review** meeting or **Hearing**;

"Fails to respond" means failure to respond in writing to a request for information, documents or submissions by the Screening Officer or Hearing Officer on the date set by the Screening Officer or Hearing Officer for responding;

"Fees and Charges By-law" means the Town By-law, adopted from time to time, for imposing fees and charges with respect to various services and activities provided;

"General Manager" means the General Manager of Legislative and Development Services for the Town, or their designate or successor;

"Hearing" means a review of a Decision of a Screening Officer by a Hearing Officer;

"Hearing Non-Appearance Fee" means an Administrative Fee, in respect of a Person's failure to appear for a Hearing;

"Hearing Officer" means a Person who performs the functions of a Hearing Officer in accordance with this By-law and any other applicable Town By-law;

"**Holiday**" means a Saturday, Sunday and any statutory holiday in the Province of Ontario or any day the offices of the **Town** are officially closed for business;

"Late Payment Fee" means an Administrative Fee, in respect of a Person's failure to pay an Administrative Penalty within the time prescribed in this Bylaw;

"**Ministry**" means Ontario Ministry of Transportation, Land Registry Office, Service Ontario or any other Ontario Ministry or related authority; "Municipal Act" means the Municipal Act, 2001, S.O. 2001, c. 25, as amended;

"**NSF Fee**" means an **Administrative Fee**, in respect of a payment by negotiable instrument, for which there are insufficient funds in the account on which the instrument is drawn;

"Officer" means a Municipal Law Enforcement Officer, Police Officer or any other **Person** appointed by by-law to enforce a **Town** By-law;

"**Oral Hearing**" means a **Hearing** at which the parties or their representatives attend before the **Hearing Officer** in person;

"Owner of a Vehicle" means:

- (a) the **Person** whose name appears on the permit of the vehicle; and
- (b) if the vehicle permit consists of a vehicle portion and plate portion and different **Persons** are named on each portion, the **Person** whose name appears on the plate portion;

"Penalty Notice" means a notice for a contravention of a Designated By-law;

"Penalty Notice Date" means the date of the contravention of a Designated Bylaw;

"Penalty Notice Number" means a unique reference number;

"**Person**" includes an individual, sole proprietorship, partnership, limited partnership, trust, **corporation** and an individual in his or her capacity as a trustee, executor, administrator, or other legal representative and includes the **Owner of a Vehicle**;

"Screening Non-Appearance Fee" means an Administrative Fee, in respect of a Person's failure to appear at a Screening Review meeting;

"Screening Officer" means a **Person** who performs the functions of a Screening Officer in accordance with this By-law and any other applicable **Town** By-law;

"Screening Review" means a review of an Administrative Penalty by a Screening Officer;

"**Tax Roll Address**" means the mailing address and contact information for the owner of property that appears in the **Town's** municipal tax assessment records;

"Town" means the Corporation of the Town of Wasaga Beach.

3. APPLICATION

- 3.1 The **Town's** By-laws, or portion of the **Town's** By-laws, listed in the Schedules of this By-law are hereby **Designated By-laws** to which the **Administrative Penalties** listed in the Schedules of this By-law apply.
- 3.2 The Schedules of this By-law set out the short form wording to be used on a **Penalty Notice** for the contravention of a **Designated By-law**.
- 3.3 The **Administrative Fee(s)** imposed for the purposes of this By-law shall be as set out in the **Fees and Charges By-law**.
- 3.4 The imposition of an **Administrative Penalty** does not limit the **Town's** ability to initiate any other proceeding or seek any other remedy permitted by law as the **Town** deems appropriate to prevent the continuation or repetition of the contravention.
- 3.5 Notwithstanding Section 3.4, the *Provincial Offences Act, R.S.O. 1990, c. P.33*, as amended, will continue to apply to contraventions of a **Designated By-law**, except that no **Person** that is required to pay an **Administrative Penalty** under this By-law in respect of a contravention of a **Designated By-law** shall be charged with an offence in respect of the same contravention under the *Provincial Offences Act, R.S.O. 1990, c. P. 33*, as amended.
- 3.6 Council is of the opinion that the powers delegated in this by-law are of a minor nature.

4. PENALTY NOTICE

- 4.1 An Officer who has reason to believe that a **Person** has contravened a **Designated By-law** may issue a **Penalty Notice** to that **Person** as soon as reasonably practical.
- 4.2 Every **Person** who contravenes a provision of a **Designated By-law** shall, upon service of a **Penalty Notice**, be liable to pay the **Town** an **Administrative Penalty** set out in the **Penalty Notice** by the due date.

- 4.3 An Officer shall apply an escalated Administrative Penalty in accordance with the Schedules of this By-law, where a Person who has been issued a Penalty Notice contravenes the same designated provision of a Designated By-law.
- 4.4 A **Penalty Notice** shall include the following information:
 - (a) the **Person(s)** name;
 - (b) the **Penalty Notice Date**;
 - (c) the **Penalty Notice Number**;
 - (d) the identification number and name of the issuing **Officer**;
 - (e) the short form wording for a contravention listed in the Schedules of this By-law;
 - (f) the location of the contravention;
 - (g) any other particulars of the contravention, if applicable;
 - (h) the amount of the Administrative Penalty;
 - (i) when the **Administrative Penalty** is due and payable;
 - (j) the payment options;
 - (k) such information as the General Manager determines is appropriate, respecting the process by which a Person may exercise the Person's right to request a review of an Administrative Penalty; and
 - (I) a Statement advising that an Administrative Penalty, including any applicable Administrative Fee(s), will constitute a debt of the Person to the Town, unless cancelled in accordance with the provisions of this Bylaw.

5. PAYMENT OF AN ADMINISTRATIVE PENALTY

- 5.1 Where an **Administrative Penalty** has been paid, the **Penalty Notice** shall not be subject to any further review.
- 5.2 An **Administrative Penalty** shall be deemed to have been paid when the **Administrative Penalty** and all applicable **Administrative Fee(s)** have been paid.
- 5.3 A **Person** who has been issued a **Penalty Notice** shall pay the **Administrative Penalty** within thirty (30) days of the **date of service** of a **Penalty Notice**.
- 5.4 Where a **Penalty Notice** is issued in respect of a contravention of a **Designated By-law** for which the owners of a property are responsible, the **Penalty Notice** may name all **Persons** who are the registered owners of such property, and such **Persons** shall be jointly and severally liable to pay the **Administrative Penalty** on the **Penalty Notice**.

5.5 No Officer may accept payment of an Administrative Penalty or Administrative Fee(s) payable in accordance with this By-law.

6. NON-PAYMENT OF AN ADMINISTRATIVE PENALTY

- 6.1. Where a request for a Screening Review has not been made in accordance with Section 7 of this By-law, and the Administrative Penalty is not paid within thirty (30) days of the date of service of the Penalty Notice:
 - (a) the **Administrative Penalty**, and any applicable **Administrative Fee(s)**, are deemed to be affirmed and payable, and is not subject to further review except as provided in Section 7.2; and
 - (b) notwithstanding Section 7.2, the **Person** that the **Penalty Notice** was issued to, shall pay the **Town** a **Late Payment Fee**.

7. REVIEW BY SCREENING OFFICER

- 7.1 A **Person** who is served with a **Penalty Notice** may request a **Screening Review** in accordance with Section 7.4 of this By-law on or before the date the **Administrative Penalty** is due and payable.
- 7.2 If a **Person** has not requested a **Screening Review** on or before the date on which the **Administrative Penalty** is due and payable, the **Person** may request that the **Screening Officer** extend the time to request a **Screening Review** in accordance with Section 7.4 of this By-law within forty-five (45) days of the **date** of service of the **Penalty Notice**.
- 7.3 A **Person's** right to request an extension of time for a **Screening Review** expires, if it has not been exercised within forty-five (45) days of the **date of service** of the **Penalty Notice** and:
 - (a) the **Person** shall be deemed to have waived the right to request a **Screening Review**;
 - (b) the **Administrative Penalty**, and any applicable **Administrative Fee(s)** are deemed to be affirmed and payable; and
 - (c) the **Administrative Penalty**, and any applicable **Administrative Fee(s)** shall not be subject to any further review, including a review by any Court.
- 7.4 A **Person's** request for a **Screening Review** or request for an extension of time to request a **Screening Review** shall be made in a format provided by the **General Manager** for that purpose together with all relevant information, documents, photographs and videos.

- 7.5 The **Screening Officer** may grant a request to extend the time to request a **Screening Review** within the time prescribed in Section 7.2 of this By-law, where a **Person** demonstrates, to the satisfaction of the **Screening Officer**, the existence of extenuating circumstances.
- 7.6 Where an extension of time to request a **Screening Review** is not granted by the **Screening Officer**, the **Screening Officer** shall deliver in accordance with Section 9 of this By-law, a Notice, and:
 - (a) the **Administrative Penalty**, and any applicable **Administrative Fee(s)** are deemed to be affirmed and payable; and
 - (b) the **Administrative Penalty**, and any applicable **Administrative Fee(s)** shall not be subject to any further review, including review by any Court.
- 7.7 A **Screening Review** shall be conducted by written form or by electronic document submission unless there is a requirement on a case-by-case basis, as determined by the **Screening Officer**, to provide the **Screening Review** through other means.
- 7.8 Where a **Screening Review** is being conducted by written form or by electronic document submission, the **Screening Officer** may request such information, documents, photographs and videos from the **Person** that requested the **Screening Review** as the **Screening Officer** considers relevant to the conduct of the **Screening Review**, and may rely upon the information, documents, photographs and videos provided without the need for the attendance of the **Person**.
- 7.9 Where a **Screening Review** is granted and is not being conducted by written form or by electronic document submission, the **Screening Officer** shall deliver in accordance with Section 9 of this By-law, a Notice of an Appointment for a **Screening Review**, to the **Person** that requested the **Screening Review** that contains:
 - (a) the date and time of the **Screening Review** meeting;
 - (b) the format of the **Screening Review** meeting including details about the manner in which the **Screening Review** meeting will be held; and
 - (c) a statement that if the **Person fails to appear** that the:
 - (i) Person shall be deemed to have abandoned the request for a Screening Review;
 - (ii) Administrative Penalty, and any applicable Administrative Fee(s) are deemed to be affirmed and payable;

- (iii) **Person** shall be required to pay the **Town** a **Screening Non-Appearance Fee**; and
- (iv) Administrative Penalty, and any applicable Administrative Fee(s) shall not be subject to any further review, including a review by any Court.
- 7.10 Where a **Person** or an authorized representative **fails to appear** for a **Screening Review** meeting, or **fails to respond** in accordance with a request by a **Screening Officer**:
 - (a) the **Person** shall be deemed to have abandoned the request for a **Screening Review**;
 - (b) the **Administrative Penalty**, and any applicable **Administrative Fee(s)** are deemed to be affirmed and payable;
 - (c) the **Person** shall pay the **Town**, a **Screening Non-Appearance Fee**, where applicable; and
 - (d) the **Administrative Penalty**, and any applicable **Administrative Fee(s)** shall not be subject to any further review, including a review by any Court.
- 7.11 Where a **Person** or an authorized representative, behaves in a disorderly, uncooperative, or abusive manner during the **Screening Review**, or refuses to appropriately participate in the **Screening Review**, the **Screening Officer** may end the **Screening Review**:
 - (a) the Administrative Penalty, and any applicable Administrative Fee(s) are deemed to be affirmed and payable; and
 - (b) the **Administrative Penalty**, and any applicable **Administrative Fee(s)** shall not be subject to any further review, including a review by any Court.
- 7.12 The **Screening Officer** may request such information, documents, photographs or videos from a **Person** as the **Screening Officer** considers relevant to conduct the **Screening Review**.
- 7.13 The Screening Officer may request, consider and rely on information, documents, photographs and videos from an Officer, or other Town staff as the Screening Officer deems relevant, without the need for the attendance of the Officer or other Town staff, including but not limited to: a certified statement of an Officer, other documents respecting a contravention created by an Officer, and any other documents, photographs and videos prepared by an Officer, or other Town staff.
- 7.14 Upon completion of a **Screening Review**, a **Screening Officer** may affirm the **Administrative Penalty**, including any **Administrative Fee(s)**, or cancel or

reduce the **Administrative Penalty**, and any applicable **Administrative Fee(s)**, or extend the time for payment of the **Administrative Penalty**, and any applicable **Administrative Fee(s)** on the following grounds:

- (a) where a **Person** establishes on a balance of probabilities, that they did not contravene the **Designated By-law** as described in the **Penalty Notice**;
- (b) the **Penalty Notice** is defective in substance or form;
- the **Penalty Notice** was not served in accordance with Section 9 of this By-law;
- (d) the **Person's** prior history of non-compliance with a **Designated By-law**;
- (e) whether the **Person** has any unpaid **Penalty Notices**; or
- (f) where a **Person** provides clear and sufficient evidence to establish that the cancellation, reduction or extension of time for payment of the **Administrative Penalty**, and any applicable **Administrative Fee(s)**, is necessary to relieve any undue hardship.
- 7.15 A Screening Officer may give a decision orally at the time of the Screening Review meeting and shall deliver in accordance with Section 9 of this By-law a Decision of a Screening Officer to the Person that requested the Screening Review.
- 7.16 A Screening Officer may where:
 - (a) multiple **Penalty Notices** have been issued to the same **Person**; or
 - (b) multiple **Penalty Notices** have been issued to multiple **Person(s)** regarding the same or related contraventions;

review **Screening Review** requests together, if it is reasonably practical to do so, and the **Person(s)** that requested a **Screening Review** do not object to doing so.

- 7.17 A Person that requested a Screening Review may cancel the Screening Review by paying the Town the Administrative Penalty, and any applicable Administrative Fee(s) prior to the Screening Review.
- 7.18 A **Screening Officer** conducting a **Screening Review** under this By-law does not have jurisdiction to consider any question relating to the validity of a statute, regulation or By-law including but not limited to the constitutional applicability or operability of any statute, regulation, or By-law.

8. APPEAL TO HEARING OFFICER

- 8.1 Where an **Administrative Penalty** has not been cancelled, a **Person** may request a **Hearing** within fifteen (15) days of the **date of service** of the **Decision of a Screening Officer**.
- 8.2 If a **Person** does not request a **Hearing** within fifteen (15) days of the **date of service** of the **Decision of a Screening Officer**, the **Person** may request the **General Manager** to extend the time to request a **Hearing** within thirty (30) days of the **date of service** of the **Decision of a Screening Officer**.
- 8.3 A **Person's** right to request an extension of time for a **Hearing** expires, if it has not been exercised, within thirty (30) days of the **date of service** of the **Decision of a Screening Officer**, at which time:
 - (a) the **Person** shall be deemed to have waived the right to request a **Hearing**;
 - (b) the Decision of a Screening Officer, which includes the Administrative Penalty, and any applicable Administrative Fee(s) are deemed to be affirmed on the date the Decision of a Screening Officer was issued and are payable; and
 - (c) the **Administrative Penalty**, and any applicable **Administrative Fee(s)** shall not be subject to any further review, including a review by any Court.
- 8.4 A **Person's** request for a **Hearing** or request for an extension of time to request a **Hearing** shall be made in a format provided by the **General Manager** for that purpose together with all relevant information, documents, photographs and videos.
- 8.5 A **General Manager** may grant a request to extend the time to request a **Hearing** within the time prescribed in Section 8.2 of this By-law, where a **Person** demonstrates, to the satisfaction of the **General Manager**, the existence of extenuating circumstances.
- 8.6 Where an extension of time to request a **Hearing** is not granted by the **General Manager**:
 - (a) the Decision of a Screening Officer, which includes the Administrative Penalty, and any applicable Administrative Fee(s) are deemed to be affirmed on the date the Decision of a Screening Officer was issued and are payable; and

- (b) the **Administrative Penalty**, and any applicable **Administrative Fee(s)** shall not be subject to further review, including a review by any Court.
- 8.7 A **Hearing** shall be conducted as an **Electronic Hearing** unless there is a requirement on a case-by-case basis, as determined by the **General Manager**, to provide the **Hearing** through other means.
- 8.8 Prior to an **Electronic Hearing**, the **General Manager** shall deliver in accordance with Section 9 of this By-law, a Notice of an Appointment for a Hearing to the **Person** that requested a **Hearing**, that contains:
 - (a) a reference to the statutory authority under which the **Hearing** will be held and the purpose of the **Hearing**;
 - (b) the date, time and details about the manner in which the **Hearing** will be held;
 - (c) the date, time and method for submitting any relevant information, documents, photographs and videos;
 - (d) information on how to obtain disclosure;
 - (e) a statement that the Person may, by satisfying the General Manager that holding the Hearing as an Electronic Hearing is likely to cause the Person significant prejudice, require the Hearing Officer to hold the Hearing as an Oral Hearing, and the procedure to be followed for that purpose; and
 - (f) a statement that if the **Person fails to appear**:
 - (i) the **Hearing Officer** may proceed in the **Person's** absence and the **Person** will not be entitled to any further notice in the proceeding;
 - (ii) the **Person** shall be required to pay the **Town** a **Hearing Non-Appearance Fee**;
 - (iii) the Administrative Penalty, and any applicable Administrative Fee(s) shall not be subject to any further review, including a review by any Court.
- 8.9 Prior to an **Oral Hearing**, the **General Manager** shall deliver in accordance with Section 9 of this By-law, a Notice of an Appointment for a Hearing, to the **Person** that requested a **Hearing**, that contains:
 - (a) a reference to the statutory authority under which the **Hearing** will be held and the purpose of the **Hearing**;
 - (b) the date, time and place of the **Hearing**;
 - (c) the date, time and method for submitting any relevant information, documents, photographs or videos;
 - (d) information on how to obtain disclosure; and
 - (e) a statement that if the **Person fails to appear**:

- (i) the **Hearing Officer** may proceed in the **Person's** absence and the **Person** will not be entitled to any further notice in the proceeding;
- (ii) the **Person** shall be required to pay the **Town** a **Hearing Non-Appearance Fee**;
- (iii) the Administrative Penalty, and any applicable Administrative Fee(s) shall not be subject to any further review, including a review by any Court.
- 8.10 A **person** who has been issued a Notice of Appointment for a **Hearing** may make a written request to the **General Manager** to reschedule the date of the **Hearing** provided such request is received by the **General Manager** two (2) business days prior to the **Hearing** date.
- 8.11 Where a **Person** or authorized representative **fails to appear** for a **Hearing** or **fails to respond** in accordance with a request by a **Hearing Officer**, the **Hearing Officer** may proceed with the **Hearing** in the **Person's** absence, or without the information to be supplied by the **Person** to the **Hearing Officer**, and the **Person** shall pay the **Town** a **Hearing Non-Appearance Fee**, where applicable.
- 8.12 Where a **Person** or an authorized representative, behaves in a disorderly, uncooperative, or abusive manner during a **Hearing**, or refuses to appropriately participate in the **Hearing**, the **Hearing Officer** may end the **Hearing**:
 - (a) the Administrative Penalty, and any applicable Administration Fee(s) are deemed to be affirmed and payable; and
 - (b) the **Administrative Penalty**, and any applicable **Administrative Fee(s)** shall not be subject to any further review, including a review by any Court.
- 8.13 The provisions of the *Statutory Powers Procedure Act, R.S.O. 1990, c. S.*22, as amended, shall apply to all **Hearings** conducted under this By-law.
- 8.14 A **Hearing Officer** may request such information, documents, photographs and videos from a **Person** as the **Hearing Officer** considers relevant to conduct the **Hearing**.
- 8.15 A **Hearing Officer** may request, consider and rely on information, documents, photographs and videos from an **Officer**, or other **Town** staff as the **Hearing Officer** deems relevant, including but not limited to: a certified statement of an **Officer**, other documents respecting a contravention created by an **Officer**, and any other document prepared by an **Officer**, or other **Town** staff and materials presented to a **Hearing Officer**.

- 8.16 If evidence referred to Section 8.15 is being admitted at a **Hearing**, the **Hearing Officer** shall not **adjourn** the **Hearing** for the purpose of having an individual attend to give evidence unless the **Hearing Officer** is satisfied that the oral evidence of the individual is necessary to ensure a fair **Hearing**.
- 8.17 A Hearing Officer shall not make a decision respecting a review of a Decision of a Screening Officer unless the Hearing Officer has given the Person and a representative of the Town an opportunity to be heard at the scheduled Hearing.
- 8.18 A **Hearing Officer** is not bound by, and need not have regard for, any **Decision** of a Screening Officer.
- 8.19 After conducting a **Hearing**, a **Hearing Officer** may affirm the **Administrative Penalty**, and any applicable **Administrative Fee(s)**, or cancel or reduce the **Administrative Penalty**, and any applicable **Administrative Fee(s)**, or extend the time for payment of the **Administrative Penalty**, and any applicable **Administrative Fee(s)** on the following grounds:
 - (a) where a **Person** establishes on a balance of probabilities, that they did not contravene the **Designated By-law** as described in the **Penalty Notice**;
 - (b) the **Penalty Notice** is defective in substance or form;
 - the **Penalty Notice** was not served in accordance with Section 9 of this By-law;
 - (d) the **Person's** prior history of non-compliance with a **Designated By-law**;
 - (e) whether the **Person** has any unpaid **Penalty Notices**; or
 - (f) where a **Person** provides clear and sufficient evidence to establish that the cancellation, reduction or extension of time for payment of the **Administrative Penalty**, and any applicable **Administrative Fee(s)**, is necessary to relieve any undue hardship.
- 8.20 A **Hearing Officer** may **adjourn** a **Hearing** for a period no longer than thirty (30) days.
- 8.21 A **Hearing Officer** may amend the **Penalty Notice** as may be necessary if it appears that it fails to state or states defectively anything that is required to be stated. In considering whether or not an amendment should be made, the **Hearing Officer** shall consider the evidence presented at a **Hearing** and whether the **Person** has been misled or prejudiced by the error or omission and whether the proposed amendment can be made without injustice being done.
- 8.22 After a **Hearing** has concluded, a **Decision of a Hearing Officer** shall be delivered by the **General Manager** in accordance with Section 9 of this By-law to the **Person** that requested the **Hearing**.

- 8.23 The decision of a **Hearing Officer** is final, and shall not be subject to further review, including a review by any Court.
- 8.24 A **Person** who requested a **Hearing** may cancel the **Hearing** by paying the **Town** the **Administrative Penalty**, and any applicable **Administrative Fee(s)** as set out in the **Decision of a Screening Officer** up to the date of the **Hearing**.
- 8.25 A **Hearing Officer** conducting a **Hearing** under this By-law does not have jurisdiction to consider any question relating to the validity of a statute, regulation or By-law including but not limited to the constitutional applicability or operability of any statute, regulation, or By-law.

9. SERVICE OF DOCUMENTS

9.1 A document, notice, decision or **Penalty Notice** issued in accordance with this By-law, shall be served using one or more of the following methods of service noted in Column A below and is deemed served on the date noted in Column B below:

| COLUMN A | COLUMN B |
|----------------------------|---|
| Method of Service | Deemed Date of Service |
| Personal | Date personally delivered to Person to whom it is addressed |
| Fax/Email | Date fax/email is sent to the Person's last known fax/email address |
| Regular/Registered Mail | Five (5) days after the date of mailing to the Person's last known mailing address |

- 9.2 For the purposes of this By-law, a **Person's** last known address, facsimile number, and electronic mail address includes:
 - (a) an address, facsimile number and electronic mail address provided by the **Person** to the **Town** as may be required by a form, practice or policy under this By-law and includes a **tax roll address**; or
 - (b) the most recent address that appears on the **Ministry's** records.
- 9.3 Where service is affected by multiple methods, the **date of service** shall be on the earliest applicable date.

10. ADMINISTRATION

10.1 The **General Manager** shall administer this By-law and establish any additional practices and procedures necessary to implement this By-law and may amend

such practices and procedures from time to time, as the **General Manager** deems necessary, provided that such practices and procedures are not in conflict, or inconsistent with this By-law.

- 10.2 The **General Manager** shall prescribe all forms and notices including the **Penalty Notice**, necessary to implement this By-law and may amend such forms and notices from time to time, as the **General Manager** deems necessary, provided that the contents of such forms and notices are not in conflict, or inconsistent with this By-law.
- 10.3 The **General Manager** may cancel an **Administrative Penalty**, and any applicable **Administrative Fee(s)**, where a **Penalty Notice** was issued to a **Person** because an error was made by the **Town**.
- 10.4 The **General Manager** may cancel an **Administrative Fee**, without cancelling the **Administrative Penalty**, where the **Administrative Fee** was imposed as a result of an error made by the **Town**.
- 10.5 Where a **Person** has paid an **Administrative Penalty**, a **Screening Review** or **Hearing** request will not be granted.
- 10.6 Where in the event of extenuating circumstances, a **Person fails to appear** for a **Hearing**, they may submit a written request to the **General Manager** that the matter be reviewed. Upon the **Person** providing evidence satisfactory to the **General Manager**, the **Hearing Non-Appearance Fee** may be cancelled, and an opportunity for another **Hearing** granted, with the decision of the **General Manager** being final.
- 10.7 The **General Manager** shall appoint such **Screening Officers** and **Hearing Officers** that are necessary for the administration of this By-law.
- 10.8 A **Person** shall pay an **NSF Fee** to the **Town** where payment of an **Administrative Penalty** or **Administrative Fee(s)** was unable to be processed, and payment was not received by the **Town**.
- 10.9 A **Person** shall pay a **Certified Document Fee** to the **Town** where the **Town** conducts a search, makes a request for or obtains documents, information or records from the **Ministry** for the purposes of administering and enforcing this By-law.
- 10.10 An **Administrative Penalty**, and any applicable **Administrative Fee(s)**, that are affirmed or reduced, or in respect of which the time for payment has been

extended, is due and payable and constitutes a debt to the **Town** owed by the **Person** to whom the **Penalty Notice** was issued to.

- 10.11 Where an **Administrative Penalty**, and any applicable **Administrative Fee(s)**, are not paid by the **Person** to whom the **Penalty Notice** was issued to within thirty (30) days of the date on which they are due and payable, the **Town** may:
 - (a) add the Administrative Penalty, and any applicable Administrative
 Fee(s) to the tax roll and collect it in the same manner as municipal taxes; or
 - (b) pursue any other collection mechanisms available to the **Town**.

10.12 Where an Administrative Penalty is cancelled by a Screening Officer or Hearing Officer, any Administrative Fee(s) are also cancelled.

- 10.13 An authorized representative is permitted to appear on behalf of a **Person** who has been issued a **Penalty Notice** at a **Screening Review** meeting or **Hearing**, or to communicate with the **Town** on behalf of that **Person** upon producing written authorization.
- 10.14 Any time limit that would otherwise expire, is extended to the next day that is not a **Holiday**.

11. SEVERABILITY

11.1 Should any provision, or any part of a provision of this By-law be declared invalid, or to be of no force and effect by a court of competent jurisdiction, it is the intent of **Council** that such provision, or part of a provision, shall be severed from this By-law, and every other provision of this By-law shall be applied and enforced in accordance with its terms to the extent possible according to law.

12. SINGULAR AND PLURAL USE

12.1 In this By-law, unless the context otherwise requires words importing the singular shall include the plural, where applicable.

13. SCHEDULES

13.1 The Schedules titled "Designated By-laws and Administrative Penalties" attached hereto form part of this By-law.

14. AMENDMENTS

14.1 That the By-laws listed below be amended as follows:

- (a) Building Maintenance By-law 2024-41 be amended by adding Section 11.2 to read:
 - "11.2 AMPS By-law Non-Parking being By-law 2025-18, as amended, applies to this By-law. Every Person who contravenes a provision of this By-law designated in Schedule A of By-law 2025-18, as amended, shall upon the issuing of a penalty notice be and is liable to pay to the Town an administrative penalty in the amount set out in Schedule A of By-law 2025-18 as amended."
- (b) Clean Neighbourhoods By-law 2024-43 be amended by deleting Section 6.1 and 6.2 replacing it with the following:
 - "6.1 AMPS By-law Non-Parking being By-law 2025-18, as amended, applies to this By-law. Every Person who contravenes a provision of this By-law designated in Schedule A of By-law 2025-18, as amended, shall upon the issuing of a penalty notice be and is liable to pay to the Town an administrative penalty in the amount set out in Schedule A of By-law 2025-18 as amended."
- (c) Fence Maintenance By-law 2024-44 be amended by deleting Section 5.1 and replacing it with the following:
 - "5.1 AMPS By-law Non-Parking being By-law 2025-18, as amended, applies to this By-law. Every Person who contravenes a provision of this By-law designated in Schedule A of By-law 2025-18, as amended, shall upon the issuing of a penalty notice be and is liable to pay to the Town an administrative penalty in the amount set out in Schedule A of By-law 2025-18 as amended."
- (d) Noise Disturbance By-law 2024-45 be amended by deleting Section 8.1 and replacing it with the following:
 - "8.1 AMPS By-law Non-Parking being By-law 2025-18, as amended, applies to this By-law. Every Person who contravenes a provision of this By-law designated in Schedule A of By-law 2025-18, as amended, shall upon the issuing of a penalty notice be and is liable to pay to the Town an administrative penalty in the amount set out in Schedule A of By-law 2025-18 as amended."
- (e) Nuisance By-law 2024-46 be amended by deleting Section 5.1 and replacing it with the following:

- "5.1 AMPS By-law Non-Parking being By-law 2025-18, as amended, applies to this By-law. Every Person who contravenes a provision of this By-law designated in Schedule A of By-law 2025-18, as amended, shall upon the issuing of a penalty notice be and is liable to pay to the Town an administrative penalty in the amount set out in Schedule A of By-law 2025-18 as amended."
- (f) Special Events By-law 2024-49 be amended by deleting Section 14.8 and replacing it with the following:
 - "14.8 AMPS By-law Non-Parking being By-law 2025-18, as amended, applies to this By-law. Every Person who contravenes a provision of this By-law designated in Schedule A of By-law 2025-18, as amended, shall upon the issuing of a penalty notice be and is liable to pay to the Town an administrative penalty in the amount set out in Schedule A of By-law 2025-18 as amended."
- (g) Shopping Cart By-law 2024-50 be amended by deleting Section 10.1 and replacing it with the following:
 - "10.1 AMPS By-law Non-Parking being By-law 2025-18, as amended, applies to this By-law. Every Person who contravenes a provision of this By-law designated in Schedule A of By-law 2025-18, as amended, shall upon the issuing of a penalty notice be and is liable to pay to the Town an administrative penalty in the amount set out in Schedule A of By-law 2025-18 as amended."

15. EFFECTIVE DATE

15.1 That this By-law shall come into force and take effect on May 15, 2025.

READ A FIRST, SECOND, THIRD TIME AND FINALLY PASSED THIS 15th DAY OF MAY 2025.

THE CORPORATION OF THE TOWN OF WASAGA BEACH

Brian Smith, Mayor

Nicole Rubli, Clerk

Building Maintenance By-law

- 1. For the purposes of Section 11.1 of this By-law:
 - (a) Column 1 in Table 1 lists the provisions in the **Town's** Building Maintenance By-law 2024-41, as amended, that are hereby designated for the purposes of Section 434.1 of the **Municipal Act**;
 - (b) Column 2 in Table 1 sets out the short form wording to be used in a **Penalty Notice** for the contravention of the designated provisions listed in Column 1;
 - (c) Column 3 in Table 1 sets out the **Administrative Penalty** amounts that are payable by a **Person** excluding a **corporation** for a contravention of the designated provisions listed in Column 1 of the **Town's** Building Maintenance By-law 2024-41, as amended.

| | Column 1 Designated | Column 2 Short Form Wording | Column 3 Administrative Penalty | | |
|---|------------------------|--------------------------------|------------------------------------|---------------|---------------|
| | Provision | | First | Second | Subsequent |
| | | | Contravention | Contravention | Contravention |
| 1 | Section 11.1 | Fail to comply with an order | \$400.00 | \$550.00 | \$750.00 |

Clean Neighbourhood By-law

- 2. For the purposes of Section 2.1, 2.2, 2.3, 2.4.1, 2.4.2, 2.4.3, 2.4.4, 2.4.5, 2.4.6, , 3.1.1, 3.1.2, 3.1.3, 3.2, 3.3, 3.4, 3.5, 4.1.1, 4.1.2, 4.1.3, 4.3, and 4.4 of this By-law:
 - (a) Column 1 in Table 2 lists the provisions in the Town's Clean Neighbourhood's By-law 2024-43, as amended, that are hereby designated for the purposes of Section 434.1 of the Municipal Act;
 - (b) Column 2 in Table 2 sets out the short form wording to be used in a **Penalty Notice** for the contravention of the designated provisions listed in Column 1;
 - (c) Column 3 in Table 2 sets out the Administrative Penalty amounts that are payable by a Person that is a corporation for a contravention of the designated provisions listed in Column 1 of the Town's Clean Neighbourhood's By-law 2024-43, as amended.

| | Column 1 Designated | Column 2 Short Form Wording | Ac | Column 3 dministrative Pena | altv |
|---|------------------------|---|------------------------|--------------------------------|-----------------------------|
| | Provision | | First Contravention | Second Contravention | Subsequent Contravention |
| 1 | Section 2.1 | Fail to keep property free of garbage, refuse, waste, or infestation | \$300.00 | \$450.00 | \$650.00 |
| 2 | Section 2.1 | Fail to keep property clear of household appliances | \$300.00 | \$450.00 | \$650.00 |
| 3 | Section 2.1 | Fail to keep property clear of discarded household furniture | \$300.00 | \$450.00 | \$650.00 |
| 4 | Section 2.1 | Fail to keep property clear of barrels, boxes, or empty fuel tanks | \$300.00 | \$450.00 | \$650.00 |
| 5 | Section 2.1 | Fail to keep property clear of wrecked, discarded or inoperative vehicles and/or equipment | \$300.00 | \$450.00 | \$650.00 |
| 6 | Section 2.1 | Fail to keep property clear of construction and household debris | \$300.00 | \$450.00 | \$650.00 |
| 7 | Section 2.1 | Fail to keep property clear of yard waste and tree debris | \$300.00 | \$450.00 | \$650.00 |

| 8 | Section 2.1 | Fail to keep property clear of uncollected household refuse or organic waste | \$300.00 | \$450.00 | \$650.00 |
|----|------------------|--|----------|----------|----------|
| 9 | Section 2.1 | Fail to keep property clear of tires and discarded recreational or food waste | \$300.00 | \$450.00 | \$650.00 |
| 10 | Section 2.1 | Fail to keep property clear of hazardous or industrial liquid waste | \$300.00 | \$450.00 | \$650.00 |
| 11 | Section 2.1 | Fail to keep property clear of demolition debris and signage | \$300.00 | \$450.00 | \$650.00 |
| 12 | Section 2.1 | Fail to keep property clear of straw, hay, or manure | \$300.00 | \$450.00 | \$650.00 |
| 13 | Section 2.1 | Fail to keep property clear of straw, hay, or manure | \$300.00 | \$450.00 | \$650.00 |
| 14 | Section 2.2 | Fail to cut or trim weeds or turf grass exceeding 30 cm in height | \$300.00 | \$450.00 | \$650.00 |
| 15 | Section 2.3 | Fail to trim vegetation that is overgrown, causes infestation, erosion, or obstructs safety or public passage | \$400.00 | \$550.00 | \$750.00 |
| 16 | Section 2.4.1 | Fail to keep exterior property free from injurious insects, termites, rodents, vermin, or other pests | \$400.00 | \$550.00 | \$750.00 |
| 17 | Section 2.4.2 | Fail to remove noxious weeds or excessive weed and grass growth | \$400.00 | \$550.00 | \$750.00 |
| 18 | Section 2.4.3 | Fail to remove dead, decayed, or damaged trees or branches creating an unsafe or unsightly condition | \$400.00 | \$550.00 | \$750.00 |
| 19 | Section 2.4.4 | Fail to keep property free from firewood, building materials, or garden equipment in a tidy manner | \$300.00 | \$450.00 | \$650.00 |
| 20 | Section 2.4.5 | Fail to keep trash, organic, or recycling bins outside of front or side yard setbacks | \$300.00 | \$450.00 | \$650.00 |
| 21 | Section 2.4.6 | Fail to maintain suitable ground cover to prevent soil erosion, or failing to re-sod/re-seed dead grass areas | \$300.00 | \$450.00 | \$650.00 |
| 22 | Section 3.1.1 | Fail to provide sufficient lighting to ensure safe use of walkways and deter loitering | \$300.00 | \$450.00 | \$650.00 |

| 23 | Section 3.1.2 | Fail to maintain exterior lighting fixtures in a safe, operational, | \$300.00 | \$450.00 | \$650.00 |
|----|------------------|---|----------|----------|----------|
| 24 | Section 3.1.3 | and visually acceptable condition Fail to keep recreational areas and equipment safe, operable, and in good condition | \$300.00 | \$450.00 | \$650.00 |
| 25 | Section 3.2 | Fail to promptly clear snow or treat icy surfaces on communal walkways, driveways, ramps, parking areas, or outdoor stairs and landings | \$300.00 | \$450.00 | \$650.00 |
| 26 | Section 3.3 | Fail to maintain vehicle traffic or parking areas with appropriate dust-free surfacing and free from ponding or disrepair | \$300.00 | \$450.00 | \$650.00 |
| 27 | Section 3.4 | Fail to provide or maintain clear markings for parking spaces and vehicle access in communal parking areas | \$300.00 | \$450.00 | \$650.00 |
| 28 | Section 3.5 | Fail to repave, resurface, or regrade walkways to maintain a smooth, safe, and slip-resistant surface | \$300.00 | \$450.00 | \$650.00 |
| 29 | Section 4.1.1 | Fail to keep property clear of derelict or inoperable motor vehicles | \$400.00 | \$550.00 | \$750.00 |
| 30 | Section 4.1.2 | Fail to keep property clear of unlicensed motor vehicles | \$400.00 | \$550.00 | \$750.00 |
| 31 | Section 4.1.3 | Fail to keep property clear of motor vehicle parts or components on lands used for human habitation | \$400.00 | \$550.00 | \$750.00 |
| 32 | Section 4.3 | Fail to keep property clear of wrecked, dismantled, inoperative, discarded, unused, or unlicensed vehicles or trailers outside a licensed establishment | \$400.00 | \$550.00 | \$750.00 |
| 33 | Section 4.4 | Fail to keep property clear of machinery, parts, or materials creating an unsafe or unsightly condition | \$400.00 | \$550.00 | \$750.00 |

Fence Maintenance By-law

- 3. For the purposes of Section 4.1 of this By-law:
 - (a) Column 1 in Table 2 lists the provisions in the Town's Fence Maintenance By-law 2024-44, as amended, that are hereby designated for the purposes of Section 434.1 of the Municipal Act;
 - (b) Column 2 in Table 2 sets out the short form wording to be used in a **Penalty Notice** for the contravention of the designated provisions listed in Column 1;
 - (c) Column 3 in Table 2 sets out the **Administrative Penalty** amounts that are payable by a **Person** that is a **corporation** for a contravention of the designated provisions listed in Column 1 of the **Town's** Fence Maintenance By-law 2024-44, as amended.

| | Column 1 Designated | Column 2 Short Form Wording | Δ | Column 3 dministrative Pena | alty |
|---|------------------------|---|------------------------|--------------------------------|-----------------------------|
| | Provision | | First Contravention | Second Contravention | Subsequent Contravention |
| 1 | Section 4.1 | Fail to maintain fence in a structurally sound condition | \$200.00 | \$350.00 | \$550.00 |
| 2 | Section 4.1 | Fail to keep fence in good repair, free from cracks or damaged components | \$200.00 | \$350.00 | \$550.00 |
| 3 | Section 4.1 | Fail to keep fence free from hazards such as protruding nails, screws, or staples | \$200.00 | \$350.00 | \$550.00 |
| 4 | Section 4.1 | Fail to keep fence free from unauthorized signs, posters, or defacements | \$200.00 | \$350.00 | \$550.00 |
| 5 | Section 4.1 | Fail to maintain fence in a plumb (vertical) condition unless otherwise designed | \$200.00 | \$350.00 | \$550.00 |
| 6 | Section 4.1 | Fail to maintain a fence of uniform appearance | \$200.00 | \$350.00 | \$550.00 |
| 7 | Section 4.1 | Fail to prevent fence from creating an unsightly appearance | \$200.00 | \$350.00 | \$550.00 |

Table 3

| 8 | Section 4.1 | Fail to protect fence from deterioration by applying uniform paint or using durable materials | \$200.00 | \$350.00 | \$550.00 |
|---|-------------|--|----------|----------|----------|
| 9 | Section 4.1 | Use fence to support a structure or object exerting lateral force | \$200.00 | \$350.00 | \$550.00 |

Noise Disturbance By-law

- 4. For the purposes of Section 3.1, 3.2, and 6.2 of this By-law:
 - (a) Column 1 in Table 1 lists the provisions in the Town's Noise Disturbance Bylaw 2024-45, as amended, that are hereby designated for the purposes of Section 434.1 of the Municipal Act;
 - (b) Column 2 in Table 1 sets out the short form wording to be used in a **Penalty Notice** for the contravention of the designated provisions listed in Column 1;
 - (c) Column 3 in Table 1 sets out the Administrative Penalty amounts that are payable by a Person excluding a corporation for a contravention of the designated provisions listed in Column 1 of the Town's Noise Disturbance By-law 2024-45, as amended.

| | Column 1 Designated | Column 2 Short Form Wording | Ac | Column 3 Iministrative Pena | altv |
|---|------------------------|---|------------------------|--------------------------------|-----------------------------|
| | Provision | | First Contravention | Second Contravention | Subsequent Contravention |
| 1 | Section 3.1 | Causing or permitting sound from the operation of a combustion engine outside the permitted times | \$300.00 | \$450.00 | \$650.00 |
| 2 | Section 3.1 | Cause or permit sound from any electronic device or other sound producing device outside the permitted times | \$300.00 | \$450.00 | \$650.00 |
| 3 | Section 3.1 | Cause or permit sound from audio or visual device that is likely to disturb that inhabitants outside the permitted times | \$300.00 | \$450.00 | \$650.00 |
| 4 | Section 3.1 | Cause or permit the ringing of bells or similar sounds by electronic means outside the permitted times | \$300.00 | \$450.00 | \$650.00 |

| 5 | Section 3.1 | Causing or permitting sound by the venting, releasing or pressure relief of air, steam or other material outside the permitted times | \$300.00 | \$450.00 | \$650.00 |
|----|-------------|--|----------|----------|----------|
| 6 | Section 3.1 | Permit persistent barking, calling or whining from domestic animal or other animal | \$300.00 | \$450.00 | \$650.00 |
| 7 | Section 3.1 | Causing or permitting sound by operating commercial wash with drying equipment | \$300.00 | \$450.00 | \$650.00 |
| 8 | Section 3.1 | Causing or permitting sound by yelling, shouting, hooting or other boisterous activity | \$300.00 | \$450.00 | \$650.00 |
| 9 | Section 3.1 | Causing or permitting sound by operating a power assisted hang glider or parafoil | \$300.00 | \$450.00 | \$650.00 |
| 10 | Section 3.1 | Causing or permitting sound by operating any snow making equipment | \$300.00 | \$450.00 | \$650.00 |
| 11 | Section 3.1 | Causing or permitting sound in selling or advertising by shouting or outcry or amplified sound outside the permitted times | \$300.00 | \$450.00 | \$650.00 |
| 12 | Section 3.1 | Causing or permitting sound by loading or unloading products, materials or refuse | \$300.00 | \$450.00 | \$650.00 |
| 13 | Section 3.1 | Cause or permit sound from construction activities outside the permitted times from June 1 st to August 31 st | \$300.00 | \$450.00 | \$650.00 |
| 14 | Section 3.1 | Cause or permit sound from construction activities outside the permitted times from September 1 st to May 30 th | \$300.00 | \$450.00 | \$650.00 |

| 15 | Section 3.1 | Cause or permit sound from construction activities on Saturdays outside the permitted times | \$300.00 | \$450.00 | \$650.00 |
|----|-------------|---|----------|----------|----------|
| 16 | Section 3.1 | Cause or permit sound from construction activities on Sundays | \$300.00 | \$450.00 | \$650.00 |
| 17 | Section 3.1 | Cause or permit sound from the operation of any construction equipment on weekdays outside the permitted times from June 1 st to August 31 st | \$300.00 | \$450.00 | \$650.00 |
| 18 | Section 3.1 | Cause or permit sound from the operation of any construction equipment on weekdays outside the permitted times from September 1 st to May 30 th | \$300.00 | \$450.00 | \$650.00 |
| 19 | Section 3.1 | Cause or permit sound from the operation of any construction equipment on Saturdays outside the permitted times | \$300.00 | \$450.00 | \$650.00 |
| 20 | Section 3.1 | Cause or permit sound from the operation of any construction equipment on Sundays | \$300.00 | \$450.00 | \$650.00 |
| 21 | Section 3.1 | Cause or permit sound from powered lawnmowers outside the permitted times in a residential zoned land | \$300.00 | \$450.00 | \$650.00 |
| 22 | Section 3.1 | Cause or permit sound from a powered lawnmower or landscape maintenance outside the permitted times in a non- residential zoned land | \$300.00 | \$450.00 | \$650.00 |
| 23 | Section 3.1 | Cause or permit sound from a powered lawnmower or landscape maintenance on Sundays outside the permitted | \$300.00 | \$450.00 | \$650.00 |

| | | times in a residential zoned land | | | |
|----|-------------|--|----------|----------|----------|
| 24 | Section 3.1 | Cause or permit sound from a powered lawnmower or landscape maintenance on Sundays outside the permitted times in a non-residential zoned land | \$300.00 | \$450.00 | \$650.00 |
| 25 | Section 3.1 | Cause or permit the operation of solid waste bulk lift or refuse compacting equipment outside the permitted times from Monday to Saturday | \$300.00 | \$450.00 | \$650.00 |
| 26 | Section 3.1 | Cause or permit the operation of solid waste bulk lift or refuse compacting equipment outside the permitted times on Sunday | \$300.00 | \$450.00 | \$650.00 |
| 27 | Section 3.1 | Cause or permit the operation of a commercial car wash of a type other than mentioned in item 7 | \$300.00 | \$450.00 | \$650.00 |
| 28 | Section 3.1 | Cause or permit sound from property care, maintenance or recreation activity outside the permitted times | \$300.00 | \$450.00 | \$650.00 |
| 29 | Section 3.2 | Cause or permit a noise nuisance to conduct or continue | \$400.00 | \$550.00 | \$750.00 |
| 30 | Section 6.2 | Obstruct or attempt to Obstruct Officer | \$500.00 | \$650.00 | \$850.00 |

Nuisance By-law

- 5. For the purposes of Section 3.1 and 3.2 of this By-law:
 - (a) Column 1 in Table 2 lists the provisions in the Town's Nuisance By-law 2024-46, as amended, that are hereby designated for the purposes of Section 434.1 of the Municipal Act;
 - (b) Column 2 in Table 2 sets out the short form wording to be used in a **Penalty Notice** for the contravention of the designated provisions listed in Column 1;
 - (c) Column 3 in Table 2 sets out the **Administrative Penalty** amounts that are payable by a **Person** that is a **corporation** for a contravention of the designated provisions listed in Column 1 of the **Town's** Nuisance By-law 2024-46, as amended.

| | Column 1 Designated | Column 2 Short Form Wording | Ad | Column 3 dministrative Pena | alty |
|---|------------------------|---|------------------------|--------------------------------|-----------------------------|
| | Provision | | First Contravention | Second Contravention | Subsequent Contravention |
| 1 | Section 3.1 | Engage in any activity in a public place that is prohibited or restricted by posted signage | \$300.00 | \$450.00 | \$650.00 |
| 2 | Section 3.1 | Loiter in a public place without lawful purpose | \$300.00 | \$450.00 | \$650.00 |
| 3 | Section 3.1 | Cause or permit excessive smoke, dust, or airborne particulate matter in a public place | \$400.00 | \$550.00 | \$750.00 |
| 4 | Section 3.1 | Cause or permit the operation of a combustion engine or pneumatic device without a functional muffler in continuous use | \$400.00 | \$550.00 | \$750.00 |
| 5 | Section 3.1 | Cause or permit the operation of a motorized vehicle in a location not designated for its use | \$400.00 | \$550.00 | \$750.00 |
| 6 | Section 3.2 | Soliciting or selling goods, services, or donations in a | \$300.00 | \$450.00 | \$650.00 |

| | | public place without Town | | | |
|----|-------------|--|----------|----------|----------|
| | | authorization | | | |
| 7 | Section 3.2 | Damaging, tipping, or attempting to tip over public fixtures such as mailboxes, benches, or waste containers | \$300.00 | \$450.00 | \$650.00 |
| 8 | Section 3.2 | Spitting, urinating, or defecating in a public place | \$300.00 | \$450.00 | \$650.00 |
| 9 | Section 3.2 | Applying graffiti to public or private property without the owner's permission | \$300.00 | \$450.00 | \$650.00 |
| 10 | Section 3.2 | Blocking or obstructing pedestrian, vehicular, or emergency traffic through any action or illegal parking | \$400.00 | \$550.00 | \$750.00 |
| 11 | Section 3.2 | Continuing prohibited activity after being directed to stop by an Officer or property occupier | \$400.00 | \$550.00 | \$750.00 |
| 12 | Section 3.2 | Damaging or attempting to damage public property | \$400.00 | \$550.00 | \$750.00 |
| 13 | Section 3.2 | Entering or remaining in a public place that is closed or restricted by the Town | \$400.00 | \$550.00 | \$750.00 |
| 14 | Section 3.2 | Racing a motorized vehicle outside of a sanctioned event | \$450.00 | \$600.00 | \$800.00 |
| 15 | Section 3.2 | Cause or permit the operation of a motor vehicle in a manner that causes tire squealing | \$450.00 | \$600.00 | \$800.00 |
| 16 | Section 3.2 | Using a vehicle horn or warning device unnecessarily or contrary to safety practices | \$450.00 | \$600.00 | \$800.00 |
| 17 | Section 3.2 | Failing to vacate premises when directed by the Occupier or their authorized representative | \$400.00 | \$550.00 | \$750.00 |
| 18 | Section 3.2 | Obstruct or attempt to Obstruct Officer | \$500.00 | \$650.00 | \$850.00 |
| 19 | Section 3.2 | Yelling, screaming, singing, swearing, or causing disruption that interferes with others' reasonable enjoyment of a public place | \$300.00 | \$450.00 | \$650.00 |

Special Events By-law

- 6. For the purposes of Section 2.1, 3.1, 3.3, 3.4, 3.5, 3.6, and 14.2 of this By-law:
 - (a) Column 1 in Table 2 lists the provisions in the Town's Special Events By-law 2024-49, as amended, that are hereby designated for the purposes of Section 434.1 of the Municipal Act;
 - (b) Column 2 in Table 2 sets out the short form wording to be used in a **Penalty Notice** for the contravention of the designated provisions listed in Column 1;
 - (c) Column 3 in Table 2 sets out the **Administrative Penalty** amounts that are payable by a **Person** that is a **corporation** for a contravention of the designated provisions listed in Column 1 of the **Town's** Special Events By-law 2024-49, as amended.

| | Column 1 | Column 2 | Column 3 | | |
|---|-------------|---------------------------------|------------------------|---------------|---------------|
| | Designated | Short Form Wording | Administrative Penalty | | |
| | Provision | | First | Second | Subsequent |
| | _ | | Contravention | Contravention | Contravention |
| 1 | Section 2.1 | Holding, organizing, or | \$1,000 | \$1,500 | \$2,000 |
| | | sponsoring an event or activity | | | |
| | | attracting more than 500 | | | |
| | | people on Town property, | | | |
| | | public facilities, or private | | | |
| | | property without a Town- | | | |
| | | issued Permit | | | |
| 2 | Section 3.1 | Sponsoring, collecting money | \$500 | \$1,000 | \$1,500 |
| | | for, conducting, coordinating, | | | |
| | | facilitating, assisting, | | | |
| | | advertising, hosting, or | | | |
| | | participating in a Car Rally | | | |
| | | without a Special Event permit | | | |
| 3 | Section 3.3 | Attending or being a spectator | \$500 | \$1,000 | \$1,500 |
| | | at a Car Rally that does not | | | |
| | | have a Special Event permit | | | |
| 4 | Section 3.4 | Riding as a passenger in a | \$500 | \$1,000 | \$1,500 |
| | | motor vehicle during a Car | | | |
| | | Rally without a Special Event | | | |
| | | permit | | | |

Table 6

| 5 | Section 3.5 | Allow a motor vehicle to participate in or be used for a Car Rally that does not have a Special Event permit | \$500 | \$1,000 | \$1,500 |
|---|--------------|---|---------|---------|---------|
| 6 | Section 3.6 | Purposefully causing pedestrian or vehicular traffic to slow, stop, or be impeded as a result of a Car Rally | \$500 | \$1,000 | \$1,500 |
| 7 | Section 14.2 | Obstruct or attempt to Obstruct Officer | \$1,500 | \$2,000 | \$2,500 |

Shopping Cart By-law

- 7. For the purposes of Section 4.1 and 4.2 of this By-law:
 - (a) Column 1 in Table 1 lists the provisions in the Town's Shopping Cart By-law 2024-50, as amended, that are hereby designated for the purposes of Section 434.1 of the Municipal Act;
 - (b) Column 2 in Table 1 sets out the short form wording to be used in a **Penalty Notice** for the contravention of the designated provisions listed in Column 1;
 - (c) Column 3 in Table 1 sets out the **Administrative Penalty** amounts that are payable by a **Person** excluding a **corporation** for a contravention of the designated provisions listed in Column 1 of the **Town's** Shopping Cart By-law 2024-50, as amended.

| | Column 1 Designated | Column 2 Short Form Wording | Ac | Column 3 Iministrative Pena | alty |
|---|------------------------|---|------------------------|--------------------------------|-----------------------------|
| | Provision | | First Contravention | Second Contravention | Subsequent Contravention |
| 1 | Section 4.1 | Owner fails to take reasonable and effective measures to prevent shopping carts from leaving the business premises or associated parking area | \$200.00 | \$350.00 | \$550.00 |
| 2 | Section 4.2 | Owner fails to ensure shopping carts are located, collected, and returned to the premises in a timely manner | \$200.00 | \$350.00 | \$550.00 |



Town of Wasaga Beach

Policy Manual

| SECTION NAME: | POLICY NUMBER: |
|--|----------------|
| Protection to Persons & Property | 5-8 |
| POLICY; | REVIEW DATE: |
| Administrative Monetary Penalty System- Interference Policy | May 15, 2030 |
| EFFECTIVE DATE: | REVISIONS: |
| May 15, 2025 | |
| ADMINISTERED BY: | |
| Municipal Law Enforcement Division | |

1. PURPOSE

- 1.1 The purpose of this Policy is to prevent political interference of any kind in the administration of the AMPs program, and to minimize and restrict opportunities for political interference, intentionally or unintentionally.
- 1.2 This policy defines what constitutes political interference in relation to the AMPS program, to ensure the responsibilities of the Screening and Hearing Officers are conducted in accordance with fundamental principles of justice, which include decision making and procedural independence, fairness, impartiality and integrity, without any interference.
- 1.3 In accordance with the Municipal Act, 2001, O. Reg. 333/07, the Town is required to develop a Policy for the prevention of political interference in AMPS.

2. SCOPE

2.1 This Policy applies to all elected Members of Council of the Corporation of the Town of Wasaga Beach, as well as Town of Wasaga Beach Officials, employees, and contractors to the Town.

2.2 All persons involved with the enforcement and administration functions of the AMPS program shall endeavor to carry out such duties in a manner, which upholds the integrity of the administration of justice.

3. POLICY

3.1 Principles of Preventing Political Interference

- a) No person shall attempt, directly or indirectly, to communicate for the purpose of influencing or interfering, financially, politically or otherwise, with employees or other persons performing duties related to the administration of AMPs;
- b) No person shall attempt, directly or indirectly, to communicate for the purpose of influencing or interfering, financially, politically or otherwise, a Screening Officer or Hearing Officer respecting the determination of an administrative penalty matter and/or respecting a delegated power of decision in a proceeding that is or will be pending before the Screening Officer or Hearing Officer, except a person who is entitled to be heard in a Screening Review or Hearing Review;
- c) If someone attempts to influence a Screening Officer, Hearing Officer or employee or any other person engaged in the administration of the AMPS program, contrary to the rules above, the Screening Officer, Hearing Officer or employee, as the case may be, shall report the incident to the General Manager of Legislative and Development Services as soon as possible. No action will be taken against a Screening Officer or Hearing Officer for making any such report in good faith.

3.2 Accountability

- a) Where any employees, Screening Officer, Hearing Officer or other person performing duties related to AMPS, is contacted by a member of Council or Town Official with respect to the administration of AMPS, he or she shall immediately disclose such contact to the General Manager of Legislative and Development Services in order to maintain the integrity of AMPS;
- b) A Screening Officer or Hearing Officer shall disclose any actual, potential or perceived political interference as soon as possible to the General Manager of Legislative and Development Services;
- c) Cases involving members of Council will be referred to the Integrity Commissioner for their review and report;
- d) Proceedings before a Hearing Officer shall be subject to the *Statutory Powers Procedures Act;*
- e) This Policy does not prevent a Screening Officer or Hearing Officer from seeking and receiving advice from an appropriate member of Town staff;

f) Any interference with or attempt to interfere with AMPs by any person may result in charges under the Criminal Code of Canada, as applicable, or any other applicable law, in addition to any disciplinary action.

3.3 Implementation

- a) All Members of Council shall be provided with a copy of this policy;
- b) This policy shall form part of the orientation for all Members of Council at the start of new term of Council, as well as all current and new municipal officials and staff, with the potential for interaction with the AMPS program;
- c) This policy shall form part of the orientation for all current and new Screening and Hearing Officers and AMPS administration staff.

4. POLICY ADMINISTRATION AND REVIEW

- 4.1 This Policy will be reviewed as required, but in any case no later than five (5) years from the date of the most recent review.
- 4.2 This Policy shall be administered by the General Manager of Legislative and Development Services.

5. REFERENCE AUTHORITIES

- Municipal Act, 2001
- Ontario Regulation 333/07 (Administrative Penalties)
- Council Code of Conduct
- AMPS Parking By-law 2025-17, as amended
- AMPS Non Parking By-law 2025-18, as amended



Town of Wasaga Beach

Policy Manual

| Section Name: | Policy Number: |
|---|----------------|
| Protection to Persons & Property | 5-11 |
| Policy: | Policy: |
| Administrative Monetary Penalty System- Public Complaint Filing Policy | May 15, 2030 |
| Effective Date: | REVISIONS: |
| May 15, 2025 | |
| ADMINISTERED BY: | |
| Municipal Law Enforcement Division | |

1. PURPOSE

- 1.1 The purpose of this Policy is to provide a process for public complaints regarding the administration of AMPS and to ensure that AMPS remains an open, transparent, accessible, responsive, accountable, efficient, and effective system for enforcement in the Town, and that any public complaints are addressed in a timely and responsible manner.
- 1.2 In accordance with the Municipal Act, 2001, O. Reg. 333/07, the Town is required to develop a Policy to address public complaints regarding the Administration of AMPS.

2. SCOPE

- 2.1 This Policy applies to all public complaints, informal or formal, regarding all aspects of the AMPS, and applies to all administrative actions and functions of all Town employees and other individuals responsible for the administration of the AMPS.
- 2.2 Any public complaint filed pursuant to this Policy regarding the administrative actions of a Town employee, Screening Officer or Hearing Officer under AMPS shall be referred to the General Manager of Legislative and Development Services.

- 2.3 Screening Officers and Hearing Officers do not have jurisdiction to consider questions relating to the validity of a statute, regulation or By-law or the constitutional applicability or operability of a statute, regulation or By-law. Any such complaints will not be processed under this Policy.
- 2.4 This Policy is not intended to:
 - a. Operate as an appeal mechanism to reverse or alter any decision of a Screening Officer or Hearing Officer; or
 - b. Replace other specific Town programs, policies/procedures, legislative processes, or legal processes available to the public to address public concerns with AMPS or with the outcome of a Screening Review or Hearing Review.

3. POLICY

3.1 Complaint Process

- a. A public complaint must be in writing, using the prescribed form, identifying the name and full contact information of the complainant, and sent to the General Manager, or designate, within 30 days of the date of the event for which the complaint is being made. Incomplete complaint forms or forms submitted after the 30 days of the date of the event may not be processed, at the discretion of the General Manager.
- b. A public complaint may be submitted by:
 - i. Electronically using the approved for available at <u>www.wasagabeach.com</u>
 - ii. By email: clerk@wasagabeach.com
 - iii. In writing on prescribed form addressed to: Town of Wasaga Beach Attention: GM, Legislative and Development Services 30 Lewis Street Wasaga Beach, Ontario L9Z 1A1
- c. All complaints shall be treated as confidential by the General Manager, or designate, respecting personal information privacy and confidentiality, subject to the requirements of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M.56.

- d. Any complaint regarding a Member of Council in respect of the administration of AMPS shall be processed in accordance with the Council Code of Conduct.
- e. The General Manager, or designate, will not address or process any public complaint that is deemed by the General Manager, or designate, as frivolous, vexatious, trivial, or made in bad faith.
- f. Any deemed resolution of a formal complaint will be addressed by a written response from the General Manager to the person filing the complaint. A public complaint sustained through a review cannot be used as the basis to change or void a decision of a Screening Officer or Hearing Officer, including any penalties and administrative fees due or paid.
- g. Complaints that are anonymous will not be accepted.
- h. A complainant may withdraw his/her complaint at any time by notifying in writing to the General Manager.

3.2 Consequences of Non-Compliance

 a. In cases of Policy violation, the Town may investigate and determine the appropriate corrective action(s) in accordance with the applicable policy, including but limited to the Council Code of Conduct, and/or Employee Disciplinary Policy. Non-compliance of a Hearing Officer may include suspension or termination.

4 POLICY ADMINISTRATION AND REVIEW

- 4.1 This Policy will be reviewed as required, but in any case no later than five (5) years from the date of the most recent review.
- 4.2 This Policy shall be administered by the General Manager of Legislative and Development Services.

5 REFERENCE AUTHORITIES

- Municipal Act, 2001
- Ontario Regulation 333/07 (Administrative Penalties)
- AMPS Parking By-law 2025-17, as amended
- AMPS Non Parking By-law 2025-18, as amended



Town of Wasaga Beach

Policy Manual

| Section Name: | Policy Number: |
|--|----------------|
| Protection to Persons & Property | 5-10 |
| Policy: | Policy: |
| Administrative Monetary Penalty System- Financial Management and Reporting Policy | May 15, 2030 |
| Effective Date: | REVISIONS: |
| May 15, 2025 | |
| ADMINISTERED BY: | |
| Finance Division & Municipal Law Enforcement Division | |

1. PURPOSE

- 1.1 The purpose of this Policy is to affirm that the Town shall follow the existing corporate policies and procedures related to financial management and reporting.
- 1.2 This policy ensures all financial management and reporting responsibilities related to the AMPS program conform to current corporate policies and procedures for financial management and reporting.
- 1.3 In accordance with the Municipal Act, 2001, O. Reg. 333/07, the Town is required to develop a Policy to address financial management and reporting of AMPS.

2. SCOPE

- 2.1 This policy applies to all financial management and reporting responsibilities and accountabilities regarding the AMPS program. All Town employees and other persons responsible for the administration of the AMPS program shall comply with this policy.
- 2.2 The Town has established several financial management policies and procedures which, along with proactive financial planning processes, provide a framework for the Town's

overall fiscal planning and management. The Town continues to display financial accountability through regular, thorough, and transparent financial performance reporting, analysis and auditing. This will be reflected in routine reporting on AMPS financial results, as well as efficiency and effectiveness measures of the AMPS programs and services.

3. POLICY

3.1 Overall Financial Management and Reporting

- a) Preparation of the Town's budget revolves around priority setting that reflects Council priorities, service delivery objectives and standards and historical financial performance, all balanced with the need for prudent financial management. Priority setting and budgeting with respect to AMPS shall be the responsibility of the General Manager of Legislative and Development Services.
- b) Through the process of current and capital financial management and reporting for the AMPS program, the General Manager of Legislative and Development Services shall:
 - i. Review and monitor current year actual, budgeted and projected financial performance and operating results.
 - ii. Proactively compare program financial activity with past performance to identify trends, issues and opportunities.
 - iii. Determine priorities for maintaining and improving AMPS program service levels.
 - iv. Review and develop AMPS long-term plans including a multi-year operating and capital budget analysis and projections.
 - v. Identify and mitigate factors impacting the AMPS budget and financial performance, such as inflation, fixed costs and legislative requirements that are beyond the control of Town decision-makers.
 - vi. Comply with all corporate reporting standards and requirements as part of the Town's financial management and reporting processes.
 - vii. Ensure all necessary financial signing authorities are in place and followed by all staff involved in AMPS administration.
 - viii. Comply with the Town's procurement policy and procedures in regard to the AMPS program.

3.2 Payment of a Penalty Notice

a) Screening Officers and Hearing Officers are prohibited from directly accepting any payment from any person in respect of an administrative penalty. Any person issuing a Penalty Notice in respect of the contravention of a designated By-law is not permitted to accept payment in respect of an administrative penalty.

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- b) If a person has paid any administrative fees in respect of an administrative penalty and the penalty is subsequently cancelled by a Screening Officer or Hearing Officer, the Town shall refund in full such administrative fees to the person.
- c) All Town employees engaged in the administration of the AMPS program shall ensure all work activities are conducted in accordance with Town policies. Town employees shall ensure compliance with corporate and/or departmental cash/payment handling procedures for financial stewardship. The General Manager is responsible to ensure Town Staff comply with policies and procedures.

3.3 Methods of Payment

- a) Following the issue of a Penalty Notice, the person is permitted to make a voluntary payment by using one of the following methods:
 - i. Online VISA or MasterCard at www.wasagabeach.com
 - ii. In person at the Town of Wasaga Beach Office located at 30 Lewis St., Wasaga Beach, ON. - Cash, Debit Card, Credit Cards, Personal Cheques or Money Order (accompanied by Penalty Notice showing Penalty Number)
 - iii. By mail using cheque or money order only. (include Penalty Notice showing Penalty number) Payable to: The Town of Wasaga Beach.
 Mail to: Town of Wasaga Beach at 30 Lewis St. Wasaga Beach, ON. L9Z 1A1

3.4 Reporting and Tracking Administrative Penalties and Administrative Fees

- a) Upon receipt of a Penalty Notice payment, a Town employee will apply the payment to a specific Penalty Notice in the software system. The Penalty Notice will reflect "paid" status.
- b) Procedures may be defined by the Chief Financial Officer to address specific implementation of this policy.

4. POLICY ADMINISTRATION AND REVIEW

- 4.1 This Policy will be reviewed as required, but in any case no later than five (5) years from the date of the most recent review.
- 4.2 This Policy shall be administered by the Chief Financial Officer and General Manager of Legislative and Development Services.

5. REFERENCE AUTHORITIES

- Municipal Act, 2001
- Ontario Regulation 333/07 (Administrative Penalties)
- Applicable Town Financial Policies and Procedures
- AMPS Parking By-law 2025-17, as amended
- AMPS Non Parking By-law 2025-18, as amended



Town of Wasaga Beach

Policy Manual

| Section Name: | Policy Number: |
|--|----------------|
| Protection to Persons & Property | 5-9 |
| Policy: | Policy: |
| Administrative Monetary Penalty System- Conflict of Interest Policy | May 15, 2030 |
| Effective Date: | REVISIONS: |
| May 15, 2025 | |
| ADMINISTERED BY: | |
| Municipal Law Enforcement Division | |

1. PURPOSE

- 1.1 The purpose of this Policy is to provide a guideline of what defines as conflict of interest in relation to Administrative Monetary Penalty System (AMPS), to prevent such conflicts of interest and to redress such conflicts should they occur.
- 1.2 This policy is to establish conflict of interest guidelines to ensure that AMPS program responsibilities are conducted in accordance with fundamental principles of justice, which include judicial and prosecutorial independence, fairness, impartiality, competence and integrity.
- 1.3 In accordance with the Municipal Act, 2001, O. Reg. 333/07, the Town is required to develop a Policy to for the prevention of conflict of interest in AMPS.

2. SCOPE

2.1 This Policy applies to all Screening Officers, Hearing Officers and all Town Officials and Staff involved in the administration of the AMPS program.

3. POLICY

3.1 Appointment of Screening Officers and Hearing Officers

- a) Screening and Hearing Officers shall be appointed and recruited in accordance with the Appointment of Screening and Hearing Officer By-law and this Policy.
- b) For Town employees involved in the administration of the AMPS program: Town policies shall apply regarding the activities of an employee in the administration of the AMPS program. In the event of a conflict between the provisions of this Policy and the provisions of Town Policies, in relation to AMPS, this Policy shall supersede.
- c) For Hearing Officers: the provisions of any agreement governing the retainer between the Town and a Hearing Officer(s), shall also apply regarding the activities of the Hearing Officer. In the event of a conflict between this Policy and the agreement, the provisions of this Policy shall supersede.

3.2 Conflict of Interest

- a) A conflict of interest arises where a Screening Officer, Hearing Officer or Town employee involved in the administration of AMPS, has a personal or business interest that conflicts, might conflict, or may be perceived to conflict with interest of the AMPs program. A conflict of interest could arise in relation to personal or business matters including:
 - i. directorships or employment;
 - ii. interests in business enterprises or professional practices;
 - iii. share ownership or beneficial interests in trusts;
 - iv. professional or personal associations with a Person;
 - v. professional associations or relationships with other organizations;
 - vi. personal associations with other groups or organizations;
 - vii. or family relationships, including Relatives.
- b) Screening Officers must be and appear to be impartial at all times. It would be inappropriate for a Screening Officer to review a Penalty Notice for a personal or business acquaintance or relative (as defined above). A conflict of interest includes an actual conflict and a potential conflict.
- c) Hearing Officers have obligations to conduct Hearing reviews in an impartial manner. Hearing Officers, in conducting a Hearing Review, are bound by the Statutory Powers and Procedures Act, as well as bound by general administrative common law principles (i.e., procedural fairness, natural justice, impartial and unbiased decision making, legitimate expectation, etc.). Hearing Officers must be and appear to be impartial at all times. It would be inappropriate for a Hearing Officer to review a Screening Review Decision for a

personal or business acquaintance or relative (as defined above). A conflict of interest includes an actual conflict and a potential conflict.

d) Every Screening Officer, Hearing Officer or other Town staff person involved in the administration of AMPS, must disclose any obligation, commitment, relationship or interest that could conflict or may be perceived to conflict with his or her duties to or interests in the administration of the AMPS program. A Screening Officer or Hearing Officer shall not represent any person at a Screening Review or Hearing Review.

3.3 Conduct of Screening Officers and Hearing Officers

a. All Screening Officer(s) and Hearing Officer(s) shall conduct themselves in the following manner:

With independence:

- i. both be and appear to be independent, impartial, and unbiased;
- ii. avoid all conflicts of interest, whether real, potential or perceived, and promptly take appropriate steps to disclose, resolve, or obtain advice with respect to any such conflict should it arise;
- iii. not be influenced by partisan interests, public opinion, or by fear of criticism;
- iv. not use their title and position to promote their own interests or the interests of others;
- v. should discharge their duties in accordance with the law, Town By-laws and AMPS policy, procedures and guidelines.

With knowledge:

- vi. should maintain their competence through their work, by participating in training and education courses and by seeking guidance from their colleagues, as required.
- vii. should remain up to date on changes in the law, Town by-laws, policy and procedures relevant to their function.

With conduct becoming:

- viii. are subject to ongoing public scrutiny and therefore they must respect and comply with the law and conduct themselves at all times in a manner that promotes public confidence in the integrity and impartiality of the AMPS program.
- ix. should approach their duties in a calm and courteous manner when dealing with the public and others and should present and conduct themselves in a manner consistent with the dignity of the AMPS system and their appointment.
- x. should convey in plain language their decisions and the reasons therefore where such are required.
- xi. must safeguard the confidentiality of information that comes to them by virtue of their work and should not disclose that information except as required by law.
- xii. in discharging their duties, must treat those with whom they deal in a respectful and tolerant manner regardless of the gender, sexual orientation, race, religion, culture, language, mental abilities, or physical abilities of those persons.

With administration of natural justice paramount:

- xiii. shall refrain from openly and publicly criticizing the administration of the AMPS program or the conduct of others. Screening and Hearing Officers shall recognize that only the General Manager of Legislative and Development Services may speak publicly on behalf of the Town's AMPS program. Any criticisms, suggestions, or concerns related to the AMPS program should be communicated through appropriate channels to the General Manager of Legislative and Development Services.
- xiv. should deal with the tasks that come before them in a timely manner and should make themselves accessible to those requiring their services.
- xv. must not knowingly exercise a power or function for which they have not been designated

3.4 Preventing Conflict of Interest

- a) The keys to preventing conflicts of interest are identification, disclosure, and withdrawal from the power of decision with respect to a Screening Review or Hearing Review.
- b) The need for identification, disclosure and withdrawal from a power of decision or administrative role in relation to AMPS applies to any real, potential, or perceived conflict of interest.
- c) If a Screening Officer or Hearing Officer becomes aware of any real or perceived conflict of interest in regard to a review of an administrative penalty or Screening Decision, as the case may be, the Screening Officer or Hearing Officer shall notify the General Manager of Legislative and Development Services, or his or her designate(s), of the conflict of interest and:
 - i. in the case of a scheduled review of an administrative penalty or Screening Decision that has not yet commenced, request another Screening Officer or Hearing Officer to conduct the review to avoid actual or potential conflicts of interest; or
 - ii. in the case of a review of an administrative penalty or Screening Decision that has commenced, adjourn the review and withdraw from the power of decision, and advise the General Manager of Legislative and Development Services, or his or her designate. The Town will reschedule the Screening review or Hearing Review with another Screening Officer or Hearing Officer, as the case may be.
- d) If all appointed Screening Officers and/or Hearing Officers have a conflict of interest with a matter, then the General Manager of Legislative and Development Services, or his or her designate shall retain another Screening Officer or Hearing Officer to handle the matter that is the subject of the conflict of interest.
- e) Screening Officers and Hearing Officers are not permitted to dispute their own Penalty Notices and are expected to pay the administrative penalty for a parking infraction in a timely manner.

f) If there are further questions or if the General Manager of Legislative and Development Services or staff are looking for further guidance in regard to this policy, the Town Solicitor, or his/her designate, may be contacted.

3.5 Addressing Conflicts of Interest Should They Occur

- a) Town Policies has a process to deal with breaches by employees in the administration of the AMPS program.
- b) If someone suspects that a Screening Officer or Hearing Officer conducted a Screening Review or Hearing review where there was a conflict of interest, the person shall advise the General Manager of Legislative and Development Services, or his or her designate and an investigation may be conducted in accordance with that policy.
- c) Any finding of a conflict of interest, shall be reported to the General Manager of Legislative and Development Services, or his or her designate by the responsible Town official, including any recommendation for appropriate disciplinary action, up to and including revocation of appointment.
- d) Where a Screening Officer or Hearing Officer is charged with any offence under the Criminal Code of Canada, or under any other Federal or Provincial statute or Regulation where continuing to perform duties may erode public confidence in the administration of justice, the Screening Officer or Hearing Officer shall disclose same to the General Manager of Legislative and Development Services within 5 business days of the charge being laid. Action may be taken by the Town as the discretion of the General Manager. If determined appropriate, may include suspension from duties until the final disposition of the charge and, upon final disposition, may include, but is not limited to, termination of duties related to AMPS and/or revocation of appointment.

3.6 Influence

- a) No person shall attempt, directly or indirectly, to communicate for the purpose of influencing or interfering, financially, politically or otherwise, with employees or other persons performing duties related to the administration of AMPS.
- b) No person shall attempt, directly or indirectly, to communicate for the purpose of influencing or interfering, financially, politically or otherwise, a Screening Officer or Hearing Officer respecting the determination of an administrative penalty matter and/or respecting a delegated power of decision in a proceeding that is or will be pending before the Screening Officer or Hearing Officer, except a person who is entitled to be heard in a Screening Review or Hearing Review.

4. POLICY ADMINISTRATION AND REVIEW

4.1 This Policy will be reviewed as required, but in any case no later than five (5) years from the date of the most recent review.

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4.2 This Policy shall be administered by the General Manager of Legislative and Development Services.

5. REFERENCE AUTHORITIES

- Municipal Act, 2001
- Ontario Regulation 333/07 (Administrative Penalties)
- AMPS Parking By-law 2025-17, as amended
- AMPS Non Parking By-law 2025-18, as amended



Town of Wasaga Beach

Policy Manual

| Section Name: | Policy Number: |
|--|----------------|
| Protection to Persons & Property | 5-12 |
| Policy: | Policy: |
| Administrative Monetary Penalty System- Financial Hardship Policy | May 15, 2030 |
| Effective Date: | REVISIONS: |
| May 15, 2025 | |
| ADMINISTERED BY: | |
| Municipal Law Enforcement Division | |

1. PURPOSE

- 1.1 The purpose of this is to respond to requests by persons with a Penalty Notice for relief from paying all, or part of a Penalty Notice, including any Administrative Fees, if the Person can demonstrate they would suffer financial hardship if required to pay the penalty required under the Administrative Monetary Penalty Systems (AMPS).
- 1.2 In accordance with the Municipal Act, 2001, O. Reg. 333/07, the Town is required to develop a Policy to address financial hardship experienced by individuals required to pay a Penalty Notice and applicable Administrative Fees.

2. SCOPE

2.1 This Policy applies to a Screening Review and Hearing Review conducted by a Screening Officer and Hearing Officer, respectively, pursuant to the Town's Administrative Monetary Penalty By-laws, as amended.

3. POLICY

3.1 General Provisions

- a. A Person who receives a Penalty Notice has the right to dispute the Penalty Notice;
 - i. The Screening Officershasthe authority to cancel, reduce or extend the time for payment of the Penalty Notice, including any

Administrative Fees, if the Screening Officer finds that payment of the Penalty Notice (including any Administrative Fees) would cause financial hardship. Similarly, the Hearing Officer has the authority to take into consideration financial hardship when determining to cancel, reduce or extend the time for payment of the Penalty Notice (including any Administrative Fees); and

ii. A Person who receives a Screening Decision from the Screening Officer shall, if in disagreement with the Screening Decision, has the right to dispute the Screening Officer's Decision with a Hearing Officer.

3.2 Documentation to Support Financial Hardship

- a. A Person who is experiencing financial hardship should bring documentation to support their claim at the Screening Review or Hearing Review. The Person, when required, shall provide documented proof of financial hardship such as, but not limited to:
 - i. Old Age Security;
 - ii. Canada Pension;
 - iii. Guaranteed Income Supplement;
 - iv. Disability Pension;
 - v. Ontario Student Assistance Program; or
 - vi. Any other form of social assistance.
- b. The Screening Officer or Hearing Officer will satisfy themselves at the Screening Review or Hearing Review as to the authenticity/credibility of the documents provided and will refer to those documents in their decision.

3.3 Records Retention

a. All information and documentation provided in support of financial or undue hardship shall be treated in a confidential manner, in accordance with the Municipal Freedom of Information and Protection of Privacy Act. Photocopies of the documentation may be required and attached to the Screening Decision and/or Hearing Decision record and will be retained according to the Town's Records Retention By-law.

4. POLICY ADMINISTRATION AND REVIEW

- 4.1 This Policy will be reviewed as required, but in any case no later than five (5) years from the date of the most recent review.
- 4.2 This Policy shall be administered by the General Manager of Legislative and Development Services.

5. REFERENCE AUTHORITIES

- Municipal Act, 2001
- Ontario Regulation 333/07 (Administrative Penalties)
- AMPS Parking By-law 2025-17, as amended
- AMPS Non Parking By-law 2025-18, as amended



Town of Wasaga Beach

Policy Manual

| Section Name: | Policy Number: |
|---|----------------|
| Protection to Persons & Property | 5-13 |
| Policy: | Policy: |
| Administrative Monetary Penalty System- Appointment of Screening and Hearing Officer Policy | May 15, 2030 |
| Effective Date: | REVISIONS: |
| May 15, 2025 | |
| ADMINISTERED BY: | |
| Municipal Law Enforcement Division | |

1. PURPOSE

- 1.1 The purpose of this policy is to provide a consistent and transparent framework for the selection and appointment of Screening Officers and Hearing Officers and to act as a guide for appointees.
- 1.2 The Town of Wasaga Beach values a clear and transparent process, completed in a fair and equitable manner, for the selection of Screening Officers and Hearing Officers. The selection is to be conducted in accordance with applicable legislation and Council-approved bylaws for the purposes of AMPS.

2. SCOPE

- 2.1 Screening Officers are appointed to review Penalty Notices issued by Town Enforcement Staff and make decisions on Administrative Penalties and related fees regarding Penalty Notices.
 - a. Responsibilities include:

- i. Authority to review Penalty Notices as set out in the Administrative Monetary Penalty By-law and make decisions on whether to reduce, cancel or affirm a Penalty Notice's penalty amount.
- ii. Authority to extend the time to pay or, upon proper application, and in accordance with established AMPS policies, procedures and guidelines, extend the time to dispute.
- 2.2 Hearing Officers are appointed to review Screening Officer decisions regarding an Administrative Penalty and related fees, as requested by Persons, and make final decisions on the Screening Officer decisions.
 - a. Responsibilities include:
 - i. Authority to review Penalty Notices as set out in the Administrative Monetary Penalty By-law and make decisions on whether to reduce, cancel or affirm a Penalty Notice's penalty amount.
 - ii. Authority to review the Screening Decision, as set out in the Administrative Monetary Penalty By-law.
 - iii. Authority to extend the time to request a review of a Screening Decision, upon proper application, and in accordance with established AMPS policies, procedures and guidelines.
 - iv. Authority to conduct a hearing in accordance with the Statutory Powers and Procedures Act, including not making any decision respecting a review of a Screening Decision unless the Person (with the Penalty Notice) and the Town have an opportunity to be heard at the scheduled hearing of the review.
 - v. Authority to affirm, cancel or reduce the penalty amount assessed by a Screening Decision, or extend the time for payment of an Administrative Penalty, in accordance with the established AMPS policies, procedures and guidelines, with any such decision being final.

3. POLICY

3.1 Appointment of Screening Officers

a. In accordance with the Screening and Hearing Officer By-law, Screening Officers shall be appointed by the General Manager of Legislative and Development Services in writing.

b. The General Manager may revoke the appointment of a Screening Officer if, at any time, the Person becomes ineligible for appointment or continuation as a Screening Officer or is otherwise determined by the General Manager to be unable to carry out the duties related to AMPS in a fair and impartial manner or to comply with Town policies or procedures.

3.2 Recruitment of Hearing Officers

- a. The Town may, from time to time, recruit Hearing Officers as contemplated by the Screening and Hearing Officer By-law and/or may enter into an agreement with any third-party hearing services provider.
- b. Hearing Officers are independent and are not Town Employees. Hearing Officers may be required to enter into a contract with the Town outlining the terms of service.
- c. Unless revoked, Hearing Officers shall be appointed for the term of Council (or remainder thereof, where appointed mid-term), and thereafter until reappointed or until a successor is appointed.
- d. Hearing Officers appointed by the Town shall not be guaranteed minimum or maximum hours of work. Rather, Hearing Officers shall be assigned on an asneeded basis with no minimum compensation or frequency of work amounts.
- e. The General Manager may revoke the appointment of a Hearing Officer at any time, in accordance with the Screening and Hearing Officer Bylaw.

4. POLICY ADMINISTRATION AND REVIEW

- 4.1 This Policy will be reviewed as required, but in any case no later than five (5) years from the date of the most recent review.
- 4.2 This Policy shall be administered by the General Manager of Legislative and Development Services.

5. REFERENCE AUTHORITIES

- Municipal Act, 2001
- Ontario Regulation 333/07 (Administrative Penalties)
- AMPS Parking By-law 2025-17, as amended
- AMPS Non Parking By-law 2025-18, as amended
- Appointment of Screening and Hearing Officers By-law 2024-48, as amended

APPENDIX I

Administrative Fees

| Item | Fee |
|------------------------------|------|
| Screening Non-Appearance Fee | \$25 |
| Hearing Non-Appearance Fee | \$50 |
| Late Payment Fee | \$25 |
| Certificate Fee | \$10 |
| Plate Denial Fee | \$25 |
| NSF Fee | \$35 |



9,5,4

THE CORPORATION OF THE TOWN OF PARRY SOUND RESOLUTION IN COUNCIL

NO. 2025 - 046

| DIVISION LIST | YES NO | DATE: April 15, 2025 |
|--|--------|----------------------|
| Councillor G. ASHFORD Councillor J. BELESKEY Councillor P. BORNEMAN Councillor B. KEITH Councillor D. McCANN Councillor C. McDONALD | | MOVED BY: |
| Mayor J. McGARVEY | | St'all |
| | D: | Postponed to: |

WHEREAS inclusive, evidence-based scientific research leads to better outcomes for Canadians by ensuring that all voices and experiences are reflected in the development of knowledge, treatments, and innovations;

WHEREAS Canadian municipalities benefit directly from research-informed policies on public health, infrastructure, education, environmental protection, and economic development;

WHEREAS diverse and inclusive research teams have been shown to generate more innovative, practical, and impactful solutions, and yet many equity-deserving groups, including women, remain underrepresented in science and research careers;

WHEREAS inclusive research strengthens our economy, healthcare system, and ability to address national and global challenges;

THEREFORE BE IT RESOLVED that the Council of the Town of Parry Sound supports the national call for stronger federal support for inclusive research that reflects the diversity of Canadian communities;

AND BE IT FURTHER RESOLVED that this resolution be shared with other municipalities in Ontario, the Federation of Canadian Municipalities, and relevant provincial and federal representatives for consideration and support.

Mayor Jamie McGarvey

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Legislative Services Department/Clerk's Division

April 7, 2025

Via email; premier@ontario.ca

The Honourable Doug Ford Premier of Ontario Legislative Bulding Queen's Park TORONTO, Ontario M7A 1A1

The Honourable Premier Ford:

Re: Resolution regarding Salt Management

Please be advised that Town Council adopted the following motion concerning Salt Management;

RESOLUTION NO. C-2025-0077

Moved By Councillor Neeson Seconded By Regional Councillor Davison

WHEREAS road salt is a known toxic substance designated under the Canadian Environmental Protection Act because of tangible threats of serious and irreversible environmental and public health concerns associated with road salt; and

WHEREAS salt levels in Ontario's groundwater aquifers, creeks, rivers, and lakes have increasingly worsened since the 1970s, seriously affecting municipal drinking water sources and aquatic life; and

WHEREAS Lake Simcoe is our closest freshwater lake and is the 4th largest inland lake within Ontario, host to a number of functions including a biodiverse habitat for over 56 species of fish, the source water for municipal drinking water for hundreds of thousands of residents within the watershed, including 41,000 here in the Town of Georgina, and the many other recreational and commercial functions it serves; and

WHEREAS Lake Simcoe's salinity concentrations have increased over 500% since monitoring began over the past 50 years, with the primary contributor being runoff from the use of salt for winter maintenance; and

WHEREAS the Ontario and Canadian governments have taken many actions over the past 25 years including setting water quality guidelines, developing voluntary codes of practice, signing the Canada-Ontario Great Lakes Agreement, and holding workshops, yet still the salt problem continues to grow; and



WHEREAS numerous situation analyses have recommended salt solutions involving liability protection, contractor certification, government-approved Best Management Practices (BMPs) and salt management plans; and

WHEREAS increased numbers of slip and fall claims, and other injury/collision claims related to snow and ice, are resulting in salt applicators overusing salt beyond levels considered best practices; and

WHEREAS unlimited contractor liability is making it difficult or expensive for snow and ice management contractors to obtain insurance coverage, resulting in contractors leaving the business, thereby making it difficult for municipalities and private owners to find contractors; and

WHEREAS the Snow and Ice Management Sector (SMS) of Landscape Ontario is working with the Ontario government to institute a limited liability regime for snow and ice management, including enforceable contractor training/certification and government-approved BMPs for salt application; and

WHEREAS many Ontario municipalities have Salt Management Plans, but these often require updating in light of improved science and better salt management practices now available; and

WHEREAS The Town of Georgina shares fifty-two (52) kilometers of beautiful Lake SImcoe shoreline and all 288 square kilometers of the Town of Georgina are encompassed by sub-watersheds that drain into Lake Simcoe; and

WHEREAS road authorities that use salt, such as the Town of Georgina, must abide by, and benefit from, established provincial regulations around snow clearing and maintenance, whereas private contractors only have voluntary programs for salt use for private and commercial property management; and

WHEREAS the Town of Georgina has demonstrated great initiative in salt mitigation efforts including committing to the use of rock salt alternatives, installation of electronic spreader controllers on all material spreading units, reduced application rates when appropriate, use of pre-wet and brine when appropriate, and an updated salt management plan that outlines salt best management practices specific to the Corporation of the Town of Georgina's winter maintenance operations

NOW THEREFORE BE IT RESOLVED THAT:

1. That the Town of Georgina urges the Province of Ontario to work urgently with key stakeholders to develop limited liability legislation, including enforceable contractor training and a single set of provincially endorsed standard Best Management Practices for snow and ice management; and



2. That the Town of Georgina urges the Province of Ontario to create and fund an expert stakeholder advisory committee to advise the province and municipalities on the best courses of action to protect freshwater ecosystems and drinking water from the impacts of salt pollution; and

3. That the Town of Georgina continues to commit to the reduction of the use of road salt as much as possible while meeting local service levels and maintaining safety on roads and sidewalks; and

4. That a copy of this resolution be sent to all municipalities in York Region, all Lake Simcoe Watershed municipalities; all municipalities in Ontario; The Chippewas of Georgina Island First Nation and The Lake Simcoe Region Conservation Authority requesting their endorsement; The Association of Municipalities of Ontario (AMO); all Lake Simcoe Watershed MPPs; Conservation Ontario; The Ontario Salt Pollution Coalition; The Rescue Lake Simcoe Coalition; Minister Todd McCarthy (MECP); Attorney General Doug Downey, and The Honourable Premier Doug Ford.

Accordingly, we respectfully request your consideration of this resolution.

Sincerely, FOR THE TOWN OF GEORGINA,

Carolyn Lance Council Services Coordinator

cc: Minister Todd McCarthy, Ministry of Environment, Conservation and Parks; todd.mccarthy@pc.ola.org The Honourable Doug Downey, Attorney-General; doug.downey@pc.ola.org York Region municipalities Datario municipalities Lake Simcoe Watershed municipalities Lake Simcoe Region Conservation Authority; r.baldwin@LSRCA.on.ca The Chippewas of Georgina Island First Nation; sylvia.mccue@georginaisland.com Association of Municipalities of Ontario; resolutions@amo.on.ca Lake Simcoe Watershed MPP's Conservation Ontario; info@conservationontario.ca Ontario Salt Pollution Coalition; dani@waterwatchers.ca The Rescue Lake Simcoe Coalition; rescuelakesimcoecoalition@gmail.com





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April 25, 2025

Nottawasaga Valley Conservations Authority 8195 8th Line Utopia ON LOM 1T0

Sent via email: sflannagan@nvca.on.ca

To whom it may concern:

Re: Resolution 2025-206 – Opposition to NVCA & LSRCA Amalgamation

Please be advised that the following resolution was passed at the April 16, 2025 meeting of the Council of the Municipality of Grey Highlands.

2025-206

That Council receive the Town of Collingwood Resolution to oppose amalgamation of NVCA and LSRCA for information; and that Council of the Corporation of the Municipality of Grey Highlands opposes the proposed amalgamation of NVCA and the LSRCA, as it has not been demonstrated that such a change would benefit watershed management, municipalities or the public; and That Council supports the NVCA Board's continued and enhanced collaboration between Conservation Ontario, and other Conservation Authorities to standardize processes and procedures where feasible, particularly to assist development and permit applicants whose activities fall within municipalities that straddle multiple watersheds; and

That Council supports the efforts of the NVCA in working constructively with all NVCA member municipalities to address and resolve any challenges, including planning and permitting, in a fair, transparent and efficient manner; and

That a copy of this resolution be sent to the NVCA, and all NVCA member municipalities, the LSRCA Board and Conservation Ontario Council

CARRIED.

206 Toronto Street South, Unit One - P.O. Box 409 Markdale, Ontario NOC 1H0 519-986-2811 Toll-Free 1-888-342-4059 Fax 519-986-3643 www.greyhighlands.ca info@greyhighlands.ca Page 231 of 351 If you require anything further, please contact this office.

Sincerely,

Amanda Fines-Vanalstine

Amanda Fines-VanAlstine Manager of Legislative Services/Municipal Clerk Municipality of Grey Highlands

cc. Minister of Environment, Conservation and Parks NVCA Watershed Municipalities LSRCA



TOWN OF PETAWAWA

1111 Victoria Street, Petawawa, Ontario K8H 2E6

OFFICE OF THE MAYOR

DELIVERED ELECTRONICALLY

Honorable Rob Flack Minister of Municipal Affairs and Housing 777 Bay Street, 17th floor Toronto, Ontario M7A 2J3

April 29, 2025

<u>RE:</u> Proposed Amendments to O. Reg. 530/22 to Expand Strong Mayor Powers and Duties to Additional Municipalities

Dear Minister Flack,

Thank you for your letter dated April 9, 2025, regarding the expansion of Strong Mayor Powers and Duties to the Town of Petawawa. Our Council discussed this issue in an open forum at our council meeting on April 23rd and are firmly of the belief that this effort undermines the value of collaboration between the Mayor, Councillors, and Staff. Increasing the powers of the Mayor to push forward Provincial Priorities would eliminate shared decision making, create divisiveness at the council table, and blur the lines between administrative and political roles. Our council believes that this would result in an erosion of the democratic process at the Municipal level, especially in a small city like Petawawa.

Although we don't always agree unanimously on all matters, our council works as a cohesive unit, firmly focused on the goals of advancing and encouraging growth and making our community a wonderful place in which to live and invest. Each of member of council brings their own set of skills, knowledge, values and perspectives to achieve these goals, and has worked extremely well together.

Since it was sworn in, our Council has been collectively focused on advancing provincial priorities by delivering much needed housing, building infrastructure that supports community growth and the construction of new homes, including housing-enabling infrastructure such as water and wastewater. The largest community in Renfrew County, Petawawa has grown significantly over the last decade (roughly 25%) and added a large amount of new housing to meet market demands. In 2024, Petawawa increased the size of its planning department to

reduce permit processing times, 120 new dwellings (Single Family Detached/Row Housing/Multi-family) were constructed, and there are many more dwellings underway:

| Structure type | In Pre-Consultation or going through Planning Approvals | Planning Approvals Complete (under construction) |
|-----------------------------|---|---|
| Single Family Detached | 533 | 61 |
| Row Housing | 24 | 96 |
| Apartment | 348 | 60 |
| Additional Residential Unit | 0 | 44 |
| Total Units | 905 | 261 |

Further to this, Garrison Petawawa and Canadian Nuclear laboratories are reporting that they will need to house 1100 individuals and their families as they expand operations. Based on this need and other factors, our municipality is working with private sector and nonprofit developers to meet the demand for both market and affordable housing. To be forthright, where the municipality needs help the most to support housing development and foster densification is access to additional funding to extend utilities, such as water and wastewater services, to developable lands to meet future growth needs. Petawawa has faced a significant reduction in Payment In Lieu of Taxes (PILT) over the past two fiscal years (\$2.3 million over 2024 and 2025) due to the Business Education Tax discount as well as an annual reduction in Ontario Municipal Partnership Funding over the past decade which has hampered our ability to extend necessary water and wastewater infrastructure vital to delivering new homes. The community's Ontario Community Infrastructure Funding was reduced in 2025 as well.

In closing, our Council requests that the Ontario Government excludes the Town of Petawawa from its proposed amendments to O. Reg. 530/22 to Expand Strong Mayor Powers and Duties to Additional Municipalities, and work with the municipality to identify funding to support expansion of its storm, water and wastewater treatment systems to support future residential and commercial growth. Thank you for your attention to this matter. Please feel free to contact me through our offices if you wish to discuss this further.

Sincerely,

Gary Serviss Mayor of Petawawa

Copied: Doug Ford, Premier Billy Denault, MPP, Renfrew—Nipissing—Pembroke

Enc.

Resolution – Opposition to Strong Mayor Designation for the Town of Petawawa



TOWN OF PETAWAWA

1111 V 🌭 (613) 687-5536

1111 Victoria Street, Petawawa, OntarioK8H 2E65536gserviss@petawawa.ca

petawawa.ca

April 28, 2025

Delivered Electronically

Attn: The Honourable Doug Ford, Premier of Ontario

Re: Resolution - Opposition to Strong Mayor Designation for the Town of Petawawa

At its Council-In-Committee meeting on April 28, 2025, Petawawa Town Council passed a **Resolution** in response to the Province's recent proposal to designate Petawawa as a "Strong Mayor" municipality, effective May 1, 2025.

WHEREAS the Province of Ontario has proposed to designate the Town of Petawawa as a "Strong Mayor" community, granting enhanced powers to the Mayor effective May 1, 2025; and,

WHEREAS the Strong Mayor powers significantly alter the balance of governance at the municipal level, undermining the role of Council in decision-making and weakening the fundamental democratic principle of majority rule; and,

WHEREAS the Town of Petawawa has a long history of collaborative, transparent, and accountable local governance built upon a foundation of Council-debate and shared decision- making; and,

WHEREAS many municipally elected officials across the province and members of the public have expressed significant concern regarding the imposition of these powers; and,

WHEREAS the Town of Petawawa did not formally request or express a desire to be designated under the Strong Mayor framework; and,

WHEREAS a growing number of municipalities and elected officials across Ontario are questioning the appropriateness of the Strong Mayor system and are calling for its reconsideration or repeal;

THEREFORE BE IT RESOLVED that Petawawa Town Council formally request that the Premier of Ontario and the Minister of Municipal Affairs and Housing immediately remove the Town of Petawawa from the list of municipalities designated under the Strong Mayor legislation;

AND BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Premier of Ontario, the Minister of Municipal Affairs and Housing, all regional Members of Provincial

Parliament, all Ontario municipalities, and the Association of Municipalities of Ontario (AMO) for their awareness and support.

We thank you for your attention to this matter and urge you to respect the democratic wishes of our Council and community.

Sincerely,

155

Gary Serviss Mayor, Town of Petawawa (613) 687-5536 gserviss@petawawa.ca petawawa.ca

CC: The Honourable Rob Flack (Minister of Municipal Affairs and Housing) Regional Members of Provincial Parliament All Ontario Municipalities The Association of Municipalities of Ontario (AMO)





163 Brock Street PO Box 189 Thamesford Ontario N0M 2M0

519-485-2490

www.zorra.ca

admin@zorra.ca

April 24, 2025

Hon. Doug Ford Premier of Ontario Via email: <u>Premier@ontario.ca</u>

At the April 16, 2025 regular meeting of the Council of the Township of Zorra, the following resolution was passed:

WHEREAS the Ontario government has proposed expanding the "strong mayor" powers to 169 additional municipalities under the proposed legislation, which would grant mayors in these municipalities more authority, particularly concerning the control of municipal budgets and planning decisions;

AND WHEREAS this proposal has raised significant concerns regarding the centralization of power, erosion of local democracy, reduced accountability, and the potential for the abuse of power;

AND WHEREAS the proposed expansion of strong mayor powers undermines the collaborative nature of municipal governance, and diminishes the role of elected municipal councillors in representing the diverse interests of the community;

AND WHEREAS concerns have been raised about the negative impacts on public trust, democratic participation, and municipal decision-making processes, if mayors are given the ability to bypass council decisions without adequate consultation or oversight;

NOW THEREFORE BE IT RESOLVED THAT the Council of the Township of Zorra opposes the expansion of Strong Mayor Powers;

AND THAT the Council formally expresses its opposition to the Ontario government's proposal to expand Strong Mayor Powers to preserve local democracy, transparency, and accountability;

AND THAT the Council encourages advocacy for democratic principles and for municipal governance systems that prioritize collaboration, inclusivity, and democratic engagement;

FURTHER BE IT RESOLVED THAT a copy of this motion be forwarded to the Ontario Premier, the Minister of Municipal Affairs and Housing, all Ontario municipalities, as well as the Association of Municipalities of Ontario (AMO) for further action.

Disposition: Carried

Yours truly,

Karen Martin Clerk Township of Zorra

25-009

CC: Hon. Rob Flack, Minister of Municipal Affairs and Housing <u>minister.mah@ontario.ca</u> All Ontario Municipalities Association of Municipalities of Ontario (AMO) <u>resolutions@amo.on.ca</u>



April 16, 2025

Honourable Premier Doug Ford Via Email: <u>premier@ontario.ca</u>

Honourable Rob Flack, Minitser of Municipal Affairs and Housing Via Email: rob.flack@ontario.ca

Dear Premier Ford and Minister Flack,

Re: Opposition to Strong Mayor Powers – Proposed Amendments to O. Reg. 530/22

Please be advised that at its Regular Meeting held Monday, April 14, 2025, the Council of the Town of Kingsville passed the following resolution respecting the matter referenced in the above subject line:

78-04142025

Moved By: Councillor Gaffan **Seconded By**: Deputy Mayor DeYong

Whereas on April 9, 2025, the Government of Ontario (hereafter, the "Province"), led by Premier Doug Ford, announced a proposal to expand by "Strong Mayor Powers" as provided for by Part VI.1 of the *Municipal Act, 2001,* to the heads of council in 169 additional municipalities, including the Town of Kingsville, effective May 1, 2025;

And whereas Strong Mayor Powers erode democratic process and have fundamentally altered the historic model of local governance, which has existed for almost two centuries, by:

- providing the head of council with the authority to unilaterally give direction and make certain decisions without a consensus from a majority of the members of council; and,
- creating a power imbalance by providing the head of council with special powers that other members do not generally have.

And whereas the Province is undermining the local governance model and municipal independence by attempting to advance its priorities through municipalities, and downloading its responsibilities to the same.

Now therefore be it resolved that:

- The Council of the Corporation of the Town of Kingsville ("Council") **opposes** the expansion of Strong Mayor Powers, as announced on April 9, 2025;
- That Council **requests** that the proposed amendments to O. Reg. 530/22 to Expand Strong Mayor Powers and Duties to Additional Municipalities not include the Town of Kingsville; and;
- That Council **directs** the Acting Manager of Municipal Governance/Clerk to forward a copy of this resolution to Doug Ford, Premier of Ontario; Rob Flack, Minister of Municipal Affairs and Housing; All Four Local MPPs; AMCTO, AMO and All Ontario Municipalities

Carried.

Sincerely,

Angela Toole

Angela Toole, Acting Manager of Municipal Governance/Clerk Email: <u>atoole@kingsville.ca</u> Phone: 519-733-2305 ext. 223

cc. Anthony Leardi, MPP, Essex Trevor Jones, MPP, Chatham-Kent - Leamington Andrew Dowie, MPP, Windsor-Tecumseh Lisa Gretzky, MPP, Windsor West AMCTO AMO All Ontario Municipalities



52 Seguin Street, Parry Sound, Ontario P2A 1B4 Tel: (705) 746-2101 • Fax: (705) 746-7461 • <u>www.parrysound.ca</u>

Office of the Mayor

April 22, 2025

Honourable Rob Flack Minister of Municipal Affairs & Housing College Park, 17th floor, 777 Bay St. Toronto ON M7A 2J3

Via email: minister.mah@ontario.ca

Dear Minister Flack,

On behalf of Council of the Town of Parry Sound, please accept my congratulations on your recent appointment as Minister of Municipal Affairs & Housing. It's an important Ministry and we look forward to working with you and Ministry staff.

The Ministry of Municipal Affairs & Housing provided notice on April 9th that the Ministry was seeking comments regarding its intent to extend strong mayor powers to an additional 169 municipalities, including the Town of Parry Sound. The comment period was open until April 16th. These additional powers are not powers that I as Mayor believe are necessary and do not wish to exercise them. At our April 15th meeting, Council unanimously voted to reject strong mayor powers, request the province to repeal the legislation, or alternatively permit municipalities to opt out.

We were disappointed that there was no previous communication before the April 9th letter, with a comment period of only one week. Contrary to provincial claims that strong mayor powers will get homes and infrastructure built faster, reduce red tape and accelerate the delivery of key priorities, research by the Association of Municipal Clerks & Treasurers of Ontario (AMCTO) has found no evidence to suggest this legislation has any impact on the number of housing starts in municipalities that have been granted the powers; and moreover the strong mayor powers have blurred the political-administrative authority between the roles of head of council and Chief Administrative Officers (CAOs) and senior staff, threatening the neutrality of the public service and politicizing local government leadership. We have seen very questionable use by mayors with strong mayor powers.

...2

Our public expects a democratic process. Given the overwhelming use of executive orders by the current US President and multiple respected analysts' concerns about the US slipping into authoritarianism, our country and its democratic institutions should be safeguarding these democratic principles that provide accountability to the public and not undermining them.

We encourage the provincial government to repeal this legislation.

Sincerely,

Jamie McGarvey Mayor, Town of Parry Sound

c.c. Premier Doug Ford MPP Graydon Smith Association of Municipalities of Ontario (AMO) All Ontario Municipalities Members of Town of Parry Sound Council CAO Clayton Harris Clerk Rebecca Johnson



9.5.5.

THE CORPORATION OF THE TOWN OF PARRY SOUND RESOLUTION IN COUNCIL

NO. 2025 - 047

| DIVISION LIST | YES NO | DATE: April 15, 2025 |
|--|----------|----------------------|
| Councillor G. ASHFORD Councillor J. BELESKEY Councillor P. BORNEMAN Councillor B. KEITH | | MOVED BY: |
| Councillor D. McCANN Councillor C. McDONALD Mayor J. McGARVEY | | SECONDED BY: |
| | D: Postp | oned to: |

Whereas the Province has announced the expansion of strong mayor powers to another 169 municipalities as of May 1, 2025 in addition to the 47 municipalities which currently have received strong mayor powers; and

Whereas the Province claims that strong mayor powers will get homes and infrastructure built faster, reduce red tape, and accelerate the delivery of key priorities; and Whereas research from the Association of Municipal Clerks & Treasurers of Ontario (AMCTO) has identified that: a) there is no evidence to suggest this legislation has any impact on the number of housing starts in municipalities that have been granted the powers; and b) strong mayor powers have blurred the political-administrative authority between the roles of head of council and chief administrative officers (CAOs), threatening the neutrality of the public service and politicizing local government leadership; and

Whereas strong mayor powers is an erosion to the democratic process of an historically non-partisan municipal governance structure;

Now Therefore the Council of the Corporation of the Town of Parry Sound hereby resolves to reject the strong mayor powers granted to it, and requests that the Province repeal the legislation, or offer the option to municipalities to opt out of strong mayor powers; and

That this Resolution be forwarded to the Minister of Municipal Affairs & Housing Rob Flack, Premier Doug Ford, MPP Graydon Smith, the Association of Municipalities of Ontario (AMO), and all Ontario municipalities.

Mayor Jamie McGarvey

Page 242 of 351



April 30, 2025

Hon. Doug Ford Premier of Ontario premier@ontario.ca

Hon. Rob Flack Minister of Municipal Affairs and Housing rob.flack@pc.ola.org

Mr. Bob Bailey, MPP Sarnia-Lambton bob.bailey@pc.ola.org

Re: Strong Mayor Powers

Please be advised that the Council of the Town of Plympton-Wyoming at its Regular Council meeting on April 30th, 2025, passed the following motion:

Motion #14 Moved by Kristen Rodrigues Seconded by Alex Boughen

WHEREAS the Government of Ontario announced on April 9th, 2025, that it will extend "*Strong Mayor Powers*" to an additional 169 Municipalities;

AND WHEREAS the Province only accepted comments on the government's intentions until April 16, 2025 with the new powers set to begin on May 1, 2025;

AND WHEREAS the timeline for feedback from municipal councils was unreasonably short, especially when considering many of the impacted councils generally only meet one to two times monthly, with the added staff time required to prepare reports and provide more detailed information on the impact of the provincial legislation;

AND WHEREAS the intent of the legislation is to build more homes faster, The Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO), which has been tracking the use of strong mayor powers since they were first introduced in Toronto and Ottawa in 2022, said there is no evidence

to suggest this legislation has any impact on the number of housings starts in municipalities that have been granted the powers;

AND WHEREAS the new powers include the ability to set budgets, veto bylaws, pass bylaws with just one-third of their council's support, appoint senior civil servants, and solely delegate and oversee the CAO position, which further erodes the lines of an elected official's position and impairs the ability of council to work as a whole on behalf of the community;

NOW THEREFORE be it resolved that the council for the Town of Plympton-Wyoming fully supports the existing electoral process under which the residents duly elected all council members and value a collaborative and council-driven approach to decision making without impairment on any members of council;

AND FURTHER That Council respects the province's intent, but the imposition of Strong Mayor Powers results in an erosion of the democratic process and further deteriorates the promotion of diversity in municipal representation;

AND FURTHER The Council of the Town of Plympton-Wyoming is formally opposed to the use of Strong Mayor Powers and requests that the province repeal the Strong Mayor Powers Legislation all together as a matter of upholding the democratic rights of all elected officials;

AND FURTHER, that in the absence of a repeal, the Town of Plympton-Wyoming Council requests that the province allows municipalities the option to formally decline as a matter of record with the province.

Carried.

If you have any questions regarding the above motion, please do not hesitate to contact the undersigned.

Jane Hould-Brown

Sincerely, Dianne Gould-Brown dgould-brown@plympton-wyoming.ca Executive Assistant – Deputy Clerk Town of Plympton-Wyoming

cc: All Ontario Municipalities Association of Municipalities of Ontario

CORPORATION OF THE MUNICIPALITY OF SOUTH HURON



322 Main Street South P.O. Box 759 Exeter Ontario NOM 1S6 Phone: 519-235-0310 Fax: 519-235-3304 Toll Free: 1-877-204-0747 www.southhuron.ca

April 30, 2025

Via email: rob.flack@pc.ola.org

Ministry of Municipal Affairs and Housing 17th Floor 777 Bay Street Toronto, ON M7A 2J3

Dear Hon. Rob Flack,

Re: Proposed Amendments to O.Reg. 530/22 to Expand Strong Mayor Powers

Please be advised that South Huron Council passed the following resolution at their April 22, 2025 Regular Council Meeting:

176-2025 Moved By: Jim Dietrich Seconded by: Wendy McLeod-Haggitt That South Huron Council supports the April 14, 2025 correspondence of Town of Saugeen Shores regarding opposition to Proposed Amendments to O.Reg. 530/22 to Expand Strong Mayor Powers; and

That this supporting resolution and the originating correspondence be circulated to Premier Doug Ford, Minister of Municipal Affairs and Housing, Rob Flack, Lisa Thompson, MPP, Minister of Rural Affairs, AMO, Town of Saugeen Shores, and all municipalities in Ontario. Result: Carried

Please find attached the originating correspondence for your reference.

Respectfully,

Kendra Webster, Legislative & Licensing Coordinator Municipality of South Huron <u>kwebster@southhuron.ca</u> 519-235-0310 x. 232 Encl.

cc: Minister of Rural Affairs, MPP Lisa Thompson, <u>lisa.thompson@pc.ola.org</u>; AMO, <u>resolutions@amo.on.ca</u>; Town of Saugeen Shores, <u>clerk@saugeenshores.ca</u>; and all municipalities in Ontario.



April 25, 2025

By Email: premier@ontario.ca

The Honourable Doug Ford

By Email: rob.flack@ontario.ca

Rob Flack, Minister of Municipal Affairs and Housing

Re: Opposition to Strong Mayor Powers

The Council of the Town of Tecumseh, at its regular meeting held Tuesday, April 22, 2025, passed the following resolution regarding its April 15, 2025 Letter sent to Ontario's Regulatory Registry on the proposed May 1, 2025, expansion of Strong Mayor Powers, a copy of which is enclosed.

At their meeting, Tecumseh Council passed the following resolution:

Motion: RCM - 114/25

Moved by Councillor Alicia Higgison Seconded by Councillor Tania Jobin

"That the agenda Communication item regarding the Town of Tecumseh and its opposition to the expansion of Strong Mayor Powers **be circulated** to the Premier of Ontario, the local MPPs, the Ministry of Municipal Affairs and Housing, the Association of Municipalities of Ontario, the Association of Municipal Managers, Clerks and Treasurers of Ontario, and all municipalities".

Carried

Please consider this letter as confirmation of the Town of Tecumseh's action on the matter.

Yours very truly,

Robert Auger, LLB Director Legislative Services & Clerk

RA/ja Attachment

- 1. Town of Tecumseh Resolution- Strong Mayor Powers dated April 15, 2025
- cc. County of Essex Town of Amherstburg Municipality of Lakeshore Municipality of Leamington Town of LaSalle Town of Essex



April 15, 2025

Ministry to Municipal Affairs and Housing

Via Email to the Ontario's Regulatory Registry

Re: Letter of Resolution – Proposed May 1, 2025, expansion of Strong Mayor Powers to the Town of Tecumseh

At its April 15, 2025, Special Council meeting called in response to the April 9, 2025, Ministry of Municipal Affairs and Housing news release on the proposal to expand Strong Mayor Powers to 169 additional municipalities, the Council of the Town of Tecumseh provided the following comments with the unanimous passage of the following resolution:

"Motion: SCM – 19/25

Moved by Deputy Mayor Bachetti Seconded by Councilor Jobin

WHEREAS the Province of Ontario, through O. Reg. 530/22 under the Municipal Act, 2001, has designated the Town of Tecumseh as a "Strong Mayor" municipality, granting the enhanced powers of Part VI.1 of the Municipal Act to its Head of Council effective May 1, 2025; and

WHEREAS the Ministry of Municipal Affairs and Housing news release announcing the proposal to expand Strong Mayor powers to 169 additional municipalities on April 9, 2025, indicated a one-week consultation deadline for municipal comments on the proposal to be submitted to Ontario's Regulatory Registry by April 16, 2025; and

WHEREAS without the benefit of a more thorough consultation process and suitable period of time for feedback on the proposed expansion of Strong Mayor powers, the proposal is a disservice to the very communities they impact; and

WHEREAS Strong Mayor Powers alter the balance of governance at the local level, undermining the role of our duly elected members of Council in decision-making and weakening the fundamental democratic principles of majority vote and majority rule; and

WHEREAS the Town of Tecumseh has had a long and successful history of local governance based on collaborative and effective leadership built upon a foundation of Council debate and reaching consensus on decisions for its community; and

WHEREAS the Town of Tecumseh being a smaller community, has thrived with these collaborative, transparent, and accountable processes without the need for an expansion of

Strong Mayor Powers in order to serve Provincial Priorities and act in the best interests of its residents; and

WHEREAS given the long history of the Town of Tecumseh as a collaborative Council, the extension of Strong Mayor powers to the Town of Tecumseh may serve to instead counteract the stated purposes of the Strong Mayor Power legislation by disrupting what have been successful democratic processes and by undermining the important role that each Council member provides for its citizens.

THEREFORE BE IT RESOLVED that Tecumseh Town Council formally opposes the proposed expansion of Strong Mayor Powers as announced on April 9, 2025 and further requests that the proposed amendments to O. Reg 530/22 to expand Strong Mayor Powers to Additional Municipalities NOT include the Town of Tecumseh and respectfully requests that the Town of Tecumseh be removed from the list of municipalities so designated under the Strong Mayor legislation;

AND BE IT FURTHER RESOLVED that upon circulation that the Clerk be authorized to send and upload a copy of this resolution together with a letter of resolution to Ontario's Regulatory Registry by the April 16, 2025, deadline for comments on the proposal.

"Carried."

Yours very truly,

Robert Auger, LL.B. Director Legislative Services & Clerk



April 16, 2025

The Honorable Doug Ford Premier of Ontario Legislative Building Queen's Park Toronto, ON M7A 1A1 <u>premier@ontario.ca</u>

Re: Motion regarding Opposition to Expansion of Strong Mayor Powers

At their Regular Meeting of Council on April 16, 2025, the Council of the Town of Aylmer endorsed the following resolution:

WHEREAS the Ontario government has proposed expanding the "strong mayor" powers to 169 additional municipalities under the proposed legislation, which would grant mayors in these municipalities more authority, particularly concerning the control of municipal budgets and planning decisions;

AND WHEREAS this proposal has raised significant concerns regarding the centralization of power, erosion of local democracy, reduced accountability, and the potential for the abuse of power;

AND WHEREAS the proposed expansion of strong mayor powers undermines the collaborative nature of municipal governance, and diminishes the role of elected municipal councillors in representing the diverse interests of the community;

AND WHEREAS concerns have been raised about the negative impacts on public trust, democratic participation, and municipal decision-making processes, if mayors are given the ability to bypass council decisions without adequate consultation or oversight;

NOW THEREFORE BE IT RESOLVED THAT the Council of the Town of Aylmer opposes the expansion of Strong Mayor Powers;

AND THAT the Council formally expresses its opposition to the Ontario government's proposal to expand Strong Mayor Powers to preserve local democracy, transparency, and accountability;

FURTHER BE IT RESOLVED THAT a copy of this motion be forwarded to the Ontario Premier, the Minister of Municipal Affairs and Housing, all Ontario municipalities, as well as the Association of Municipalities of Ontario (AMO) for further action.



Thank you,

Owen Jaggard Director of Legislative Services/Clerk | Town of Aylmer 46 Talbot Street West, Aylmer, ON N5H 1J7 519-773-3164 Ext. 4913 | Fax 519-765-1446 ojaggard@town.aylmer.on.ca | www.aylmer.ca

CC:

Hon. Rob Flack <u>rob.flack@pc.ola.org</u> Association of Municipalities of Ontario <u>resolutions@amo.on.ca</u> All municipalities



April 28, 2025

The Honourable Doug Ford Legislative Building Queens Park TORONTO ON M7A 1A4 <u>premier@ontario.ca</u>

Dear Premier Ford:

At the Municipality of Bluewater's regular Council meeting held on April 22, 2025, Council passed the following resolution:

MOVED: Councillor Whetstone **SECONDED**: Councillor Hessel WHEREAS the Province of Ontario has proposed to expand Strong Mayor Powers to an additional 169 municipalities across Ontario, including the Municipality of Bluewater, effective May 1, 2025;

THEREFORE BE IT RESOLVED that the Corporation of the Municipality of Bluewater is in opposition to the addition of Strong Mayor Powers in the Municipality of Bluewater, and across the Province;

AND FURTHER that a copy of this resolution be sent to the Premier of Ontario, the Minister of Municipal Affairs and Housing, all Ontario Municipalities, and the Association of Municipalities of Ontario (AMO) for their awareness and support. **CARRIED**

Sincerely,

Chandra Alexander Manager of Corporate Services/Clerk

cc: The Honourable Rob Flack, Minister of Municipal Affairs and Housing Association of Municipalities of Ontario (AMO) All Ontario Municipalities



Phone: 613-584-2000 Fax: 613-584-3237 Email: <u>townmail@deepriver.ca</u> deepriver.ca | **f** @

April 30, 2025

DELIVERED ELECTRONICALLY

Honorable Rob Flack Minister of Municipal Affairs and Housing 777 Bay Street, 17th floor Toronto, ON M7A 2J3

Re: Proposed Amendments to O. Reg. 530/22 to Expand Strong Mayor Powers and Duties to Additional Municipalities

Dear Minister Flack,

Thank you for your letter dated April 9, 2025, regarding your intention to expand strong mayor powers to the Town of Deep River.

I am writing as requested by Council, to emphasize that the most significant barrier to support the provincial priorities which "include supporting the construction of new homes, economic development and building infrastructure that supports community growth, including housing-enabling infrastructure like water and wastewater infrastructure, as well as roads, highways, transit and more" is a lack of financial resources for infrastructure projects.

Over the past several years the Town of Deep River has been investing in infrastructure projects at a rate that is not sustainable to create capacity for new residential development which is currently in the planning stages. During this same period, we have requested grant funding from the Province of Ontario through infrastructure grant applications and delegations to ministers at both AMO and ROMA to support our growth initiatives but have been unsuccessful to date.

Our primary barrier to growth in the Town of Deep River is a lack of financial support for infrastructure projects to generate capacity. This in my opinion would have a much higher impact on new housing growth than strong mayor powers will for the Town of Deep River.



I would be more than happy to answer any questions or discuss how Deep River can help to promote and achieve Ontario's housing targets.

Respectfully,

Sean Patterson

Chief Administrative Officer Town of Deep River 613-584-2000 ext., 108 spatterson@deepriver.ca



THE CORPORATION OF THE TOWN OF DEEP RIVER



P.O. BOX 400 • 100 DEEP RIVER ROAD • DEEP RIVER, ONTARIO K0J 1P0 Tel: (613) 584-2000 • www.deepriver.ca • Fax: (613) 584-3237

BY EMAIL

April 30, 2025

The Honourable Doug Ford Premier of Ontario Legislative Building, Queen's Park Toronto, ON M7A 1A1 Email: <u>premier@ontario.ca</u> The Honourable Rob Flack Minister of Municipal Affairs and Housing 17th Floor, 777 Bay Street Toronto, ON M7A 2J3 Email: <u>rob.flack@ontario.ca</u>

Re: Opposition to Strong Mayor Designation for the Town of Deep River in Response to the Province's Recent Proposal to Designate Deep River as a "Strong Mayor" Municipality, Effective May 1, 2025.

At a Special Meeting of Council held on April 29, 2025, Council of the Town of Deep River passed the following resolution:

RESOLUTION 2025 128

MOVED BY: Councillor Fitton **SECONDED BY:** Councillor Hughes

WHEREAS the Province of Ontario has proposed to designate the Town of Deep River as a "Strong Mayor" community, granting enhanced powers to the Mayor effective May 1, 2025; and,

WHEREAS the Strong Mayor powers significantly alter the balance of governance at the municipal level, undermining the role of Council in decision-making and weakening the fundamental democratic principle of majority rule; and,

WHEREAS the Town of Deep River has a long history of collaborative, accountable local governance built upon a foundation of Council-debate and shared decision-making; and,

WHEREAS many municipally elected officials across the province and members of the public have expressed significant concern regarding the imposition of these powers; and,

WHEREAS the Town of Deep River did not formally request or express a desire to be designated under the Strong Mayor framework; and,

WHEREAS a growing number of municipalities and elected officials across Ontario are questioning the appropriateness of the Strong Mayor system and are calling for its reconsideration or repeal;

THEREFORE BE IT RESOLVED that Deep River Town Council formally request that the Premier of Ontario and the Minister of Municipal Affairs and Housing immediately remove the Town of Deep River from the list of municipalities designated under the Strong Mayor legislation; and

BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Premier of Ontario, the Minister of Municipal Affairs and Housing, all regional Members of Provincial Parliament, all Ontario municipalities, and the Association of Municipalities of Ontario (AMO) for their awareness and support.

We thank you for your attention to this matter and urge you to respect the democratic wishes of our Council and community.

Kind Regards,

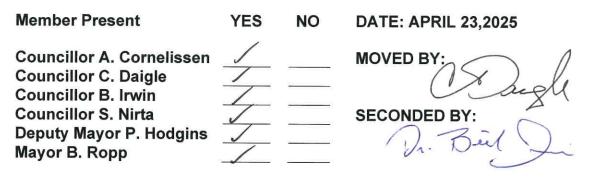
[le]/sy

Jackie Mellon Clerk Town of Deep River <u>jmellon@deepriver.ca</u>

cc: Regional Members of Provincial Parliament All Ontario Municipalities The Association of Municipalities of Ontario (AMO)



THE CORPORATION OF THE MUNCIPALITY OF NORTH MIDDLESEX RESOLUTION OF COUNCIL



RESULT: Carried

WHEREAS the Province has announced the expansion of strong mayor powers to another 169 municipalities as of May 1, 2025 in addition to the 47 municipalities which currently have received strong mayor powers; and

WHEREAS the Province claims that strong mayor powers will get homes and infrastructure built faster, reduce red tape, and accelerate the delivery of key priorities; and Whereas research from the Association of Municipal Clerks & Treasurers of Ontario (AMCTO) has identified that: a) there is no evidence to suggest this legislation has any impact on the number of housing starts in municipalities that have been granted the powers; and b) strong mayor powers have blurred the political-administrative authority between the roles of head of council and chief administrative officers (CAOs), threatening the neutrality of the public service and politicizing local government leadership; and

WHEREAS strong mayor powers is an erosion to the democratic process of an historically non-partisan municipal governance structure;

NOW THEREFORE the Council of the North Middlesex hereby resolves to reject the strong mayor powers granted to it, and requests that the Province repeal the legislation, or offer the option to municipalities to opt out of strong mayor powers; and

THAT this Resolution be forwarded to the Minister of Municipal Affairs & Housing Rob Flack, Premier Doug Ford, MPP Steve Pinsonneault, the Association of Municipalities of Ontario (AMO), and all Ontario municipalities.



THE CORPORATION OF THE TOWN OF COBALT

May 1, 2025

Honourable Doug Ford Premier of Ontario Legislative Building, Queen's Park Toronto, ON M7A 1A1 Email: <u>premier@ontario.ca</u> Honourable Rob Flack Minister of Municipal Affairs and Housing 17th Floor, 777 Bay St. Toronto, ON M7A 2J3 Email: <u>rob.flack@ontario.ca</u>

Re: Opposition to Strong Mayor Designation for the Corporation of the Town of Cobalt

At its Regular Council Meeting held on April 29, 2025, Council discussed their opposition to the expansion of Strong Mayor Powers, as announced on April 9, 2025. Council of the Town of Cobalt requests that the proposed amendments to O. Reg. 530/22 to expand Strong Mayor Powers and duties to additional municipalities not include the Town of Cobalt.

Council accordingly passed the following resolution:

RESOLUTION No. 2025-057

MOVED BY: Councillor Lafleur **SECONDED BY:** Councillor Starchuk

WHEREAS the Province of Ontario has proposed to designate the Corporation of the Town of Cobalt as a "Strong Mayor" community, granting enhanced powers to the Mayor effective May 1, 2025; and,

WHEREAS the Strong Mayor powers significantly alter the balance of governance at the municipal level, undermining the role of Council in decision-making and weakening the fundamental democratic principle of majority rule; and,

WHEREAS the Corporation of the Town of Cobalt has a long history of collaborative, transparent, and accountable local governance built upon a foundation of Council-debate and shared decision-making; and,

WHEREAS many municipally elected officials across the province and members of the public have expressed significant concern regarding the imposition of these powers; and,

WHEREAS the Corporation of the Town of Cobalt did not formally request or express a desire to be designated under the Strong Mayor framework; and,

WHEREAS a growing number of municipalities and elected officials across Ontario are questioning the appropriateness of the Strong Mayor system and are calling for its reconsideration or repeal;

THEREFORE BE IT RESOLVED that the Corporation of the Town of Cobalt Council formally request that the Premier of Ontario and the Minister of Municipal Affairs and Housing immediately remove the Corporation of the Town of Cobalt from the list of municipalities designated under the Strong Mayor legislation;

AND BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Premier of Ontario, the Minister of Municipal Affairs and Housing, all regional Members of Provincial Parliament, all Ontario municipalities, and the Association of Municipalities of Ontario (AMO) for their awareness and support.

CARRIED

We trust you will find this satisfactory if you have any questions or concerns, please contact the undersigned.

Kind Regards,

Steven Dalley Town Manager, Clerk/Treasurer Tel: (705) 679-8877 Email: <u>sdalley@cobalt.ca</u>

CC:

John Vanthof, MPP Timiskaming-Cochrane All Ontario Municipalities Association of Municipalities of Ontario (AMO)



Town of Saugeen Shores

600 Tomlinson Drive, P.O. Box 820 Port Elgin, ON N0H 2C0

April 14, 2025

Honourable Rob Flack Ministry of Municipal Affairs and Housing 17th Floor, 777 Bay St. Toronto, ON M7A 2J3 rob.flack@pc.ola.org

Dear Minister,

RE: Opposition to Proposed Amendments to O.Reg. 530/22 to Expand Strong Mayor Powers

I am writing to express my opposition to the government's proposed expansion of Strong Mayor powers to include the Town of Saugeen Shores. As the Mayor of Saugeen Shores, I am concerned about the implications of this policy change on our local governance. Please consider this letter as the Town of Saugeen Shores submission on O.Reg. 530/22 which is available for comment until April 16th.

In my experience, the 'Council Manager' system of governance has always served our municipality well. Specifically, when it comes to advancing our shared priority of building more housing to serve our residents, Saugeen Shores Council has demonstrated flexible and determined leadership. Our Council has enabled housing by reducing red tape resulting in the construction of more than 600 multi-family residential units in the last two years alone. Given the strong and sustained commitment of our Council to these efforts, I do not see how the introduction of Strong Mayor powers will accelerate the construction of housing (or the pursuit of other priority areas) in any way. On the contrary, vesting these new powers in the Mayor threatens to disrupt long-established and effective processes, sidelining elected members of Council with effects that may be contrary to the interests of our residents.

Saugeen Shores has thrived for decades on the principle of shared leadership. We have an effective team of elected representatives working in partnership with a professional staff to achieve goals that are transparently set out in our Strategic Plan and annual Business Plans. This approach to governance is foundational to building trust between the municipality and the residents that it serves. I fear that the unilateral decision-making enabled by Strong Mayor powers would erode this trust and disrupt the collaborative environment that has long been at the heart of the democratic tradition of our Council and community.

I urge you to reconsider the expansion of Strong Mayor powers. If the government has a strong desire to advance these major changes to the governance of our municipality, I

saugeenshores.ca @SaugeenShoresON f ݤ (◯) in ♪ request that you engage in a thorough consultation process with our Council and the residents of our community before moving forward. It is crucial that any changes to local governance structures be made in close partnership with the communities they impact.

Thank you for your attention to this matter. I look forward to your response and hope that we can work together in the interest of ensuring strong local governance in Saugeen Shores.

Sincerely,

 \square

Luke Charbonneau, Mayor Town of Saugeen Shores

cc. Doug Ford, Premier of Ontario Lisa Thompson, MPP, Minister of Rural Affairs Council, Town of Saugeen Shores All Ontario Municipalities



City of Stratford, Corporate Services Department Clerk's Office City Hall, P. O. Box 818, Stratford, Ontario N5A 6W1 Tel: 519-271-0250, extension 5237 Email: clerks@stratford.ca Website: www.stratford.ca

May 1, 2025

Sent via email: premier@ontario.ca

The Honourable Doug Ford, Premier of Ontario Legislative Building Queens Park Toronto, ON, M7A 1A4

Dear Premier Ford,

Re: Resolution R2025-174 - Opposition to Strong Mayor Designation for the City of Stratford

At the April 28, 2025, Regular meeting, Stratford City Council adopted the following resolution in response to the Province's proposal to designate Stratford as a "Strong Mayor" municipality, effective May 1, 2025.

WHEREAS the Province of Ontario has proposed to designate the City of Stratford as a "Strong Mayor" community, granting enhanced powers to the Mayor effective May 1, 2025; and,

WHEREAS the Strong Mayor powers significantly alter the balance of governance at the municipal level, undermining the role of Council in decision-making and weakening the fundamental democratic principle of majority rule; and,

WHEREAS the City of Stratford has a long history of collaborative, transparent, and accountable local governance built upon a foundation of Council-debate and shared decision making; and,

WHEREAS many municipally elected officials across the province and members of the public have expressed significant concern regarding the imposition of these powers; and,

WHEREAS the City of Stratford did not formally request or express a desire to be designated under the Strong Mayor framework; and,

WHEREAS a growing number of municipalities and elected officials across Ontario are questioning the appropriateness of the Strong Mayor system and are calling for its reconsideration or repeal;

THEREFORE BE IT RESOLVED that Stratford City Council formally request that the Premier of Ontario and the Minister of Municipal Affairs and Housing immediately remove the City of Stratford from the list of municipalities designated under the Strong Mayor legislation;

AND BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Premier of Ontario, the Minister of Municipal Affairs and Housing, the Member of Provincial Parliament, all Ontario municipalities, and the Association of Municipalities of Ontario (AMO) for their awareness and support.

Sincerely,

T. Dafoe

Tatiana Dafoe, Clerk City of Stratford

Cc: The Honourable Rob Flack, Minister of Municipal Affairs and Housing Matthew Rae, Member of Provincial Parliament, Perth - Wellington All Ontario Municipalities The Association of Municipalities of Ontario

| From: | <u>Clerks</u> |
|--------------|---|
| To: | premier@ontario.ca; rob.flack@pc.ola.org; Ernie.Hardemanco@pc.ola.org; resolutions@amo.on.ca; |
| | roma@roma.on.ca |
| Subject: | Tillsonburg Town Council Decision Letter - April 14, 2025 - Strong Mayor Powers |
| Date: | Tuesday, April 15, 2025 8:40:53 AM |
| Attachments: | Outlook-cid image0.png |

[CAUTION: Outside email]

Hello,

At the April 14, 2025, meeting of Tillsonburg Town Council, the following resolution was passed:

Resolution # 2025-125

Moved By: Councillor Spencer Seconded By: Deputy Mayor Beres

THAT Council receive item 12.8 Ministry of Municipal Affairs and Housing Letter Re: Strong Mayor Powers, as information;

WHEREAS the Ontario government has proposed expanding the "strong mayor" powers to 169 additional municipalities under the proposed legislation on May 1, 2025, which would grant mayors in these municipalities more authority, particularly concerning the control of municipal budgets, planning and operational decisions;

AND WHEREAS this proposal has raised significant concerns regarding the centralization of power, erosion of local democracy, reduced accountability, and the potential for the abuse of power;

AND WHEREAS the proposed expansion of strong mayor powers undermines the collaborative nature of municipal governance, and diminish the role of elected municipal councillors in representing the diverse interests of the community;

AND WHEREAS concerns have been raised about the negative impacts on public trust, democratic participation, and municipal decision-making processes, if mayors are given the ability to bypass council decisions without adequate consultation or oversight;

NOW THEREFORE BE IT RESOLVED THAT the Council of the Town of Tillsonburg;

- 1. Does not support the proposed strong mayor powers as currently outlined;
- 2. Supports specific powers to mayors as it pertains to identifiable decisions regarding housing, development, infrastructure and transit to provide tools that reduce obstacles that can stand in the way of new housing and infrastructure developments;
- 3. Strongly suggests that free reign of decision-making regarding hiring, firing, committees and so forth be removed from the proposed authority;
- 4. Strongly suggests that members of current Council were duly elected officials by citizens with the awareness of one vote per council member and majority votes are the democratic process;
- 5. Requests that the Provincial Strong Mayor Powers proposed to take effect on May 1,

2025, be deferred to allow for greater clarity and that the Province seek collaborative input from the Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO);

6. Directs staff to forward this resolution immediately to Minister Flack, Premier Ford, MPP Hardeman, the Association of Municipalities of Ontario (AMO), the Rural Ontario Municipal Association (ROMA), and all Ontario Municipalities before April 16, 2025.

Regards,

Amelia Jaggard

Deputy Clerk Town of Tillsonburg 10 Lisgar Ave Tillsonburg, ON N4G 5A5 Phone: 519-688-3009 Ext. 4041

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Executive Services 99-A Advance Avenue, Napanee, ON K7R 3Y5 www.greaternapanee.com

April 23, 2025

Township of Rideau Lakes 1439 County Road 8 Delta, ON K0E 1G0 Sent via email: mtruelove@rideaulakes.ca

Re: Strong Mayor Powers

To Whom It May Concern,

Please be advised that the Council of the Town of Greater Napanee passed a resolution at its regular session meeting of April 22, 2025 in support of your correspondence regarding Strong Mayor Powers Legislation. A copy of the resolution is enclosed for your reference.

Please do not hesitate to contact me at <u>iwalters@greaternapanee.com</u> if you require any further information with respect to this resolution.

Sincerely,

Jessica Walters

Jessica Walters Clerk

cc: Honourable Premier Doug Ford Honourable Ric Bresee, MPP Hastings-Lennox and Addington Honourable Rob Flack, Minister of Municipal Affairs and Housing AMO AMCTO All Ontario municipalities

RESOLUTION #194/25 Pinnell Jr., Norrie

That the Town of Greater Napanee sends a letter of support to the Township of Rideau Lakes in regard to their opposition of Ontario Expanding Strong Mayor Powers to 169 Additional Municipalities, and that the Town of Greater Napanee also request to be excluded from the Strong Mayor Powers;

And that a copy of the letter of support be sent to the Honorable Premier Doug Ford, the Honorable MPP Ric Bresee; the Honorable Rob Flack, Minister of Municipal Affairs and Housing; the Association of Municipalities of Ontario; the Association of Municipal Managers, Clerks and Treasurers of Ontario, and all other municipalities in Ontario for their consideration and support.

For: 5 Opposed: 2 Abstained:0 Absent: 0

CARRIED.

For:

Councillor Schenk, Councillor Hicks, Councillor Pinnell Jr., Councillor Norrie, Councillor Martin

Opposed: Mayor Richardson, Deputy Mayor Calver





April 15, 2025

SENT VIA EMAIL

Premier of Ontario Legislative Building Queens Park Toronto, ON, M7A 1A4 VIA EMAIL: premier@ontario.ca

Attn: The Honourable Doug Ford, Premier of Ontario

Re: Resolution# 20250414-011 - Opposition to Strong Mayor Designation for the Town of Amherstburg

At its regular meeting on **April 14, 2025**, Amherstburg Town Council passed **Resolution 20250414-011** in response to the Province's recent proposal to designate Amherstburg as a "**Strong Mayor**" **municipality**, effective May 1, 2025.

WHEREAS the Province of Ontario has proposed to designate the Town of Amherstburg as a "Strong Mayor" community, granting enhanced powers to the Mayor effective May 1, 2025; and,

WHEREAS the Strong Mayor powers significantly alter the balance of governance at the municipal level, undermining the role of Council in decision-making and weakening the fundamental democratic principle of majority rule; and,

WHEREAS the Town of Amherstburg has a long history of collaborative, transparent, and accountable local governance built upon a foundation of Council-debate and shared decision-making; and,

WHEREAS many municipally elected officials across the province and members of the public have expressed significant concern regarding the imposition of these powers; and,

WHEREAS the Town of Amherstburg did not formally request or express a desire to be designated under the Strong Mayor framework; and,

WHEREAS a growing number of municipalities and elected officials across Ontario are questioning the appropriateness of the Strong Mayor system and are calling for its reconsideration or repeal;

THEREFORE BE IT RESOLVED that Amherstburg Town Council formally request that the Premier of Ontario and the Minister of Municipal Affairs and Housing immediately remove the Town of Amherstburg from the list of municipalities designated under the Strong Mayor legislation;

AND BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Premier of Ontario, the Minister of Municipal Affairs and Housing, all regional Members of Provincial



Parliament, all Ontario municipalities, and the Association of Municipalities of Ontario (AMO) for their awareness and support.

We thank you for your attention to this matter and urge you to respect the democratic wishes of our Council and community.

Sincerely,

Michael Drive

Michael Prue, Mayor Town of Amherstburg

Cc: The Honourable Paul Calandra (Minister of Municipal Affairs and Housing) Regional Members of Provincial Parliament All Ontario Municipalities The Association of Municipalities of Ontario (AMO)



TOWNSHIP OF RIDEAU LAKES Special Council Meeting

RESOLUTION Title:

104-2025 MSC (PW) Rec #78-2025 re: Strong Mayor Powers (for Council approval) Wednesday, April 16, 2025

Date:

| Moved by | Councillor Dunfield | | |
|-------------|-----------------------|--|--|
| Seconded by | Deputy Mayor P. Banks | | |

WHEREAS at the Municipal Services Committee meeting held April 14, 2025, Recommendation #78-2025 was passed related to the recent announcement from the Government of Ontario on Strong Mayor Powers to an additional 169 municipalities effective May 1, 2025;

AND WHEREAS said recommendation further requested that the Province remove Rideau Lakes from the Strong Mayor Powers Legislation;

NOW THEREFORE be it resolved that the Council of The Corporation of the Township of Rideau Lakes concurs with MSC Recommendation #78-2025.

YES: 5 NO: 2 ABSTAIN: 0 CONFLICT: 0 ABSENT: 1

Carried

- YES: 5 Councillor J. Banks Councillor Carr Councillor Dunfield Councillor Hutchings Deputy Mayor P. Banks
- NO: 2 Councillor Maxwell Councillor Pollard

CONFLICT: 0

ABSTAIN: 0

ABSENT: 1 Mayor Hoogenboom



TOWNSHIP OF RIDEAU LAKES Municipal Services Committee (PW)

| RECOMMENDATION: | 78-2025 |
|------------------------|---|
| Title: | Ontario Proposing to Expand Strong Mayor Powers to 169 Additional Municipalities |
| Date: | Monday, April 14, 2025 |

Moved byCouncillor DunfieldSeconded byDeputy Mayor P. Banks

WHEREAS the Government of Ontario has announced an expansion of strong mayor powers to an additional 169 municipalities, effective May 1, 2025;

AND WHEREAS these powers allow mayors to unilaterally override council decisions, appoint senior municipal staff, and set budgets without majority council approval, undermining the principles of democratic governance;

AND WHEREAS municipal governance functions best through a collaborative decision-making process where elected councils, representing the collective voice of their communities, work alongside experienced municipal staff;

AND WHEREAS there is no evidence to suggest that strong mayor powers have increased housing starts, contrary to the provincial government's stated justification for their implementation;

AND WHEREAS the Association of Municipal Managers, Clerks, and Treasurers of Ontario (AMCTO) has raised concerns that strong mayor powers blur the lines between political leadership and administrative expertise, threatening the neutrality of municipal public service;

AND WHEREAS the City of Orillia recently experienced a situation where its mayor unilaterally overturned a council decision regarding the hiring of a Chief Administrative Officer, demonstrating the potential for these powers to be misused;

AND WHEREAS the Township of Rideau Lakes has also experienced governance challenges resulting from mayoral overreach, further highlighting the risks posed by concentrating authority in a single elected official;

AND WHEREAS democratic principles require that municipal governance remain a system of "one person, one vote" rather than granting disproportionate power to a single individual;

NOW THEREFORE be it resolved that the Council of the Township of Rideau Lakes:

- 1. Strongly opposes the expansion of strong mayor powers to additional municipalities, including Rideau Lakes;
- 2. Calls on the Government of Ontario to reverse this decision and uphold the traditional balance of municipal governance; and
- 3. Directs the Clerk to send a copy of this resolution to:
- The Honourable Rob Flack Minister of Municipal Affairs and Housing
- MPP Steve Clark
- The Honourable Premier of Ontario Doug Ford
- The Association of Municipalities of Ontario(AMO)
- The Association of Municipal Managers, Clerks, and Treasurers of Ontario (AMCTO)
- All Ontario municipalities for their consideration and support.

AND FURTHER that the Province be requested to remove Rideau Lakes from the Strong Mayor Powers Legislation.

YES: 5 NO: 3 ABSTAIN: 0 ABSENT: 0

Carried

YES: 5

Councillor J. Banks Councillor Carr Councillor Dunfield Councillor Hutchings Deputy Mayor P. Banks

NO: 3 Mayor Hoogenboom Councillor Maxwell Councillor Pollard



Administration Office Mailing address Email Phone 1024 Hurlwood Lane, Severn PO Box 159, Orillia, Ontario L3V 6J3 info@severn.ca 705-325-2315

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May 8, 2025

Premier Doug Ford

Via email - Premier@ontario.ca

Dear Premier Ford:

Re: Strong Mayor Powers

The Township of Severn is concerned about the recent announcement to extend Strong Mayor Powers (SMPs) to 169 additional Ontario municipalities. The announcement was unexpected, and no consultation was undertaken. The Township of Severn is deeply concerned about the centralization of power, erosion of local democracy, reduced accountability, and the potential for the abuse of power. However, we recognize that the expansion of strong mayor powers is a priority for this government and are committed to offering our cautious support to this endeavour. We would though respectfully ask that the government consider the following concerns and suggestions to assist the Province in achieving their goals with respect to building homes and infrastructure:

1. Set Clear Limits on the use of SMPs tied to Provincial Priorities

Lack of more specific guidelines on when SMPs can be used may undermine the public trust in municipal government, and either deter future candidates from running for office, or attract candidates who wish to use SMPs for personal reasons not tied to provincial priorities. Please consider stronger guidelines on when SMPs can and should be used.

2. Consider and mitigate potential unintended consequences

Municipalities hire competent, professional staff to manage the operations of the Municipality and to provide Council with non-partisan policy advice. SMPs may have several unanticipated consequences that the legislation as written has not contemplated.

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severn.ca

- Staff may find it difficult to provide apolitical advice to Council when their employment depends solely on pleasing the Mayor, resulting in decisions made without the benefit of full background information and advice.
- Recruitment of qualified senior professional staff is an ongoing challenge for many smaller and more rural communities.
 Concentrating the powers to hire and fire into one position (the strong Mayor) may further limit the candidate pool, particularly for non-statuary positions such as the Chief Administrative Officer, the Director of Planning, Public Works, etc.
- With administrative powers being given to the Mayor, who may not have appropriate knowledge, training or experience, he or she may then held liable for ensuring Health and Safety regulations are met or ensuring union contracts are not violated or other staff management matters.

Please consider either removing administrative powers from the legislation and recognizing the critical role of the CAO in Legislation, or, updating Regulation 530/22 to clarify the division of roles and responsibilities to mitigate the potential unintended consequences.

3. Ensure municipalities have access to a stable, predictable infrastructure funding

Our Council is committed to supporting the Province in building more homes for Ontarians. Collaborative and democratic decisions made at our Council table is **not** slowing down those efforts, what is slowing down growth in our municipality is the lack of infrastructure, particularly water and wastewater capacity. While the Province has made some funding available, time after time Severn Township has been unsuccessful in our grant applications. The complexity and time consumed by municipalities continually applying for grants is not compatible with the Province's stated goals of reducing 'red tape'. Previously SMPs were conditional on signing a housing pledge and that opened the doors to more Provincial funding. Please consider the same criteria as SMPs are granted to more municipalities.

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4. Consider and mitigate the effect on public civility

Elected officials and municipal staff are increasingly subject to rising public incivility, which may further deter candidates from running for public office, or for job seekers to consider joining the public service. The addition SMPs may further exacerbate that incivility, with the public (or private sector) encouraging the Mayor to use their SMPs for decisions not related to Provincial priorities or being confused or frustrated that their local representative is not able to represent their interests.

Please consider strengthening protections for municipalities dealing with public incivility.

Thank you for taking the time to consider the Township of Severn's suggestions for improvement to the expansion of SMPs. We are committed to being a productive partner to the Province of Ontario's goals to provide much needed increases to housing supply, and with improvements to the proposed legislation, feel that we will be able to contribute to that outcome in a meaningful way.

Sincerely,

Mayor Mike Burkett

 cc. Hon. Rob Flack - <u>rob.flack@pc.ola.org</u> / <u>minister.mah@ontario.ca</u> Hon. Andrea Khanjin - <u>minister.mrtr@ontario.ca</u> Hon. Jill Dunlop – <u>jill.dunlop@pc.ola.org</u> County of Simcoe Municipalities

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MUNICIPALITY OF Jorth Perth www.northperth.ca

A Community of Character

330 Wallace Ave. N., Listowel, ON_N4W 1L3 Phone: 519-291-2950 Toll Free: 888-714-1993

May 8, 2025

Hon. Rob Flack Minister of Municipal Affairs and Housing 17th Floor, 777 Bay St. Toronto, ON M7A 2J3

Re: Opposition to Strong Mayor Powers in the Municipality of North Perth

Please be advised that the Council of the Municipality of North Perth passed the following resolution at their meeting on April 29, 2025:

Moved by Doug Kellum Seconded by Dave Johnston

THAT: The Council of the Municipality of North Perth expresses its desires to the Ministry of Municipal Affairs and Housing to reverse the grant of Strong Mayor Powers to the Municipality of North Perth;

AND THAT: The letter be circulated to Premier Doug Ford, Minister of Municipal Affairs and Housing Rob flack, Perth Wellington MPP Matthew Rae, Association of Municipality of Ontario (AMO) and all Ontario Municipalities.

On behalf of the Council of the Municipality of North Perth. please accept this letter as an official request to have strong mayor powers removed from the Municipality of North Perth.

Regards,

arah Parth

Sarah Carter Acting Clerk/Legislative Services Supervisor

Enclosure

CC: The Honourable Doug Ford, Premier of Ontario Matthew Rae, Perth Wellington MPP Association of Municipalities of Ontario All Ontario Municipalities



Honourable Premier Doug Ford Doug.Fordco@pc.ola.org Sent via electronic mail

May 8, 2025

Dear Honourable Premier Doug Ford

At its Regular meeting on May 7, 2025, the Township of Springwater's Council passed resolution C195-2025 opposing Strong Mayor Powers.

Resolution C195-2025

Moved by: Cabral Seconded by: Fisher

Whereas the Ontario government has expanded the "strong mayor" powers to 169 additional municipalities, which grants mayors in these municipalities more authority, particularly concerning the control of municipal budgets and planning decisions; and,

Whereas this proposal has raised significant concerns regarding the centralization of power, erosion of local democracy, reduced accountability, and the potential for the abuse of power; and,

Whereas the expansion of strong mayor powers undermines the collaborative nature of municipal governance, and diminishes the role of elected municipal councillors in representing the diverse interests of the community; and,

Whereas concerns have been raised about the negative impacts on public trust, democratic participation, and municipal decision-making processes, if mayors are able to bypass council decisions without adequate consultation or oversight.

Now therefore be it resolved that the Council of the Township of Springwater opposes the Strong Mayor Powers; and

That the Council formally expresses its opposition to the Ontario government's expansion of the Strong Mayor Powers to preserve local democracy, transparency, and accountability.

Further Be It Resolved That a copy of this motion be forwarded to the Ontario Premier, the Minister of Municipal Affairs and Housing, MPP Doug Downey, all Ontario municipalities, as well as the Association of Municipalities of Ontario (AMO) for further action.

Carried

The Clerk's Department can be reached via email at <u>clerks@springwater.ca</u> or by phone at 705-728-4784, Ext. 2304.

Phone: 705-728-4784

Office of the Mayor

Regards,

Cayla Reimer Deputy Clerk, Township of Springwater

cc: Hon. Rob Flack, Minister of Municipal Affairs and Housing Hon. MPP Doug Downey All Ontario Municipalities Association of Municipalities of Ontario



Friday, May 9, 2025

Hon. Rob Flack Minister of Municipal Affairs and Housing 777 Bay Street, 17th Floor Toronto, ON M7A 2J3

SENT VIA EMAIL: rob.flack@pc.ola.org

Re: Town of Goderich Opposition to Amendments to O. Reg. 530 22 to Strong Mayor Powers

Dear Hon. Rob Flack,

Please be advised of the following motion that was passed at the April 28, 2025, Goderich Town Council meeting:

Moved By: Councillor Kelly Seconded By: Councillor Petrie

WHEREAS on April 9, 2025, the Ontario Ministry of Municipal Affairs and Housing announced the expansion of Strong Mayor powers to 169 additional municipalities, including the Town of Goderich, as a Strong Mayor community granting enhanced powers to the Mayor, effective May 1, 2025;

AND WHEREAS the 169 municipalities affected by the April 9 Strong Mayor powers letter supplied insufficient time for any meaningful feedback and coordinated response on O.Reg. 530/22 from Councils given the six (6) business day turnaround deadline for comments of April 16 - procedural notice provisions to call a special Council meeting and short notice scheduling conflicts of Council members;

AND WHEREAS the Strong Mayors powers has raised significant concerns regarding the centralization of power, reduced accountability, alters the balance of governance at the municipal level by ultimately undermining the role of Council and decision-making by weakening the fundamental democratic principle of majority rule, diminishes the role of elected municipal councillors in representing the diverse interests of the community, and the potential for the abuse of power;

AND WHEREAS the Town of Goderich has a long history of collaborative, transparent, and accountable local governance built upon a foundation of Council debate and shared decision-making;

AND WHEREAS Strong Mayor Powers would have the effect of fundamentally altering the historic model of local governance, which has existed for almost two centuries;



AND WHEREAS the Province is undermining the local governance model and municipal independence by attempting to advance its priorities through municipalities, and downloading its responsibilities to the same;

AND WHEREAS municipal elected officials across the province and members of the public have expressed significant concerns regarding the negative impacts on public trust, democratic participation, and municipal decision-making processes if Mayors are granted the ability to by-pass Council decisions without adequate consultation or oversight;

AND WHEREAS the Town of Goderich did not formally request or express a desire to be designated under the Strong Mayors framework;

AND WHEREAS a growing number of municipalities and elected officials across the province of Ontario are questioning the appropriateness of a Strong Mayor system, and are calling for its reconsideration or repeal;

NOW THEREFORE BE IT RESOLVED the Council of the Town of Goderich formally expresses its opposition to the Ontario government's proposal to expand Strong Mayor powers, in order to preserve local democracy, transparency, and accountability;

AND THAT the Council of the Town of Goderich request the Premier of Ontario, and the Minister of Municipal Affairs and Housing immediately remove the Town of Goderich from the list of municipalities designated under Strong Mayors legislation;

AND THAT the Town of Goderich encourages advocacy for democratic principles and for municipal governance systems that prioritize collaboration, inclusivity, and democratic engagement;

FURTHER BE IT RESOLVED THAT a copy of this motion be forwarded to The Honourable Doug Ford, Premier of Ontario, The Honourable Rob Flack, Minister of Municipal Affairs and Housing, and MPP for Elgin-Middlesex-London, The Honourable Lisa Thompson, Minister of Rural Affairs, and MPP for Huron-Bruce, all Ontario municipalities, as well as the Association of Municipalities of Ontario (AMO), the Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO) for their awareness and support.

CARRIED

Yours truly,

Undrea This

Andrea Fisher Director of Legislative Services/Clerk Town of Goderich The Town of Goderich 57 West Street Goderich, Ontario N7A 2K5 519-524-8344 townhall@goderich.ca www.goderich.ca



/mp

cc. Hon. Doug Ford, Premier of Ontario, <u>premier@ontario.ca</u> Hon. Lisa Thompson, Minister of Rural Affairs, and MPP for Huron-Bruce, <u>lisa.thompson@pc.ola.org</u> Ontario Municipalities Association of Municipalities of Ontario (AMO), <u>amo@amo.on.ca</u> Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO), <u>amcto@amcto.com</u>



MINUTES

a Beach Economic Development and Tourism Advisory Committee

Meeting

Wednesday, January 22, 2025, 10:00 a.m. Council Chambers

- Members Present: Steven Harlow Peggy Harris Dan Kardos Ellen Timms
- Members Absent: Talbot Biermans Carrie Plater Jenny Elmslie

1. CALL TO ORDER

10:08am

1.1 Land Acknowledgement

2. <u>DISCLOSURE OF PECUNIARY INTEREST</u>

None

3. ADOPTION OF MINUTES

3.1 Economic Development and Tourism Advisory Committee Meeting Minutes - December

Moved by: Peggy Harris Seconded by: Ellen Timms

Resolved that the Economic Development and Tourism Advisory Committee minutes of December be accepted as presented.

CARRIED

4. <u>DEPUTATIONS/PRESENTATIONS</u>

4.1 11AM Ontario Games - Ontario Ministry of Tourism, Culture and Sport

The committee hosted a delegation from the Ontario Games Division of the Ministry of Tourism, Culture, and Sport after the council passed a motion allowing staff to explore hosting future games. Russell Zavitz from the Ministry attended to give the presentation. The committee discussed the various types of games that could be hosted, the expectations placed on the host community, and the benefits of hosting the games. Committee members were also given the chance to ask questions of ministry staff.

5. UNFINISHED BUSINESS

6. <u>SUB-COMMITTEE REPORTS</u>

7. <u>NEW BUSINESS</u>

7.1 Recommendation Reports Update (as approved in December)

7.2 Vice-Chair Appointment

The committee discussed the need to appoint an Acting Chair for the February and March meetings, in addition to selecting a new Vice-Chair.

Councillor Timms suggested that, if no community voting members express interest, she would be willing to serve as Vice-Chair. Staff will consult with the Clerk's Department to determine if this is permitted.

Once confirmation is received, staff will inform the committee at the next meeting, allowing for Councillor Timms' appointment if permitted.

7.3 Trails Subcommittee

The committee discussed the formation of an Ontario Trail Advisory Committee to explore and support various trail activities in Wasaga Beach. The committee will consider all types of trails, including hiking, ATV, crosscountry skiing, snowshoeing, fat biking, snowmobiling, and others.

Committee members Steve Harlow, Ellen Timms, and Peggy Harris volunteered to participate in this subcommittee. Additionally, the committee provided staff with suggestions for individuals who may be interested in joining the subcommittee.

The first subcommittee meeting will take place in February.

Moved by: Peggy Harris Seconded by: Dan Kardos

THAT the Committee establish the Wasaga Trails Subcommittee to support and enhance trail development and usage in Wasaga Beach;

AND THAT the Committee initiate a community-wide outreach campaign to advertise and recruit members for the subcommittee if allowed.

CARRIED

8. ITEMS FOR FUTURE MEETINGS

Support for Beachfront Development Phase Trail Development Indigenous Connections

Bee City - Maryanne Delegation

9. DATE OF NEXT MEETING

The next scheduled meeting of the Economic Development and Tourism Advisory Committee (EDTAC) will be held on February 19th.

10. ADJOURNMENT

Chair Harlow concluded the meeting at 12pm.



MINUTES

Wasaga Beach Property Standards Committee

Meeting

Tuesday, April 15, 2025, 6:00 p.m. Council Chambers

- Members Present: Adam Harrod Harold Van Gool Gisela DeCastro Belgrave
- Members Absent: Cameron Castator Alexander Umanets

1. CALL TO ORDER

Chair Harrod called the meeting to order at 6:02pm.

1.1 Land Acknowledgement

2. <u>DISCLOSURE OF PECUNIARY INTEREST</u>

None.

3. ADOPTION OF MINUTES

3.1 Property Standards Committee Meeting Minutes - May 21, 2024

Moved by: Harold Van Gool Seconded by: Gisela DeCastro Belgrave

Resolved that the Property Standards Committee minutes of May 21, 2024 be accepted as presented.

CARRIED

4. <u>UNFINISHED BUSINESS</u>

None.

5. <u>SUB-COMMITTEE REPORTS</u>

None.

6. <u>NEW BUSINESS</u>

6.1 6:00PM - 13276791 Canada Ltd. of 44 Beck Street

Officer Piatetskii presented his case regarding Order dated February 20, 2025.

The appellants representative asked Officer Piatetskii questions and presented their case regarding the Order dated February 20, 2025.

The Committee Members asked questions to both the appellants representative and Officer Piatetskii.

The appellants representative submitted evidence for review. Committee Members and the Officer asked questions pertaining to the evidence provided.

Officer Piatetskii and the appellants representative both provided their final submissions.

After Committee Members discussed appeal 6.1 it was decided that Order dated February 20, 2025 be modified with a time extension.

6.2 6:30PM - Wendy Fox of 112 Beck Street

It was noted that the appellant was not present at the scheduled start time of the meeting. The committee agreed to allow a grace period of 15 minutes to accommodate any unforeseen delays.

After 15 minutes had passed and no communication had been received from the appellant, the committee agreed to proceed with the appeal hearing in their absence.

Officer Piatetskii presented his case regarding Order dated February 13, 2025.

The Committee Members asked questions to Officer Piatetskii.

After Committee Members discussed appeal 6.2 it was decided that Order dated February 13, 2025 be confirmed.

7. ITEMS FOR FUTURE MEETINGS

8. DATE OF NEXT MEETING

Thursday, April 22.

9. ADJOURNMENT

Chair Harrod adjourned the meeting at 7:05pm.

Council Requested Staff Reports

| Referred By | Report Requested | Key Deliverables | Department Responsible | Update Received | Comments |
|---------------------|---|--|---------------------------|-----------------|-------------------------|
| Mayor Smith | Municipal Parking Lot Payment and Access | Review Municipal Parking Lot Payment Options and Access | Municipal Law Enforcement | | Anticipated Winter 2023 |
| | Arrangements | Arrangements with Private owners | | | |
| Councillor Belanger | Progress of Requirements on the Development Agreement for Georgian Sands Village | Update report to Council | Planning | | |
| | Subdivision | | | | |
| Councillor Timms | | Clerk to bring back a report on the Notice Requirements through the Legislation Act and bring back an amended Notice Policy. | Clerks Dept. | | Anticipated Spring 2024 |
| Deputy Mayor Snell | Report to Consider Feasibility of Non-Resident User Fees - Walking Track | THAT staff be directed to bring back a report to Council on user rates for Wasaga Stars Arena and Wasaga Beach Library for | Recreation | March 6, 2025 | |
| | | resident and non-resident use with statistics collected. | | | |
| Deputy Mayor Snell | | THAT staff be directed to provide a report with options for re-routing the trail near Bluewater Condominium Corporation. | Public Works | | |
| Councillor Dileo | | THAT the request for a Veteran's Crosswalk be referred back to Staff for options to commemorate our Veterans, the cost associated and the funding available. | Deputy CAO | | |

Dear Council,

I believe this initiative that Faye is proposing will be an incredible blessing for our town.

Over the past year, we have seen many dedicated volunteers generously offer their time to drive individuals, couples, and families to The Clothing Depot. In some cases, we've even relied on the food bank van to help transport those in need. I can think of at least 15 community members who required clothing but were unable to access it due to the location not being on a bus route.

Our numbers continue to grow each week at the Monday Night Community Meal, and we are preparing to serve 85 people this Easter Monday. It would be such a joy to announce that the Town of Wasaga Beach is now offering this service—especially with the change in seasons and the increased need for new clothing and footwear.

Thank you for considering the positive impact this will have on our community.

Warm regards,

Pastor Christina Wasaga Community Church

Board of Directors

Wasaga Ministerial Foodbank

THE CORPORATION OF THE TOWN OF WASAGA BEACH

BY-LAW 2025-15

A By-law to set the Tax Rates and to Levy Taxes for the year 2025

WHEREAS pursuant to section 9 of the *Municipal Act*, 2001 S.O. 2001, c. 25 a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS pursuant to section 8. (1) of the *Municipal Act*, 2001 S.O. 2001, c. 25 the powers of a municipality under this or any other Act shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate to enhance the municipality's ability to respond to municipal issues;

AND WHEREAS Section 307 of the *Municipal Act*, S.O. 2001, c. 25, as amended provides that all taxes shall, unless expressly provided otherwise, be levied upon the whole of the assessment for real property or other assessments made under the Assessment Act accordingly to the amounts assessed and not upon one or more kinds of property or assessment or in different proportions, and shall be deemed to have been imposed and be due on the dates as specified in the By-law;

AND WHEREAS Section 308 of the *Municipal Act*, S.O. 2001, c. 25, as amended provides for the establishment of tax ratios for every municipality and that the Council of the upper-tier municipality shall pass such By-law;

AND WHEREAS Section 312 of the *Municipal Act*, S.O. 2001, c. 25, as amended provides that for the purposes of raising the general local municipality levy, a local municipality shall, each year, pass a By-law levying a separate tax rate, as specified in the By-law, on the assessment in each property class in the local municipality rateable for local municipality purposes;

AND WHEREAS Section 311 of the *Municipal Act*, S.O. 2001, c. 25, as amended provides that upper-tier municipalities shall prepare and adopt estimates for all sums required during the year for the purposes of the upper-tier municipality, and that they shall pass a By-law directing each lower-tier municipality to levy a separate tax rate, as specified in the By-law, on the assessment in each property class in the lower-tier municipality rateable for upper-tier purposes;

AND WHEREAS the Corporation of the County of Simcoe, in accordance with the relevant sections of the Municipal Act, passed By-law No. 7001 which established:

a) The Tax Ratios to be used by all Municipalities with the County for 2025 are as follows:

| Residential/Farm | 1.000000 |
|-----------------------|----------|
| Multi-Residential | 1.000000 |
| New Multi-Residential | 1.000000 |
| Commercial | 1.222300 |
| Industrial | 1.192500 |
| Pipelines | 1.296600 |
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| Farmland | 0.250000 |
|-----------------|-----------|
| Managed Forests | 0.250000 |
| Landfill | 1.000000; |

b) The Tax Rates to be used by the lower-tier municipalities to establish the amount of taxes to be raised for the County Levy and further these rates are set out in Schedule "A" attached hereto and forming part of this By-law;

AND WHEREAS the Corporation of the County of Simcoe adopts optional tools for the purposes of administering limits for Commercial, Industrial and Multi-Residential Property classes in accordance with Section 329.1 of the *Municipal Act, 2001*, C. 25, and Ontario Regulation 73/03, as amended;

AND WHERAS the Ministry of Finance, in accordance with Ontario Regulation 400/98 of the *Education Act*, has confirmed the 2025 Uniform Residential Education Tax Rate and the 2025 Business Education Tax Rates and further, these rates are set out in Schedule "A" attached to this By-law;

AND WHEREAS Section 342(1) (a) of the *Municipal Act 2001*, S.O. 2001, c.25, as amended, allows a local municipality to provide for the payment of taxes in one amount or by installments and the date or dates in the year for which the taxes are imposed on which the taxes or installments are due;

AND WHEREAS Section 342 (1) (b) of the *Municipal Act 2001*, S.O. 2001, c.25, as amended allows a local municipality to provide for alternative installments and due dates in the year for which the taxes are imposed other than those established under clause 342 (1) (a) to allow taxpayers to spread the payment of taxes more evenly over the year;

AND WHEREAS Section 345 of the *Municipal Act 2001*, S.O. 2001, c.25, as amended, allows for a percentage charge, not to exceed 1.25 per cent of the amount of taxes due and unpaid, to be imposed as a penalty for the non-payment of taxes, and allows for an interest charge, not to exceed 1.25 per cent each month of the amount of taxes due and unpaid, to be imposed for the non-payment of taxes;

AND WHEREAS Section 355 (1) of the Municipal Act 2001, S.O. 2001, c.25, as amended allows a local municipality where, in any year, the total amount of taxes to be imposed on a property would be less than the amount specified by the municipality in the by-law, the amount of actual taxes payable shall be zero or an amount not exceeding the specified amount.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF WASAGA BEACH HEREBY ENACTS AS FOLLOWS:

1. THAT for the year 2025, the Corporation of the Town of Wasaga Beach shall levy upon the Residential Assessment, Farm Assessment, Multi-Residential Assessment, Commercial Assessment, Industrial Assessment and Managed Forest Assessment the rates of taxation per current value assessment for general purposes as set out in Schedule "A" attached hereto and forming part of this Bylaw, which shall produce the general local municipal levy of Thirty Eight Million, Five Hundred and Twenty One Thousand, Eight Hundred and Ten Dollars (\$38,521,810).

- 2. THAT the levy provided for in Schedule "A" attached hereto and forming part of this By-law shall be reduced by the amount of the interim levy for 2025.
- 3. THAT for payments-in-lieu of taxes due to The Corporation of the Town of Wasaga Beach, the actual amount due to the Corporation shall be based on the assessment roll and the tax rates for the year 2025.
- 4. THAT the Notice of Taxes Due shall be mailed to the property owner's residence or place of business or to the premises in respect of which the taxes are payable, unless the property owner has elected to receive their notice electronically, in which case the notice will be delivered to the email address provided.
- 5. THAT a penalty shall be imposed for non-payment of taxes on the due date, at the rate of 15% per annum or 1.25% of the amount due on the first day of default and on the first day of each succeeding calendar month in which default continues.
- 6. THAT interest charges in the amount of 1.25% shall be imposed on the amount of taxes due and unpaid on the first day of each and every month of default continues.
- THAT nothing herein done shall prevent the Tax Collector from proceeding at any time with the collection of any rate, tax or assessment or any part thereof in accordance with the provision of the Statutes and By-Laws governing the collection of taxes.
- 8. THAT in accordance with Section 355 of the Municipal Act, where the total final tax levy to be imposed on a property would be less than ten (\$10.00) dollars the amount of actual taxes payable shall be zero.
- 9. THAT Default of payment of any installment by the day named for payment thereof, the subsequent installment or installments shall forthwith become payable.

The 2025 Final Taxes for capped and uncapped property classes, (total levy less interim billing), shall be payable in two (2) installments of approximately equal amounts on the following dates, namely:

July 15th, 2025 September 15th, 2025

10. THAT alternative due dates in the year be allowed, under the provisions of the preauthorized payment plan.

- 11. THAT If any section or portion of this By-law or of Schedule "A" is found by a court of competent jurisdiction to be invalid, it is the intent of the Council of The Corporation of the Town of Wasaga Beach that all remaining sections and portions of this By-law and of Schedule "A" continue in force and effect.
- 12. THAT this By-Law shall come into force and effect on the final passage thereof.

BY-LAW READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 15th DAY OF MAY, 2025.

THE CORPORATION OF THE TOWN OF WASAGA BEACH

Brian Smith, Mayor

Nicole Rubli, Clerk

The Corporation of the Town of Wasaga Beach Schedule A of By-Law 2025-

| Property Class | Class Code | General Municipal Tax Rate | Ontario Provincial Police Tax Rate | Municipal 1% Capital Levy Tax Rate | Total Municipal Tax Rate | County Tax Rate | Education Tax Rate | Total Tax Rate |
|------------------------|--|----------------------------------|--|--|--------------------------------|--------------------|-----------------------|-------------------|
| Residential/Farm | RT | 0.00607151 | 0.00108499 | 0.00008459 | 0.00724108 | 0.00310357 | 0.00153000 | 0.01187465 |
| Multi-Residential | MT, NT | 0.00607151 | 0.00108499 | 0.00008459 | 0.00724108 | 0.00310357 | 0.00153000 | 0.01187465 |
| Commercial | CT, CG, CH, CP, CF, GT, ST, XH, XP, XT, YT, ZT | 0.00742120 | 0.00132618 | 0.00010339 | 0.00885078 | 0.00379349 | 0.00880000 | 0.02144427 |
| Commercial Excess Land | CK, CU, CV, CW, SU, XK, XQ, XU, ZU | 0.00742120 | 0.00132618 | 0.00010339 | 0.00885078 | 0.00379349 | 0.00880000 | 0.02144427 |
| Commercial Vacant Land | CJ, CR, CX, CY | 0.00742120 | 0.00132618 | 0.00010339 | 0.00885078 | 0.00379349 | 0.00880000 | 0.02144427 |
| Industrial | IF, IG, IH, IS, IT, JT, KT, LT | 0.00724027 | 0.00129385 | 0.00010087 | 0.00863499 | 0.00370101 | 0.00880000 | 0.02113600 |
| Industrial Excess Land | ik, iu, iw, ju, ku, lu | 0.00724027 | 0.00129385 | 0.00010087 | 0.00863499 | 0.00370101 | 0.00880000 | 0.02113600 |
| Industrial Vacant Land | IJ, IX, IZ | 0.00724027 | 0.00129385 | 0.00010087 | 0.00863499 | 0.00370101 | 0.00880000 | 0.02113600 |
| Landfill | HF | 0.00607151 | 0.00108499 | 0.00008459 | 0.00724108 | 0.00310357 | 0.00880000 | 0.01914465 |
| Pipeline | PT | 0.00787232 | 0.00140680 | 0.00010968 | 0.00938879 | 0.00402409 | 0.00880000 | 0.02221288 |
| Farmlands | FT | 0.00151788 | 0.00027125 | 0.00002115 | 0.00181027 | 0.00077589 | 0.00038250 | 0.00296866 |
| Managed Forests | тт | 0.00151788 | 0.00027125 | 0.00002115 | 0.00181027 | 0.00077589 | 0.00038250 | 0.00296866 |

THE CORPORATION OF THE TOWN OF WASAGA BEACH BY-LAW 2025-16

A By-law to appoint Municipal Law Enforcement Officers for the Town of Wasaga Beach

WHEREAS pursuant to section 9 of the *Municipal Act*, 2001, a municipality had the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS pursuant to section 8. (1) of the *Municipal Act*, 2001, the powers of a municipality under this or any other Act shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate to enhance the municipality's ability to respond to municipal issues;

AND WHEREAS pursuant to section 55 of the *Community Safety and Policing Act,* 2019, S.O. 2019, c. 1, as amended, the Council of any municipality may appoint Municipal Law Enforcement Officers who shall be Peace Officers for the purpose of enforcing the By-Laws of the Municipality;

AND WHEREAS pursuant to *The Fire Protection and Prevention Act*, as amended, provides that a municipality may appoint officers to enforce By-Laws passed pursuant to the said Act;

AND WHEREAS the Council of the Corporation of the Town of Wasaga Beach considers it desirable to appoint Municipal Law Enforcement for the Town;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF WASAGA BEACH HEREBY ENACTS AS FOLLOWS:

- 1. That the following individuals are hereby appointed as Municipal Law Enforcement Officers for the Town of Wasaga Beach;
 - Andrius Utz
 - Ava Gorman
 - Cassidy Collins
 - Jonah Duval
 - Sierra Macrae
 - Sullivan Parker
 - Renata Kolaric-Blas
 - Troy Veinot
 - Tyler Horlings
 - Zac Harris

- 2. That these appointments are effective on the first date of employment and will expire the expiry of employment.
- 3. That this By-law shall come into force and effect on the final passage thereof.
- 4. That all other By-law's to appoint Municipal Law Enforcement Officers for the Town of Wasaga Beach are hereby repealed in their entirety.

BY-LAW READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 15th DAY OF MAY, 2025.

THE CORPORATION OF THE TOWN OF WASAGA BEACH

Brian Smith, Mayor

Nicole Rubli, Clerk

THE CORPORATION OF THE TOWN OF WASAGA BEACH

BY-LAW 2025-17

Being a By-law to establish a System of Administrative Monetary Penalties – Parking

WHEREAS Sections 23.1, 23.2 and 23.5 of the *Municipal Act, 2001, S.O. 2001, c. 25,* as amended, hereinafter referred to as the "*Municipal Act*" authorizes the municipality to delegate its administrative and hearing powers;

AND WHEREAS Section 102.1 of the *Municipal Act*, a municipality may require a person to pay an administrative penalty if the municipality is satisfied that the person has failed to comply with any By-laws respecting the parking, standing, or stopping of a vehicle;

AND WHEREAS Ontario Regulation 333/07: Administrative Penalties, under the *Municipal Act*, a municipality may establish a system of administrative penalties respecting the parking, standing, or stopping of vehicles;

AND WHEREAS Section 391 of the *Municipal Act* authorizes a municipality to pass bylaws imposing fees or charges for services or activities provided or done by or on behalf of it;

AND WHEREAS Council is satisfied that the system of administrative penalties provided for herein, are not punitive in nature and are in amounts reasonably required to promote compliance with the by-laws of the municipality;

AND WHEREAS the *Statutory Powers Procedure Act, R.S.O. 1990, c. S. 22,* as amended, applies to all hearings conducted under this By-law;

AND WHEREAS the Council of the Corporation of the Town of Wasaga Beach deems it desirable to establish an Administrative Monetary Penalty System to promote compliance with Town By-laws that deal with parking, standing or stopping of vehicles;

NOW THEREFORE the Council of the Corporation of the Town of Wasaga Beach enacts as follows:

1. SHORT TITLE

1.1 This By-law may be referred to as the "AMPS By-law - Parking".

2. DEFINITIONS

2.1 For the purposes of this By-law:

"**Adjourn**" means to temporarily end a **Hearing**, where no decision is reached until the **Hearing** resumes;

"Administrative Fee" means any fee imposed by this By-law and as set out in the Fees and Charges By-law;

"Administrative Penalty" means an administrative monetary penalty as set out in Schedule 'A' of this By-law for a contravention of a **Designated By-law**;

"Certified Document Fee" means an Administrative Fee, for conducting a search, making a request for or obtaining documents, information or records from the Ministry and includes any search of documents or information, requests including plate denial, and notification about a vehicle or the owner of a vehicle;

"Council" means the Council of the Town;

"**Date of Service**" means the date service is deemed in effect in accordance with the provisions of this By-law;

"Decision of a Hearing Officer" means a notice that contains the decision of a Hearing Officer;

"Decision of a Screening Officer" means a notice that contains the decision of a Screening Officer;

"**Designated By-law**" means a **Town** By-law, or part or provision of a **Town** Bylaw, that is designated under this By-law or another By-law;

"Electronic Hearing" means a Hearing held by conference telephone or some other form of electronic technology allowing **Persons** to hear one another;

"Fails to appear" or "Failure to appear" means failure to appear or participate by conference telephone, or some other form of electronic technology allowing **Persons** to hear one another, or in person, on the scheduled date as the case may be within ten (10) minutes of the start time of a **Screening Review** meeting or **Hearing**;

"Fails to respond" means failure to respond in writing to a request for information, documents or submissions by the Screening Officer or Hearing Officer on the date set by the Screening Officer or Hearing Officer for responding;

"Fees and Charges By-law" means the Town By-law, adopted from time to time, for imposing fees and charges with respect to various services and activities provided;

"General Manager" means the General Manager of Legislative and Development

Services for the Town, or their designate or successor;

"Hearing" means a review of a Decision of a Screening Officer by a Hearing Officer;

"Hearing Non-Appearance Fee" means an Administrative Fee, in respect of a Person's failure to appear for a Hearing;

"Hearing Officer" means a Person who performs the functions of a Hearing Officer in accordance with this By-law and any other applicable Town By-law;

"**Holiday**" means a Saturday, Sunday and any statutory holiday in the Province of Ontario or any day the offices of the **Town** are officially closed for business;

"Late Payment Fee" means an Administrative Fee, in respect of a Person's failure to pay an Administrative Penalty within the time prescribed in this Bylaw;

"**Ministry**" means Ontario Ministry of Transportation, Land Registry Office, Service Ontario or any other Ontario Ministry or related authority;

"Municipal Act" means the Municipal Act, 2001, S.O. 2001, c. 25, as amended;

"**NSF Fee**" means an **Administrative Fee**, in respect of a payment by negotiable instrument, for which there are insufficient funds in the account on which the instrument is drawn;

"Officer" means a Municipal Law Enforcement Officer, Police Officer or any other **Person** appointed by By-law to enforce a **Town** By-law;

"**Oral Hearing**" means a **Hearing** at which the parties or their representatives attend before the **Hearing Officer** in person;

"Owner of a Vehicle" means:

- (a) the **Person** whose name appears on the permit of the vehicle; and
- (b) if the vehicle permit consists of a vehicle portion and plate portion and different **Persons** are named on each portion, the **Person** whose name appears on the plate portion;

"Penalty Notice" means a notice for a contravention of a Designated By-law;

"Penalty Notice Date" means the date of the contravention of a Designated Bylaw;

"Penalty Notice Number" means a unique reference number;

"**Person**" includes an individual, sole proprietorship, partnership, limited partnership, trust, or corporation and an individual in his or her capacity as a trustee, executor, administrator, or other legal representative and includes the **Owner of a Vehicle**;

"Screening Non-Appearance Fee" means an Administrative Fee, in respect of a Person's failure to appear at a Screening Review meeting;

"Screening Officer" means a Person who performs the functions of a Screening Officer in accordance with this By-law and any other applicable Town By-law;

"Screening Review" means a review of an Administrative Penalty by a Screening Officer;

"Town" means the Corporation of the Town of Wasaga Beach.

3. APPLICATION

- 3.1 The **Town's** By-laws, or portion of the **Town's** By-laws, listed in Schedule 'A' of this By-law are hereby **Designated By-laws** to which the **Administrative Penalty** listed in Schedule 'A' of this By-law applies.
- 3.2 Schedule 'A' of this By-law sets out the short form wording to be used on a **Penalty Notice** for the contravention of a **Designated By-law**.
- 3.3 The **Administrative Fee(s)** imposed for the purposes of this By-law shall be as set out in the **Fees and Charges By-law**.
- 3.4 The *Provincial Offences Act, R.S.O, 1990, c. P.* 33, as amended, does not apply to a **Designated By-law** respecting the parking, standing, or stopping of vehicles.
- 3.5 Council is of the opinion that the powers delegated in this By-law are of a minor nature.

4. PENALTY NOTICE

- 4.1 An Officer who has reason to believe that a **Person** has contravened a **Designated By-law** may issue a **Penalty Notice** to that **Person** as soon as reasonably practical.
- 4.2 Every **Person** who contravenes a provision of a **Designated By-law** shall, upon service of a **Penalty Notice**, be liable to pay the **Town** an **Administrative Penalty** set out in the **Penalty Notice** by the due date.
- 4.3 A **Penalty Notice** shall include the following information:
 - (a) the vehicle licence plate number or vehicle identification number, as applicable;
 - (b) the **Penalty Notice Date**;
 - (c) the **Penalty Notice Number**;
 - (d) the identification number and name of the issuing **Officer**;
 - (e) the short form wording for the contravention listed in Schedule 'A' of this By-law;
 - (f) the location of the contravention;
 - (g) the amount of the **Administrative Penalty**;
 - (h) when the **Administrative Penalty** is due and payable;
 - (i) the payment options;
 - such information as the General Manager determines is appropriate, respecting the process by which a Person may exercise the Person's right to request a review of an Administrative Penalty; and
 - (k) a Statement advising that an Administrative Penalty, including any applicable Administrative Fee(s), will constitute a debt of the Person to the Town, unless cancelled in accordance with the provisions of this Bylaw.

5. PAYMENT OF AN ADMINISTRATIVE PENALTY

- 5.1 Where an **Administrative Penalty** has been paid, the **Penalty Notice** shall not be subject to any further review.
- 5.2 An **Administrative Penalty** shall be deemed to have been paid when the **Administrative Penalty** and all applicable **Administrative Fee(s)** have been paid.
- 5.3 A **Person** who has been issued a **Penalty Notice** shall pay the **Administrative Penalty** within fifteen (15) days of the **date of service** of a **Penalty Notice**.

5.4 No Officer may accept payment of an Administrative Penalty or Administrative Fee(s) payable in accordance with this By-law.

6. NON-PAYMENT OF AN ADMINISTRATIVE PENALTY

- 6.1 Where a request for a **Screening Review** has not been made in accordance with Section 7 of this By-law, and the **Administrative Penalty** is not paid within fifteen (15) days of the **date of service** of the **Penalty Notice**:
 - (a) the **Administrative Penalty**, and any applicable **Administrative Fee(s)**, are deemed to be affirmed and payable, and is not subject to further review except as provided in Section 7.2; and
 - (b) notwithstanding Section 7.2, the **Person** that the **Penalty Notice** was issued to, shall pay the **Town** a **Late Payment Fee** and the applicable **Certified Document Fee**.

7. REVIEW BY SCREENING OFFICER

- 7.1 A **Person** who is served with a **Penalty Notice** may request a **Screening Review** in accordance with Section 7.4 of this By-law on or before the date the **Administrative Penalty** is due and payable.
- 7.2 If a **Person** has not requested a **Screening Review** on or before the date on which the **Administrative Penalty** is due and payable, the **Person** may request that the **Screening Officer** extend the time to request a **Screening Review** in accordance with Section 7.4 of this By-law within thirty (30) days of the **date of service** of the **Penalty Notice**.
- 7.3 A **Person's** right to request an extension of time for a **Screening Review** expires, if it has not been exercised within thirty (30) days of the **date of service** of the **Penalty Notice** and:
 - (a) the **Person** shall be deemed to have waived the right to request a **Screening Review**;
 - (b) the **Administrative Penalty**, and any applicable **Administrative Fee(s)** are deemed to be affirmed and payable; and
 - (c) the **Administrative Penalty**, and any applicable **Administrative Fee(s)** shall not be subject to any further review, including a review by any Court.
- 7.4 A **Person's** request for a **Screening Review** or request for an extension of time to request a **Screening Review** shall be made in a format provided by the **General Manager** for that purpose together with all relevant information, documents, photographs and videos.

- 7.5 The **Screening Officer** may grant a request to extend the time to request a **Screening Review** within the time prescribed in Section 7.2 of this By-law, where a **Person** demonstrates, to the satisfaction of the **Screening Officer**, the existence of extenuating circumstances.
- 7.6 Where an extension of time to request a **Screening Review** is not granted by the **Screening Officer**, the **Screening Officer** shall deliver in accordance with Section 9 of this By-law, a Notice, and:
 - (a) the **Administrative Penalty**, and any applicable **Administrative Fee(s)** are deemed to be affirmed and payable; and
 - (b) the **Administrative Penalty**, and any applicable **Administrative Fee(s)** shall not be subject to any further review, including review by any Court.
- 7.7 A **Screening Review** shall be conducted by written form or by electronic document submission unless there is a requirement on a case-by-case basis, as determined by the **Screening Officer**, to provide the **Screening Review** through other means.
- 7.8 Where a **Screening Review** is being conducted by written form or by electronic document submission, the **Screening Officer** may request such information, documents, photographs and videos from the **Person** that requested the **Screening Review** as the **Screening Officer** considers relevant to the conduct of the **Screening Review**, and may rely upon the information, documents, photographs and videos provided without the need for the attendance of the **Person**.
- 7.9 Where a **Screening Review** is granted and is not being conducted by written form or by electronic document submission, the **Screening Officer** shall deliver in accordance with Section 9 of this By-law, a Notice of an Appointment for a **Screening Review**, to the **Person** that requested the **Screening Review** that contains:
 - (a) the date and time of the **Screening Review** meeting;
 - (b) the format of the **Screening Review** meeting including details about the manner in which the **Screening Review** meeting will be held; and
 - (c) a statement that if the **Person fails to appear** that the:
 - Person shall be deemed to have abandoned the request for a Screening Review;
 - (ii) Administrative Penalty, and any applicable Administrative Fee(s) are deemed to be affirmed and payable;
 - (iii) **Person** shall be required to pay the **Town** a **Screening Non-Appearance Fee**; and

- (iv) Administrative Penalty, and any applicable Administrative Fee(s) shall not be subject to any further review, including a review by any Court.
- 7.10 Where a **Person** or an authorized representative **fails to appear** for a **Screening Review** meeting, or **fails to respond** in accordance with a request by a **Screening Officer**:
 - (a) the **Person** shall be deemed to have abandoned the request for a **Screening Review**;
 - (b) the **Administrative Penalty**, and any applicable **Administrative Fee(s)** are deemed to be affirmed and payable;
 - (c) the **Person** shall pay the **Town**, a **Screening Non-Appearance Fee**, where applicable; and
 - (d) the **Administrative Penalty**, and any applicable **Administrative Fee(s)** shall not be subject to any further review, including a review by any Court.
- 7.11 Where a **Person** or an authorized representative, behaves in a disorderly, uncooperative, or abusive manner during the **Screening Review**, or refuses to appropriately participate in the **Screening Review**, the **Screening Officer** may end the **Screening Review**:
 - (a) the **Administrative Penalty**, and any applicable **Administrative Fee(s)** are deemed to be affirmed and payable; and
 - (b) the **Administrative Penalty**, and any applicable **Administrative Fee(s)** shall not be subject to any further review, including a review by any Court.
- 7.12 The **Screening Officer** may request such information, documents, photographs or videos from a **Person** as the **Screening Officer** considers relevant to conduct the **Screening Review**.
- 7.13 The Screening Officer may request, consider and rely on information, documents, photographs and videos from an Officer, or other Town staff as the Screening Officer deems relevant, without the need for the attendance of the Officer or other Town staff, including but not limited to: a certified statement of an Officer, other documents respecting a contravention created by an Officer, and any other documents, photographs and videos prepared by an Officer, or other Town staff.
- 7.14 Upon completion of a Screening Review, a Screening Officer may affirm the Administrative Penalty, including any Administrative Fee(s), or cancel or reduce the Administrative Penalty, and any applicable Administrative Fee(s), or extend the time for payment of the Administrative Penalty, and any applicable Administrative Fee(s) on the following grounds:

- (a) where a **Person** establishes on a balance of probabilities, that they did not contravene the **Designated By-law** as described in the **Penalty Notice**;
- (b) the **Penalty Notice** is defective in substance or form;
- (c) the **Penalty Notice** was not served in accordance with Section 9 of this By-law;
- (d) the **Person's** prior history of non-compliance with a **Designated By-law**;
- (e) whether the **Person** has any unpaid **Penalty Notices**; or
- (f) where a **Person** provides clear and sufficient evidence to establish that the cancellation, reduction or extension of time for payment of the **Administrative Penalty**, and any applicable **Administrative Fee(s)**, is necessary to relieve any financial or undue hardship.
- 7.15 A Screening Officer may give a decision orally at the time of the Screening Review meeting and shall deliver in accordance with Section 9 of this By-law a Decision of a Screening Officer to the Person that requested the Screening Review.
- 7.16 A Screening Officer may where multiple Penalty Notices have been issued to the same Person, review Screening Review requests together, if it is reasonably practical to do so, and the Person that requested a Screening Review does not object to doing so.
- 7.17 A Person that requested a Screening Review may cancel the Screening Review by paying the Town the Administrative Penalty, and any applicable Administrative Fee(s) prior to the Screening Review.
- 7.18 A **Screening Officer** conducting a **Screening Review** under this By-law does not have jurisdiction to consider any question relating to the validity of a statute, regulation or By-law including but not limited to the constitutional applicability or operability of any statute, regulation, or By-law.

8. APPEAL TO HEARING OFFICER

- 8.1 Where an **Administrative Penalty** has not been cancelled, a **Person** may request a **Hearing** within fifteen (15) days of the **date of service** of the **Decision of a Screening Officer**.
- 8.2 If a **Person** does not request a **Hearing** within fifteen (15) days of the **date of service** of the **Decision of a Screening Officer**, the **Person** may request the **General Manager** to extend the time to request a **Hearing** within thirty (30) days of the **date of service** of the **Decision of a Screening Officer**.
- 8.3 A **Person's** right to request an extension of time for a **Hearing** expires, if it has not been exercised, within thirty (30) days of the **date of service** of the **Decision of a Screening Officer**, at which time:

- (a) the **Person** shall be deemed to have waived the right to request a **Hearing**;
- (b) the **Decision of a Screening Officer**, which includes the **Administrative Penalty**, and any applicable **Administrative Fee(s)** are deemed to be affirmed on the date the **Decision of a Screening Officer** was issued and are payable; and
- (c) the **Administrative Penalty**, and any applicable **Administrative Fee(s)** shall not be subject to any further review, including a review by any Court.
- 8.4 A **Person's** request for a **Hearing** or request for an extension of time to request a **Hearing** shall be made in a format provided by the **General Manager** for that purpose together with all relevant information, documents, photographs and videos.
- 8.5 A **General Manager** may grant a request to extend the time to request a **Hearing** within the time prescribed in Section 8.2 of this By-law, where a **Person** demonstrates, to the satisfaction of the **General Manager**, the existence of extenuating circumstances.
- 8.6 Where an extension of time to request a **Hearing** is not granted by the **General Manager**:
 - (a) the Decision of a Screening Officer, which includes the Administrative Penalty, and any applicable Administrative Fee(s) are deemed to be affirmed on the date the Decision of a Screening Officer was issued and are payable; and
 - (b) the **Administrative Penalty**, and any applicable **Administrative Fee(s)** shall not be subject to further review, including a review by any Court.
- 8.7 A **Hearing** shall be conducted as an **Electronic Hearing** unless there is a requirement on a case-by-case basis, as determined by the **General Manager**, to provide the **Hearing** through other means.
- 8.8 Prior to an **Electronic Hearing**, the **General Manager** shall deliver in accordance with Section 9 of this By-law, a Notice of an Appointment for a Hearing to the **Person** that requested a **Hearing**, that contains:
 - (a) a reference to the statutory authority under which the **Hearing** will be held and the purpose of the **Hearing**;
 - (b) the date, time and details about the manner in which the **Hearing** will be held;
 - (c) the date, time and method for submitting any relevant information, documents, photographs and videos;
 - (d) information on how to obtain disclosure;

- (e) a statement that the Person may, by satisfying the General Manager that holding the Hearing as an Electronic Hearing is likely to cause the Person significant prejudice, require the Hearing Officer to hold the Hearing as an Oral Hearing, and the procedure to be followed for that purpose; and
- (f) a statement that if the **Person fails to appear**:
 - (i) the **Hearing Officer** may proceed in the **Person's** absence and the **Person** will not be entitled to any further notice in the proceeding;
 - (ii) the **Person** shall be required to pay the **Town** a **Hearing Non-Appearance Fee**;
 - (iii) the Administrative Penalty, and any applicable Administrative Fee(s) shall not be subject to any further review, including a review by any Court.
- 8.9 Prior to an **Oral Hearing**, the **General Manager** shall deliver in accordance with Section 9 of this By-law, a Notice of an Appointment for a Hearing, to the **Person** that requested a **Hearing**, that contains:
 - (a) a reference to the statutory authority under which the **Hearing** will be held and the purpose of the **Hearing**;
 - (b) the date, time and place of the **Hearing**;
 - (c) the date, time and method for submitting any relevant information, documents, photographs or videos;
 - (d) information on how to obtain disclosure; and
 - (e) a statement that if the **Person fails to appear**:
 - (i) the **Hearing Officer** may proceed in the **Person's** absence and the **Person** will not be entitled to any further notice in the proceeding;
 - (ii) the **Person** shall be required to pay the **Town** a **Hearing Non-Appearance Fee**;
 - (iii) the Administrative Penalty, and any applicable Administrative Fee(s) shall not be subject to any further review, including a review by any Court.
- 8.10 A **person** who has been issued a Notice of Appointment for a **Hearing** may make a written request to the **General Manager** to reschedule the date of the **Hearing** provided such request is received by the **General Manager** two (2) business days prior to the **Hearing** date.
- 8.11 Where a **Person** or authorized representative **fails to appear** for a **Hearing** or **fails to respond** in accordance with a request by a **Hearing Officer**, the **Hearing Officer** may proceed with the **Hearing** in the **Person's** absence, or without the information to be supplied by the **Person** to the **Hearing Officer**, and the **Person** shall pay the **Town** a **Hearing Non-Appearance Fee**, where applicable.

- 8.12 Where a **Person** or an authorized representative, behaves in a disorderly, uncooperative, or abusive manner during a **Hearing**, or refuses to appropriately participate in the **Hearing**, the **Hearing Officer** may end the **Hearing**:
 - (a) the Administrative Penalty, and any applicable Administration Fee(s) are deemed to be affirmed and payable; and
 - (b) the **Administrative Penalty**, and any applicable **Administrative Fee(s)** shall not be subject to any further review, including a review by any Court.
- 8.13 The provisions of the *Statutory Powers Procedure Act, R.S.O. 1990, c. S.22*, as amended, shall apply to all **Hearings** conducted under this By-law.
- 8.14 A **Hearing Officer** may request such information, documents, photographs and videos from a **Person** as the **Hearing Officer** considers relevant to conduct the **Hearing**.
- 8.15 A **Hearing Officer** may request, consider and rely on information, documents, photographs and videos from an **Officer**, or other **Town** staff as the **Hearing Officer** deems relevant, including but not limited to: a certified statement of an **Officer**, other documents respecting a contravention created by an **Officer**, and any other document prepared by an **Officer**, or other **Town** staff and materials presented to a **Hearing Officer**.
- 8.16 If evidence referred to Section 8.15 is being admitted at a **Hearing**, the **Hearing Officer** shall not **adjourn** the **Hearing** for the purpose of having an individual attend to give evidence unless the **Hearing Officer** is satisfied that the oral evidence of the individual is necessary to ensure a fair **Hearing**.
- 8.17 A Hearing Officer shall not make a decision respecting a review of a Decision of a Screening Officer unless the Hearing Officer has given the Person and a representative of the Town an opportunity to be heard at the scheduled Hearing.
- 8.18 A Hearing Officer is not bound by, and need not have regard for, any Decision of a Screening Officer.
- 8.19 After conducting a **Hearing**, a **Hearing Officer** may affirm the **Administrative Penalty**, and any applicable **Administrative Fee(s)**, or cancel or reduce the **Administrative Penalty**, and any applicable **Administrative Fee(s)**, or extend the time for payment of the **Administrative Penalty**, and any applicable **Administrative Fee(s)** on the following grounds:
 - (a) where a **Person** establishes on a balance of probabilities, that they did not contravene the **Designated By-law** as described in the **Penalty Notice**;
 - (b) the **Penalty Notice** is defective in substance or form;

- the **Penalty Notice** was not served in accordance with Section 9 of this By-law;
- (d) the **Person's** prior history of non-compliance with a **Designated By-law**;
- (e) whether the **Person** has any unpaid **Penalty Notices**; or
- (f) where a **Person** provides clear and sufficient evidence to establish that the cancellation, reduction or extension of time for payment of the **Administrative Penalty**, and any applicable **Administrative Fee(s)**, is necessary to relieve any financial or undue hardship.
- 8.20 A **Hearing Officer** may **adjourn** a **Hearing** for a period no longer than thirty (30) days.
- 8.21 A Hearing Officer may amend the Penalty Notice as may be necessary if it appears that it fails to state or states defectively anything that is required to be stated. In considering whether or not an amendment should be made, the Hearing Officer shall consider the evidence presented at a Hearing and whether the Person has been misled or prejudiced by the error or omission and whether the proposed amendment can be made without injustice being done.
- 8.22 After a **Hearing** has concluded, a **Decision of a Hearing Officer** shall be delivered by the **General Manager** in accordance with Section 9 of this By-law to the **Person** that requested the **Hearing**.
- 8.23 The decision of a **Hearing Officer** is final, and shall not be subject to further review, including a review by any Court.
- 8.24 A **Person** who requested a **Hearing** may cancel the **Hearing** by paying the **Town** the **Administrative Penalty**, and any applicable **Administrative Fee(s)** as set out in the **Decision of a Screening Officer** up to the date of the **Hearing**.
- 8.25 A **Hearing Officer** conducting a **Hearing** under this By-law does not have jurisdiction to consider any question relating to the validity of a statute, regulation or By-law including but not limited to the constitutional applicability or operability of any statute, regulation, or By-law.

9. SERVICE OF DOCUMENTS

9.1 A document, notice or decision issued in accordance with this By-law, shall be served using one or more of the following methods of service noted in Column A below and is deemed served on the date noted in Column B below:

| COLUMN A | COLUMN B | |
|----------------------------|---|--|
| Method of Service | Deemed Date of Service | |
| Personal | Date personally delivered to Person to whom it is addressed | |
| Fax/Email | Date fax/email is sent to the Person's last known fax/email address | |
| Regular/Registered Mail | Five (5) days after the date of mailing to the Person's last known mailing address | |

9.2 Notwithstanding Section 9.1, an **Officer** shall serve a **Penalty Notice** for a contravention of a **Designated By-law** respecting the parking, standing, or stopping of vehicles on a **Person** who is the **Owner of a Vehicle** by using one or more of the following methods of service noted in Column A below and is deemed served on the date noted in Column B below:

| COLUMN A | COLUMN B | |
|------------------------------|--|--|
| Method of Service | Deemed Date of Service | |
| Affixing the Penalty | Date affixed to the vehicle | |
| Notice to the vehicle | | |
| in a conspicuous | | |
| place at the time of | | |
| the contravention | | |
| Personal delivery of | Date personally delivered to Person having care and | |
| the Penalty Notice at | control of the vehicle | |
| the time of the | | |
| contravention | | |
| Regular/Registered | Five (5) days after the date of mailing to the Owner of | |
| Mail of the Penalty | the Vehicle | |
| Notice | | |

- 9.3 For the purposes of this By-law, a **Person's** last known address, facsimile number, and electronic mail address includes:
 - (a) an address, facsimile number and electronic mail address provided by the **Person** to the **Town** as may be required by a form, practice or policy under this By-law; or
 - (b) the most recent address that appears on the **Ministry's** records.

9.4 Where service is affected by multiple methods, the **date of service** shall be on the earliest applicable date.

10. ADMINISTRATION

- 10.1 The **General Manager** shall administer this By-law and establish any additional practices and procedures necessary to implement this By-law and may amend such practices and procedures from time to time, as the **General Manager** deems necessary, provided that such practices and procedures are not in conflict, or inconsistent with this By-law.
- 10.2 The **General Manager** shall prescribe all forms and notices including the **Penalty Notice**, necessary to implement this By-law and may amend such forms and notices from time to time, as the **General Manager** deems necessary, provided that the contents of such forms and notices are not in conflict, or inconsistent with this By-law.
- 10.3 The **General Manager** may cancel an **Administrative Penalty**, and any applicable **Administrative Fee(s)**, where a **Penalty Notice** was issued to a **Person** because an error was made by the **Town** or the licence plate or vehicle subject to the contravention had been stolen from the **Owner of the Vehicle** at the time of the contravention.
- 10.4 The **General Manager** may cancel an **Administrative Fee**, without cancelling the **Administrative Penalty**, where the **Administrative Fee** was imposed as a result of an error made by the **Town**.
- 10.5 Where a **Person** has paid an **Administrative Penalty**, a **Screening Review** or **Hearing** request will not be granted.
- 10.6 Where in the event of extenuating circumstances, a **Person fails to appear** for a **Hearing**, they may submit a written request to the **General Manager** that the matter be reviewed. Upon the **Person** providing evidence satisfactory to the **General Manager**, the **Hearing Non-Appearance Fee** may be cancelled, and an opportunity for another **Hearing** granted, with the decision of the **General Manager** being final.
- 10.7 The **General Manager** shall appoint such **Screening Officers** and **Hearing Officers** that are necessary for the administration of this By-law.
- 10.8 A **Person** shall pay an **NSF Fee** to the **Town** where payment of an **Administrative Penalty** or **Administrative Fee(s)** was unable to be processed, and payment was not received by the **Town**.

- 10.9 A **Person** shall pay a **Certified Document Fee** to the **Town** where the **Town** conducts a search, makes a request for or obtains documents, information or records from the **Ministry** for the purposes of administering and enforcing this By-law.
- 10.10 An **Administrative Penalty**, and any applicable **Administrative Fee(s)**, that are affirmed or reduced, or in respect of which the time for payment has been extended, is due and payable and constitutes a debt to the **Town** owed by the **Person** to whom the **Penalty Notice** was issued to.
- 10.11 Where an **Administrative Penalty**, and any applicable **Administrative Fee(s)**, are not paid by the **Person** to whom the **Penalty Notice** was issued to within thirty (30) days of the date on which they are due and payable, the **Town** may:
 - (a) notify the **Ministry** of the default which shall result in plate denial; or
 - (b) pursue any other collection mechanisms available to the **Town**.
- 10.12 Where an Administrative Penalty, and any applicable Administrative Fee(s), are not paid by the Person to whom the Penalty Notice was issued to within thirty (30) days of the date on which they are due and payable, the Person to whom the Penalty Notice was issued shall pay the Town the applicable Certified Document Fee.
- 10.13 Where the **Town** notifies the **Ministry** of a default under this By-law, the **Person** to whom the **Penalty Notice** was issued to shall pay any applicable administrative(s) fees imposed by the **Ministry**. The **Ministry** shall not validate the permit nor issue a new permit for the vehicle to which the **Administrative Penalty** and **Administrative Fee(s)** apply, until such time as the **Administrative Penalty** and **Administrative Fee(s)** are paid.
- 10.14 Where an Administrative Penalty is cancelled by a Screening Officer or Hearing Officer, any Administrative Fee(s) are also cancelled.
- 10.15 An authorized representative is permitted to appear on behalf of a **Person** who has been issued a **Penalty Notice** at a **Screening Review** meeting or **Hearing**, or to communicate with the **Town** on behalf of that **Person** upon producing written authorization.
- 10.16 Any time limit that would otherwise expire, is extended to the next day that is not a **Holiday**.

11. SEVERABILITY

11.1 Should any provision, or any part of a provision of this By-law be declared invalid, or to be of no force and effect by a court of competent jurisdiction, it is the intent

of **Council** that such provision, or part of a provision, shall be severed from this By-law, and every other provision of this By-law shall be applied and enforced in accordance with its terms to the extent possible according to law.

12. SINGULAR AND PLURAL USE

12.1 In this By-law, unless the context otherwise requires words importing the singular shall include the plural, where applicable.

13. SCHEDULES

- 13.1 The following schedule attached hereto forms part of this By-law:
 - (a) Schedule 'A' Designated By-laws and Administrative Penalties

14. AMENDMENTS

- 14.1 That By-law 2024-47 be amended by deleting Section 5.4 and replacing it with:
 - "5.4 AMPS By-law Parking being By-law 2025-17, as amended, applies to this By-law. Every Person who contravenes a provision of this By-law designated in Schedule A of By-law 2025-17, as amended, shall upon the issuing of a penalty notice be and is liable to pay to the Town an administrative penalty in the amount set out in Schedule A of By-law 2025-17, as amended."

15. REPEAL

15.1 That By-laws 2024-40 and 2024-60 are hereby repealed.

16. EFFECTIVE DATE

16.1 That this By-law shall come into force and take effect on May 15, 2025.

READ A FIRST, SECOND, THIRD TIME AND FINALLY PASSED THIS 15th DAY OF MAY 2025.

THE CORPORATION OF THE TOWN OF WASAGA BEACH

Brian Smith, Mayor

Nicole Rubli, Clerk

SCHEDULE A DESIGNATED BY-LAWS AND ADMINISTRATIVE PENALTIES

- 1. For the purposes of Section 3.1 of this By-law:
 - (a) Column 1 in Table 1 below lists the designated provisions in the Town 's Parking By-law Number 2024-47, as amended, that are hereby designated for the purposes of Section 3 (1) (b) of Regulation Number 333/07 of the Municipal Act;
 - (b) Column 2 in Table 1 sets out the short form wording to be used in a **Penalty Notice** for the contravention of the designated provisions listed in Column 1;
 - (c) Column 3 in Table 1 sets out the **Administrative Penalty** amounts that are payable by a **person** for a contravention of the designated provisions listed in Column 1.

| | Column 1 | Column 2 | Column 3 |
|----|----------------|---|------------------------|
| | Designated | Short Form Wording | Administrative Penalty |
| | Provision | _ | |
| 1 | Section 3.1.1 | Park on or over sidewalk | \$75.00 |
| 2 | Section 3.1.2 | Park on or over a boulevard | \$75.00 |
| 3 | Section 3.1.3 | Park within 3 metres of Fire Hydrant | \$110.00 |
| 4 | Section 3.1.4 | Park in a manner as to obstruct traffic | \$75.00 |
| 5 | Section 3.1.5 | Park - Interfere with traffic | \$75.00 |
| 6 | Section 3.1.6 | Park within pedestrian crossover | \$75.00 |
| 7 | Section 3.1.7 | Park within intersection | \$75.00 |
| 8 | Section 3.1.8 | Park within 9 metres of intersection | \$75.00 |
| 9 | Section 3.1.9 | Park to display vehicle for sale | \$75.00 |
| 10 | Section 3.1.10 | Park within 1.5 metres of lane or driveway | \$75.00 |
| 11 | Section 3.1.11 | Park on or within 100 metres of a bridge | \$75.00 |
| 12 | Section 3.1.12 | Park a heavy vehicle | \$90.00 |
| 13 | Section 3.1.13 | Park more than 0.15 metres from far from curb | \$75.00 |
| 14 | Section 3.1.13 | Park left wheels to curb | \$75.00 |
| 15 | Section 3.1.13 | Park left wheels to boundary | \$75.00 |
| 16 | Section 3.1.14 | Park where prohibited by sign | \$75.00 |
| 17 | Section 3.1.15 | Park interfere with snow clearing | \$75.00 |
| 18 | Section 3.1.16 | Park between 1 AM and 7 AM | \$75.00 |

TABLE 1

SCHEDULE A DESIGNATED BY-LAWS AND ADMINISTRATIVE PENALTIES

TABLE 1 - CONTINUED

| | Column 1 | Column 2 | Column 3 |
|----|----------------|--|------------------------|
| | Designated | Short Form Wording | Administrative Penalty |
| | Provision | | |
| 19 | Section 3.1.17 | Stop where prohibited by sign | \$75.00 |
| 20 | Section 3.1.18 | Park detached trailer or camper on street | \$75.00 |
| 21 | Section 3.1.19 | Park on an unauthorized area | \$75.00 |
| 22 | Section 3.1.20 | Park in marked/ closed off area | \$75.00 |
| 23 | Section 3.1.21 | Park prohibited in electric charging station | \$75.00 |
| 24 | Section 3.2 | Park in tow away zone | \$110.00 |
| 25 | Section 3.3 | Park in fire route | \$110.00 |
| 26 | Section 3.4 | Park in designated disabled parking space | \$385.00 |
| 27 | Section 3.5 | Park in lot between 2 AM and 8 AM | \$75.00 |
| 28 | Section 3.6 | Park in designated bike lane | \$75.00 |
| 29 | Section 3.7 | Park oversized vehicle in prohibited area | \$110.00 |
| 30 | Section 3.8 | Park oversized vehicle between 2 AM and 8 AM | \$75.00 |
| 31 | Section 4.7 | Park validation ticket not visible | \$60.00 |
| 32 | Section 4.8 | Park validation ticket expired | \$60.00 |
| 33 | Section 4.10 | Park not entirely in single space | \$75.00 |
| 34 | Section 4.11 | Tamper with or damage parking control device | \$150.00 |
| 35 | Section 4.12 | Repair, service, paint vehicle without | \$150.00 |
| | | permission | |
| 36 | Section 4.13 | Park unlicenced vehicle on a highway | \$75.00 |
| 37 | Section 4.14 | Park unlicenced vehicle on a parking lot | \$75.00 |

THE CORPORATION OF THE TOWN OF WASAGA BEACH

BY-LAW 2025-18

Being a By-law to establish a System of Administrative Monetary Penalties - Non-Parking

WHEREAS Sections 23.1, 23.2 and 23.5 of the *Municipal Act, 2001, S.O. 2001, c. 25,* as amended, hereinafter referred to as the "*Municipal Act*" authorizes the municipality to delegate its administrative and hearing powers;

AND WHEREAS Section 391 of the *Municipal Act* authorizes a municipality to pass bylaws imposing fees or charges for services or activities provided or done by or on behalf of it;

AND WHEREAS Section 434.1 of the *Municipal Act* authorizes a municipality to require a person, subject to such conditions as the municipality considers appropriate to pay an administrative penalty if the municipality is satisfied that the person has failed to comply with a by-law of the municipality passed under the *Municipal Act*, in order to assist the municipality in promoting compliance with its by-laws;

AND WHEREAS Section 434.1(3) of the *Municipal Act* provides that the amount of an administrative penalty established by a municipality shall not be punitive in nature and shall not exceed the amount reasonably required to promote compliance with a by-law;

AND WHEREAS Section 434.2 of the *Municipal Act* provides that an administrative penalty imposed by a municipality on a person constitutes a debt of the person to the municipality and may be added to the tax roll of a property located in the municipality if not paid within fifteen (15) days after the date it becomes due and payable;

AND WHEREAS Council is satisfied that the system of administrative penalties provided for herein, are not punitive in nature and are in amounts reasonably required to promote compliance with the by-laws of the municipality;

AND WHEREAS Section 15.4.1 of the *Building Code Act, 1992, S.O. 1992, c. 23*, as amended, hereinafter referred to as the *Building Code Act,* authorizes a municipality to require a person, subject to such conditions as the municipality considers appropriate to pay an administrative penalty if the municipality is satisfied that the person has failed to comply with a by-law passed under Section 15.1 of the *Building Code Act*, or an order made under Section 15.2 (2) of the *Building Code Act*;

AND WHEREAS the *Statutory Powers Procedure Act, R.S.O. 1990, c. S. 22,* as amended, applies to all hearings conducted under this By-law;

AND WHEREAS the Council of the Corporation of the Town of Wasaga Beach deems it desirable to establish an Administrative Monetary Penalty System to promote compliance

with Town By-laws including penalties for continuing contraventions and escalating penalties for repeat contraventions;

NOW THEREFORE the Council of the Corporation of the Town of Wasaga Beach enacts as follows:

1. SHORT TITLE

1.1 This By-law may be referred to as the "AMPS By-law – Non-Parking".

2. DEFINITIONS

2.1 For the purposes of this By-law:

"**Adjourn**" means to temporarily end a **Hearing**, where no decision is reached until the **Hearing** resumes;

"Administrative Fee" means any fee imposed by this by-law and as set out in the Fees and Charges By-law;

"Administrative Penalty" means an administrative monetary penalty as set out in the Schedules of this By-law for a contravention of a **Designated By-law**;

"Certified Document Fee" means an Administrative Fee, for conducting a search, making a request for or obtaining documents, information or records from the **Ministry** and includes any search of documents or information, requests, and notification about a vehicle or the **owner of a vehicle**;

"**Corporation**" means a separate legal entity incorporated pursuant to provincial or federal law;

"Council" means the Council of the Town;

"**Date of Service**" means the date service is deemed in effect in accordance with the provisions of this By-law;

"Decision of a Hearing Officer" means a notice that contains the decision of a Hearing Officer;

"Decision of a Screening Officer" means a notice that contains the decision of a Screening Officer;

"**Designated By-law**" means a **Town** By-law, or part or provision of a **Town** Bylaw, that is designated under this By-law or another By-law; "Electronic Hearing" means a Hearing held by conference telephone or some other form of electronic technology allowing **Persons** to hear one another;

"Fails to appear" or "Failure to appear" means failure to appear or participate by conference telephone, or some other form of electronic technology allowing **Persons** to hear one another, or in person, on the scheduled date as the case may be within ten (10) minutes of the start time of a **Screening Review** meeting or **Hearing**;

"Fails to respond" means failure to respond in writing to a request for information, documents or submissions by the Screening Officer or Hearing Officer on the date set by the Screening Officer or Hearing Officer for responding;

"Fees and Charges By-law" means the Town By-law, adopted from time to time, for imposing fees and charges with respect to various services and activities provided;

"General Manager" means the General Manager of Legislative and Development Services for the Town, or their designate or successor;

"Hearing" means a review of a Decision of a Screening Officer by a Hearing Officer;

"Hearing Non-Appearance Fee" means an Administrative Fee, in respect of a Person's failure to appear for a Hearing;

"Hearing Officer" means a Person who performs the functions of a Hearing Officer in accordance with this By-law and any other applicable Town By-law;

"**Holiday**" means a Saturday, Sunday and any statutory holiday in the Province of Ontario or any day the offices of the **Town** are officially closed for business;

"Late Payment Fee" means an Administrative Fee, in respect of a Person's failure to pay an Administrative Penalty within the time prescribed in this Bylaw;

"Ministry" means Ontario Ministry of Transportation, Land Registry Office, Service Ontario or any other Ontario Ministry or related authority;

"Municipal Act" means the Municipal Act, 2001, S.O. 2001, c. 25, as amended;

"**NSF Fee**" means an **Administrative Fee**, in respect of a payment by negotiable instrument, for which there are insufficient funds in the account on which the instrument is drawn;

"**Officer**" means a Municipal Law Enforcement Officer, Police Officer or any other **Person** appointed by by-law to enforce a **Town** By-law;

"Oral Hearing" means a **Hearing** at which the parties or their representatives attend before the **Hearing Officer** in person;

"Owner of a Vehicle" means:

- (a) the **Person** whose name appears on the permit of the vehicle; and
- (b) if the vehicle permit consists of a vehicle portion and plate portion and different **Persons** are named on each portion, the **Person** whose name appears on the plate portion;

"Penalty Notice" means a notice for a contravention of a Designated By-law;

"Penalty Notice Date" means the date of the contravention of a Designated Bylaw;

"Penalty Notice Number" means a unique reference number;

"**Person**" includes an individual, sole proprietorship, partnership, limited partnership, trust, **corporation** and an individual in his or her capacity as a trustee, executor, administrator, or other legal representative and includes the **Owner of a Vehicle**;

"Screening Non-Appearance Fee" means an Administrative Fee, in respect of a Person's failure to appear at a Screening Review meeting;

"Screening Officer" means a Person who performs the functions of a Screening Officer in accordance with this By-law and any other applicable Town By-law;

"Screening Review" means a review of an Administrative Penalty by a Screening Officer;

"**Tax Roll Address**" means the mailing address and contact information for the owner of property that appears in the **Town's** municipal tax assessment records;

"Town" means the Corporation of the Town of Wasaga Beach.

3. APPLICATION

- 3.1 The **Town's** By-laws, or portion of the **Town's** By-laws, listed in the Schedules of this By-law are hereby **Designated By-laws** to which the **Administrative Penalties** listed in the Schedules of this By-law apply.
- 3.2 The Schedules of this By-law set out the short form wording to be used on a **Penalty Notice** for the contravention of a **Designated By-law**.
- 3.3 The **Administrative Fee(s)** imposed for the purposes of this By-law shall be as set out in the **Fees and Charges By-law**.
- 3.4 The imposition of an **Administrative Penalty** does not limit the **Town's** ability to initiate any other proceeding or seek any other remedy permitted by law as the **Town** deems appropriate to prevent the continuation or repetition of the contravention.
- 3.5 Notwithstanding Section 3.4, the *Provincial Offences Act, R.S.O. 1990, c. P.33*, as amended, will continue to apply to contraventions of a **Designated By-law**, except that no **Person** that is required to pay an **Administrative Penalty** under this By-law in respect of a contravention of a **Designated By-law** shall be charged with an offence in respect of the same contravention under the *Provincial Offences Act, R.S.O. 1990, c. P. 33*, as amended.
- 3.6 Council is of the opinion that the powers delegated in this by-law are of a minor nature.

4. PENALTY NOTICE

- 4.1 An Officer who has reason to believe that a **Person** has contravened a **Designated By-law** may issue a **Penalty Notice** to that **Person** as soon as reasonably practical.
- 4.2 Every **Person** who contravenes a provision of a **Designated By-law** shall, upon service of a **Penalty Notice**, be liable to pay the **Town** an **Administrative Penalty** set out in the **Penalty Notice** by the due date.
- 4.3 An Officer shall apply an escalated Administrative Penalty in accordance with the Schedules of this By-law, where a Person who has been issued a Penalty Notice contravenes the same designated provision of a Designated By-law.

- 4.4 A **Penalty Notice** shall include the following information:
 - (a) the **Person(s)** name;
 - (b) the **Penalty Notice Date**;
 - (c) the **Penalty Notice Number**;
 - (d) the identification number and name of the issuing **Officer**;
 - (e) the short form wording for a contravention listed in the Schedules of this By-law;
 - (f) the location of the contravention;
 - (g) any other particulars of the contravention, if applicable;
 - (h) the amount of the Administrative Penalty;
 - (i) when the **Administrative Penalty** is due and payable;
 - (j) the payment options;
 - (k) such information as the General Manager determines is appropriate, respecting the process by which a Person may exercise the Person's right to request a review of an Administrative Penalty; and
 - (I) a Statement advising that an Administrative Penalty, including any applicable Administrative Fee(s), will constitute a debt of the Person to the Town, unless cancelled in accordance with the provisions of this Bylaw.

5. PAYMENT OF AN ADMINISTRATIVE PENALTY

- 5.1 Where an **Administrative Penalty** has been paid, the **Penalty Notice** shall not be subject to any further review.
- 5.2 An **Administrative Penalty** shall be deemed to have been paid when the **Administrative Penalty** and all applicable **Administrative Fee(s)** have been paid.
- 5.3 A **Person** who has been issued a **Penalty Notice** shall pay the **Administrative Penalty** within thirty (30) days of the **date of service** of a **Penalty Notice**.
- 5.4 Where a **Penalty Notice** is issued in respect of a contravention of a **Designated By-law** for which the owners of a property are responsible, the **Penalty Notice** may name all **Persons** who are the registered owners of such property, and such **Persons** shall be jointly and severally liable to pay the **Administrative Penalty** on the **Penalty Notice**.
- 5.5 No Officer may accept payment of an Administrative Penalty or Administrative Fee(s) payable in accordance with this By-law.

6. NON-PAYMENT OF AN ADMINISTRATIVE PENALTY

- 6.1. Where a request for a Screening Review has not been made in accordance with Section 7 of this By-law, and the Administrative Penalty is not paid within thirty (30) days of the date of service of the Penalty Notice:
 - (a) the **Administrative Penalty**, and any applicable **Administrative Fee(s)**, are deemed to be affirmed and payable, and is not subject to further review except as provided in Section 7.2; and
 - (b) notwithstanding Section 7.2, the **Person** that the **Penalty Notice** was issued to, shall pay the **Town** a **Late Payment Fee**.

7. REVIEW BY SCREENING OFFICER

- 7.1 A **Person** who is served with a **Penalty Notice** may request a **Screening Review** in accordance with Section 7.4 of this By-law on or before the date the **Administrative Penalty** is due and payable.
- 7.2 If a **Person** has not requested a **Screening Review** on or before the date on which the **Administrative Penalty** is due and payable, the **Person** may request that the **Screening Officer** extend the time to request a **Screening Review** in accordance with Section 7.4 of this By-law within forty-five (45) days of the **date of service** of the **Penalty Notice**.
- 7.3 A **Person's** right to request an extension of time for a **Screening Review** expires, if it has not been exercised within forty-five (45) days of the **date of service** of the **Penalty Notice** and:
 - (a) the **Person** shall be deemed to have waived the right to request a **Screening Review**;
 - (b) the **Administrative Penalty**, and any applicable **Administrative Fee(s)** are deemed to be affirmed and payable; and
 - (c) the **Administrative Penalty**, and any applicable **Administrative Fee(s)** shall not be subject to any further review, including a review by any Court.
- 7.4 A **Person's** request for a **Screening Review** or request for an extension of time to request a **Screening Review** shall be made in a format provided by the **General Manager** for that purpose together with all relevant information, documents, photographs and videos.
- 7.5 The **Screening Officer** may grant a request to extend the time to request a **Screening Review** within the time prescribed in Section 7.2 of this By-law, where a **Person** demonstrates, to the satisfaction of the **Screening Officer**, the existence of extenuating circumstances.

- 7.6 Where an extension of time to request a **Screening Review** is not granted by the **Screening Officer**, the **Screening Officer** shall deliver in accordance with Section 9 of this By-law, a Notice, and:
 - (a) the **Administrative Penalty**, and any applicable **Administrative Fee(s)** are deemed to be affirmed and payable; and
 - (b) the **Administrative Penalty**, and any applicable **Administrative Fee(s)** shall not be subject to any further review, including review by any Court.
- 7.7 A **Screening Review** shall be conducted by written form or by electronic document submission unless there is a requirement on a case-by-case basis, as determined by the **Screening Officer**, to provide the **Screening Review** through other means.
- 7.8 Where a **Screening Review** is being conducted by written form or by electronic document submission, the **Screening Officer** may request such information, documents, photographs and videos from the **Person** that requested the **Screening Review** as the **Screening Officer** considers relevant to the conduct of the **Screening Review**, and may rely upon the information, documents, photographs and videos provided without the need for the attendance of the **Person**.
- 7.9 Where a **Screening Review** is granted and is not being conducted by written form or by electronic document submission, the **Screening Officer** shall deliver in accordance with Section 9 of this By-law, a Notice of an Appointment for a **Screening Review**, to the **Person** that requested the **Screening Review** that contains:
 - (a) the date and time of the **Screening Review** meeting;
 - (b) the format of the **Screening Review** meeting including details about the manner in which the **Screening Review** meeting will be held; and
 - (c) a statement that if the **Person fails to appear** that the:
 - (i) **Person** shall be deemed to have abandoned the request for a **Screening Review**;
 - (ii) Administrative Penalty, and any applicable Administrative Fee(s) are deemed to be affirmed and payable;
 - (iii) **Person** shall be required to pay the **Town** a **Screening Non-Appearance Fee**; and
 - (iv) Administrative Penalty, and any applicable Administrative Fee(s) shall not be subject to any further review, including a review by any Court.

- 7.10 Where a **Person** or an authorized representative **fails to appear** for a **Screening Review** meeting, or **fails to respond** in accordance with a request by a **Screening Officer**:
 - (a) the **Person** shall be deemed to have abandoned the request for a **Screening Review**;
 - (b) the **Administrative Penalty**, and any applicable **Administrative Fee(s)** are deemed to be affirmed and payable;
 - (c) the **Person** shall pay the **Town**, a **Screening Non-Appearance Fee**, where applicable; and
 - (d) the **Administrative Penalty**, and any applicable **Administrative Fee(s)** shall not be subject to any further review, including a review by any Court.
- 7.11 Where a **Person** or an authorized representative, behaves in a disorderly, uncooperative, or abusive manner during the **Screening Review**, or refuses to appropriately participate in the **Screening Review**, the **Screening Officer** may end the **Screening Review**:
 - (a) the Administrative Penalty, and any applicable Administrative Fee(s) are deemed to be affirmed and payable; and
 - (b) the **Administrative Penalty**, and any applicable **Administrative Fee(s)** shall not be subject to any further review, including a review by any Court.
- 7.12 The **Screening Officer** may request such information, documents, photographs or videos from a **Person** as the **Screening Officer** considers relevant to conduct the **Screening Review**.
- 7.13 The Screening Officer may request, consider and rely on information, documents, photographs and videos from an Officer, or other Town staff as the Screening Officer deems relevant, without the need for the attendance of the Officer or other Town staff, including but not limited to: a certified statement of an Officer, other documents respecting a contravention created by an Officer, and any other documents, photographs and videos prepared by an Officer, or other Town staff.
- 7.14 Upon completion of a Screening Review, a Screening Officer may affirm the Administrative Penalty, including any Administrative Fee(s), or cancel or reduce the Administrative Penalty, and any applicable Administrative Fee(s), or extend the time for payment of the Administrative Penalty, and any applicable Administrative Fee(s) on the following grounds:

- (a) where a **Person** establishes on a balance of probabilities, that they did not contravene the **Designated By-law** as described in the **Penalty Notice**;
- (b) the **Penalty Notice** is defective in substance or form;
- the **Penalty Notice** was not served in accordance with Section 9 of this By-law;
- (d) the **Person's** prior history of non-compliance with a **Designated By-law**;
- (e) whether the **Person** has any unpaid **Penalty Notices**; or
- (f) where a **Person** provides clear and sufficient evidence to establish that the cancellation, reduction or extension of time for payment of the **Administrative Penalty**, and any applicable **Administrative Fee(s)**, is necessary to relieve any undue hardship.
- 7.15 A Screening Officer may give a decision orally at the time of the Screening Review meeting and shall deliver in accordance with Section 9 of this By-law a Decision of a Screening Officer to the Person that requested the Screening Review.
- 7.16 A Screening Officer may where:
 - (a) multiple **Penalty Notices** have been issued to the same **Person**; or
 - (b) multiple Penalty Notices have been issued to multiple Person(s) regarding the same or related contraventions;

review **Screening Review** requests together, if it is reasonably practical to do so, and the **Person(s)** that requested a **Screening Review** do not object to doing so.

- 7.17 A Person that requested a Screening Review may cancel the Screening Review by paying the Town the Administrative Penalty, and any applicable Administrative Fee(s) prior to the Screening Review.
- 7.18 A **Screening Officer** conducting a **Screening Review** under this By-law does not have jurisdiction to consider any question relating to the validity of a statute, regulation or By-law including but not limited to the constitutional applicability or operability of any statute, regulation, or By-law.

8. APPEAL TO HEARING OFFICER

- 8.1 Where an **Administrative Penalty** has not been cancelled, a **Person** may request a **Hearing** within fifteen (15) days of the **date of service** of the **Decision of a Screening Officer**.
- 8.2 If a **Person** does not request a **Hearing** within fifteen (15) days of the **date of service** of the **Decision of a Screening Officer**, the **Person** may request the **General Manager** to extend the time to request a **Hearing** within thirty (30) days of the **date of service** of the **Decision of a Screening Officer**.
- 8.3 A **Person's** right to request an extension of time for a **Hearing** expires, if it has not been exercised, within thirty (30) days of the **date of service** of the **Decision of a Screening Officer**, at which time:
 - (a) the **Person** shall be deemed to have waived the right to request a **Hearing**;
 - (b) the Decision of a Screening Officer, which includes the Administrative Penalty, and any applicable Administrative Fee(s) are deemed to be affirmed on the date the Decision of a Screening Officer was issued and are payable; and
 - (c) the **Administrative Penalty**, and any applicable **Administrative Fee(s)** shall not be subject to any further review, including a review by any Court.
- 8.4 A **Person's** request for a **Hearing** or request for an extension of time to request a **Hearing** shall be made in a format provided by the **General Manager** for that purpose together with all relevant information, documents, photographs and videos.
- 8.5 A **General Manager** may grant a request to extend the time to request a **Hearing** within the time prescribed in Section 8.2 of this By-law, where a **Person** demonstrates, to the satisfaction of the **General Manager**, the existence of extenuating circumstances.
- 8.6 Where an extension of time to request a **Hearing** is not granted by the **General Manager**:
 - (a) the Decision of a Screening Officer, which includes the Administrative Penalty, and any applicable Administrative Fee(s) are deemed to be affirmed on the date the Decision of a Screening Officer was issued and are payable; and

- (b) the **Administrative Penalty**, and any applicable **Administrative Fee(s)** shall not be subject to further review, including a review by any Court.
- 8.7 A **Hearing** shall be conducted as an **Electronic Hearing** unless there is a requirement on a case-by-case basis, as determined by the **General Manager**, to provide the **Hearing** through other means.
- 8.8 Prior to an **Electronic Hearing**, the **General Manager** shall deliver in accordance with Section 9 of this By-law, a Notice of an Appointment for a Hearing to the **Person** that requested a **Hearing**, that contains:
 - (a) a reference to the statutory authority under which the **Hearing** will be held and the purpose of the **Hearing**;
 - (b) the date, time and details about the manner in which the **Hearing** will be held;
 - (c) the date, time and method for submitting any relevant information, documents, photographs and videos;
 - (d) information on how to obtain disclosure;
 - (e) a statement that the Person may, by satisfying the General Manager that holding the Hearing as an Electronic Hearing is likely to cause the Person significant prejudice, require the Hearing Officer to hold the Hearing as an Oral Hearing, and the procedure to be followed for that purpose; and
 - (f) a statement that if the **Person fails to appear**:
 - (i) the **Hearing Officer** may proceed in the **Person's** absence and the **Person** will not be entitled to any further notice in the proceeding;
 - (ii) the **Person** shall be required to pay the **Town** a **Hearing Non-Appearance Fee**;
 - (iii) the Administrative Penalty, and any applicable Administrative Fee(s) shall not be subject to any further review, including a review by any Court.
- 8.9 Prior to an **Oral Hearing**, the **General Manager** shall deliver in accordance with Section 9 of this By-law, a Notice of an Appointment for a Hearing, to the **Person** that requested a **Hearing**, that contains:
 - (a) a reference to the statutory authority under which the **Hearing** will be held and the purpose of the **Hearing**;
 - (b) the date, time and place of the **Hearing**;
 - (c) the date, time and method for submitting any relevant information, documents, photographs or videos;
 - (d) information on how to obtain disclosure; and
 - (e) a statement that if the **Person fails to appear**:

- (i) the **Hearing Officer** may proceed in the **Person's** absence and the **Person** will not be entitled to any further notice in the proceeding;
- (ii) the **Person** shall be required to pay the **Town** a **Hearing Non-Appearance Fee**;
- (iii) the Administrative Penalty, and any applicable Administrative Fee(s) shall not be subject to any further review, including a review by any Court.
- 8.10 A **person** who has been issued a Notice of Appointment for a **Hearing** may make a written request to the **General Manager** to reschedule the date of the **Hearing** provided such request is received by the **General Manager** two (2) business days prior to the **Hearing** date.
- 8.11 Where a **Person** or authorized representative **fails to appear** for a **Hearing** or **fails to respond** in accordance with a request by a **Hearing Officer**, the **Hearing Officer** may proceed with the **Hearing** in the **Person's** absence, or without the information to be supplied by the **Person** to the **Hearing Officer**, and the **Person** shall pay the **Town** a **Hearing Non-Appearance Fee**, where applicable.
- 8.12 Where a **Person** or an authorized representative, behaves in a disorderly, uncooperative, or abusive manner during a **Hearing**, or refuses to appropriately participate in the **Hearing**, the **Hearing Officer** may end the **Hearing**:
 - (a) the **Administrative Penalty**, and any applicable **Administration Fee(s)** are deemed to be affirmed and payable; and
 - (b) the **Administrative Penalty**, and any applicable **Administrative Fee(s)** shall not be subject to any further review, including a review by any Court.
- 8.13 The provisions of the *Statutory Powers Procedure Act, R.S.O. 1990, c. S.22*, as amended, shall apply to all **Hearings** conducted under this By-law.
- 8.14 A **Hearing Officer** may request such information, documents, photographs and videos from a **Person** as the **Hearing Officer** considers relevant to conduct the **Hearing**.
- 8.15 A **Hearing Officer** may request, consider and rely on information, documents, photographs and videos from an **Officer**, or other **Town** staff as the **Hearing Officer** deems relevant, including but not limited to: a certified statement of an **Officer**, other documents respecting a contravention created by an **Officer**, and any other document prepared by an **Officer**, or other **Town** staff and materials presented to a **Hearing Officer**.

- 8.16 If evidence referred to Section 8.15 is being admitted at a **Hearing**, the **Hearing Officer** shall not **adjourn** the **Hearing** for the purpose of having an individual attend to give evidence unless the **Hearing Officer** is satisfied that the oral evidence of the individual is necessary to ensure a fair **Hearing**.
- 8.17 A Hearing Officer shall not make a decision respecting a review of a Decision of a Screening Officer unless the Hearing Officer has given the Person and a representative of the Town an opportunity to be heard at the scheduled Hearing.
- 8.18 A **Hearing Officer** is not bound by, and need not have regard for, any **Decision** of a Screening Officer.
- 8.19 After conducting a **Hearing**, a **Hearing Officer** may affirm the **Administrative Penalty**, and any applicable **Administrative Fee(s)**, or cancel or reduce the **Administrative Penalty**, and any applicable **Administrative Fee(s)**, or extend the time for payment of the **Administrative Penalty**, and any applicable **Administrative Fee(s)** on the following grounds:
 - (a) where a **Person** establishes on a balance of probabilities, that they did not contravene the **Designated By-law** as described in the **Penalty Notice**;
 - (b) the **Penalty Notice** is defective in substance or form;
 - the **Penalty Notice** was not served in accordance with Section 9 of this By-law;
 - (d) the **Person's** prior history of non-compliance with a **Designated By-law**;
 - (e) whether the **Person** has any unpaid **Penalty Notices**; or
 - (f) where a **Person** provides clear and sufficient evidence to establish that the cancellation, reduction or extension of time for payment of the **Administrative Penalty**, and any applicable **Administrative Fee(s)**, is necessary to relieve any undue hardship.
- 8.20 A **Hearing Officer** may **adjourn** a **Hearing** for a period no longer than thirty (30) days.
- 8.21 A **Hearing Officer** may amend the **Penalty Notice** as may be necessary if it appears that it fails to state or states defectively anything that is required to be stated. In considering whether or not an amendment should be made, the **Hearing Officer** shall consider the evidence presented at a **Hearing** and whether the **Person** has been misled or prejudiced by the error or omission and whether the proposed amendment can be made without injustice being done.
- 8.22 After a **Hearing** has concluded, a **Decision of a Hearing Officer** shall be delivered by the **General Manager** in accordance with Section 9 of this By-law to the **Person** that requested the **Hearing**.

- 8.23 The decision of a **Hearing Officer** is final, and shall not be subject to further review, including a review by any Court.
- 8.24 A **Person** who requested a **Hearing** may cancel the **Hearing** by paying the **Town** the **Administrative Penalty**, and any applicable **Administrative Fee(s)** as set out in the **Decision of a Screening Officer** up to the date of the **Hearing**.
- 8.25 A **Hearing Officer** conducting a **Hearing** under this By-law does not have jurisdiction to consider any question relating to the validity of a statute, regulation or By-law including but not limited to the constitutional applicability or operability of any statute, regulation, or By-law.

9. SERVICE OF DOCUMENTS

9.1 A document, notice, decision or **Penalty Notice** issued in accordance with this By-law, shall be served using one or more of the following methods of service noted in Column A below and is deemed served on the date noted in Column B below:

| COLUMN A | COLUMN B |
|----------------------------|---|
| Method of Service | Deemed Date of Service |
| Personal | Date personally delivered to Person to whom it is addressed |
| Fax/Email | Date fax/email is sent to the Person's last known fax/email address |
| Regular/Registered Mail | Five (5) days after the date of mailing to the Person's last known mailing address |

- 9.2 For the purposes of this By-law, a **Person's** last known address, facsimile number, and electronic mail address includes:
 - (a) an address, facsimile number and electronic mail address provided by the **Person** to the **Town** as may be required by a form, practice or policy under this By-law and includes a **tax roll address**; or
 - (b) the most recent address that appears on the **Ministry's** records.
- 9.3 Where service is affected by multiple methods, the **date of service** shall be on the earliest applicable date.

10. ADMINISTRATION

10.1 The **General Manager** shall administer this By-law and establish any additional practices and procedures necessary to implement this By-law and may amend

such practices and procedures from time to time, as the **General Manager** deems necessary, provided that such practices and procedures are not in conflict, or inconsistent with this By-law.

- 10.2 The **General Manager** shall prescribe all forms and notices including the **Penalty Notice**, necessary to implement this By-law and may amend such forms and notices from time to time, as the **General Manager** deems necessary, provided that the contents of such forms and notices are not in conflict, or inconsistent with this By-law.
- 10.3 The **General Manager** may cancel an **Administrative Penalty**, and any applicable **Administrative Fee(s)**, where a **Penalty Notice** was issued to a **Person** because an error was made by the **Town**.
- 10.4 The **General Manager** may cancel an **Administrative Fee**, without cancelling the **Administrative Penalty**, where the **Administrative Fee** was imposed as a result of an error made by the **Town**.
- 10.5 Where a **Person** has paid an **Administrative Penalty**, a **Screening Review** or **Hearing** request will not be granted.
- 10.6 Where in the event of extenuating circumstances, a **Person fails to appear** for a **Hearing**, they may submit a written request to the **General Manager** that the matter be reviewed. Upon the **Person** providing evidence satisfactory to the **General Manager**, the **Hearing Non-Appearance Fee** may be cancelled, and an opportunity for another **Hearing** granted, with the decision of the **General Manager** being final.
- 10.7 The **General Manager** shall appoint such **Screening Officers** and **Hearing Officers** that are necessary for the administration of this By-law.
- 10.8 A **Person** shall pay an **NSF Fee** to the **Town** where payment of an **Administrative Penalty** or **Administrative Fee(s)** was unable to be processed, and payment was not received by the **Town**.
- 10.9 A **Person** shall pay a **Certified Document Fee** to the **Town** where the **Town** conducts a search, makes a request for or obtains documents, information or records from the **Ministry** for the purposes of administering and enforcing this By-law.
- 10.10 An **Administrative Penalty**, and any applicable **Administrative Fee(s)**, that are affirmed or reduced, or in respect of which the time for payment has been

extended, is due and payable and constitutes a debt to the **Town** owed by the **Person** to whom the **Penalty Notice** was issued to.

- 10.11 Where an **Administrative Penalty**, and any applicable **Administrative Fee(s)**, are not paid by the **Person** to whom the **Penalty Notice** was issued to within thirty (30) days of the date on which they are due and payable, the **Town** may:
 - (a) add the Administrative Penalty, and any applicable Administrative
 Fee(s) to the tax roll and collect it in the same manner as municipal taxes; or
 - (b) pursue any other collection mechanisms available to the **Town**.

10.12 Where an Administrative Penalty is cancelled by a Screening Officer or Hearing Officer, any Administrative Fee(s) are also cancelled.

- 10.13 An authorized representative is permitted to appear on behalf of a **Person** who has been issued a **Penalty Notice** at a **Screening Review** meeting or **Hearing**, or to communicate with the **Town** on behalf of that **Person** upon producing written authorization.
- 10.14 Any time limit that would otherwise expire, is extended to the next day that is not a **Holiday**.

11. SEVERABILITY

11.1 Should any provision, or any part of a provision of this By-law be declared invalid, or to be of no force and effect by a court of competent jurisdiction, it is the intent of **Council** that such provision, or part of a provision, shall be severed from this By-law, and every other provision of this By-law shall be applied and enforced in accordance with its terms to the extent possible according to law.

12. SINGULAR AND PLURAL USE

12.1 In this By-law, unless the context otherwise requires words importing the singular shall include the plural, where applicable.

13. SCHEDULES

13.1 The Schedules titled "Designated By-laws and Administrative Penalties" attached hereto form part of this By-law.

14. AMENDMENTS

14.1 That the By-laws listed below be amended as follows:

- (a) Building Maintenance By-law 2024-41 be amended by adding Section 11.2 to read:
 - "11.2 AMPS By-law Non-Parking being By-law 2025-18, as amended, applies to this By-law. Every Person who contravenes a provision of this By-law designated in Schedule A of By-law 2025-18, as amended, shall upon the issuing of a penalty notice be and is liable to pay to the Town an administrative penalty in the amount set out in Schedule A of By-law 2025-18 as amended."
- (b) Clean Neighbourhoods By-law 2024-43 be amended by deleting Section 6.1 and 6.2 replacing it with the following:
 - "6.1 AMPS By-law Non-Parking being By-law 2025-18, as amended, applies to this By-law. Every Person who contravenes a provision of this By-law designated in Schedule A of By-law 2025-18, as amended, shall upon the issuing of a penalty notice be and is liable to pay to the Town an administrative penalty in the amount set out in Schedule A of By-law 2025-18 as amended."
- (c) Fence Maintenance By-law 2024-44 be amended by deleting Section 5.1 and replacing it with the following:
 - "5.1 AMPS By-law Non-Parking being By-law 2025-18, as amended, applies to this By-law. Every Person who contravenes a provision of this By-law designated in Schedule A of By-law 2025-18, as amended, shall upon the issuing of a penalty notice be and is liable to pay to the Town an administrative penalty in the amount set out in Schedule A of By-law 2025-18 as amended."
- (d) Noise Disturbance By-law 2024-45 be amended by deleting Section 8.1 and replacing it with the following:
 - "8.1 AMPS By-law Non-Parking being By-law 2025-18, as amended, applies to this By-law. Every Person who contravenes a provision of this By-law designated in Schedule A of By-law 2025-18, as amended, shall upon the issuing of a penalty notice be and is liable to pay to the Town an administrative penalty in the amount set out in Schedule A of By-law 2025-18 as amended."
- (e) Nuisance By-law 2024-46 be amended by deleting Section 5.1 and replacing it with the following:

- "5.1 AMPS By-law Non-Parking being By-law 2025-18, as amended, applies to this By-law. Every Person who contravenes a provision of this By-law designated in Schedule A of By-law 2025-18, as amended, shall upon the issuing of a penalty notice be and is liable to pay to the Town an administrative penalty in the amount set out in Schedule A of By-law 2025-18 as amended."
- (f) Special Events By-law 2024-49 be amended by deleting Section 14.8 and replacing it with the following:
 - "14.8 AMPS By-law Non-Parking being By-law 2025-18, as amended, applies to this By-law. Every Person who contravenes a provision of this By-law designated in Schedule A of By-law 2025-18, as amended, shall upon the issuing of a penalty notice be and is liable to pay to the Town an administrative penalty in the amount set out in Schedule A of By-law 2025-18 as amended."
- (g) Shopping Cart By-law 2024-50 be amended by deleting Section 10.1 and replacing it with the following:
 - "10.1 AMPS By-law Non-Parking being By-law 2025-18, as amended, applies to this By-law. Every Person who contravenes a provision of this By-law designated in Schedule A of By-law 2025-18, as amended, shall upon the issuing of a penalty notice be and is liable to pay to the Town an administrative penalty in the amount set out in Schedule A of By-law 2025-18 as amended."

15. EFFECTIVE DATE

15.1 That this By-law shall come into force and take effect on May 15, 2025.

READ A FIRST, SECOND, THIRD TIME AND FINALLY PASSED THIS 15th DAY OF MAY 2025.

THE CORPORATION OF THE TOWN OF WASAGA BEACH

Brian Smith, Mayor

Nicole Rubli, Clerk

Building Maintenance By-law

- 1. For the purposes of Section 11.1 of this By-law:
 - (a) Column 1 in Table 1 lists the provisions in the **Town's** Building Maintenance By-law 2024-41, as amended, that are hereby designated for the purposes of Section 434.1 of the **Municipal Act**;
 - (b) Column 2 in Table 1 sets out the short form wording to be used in a **Penalty Notice** for the contravention of the designated provisions listed in Column 1;
 - (c) Column 3 in Table 1 sets out the **Administrative Penalty** amounts that are payable by a **Person** excluding a **corporation** for a contravention of the designated provisions listed in Column 1 of the **Town's** Building Maintenance By-law 2024-41, as amended.

| | Column 1 Designated | Column 2 Short Form Wording | Column 3 Administrative Penalty | | |
|---|------------------------|--------------------------------|------------------------------------|---------------|---------------|
| | Provision | | First | Second | Subsequent |
| | | | Contravention | Contravention | Contravention |
| 1 | Section 11.1 | Fail to comply with an order | \$400.00 | \$550.00 | \$750.00 |

Clean Neighbourhood By-law

- 2. For the purposes of Section 2.1, 2.2, 2.3, 2.4.1, 2.4.2, 2.4.3, 2.4.4, 2.4.5, 2.4.6, , 3.1.1, 3.1.2, 3.1.3, 3.2, 3.3, 3.4, 3.5, 4.1.1, 4.1.2, 4.1.3, 4.3, and 4.4 of this By-law:
 - (a) Column 1 in Table 2 lists the provisions in the Town's Clean Neighbourhood's By-law 2024-43, as amended, that are hereby designated for the purposes of Section 434.1 of the Municipal Act;
 - (b) Column 2 in Table 2 sets out the short form wording to be used in a **Penalty Notice** for the contravention of the designated provisions listed in Column 1;
 - (c) Column 3 in Table 2 sets out the Administrative Penalty amounts that are payable by a Person that is a corporation for a contravention of the designated provisions listed in Column 1 of the Town's Clean Neighbourhood's By-law 2024-43, as amended.

| | Column 1 Designated | Column 2 Short Form Wording | Ad | Column 3 dministrative Pena | alty |
|---|------------------------|---|------------------------|--------------------------------|-----------------------------|
| | Provision | | First Contravention | Second Contravention | Subsequent Contravention |
| 1 | Section 2.1 | Fail to keep property free of garbage, refuse, waste, or infestation | \$300.00 | \$450.00 | \$650.00 |
| 2 | Section 2.1 | Fail to keep property clear of household appliances | \$300.00 | \$450.00 | \$650.00 |
| 3 | Section 2.1 | Fail to keep property clear of discarded household furniture | \$300.00 | \$450.00 | \$650.00 |
| 4 | Section 2.1 | Fail to keep property clear of barrels, boxes, or empty fuel tanks | \$300.00 | \$450.00 | \$650.00 |
| 5 | Section 2.1 | Fail to keep property clear of wrecked, discarded or inoperative vehicles and/or equipment | \$300.00 | \$450.00 | \$650.00 |
| 6 | Section 2.1 | Fail to keep property clear of construction and household debris | \$300.00 | \$450.00 | \$650.00 |
| 7 | Section 2.1 | Fail to keep property clear of yard waste and tree debris | \$300.00 | \$450.00 | \$650.00 |

| 8 | Section 2.1 | Fail to keep property clear of uncollected household refuse or organic waste | \$300.00 | \$450.00 | \$650.00 |
|----|------------------|--|----------|----------|----------|
| 9 | Section 2.1 | Fail to keep property clear of tires and discarded recreational or food waste | \$300.00 | \$450.00 | \$650.00 |
| 10 | Section 2.1 | Fail to keep property clear of hazardous or industrial liquid waste | \$300.00 | \$450.00 | \$650.00 |
| 11 | Section 2.1 | Fail to keep property clear of demolition debris and signage | \$300.00 | \$450.00 | \$650.00 |
| 12 | Section 2.1 | Fail to keep property clear of straw, hay, or manure | \$300.00 | \$450.00 | \$650.00 |
| 13 | Section 2.1 | Fail to keep property clear of straw, hay, or manure | \$300.00 | \$450.00 | \$650.00 |
| 14 | Section 2.2 | Fail to cut or trim weeds or turf grass exceeding 30 cm in height | \$300.00 | \$450.00 | \$650.00 |
| 15 | Section 2.3 | Fail to trim vegetation that is overgrown, causes infestation, erosion, or obstructs safety or public passage | \$400.00 | \$550.00 | \$750.00 |
| 16 | Section 2.4.1 | Fail to keep exterior property free from injurious insects, termites, rodents, vermin, or other pests | \$400.00 | \$550.00 | \$750.00 |
| 17 | Section 2.4.2 | Fail to remove noxious weeds or excessive weed and grass growth | \$400.00 | \$550.00 | \$750.00 |
| 18 | Section 2.4.3 | Fail to remove dead, decayed, or damaged trees or branches creating an unsafe or unsightly condition | \$400.00 | \$550.00 | \$750.00 |
| 19 | Section 2.4.4 | Fail to keep property free from firewood, building materials, or garden equipment in a tidy manner | \$300.00 | \$450.00 | \$650.00 |
| 20 | Section 2.4.5 | Fail to keep trash, organic, or recycling bins outside of front or side yard setbacks | \$300.00 | \$450.00 | \$650.00 |
| 21 | Section 2.4.6 | Fail to maintain suitable ground cover to prevent soil erosion, or failing to re-sod/re-seed dead grass areas | \$300.00 | \$450.00 | \$650.00 |
| 22 | Section 3.1.1 | Fail to provide sufficient lighting to ensure safe use of walkways and deter loitering | \$300.00 | \$450.00 | \$650.00 |

| 23 | Section 3.1.2 | Fail to maintain exterior lighting fixtures in a safe, operational, | \$300.00 | \$450.00 | \$650.00 |
|----|------------------|---|----------|----------|----------|
| 24 | Section 3.1.3 | and visually acceptable condition Fail to keep recreational areas and equipment safe, operable, and in good condition | \$300.00 | \$450.00 | \$650.00 |
| 25 | Section 3.2 | Fail to promptly clear snow or treat icy surfaces on communal walkways, driveways, ramps, parking areas, or outdoor stairs and landings | \$300.00 | \$450.00 | \$650.00 |
| 26 | Section 3.3 | Fail to maintain vehicle traffic or parking areas with appropriate dust-free surfacing and free from ponding or disrepair | \$300.00 | \$450.00 | \$650.00 |
| 27 | Section 3.4 | Fail to provide or maintain clear markings for parking spaces and vehicle access in communal parking areas | \$300.00 | \$450.00 | \$650.00 |
| 28 | Section 3.5 | Fail to repave, resurface, or regrade walkways to maintain a smooth, safe, and slip-resistant surface | \$300.00 | \$450.00 | \$650.00 |
| 29 | Section 4.1.1 | Fail to keep property clear of derelict or inoperable motor vehicles | \$400.00 | \$550.00 | \$750.00 |
| 30 | Section 4.1.2 | Fail to keep property clear of unlicensed motor vehicles | \$400.00 | \$550.00 | \$750.00 |
| 31 | Section 4.1.3 | Fail to keep property clear of motor vehicle parts or components on lands used for human habitation | \$400.00 | \$550.00 | \$750.00 |
| 32 | Section 4.3 | Fail to keep property clear of wrecked, dismantled, inoperative, discarded, unused, or unlicensed vehicles or trailers outside a licensed establishment | \$400.00 | \$550.00 | \$750.00 |
| 33 | Section 4.4 | Fail to keep property clear of machinery, parts, or materials creating an unsafe or unsightly condition | \$400.00 | \$550.00 | \$750.00 |

Fence Maintenance By-law

- 3. For the purposes of Section 4.1 of this By-law:
 - (a) Column 1 in Table 2 lists the provisions in the Town's Fence Maintenance By-law 2024-44, as amended, that are hereby designated for the purposes of Section 434.1 of the Municipal Act;
 - (b) Column 2 in Table 2 sets out the short form wording to be used in a **Penalty Notice** for the contravention of the designated provisions listed in Column 1;
 - (c) Column 3 in Table 2 sets out the **Administrative Penalty** amounts that are payable by a **Person** that is a **corporation** for a contravention of the designated provisions listed in Column 1 of the **Town's** Fence Maintenance By-law 2024-44, as amended.

| | Column 1 Designated | Column 2 Short Form Wording | Δ | Column 3 dministrative Pena | alty |
|---|------------------------|---|------------------------|--------------------------------|-----------------------------|
| | Provision | | First Contravention | Second Contravention | Subsequent Contravention |
| 1 | Section 4.1 | Fail to maintain fence in a structurally sound condition | \$200.00 | \$350.00 | \$550.00 |
| 2 | Section 4.1 | Fail to keep fence in good repair, free from cracks or damaged components | \$200.00 | \$350.00 | \$550.00 |
| 3 | Section 4.1 | Fail to keep fence free from hazards such as protruding nails, screws, or staples | \$200.00 | \$350.00 | \$550.00 |
| 4 | Section 4.1 | Fail to keep fence free from unauthorized signs, posters, or defacements | \$200.00 | \$350.00 | \$550.00 |
| 5 | Section 4.1 | Fail to maintain fence in a plumb (vertical) condition unless otherwise designed | \$200.00 | \$350.00 | \$550.00 |
| 6 | Section 4.1 | Fail to maintain a fence of uniform appearance | \$200.00 | \$350.00 | \$550.00 |
| 7 | Section 4.1 | Fail to prevent fence from creating an unsightly appearance | \$200.00 | \$350.00 | \$550.00 |

Table 3

| 8 | Section 4.1 | Fail to protect fence from deterioration by applying uniform paint or using durable materials | \$200.00 | \$350.00 | \$550.00 |
|---|-------------|--|----------|----------|----------|
| 9 | Section 4.1 | Use fence to support a structure or object exerting lateral force | \$200.00 | \$350.00 | \$550.00 |

Noise Disturbance By-law

- 4. For the purposes of Section 3.1, 3.2, and 6.2 of this By-law:
 - (a) Column 1 in Table 1 lists the provisions in the Town's Noise Disturbance Bylaw 2024-45, as amended, that are hereby designated for the purposes of Section 434.1 of the Municipal Act;
 - (b) Column 2 in Table 1 sets out the short form wording to be used in a **Penalty Notice** for the contravention of the designated provisions listed in Column 1;
 - (c) Column 3 in Table 1 sets out the Administrative Penalty amounts that are payable by a Person excluding a corporation for a contravention of the designated provisions listed in Column 1 of the Town's Noise Disturbance By-law 2024-45, as amended.

| | Column 1 Designated | Column 2 Short Form Wording | Ac | Column 3 Iministrative Pena | altv |
|---|------------------------|---|------------------------|--------------------------------|-----------------------------|
| | Provision | | First Contravention | Second Contravention | Subsequent Contravention |
| 1 | Section 3.1 | Causing or permitting sound from the operation of a combustion engine outside the permitted times | \$300.00 | \$450.00 | \$650.00 |
| 2 | Section 3.1 | Cause or permit sound from any electronic device or other sound producing device outside the permitted times | \$300.00 | \$450.00 | \$650.00 |
| 3 | Section 3.1 | Cause or permit sound from audio or visual device that is likely to disturb that inhabitants outside the permitted times | \$300.00 | \$450.00 | \$650.00 |
| 4 | Section 3.1 | Cause or permit the ringing of bells or similar sounds by electronic means outside the permitted times | \$300.00 | \$450.00 | \$650.00 |

| 5 | Section 3.1 | Causing or permitting sound by the venting, releasing or pressure relief of air, steam or other material outside the permitted times | \$300.00 | \$450.00 | \$650.00 |
|----|-------------|--|----------|----------|----------|
| 6 | Section 3.1 | Permit persistent barking, calling or whining from domestic animal or other animal | \$300.00 | \$450.00 | \$650.00 |
| 7 | Section 3.1 | Causing or permitting sound by operating commercial wash with drying equipment | \$300.00 | \$450.00 | \$650.00 |
| 8 | Section 3.1 | Causing or permitting sound by yelling, shouting, hooting or other boisterous activity | \$300.00 | \$450.00 | \$650.00 |
| 9 | Section 3.1 | Causing or permitting sound by operating a power assisted hang glider or parafoil | \$300.00 | \$450.00 | \$650.00 |
| 10 | Section 3.1 | Causing or permitting sound by operating any snow making equipment | \$300.00 | \$450.00 | \$650.00 |
| 11 | Section 3.1 | Causing or permitting sound in selling or advertising by shouting or outcry or amplified sound outside the permitted times | \$300.00 | \$450.00 | \$650.00 |
| 12 | Section 3.1 | Causing or permitting sound by loading or unloading products, materials or refuse | \$300.00 | \$450.00 | \$650.00 |
| 13 | Section 3.1 | Cause or permit sound from construction activities outside the permitted times from June 1 st to August 31 st | \$300.00 | \$450.00 | \$650.00 |
| 14 | Section 3.1 | Cause or permit sound from construction activities outside the permitted times from September 1 st to May 30 th | \$300.00 | \$450.00 | \$650.00 |

| 15 | Section 3.1 | Cause or permit sound from construction activities on Saturdays outside the permitted times | \$300.00 | \$450.00 | \$650.00 |
|----|-------------|---|----------|----------|----------|
| 16 | Section 3.1 | Cause or permit sound from construction activities on Sundays | \$300.00 | \$450.00 | \$650.00 |
| 17 | Section 3.1 | Cause or permit sound from the operation of any construction equipment on weekdays outside the permitted times from June 1 st to August 31 st | \$300.00 | \$450.00 | \$650.00 |
| 18 | Section 3.1 | Cause or permit sound from the operation of any construction equipment on weekdays outside the permitted times from September 1 st to May 30 th | \$300.00 | \$450.00 | \$650.00 |
| 19 | Section 3.1 | Cause or permit sound from the operation of any construction equipment on Saturdays outside the permitted times | \$300.00 | \$450.00 | \$650.00 |
| 20 | Section 3.1 | Cause or permit sound from the operation of any construction equipment on Sundays | \$300.00 | \$450.00 | \$650.00 |
| 21 | Section 3.1 | Cause or permit sound from powered lawnmowers outside the permitted times in a residential zoned land | \$300.00 | \$450.00 | \$650.00 |
| 22 | Section 3.1 | Cause or permit sound from a powered lawnmower or landscape maintenance outside the permitted times in a non- residential zoned land | \$300.00 | \$450.00 | \$650.00 |
| 23 | Section 3.1 | Cause or permit sound from a powered lawnmower or landscape maintenance on Sundays outside the permitted | \$300.00 | \$450.00 | \$650.00 |

| | | times in a residential zoned land | | | |
|----|-------------|--|----------|----------|----------|
| 24 | Section 3.1 | Cause or permit sound from a powered lawnmower or landscape maintenance on Sundays outside the permitted times in a non-residential zoned land | \$300.00 | \$450.00 | \$650.00 |
| 25 | Section 3.1 | Cause or permit the operation of solid waste bulk lift or refuse compacting equipment outside the permitted times from Monday to Saturday | \$300.00 | \$450.00 | \$650.00 |
| 26 | Section 3.1 | Cause or permit the operation of solid waste bulk lift or refuse compacting equipment outside the permitted times on Sunday | \$300.00 | \$450.00 | \$650.00 |
| 27 | Section 3.1 | Cause or permit the operation of a commercial car wash of a type other than mentioned in item 7 | \$300.00 | \$450.00 | \$650.00 |
| 28 | Section 3.1 | Cause or permit sound from property care, maintenance or recreation activity outside the permitted times | \$300.00 | \$450.00 | \$650.00 |
| 29 | Section 3.2 | Cause or permit a noise nuisance to conduct or continue | \$400.00 | \$550.00 | \$750.00 |
| 30 | Section 6.2 | Obstruct or attempt to Obstruct Officer | \$500.00 | \$650.00 | \$850.00 |

Nuisance By-law

- 5. For the purposes of Section 3.1 and 3.2 of this By-law:
 - (a) Column 1 in Table 2 lists the provisions in the Town's Nuisance By-law 2024-46, as amended, that are hereby designated for the purposes of Section 434.1 of the Municipal Act;
 - (b) Column 2 in Table 2 sets out the short form wording to be used in a **Penalty Notice** for the contravention of the designated provisions listed in Column 1;
 - (c) Column 3 in Table 2 sets out the **Administrative Penalty** amounts that are payable by a **Person** that is a **corporation** for a contravention of the designated provisions listed in Column 1 of the **Town's** Nuisance By-law 2024-46, as amended.

| | Column 1 Designated | Column 2 Short Form Wording | Ad | Column 3 dministrative Pena | alty |
|---|------------------------|---|------------------------|--------------------------------|-----------------------------|
| | Provision | | First Contravention | Second Contravention | Subsequent Contravention |
| 1 | Section 3.1 | Engage in any activity in a public place that is prohibited or restricted by posted signage | \$300.00 | \$450.00 | \$650.00 |
| 2 | Section 3.1 | Loiter in a public place without lawful purpose | \$300.00 | \$450.00 | \$650.00 |
| 3 | Section 3.1 | Cause or permit excessive smoke, dust, or airborne particulate matter in a public place | \$400.00 | \$550.00 | \$750.00 |
| 4 | Section 3.1 | Cause or permit the operation of a combustion engine or pneumatic device without a functional muffler in continuous use | \$400.00 | \$550.00 | \$750.00 |
| 5 | Section 3.1 | Cause or permit the operation of a motorized vehicle in a location not designated for its use | \$400.00 | \$550.00 | \$750.00 |
| 6 | Section 3.2 | Soliciting or selling goods, services, or donations in a | \$300.00 | \$450.00 | \$650.00 |

| | | public place without Town | | | |
|----|-------------|--|----------|----------|----------|
| | | authorization | | | |
| 7 | Section 3.2 | Damaging, tipping, or attempting to tip over public fixtures such as mailboxes, benches, or waste containers | \$300.00 | \$450.00 | \$650.00 |
| 8 | Section 3.2 | Spitting, urinating, or defecating in a public place | \$300.00 | \$450.00 | \$650.00 |
| 9 | Section 3.2 | Applying graffiti to public or private property without the owner's permission | \$300.00 | \$450.00 | \$650.00 |
| 10 | Section 3.2 | Blocking or obstructing pedestrian, vehicular, or emergency traffic through any action or illegal parking | \$400.00 | \$550.00 | \$750.00 |
| 11 | Section 3.2 | Continuing prohibited activity after being directed to stop by an Officer or property occupier | \$400.00 | \$550.00 | \$750.00 |
| 12 | Section 3.2 | Damaging or attempting to damage public property | \$400.00 | \$550.00 | \$750.00 |
| 13 | Section 3.2 | Entering or remaining in a public place that is closed or restricted by the Town | \$400.00 | \$550.00 | \$750.00 |
| 14 | Section 3.2 | Racing a motorized vehicle outside of a sanctioned event | \$450.00 | \$600.00 | \$800.00 |
| 15 | Section 3.2 | Cause or permit the operation of a motor vehicle in a manner that causes tire squealing | \$450.00 | \$600.00 | \$800.00 |
| 16 | Section 3.2 | Using a vehicle horn or warning device unnecessarily or contrary to safety practices | \$450.00 | \$600.00 | \$800.00 |
| 17 | Section 3.2 | Failing to vacate premises when directed by the Occupier or their authorized representative | \$400.00 | \$550.00 | \$750.00 |
| 18 | Section 3.2 | Obstruct or attempt to Obstruct Officer | \$500.00 | \$650.00 | \$850.00 |
| 19 | Section 3.2 | Yelling, screaming, singing, swearing, or causing disruption that interferes with others' reasonable enjoyment of a public place | \$300.00 | \$450.00 | \$650.00 |

Special Events By-law

- 6. For the purposes of Section 2.1, 3.1, 3.3, 3.4, 3.5, 3.6, and 14.2 of this By-law:
 - (a) Column 1 in Table 2 lists the provisions in the Town's Special Events By-law 2024-49, as amended, that are hereby designated for the purposes of Section 434.1 of the Municipal Act;
 - (b) Column 2 in Table 2 sets out the short form wording to be used in a **Penalty Notice** for the contravention of the designated provisions listed in Column 1;
 - (c) Column 3 in Table 2 sets out the **Administrative Penalty** amounts that are payable by a **Person** that is a **corporation** for a contravention of the designated provisions listed in Column 1 of the **Town's** Special Events By-law 2024-49, as amended.

| | Column 1 Designated | Column 2 Short Form Wording | Column 3 Administrative Penalty | | |
|---|------------------------|--|------------------------------------|-------------------------|-----------------------------|
| | Provision | | First Contravention | Second Contravention | Subsequent Contravention |
| 1 | Section 2.1 | Holding, organizing, or sponsoring an event or activity attracting more than 500 people on Town property, public facilities, or private property without a Town- issued Permit | \$1,000 | \$1,500 | \$2,000 |
| 2 | Section 3.1 | Sponsoring, collecting money for, conducting, coordinating, facilitating, assisting, advertising, hosting, or participating in a Car Rally without a Special Event permit | \$500 | \$1,000 | \$1,500 |
| 3 | Section 3.3 | Attending or being a spectator at a Car Rally that does not have a Special Event permit | \$500 | \$1,000 | \$1,500 |
| 4 | Section 3.4 | Riding as a passenger in a motor vehicle during a Car Rally without a Special Event permit | \$500 | \$1,000 | \$1,500 |

Table 6

| 5 | Section 3.5 | Allow a motor vehicle to participate in or be used for a Car Rally that does not have a Special Event permit | \$500 | \$1,000 | \$1,500 |
|---|--------------|---|---------|---------|---------|
| 6 | Section 3.6 | Purposefully causing pedestrian or vehicular traffic to slow, stop, or be impeded as a result of a Car Rally | \$500 | \$1,000 | \$1,500 |
| 7 | Section 14.2 | Obstruct or attempt to Obstruct Officer | \$1,500 | \$2,000 | \$2,500 |

Shopping Cart By-law

- 7. For the purposes of Section 4.1 and 4.2 of this By-law:
 - (a) Column 1 in Table 1 lists the provisions in the Town's Shopping Cart By-law 2024-50, as amended, that are hereby designated for the purposes of Section 434.1 of the Municipal Act;
 - (b) Column 2 in Table 1 sets out the short form wording to be used in a **Penalty Notice** for the contravention of the designated provisions listed in Column 1;
 - (c) Column 3 in Table 1 sets out the **Administrative Penalty** amounts that are payable by a **Person** excluding a **corporation** for a contravention of the designated provisions listed in Column 1 of the **Town's** Shopping Cart By-law 2024-50, as amended.

| | Column 1 Designated | Column 2 Short Form Wording | Column 3 Administrative Penalty | | |
|---|------------------------|---|------------------------------------|-------------------------|-----------------------------|
| | Provision | | First Contravention | Second Contravention | Subsequent Contravention |
| 1 | Section 4.1 | Owner fails to take reasonable and effective measures to prevent shopping carts from leaving the business premises or associated parking area | \$200.00 | \$350.00 | \$550.00 |
| 2 | Section 4.2 | Owner fails to ensure shopping carts are located, collected, and returned to the premises in a timely manner | \$200.00 | \$350.00 | \$550.00 |

THE CORPORATION OF THE TOWN OF WASAGA BEACH

BY-LAW 2025-19

A By-law to confirm the proceedings of the Council of the Corporation of the Town of Wasaga Beach at its Regular Council meeting held Thursday May 15, 2025

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

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

AND WHEREAS in many cases, action which is taken or authorized to be taken by the council does not lend itself to the passage of an individual by-law;

AND WHEREAS the Council of The Corporation of the Town of Wasaga Beach adopted By-Law 2023-119, as amended, establishing rules of order and procedures for the Council;

AND WHEREAS provision was made in By-law 2023-119, as amended, for enactment of- a Confirmatory By-Law at the end of each Regular or Special Council Meeting to confirm recommendations and actions approved at that meeting;

AND WHEREAS the Council of the Town of Wasaga Beach deems it advisable and expedient that the proceedings of these meetings be confirmed and adopted by by-law;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF WASAGA BEACH HEREBY ENACTS AS FOLLOWS:

1. That the actions of the Council of the Corporation of the Town of Wasaga Beach, at its meetings held on the dates listed above in respect of every report, motion, resolution, declaration or other action passed, taken or adopted by Council at these meetings, including the exercise of natural person powers, except where approval of another authority is required by law or where implementation is subject to other legislation, are hereby adopted, ratified, and confirmed as if each report, motion, resolution or other action was adopted, ratified, and confirmed by a separate by-law.

- 2. That where no individual by-law has been or is passed with respect to the taking of any action authorized in or by the above-mentioned minutes or with respect to the exercise of any powers by the Town of Wasaga Beach in the above- mentioned minutes, then this By-Law shall be deemed for all purposes to be the by-law required for approving and authorizing and taking of any action authorized therein and thereby or required for the exercise of any powers therein by the Town of Wasaga Beach.
- 3. That any a member of Council who dissented from any action or proceeding or has abstained from discussion and voting thereon shall be deemed to have dissented or abstained, as the case may be, in respect to this By-Law as it applies to such action or proceeding.
- 4. That the Mayor or designate and the proper officials of the Town of Wasaga Beach are hereby authorized and directed to do all things necessary to give effect to the said actions or to obtain approvals where required and are to execute all documents as may be necessary in that behalf, and the Clerk or designate is hereby authorized and directed to affix the Corporate Seal to all such documents.
- 5. For the purposes of the exercise of the authority of the head of council to veto a by-law in accordance with section 284.11 of the *Municipal Act, 2001*, as amended, this Confirming By-law shall be deemed to be separate Confirming By-laws for each item listed on the meeting agenda.
- 6. That this By-law shall come into force and effect on the final passage thereof.

BY-LAW READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 15th DAY OF MAY, 2025.

THE CORPORATION OF THE TOWN OF WASAGA BEACH

Brian Smith, Mayor

Nicole Rubli, Clerk

By signing this by-law on May 15, 2025, Mayor Brian Smith will not exercise the power to veto this by-law.