CORPORATION OF THE TOWNSHIP OF JOHNSON

October 17, 2018 - 5:30 P.M.

COUNCIL MEETING AGENDA

*****Location: Johnson Township Portable 1 Johnson Dr., Desbarats, ON****

PLEASE NOTE – ALL ELECTRONIC COMMUNICATIONS MUST TO BE TURNED OFF DURING COUNCIL

CALL TO ORDER

A. CONFLICT OF INTEREST: Declaration of Pecuniary Interest

B. ACCOUNTS: Accounts payable report as presented.

C. MINUTES:

1. Approve minutes of Councils meetings for September 19, 2018 and September 26, 2018 as presented.

D. DELEGATIONS: None

E. STAFF REPORTS:

1. Acting Clerk Report (a) Council Request to clarify JTCC report from September meeting .
   (b) Desbarats to Echo Bay Planning Board – Joint Official Plan update.
   (c) Replacement Planning Services information.
2. Fire Chief Report – Sale of Tanker Truck and OAFC Regulation update.
3. Public Works Superintendent Report
   (a) King's Plumbing & Heating – Canteen Costs
   (b) Other costs considerations – Acting Clerk
4. Public Works Superintendent Report – Rescind and amend Res: 155 from the September 2018 meeting. Re: Black Creek Bridge.
5. Administrative Assistant – Building Permit & Inspection Summary – not available.

F. COUNCIL/COMMITTEE MINUTES & REPORTS:

1. Councillor Marlee Hopkins – ADMA Meeting Report

G. CORRESPONDENCE/INFORMATION:

1. AMO – Federal Gast Tax Fund Annual Report – Full report available in the office.
2. C. Reid, Senior Advisor, AMO: Municipal Governments in the Ontario Recreational Cannabis Framework.
3. AMO - Bill 36 – Cannabis Statute Law Amendments Act, 2018. Submission to the Standing Committee on Social Policy.

H. OLD BUSINESS:

1. Dave MacDonald attended the full day CEMC Sector Meeting in Sault Ste Marie. Discussions on EMO Training and Compliance, Senior Staff and Elected Officials workshops to start in January 2019, Sault Search & Rescue services updates, OPP information on Cybercrime, Emergency Preparedness, MOE & Drinking Water Emergencies, Revised "Taking Care of your Drinking Water guide for members of municipal councils" will be available in new year and OnSolve – and emergency messaging database system.

2. Algoma Public Health – Looking for area support re: Bill 36. Email was shared with Council as the submission request was required by October 8, 2018.

I. NEW BUSNESS:

1. Local Planning Appeal Support Centre – Interim Guide to Services and Eligibility, feedback requested

J. BY-LAWS:

1. By-Law # 2018 – 909, being a by-law to confirm meeting proceedings.

K. HEALTH & SAFETY: None

L. CLOSED MEETING:

1. Personal matter about an identifiable individual, including municipal or local board employees.

M. ADJOURNMENT

B

10/17/18

Township of Johnson
ACCOUNTS PAYABLE
To Council

Date: Wednesday October 17, 2018

Public Information: Yes
Confidential: No

Recommendations:

Information only.

BATCH	DATE	CQ # from	to	TOTAL	Council
09/18/03	18 Sep	12088	12101	$61,108.15	Oct
09/18/04	28 Sep	12105	12120	$152,374.59	Oct
09/18/05	28-Sep	e cheques		$2,947.68	Oct
				$216,430.42	

Respectfully Submitted

Paula Spurway
Acting Clerk

C(1)

10/17/18

CORPORATION OF THE TOWNSHIP OF JOHNSON
Regular Council Meeting
1 Johnson Drive, Desbarats
Johnson Township Council Chambers (Portable)
September 19, 2018

Presided by: Mayor Ted Hicks

PRESENT:

Council:	Councillors – Marlee Hopkins, Lorne Robinson, Jason Kern, Cameron Ross
Staff:	Acting Clerk – Paula Spurway, Fire Chief – Ron Smith, Public Works Supervisor – Randy Spurway.
Visitors:	Attached sign-in list.

CALL TO ORDER:

Res: 145 Moved by: J. Kern Seconded by: M. Hopkins
Be it resolved that the Council of the Township of Johnson open the meeting at 5:40 p.m.
Carried

A) DECLARATION OF PECUNIARY INTEREST: None Declared

Res: 146 Moved by: M. Hopkins Seconded by: J. Kern
Be it resolved that the Council of the Township of Johnson appoint Paula Spurway as the Acting Clerk for the September 19, 2018 regular council meeting.
Recorded Vote: Yes: M. Hopkins, J. Kern, T. Hicks
No: L. Robinson, C. Ross
Carried

B) ACCOUNTS:

Res: 147 Moved by: M. Hopkins Seconded by: C. Ross
Be it resolved that the Council of the Township of Johnson approve the Accounts as presented.
Carried

C) ADOPTION OF MINUTES:

Res: 148 Moved by: J. Kern Seconded by: C. Ross
Be it resolved that the Council of the Township of Johnson approve the Minutes of August 15, 2018 as presented.
Carried

D) DELEGATIONS: None.

E) STAFF REPORTS:

1. Fire Chief Report – Sale by Tender the Ford Tank Truck and Department update.

Res: 149 Moved by: C. Ross Seconded by: M. Hopkins
Be it resolved that Council of the Township of Johnson declares the following township property as surplus and agrees to the sale of such property through a sealed tender process with a minimum bid of $7,500.00. Make: Ford Model: L800 Year: 1992
Carried

Res: 150 Moved by: C. Ross Seconded by: L. Robinson
Be it resolved that the Council of the Township of Johnson accepts the Fire Chief's Report on the sale of the Fire Tank Truck and departmental information as presented.
Carried

2. Public Works Superintendent Report – Purchase of a grader wing tower from Nortrax.

Res: 151 Moved by: J. Kern Seconded by: M. Hopkins
Be it resolved that the Council of the Township of Johnson approves the purchase of a Grader Front Wing Tower from Nortrax in the amount of $6,575 plus HST.
Recorded Vote: Yes: M. Hopkins, J. Kern, C. Ross, T. Hicks
No: L. Robinson
Carried

3. Public Works Superintendent Report – Deplonty Road: ripping of surface treatment.

Res: 152 Moved by: C. Ross Seconded by: J. Kern
Be it resolved that the Council of the Township of Johnson approves the ripping of a section of Deplonty Road – 1000 meters North of Highway 17 – to meet existing gravel road at an estimated cost of $4000.00.
Carried

Res: 153 Moved by: M. Hopkins Seconded by: J. Kern
Be it resolved that the Council of the Township of Johnson accepts the Public Works Superintendents Report on the purchase of a grader wing tower for the grader as presented.
Carried

Res: 154 Moved by: C. Ross Seconded by: M. Hopkins
Be it resolved that the Council of the Township of Johnson accepts the Public Works Superintendents Report on the rip up of a section of Deplonty Road as presented.

Res: 155 Moved by: C. Ross Seconded by: M. Hopkins
Be it resolved that Johnson Township divert surplus funds from the Black Creek Bridge project, less allocations approved this day for a grader tower and ripping Deplonty Road, to operational reserves.
Carried

4. Acting Clerk Report – Recruitment Process and Administration workload.

Res: 156 Moved by: C. Ross Seconded by: M. Hopkins
Be it resolved that the Council of the Township of Johnson accepts the Acting Clerks Report on Administration Recruitment Process and workload as presented.
Carried

5. Acting Clerk Report – Bill 68 Summary of Key Changes and mandatory requirements.

Res: 157 Moved by: M. Hopkins Seconded by: C. Ross
Be it resolved that the Council of the Township of Johnson accepts the Acting Clerks Report regarding a summary of key changes and requirements of Bill 68 as presented.
Carried

6. JTCC Manager Report – Facility Update

Action: Request JTCC Manager to provide clarification on the timeframe for the increase in ice rental hours and the reduction of CASS ice hours used.

Res: 158 Moved by: C. Ross Seconded by: J. Kern
Be it resolved that the Council of the Township of Johnson accepts the JTCC's Report as presented.
Carried

7. Admin Assistant/Treasurer Report – Building Permit & Inspection Summary

Action: To include a "Total" of the Permit Fees charged to date on each report.

Res: 159 Moved by: C. Ross Seconded by: J. Kern
Be it resolved that the Council of the Township of Johnson approves the format for the Building Permit activity Report to be provided to Council at regular council meetings.
Carried

F) COUNCIL/COMMITTEE MINUTES & REPORTS: None

G) CORRESPONDENSE/INFORMATION:

1. Ombudsman Ontario Annual Report 2017/2018 – Information regarding Johnson Townships reference in the annual report from the August 15, 2018 meeting.
2. Roy Barber, Volunteerism Award Recipient 2018 CASS Graduation – Thank you letter.
3. Desbarats to Echo Bay Planning Board – 2018 increase to municipal levy.

Res: 160 Moved by: L. Robinson Seconded by: M. Hopkins
Be it resolved that the Council of the Township of Johnson approves the Desbarats to Echo Bay Planning Boards increase to the townships municipal levy in the amount of $1,200.
Carried

4. Cheryl Larrett – Request to continue Canteen and Café agreements for the 2018/2019 timeframe.

Res: 161 Moved by: C. Ross Seconded by: M. Hopkins
Be it resolved that Johnson Township get estimates for segregating the canteen utilities.
Carried

Res: 162 Moved by: M. Hopkins Seconded by: J. Kern
Be it resolved that the Council of the Township of Johnson approves the extension of the existing contract with Cheryl Larrett to continue to operate the JTCC Canteen for the 2018/2019 ice rental term to be reviewed by Council in April 2019.
Carried

Res: 163 Moved by: J. Kern Seconded by: C. Ross
Be it resolved that Council approves extending the agreement with Cheryl Larrett re: Café, until end of 2018 at the existing rental rate, pending a review of utility costs.
Carried

Res: 164 Moved by: M. Hopkins Seconded by: J. Kern
Be it resolved that the Council of the Township of Johnson accepts Section "G" correspondence/Information as presented.
Carried

H) OLD BUSINESS:

1. Algoma Power Inc – Information re: API Property Line/Pole relocation concerns from August 15, 2018 meeting. Council approved the Minor Variance Application during the Committee of Adjustment meeting September 2017.
2. Vested Property – Sutton Group Real Estate Listing of 7 Main Street.
3. RBC Royal Bank Loan – Additional document required by bank.

Res: 165 Moved by: C. Ross Seconded by: M. Hopkins
Be it resolved that the Council of the Township of Johnson accepts the RBC Royal Bank loan agreement Facility (6) in the amount of $220,000 over a 7 year term, for the purchase of the 2018 Freightliner Tanker Truck for the Fire Department as included in the 2018 Budget approved with the Tax Rate By-Law 2018-892.
Carried

Res: 166 Moved by: L. Robinson Seconded by: J. Kern
Be it resolved that the Council of the Township of Johnson accepts Section "H" Old Business as presented.
Carried

I) NEW BUSINESS:

1. Township Planning Services – Proposal for planning services from Municipal Planning Services, Chris Jones. C. Jones is presently working with the planning board on the joint Official Plan.

Res: 167 Moved by: C. Ross Seconded by: L. Robinson
Be it resolved that Johnson Township engage in a tendering process so the new Council can hire replacement planning services.
Carried

2. CEMC Sector Meeting September 27, 2018. CEMC and Alternate attendance required.

Action: Alternate CEMC Dave MacDonald will attend September 27, 2018

3. KPMG – Service Delivery and Operational Review Report – SDOR
To confirm a date for Mr. Anselmo of KPMG to present the SDOR Report at a Special Meeting of Council.

KPMG offered the date/time of September 26, 2018 at 5:00 p.m. or to look at options for dates after October 8, 2018.

Action: Acting Clerk to Confirm with KPMG that the September 26, 2018, 5:00 p.m. is still available to KPMG and if yes, arrange and post the meeting details for September 26, 2018 to be held at 1 Johnson Drive, Council Chambers. (portable).

Res: 168 Moved by: M. Hopkins Seconded by: L. Robinson
Be it resolved that the Council of the Township of Johnson accepts Section "I" New Business as presented.
Carried

J) BY-LAWS:

1. By-Law # 2018-901, being a by-law to appoint Acting Clerk, Paula Spurway.

Res: 178 Moved by: J. Kern Seconded by: M. Hopkins
Be it resolved that the Council of the Township of Johnson reads and passes By-Law #2018-901, being a by-law to authorize the appointment of Paula Spurway as Acting Clerk for the Township of Johnson during the time which the Clerk is off on a temporary leave.
Carried

2. By-Law # 2018-902, being a by-law to appoint a Compliance Audit Joint Committee for Central Algoma Area Municipalities.

Res: 169 Moved by: C. Ross Seconded by: M. Hopkins
Be it resolved that the Council of the Township of Johnson reads and passes By-Law # 2018-902, being a by-law to authorize the appointment of a Compliance Audit Joint Committee for Central Algoma Area Municipalities. Carried

3. By-Law # 2018-903, being a by-law to adopt a Code of Conduct for Municipal Council.

Res: 170 Moved by: J. Kern Seconded by: M. Hopkins
Be it resolved that the Council of the Township of Johnson reads and passes By-Law #2018-903, being a by-law to adopt a Code of Conduct for Municipal Council for the Township of Johnson.
Deferred.

4. By-Law # 2018-904, being a by-law to adopt a Council-Staff Relations Policy.

Res: 171 Moved by: M. Hopkins Seconded by: J. Kern
Be it resolved that the Council of the Township of Johnson reads and passes By-Law #2018-904, being a by-law to adopt a Council-Staff Relations Policy for the Township of Johnson.
Deferred.

5. By-Law # 2018-905, being a by-law to adopt an Integrity Commissioner Inquiry Policy.

Res: 172 Moved by: M. Hopkins Seconded by: J. Kern
Be it resolved that the Council of the Township of Johnson reads and passes By-Law #2018-905, being a by-law to adopt an Integrity Commissioner Inquiry Policy for the Township of Johnson.
Deferred.

6. By-Law # 2018-906, being a by-law to enter into an employment contract with Herman Klingenberg.

Res: 173 Moved by: C. Ross Seconded by: J. Kern
Be it resolved that the Council of the Township of Johnson reads and passes By-Law #2018-906, being a by-law to execute an employment contract between the Township of Johnson and Herman Klingenberg.
Carried

7. By-Law # 2018-907, being a by-law to confirm meeting proceedings.

Res: 174 Moved by: M. Hopkins Seconded by: L. Robinson
Be it resolved that the Council of the Township of Johnson reads and passes By-Law #2018-907, being a by-law to confirm meeting proceedings.
Carried

K) HEALTH & SAFETY: None

CLOSED MEETING:

1. Personal matters about an identifiable individual, including municipal or local board employees.

Res: 175 Moved by: C. Ross Seconded by: M. Hopkins
Be it resolved that the Council of the Township of Johnson proceed in Closed session at 8:00 p.m. in order to address a matter pertaining to personal matters about an identifiable individual, including municipal or local board employees.
Carried

Res: 176 Moved by: M. Hopkins Seconded by: J. Kern
Be it resolved that the Council come out of the closed session at 8:15 p.m.
Carried

Res: 177 Moved by: C. Ross Seconded by: L. Robinson
Be it resolved that Johnson Township investigate the availability of a temporary Clerk and temporary election employee to serve the Township in the event that they are needed to compensate for current staffing shortfalls.
Carried

Res: 178 - Refer to "J" Item #1 - By-Laws # 2018-901

M) ADJOURNMENT:

Res: 179 Moved by: L. Robinson Seconded by: J. Kern
Be it resolved that the Council of the Township of Johnson adjourn the meeting at 8:25p.m.
Carried

_____ _____
Date Adopted Ted Hicks, Mayor

_____
Paula Spurway, Acting Clerk

10/17/18

CORPORATION OF THE TOWNSHIP OF JOHNSON
Special Council Meeting
1 Johnson Drive, Desbarats
Johnson Township Council Chambers (Portable)
September 26, 2018

Presided by: Acting Mayor Marlee Hopkins

PRESENT:

Council:	Councillors – Lorne Robinson, Jason Kern, Cameron Ross
Regrets:	Ted Hicks
Staff:	Acting Clerk – Paula Spurway, Administrative Assistant - Sonya Spurway, Frieda Labelle, Fire Chief – Ron Smith, Recreation Co-Ordinator – Pat O'Gorman, JTCC Manager – Denise Methot
Visitors:	Attached sign-in list.

A) CALL TO ORDER:

Res: 180 Moved by: J. Kern Seconded by: C. Ross
Be it resolved that the Council of the Township of Johnson open the meeting at 5:03 p.m.
Carried

B) DECLARATION OF PECUNIARY INTEREST: None Declared

C) NEW BUSINESS:

1. Township of Johnson Service Delivery & Operational Review
   Presentation by KPMG, Chas Anselmo, Senior Manager.

   - Mr. Anselmo provided Council with the SDOR Report. Council and Senior Staff had the opportunity to review the large report in draft form and speak directly with Mr. Anselmo regarding any questions, clarifications or comments.
   - Council was also provided a copy of the meeting presentation. KPMG's research for the report is based on the following questions: What does the township do; Why does the township do it and How does the township do it. With this information it looks for any opportunities for change along with the benefits and risks associated with these opportunities.
   - The report provided data on the townships current state, the benefits and risks of using benchmarks, where we fit among other relative comparators, opportunities for Council's consideration, opportunities for internal efficiencies, going forward considerations.

   Mayor Hopkins thanked KPMG for the presentation and clarified that once the report was accepted by Council – it would then be considered a public document.

Res: 181 Moved by: L. Robinson Seconded by: C. Ross
Whereas, KPMG LLP was retained by the Township to undertake a service delivery and operational review; and
Whereas the objectives for the review were as follows:

- Properly describe and evaluate the Township's operating structure and service levels;
- Critique the Township's operating effectiveness and efficiencies based on credible benchmarks and best practices;
- Identify potential changes that will result in:
    - The maintenance of adequate service levels
    - Cost reductions
    - New non-taxation revenue sources
    - Enhancements to the Township's long-term financial sustainability;

Now Therefore Be it Resolved that the Council of the Township of Johnson accepts and approves the KPMG – Service Delivery and Operational Review Report for the Township of Johnson.
Carried

Res: 182 Moved by: C. Ross Seconded by: L. Robinson
Be it resolved that KPMG Service Delivery and Operational Review be deemed to be a public document with copies provided to each Municipal Electoral candidate and generally accessible to the public.
Carried

D) BY-LAWS:
1. By-Law # 2018-908, being a by-law to confirm meeting proceedings.

Res: 183 Moved by: J. Kern Seconded by: C. Ross
Be it resolved that the Council of the Township of Johnson reads and passes By-Law # 2018-908, being a by-law to confirm meeting proceedings. Carried

E) ADJOURNMENT:
Res: 184 Moved by: J. Kern Seconded by: L. Robinson
Be it resolved that the Council of the Township of Johnson adjourn the meeting at 6:17 p.m.
Carried

_____ _____
Date Adopted Marlee Hopkins, Acting Mayor

_____
Paula Spurway, Acting Clerk

E(1)(a) 10/17/18

Township of Johnson
Acting Clerks Report
To Council

Date: October 17, 2018

Public Information: Yes
Confidential: No

Re: Council's request for clarification and information regarding the JTCC report from the September Council meeting

JTCC Managers report commented on:

- Increase in hours booked when comparing last 2 years. Ice season time frames were used to compare – not calendar year (ie: Oct 2017 to Mar 2018 vs Oct 2016 to Mar 2017). These time frames were past the time frame of the ice plant issue.
- CASS hours used at our facility. JTCC Manager has spoken to CASS hockey organizers many times over the years regarding costs, timeframes needed, how can we accommodate them. A comment that has been made several times is that the team receives a lot of community support, spectators, cheering etc.

JTCC Manager provided an update to bookings so far:

- Prime time availability is limited (Mon-Thurs 4-9) between contract holders, recreational hockey and the occasional team rentals.
- Saturday am and Sunday evenings are booked
- November has a few games and a mini-tournament during the open weekend times.

Respectfully Submitted:

Paula Spurway, Acting Clerk

E(1)(b) 10/17/18

Township of Johnson

Acting Clerks Report

To Council

Date: October 17, 2018

Public Information: Yes
Confidential: No

Recommendation: None – For Information Only

Joint Official Plan
Clerks Meeting October 10, 2018

Desbarats to Echo Bay Planning Board held a meeting for the clerks of the 4 municipalities participating in the Joint Official Plan that was agreed to in 2017.
The participating municipalities are:

- Echo Bay, Laird, Tarbutt and Johnson

Johnson Townships Official Plan is due to be updated in 2019 (the zoning by-law must also be updated but not until 2022).
Chris Jones of Municipal Planning Services provided an overview of the process to have an Official Plan approved and adopted.
Steps in the process require consultations with:

- Council-overall visions/goals regarding quality of life for residents. Considerations regarding land use designs and permitted uses, shoreline developmentenergy conservation, waste and brownsfield sites, the municipal role re: public lands, tiny homes, garden suites, cannabis, seniors etc.
- various ministries (MNR, MOE, MAH, OMAFRA),
- General public via open public meeting and staff/council consultations.
- provincial review process (must be consistent with the Provincial Policy Statement, Public Lands Act etc).
- Develop regulations/.procedures to assist the township when implementing the OP (zoning by-laws, specific exemptions etc).

In general the Official Plan provides the policy – Zoning By-Laws outline the regulations.

Chris Jones will be requesting information from the Clerks specific to each township.

Respectfully Submitted:

Paula Spurway, Acting Clerk

E(1)(c) 10/17/18

Township of Johnson

Acting Clerks Report

To Council

Date: October 17, 2018

Public Information: Yes
Confidential: No

Recommendation: None – For Information Only

Township Planning Services
Information for Council Consideration and status update.

In response to Council's request to engage in a tendering process for replacement planning services, I offer the following information for councils consideration:

- In July 2018, Council accepted the letter of retirement from G. Tunnock with a date of October 22, 2018. Mr. Tunnock noted in his letter that he was providing timely notice to assist in with the townships succession planning.
- Council discussed and agreed to reach out to C. Jones who was the jointly hired planner for the Desbarats to Echo Bay Planning Board. The information was included in the September agenda.
- Tarbutt Township hired C. Jones in 2012 to work on their Official Plan after a formal tender process.
- Considering the recent experience in our area (St. Joseph Township, Thessalon, Tarbutt and other northern municipalities) combined with the knowledge he will have of Johnson through his involvement with the joint official plan, Council may want to consider the possible time and cost savings.
- A planner responds to development inquiries, provides professional planning advise and recommendations on all types of planning applications and will be difficult to function without this area of expertise for any length of time.
- Assistance in developing the request for proposal would be required as it must be very specific. There has not been any progress to date on this process.

Respectfully Submitted:

Paula Spurway, Acting Clerk

E(2) 10/17/18

Township of Johnson
Fire Chiefs Report
To Council

Date: 17/10/2018
Public Information: Yes
Confidential: No

Recommendations:

That the Council of the Township of Johnson accepts the recommendation from the Volunteer Fire Chief to:

1. Accept the tender from Ron Nolan in the amount of $11,701 to purchase the tanker truck.

2. Participate with or through the AMO or OAFC to provide input into the regulations that have been implemented (Risk Assessment & Public Reporting for Fire Departments) and those that have been revoked (Mandatory Certification for Firefighters).

Information:

- There were numerous inquiries concerning the tanker and Mr. Nolan's offer met all requirements.
- The truck has had all emergency equipment (siren , lights , and radio) removed and is ready for pickup by the purchaser.
- Communication from OAFC has indicated the mandatory Certification has been revoked, however, input into ongoing changes is important.
- See communication from OFAC president regarding participation in special meetings to provide input from various perspectives and communities.
- Having a voice from Northern Rural Communities is significant. We become benefactors of communities in the south that participate in formulation of these regulations. Many have more constituents to draw from for volunteers and simple geography can play a pragmatic role limiting our ability to work effectively with neighbouring communities.
- The revocation of the Mandatory Certification is one step, the Risk Assessment and increased Reporting requirements are still in place and will require consideration as we move forward.

Respectfully Submitted:

Ron Smith

Ron Smith,
Johnson Township Fire Chief

10/17/18

Ron Smith <jtfdchief@gmail.com> Oct 6, 2018, 2:09 PM (9 days ago)

to richard.boyes, Ruth, Paula, TED

Greetings Richard,

My comments will be somewhat shortened after hearing of the regulation revocation. I had been preparing a more detailed response regarding the "Certification Regulation" however, I am going to say that I am in full support of the revocation of this regulation.

The regulation would have, within a short period of time, seen many of my firefighters and officers leave the department. I would be happy to have a discussion about certification alternatives or a more reasonable expectation for implementation or of grandfathering. For those of us in small communities this type of requirement would have be extremely difficult to satisfy, not only from a financial perspective but also in the time required for individuals who are volunteers to be away from work or family.

Living in a community with approximately 600 residents we don't have a huge pool to draw from for staffing a department. Adding the additional "certification" requirements we would loose a significant portion if not most of our folks.

Let me be clear, training our people is important and we take it seriously. We have a reliable crew that turns out to our weekly training night and to our calls for response. We work hard to cross train our members and have each of them prepared for any task we may face. We can always improve our skills, and we have committed more budget funds for training and continue to look for opportunities to upgrade our services, abilities and equipment. The level of commitment that existed prior to the notion of certification did take a hit when they found out that none of their efforts would be recognized and many were ready to resign.

I am in no way suggesting we remain static in our development, however, it is a declaration that there must be a more reasonable approach taken. "Regulations" and "legislation" will not control the hazards we face. Firefighting and related rescue activities, whatever they may be, are hazardous by definition. Regulations will not remove the hazard...or prevent injury. Training on the other hand has a much greater opportunity to improve the departments knowledge and reduce the risks for us as we tackle our responses. Having training available, affordable, and accessible for smaller volunteer departments in the north, would be much more valuable in terms of making a department "safer" than having a regulation on the books that makes training "required"!

The notion of "certification" is wonderful for those firefighters who want to move from department to department, look for a career in the fire services industry, or make a career of firefighting. For those of us who are not making it a career, but simply wish to use our skills in serving our community, we would be better served by having training programs made available to using the funding that would be spent to "enforce certification".

With significant pressure on us to reduce budgets, creating a new mountain of expense for volunteer and career departments alike does not seem to be a very practical approach.

10/17/18

Again, let me state very clearly, I am a strong advocate for adult education and continuous learning! I spent a significant portion of my career in the automotive industry involved in the training department. We worked very hard to make training enjoyable, practical and applicable for participants. Being "anti-certification" should not be perceived an indictment of training...but rather a suggestion that certification may not be the key to the improvement in personnel and public safety.

Best Regards,

Ron

Ron Smith, Chief,
Johnson Township Fire Department
Ph: 705-206-0759

RESPONSE

Richard Boyes <Richard.Boyes@oafc.on.ca> Oct 12, 2018, 3:54 PM (3 days ago)

Hi Ron,

Thank you for taking the time to provide your input regarding the now revoked Mandatory Training and Certification Regulation, and the two standing Regulations – Community Risk Assessment and Public Reporting.

As you may be aware, the OAFC is conducting a gap analysis pertaining to training and certification and collecting input on the Community Risk Assessment and Public Reporting Regulation. The information gathered will help us understand specific challenges/barriers fire services have in regards to training, certification and the two Regulations. This feedback is critical in order to propose policy to government. We encourage all members to attend your PAC/special meeting. Whether you are in support of mandatory training/certification or not, the OAFC would still like the opportunity to speak with you and gain your perspective. We encourage all members to attend and have a voice!

Further communications will be forth coming as this process moves forward.

Feel free to contact me should you have any additional questions.

Richard Boyes

Executive Director
Ontario Association of Fire Chiefs
520 Westney Road South, Unit 22
Ajax, Ontario L1S 6W6
Tel: 905-426-9865 Fax: 905-426-3032
Toll Free: 1-800-774-6651
richard.boyes@oafc.on.ca

E(3)(a) 10/17/18

Township of Johnson
Public Works Superintendent
To Council

Date:
17 October 2018 **Public Information Yes**

Confidential: no

Recommendation

Information Only from 19 Sept 18 meeting Res#161

Information

See a letter of opinion from King's Plumbing and Heating re. Power and Natural Gas to Canteen.

Respectfully Submitted

Randy Spurway
Public Works Superintendent

10/17/18

KING'S Plumbing & Heating
Since 1960
Thessalon, ON
842-3644

To: Whom this may concern.

October 10th 2018

Re: Power and Natural Gas to Canteen

In my experience with clients in the past, who want to isolate utilities, and keep track of the costs, in a similar situation as to what you are investigating, this will be very difficult, and my best advice is to just try to rent/lease the spot to the tenant, and price it accordingly to cover utility costs.

With the natural gas, it could be possible to pipe the area, and put a gas meter inline, that you would read on a monthly basis, and charge the tenant as required, but then you could be into a situation where you become a "utility company", and your insurance company and auditor may have input into this. The same goes with the hydro for selling the power, but also it will be much more difficult to isolate. An extensive renovation will be required to bring a main feed in for the canteen, then rewire the whole area, and meter that as well.

If you have any other questions or concerns, please do not hesitate to contact me at any time.

Best Regards,

Scott Lawrence

Kings Plumbing & Heating

842-3644

E(3)(b)

10/17/18

Township of Johnson
Supporting notes to
Public Works Superintendents report

Date: October 17, 2018

Re: Council Resolution #161 from Sept 19th Council meeting

Resolution #161 Sept 2018
Be it resolved that the Johnson Township get estimates for segregating the canteen utilities.

In addition to the letter of opinion provided by Kings Plumbing & Heating – the following should also be revisited:

- **API** charges a delivery, debt retirement & regulatory fees on each invoice. JTCC now receives 2 API bills and these fees are large in comparison to the actual electricity charges for power used. If canteen is segregated, the 3 invoice would also incur these additional charges. (sample attached)
  Eg: Total bill amount (net of HST & prov. rebate) $292
  Of the $292, $ 134 is Fees (46% of the bill is in addition to power used)
- **Union Gas** charges gas price adjustment, transportation, storage and delivery along with a monthly charge. Of the bill total $63 - $15 was gas used. (sample attached)

Other considerations:

- Water & Sewer usage cannot be segregated
- Previous reports to council showed monthly fridge & freezer costs based on the Hydro One appliance calculator.
- Farmers Market uses the lobby, storage and washroom areas including some fridge/freezer usage 8 times per month during their season.
- At times other concurrent events (Senior IPad/Tablet education sessions) use power and other facility services.

These make it difficult to calculate an accurate cost per user.

Respectfully Submitted:

Paula Spurway, Acting Clerk

E(4) 10/17/18

Township of Johnson
Public Works Superintendent
To Council

Date:
17 October 2018

Public Information yes

Confidential: no

Recommendation

Information Only

Information

Clarification of the resolution 155 from 19 Sept 2018 meeting. The funding for the grader wing post and Deplonty Rd. ripping should come out of the roads operating budget not the Black Creek Bridge Project.

Respectfully Submitted

Randy Spurway
Public Works Superintendent

F(1)

Ruth Kelso 10/17/18

From: Paula Spurway <pspurway@bellnet.ca>
Sent: Tuesday, October 09, 2018 7:44 AM
To: Ruth Kelso
Subject: FW: ADMA meeting highlights

Paula
Here is my report from the recent ADMA meeting to be included on the next agenda.

1. Presentation by Melanie Pilon, Economic Development Officer Dubreuilville
- report on the Northeast Superior Regional Broadband network
- made up of 5 First nation communities, Wawa, Chapleau, White River and Hornepayne
- joined together, pooled their resources and applied for funding from NOHFC. Their hope is to maximize broadband infrastructure and create equitable, affordable provisions of up-to-date broadband services.

2. FONOM updates
- AMO Conference well attended by Government Ministers
- new Minister of Finance showed interest and asked questions about the proposal previously presented on adding 1% more tax onto the existing HST (I reported on this last September)
- these topics were brought to the forefront again:
Connecting link funding to provide $ to Municipalaties where part of the Hwy systems has been downloaded.
4 laning of Hwy 27
railway right- of-way property tax - no changes in way taxes are assessed since the 1940's
Fuel prices in Northern Ontario
Non- urgent transfer of patients
October 17 Cannabis Regulations. No one has seen what they are yet. Onus is on Municipalaties on where it can be sold or where it can be smoked. Added costs for Policing this is downloaded onto the Townships. Cannot add to current Police Contract
Asked new Government to leave Public Health Unit numbers alone

Danny Whalen from Temiskaming Shores is the new FONOM President

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3. Bob Thorpe from OFMEM did a presentation on the new regs. Regarding Fire Departments.
Consensus of most Municipalities to delay implementation date to certify our Firefighters.
Stressed importance of keeping training records for each Volunteer
September 30, 2018 was the cut off date for "Grandfathering" Firefighters.
Previous Government promised funds to certify Firefighters, reality is that it is the Municipalaty's responsibility.
Community Risk Assessment (similiar to one prepared for Emergency Management) is mandated to be prepared and updated every 5 years. This report should include demographics of the Township, where aged member of the community live, list and location(s) of vulnerable persons.
Bob Thorpe will be retiring from OFMEM as of November 30, 2018 but will still be working in some capacity in the area.

4.
Report on Hydro One's application to the Governments to build the new transmission line (Lake Superior Link project) from Thunder Bay to Wawa. They would "piggy back" the new line along their existing line, cutting .$100 million off price. Exbridge is also interested in building the new transmission line. Hydro One can save costs ad their existing line goes through the Pukaskwa Provincial Park while Exbridge would have to build outside the Park. The Government will inform of their decision on November 8, 2018.

The next ADMA meeting is scheduled for April 13, 2019 in Echo Bay.

Respectfully submitted,

Marlee Hopkins.

Sent from our iPad=

G(1)

Ruth Kelso 10/17/18

From: Federal Gas Tax Program <GasTax@amo.on.ca>
Sent: Thursday, October 11, 2018 2:44 PM
To: ruth.kelso@bellnet.ca
Cc: ruth.kelso@bellnet.ca; pspurway@bellnet.ca
Subject: AMO's 2017 report on the federal Gas Tax Fund

Dear Ted,

I'm pleased to announce that AMO's annual report on the federal Gas Tax Fund is now available. I encourage you to share this report with your local Council.

Our communities own and operate much of Ontario's infrastructure; the Fund provides permanent and stable funding to help us build and maintain it. In 2017 alone, we invested $607 million from the Fund to rebuild roads, install energy-efficient upgrades, and more.

The Township of Johnson has invested $224,015 in four infrastructure and capacity-building projects worth $704,067 since the federal Gas Tax Fund was established in 2005.

AMO is proud to administer the federal Gas Tax Fund on behalf of Ontario's municipalities. Please feel free to contact AMO's Director of Membership Centre, Brian Rosborough, at 416-971-9856 or brosborough@amo.on.ca if you have any questions about the Fund or this report.

Sincerely,
Jamie McGarvey
AMO President

c. Ruth Kelso, Clerk/CAO
c. Paula Spurway, Treasurer

The Federal Gas Tax Fund

10/17/18

About the Federal Gas Tax Fund

The federal Gas Tax Fund provides permanent and stable federal funding for local infrastructure projects. Canadian municipalities receive over $2 billion from the Fund each year. Ontario's communities received $782 million in 2017.

Federal Gas Tax funds can be used flexibly to address local priorities. Municipalities can invest funds in the construction, enhancement or renewal of local infrastructure, improve long-term plans and asset management systems, or bank funds to support future projects.

Investing the Fund advances national objectives. Funds can be invested across 17 project categories to promote economic growth, strengthen communities, and improve the environment. Eligible project categories are listed below.[1]

Productivity and Economic Growth	Clean Environment	Strong Cities and Communities
Broadband Connectivity	Brownfield Redevelopment	Capacity Building
Local Roads and Bridges	Community Energy Systems	Culture
Public Transit	Drinking Water	Disaster Mitigation
Regional and Local Airports	Solid Waste	Recreation
Short-Line Rail	Wastewater	Sport
Short-Sea Shipping		Tourism

Rehabilitation of Black Bridge in the Town of the Blue Mountains.

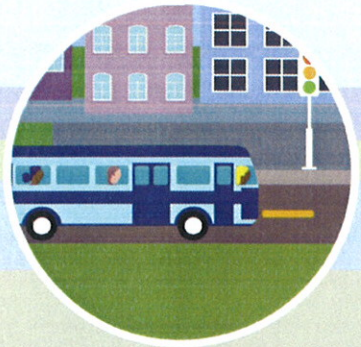
Replacement of Play Structures in the City of Cambridge.

[1] Highways are also eligible under the federal Gas Tax Fund, but are not listed in the table above because highways are provincially owned and maintained in Ontario.

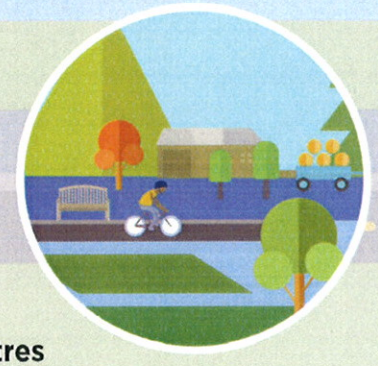
10/17/18

Investments of the federal Gas Tax Fund supported the:

Construction, rehabilitation or replacement of nearly **3,000 lane-km** of local roads – enough to drive from Thunder Bay to Ottawa and back.

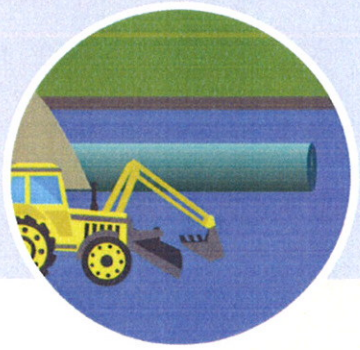


Purchase of **51 new public transit vehicles** and refurbishment or replacement of an additional **148**.



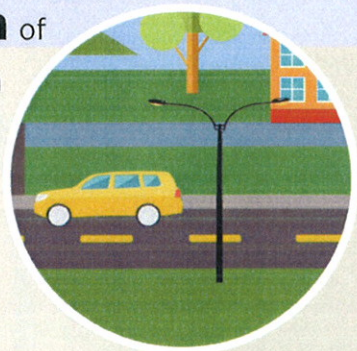
Development renovation or upgrade of **20 playgrounds**, **11 community centres** and **10 arenas** serving over **185,000 Ontarians**.

Construction, rehabilitation or replacement of more than **16 km** of sanitary and storm sewers servicing over **3,000 residents**.



Construction, rehabilitation or replacement of more than **28 km** of watermains, delivering clean water to more than **6,000 residents** and extending fire protection to **102 properties**.

Installation of energy-efficient retrofits in **32 municipal buildings** and **10,722 energy-efficient LED streetlights**, saving **7 GWh** of energy – enough to power over **700 houses** for a year.



See Appendix A for more project results reported in 2017.

G(2).

10/17/18

AMO Contact:
Craig Reid, Senior Advisor
P: (416) 971-9856 ext. 334 | E: creid@amo.on.ca

October 3, 2018

Briefing: Municipal Governments in the Ontario Recreational Cannabis Framework

What Ontario Municipal Governments Need to Know About What Has and Has Not Changed

Introduction

In 14 days, it will be legal in Canada to possess or use cannabis subject to certain limits. The federal government amended the Criminal Code to enable Canadians to buy, sell and consume cannabis and cannabis products. Under federal legislation, Health Canada administers the licensing regime for recreational cannabis growers. These licensed producers serve as the sole source of legal recreational cannabis in Canada. The federal framework includes rules regulating grow operations as well as the advertisement and promotion of cannabis, which is strictly controlled to protect youth.

Under federal legislation, provinces are responsible for establishing wholesale and retail distribution systems. Jurisdiction over rules regarding where individuals can consume cannabis also resides with the provinces. ■

Ontario's Approach:

The key proposed amendments in Bill 36 are:

i) to allow private sector retail stores where a municipal government has not opted out of retail sales;

ii) establish the Alcohol and Gaming Commission of Ontario (ACGO) as the retail store licensing body and

iii) align cannabis consumption rules with tobacco places of use under the *Smoke Free Ontario Act*.

For a breakdown of changes proposed by the legislation, click here. ■

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Retail Distribution on 17.10.18:

Ontario residents will be able to order cannabis legally from the Ontario Cannabis Retail Corporation (OCRC) starting October 17, 2018. The OCRC will be the only legal distributor for wholesale cannabis to retailers and the on-line retailer to the public. Delivery is conditional on the person ordering and receiving the cannabis product being an Ontario resident and 19 years of age or over. Identification is required. Packages cannot be left unattended in a building or home. ■

Places of Use:

If Bill 36, as proposed, becomes law on October 17, smoking recreational cannabis will be legal where tobacco consumption is permitted under the *Smoke Free Ontario Act*. It is illegal to smoke tobacco in enclosed workplaces, restaurants, bars and patios, schools, near playgrounds and publicly owned sports facilities and other locations. Municipal governments can also enact stricter by-laws on places to smoke in their communities. This allows municipal governments to reflect community preferences for the safety of residents and to balance public enjoyment of the community. However, in considering stricter requirements, municipal governments should also consider the cost of enacting locally determined rules and how they will be enforced. ■

Take Away:

The proposed rules governing where it is legal to smoke cannabis are changing. Public Health Units enforce the SFOA smoking rules. Municipal governments can pass stricter smoking by-laws but will need to consider cost and enforceability.

Provincial Licensing of Retail Stores:

The new legislation authorizes the Alcohol and Gaming Commission of Ontario (AGCO) to license and regulate private cannabis retail in the province.

The AGCO will establish processes for Retail Operator Licensing and Retail Store Authorization for retail cannabis stores in communities where municipal governments have not opted out. The AGCO and police will also be responsible for inspections and enforcement of the Act. Municipal official plans, zoning approvals and licensing by-laws will not apply. The AGCO has three licensing functions:

- The AGCO will be responsible for licensing cannabis Retail Store Operators. Licensing will be subject to criminal and financial eligibility checks. The AGCO is aiming to open the application process for store operator licenses in December 2018.
- Once a specific cannabis retail site has been proposed, the AGCO will be responsible for determining and granting Retail Store Authorization.
- The AGCO will also license Cannabis Store Retail Managers employed in senior positions at retail locations.

The AGCO will charge fees to cover the cost of administering of the licensing and retail store authorization processes.

The AGCO will provide municipal governments and the public with a 15-day notification period of a proposed store site to receive public input and hear concerns from the local community. Under the proposed law, the AGCO will consider comments from both the lower and upper tier municipality. The public notification of a proposed cannabis retail site will also be posted on the building and on the AGCO's website.

Further details as to how the public notification process will work are not yet available. In providing comments, the Bill says municipal governments must have regard to the needs and wishes of residents. AMO is seeking clarity on what this means since cannabis retail siting is exempt from typical land use planning processes.

Store locations will need to observe a minimum distance from schools. This distance will be specified in regulation. AMO is seeking clarity on how other local sensitive uses will be considered by the AGCO in its decision-making process.

There is no cap on the number of storefronts, leaving it to market demand to decide locations and the number of stores. However, there is regulatory flexibility in the Act to set concentration limits to ensure one or a few operators do not dominate the retail market.

It is unclear if a cannabis retail store would need to be located within a municipal commercial zone where retail is a permitted use or in any zone where retail is permitted.

AMO had hoped that municipal governments would have greater opportunity to influence store locations to protect other sensitive sites and the density of stores in their communities. This is an ongoing interest of municipal governments and will form part of AMO's continuing work, including engagement on regulatory development.

The first retail stores are to be operational April 1, 2019, after all licenses and authorizations are in place. It is presumed that all store locations will be required to be compliant with the Ontario Building Code and Fire Code. ■

Take Away:

The AGCO will license operators, approve store sites proposed by licensed operators and license cannabis retail managers to work in retail stores. Where municipal governments have not opted out, a 15-day notice period will allow comments from the public and municipal governments.

Regulations will set minimum distances from schools for retail locations. The government may also pass regulations to control market concentration of a single retail operator or corporation.

At this point it is unknown whether local zoning compliance will be needed for site approval.

AMO will continue to seek opportunities for municipal influence over store locations and density.

Municipal Opt Out of Cannabis Retail:

Municipal governments (defined in the Act as a local municipality) have a one-time opportunity to opt out of cannabis retail in their communities. There is no time period for a local municipality to opt back in via resolution. If the opt out is reversed by a municipal government, that decision is final.

To opt out, municipal councils must pass a resolution by January 22, 2019 stating they do not wish to host cannabis retail stores in their communities. The resolution must be sent to the AGCO. The AGCO's receipt of this resolution will automatically cancel any outstanding applications for a storefront in the municipality. The AGCO will keep a public list of communities that have opted out of hosting cannabis retail

stores. Operators will not be able to propose a store location or locations in those communities. The Minister of Finance will track municipal governments who opt out as this may impact the distribution of funding to help with costs. ■

Take Away:

Municipal governments can opt out of hosting recreational cannabis retail storefronts in their communities by January 22, 2019 by sending a resolution to the AGCO. This opt out can be reversed but any decision to opt in is final.

Opting out may affect the portion of cannabis excise tax funds a municipal government is eligible to receive.

Illegal Storefronts - Dispensaries:

Recreational cannabis is illegal until October 17, 2018. In Ontario, cannabis retailers MUST have AGCO operator licenses, site authorizations and employ authorized staff. They must also display a seal. To be eligible for AGCO authorizations, current illegal cannabis retailers will need to shut down prior to October 17, 2018. They may then apply for a retail operator license unless charged under federal or provincial cannabis legislation that comes into effect October 17. This may impact the closure of current illegal dispensaries without police intervention.

Unauthorized sales of cannabis are subject to significant POA fines (up to $250,000 for individuals and $1,000,000 for corporations, with additional fines per day that the offence continues) and police can issue closure orders to prevent unauthorized retail sites from reopening. Landlords can also be charged for permitting their property to be used in contravention of the Act (up to $250,000 for individuals and $1,000,000 for corporations, with additional fines per day that the offence continues).These fines are levied under the *Provincial Offences Act* (POA). If successfully prosecuted and collected, the fine is paid to the municipal government. ■

Take Away:

The first legal cannabis retail storefronts will open on April 1, 2019. To be eligible to receive an operator license, current illegal dispensaries must close before October 17. Any stores operating in Ontario without AGCO licenses are illegal and subject to police enforcement and prosecution.

POA fines apply.

Enforcement:

Police will enforce the federal and provincial cannabis legislation. The federal government has provided funds to police forces for training and the Ontario government has worked with Ontario Provincial Police and municipal police forces to increase the number of officers trained in the Standard Field Sobriety Test and as Drug Recognition Experts.

The AGCO will enforce licensing, renewals and adherence to any conditions. This will include inspections of store operations, the financial practices of the operators, ensuring licensed personnel are working in stores as required and discharging their duties appropriately, ensuring rules regarding sales are followed, etc. Contravention of provincial and federal requirements and laws can result in the revocation of operator licenses.

Public Health Units enforce the SFOA currently and deal with places of use for tobacco. Cannabis use enforcement will be added to these duties since the locations will be the same as now, unless municipal governments pass stricter smoking by-laws. Passing and enforcing stricter local smoking by-laws may increase local public health unit budgets for municipal governments.

Bill 36 includes provisions for municipal government councils to request that the Minister authorize in writing for local by-law enforcement officers to enforce the Act. This may be a preferred option longer term for new councils to consider after learning more about the transition impact of legalization.

The federal *Cannabis Act* strictly controls the operations of licensed growers as well as the advertising and promotion of cannabis. Growers must adhere to strict security requirements and seed to sale tracking of their products under the terms of Health Canada registration. Rules and regulations regarding promotion and advertising also have the effect of banning cannabis promotion through mass advertisement channels because of youth access to these mediums. Section 23 of the federal *Cannabis Act* also pertains to the display of advertisements and could impact municipal governments who display third party ads. Fines and penalties can be levied against an entity for disseminating prohibited cannabis promotions. Where municipal governments own advertising vehicles (such as transit ads or street furniture, etc.) they may wish to consider prohibiting advertising related to this activity. ■

Take Away:

Police forces will enforce road safety and illegal storefronts. The province has provided training to police officers and is working to expand Drug Recognition Expert training. Public Health Units will enforce smoke free Ontario rules.

AGCO will inspect, investigate and enforce rules for registered operators and stores, including financial practices and illegal activities, if any.

Federal cannabis advertising rules are strict. Municipalities should ensure that their policies for transit and other municipal advertising channels are in line with these requirements.

AMO

10/17/18

Municipal Funding:

The transition to legal recreational cannabis will impact local services and municipal government functions including: policing, public health, bylaw enforcement and potentially paramedic services.

To help manage these municipal impacts, the provincial government has confirmed that it will honour its commitment to provide municipal governments with $40 million of Ontario's portion of the federal excise tax on cannabis with a 50/50 provincial-municipal split if Ontario's revenues exceed $100 million in the first two years. The commitment is:

- $40 million over two years to municipal governments.
- At least $10,000 for each municipal government with $5,000 distributed to all municipalities as soon as possible. Another $5,000 will be distributed in 2019.
- For municipal governments allowing stores, additional funding will be distributed on a per household basis. The province will also maintain a contingency fund to support additional and unanticipated costs.

Clearly, the provincial funding provides an incentive to municipal governments to allow private cannabis retail in their communities. There has been a sense that the federal excise tax amount will not cover provincial or municipal costs. Legal recreational cannabis is new to everyone. Some costs may increase such as nuisance calls, while others, such as police enforcement, may decrease. At this point, we do not know the impact. AMO urges municipal governments to track costs for **additional** work relating to the transition to legal recreational cannabis so data is available to protect local finances and services. ■

Take Away:

All municipal governments will receive at least $10,000 to help transition to legal recreational cannabis in our communities.

Communities that decide to allow retail storefronts will receive $10,000, plus per household funding, and will be eligible for a share of 50 per cent of the surplus funding if the province's share of federal excise tax exceeds $100 million in the first two years.

Municipal governments must track additional expenditures related to legalized recreational cannabis.

Licensed Producers and Medical Cannabis:

Cannabis growing operations are licensed by Health Canada for medical and recreational cannabis products. It is also legal for residents to grow up to four plants per residence for personal use.

Medical cannabis users will continue to access cannabis in the same way as they do now. For some, that means that they order from licensed producers and Canada Post delivers their cannabis. Others grow their own for their personal medical use. Others still designate growers to provide the cannabis they need to manage their medical needs. It is anticipated this will continue, though some current and future patients may elect to get their cannabis from the recreational market if their specific requirements are met. The courts have upheld access to medical cannabis, including through designated growers.

As proposed, Bill 36 will also allow cannabis growers licensed by Health Canada to apply to operate one retail facility at a growing location.

This responds to the desire of cannabis producers to have vertically integrated cannabis operations. AMO understands this may function somewhat like retail operations at Ontario wineries and breweries.

AMO's Board has sought greater control for municipal governments over cannabis growers to ensure community concerns can be acted upon, such as through planning and licensing controls. For municipal governments that may be challenged working with some of these growers, we advise continued engagement and monitoring through the transition period. ■

Take Away:

It is illegal to grow more than four plants per residence.

Medical cannabis users are able to continue accessing cannabis in their currently preferred method(s). In some communities, there may be concerns about conflicts between some growers and their neighbours. The courts have upheld this activity as part of a patient's right to access medicine.

Licensed Producers in Ontario will be able to open one store at one location to retail their products.

Next Steps:

Municipal governments do not need to rush to make an opt-out decision. They have until January 22nd at the latest. Our advice is for new councils (post municipal election) to wait to have a full understanding of the legislative authority (once it is passed), the content of regulations (yet to be tabled) and an understanding of the AGCO's process for dealing with retail store licenses and store authorizations before making a decision to opt out. AMO is preparing to present to the Standing Committee reviewing the legislation on municipal concerns and challenges and seek any amendments deemed necessary. Municipal governments that have suggested amendments are urged to get in touch with AMO ASAP.

AMO is committed to advocating for municipal interests and providing as much assistance to members to facilitate local decision-making. Aspects of this will become more apparent over the coming weeks. AMO encourages municipal officials to bookmark the AMO website to keep up to date, and to reference other information. ■

G(3)

10/17/18

Association of Municipalities Ontario

Bill 36 - Cannabis Statute Law Amendment Act, 2018

Submission to the Standing Committee on Social Policy

October 11, 2018

The Association of Municipalities of Ontario has been working hard to advance local perspectives on the legalization of recreational cannabis on behalf of the municipal order of government since early 2016.

Cannabis and other drugs are available now in our communities. I think we can all agree that prohibition has not offered the control that we need.

AMO supports the legalization, a properly managed growth and supply of the product to consumption.

All orders of government share interests in legalization – to reduce access to the black market and protect youth.

With already high use by youth – we'll need to remain flexible as implementation unfolds.

The federal government is driving this change, but it is reliant on provincial laws. Yet municipal governments will be the first to witness and respond to the impacts of cannabis legalization in our communities.

We anticipate that the transition to legal recreational cannabis will increase some costs for municipal governments, especially during the transition period as we gain experience with all parts of the new framework.

Legal recreational cannabis will add to the responsibilities for municipal government services such as our police forces – own or OPP – municipal and public health bylaw enforcement, public health monitoring and a number of other critical municipal services.

It may also lead to negative social and health outcomes.

Legal recreational cannabis is unlike other products available to adults. There are many unknowns.

We must nonetheless take a balanced approach in deciding how to regulate this substance.

There are a number of things that Bill 36 gets right.

AMO has always been supportive of a market approach to cannabis retail.

Enabling strictly regulated private cannabis retail is an economic development opportunity that should contribute investment and jobs to our local economies.

It will allow the market to naturally contract and expand as necessary to meet consumer demand while allowing entrepreneurial residents to benefit from this new opportunity.

On places of use, AMO is also cautiously supportive of the government's new approach.

Previous rules may have unintentionally driven smoking indoors, creating difficulties for parents who may not want to consume in front of their children and tenants living in multi-unit residential buildings.

We believe those rules would have been difficult to enforce and costly and perhaps result in neighbour-to-neighbour issues for municipal governments to mediate.

For this reason, aligning cannabis places of use with tobacco rules makes some sense.

However, some are anxious that there will now be too few controls, re-normalizing smoking and creating conflicts regarding second-hand cannabis smoke and consumption near children.

Municipal governments have the authority to make additional restrictions but to make this absolute, AMO recommends amending the Municipal Act to add cannabis to our regulatory authority. This clarity will help to ensure municipal governments can set rules for smoking cannabis in public.

Strictly regulated cannabis consumption venues in the future may also help to manage public consumption.

There are also a number of issues in Bill 36 we think you must address. The appendix to my comments includes specific sections and wording we think will help to clarify the Bill to be explicit about what the public will need from their municipal governments.

The bill exempts private cannabis retailers from typical municipal land use planning and municipal business licensing processes.

At the same time, municipal governments do not see where they will have much say in the location, especially with respect to sensitive uses and density of retail stores. Nor is there any direction for the AGCO to abide by a municipal zoning bylaw.

It also fails to explicitly require cannabis retail to be located in appropriate commercial zoned lands. We think that needs to be changed.

Municipal governments need to know that the zoning bylaw that others must respect will be respected through a provincial licensing system. Frankly, we believe it is good for the retailers as well and will help minimize issues. We ask the committee to make respect for municipal zoning explicit in this Bill.

Municipal governments need clarity on how they will provide input to the. Municipal governments know their communities and can provide on the ground information about how cannabis retail might affect an individual area.

Council members and our staff are the first to hear of any issues residents or businesses encounter and they expect us to take action on their interests as a matter of course.

To ensure local input is properly considered, we believe the Bill should give standing to municipal comments by requiring that the AGCO consider and address the comments municipal governments submit. Municipal governments must do this when it comes to provincial interest in uses of land. A similar onus for the AGCO is principled and practical.

Amending Bill 36 to require store proponents to obtain a municipal compliance letter by statute as part of their AGCO application would accomplish this.

Depending on the volume of proponent applications, the 15-day period may not be enough for a compliance letter.

While the AGCO uses a 15-day public notice period for alcohol applications, as we noted, cannabis is unlike other substances for municipal governments and the public. We would urge the committee to amend the Bill to lengthen the period to 21 calendar days.

This will ensure that local sensitivities have sufficient time to be identified. In addition, it will allow residents to consider the impact of stores in their communities.

Failing to make these changes may make some municipal governments opt-out when they would otherwise have allowed cannabis retail. To make this decision, municipal councils will need to know regulatory authorities for themselves and the AGCO.

Finally, everyone needs better information on the provincial approach. People in our communities do not fully understand exactly what will or will not be legal come October 17th.

Time is running out, and we hope there will be an increase in building public awareness.

Before I take your questions, I want to add that AMO appreciates the funding commitment we have received from the Minister of Finance.

We will need the funds to flow as soon as possible. Municipal services have been spending property tax dollars to prepare as best as they can given the change to the Ontario framework and to serve the public on October 17th.

Longer-term, as the key front-line service provider in our communities, municipal governments believe investing in youth is important and we cannot afford to miss it.

The objective of legalizing is to make it more difficult for youth to access. While we support that, we also know the policy will not take away the reasons youth use it in the first place.

We believe strong communities are the first line of defense for young people experiencing social and mental health challenges.

Cannabis legalization is not a money grab but we can use the revenues generated from it to build programs and supports that will help our kids to develop self-reliance and skills to better themselves and their communities over their entire lives.

To ensure we have the resources to do that, we urge the province to work with AMO to establish a long-term Ontario-made funding proposal that follows the current two-year federal-provincial agreement.

Thank you for your time. I can take any questions you may have.

Appendix: AMO Recommended Amendments for Bill 36		
Recommended Change	**Challenge Presented by the Bill as Currently Proposed**	**How the Recommended Amendment would solve the Issue**
➢ Amend 4(6) to add an eligibility requirement that a proposed cannabis retail store is located in a commercial zone permitting retail uses. ➢ Schedule 2, Amend Section 4(9) by deleting the phrase "having regard to the needs and wishes of the residents." ➢ Amend Section 49 (1) to add a new regulatory authority 49 (1) (t) that reads "setting out matters that are or are not matters of public interest, for the purposes of paragraph 9 of subsection 4(6)." ➢ Amend Section 4(9) of the proposed *Cannabis License Act* to increase the public notification period from "no later than 15 days" to "no later than 21 days" for notice to the public and to municipal governments.	➢ Municipal governments, store operators and residents need clarity that cannabis stores will only be located in appropriately zoned and serviced areas. Areas zoned commercial have servicing and parking requirements already considered. Without that clarity, communities may have little assurance that cannabis stores will not be located in inappropriate areas such as residential areas. ➢ It would seem that the language as drafted in Section 4(9) (reference the phrase "having regard to the needs and wishes of the residents of the municipality") implies that the municipal government is to somehow interpret or have some format for the municipality to elicit the needs and wishes of the residents. There is no ability to do this in the short time frame or against a municipal process or procedure. In fact, the government has made it clear that the siting of cannabis retail stores is not a municipal planning or business licensing matter, but rather a retail store is a retail store. ➢ In the absence of a planning or licensing process, municipal governments can only advise the AGCO on how the property is zoned, whether it is in keeping where retail storefronts are permitted and are there other considerations the AGCO should take into account when issuing a store front license or placing condition(s) on its decision and license.	➢ Amending Section 4(6) to require proposed stores to be located in commercial zones allowing retail would signal to municipal governments, residents and store operators that only the areas appropriately designated would be available to locate a cannabis store. ➢ Amending the language of Sections 4(9) and adding a regulatory authority around the municipal role will bring clarity for the municipal order of government to the AGCO and allow AMO and municipal governments to work with the AGCO on a ways municipal government can comment on a store license application. Section 4 must be amended to eliminate any confusion or interpretation and to lend clarity to the expectation of municipal governments more limited role and to remove any question of interpretation. ➢ Adding an addition 6 days would offer some assuredness of sufficient time for a municipality to offer quality input to the AGCO site licensing process. At the end of the day, the AGCO does not want to create any new non-conforming uses to municipal land use. This would exasperate municipal governments and

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	➢ We recognize that the government wants to see retail stores available as soon and as broadly as possible. At the same time, the AGCO needs to benefit from municipal input and there is concern that municipalities will be pressed to meet this timeframe while meeting all the workload including meeting legislative timeframes for land use matters	the public and other retailers who must abide by the municipal zoning bylaw.
Amend Section 115(1) of the *Municipal Act* to provide clear authority to municipal governments to enact stricter smoking by-laws to regulate public cannabis consumption.	➢ Currently, Section 115(1) of the *Municipal Act* only authorizes municipal governments to regulate the smoking of tobacco in public places. A concomitant change to add the smoking of cannabis would lend clear authority. In essence, this housekeeping change would lend some confidence to the sector.	➢ Amending Section 115 (1) of *the Municipal Act* to include recreational cannabis will provide clarity to municipal governments by explicitly authorizing municipal governments to regulate cannabis places of use in public spaces and workplaces. This will ensure municipal governments are not subject to egregious challenges.

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www.algomapublichealth.com

H(2) 10/17/18

October 3, 2018

Johnson Township
Ruth Kelso, Clerk

Dear Ruth Kelso:

I am writing to you regarding proposed changes to Ontario legislation which may have significant health impacts for our communities, especially for Algoma's youth.

On September 27, 2018 the provincial government introduced Bill 36, *Cannabis Statute Law Amendment Act, 2018*. This bill proposes to amend the *Smoke-Free Ontario Act (SFOA), 2017* and the *Cannabis Act, 2017*. Some of these amendments would align the regulation of cannabis use with the regulation of tobacco use; for example, the smoking of cannabis would be allowed and prohibited in the same places where tobacco smoking is currently allowed and prohibited. **Of concern to public health is that some amendments would allow vapour products and e-cigarettes to be displayed and promoted in places where these products are sold.**

Vaping in youth can increase their risk of smoking tobacco. Using e-cigarettes that contain nicotine can also harm brain development. In northern Ontario, 17.4% of high school students report using e-cigarettes in the past year, despite the fact that it is illegal to sell or supply e-cigarettes to anyone under 19 years of age. In Canada, research has shown that retailers with interior advertising and promotion of e-cigarettes are more likely to sell these products to youth.

In accordance with its September 2018 resolution, **the Board of Health for Algoma Public Health is calling on the provincial government to protect youth from the heavy marketing and promotion of vapour products**.

As a valued partner in health protection and promotion, we invite you to join us and voice your comments and concerns to the Ministry of Health and Long-Term Care (MOHLTC). Attached is a fact sheet that you may use to guide your written response.

* Please note that the public consultation period is quite short. The MOHLTC is receiving written feedback on Bill 36 until **October 8, 2018**.

EMAIL TO COUNCIL

Blind River
P.O. Box 194
9B Lawton Street
Blind River, ON P0R 1B0
Tel: 705-356-2551
TF: 1 (888) 356-2551
Fax: 705-356-2494

Elliot Lake
ELNOS Building
302-31 Nova Scotia Walk
Elliot Lake, ON P5A 1Y9
Tel: 705-848-2314
TF: 1 (877) 748-2314
Fax: 705-848-1911

Sault Ste. Marie
294 Willow Avenue
Sault Ste. Marie, ON P6B 0A9
Tel: 705-942-4646
TF: 1 (866) 892-0172
Fax: 705-759-1534

Wawa
18 Ganley Street
Wawa, ON P0S 1K0
Tel: 705-856-7208
TF: 1 (888) 211-8074
Fax: 705-856-1752

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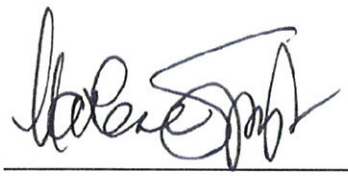
Further details can be found at this link to Ontario's Regulatory Registry:
https://www.ontariocanada.com/registry/view.do?language=en&postingId=27806

You can submit your responses electronically at:
https://www.ontariocanada.com/registry/mail.do?action=displayComment

Thank you for your continued partnership in health. Together, we can create healthy communities for all.

Sincerely,



Marlene Spruyt, BSc., MD, CCFP, FCFP, MSc-PH
Medical Officer of Health/CEO

Algoma
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Santé publique Algoma

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Fact Sheet

Proposed legislation regarding the promotion and display of vapour products (e-cigarettes)

In 2006, Ontario was successful at stopping the display and promotion of cigarettes to youth in convenience/grocery stores.[1] Unfortunately, youth are now exposed to heavy marketing of e-cigarettes and vapour products, which can both harm their health and increase their risk of tobacco smoking.

As previously written, the *Smoke-Free Ontario Act (SFOA), 2017* would have (1) banned the display of vapour products in any manner that would permit a customer to view or handle the product prior to purchase; and (2) banned the promotion of vapour products in any place they are sold or in any manner if the promotion is visible from outside a place they are sold or offered for sale.[2] The *Smoke-Free Ontario Act, 2017*, was paused by the current provincial government earlier this year, and has not come into force[2].

On September 27, 2018, the provincial government introduced *Bill 36, Cannabis Statute Law Amendment Act*. The Act proposes to amend the *Smoke-Free Ontario Act, 2017* and the *Cannabis Act, 2017*. Some of these amendments would align the regulation of cannabis use with the regulation of tobacco use; for example, the smoking of cannabis would be allowed and prohibited in the same places where tobacco smoking is currently allowed and prohibited.

Of concern to public health is that some amendments would allow vapour products to be displayed and promoted in places where vapour products are sold.[3]

Key Points

Smoking is still a big problem in Algoma, including for youth

- 13,000 Ontarians die each year from diseases caused by smoking. This costs $2.2 billion in direct health care expenses and an extra $5.3 billion in indirect costs such as time off work[4].
- Algoma's smoking rate is almost twice as high as Ontario's (29.6% vs. 15.5%) and Algoma youth aged 12 to 19 are less likely to remain abstinent from smoking compared to Ontario youth (73.6% vs. 89.7%)[5].

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Vapour products and e-cigarettes have health harms in youth and can increase their risk of smoking tobacco

- Nicotine is an addictive substance which can legally be present in vaping products in Canada as of May 2018[6]. Nicotine exposure during adolescence can harm brain development and result in symptoms of dependence[7].
- E-cigarettes have other negative effects, even though they produce less chemicals and at lower levels compared to combustible cigarettes[8]. Intentional or accidental exposure to e-liquids by drinking or skin or eye contact can lead to serious health harms[8]. Long-term exposure to e-cigarette vapour, which contains chemicals with known toxicity (e.g. formaldehyde, acrolein), may also be harmful[8].
- E-cigarette use among youth and young adults increases their risk of ever using combustible tobacco cigarettes[8].

Bill 36 would not protect youth from the heavy marketing of vapour products and e-cigarettes

- 14.7% of Ontario high school students (Grades 9 to 12) report using e-cigarettes in the past year[9], despite the fact that it is illegal to sell or supply e-cigarettes to anyone under 19 years of age[10]. In the North East and North West LHINs, 17.4% of high school students report using e-cigarettes in the past year[9].
- In Canada, research has shown that retailers with interior advertising and promotion of e-cigarettes are more likely to sell these products to youth[11].
- In the United States, newer e-cigarette products that contain higher levels of nicotine have now gained widespread popularity and e-cigarette market share among young adults and youth[12]. This has been accompanied by an exponential rise in targeted, intense marketing and promotion of e-cigarettes[12-13]. Canada may experience a similar transformation in its e-cigarette market, as these novel e-cigarette products become available.

Take Action

As a valued partner in health protection and promotion, **we urge you to submit your concerns about vapour product display and promotion** to the Ministry of Health and Long-Term Care (MOHLTC).
Further details can be found at this link to Ontario's Regulatory Registry:

https://www.ontariocanada.com/registry/view.do?language=en&postingId=27806

Please note that the public consultation period is quite short. The MOHLTC is receiving written feedback on Bill 36 until October 8, 2018.

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Ontario

Local Planning Appeal Support Centre

700 Bay Street, 12th Floor
Toronto, ON M5G 1Z6
www.lpasc.ca

Centre d'assistance pour les appels en matière d'aménagement local

700 rue Bay, 12e étage
Toronto, (Ontario) M5G 1Z6
www.caamal.ca

August 24, 2018

Ruth Kelso, Chief Administrative Officer/Clerk
Township of Johnson
P.O. Box 1601 Johnson Drive
Desbarats, ON
P0R 1E0

Dear Ruth Kelso,

I am pleased to share with you an **Interim Guide to Services and Eligibility** for the new Local Planning Appeal Support Centre. Since our new agency began operation in April, we have been working to develop a full complement of services to support the Ontario public with information, advice and representation in planning matters.

We are conducting a consultation on our interim plan for services and would appreciate receiving feedback from your municipality on our services outlined in the enclosed brochure. We are inviting comments through our online form at www.lpasc.ca/consultation until October 31, 2018.

We have also included copies of two new posters:

- **Do you need help with a planning matter?** which can be displayed in the public areas of your municipal offices to let your community know about our services.
- **Thinking about an appeal?** is an insert that your municipality can include in any mailing of a Notice of Decision going out to your community.

We would appreciate your assistance in bringing our services to the attention of your community. You can obtain additional copies of our brochure and posters, in both English and French, and in colour or black and white, on our website at www.lpasc.ca, or by emailing us at info@lpasc.ca.

Please do not hesitate to contact us if you have any questions.

Yours sincerely,

Mary Lee
Executive Director

J(1) 10/17/18

CORPORATION OF THE TOWNSHIP OF JOHNSON

BY-LAW NO. 2018 - 909

BEING a By-Law to confirm proceedings of the meeting of Council, October 17, 2018.

WHEREAS pursuant to Section 5 (3) of the Municipal Act, R.S.O. 2001, as amended requires a municipal council to exercise its power by bylaw except where otherwise provided;

AND WHEREAS in many cases, action which is taken or authorized to be taken by a Council or a Committee of Council does not lend itself to an individual bylaw;

THE Council of the Corporation of the Township of Johnson hereby enacts as follows:

1. That the action of the Council at its meeting October 17, 2018 in respect to each motion, resolution and other action passed and taken by the Council at its said meeting, is, except where prior approval of the Ontario Municipal Board is required, hereby adopted, ratified and confirmed.

2. That the Mayor and the proper officers of the Township of Johnson are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required and to execute all documents as may be necessary and directed to affix the Corporate Seal to all such documents as required.

READ and passed in open Council this 17th day of October, 2018.

Seal

Ted Hicks, MAYOR

Paula Spurway, ACTING CLERK