

AGENDA

Tuesday February 14, 2023, 6:00 pm

**Royal Canadian Legion, Branch 403
1169 West Shore Road
Pelee Island, ON, N0R 1M0**

1. Call to Order

Chair to call the Meeting to order as soon after the hour fixed for the meeting as a quorum is present. Stating meeting type, date and time.

2. Amendments to the Agenda

Any changes, additions or deletions from the agenda shall be mentioned at this time.

3. Disclosure of Pecuniary Interest

It is the responsibility of each Member at a Meeting to identify any conflict of interest/pecuniary interest, as set out in the Municipal Conflict of Interest Act, in any matter that is the subject of consideration at the Meeting.

4. Confirmation of Previous Minutes

Confirmation of the previous minutes of council. Motion shall be made to approve Minutes.

A. Regular Meeting of Council, January 31, 2023.

5. Consent Agenda

Items listed in the “Consent Agenda” may include Staff information reports which do not require a decision, Staff reports with recommendations which are considered minor or non-controversial, minutes of committees, adoption of accounts, and/or communications.

If a Member wishes to speak to an item on the Consent Agenda, or wishes to amend a recommendation of any item(s) on the Consent Agenda, the Member shall request the item(s) be removed for subsequent consideration.

One resolution will encompass all of the above consent agenda items.

A. OSTC/MTO Minutes – Wednesday February 8th, 2023.

B. Township of Pelee Disbursements – January 27th to February 7th, 2023, in the amount of \$57,571.18.

C. Huron County – Advocating for improvements to the Cannabis Act.

D. City of Brantford – Calling upon the Government of Canada to resume investigations into opportunities to enhance passenger rail service in southwestern Ontario and calling upon Via Rail to reinstate line number 82 immediately.

6. Reports

Items that require a decision and/or may be cause for debate to some extent.

A. Interim Clerk Kristine Horst:

- i. Report No. 2023 – 13: Appointment to Local Boards and Committees Policy.
- ii. Report No. 2023 – 14: Appointment to 2022 – 2026 Committees of Council.
- iii. Report No. 2023 – 15: By-Law Enforcement Shared Services – RFP Responses.

7. Correspondence (Action Required)

Items such as exemption requests, resolution requests from external organizations, etc.

A. Essex Region Conservation Authority – Essex Region Source Protection Committee – Municipal Representation.

It is recommended that:

1. The correspondence **BE RECEIVED**; and
2. The Council of the Township of Pelee endorse the following to **BE APPOINTED** to the Essex Region Source Protection Committee:
 - i) Dennis Rogers, Union Water Supply System
 - ii) Frank Garardo, City of Windsor

8. Notices of Motion

Notices of Motion shall be given in writing to the Clerk not later than 7 days prior to the next regular meeting so that the matter may be included in the Council agenda package for consideration and debate at the upcoming Council meeting.

Notices of Motion introduced during a Meeting will be read out to the Members, and recorded in the Minutes, but will be placed on the agenda for the next Meeting unless time sensitive or in an emergency.

A. Mayor Cathy Miller may move, or cause to have moved:

That the Township of Pelee form and lead an Action Committee under direction of the Mayor with support from Administration to identify needs and opportunities for a Pelee Wide Active Trail System with partners from NCC, ERCA, Ontario Parks, Ontario Nature, and Pelee Island Winery.

B. Councillor Dave DeLellis may move, or cause to have moved:

That Administration be directed to inquire into the possibility of a divestiture with Fisheries and Oceans Canada (DFO) for the water lot known as the area of the Scudder Marina docks.

9. Recognitions and Announcements

Opportunity for any Township or community recognitions or announcements to be made.

10. By-Laws

No By-Law, except a By-Law to confirm the proceedings of Council, shall be presented to Council unless the subject matter thereof has been considered and approved by Council.

A. **By-Law 2023 – 11**; Being a By-Law to confirm proceedings.

11. Adjournment

Chair shall adjourn Meeting.

REGULAR MEETING OF COUNCIL

MINUTES

**TUESDAY, JANUARY 31, 2023
5:00PM**

**HELD ELECTRONICALLY
Via Zoom**

Members of Council: Mayor Cathy Miller
Deputy Mayor Dayne Malloch
Councillor Dave DeLellis
Councillor Sherri Smith Ouellette
Councillor Stephanie Briggs-Crawford

Members of Administration: Interim Clerk Kristine Horst
Treasurer Michelle Feltz

Others Present: Barry Field, Zone Five Consulting Inc.
Drainage Superintendent Eric Chamberlain
Josh Warner, P. Eng., R Dobbin Engineering
Acting Fire Chief Kevin Long
Members of the Public

1. CALL TO ORDER

Mayor Cathy Miller called the Regular Meeting of Council to order at 5:01 p.m. with all members present.

2. AMENDMENTS TO THE AGENDA

Addition of item 11. D. By-Law 2023 – 09; Being a By-law to enter into an extension agreement with the Ontario Clean Water Agency.

3. DISCLOSED OF PECUNIARY INTEREST

There were no disclosures of interest.

4. CLOSED SESSION

Resolution 2023 – 011

Moved By: Councillor Sherri Smith Ouellette
Seconded By: Deputy Mayor Dayne Malloch

That the Council of the Township of Pelee, pursuant to Section 239(2) of the *Municipal Act, 2001*, at 5:02 p.m. enter into a Closed Session to address the following item:

- i) **Broadband: 239 (2) (h) *Information supplied in confidence by another level of government & 239 (2) (i) Information supplied in confidence by a third party.***

CARRIED

Consultant Barry Field of Zone Five Consulting was present for this in-camera discussion.

Resolution 2023 – 012

Moved By: Councillor Dave DeLellis
Seconded By: Councillor Sherri Smith Ouellette

That the Council of the Township of Pelee rise from closed and reconvene in open session at 5:51 p.m.

CARRIED

Mayor Cathy Miller called a 10-minute recess before continuing with the open session.

5. CONFIRMATION OF PREVIOUS MINUTES

Resolution 2023 – 013

Moved By: Deputy Mayor Dayne Malloch
Seconded By: Councillor Dave DeLellis

That the January 10 Regular Meeting of Council Minutes BE ADOPTED.

CARRIED

6. MATTERS SUBJECT TO NOTICE

Meeting to Consider Hamel Drain Improvements

Mayor Cathy Miller introduced Josh Warner, P. Eng., R Dobbin Engineering to speak on this drainage project and engineers report.

Mayor Cathy Miller introduced Drainage Superintendent Eric Chamberlain to speak on this project and Report No. 2023 – 04 EC: Meeting to Consider the Hamel Drain Improvements.

Pelee Vineyards Inc. representative, Joe Hentz, addressed questions regarding culvert widths and pipe lengths. Expressed landowner is okay with a 6m top width for culvert 2 and requested that the municipality contribute to costs relating to the unopened road allowance.

Drainage Superintendent Chamberlain provided potential options, as outlined in Report No 2023 – 04 EC, and acknowledged there needs to be further discussion on the matter.

Drainage Superintendent Chamberlain amended his recommendation, to refer the report back to the engineer, due to the landowner's request expressed during their delegation.

Resolution 2023 – 014

Moved By: Councillor Stephanie Briggs-Crawford

Seconded By: Councillor Sherri Smith Ouellette

1. **That Report No. 2023 – 04 EC: Meeting to Consider the Hamel Drain Improvements BE RECEIVED; and**
2. **The final report for the Hamel Drain Improvements prepared by Josh Warner, P. Eng. from R Dobbin Engineering Inc. dated January 6, 2023 BE REFERRED back to the engineer for requires changes.**

CARRIED

7. CONSENT AGENDA

- A. **OSTC/MTO Minutes** – Wednesday January 11th, 2023.
- B. **OSTC/MTO Minutes** – Wednesday January 25th, 2023.
- C. **Township of Pelee Disbursements** – January 4th to January 26th in the amount of \$370,932.41.
- D. **Town of Petrolia** – Requesting that school boards become responsible for conducting their own trustee elections or are compensated by the school boards.
- E. **Township of Lanark Highlands** – Supporting the resolution from the County of Lanark regarding Violence Against Women.
- F. **City of Thunder Bay** – Supporting the passing of Bill 42 – Gender Affirming Health Care Act.

Resolution 2023 – 015

Moved By: Councillor Sherri Smith Ouellette

Seconded By: Councillor Dave DeLellis

That Consent Agenda items 7. A. to 7. F. BE ADOPTED.

CARRIED

8. REPORTS

A. Consultant Barry Field, Zone Five Consulting:

i) Report No. 2023 – 05 BF: Pelee Island Fibre Project Update – January 2023.

Consultant Barry Field introduced the report.

Resolution 2023 – 016

Moved By: Deputy Mayor Dayne Malloch

Seconded By: Councillor Stephanie Briggs-Crawford

That Report No. 2023 – 05 BF: Pelee Island Fibre Project Update – January 2023 BE RECEIVED.

CARRIED

B. Acting Fire Chief Kevin Long:

i) Report No. 2023 – 06 KRL: Volunteer Firefighter Appointment.

Acting Fire Chief Kevin Long introduced the report and recommendation.

Resolution 2023 – 017

Moved By: Councillor Dave DeLellis

Seconded By: Councillor Stephanie Briggs-Crawford

That Joseph (Dave) Barriault, John Hansen, and Justin Harner BE APPOINTED to the Pelee Island Volunteer Fire Department.

CARRIED

ii) Report No. 2023 07 KRL: Pelee Island Volunteer Fire Department – New Legislation Regarding Firefighter Certification.

Acting Fire Chief Kevin Long introduced the report and provided background information on the certification requirements.

Resolution 2023 – 018

Moved By: Deputy Mayor Dayne Malloch

Seconded By: Councillor Dave DeLellis

That Report No. 2023 – 07 KRL: Pelee Island Volunteer Fire Department – New Legislation Regarding Firefighter Certification BE RECEIVED.

CARRIED

C. Drainage Superintendent Eric Chamberlain

- i) Report No. 2023 – 08 EC: Gardner Drain – East West Road Culvert Replacement – Final Report.**

Drainage Superintendent Eric Chamberlain introduced the report and recommendation.

Resolution 2023 – 019

Moved By: Councillor Stephanie Briggs-Crawford

Seconded By: Deputy Mayor Dayne Malloch

- 1. That Report No. 2023 – 08 EC: Gardner Drain – East West Road Culvert Replacement – Final Report BE RECEIVED;**
- 2. The engineer’s report prepared by Rood Engineering Inc. for the Gardner Drain Culvert Replacement under East West Road BE RECEIVED as information; and**
- 3. The Gardner Drain Culvert Replacement under the East West Road BE CONSIDERED at the 2023 Budget Deliberations in the sum of \$26,000 which includes \$1,750 approved in 2022.**

CARRIED

D. Treasurer Michelle Feltz:

- i) Report No. 2023 – 09 MF: Financial Update at December 31, 2022.**

Treasurer Michelle Feltz introduced the report and recommendation.

Resolution 2023 – 020

Moved By: Councillor Sherri Smith Ouellette

Seconded By: Councillor Dave DeLellis

- 1. That Report No. 2023 – 09 MF: Financial Update at December 31, 2022, BE RECEIVED.**

CARRIED

E. Interim Clerk Kristine Horst:

i) Report No. 2023 – 10 KH: 2023 ROMA Conference.

Interim Clerk Kristine Horst introduced the report and recommendation.

Resolution 2023 – 021

Moved By: Councillor Sherri Smith Ouellette

Seconded By: Councillor Dave DeLellis

That Report No. 2023 – 10 KH: 2023 ROMA Conference BE RECEIVED.

CARRIED

ii) Report No. 2023 – 11 KH: By-Laws & Amendments

Interim Clerk Kristine Horst introduced the report and recommendation.

Councillor Briggs-Crawford expressed these amendments need to be undertaken as soon as possible.

Resolution 2023 – 022

Moved By: Councillor Stephanie Briggs-Crawford

Seconded By: Councillor Sherri Smith Ouellette

- 1. That Report No. 2023 – 11 KH: By-Laws & Amendments BE RECEIVED;
and**
- 2. That the task of drafting and amending the noted By-Laws, and others, BE
ASSIGNED to the By-Law Enforcement Officer appointed as part of the
shared By-Law Enforcement Services agreement.**

CARRIED

9. NOTICES OF MOTION

There were no notices of motion.

10. RECOGNITIONS AND ANNOUNCEMENTS

Mayor Miller recognized the Municipality of Leamington, Town of Kingsville and Tourism Windsor Essex Pelee Island for their support for Pelee's delegation with the Ministry of Transportation at ROMA.

Mayor Miller recognized the Broadband team for their ongoing commitment to advance the

project and bring fibre to Pelee Island.

11. BY-LAWS

A. By-Law 2023 – 06

Resolution 2023 – 024

Moved By: Councillor Dave DeLellis

Seconded By: Councillor Stephanie Briggs-Crawford

That By-Law 2023 – 06; Being a By-Law to provide for the Repair and Improvement of the Hamel Drain based on the Drainage Report by R Dobbin Engineering Inc. BE DEFERRED.

DEFERRED

B. By-Law 2023 – 07

Resolution 2023 – 025

Moved By: Councillor Dave DeLellis

Seconded By: Councillor Sherri Smith Ouellette

Being a By-Law to amend By-Law 2022-20, to enter into a contribution agreement with the Federal Economic Development Agency for Southern Ontario.

CARRIED

C. By-Law 2023 – 08

Resolution 2023 – 026

Moved By: Councillor Sherri Smith Ouellette

Seconded By: Councillor Dave DeLellis

Being a By-Law to authorize execution of an agreement with the Minister of Health and Long Term Care for Fire Dispatching.

CARRIED

D. By-Law 2023 – 09

Resolution 2023 – 027

Moved By: Deputy Mayor Dayne Malloch

Seconded By: Councillor Dave DeLellis

Being a By-Law to enter into an Extension Agreement for Operator Support with the Ontario Clean Water Agency.

CARRIED

E. By-Law 2023 – 10

Resolution 2023 – 028

Moved By: Councillor Dave DeLellis

Seconded By: Councillor Sherri Smith Ouellette

Being a By-Law to confirm the proceedings of Council.

CARRIED

12. ADJOURNMENT

Regular Meeting of Council adjourned at 7:12 p.m.

**Catherine Miller,
Mayor**

**Kristine Horst,
Interim Clerk**



MTO/OSTC Bi-weekly Meeting Minutes
Wednesday February 8th, 2023

Attendees:

Township of Pelee: Mayor Cathy Miller, Deputy Mayor Dayne Malloch, Interim Clerk Kristine Horst
OSTC: Emma Nolan, Yuumi Currah
MTO: Candice Link, Mario Frechette

1. Introduction

- a. Introduction to Mario Frechette who will be the new lead on this file, filling in for Zsolt Katzirz who has started a new role within MTO.

2. Golf Car Pilot Public Consultations

- a. Mayor Cathy Miller expressed that at the Golf Car Pilot Public Consultation held on February 1st, she voiced the benefits of allowing golf cars on the ferry without the need for trailering.
- b. MTO indicated they would follow up with the Township's request and have asked any formal request or communications made in the past be forwarded to the current team.
 - i. Interim Clerk Kristine Horst to forward past requests to Candice.

3. Request for potential ATM on ferry or in terminals

- a. Mayor Miller expressed the potential to connect OSTC and MTO with Libro in order to consider potentially allowing for an ATM on the ferry or at terminal(s).
- b. MTO and OSTC are open to this idea and willing to meet with Libro to discuss this potential possibility.
- c. A separate meeting will be scheduled with MTO, OSTC, Libro and Mayor Miller to continue this conversation.

4. 2023 Food and Beverage Services

- a. The Township requested an update on food and beverage services for the 2023 sailing season.
- b. MTO indicated that transportation is their main priority, however it is also important to maintain pre-covid levels of service.
- c. OSTC confirmed there will be snacks available on all vessels for the 2023 season, but there will not be any meals (fries, hot dogs, chicken fingers, etc.) as there was in previous years.
- d. MTO and OSTC to confirm status of liquor licence for the next bi-weekly meeting.

5. Pelee Islander 2 Dry Docking

- a. Currently awaiting bid results, but should have more detail by next week on defined dates and timelines.
 - i. A meeting is to be scheduled for early next week to follow up.

- b. MTO has indicated there are mitigation strategies being considered, but at this time dates for the return of the vessel cannot be confirmed.
 - c. The Township has requested in addition to reviewing data to determine potential needs, added sailings, etc. during the spring dry docking period, consultation should also be had with Pelee for input as data may not depict the full picture.
 - i. Large vessel was not utilized in April until 2019 and data from 2020-2022 does not accurately represent spring needs due to covid.
- 6. PITSAC Winter 2023 Meeting**
- a. Discussion deferred until next bi-weekly meeting.
- 7. 20 Year Transportation Strategy**
- a. Deputy Mayor Malloch inquired about having two large vessels and/or a backup for the Pelee Islander 2 and the current status of the Jiimaan.
 - b. Discussion deferred until next bi-weekly meeting.

Report Date
 02/09/2023 12:12 PM

Township of Pelee
List of Accounts for Approval
 As of 02/07/2023
 Batch: 2023-00010 to 2023-00014

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Payment #	Date	Vendor Name	Reference	Payment Amount
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Bank Code: General - General Bank Account

Computer Cheques:

5930	01/26/2023	Bondy Auto & Truck Centre	Tube for Backhoe	66.39
5931	01/26/2023	Employee Reimbursement	ROMA and Travel expense	1,168.73
5932	02/02/2023	Golder Associates	2022 Monitoring	2,043.94
5933	02/02/2023	HMID LLP	Audit Fee 1/4	4,957.88
5934	02/02/2023	JBK Trucking	Water Testing	22.60
5935	02/02/2023	Employee Reimbursement	Mileage	48.96
5936	02/02/2023	McTague Law Firm	Broadband Legal	2,153.22
5937	02/02/2023	Minister of Finance	Permitting & OPP LSR	12,953.00
5938	02/02/2023	Owen Sound Transportation	Freight/Travel	63.00
5939	02/02/2023	Pitney Bowes	Postage Metre Leasing	194.48
5940	02/02/2023	Tourism Windsor Essex Pelee Is	2023 TWEPI Guide Advertisement	1,921.00
5941	02/02/2023	Xerox Canada Ltd.	Alta C8145	72.85
5942	02/08/2023	Delage Landen Financial Serv.	Back Copier/Printer Lease	309.09
5943	02/08/2023	Essex, County of	4th Quarter EMS Service	16,875.00
5944	02/08/2023	Software N Systems Computing	Remote Assistance	110.18
5945	02/08/2023	Speedprint	Laser Cheques	551.44

Other:

2023040-Man	01/23/2023	Bell Canada	Campground	140.51
2023041-Man	01/06/2023	Grand & Toy	Office Supplies	114.02
2023042-Man	01/06/2023	Grand & Toy	Invoice Book	120.23
2023043-Man	01/06/2023	Grand & Toy	Invoice Books	107.30
2023044-Man	01/06/2023	Grand & Toy	Office Supplies	191.33
2023045-Man	01/06/2023	Collabria VISA	Subscriptions/Parts/Membership/Travel	4,245.23
2023046-Man	01/31/2023	Essex Region Conservation Auth	Risk Management	396.21
2023047-Man	01/31/2023	Hach Sales & Services	Supplies	2,507.54
2023048-Man	02/03/2023	Grand & Toy	Office Supplies	69.20
2023049-Man	02/03/2023	Grand & Toy	Office Supplies	12.55
2023050-Man	02/03/2023	Grand & Toy	Office Supplies	82.90
2023051-Man	02/03/2023	Grand & Toy	Office Supplies	11.41
2023052-Man	02/03/2023	Grand & Toy	Office Supplies	106.55
2023053-Man	02/03/2023	Grand & Toy	Office Supplies	64.30
2023054-Man	02/03/2023	Sun Life Financial	Sun Life Monthly Bill	756.70
2023055-Man	02/07/2023	Hydro One Networks Inc.	CM	496.15
2023056-Man	02/07/2023	Hydro One Networks Inc.	West Washroom	35.15
2023057-Man	02/07/2023	Hydro One Networks Inc.	BM(W)	580.19
2023058-Man	02/07/2023	Hydro One Networks Inc.	TS	50.40
2023059-Man	02/07/2023	Hydro One Networks Inc.	Street Lights	262.14
2023060-Man	02/07/2023	Hydro One Networks Inc.	Campground	78.09
2023061-Man	02/07/2023	GFL Environmental Inc.	T/S Bin Rental	1,141.74
2023062-Man	02/08/2023	Essex Region Conservation Auth	General Levy Installment	2,444.00
2023063-Man	02/08/2023	Essex Region Conservation Auth	HST	45.58

Total for General:	57,571.18
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Report Date
02/09/2023 12:12 PM

Township of Pelee
List of Accounts for Approval
As of 02/07/2023
Batch: 2023-00010 to 2023-00014

Page 2

Payment #	Date	Vendor Name	Reference	Payment Amount
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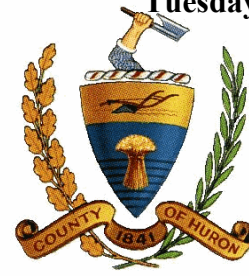
Certified Correct This February 7, 2023

Mayor, Catherine Miller

Treasurer, Michelle Feltz

OFFICE OF THE WARDEN

Corporation of the County of Huron
1 Courthouse Square
Goderich, Ontario N7A 1M2
www.HuronCounty.ca
Phone: 519.524.8394
Toll Free: 1.888.524.8394



February 1, 2023

Sent via email.

Re: Call to Action: Review of the Cannabis Act

Please note that on February 1, 2023 Huron County Council passed the following motion:

Moved by: Councillor G. Finch and Seconded by: Councillor M. Anderson

THAT:

The Council of the County of Huron approve the report by CAO Meighan Wark dated February 1, 2023 titled Report to Council: Cannabis Act Information as presented;
AND FURTHER THAT:

The Council of the County of Huron advocate for improvements to the Cannabis Act and current legislative framework for cannabis in Canada by sending the report titled *Report for Council: Cannabis Act Information*, including the correspondence found in the appendices, to the Western Ontario Warden's Caucus (WOWC) for discussion and consideration;

AND FURTHER THAT:

The Council of the County of Huron approve forwarding Call to Action Letters to the following for support:

- Federation of Canadian Municipalities (FCM)
- All Municipalities in Ontario
- Ministry of Agriculture, Food and Rural Affairs (OMAFRA)
- Premier of Ontario
- Provincial Minister of the Environment, Conservation and Parks
- Provincial Minister of Agriculture
- Provincial Minister of Municipal Affairs and Housing
- Member of Parliament
- Federal Minister of Agriculture and Agri-Food
- Federal Minister of Health

CARRIED

The County of Huron calls for a review and amendments to the Cannabis Act and the current legislative framework for cannabis in Canada.

To be clear, the County of Huron is not against or opposed to cannabis and we appreciate the role that both the federal and provincial governments provide in assisting municipalities. However, when new legislation is implemented, it is often at the municipal level that the impacts of change can be observed, and notations can be made for areas of improvement. It is vital that municipal governments pay attention and provide information and recommendations to higher levels of government so that continual improvements can be made over time.

It is in this spirit that we provide the following recommendation:

As a municipal government for one of Canada's most agriculturally productive regions and a popular tourism destination, we have been in the position to observe the last several years of legal cannabis production under the Cannabis Act as managed by Health Canada.

Under the current legislative and regulatory framework, we have observed, and continue to observe, serious odour impacts on local communities and residents from cannabis production facilities; including concerns from local medical practitioners about these impacts. Most often, these odour impacts arise from properties used for 'The Production of Cannabis for Own Medical Purposes by a Designated Person'.

In our local municipal experience, these facilities are often established without complying with local municipal zoning and nuisance by-laws, often contain hundreds of cannabis plants for each of the four assigned individuals, and usually do not include adequate odour controls to manage impacts on surrounding homes, public facilities, and the community at large.

To help manage public impacts of cannabis production facilities, we request that all production facilities, including facilities used by a designated person to produce cannabis for an individual's medical purposes, to require confirmation from the local municipality that the facility/site selected complies with all local municipal by-laws and regulations prior to an application being approved by Health Canada. We also request that Health Canada implement a system of minimum setbacks between cannabis production facilities and sensitive odour receptors, including homes and public facilities.

As an agricultural community, we have had extensive experience with the Ontario Ministry of Agriculture, Food and Rural Affairs' Minimum Distance Separation (MDS) Formula, an approach which has been used to successfully manage land use conflicts resulting from odour between livestock facilities and sensitive receptors for almost 50 years. We believe a system based on MDS would be appropriate to manage the

impacts of Health Canada's approved cannabis facilities, including both licensed commercial producers and designated growers for individuals.

In conclusion, we strongly recommend further notice and enhanced consultation with municipal governments when drafting and implementing legislation and regulations related to cannabis production, as there is a direct impact on local municipal operations, local residents, and in some cases, serious issues of non-compliance with local municipal by-laws.

Sincerely,

A handwritten signature in black ink, appearing to read "Glen McNeil". The signature is written in a cursive style with a small dot at the beginning.

Glen McNeil
Warden, Huron County
On behalf of Huron County Council

The background of the entire page is a close-up photograph of cannabis leaves, rendered in a monochromatic blue color. The leaves are detailed, showing their serrated edges and vein structure. A vertical yellow bar is positioned to the left of the main title.

Report for Council: Cannabis Act Information

Prepared: January 2023

Contents

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3	Cannabis Act: Information For Municipalities
3	1. Licensed Producers
4	2. Personal and Designated Production
5	Community Expressed Concerns
5	Impact to the Municipality
5	Advocacy Efforts to Date
6	Recommendations for Further Advocacy
6	Call to Action Letter
6	Report for Council: Cannabis Act Information (this report)
6	Further Resources
6	The Cannabis Act: The Facts
6	The Cannabis Act
6	Cannabis Information for Municipalities
6	Ontario: Cannabis Control Act
7	Correspondence Received by Council
7	Correspondence to Council, January 2023: Bonnie Shackelton
7	Appendix A
7	Appendix B

Background

On January 18, 2023, Huron County Council passed the following motion:

THAT:

The Council of the County of Huron request staff to prepare a report for Council on the Federal Cannabis Legislation Review with recommendations on options for Huron County to address their concerns with this legislation.

Cannabis Act: Information For Municipalities

According to The Government of Canada's *Information for Municipalities - Medical Use of Cannabis* there are two approved ways medical cannabis can be grown: *Licensed Producers* and *Personal and Designate Production*

1. Licensed Producers

Licensed producers are individuals or companies licensed by Health Canada to produce and sell cannabis for medical purposes. Licensed producers must meet stringent health and safety security requirements before producing and selling cannabis.

When applying to be a licensed producer under the Access to Cannabis for Medical Purposes Regulations (ACMPR), or when applying to amend a licence, an applicant must notify:

- The municipality
- Local fire officials
- Local law enforcement

Licensed producers must also notify these local authorities, within 30 days, after the issuance of a licence or the renewal, amendment, suspension, reinstatement, or revocation of their licence. These notification requirements are intended to provide local authorities with information about activities with cannabis conducted in their jurisdiction to allow them to take appropriate measures, as applicable.

Licensed producers are expected to obey all relevant federal, provincial and municipal laws and by-laws, including municipal zoning by-laws.

2. Personal and Designated Production

If a person wants to produce a limited amount of cannabis for his/her own medical purposes, he/she needs to register with Health Canada. He/she can also choose to designate another person to produce a limited amount of cannabis for him/her. A person can produce a limited number of marijuana plants under a maximum of two registrations (for one other person and him/herself, or two other people). Marijuana plants may be produced under a maximum of four registrations at one address.

A registered or designated person is permitted to produce marijuana plants indoors and/or outdoors, but not both at the same time. If a person wishes to produce marijuana plants outdoors, the boundary of the land on which the production site is located cannot have any points in common with the boundary of the land on which a school, public playground, day care facility or other public place frequented mainly by persons under 18 years of age.

The number of plants a person can grow is determined by the daily amount recommended by their health care practitioner and a set of formulas in the regulations.

Health Canada also recommends that registered and designated persons be discreet with their production.

Individuals who are registered with Health Canada to produce a limited amount of cannabis for medical purposes are expected to obey all federal, provincial and municipal laws and by-laws.

Community Expressed Concerns

Recently, some concerns regarding the Cannabis Act and local growing practices have been expressed by community members. Some of the topics of concern expressed have included:

- Excessive noise produced by ventilation units
- Serious odour impacts from production
- Health concerns from neighbouring property owners
- Questions regarding zoning requirements for Cannabis operations, particularly in regards to areas zoned residential
- The current lack of a Minimum Distance Separation (MDS) between licensed facilities/designate growers, and homes, public facilities

Impact to the Municipality

Community concerns regarding the Cannabis Act have an impact on the municipality. These impacts include the costs associated with Council and staff time and legal fees. There is also a potential for community disruption pertaining to licenses issued under the Federal Medical Cannabis Registration process.

It is important to note that the municipality's concerns expressed in this report are not against or opposed to cannabis. The County of Huron appreciates the role that both the federal and provincial governments provide in assisting municipalities. However, when new legislation is implemented, it is often at the municipal level that the impacts of change can be observed and notations can be made for areas of improvement. It is vital that municipal governments pay attention and provide information and recommendations to other levels of government so that continual improvements can be made over time.

Advocacy Efforts to Date

On October 5, 2022 a letter was sent to the Cannabis Act Legislative Review Secretariat of Health Canada. The letter offered requested feedback on the Cannabis Act and a recommendation for a Minimum Distance Separation to protect residential areas.

See Appendix A.

Recommendations for Further Advocacy

Report for Council: Cannabis Act Information (this report)

Further advocacy could be accomplished by sending this report, including the correspondence found in the appendices, to the Western Ontario Warden's Caucus (WOWC) for discussion and consideration.

A Call to Action Letter could be sent on behalf of WOWC, and all WOWC member municipalities could be invited to send similar letters to the agencies and individuals outlined below.

Call to Action Letter

A sample Call to Action Letter for Huron County can be found in Appendix B. Once approved by Council, letters could be sent to:

- Federation of Canadian Municipalities (FCM)
- All Municipalities in Ontario
- Ministry of Agriculture, Food and Rural Affairs (OMAFRA)
- Premier of Ontario: Doug Ford
- Provincial Minister of the Environment, Conservation and Parks: David Piccini
- Provincial Minister of Agriculture: Lisa Thompson
- Provincial Minister of Municipal Affairs and Housing: Steve Clark
- Member of Parliament: Ben Lobb
- Federal Minister of Agriculture and Agri-Food: Marie-Claude Bibeau
- Federal Minister of Health: Jean-Yves Duclos

Further Resources

The Cannabis Act: The Facts

<https://www.canada.ca/en/health-canada/news/2018/06/backgrounder-the-cannabis-act-the-facts.html>

The Cannabis Act

https://laws-lois.justice.gc.ca/eng/annualstatutes/2018_16/FullText.html#:~:text=The%20objectives%20of%20the%20Act,operating%20outside%20the%20legal%20framework

Cannabis Information for Municipalities

<https://www.canada.ca/en/health-canada/services/drugs-medication/cannabis/information-municipalities.html>

Ontario: Cannabis Control Act

<https://www.ontario.ca/laws/statute/17c26>

Correspondence Received by Council

Correspondence to Council, January 2023: Bonnie Shackelton

<https://agendas.huroncounty.ca/agendapublic/AttachmentViewer.ashx?AttachmentID=7134&ItemID=5394>

Appendix A

Copy of the letter sent to the Cannabis Act Legislative Review Secretariat of Health Canada on October 5, 2022

Appendix B

Sample Call to Action Letter

OFFICE OF THE WARDEN

Corporation of the County of Huron
1 Courthouse Square
Goderich, Ontario N7A 1M2
www.HuronCounty.ca
Phone: 519.524.8394
Toll Free: 1.888.524.8394



October, 5, 2022

To: Cannabis Act Legislative Review Secretariat
Health Canada
Address locator 03021
Ottawa, Ontario
K1A 0K9

On October 5, 2022, Huron County Council passed the following motion:

THAT:

The Council of the County of Huron send correspondence to Health Canada requesting consultation when implementing legislation on cannabis regulation as there is a direct impact on municipal operations and sometimes non compliance to municipal by-laws;

AND FURTHER THAT:

The Council of the County of Huron recommends the inclusion of a system of Minimum Distance Separation to protect residential areas;

AND FURTHER THAT:

This correspondence be circulated to Huron County local municipalities for support.

Thank you for requesting feedback on the Cannabis Act and the current legislative framework for cannabis in Canada. As a municipal government for one of Canada's most agriculturally productive regions, and a popular tourism destination, we have been in the position to observe areas for improvement during the last several years of legal cannabis production under the Cannabis Act as managed by Health Canada.

Under the current legislative and regulatory framework, we have observed, and continue to observe, serious odour impacts on local communities and residents from cannabis production facilities; including concerns from local medical practitioners about these impacts. Most often, these odour impacts arise from properties used for 'The Production of Cannabis for Own Medical Purposes by a Designated Person'.

In our local municipal experience, these facilities are often established without complying with local municipal zoning and nuisance by-laws, often contain hundreds

of cannabis plants for each of the four assigned individuals, and usually do not include adequate odour controls to manage impacts on surrounding homes, public facilities, and the community at large.

To help manage public impacts of cannabis production facilities, we request that all production facilities, including facilities used by a designated person to produce cannabis for an individual's medical purposes, require confirmation from the local municipality that the facility/site selected complies with all local municipal by-laws and regulations prior to an application being approved by Health Canada. We also request that Health Canada implement a system of minimum setbacks between cannabis production facilities and sensitive odour receptors, including homes and public facilities.

As an agricultural community we have had extensive experience with the Ontario Ministry of Agriculture, Food and Rural Affairs Minimum Distance Separation (MDS) Formula, an approach which has been used to successfully manage land use conflicts resulting from odour between livestock facilities and sensitive receptors for almost fifty years. We believe a system based on MDS would be appropriate to manage the impacts of Health Canada's approved cannabis facilities, including both licensed commercial producers and designated growers for individuals.

In conclusion, we strongly recommend enhanced consultation with municipal governments and request further notice and consultation with the County of Huron when drafting and implementing legislation and regulations dealing with matters related to cannabis production, as there is a direct impact on local municipal operations, local residents, and in some cases serious issues of non-compliance with local municipal by-laws.

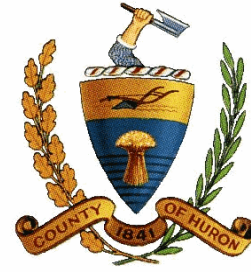
Sincerely,



Glen McNeil
Warden, Huron County
On behalf of Huron County Council

OFFICE OF THE WARDEN

Corporation of the County of Huron
1 Courthouse Square
Goderich, Ontario N7A 1M2
www.HuronCounty.ca
Phone: 519.524.8394
Toll Free: 1.888.524.8394



{insert date}

To: {insert recipient}

Re: Call to Action: Review of the Cannabis Act

On {insert date}, Huron County Council passed the following motion:

THAT:

{insert motion}

AND FURTHER THAT:

{insert motion}

The County of Huron calls for a review and amendments to the Cannabis Act and the current legislative framework for cannabis in Canada.

To be clear, the County of Huron is not against or opposed to cannabis and we appreciate the role that both the federal and provincial governments provide in assisting municipalities. However, when new legislation is implemented, it is often at the municipal level that the impacts of change can be observed, and notations can be made for areas of improvement. It is vital that municipal governments pay attention and provide information and recommendations to higher levels of government so that continual improvements can be made over time.

It is in this spirit that we provide the following recommendation:

As a municipal government for one of Canada's most agriculturally productive regions and a popular tourism destination, we have been in the position to observe the last several years of legal cannabis production under the Cannabis Act as managed by Health Canada.

Under the current legislative and regulatory framework, we have observed, and continue to observe, serious odour impacts on local communities and residents from cannabis production facilities; including concerns from local medical practitioners about these impacts. Most often, these odour impacts arise from properties used for 'The Production of Cannabis for Own Medical Purposes by a Designated Person'.

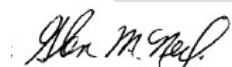
In our local municipal experience, these facilities are often established without complying with local municipal zoning and nuisance by-laws, often contain hundreds of cannabis plants for each of the four assigned individuals, and usually do not include adequate odour controls to manage impacts on surrounding homes, public facilities, and the community at large.

To help manage public impacts of cannabis production facilities, we request that all production facilities, including facilities used by a designated person to produce cannabis for an individual's medical purposes, to require confirmation from the local municipality that the facility/site selected complies with all local municipal by-laws and regulations prior to an application being approved by Health Canada. We also request that Health Canada implement a system of minimum setbacks between cannabis production facilities and sensitive odour receptors, including homes and public facilities.

As an agricultural community, we have had extensive experience with the Ontario Ministry of Agriculture, Food and Rural Affairs' Minimum Distance Separation (MDS) Formula, an approach which has been used to successfully manage land use conflicts resulting from odour between livestock facilities and sensitive receptors for almost 50 years. We believe a system based on MDS would be appropriate to manage the impacts of Health Canada's approved cannabis facilities, including both licensed commercial producers and designated growers for individuals.

In conclusion, we strongly recommend further notice and enhanced consultation with municipal governments when drafting and implementing legislation and regulations related to cannabis production, as there is a direct impact on local municipal operations, local residents, and in some cases, serious issues of non-compliance with local municipal by-laws.

Sincerely,



Glen McNeil
Warden, Huron County
On behalf of Huron County Council



February 3, 2023

The Honourable Omar Alghabra
Federal Minister of Transportation

Sent via email: omar.alghabra@parl.gc.ca

Dear County Honourable Omar Alghabra:

Please be advised that Brantford City Council at its meeting held January 31, 2023 adopted the following:

12.2.8 VIA Rail Cancellations

WHEREAS residents in the City of Brantford may choose to live in Brantford because of its convenient location in Southwestern Ontario; and

WHEREAS many residents commute to their places of employment outside of The City of Brantford, many of them relying on rail transit; and

WHEREAS in August 2021 the federal Minister of Transportation visited Brantford Via station and announced that the federal government would be pursuing opportunities to enhance passenger rail services in southwestern Ontario; and

WHEREAS in August 2022 the federal government announced they would be exploring options to improve passenger rail frequencies, on-time performance, and shorten travel times in Southwestern Ontario; and

WHEREAS since 2020 a number of passenger rail lines have been suspended or cancelled leaving residents of Brantford with fewer commuting options; and

WHEREAS there is a need for commuter rail travel options for City residents that depart from the downtown Brantford rail station; and

WHEREAS pre-pandemic line 82 served residents in Southwestern Ontario commuting to employment in downtown Toronto. Line 82 began in London at 6:30 am, stopped in Brantford at 7:30 and arrived at Toronto's union station at 8:30 making it very popular with commuters residing in London, Woodstock and Brantford; and

WHEREAS Via Rail has reinstated a number of Ontario rail lines that were suspending during the pandemic, not including Line 82; and

WHEREAS the announcement reinstating Line 82 has been unreasonably delayed, causing a great deal of angst and anxiety for rail line commuters; and

WHEREAS line 82 is an important transportation link for many residents in Southwestern Ontario and also for builders considering residential developments in the northern section of Brantford's downtown area, which developments are an important component of the downtown renewal action plan.

NOW THEREFORE BE IT RESOLVED:

- A. THAT the Council of The Corporation of The City of Brantford respectfully CALLS UPON the Government of Canada to resume, in good faith, investigations into opportunities to enhance passenger rail services in southwestern Ontario; and
- B. THAT the Council of The Corporation of The City of Brantford respectfully CALLS UPON Via Rail to reinstate line number 82 immediately; and
- C. THAT the Clerk BE DIRECTED to forward a copy of this resolution to The Federal Minister of Transportation, The Honourable Omar Alghabra, The City of Brantford Member of Parliament, The Honourable Larry Brock, Via Rail Canada and to each municipality impacted by the route cancellations, namely The City of London and The City of Woodstock.

I trust this information is of assistance.

Yours truly,



Chris Gauthier
Acting Clerk, cgauthier@brantford.ca

cc MP Larry Brock
VIA Rail Canada
Ontario Municipalities

 THE CORPORATION OF THE
Township Of Pelee
THE CORPORATION OF THE TOWNSHIP OF PELEE
REPORT NO. 2023 – 13

Author's Name: Kristine Horst	Report Date: February 8, 2023
Resolution #:	Date to Council: February 14, 2023

To: Mayor and Members of Council

Subject: Appointment to Local Boards and Committees Policy

1. RECOMMENDATION:

It is recommended that:

1. The Appointment to Local Boards and Committees Policy **BE ADOPTED** in accordance with the report dated February 8, 2023.

2. BACKGROUND:

On January 10th, 2023, at the Regular Meeting of Council, Council passed resolution 2023 – 04 approving the following five 2022 – 2026 Committees along with their Terms of Reference: Accessibility Advisory Committee; Destination Development Committee; Funding Advisory Committee; Drainage Committee; and the Hunting and Fishing Committee.

As there is currently no policy for appointment to Boards and Committees, Administration felt it necessary to adopt such a policy to ensure a fair and equitable appointment process to Township Boards and Committees moving forward.

3. DISCUSSION:

The purpose and intent of this policy is to provide for the recruitment and selection process for citizen members to Boards and Committees. This policy would apply to citizen members appointed to Committees or Boards only and would not apply to Members of Council or Staff appointed to Committees or Boards.

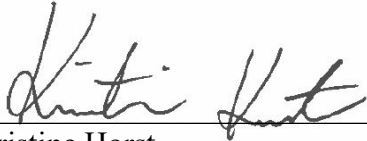
The new policy details: eligibility and general qualifications of Members; term and length of service on a Board or Committee; Member recruitment process; application process; confidentiality requirements and obligations; selection process; vacancies; orientation for new Members; leave of absence; and exceptions to this policy.

4. **FINANCIAL MATTERS:**

N/A

6. **CONCLUSION:**

This policy will become applicable and enforced once adopted by Council.



Kristine Horst
Interim Clerk

KH/

Attachments:

Appointment to Local Boards and Committees Policy – DRAFT

DEPARTMENTS/OTHERS CONSULTED:

Name:

Title: **Email:**



Township of Pelee Policy

Subject: Appointment to Local Boards and Committees

Policy #: 23-001

Date Approved: DRAFT

1) POLICY STATEMENT

The Corporation of the Township of Pelee (Township) is committed to ensuring a fair and equitable appointment process to Township Boards and Committees where the most qualified applicants are appointed as Members and applicants are representative of Pelee's diverse community with a broad range of experience and skills.

2) PURPOSE

The purpose and intent of this policy is to provide for the recruitment and selection process for citizen members to Boards and Committees.

3) SCOPE

- 1.1. This policy applies to citizen member appointment to Township Boards and Committees. It does not apply to the appointment of Members of Council or Staff to Boards or Committees. This Policy does not apply to Boards and Committees which are subject to their own applicable legislative requirements, governing By-laws and/or legal requirements regarding Board and Committee appointments.
- 1.2. This policy shall be reviewed every four (4) years from the date it becomes effective, and/or sooner at the discretion of the Clerk.

4) DEFINITIONS

- a) **Board(s), Committee(s)** are Advisory Committees, Statutory Committees, Ad-Hoc Committees or Boards, established by a resolution of Council or by enabling legislation, to provide advice, make recommendations; fulfill a statutory or quasi-judicial role; organize events; or provide program support among other functions.
- b) **Eligibility** refers to the qualifications established by Council that an applicant must possess in order to serve on Boards and Committees.
- c) **Orientation Session** refers to a training session for new Members of Boards and Committees.
- d) **Short Listed Applicants** are those applicants whose applications have been added to a list determined by the Clerk of the most qualified for appointment to a particular Board or Committee. Persons appearing on this list can be appointed or considered as alternatives if a vacancy arises.
- e) **Term of Council** is the period of time for which Council is elected to serve, as governed by applicable legislation.
- f) **Terms of Reference** are documents outlining the mandate and board or committee operational details including such things as composition, activities, term, quorum, meeting schedule, staff roles and the like. Terms of Reference must be approved by Council, including any amendments.

5) INTERPRETATIONS

Any reference in this policy to any statute or any section of a statute shall, unless expressly stated, be deemed to be reference to the statute as amended, restated or re-enacted from time to time. Any references to a by-law or Township policy shall be deemed to be a reference to the most recent passed policy or by-law and any replacements thereto.

6) GENERAL CONDITIONS

- a) Eligibility and General Qualifications of Members:
 - i) Unless expressed otherwise in the Terms of Reference of a particular Board or Committee, all citizen members must be:
 - (1) 18 or more years of age, unless otherwise specified in the Terms of Reference for the applicable Board or Committee, or where youth representation is required.

- (2) Resident or ratepayer of the Township unless it is deemed by Council that there is a need to acquire specialized knowledge, experience or representation, or a need to maintain continuity within a Board or Committee and requires reappointment of a Member who is no longer a resident or ratepayer of the Township.
 - ii) To remain on the Board or Committee, citizen members are required to maintain the status of either resident or ratepayer of the Township throughout their term of appointment.
 - iii) Members are responsible for advising the Clerk of any change with respect to their eligibility to serve on Boards or Committees. The Clerk, in consultation with the appropriate Staff, will then decide if the Member is still eligible to serve on the Boards and Committees based on other qualifying criteria.
 - iv) Employees of the Township are not eligible to serve as Members of Committee or Local Boards.
- b) Term and Length of Service on a Board or Committee:
- i) Members will be appointed for a period of time set out in the Terms of Reference for the applicable Board or Committee, which will not exceed the Term of Council.
 - ii) Notwithstanding Section 6) b) i), Members may be appointed beyond the Term of Council where required by legislation.
 - iii) Notwithstanding Section 6) b) i), Members will continue to be appointed and serve beyond the Term of Council until the appointment of successors or the dissolution of the Board or Committee by the succeeding Council.
 - iv) Members eligible for reappointment must complete an application form and submit it to the Clerk.
- c) Member Recruitment Process:
- i) The recruitment of Members will begin once a new Council has been sworn in, and, if applicable, following any changes to the Terms of Reference for the applicable Boards and Committees, or after the establishment of any new Boards and Committees.
 - ii) The recruitment process includes written advertisement. The advertisements for vacancies on Boards and Committees will contain the following information:

- (1) Member eligibility;
 - (2) Meeting frequency and time;
 - (3) Information on how to obtain the following:
 - (a) An application form;
 - (b) Board or Committee Terms of Reference; and
 - (c) Notice informing applicants of the requirement to attend an orientation session and to sign and adhere to the Code of Conduct for Members of Council, Committees and Local Boards.
 - (4) Details with respect to submitting an application including, without limitation, application deadline, where to submit the application or the application process; and
 - (5) A note that personal information is collected in accordance with the *Municipal Freedom of Information and Protection of Privacy Act*.
- iii) Vacancies on Boards and Committees will be advertised in the local newspaper (Grapevine) and on the Township website, as determined by the Clerk. For active outreach to designated groups, advertising may be specifically targeted to the particular groups where there are potential citizen members, such as, trade bulletins and publications and community newsletters.
 - iv) Boards and Committees may have one or more position in its composition designated to a stakeholder with a specialized knowledge, experience or representation. Council may fill this type of vacancy in the following manner:
 - a. By invitation;
 - b. Outreach to specific organizations; or,
 - c. Other means deemed appropriate by Council.
 - (1) Activities with respect to filling Board and Committee vacancies where specialized expertise is required will be coordinated by the Clerk, in consultation with applicable staff.
- d) Application Process
- i) Application forms shall be made available at the Municipal Office and also be made available on the Township's website.
 - ii) All applicants will submit to the Clerk a completed application and other supporting information, where applicable.
 - iii) Completed applications must be submitted before the deadline prescribed by the

Clerk in order to be considered for appointment to Boards and Committees.

- iv) Applicants applying to more than one vacancy will be requested to prioritize their preference.
- v) Applicants shall submit an application form for and/or indicate each Board or Committee that they wish to be considered for.
- vi) The Clerk may extend the application submission deadline when there are an insufficient number of applications deemed appropriate.
- vii) Applicants may be required to complete supplementary screening requirements, such as a criminal record check; and may be required to complete a vulnerable sector screening. These requirements will be noted in the recruitment advertisement and are considered part of the eligibility requirements for Members of a particular Board or Committee.
- viii) All personal information collected in the application process, is collected in accordance with the *Municipal Freedom of Information and Protection of Privacy*, and will be used to determine eligibility for appointment.

e) Confidentiality Requirements and Obligations

- i) The *Municipal Freedom of Information and Protection of Privacy Act* imposes confidentiality duties and obligations on the Township and Members of Council to refrain from disclosing personal information. In furtherance of those duties and obligations, the following procedures are provided:
 - (1) Only members of designated Township staff who are providing support in the selection process shall be provided with copies of the applications;
 - (2) Members of Council shall delete electronic copies and return all applications and related confidential material in their possession to the Clerk once Council approves the appointments; and
 - (3) Members of Council may not copy, disclose or otherwise disseminate information contained in any confidential lists of applicants, or in any applications, confidential reports, or other information received at in-camera sessions, nor may they repeat any confidential information heard at those meetings.

f) Selection Process

- i) Once the deadline for receiving applications has past, and the Clerk feels that there are an adequate number of appropriate applications, the Clerk will review the

applications and create a list of applicants for Council consideration.

- ii) Unless the Council decides otherwise, current Members that are eligible for reappointment will be evaluated in the same way as all new applicants.
- iii) The Clerk will provide the list and all applications to Council on a Confidential Agenda for consideration by Council in accordance with section 239 (b) of the *Municipal Act*. Only those meeting the applicant qualifications will be brought forward.
- iv) Once Council makes its appointments, the Clerk will send a letter to all successful Applicants advising them of their appointment and providing them with the Board or Committee staff liaison.
- v) All newly appointed Members of Boards and Committees will sign a Statement of Commitment to the Code of Conduct that will be provided to Members in their orientation package.
- vi) The Clerk will notify the applicable staff of the appointment and provide them with information on how to contact the new Member(s).
- vii) The Clerk will maintain a confidential database containing all appointments to Boards and Committees.

g) Vacancies

- i) Vacancies on Boards and Committees are created when a Member resigns or vacates the position, effective:
 - (1) The date of the resignation; or,
 - (2) The date the Member is removed by Council resolution; or,
 - (3) The date the Member no longer qualifies for the position; or,
 - (4) The date of the death of the Member.
- ii) A Member who is resigning from their appointed position will submit a written letter of resignation to the Clerk.
- iii) Whenever possible, vacancies will be filled from the Short Listed Applicants for particular Boards and Committees; otherwise vacancies will be filled as specified in this policy.

h) Orientation for New Members

- i) The Clerk in consultation with appropriate staff will provide new Members with an orientation prior to the first meeting, which will generally review such items

as:

- (1) Statement of Commitment to the Code of Conduct to be signed upon completing the orientation session;
 - (2) Previous meeting minutes;
 - (3) Terms of Reference;
 - (4) A copy of the *Conflict of Interest Act*;
 - (5) Township of Pelee Procedural By-law;
 - (6) The Code of Conduct for Members of Council, Committees and Local Boards; and
 - (7) Other relevant documentation deemed appropriate for volunteers prepared in cooperation with key stakeholders.
- ii) Staff will, whenever possible telephone and/or email new Members to provide them with meeting details and to address any questions or concerns.
- iii) At the onset of each Council term, once Council makes its appointments, the Clerk will hold an Orientation Session for newly appointed Members. An Orientation Session will also be held for Members appointed to fill a vacancy in the midst of a Term of Council, when there is sufficient attendance to hold an Orientation Session.
- i) Leave of Absence
- i) A Member who would like to take a leave of absence for an extended period of time must obtain the approval of Council. The approved request will be forwarded to the Clerk.
 - ii) Council may appoint a temporary Member to the Board or Committee. The temporary vacancy will be filled as prescribed in this policy. The Member whose spot is vacant as a result of a leave of absence will not be included towards establishing quorum until the temporary vacancy is filled.
- j) Exceptions to This Policy
- i) Where a conflict exists between the provisions of this policy and any legislative or legal requirement, the legal requirement will prevail.

7) RESPONSIBILITIES

- a) **Council** has the authority and responsibility to:
 - i) Adopt the *Appointment to Local Boards and Committees Policy*.

- b) The **Clerk** has the authority and responsibility to:
 - i) Ensure adherence to the *Appointment to Local Boards and Committees Policy*;
 - ii) Ensure Council is notified of any vacancies on Local Boards or Committees;
 - iii) Ensure that vacancies are advertised as directed by Council; and
 - iv) Ensure applications are reviewed and only those qualified candidates are provided to Council for consideration.

- c) **Staff** have the authority and responsibility to:
 - i) Abide by the *Appointment to Local Boards and Committees Policy*.

8) REFERENCES AND RELATED DOCUMENTS

- a) *Municipal Act*
- b) *Municipal Conflict of Interest Act*
- c) *Code of Conduct for Members of Municipal Council and Council's Local Boards and Committee Members*

 THE CORPORATION OF THE
Township Of Pelee
THE CORPORATION OF THE TOWNSHIP OF PELEE
REPORT NO. 2023 – 14

Author's Name: Kristine Horst	Report Date: February 8, 2023
Resolution #:	Date to Council: February 14, 2023

To: Mayor and Members of Council

Subject: Appointment to 2022 – 2026 Committees of Council

1. **RECOMMENDATION:**

It is recommended that:

1. The following four applicants **BE APPOINTED** as members of the Township of Pelee Destination Development Committee for the 2022-2026 term of Council:

2. The following four applicants **BE APPOINTED** as members of the Township of Pelee Funding Advisory Committee for the 2022-2026 term of Council:

3. The following four applicants **BE APPOINTED** as members of the Township of Pelee Drainage Committee for the 2022-2026 term of Council:

4. The following four applicants **BE APPOINTED** as members of the Township of Pelee Hunting and Fishing Committee for the 2022-2026 term of Council:

2. BACKGROUND:

On January 10th, 2023, at the Regular Meeting of Council, Council passed resolution 2023 – 04 approving the following five 2022 – 2026 Committees along with their Terms of Reference: Accessibility Advisory Committee; Destination Development Committee; Funding Advisory Committee; Drainage Committee; and the Hunting and Fishing Committee.

Administration was directed to advertise for members in the Grapevine, on Township of Pelee social media pages, and on the municipal website. Applications for members of the public were open Wednesday January 11th to Wednesday February 8th, 2023. Based on the Terms of Reference, it is recommended that each committee consist of no more than four (4) and no less than two (2) citizens from the public to serve on each Committee of Council.

3. DISCUSSION:

The call for applications has resulted in a number of applications received for four out of five of the committees. At this time, Council will need to determine members of the public to serve on each committee. Once Council direction is received for the appointments, an appointing By-law will be brought to the next Regular Meeting of Council on February 28th for each committee.

There have been no applications submitted for the Accessibility Advisory Committee. Though this committee is mandatory for municipality's having a population of not less than 10,000, it is not mandatory for municipality's with less than 10,000 like the Township of Pelee.

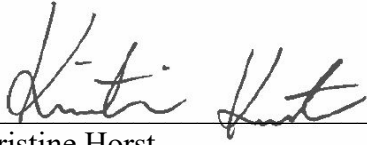
Six applications have been submitted for the Destination Development Committee, four applications have been submitted for the Drainage Committee, five applications have been received for the Funding Advisory Committee, and five applications have been received for the Hunting and Fishing Committee.

4. FINANCIAL MATTERS:

N/A

6. CONCLUSION:

Council shall appointment members to the above noted four Committees of Council for the 2022 – 2026 term. An appointing By-law for each committee will be brought to Council for adoption on February 28th, 2023.



Kristine Horst
Interim Clerk

KH/

Attachments:

Confidential – Committee Applications

DEPARTMENTS/OTHERS CONSULTED:

Name: Michelle Feltz

Title: Treasurer



THE CORPORATION OF THE
Township Of Pelee
THE CORPORATION OF THE TOWNSHIP OF PELEE
REPORT NO. 2023 – 15

Author's Name: Kristine Horst	Report Date: February 10, 2023
Resolution #:	Date to Council: February 14, 2023

To: Mayor and Members of Council

Subject: By-Law Enforcement Shared Services – RFP Responses

1. **RECOMMENDATION:**

It is recommended that:

1. The Corporation of the Town of Amherstburg's proposal for By-Law Enforcement services **BE ACCEPTED**; and
2. Administration **BE DIRECTED** to work with the Town of Amherstburg to develop a final contract, to be approved and adopted by both the Council of the Township of Pelee and Council of the Town of Amherstburg.

2. **BACKGROUND:**

On November 28, 2022, Council passed resolution 2022 – 181 approving Administration to pursue neighbouring municipalities for potential joint service opportunities relating to By-Law Enforcement. On January 10, 2023, requests for proposals were sent via email invite to neighbouring municipalities. The intent of this request for proposal was to obtain part-time By-law services of approximately 8-15 hours per week commencing by spring 2023.

3. **DISCUSSION:**

The Township of Pelee has not had an active By-Law Enforcement Officer since August 2022, and so by-law matters are currently falling to administrative staff.

Following Council approval in November, Administration sent out via email a request for proposal on January 10, 2023.

The RFP was originally set to close on Friday, February 3, 2023; however, a request was made by Leamington to allow an extension of one week. This extension was granted and the RFP closed on Friday, February 10, 2023. The Township received two responses to the RFP.

Administration completed a review of the responses to ensure all requested services were included. *The following is the results of the RFP, based on the maximum service requested of 15 hours per:*

Municipality	Estimated Max. Weekly Fee (excluding HST)
Town of Amherstburg	\$1,800.00
Municipality of Leamington	\$1,175.00

The RFP sent on January 10th, 2023, indicated the proposed shared service would require both on island site visits as well as remote assistance. The Township sought services for direct enforcement of our municipal by-laws on Pelee Island, remote assistance with incoming by-law related complaints as well as assistance and/or input when updating and drafting municipal by-laws.

Based on fees, the Municipality of Leamington’s estimated weekly fees are less than the estimated maximum fees for the Town of Amherstburg. However, Amherstburg’s proposal encompasses all of the requested services while Leamington’s proposed services would not include: *legal services of any kind, including review of any by-laws, potential amendments to by-laws, prosecutions under any infraction written or attendance at hearings of any kind;* and would have limited assistance with incoming by-law related complaints.

4. FINANCIAL MATTERS:

Administration has estimated our need for weekly By-Law Enforcement services at 8-15 hours per week. This may fluctuate depending on need and time of year, some weeks may require additional hours other weeks may require much less. Therefore, there may be an opportunity for savings in the estimated weekly fee amounts listed above.

For example, if the Township’s average need is only 8 hours per week, final fees due may be \$960.00 weekly rather than \$1,800.00 if the Town of Amherstburg is selected.

There is also continued potential to increase revenue through additional and consistent applications of fees and ensuring compliance through by-law enforcement.

5. CONSULTATIONS:


There were no consultations.

6. **CONCLUSION:**

The recommendation is to award By-Law Enforcement Services to the Town of Amherstburg. Administration will work with the Town of Amherstburg to develop a final contract, to be approved and adopted by both the Council of the Township of Pelee and Council of the Town of Amherstburg.



Kristine Horst
Interim Clerk



Michelle Feltz
Treasurer

KH/

Attachments:

Pelee Proposal 2023 – Amherstburg
Response to RFP for By-Law Services Pelee – Leamington



1 February 2023

Sent to all Clerks of Member Municipalities

Re: Essex Region Source Protection Committee – Municipal Representation

As required by the Clean Water Act, 2006, the Essex Region Source Protection Authority (ERSPA) has an established Source Protection Committee (SPC), which follows the guidance of Ontario Regulation 288/07 (O.Reg 288/07). The SPC is composed of 15 members, including five (5) representatives from the municipal sector. The remaining two-thirds of the SPC are representatives of key industries (e.g. agriculture, greenhouse operations, and fuel suppliers) and members of the public at large.

In 2007, the ERSPA striking committee proposed the following composition of municipal representation on the SPC.

- City of Windsor – 2 members
- Union Water Supply System – 1 member
- Town of Lakeshore – 1 member
- Town of Amherstburg – 1 member

The striking committee felt that those municipalities responsible for the Water Treatment Plants that provide the largest water supplies should have the opportunity to have representation on the SPC. A letter was sent to all Clerks of Member Municipalities on July 30, 2007 to this effect, and this distribution of representation was subsequently endorsed by all municipalities in 2007 and has remained as such. At this time one municipal member has taken a new position and can no longer sit on the SPC in this role, one municipal member is retiring from the SPC.

In the spring of 2022, the term of appointment for Mayor Nelson Santos, representing Union Water Supply System (UWSS), came to a close when he took on a new position in another municipality. The UWSS Board opted to wait until after the municipal election to select a new representative. At their first meeting on 17 January 2023 they selected Mayor Dennis Rogers as their nominee for representation on the SPC.

Thom Hunt, who has represented the City of Windsor in his role as Executive Director/City Planner for many years is taking this opportunity to step down from the SPC. Frank Garardo, Senior Planner for the City of Windsor has been selected as their new representative on the SPC.

Both Mayor Nelson and Mr. Hunt were valued members of the SPC and will be missed. We look forward to working with the newly selected members.

Municipal Councils are asked to endorse all municipal candidates prior to their formal appointment by the Essex Region Source Protection Authority as a regular SPC member. In keeping with our previous practices, at this time we are asking that all member Municipalities endorse the following individuals' appointment to the Essex Region Source Protection Committee:

- **Dennis Rogers, Union Water Supply System**, appointment date: April 13, 2023; expiration of appointment April 13, 2028.
- **Frank Garardo, City of Windsor**, appointment date: April 13, 2023; expiration of appointment April 13, 2028.

Responses in the form of Council Resolutions are kindly requested by **31 March 2023**. The Essex Region Source Protection Authority is scheduled to address this matter at their meeting on 13 April 2023.

This letter is sent under separate cover to municipal staff who have been appointed by their municipality to assist with Source Water Protection. Please contact me if you require any further information.

Sincerely,



Katie Stammer, PhD
Water Quality Scientist and Source Water Project Manager
Essex Region Conservation Authority

**THE CORPORATION OF THE TOWNSHIP OF
PELEE**

BY-LAW: 2023 – 11

"CONFIRMATION OF PROCEEDINGS"

(February 14, 2023)

A By-Law to confirm the proceedings of Council.

WHEREAS the Municipal Act 2001, as amended, states that the powers of a municipal corporation are to be exercised by by-law;

AND WHEREAS the Council of The Corporation of the Township of Pelee wishes to confirm the proceedings and business conducted by Council;

NOW THEREFORE the Council of The Corporation of the Township of Pelee does hereby enact as follows:

1. That the action of the Council at its Council meeting held on the 14th day of February, 2023 in respect to each motion, resolution and other action passed and taken by Council is hereby adopted, ratified and confirmed; save and except resolutions resulting from closed meetings.
2. That the Mayor and the proper Officers are hereby authorized and directed to execute all documents as may be necessary and the Clerk is authorized and directed to affix the Corporate Seal to all such documents.
3. That this by-law shall be cited as the "Confirmation of Proceedings By-law" (February 14th, 2023).
4. That this by-law shall come into force and take effect on the date of passing thereof.

READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS 14th day of February, 2023.

MAYOR, CATHERINE MILLER

INTERIM CLERK, KRISTINE HORST