



## AGENDA / ORDRE DU JOUR

**REGULAR COUNCIL MEETING - Wednesday, February 15, 2017 at 6pm**  
**RÉUNION RÉGULIÈRE DU CONSEIL - Mercredi le 15 février 2017 à 18h**

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- 1. Call to Order and Roll Call / Ouverture de la réunion et présence**
- 2. Adoption of Agenda / Adoption de l'ordre du jour**
- 3. Disclosure of Pecuniary Interest / Déclarations d'intérêts pécuniaires**
- 4. Delegations / Délégations**
- 5. Reports and Items for Consideration / Rapports et sujets pour considération**
  - 5.1 General Government / Gouvernement général**
    - 5.1.1 Chief Administrative Officer's Report / Rapport du directeur général** p. 3
      - Resolution to authorize a Funding Application to Rick Hanson Foundation
      - Resolution to support Club des Bons Vivants d'Alban in their funding application
    - 5.1.2 Resolution to approve the attendees at AFMO Conference, Sept 19-21(St-Isidore)** p. 5
    - 5.1.3 Resolution to proclaim March 22/22 mars : Journée de la solidarité franco-ontarienne** p. 9
    - 5.1.4 Resolution to adopt a By-law 2017-08 to authorize the Council Code of Conduct Policy** p. 10
    - 5.1.5 Resolution to appoint a member to the Property Standards Appeal Committee**
    - 5.1.6 Report and Resolution relating to the 2018 Municipal Elections and Voting Methods** p. 22
    - 5.1.7 Resolution to appoint a Deputy Mayor for the year 2017**
    - 5.1.8 Resolution to adopt a By-law 2017-11 to enter into a Recycling Acceptance Agreement** p. 33  
with the City of Greater Sudbury
  - 5.2 Finance / Finances**
    - 5.2.1 Monthly Disbursements Report / Rapport mensuel des déboursements (Dec 2017)**
    - 5.2.2 Deliberation of Draft 2017 Budget / Délibération du Budget**
- 6. Consent Agenda / Ordre du jour regroupé**
  - 6.1 Adoption of Minutes / Procès-verbaux adoptés**
    - 6.1.1 Regular Council Meeting held February 1, 2017** p. 34
  - 6.2 Receipt of Minutes / Procès-verbaux reçus**
    - 6.2.1 Travel Trailers Ad hoc Committee Meeting held February 3, 2017 (Draft)** p. 42
    - 6.2.2 Sudbury East Planning Board held January 12, 2017** p. 44
  - 6.3 Items for Consideration or Information / Items pour consideration ou information**
  - 6.4 By-laws / Règlements**
    - 6.4.1 2017-09 Zoning By-law Amendment (Albert Duquette)** p. 49
    - 6.4.2 2017-10 Zoning By-law Amendment (Todd and Roger Fryer)** p. 52

- 7. Notices of Motion / Avis de motion**
- 8. Announcement and Inquiries / Annonce et questions**
- 9. Closed Session / Session à huis clos**
- 10. Adjournment / Ajournement**
  - Resolution to adopt Confirmation By-law 2017-12
  - Resolution to adjourn



# Municipality of French River

## Report CAO-04-2016 of the Chief Administrative Officer Information Report to Council

**RE: Update**

**OBJECTIVE:** To provide Council with an update and overview on ongoing operational matters.

### **Operational Review:**

We have confirmed with KPMG that the Operational Review Public presentation will be held as a Special Meeting of Council on Thursday March 2<sup>nd</sup>, 2017 at 6:00pm in Council Chambers.

### **2017 Draft Budget Public Presentation**

At the February 1, 2017 meeting of Council, direction was given to the CAO to schedule one Public Presentation of the 2017 Draft Budget. I wish to confirm that the 2017 Draft Budget Public Presentation will be scheduled on Thursday March 23, 2017 at 6:00pm at the Alban Community Centre

### **Sudbury East Municipal Shared Services Study**

As Council is aware, a draft report on the Sudbury East Municipal Shared Services Study was presented at the SEMA meeting of January 24, 2017 by KPMG. KPMG is currently revising the document based on input received. As part of the terms of agreement with the Province, we are required to schedule one Public Meeting in each Municipality during the week of February 27, 2017 or March 6, 2017. In viewing available dates for the Municipality of French River, the Public Meeting would be scheduled during a Special Council Meeting in order for the document to be received by Council and to provide the general public for an opportunity for comments. If Council is in agreement, the meeting would be scheduled on Tuesday March 7, 2017 starting at 6:00pm in the Council Chambers.

### **Hazardous Waste Days**

During budget deliberations, it was mentioned that we were exploring the opportunity of enhancing the Hazardous Waste collections to coordinate one day in the spring and one day in the fall. Currently the service is provided on two concurrent days during a weekend in the fall with minimal usage on Sunday. The contractor has provided a revised price that would enable the Municipality to provide a Hazardous Waste Day on Saturday June 10, 2017 and Saturday September 23, 2017 from 8:00am to 5:00pm. The revised price represents an increase of \$85.00 over the 2016 invoice.

### **Joe Chartrand Trail**

On Friday February 10, 2017, I attended a meeting of the VAA to discuss the development of the Joe Chartrand Trail development that is located on Municipal Land including potential funding opportunities in order to assist in bringing the project to completion that would be accessible to all. There is an opportunity to apply for funding to the Rick Hanson Foundation for up to \$25,000 for the purpose of ensuring the trails is developed as per the accessibility guidelines. I am requesting authorization from Council to have the municipality be the lead applicant in partnership with the VAA to submit an application for up to \$25,000 to the Rick Hanson Foundation. There are no financial commitments from the municipality required at this time other than the resources required to complete the application; a resolution will be considered by council.

### **Sudbury East Connectivity Partnership:**

The project is ongoing, we continue to work with our partners, the Municipality of St.- Charles, the Municipality of Markstay-Warren, the Dokis First Nation and Agilis Networks on gathering the required data, population densities and support letters for the establishment a broad band network in our region. It is anticipated that the official application will be submitted to the Government of Canada as part of Connect to Innovate Program for the installation and construction of the broad band network by February 17, 2017.

### **Letter of Support:**

The French River Public Library in partnership with the Club des Bons Vivants d'Alban are submitting an application for available funding to enhance programming for seniors of the community. The Club des Bons Vivants d'Alban has requested a letter of support from the Municipality to become a partner for the application by providing (at no cost) the use of the Alban Community Centre for up to 4 times. I'm requesting the approval of council prior to proceeding with the preparation of the letter of support; a resolution will be considered by council.

### **Ontario 150 Funding Applications**

In the Fall of 2016, the Municipality submitted two applications under the Ontario 150 funding program. Regretfully, I'm informing Council that we were not successful under the infrastructure envelope (Noelville Arena Hall Renovations) and the celebrate envelope (enhanced community events).

Respectfully submitted:

Marc Gagnon  
Chief Administrative Officer  
Date: February 10, 2017



Association française  
des municipalités  
de l'Ontario



January 19, 2017

**RE: Soliciting participation at the AFMO'S Annual Conference 2017**

The Association of Francophone Municipalities of Ontario (AFMO), in partnership with the Municipality of The Nation, is pleased to invite you to our 28<sup>th</sup> annual conference. This event will take place at St-Isidore Recreation Centre from Tuesday, September 19 to Thursday, September 21, 2017.

Under the theme of "Canada's 150 year growth – a closer look" this conference will hold discussions on such themes, amongst others, as the possible partnerships between the many players in our society and the interaction between governments and society as well as innovation as it relates to tourism, economic development and networking. This annual conference will mobilize more than 175 leaders, partners and key participants involved in the development of Francophone communities in Ontario.

In taking part at this conference, we hope to pool our resources, find solutions to some of the challenges facing municipalities and share our experiences.

The success of such an event is based on the financial support of businesses, community groups and organizations as well as all levels of government and on the participation of representative of municipalities and organization. Please find enclosed, a copy of our registration form to complete.

We would like to count on your participation and involvement to our annual conference.

For more information, please do not hesitate to contact the following individuals:

Jacqueline Noiseux  
General Manager AFMO  
613-746-7707  
[dg@afmo.on.ca](mailto:dg@afmo.on.ca)

Aimée Roy  
Administrative Secretary  
The Nation Municipality  
613.764.5444 x 228  
[aroy@nationmun.ca](mailto:aroy@nationmun.ca)

Sincerely,

A handwritten signature in black ink, appearing to read 'Claude Bouffard'.

Claude Bouffard  
President of AFMO and  
Mayor of Municipality of French River

Sincerely,

A handwritten signature in black ink, appearing to read 'François St. Amour'.

François St. Amour  
Mayor  
The Nation Municipality





Association française  
des municipalités  
de l'Ontario



Ottawa, le 19 janvier 2017

**Objet : Invitation à participer au congrès annuel de l'AFMO 2017**

L'Association française des municipalités de l'Ontario (AFMO), en partenariat avec la Municipalité de La Nation, est heureuse de vous inviter à son 28<sup>ème</sup> congrès annuel. C'est au Centre Récréatif St-Isidore que se déroulera le congrès du mardi 19 septembre au jeudi 21 septembre 2017.

C'est sous le thème de "La croissance du Canada depuis 150 ans - une vue de près" que cet événement mettra à l'avant-plan autant l'importance des partenariats entre différents intervenants de notre collectivité, les liens étroits entre les divers paliers de gouvernements et la communauté, que comment innover en tourisme, en développement économique et par le réseautage. Ce congrès provincial mobilise plus de 175 chefs de file, partenaires et participants-clés du développement de la communauté francophone de l'Ontario. En prenant part à ce congrès, nous pourrions ensemble trouver des façons afin de mieux répondre aux défis municipaux tout en partageant nos expériences.

Le succès de ce congrès repose sur le support financier d'entreprises et d'organisations que de la participation de représentants de municipalités et d'organisme. Vous trouvez donc ci-joint le formulaire d'inscription.

Nous serions heureux de compter sur votre participation et votre implication à ce congrès.  
En espérant que vous pourrez donner une suite favorable à notre demande.

Pour plus d'information, veuillez communiquer avec:

Jacqueline Noiseux  
Directrice générale AFMO  
613-746-7707  
[dg@afmo.on.ca](mailto:dg@afmo.on.ca)

Sincèrement,

Claude Bouffard  
Président de l'AFMO et  
Maire de la Municipalité de la Rivière des français

Aimée Roy  
Secrétaire administrative  
La Municipalité de La Nation  
613.764.5444 x 228  
[aroy@nationmun.ca](mailto:aroy@nationmun.ca)

Sincèrement,

François St. Amour  
Maire  
La Municipalité de La Nation



Association française  
des municipalités  
de l'Ontario



**FORMULAIRE D'INSCRIPTION CONGRÈS ANNUEL 2017**  
**Du 19 au 21 septembre 2017 au Centre récréatif de St-Isidore**  
**20 rue de l'Aréna, St-Isidore ON K0C 2B0**

Nom de la municipalité / organisme : \_\_\_\_\_  
 Adresse : \_\_\_\_\_ Code postal : \_\_\_\_\_  
 Téléphone : \_\_\_\_\_ Télécopieur : \_\_\_\_\_ Courriel : \_\_\_\_\_  
 Nom \_\_\_\_\_ Titre : \_\_\_\_\_ Nom du/ des conjoint (e)s : \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**Frais d'inscription (incluant petits déjeuner, les dîners et le banquet) :**

Frais d'inscription par membre \_\_\_\_\_ (# personne. s) X 495 \$ = \_\_\_\_\_ (sous-total)  
 Frais d'inscription non-membre \_\_\_\_\_ (# personne. s) X 526 \$ = \_\_\_\_\_ (sous-total)  
 Programme Conjoint \_\_\_\_\_ (# personne. s) X 260 \$ = \_\_\_\_\_ (sous-total)  
 Frais pour le banquet seulement \_\_\_\_\_ (# personne. s) X 138 \$ = \_\_\_\_\_ (sous-total)  
 Frais pour une journée seulement \_\_\_\_\_ (# personne. s) X 205 \$ = \_\_\_\_\_ (sous-total)  
 (Excluant le banquet) Date : \_\_\_\_\_

(Les Taxes sont incluses dans les prix. # entreprise 130361058RT001)

TOTAL \$ \_\_\_\_\_

**Tirage de Prix « Early Bird » pour ceux et celles qui s'inscrivent avant le 30 juin 2017**

**Méthode de paiement :** ☐ Facture ☐ Chèque

**Politique de remboursement :** L'annulation doit être faite par écrit et reçue à l'AFMO au plus tard le 30 juin 2017.

**Retourner avec votre paiement à :**

**AFMO Congrès 2017**

1173, chemin Cyrville, suite 001, Ottawa, ON K1J 7S6

Téléphone : 613-746-7707

[dq@afmo.on.ca](mailto:dq@afmo.on.ca) ; [www.afmo.on.ca](http://www.afmo.on.ca)

**Avez-vous des besoins particuliers ?**

**a) Besoins spéciaux (incapacité, régime alimentaire, allergie) :**

\_\_\_\_\_  
 \_\_\_\_\_

**b) Traduction simultanée sur place durant le congrès.**

**c) Possibilité de transport en commun - autobus ou co-voiturage de l'est et/ou du Sud-ouest : inscrivez-vous à l'AFMO.**

**Hébergement :**

Liste d'hôtels et motels sera disponible sous peu sur notre site Internet, celui de La Nation et de l'AFMO

**Lieu du congrès :**

**Centre récréatif de St-Isidore**

**20 rue de l'Aréna, St-Isidore ON K0C 2B0**

**Info : Municipalité de La Nation**

958, route 500 ouest, Casselman, ON K0A 1M0

Téléphone : 613-764-5444 Télécopieur : 613-764-3310

Aimée Roy : [aroy@nationmun.ca](mailto:aroy@nationmun.ca)

**Prière de remplir le formulaire d'inscription et l'envoyer par courriel à : [admin@afmo.on.ca](mailto:admin@afmo.on.ca)**



Association française  
des municipalités  
de l'Ontario



**REGISTRATION FORM - ANNUAL CONFERENCE 2017**  
**September 19-21, 2017 at St-Isidore Recreation Centre**  
**20 Arena Street, St-Isidore ON K0C 2B0**

Name of Municipality / Organization: \_\_\_\_\_  
Address: \_\_\_\_\_ Postal Code: \_\_\_\_\_  
Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_ E-mail: \_\_\_\_\_  
Name of delegate(s): \_\_\_\_\_ Title: \_\_\_\_\_ Name of Spouse/Guest: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Registration Fee (includes all meals and banquet):**

Members \_\_\_\_\_ (# people) X \$495 = \_\_\_\_\_ (subtotal)

Non-members \_\_\_\_\_ (# people) X \$526 = \_\_\_\_\_ (subtotal)

Companion Program \_\_\_\_\_ (# people) X \$260 = \_\_\_\_\_ (subtotal)

Registration fee for banquet only \_\_\_\_\_ (# people) X \$138 = \_\_\_\_\_ (subtotal)

Fees for one day only \_\_\_\_\_ (# people) X \$205 = \_\_\_\_\_ (subtotal)

(Excluding the banquet)

Date: \_\_\_\_\_

(Taxes are included in the price. enterprise # 130361058RT001)

TOTAL \$ \_\_\_\_\_

***An «Early Bird » draw will be held among delegates registered before June 30th, 2017***

**Method of payment:** ☐ Invoice ☐ Check

**Refund Policy:** Cancellations must be made in writing and received by AFMO **no later than June 30th, 2017.**

**Mail your registration form with your payment made payable to:**

**AFMO Conference 2017**

1173, Cyrville Road, UNIT 001

Ottawa, ON K1J 7S6

Phone: 613-746-7707; [dq@afmo.on.ca](mailto:dq@afmo.on.ca) ; [www.afmo.on.ca](http://www.afmo.on.ca)

**Do you have any special needs?**

**a) Special needs (disability, diet, allergy):**

\_\_\_\_\_  
\_\_\_\_\_

**b) Simultaneous translation during the entire conference.**

**c) Possibility of transportation in shuttle services or carpool to the east and/or Southwest: please register with AFMO.**

**Accommodation:**

List of hotels and motels will be available shortly on our website, that of The Nation and AFMO

**Conference location :**

**St-Isidore recreation Centre**

**20 Arena Street, St-Isidore ON K0C 2B0**

**Info. : The Nation municipality**

958, route 500 ouest, Casselman, ON K0A 1M0

Phone: 613-764-5444 Fax: 613-764-3310

Aimée Roy: [aroy@nationmun.ca](mailto:aroy@nationmun.ca)

**Please complete the registration form and send it by email to: [admin@afmo.on.ca](mailto:admin@afmo.on.ca)**



**From:** Christine Sigouin <[csigouin@montfort.on.ca](mailto:csigouin@montfort.on.ca)>

**Date:** January 3, 2017 at 3:56:07 PM EST

**To:** "[cbouffard@frenchriver.ca](mailto:cbouffard@frenchriver.ca)" <[cbouffard@frenchriver.ca](mailto:cbouffard@frenchriver.ca)>

**Cc:** Christine Sigouin <[csigouin@montfort.on.ca](mailto:csigouin@montfort.on.ca)>

**Subject:** Demande de proclamation – le 22 mars : Journée de la solidarité franco-ontarienne

Monsieur le Maire,

Le 22 mars 2017 marquera le 20<sup>e</sup> anniversaire du rassemblement SOS Montfort, réunissant plus de 10 000 personnes au Centre municipal d'Ottawa et qui allait lancer la bataille devant les tribunaux pour assurer la survie de l'Hôpital Montfort.

Ceci marque une étape importante dans l'histoire de l'Hôpital Montfort comme institution essentielle protégeant les droits linguistiques et culturels de la communauté franco-ontarienne. C'est ainsi que Montfort peut continuer d'offrir des soins et de l'enseignement médical en français et d'assurer la protection et la promotion de l'identité franco-ontarienne.

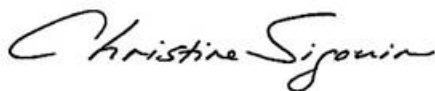
Nous demandons donc à la Municipalité de la Rivière des Français de reconnaître la journée du 22 mars 2017 comme la Journée de la solidarité franco-ontarienne.

Veuillez agréer l'expression de nos sentiments les plus distingués.



Le président-directeur général, Dr Bernard  
Leduc

La présidente-directrice générale de la Fondation de l'Hôpital Montfort, Mme Christine Sigouin



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713, chemin Montréal, Ottawa (Ontario) K1K 0T2

613-746-4621, poste 2011

**THE CORPORATION OF THE MUNICIPALITY OF FRENCH RIVER**

**BY-LAW 2017-08**

**BEING A BY-LAW TO AUTHORIZE THE ADOPTION  
OF A COUNCIL CODE OF CONDUCT**

**WHEREAS** Section 223.2 (1) of the *Municipal Act, 2001*, authorizes the municipality to establish codes of conduct for Members of the Council of the municipality and of local boards of the municipality;

**NOW THEREFORE, THE COUNCIL FOR THE MUNICIPALITY OF FRENCH RIVER  
ENACTS AS FOLLOWS:**

1. That Council adopts the Council Code of Conduct Policy for the Municipality of French River identified as Schedule “A” attached hereto and forming part of this by-law.
2. That the Council Code of Conduct shall apply to the Mayor, all Members of Council, and shall apply equally to all Committee Members, and all Board Members of The Corporation of the Municipality of French River.
3. That the Mayor, Members of Council, Committee Members, and Board Members of the Municipality of French River shall acknowledge their receipt and understanding of the Council Code of Conduct and all its contents, by signing and dating the Acknowledgement of Understanding and Compliance form.
4. That any amendments to the Council Code of Conduct shall be acknowledged by Members of Council, Committee and Board Members of the Municipality of French River, by re-signing and dating the Acknowledgement of Understanding and Compliance Form.
5. That this Council Code of Conduct shall apply to all future Mayors, Members of Council, Members of Committees, and Board Members of the Municipality of French River.
6. That a vote of two-thirds of all Council Members be required to amend or repeal this by-law.
7. That this by-law shall come into full force and effect upon its passing.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED  
THIS 15<sup>th</sup> DAY OF FEBRUARY, 2017.**

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**MAYOR**

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**CLERK**

## **Schedule 'A' - By-law 2017-08**

### **Council Code of Conduct**

#### **1. Policy Statement**

The Council Code of Conduct is a public declaration of the principles of good conduct and ethics that are expected by the Members of Council of the Municipality of French River.

Attaining an elected position within the community is a privilege which carries significant responsibilities and obligations. Members of Council are held to a high standard as leaders of the community and they are expected to become well informed on all aspects of municipal governance, administration, planning and operations and to carry out their duties in a fair, impartial, transparent and professional manner.

#### **2. Purpose**

The Council Code of Conduct sets standards for the behaviour of Members of Council in carrying out their functions. It has been developed to assist Council to:

- a) Understand the standards of conduct that are expected of them and the law that applies in relation to these standards;
- b) Fulfill their duty to act honestly and exercise reasonable care and diligence;
- c) Act in a way that enhances public confidence in local government; and
- d) Identify and resolve situations which might involve a conflict of interest or a potential misuse of position and authority or a breach of these rules.

#### **3. Statutory Provisions Regulating Conduct**

This Council Code of Conduct operates along with and as a supplement to the existing statutes governing the conduct of members. The following provincial legislation governs the conduct of members of Council:

- The Municipal Act
- The Municipal Conflict of Interest Act (MCIA)
- The Municipal Elections Act (MEA)
- The Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)
- The Ontario Human Rights Code (OHRC)
- The Provincial Offences Act (POA)
- The Criminal Code of Canada (CCC)
- The Occupational Health and Safety Act (OHSA)
- The Accessibility for Ontarians with Disabilities Act (AODA)

#### **4. General Principles and Values**

Members will:

- a) Respect the role of Council as set out in the Municipal Act, 2001;
- b) Support the mission, vision and values of the Municipality;
- c) Respect the decision-making process of Council by accurately communicating the decision reached by majority of Council, even if they disagree with the outcome;
- d) Maintain professionalism, integrity, respect, and trust;
- e) Promote open, accountable and transparent local government; and
- f) Encourage public respect for the Municipality, its by-laws and policies.

#### **5. Standards of Behaviour and Conduct**

##### **5.1 Respect and Dignity**

Members will:

- a) Treat members of the public, one another, and staff with respect;
- b) Ensure their work environment is free from discrimination, harassment, bullying and intimidation;
- c) Conduct themselves according to legislative and policy requirements;
- d) Observe decorum and conduct themselves as outlined in the Procedure By-law; and
- e) Refrain from personal attacks on other Members, staff or any other person.

##### **5.2 Conduct Respecting Staff**

Members will:

- a) Be respectful of staff;
- b) Acknowledge that only Council as a whole has the capacity to direct the Chief Administrative Officer;
- c) Recognize that the Chief Administrative Officer is the only staff person directly reporting to Council and that all other staff members are under the supervision of the CAO, not of Council or any Member. Members will direct any concerns respecting staff through the Chief Administrative Officer; and
- d) Refrain from publicly criticizing individual members of staff in any way that questions their professional reputation, competence or credibility.

Members will not:

- a) Attack the professional or ethical reputation of staff;
- b) Threaten staff; or
- c) Otherwise interfere with staff's performance of their duties.

##### **5.3 Gifts, Hospitality & Other Benefits**

Members of Council are expected to represent the public and the interests of the municipality and to do so with both impartiality and objectivity. The acceptance of gifts, hospitality or benefits can imply favouritism, bias or influence on the part of the Member. At times, the acceptance of a gift, benefit or hospitality occurs as part of the social protocol or community events linked to the duties of an elected official and their role in representing the municipality.

Members of Council shall not accept gifts that would, to a reasonable member of the public, appear to be in gratitude for influence, to induce influence, or otherwise to go beyond the necessary and appropriate for the public functions involved. Members will make decisions free from the influence of gifts, favours, hospitality, and entertainment. Members will not seek or obtain by reason of their office any personal privilege or advantage with respect to municipal services not otherwise available to the general public and not ~~following as a result of official duties linked to the duties of an elected official and their role in representing the municipality. (to be consistent with statement in 5.3)~~

Members may accept tokens, mementoes, souvenirs, or such gifts or benefits up to and including a value of \$50.00 that are received as a result of the responsibilities of the office; all items received with a greater value shall be declined or be considered the property of the Municipality. To enhance transparency and accountability, ~~Members shall file a disclosure statement of these exceptions will be reported to with the Clerk within 30 days indicating the nature of the gift, benefit or hospitality, its source and date of receipt, the circumstances under which it was received and the estimated value. On an annual basis, the Clerk will report the exceptions to Council. The disclosure statement must indicate the nature of the gift, benefit or hospitality, its source and date of receipt, the circumstances under which it was received, the estimated value and what the recipient intends to do with the gift and/or whether the gift will be left with the Municipality.~~

#### **5.4 Use of Municipal Property and Resources**

Members may only use municipal property, equipment, services or supplies of consequence for purposes associated with the discharge of official duties or associated community activities to the extent such resources are not otherwise available to the general public.

Members will comply with corporate policies related to the use of municipal assets, including but not limited to municipal vehicles, municipally owned computers, internet and email.

Members will not seek or gain personal benefit from the use of municipally developed intellectual property, computer programs, technological innovations or other patentable items, while an elected official or thereafter. All such property remains the exclusive property of the Municipality.

#### **5.5 Municipal Elections**

Members of Council must conduct themselves in accordance with the provisions of the *Municipal Elections Act*, in addition to legislation and policies in place during their term of office.

Members of Council shall respect the role of the Clerk and municipal staff in the election process, shall not interfere with the Clerk or designate's discharge of their duties during the election process, and understand that their role is to ensure that all candidates are treated equally.

The use of municipal resources, both actual municipal property and staff time, for election-related activity is strictly prohibited. The prohibition applies to both the promotion and opposition to the candidacy of a person for elected office.

Election-related activity applies not only to a Member's personal campaign for office, but also other campaigns for municipal, provincial and federal office.

## **5.6 Confidentiality, Privacy and Use of Information**

- a) All information, documentation or deliberations received, reviewed or taken in closed session meetings are confidential, except as otherwise directed by Council.
- b) All information circulated in closed session whether or not it is marked confidential and/or privileged, shall be returned to the Clerk for destruction.
- c) Members will not disclose or release by any means to any Member of the public either in verbal or written form any confidential information acquired by virtue of their office, except when required by law to do so.
- d) Requests for information should be referred to the Clerk to be addressed in conformity with the *Municipal Freedom of Information and Protection of Privacy Act*.
- e) Members will follow the established practices within the municipality for closed meeting materials.
- f) Members will not use information gained in the execution of their duties that is not available to the general public for any other purpose.
- g) Members of Council shall not access or attempt to gain access to confidential information in the custody of the Municipality unless it is necessary for the performance of their duties and not prohibited by Council policy.

## **5.7 Personal and Political Interests**

- a) Members will not use municipal facilities, services or property for personal business gain.
- b) Members will not use the services of employees for personal affairs.
- c) Members will not use municipal resources for political purposes, including re-election, in conformity with municipal policy and in compliance with the *Municipal Elections Act*.
- d) Members will not borrow money from any person who regularly does business with the Municipality unless such person is an institution or company whose shares are publicly traded and who is regularly in the business of lending money.
- e) Members will not act as a paid agent before Council or its committees, agencies or boards.
- f) Members will recognize their obligations to follow and respect both the letter and the spirit of the provisions of the *Municipal Act*, 2001 as amended and the *Municipal Conflict of Interest Act*, or successor legislation.
- g) Members shall not attempt to influence any outcome or decision regarding or based on a family relationship or other personal associations.

## **5.8 Media and Public Communications**

It is understood that the Mayor as Head of Council, is the primary spokesperson, explaining policies, priorities and decisions of Council to the public, unless otherwise designated to another Member of Council or to the Chief Administrative Officer.

Committee Chairs are normally the spokespersons for matters dealt with under the jurisdiction of their particular committee unless another Member of Council is designated.

Members of Council will accurately communicate the decisions of Council/Committee, even if they disagree with the majority decision of Council, and by doing so affirm the respect for and integrity in the decision making process of Council. A Member may state that he/she did not support the decision, or voted against the decision.



Members at all times shall refrain from speculating or reflecting upon the personal motives of other Members of Council or staff, or being unduly judgmental or critical of other Members or of staff when communicating with the media or the public.

If a Member is involved in an issue outside the Member's own ward, the Member shall inform the Ward Councillor of such involvement and shall make reasonable efforts to invite the Ward Councillor to any meetings in conjunction therewith unless:

- a) The issue is clearly of Municipality-wide significance, or;
- b) The Member is the Chair of the Committee handling the matter or the Mayor, and the involvement does not go to the merits of the issue but rather involves only procedural aspects.

## **6. Complaint Procedure**

### **6.1 Informal Complaint**

Any individual who has identified or witnessed behavior or activity by a Member of Council that appears to be in contravention of the Code or legislation may address their concerns in the following manner:

- a) Advise the Member that their behavior or activity contravenes the Code or legislation;
- b) Encourage the Member to acknowledge and agree to stop the prohibited behaviour or activity and to avoid future occurrences of the prohibited behaviour or activity;
- c) If applicable, confirm to the member your satisfaction or dissatisfaction with his or her response to the concern identified;
- d) Keep a written record of the incidents including dates, times, locations, other persons present, and any other relevant information, including steps taken to resolve the matter;
- e) Request the Integrity Commissioner to assist in informal discussion of the alleged complaint with the Member in an attempt to resolve the issue;
- f) If not satisfied with the response received through the informal process, consider the need to pursue the matter in accordance with the formal complaint through the Integrity Commissioner, as outlined in this Code.

Individuals are encouraged to pursue this informal complaint procedure as the first means of remedying behaviour or an activity that they believe violates the Code of Conduct. With the consent of both the complaining individual and the Member, the Integrity Commissioner may participate in any informal process. The parties involved are encouraged to take advantage of the Integrity Commissioner's potential role as a mediator/conciliator of issues relating to a complaint. However, the informal process is not a precondition or a prerequisite to pursuing the formal complaint procedure outlined in Section 6.2.

## **6.2 Formal Complaint**

Any individual who has identified or witnessed behavior or activity by a Member that they believe is in contravention of the Code of Conduct may file a formal complaint in accordance of with the following conditions:

- a) All formal complaints must be made using the Code of Conduct Complaint/Affidavit Form (see Appendix '1') and shall be dated and signed by the complainant.
- b) The complaint must set out reasonable and probable grounds for the allegation that the Member has contravened this Code of Conduct and include a supporting affidavit that sets out the evidence in support of the complaint.

In the event that a formal complaint is received and that there are reasonable grounds to believe that there has been a contravention to the Code of Conduct, an Integrity Commissioner will be appointed by Council or the Municipality will engage the services of an Integrity Commissioner from another local municipality.

The complaint shall be filed with the Clerk who shall forward the matter to the Integrity Commissioner for initial classification to determine if the matter is, on its face, a complaint with respect to non-compliance with this Code of Conduct and not covered by other legislation or policy as described in Section 6.3.

## **6.3 Complaints Outside Integrity Commissioner Jurisdiction**

If the complaint is not, on its face, a complaint with respect to non-compliance with the Code of Conduct or the complaint is covered by other legislation or complaint procedure under another Council policy, the Integrity Commissioner shall advise the complainant in writing as follows:

### *Criminal Matter*

If the complaint on its face is an allegation of a criminal nature consistent with the Criminal Code of Canada, the complainant shall be advised that if the complainant wishes to pursue any such allegation, the complainant must pursue it with the appropriate Police Service.

### *Municipal Conflict of Interest Act*

If the complaint on its face is regarding non-compliance with the Municipal Conflict of Interest Act as opposed to the Code of Conduct, the complainant shall be advised to review the matter with the complainant's own legal counsel.

### *Municipal Freedom of Information and Protection of Privacy Act*

If the complaint is more appropriately addressed under the Municipal Freedom of Information and Protection of Privacy Act, the complainant shall be advised that the matter must be referred to the Clerk for Access and Privacy review or to the office of the Information and Privacy Commissioner.

### *Other Policy Applies*

If the complaint seems to fall under another policy, the complainant shall be advised to pursue the matter under such policy.

### *Lack of Jurisdiction*

If the complaint is, for any other reason not within the jurisdiction of the Integrity Commissioner, the complainant shall be so advised and provided with any additional reasons and referrals as the Integrity Commissioner considers appropriate.

### *Matter Already Pending*

If the complaint is in relation to a matter which is subject to an outstanding complaint under another process such as a court proceeding related to the Municipal Conflict of Interest Act, a Human Rights complaint or similar process, the Integrity Commissioner may, in his/her sole discretion and in accordance with legislation, suspend any investigation pending the result of the other process.

## **6.4 Refusal to Conduct Investigation**

If the Integrity Commissioner is of the opinion that the referral of a matter to him or her is frivolous, vexatious, or not made in good faith, or that there are no grounds or insufficient grounds for an investigation, the Integrity Commissioner shall not conduct an investigation, or where that becomes apparent in the course of an investigation, terminate the investigation.

## **6.5 Opportunities for Resolution**

Following receipt and review of a formal complaint, or at any time during the investigation, where the Integrity Commissioner believes that an opportunity to resolve the matter may be successfully pursued without a formal investigation, and both the complainant and the Member agree, efforts may be pursued to achieve an informal resolution and such efforts to effect an informal settlement shall not disqualify the Integrity Commissioner from completing the investigation if the efforts at resolution are not successful.

The Integrity Commissioner may also decide during his investigation that complaints relating to the following matters may not be Code of Conduct issues and may more appropriately be dealt with through other channels. With the consent of the complainant, the Integrity Commissioner may refer complaints as follows:

(a) Formal complaints related to the interaction of municipal staff and Members of Council may be handled by the Chief Administrative Officer and the Clerk, in consultation with the Mayor's Office.

## **6.6 Investigation**

If a complaint has been identified as being within the Integrity Commissioner's jurisdiction and not rejected under Section 6.3 the Commissioner shall investigate:

The Clerk shall inform Council of the Integrity Commissioner's decision to investigate.

The Integrity Commissioner shall provide a copy of the complaint and any supporting materials to the Member whose conduct is in question with a request that a written response to the allegation be provided to the Integrity Commissioner within fourteen (14) days.

The Integrity Commissioner shall provide a copy of the response provided to the Member to the complainant with a request for a written reply within fourteen (14) days.

If necessary, after reviewing the submitted materials, the Integrity Commissioner may speak to anyone, access and examine any other documents or electronic materials and may enter any Municipal work location relevant to the complaint for the purpose of investigation and potential resolution.

The Integrity Commissioner may make interim reports to Council where necessary and as required to address any instances of interference, obstruction, delay or retaliation encountered during the investigation.

At any time, the complainant may abandon the request for an inquiry and the Integrity Commissioner will cease the investigation.

Reasonable extensions to the above time lines can be granted by the CAO or by Council.

## **6.7 Final Report**

The Integrity Commissioner shall report to the Complainant and the Member generally no later than 90 days after the official receipt of the complaint. If the investigation process takes more than 90 days, the Integrity Commissioner shall provide an interim report and must advise the parties of the date the report will be available.

If during the investigation process, the complaint is withdrawn, sustained or resolved, the Integrity Commissioner shall report to Council outlining the findings, the terms of any resolution and any recommended action within thirty (30) days.

If the report of the Integrity Commissioner finds that a breach of the Code has occurred, the Integrity Commissioner shall report his or her findings to Council, including a recommendation as to the imposition of a penalty and/or action as set out in Section 6.10.

If the report of the Integrity Commissioner finds that there has been no breach of the Code, or that a breach occurred, however, the Member took all reasonable measures to prevent it, or the breach committed was trivial or committed through inadvertence or an error of judgement made in good faith, the Integrity Commissioner shall set this out in a report to Council.

The Council shall consider the report of the Integrity Commissioner within thirty (30) days of it being received by the Clerk and shall take action it considers appropriate with regard to the recommendations of the Integrity Commissioner.

## **6.8 No Complaint Prior to Municipal Election**

No complaint regarding a Member who is a candidate in an election may be referred to the Integrity Commissioner, or forwarded by the Clerk for review and/or investigation between Nomination Day and the date of the Inaugural Meeting of Council in any year in which a regular municipal election will be held.

The Clerk shall forward any complaint received after Nomination Day to the Integrity Commissioner after the Inaugural meeting has taken place in an election year and shall advise the complainant of this process. The time elapsed between Nomination Day and the inaugural meeting in an election year shall not be included in the time calculation referred to in Section 6.7.

The Integrity Commissioner shall not make any report to Council or any other person after Nomination Day in any year in which a regular municipal election is held. Any reports would proceed after the Inaugural meeting of the new Council has been held.

## **6.9 Confidentiality of Complaint Documents**

The Integrity Commissioner and every person acting under his or her jurisdiction shall preserve confidentiality where appropriate and where this does not interfere with the course of any investigation, except as required by law and as required by this complaint protocol.

The Integrity Commissioner shall retain all records related to the complaint and investigation.

The Clerk shall ensure confidentiality is maintained during and after the Integrity Commissioner's investigation.

At the time of the Integrity Commissioner's report to Council, the identity of the person who is the subject of the complaint shall not be treated as confidential information if the Integrity Commissioner finds that a breach has occurred.

## **6.10 Breach of Policy / Penalties**

Members of Council are expected to adhere to the provisions of the Code of Conduct.

Council may impose either of the following penalties on a Member if the Integrity Commissioner reports to the municipality that, in his or her opinion, the Member has contravened this Council Code of Conduct:

1. A reprimand.
2. Suspension of the remuneration paid to the Member in respect of his or her services as a Member of Council or local board, as the case may be for a period of up to 90 days.

The Integrity Commissioner may also recommend that Council impose one of the following additional actions:

1. Written or verbal public apology;
2. Removal from membership of a Committee or Board.
3. Remove as Chair of a Committee or Board.
4. Ask the Member to repay or reimburse the compensation received.
5. Ask the Member to return property or reimburse for the value of it.
6. Any other fair and reasonable sanction given the circumstances.

All sanctions under this by-law will be fair and in keeping with the severity of the infraction, giving due regard to the Member's previous conduct.

The Integrity Commissioner has the final authority to recommend any of the sanctions above or other remedial action at his or her discretion.

**6.11 Integrity Commissioner Annual Reporting to the Municipality**

The Integrity Commissioner, the Clerk or designate shall report annually to Council on the number of complaints filed and on their disposition.

**6.12 Acknowledgement of Understanding and Compliance**

The undersigned Member of Council, Committee, and/or Board of the Municipality of French River hereby acknowledges receipt of a copy of the Council Code of Conduct By-law No. \*\*\*\*-\*\* and agrees to abide by its contents. The Member also acknowledges this form will be kept on file with the Municipality of French River, and a copy of this signed form was retained by the Member themselves.

\_\_\_\_\_  
**Printed Name of Member**

\_\_\_\_\_  
**Signature of Member**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Signature of Clerk or designate (as witness)**



**Code of Conduct Formal Complaint Form / Affidavit**  
**Appendix 1 to Schedule A to By-law No. 2017-08**

<b>Complainant Information</b>		
Name:		
Mailing Address:		
City:	Province:	Postal Code:
Home Telephone:		Cell Number:
Email address:		

**Please note that it is an offence under the Criminal Code of Canada to knowingly swear/affirm a false affidavit.**

I, \_\_\_\_\_ (full name) of the  
\_\_\_\_\_ (municipality of residence) in the  
Province of Ontario make oath and say (or affirm):

1. I have personal knowledge of the facts as set out in this affidavit. *(insert reasons e.g. I work for... I attended a meeting at which... etc.)*

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2. I have reasonable and probable grounds to believe that: (specify name of Member of Council)

has contravened section \_\_\_\_\_ (specify section(s)) of the Code of  
Conduct for Members of Council. The particulars are as follows: (Please provide information such as  
date, time and location of conduct, names of all persons involved, including witnesses, and information  
as to how they can be reached. Attach additional pages if necessary.):

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3. This affidavit is made for the purpose of requesting that this matter be investigated and for no  
improper purpose.

SWORN (or AFFIRMED) before me at the (Town, Municipality, etc)

\_\_\_\_\_ in the Province of Ontario on the \_\_\_\_\_ day  
of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
**Signature** (to be witnessed by Commissioner)

\_\_\_\_\_  
**A Commissioner, etc.**



# Municipality of French River

Report CL-03-2017  
of the Clerk's Department  
For Consideration by Council in Committee

## RE: 2018 Municipal Elections Legislation Changes and Voting Methods

**OBJECTIVE:** To provide an overview of significant legislative changes affecting Municipal Elections and to outline matters to be considered regarding options of ranked ballot elections and voting methods.

### **BACKGROUND:**

Bill 181, the *Municipal Elections Modernization Act* received Royal Assent on June 9, 2016 and will be in effect for the 2018 Municipal and School Board Elections. The Bill includes significant amendments to the *Municipal Elections Act* (MEA), which sets out rules for electors and candidates and roles for municipal Clerks and Councils in municipal and school board elections in Ontario.

Bill 68, the *Modernizing Ontario's Municipal Legislation Act* is currently in its Second Reading Debate. If passed, Bill 68 would amend numerous Acts; however, this report will outline the amendments to the *Municipal Act* relevant to Municipal Elections.

The 2018 Municipal Election will be held Monday, October 22, 2018.

Overviews of the key changes that will affect the 2018 Municipal Elections are outlined in this report.

## **ANALYSIS:**

### **Election Calendar - Key Dates**

<b>Change</b>	<b>Old Legislation</b>	<b>New Legislation</b>
By-law to authorize the use of alternative voting methods	June of an election year	May 1 prior to an election year
By-law to use Ranked Ballots	n/a	May 1 prior to an election year
Clerk's Procedures for the use of the alternative voting methods	June of the regular election year	December 31 prior to an election year
Last day for notice of intent to pass a by-law to submit a question on the ballot	April of the regular election year	February of the regular election year
Approval of Ballot Question	June of the regular election year	March 1 of the regular election year
Nomination registrations open (campaign period shortened from 37 to 13 weeks)	January 2 of the regular election year	May 1 of the regular election year
Use of corporate resources policy	n/a	May 1 of the regular election year
Nomination Day	second Friday in September	July 27, 2018 (4 <sup>th</sup> Friday in July)
New Council Term (Bill 68)	December 1	November 15

### **Eligibility of Candidates**

- Candidates who wish to run for Council are now required to submit 25 endorsement signatures from eligible electors with their nomination paper. Individuals providing the signatures must be qualified electors and would each be required to complete a declaration stating their eligibility to vote on the day that he or she signed the endorsement.
- If a candidate files their nomination for one office and then decides to change to a different office on the same Council, they would have to submit new signatures. The requirement to provide signatures of endorsement applies to candidates running for Council only, not for candidates seeking a Trustee position.

### **Campaign Finance**

- Contributions by corporations and trade unions to Council candidates are banned.
- Contributions by corporations and trade unions are permitted to individuals or organizations registered as third party registrants, subject to applicable contributions limits defined by regulation.
- A list of candidates and third parties who have failed to comply with the requirement to file a financial statement and who are prohibited from running or registering as a third party in the next election will be publicly identified in a report to the public.

- A candidate's nomination fee will only be refunded if a financial statement is filed on time. If a candidate doesn't file a financial statement on time and is willing to pay a \$500 late filing fee, the candidate will be provided an additional 30-day period to file the financial statement. In this instance, the candidate will not be refunded the nomination filing fee.
- Candidates who fail to file a financial statement are automatically prohibited from being elected or appointed to any office to which the MEA applies until after the next regular election.
- The Clerk is now required to review all financial statements received to identify whether any contributor appears to have exceeded any of the contribution limits. If any contributor has exceeded the contribution limits, the Clerk is required to report this to the Compliance Audit Committee as soon as possible after the filing deadline. Within 30 days of receiving the Clerk's report, the Compliance Audit Committee must meet and decide whether to commence legal proceedings against a contributor. In addition, Compliance Audit Committees will now be required to provide brief written reasons for their decisions.
- A new spending limit for parties and expressions of appreciation after Voting Day will be implemented. The spending limit will be set out in a regulation (yet to be introduced).
- Candidates who do not accept any contributions of money or incur any expenses will no longer be required to open a campaign bank account.
- After the 2018 Municipal Elections, candidates will not be permitted to carry forward campaign deficits from the previous campaign.
- Candidates will be required to inform contributors of contribution limits.
- A change in Contribution limits to a total of \$750 to \$1,200 (*Bill 68*) to any one candidate in an election and \$5,000 to two or more candidates for office on the same council or local board.
- Anonymous and cash contributions are now capped at \$25, an increase from the former limit of \$10.
- Candidates and third party advertisers are required to identify themselves on campaign advertising and signs so that it is clear who is responsible for each sign and advertisement that appears or is broadcast.

### **Voters' List**

- The Clerk will be permitted to accept revisions to the Voters' List in alternate formats, such as electronic, rather than just in person or in writing.
- The process to remove another person's name from the list is simplified by allowing for the removal of a deceased person's name by application to the Clerk. Applications for this purpose may be made starting September 1 up to the close of voting. The Clerk will be able to remove the names of persons they know to be deceased.

### **Third Party Advertising**

Third party advertising is a message in any medium (billboard, newspaper, radio, pamphlet etc.) that supports or opposes a candidate or series of candidates or a “yes” or “no” answer for a referendum question. The absence of rules regarding third party advertising was seen as a gap that needed to be addressed.

- Third party advertisers will be required to register with the municipality where they want to advertise. If they want to advertise in more than one municipality they would be required to register in each of those municipalities. Registration would allow a third party advertiser to promote or oppose any candidate that the voters in a municipality can vote for both for council positions and school board positions as well as promote or oppose a “yes” or “no” answer for a referendum question.
- Third party advertising must be done independently of candidates, who would not be able to direct a third party advertiser on where they should focus their efforts, or what the advertisement(s) should say. Candidates would not be able to register as third party advertisers. If a candidate wishes to promote or oppose a “yes” or “no” answer for a referendum question, it would be part of the candidate’s campaign.

Third party advertising does not include:

- An advertisement by or under the direction of a candidate;
- Where no expenses are incurred by the person/entity in relation to the advertisement; or
- Advertising or communication when given or transmitted by an individual to employees, by a corporation to its shareholders, directors, members, or employees or by a trade union to its members or employees.

The following are not permitted to register as a third party advertiser:

- Municipal election candidates;
- A federal party registered under the Canada Elections Act (Canada) or any federal constituency association or registered candidate at a federal election endorsed by that party;
- A provincial party, constituency association, registered candidate or leadership candidate under the Election Finances Act; and
- The Crown in right of Canada or Ontario, a municipality or local board.

Most campaign finance rules that apply to candidates apply to third party advertisers. Third party advertisers will have spending limits and there will be contribution limits for those wishing to contribute to a third party advertiser and a requirement to submit a financial statement.

### **Election Administration**

- The Clerk is now responsible for determining the dates and times for Advance Voting and reduced voting in certain institutions and whether voting places will open earlier on Voting Day.
- The Clerk will have greater flexibility in determining how certain election documents may be submitted and how notices are sent out. For example, original signatures will be required only for nomination, third party registration and proxy appointment forms and registered mail will no longer be required as a method of notification.

## **Election Signs**

- A landlord, person, condominium corporation or agent may set reasonable conditions relating to the size or type of signs in relation to an election that may be displayed on the premises and may prohibit the display of signs in relation to an election in common areas of the building.
- While municipalities have always had the authority to remove illegal election signage under municipal sign by-laws, the Act now clearly states that municipalities have the authority to require the removal of election signage and other advertisements that violate municipal or provincial regulations.

## **Recounts**

Municipal Councils may adopt a policy addressing when an automatic recount will be conducted.

Previously, the ability to conduct a recount was limited to three circumstances:

1. Where the counting of ballots has resulted in a tie vote;
2. Where the Council or Minister of Municipal Affairs and Housing decides a recount is required;
3. Where an elector's request for a recount has been granted by the courts.

The new legislation provides Councils with the authority to adopt a policy dictating when an automatic recount will be conducted in circumstances other than those already set out in the Act.

(For example, a council could decide that if two (2) candidates are within ten (10) votes of each other a recount would be held without the request of a candidate). A by-law adopting the policy must be passed on or before May 1 in the year of an election.

## **Accessibility**

A pre-election accessibility plan is now required in addition to the post-election report and must set out measures for identifying, removing and preventing barriers that affect voters and candidates with disabilities.

## **Other amendments**

Amendments to the MEA make it clear that voters are prohibited from photographing or video recording their marked ballot and are prohibited from showing their marked ballot to any individual, except if they require assistance to mark their ballot in order to vote.

Currently it is an offence to give, lend, offer or promise someone an office or employment in order to convince a person to run for office, not run for office or to withdraw from running for office. This is being expanded so that it is also an offence to give, lend, offer or promise someone money or other compensation in order to convince a person to run for office, not run for office or withdraw from running for office.



**Ranked Ballots (Follow link: [Ontario Regulation 310/16](#))**

Municipalities now have the option of using ranked ballots as a method of electing members for the 2018 Municipal Elections. Traditionally, the election system used in Ontario is ‘first past the post’, whereby the candidate receiving the highest number of votes is elected.

By using ranked ballot method of voting and counting:

- Voters vote by ranking candidates for an office in order of the voter’s preference.
- Votes are distributed to candidates based on the rankings marked on the ballots.
- The counting of votes is carried out in one or more rounds, with at least one candidate being elected or eliminated in each round.
- The ranked ballot system can only be considered for offices on municipal council and not for school board trustee positions, as there is no provision in the Act and regulations to use ranked ballots.

A by-law to authorize ranked ballots must be passed no later than May 1, 2017, however, before passing a by-law, the municipality must hold an open house and public meeting to provide the public with information and answer questions concerning:

- How the elections would be conducted, including a detailed description of vote counting;
- The estimated costs of conducting the election;
- Any voting or vote-counting equipment being considered for use in the election; and
- Any alternative voting method being considered for use in the election.

Before making a decision on whether to proceed with ranked ballot system, Council is required to consider the following matters:

- The costs to the municipality of conducting the elections.
- The availability of technology, such as voting equipment and vote-counting equipment and software, for conducting the elections.
- The impact the proposed by-law would have on election administration.

There are two types of ranked ballot elections: single-member ranked ballot elections (process shown in Appendix ‘A’) and multi-member ranked ballot elections (process shown in Appendix ‘B’).

For reference, Frequently Asked Questions pertaining to ranked ballots prepared by The Ministry of Municipal Affairs and Housing (MAH) is attached as Appendix ‘C’.

As stated in consultation materials provided by MAH, the following outcomes were noted:

- potential to give voters a greater say in who is elected and increase voter engagement
- may reduce strategic voting, which may occur when a voter decides not to pick their first choice candidate in an election because they think their first choice candidate may not win the election
- may reduce negative campaigning since voters can rank multiple candidates, there is an incentive for candidates to appeal to voters not just as a first preference vote, but also to gain a high ranking from supporters of other candidates
- may encourage more candidates to remain in the race until voting day, since the threat of “splitting the vote” between like-minded candidates is reduced

It is important to note that there is limited evidence or experience to demonstrate that the outcomes would be achieved or that the quality of government would be improved.

Based on reviewing all available information, it is recommended that Council not proceed with the ranked ballot option for the 2018 Municipal Elections due to the following reasons:

- anticipated additional costs to host the open house as required before passing a by-law to implement ranked ballot, public education, resources, election staff training and technology (vote counting equipment)
- a significant increase in public education would be necessary to ensure voters understand the changes to voting to avoid confusion and the potential of an increase in spoiled ballots
- since there is no provision for school board trustee positions, two voting methods would need to be used on one ballot
- unknown administrative challenges of implementing the option within the limited timeframe left before the regular election and the lack of support and resources available at this time (procedures relating to this method are not available nor are requirements for voting counting equipment)
- experience of implementing the option is limited to a handful of jurisdictions in the U.S., to date, no other levels of governments or municipalities have implemented ranked ballots. The Clerk is monitoring other municipalities, there is a lack of interest and shared concerns in implementing the option, most municipalities are concerned about being the “test” site for this new initiative

The Clerk would continue to monitor the use of ranked ballots in the 2018 Municipal Election and further report to Council on this matter at a later date.

### **Alternate Voting Methods**

The Vote by Mail method has been successfully used in the last three elections; however, there is an interest from the Electors, Council Members and Staff to review other methods.

The methods that could be explored are Internet/Telephone Voting which provides a remote, convenient method to vote, it serves groups with special needs, mobility issues, votes can be cast from anywhere they can connect to the Internet or have access to a telephone. Benefits to this alternative method of voting may include increased accessibility, increased voter participation, voter convenience, immediate and auditable results, cost effective and environmentally positive. In the past elections, Internet/Telephone Voting has been gaining acceptance and is expected to be an even more popular choice among the electorate in the 2018 Municipal Election since the method proposes to reduce administrative processes incurred with Vote by Mail.

The Clerk is currently reviewing and investigating Alternate Voting Methods and consulting with surrounding Municipalities and service providers on potential partnerships. However, prior to moving forward, it is recommended that Council directs the Clerk on whether to further explore the use of internet/telephone method of voting for the 2018 municipal election and to further report prior to the May 1, 2017 deadline to provide a recommendation to Council.

### **Ward Boundary Review Update**

A Petition was filed with the Clerk on September 14, 2016 to reduce the composition of Council, from its current Mayor and 6 Councillors to a Mayor and 4 Councillors (reducing the Council by 2 Members) and to present options to the electorate by referendum mailed to each elector as per the most current electors list to determine the electors’ preference in electing council by ward or at large.

Reports were presented to Council at the meetings held October 12<sup>th</sup> and November 9<sup>th</sup>, 2016; a Resolution was passed to defer the decision until the completion and presentation of the Final Operations Review Report.

Please note the deadlines affecting this matter outlined in the Election Calendar.

## **CONCLUSION/RECOMMENDATIONS:**

At this time, it is recommended that Council considers the following items in order to meet deadlines:

- a) Maintains the existing First-Past-the-Post election model for the 2018 Municipal Election and directs the Clerk to monitor ranked ballot elections in Ontario and report back to Council after the 2018 Municipal Election.
- b) Directs the Clerk to further explore the use of internet/telephone method of voting as alternative voting methods for the 2018 Municipal Election and to further report prior to the May 1, 2017 deadline to provide a recommendation to Council.

## **ATTACHMENTS:**

Appendix 'A' - Single Member Ranked Ballot Election

Appendix 'B' - Multi Member Ranked Ballot Election

Appendix 'C' - FAQ's Ranked Ballots from Ministry of Municipal Affairs and Housing

Respectfully submitted:

Approved:

Mélanie Bouffard  
Clerk  
Date: February 9, 2017

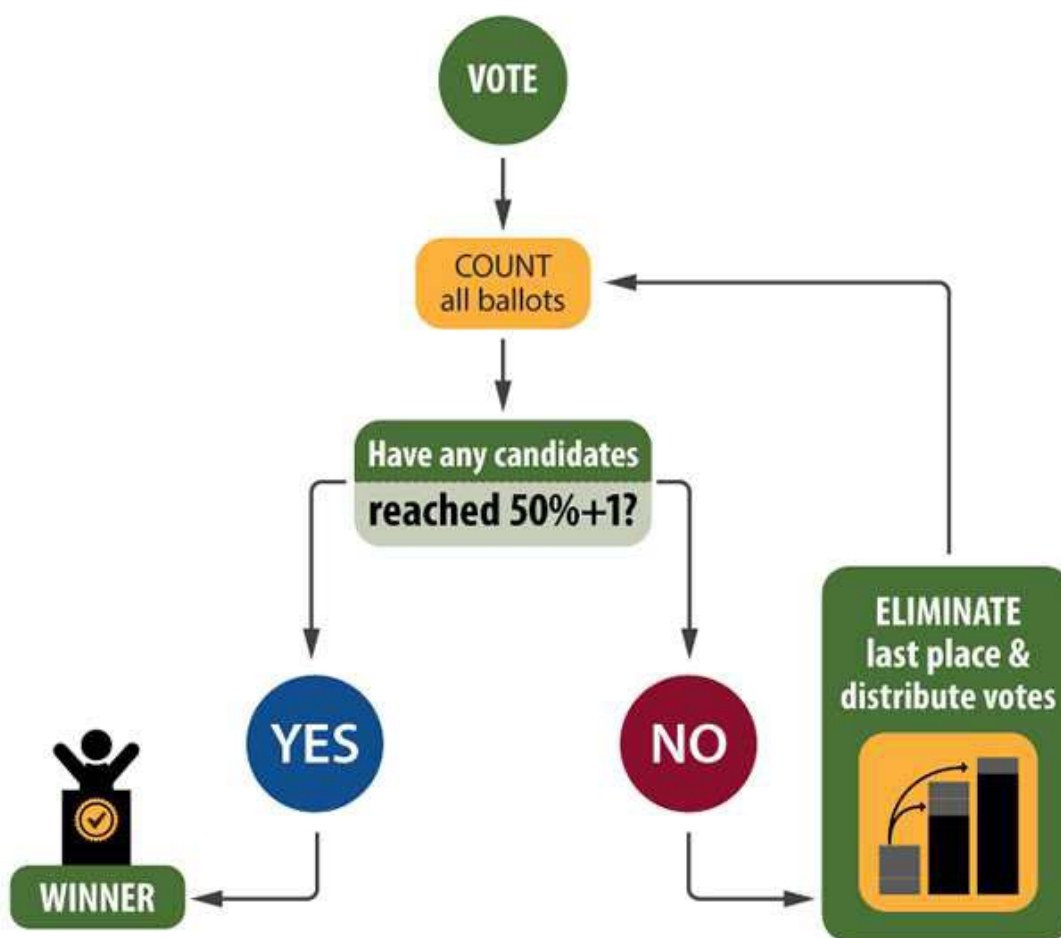
Marc Gagnon  
Chief Administrative Officer

## Appendix 'A'

### Single Member Ranked Ballot Election

In a single-member ranked ballot election, such as the position for Mayor, the threshold to be elected is 50 +1 per cent. First choice votes are counted for all of the candidates. If a candidate receives at least 50 per cent plus one votes, he or she is elected. If none of the candidates receives enough first choice votes, the candidate with the fewest votes is eliminated. When a candidate is eliminated, their ballots are not disregarded. Instead each of the ballots is redistributed to one of the remaining candidates according to the next highest choice marked on the ballot. This process of counting and redistributing votes will continue until a candidate receives at least 50 +1 per cent of the votes. At which point, the candidate is considered the winner and no further counting/redistribution of votes is necessary.

Video produced by Minneapolis Public Radio showing vote counting in a single member ranked ballot election: <https://www.youtube.com/watch?v=oHRPMJmzBBw>

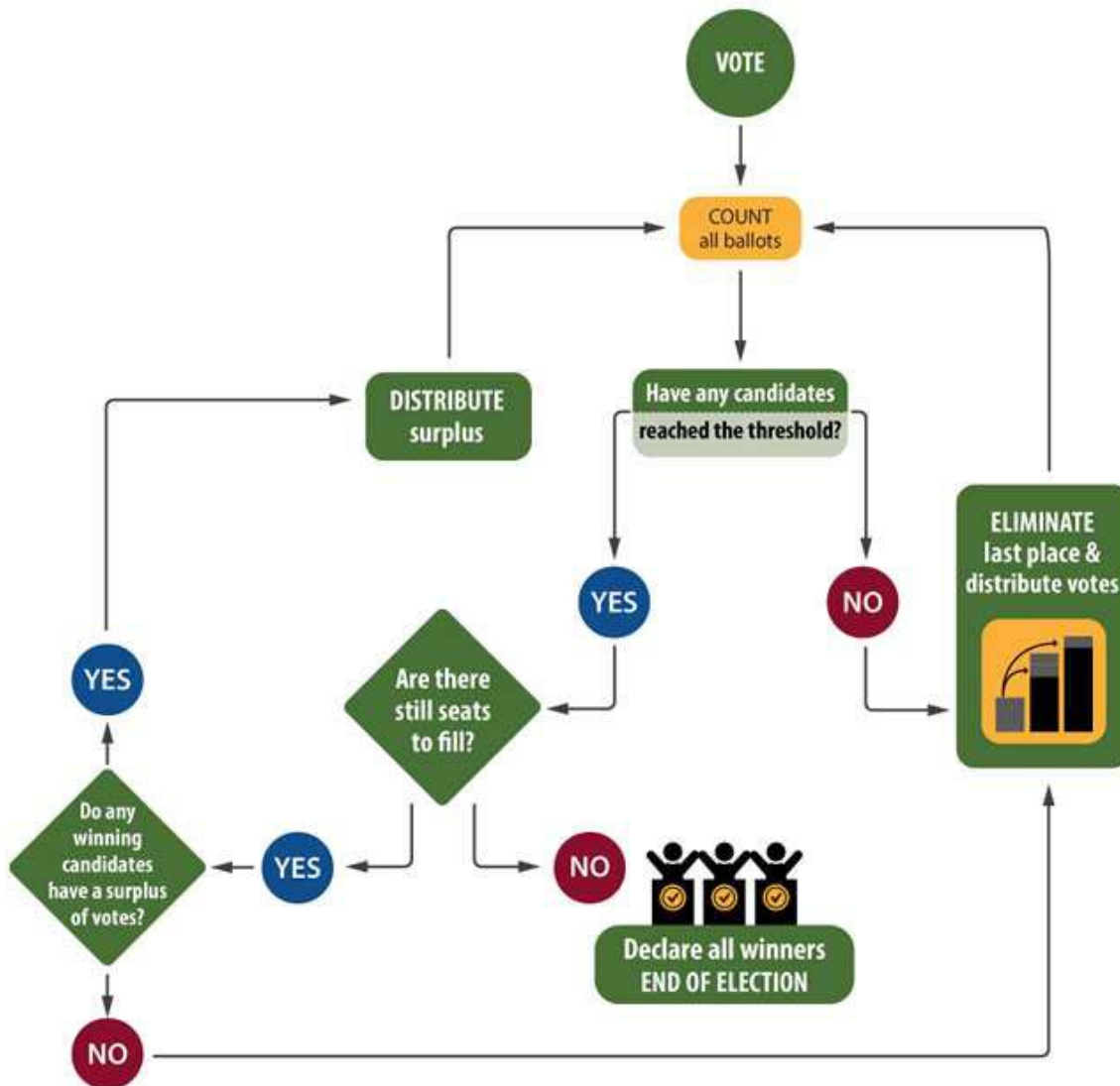


## Appendix 'B'

### Multi Member Ranked Ballot Election

In a multi-member ranked ballot election, such as the election of two Ward Councillors (like in an at-large election), the threshold to be elected is typically 33.33 +1 per cent of the votes. The process of counting and redistributing votes, as described above, is also used to determine the two Ward Councillors. A candidate who passes the threshold and is elected would have the votes that were not needed to win, redistributed to other candidates for the next round of counting.

Video produced by Minneapolis Public Radio showing vote counting in a multi-member ranked ballot election: <https://www.youtube.com/watch?v=INxwMdI8OWw>



## **Appendix ‘C’**

### **FAQ’s Ranked Ballots from Ministry of Municipal Affairs and Housing**

#### **Frequently Asked Questions – Ranked Ballots**

##### **1. What are ranked ballots?**

Ranked ballots are used in voting systems in which voters are able to rank candidates based on their preference (i.e. first preference candidate, second preference candidate, etc.).

##### **2. Would my municipality have to use ranked ballots?**

No. Ontario is working on introducing changes to the Municipal Elections Act, which, if passed, would give municipalities the option to use ranked ballots in future municipal elections, starting in 2018, but ranked ballots would not be mandatory for municipalities.

##### **3. Why has the government committed to allowing the use of ranked ballots?**

We want to allow more choice in how municipal elections are run. Ranked ballots are an additional tool that would give municipalities more flexibility to meet the needs of their local communities.

##### **4. When will the option to use ranked ballots be available to my municipality?**

The proposal would give municipalities the option to begin using ranked ballots in the 2018 Ontario municipal elections.

#### **Counting Votes**

##### **1. What happens if there is a tie?**

Under the current voting system, ties are decided by lot (i.e. by putting the candidates’ names in a hat or other container and drawing to see who will win). This method can also be used with ranked ballots.

##### **2. What would happen if all my choices were eliminated?**

If all the candidates that a voter had listed as their preferences were eliminated, their ballot would become “exhausted.” Exhausted ballots would be removed from the count, as they could not be redistributed to any of the remaining candidates.

##### **3. Would the ballots have to be counted by an electronic tabulator?**

Ranked ballots can be counted manually or electronically. For instance, in their 2009 municipal election, Minneapolis, Minnesota counted all of the ballots cast in its first ranked ballot election by hand.

##### **4. Why isn’t the threshold in a multi-member election 50 per cent plus one, like it is for a single-member election?**

Unlike a single-member election, the threshold is not 50 per cent plus one because it would not be possible for more than one candidate to receive more than half of the votes cast.

##### **5. Why does the surplus have to be redistributed?**

The surplus votes must be redistributed because, without doing so it may not be possible for any other candidate to reach the threshold of votes required to be elected.

##### **6. How are candidates’ surplus votes to be redistributed in a multimember ranked ballot election?**

In the event that a candidate receives more votes than the threshold (i.e. the number of votes required to be elected), they are declared a winner and their votes are redistributed to the other candidates. There are a few ways to redistribute these votes. One method is to calculate the percentage surplus received by the successful candidate. Every vote cast for that candidate is then redistributed to next preferences at a fraction of a vote equal to that percentage.

This is necessary to ensure that enough votes remain in the count so that other candidates can meet the threshold.



**THE CORPORATION OF THE MUNICIPALITY OF FRENCH RIVER**

**BY-LAW 2017-11**

BEING A BY-LAW TO AUTHORIZE THE MAYOR AND CLERK TO ENTER INTO A RECYCLING ACCEPTANCE AGREEMENT WITH THE CITY OF GREATER SUDBURY

**WHEREAS** the authority is given under the Municipal Act, 2001, S.O. 2001, c.25 Section 9 (1) for the Corporation to engage in contracts for the purposes of providing services;

**AND WHEREAS** Council requires the provision of recycling collection services for the benefit of inhabitants within the municipal boundaries;

**AND WHEREAS** Council has requested the City of Greater Sudbury to accept all those recyclable materials collected by the Municipality within the municipal boundaries set out in the terms herein;

**NOW THEREFORE, THE COUNCIL FOR THE MUNICIPALITY OF FRENCH RIVER ENACTS AS FOLLOWS:**

- 1) That the Mayor and Clerk are hereby authorized to enter into the Recycling Acceptance Agreement with the City of Greater Sudbury.
- 2) That the attached Agreement forms part of this By-law.
- 3) That any By-law inconsistent with this By-law is hereby repealed.
- 4) That this By-law shall come into force and take effect on the day it is passed.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED  
THIS 15<sup>th</sup> DAY OF FEBRUARY 2017.**

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**MAYOR**

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**CLERK**



## Municipality of French River

### MINUTES OF THE COMBINED COUNCIL MEETING

held in the Council Chambers  
Wednesday, February 1, 2017 at 6pm

#### **Members Present:**

Mayor Claude Bouffard(Chair), Councillors Michel Bigras, Ronald Garbutt, Malcolm Lamothe, Gisèle Pageau, Denny Sharp, Dean Wenborne

#### **Members Excused:**

#### **Officials Present:**

Marc Gagnon, Chief Administrative Officer  
Mélanie Bouffard, Clerk  
Tom Ng, Treasurer/Tax Collector  
Michael Campbell, Chief Building Official

#### **Guests:**

Michelle Bélanger, Sudbury East Seniors Support  
4 Members of public

#### **1. Call to order, roll call and adoption of the agenda**

The Chair called the meeting to order at 6:00 p.m.

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Moved By Denny Sharp and Seconded By Gisèle Pageau

Resol. 2017- 23

**BE IT RESOLVED THAT** the agenda be approved as distributed and amended:

To add Item 6.5 Manitoulin-Sudbury District Services Board, Report by Councillor Dean Wenborne

Carried

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#### **2. Moment of reflection**

Council paused for a moment of reflection.

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#### **3. Disclosure of Pecuniary Interest**

None declared.

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#### **4. Resolution to resolve into Committee**

Moved By Ron Garbutt and Seconded By Dean Wenborne

Resol. 2017- 24

**BE IT RESOLVED THAT** Council now go into Council in Committee to consider delegations, reports and correspondence for consideration.

Carried

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## COMMITTEE OF THE WHOLE

Councillor Michel Bigras chaired the Council in Committee meeting.

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### **5. Delegations**

#### **5.1 Sudbury East Seniors Support, Request for financial assistance towards their deficit**

Michelle Bélanger, Acting Executive Director of the Sudbury East Seniors Support requested Council's support. Their agency has operated since 1988, helping French River residents, many who are seniors, stay in their homes and stay connected to the community with programs focusing on personal care, exercises to help with mobility, light housekeeping duties and transportation to medical appointments. They would like to continue to grow from the current 1000 clients and continue to help residents stay safely and comfortably in their homes.

In 2013/2014, the agency acquired a deficit of \$6103.00. Over the last few years, donations were received from various clubs within the community lowering the deficit to \$3,582.00. A financial donation from the municipality would assist the agency and also show the senior residents and the future senior residents that this community is an "age friendly community."

Council offered assistance in exploring other funding or fundraising efforts; the financial support requested could be considered however, the nature of the request is not a common practice for the Municipality and there are no policies in place to set the standard.

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### **6. Management, Committee and Board Reports**

#### **6.1 General Government**

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##### **6.1.1 Budget Process Update**

The CAO gave an update of the budget deliberations and meetings held so far. The next budget deliberation could be held during the next Regular council Meeting of February 15<sup>th</sup>; notice will be given once the date has been set.

Council generally agreed to schedule one public presentation of the Draft Final Budget at the beginning of March at the Alban Community Centre and that summaries of the Draft Budget be included in the notice of the meeting in order to inform the public ahead of time.

There are difficulties in scheduling the meeting to present the Operations Review final report by KPMG as it is important that all Members are present; once the date has been set notice will be given.

The French River Public Library is applying to the Ontario Sports and Recreation Communities Fund for programming; a letter of support from the Municipality will be provided.

**6.1.2 Resolution to object the increase in fees above the rate of inflation by the Sudbury & District Health Unit (recommendation from SEMA)**

Moved By Ron Garbutt and Seconded By Denny Sharp

Resol. 2017- 25

**WHEREAS** the Sudbury District Health Unit released their proposed fee schedule for Part VIII services for 2017; and

**WHEREAS** the proposed fee schedule reflects increases that are above the rate of inflation,

**THEREFORE BE IT RESOLVED THAT** Council forwards a letter objecting the increases in fees above the rate of inflation to the Sudbury District Health Unit.

Carried

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**6.1.3 Resolution to participate in a shared Council and Staff training session (recommendation from SEMA)**

Moved By Malcolm Lamothe and Seconded By Denny Sharp

Resol. 2017- 26

**BE IT RESOLVED THAT** Council agrees to schedule or participate in a shared Council and Staff training session on Roles, Responsibilities and Legislative Responsibilities by Amberley Gavel through the Sudbury East Municipal Association (SEMA).

Carried

Break from 6:55 to 7:03pm.

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**6.1.4 Resolution to forward recommendations to the Sudbury East Planning Board (SEPB) relating to Travel Trailers**

The intent was to recommend amendments to the provisions in the Zoning By-law relating to Travel Trailers for the SEPB's consideration. However, Council discussed that establishing an ad hoc committee would allow an opportunity to define the objectives of the amendments.

Moved By Malcolm Lamothe and Seconded By Gisèle Pageau

Resol. 2017- 27

**BE IT RESOLVED THAT** Council agrees to establish an ad hoc committee to consider amendments to the provisions for Travel Trailers within the Zoning By-law and that the following members be appointed: Denny Sharp as Chair, Ron Garbutt, Malcolm Lamothe and Dean Wenborne.

Carried

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The proposed first meeting will be held at 2pm on Friday, February 3<sup>rd</sup>.

### **6.1.5 Clerk's Fourth Quarter Report**

The Clerk presented the report included in the agenda package.

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### **6.1.6 Report for the presentation of the Draft Council Code of Conduct Policy**

The Clerk presented the report included in the agenda package. Council Members were invited to submit their comments and input for consideration in time for the meeting of February 15, 2017.

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### **6.1.7 Resolution to appoint members to the Property Standards Appeal Committee**

The Clerk and the Chief Building Official presented additional information pertaining to the appeal committee and Property Standards.

Moved By Denny Sharp and Seconded By Claude Bouffard

Resol. 2017- 28

**BE IT RESOLVED THAT** Council appoints the following members to the Property Standards Appeal Committee:

1. Art Adams
2. Mike Bouffard
3. Councillor Denny Sharp

Carried

If an additional member of the public applies prior to the hearing, the Council Member appointed would step down.

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### **6.1.8 Resolution to adopt the Procedure By-law 2017-02 (3rd Reading)**

Moved By Dean Wenborne and Seconded By Ron Garbutt

Resol. 2017- 29

**BE IT RESOLVED THAT** By-law 2017-02, being a by-law to govern the calling, place and proceedings of meetings for the Municipality of French River (Procedure By-law) be read a third time and finally passed.

Carried

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## **6.2 Finance Department**

### **6.2.1 Fourth Quarter Report**

The Treasurer presented the report included in the agenda package.

## **6.3 Building Controls / Municipal Law Enforcement Department**

### **6.3.1 Fourth Quarter Report**

The Chief Building Official presented the report included in the agenda package.

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## **6.4 French River Public Library Board**

### **6.4.1 Library Board Report**

Councillor Gisèle Pageau, representative on the Board, presented the board report.

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## **6.5 Manitoulin-Sudbury District Services Board Report**

Councillor Dean Wenborne, representative on the Board, presented the board report.

Council generally agreed that the report be shared at SEMA to improve communication.

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## **7. Correspondence for Council's Consideration**

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### **8. Verbal Motion to return into the Regular Meeting**

Moved by: Malcolm Lamothe

Resol. 2017- 30

**THAT** the Committee rise and report.

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## **REGULAR MEETING**

Mayor Claude Bouffard resumed the position of Chair for the remainder of the meeting.

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## **9. Resolution adopting proceedings from Council in Committee**

Moved By Gisèle Pageau and Seconded By Michel Bigras

Resol. 2017- 31

**BE IT RESOLVED THAT** the actions taken in Council in Committee in considering delegations, reports and correspondence be confirmed by this Council.

Carried

## **10. Consent Agenda**

The following motion was presented to adopt the items contained in the Consent Agenda:

Moved By Ron Garbutt and Seconded By Michel Bigras

Resol. 2017- 32

**BE IT RESOLVED THAT** Council approves the Items of the Consent Agenda under Sections 10.1, 10.3, 10.5 and receives the Items under Sections 10.2, 10.4.

Carried

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### **10.1 Adoption of Minutes**

Moved By Ron Garbutt and Seconded By Michel Bigras

Resol. 2017- 33

**BE IT RESOLVED THAT** Council adopts the following minutes as presented:

Special Council Meeting of held January 14, 2017

Regular Council Meeting held January 18, 2017

Special Council Meeting of held January 25, 2017

Carried

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### **10.2 Minutes Received**

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### **10.3 Award of Tenders, Request for Proposals, Funding Matters and Support by Resolution**

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### **10.4 Correspondence Received for Council's Information**

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### **10.5 By-laws**

#### **10.5.1 By-law to adopt an Emergency Management Program (by-law to combine the Emergency Plan, designation of Community**

Moved By Ron Garbutt and Seconded By Michel Bigras

Resol. 2017- 34

**BE IT RESOLVED THAT** By-law 2017-06, being a by-law to adopt an Emergency Management Program be read a first, second and third time and finally passed.

Carried

### 10.5.2 Confirmation By-law

Moved By Ron Garbutt and Seconded By Michel Bigras

Resol. 2017- 35

**BE IT RESOLVED THAT** By-law 2017-07, being a by-law to confirm the proceedings of the Council of the Corporation of the Municipality of French River at a meeting held on February 1, 2017 be read a first, second and third time and finally passed.

Carried

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### **11. Addendums**

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### **12. Notices of Motion**

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### **13. Announcement and Inquiries**

The Mayor announced that the Delegation to MTO at the ROMA Conference was very positive and that a full report will be provided at the next meeting; three matters were presented, curb with paved walkway in the Town of Alban, rumble strips and paved shoulders within the areas on the highways being rehabilitated.

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### **14. Closed Session**

Moved By Ron Garbutt and Seconded By Gisèle Pageau

Resol. 2017- 36

**BE IT RESOLVED THAT** the meeting be closed as authorized in Section 239 of the *Municipal Act*, to discuss the following:

(d) labour relations or employee negotiations, with respect to a performance evaluation of an employee and inform of an employment matter

Carried

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Moved By Michel Bigras and Seconded By Gisèle Pageau

Resol. 2017- 38

**BE IT RESOLVED THAT** the open session reconvenes at 9:19 p.m.

Carried



## **15. Adjournment**

Moved By Malcolm Lamothe and Seconded By Gisèle Pageau

Resol. 2017- 39

**BE IT RESOLVED THAT** the meeting be adjourned at 9:20 p.m.

Carried

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**MAYOR**

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**CLERK**



Municipality of French River  
**Ad hoc Committee relating to Travel Trailers**  
MINUTES

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**Date:** Friday, February 3, 2017      **Time:** 2pm      **Place:** Council Chamber

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**Committee Members Present:** Councillors Denny Sharp (Chair), Ron Garbutt, Malcolm Lamothe and Dean Wenborne

**Resource Officials Present:** Michael Campbell-Chief Building Official, Mélanie Bouffard-Clerk

**Guests:** Kathy Pitre

**Purpose:** to consider amendments to the provisions for Travel Trailers within the Zoning By-law

**Meeting Minutes**

1. Call to Order and attendance at 2:05pm  
-Kathy Pitre was given the opportunity to speak to the committee. A copy of the speaking notes was submitted to the committee members.
2. Review of matter and reports presented by the Planner at the Sudbury East Planning Board  
-the Members have reviewed the reports from the Planner that were distributed the previous week.
3. Review of comments provided by Members of Council  
-prior to the Regular Council Meeting of February 1<sup>st</sup>, and after review of the Planner's reports, Council Members were invited to provide feedback/comments regarding the travel trailer matters  
-the Clerk combined the comments received, the Members reviewed and discussed them
4. Define objectives and recommendations to forward to the Planning Board for consideration  
-the CBO prepared and submitted to the Members a combination of all sections from the Zoning By-law relevant to travel trailers

**The Members agreed to the following list of Objectives for licensing travel trailers:**

1. Prevent circumventing taxation  
-trailers on vacant lots are not permitted  
-shall have permanent dwelling
2. Environmental responsibilities  
-shall provide proof of sewage and grey water inspection by the Health Unit (what is setback from water)  
-provision for short term (family reunions, weddings...) you shall ensure proper disposal of grey and black water

3. Permitting exemptions for special events (no fee)
  - special events exemptions permitted for community/municipal events, for the duration of the event and as designated as a municipal recognized event by Council
4. Control location, site plan control
  - permit trailers in certain zones, Waterfront Residential and Rural, Rural Residential
  - location identified with a civic number to address public safety
  - limit amount of stored trailers per property, aesthetics, setbacks (in zoning and not in licensing by-law?)
  - setback 100' from the optimum water level
  - maximum amount of trailers (4?) permitted based on property size and limit amount
  - population density
  - provisions for short-term
5. Clear definitions of travel trailers and identity of the trailer at time of registration
  - define types of trailers, used, stored
6. Licensing fee options
  - set regulations and fees for seasonal (example of May long weekend to end of Thanksgiving) and short-term (family reunions, drop in visits, weddings...)
  - identity of trailers at time of registration
  - responsibility of the property owner to register
7. Enforcement
  - could be a shared service, or contracted out to other municipalities by our staff (permanent, part-time or students)
5. Next meeting
  - the objectives will be presented at the Planning Board meeting of February 9<sup>th</sup>, 2017
  - the Chair will advise the Members on the next meeting
6. Adjournment at 4:25pm

**SUDBURY EAST PLANNING BOARD  
MINUTES  
Thursday, January 12, 2017 at 5:30 p.m.  
Sudbury East Planning Board Office  
39 Lafontaine Street, Warren, Ontario**

**MEMBERS PRESENT:** Michel Bigras, Carol Lemmon, Heide Ralph, Ginny Rook, Jim Rook, Paul Schoppmann, Denny Sharp

**MEMBERS ABSENT:** Greg Hunt, Jim Stankovich, Ned Whynott

**OFFICIALS PRESENT:** Matthew Dumont, Director of Planning/Secretary-Treasurer  
Karen Beaudette, Administrative Assistant

**PUBLIC PRESENT:** Al McCann (5:50), Paul Sharp

**1. MEETING CALLED TO ORDER**

Chair Bigras called the meeting to order at 5:30 p.m.

**2. ADOPTION OF THE AGENDA**

**Resolution: 17-001**

**BE IT RESOLVED THAT** the agenda for the Sudbury East Planning Board regular meeting of January 12, 2017 be adopted as distributed.

**MOVED BY:** Heide Ralph

**SECONDED BY:** Jim Rook

**Carried.**

**3. DISCLOSURE OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF**

No disclosures of Pecuniary Interest.

**4. ADOPTION OF MINUTES**

a) Sudbury East Planning Board – Regular meeting of December 8, 2016

**Resolution: 17-002**

**BE IT RESOLVED THAT** the minutes of the Sudbury East Planning Board's regular meeting of December 8, 2016 be adopted as distributed.

**MOVED BY:** Ginny Rook

**SECONDED BY:** Jim Rook

**Carried**

## 5. PRESENTATIONS/DELEGATIONS

Presentations/Delegations moved to the end of the Agenda to allow more time for discussion.

## 6. ZONING CONFORMITY PERMITS

a) 4<sup>th</sup> Quarter 2016 Zoning Conformity Permit report presented to Board.

## 7. CONSENT APPLICATIONS

The Chair advised that a Consent Application be analyzed and discussed before the Planning Board decides whether or not to grant Provisional Consent. Also that the analysis and discussion of a Consent Application serves two purposes: first, to present to the Planning Board and the public the details and background to a proposed Consent; and second, to receive comments from the public and agencies before a Planning Board decision is made.

The Director of Planning advised that Notice of Application was posted in the municipal office and was sent by First Class Mail to the assessed owners within 60 metres of the property subject to Consent Application and to those persons and agencies likely to have an interest in the application. The Notices were sent on December 22, 2016 (B/24/16/BRW – Randolph Burk) being over fourteen (14) days prior to this evening's meeting. Included with the Notice was an explanation of the purpose and effect of the proposed Consent and a Key Map showing the location of the property. The circulation was provided in accordance with the provisions of The Planning Act, R.S.O. 1990, Chapter P.13.

### a) B/24/16/BRW – Randolph Burk

No one was present from the public for questions or comments from the Board.

The Director of Planning summarized the application. The purpose of the Application for Consent is to sever one (1) Residential Rural (RR) lot from the subject lands (154 Secord Road). The proposed severed lot will be approximately 1.8 hectares (4.44 acres) in lot area with a frontage of approximately 90.07 metres and is currently vacant. The proposed retained land is to be approximately 1.79 hectares (4.42 acres) in lot area with a lot frontage of approximately 100.0 metres, and contains a single detached dwelling and a detached garage.

The lands are located to the east of the realigned Highway 69, on the north side of Secord Road and the south side of Nelson Road. The parcel is located within the rural cluster of Estaire. As visible in the FRI Imagery, the northerly portion of the property has been cleared of vegetation during the construction of Highway 69.

Related applications B/03-06/15/BRW and ZBA 15-02BRW were approved by the Planning Board on March 12, 2015. Those applications proposed to sever three (3) residential rural lots from the subject lands, create a Right-of-Way (ROW) and rezone the lands from Rural to Residential Rural to recognize the proposed use.

The Official Plan permits consents for new lots that represent minor infilling

With respect to zoning, the proposed severed lot conforms to the zoning requirements in the Zoning By-law for Residential Rural Zone.

The Ministry of Transportation (MTO) commented on December 12<sup>th</sup>, 2016. *"Letter dated on July 5<sup>th</sup>, 2016, states that, subject to the support of the Planning Board, the MTO would not object to the severance of a new lot from Part 5, Plan 53R-20439 on an infilling basis. Highway 7042 (Secord Road) has a very low Average Annual Daily Traffic count and there is no traffic as the road dead-ends at highway 69."* **NOTE:** MTO will not support any further severances of any of the lands set out on Plan 53R-20439

The Sudbury & District Health Unit concluded that the proposed severed and retained parcels are capable of development for installation of a septic tank and leaching bed system. Bell Canada has no concerns or easement requirements. Ministry of Natural Resources and Forestry had no comments or concerns. No Comments were received as of the date this report was written

Member Ralph asked why the MTO would care if there were no more severances or not as Nelson Road was a dead end road. The Director of Planning referred to the previous consents approved in 2015.

There were no more comments or questions from the Board.

#### **Resolution: 17-003**

**BE IT RESOLVED THAT** Consent Application B/24/16/BRW submitted by Randolph Burk be recommended for approval as per the report prepared by the Director of Planning.

**MOVED BY:** Heide Ralph

**SECONDED BY:** Carol Lemmon

**Carried**

The Chair advised that there is a 20 day appeal period during which time any person or public body may appeal the decision or any condition imposed by the Planning Board by filing an appeal with the Secretary-Treasurer as prescribed by the Ontario Municipal Board Act.

The applicants have one year to fulfill the conditions of this conditional approval or the approval will lapse.

#### **8. NEW BUSINESS**

No new business.

#### **9. BUSINESS ARISING FROM PREVIOUS MINUTES**

No business arising from previous minutes.

#### **10. NOTICES OF MOTION RECEIVED BY THE SECRETARY-TREASURER PRIOR TO THE CLOSING OF THE MEETING**

No Notices of Motion were received

## 11. PAYMENT OF VOUCHERS

a) December 2016

### Resolution 17-004

**BE IT RESOLVED THAT** the statement of disbursements for the month of December 2016 in the amount of \$42,580.01 to be distributed and is hereby approved for payment.

**MOVED BY:** Heide Ralph

**SECONDED BY:** Ginny Rook

**Carried**

## 5. PRESENTATIONS/DELEGATIONS

a) CBO/Director of Planning presentation on Travel Trailers

The Director of Planning presented a report to the Board concerning travel trailers (copy attached) and how other municipalities deal with contraventions of the Zoning By-laws.

Al McCann, the CBO from the Municipalities of Killarney and St. Charles stated that RV's (Recreational Vehicles) are not permitted unless located on Commercial properties. If a trailer or RV are parked on a property but not used for human habitation, this would be tolerated. Mr. McCann has had a lot of complaints from people because some property owners have two or more trailers on their property, he had 6 orders or contravention in 2016. A delegation of citizens attended St. Charles council meeting last year to protest the Zoning By-law and how it restricts trailers on Waterfront and Rural properties.

The three CBO's and the Director of Planning had met and discussed the areas of concern on January 9<sup>th</sup>, 2017 at the Municipal Office in Markstay. As a group, they do not necessarily object to trailers on waterfront residential or rural properties. There has to be regulations in place and the Sudbury District Health Unit would have to be involved in the process. Proof would have to be shown that the septic holding tanks would be pumped out by a licensed sewage hauler. A permit is not required for an outhouse, but grey water dumping would require a visit from the Sudbury District Health Unit. A by-law amendment would have to be in place to both regulate permit fees and sewage handling of the trailers. The CBO's had all agreed that after a by-law is approved, it would be just as much work as it is now to regulate but that income would be generated.

Member Bigras stated that he sees two different issues with trailers. The first being someone who just brings their trailer for two weeks, the second being the person who sets up their trailer for the whole summer.

Mr. McCann said that trailers on site for under a week are not an issue. If the trailer is there more than a week, up to a maximum to be determined, only one trailer would be allowed. Member Schoppmann said that due to temporary functions such as ball tournaments and fairs, one weekend would not be a problem. Member Sharp said that she is pro-trailer but they should not be visible from the road or from the water and they should be secondary to a primary dwelling and setbacks have to be observed. Trailers are not assessed for taxes, just the vacant lot they are parked on is assessed. Trailers are costing tax revenues.

Mr. McCann stated that he has 10 orders to comply with various situations. Some have waterfront access, one has five trailers on one lot, some have a primary residence and another has three trailers on a vacant lot. Member Schoppmann asked if perhaps a user fee could be instituted. Member Rook said that trailers have no septic plan and grey water cannot be dumped in a lake. Member Schoppmann asked if French River had a dumping station. Member Bigras said yes, at the Esso in Noelville. Member Schoppmann stated that St. Charles does not have a dumping station yet. Member Sharp advised that if someone wants to put a trailer on a Waterfront Residential or Rural property they should have a trailer plan in place for septic and grey water disposal.

Mr. McCann pointed out that most property owners are above board and want to do the right thing. Guest cabins are allowed on waterfront residential properties but are sometimes costly and are assessed for taxes. The homeowner is upset when the neighbour brings in an RV for free, no building costs and not assessed for taxes.

Member Bigras thanked everyone for their comments and asked how the Board will address this issue. Member Sharp suggested a simple permit with requirements such as minimum lot area larger than the average waterfront lot. Mr. McCann stated that under the Zoning By-law, the trailer is considered a structure and would be included as a percentage of lot coverage.

Member Lemmon said that in the Unincorporated there was a person living in a travel trailer, built an addition and then brought in another travel trailer, the property was a real mess. The Director of Planning said that there was a process for the Unincorporated Townships for trailer contraventions and it is based on complaints received.

Member Bigras asked all of the Planning Board members to take the report back to their respective Councils and ask for opinions on the travel trailer issue. Bring these comments and opinions back to the Planning Board meeting in February.

## 12. ADJOURNMENT

**Resolution: 17-005**

**BE IT RESOLVED THAT** the Meeting be adjourned at 6:27 P.M.

**AND THAT** the next regular meeting be held on February 9<sup>th</sup>, at 5:30 P.M. at the Sudbury East Planning Board Office in Warren.

**MOVED BY:** Carol Lemmon

**SECONDED BY:** Heide Ralph

**Carried.**

X Michel Bigras

CHAIR

Matthew Demont

SECRETARY-TREASURER



# **THE CORPORATION OF THE MUNICIPALITY OF FRENCH RIVER**

## **BY-LAW 2017-09**

BEING A BY-LAW TO AMEND ZONING BY-LAW 2014-23, AS AMENDED  
(Albert Duquette)

**WHEREAS** By-law 2014-23 of the Municipality of French River has been passed, being a Zoning By-law to regulate the use of land and the character, location, and use of buildings and structures, in the Municipality of French River, under the authority of Section 34 of the Planning Act, R.S.O. 1990, Chapter P.13;

**AND WHEREAS** the Council for the Municipality of French River may amend such By-law in accordance with the provisions of Section 34 of the Planning Act, R.S.O. 1990, Chapter P.13;

**AND WHEREAS** the Council for the Municipality of French River has received an application to amend such By-law;

**NOW THEREFORE THE COUNCIL FOR THE CORPORATION OF THE MUNICIPALITY OF FRENCH RIVER ENACTS AS FOLLOWS:**

1. Schedule(s) A8 (Martland Township) of By-law 2014-23 of the Municipality of French River, as amended, is hereby further amended by the addition of Special Provision 77 (S77), changing the Residential Rural Zone (RR) to a Waterfront Residential Zone (WR), on Part of Lot 4, Concession 5, in the Municipality of French River, Territorial District of Sudbury, being Part 1, Plan 53R-8138, Parcel 44744 Sudbury East Section, and as shown on Schedule “A-1” affixed hereto.
2. Section(s) 8 of By-law 2014-23 Municipality of French River is hereby amended by the addition of the following Special Provision:

77. Notwithstanding any provisions to the contrary of Section(s) 7.7.1 of By-law 2014-23, within the lands zoned Waterfront Residential (WR), described as Part of Lot 4, Concession 5, in the Municipality of French River, Territorial District of Sudbury, being Part 1, Plan 53R-8138, Parcel 44744 Sudbury East Section, the following special provisions shall apply:

(i) Regulations:

- Minimum lot area      0.77 hectares
- The building envelope be located within the existing built up area

All other provisions of By-law 2014-23 as applicable to the Waterfront Residential Zone (WR) shall apply.

3. Schedule “A-1” is hereby declared to form part of this By-law.

4. This By-law shall take effect on the date of passage and come into force in accordance with Section 34 of the Planning Act, R.S.O. 1990, Chapter P.13.

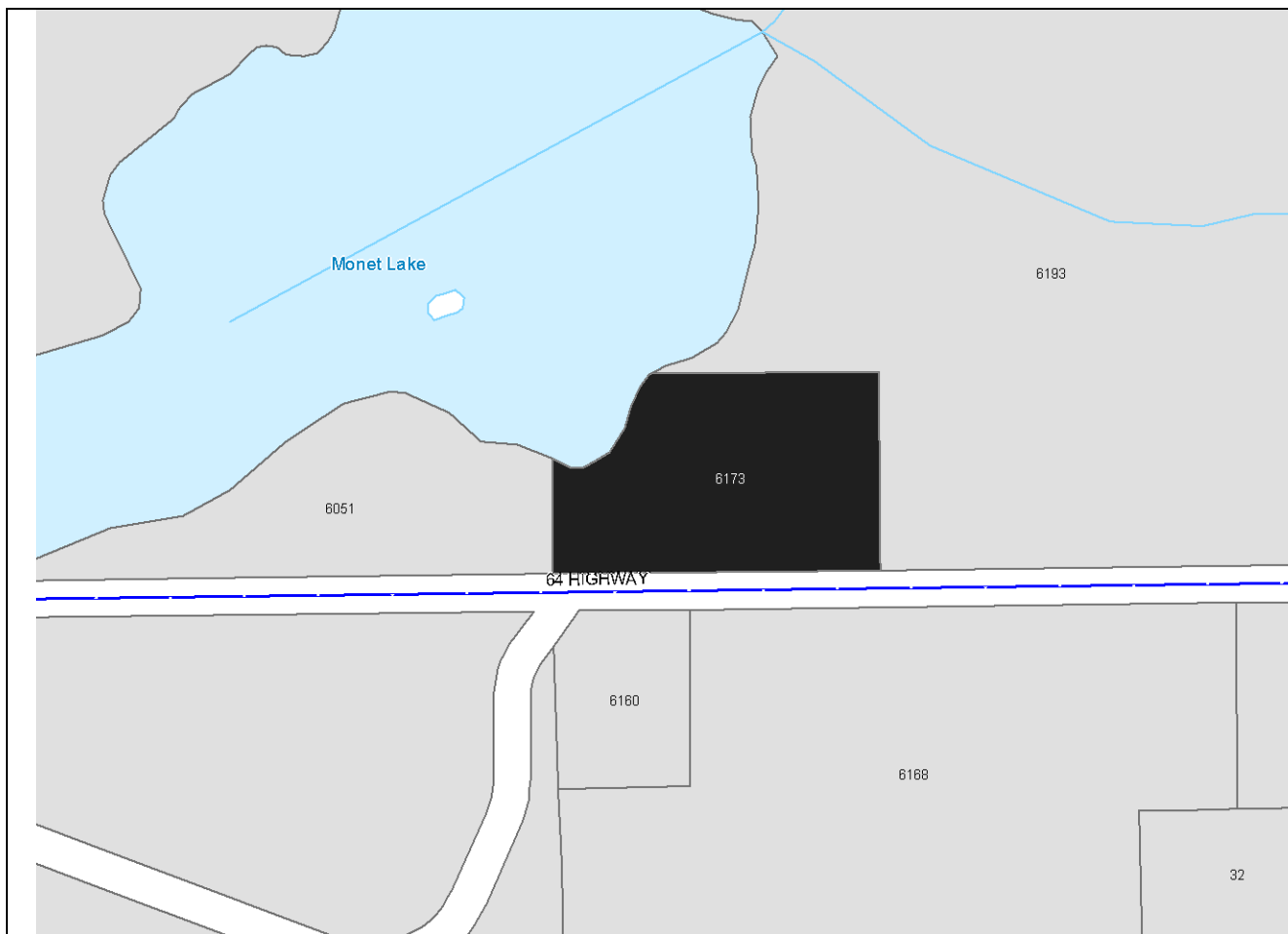
**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED ON  
THIS 15<sup>th</sup> DAY OF FEBRUARY, 2017.**

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**MAYOR**

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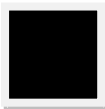
**CLERK**



This is Schedule "A-1" to By-law 2017-\*\* of the Municipality of French River, passed this 15<sup>th</sup> day of February, 2017.

\_\_\_\_\_  
Chair / Mayor

\_\_\_\_\_  
Secretary-Treasurer / Clerk



Lands zoned Waterfront Residential (WR), subject to Special Provision 77 (S77), on Part of Lot 4, Concession 5, in the Township of Martland, in the Municipality of French River, Territorial District of Sudbury; being Part 1, Plan 53R-8138, Parcel 44744 Sudbury East Section. (Roll No. 5201-060-000-267-00)

# **THE CORPORATION OF THE MUNICIPALITY OF FRENCH RIVER**

## **BY-LAW 2017-10**

BEING A BY-LAW TO AMEND ZONING BY-LAW 2014-23, AS AMENDED  
(Todd and Roger Fryer)

**WHEREAS** By-law 2014-23 of the Municipality of French has been passed, being a Zoning By-law to regulate the use of land and the character, location, and use of buildings and structures, in the Municipality of French River, under the authority of Section 34 of the Planning Act, R.S.O. 1990, Chapter P.13;

**AND WHEREAS** the Council for the Municipality of French River may amend such By-law in accordance with the provisions of Section 39 of the Planning Act, R.S.O. 1990, Chapter P.13;

**AND WHEREAS** the Council for the Municipality of French River has received an application to amend such By-law;

**NOW THEREFORE THE COUNCIL FOR THE CORPORATION OF THE MUNICIPALITY OF FRENCH RIVER ENACTS AS FOLLOWS:**

1. Schedule(s) A8 (Martland Township) of By-law 2014-23 of the Municipality of French River, as amended, is hereby further amended by the addition of Special Provision 78 (S78) to the Rural Zone (RU), on Part of Lot 3, Concession 5, in the Township of Martland, now in the Municipality of French River, Territorial District of Sudbury, Parcel 966 Sudbury East Section, and as shown on Schedule “A-1” affixed hereto.
2. Section(s) 8 of By-law 2014-23 Municipality of French River is hereby amended by the addition of the following Special Provision:
  78. Notwithstanding any provisions to the contrary of Section(s) 7.22.1 of By-law 2014-23, within the lands zoned Rural (RU), described as Part of Lot 3, Concession 5, in the Township of Martland, now in the Municipality of French River, Territorial District of Sudbury, Parcel 966 Sudbury East Section, the following special provisions shall apply:
    - (i) Permitted Uses:
      - a garden suite for a period not to exceed ten (10) years from the date of the passing of this By-law

All other provisions of By-law 2014-23 as applicable to the Rural Zone (RU) shall apply.

3. Schedule “A-1” is hereby declared to form part of this By-law.

4. This By-law shall take effect on the date of passage and come into force in accordance with Section 39 of the Planning Act, R.S.O. 1990, Chapter P.13.

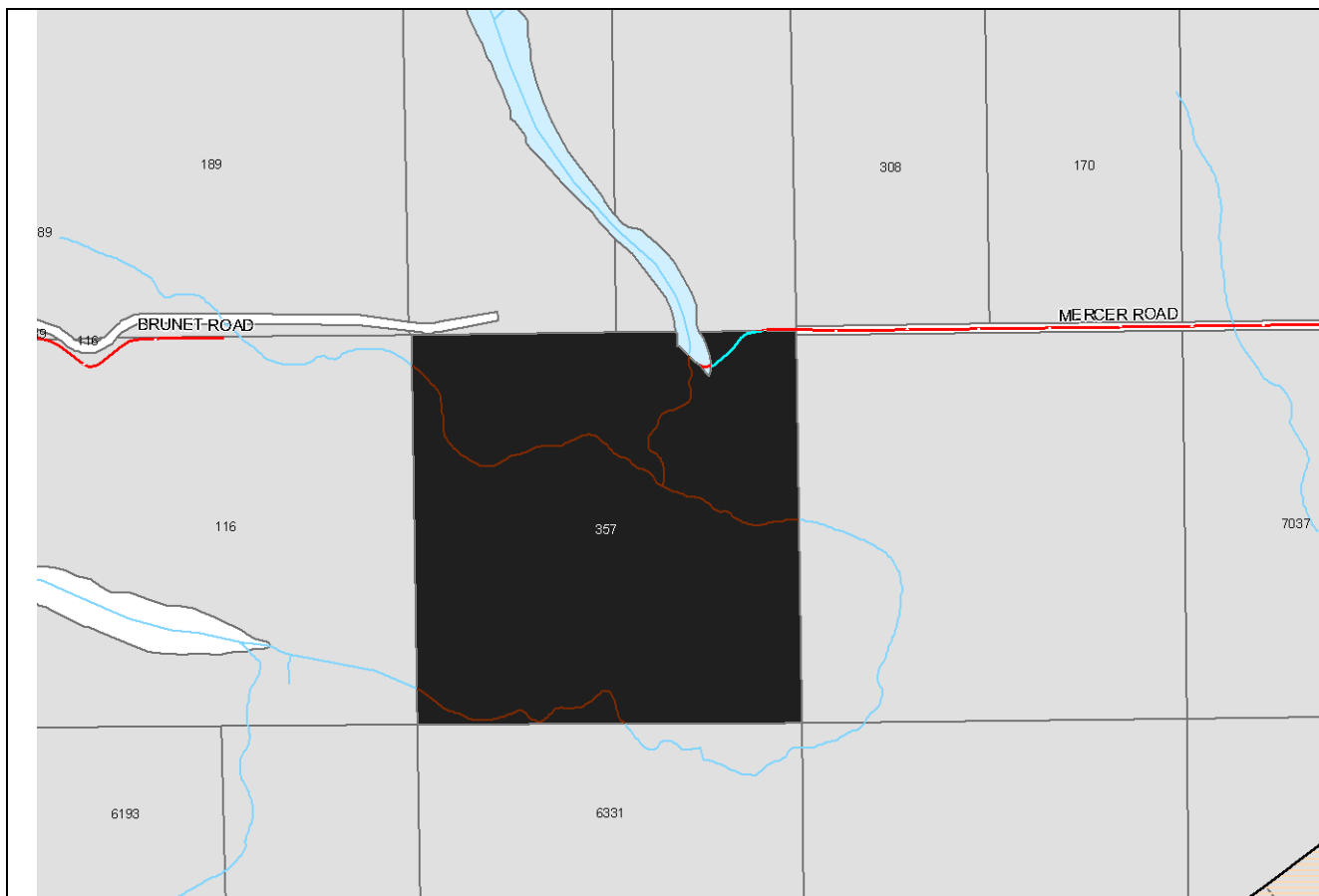
**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED ON  
THIS 15<sup>th</sup> DAY OF FEBRUARY, 2017.**

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**MAYOR**

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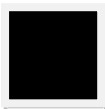
**CLERK**



This is Schedule "A-1" to By-law 2017-\*\* of the Municipality of French River, passed this 15<sup>th</sup> day of February, 2017.

\_\_\_\_\_  
Chair / Mayor

\_\_\_\_\_  
Secretary-Treasurer / Clerk



Lands zoned Rural (RU), subject to Special Provision 78 (S78), on Part of Lot 3, Concession 5, in the Township of Martland, now in the Municipality of French River, Territorial District of Sudbury; Parcel 966 Sudbury East Section.  
(Roll No. 5201-060-000-264-00)