

CORPORATION OF THE
TOWNSHIP OF BILLINGS

AGENDA

February 2, 2021 7:30 p.m.

Electronic Meeting

1. OPEN
2. APPROVAL OF AGENDA
3. DISCLOSURE OF PECUNIARY INTEREST
4. ADOPTION OF MINUTES
 - a) January 18, 2020
 - b) January 20, 2020 special
5. DELEGATIONS
 - a) George Hagen, Manitoulin Trappers' Council – coyote compensation by-law
6. COMMITTEE REPORTS
 - a) Climate Action Committee – January 13, 2021
 - b) Library Board – January 19, 2021
 - c) POA Committee – January 22, 2021
7. OLD BUSINESS
 - a) 2020-47 Power of Entry by-law
 - b) Maze rehabilitation work
8. NEW BUSINESS
 - a) COVID-19 response update
 - b) By-law report
 - c) Health and Safety Report
 - d) Fire Hall
 - e) Waterfront Project FedNor and NOHFC agreement amendments
 - f) 2020 Structure Inspection Appraisal Report (bridges)
 - g) Internet advisory committee representation
 - h) Farm animal exception request – Rickard
 - i) Mutual Assistance agreement
 - j) 2021-03 interim tax levy by-law

- k) 2021-04 temporary borrowing by-law
 - l) 'Speaker's Corner' removal
- 9. CORRESPONDENCE
 - a) Township of Matachewan and Town of Plympton-Wyoming re: grant application deadlines
 - b) Municipality of West Grey re: Schedule 8, Bill 229 (*Crown Forest Sustainability Act* and *Endangered Species Act* changes)
- 10. INFORMATION
 - a) Ontario Sand and Gravel Association rebuttal to GravelWatch report
 - b) Centennial Manor Board December 2020 minutes and financial statements
 - c) Community Living board member search, financial statements and strategic plan
 - d) Municipal Modernization Program intake 2
 - e) Minutes – POA Committee January 22, 2021
- 11. ACCOUNTS FOR PAYMENT
- 12. CLOSED SESSION
- 13. CONFIRMING BY-LAW
- 14. ADJOURNMENT

Memorandum

To: Mayor and Council, CAO/Clerk

cc: Staff, Public

From: Megan Bonenfant

Date: January 29, 2021

RE: February 2, 2021 Council Meeting

5. Delegations

- a) George Hagen, Manitoulin trappers' Council re: coyote compensation by-law

Please review the attached letter from Mr. Hagen regarding his delegation.

7. Old Business

- a) 2020-47 Power of Entry by-law

Please review the attached memo from the Deputy Clerk.

Recommendation:

That by-law 2020-47 be given second and third readings and enacted.

- b) Maze rehabilitation work

Council deferred rehabilitation work on the cedar maze until spring and the 2021 budget. At this time, staff would like approval for the expense ahead of the budget finalization in order to be able to schedule the work as soon as possible in the spring. The original estimate previously reviewed by Council is attached for reference.

Recommendation:

That Council accept the estimate from Manitoulin Tree Services for work on the cedar maze and authorize staff to schedule the work as early as possible in spring 2021.

8. New Business

- a) COVID-19 response update

Since Council's last regular meeting:

- All residents at Wikwemikong Nursing home have been vaccinated and Public Health Sudbury and Districts has committed to vaccinating all long-term care residents in their service area (including Manitoulin) by February 5th.
- Case numbers have continued to increase in our health unit, most notably in outbreak settings at schools and long-term care and retirement homes.
- An update from the Ontario COVID-19 Vaccine Distribution Task Force is included in this agenda package for your information.

- b) By-law report

Please review the attached report from the By-law Officer.

c) Health and Safety report

Please review the attached report from the Health and Safety Coordinator.

d) Fire Hall

Please review the attached memo from the Health and Safety Coordinator.

Recommendation:

That Council accept the Health and Safety Coordinator's recommendations as detailed in the report.

e) Waterfront Project FedNor and NOHFC agreement amendments

FedNor and the Northern Ontario Heritage Fund Corporation, our funding partners for the Waterfront project, have authorized amendments to our funding agreements in order to reflect actual costs of the project. This is not additional funding; these are administrative amendments to reapportion existing funding to the various project categories, namely shifting more funds to the engineering component from the construction component.

Recommendation:

That Council authorize the Mayor and CAO/Clerk to execute the Waterfront Redevelopment – Phase One amendment no. 3 for FedNor project number 851-810654 and amendment no. 1 for NOHFC project number 8100244.

f) 2020 Structure Inspection Appraisal Report (bridges)

Please review the attached report from K. Smart Associates Limited regarding three bridge structures within the municipality.

Recommendation:

That Council receive the 2020 Structure Inspection Appraisal Report prepared by K. Smart Associates Limited, dated December 2020.

g) Internet advisory committee representation

Please review the attached request from Michael Addison of Blue Sky Net regarding an internet advisory committee.

Recommendation:

That Council appoint Economic Development Officer Todd Gordon and an interested member of Council to the proposed Blue Sky Net Internet Advisory Committee.

h) Farm animal exception request - Rickard

Please review the attached request from Carly and Sean Rickard regarding their pet goat. This matter was brought to staff's attention through a complaint from a neighbouring property owner; the goat in question was at large on this person's property.

Pursuant to section 1.3.6 of by-law 2015-03 (regulating the keeping and feeding of animals other than dogs and cats), goats are not permitted in the Shoreline Residential zone. An exemption to this by-law was granted to another property owner in 2018, subject to an agreement with a number of conditions. Should Council decide to consider a similar response for this situation, neighbouring property owners should be given an opportunity to comment.

Recommendation:

That Council direct staff to contact the three neighbouring properties on either side of the Rickard property regarding the keeping of a goat to help inform Council's decision.

i) Mutual assistance agreement

Further to the Winter Operations Plan amendment Council approved last meeting related to contingency planning for staff reductions due to COVID-19, please review the attached draft mutual assistance agreement for public works personnel, equipment and materials during an emergency. This is a first draft and is being concurrently reviewed by Central Manitoulin's Roads Committee. Staff are not seeking approval at this time, but comment and revisions for further discussion with mutual aid partners.

Recommendation:

That Council provide comments and revisions to the draft agreement.

j) 2021-03 interim tax levy by-law

The interim tax levy by-law is passed annually to allow the municipality to collect interim taxes prior to the setting of the current year's tax rate. This by-law sets the interim levy at 50% of the total taxes levied in 2020, payable by March 31, 2021, and sets interest on payments made after this date at 1.25% monthly.

Recommendation:

That by-law 2021-03 be given first, second and third readings and enacted.

k) 2021-04 temporary borrowing by-law

The temporary borrowing by-law is passed annually to allow the municipality to borrow funds if necessary for operational expenses, prior to setting the budget and collection of taxes. This by-law authorizes the Mayor and Treasurer to borrow up to \$700,000 on behalf of the municipality. This tool has not been used in many years but is important to have in place in case of emergency shortfalls.

Recommendation:

That by-law 2021-04 be given first, second and third readings and enacted.

l) 'Speaker's Corner' removal

The wooden structure in front of the Old Mill Heritage Centre building, locally known as 'speaker's corner', is in poor condition and requires attention. The structure has not been used for any municipal purpose in a number of years, and no future need is anticipated. Removal work could be completed by the public works department.

Recommendation:

That Council authorize the removal of the wooden structure known as 'speaker's corner' from the Old Mill Heritage Centre grounds.

9. Correspondence

m) Township of Matachewan and Town of Plympton-Wyoming re: grant application deadlines

Please review the attached correspondence from the Township of Matachewan and Town of Plympton-Wyoming.

Recommendation:

That Council pass a resolution of support for this matter.

- n) Municipality of West Grey re: Schedule 8, Bill 229 (*Crown Forest Sustainability Act and Endangered Species Act* changes)

Please review the attached correspondence from the Municipality of West Grey.

10. Information

There are a number of items attached for Council's information. Council may move any of these items into New Business during the agenda approval for discussion at this meeting, or request that an item(s) be included on a future agenda for discussion.

- a) Ontario Sand and Gravel Association rebuttal to GravelWatch report
- b) Centennial Manor Board December 2020 minutes and financial statements
- c) Community Living Board member search, financial statements and strategic plan
- d) Municipal Modernization Program intake 2
- e) Minutes – POA committee January 22, 2021

The Corporation of the
Township of Billings
Regular Meeting

January 18, 2021

Electronic Meeting

Present: Mayor Ian Anderson, Councilors Sharon Alkenbrack, Bryan Barker, Michael Hunt and Sharon Jackson

Staff: Megan Bonenfant, Deputy Clerk; Todd Gordon, Economic Development Officer; Kathy McDonald, CAO/Clerk.

Media: Tom Sasvari

Members of the public

Regrets: None

1. Open

2021-01 Hunt – Alkenbrack

BE IT RESOLVED that this regular meeting of council be opened with a quorum present at 7:30 p.m. with Mayor Anderson presiding.

Carried

2. Approval of Agenda

2021-02 Alkenbrack – Hunt

BE IT RESOLVED that the agenda for the January 18, 2021 regular meeting of council be accepted as presented.

Carried

3. Disclosure of Pecuniary Interest

None.

4. Adoption of the Minutes

a) December 21, 2020

2021-03 Barker – Jackson

BE IT RESOLVED that Council accepts the minutes of the December 21, 2020, regular meeting as presented.

Carried

5. Delegations

None.

6. Committee Reports

Councillor Barker reported that he will report on the January 13th Climate Action Committee next meeting.

7. Old Business

a) Broadband

Council received the update from the Economic Development Officer.

8. New Business

a) COVID-19 Response

The CEMC provided an update on local COVID-19 response measures and the provincial state of emergency and stay-at-home order.

b) Main Street Reconstruction project update

Council received the update.

c) Winter Operations Plan addendum

2021-04 Barker – Jackson

BE IT RESOLVED that Council adopts the Winter Operation Planning Document 2020-2021 Addendum, Minimum Maintenance Standards and Service Reductions due to COVID-19, as presented.

Carried

d) CEEP – community survey and report drafting budget

2021-05 Hunt – Alkenbrack

BE IT RESOLVED that Council accepts the Climate Action Committee's recommendation and authorizes a \$1000.00 budget for expenses related to the CEEP community survey and report drafting.

Carried

2021-06 Barker – Alkenbrack

BE IT RESOLVED that Council hereby rescinds their resolution #2020-359.

Carried

2021-07 Alkenbrack – Barker

BE IT RESOLVED that Council accepts the Climate Action Committee's recommendation and accepts the Ethelo Climate Change Engagement proposal at a cost of \$5,622.00.

Carried

e) Census 2021

2021-08 Jackson – Barker

BE IT RESOLVED that Council of the Township of Billings supports the 2021 Census, and encourages all residents to complete their census questionnaire online at www.census.gc.ca. Accurate and complete census data support programs and services that benefit our community.

Carried

Mayor Anderson asked staff to investigate if there are methods other than online for completing the census.

9. Correspondence

a) Andrew Preyde re: Park Centre ice rink

2021-09 Hunt – Jackson

BE IT RESOLVED that Council refers the Park Centre ice rink maintenance matter to the Parks, Recreation and Wellness Committee for investigation and directs them to bring forward recommendations for Council's consideration prior to budget deliberations.

Carried

Councillors thanked Mr. Preyde for his dedication to the rink and for taking the initiative to bring this forward. They requested that Mr. Preyde be kept involved as this moves forward.

b) Jamie Mohammed, Principal Manitoulin Secondary School re: thank you for Student Aid contribution

Council received the correspondence.

c) Municipality of Charlton and Dack re: municipal insurance

2021-10 Alkenbrack – Hunt

BE IT RESOLVED that Council for the Township of Billings supports the Municipality of Charlton and Dack in calling on the Province of Ontario to immediately review the Association of Municipalities of Ontario's recommendations related to joint and several liability and to investigate the practice of preferred vendors for municipal insurance; and,

BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Premier, the Minister of Finance, the Attorney General, MPP Michael Mantha, AMO and the Municipality of Charlton and Dack.

Carried

d) Town of Amherstburg re: development approvals requirements for landfills

2021-11 Barker – Jackson

BE IT RESOLVED that Council for the Township of Billings supports the City of St. Catharines and Town of Amherstburg in calling on the Province of Ontario to amend Bill 197 to eliminate the development approval requirement provisions from adjacent municipalities and that the 'host' municipality be empowered to render final approval for landfills within their jurisdiction; and,

BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Premier, the Minister of Environment, Conservation and Parks, the Minister of Municipal Affairs and Housing, MPP Michael Mantha, AMO, the Town of Amherstburg and the City of St. Catharines.

Carried

e) Town of Lincoln re: interim cap on gas plant GHG emissions

2021-12 Barker – Jackson

BE IT RESOLVED that Council for the Township of Billings supports the Town of Lincoln and the City of Hamilton in calling on the Province of Ontario to place an interim cap on 2.5 mega tonnes per year on our gas plant and greenhouse gas pollution and develop and implement a plan to phase out all gas-fired electricity generation by 2030 to ensure that Ontario meets its climate targets; and,

BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Premier, MPP Michael Mantha, the Town of Lincoln and the City of Hamilton.

Carried

f) Township of Nairn and Hyman re: closure of non-essential businesses during pandemic

Council received the correspondence.

g) Kingsville re: support for small businesses

Council received the correspondence.

h) Town of Lincoln and City of Hamilton re: radial separation for cannabis retail locations

Council received the correspondence.

10. Information

a) Kagawong landfill 2020 water quality summary report

2021-13 Jackson – Hunt

BE IT RESOLVED that Council accepts the 2020 Kagawong landfill water quality summary report.

Carried

Councilor Barker asked for confirmation that the report was satisfactory. The CAO/Clerk confirmed that the monitoring results are consistent with previous reporting periods.

Council received the remainder of the listed information.

11. Accounts for Payment

2021-14 Hunt – Alkenbrack

BE IT RESOLVED that Council authorizes the following accounts for payment:

General Accounts \$224,849.19

And that cheques number 6574 to 6598 be authorized for signing as described in the attached register.

Carried

12. Closed Session

2021-15 Alkenbrack – Jackson

BE IT RESOLVED that in accordance with Section 239(2)(a) and (b) of the *Municipal Act, 2001 S.O. Chapter 25*, this Council proceed to a Closed Session at 8:16 p.m. in order to discuss an item involving the security of municipal property and an identifiable individual.

Carried

2021-16 Alkenbrack – Barker

BE IT RESOLVED that Council move out of Closed Session at 9:21 p.m. and resume their regular, open meeting.

Carried

13. Confirming By-Law

2021-17 Alkenbrack – Jackson

BE IT RESOLVED that by-law 2021-01, being a by-law to confirm the proceedings of council, be given first, second and third readings and enacted.

Carried

14. Adjournment

2021-18 Barker – Hunt

BE IT RESOLVED that this regular meeting of council be adjourned at 9:23 p.m.

Carried

Ian Anderson, Mayor

Kathy McDonald, CAO/Clerk

01/19/21:mb

The Corporation of the
Township of Billings
Special Meeting

January 20, 2021

Electronic Meeting

Present: Mayor Ian Anderson, Councilors Sharon Alkenbrack, Bryan Barker, Michael Hunt and Sharon Jackson

Staff: Floyd Becks, Public Works Superintendent; Megan Bonenfant, Deputy Clerk; Todd Gordon, Economic Development Officer; Kathy McDonald, CAO/Clerk; Bruce Mercer, Treasurer; Tiana Mills, Administrative Assistant; Kim Neale, Climate Change Coordinator.

Media: Tom Sasvari

Members of the public

Regrets: None

1. Open

2021-19 Barker – Hunt

BE IT RESOLVED that this special meeting of council be opened with a quorum present at 7:00 p.m. with Mayor Anderson presiding.

Carried

2. Approval of Agenda

2021-20 Alkenbrack – Jackson

BE IT RESOLVED that the agenda for the January 20, 2021 special meeting of council be accepted as presented.

Carried

3. Disclosure of Pecuniary Interest

None.

4. Adoption of the Minutes

None.

5. Delegations

None.

6. Committee Reports

None.

7. Old Business

None.

8. New Business

a) Strategic Planning

Council discussed priorities for the remainder of the current Strategic Plan's term and identified the following as high-priority:

- Main Street hill reconstruction project
- Signage and beautification within the hamlet of Kagawong
- Bridges
- Fire Hall
- Public washrooms
- Parking
- The Community Energy and Emissions Plan
- The A.H. Hunt Marina

9. Correspondence

None.

10. Information

None.

11. Accounts for Payment

None.

12. Closed Session

None.

13. Confirming By-Law

2021-21 Alkenbrack – Hunt

BE IT RESOLVED that by-law 2021-02, being a by-law to confirm the proceedings of council, be given first, second and third readings and enacted.

Carried

14. Adjournment

2021-22 Barker – Hunt

BE IT RESOLVED that this special meeting of council be adjourned at 8:37 p.m.

Carried

Ian Anderson, Mayor

Kathy McDonald, CAO/Clerk

COYOTE COMPENSATION BY LAW PRESENTATION

My name is George Hagen and I am currently the president of the Manitoulin Trappers Council. I am a third generation trapper and I have held a registered trap line for over 40 years. I have been a provincial trapper instructor since 1978. I have had property on Lake Manitou since 1985 and retired here in 2010. I also own 100 acres in Billings.

I am here today to ask that the township of Billings follow the lead of other island municipalities and institute a Coyote Compensation By-Law. The intent of the by law would not be to eliminate the coyote but to compensate trappers, hunters and farmers for their efforts to control coyote populations. I will speak to the by-law a little later.

Manitoulin Island has a natural eastern coyote and grey wolf population. Our coyote is a mix of western coyote and eastern grey wolf and most will have grey wolf D.N.A.. Most of us know them as brush wolves. They run from 30 to 60 plus pounds. They will produce litters of up to 12 pups and can breed from as early as 10 months. When food is in good supply the litter size is usually larger and more pups make it to maturity which will cause a spike in the population.

The heavy snowfall two years ago caused a higher deer mortality which led to an increased food supply. Coyotes are opportunistic predators and will take whatever presents itself. Their main food source is listed as small rodents, deer as well as berries and fruit. This predator has taken hold on Manitoulin Island because of the availability of food in the form of livestock, small mammals, and deer.

In conversation with livestock evaluators, I was informed that Manitoulin Island had a healthy sheep industry. They advise that due to predation most sheep producers have left the industry. These same evaluators are now seeing calves and poultry being taken by coyotes. I believe this speaks to the adaptability of this predator.

As a trapper I receive calls every year from farmers with concerns about coyote and wolf populations. The loss of stock as well as stress put on surviving stock represents an economic loss to the agricultural community which in turn is felt by the municipality.

I have been advised by a farmer in a neighboring municipality, that he lost six calves last year. He was compensated over \$700.00 for 4 calves and nothing for 2 as it was not certain it was coyote or wolf predation. My understanding is that the municipality was out over \$2800.00 for this claim although I understand they are compensated by the provincial government. The proposed by law has a cap of \$2000.00 with a provision to increase as council sees fit. A proactive approach such as this may help to eliminate some of these costs.

In 2008 the Manitoulin Stewardship Council prepared a report as to the economic value of the deer hunt on Manitoulin Island. Several thousand forms were sent out and about 570 were returned. Some of the information gained from the survey was :

- In 2008 there were approximately 8500 deer hunters on Manitoulin. I would think that numbers are similar today.

- Of Manitoulin Islands 670,000 acres, a significant portion is owned for deer hunting and wildlife viewing
- Manitoulin has 2 months of deer season from archery, rifle to muzzle loader season. This is after the summer tourist season

The economic value of the deer hunt is not limited to the deer hunt. Property has been purchased, hunt camps built, and this all adds to the tax base. Businesses benefit from the consumptive and non-consumptive use of deer. It is a 2 month add on to the tourist season. In 2008 65% of hunters rented land to hunt on. We all benefit from a healthy deer population. Thousands of dollars are spent annually as a result of the deer hunt.

We have to protect our deer population to ensure that the economic value remains. We have a healthy coyote population on Manitoulin Island. Our goal is not to eliminate them but to control their numbers. The municipalities of Burpee Mills, Gordon Barrie Island, Assiginack and Central Manitoulin have a similar by law in place to protect livestock and deer populations.

The by law has a \$2000.00 cap which can be increased if council sees fit. A form is filled out with the location of where the animal was harvested and by whom. The form also insures the animal was taken legally. The form is then taken to a municipal designate to verify and mark.

The form is then submitted to the municipality for payment. (\$50.00 per animal) Each municipality has their own forms and wording. It is my understanding that none of the municipalities have ever reached the cap. Copies of the by-laws are available from each municipality should they be required for reference.

I would ask on behalf of all trappers, hunters, and farmers of the Township of Billings that this council institute a similar by law at your earliest convenience.

Thank you for your time and consideration.

COMMITTEE REPORT
CLIMATE ACTION COMMITTEE

13 January 2021 7:00 pm.

VIRTUAL

Meeting was called to order by the chair at 7:00 pm. With a quorum present.

OLD BUSINESS

a) CEEP project update - Schedule

- The CCC reviewed the community survey schedule and discussion of timelines and survey launch deadline. CCC advised that timelines would be met.

b) CEEP Community Survey – Participation Strategy

- There was an in-depth discussion on the draft CEEP survey content. The goal of the exercise was to reduce the content of the survey and focus on questions, that were relevant to the survey and to Billings Township.
The draft will be presented to Ethelo following this meeting. After which the key topics can not be changed however, questions relating to those topics can still be added or removed. There was much discussion on ensuring that the committee reach a cross representation of the community demographics.
- The CCC indicated that she would like to advertise (local papers) the survey and contribute to an incentive reward (composter). To do so would require additional funds from each Township. These funds would be match 50% by grants monies. A suggestion was put forth by the CAC to prepare a recommendation that council approve a budget of \$1000.00 to meet these types of expenses.

NEXT MEETING

27 January 2021, 7:00 pm (virtual)

MEETING ADJOURNED

8:45 pm.

Councillor Bryan Barker (CAC Chair)

Township of Billings
Council Committee Report

Report to: Council

Date of Meeting: JAN 19th 2021

Report by: MICHAEL HUNT

Committee: Library Board Meeting

Highlights/Matters of Interest:

Treasurer Report: Cash on hand carried forward from year 2020 of \$6,192.34 to the 2021 Budget.

Librarian Report: The Patron Count for December 2020 was 57, and was closed 4 days out of 14.

Overdrive visits at 87 up from last year.

Total Circulation 292

Desk Cash Report:

Copies .25¢ Donations \$100 Bird feeder ticket sales \$65.
~~Recommendations to Council~~ For a Total of \$165.25.

Darcy Woods plans to have the book "How it all Began" update finished for review Feb 16 including cover options and publishing quotes.

A review of the 2021 Library Budget put together by Willa and Jill.

This Library Budget will be presented for council's approval.

PROVINCIAL OFFENCES ACT

BOARD MEETING

January 22, 2021 at 10:30 a.m.

VIRTUAL

OLD BUSINESS

i) **Part II Tickets**

POA Manager advised no further updates. Covid 19 preparedness has taken priority at all levels of government. Awaiting a response from the AGO confirming that it is the OPP's responsibility to have all the information required on a ticket to ensure completeness when filing ticket with POA Office. If the ticket is not completed properly the POA Office has no way to file, the ticket in the system. Mike stated he will contact the Expositor to advise them to correct the information that has been posted in the paper regarding this matter.

ii) **Resumption of Court Services**

Work is continuing to have Gore Bay community hall ready for trials. Several changes must be made to meet the criteria set by the Province for COVID-19 safety requirements. In person trials will be held at the Gore Bay Community Hall. New equipment must purchase a new dais (desk) for Justice of the Peace; laptop; printer/scanner; toll free line; internet connection; plexiglass barriers; masks; soap. Additional staff is required as well. Three part time persons plus the POA Manager and POA Clerk will be required to manage an in-person court. As well as a dedicated custodian; screener; clerk; zoom technician; elevator operator. Gore Bay is on track to be ready. Given the current COVID-19 lockdown situation it is expected that this date will be extended. Early Resolution dates resumed in October 2020. Additional dates were requested and granted. The backlog of Early Resolution matters has been cleared and we are up to date. There is a backlog of trials but, it is expected that those matters can be cleared quickly once the go ahead is given.

iii) **Relocating of POA Office within Municipal Building**

The POA manager advised that there has been no further action on this matter. Pricing was never submitted by the contractor. Given the current financial situation the POA manager advised that it was not an affordable option at this time.

NEW BUSINESS

i) **POA Financial as of December 31, 2020**

The POA manager presented the Financial Report for period ending December 31, 2020. She noted that this is not a final number and has not been unaudited but, it reflects the current financial situation. The statement reflects a deficit of \$22,513.23. Part of this deficit is attributable to the COVID 19 situation. The inability to collect and enforce fines combined with the inability to have court has directly impacted our revenue stream. Revenue is down almost \$40,000.00 from budget. Expenses were down slightly due to court costs being down but other administrative costs i.e... Staff, audit, insurance, supplies etc. remained relatively the same. The POA manager advised that POA offices across the province are in the same situation. This is only the second time since taking over the POA in 2000 that the POA has had a deficit. She advised that the board would have to decide how to cover the deficit i.e... taken from the reserves; bill the municipalities or a combination.

Annette advised the reserve balance at the end of 2019 was \$49,848.00. Utilizing the reserve for the entire deficit would leave approximately \$27,335.00 depending on the audited balance.

After a lengthy discussion a resolution was moved that the POA reserve be used to cover the 2020 deficit.

MOTION

WHEREAS the current financial statement indicates the POA will be in a deficit position at the end of 2020.

THEREFORE BE IT RESOLVED THAT the Audited 2020 deficit be covered by the POA Reserve.

Carried

Arising out of discussion was suggestion that a resolution be forwarded to POA Court Offices asking for support of a motion to ask the Province of Ontario to provide financial assistance to all municipal POA offices impacted by COVID-19. The PAO manager advised that the POA Office will send out letters to all participating municipalities; MPP Mike Mantha and the parties outlined in the motion above.

The Board noted that they wanted the letter to the municipalities to make it clear that the deficit from 2020 is directly caused by COVID-19 and that the monies had to be taken from reserve.

MOTION

Moved by Bryan Barker

Seconded by Dan Osborne

WHEREAS the POA Board of Management is concerned with the current financial status of the Provincial Offences Act – Gore Bay Court Services;

AND WHEREAS Gore Bay is operating at a deficit in excess of \$22,000.00 which is unprecedented;

AND WHEREAS the deficit is directly attributable to the restrictions imposed by the Province as it relates to the Province's response to the COVID 19 situation;

AND WHEREAS the Province has had almost one year to find a solution to ensure the safe and continued operations of the Provincial Offences Court system in Ontario;

AND WHEREAS the Province transferred the POA operations to municipalities in 2000 with the expectation that it would operate on a profit and not negatively impact the financial status of the participating municipalities;

AND WHEREAS the Provincial Government has provided COVID19 grants to municipalities but not directed any of those monies to POA Boards;

THEREFORE BE IT RESOLVED THAT the Gore Bay POA Board of Management lobby the Provincial Government to provide COVID 19 Support funds to ALL POA Court Operations in the Province of Ontario;

FURTHER all POA Court Offices in the Province of Ontario be asked to support this motion by sending letters to the Premier of Ontario, Ministry of Attorney General, and local MPP's asking for action to provide financial assistance to all municipal POA Offices impacted by COVID 19.

Carried

ii) **POA Draft 2021 Budget**

The POA manger presented the 2021 budget highlighting the fact that she anticipates another year with a deficit. Again, this is directly impacted due increased court costs These additional costs total approximately \$15,000.00. Which in a normal year would be revenue profit. The Board may have to use Reserves of \$6,541.00 to cover the costs for 2021.

iii) **Resignation of POA Manager**

Present POA Manager resigned.

iv) **Appointment of new POA Manager**

Board discussed approval of appointing a new POA manager.

CLOSED SESSION

OUT OF CLOSED SESSION

ADOPTION OF MOTIONS

That the resignation of the POA Manager Annette Clarke effective December 31, 2020 be accepted with regret.

That Pam Fogal be appointed as POA Manager effective January 1, 2021. That her wage rate is established as per the closed session of the POA Board of Management.

That Annette Clarke be hired as POA Backup Clerk/Court Reporter at a rate as establishes in closed session and this motion be retroactive to September 1, 2020.

That Ken Bentley and Justin McVey be hired part time to work the POA Courts for COVID-19 screening and Custodian to meet the provincial requirements for the operation of court as per COVID-19 regulations, and that Ken and Justin be paid as per the rates establishes in closed session.

That Dayna Nelder, POA Clerk and Court Reported be given a three (3%) percent wage increase effective January 1, 2021, and that Dayna Nelder be given a \$2500.00 Pay for Performance bonus based on her excellent performance in 2020.

ADJOURNMENT

12:07 p.m.

Councillor Bryan Barker
POA Board Member

Memorandum

To: Council
cc: CAO/Clerk, By-law Enforcement Officer, Staff
From: Megan Bonenfant, Deputy Clerk
Date: January 25, 2021

RE: 2020-47 Power of Entry By-law background

Recommendation: that by-law 2020-47 be given second and third readings and enacted.

Council gave draft by-law 2020-47 first reading on December 21, 2020 and requested further explanation of the by-law's development and validity. Specifically, Council requested explanation for the broad definition of 'Land', and an analysis of case law pertaining to use of evidence collected during inspections in court proceedings.

Background

The *Municipal Act, 2001*, as amended, provides specific powers of entry for municipal law enforcement officers (see attached excerpt). These powers must be 'activated' by Council through by-law. This can be done in two ways: through inspection provisions included in each individual applicable by-law, or as a stand-alone by-law that applies to all other by-laws. In this case, for efficiency and simplicity, the latter option was chosen. By-law 2020-47 will have the effect of empowering municipal law enforcement officer(s) to conduct inspections related to any Township of Billings by-law. Inspections will most commonly relate to property use, building, zoning and health and safety. It is also important to note that these same inspection powers are mirrored, in whole or in part, in other legislation such as the *Building Code Act* (subsection 12(1), 15(1) and 16(1), the *Planning Act* (section 49), the *Fire Protection and Prevention Act* (section 19), and the *Health Protection and Promotion Act* (section 41).

Billings' enforcement practice focuses on obtaining compliance through education and working collaboratively with owners or occupants of property. By-law 2020-47 is an important tool to support this practice, not replace it. The powers of entry entrenched in by-law 2020-47 are verbatim those provided by the *Municipal Act*. They are expansive and are more permissive than powers of entry given to other law enforcement officers. A common criticism of these powers is that they have the potential to infringe upon the right to be secure against unreasonable search and seizure (section 8 of the Charter of Rights and Freedoms). However, there is debate on whether an inspection to determine compliance with a regulatory standard (by-law) constitutes "search and seizure". That is, is it reasonable to say that a by-law officer performing an inspection to determine if a by-law is being followed is equivalent to a police officer performing a search for illegal items? Currently in Ontario, the inspection powers stand as written and any challenge related to unreasonable search and seizure is done on a case-by-case basis through the courts.

Sources used to support the drafting of by-law 2020-47 include the *Municipal Act, 2001*, as amended, several recent by-laws from Ontario municipalities (some examples attached), educational materials from the Association of Municipal Clerks and Treasurers (AMCTO), and online articles related to the analysis of these powers.

Definition of 'Land'

By-law 2020-47 defines 'land' to include 'buildings, structures and dwellings'. Council raised the question if including 'dwellings' is too broad.

The definition of 'land' was drafted for simplicity, as the powers of entry do apply to dwellings, subject to specific limitations. These limitations are clearly outlined in section 5 of the by-law. As the powers apply equally to buildings, structures and dwellings with limited exceptions, it is simpler to read and understand these powers as inclusive and highlight the specific circumstances that are different, than it is to draft the by-law provisions separately for dwellings. This definition is consistent with the majority of the by-laws consulted during the drafting process.

Alternatively, Council could choose NOT to empower municipal law enforcement to enter dwellings, as the Township of Armour appears to have done (see attached). This would restrict by-law officers from conducting inspections, even with a warrant, in any room, place or part of a building being used as a dwelling, unless so authorized under another piece of legislation. Given the broad scope of what is considered a 'dwelling' in case law, this could prevent the by-law officer from inspecting exterior elements of properties, such as fenced-in backyards, decks, etc., and is not recommended.

Case Law

Council expressed concern that the by-law provisions governing the taking of samples, documents, etc, would not be held up in court and requested a search of case law on the subject. The search results were few, however, two case summaries are attached that speak to the validity of evidence collected during municipal inspections. In both cases, the Court upheld the submission of evidence (photographs) taken during the municipal law enforcement officers' inspections.

- Oshawa (City v. Lee, 2015 ONCJ 544
 - See paragraph 24 – explicit consideration and acceptance of the validity of photographs as evidence
- Desmarais v. Fort Erie (Town), 2016 ONSC 1750
 - See paragraphs 20, 21, 52, 61 – inferred acceptance of photographs as evidence

Respectfully submitted,
Megan Bonenfant, Deputy Clerk

Excerpt from Municipal Act, 2001, as amended

Power of entry re inspection

436 (1) A municipality has the power to pass by-laws providing that the municipality may enter on land at any reasonable time for the purpose of carrying out an inspection to determine whether or not the following are being complied with:

1. A by-law of the municipality passed under this Act.
2. A direction or order of the municipality made under this Act or made under a by-law of the municipality passed under this Act.
3. A condition of a licence issued under a by-law of the municipality passed under this Act.
4. An order made under section 431. 2006, c. 32, Sched. A, s. 184.

Inspection powers

(2) By-laws passed under subsection (1) may provide that for the purposes of an inspection the municipality may,

- (a) require the production for inspection of documents or things relevant to the inspection;
- (b) inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts;
- (c) require information from any person concerning a matter related to the inspection; and
- (d) alone or in conjunction with a person possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purposes of the inspection. 2006, c. 32, Sched. A, s. 184.

Samples

(3) A sample taken under clause (2) (d) shall be divided into two parts, and one part shall be delivered to the person from whom the sample is taken, if,

- (a) the person requests that the sample be divided at the time it is taken and provides the necessary facilities; and
- (b) it is technically feasible to divide the sample. 2017, c. 10, Sched. 1, s. 77.

Same

(4) If a sample is taken under clause (2) (d) and the sample has not been divided into two parts, a copy of any report on the sample shall be given to the person from whom the sample was taken. 2006, c. 32, Sched. A, s. 184.

Receipt

(5) A receipt shall be provided for any document or thing removed under clause (2) (b) and the document or thing shall be promptly returned after the copies or extracts are made. 2006, c. 32, Sched. A, s. 184.

Evidence

(6) Copies of or extracts from documents and things removed under this section and certified as being true copies of or extracts from the originals by the person who made them are admissible in evidence to the same extent as, and have the same evidentiary value as, the originals. 2006, c. 32, Sched. A, s. 184.

Restriction re dwellings

437 Despite any provision of this Act, a person exercising a power of entry on behalf of a municipality under this Act shall not enter or remain in any room or place actually being used as a dwelling unless,

- (a) the consent of the occupier is obtained, the occupier first having been informed that the right of entry may be refused and, if refused, may only be made under the authority of an order issued under section 438, a warrant issued under section 439 or a warrant under section 386.3;
- (b) an order issued under section 438 is obtained;
- (c) a warrant issued under section 439 is obtained;
- (d) a warrant issued under section 386.3 is obtained;
- (e) the delay necessary to obtain an order under section 438, to obtain a warrant under section 439 or to obtain the consent of the occupier would result in an immediate danger to the health or safety of any person; or
- (f) the municipality has given notice of its intention to enter to the occupier of the land as required under subsection 435 (2) and the entry is authorized under section 79, 80 or 446. 2006, c. 32, Sched. A, s. 184.

Inspection pursuant to order

438 (1) A municipality has the power to pass by-laws providing that the municipality may, in the circumstances set out in the by-laws, undertake inspections pursuant to orders under this section. 2006, c. 32, Sched. A, s. 184.

Order

(2) A provincial judge or justice of the peace may issue an order authorizing the municipality to enter on land for the purpose of carrying out an inspection for a purpose described in subsection 436 (1) and to exercise powers described in clauses 436 (2) (a) to (d) as specified in the order if he or she is satisfied by evidence under oath,

- (a) that the circumstances of the inspection are provided for in a by-law under subsection (1);
- (b) that the inspection is reasonably necessary; and
- (c) that one of the following conditions exists:
 - (i) where there is no by-law under section 436 which provides for inspections in such circumstances, the municipality has made a reasonable attempt to obtain the occupier's consent for the inspection,
 - (ii) where there is a by-law under section 436 which provides for inspections in such circumstances, the municipality has been prevented or is likely to be prevented from doing anything set out in subsection 436 (1) or (2). 2006, c. 32, Sched. A, s. 184.

Expiry of order

(3) An order under this section shall state the date on which it expires, which date shall not be later than 30 days after the day the order is issued. 2006, c. 32, Sched. A, s. 184.

Time for execution

(4) An order under this section may be executed only between 6 a.m. and 9 p.m. unless the order provides otherwise. 2006, c. 32, Sched. A, s. 184.

Notice

(5) In the case of an order authorizing an inspection of a room or place actually being used as a dwelling, the occupier must be given notice concerning when the inspection will be carried out. 2006, c. 32, Sched. A, s. 184.

Application without notice

(6) An order under this section may be issued on application without notice. 2006, c. 32, Sched. A, s. 184.

Interpretation

(7) A by-law may be passed under subsection (1) and orders may be issued under subsection (2) whether or not there is a by-law under section 436. 2006, c. 32, Sched. A, s. 184.

Application of provisions

(8) Subsections 436 (3) to (6) apply with necessary modifications to this section. 2006, c. 32, Sched. A, s. 184.

Search warrant

439 (1) A provincial judge or justice of the peace may issue a warrant authorizing a person named in the warrant to enter and search a building, receptacle or place for the evidence specified in the warrant if he or she is satisfied by information on oath that there is reasonable ground to believe that,

- (a) an offence under this Act or a by-law passed under this Act has been committed; and
- (b) the entry into and search of the building, receptacle or place will afford evidence relevant to the commission of the offence. 2006, c. 32, Sched. A, s. 184.

Seizure

(2) In a search warrant, the provincial judge or justice of the peace may authorize the person named in the warrant to seize evidence specified in the warrant that there is reasonable ground to believe will afford evidence relevant to the commission of the offence. 2006, c. 32, Sched. A, s. 184.

Same

- (3) A person who seizes something under a search warrant shall,
- (a) give a receipt for the thing seized to the person from whom it was seized; and
 - (b) bring the thing seized before the provincial judge or justice of the peace issuing the warrant or another provincial judge or justice to be dealt with according to law. 2006, c. 32, Sched. A, s. 184.

Time for execution

(4) A search warrant may be executed only between 6 a.m. and 9 p.m. unless it provides otherwise. 2006, c. 32, Sched. A, s. 184.

Application

(5) Sections 159 and 160 of the *Provincial Offences Act* apply with necessary modifications in respect of any thing seized under this section. 2006, c. 32, Sched. A, s. 184.



CORPORATION OF THE TOWN OF NEWMARKET

BY-LAW NUMBER 2017-16

A BY-LAW TO PROVIDE FOR POWERS OF ENTRY ON TO LAND FOR THE PURPOSE OF CARRYING OUT INSPECTIONS.

WHEREAS S. 436 (1) of the Municipal Act, 2001, S.O. 2001.c. 25 as amended (the 'Act') provides that a municipality has the power to pass by-laws providing that the municipality may enter on land at any reasonable time for the purpose of carrying out an inspection;

AND WHEREAS S. 435, 437 and 438 of the Act set out additional powers and restrictions in regards to the power of entry;

AND WHEREAS Section 426 of the Act prohibits any person from hindering or obstructing, or attempting to hinder or obstruct, any person exercising a power to performing a duty under this Act or under a by-law passed under this Act;

AND WHEREAS the Town of Newmarket wishes to pass a By-law allowing for the entry on to land for the purpose of carrying out an inspection to ensure that its By-laws, directions, orders and conditions of a licence are being complied with;

AND WHEREAS this by-law applies to any Town of Newmarket by-laws without power of entry provisions passed pursuant to the Act;

AND WHEREAS the Council of the Town of Newmarket deems it advisable to pass such a by-law;

THEREFORE BE IT ENACTED by the Council of the Corporation of the Town of Newmarket as follows:

1.0 **DEFINITIONS**

- 'COUNCIL' the elected municipal officials of the Town of Newmarket;
- 'LAND' includes buildings, structures and dwellings;
- 'MUNICIPAL ACT' means the Municipal Act, 2001, S.O. 2001, c. 25, or any preceding Municipal Act;
- 'OFFICER' means municipal law enforcement officer, a police officer or other person appointed by by-law to enforce the provisions of a by-law or any other individual designated by the Town to enforce this By-law;
- 'OCCUPIER' means a person, firm or corporation having control over any portion of the building or property under consideration and includes the persons in the building or property;
- TOWN means the Corporation of the Town of Newmarket

2.0 **APPLICATION**

- 2.1 This by-law applies to all by-laws passed under the authority of the Municipal Act.

3.0 **ENTRY AND INSPECTION**

- 3.1 No person shall hinder or obstruct or attempt to hinder or obstruct, any Officer who is exercising a power or performing a duty under this By-law.
- 3.2 An Officer may at any time, enter onto land for the purpose of carrying out an inspection to determine whether or not the following are being complied with:

- a) a by-law of the municipality passed under the Municipal Act;
- b) a direction or order of the municipality made under the Municipal Act or made under a by-law of the municipality passed pursuant to the Municipal Act;
- c) a condition of a licence issued under a by-law of the municipality passed under the Municipal Act;
- d) an order made under Section 431 of the Municipal Act

3.3 For the purpose of an inspection, an Officer may:

- a) require the production for inspection of documents or things relevant to the inspection;
- b) inspect and remove documents or things relevant to the inspection for the purpose of making copies and extracts;
- c) require information from any person concerning a matter related to the inspection;
- d) alone or in conjunction with a person possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purpose of inspection

3.4 A sample taken under Section 3.3 (d) shall be divided into two parts, and one part shall be delivered to the person from whom the sample is taken, if the person so requests at the time the sample is taken and provides the necessary facilities.

3.5 If a sample is taken under Section 3.3 (d) and the sample has not been divided into two parts, a copy of any report on the sample shall be given to the person from whom the sample was taken.

3.6 A receipt shall be provided for any document or thing removed under Section 3.2 (b) and the document or thing shall be promptly returned after copies or extracts are made.

3.7 Copies of or extracts from documents and things removed under Section 3.0 and certified as being true copies of or extracts from the originals by the person who made them are admissible in evidence to the same extent as, and have the same evidentiary value as, the originals.

4.0 **CONDITIONS GOVERNING POWER OF ENTRY**

4.1 Unless otherwise provided in the Municipal Act, in an order under Section 438 of the Municipal Act, or in a warrant under Section 439 of the Municipal Act, the following conditions apply to a power of entry under the by-law:

- a) The Officer must on request display or produce proper identification
- b) The Officer may be accompanied by a person under his or her direction; and
- c) The municipality shall restore the land to its original condition insofar as is practicable and shall provide compensation for any damages caused by the entry or by anything done on the land except where the entry is under Section 446 of the Municipal Act, or is under Part XI of the Municipal Act, if under that Part, the Treasurer registers a notice of vesting, in the name of the municipality, in respect of the land.

5.0 RESTRICTIONS REGARDING DWELLINGS

5.1 Despite any provision of this by-law, a person exercising a power of entry shall not enter or remain in any room or place actually being used as a dwelling unless:

- a) The consent of the occupier is obtained, the occupier first having been informed that the right of entry may be refused and, if refused, may only be made under the authority of an order issued under Section 438 of the Municipal Act, a warrant issued under Section 439 of the Municipal Act or a warrant under Section 386.3 of the Municipal Act;
- b) An order under Section 438 of the Municipal Act is obtained;
- c) A warrant issued under Section 439 of the Municipal Act is obtained;
- d) A warrant issued under Section 386.3 of the Municipal Act is obtained;
- e) The delay necessary to obtain an order under Section 438 of the Municipal Act, to obtain a warrant under Section 439 of the Municipal Act or to obtain the consent of the occupier would result in an immediate danger to the health or safety of any person; or
- f) The municipality has given the occupier of land notice of its intention to enter as required under Section 435 (2) of the Municipal Act and the entry is authorized under Section 79, 80 or 446 of the Municipal Act.

6.0 INSPECTION PURSANT TO ORDER

6.1 An Officer may enter on lands for the purpose of carrying out an inspection pursuant to an order that is issued under Section 438 of the Municipal Act.

6.2 An Officer may apply for an order under Section 438 of the Municipal Act if:

- a) An inspection is desired to determine whether or not the following are being complied with:
 - i. A by-law of the Town as passed under the Municipal Act;
 - ii. A direction or order of the Town made under the Municipal Act or made under a by-law of the Town passed under the Municipal Act;
 - iii. A condition of a licence issued under a by-law of the Town passed under the Municipal Act;
 - iv. An order made under Section 431 of the Municipal Act;
- b) The inspection is reasonably necessary; and
- c) The Town has been prevented or is likely to be prevented from doing anything set out in Section 3.1 or 3.2 of this By-law.

6.3 An order under Section 6.0 shall expire on the date stated in the order or 30 days after the order is issued, whichever is earlier.

6.4 An order under Section 6.0 may be executed only between 6 a.m. and 9 p.m. unless the order provides otherwise.

6.5 In case of an order authorizing an inspection of a room or place actually being used as a dwelling, the occupier must be given notice concerning when the inspection will be carried out.

6.6 An order under Section 6.0 may be issued on application without notice.

7.0 **INSPECTION FEE**

- 7.1 An inspection fee, as stated in the Fees and Charges By-law, may be imposed when an Officer conducts an inspection in which there is a failure to remedy a by-law violation by the date of compliance set out in a written notice or order or when an Officer conducts an inspection where there is a repeat by-law violation.

8.0 **PENALTY**

- 8.1 Every person who contravenes any of the provisions of this by-law is guilty of an offence and upon conviction is liable to a fine as provided for in Provincial Offences Act, R.S.O., 1990, c. P33.
- 8.2 Upon conviction, in addition to any other remedy and to any penalty imposed by this by-law, the court in which the conviction has been entered and any court of competent jurisdiction thereafter may make an order prohibiting the continuation or repetition of the offence by the person convicted.
- 8.3 Where a person fails to do a matter or thing as directed or required by an Officer or other person pursuant to this by-law or other Town of Newmarket by-law or the Act the matter or thing may be done by the Municipality at the person's expense which associated costs may be added to the tax roll of the person to be collected in the same manner as property taxes.


9.0 **SEVERABILITY**

- 9.1 If a court of competent jurisdiction should declare any section or part of a section of this by-law to be invalid such section or part of a section shall not be construed as having persuaded or influenced Council to pass the remainder of this by-law and it is hereby declared that the remainder of this by-law shall be valid and shall remain in force.

10.0 **SHORT TITLE**

- 10.1 This By-law may be referred to as the 'Power of Entry By-law.'

ENACTED THIS 27TH DAY OF MARCH, 2017.


Tony Van Bynen, Mayor


Lisa Lyons, Town Clerk

The Corporation of the City of Guelph By-Law Number (2009) - 18776

Being a By-law regulating the power of entry onto land. [Amended by By-law (2009)-18832]

Whereas Section 436, Subsection (1) of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, provides that a municipality has the power to pass by-laws providing that the municipality may enter on land at any reasonable time for the purpose of carrying out an inspection;

And whereas sections 435, 437 and 438 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, set out additional powers and restrictions in regard to the power of entry;

And whereas The City of Guelph wishes to pass a By-law allowing for the entry on land for the purpose of carrying out an inspection to ensure that its By-laws, directions, orders and conditions of a licence are being complied with;

And whereas this by-law applies to any City of Guelph by-laws without power of entry provisions passed pursuant to the Municipal Act, 2001, S.O. 2001 c. 25, as amended or its predecessors;

Now therefore the Council for the Corporation of the City of Guelph hereby enacts as follows:

Title

This by-law shall be known and may be cited as the "Power of Entry By-law." In the text of the by-law, it is referred to as "this by-law."

1. Definitions

In this by-law:

1.3 "Land" includes buildings, structures and dwellings.

1.4 "Officer" means a by-law enforcement officer, police officer, chief fire official or designate, Animal Control Officer employed by the Guelph Humane Society, or any City of Guelph employee authorized by Council to enforce a provision(s) of any City of Guelph By-law, provincial statute or federal statute.

1.5 "Occupier" means any person, firm or corporation having control over any portion of the building or property under consideration and includes the persons in the building or property.

1.6 "Municipality" means the Corporation of the City of Guelph.

2. Entry and Inspection

2.1 An Officer may at any time, enter onto land for the purpose of carrying out an inspection to determine whether or not the following are being complied with:

2.1.1 A by-law of the Municipality passed under the Municipal Act, 2001, S.O. 2001, c. 25, as amended or its predecessor.

2.1.2 A direction or order of the Municipality under the Municipal Act, 2001, S.O. 2001, c. 25, as amended, or made under a by-law of the Municipality passed pursuant to the Municipal Act, 2001, S.O. 2001, c. 25, as amended, or its predecessor.

2.1.3 A condition of a licence issued under a by-law of the municipality passed under the Municipal Act, 2001, S.O. 2001, c. 25, as amended, or its predecessor.

2.1.4 An order made under Section 431 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended.

3. Restrictions

3.1 Every occupier shall permit the Officer to inspect any Land for the purposes as set out in Section 2.1 of this by-law.

3.2 Notwithstanding any provision of this by-law, an Officer shall not enter or remain in any room or place actually being used as a dwelling, unless:

- a) the consent of the occupier is obtained, with the occupier first having been informed that the right of entry may be refused and, if refused, may only be made under the authority of an order issued under Section 438 of the Municipal Act, 2001 S.O. 2001, c. 25, as amended or a warrant issued under Section 439 of the Municipal Act, 2001 S.O. 2001, c. 25, as amended or a warrant under Section 386.3 of the Municipal Act, 2001 S.O. 2001, c. 25, as amended;
- b) an order under Section 438 of Municipal Act, 2001 S.O. 2001, c. 25, as amended, is obtained;
- c) a warrant issued under Section 439 of the Municipal Act, 2001 S.O. 2001, c. 25, as amended, is obtained;
- d) a warrant issued under Section 386.3 of the Municipal Act, 2001 S.O. 2001, c. 25, as amended, is obtained;
- e) the delay necessary to obtain an order under Section 438 of the Municipal Act, 2001 S.O. 2001, c. 25, as amended, to obtain a warrant under Section 439 of the Municipal Act, 2001 S.O. 2001, c. 25, as amended, or a warrant under Section 386.3 of the Municipal Act, 2001 S.O. 2001, c. 25, as amended or to obtain the consent of the occupier would result in an immediate danger to the health or safety of any person; or

- f) the Municipality has given the occupier of Land notice of its intention to enter as required under Section 435(2) of the Municipal Act, 2001 S.O. 2001, c. 25, as amended, and the entry is authorized under Section 79, 80 or 446 of the Municipal Act, 2001 S.O. 2001, c. 25, as amended.

4. Inspection Powers

4.1. For the purposes of an inspection, an Officer may:

4.1.1 require the production for inspection of documents or things relevant to the inspection;

4.1.2 inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts;

4.1.3 require information from any person concerning a matter related to the inspection; and

4.1.4 alone or in conjunction with a person possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purposes of the inspection.

4.2 A sample taken under Section 4.1.4 shall be divided into two parts, and one part shall be delivered to the person from whom the sample is taken, if the person so requests at the time the sample is taken and provides the necessary facilities.

4.3 If a sample is taken under Section 4.1.4 and the sample has not been divided into two parts, a copy of any report on the sample shall be given to the person from whom the sample was taken.

4.4 A receipt shall be provided for any document or thing removed under Section 4.1.2 and the document or thing shall be promptly returned after the copies or extracts are made.

4.5 Copies of or extracts from documents and things removed under this Section 4 and certified as being true copies of or extracts from the originals by the person who made them are admissible in evidence to the same extent as, and have the same evidentiary value as, the originals.

5. Obstruction

5.1 No person shall Obstruct or attempt to Obstruct any Officer or other person, who is exercising a power or performing a duty under this By-law or any other City of Guelph By-law or the Municipal Act, 2001, S.O. 2001, c. 25, as amended or its predecessor.

5.2 Without limiting section 5.1, "Obstruct" includes:

5.2.1 to hinder or mislead;

5.2.2 to knowingly provide false information or make a false claim or statement;

5.2.3 to prevent, bar or delay or attempt to prevent, bar or delay entry or inspection by an Officer, or any person under his or her direction;

5.2.4 to prevent, bar or delay or attempt to prevent, bar or delay any person, including an Officer, from carrying out his or her duties or exercising his or her powers, including but not limited to the removal of documents or things relevant to the inspection, or the taking of any tests, samples or photographs necessary for the purposes of the inspection;

5.2.5 to prevent, bar or delay or attempt to prevent, bar or delay any person, including an Officer, from exercising his or her authority pursuant to an order issued by a provincial judge or justice of the peace under Section 438 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended; and

5.2.6 to fail to provide, upon request by an Officer, any information, documents or things relevant to an inspection.

5.3 Without limiting sections 5.1 and 5.2, every person who is alleged to have contravened any of the provisions of any City of Guelph By-law shall identify themselves to an Officer upon request and failure to do so shall be deemed to have Obstructed the Officer in the execution of his or her duties contrary to Section 5.1 of this By-law.

6. Orders and Remedial Actions

6.1 In addition to any other provision of this By-law, and subject to the provisions of the Act, a provincial judge or justice of the peace may issue an order authorizing an Officer and any person under his or her direction to enter onto or into any premises, including a room or place actually being used as a dwelling, for the purpose of carrying out an inspection to determine whether or not the following are being complied with:

6.1.1 any provision of this By-law;

6.1.2 a direction or order of an Officer or of the

6.1.3 municipality made under this By-law or made under the Act in relation to the subject-matter of this By-law;

6.1.4 a condition of a Licence issued under this By-law; and

6.1.5 an order made under Section 431 of the Act in relation to the subject-matter of this By-law, and to exercise powers described in Section 4 of this

By-law, where the provincial judge or justice of the peace is satisfied by evidence under oath that the inspection is reasonably necessary and the Officer has been prevented or is likely to be prevented from doing anything set out in Section 2.1 or 4.1 of this By-law.

6.2 An Officer named in an order described in Section 6.1, and any person under his or her direction named therein, may, in accordance with the order, enter onto or into the Land described therein including any room or place actually being used as a dwelling, which is described therein, to undertake the said inspection, and may, for that purpose, exercise any power set out in the order.

6.3 If an Officer is satisfied that a contravention of any City of Guelph By-law has occurred, the Officer may make an order requiring any person who contravened the By-law, or who caused or permitted the contravention, or the owner or occupier of the Land on which the contravention has occurred, to discontinue the contravening activity, and such order shall be known as an Order to Discontinue Activity.

6.3.1 An order under subsection 6.3 shall set out,

- a) reasonable particulars of the contravention adequate to identify the contravention and the municipal address on which the contravention occurred;
- b) the date by which there must be compliance with the order; and
- c) the date on which the order expires.

6.3.2 No Person shall fail to comply, in whole or in part, with an order issued under subsection 6.3.

6.4 If an Officer is satisfied that a contravention of any City of Guelph By-law has occurred, the officer may make an order requiring any person who contravened the By-law, or who caused or permitted the contravention, or the owner or occupier of the Land on which the contravention has occurred, to do work to correct the contravention, and such order shall be known as a Work Order.

6.4.1 An order under subsection 6.4 shall set out,

- a) reasonable particulars of the contravention adequate to identify the contravention and the municipal address of the property on which the contravention occurred;
- b) the work to be done and the date by which the work must be done; and
- c) the date on which the order expires.

6.4.2 An order under subsection 6.4 may require work to be done even though the facts which constitute the contravention of the By-law were present before this By-law making them a contravention came into force.

6.4.3 No Person shall fail to comply, in whole or in part, with an order issued under subsection 6.4.

7. Penalty

7.1 Any person who contravenes any of the provisions of this by-law is guilty of an offence and upon conviction is liable to a maximum fine of \$100,000.00.

7.2 Upon conviction, in addition to any other remedy and to any penalty imposed by this by-law, the court in which the conviction has been entered and any court of competent jurisdiction thereafter may make an order prohibiting the continuation or repetition of the offence by the person convicted.

7.3 Where a person fails to do a matter or thing as directed or required by an Officer or other person. Pursuant to this by-law or other City of Guelph by-law or the Municipal Act, 2001, 5.0. 2001, c. 25, as amended, the matter or thing may be done by the Municipality at that person's expense which associated costs may be added to the tax roll of the person to be collected in the same manner as property taxes.

8. Validity and Severability

Every provision of this by-law is declared to be severable from the remainder and if any provision of this by-law shall be declared invalid by a court of competent jurisdiction such declaration shall not affect the validity of the remainder.

9. Conflicts

9.1 This By-law shall apply in addition to the provisions of any other City By-law and the Municipal Act, 2001, 5.0. 2001 c. 25, as amended, provided that in the event of conflict, the provisions of any other City By-law or the Municipal Act, 2001, 5.0. 2001 c. 25, as amended, shall be paramount over this by-law, provided such provisions are not contrary to law.

9.2 Nothing in this By-law shall limit any other statutory or common law rights or powers of the Municipality or any Officer to enter on Land.

10. Effective Date

This by-law shall come into full force and take effect on the date of passing.

Passed this twenty- eighth April, 2009.

Original signed by:

Karen Farbridge – Mayor

Lois A. Giles – City Clerk

THE MUNICIPAL CORPORATION OF THE TOWNSHIP OF ARMOUR

BY-LAW #9-2017

BEING A BY-LAW TO PROVIDE POWERS OF ENTRY FOR THE PURPOSE OF INSPECTION

WHEREAS Section 436 of the *Municipal Act*, 2001, S.O. 2001 c. 25 as amended, provides that a municipality has the power to pass by-laws providing that the municipality may enter on land at any reasonable time for the purpose of carrying out an inspection, and

WHEREAS Section 438 of the *Municipal Act*, 2001, S.O. 2001 c. 25 as amended, provides that a municipality has the power to pass by-laws providing that the municipality may undertake inspections pursuant to orders issued under Section 438, and

WHEREAS Section 435 and 437 of the *Municipal Act*, 2001, S.O. 2001 c. 25 as amended, set out certain additional powers and restrictions in regard to the power of entry, and

WHEREAS section 425 of the *Municipal Act*, 2001, S.O. 2001 c. 25 as amended, authorizes a municipality to provide offences for a contravention of a by-law:

NOW THEREFORE the Council of the Municipal Corporation of the Municipality of the Township of Armour enacts as follows:

SECTION 1- DEFINITIONS

- (a) "Building" means any structure consisting of a roof supported by walls or columns which is used or intended to be used for the shelter, accommodation or enclosure of persons, animals, goods, chattels, or equipment and includes a carport;
- (b) "By-law" means a by-law passed by Council pursuant to the Municipal Act;
- (c) "Council" means the Council of the Municipal Corporation of the Township of Armour;
- (d) "Dwelling" means any room, place or part of a building actually being used as a dwelling;
- (e) "Land" means any private property, premises, grounds, yards or vacant lot and includes any building or structure thereon not actually used as a dwelling;
- (f) "Municipal Act" means the *Municipal Act*, 2001, S.O. 2001 c. 25, as amended from time to time; and
- (g) "Officer" means each of
 - i. a Municipal Law Enforcement Officer appointed by Council to enforce a By-law or a direction or order of the Township made under the Municipal Act or made under a By-Law; and
 - ii. a police officer employed by a municipal police force, the Ontario Provincial Police or the Royal Canadian Mounted Police.
- (h) "Township" means The Municipal Corporation of the Township of Armour;

SECTION 2- POWERS OF ENTRY

- 2.1 An officer may enter upon land and into a building at any reasonable time for the purpose of carrying out an inspection to determine whether or not any of the following are being complied with:
 - (a) A By-law;

- (b) A direction or order of the Township made under the Municipal Act or made under a By-law;
- (c) A condition of a licence issued under a By-law; or
- (d) An order made under section 431 of the Municipal Act.

SECTION 3- INSPECTIONS

- 3.1 An Officer exercising a power of entry may:
- (a) require the production for inspection of documents or things relevant to the inspection;
 - (b) inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts;
 - (c) require information from any person concerning a matter related to the inspection; and
 - (d) alone or in conjunction with a person who, in the Officer's opinion, possesses special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purposes of the inspection.

SECTION 4- OBSTRUCTION

- 4.1 No person shall hinder or obstruct, or attempt to hinder or obstruct, any person who is exercising a power or performing a duty under the Municipal Act or under a by-law passed under this Act.
- 4.2 Any person who has been alleged to have contravened any of the provisions under the Municipal Act or under a by-law passed under this Act, shall identify themselves to the Officer upon request, failure to do so shall be deemed to have obstructed or hindered an Officer in the execution of his/her duties.

SECTION 5- OFFENCE, PENALTIES AND ENACTMENT

- 5.1 A person is guilty of an offence if the person:
- (a) refuses or neglects to produce for inspection any document or thing required by an Officer pursuant to paragraph 3.1 (a); or
 - (b) refuses or neglects to provide information required by an Officer pursuant to paragraph 3.1 (c); or
 - (c) hinders or obstructs, any person who is exercising their duties pursuant to section 4.1.
- 5.2 Any person who contravenes any provision of this by-law is guilty of an offence and upon conviction is liable to a fine not to exceed the maximum provided under the Provincial Offences Act, exclusive of costs, and every such fine shall be recoverable under the Provincial Offences Act.
- 5.3 This By-law shall take effect upon its passing.

Read in its entirety, approved,
signed and the seal of the
Corporation affixed thereto and
finally passed in open Council this
14th day of February, 2017.

Original signed by Bob MacPhail
REEVE

Original signed by Wendy Whitwell
CLERK-ADMINISTRATOR

Township of Armour

By-Law #9-2017

Part I Provincial Offences Act

ITEM	COLUMN 1 Short Form Wording	COLUMN 2 Provision creating or defining offence	COLUMN 3 Set Fine
1	Refuses to produce for inspection any document or thing	s. 5.1 (a)	\$200.00
2	Refuses to provide information required by an Officer	s. 5.1 (b)	\$200.00
3	Hinder or obstruct an Officer	s. 5.1 (c)	\$350.00

NOTE: The penalty provision for the offences indicated above is Section 5.1(a-c) and 5.2 of By-Law #9-2017 and section 61 of the Provincial Offences Act, R.S.O. 1990, c. P. 33.

ONTARIO COURT OF JUSTICE

DATE: 2015-10-01
COURT FILE No.: Regional Municipality of Durham 14 1592
Citation: *Oshawa (City) v. Lee*, 2015 ONCJ 544

B E T W E E N :

CITY OF OSHAWA

— AND —

HUGH LEE and PATRICIA LEE

Before Justice of the Peace M. Coopersmith
Heard on December 18, 2014 and April 2, 2015
Reasons for Judgment released on October 1, 2015

R. Vanderlinde counsel for the prosecution
The defendant Hugh Lee on his own behalf and on behalf of Patricia Lee

JUSTICE OF THE PEACE COOPERSMITH:

[1] Patricia Lee and Hugh Lee have been charged under Part III of the *Provincial Offences Act*, RSO 1990, c. P. 33, as amended [“POA”] that on November 28, 2013, at 1988 Walreg Drive in Oshawa, they “Did apply Excessive Protective Elements to Land”, contrary to section 2.2(b) of the City of Oshawa By-law 103-2005, thereby committing an offence under s.7.1 of that By-law.”

I. BACKGROUND AND ISSUES

[2] On December 18, 2014, Municipal Law Enforcement Officer Macartan Phelan, from the City of Oshawa, gave evidence on behalf of the prosecution. On April 2, 2015, Hugh Lee testified on behalf of both defendants. Also on that day, I heard submissions from the parties.

[3] The issue to be decided is whether Mr. and Mrs. Lee applied excessive protective elements to their property located at 1988 Walreg Drive in Oshawa, in the form of numerous visual surveillance cameras attached to their property.

II. SUMMARY OF EVIDENCE

a.) Evidence of Municipal Law Enforcement Officer Macartan Phelan:

[4] In response to a complaint filed with the City of Oshawa, on June 4, 2013, Municipal Law Enforcement Officer Phelan attended at 1988 Walreg Drive in Oshawa. Documentary evidence submitted at trial disclosed that Patricia Lee then was the owner of this property. She resided there with her husband, Hugh Lee.

[5] Officer Phelan investigated the property to determine whether there was excessive fortification with video surveillance cameras. He re-attended on June 7, 2013, June 14, 2013 and September 16, 2013. At each visit, he observed surveillance cameras attached to this single, detached dwelling and to other areas on the property. There were eight cameras on the front of the building, one camera on the south side, one on the fence at the northwest portion of the back yard and one surveillance camera affixed to a rear yard television antenna tower. Officer Phelan's photographs showing the camera locations were entered as exhibits.

[6] Scattered about the property, on the front window, south basement window and side gate, for example, were signs that read:

- "No Trespassing"
- "Further warning May 17, 2013 - Section 264 of the Criminal Code and other sections clearly states [sic] these within actions are so considered stalking and provocative and security threats. Video surveillance [sic] of factual evidence and other can and will be used in a court of law both criminal and civil action."
- "Warning – 24 hr video surveillance"
- "Notice – Video surveillance in use on these premises"
- "Extreme High Crime Detection is in Effect"
- "CCTV is not the Prevention of Crime, but Crime Detection and Prosecution"
- "This private property & fence is [sic] enforced by video surveillance. This is not a public thruway or thoroughfare. Boundary line is 6" left of fence. Resident has no permission or authority whatsoever to violate this boundary. Persons entering this private sideyard on behalf of resident could be considered part of resident's continuance actions. Also could be considered and served court subpoena as witnesses should action be decided or taken."

[7] At each visit to inspect 1988 Walreg Drive, Officer Phelan's requests for entry into the dwelling were denied and Mr. Lee insisted that the officer was trespassing. Consequently, Officer Phelan applied for and was granted a search warrant, which was executed on November 28, 2013. Once inside the dwelling house, Officer Phelan observed eleven live images on a television, representing the view of each of the eleven video surveillance cameras located on the defendants' property. As well, on a monitor screen in a second floor office, he observed that it was possible to rotate the camera attached to the television antenna tower three hundred and

sixty degrees, providing a bird's eye view well beyond the defendants' property.

[8] A series of photographs Officer Phelan took on November 28, 2013 clearly illustrate that, in addition to observing their own property, the defendants' surveillance cameras showed views well beyond the perimeter of 1988 Walreg Drive in Oshawa. For example, the cameras peered into properties across the street, the neighbours' property to the south, numerous front yards running to the north and the sideyard between the defendants and their neighbours to the south. They displayed properties down the entire east/west length of Samac Trail, which is across the street from the defendants' property and runs perpendicular to Walreg Drive. The camera attached to the television antenna tower was capable of viewing the rear yards adjacent to the defendants' property and beyond, into the plaza located on the southeast corner of the intersection at Simcoe Street North and Conlin Drive in Oshawa.

[9] After seeing the images the defendants' surveillance cameras captured and the excessiveness of their views well beyond the perimeter of 1988 Walreg Drive, Officer Phelan was satisfied that Mr. and Mrs. Lee had violated the City of Oshawa's Fortification *By-law* by applying excessive fortification elements on their land.

b.) Evidence of Mr. Hugh Lee:

[10] In his evidence, Mr. Lee advised that he and his wife had resided at 1988 Walreg Drive for over twenty years. For more than fifteen years, they had been subjected to harassment by their neighbours living at 1984 Walreg Drive. These neighbours had intentionally falsified documents and perjured in the search warrant, aided and abetted the Municipal Law Enforcement Officer and got the neighbours together to conspire against the Lees. He commenced his testimony by stating, "The charge I can handle right now. Not a problem. We can knock this out today. I'll be done in two minutes or very quickly. The action I'm mostly interested in is the uumh – I can prove the City had prior knowledge – I can prove also Judge Duncan P. Read was perjured when they brought this wrongful charge. You see, Judge, there is more than the charge. The charge is secondary to me. The charge is not the priority to me. It's the conduct and everything else." I informed Mr. Lee that I do not judge on conduct, I judge on the law and, on several occasions I reminded him to focus on the issues before the court.

[11] Mr. Lee explained that he had been subject to break and enters, his neighbour digging up the ground at the property line, vandalism and harassment from his neighbours, flooding in his basement from the eavestrough downspout in the south side yard being kicked out of place. He also insisted that the officers were repeatedly trespassing when coming onto his property and that such actions were without authority and were criminal. Mr. Lee repeated that he knew the law and that fortification by-laws do not apply to private property. The cameras were put up to protect him and his family. He did not have the video cameras monitor only on his property, as they would not capture crime or be aimed for protection that way.

[12] Mr. Lee provided over eighty photographs taken by him or by his video surveillance camera system, some of which were taken as far back as 1997 or 1998 when he advised that someone had keyed his motor vehicle, such action initiating his thinking about putting up security cameras. He opined as to what the photographs depicted, including rage by his neighbour who is shown using a shovel to dig by the property line and a prowler at night in the form of someone walking in the dark on the sidewalk in front of the defendants' house. I also saw photographs of his neighbours standing on their side of the side yard between the houses, gesturing with their middle fingers at the side yard surveillance camera which peers down into and along the side of the neighbours' home.

[13] Mr. Lee stated that this proceeding is such an invasion and has trampled on their privacy rights. The neighbours pushed them out of the neighbourhood, leaving them with no option but to sell what they had hoped would be their retirement home.

III. SUBMISSIONS OF THE PARTIES

a.) Prosecution Submissions:

[14] The prosecution submits that, on November 28, 2013, both of the defendants had contravened *By-Law 103-2005 of The Corporation of the City of Oshawa* at their residence at 1988 Walreg Drive in Oshawa. Patricia Lee was on title to the property at that time and Hugh Lee, who lived there with his wife, had installed, directed and monitored the eleven cameras attached at various sites on their property. The defendants' video surveillance system annoyed the neighbours as it went well beyond the perimeter of the defendants' property, into the neighbours' side yard, their backyards, their front yards and down the streets. It upset the neighbours' rights to privacy in their own homes and on their own properties. It went well beyond "reasonable protection", as provided in s.4.1(a) of this *By-law 103-2005*. By viewing beyond the perimeter of their own property, the defendants' video surveillance equipment is captured by the definition of "Excessive Protective Elements" found in s.1.1(m)iii) of the City's Fortification *By-law*.

[15] In response to the defendant's claim of illegal searches and trespass by the City of Oshawa, the City's powers come from the "Power of entry re inspections" found in s.436(1) of the Ontario *Municipal Act*. This provision enables the City to pass by-laws to "enter on land at any reasonable time for the purpose of carrying out an inspection to determine whether or not" there is compliance with a "by-law of the municipality passed under this Act". *By-law 64-2008 of The Corporation of the City of Oshawa* is a by-law "providing powers of entry for the purpose of inspection". It echoes the words of s.436(1) of the *Municipal Act*. Furthermore, s. 437 of the *Act* allows entry into the dwelling, *inter alia*, in accordance with a search warrant and *By-law 64-2008* again echoes these provisions.

b.) Defence Submissions:

[16] Mr. Lee submits that the City never mailed out a notice that there was a problem. Section 2.2 of the City's Fortification *By-law* does not describe what constitutes reasonable fortification. If one has break-and-enters, harassing neighbours and vandalism, then this is criminal. If one studies the cameras' angles, one will find that there are blind spots. If someone is going to break and enter, one cannot stop it, but with the cameras, there is video evidence to assist the police. The neighbours are threatening, harassing, bullying and stalking as per section 264 of the *Criminal Code*, as well as conspiring with other residents to file complaints against the defendants. The cameras are to keep the defendants protected from these activities.

[17] Mr. Lee argues that the City of Oshawa Fortification *By-law* conflicts with the Ontario *Building Code* and this provincial *Code* is the superior document, prevailing over the municipal *By-law*. A fortification by-law is applicable only during times of demolition and construction. The charge against them is excessive fortification, but this does not apply to private land. There is no right of government on private land absent an agreement or a covenant registered on title to the property.

[18] Moreover, Mr. Lee claims that City Council needs to fix this *By-law*, as it contravenes the *Building Code*. Hence, the *By-law* is void and of no effect under the *Constitution*. I advised Mr. Lee that I have no jurisdiction to strike down the *By-law* and that such application is brought before the Ontario Superior Court of Justice.

[19] Mr. Lee continued his submissions by reading from a twenty-two page Affidavit he and Mrs. Lee swore on March 30, 2015, along with some case law. Starting at paragraph 41 of their affidavit, the defendants speak of "intentionally false one sided statements, conspiracy, stories" and "incompetence and ignorance of law for Mr. Phelan to act on complainant's advice. In addition to withholding or suppressing evidence to the court and the excuse used to obtain search warrant to break in our home 1988 Walreg Drive November 28, 2013. Versus Factual Videos, Photos and Proof of Evidence." The affidavit recounts numerous incidents where the defendants believe they had wrongs against them by various parties. They often portrayed incidents as major harms to and hostilities against them. Also as a basis for his submissions, he referenced "Property Standard By-Laws: What Municipal Councils Need to Know – a report created by the Research Team of the Ontario Landowners Association, November 2012".

IV. RELEVANT LEGISLATION, FINDINGS AND ANALYSIS

[20] I have given all of the evidence and all of the submissions my full consideration. I will focus my findings and analysis only on those issues which are relevant to the matter before me.

a.) Was Municipal Entry onto Defendants' Land and into Their Dwelling Lawful?

[21] The defendants claim that, on several occasions, Mr. Phelan and other mu-

nicipal employees trespassed on their property. Mr. Phelan testified that he was on the property at 1988 Walreg Drive in Oshawa on four occasions in 2013 – June 4, June 7, June 14 and September 13. At no time did he enter the dwelling. The purpose of these visits was to inspect the property for excessive fortification. He asked for, but was refused entry into the dwelling. Hence, he applied for and was granted a search warrant, which he executed on November 28, 2013.

[22] Section 436(1) of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended reads:

436. (1) **Power of entry re inspection.** – A municipality has the power to pass by-laws providing that the municipality may enter on land at any reasonable time for the purpose of carrying out an inspection to determine whether or not the following are being complied with:

1. A By-law of the municipality passed under this Act.
2. A direction or order of the municipality made under this Act or made under a by-law of the municipality passed under this Act.
3. A condition of a licence issued under a by-law of the municipality passed under this Act.
4. An order made under section 431.

[23] On May 12th, 2008, The Corporation of the City of Oshawa passed *By-Law 64-2008*, a by-law providing powers of entry for the purpose of inspection. Section 2 of this *By-law* states:

2. Subject to section 3, an Officer may enter on land and into a Building at any reasonable time for the purpose of carrying out an inspection to determine whether or not any of the following are being complied with:

- (a) A By-law;
- (b) A direction or order of the City made under the Municipal Act or made under a By-law;
- (c) A condition of a licence issued under a By-law; or
- (d) An order made under section 431 of the Municipal Act.

[24] I am satisfied that Officer Macartan Phelan is a Municipal Law Enforcement Officer with the City of Oshawa and held that position in 2013. A complaint was made regarding excessive fortification on the defendants' property. Therefore, I am satisfied that Officer Phelan had legislative authority under subsection 436(1) of the *Municipal Act, 2001* and under section 2 of Oshawa's *By-law 64-2008*, to come onto the defendants' property in order to inspect whether or not there was compliance with *By-law 103-2005 of The Corporation of the City of Oshawa* – a by-law passed by Oshawa City Council on July 18, 2005 in respect of the fortification of and protective elements applied to land. I find, therefore, that Officer Phelan was not trespassing on the defendants' property during any of his inspections between June and September 2013. Moreover, subclause 436(2)(d) of the *Municipal Act, 2001* permits by-laws passed under subsection 436(1) that provide the municipality with the inspection powers "alone or in conjunction with a person possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purpose of the inspection." Subsection 4(d) of Oshawa's *By-Law 64-2008* echoes this subclause and, thus, provided Officer Phelan the authority to take photo-

graphs during his inspection of the defendants' property.

[25] On November 28, 2013, Officer Phelan and others from the municipality entered into the defendants' residence at 1988 Walreg Drive in Oshawa. Section 437 of the *Municipal Act, 2001* provides:

437. **Restriction re dwellings.** – Despite any provision of this Act, a person exercising a power of entry on behalf of a municipality under this Act shall not enter or remain in any room or place actually being used as a dwelling unless,
- (a) the consent of the occupier is obtained, the occupier first having been informed that the right of entry may be refused and, if refused, may only be made under the authority of an order issued under section 438, a warrant issued under section 439 or a warrant under section 386.3;
 - (b) an order issued under section 438 is obtained;
 - (c) a warrant under section 439 is obtained;
 - (d) a warrant issued under section 386.3 is obtained;
 - (e) the delay necessary to obtain an order under section 438, to obtain a warrant under section 439 or to obtain the consent of the occupier would result in an immediate danger to the health and safety of any person; or
 - (f) the municipality has given notice of its intention to enter to the occupier of the land as required under subsection 435(2) and the entry is authorized under section 79, 80 or 446.

[26] The Lees would not consent to Officer Phelan's request for entry into their home. On November 28, 2013, Officer Phelan applied for and obtained a search warrant in accordance with the requirements under the legislation.

[27] In support of his argument regarding unlawful trespass, Mr. Lee provided the Court with the Ontario Court of Appeal decision, *The Corporation of the Township of Georgian Bluffs v. James Moyer*, 2012 ONCA 700, in which the Township unlawfully entered upon private property and removed chattels. No mention was made in that case of a search warrant having been obtained and the purpose of entry onto that land went beyond inspection. Hence, I find it is easily distinguishable from the facts in this matter before me.

[28] For all of these reasons, I do not agree with the defendants that such entry into their home was illegal, unconstitutional or an invasion of their rights to privacy. Such entry onto their property was in full compliance with section 436 of the *Municipal Act, 2001* and Oshawa's *By-law 64-2008*. And legitimate right of entry into the defendants' dwelling was in full compliance with section 437 of the *Municipal Act, 2001*.

b.) Were the Defendants in Compliance with Oshawa's Fortification By-law?

[29] Section 133 of the *Municipal Act, 2001* reads:

133. (1) **Fortification of land.** – Without limiting sections 9, 10 and 11 a municipality that is responsible for the enforcement of the *Building Code Act, 1992* may,
- (a) regulate in respect of the fortification of and protective elements applied to land in re-

- lation to the use of the land; and
- (b) prohibit the excessive fortification of land or excessive protective elements being applied to land in relation to the use of the land.

(2) **Definitions.** – In this section,
“land” means land, including buildings, mobile homes, mobile buildings, mobile structures, outbuildings, fences, erections, physical barriers and any other structure on the land or on or in any structure on the land;
“protective elements” include surveillance equipment.

(3) [Repealed]

(4) **By-law and building code.** – A permit shall not be issued under the *Building Code Act, 1992* if the proposed building or construction or use of the building will contravene a by-law to which this section applies.

(5) **Conflict.** – Despite section 35 of the *Building Code Act, 1992*, if there is a conflict between the building code under the *Building Code Act, 1992* and a by-law to which this section applies, the building code prevails.

(6) **Period for compliance for existing fortifications.** – If a municipality makes an order to do work under subsection 445(1) with respect to a contravention of the by-law, the order shall give not less than three months to complete the work if the fortifications or protective elements were present on the land the day the by-law is passed.

[30] I am satisfied that The Corporation of the City of Oshawa does enforce the *Building Code, 1992* and, without limiting its general municipal powers under sections 8, 9 and 10 of the *Municipal Act, 2001*, it has legislative authority to pass fortification by-laws. On July 18, 2005, Oshawa’s City Council passed *By-Law 103-2005 of the Corporation of the City of Oshawa* to “regulate in respect of the fortification of and protective elements applied to land in relation to the use of land, and to prohibit the excessive fortification of land or excessive protective elements being applied to land in relation to the use of the land.”

[31] I have reviewed the provincial legislation and the City’s Fortification *By-law*. I can find no conflict between them. Hence, for the purposes of analysing the specific charge before me, I dismiss Mr. Lee’s argument that the City’s *By-law* is void, and that only the *Building Code, 2001* is the superior and good law.

[32] The defendants are charged with contravention of section 2.2(b) of *By-Law 103-2005*, which reads:

2.2 Subject to the provisions of this By-law, no person shall;

...

(b) Apply Excessive Protection Elements to Land;

[33] Section 1.1(m) defines “Excessive Protective Elements. The portion of that provision relevant to this proceeding reads:

1.1(m) “Excessive Protective Elements” means devices, objects, material components, or any contrivance applied to Land and includes but is not limited to the Application of:

...

- iii) visual surveillance equipment, including video cameras, night vision systems, or electronic surveillance devices capable of permitting either stationary or scanned viewing or listening beyond the perimeter of the Land.

[34] “Land” is defined in section 1.1(p):

1.1(p) “Land” means land, buildings, mobile homes, mobile buildings, mobile structures, outbuildings, fences, erections, physical barriers and any other structure on the land or on or in any structure on the land;

[35] Section 2.1 circumscribes the application of the *By-law* and any exemption to it, as follows:

2.1 This By-law applies to all Land within Oshawa unless specifically exempted by this By-law or by statute or regulation.

[36] Mr. Lee is prone to taking things out of context or simply does not understand the law or legal principles to which he refers. Consequently, he draws his own unfounded conclusions. For example, he failed to contextually understand the concept of a municipality as possessing powers of a “natural person” in exercising its authority. He used parts of the Ontario Land Owners Association Report to ground his submission that “Fortification By-laws can only be implemented on “public properties” and not on private properties.” I do not accept Mr. Lee’s submissions that fortification by-laws do not apply to private property, only to public lands. The definition of “Land” in Section 1.1(p) of Oshawa’s *Fortification By-law 103-2005* does not distinguish between public and private lands. Section 2.1 expressed the application of the *By-law* to all land within the City, unless it is expressly exempted by legislation. Therefore, I find the Lee’s property at 1988 Walreg Drive in Oshawa is captured by the *By-law*’s definition of “Land”.

[37] Under subsection 49(3) of the *Provincial Offences Act*, R.S.O. 1990, c. P.33, as amended, the onus is on the defendant to prove an exemption prescribed by law. It reads:

47. (3) **Burden of proving exception, etc.** – The burden of proving that an authorization, exception, exemption or qualification prescribed by law operates in favour of the defendant is on the defendant, and the prosecutor is not required, except by way of rebuttal, to prove that the authorization, exception, exemption or qualification does not operate in favour of the defendant, whether or not it is set out in the information.

[38] I find no authorization, exception, exemption or qualification afforded the defendants under section 3 of *By-Law 103-2005*, or anywhere else prescribed by law. Hence, I am satisfied that the defendants’ property at 1988 Walreg Drive in Oshawa was subject to section 2.2(b) of *By-Law 103-2005* on November 28, 2013.

[39] The scope and limitation of the *By-Law* is circumscribed in section 4. Subsection 4.1(a) states:

4.1 Section 2.2 does not prohibit:

- (a) the use or Application of commercially marketed security devices designed and applied to provide reasonable protection from theft or other criminal activity against a Person or property of a Person.

[40] The term “reasonable protection” is not defined in the City’s *By-law 103-2005*. Hence, applying a contextualized and plain meaning to these words, I am of the opinion that the words refer to adequate fortification that will afford the protection necessary to keep people and their property from theft or other criminal activity. I accept that over the years the defendants experienced a break and enter into their dwelling and other incidents of vandalism to their property. I do not find the meaning of “reasonable protection” to include protection from incidents or harassment of trivial importance, such as annoyed neighbours making faces and waving their middle fingers at the intrusive surveillance cameras aimed down the side of their home. In a residential area, for example, the public interest in reasonable enjoyment of and privacy in one’s property is not served if excessive protective elements, such as video surveillance cameras capable of monitoring neighbours’ activities in their own homes and on their own yards, are present.

[41] The City’s Fortification *By-Law 103-2005* serves to balance such public interest within residential neighbourhoods with the private interests of residents to protect their own property from theft or other criminal activity. The *By-Law* suffices to allow people to protect themselves and their property from theft or other criminal activities, but it also limits the use of protective elements, such as video surveillance systems, to no more than is required for such protection. In defining “Excessive Protective Elements” to capture visual surveillance equipment, including video cameras ... capable of permitting either stationary or scanned viewing ... beyond the perimeter of the Land”, Oshawa’s *By-Law* strikes a reasonable balance between private and public interests by affording its residents the right to monitor for theft or other criminal activity on their own respective properties, while serving the public interest of privacy and peaceful enjoyment by residents on properties in relatively close proximity to such video surveillance equipment.

V. CONCLUSION

[42] On November 28, 2013, Patricia Lee was still registered on title as the owner of 1988 Walreg Drive in Oshawa. She resided there with her husband, Hugh Lee, who had affixed eleven video surveillance cameras to various locations on their property. The television monitors inside their home clearly illustrated that what these surveillance cameras viewed went well beyond the perimeter of their property at 1988 Walreg Drive in Oshawa. The Lees’ cameras peered into neighbours’ back yards, side yards, front yards, down the entire east/west length of Samac Trail and onto the plaza located at the intersection of Conlin Road East and Simcoe Street North. From evidence of the search warrant at 1988 Walreg Drive on November 28, 2013, it is not difficult to find that the defendants applied excessive protective elements to their land. Their surveillance cameras captured much more than what is

reasonably appropriate in order to protect the Lees and their property from theft and other criminal activity. The defendants have been overbroad in their application of their video surveillance cameras. Such application goes beyond reasonable protection from theft or other criminal activity and has served, *inter alia*, to annoy the neighbours who find their rights to reasonable enjoyment and privacy on their own properties have been violated, as their every move on parts of their property are captured and recorded by the Lees' video cameras. There is irony in the defendants' claims of trespass and violation of their rights to privacy, as the invasiveness of the defendants' excessive installation of their video surveillance cameras treads into neighbours' yards and, hence, into neighbours' reasonable expectation of privacy and enjoyment on their respective properties.

[43] Accordingly, I am satisfied that all of the elements of section 2.2(b) of Oshawa's *By-Law 103-2005* have been made out beyond a reasonable doubt. No exception to the *By-Law* has been proven by the defendants.

[44] Section 7.1 of the City's *By-law 103-2005* creates an offence, as follows:

7.1 Each Person who contravenes any provision of this By-law is guilty of an offence and upon conviction is liable to the penalties from time to time prescribed by the *Provincial Offences Act*, R.S.O. 1990, c. P.33.

[45] Having contravened section 2.2(b) of the *By-Law*, I find the defendants guilty of an offence under section 7. A conviction will be registered.

Released: October 1, 2015

Signed: "Justice of the Peace M. Coopersmith"

[2] Further, the applicants submit that the respondent Town failed to properly serve Desmarais and, as a result, Desmarais was deprived of his appeal rights. Thus, this application cannot proceed.

[3] The applicants submit further that the collection of antique vehicles on the property predates the Town's 2008 Property Standards By-Law, thus constituting continued use and a legal non-conforming use in their favour.

[4] Finally, the applicants submit that the Town cannot regulate the private property of the applicant, given that the property was conveyed to the applicant Franzen from an original Crown Patent.

The Issues of the Respondent Town

[5] With respect to the issue of service, the *Building Code Act 1992*, S.O. 1992, c.23, ("BCA") requires service of an order on the owner or occupant. Franzen was at all material times the owner of the property. Accordingly, the owner was properly served in accordance with the legislation and chose not to appeal.

[6] With respect to the issue of legal non-conforming use or continued use, the Town submits that the legal non-conforming rights are only established through zoning by-laws under the *Planning Act*, R.S.O. 1990, c.P.13, as amended, ("PA") and not under the *BCA*. Therefore, non-conforming use is applicable under the *PA* and only to zoning by-laws. Non-conforming use and/or continued use does not apply to Property Standards By-law. According to the respondent Town, this case is not under the *PA* but under property standards legislation.

[7] With respect to the issue of the Crown Patent, the Town submits that a Crown Patent is an originating instrument of conveyance from the Crown to a private individual. There is nothing in the Crown Patent which displaces the right of the province or the Town to enact appropriate legislation or municipal standards by-law.

[8] The Town further submits that if the applicants' position is that a Crown Patent has paramountcy over the Town's ability to regulate private property, then this becomes a constitutional issue with the proper notices to be provided to the Attorney General for Canada and Attorney General for Ontario, and this has not been done by the applicants.

[9] The Town further submits that the injunction has disputed facts and, therefore, not properly brought as an application.

[10] Further, the appeal process for the applicant Franzen has long passed and she cannot now collaterally attack the order.

BACKGROUND

[11] The property situated at 2327 Dominion Road, Fort Erie was at all material times legally owned by the applicant Franzen.

[12] Franzen did not reside at the property, but had a number of tenants there at various times, including the applicant Desmarais.

[13] In July 2014, the property standards officer of the Town received a complaint related to debris, garbage, and unlicensed derelict vehicles on the property owned by Franzen. On July 30, 2014 the Town's property standards officer attended the property, met Desmarais there, and observed "14 vehicles in the front yard all of which were unlicensed and derelict". He also noticed miscellaneous debris in the yard and more unlicensed derelict vehicles in the rear yard.

[14] The applicant Desmarais stated that he used the back yard to store a collection of antique and old vehicles on licensed trailers that he planned on bequeathing to his children. He maintained at all times that his was a collection of antique and old vehicles, which was his hobby and not used for commercial purposes or resale.

[15] On July 31st 2014, the municipal enforcement officer of the Town issued an order to comply to the legal owner of the property, Franzen.

[16] The order to comply required as follows:

- Unlicensed, inoperable, derelict vehicles to be removed;
- Ordered all garbage and debris to be removed, in particular numerous piles of scrap metal, vehicle parts, equipment and all other refuse on the property.

[17] The time for compliance with regard to the above-mentioned order was by August 31, 2014.

[18] This order was served by registered mail upon Franzen. The registered mail was not picked up. However, the order was also served by regular mail to Franzen's known address at Breck'n Ridge located at 3551 Garrison Road, Fort Erie, Ontario.

[19] The order was not appealed to the Property Standards Committee and therefore, as indicated within the content of the order, it became final on August 19, 2014.

[20] On September 4, 2014, the Town's by-law officer attended on Franzen's premises on Dominion Road to check for compliance. At that time, the by-law officer noted 18 vehicles remaining in contravention of the order, as well as piles of debris. The

officer took a number of photos which have been entered into evidence in this proceeding.

[21] The Town's by-law officer re-attended on September 8, 2014 to again ascertain the approximate number of vehicles on the premises and to assist the Town to prepare the tender for cleanup of the property. Photos again were taken, and entered into evidence.

[22] Town by-laws requiring yards within the Town to be maintained in a neat and clean condition and free from refuse and debris, etc., have been in place in the Town since 1978.

[23] The applicant Desmarais submits that the property has on it a collection of "old and antique" vehicles which has been continuously on the property for over 20 years and predated the enactment of the Property Standards By-law 186-08, which was enacted in 2008.

[24] The Town states that By-law 186-08 was predated by By-law 183-98, which was in turn predated by By-law 123-96. By-law 123-96 was predated by By-law 940-78, extending back to 1978.

[25] The by-law to prescribe standards for maintenance and occupancy of property within the Town is enacted pursuant to the *BCA* which enables the council of a municipality to prescribe standards for maintenance and occupancy of property in a municipality. The *BCA* states, in part, as follows:

Standards for maintenance and occupancy

15.1 (3) The council of a municipality may pass a by-law to do the following things if an official plan that includes provisions relating to property conditions is in effect in the municipality or if the council of the municipality has adopted a policy statement as mentioned in subsection (2):

1. Prescribing standards for the maintenance and occupancy of property within the municipality or within any defined area or areas and for prohibiting the occupancy or use of such property that does not conform with the standards.
2. Requiring property that does not conform with the standards to be repaired and maintained to conform with the standards or the site to be cleared of all buildings, structures, debris or refuse and left in graded and levelled condition.

[26] It is the Town's position that the Town has had property standards in place since 1978 requiring that yards be maintained in a neat and clean condition, free from refuse,

debris, rubbish, automobile wrecks, derelict unlicensed vehicles, scrap metal parts and equipment all over, loose debris and refuse.

[27] Desmarais states that the vehicles are antiques or collectables and all on trailers.

[28] The order was served under the provisions of the *BCA*, and provided notice to the owner of her rights to appeal to the Property Standards Committee. The *BCA* s.15.2(3) deals with service and posting of the order and states as follows:

“The order shall be served on the owner of the property and such other persons affected by it as the officer determines and a copy of the order may be posted on the property.”

[29] Franzen did not appeal so that the order became final and binding August 19, 2014.

[30] The applicants have failed, according to the Town, to comply with the order.

[31] The Town was in the process of scheduling a cleanup when the applicants commenced this application for an injunction and other relief.

LAW AND ANALYSIS

Service of the Order to Comply

[32] The *BCA* permits a municipality to pass by-laws to prescribe standards for maintenance of property (s.15.1(3)).

[33] Section 15.2(3) of the *BCA* provides for service and posting of the order to comply. Section 15.3(1) of the *BCA* provides as follows:

“An owner or occupant who has been served with an order made under subsection 15.2(2) and who is not satisfied with the terms or conditions of the order may appeal to the committee by sending a notice of appeal by registered mail to the secretary of the committee within 14 days after being served with the order.”

[34] It is clear from the evidence that Franzen is the registered owner of the property. She does not reside there, but leases the property to tenants. Franzen did not appeal.

[35] The evidence supports that the property was subject to prior enforcement by the Town. Further, each time an order to comply was issued, it was directed to the legal owner, that is, Franzen. She did not appeal those orders nor the current order.

[36] At the time of the issuance of the order, there was no evidence that Desmarais was known to the Town.

[37] The evidence does support that Desmarais had actual notice of the order based on discussions with the Town officer, Matt Richardson, on July 30, 2014. When Richardson attended the property on that day he met Desmarais there.

[38] Franzen, further in her affidavit, states that she received the order to comply in the mail in the beginning of August 2014. She further states in her affidavit she did not inform Desmarais until his return from Newfoundland at the beginning of September 2014.

[39] It is undisputed evidence that the order clearly indicates in bold on the face of the order that the deadline for appeal was August 19, 2014.

[40] I find Franzen was the owner of the property and served in accordance with the legislation. She did not appeal. It was clearly her choice not to advise Desmarais of the order until after the expiration of the appeal period.

[41] I find no legal requirement to serve Desmarais with the order. Thus, the order was properly served and in compliance with the legislation. Desmarais is not the owner of the property. The Town office has discretion, within the legislation, as to whom to serve.

[42] Based on all of the evidence, I find no basis in law upon which Desmarais can insist or claim that he ought to have been served with the order to comply.

Legal Non-conforming Use

[43] The applicants claim that a vintage vehicle collection and storage was in effect on the property for over 20 years, thus predating the 2008 Property Standards By-law which came into effect January 1, 2009.

[44] Therefore, this continuous usage became a legal non-conforming continuous use.

[45] Accordingly, the applicants claim this use cannot be extinguished by the Town's current Property Standards By-law.

[46] I do not agree. Firstly, legal non-conforming rights and continuous use rights arise from and are established through zoning under the *PA*.

[47] There is no comparable in the *BCA*. Thus, the legal non-conforming usage is not established under the *BCA* and property standards by-laws which flow from the *BCA*.

[48] The *PA* provides as follows in s.34(9):

Excepted lands and buildings

34 (9) No by-law passed under this section applies,

- (a) to prevent the use of any land, building or structure for any purpose prohibited by the by-law if such land, building or structure was lawfully used for such purpose on the day of the passing of the by-law, so long as it continues to be used for that purpose; or
- (b) to prevent the erection or use for a purpose prohibited by the by-law of any building or structure for which a permit has been issued under subsection 8(1) of the *Building Code Act, 1992*, prior to the day of the passing of the by-law, so long as the building or structure when erected is used and continues to be used for the purpose for which it was erected and provided the permit has not been revoked under subsection 8 (1) of that Act.

[49] Section 34(9) of the *PA* applies to zoning by-laws. It does not apply to property standards by-laws. This case at issue relates to property standards and not zoning issues. The current case does not deal with zoning prohibitions, but rather with property standards, that is, it addresses the condition of property rather than its use.

[50] In the alternative, even if zoning and legal non-conforming usage were at issue, the applicants' evidence, I find, does not support the existence of vintage vehicles stored on trailers as predating the zoning by-law.

[51] Property standards by-laws have been in effect in the Town since 1978. There has been consistent prohibition of storage of abandoned, wrecked vehicles along with other debris, old refuse, and other junk since that time.

[52] The photos tendered into evidence do suggest derelict vehicles, piles of rubbish and debris, old tires and scrap metal throughout the property. There is no evidence of vintage and antique vehicles on trailers.

[53] I find the evidence does not support any legal non-conforming, continuous use provisions of the *PA*.

[54] The storage of such material on the property is not established use, and there is no legal basis to establish this use on the property.

[55] In the case of *White v. Vaughan (City)*, [1998] O.J. No. 1952, the court held in paras. 11 and 12 as follows:

11 As to the contention that a non-conforming use status protects the property from the requirements of a property standards by-law under s.31, there are two basic impediments to such a finding. First, s.34(9) applies only to by-laws passed under s.34, ie. zoning by-laws. It does not purport to apply to property standards bylaws passed under s.31. It applies to protect the purpose for which a

property is lawfully used at the time a zoning by-law which otherwise would prohibit that use is passed. Its purpose and effect are to preserve from zoning prohibition the existing use of and improvements to a property which pre-exist passing the zoning prohibition. In this case, I am dealing not with a zoning prohibition in a by-law passed under s.34 of the Planning Act or its predecessor but with a by-law passed under s.31 which addresses the condition of the property rather than the purpose for which it has been used.

12 Secondly, even if non-conforming use protection were in issue here, there is no evidence that vehicles were stored on this property in November 1960 when the zoning by-law was passed or that their mere presence is sufficient to establish a use for purpose of the Planning Act. ...

[56] The applicants refer to the case of *Georgian Bluffs v. Moyer*, 2011 ONSC 2481. In the *Moyer* case, prior to 1978, the Township had no land use legislation in place. Further, in 1984 the Township decided to regulate land use and enacted a Comprehensive Zoning By-law and a Property Standards By-law. The court found, as outlined in para. 6 of the decision, that neither of these pieces of legislation was applicable to the Moyer property.

[57] Firstly, in *Moyer*, the court found that any land use regulation was subject to the already existing uses of the property, i.e. non-conforming usage. Thus, when the Township passed their zoning by-law, it did not change the legality of Moyer's existing use of the property, which had been in existence since the 1930s when Moyer's parents owned the farm property.

[58] The court also found in *Moyer* that the Property Standards By-law was inapplicable to Moyer's farm property. In paras. 18 and 20 respectively, the court stated as follows:

[18] The Property Standards By-law, section 7.1, is unenforceable against the Moyer property. While the municipality had the right to define property standards for the land in its jurisdiction, it could not enact legislation, in the guise of property standards, to exclude prior existing uses. By applying section 7.1 of the Property Standards By-law, the Township was attempting to change Mr. Moyer's use of the property. It could not do so.

...

[20] The Ontario Building Code would only be applicable to the Moyer property if the Township had an Official Plan, if the Township adopted a policy statement containing provisions relating to property conditions and if the Township had passed a By-law pursuant to section 15.1 of the Building Code to define property standards. As none of these events had occurred, the provisions of the Building Code could not have been relied upon by Mr. Klingenberg as giving him authority to act as he did.

[59] Thus, the trial judge dismissed the Township's claim for an order requiring Moyer to clean up his property, since it had qualified as a legal non-conforming use with respect to the zoning by-law relied upon by the Township.

[60] In the Court of Appeal decision, cited as *Georgian Bluffs (Township) v. Moyer*, 2012 ONCA 700, the Court found in para. 3 that the appellant (Moyer) had established "that his use of the property qualified as a legal non-conforming use with respect to the by-law provisions relied on by the Township".

[61] I find that the current case is distinguished from *Moyer* in three main areas. Firstly, the Property Standards By-laws predate the existence of old vehicles and other debris on the property. Secondly, no evidence of legal non-conforming use under the PA has been advanced on behalf of the applicants. Thirdly, there is no evidence to support a collection of antique, vintage cars on trailers that are licensed. Rather, the evidence supports the existence of refuse, debris, junk and derelict vehicles.

[62] Finally, I find the Town's Property Standards By-law is properly enacted.

[63] In conclusion, I am persuaded that the non-conforming usage or continuous use, for all of the aforementioned reasons herein, is not applicable to the current case.

Crown Patent

[64] The applicants submit that the *Municipal Act* does not and cannot confer on the municipality the ability to regulate private property.

[65] The applicants state that the municipalities are only able to implement property standards by-laws on properties that are owned by the municipality. The applicants state: "The order to remove property is not enforceable because a municipality, like any natural person, does not have any right, title or interest in private property and therefore cannot demand that the private property owner clear their property."

[66] According to the applicants, the Town cannot create by-laws that violate a private property owner's right to use his or her property as he or she deems fit.

[67] The applicants further submit that the Town is further restricted by the fact that the applicants hold Crown Patents regarding the property in question. The applicants submit the Crown Patent has no restrictions on what the applicants can bring onto the property.

[68] I do not agree with the applicants' interpretation of the powers of a municipality or of the significance of a Crown Patent. The Crown Patent is an instrument by which land is conveyed by the Crown to a private individual or members of the public.

[69] Crown Patents are found all over the Province of Ontario. There is nothing in the conveyance from the Crown which prevents properly enacted provincial legislation, or suggests that a Crown Patent has paramountcy over a municipality's ability to regulate private property.

[70] Pursuant to the *Constitution Act*, 1867 ss. 92(13) and 92(16), the Province can control private property. Under "EXCLUSIVE POWERS OF PROVINCIAL LEGISLATURES" it states:

92. In each Province the Legislature may exclusively make Laws in relation to Matters coming within the Classes of Subjects next hereinafter enumerated; that is to say,

...

13. Property and Civil Rights in the Province

...

16. Generally all Matters of a merely local or private Nature in the Province.

[71] Further, there is nothing in the Crown Patent which suggests government cannot legislate that municipalities have regulatory powers. In the case of *R. v. Mackie*, [2012] O.J. No. 4718, (Ont. C.A.), para. 4 states as follows:

4. The appellant says that the appeal judge below (and, inferentially, the trial judge as well) misinterpreted s. 92 of the British North America Act ("BNA Act"). He argues that s. 92 does not afford any authority to the provincial legislatures to legislate with respect to private – as opposed to public – property. Further, he contends that the province's legislative competency under s. 92 is constrained by, and subordinate to, the contractual rights of a private landowner under a Crown Patent regarding land.

[72] Further paras. 5 and 8 state as follows:

5. There are numerous difficulties with this argument. First, the applicant pointed to no authority during oral argument in support of his interpretation of s. 92 of the BNA Act. Second, in effect, the applicant argues that to the extent that provincial legislation pertains to the regulation of both private and public land – like the Niagara Escarpment Planning and Development Act, R.S.O. 1990 c.2 ("the NEPD Act") – such legislation is ultra vires the legislative competency of the province. However, no challenge to the constitutional validity of the NEPD Act was brought in this case, nor was any notice of constitutional question served on the Attorney General for Ontario, as required to raise such an argument. Finally, at the end of the day, I agree with the Crown's submission that the authority of the province to control activities on private land is derived from ss. 92(13) and 16

of the BNA Act. As this court observed in *Hamilton Harbour Comm. V. Hamilton*, [1978] O.J. No. 3555 (C.A.), at para. 57, “legislative authority to control the use of land generally undoubtedly belongs to the Province under s.92 of the B.N.A. Act within head 13 ... or head 16 ...”.

...

8 Perhaps more importantly, however, nothing in the language of the Crown Patent itself or elsewhere in the evidentiary record is there support for the contention that the Crown Patent and the rights conferred under it displace otherwise validly enacted provincial legislation, like the NEPD Act, regulating land use.

[73] The applicants maintain that any property standards by-laws implemented on private property violate the *Building Code*, the *Criminal Code*, the *Planning Act*, and the *Municipal Act*. I do not agree for reasons already referred to. Further, any such challenges by the applicants would require proper notice to the Attorney General for Canada and for the Province of Ontario, which has not been done.

CONCLUSION

[74] The application is dismissed.

COSTS

Unless otherwise agreed, costs submissions may be made in writing and are limited to three pages, plus a bill of costs. The Town’s submissions are due by April 1, 2016 and the applicants’ are due by April 22, 2016.

Maddalena J.

Released: March 10, 2016

CITATION: Desmarais v. Fort Erie (Town), 2016 ONSC 1750
COURT FILE NO.: 9882/14
DATE: 2016/03/10

ONTARIO
SUPERIOR COURT OF JUSTICE

B E T W E E N:

Raymond Desmarais and Tammy Franzen

Applicants

- and -

The Corporation of the Town of Fort Erie

Respondent

JUDGMENT

Maddalena J.

Released: March 10, 2016

THE CORPORATION OF THE TOWNSHIP OF BILLINGS

BY-LAW 2020-47

Being a bylaw to regulate the power of entry onto land

WHEREAS Section 436, Subsection (1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended (the 'Act'), provides that a municipality has the power to pass by-laws providing that the municipality may enter on land at any reasonable time for the purpose of carrying out an inspection; and,

WHEREAS sections 435, 437 and 438 of the Act set out additional powers and restrictions in regard to the power of entry; and,

WHEREAS the Township of Billings wishes to pass a by-law allowing for the entry on land for the purpose of carrying out an inspection to ensure that its by-laws, directions, orders and conditions of a licence are being complied with; and,

WHEREAS this by-law applies to any Township of Billings by-laws without power of entry provisions passed pursuant to the Act or its predecessors;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF BILLINGS HEREBY ENACTS AS FOLLOWS:

1.0 DEFINITIONS

- 1.1 "Land" includes buildings, structures and dwellings.
- 1.2 "*Municipal Act*" means the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, or any preceding *Municipal Act*.
- 1.3 "Officer" means a by-law enforcement officer, police officer or other person appointed by by-law to enforce the provision(s) of any Township of Billings By-law or any other individual designated by the Township to enforce this by-law;
- 1.4 "Occupier" means any person, firm or corporation having control over any portion of the building or property under consideration and includes the persons in the building or property.
- 1.5 "Township" means the Corporation of the Township of Billings.

2.0 APPLICATION

- 2.1 This by-law applies to all Township of Billings by-laws passed under the authority of the *Municipal Act*.

3.0 ENTRY AND INSPECTION

- 3.1 No person shall hinder or obstruct or attempt to hinder or obstruct, any Officer who is exercising a power or performing a duty under this by-law;
- 3.2 An Officer may at any time, enter onto land for the purpose of carrying out an inspection to determine whether or not the following are being complied with:
 - 3.2.1 A by-law of the Township passed under the *Municipal Act*.
 - 3.2.2 A direction or order of the Township under the *Municipal Act* or made under a by-law of the Township passed pursuant to the *Municipal Act*.
 - 3.2.3 A condition of a licence issued under a by-law of the Township passed under the *Municipal Act*.

3.2.4 An order made under Section 431 of the *Municipal Act*.

3.3 For the purposes of an inspection, an Officer may:

3.3.1 Require the production for inspection of documents or things relevant to the inspection;

3.3.2 Inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts;

3.3.3 Require information from any person concerning a matter related to the inspection; and

3.3.4 Alone or in conjunction with a person possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purposes of the inspection.

3.4 A sample taken under Section 3.3.4 shall be divided into two parts, and one part shall be delivered to the person from whom the sample is taken, if the person so requests at the time the sample is taken and provides the necessary facilities.

3.5 If a sample is taken under Section 3.3.4 and the sample has not been divided into two parts, a copy of any report on the sample shall be given to the person from whom the sample was taken.

3.6 A receipt shall be provided for any document or thing removed under Section 3.3.2 and the document or thing shall be promptly returned after the copies or extracts are made.

3.7 Copies of or extracts from documents and things removed under this Section 3 and certified as being true copies of or extracts from the originals by the person who made them are admissible in evidence to the same extent as, and have the same evidentiary value as, the originals.

4.0 CONDITIONS GOVERNING POWER OF ENTRY

4.1 Unless otherwise provided in the *Municipal Act*, in an order under Section 438 of the *Municipal Act*, or in a warrant under Section 439 of the *Municipal Act*, the following conditions apply to the power of entry under this by-law:

4.1.1 The Officer must on request display or produce proper identification;

4.1.2 The Officer may be accompanied by a person under their direction; and,

4.1.3 The Township shall restore the Land to its original condition insofar as is practicable and shall provide compensation for any damages caused by the entry or by anything done on the Land except where entry is under Section 466 of the *Municipal Act*, or is under Part XI of the *Municipal Act*, if under that Part, the Treasurer registers a notice of vesting, in the name of the Township, in respect of the Land.

5.0 RESTRICTIONS

5.1 Notwithstanding any provision of this by-law, an Officer shall not enter or remain in any room or place actually being used as a dwelling, unless:

- 5.1.1 The consent of the Occupier is obtained, with the Occupier first having been informed that the right of entry may be refused and, if refused, may only be made under the authority of an order issued under Section 438 of the *Municipal Act*, a warrant issued under Section 439 of the *Municipal Act* or a warrant under Section 386.3 of the *Municipal Act*;
- 5.1.2 An order under Section 438 of *Municipal Act* is obtained;
- 5.1.3 A warrant issued under Section 439 of the *Municipal Act* is obtained;
- 5.1.4 A warrant issued under Section 386.3 of the *Municipal Act* is obtained;
- 5.1.5 The delay necessary to obtain an order under Section 438 of the *Municipal Act*, to obtain a warrant under Section 439 of the *Municipal Act* or to obtain the consent of the Occupier would result in an immediate danger to the health or safety of any person; or
- 5.1.6 The Township has given the Occupier of Land notice of its intention to enter as required under Section 435(2) of the *Municipal Act* and the entry is authorized under Section 79, 80 or 446 of the *Municipal Act*.

6.0 INSPECTION PURSUANT TO ORDER

- 6.1 An Officer may enter on lands for the purpose of carrying out an inspection pursuant to an order that is issued under Section 438 of the *Municipal Act*.
- 6.2 An Officer may apply for an order under Section 438 of the *Municipal Act* if:
 - 6.2.1 An inspection is desired to determine whether or not the following are being complied with:
 - 6.2.1.1 A by-law of the Township as passed under the *Municipal Act*;
 - 6.2.1.2 A direction of order of the Township made under the *Municipal Act* or made under a by-law of the Township passed under the *Municipal Act*;
 - 6.2.1.3 A condition of a licence issued under a by-law of the Township passed under the *Municipal Act*;
 - 6.2.1.4 An order made under Section 431 of the *Municipal Act*;
 - 6.2.2 The inspection is reasonably necessary; and,
 - 6.2.3 The Township had been prevented or is likely to be prevented from doing anything set out in Section 3.2 or 3.3 of this by-law.
- 6.3 An order under Section 6.0 shall expire on the date stated in the order or 30 days after the order is issued, whichever is earlier.
- 6.4 An order under Section 6.0 may be executed only between 6:00 a.m. and 9:00 p.m. unless the order provides otherwise.
- 6.5 In case of an order authorizing an inspection of a room or place actually being used as a dwelling, the Occupier must be given notice concerning when the inspection will be carried out.
- 6.6 An order under Section 6.0 may be issued on application without notice.

7.0 PENALTY

7.1 Any person who contravenes any provision of this by-law is guilty of an offense and upon conviction is liable to a fine as provided for in the *Provincial Offences Act*, R.S.O. 1990, c. P. 33 as amended.

7.2 Upon conviction, in addition to any other remedy and to any penalty imposed by this by-law, the court in which the conviction has been entered and any court of competent jurisdiction thereafter may make an order prohibiting the continuation or repetition of the offence by the person convicted.

7.3 Where a person fails to do a matter or thing as directed or required by an Officer or other person, pursuant to this by-law or other Township of Billings by-law or the *Municipal Act*, the matter or thing may be done by the Township at that person's expense which associated costs may be added to the tax roll of the person to be collected in the same manner as property taxes.

8.0 SEVERABILITY

8.1 If a court of competent jurisdiction should declare any section or part of a section of this by-law to be invalid such section or part of a section shall not be construed as having persuaded or influenced Council to pass the remainder of this by-law and it is hereby declared that the remainder of this by-law shall be valid and shall remain in force.

9.0 CONFLICTS

9.1 This By-law shall apply in addition to the provisions of any other Township of Billings Bylaw and the *Municipal Act, 2001*, S.O. 2001 c. 25, as amended, provided that in the event of conflict, the provisions of any other Township By-law or the *Municipal Act, 2001*, S.O. 2001 c. 25, as amended, shall be paramount over this by-law, provided such provisions are not contrary to law.

9.2 Nothing in this By-law shall limit any other statutory or common law rights or powers of the Township or any Officer to enter on Land.

10.0 SHORT TITLE

10.1 This by-law will be shall be known as and be cited as the Power of Entry By-law.

11.0 ENACTMENT

11.1 This by-law shall come into force and take effect upon the final passing thereof.

Read for the first time this 21st day of December, 2020.

Read for the second and third time and enacted this _____ day of _____, 2021.

Ian Anderson, Mayor

Kathy McDonald, CAO/Clerk

Manitoulin Tree Service
3707 Hwy 542, Mindemoya ON, P0P1S0
(705) 662-5761
manitoulintreeservice@hotmail.com
www.manitoulintreeservice.com



September 10, 2020

Billings Township
Attn: Tiana Mills
15 Old Mill Road, P.O. Box 34
Kagawong, ON. P0P 1J0
Telephone: (705) 282-2611
billingsadmin@billingstwp.ca

Re: Quote for Cedar Maze Pruning

This maze is a combination of ornamental columnar cedars and regular eastern white cedar. Since they were planted and left unmaintained, the columnar cedars have grown taller while the eastern white cedar have grown taller and wider. The eastern white cedars have grown into a canopy over the maze, which has shaded out the bottom of all the trees causing some dieback in the lower portion of trees. This maze will need some major initial work to get it back into shape. Once it's to a point where it is back to hedge it will be much easier to maintain on a 1- or 2-year schedule. Cedar hedges do best when they are regularly.

Our quote will include the following work:

- Lowering the height of the trees to the same level. Ideally the height of the trees would be similar to the fence height but that would require too much removal of each tree in the first pruning and would be detrimental to their health. This could be achieved over multiple years.
- Pruning the cedar trees within the maze so that sunlight can reach the bottom branches to promote growth again. Currently the cedar trees have grown into each other to form a canopy above the pathways, which is quite whimsical, but doesn't allow much sunlight to the bottom branches therefore reducing growth. Our goal would be to prune the branches back so that there are visible rows and more sunlight.
- Pruning out the dead twigs and branches within the maze that could be hazardous to people. This will leave some trees looking quite bare, but is unavoidable unless it'd be preferable to leave the dead branches to block users views between the rows. Some areas may require additional tree planting once everything dead is removed.
- Planting 15 new cedar trees to fill the gaps in the maze. We could provide 3-5 ft tall field grown cedar trees for \$20 each.

- Removing all unwanted tree species within the maze – there are many deciduous tree and shrub species growing in the maze at the moment.
- Full clean-up of all branches and wood.

Labour Cost	\$2800.00
15 Cedar Trees (\$20 each)	\$300.00
HST	\$403.00
Total	\$3503.00

Thank you for letting us put together a quote for this work. We really enjoying spending time in the core of Kagawong – trails, beach, river, fish... what more could a person ask for! Please don't hesitate to contact us with any questions.

Sincerely,

Mike Laende and Maria Diebolt

January 22, 2021

It's been almost six weeks since Ontario launched the first phase of the three-phased implementation plan of Ontario's COVID-19 vaccine program. Since then over 264,000 doses have been administered across the province. This is an amazing achievement and a bright light during a week where we have received sobering news on how this virus has taken hold in the province.

I have had the opportunity over the past weeks to hold meetings with many of our partners in this mission, including municipal leaders, public health unit Medical Officers of Health, CEOs of hospitals who have received vaccines and long-term care home operators. These meetings have been a way to connect with the leaders on the ground and to hear what is working, what we can improve on, to ask questions and provide solutions. The discussions will inform how we continue with our rollout and are a way to ensure connections are strong across all sectors – we are all in this together.

The public health units and local hospitals have played an enormous role throughout the pandemic. Vaccine distribution will be no exception. Our province will not have a one-size fits all approach to the vaccine rollout. From cities, small towns, rural communities and remote/fly-in parts of the province, we are going to rely on local implementation. As the situation is evolving rapidly, I urge the mayors and municipalities across the province to work closely with your public health unit as they implement the vaccine rollout for your community.

The Premier gave us a mission – to have all residents, health care workers, staff and essential caregivers in

COVID-19 Vaccine Distribution Task Force

COVID-19 Vaccine Distribution Task Force Update #6

January 22, 2021

Vaccine Update

- Over **264,000** doses administered across the province
- Second dose, full immunization began January 5, 2021, with over 49,000 Ontarians fully immunized after receiving both doses (as of 8 p.m. January 21, 2021)
- We have administered the first round of vaccinations ahead of schedule in all long-term care homes in Toronto, Peel, York and Windsor-Essex, the four regions with the highest COVID-19 transmission rates, as well as Ottawa, Durham and Simcoe Muskoka.
- New appointment to the COVID-19 Vaccine Distribution Task Force:
 - Dr. Kieran Moore is the Medical Officer of Health and CEO of the Kingston, Frontenac and Lennox & Addington Public Health Unit. He is also a Professor of Emergency and Family Medicine at the Queen's University and has a Masters degree in Disaster Medicine as well as Public Health and a Diploma in Tropical Medicine and Hygiene.

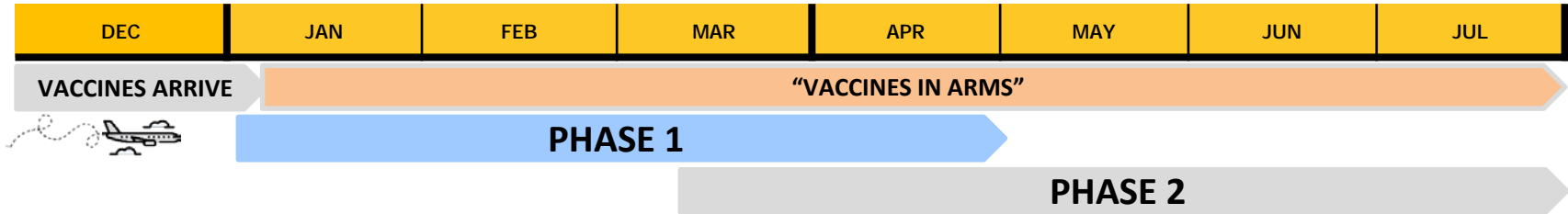
PHASED PRIORITIZATION OVERVIEW

Principles

- **Application of an equity lens:** The impact of risk factors may be different for racialized and marginalized populations – an equity lens has been applied to all prioritized groups.
- **Data-driven decision-making:** Where it is available, data should inform decision-making around prioritization – including prioritizing the groups that have been disproportionately impacted by COVID-19 as early as possible.
- **Engagement:** Ontario is consulting with all affected groups to ensure prioritization decisions are well-informed and accepted – “nothing about us without us”.
- **Individual risk factors:** Age is the most impactful factor for determining individual risk of a severe outcome from COVID-19, but other factors of individual risk are also important for individuals to voluntarily self-identify.
- **Local decision-making:** Provincial direction on prioritization is balanced with public health unit decision-making based on the local context.
- **Building in adaptability:** Priorities may change as the situation in Ontario evolves and as more information about the vaccine and the impact of the pandemic becomes available.
- **Transparency:** Share the rationale behind prioritization and data used to ensure public understanding of how decisions were made about the vaccine.

VACCINE DISTRIBUTION: PHASED PRIORITIZATION

- Vaccination rollout phases will be continuous and overlapping – Phase 2 vaccinations likely to begin while Phase 1 is still ongoing (e.g., vaccination of adults >80 may begin in parallel or before low-risk health care worker vaccination).
- Vaccination schedules are intended to be flexible and responsive to ongoing needs, vaccine logistics and risk factors.
- Ontario is ready to receive vaccines whenever they are available, and will shift to Phase 2 priority populations as soon as there are sufficient vaccines provided by the Federal government.



	FIRST VACCINES ARRIVE	PHASE 1	PHASE 2
People	<ul style="list-style-type: none"> • Staff and essential caregivers in LTCHs and high-risk Retirement Homes (RH). 	<ul style="list-style-type: none"> • Residents, staff, essential caregivers, and other employees of congregate living settings that provide care for seniors. • Health care workers. • Adults in First Nations, Metis and Inuit populations. • Adult chronic home care recipients. 	<ul style="list-style-type: none"> • Older adults, beginning with those ≥80 years old and decreasing in 5-year increments over the course of vaccine roll-out. • Those living and working in other high-risk congregate settings. • Essential Workers, beginning with front-line essential workers. • Individuals with high-risk chronic conditions, and their caregivers. • Other populations and communities facing barriers related to the determinants of health across Ontario who are at greater COVID-19 risk (e.g., Black and other racialized populations).
Places	<ul style="list-style-type: none"> • 2 Initial locations • Ramp up to 19 locations 	<ul style="list-style-type: none"> • Specialized vaccination centres (LTCH/RH) • Mobile vaccination sites • Mass vaccination sites 	<ul style="list-style-type: none"> • Mass vaccination sites • Hospitals • Mobile vaccination sites • Pharmacies • Clinics • Primary care • Strategic in-community locations (CHC/AHAC)

Communications

- **Timely sharing of information and key messages**
 - A daily fact sheet is being shared with Task Force members, MPPs and stakeholders to provide clear and timely information and updates on the rollout of vaccinations across Ontario. It will also help to address vaccine hesitancy and misinformation. The fact sheet ensures clear and consistent messaging is used in all communications including stakeholder interactions, in preparation for ministry specific communications products and for Task Force members' interactions with their networks.
 - Daily communications rollout of government wide communications activities related to vaccines is now shared.
- **Continuing to build online presence through an augmented vaccines social media strategy:**
 - New assets focussed on milestones of vaccine distribution amplified across ministry channels
 - New video and social media assets in development targeted to audiences to address vaccine hesitancy and dispel myths (including videos for staff in Long-Term Care homes, expert-led videos by Task Force members, etc.)
- **High profile communications rollout** of the declaration of emergency in Ontario and Ontario's next phase and priority populations for the rollout of vaccines. Announcements comprised Premier's press conference, technical briefings, media releases, social media and enhanced web content. Declaration of Emergency announcement reached 83% of total audience available. Statistics on Vaccines announcement pending.
- **Work continues with Indigenous Affairs** to amplify public education on vaccines in Indigenous populations. Work is also ongoing with the Anti-Racism Directorate to develop targeted high-touch communications for Phase 2 communities at risk.
- **Augmenting ontario.ca/covid-19-vaccines:**
 - Work is underway to create a data map on Ontario.ca to track progress of vaccine distribution
 - Adding infographics on Ontario.ca to educate the public about the phases of distribution and prioritization of populations to receive the vaccine to help address questions from media, the public and to counteract misinformation.

Communications

Indigenous Communications Update:

Ministry of Indigenous Affairs (IAO) is now sending out vaccine-related information relevant to Indigenous communities through a regular e-blast to our key partners.

- A Vaccine Communications Update will be issued when important new information about vaccine delivery and administration in Indigenous communities is available, as well as public education materials for repurposing to support partner efforts. We are encouraging partners to share these updates widely with local health officials and within their communities.
- As of January 6, promotion of the vaccine rollout in Indigenous communities, including documenting real-time key moments - the arrival of the vaccines and vaccination – on social media, amplify partners' social media channels (Ornge, PHUs, Indigenous communities and organizations) and inclusion of government's quotes in partner media release as appropriate (Sioux Lookout Meno Ya Win Health Centre news release on January 6 for example)
- The patient consent form and the facts sheet on vaccine safety have been translated into three Indigenous languages (Ojibwe, Oji-cree and Cree) is being distributed to fly-in communities (through Ornge).

An IAO-led Ontario Communications Working Group (Vaccine Rollout to Indigenous Communities) has been formed and includes communications contacts representing First Nations and PTOs.

- This joint communications working group will explore opportunities for collaboration around vaccine communications.
- These discussions will also help inform the development and distribution of communications and public education materials that effectively meet the information needs about the vaccine rollout in your respective communities -- easily understood messaging and visuals to promote understanding, reduce vaccine hesitancy and address other concerns associated with COVID-19 vaccines.



Bylaw Report to Council January 2021

Listed below are the bylaw activities for the month of January.

1) The revised use of Recreational Vehicles/Trailers and Hunting in the Township bylaws were submitted to the Ministry of the Attorney General for review. (The process of having the Ministry of the Attorney General review bylaws prior to Council approval is a service that they do offer that expedites their final approval when registering the bylaw.) The bylaws have been returned with some minor revisions being required.

Revisions have been made.

2) There was follow-up taken with a resident who has a pet goat at a lakeshore residential property. The resident has forwarded a letter requesting an exemption from the Zoning Bylaw to be able to keep the goat as a family pet.

3) Research was performed regarding speed limits on Township highways and a draft bylaw regarding speed limits has been produced and is currently being reviewed by staff and will be forwarded to the Ministry of the Attorney General for their review as well.

This is the revising of a multiple speed limit bylaws that were last updated in 2004, and as a result of growth within the Township subdivisions it was felt that it required being reviewed again.

4) Discussion was held with the Deputy Clerk regarding the possibility of any enforcement being required at Bridal Veil Falls during the 2021 tourist season. It was indicated that this topic will be brought to the Township Emergency Management Group.

5) Covid- 19 regulation compliance checks have been performed at a local retail establishment.

Regards

Arthur Moran
Bylaw Enforcement Officer
Billings Township



Health and Safety Report to Council December 2020/January 2021

Listed below are the health and safety activities that took place in December 2020 and January 2021.

1) JH&SC

- a) There was a JH&SC inspection performed at the Township Public Works Garage and the Township Firehall on December 8th. The results of the inspections identified some minor housekeeping issues that have been corrected and it also identified a mold problem at the Township firehall which has been included in a memo to Council.
- b) There was a JH&SC meeting that took place on December 14th. Multiple items were discussed and a copy of the meeting minutes have been attached.
- c) There is a JH&SC meeting scheduled for February 18th.

2) Policies and Procedures

- a) The Township Policies and Procedures manual has had some revisions made to it regarding workplace inspections and training. The manual will be reviewed as required by the OH&SA section 25 (2)(h).

3) WSIB Excellence Program

- a) Progress on the topic submissions to the WSIB as part of the premium rebate program had been put on hold until the WSIB topic evaluators revised submission standards. I have a virtual meeting scheduled with The WSIB and the WSPS on February 4th where the current topic packages that I have prepared will be evaluated against the new WSIB evaluation procedures.
- b) Due to the delay in evaluation procedures and due to Covid-19 the submission date for the various topic submissions has been extended to September 2021.

4) Lone Worker Phone App

- a) A trial of the OK Alone phone app is currently taking place with employees from public works, the landfill and the library. The employee response has been mixed but the results are positive as to what benefit that it will provide for the employees.
- b) Results from the trial will determine the use of the app going forward.

Regards

Arthur Moran
Health and Safety Coordinator



JH&SC Meeting Minutes December 14, 2020

Members Present: Floyd Beck, Megan Bonenfant, Chris Cyr, Kathy McDonald.

Invited Guest: Arthur Moran, Health and Safety Coordinator

Meeting called to order: 9:10 AM

1) A motion was put forward to accept the agenda as presented.

Moved: Megan Bonenfant Second: Chris Cyr.

2) A motion was put forward to accept the minutes from the October 15, 2020 JH&SC meeting.

Moved: Kathy McDonald Second: Megan Bonenfant.

3) Old Business

a) A follow-up discussion regarding the New Hire/Refresher Training procedure resulted in the following actions that need to be taken:

- The use of the New Hire/Refresher Training procedure will be Included as part of required employee training identified in the Township Health and Safety Policies and Procedures manual.

- That the New Hire/Refresher Training procedures be amended as needed upon implementation.

b) A discussion regarding the OK Alone lone worker app and what employees would be using it resulted in the following actions to be taken:

- That a memo be sent to Council requesting that the use of the app be considered and funded.

4) New Business

a) Discussion regarding the use of the new inspection checklist indicated that the form was a useful tool for performing facility inspections. Follow-up inspection reports from December 4th and 8th were also reviewed and resulted in the following actions that need to be followed-up on.

- ensure that Public works has the required PHSD Covid-19 to posted on the entrance door to the municipal garage.

- a memo regarding mold issues at the firehall needs to be forwarded to Council.

- that the volunteer fire department supply a member to participate as a member of the JH&SC.

b) A discussion regarding the inspection of Township vehicles for cleanliness, fire extinguishers and first aid kits resulted in a request that the Public Works Department perform the inspection and install first aid kits and fire extinguishers where required.

c) A revised SOP #28 for Covid-19 protocols was distributed. It was identified that the SOP was revised on November 19, 2020 to meet provincial regulated requirements for employee screening forms, contact tracing and having a Covid-19 plan.

d) An update report from the Township EMG indicated that a plan is being put together to establish an emergency action plan in the event of a disruption in manpower at the public works department due to Covid-19 related illness and the Township being able to maintain provincially required minimum roads standards.

d) It was reported by the health and safety coordinator that there was minimal progress in making submissions to the WSIB Excellence Program premium rebate program due to focus on other matters.

e) A draft copy of the November/December Health and Safety Report for Council was reviewed. It will be forwarded to be included in the agenda for the December 21st Council meeting.

f) A discussion took place regarding departmental specific training for roads patrollers or equipment operator requirements which resulted in the following actions that need to be taken:

- Public Works staff will review OGR course offerings and determine what courses will need to be taken.

g) Discussion was held regarding a safety concern that was brought forward by a Township resident that was requesting a safety guardrail at the landfill area where brush and burnable materials are dropped into the burn pit area. The discussion resulted in the following suggestions that need to be evaluated:

- That burnable materials no longer be accepted at the landfill.
- That burnable materials only be unloaded into at the lower area of the burn pit instead of dropping it in from the unloading area above the burn pit.
- That the possibility of having a 2nd landfill attendant direct the residents unloading burnable materials.

h) A discussion was held regarding snow plow contractors and residents plowing snow across roadways and leaving unsafe ridges that could affect the Township snow plows and operators and possible methods to alleviate the problem.

- The resulting follow-up action will be to have bylaw enforcement issue citations to the homeowners or snow removal contractors.

5) Next meeting will be February 2021.

6) Meeting adjourned.



Memo to Staff and Council

January 21, 2021

Re: Mold at Township Firehall

I would like to bring to your attention an issue regarding mold at the Township Firehall. This has been an issue that has been previously identified in JH&SC inspections and has been left as far as any definite follow-up and repair.

I have attached a photo of the washroom at the Firehall that was taken during the December 8th JH&SC inspection.

Moisture and mold have been an ongoing issue at the firehall since I have started my duties as the health and safety coordinator for the Township, and it is my understanding that the mold issue has been identified in 2 engineering/inspection reports, one in February 2018 and another in October 2015.

As the attached picture indicates, the spread of the mold has accelerated to a level where a mold remediation is imperative.

As a precautionary recommendation I am suggesting that this area be sealed off to all personnel, and that any person entering into the area be required to wear the appropriate respiratory PPE until some form of mold remediation is performed.

I would also recommend that a portable toilet unit be rented for fire fighter use until the washroom/office areas are repaired.

Regards

Arthur Moran
Health and Safety Coordinator





FedNor
19 Lisgar Street
Suite 307
Sudbury, Ontario
P3E 3L4

FedNor
19 rue Lisgar
Bureau 307
Sudbury (Ontario)
P3E 3L4

January 22, 2021

Project Number: 851-810654

Mr. Ian Anderson
Mayor
The Corporation of the Township of Billings
15 Old Mill Rd., PO Box 34
Kagawong ON P0P1J0

Dear Mayor Anderson:

**Re: Waterfront Redevelopment - Phase One
Amendment Number: 3**

As a result of cost overruns on the project, and in response to your request dated January 14, 2020, FedNor is prepared to amend our Contribution agreement of June 4, 2018 and subsequent amendments # 1 and # 2 as follows:

Delete: Annex 1 THE PROJECT - STATEMENT OF WORK

Project Costs and Financing:

<u>Project Costs:</u>		<u>Financing:</u>	
Eligible Costs		FedNor	\$818,276
- Supported	\$2,045,690	Other Federal	
- Not Supported		Provincial	\$1,000,000
Ineligible Costs		Municipal	
		Financial Institution	
		Recipient	\$227,414
		Other	
Total	<u>\$2,045,690</u>		<u>\$2,045,690</u>

	<u>Supported</u>	<u>Not Supported</u>	<u>Total</u>
<u>Eligible Costs:</u>			
Professional fees (engineering and hydro study)	\$260,120		\$260,120
Permits	\$8,000		\$8,000
Construction	\$1,777,570		\$1,777,570
TOTAL ELIGIBLE COSTS	<u>\$2,045,690</u>		<u>\$2,045,690</u>
<u>Ineligible Costs:</u>			
TOTAL INELIGIBLE COSTS			
TOTAL PROJECT COSTS			<u>\$2,045,690</u>

Substitute: Annex 1 THE PROJECT - STATEMENT OF WORK

Project Costs and Financing:

<u>Project Costs:</u>		<u>Financing:</u>	
Eligible Costs		FedNor	\$818,276
- Supported	\$2,045,690	Other Federal	
- Not Supported		Provincial	\$1,000,000
Ineligible Costs		Municipal	
		Financial Institution	
		Recipient	\$227,414
		Other	
Total	<u>\$2,045,690</u>		<u>\$2,045,690</u>

	<u>Supported</u>	<u>Not Supported</u>	<u>Total</u>
<u>Eligible Costs:</u>			
Professional fees (engineering and hydro study)	\$440,120		\$440,120
Permits	\$8,000		\$8,000
Construction	\$1,597,570		\$1,597,570
TOTAL ELIGIBLE COSTS	<u>\$2,045,690</u>		<u>\$2,045,690</u>
<u>Ineligible Costs:</u>			
TOTAL INELIGIBLE COSTS			
TOTAL PROJECT COSTS			<u>\$2,045,690</u>

All other terms and conditions of our Contribution agreement remain unchanged.

This amendment is open for acceptance for a period of 30 days following the date on the first page, after which it will be null and void. This amendment shall be effective the date the duplicate copy of this amendment, unconditionally accepted and duly executed by the Recipient, is received by FedNor.

If further information is required, please contact Arik Theijsmeijer toll-free at 1-877-333-6673 ext. 3185 or (705) 665-3185.

Yours sincerely,

Perreault, Lucie Digitally signed by Perreault,
Lucie
Date: 2021.01.22 19:53:16 -05'00'

Lucie Perreault
Director of Program Delivery
FedNor

The Corporation of the Township of Billings

Project Number: 851-810654

Amendment Number: 3

The foregoing is hereby accepted this _____ day of _____, _____.

Per: _____
Signature of Recipient

Title

Per: _____
Signature of Recipient

Title

AMENDMENT No. 1 to CONDITIONAL CONTRIBUTION AGREEMENT

This amending agreement (the “**Amending Agreement**”) made as of January 25, 2021 amends that conditional contribution agreement effective as of June 12, 2018 in respect of Project number 8100244 (the “**Conditional Contribution Agreement**”) between Township of Billings (the “**Recipient**”) and Northern Ontario Heritage Fund Corporation (“**NOHFC**”).

RECITALS

- A. NOHFC and the Recipient entered into the Conditional Contribution Agreement wherein NOHFC agreed to provide funding to reimburse Eligible Project Costs for the Project, on the terms and conditions set out in the Conditional Contribution Agreement.
- B. The Recipient has requested NOHFC’s approval of certain changes to the Project and the Project Budget, and amendments to other related provisions in the Conditional Contribution Agreement.
- C. NOHFC has agreed to amend the Conditional Contribution Agreement to reflect the approved changes, all on the terms and conditions set out in this Amending Agreement.

For good and valuable consideration, the receipt and sufficiency of which are acknowledged, the Recipient and NOHFC agree as follows:

- 1. **Capitalized Terms.** Capitalized terms used and not defined in this Amending Agreement shall have the meanings ascribed to them in the Conditional Contribution Agreement.
- 2. **Amendments.** The Conditional Contribution Agreement is hereby amended as follows:
 - (a) The following definition is added to Section 1.2 of the Conditional Contribution Agreement:

“**Business Day**” means a day other than a Saturday, Sunday, or any statutory holiday in the Province of Ontario.”

- (b) Article 18 of the Conditional Contribution Agreement is deleted in its entirety and replaced with the following:

“ARTICLE 18 NOTICE

- 18.1 **Notice in writing and delivered.** Notice shall be in writing and shall be delivered by personal delivery or courier, mailed by registered mail, or sent by fax or e-mail, and shall be addressed to the Parties respectively as follows, or as either Party later designates to the other by Notice.

To NOHFC:

Northern Ontario Heritage Fund
Corporation
70 Foster Drive, Suite 200

To the Recipient:

Township of Billings
15 Old Mill Road
Box 34

Sault Ste. Marie, Ontario P6A 6V8

Kagawong, Ontario P0P 1J0

Attention: Executive Director

Attention: Kathy McDonald, CAO

Fax: 705-945-6701

Fax: 705-282-3199

E-mail:
NOHFC.FinancialServicesUnit@ontario.ca

E-mail: kmcdonald@billingstwp.ca

18.2 **Notice given.** Any Notice given by personal delivery, registered mail or courier shall be deemed to have been given and received on the day of actual delivery thereof or if such day is not a Business Day, on the first Business Day thereafter. Any Notice given by fax or e-mail on a Business Day before 4:00 p.m. shall be deemed to have been given and received on such Business Day, and otherwise shall be deemed to have been given and received on the first Business Day following sending.

18.3 **Postal disruption.** Despite section 18.2, following the occurrence and during the continuation of a postal disruption,

- (a) Notice by registered mail shall not be deemed to be given or received; and
- (b) the Party giving Notice shall give Notice by e-mail, personal delivery, courier, or fax.”
- (c) Schedule “A” – *Project Description* of the Conditional Contribution Agreement is deleted in its entirety and replaced with the Schedule “A” – *Project Description* set out in Appendix 1 hereto.
- (d) Schedule “B” – *Project Budget* of the Conditional Contribution Agreement is deleted in its entirety and replaced with the Schedule “B” – *Project Budget* set out in Appendix 2 hereto.
- (e) Schedule “C” - *Project Plan and NOHFC Claim Schedule* of the Conditional Contribution Agreement is deleted in its entirety and replaced with the Schedule “C” - *Project Plan and NOHFC Claim Schedule* set out in Appendix 3 hereto.
- (f) Section 4 of Schedule “D” – *Request for Funds Form* of the Conditional Contribution Agreement is deleted in its entirety and replaced with the Section 4 set out in Appendix 4 hereto.

3. **Representations and Warranties.** The Recipient represents and warrants to NOHFC that the Recipient's representations and warranties contained in the Conditional Contribution Agreement, as amended hereby, are true and correct as of the date of this Amending Agreement, and that the Recipient has taken all necessary action to authorize and has duly executed and delivered this Amending Agreement.

4. **No Other Changes or Waivers.** Except as may be specifically set forth herein, neither entry into this Amending Agreement, nor anything contained herein, shall act as a waiver by NOHFC of any present or future default that may exist under the Conditional

Contribution Agreement. Unless otherwise expressly amended by this Amending Agreement, the provisions of the Conditional Contribution Agreement remain in full force and effect, unamended.

5. **Counterparts.** This Amending Agreement may be executed in any number of counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.
6. **Execution by Electronic Means.** This Amending Agreement may be executed by electronic signature and delivered by facsimile or e-mail transmission, which shall be considered as an original signature for all purposes and shall have the same force and effect as an original signature. The words "execution," "signed," "signature," and similar words in this Amending Agreement shall be deemed to include electronic signatures or the keeping of records in electronic form, each of which shall be of the same legal effect, validity and enforceability as a manually executed signature.
7. **General.** This Amending Agreement shall be governed by and interpreted in accordance with the laws of the Province of Ontario and the federal laws of Canada applicable therein.

This Amending Agreement has been executed by the Parties as of the date first stated above.

**NORTHERN ONTARIO HERITAGE FUND
CORPORATION**

By: _____

John Guerard
Executive Director (A)

I have authority to bind the corporation.

TOWNSHIP OF BILLINGS

By: _____

Name: _____

Title: _____

By: _____

Name: _____

Title: _____

I/We have authority to bind the Recipient.

APPENDIX 1

SCHEDULE “A”

PROJECT DESCRIPTION

1. Project summary

The Recipient will complete phase one of the Kagawong Waterfront Infrastructure Development project, which includes:

- (a) Enlargement of the small craft basin and replacement/installation of new floating docks – creating an additional 12 docks for transient use (Small Craft Basin). This includes 6 new 30 ft. slips and 6 new 18-20 ft. slips. These slips can accommodate boats up to 37 ft. and 25 ft., respectively.
- (b) Installation of a new wastewater system to collect and environmentally dispose of sewage to supply service to the marina and future new buildings.

2. Project purpose

The Project will assist the Recipient in acquiring the services and infrastructure required to maintain its marina which is one of its main tourism assets. The Project will also lay the groundwork that is critical for future expansions identified in the Recipient's 2015 Waterfront Master Plan.

3. Project location

Kagawong, Ontario

APPENDIX 2

SCHEDULE “B”

PROJECT BUDGET

1. Project Costs Chart

<i>Project cost category</i>	<i>Eligible Project Costs</i>	<i>Ineligible Project Costs</i>	<i>Total cost</i>
Engineering (small craft, main marina, and septic, including project/contract management)	\$420,470	\$0	\$420,470
Construction	\$1,475,530	\$0	\$1,475,530
Contingency	\$116,690	\$0	\$116,690
Fees/Permits	\$0	\$33,000	\$33,000
TOTAL	\$2,012,690	\$33,000	\$2,045,690

2. Project Funding Chart

<i>Funding sources</i>	<i>Financing type</i>	<i>Project cost category</i>	<i>Eligible Project Costs</i>	<i>Ineligible Project Costs</i>	<i>Total funding</i>
NOHFC	Conditional contribution	Eligible Project Costs	\$1,000,000	\$0	\$1,000,000
FedNor	Conditional contribution	Eligible Project Costs	\$818,276	\$0	\$818,276
Recipient	Cash	All	\$194,414	\$33,000	\$227,414
TOTAL:			\$2,012,690	\$33,000	\$2,045,690
NOHFC % of total Eligible Project Costs			49.68%		

APPENDIX 3

SCHEDULE “C”

PROJECT PLAN AND NOHFC CLAIM SCHEDULE

1. Project Plan

Project milestones	Timing	
	Start (month/ year)	End (month/ year)
Permits and studies	January 2019	March 2021
Small craft excavation / Construction / Dock install	June 2020	October 2020
Septic system install	September 2019	October 2021
Engineering	June 2020	March 2021

2. NOHFC Claim Schedule

	Funding Year 2 (ending Mar 31/2021)				
	Apr 1- Jun 30	Jul 1- Sep 30	Oct 1- Dec 31	Jan 1- Mar 31	Total
Eligible Project Costs	\$235,120			\$1,535,257	\$1,770,377
Claim	\$116,808			\$762,716	\$879,524

	Funding Year 2 (ending Mar 31/2022)				
	Apr 1- Jun 30	Jul 1- Sep 30	Oct 1- Dec 31	Jan 1- Mar 31	Total
Eligible Project Costs		\$242,313			\$242,313
Claim		\$120,476			\$120,476

3. Project completion date: OCTOBER 31, 2021

APPENDIX 4

4. Eligible Project Costs - Claim status

Please complete this table below in conjunction with the tables in section 5 of this form.
Only the subtotals from the tables completed in section 5 should be identified in the "Total Eligible Project Costs this request" column of the table below.

<i>Eligible Project Cost category</i>	<i>Total Eligible Project Cost amount</i>	<i>Total Eligible Project Costs of all claims submitted to date (not including this request)</i>	<i>Eligible Project Costs this request</i>	<i>Balance of Eligible Project Costs remaining (after this request)</i>	<i>Table no. if applicable (from section 5 of this form)</i>
Engineering (small craft, main marina, and septic, including project/contract management)	\$420,470				
Construction	\$1,475,530				
Contingency	\$116,690				
TOTAL	\$2,012,690				
NOHFC Funds (49.68%)	\$1,000,000				

Total Eligible Project Costs this request: \$ _____ (A)

NOHFC % of Eligible Project Costs 49.68% (B)

Current Payment Request: \$ _____ (C)
(A x B)

2020 STRUCTURE INSPECTION APPRAISAL REPORT

Prepared For:

THE MUNICIPALITY OF BILLINGS



by

K. SMART ASSOCIATES LIMITED
85 McIntyre Drive
Kitchener ON N2R 1H6

December 2020



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December 21, 2020

File No. 19-317

**2020 STRUCTURE INSPECTION
APPRAISAL REPORT**

MUNICIPALITY OF BILLINGS

A. INTRODUCTION

1. Purpose

The purpose of this study report is to summarize the information obtained during the inspection of three (3) structures in the Municipality of Billings and to provide recommendations with related preliminary cost estimates for maintenance, improvements or replacement of deficient structures in accordance with the MTO Inventory Manual for Municipal Roads and Structures.

2. Location

The location of all structures undertaken for this study is shown on the key plan. There are three (3) structures inspected in total:

- There are 2 single span steel girder bridges
- There is 1 multi-plate steel box culvert

3. Background Information

Reference has been made to the existing appraisal sheets for the 3 structures inspected in this report.

4. References

These appraisals, inspections and recommendations for improvement and preventative maintenance are made with reference to the following Manuals:

1. MTO Inventory Manual for Municipal Structures
2. MTO Structure Rehabilitation Manual
3. MTO Roadside Safety Manual
4. Ontario Structure Inspection Manual (OSIM)
5. Canadian Highway Bridge Design Code (CHBDC)

B. STRUCTURE INSPECTION

1. General

A visual inspection of each structure was carried out on November 2, 2020 in conformance with the Ontario Structure Inspection Manual. Each structure was photographed with close-ups of any defects or deteriorations.

A Municipal Structure Inspection Form was completed for each structure. All visible deterioration was recorded. A complete set of the structural appraisal sheets is enclosed in Appendix C.

2. Observations and Recommendations

We note that very few recommendations for repairs listed in the 2017 Inspection Report have been completed. Most of the recommendations in this report are carried over from the 2017 report. We note that without intervention, the list of recommendations and required work for the Municipality's bridges will continue to grow as will the costs to complete the repairs. In addition, two of the three structures in the Municipality are nearing or are at the ends of their useful lives. Should rehabilitations and replacements continue to be delayed, the affected structures may be recommended for closure in future inspections as "an acceptable standard in terms of public safety, comfort, and convenience" (Ontario Structure Inspection Manual, Section 1.2.1) will not be met.

The general conditions of the three structures inspected are summarized below (in order of priority):

- a) Structures 2 (Old Mill Road Bridge) and 3 (Mud Creek Road Bridge) are identified as requiring replacement in 1-5 years.
- b) Posting load limit signs of 15 tonnes for Old Mill Road Bridge and 5 tonnes for Mud Creek Road Bridge is recommended until the structures are replaced.
- c) Structure 1 (Nelson Road Bridge) is in excellent/good condition. This structure does require minor maintenance work which could be performed by the Townships Work crews.
- d) Narrow structure signs are required when a structure has a clear roadway width between 6.0m or less. When the clear roadway width is less than 5.0m, a tab sign reading "One Lane" is required immediately below the narrow structure sign. These signs are to be placed not less than 150m but no more than 250m in advance of the structure. Structure 3 requires both the narrow structure sign and "One Lane" tab.

Please refer to the tables in Appendix B for a complete summary of the recommendations and associated costs for each structure.

C. CONCLUSIONS

The Municipality should prepare to complete the replacements of Old Mill Road Bridge and Mud Creek Road Bridge within the next one to five years. Both bridges should be load posted until the structures are replaced.

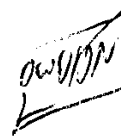
The remainder of the maintenance items, rehabilitation/repairs, and other recommendations contained in this report are recommended to be completed in the suggested timeframes.

All of which is respectfully submitted.

If you have any questions please contact the undersigned at any time.



Patrick Mayne, P. Eng.



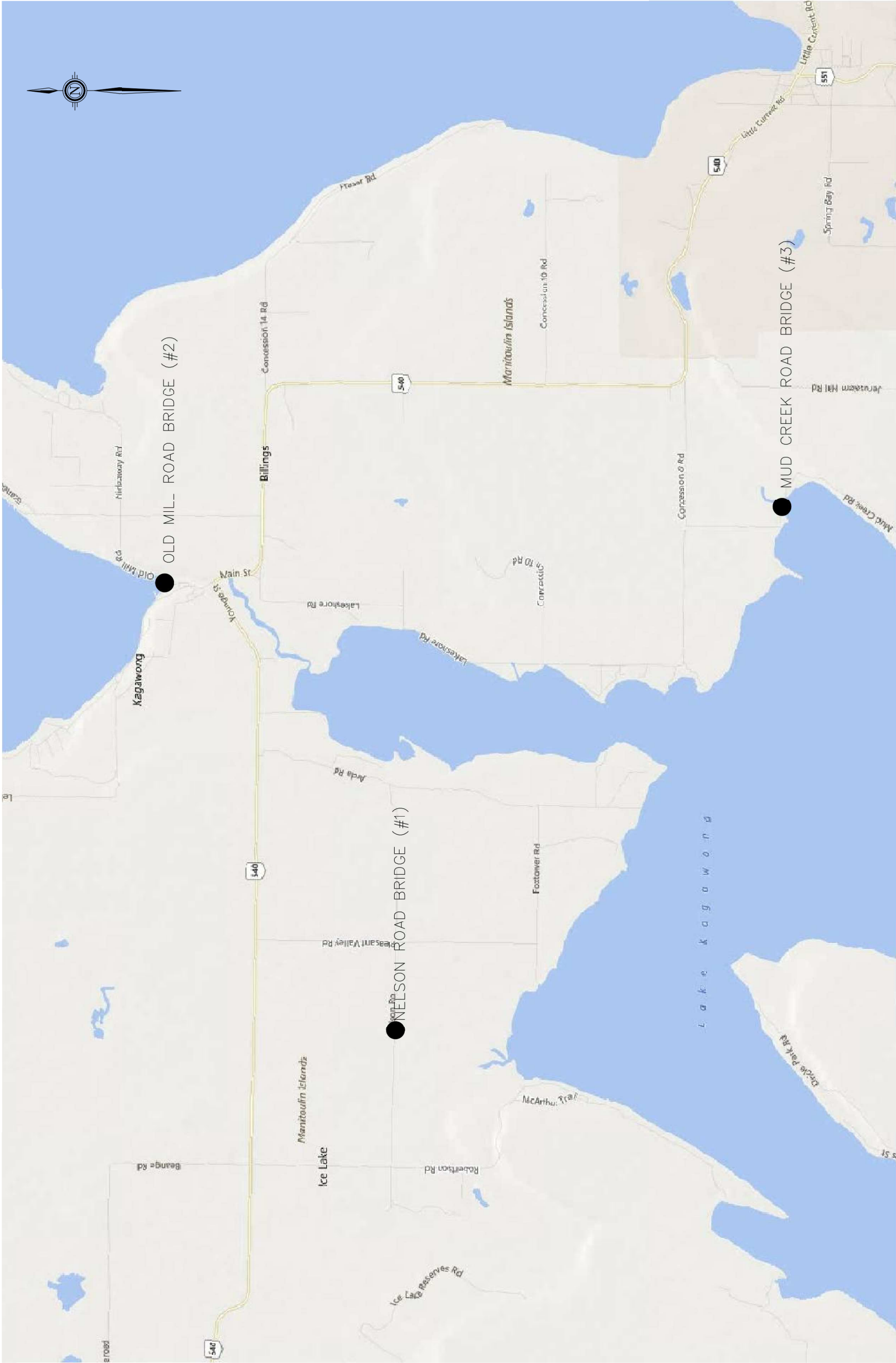
Pedram Yazdan Panah, EIT

APPENDIX A

INVENTORY MAP

MUNICIPALITY OF BILLINGS

STRUCTURE LOCATIONS



APPENDIX B

STRUCTURE INVENTORY

MUNICIPALITY OF BILLINGS
2020 STRUCTURE INVENTORY

Structure No.	Approx. Year of Const.	Location		Span (metres)	Skew (deg)	Roadway Width (metres)	Current Load Limit (Tonnes)	Recommended Load Limit (Tonnes)	Type of Bridge/Culvert	ELEMENT	TYPE OF IMPROVEMENT	TIME OF IMPROVEMENT (EST. COST IN THOUSANDS)			REMARKS
		Con	Lot									Now	1 - 5 yrs	6 - 10 yrs	
1	2009	6 & 7	13	6.1	10	7.6	--	--	Corrugated Steel Box Culvert - Open Footing	Barriers Barriers Culvert Culvert Embankments & Streams	Consider re-installing guide rail to correct mounting heights Consider installing end treatments Consider installing MSE retaining walls Seals gaps in footing plates Place fill/granular material at eroded areas	1	5 17 22 1		Excellent
2	--	16	28	6	0	7.1	--	--	Wood Deck on Steel Girder Bridge		Replace structure		575		Existing Substructure is in poor condition. Replace structure 1-5 years
3	--	7	25	7.65	0	4.6	--	--	Wood Deck on Steel Girder Bridge		Replace structure		575		Existing Substructure is in poor condition. Replace structure 1-5 years

Total Estimated Cost (\$1,000's)
(Does not include alternative replacement costs)

1.0	1,195.0	0.0
-----	---------	-----

The costs in this chart are for budget and comparison purposes only. The cost do not include contingencies, engineering or contract administration fees (which could be estimated at 30% of the total). Consideration for placement of steel beam guiderails at all structures and approaches currently without guide rail should be given priority based on height/steepness of embankment, road width, road grade, records of previous accidents, traffic counts and hazard potential. Recommendations for Complete Replacement of Structures are not shown in the totals columns unless it is preferred alternative. Please refer to the OSIM Forms and Photos for Complete Condition Information and Recommendations.

APPENDIX C

**MUNICIPAL STRUCTURE INSPECTION FORMS
AND PHOTOS**

Municipal Structure Inspection Form

MTO Site Number:

Inventory Data:

Structure Name	NELSON ROAD BRIDGE (#1)		
Main Hwy/Road #	<input type="text"/>	On <input checked="" type="checkbox"/> Under <input type="checkbox"/>	Crossing Type: Navig. Water <input type="checkbox"/> Non-Navig. Water <input checked="" type="checkbox"/> Rail <input type="checkbox"/> Road <input type="checkbox"/> Ped. <input type="checkbox"/> Other <input type="checkbox"/>
Road Name	NELSON ROAD		
Structure Location	CONCESSIONS 7 & 8, LOT 14		
Latitude	<input type="text"/>	Longitude	<input type="text"/>
Owner(s)	TOWNSHIP OF BILLINGS	Heritage Designation:	Not Cons. <input checked="" type="checkbox"/> Cons./not App. <input type="checkbox"/> List/not Desig. <input type="checkbox"/> Desig./Not List <input type="checkbox"/> Desig. & List <input type="checkbox"/>
MTO Region *	NORTHEASTERN	Road Class:	Freeway <input type="checkbox"/> Arterial <input type="checkbox"/> Collector <input type="checkbox"/> Local <input checked="" type="checkbox"/>
MTO District *	SUDBURY	Posted Speed	<input type="text"/> No. of Lanes <input type="text" value="2"/>
Old County *	MANITOULIN	AADT	<input type="text"/> % Trucks <input type="text"/>
Geographic Twp. *	BILLINGS	Special Routes:	Transit <input type="checkbox"/> Truck <input type="checkbox"/> School <input checked="" type="checkbox"/> Bicycle <input type="checkbox"/>
Structure Type *	CSP BOX OPEN FOOTING	Detour Length Around Bridge	<input type="text" value="10"/> (km)
Total Deck Length	<input type="text" value="N/A"/> (m)	Fill on Structure	<input type="text" value="0.8±"/> (m)
Overall Str. Width	<input type="text" value="12.0"/> (m)	Skew Angle	<input type="text" value="10°±"/> (degrees)
Total Deck Area	<input type="text" value="N/A"/> (sq.m)	Direction of Structure	<input type="text" value="E to W"/>
Roadway Width	<input type="text" value="7.6"/> (m)	No. of Spans	<input type="text" value="1"/>
Span Lengths	<input type="text" value="6.1"/> (m)		

Historical Data:

Year Built	<input type="text" value="2009"/>	Last Biennial Inspection	<input type="text" value="2017"/>
Current Load Limit	<input type="text" value="-- / -- / --"/> (tonnes)	Last BridgeMaster Inspection	<input type="text" value="--"/>
Load Limit Bylaw #	<input type="text" value="--"/>	Last Evaluation	<input type="text" value="--"/>
Bylaw Expiry Date	<input type="text" value="--"/>	Last Underwater Inspection	<input type="text" value="N/A"/>
Min. Vertical Clearance	<input type="text" value="N/A"/> (m)	Last Condition Survey	<input type="text" value="--"/>

Rehab. History: (Date/description)

Structure new in 2009.

Municipal Structure Inspection Form

MTO Site Number:

11/11/2019

Field Inspection Information:		
Date of Inspection:	November 2, 2020	
Inspector:	Patrick Mayne, P. Eng.	
Others in Party:	Pedram Yazdan Panah, E.I.T.	
Equipment Used:	Tapes, Hammer, Ladder, Chain, Camera, Safety Equipment	
Weather:	Cloudy	
Temperature:	2°C	

Additional Investigations Required:		Priority			Estimated Cost
		None	Normal	Urgent	
Detailed Deck Condition Survey:		✓			0
DART Survey:		✓			0
Detailed Coating Condition Survey:		✓			0
Underwater Investigation:		✓			0
Fatigue Investigation:		✓			0
Seismic Investigation:		✓			0
Structure Evaluation:		✓			0
Load Posting – Estimated Load	CHBDC	Total Cost			\$ 0
Special Notes:					
Next Detailed Inspection:		2022			

Suspected Performance Deficiencies

- | | | | | | |
|-----------|--|-----------|---------------------------------------|-----------|---------------------------|
| 01 | Load carrying capacity | 06 | Bearing not uniformly loaded/unstable | 12 | Slippery surfaces |
| 02 | Excessive deformations (deflections & rotations) | 07 | Jammed expansion joint | 13 | Flooding/channel blockage |
| 03 | Continuing settlement | 08 | Pedestrian/vehicular hazard | 14 | Undermining of foundation |
| 04 | Continuing movements | 09 | Rough riding surface | 15 | Unstable embankments |
| 05 | Seized bearings | 10 | Surface ponding | 16 | Other |
| | | 11 | Deck drainage | | |

Maintenance Needs

- | Maintenance Needs | | | | | |
|-------------------|-----------------------------------|----|------------------------------|----|----------------------------|
| 01 | Lift and Swing Bridge Maintenance | 07 | Repair to Structural Steel | 13 | Erosion Control at Bridges |
| 02 | Bridge Cleaning | 08 | Repair of Bridge Concrete | 14 | Concrete Sealing |
| 03 | Bridge Handrail Maintenance | 09 | Repair of Bridge Timber | 15 | Rout and Seal |
| 04 | Painting Steel Bridge Structures | 10 | Bailey Bridges - Maintenance | 16 | Bridge Deck Drainage |
| 05 | Bridge Deck Joint Repair | 11 | Animal/Pest Control | 17 | Other |
| 06 | Bridge Bearing Maintenance | 12 | Bridge Surface Repair | | |

Municipal Structure Inspection Form

MTO Site Number:

Page 10

Element Data

Element Group: *	Accessories	Length:					
Element Name: *	Signs	Width:					
Location:	Corners	Height:					
Material: *	Aluminum	Count:	4				
Element Type: *	--	Total Quantity:	4				
Environment:	Benign / Moderate / Severe	Limited Insp'n:	<input type="checkbox"/>				
Protection System: *	None						
Condition Data:	Units	Exc.	Good	Fair	Poor	Perform. Deficiencies	Maint. Needs
	m ² / m / each / % / all	✓					
Comments:							
Recommended Work: None <input checked="" type="checkbox"/> 6–10 years <input type="checkbox"/> 1–5 years <input type="checkbox"/> < 1 year <input type="checkbox"/> Urgent <input type="checkbox"/>							

Element Group: *	Barriers	Length:	15.24					
Element Name: *	Railing System	Width:						
Location:	All	Height:						
Material: *	Steel	Count:	2					
Element Type: *	--	Total Quantity:	30.48					
Environment:	Benign / Moderate (Severe)	Limited Insp'n:	<input type="checkbox"/>					
Protection System: *	Galvanized						Perform. Deficiencies	Maint. Needs
Condition Data:	Units m ² /m/ each / % / all	Exc.	Good	Fair	Poor			
Comments: Steel Beam Guiderail is in good condition, but mounting height is too low for current roadway profile.								
Recommended Work: None <input type="checkbox"/> 6-10 years <input type="checkbox"/> 1-5 years <input checked="" type="checkbox"/> < 1 year <input type="checkbox"/> Urgent <input type="checkbox"/>								
Consider re-installing guiderail at the correct mounting height. Consider installing end treatments.								

Element Group: *	Barriers	Length:					
Element Name: *	Posts	Width:					
Location:	All	Height:					
Material: *	Wood	Count:	9 x 2 sides				
Element Type: *	---	Total Quantity:	18				
Environment:	Benign / Moderate / <u>Severe</u>	Limited Insp'n:	<input type="checkbox"/>				
Protection System: *	Pressure treated						
Condition Data:	Units	Exc.	Good	Fair	Poor	Perform. Deficiencies	Maint. Needs
	m ² / m / each / % / all		✓				
Comments: Wood SBGR posts are in good condition.							
Recommended Work: None <input checked="" type="checkbox"/> 6 – 10 years <input type="checkbox"/> 1 – 5 years <input type="checkbox"/> < 1 year <input type="checkbox"/> Urgent <input type="checkbox"/>							

Municipal Structure Inspection Form

MTO Site Number:

Element Data

Element Group: *	Culverts	Length:	
Element Name: *	Inlet Components	Width:	
Location:	North End	Height:	
Material: *	Stone	Count:	
Element Type: *	---	Total Quantity:	2
Environment:	Benign / Moderate / Severe	Limited Insp'n:	<input type="checkbox"/>
Protection System: *	None		
Condition	Units	Exc.	Good
Data:	m ² / m / each / % / all		✓
		Fair	Poor
		Perform. Deficiencies	Maint. Needs
		--	13

Comments:
Non grout limestone retaining walls at inlet are in good condition.

Recommended Work: None ☐ 6–10 years ☐ 1 – 5 years ☒ < 1 year ☐ Urgent ☐

Consider MSE Retaining Wall to retain roadway.

Element Group: *	Culverts	Length:	
Element Name: *	Outlet Components	Width:	
Location:	South End	Height:	
Material: *	Stone	Count:	
Element Type: *	--	Total Quantity:	2
Environment:	Benign / Moderate / Severe	Limited Insp'n:	<input type="checkbox"/>
Protection System: *	None		
Condition	Units	Exc.	Good
Data:	m ² / m / each / % / all		✓
		Fair	Poor
		Perform. Deficiencies	Maint. Needs
		--	13

Comments:
Non grout limestone retaining walls at outlet are in good condition.
Few gaps in wall.

Recommended Work: None ☐ 6–10 years ☐ 1 – 5 years ☒ < 1 year ☐ Urgent ☐

Consider MSE Retaining Wall to retain roadway.

Element Group: *	Culverts	Length:	12.0
Element Name: *	Barrel	Width:	6.1
Location:	All	Height:	1.4
Material: *	Steel	Count:	1
Element Type: *	--	Total Quantity:	107
Environment:	Benign / Moderate / Severe	Limited Insp'n:	<input type="checkbox"/>
Protection System: *	Galvanized		
Condition	Units	Exc.	Good
Data:	m ³ / m / each / % / all	✓	
		Fair	Poor
		Perform. Deficiencies	Maint. Needs
		--	--

Comments:
Open Footing CSP Box in excellent condition.
Previous inspection noted missing bolts in bottom hole of structure panels (typical throughout structure).
Typical of other structures in the area.

Recommended Work: None ☐ 6–10 years ☐ 1 – 5 years ☒ < 1 year ☐ Urgent ☐

Seal gaps between bottom of footing plate and bedrock to prevent potential erosion of backfill

Municipal Structure Inspection Form

MTO Site Number:

Element Data

Element Group: *	Embankments & Streams	Length:						
Element Name: *	Embankments	Width:						
Location:	4 Quadrants	Height:						
Material: *	Earth	Count:	4					
Element Type: *	--	Total Quantity:	4					
Environment:	Benign / <u>Moderate</u> / Severe	Limited Insp'n:	<input type="checkbox"/>					
Protection System: *	Galvanized						Perform. Deficiencies	Maint. Needs
Condition	Units	Exc.	Good	Fair	Poor			
Data:	m ² / m / <u>each</u> / % / all		✓			--	--	
Comments: Some erosion of north roadway shoulder.								
Recommended Work: None <input type="checkbox"/> 6–10 years <input type="checkbox"/> 1–5 years <input type="checkbox"/> < 1 year <input checked="" type="checkbox"/> Urgent <input type="checkbox"/>								
Place fill/granular material.								

Element Group: *	Embankments & Streams	Length:						
Element Name: *	Slope Protection	Width:						
Location:	--	Height:						
Material: *	Vegetation	Count:	1					
Element Type: *	--	Total Quantity:	1					
Environment:	Benign / <u>Moderate</u> / Severe	Limited Insp'n:	<input type="checkbox"/>					
Protection System: *	Galvanized						Perform. Deficiencies	Maint. Needs
Condition	Units	Exc.	Good	Fair	Poor			
Data:	m ² / m / each / % / <u>all</u>		✓			--	--	
Comments: Well vegetated.								
Recommended Work: None <input checked="" type="checkbox"/> 6–10 years <input type="checkbox"/> 1–5 years <input type="checkbox"/> < 1 year <input type="checkbox"/> Urgent <input type="checkbox"/>								

Element Group: *	Embankments & Streams	Length:						
Element Name: *	Streams & Waterways	Width:						
Location:	--	Height:						
Material: *	--	Count:	1					
Element Type: *	--	Total Quantity:	1					
Environment:	Benign / <u>Moderate</u> / Severe	Limited Insp'n:	<input type="checkbox"/>					
Protection System: *	Galvanized						Perform. Deficiencies	Maint. Needs
Condition	Units	Exc.	Good	Fair	Poor			
Data:	m ² / m / each / % / <u>all</u>		✓			--	--	
Comments: No obstructions noted.								
Recommended Work: None <input checked="" type="checkbox"/> 6–10 years <input type="checkbox"/> 1–5 years <input type="checkbox"/> < 1 year <input type="checkbox"/> Urgent <input type="checkbox"/>								

Municipal Structure Inspection Form

MTO Site Number:

Element Group: *	Approaches	Length:	6.1				
Element Name: *	Wearing Surface	Width:	7.6				
Location:	All	Height:					
Material: *	Gravel	Count:	1				
Element Type: *	---	Total Quantity:	46.4				
Environment:	Benign / Moderate / Severe	Limited Insp'n:	<input type="checkbox"/>				
Protection System: *	Pressure treated					Perform. Deficiencies	Maint. Needs
Condition Data:	Units	Exc.	Good	Fair	Poor		
	m ² / m / each / % / all			✓		--	--
Comments: Build up of granular on the shoulders in front of guiderails with vegetation growth.							
Recommended Work: None 6 – 10 years <input type="checkbox"/> 1 – 5 years <input checked="" type="checkbox"/> < 1 year <input type="checkbox"/> Urgent <input type="checkbox"/>							
Regrade shoulders							

Municipal Structure Inspection Form

MTO Site Number:

Repair and Rehabilitation Required:		Priority				Estimated Construction Cost
Element	Repair and Rehabilitation Required	6 to 10 years	1 to 5 years	Within 1 year	Urgent	
Barriers	Consider re-installing guide rail to correct mounting heights		X			\$ 5,000
Barriers	Consider installing end treatments		X			\$ 17,000
Culvert	Consider installing MSE retaining walls		X			\$ 22,000
Culvert	Seal gaps in footing plates		X			\$ 1,000
Embankments & Streams	Place fill/granular material at eroded areas			X		\$ 1,000
Total Cost						\$ 46,000

Associated Work:	Comments	Estimated Cost
Approaches:		
Detours:		
Traffic Control:		
Utilities:		
Right of Way:		
Environmental Study:		
Other:	Engineering & Contract Administration	\$ 6,000
Contingencies:		
Total Cost		\$ 52,000

Justification:



1. East Approach (looking west)



2. West Approach (looking east)



3. North Elevation (looking southeast)



4. South Elevation (looking northeast)



5. Barrel (looking north)



6. North Barrier (looking west) - Note barrier is too low



7. South Barrier (looking west) - Note barrier is too low



8. Wearing Surface (see potholes)



9. Retaining Fill at Northeast Corner - See voids (looking southeast)



10. Retaining Fill at Northwest Corner - General Photo (looking southwest)



11. Retaining Fill at Southwest Corner - See voids (looking northwest)

Inventory Data:

Structure Name	<input type="text" value="OLD MILL ROAD BRIDGE (#2)"/>		
Main Hwy/Road #	<input type="text"/>	On <input checked="" type="checkbox"/> Under <input type="checkbox"/>	Crossing Type: Navig. Water <input type="checkbox"/> Non-Navig. Water <input checked="" type="checkbox"/> Rail <input type="checkbox"/> Road <input type="checkbox"/> Ped. <input type="checkbox"/> Other <input type="checkbox"/>
Road Name	<input type="text" value="OLD MILL ROAD"/>		
Structure Location	<input type="text" value="CONCESSION 16, LOT 27"/>		
Latitude	<input type="text"/>	Longitude	<input type="text"/>
Owner(s)	<input type="text" value="TOWNSHIP OF BILLINGS"/>	Heritage Designation:	Not Cons. <input checked="" type="checkbox"/> Cons./not App. <input type="checkbox"/> List/not Desig. <input type="checkbox"/> Desig./Not List <input type="checkbox"/> Desig. & List <input type="checkbox"/>
MTO Region *	<input type="text" value="NORTHEASTERN"/>	Road Class:	Freeway <input type="checkbox"/> Arterial <input type="checkbox"/> Collector <input type="checkbox"/> Local <input checked="" type="checkbox"/>
MTO District *	<input type="text" value="SUDBURY"/>	Posted Speed	<input type="text"/> No. of Lanes <input type="text" value="2"/>
Old County *	<input type="text" value="MANITOULIN"/>	AADT	<input type="text"/> % Trucks <input type="text"/>
Geographic Twp. *	<input type="text" value="BILLINGS"/>	Special Routes:	Transit <input type="checkbox"/> Truck <input type="checkbox"/> School <input checked="" type="checkbox"/> Bicycle <input type="checkbox"/>
Structure Type *	<input type="text" value="DECK-ON-GIRDER"/>	Detour Length Around Bridge	<input type="text" value="6"/> (km)
Total Deck Length	<input type="text" value="9.75"/> (m)	Fill on Structure	<input type="text" value="0"/> (m)
Overall Str. Width	<input type="text" value="7.36"/> (m)	Skew Angle	<input type="text" value="0"/> (degrees)
Total Deck Area	<input type="text" value="72"/> (sq.m)	Direction of Structure	<input type="text" value="E to W"/>
Roadway Width	<input type="text" value="7.06"/> (m)	No. of Spans	<input type="text" value="1"/> (m)
Span Lengths	<input type="text" value="6.0"/> (m)		

Historical Data:

Year Built	<input type="text" value="--"/>	Last Biennial Inspection	<input type="text" value="2017"/>
Current Load Limit	<input type="text" value="-- / -- / --"/> (tonnes)	Last BridgeMaster Inspection	<input type="text" value="--"/>
Load Limit Bylaw #	<input type="text" value="--"/>	Last Evaluation	<input type="text" value="--"/>
Bylaw Expiry Date	<input type="text" value="--"/>	Last Underwater Inspection	<input type="text" value="--"/>
Min. Vertical Clearance	<input type="text" value="N/A"/> (m)	Last Condition Survey	<input type="text" value="--"/>

Rehab. History: (Date/description)

2009

- New laminated wood deck
- New steel beam guiderails on structure and approaches
- New wood hand railing, posts and braces on structure
- 4 new masonry block retaining walls
- New outer beams
- Original beams extended

2010

- Prime and Chip added to top of timber deck

MTO Site Number:

--

Field Inspection Information:		
Date of Inspection:	November 2, 2020	
Inspector:	Patrick Mayne, P. Eng.	
Others in Party:	Pedram Yazdan Panah, EIT	
Equipment Used:	Tapes, Hammer, Ladder, Camera, Chain, Safety Equipment	
Weather:	Cloudy	
Temperature:	2°C	

Additional Investigations Required:		Priority			Estimated Cost
		None	Normal	Urgent	
Detailed Deck Condition Survey:		✓			0
DART Survey:		✓			0
Detailed Coating Condition Survey:		✓			0
Underwater Investigation:		✓			0
Fatigue Investigation:		✓			0
Seismic Investigation:		✓			0
Structure Evaluation:		✓			0
Load Posting – Estimated Load	CHBDC	Total Cost			0
Special Notes:					
Next Detailed Inspection:		2022			

Suspected Performance Deficiencies

- | | | | | | |
|-----------|--|-----------|---------------------------------------|-----------|---------------------------|
| 01 | Load carrying capacity | 06 | Bearing not uniformly loaded/unstable | 12 | Slippery surfaces |
| 02 | Excessive deformations (deflections & rotations) | 07 | Jammed expansion joint | 13 | Flooding/channel blockage |
| 03 | Continuing settlement | 08 | Pedestrian/vehicular hazard | 14 | Undermining of foundation |
| 04 | Continuing movements | 09 | Rough riding surface | 15 | Unstable embankments |
| 05 | Seized bearings | 10 | Surface ponding | 16 | Other |
| | | 11 | Deck drainage | | |

Maintenance Needs

- | | | | | | |
|-----------|------------------------------------|-----------|------------------------------|-----------|----------------------------|
| 01 | Light and Swing Bridge Maintenance | 07 | Repair to Structural Steel | 13 | Erosion Control at Bridges |
| 02 | Bridge Cleaning | 08 | Repair of Bridge Concrete | 14 | Concrete Sealing |
| 03 | Bridge Handrail Maintenance | 09 | Repair of Bridge Timber | 15 | Rout and Seal |
| 04 | Painting Steel Bridge Structures | 10 | Bailey Bridges - Maintenance | 16 | Bridge Deck Drainage |
| 05 | Bridge Deck Joint Repair | 11 | Animal/Pest Control | 17 | Other |
| 06 | Bridge Bearing Maintenance | 12 | Bridge Surface Repair | | |

Element Data

Element Group: *	Abutments	Length:	1.3 x 2					
Element Name: *	Abutment Walls	Width:	6.3					
Location:	East and West	Height:	2.5					
Material: *	Wood and Rock	Count:	2					
Element Type: *	Crib	Total Quantity:	44					
Environment:	Benign / Moderate / Severe	Limited Insp'n:	<input checked="" type="checkbox"/>					
Protection System: *	Creosote						Perform. Deficiencies	Maint. Needs
Condition	Units	Exc.	Good	Fair	Poor			
Data:	m ² / m / each / % / all			32	12		3	--

Comments: Abutments are generally in fair to poor condition. Signs that both cribs are tilting towards the creek with a significant loss of rocks at the bottom. There are significant gaps between the timbers. The bottom timbers at both cribs are either missing or very rotten, providing no support to the front face of the cribs. Connections between crib members have failed on both sides.
Water high in 2020, unable to inspect the bearing or bottom of the crib.

Recommended Work: None ☐ 6–10 years ☐ 1–5 years ☒ < 1 year ☐ Urgent ☐
Replace Abutments.

Element Group: *	Abutments	Length:	4.0					
Element Name: *	Wingwalls	Width:	--					
Location:	4 Quadrants	Height:	2.5					
Material: *	Pre-cast Block	Count:	4					
Element Type: *	--	Total Quantity:	40					
Environment:	Benign / Moderate / Severe	Limited Insp'n:	<input type="checkbox"/>					
Protection System: *							Perform. Deficiencies	Maint. Needs
Condition	Units	Exc.	Good	Fair	Poor			
Data:	m ² / m / each / % / all		40				--	--

Comments:
Retaining walls are in good condition.
Possible load carrying concern as these walls support exterior bridge girders.

Recommended Work: None ☐ 6–10 years ☐ 1–5 years ☒ < 1 year ☐ Urgent ☐
Place additional rock protection at upstream wingwalls to prevent erosion and undermining of walls.

Element Group: *	Accessories	Length:						
Element Name: *	Signs	Width:						
Location:	4 Corners	Height:						
Material: *	Aluminum	Count:	4					
Element Type: *	--	Total Quantity:	4					
Environment:	Benign / Moderate / Severe	Limited Insp'n:	<input type="checkbox"/>					
Protection System: *							Perform. Deficiencies	Maint. Needs
Condition	Units	Exc.	Good	Fair	Poor			
Data:	m ² / m / each / % / all	4					--	--

Comments:

Recommended Work: None ☒ 6–10 years ☐ 1–5 years ☐ < 1 year ☐ Urgent ☐

11/11/2019

Element Group: *	Approaches	Length:	2.0				
Element Name: *	Wearing Surface	Width:	1.0				
Location:	Corners	Height:	--				
Material: *	Tar & Chip	Count:	4				
Element Type: *	--	Total Quantity:	8				
Environment:	Benign / Moderate (Severe)	Limited Insp'n:	<input type="checkbox"/>				
Protection System: *	None			Perform. Deficiencies	Maint. Needs		
Condition Data:	Units m ² / m / each / % / all	Exc.	Good				Fair
			8			--	13
Comments: Minor erosion at all four corners. Some material has been placed at corners.							
Recommended Work: None <input checked="" type="checkbox"/> 6-10 years <input type="checkbox"/> 1-5 years <input type="checkbox"/> < 1 year <input type="checkbox"/> Urgent <input type="checkbox"/>							

Element Group: *	Barriers	Length:	9.7				
Element Name: *	Railing System	Width:	--				
Location:	Structure	Height:	--				
Material: *	Steel	Count:	2				
Element Type: *	SBGR	Total Quantity:	19.4				
Environment:	Benign / Moderate / <u>Severe</u>	Limited Insp'n:	<input type="checkbox"/>				
Protection System: *	Galvanized						
Condition Data:	Units	Exc.	Good	Fair	Poor	Perform. Deficiencies	Maint. Needs
	m ² /m/ each / % / all		19.4				
Comments:							
Steel beam guide rail panels new in 2009 and in good condition.							
Missing bolts in rail splices at 4 locations.							
Recommended Work:							
None <input type="checkbox"/> 6-10 years <input type="checkbox"/> 1-5 years <input type="checkbox"/> < 1 year <input checked="" type="checkbox"/> Urgent <input type="checkbox"/>							
Replace bolts.							

Element Group: *	Barriers	Length:	--				
Element Name: *	Posts	Width:	--				
Location:	Structure	Height:	0.94				
Material: *	Wood	Count:	6 x 2				
Element Type: *	--	Total Quantity:	12				
Environment:	Benign / Moderate	Severe	Limited Insp'n: <input type="checkbox"/>				
Protection System: *	Pressure Treated					Perform. Deficiencies	Maint. Needs
Condition Data:	Units	Exc.	Good	Fair	Poor	--	--
	m ² / m / each / % / all		12				
Comments: Wood barrier posts on structure are new in 2009 and are in good condition. Barrier does not conform to CHBDC.							
Recommended Work: None <input type="checkbox"/> 6–10 years <input type="checkbox"/> 1–5 years <input checked="" type="checkbox"/> < 1 year <input type="checkbox"/> Urgent <input type="checkbox"/>							
Replace barrier.							

Element Data

Element Group: *	Barriers	Length:	9.7					
Element Name: *	Hand Railings	Width:						
Location:	Structure	Height:						
Material: *	Wood	Count:	2					
Element Type: *	--	Total Quantity:	19.4					
Environment:	Benign / Moderate Severe	Limited Insp'n:	<input type="checkbox"/>					
Protection System: *	Pressure Treated						Perform. Deficiencies	Maint. Needs
Condition Data:	Units	Exc.	Good	Fair	Poor			
	m ² / m / each / % / all		19.4			--	--	
Comments: Wood hand railings on the structure are new in 2009 and are in good condition.								
Recommended Work: None <input checked="" type="checkbox"/> 6–10 years <input type="checkbox"/> 1–5 years <input type="checkbox"/> < 1 year <input type="checkbox"/> Urgent <input type="checkbox"/>								

Element Group: *	Barriers	Length:						
Element Name: *	Railing System	Width:						
Location:	Approaches	Height:						
Material: *	Steel	Count:	9.35 and 16.97					
Element Type: *	SBGR	Total Quantity:	26.3					
Environment:	Benign / Moderate Severe	Limited Insp'n:	<input type="checkbox"/>					
Protection System: *	Galvanized						Perform. Deficiencies	Maint. Needs
Condition Data:	Units	Exc.	Good	Fair	Poor			
	m ² / m / each / % / all		26.3			--	--	
Comments: Steel beam guide rail at approaches new in 2009 and in good condition.								
Recommended Work: None <input checked="" type="checkbox"/> 6–10 years <input type="checkbox"/> 1–5 years <input type="checkbox"/> < 1 year <input type="checkbox"/> Urgent <input type="checkbox"/>								

Element Group: *	Barriers	Length:						
Element Name: *	Posts	Width:						
Location:	Approaches	Height:						
Material: *	Wood	Count:	5 + 9					
Element Type: *	--	Total Quantity:	14					
Environment:	Benign / Moderate Severe	Limited Insp'n:	<input type="checkbox"/>					
Protection System: *	Pressure Treated						Perform. Deficiencies	Maint. Needs
Condition Data:	Units	Exc.	Good	Fair	Poor			
	m ² / m / each / % / all		12	1	1	--	--	
Comments: Wood barrier posts on at approaches are new in 2009 and are in good condition. One rotten post was noted at the NE corner of the structure.								
Recommended Work: None <input type="checkbox"/> 6–10 years <input type="checkbox"/> 1–5 years <input checked="" type="checkbox"/> < 1 year <input type="checkbox"/> Urgent <input type="checkbox"/> Replace post								

11/11/2019

Element Group: *	Beams	Length:	7.2				
Element Name: *	Girders	Width:	0.235				
Location:	Exterior	Height:	0.300				
Material: *	Steel	Count:	2				
Element Type: *	I-Type	Total Quantity:	18.8				
Environment:	Benign / Moderate / Severe	Limited Insp'n:	<input type="checkbox"/>				
Protection System: *	None						
Condition Data:	Units	Exc.	Good	Fair	Poor	Perform. Deficiencies	Maint. Needs
	m ² / m / each / % / all		18.8				
Comments: 2 new exterior girders installed in 2009 are in good condition.							
Recommended Work: None <input checked="" type="checkbox"/> 6-10 years <input type="checkbox"/> 1-5 years <input type="checkbox"/> < 1 year <input type="checkbox"/> Urgent <input type="checkbox"/>							

Element Group: *	Beams	Length:	7.2				
Element Name: *	Girders	Width:	0.235				
Location:	Outer	Height:	0.600				
Material: *	Steel	Count:	2				
Element Type: *	I-Type	Total Quantity:	27.4				
Environment:	Benign / Moderate / Severe	Limited Insp'n:	<input type="checkbox"/>				
Protection System: *	None						
Condition Data:	Units	Exc.	Good	Fair	Poor	Perform. Deficiencies	Maint. Needs
	m ² / m / each / % / all			27.4			
Comments: Riveted girders (original) in fair condition.							
Recommended Work: None <input checked="" type="checkbox"/> 6 – 10 years <input type="checkbox"/> 1 – 5 years <input type="checkbox"/> < 1 year <input type="checkbox"/> Urgent <input type="checkbox"/>							

Element Group: *	Beams	Length:	8.4				
Element Name: *	Girders	Width:	0.165				
Location:	Inner	Height:	0.600				
Material: *	Steel	Count:	2				
Element Type: *	I-Type	Total Quantity:	28				
Environment:	Benign Moderate / Severe	Limited Insp'n:	<input type="checkbox"/>				
Protection System: *	None						
Condition Data:	Units	Exc.	Good	Fair	Poor	Perform. Deficiencies	Maint. Needs
	m ² /m / each / % / all			28			
Comments: Inner girders are in fair condition.							
Recommended Work: None <input checked="" type="checkbox"/> 6–10 years <input type="checkbox"/> 1–5 years <input type="checkbox"/> < 1 year <input type="checkbox"/> Urgent <input type="checkbox"/>							

Element Data

Element Group: *	Deck	Length:	9.7			
Element Name: *	Wearing Surface	Width:	7.4			
Location:	All	Height:	----			
Material: *	Wood	Count:	1			
Element Type: *	--	Total Quantity:	72			
Environment:	Benign / Moderate / <u>Severe</u>	Limited Insp'n:	<input type="checkbox"/>			
Protection System: *	Pressure Treated				Perform. Deficiencies	Maint. Needs
Condition	Units	Exc.	Good	Fair	Poor	
Data:	m ² / m / each / % / all			18	54	--

Comments:
A thin layer of Prime and Chip covers little of the timber deck (placed in 2010). Some cracking and most of the timber tops are exposed.

Recommended Work: None ☐ 6–10 years ☐ 1–5 years ☒ < 1 year ☐ Urgent ☐
Consider replacing wearing surface.

Element Data

Element Group: *	Deck	Length:	9.7			
Element Name: *	Deck Top	Width:	7.4			
Location:	All	Height:	--			
Material: *	Wood	Count:	1			
Element Type: *	Laminated Wood Decking	Total Quantity:	72			
Environment:	Benign / Moderate / <u>Severe</u>	Limited Insp'n:	<input type="checkbox"/>			
Protection System: *	Pressure Treated				Perform. Deficiencies	Maint. Needs
Condition	Units	Exc.	Good	Fair	Poor	
Data:	m ² / m / each / % / all		72			10

Comments:
Laminated 2" x 8" wood deck is new in 2009 and is in good condition. Wear along wheel tracks and where wearing surface is missing.
There is a sag at the Northeast corner where water ponds.

Recommended Work: None ☒ 6–10 years ☐ 1–5 years ☐ < 1 year ☐ Urgent ☐

Element Group: *	Deck	Length:	9.7			
Element Name: *	Soffit	Width:	5.9			
Location:	All	Height:	--			
Material: *	Wood	Count:	1			
Element Type: *	--	Total Quantity:	57			
Environment:	Benign / <u>Moderate</u> / Severe	Limited Insp'n:	<input type="checkbox"/>			
Protection System: *	Pressure Treated				Perform. Deficiencies	Maint. Needs
Condition	Units	Exc.	Good	Fair	Poor	
Data:	m ² / m / each / % / all		57			--

Comments:
Laminated 2" x 8" wood deck is new in 2009 and is in good condition.

Recommended Work: None ☒ 6–10 years ☐ 1–5 years ☐ < 1 year ☐ Urgent ☐

Element Data

Element Group: *	Sidewalks/Curbs	Length:	9.7					
Element Name: *	Curbs	Width:	0.150					
Location:	North and south	Height:	0.150					
Material: *	Wood	Count:	2					
Element Type: *	--	Total Quantity:	8.7					
Environment:	Benign / Moderate Severe	Limited Insp'n:	<input type="checkbox"/>					
Protection System: *	Creosote						Perform. Deficiencies	Maint. Needs
Condition Data:	Units	Exc.	Good	Fair	Poor			
	m ² / m / each / % / all		8.7			--	--	
Comments:								
Wood curbs are new in 2009 and are in good condition with minor splitting								
Recommended Work:								
None <input checked="" type="checkbox"/> 6–10 years <input type="checkbox"/> 1–5 years <input type="checkbox"/> < 1 year <input type="checkbox"/> Urgent <input type="checkbox"/>								

Repair and Rehabilitation Required:		Priority				Estimated Construction Cost
Element	Repair and Rehabilitation Required	6 to 10 years	1 to 5 years	Within 1 year	Urgent	
Bridge	Replace Structure		X			\$ 575,000
Total Cost						\$ 575,000

Associated Work:	Comments	Estimated Cost
Approaches:		
Detours:		
Traffic Control:		
Utilities:		
Right of Way:		
Environmental Study:		
Other:	Engineering & Contract Administration	\$ 85,000
Contingencies:		
Total Cost		\$ 85,000

<p>Justification:</p> <p>Due to the condition of the abutments, a load posting of 15 tonnes is recommended.</p> <p>The extent and difficulty of work required to replace the original abutments is comparable to the replacement of the entire structure.</p> <p>Replacement of the entire structure in 1 to 5 years is the recommended course of action.</p>
--



1. East Approach (looking west)



2. West Approach (looking east)



3. North Elevation (looking south)



4. South Elevation (looking north)



5. East Abutment (looking east)



6. West Abutment (looking north)



7. West Abutment (looking southwest)



8. Deck - general photo (looking northwest)



9. North Barrier - general photo (looking northeast)



10. Barrier Panels Missing Bolts (typ) (looking northeast)



11. Erosion at Northeast Corner of Bridge (looking northwest)



12. Rotten Post at Northeast Corner of Bridge



13. Retaining Wall at Northwest Corner (looking west)



14. Soffit and Girder Bottoms - General Photo (looking northeast)



15. Exterior Girder and Fascia at North (looking southwest)



16. Interior Girder - See Corrosion (typ) (looking southwest)



17. Heavy Corrosion at Ends of Girders (typ)

Municipal Structure Inspection Form

MTO Site Number:

Inventory Data:

Structure Name	MUD CREEK ROAD BRIDGE (#3)		
Main Hwy/Road #	<input type="text"/>	On <input checked="" type="checkbox"/> Under <input type="checkbox"/>	Crossing Type: Navig. Water <input checked="" type="checkbox"/> Non-Navig. Water <input type="checkbox"/> Rail <input type="checkbox"/> Road <input type="checkbox"/> Ped. <input type="checkbox"/> Other <input type="checkbox"/>
Road Name	MUD CREEK ROAD		
Structure Location	CONCESSION 7, LOT 25		
Latitude	<input type="text"/>	Longitude	<input type="text"/>
Owner(s)	TOWNSHIP OF BILLINGS	Heritage Designation:	Not Cons. <input checked="" type="checkbox"/> Cons./not App. <input type="checkbox"/> List/not Desig. <input type="checkbox"/> Desig./Not List <input type="checkbox"/> Desig. & List <input type="checkbox"/>
MTO Region *	NORTHEASTERN	Road Class:	Freeway <input type="checkbox"/> Arterial <input type="checkbox"/> Collector <input type="checkbox"/> Local <input checked="" type="checkbox"/>
MTO District *	SUDBURY	Posted Speed	<input type="text"/> No. of Lanes <input type="text"/> 1
Old County *	MANITOULIN	AADT	<input type="text"/> % Trucks <input type="text"/>
Geographic Twp. *	BILLINGS	Special Routes:	Transit <input type="checkbox"/> Truck <input type="checkbox"/> School <input checked="" type="checkbox"/> Bicycle <input checked="" type="checkbox"/>
Structure Type *	I-BEAMS	Detour Length Around Bridge	Dead End <input type="text"/> (km)
Total Deck Length	<input type="text"/> 8.3 (m)	Fill on Structure	<input type="text"/> 0 (m)
Overall Str. Width	<input type="text"/> 4.8 (m)	Skew Angle	<input type="text"/> 0 (degrees)
Total Deck Area	<input type="text"/> 40.0 (sq.m)	Direction of Structure	<input type="text"/> E to W
Roadway Width	<input type="text"/> 4.6 (m)	No. of Spans	<input type="text"/> 1 (m)
Span Lengths	<input type="text"/> 7.65 (m)		

Historical Data:

Year Built	<input type="text"/> --	Last Biennial Inspection	<input type="text"/> 2017
Current Load Limit	<input type="text"/> -- / -- / -- (tonnes)	Last BridgeMaster Inspection	<input type="text"/> --
Load Limit Bylaw #	<input type="text"/> --	Last Evaluation	<input type="text"/> --
Bylaw Expiry Date	<input type="text"/> --	Last Underwater Inspection	<input type="text"/> N/A
Min. Vertical Clearance	<input type="text"/> N/A (m)	Last Condition Survey	<input type="text"/> N/A

Rehab. History: (Date/description)

2009

- New laminated wood deck
- New wood railings, posts and braces
- New wood curbs

2012

-Loose Rock Retaining walls added at all four corners to make roadway approaches the same width as the bridge deck. Two guiderail panels added at lake side.

Municipal Structure Inspection Form

MTO Site Number:

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Field Inspection Information:		
Date of Inspection:	November 2, 2020	
Inspector:	Patrick Mayne, P. Eng.	
Others in Party:	Pedram Yazdan Panah, EIT	
Equipment Used:	Tapes, Hammer, Ladder, Camera, Chain, Safety Equipment	
Weather:	Cloudy	
Temperature:	2°C	

Additional Investigations Required:		Priority			Estimated Cost
		None	Normal	Urgent	
Detailed Deck Condition Survey:		✓			0
DART Survey:		✓			0
Detailed Coating Condition Survey:		✓			0
Underwater Investigation:		✓			0
Fatigue Investigation:		✓			0
Seismic Investigation:		✓			0
Structure Evaluation:		✓			0
Load Posting – Estimated Load	CHBDC	Total Cost			\$ 0
Special Notes: 					
Next Detailed Inspection: 2022					

Suspected Performance Deficiencies

- | | | | | | |
|-----------|--|-----------|---------------------------------------|-----------|---------------------------|
| 01 | Load carrying capacity | 06 | Bearing not uniformly loaded/unstable | 12 | Slippery surfaces |
| 02 | Excessive deformations (deflections & rotations) | 07 | Jammed expansion joint | 13 | Flooding/channel blockage |
| 03 | Continuing settlement | 08 | Pedestrian/vehicular hazard | 14 | Undermining of foundation |
| 04 | Continuing movements | 09 | Rough riding surface | 15 | Unstable embankments |
| 05 | Seized bearings | 10 | Surface ponding | 16 | Other |
| | | 11 | Deck drainage | | |

Maintenance Needs

- | | | | | | |
|-----------|-----------------------------------|-----------|------------------------------|-----------|----------------------------|
| 01 | Lift and Swing Bridge Maintenance | 07 | Repair to Structural Steel | 13 | Erosion Control at Bridges |
| 02 | Bridge Cleaning | 08 | Repair of Bridge Concrete | 14 | Concrete Sealing |
| 03 | Bridge Handrail Maintenance | 09 | Repair of Bridge Timber | 15 | Rout and Seal |
| 04 | Painting Steel Bridge Structures | 10 | Bailey Bridges - Maintenance | 16 | Bridge Deck Drainage |
| 05 | Bridge Deck Joint Repair | 11 | Animal/Pest Control | 17 | Other |
| 06 | Bridge Bearing Maintenance | 12 | Bridge Surface Repair | | |

10/10

Element Group: *	Abutments	Length:	--				
Element Name: *	Abutment Wall	Width:	9.0				
Location:	East Top of Wall	Height:	1.1				
Material: *	Concrete	Count:	1				
Element Type: *	Gravity Wall	Total Quantity:	9.9				
Environment:	Benign / Moderate / Severe	Limited Insp'n:	<input type="checkbox"/>				
Protection System: *	None					Perform. Deficiencies	Maint. Needs
Condition Data:	Units m ² / m / each / % / all	Exc.	Good	Fair	Poor		
					9.9	--	--
Comments: Some disintegration and cracks with efflorescence at top of walls.							
Recommended Work: None <input type="checkbox"/> 6 –10 years <input type="checkbox"/> 1 – 5 years <input checked="" type="checkbox"/> < 1 year <input type="checkbox"/> Urgent <input type="checkbox"/>							
Replace abutment walls.							

Element Group: *	Abutments	Length:	--				
Element Name: *	Abutment Wall	Width:	9.0				
Location:	East Bottom of Wall	Height:	0.4				
Material: *	Wood and Stones	Count:	1				
Element Type: *	Crib	Total Quantity:	3.6				
Environment:	Benign / Moderate / Severe	Limited Insp'n:	<input checked="" type="checkbox"/>				
Protection System: *	None						
Condition Data:	Units	Exc.	Good	Fair	Poor	Perform. Deficiencies	Maint. Needs
	m ² /m / each / % / all				3.6		
Comments:							
Limited inspection due to water level. Appears to be insufficient and rotten cribbing. Also, voids between concrete and stone fill noted. From past report: not sufficient stones in crib and there are voids between the concrete abutment and the stone fill.							
Recommended Work: None <input type="checkbox"/> 6 –10 years <input type="checkbox"/> 1 – 5 years <input checked="" type="checkbox"/> < 1 year <input type="checkbox"/> Urgent <input type="checkbox"/>							
Replace abutment wall.							

Element Group: *	Abutments	Length:	--				
Element Name: *	Abutment Walls	Width:	9.0				
Location:	West	Height:	1.1				
Material: *	Concrete	Count:	1				
Element Type: *	Gravity Wall	Total Quantity:	9.9				
Environment:	Benign / Moderate / Severe	Limited Insp'n:	<input type="checkbox"/>				
Protection System: *	None						
Condition Data:	Units	Exc.	Good	Fair	Poor	Perform. Deficiencies	Maint. Needs
	m ² / m / each / % / all			4.9	5		
Comments: Areas of disintegration at top. Delaminations noted throughout Recommended Work: None <input type="checkbox"/> 6 – 10 years <input type="checkbox"/> 1 – 5 years <input checked="" type="checkbox"/> < 1 year <input type="checkbox"/> Urgent <input type="checkbox"/> Replace abutment wall.							

Element Data

Element Group: *	Accessories	Length:	
Element Name: *	Signs	Width:	
Location:	4 Corners	Height:	
Material: *	Aluminum	Count:	4
Element Type: *	Wall	Total Quantity:	4
Environment:	Benign / Moderate / Severe	Limited Insp'n:	<input type="checkbox"/>
Protection System: *			Perform. Deficiencies
Condition	Units	Exc.	Good
Data:	m ² / m / each / % / all	3	1
Perform. Deficiencies			
Maint. Needs			
Comments: Hazard sign at Northeast is missing.			
Recommended Work: None <input type="checkbox"/> 6–10 years <input type="checkbox"/> 1–5 years <input type="checkbox"/> < 1 year <input checked="" type="checkbox"/> Urgent <input type="checkbox"/> Re-install hazard sign at Northeast			

Element Group: *	Approaches	Length:	6
Element Name: *	Wearing Surface	Width:	4.8
Location:		Height:	
Material: *	Granular	Count:	2
Element Type: *		Total Quantity:	57.6
Environment:	Benign / Moderate / <u>Severe</u>	Limited Insp'n:	<input type="checkbox"/>
Protection System: *			Perform. Deficiencies
Condition	Units	Exc.	Good
Data:	<u>m²</u> / m / each / % / all	55.6	2.0
Perform. Deficiencies			
Maint. Needs			
Comments: Settlement noted at northeast. Erosion noted where ballast wall is missing under deck overhang.			
Recommended Work: None <input type="checkbox"/> 6–10 years <input type="checkbox"/> 1–5 years <input type="checkbox"/> < 1 year <input checked="" type="checkbox"/> Urgent <input type="checkbox"/> Place fill/granular material at northeast.			

Element Group: *	Barriers	Length:	8.3
Element Name: *	Railing System	Width:	--
Location:	Structure	Height:	0.140
Material: *	2x6 Wood	Count:	4
Element Type: *		Total Quantity:	9.3
Environment:	Benign / Moderate / <u>Severe</u>	Limited Insp'n:	<input type="checkbox"/>
Protection System: *	Galvanized		Perform. Deficiencies
Condition	Units	Exc.	Good
Data:	<u>m²</u> / m / each / % / all	9.3	--
Perform. Deficiencies			
Maint. Needs			
Comments: Barrier does not conform to CHBDC.			
Recommended Work: None <input type="checkbox"/> 6–10 years <input type="checkbox"/> 1–5 years <input checked="" type="checkbox"/> < 1 year <input type="checkbox"/> Urgent <input type="checkbox"/> Replace barrier.			

Element Data

Municipal Structure Inspection Form

MTO Site Number:

Element Group: *	Barriers	Length:	--				
Element Name: *	Posts	Width:	--				
Location:	Structure	Height:	1.0				
Material: *	2 Ply 2x4 Wood	Count:	8				
Element Type: *	--	Total Quantity:	8				
Environment:	Benign / Moderate / <u>Severe</u>	Limited Insp'n:	<input type="checkbox"/>				
Protection System: *	Pressure Treated					Perform. Deficiencies	Maint. Needs
Condition Data:	Units m ² / m / <u>each</u> / % / all	Exc.	Good	Fair	Poor	--	--
Comments: Barrier does not conform to CHBDC.							
Recommended Work: None <input type="checkbox"/> 6–10 years <input type="checkbox"/> 1–5 years <input checked="" type="checkbox"/> < 1 year <input type="checkbox"/> Urgent <input type="checkbox"/>							
Replace barrier.							

Element Group: *	Beams	Length:	7.9				
Element Name: *	Girders	Width:	0.175				
Location:	All	Height:	0.400				
Material: *	Steel	Count:	5				
Element Type: *	I-Type	Total Quantity:	52				
Environment:	Benign / <u>Moderate</u> / Severe	Limited Insp'n:	<input type="checkbox"/>				
Protection System: *	Red Lead Primer					Perform. Deficiencies	Maint. Needs
Condition Data:	Units m ² / m / <u>each</u> / % / all	Exc.	Good	Fair	Poor	--	2
Comments: Overall in good condition.							
Recommended Work: None <input type="checkbox"/> 6–10 years <input type="checkbox"/> 1–5 years <input checked="" type="checkbox"/> < 1 year <input type="checkbox"/> Urgent <input type="checkbox"/>							
Clean debris and gravel from ends of beams as required at tops of abutments to prevent corrosion							

Element Group: *	Beams	Length:	--				
Element Name: *	Diaphragms	Width:	0.725				
Location:	All	Height:	--				
Material: *	Steel	Count:	4 x 4				
Element Type: *	C-Type	Total Quantity:	16				
Environment:	Benign / <u>Moderate</u> / Severe	Limited Insp'n:	<input type="checkbox"/>				
Protection System: *	Red Lead Primer					Perform. Deficiencies	Maint. Needs
Condition Data:	Units m ² / m / <u>each</u> / % / all	Exc.	Good	Fair	Poor	--	--
Comments:							
Recommended Work: None <input checked="" type="checkbox"/> 6–10 years <input type="checkbox"/> 1–5 years <input type="checkbox"/> < 1 year <input type="checkbox"/> Urgent <input type="checkbox"/>							

Element Data

Municipal Structure Inspection Form

MTO Site Number:

Element Group: *	Deck	Length:	
Element Name: *	Wearing Surface	Width:	
Location:	All	Height:	
Material: *	Wood	Count:	
Element Type: *	Runner	Total Quantity:	
Environment:	Benign / Moderate / Severe	Limited Insp'n:	<input type="checkbox"/>
Protection System: *			Perform. Deficiencies
Condition Data:	Units	Exc.	Good
	m ² / m / each / % / all		
			Poor
			40
			--
			Maint. Needs
			--
Comments:			
At the time of inspection there was no wearing surface over the laminated wood deck.			
Recommended Work:			
None <input checked="" type="checkbox"/> 6-10 years <input type="checkbox"/> 1-5 years <input type="checkbox"/> < 1 year <input type="checkbox"/> Urgent <input type="checkbox"/>			

Element Group: *	Deck	Length:	8.3
Element Name: *	Deck Top	Width:	4.8
Location:	All	Height:	--
Material: *	Wood	Count:	1
Element Type: *	Laminated Wood -Transv	Total Quantity:	40
Environment:	Benign / Moderate / Severe	Limited Insp'n:	<input type="checkbox"/>
Protection System: *	Pressure Treated		Perform. Deficiencies
Condition Data:	Units	Exc.	Good
	m ² / m / each / % / all		40
			Fair
			Poor
			--
			Maint. Needs
			2
Comments:			
Light to medium wearing throughout. Build-up of granulars/sand noted. Beginning to deteriorate in wheel lines.			
Recommended Work:			
None <input checked="" type="checkbox"/> 6-10 years <input type="checkbox"/> 1-5 years <input type="checkbox"/> < 1 year <input type="checkbox"/> Urgent <input type="checkbox"/>			
Sweep deck clear of debris (annual maintenance).			

Element Group: *	Deck	Length:	8.3
Element Name: *	Soffit	Width:	3.9
Location:	All	Height:	--
Material: *	Wood	Count:	1
Element Type: *	Laminated wood-transv	Total Quantity:	32.4
Environment:	Benign / Moderate / Severe	Limited Insp'n:	<input type="checkbox"/>
Protection System: *	None		Perform. Deficiencies
Condition Data:	Units	Exc.	Good
	m ² / m / each / % / all		32.4
			Fair
			Poor
			--
			Maint. Needs
			--
Comments:			
The laminated 2" x 6" pressure treated wood deck was new in 2009.			
Recommended Work:			
None <input checked="" type="checkbox"/> 6-10 years <input type="checkbox"/> 1-5 years <input type="checkbox"/> < 1 year <input type="checkbox"/> Urgent <input type="checkbox"/>			

Element Data

Element Group: *	Embankments & Streams	Length:	
Element Name: *	Embankments	Width:	
Location:	East and West Approaches	Height:	
Material: *	Earth Fill	Count:	4 corners
Element Type: *	--	Total Quantity:	
Environment:	Benign / Moderate / Severe	Limited Insp'n:	<input type="checkbox"/>
Protection System: *	None		
Condition	Units	Exc.	Good
Data:	m ² / m / each / % / all		✓
		Fair	Poor
		Perform. Deficiencies	Maint. Needs
		--	--

Comments:
Large Loose Rock Retaining Walls have been added at all four corners, making the roadway approaches the same width as the bridge deck.

Recommended Work: None ☒ 6–10 years ☐ 1–5 years ☐ < 1 year ☐ Urgent ☐

Element Group: *	Sidewalks/Curbs	Length:	8.3
Element Name: *	Curbs	Width:	0.1
Location:	East and West	Height:	0.1
Material: *	Wood	Count:	2
Element Type: *	--	Total Quantity:	5.0
Environment:	Benign / Moderate / Severe	Limited Insp'n:	<input type="checkbox"/>
Protection System: *	None		
Condition	Units	Exc.	Good
Data:	m ² / m / each / % / all		5.0
		Fair	Poor
		Perform. Deficiencies	Maint. Needs
		--	--

Comments:
Curbs are new in 2008 and consist of pressure treated 5 x 5 wood.

Recommended Work: None ☒ 6–10 years ☐ 1–5 years ☐ < 1 year ☐ Urgent ☐

Municipal Structure Inspection Form

MTO Site Number:

Repair and Rehabilitation Required:		Priority				Estimated Construction Cost
Element	Repair and Rehabilitation Required	6 to 10 years	1 to 5 years	Within 1 year	Urgent	
Bridge	Replace Structure		X			\$ 575,000
Total Cost						\$ 575,000

Associated Work:	Comments	Estimated Cost
Approaches:		
Detours:		
Traffic Control:		
Utilities:		
Right of Way:		
Environmental Study:		
Other:	Engineering and Contract Administration	\$ 85,000
Contingencies:		
Total Cost		\$ 85,000

<p>Justification:</p> <p>A Load Posting of 5 tonnes is recommended due to the condition of the abutments and the constructino of the deck overhang.</p> <p>The extent and difficulty of work required to replace the original abutments is comparable to the replacement of the entire structure.</p> <p>Replacement of the entire structure in 1 to 5 years is the recommended course of action.</p>
--



1. East Approach (looking west)



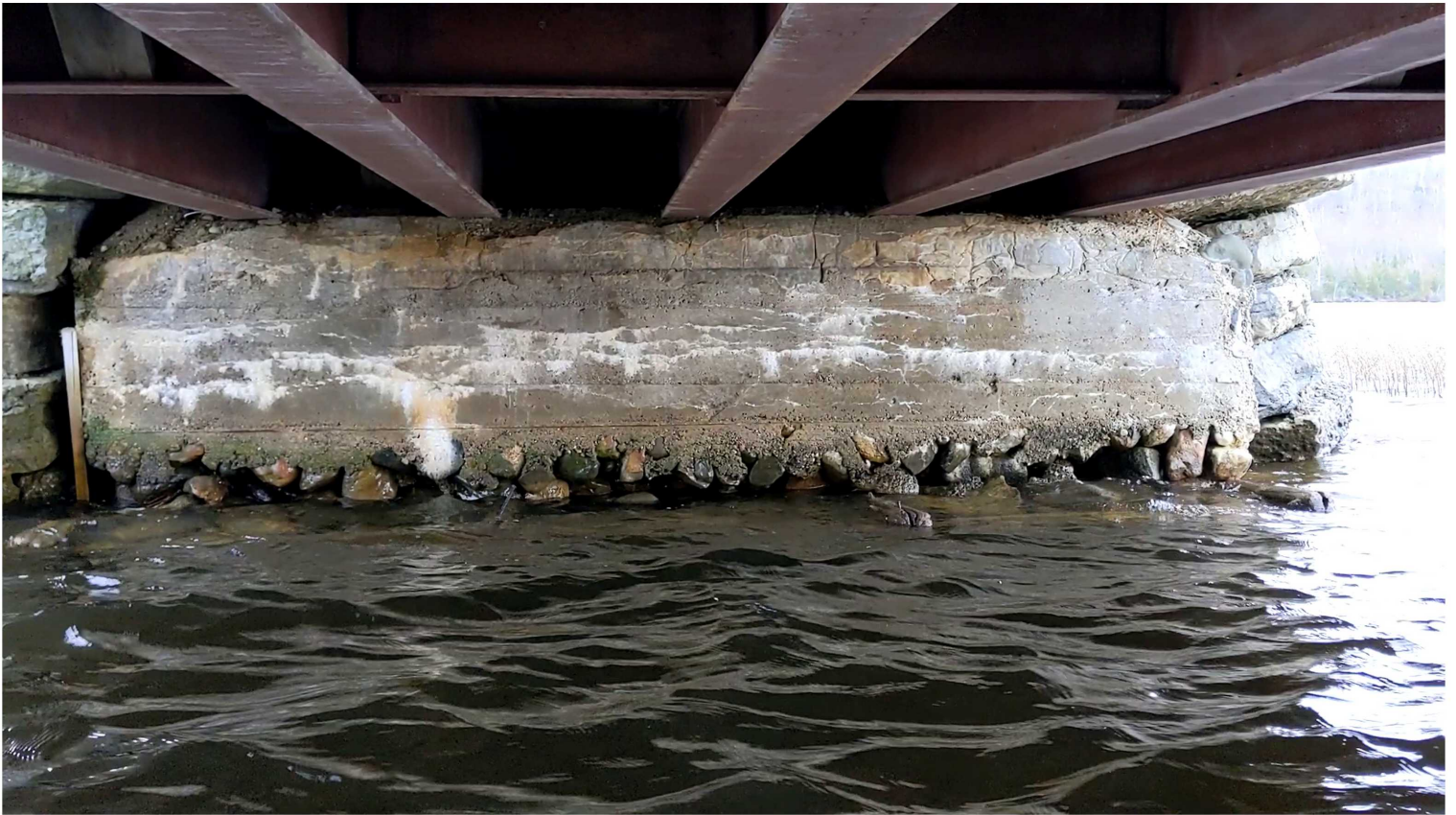
2. West Approach (looking east)



3. North Elevation (looking southwest)



4. South Elevation (skewed) (looking northwest)



5. East Abutment (looking east)



6. West Abutment (looking west)



7. Deck - General Photo



8. Barrier - General Photo



9. Erosion at Corners at Ends of Deck Due to Lack of Ballast Wall



10. See Fill Below Deck - Caused by Lack of Ballast Wall at Corners



11. Soffit and Girder Bottoms - General Photo (looking west)



12 - Bearing of Girders - General Photo (typ)



13. Bottom of East Abutment - Severely Undermined

Megan Bonenfant

Subject: Internet Advisory Committee

From: Michael Addison <michael@lambac.org>

Date: January 14, 2021 at 4:46:21 PM EST

Subject: Internet Advisory Committee

First of all, Happy New Year. Here's hoping that 2021 is better than 2020 but so far it looks like 2021 is looking at 2020 and saying - hold my beer.

I have been asked by Susan Church of Blue Sky Net to put together a committee of representatives from the Municipalities and First Nations on Manitoulin to provide input and relay communications back to your respective councils.

I know that, as the leaders in your communities, you may or may not wish to participate but it is important that we are able to communicate about the needs, the options, and the funding applications as we move forward.

Susan's presentation before Christmas was short and there is more that needs to be discussed and as we move forward with applications we need your support.

I am asking for a representative from your communities that is interested in participating in the discussions. If there is someone who is somewhat of a techie that would be even better.

We all want faster internet. The funding is there. We need to move forward with our applications.

If you or someone in your community is interested, please contact me.

Thank you for your time.

Mike

--

Michael Addison
General Manager
LaCloche Manitoulin Business Assistance Corporation
P.O. Box 130 Gore Bay ON P0P 1H0
705-282-3215

Directeur Général
Société d'aide aux entreprises de LaCloche Manitoulin
C.P. 130 Gore Bay ON P0P 1H0
705-282-3215

January 15, 2021

To Mayor and all Councillors:

Please accept this letter as a request for an exemption to by-law indicating that goats are not allowed within the township per Kathy McDonald as per zoning document from 1980. She has claimed that our lakeshore residential property does not include "farm activities", however we feel that our one pet goat does not endorse farm activity, but rather we consider Morty to be a pet that is a part of our family. Additionally, we are aware that there are other families within Kagawong that have been permitted to keep pet goats. As a result, we are requesting permission to keep Morty.

Morty is a myotonic (fainting) goat, who is about 2ft tall and about 30 pounds. He is kept in a secure 12x18ft pen with 6-foot-high goat fencing and a secure gate, which also includes a 3x5ft house inside of the pen (essentially a doghouse), with a heated bed and water bowl. His genetic makeup does not allow for him to jump, allowing for the secure enclosure that was built for him to keep him contained on our property. Additionally, his pen is located beside our house on the edge of the bush, 125ft from the water and far from our property line on both sides. His pen is kept clean and maintained on a regular basis to ensure that he is cared for and there are no concerns. We have spoken to our neighbours who live next door to us on a seasonal basis, who have identified that they do not mind that we have Morty and that they do not have any concerns.

Please note that the issue pertaining to Morty being off our property in early Fall was a result of a family member opening the gate to let him out to graze. This issue has since been resolved and we have ensured that this type of occurrence will not happen again.

Thank you for your time and consideration in this matter.

Respectfully,

Carly & Sean Rickard

566 Maple Point Rd, Kagawong, ON



Mutual Assistance Agreement

This Agreement between and among the

CORPORATION OF THE TOWNSHIP OF BILLINGS

CORPORATION OF THE MUNICIPALITY OF CENTRAL MANITOULIN

OTHERS?

Hereinafter called the **parties** to the Agreement.

WHEREAS Section 13(3) of the *Emergency Management and Civil Protection Act, 1990*, as amended (the 'EMPCA'), authorizes the Council of a municipality to make an agreement with the Council of any other municipality for the provision of any personnel, service, equipment or material during an emergency; and,

WHEREAS the municipalities described herein agree to provide the describe mutual assistance during times of emergency;

NOW THEREFORE in consideration of the mutual covenants and conditions contained herein, the parties agree as follows:

1.0 Definitions

In this agreement, unless the context otherwise requires,

- 1.1. **Assisted Municipality** means the municipality receiving assistance pursuant to this Agreement;
- 1.2. **Assisting Municipality** means the municipality providing assistance pursuant to this Agreement;
- 1.3. **Chief Administrative Officer (CAO)** means, for all Parties to this Agreement, the Chief Administrative Officer, Clerk-Treasurer, Clerk Administrator, or a designate of any of them;
- 1.4. **Emergency** means a situation or an impending situation that constitutes a danger of major proportions that could result in serious harm to persons or substantial damage to property and that is caused by the forces of nature, a disease or other health risk, an accident or an act whether intentional or otherwise;
- 1.5. **Mutual Assistance Agreement** means this Agreement and the attached Schedule(s);
- 1.6. **Requesting Party** means the municipality asking for assistance pursuant to this Agreement;
- 1.7. **Workers** mean collectively employees, contractors, servants and agents employed or hired by a party to this Agreement.

Commented [MR1]: This can be changed to be specific to COVID-19 pandemic emergency if desired.

Commented [MR2]: Again, can be made specific to COVID if too general

2.0 Requesting Assistance

- 2.1 During an Emergency, any party to this Agreement may request assistance from another party to this Agreement including, but not limited to, Public Works personnel, services, equipment and/or material.
- 2.2 Each party hereby authorizes the CAO of the Requesting Party to make the initial request for assistance. Requests to each party shall be made to the CAO of that party, and the CAO of that party is authorized to receive the request and to act on the municipality's behalf for all purposes under this Agreement.
- 2.3 The CAO of the Requesting Party will follow up any oral requests with requests in writing in accordance with Schedule "A" attached hereto within three (3) days of the initial oral request. The request will set out in detail the specific personnel, services, equipment or material that has been requested as assistance. Notwithstanding the requirement for a written request, the Assisting Municipality may provide assistance to the other party upon receipt of the oral request.
- 2.4 The Assisting Municipality shall respond to the request, if possible, within one (1) day, and may at its sole discretion determine the type, scope, nature and amount of assistance it will provide. The Assisting Municipality shall within three (3) days of receiving the request, confirm in writing to the Requesting Party, the assistance it has agreed to provide or, if applicable, that it will not be providing any assistance.
- 2.5 The parties may alter the assistance to be provided to the Assisted Municipality under this Agreement. Amendments to the scope, type, nature or amount of assistance shall be confirmed in writing by the Requesting Party within three (3) days of being agreed upon.

3.0 Costs and Payment

- 3.1 The parties agree that any and all actual costs for assistance are to be paid by the Assisted Municipality. Such costs shall include wages, salaries and expenses incurred by the Assisting Municipality while providing the assistance, provided said expenses are reasonable in the circumstances.
- 3.2 The Assisted Municipality shall be responsible for reimbursing for all actual operating costs for all personnel, services, equipment, or material furnished, including, but not limited to, costs of fuel, repairs, parts and any and all other items directly attributable to the operation of equipment and services and material furnished as assistance to the Assisted Municipality under this Agreement. Where there is damage incurred to loaned equipment or vehicles, if the cost to repair the damage exceeds the deductible amount of the owner's policy, the owner's insurance policy is primary, and the under-deductible amount shall be the responsibility of the owner of the equipment.

- 3.3 The Assisting Municipality shall provide to the Assisted Municipality, if practical, an estimate of the cost of providing the assistance. Equipment will be charged out at the rate set in the Assisting Municipality's by-law governing such matters.
- 3.4 The Assisting Municipality will provide a detailed invoice to the Assisted Municipality for costs incurred for the assistance. Where available, receipts for disbursements shall be forwarded in support of the invoice.
- 3.5 The Assisted Municipality shall remit payment of the amount owing for the assistance provided within ninety (90) days of the date of the invoice from the Assisting Municipality.
- 3.6 Any amount remaining unpaid and outstanding after the ninety (90) day period referred to in sub-section 3.5 of this Agreement shall bear interest at the rate of 1.25% per annum until paid.
- 3.7 Notwithstanding the above agreed-upon terms of invoicing and payment for assistance provided, there is nothing in this Agreement that prevents the Council of an Assisting Municipality from passing a resolution to waive part or all of the fees associated with having provided the assistance to the Assisted Municipality in a gesture of goodwill. However, it is not an assumption that this shall occur, and the Assisted Municipality should be prepared to pay for all assistance provided to it as per the requests it has made.

4.0 Employment Relationship and Benefits

- 4.1 Despite the fact that Workers may be assigned to perform duties for the Assisted Municipality, in all other respects, the Workers of the Assisting Municipality retain their employment or contractual relationship with the Assisting Municipality. The parties acknowledge and agree that the Assisted Municipality shall not be to be deemed the employer of the Assisting Municipality's employees, agents, contractors or servants, under any circumstances or for any purpose whatsoever. The Assisting Municipality shall remain responsible for all statutorily required deductions, contributions and/or payments, such as E.I., C.P.P., and WSIB.

5.0 Supervision

- 5.1 Every Assisting Municipality shall remain responsible for supervision of its personnel and equipment, and shall ensure that supervisory personnel are available, either on or off-site, at all times, for consultation with its personnel.
- 5.2 Every Assisting Municipality shall assign its personnel to perform tasks within the limits of their equipment and training as directed by the Assisted Municipality's CAO, and shall ensure that any assistance it provides is in accordance with the instructions of the Assisted Municipality's CAO.

6.0 Information Sharing and Personal Information

- 6.1 If requested, each party shall respond to the other party's request for information regarding specified types of personnel, services, equipment or material in the possession of each party that may be used in the provision of assistance under this Agreement. All such information shall be provided without any warranty of any kind as to its accuracy, reliability, usefulness or other characteristics.
- 6.2 Section 6.1 shall not require any party to provide personal information, as defined in the *Municipal Freedom of Information and Protection of Privacy Act*.
- 6.3 The parties agree to comply with the provisions of the *Municipal Freedom of Information and Protection of Privacy Act* in respect of all personal information.
- 6.4 Without limiting 6.3, if any personal information is shared between the parties pursuant to this Agreement, or in relation to the matters set out in this Agreement, the receiving party shall:
- a) use the information only for the purposes specifically indicated by the providing party;
 - b) not disclose such information except in accordance with the *Municipal Freedom of Information and Protection of Privacy Act* and with any other applicable legislation, or as may be otherwise required by law from time to time; and
 - c) notify the party providing the information immediately if it becomes aware of any disclosure of the personal information contrary to the provisions of this Agreement, the *Municipal Freedom of Information and Protection of Privacy Act* or any other applicable legislation.

7.0 Indemnity

- 7.1 The Assisted Municipality shall indemnify and save harmless the Assisting Municipality, its elects, appointees, officials, employees, and agents from and against all claims, costs, all manner of action or actions, cause and causes of action, duties, dues, accounts, covenants, contracts, demands or other proceeding of every kind or nature whatsoever at law or in equity arising out of the Agreement and out of the provision of any assistance pursuant to this Agreement, including, without limitation, any losses sustained by the Assisting Municipality as a result of any costs or damages incurred by a local board of the Assisting Municipality, or the elects, appointees, officials, employees or agents of such local board (collectively, "Losses"), except to the extent that such Losses arise from the negligence of the Assisting Municipality or its local board, or the elects, appointees, officials, employees or agents of either of them.

8.0 Insurance and Limitations

- 8.1 The parties shall, during the term of this Agreement, maintain sufficient insurance, providing for, without limitation, coverage for personal and bodily injury, public liability and property damage, to cover their respective obligations under this agreement and shall provide a Certificate of Insurance annually as evidence of the same to all other parties.

Municipal Liability

Specifically, all Parties shall, each at their own expense, obtain and keep in force Municipal Liability Insurance underwritten by an insurer licensed to conduct business in the Province of Ontario and include but not be limited to the following:

- a) A limit of liability of not less than \$15,000,000/occurrence, which limit may be achieved by way of a combination of primary and excess and/or umbrella policies;
- b) Each party shall add the other parties as an additional insured;
- c) The policy shall contain a provision for cross liability in respect of the named insured and severability of interests;
- d) Non-owned automobile coverage with a limit of at least \$5,000,000 including SEF 96 (contractual liability);
- e) Products and completed operations with a limit of not less than \$15,000,000; and
- f) That 30 days prior notice of an alteration, cancellation or material change in policy terms which reduces coverages shall be given in writing to the other parties.

If any party is self insured, it shall provide evidence that is satisfactory to the other parties that the Municipality is and shall be at all times, in a position to satisfy its monetary obligations arising from liability under this agreement.

Automobile Insurance

Automobile Liability insurance for an amount not less than \$5,000,000, which limits may be achieved by way of a combination of primary and excess and/or umbrella policies, on forms meeting statutory requirements covering all licensed vehicles used in any manner in connection with the performance of the terms of this Agreement.

Commented [MR3]: This section likely needs refining

- 8.2 The parties agree that Section 8.1 shall be subject to review from time to time in respect of changes deemed appropriate based on the current recommended industry limits and coverage.
- 8.3 Nothing in this Agreement shall require or obligate or be construed to require or obligate a party to provide assistance. Each party shall retain the right to refuse the request to provide assistance, and the right to offer options to the assistance that has been requested.
- 8.4 Notwithstanding anything contained herein, no liability shall attach or accrue to the Assisting Municipality for any reason whatsoever, for failing to respond to a request for assistance made under this Agreement.

8.5 When assistance has been offered or provided by the Assisting Municipality, the Assisting Municipality shall not be obligated to provide any further assistance or to do anything or take any action beyond that which is specifically agreed to by the acceptance of the request for assistance.

8.6 Nothing in this Agreement shall prevent the Assisting Municipality, in its sole discretion, through its CAO, from withdrawing any or all assistance provided to the Assisted Municipality immediately upon giving written or verbal notice to the Assisted Municipality.

8.7 Without limiting 8.5, upon verbally notifying the Assisted Municipality through its supervisory personnel, the Worker(s) of any Assisting Municipality may refuse to carry out any work, if it is believed by the Worker(s) involved that it will be unsafe to do so. During any time, while a Worker(s) of an Assisting Municipality is attempting to contact supervisory personnel on such a matter, the Worker(s) is not required to carry out the work and shall refuse the unsafe work in accordance with the *Occupational Health and Safety Act* of Ontario.

8.8 Should an Assisting Municipality exercise its option under either 8.5 or 8.6, the services to be provided by that party shall be diminished accordingly, and the Assisted Municipality shall notify any other Assisting Municipalities as soon as practicable.

8.9 The Assisted Municipality may determine in its sole discretion that its requirement for assistance has ceased and shall notify the Assisting Municipality of this verbally and shall confirm in writing. Upon receipt of such verbal or written notification, the Assisting Municipality shall terminate the provision of all such assistance.

9.0 Termination

9.1 Any party may terminate its participation in this Agreement upon written notice to all other parties.

10.0 Notice

10.1 Unless otherwise provided in this Agreement or advised in writing by the party, written notice given pursuant to this Agreement shall be addressed to:

CAO/Clerk of the Township of Billings
15 Old Mill Rd
PO Box 34
Kagawong ON P0P 1J0

CAO/Clerk of the Municipality of Central Manitoulin
PO Box 187

6020 Highway 542
Mindemoya ON P0P 1S0

OTHERS?

11.0 Rights and Remedies

- 11.1 Nothing contained in this Agreement shall be construed as restricting or preventing either party from relying on any right or remedy otherwise available to it under this Agreement, at law or in equity in the event of any breach of this Agreement.

12.0 Entire Agreement and Miscellaneous

- 12.1 Except as may otherwise be stated herein, this Agreement and the attached Schedule(s), constitutes the entire Agreement of the parties and supersedes any other understanding or agreement, written or verbal, otherwise existing between the parties regarding the provision of mutual assistance to each other during times of emergencies. Should any provision of this Agreement be declared null and void or inoperative, the remainder of the Agreement will remain in full force and effect.
- 12.2 This Agreement shall enure to the benefit of and be binding upon the parties and their respective successors, administrators and assigns.
- 12.3 This Agreement shall not be construed as or deemed to be an agreement for the benefit of any third parties, and no third party shall have any right of action arising in any way or manner under this Agreement for any cause whatsoever.
- 12.4 The parties agree that Sections 7 and 11 of this Agreement shall survive and remain in force notwithstanding the termination by any party of its participation in this Agreement in respect of any matter occurring prior to the termination by such party of its participation herein.
- 12.5 The parties hereto acknowledge and agree that this Agreement does not apply to the services covered under any Mutual Aid Plan or agreement developed under the authority of the *Fire Protection and Prevention Act, 1997, S.O. 1997, c.4, as amended*, or the direction of the Ontario Fire Marshal, to facilitate provision of fire protection services.
- 12.6 This Agreement shall be governed by the laws of the Province of Ontario and Canada.
- 12.7 This Agreement may be executed in counterparts and, in the event that the Agreement is not signed by a party/parties or is terminated by a party/parties pursuant to Section 9.1, the Agreement shall remain binding between the remaining parties to this Agreement.

13.0 Arbitration

13.1 The parties hereby agree that in the event of any dispute arising under or pursuant to this Agreement and which dispute cannot be resolved by the mutual agreement of the affected CAOs, the dispute shall be referred to the respective heads of Council of the parties for resolution. In the event that the heads of Council cannot resolve the dispute, the same shall be submitted to arbitration under the provisions of the *Municipal Arbitrations Act, R.S.O., 1990, c. M. 48, as amended*, and the decision rendered in respect of the proceedings shall be final and binding upon the parties to this Agreement.

IN WITNESS WHEREOF the said Corporations have hereunto affixed their corporate seals duly attested by the hands of their proper officers.

THE CORPORATION OF THE TOWNSHIP OF BILLINGS

Per: _____
Mayor

Per: _____
CAO/Clerk

Dated: _____

THE CORPORATION OF THE MUNICIPLITY OF CENTRAL MANITOULIN

Per: _____
Mayor

Per: _____
CAO/Clerk

Dated: _____

THE CORPORATION OF THE ???

Per: _____
Mayor

Per: _____

CAO/Clerk

Dated: _____

Schedule "A"

Mutual Assistance Agreement

CORPORATION OF THE TOWNSHIP OF BILLINGS

CORPORATION OF THE MUNICIPALITY OF CENTRAL MANITOULIN

OTHERS?

I, _____, CAO/Clerk or Designated Official of _____,

duly authorized to do so by the Council of same, do hereby request of The

_____ to provide assistance in the form of :

_____ PERSONNEL

_____ SERVICES

_____ EQUIPMENT

_____ MATERIAL

AS IS MORE PARTICULARLY SET OUT IN DETAIL AS FOLLOWS:

THE CORPORATION OF THE TOWNSHIP OF BILLINGS

BY-LAW 2021-03

Being a by-Law to provide for an interim tax levy

WHEREAS Section 317 (1) of the *Municipal Act, 2001*, as amended, provides that Council of a local municipality may, before the adoption of the estimates for the year, pass a by-law imposing an interim levy on the assessment roll for taxation in the current year for the property in the municipality rateable for local municipal purposes, and;

WHEREAS such levy shall not exceed fifty percent (50%) of the total taxes raised for all purposes in the previous year on a property by property basis.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF BILLINGS ENACTS AS FOLLOWS:

1. That interim tax levies are hereby imposed on the whole of the assessment for real property for all property classes according to the assessment roll for taxation in the prior year and shall be in the amount of fifty percent (50%) of the final 2020 taxes on the property.
2. That the interim tax levy shall become due and payable on March 31, 2021.
3. That on taxes of the interim tax levies in default after March 31, 2021 interest will be added at a rate of 1.25 percent per month for each and every month the default continues, until December 31, 2021.
4. That on all other taxes and interest in default January 1, 2021, interest shall be added at a rate of 1.25 percent per month or fraction thereof, and all by-laws and parts of by-laws inconsistent with this policy are hereby rescinded.
5. That penalties and interest added on all taxes of the interim tax levy in default shall become due and payable and shall be collected forthwith as if the same had originally been imposed and shall form part of the unpaid interim tax levy.
6. That the collector may mail or cause the same to be mailed to the residence or place of business of such person indicated on the last revised assessment roll, a written or printed notice specifying the amount of taxes payable.
7. That taxes are payable to the Township of Billings, 15 Old Mill Rd., PO Box 34, Kagawong, ON POP 1J0.

Read a first, second and third time in Open Council and enacted this 2nd day of February, 2021.

Ian Anderson, Mayor

Kathy McDonald, CAO/Clerk

THE CORPORATION OF THE TOWNSHIP OF BILLINGS

BY-LAW 2021-04

Being a by-Law to provide for borrowing for current expenditures not to exceed \$700,000

WHEREAS Section 407(1) of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides that, at any time during a fiscal year, a municipality may authorize temporary borrowing, until the taxes are collected and other revenues are received, of the amount Council considers necessary to meet the current expenditures of the municipality for a year, including the amounts required for sinking funds, principal and interest falling due on any debt of the municipally, school purposes, other purposes the municipality is required by law to provide for and principal and interest payable on debt guaranteed by the municipality; and,

WHEREAS Section 407(2) of the *Municipal Act, 2001* provides that the amount may be borrowed at any one time for the purposes mentioned in subsection (1), together with a total of any similar borrowings that have not been repaid, shall not, except with the approval of the Ontario Municipal Board, exceed from January 1st to September 30th of the year, 50% of the total estimated revenues of the municipality as set out in the budget adopted for the year and from October 1st to December 31st, 25%, of the total estimated revenues of the municipality as set out in the budget adopted for the year; and,

WHEREAS Section 407 (3) of the *Municipal Act, 2001* provides that until the budget is adopted in a year, the limits upon borrowing under Section (2) shall temporarily be calculated using the estimated revenues of the municipality set out in the budget adopted for the previous year. In subsection (2) and (3), estimated revenues do not include revenues derivable from any borrowing, a surplus, including tax arrears, fees or charges, or a transfer from a capital fund, reserve funds or reserves; and,

WHEREAS the Council of the Corporation of the Township of Billings deems it necessary to provide for the ability to borrow a sum or sums not exceeding in the aggregate amount of \$700,000, to meet, until the taxes are collected, current expenditures of the municipality for the year; and,

WHEREAS the total amounts heretofore borrowed for the purposes mentioned in subsection (1) of Section 407 of the *Municipal Act, 2001*, which have not been repaid is \$0;

NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF BILLINGS ENACTS AS FOLLOWS:

1. The Mayor and Treasurer are hereby authorized on behalf of the municipality to borrow from time to time by way of promissory note from the Bank of Montreal, a sum or sums not exceeding in the aggregate of \$700,000, to meet, until the taxes are collected, current expenditures of the municipality for the year, including amounts required for the purposes mentioned in subsection (1) of Section 407 of the *Municipal Act, 2001*, and to give on behalf of the municipality to the Bank of Montreal, a promissory note or notes signed by the Mayor and Treasurer for the monies so borrowed with interest at such rate as may be agreed upon from time to time with the Bank of Montreal.
2. All sums borrowed pursuant to the authority of this by-law, as well as all other sums borrowed in this year and in previous years from the said Section 407 shall, with interest thereon, be a charge upon the whole of the revenues of such

municipality for the current year and for all preceding years as and when such revenues are received.

3. The Treasurer is hereby authorized and directed to apply in payment of all sums borrowed as aforesaid, together with interest therein, all of the monies hereafter collected or received either on account or realized in respect of taxes levied for the current year and preceding years or from any other source which may lawfully be applied for such purpose.

Read a first, second, third time and enacted this 2nd day of February, 2021.

Ian Anderson, Mayor

Kathy McDonald, CAO/Clerk



The Corporation of the Township of Matachewan (via e-mail)
P.O. Box 177,
Matachewan, ON P0K 1M0

January 18th 2021

Re: Support of Resolution from Township of Matachewan regarding request for future grant application deadlines be given a longer turnaround time;

Please be advised that on January 6th 2021 the Town of Plympton-Wyoming Council passed the following motion to support the Council of the Township of Matachewan's motion (attached) requesting that the application deadline on any further grants have a longer turnaround time; that was passed on November 25th 2020:

Motion #13 – Moved by Bob Woolvett, Seconded by Gary Atkinson that Plympton-Wyoming Council supports the Township of Matachewan's resolution regarding Extending the Turnaround Time for Grant Applications.

Motion Carried.

If you have any questions regarding the above motion, please do not hesitate to contact me by phone or email at ekwarciak@plympton-wyoming.ca.

Sincerely,

Erin Kwarciak

Clerk

Town of Plympton-Wyoming

Cc: (all sent via e-mail)
Association of Municipalities of Ontario (A.M.O.)
All Municipalities in Ontario

The Corporation of the Town of Plympton-Wyoming

P.O. Box 250, 546 Niagara Street, Wyoming Ontario N0N 1T0

Tel: 519-845-3939 Ontario Toll Free: 1-877-313-3939



**THE CORPORATION OF THE
TOWNSHIP OF MATACHEWAN**

December 14, 2020

Honourable Steve Clark
Office of the Minister
Minister of Municipal Affairs and Housing
777 Bay Street, 17th Floor
Toronto, ON M7A 2J3

Dear Honourable Clark:

There have been numerous announcements of available grants for municipalities. We acknowledge and are very appreciative of the opportunity to apply for these grants. For small municipalities with few employees, the turn around time for applications is very short and restrictive.

We would like to request that the application deadline on any further grants have a longer turn around time.

A copy of Resolution 2020-257 is attached. Your consideration and support of this resolution would be greatly appreciated.

Sincerely,

Barbara Knauth
Deputy Clerk Treasurer

Cc: Association of Municipalities of Ontario (A.M.O.)
Federation of Northern Ontario Municipalities (F.O.N.O.M.)
All Municipalities in Ontario



THE CORPORATION OF THE TOWNSHIP OF MATACHEWAN
P.O. Box 177, Matachewan, Ontario P0K 1M0

DATE: November 25, 2020

RESOLUTION #: 2020-257

Moved by:

N. S. A. Costello

Seconded by:

Greg Dubé

WHEREAS we have been getting numerous announcements of available grants; and

WHEREAS we are very appreciative of the opportunity to apply for these grants; however, the turn around time for applications is very short and restrictive for small municipalities with few employees;

NOW THEREFORE we, the Corporation of the Township of Matachewan, send a letter to the Hon. Steve Clarke, Minister of Municipal Affairs and Housing acknowledging the appreciation of the grants but requesting that the application deadline on any further grants have a longer turn around time; and

FURTHER THAT a copy of this resolution be forwarded to A.M.O., F.O.N.O.M. and all municipalities in Ontario.

	COUNCILLOR	YEA	NAY	PID
CARRIED	<input checked="" type="checkbox"/> Ms. A. Commando-Dubé Mayor			
AMENDED	Mr. N. Costello Mayor			
DEFEATED	Mr. G. Dubé Councillor			
TABLED	Ms. S. Ruck Councillor			
	Mr. A. Durand Councillor			

Certified to be a true
copy of the original.

[Signature]

Anne Commando-Dubé

Anne Commando-Dubé
Mayor

Janet Gore

Janet Gore
Clerk



**Corporation of the
Municipality of West Grey**

402813 Grey Road 4
RR 2 Durham, ON N0G 1R0
519-369-2200

January 13, 2021

Re: Schedule 8 of the Provincial Budget Bill 229, Protect, Support and Recover from COVID-19 Act

WHEREAS the Ontario Government proposes amendments to the Crown Forest Sustainability Act in Schedule 8 of the Provincial Budget Bill 229, Protect, Support and Recover from COVID-19 Act (Budget Measures), 2020;

WHEREAS the Crown Forest Sustainability Act applies to almost two thirds of Ontario's land base which amounts to over 70 million hectares of land that is habitat for many species at risk;

WHEREAS Bill 229 schedule 8 amends the Crown Forest Sustainability Act in order to exempt all forestry operations from mandatory consideration of species at risk protection and recovery as mandated by the Endangered Species Act;

WHEREAS Bill 229 schedule 8 removes the ability to issue orders in circumstances when there is imminent danger to a species at risk;

THEREFORE BE IT RESOLVED THAT West Grey council requests the Province of Ontario repeal schedule 8 of Bill 229 and that a copy of this resolution be forwarded to:

Premier Ford

Minister Philips, Minister of Finance

Minister Yakabuski, Minister of Natural Resources and Forestry

Minister Yurek, Minister of the Environment, Conservation and Parks

MPP Bill Walker, Bruce-Grey-Owen Sound

MPP Ian Arthur, NDP Environment Critic

Grey County Council
Ontario municipalities
Association of Municipalities of Ontario
Conservation Ontario
Saugeen Valley Conservation Authority
Grey Sauble Conservation Authority

Respectfully,

Genevieve Scharback,
Director of Administration / Clerk
Municipality of West Grey

www.westgrey.com

To: Mayor and Council
From: Ontario Stone, Sand & Gravel Association
Re: Gravel Facts in Ontario
Date: January 18, 2020

The Ontario Stone, Sand & Gravel Association (OSSGA) represents the producers and suppliers of aggregate resources – stone, sand and gravel – in Ontario.

An important part of our mandate is to correct misinformation about the industry that often finds its way into the media and the community at large. ‘NIMBY’ groups present themselves as watchdogs of industry, but all too often offer observations and recommendations which meet their own agendas – and most important, do not reflect the broader community and business interests. That said, OSSGA understands that the issues around the location and operation of pits and quarries raises questions with your constituents. We want to be here to help you answer those questions, and to stop the misinformation.

As an example, a recent NIMBY report stated that aggregate poses a threat to Ontario’s important agriculture resources. The reality is that loss of agriculture because of aggregate is not accurate. Of the 4.9 million ha of prime agricultural land in southern Ontario, only 0.7% contains a licensed aggregate operation. And much of that land is returned to an agricultural use after extraction. In addition, aggregate is an essential part of the agri-food system – necessary for farm structures, farming road construction, soil amendments, bedding, drainage, etc.

The same report suggested that because some aggregate companies are operated by multi-nationals, aggregate does not contribute significantly to local economies. The reality is that the aggregate industry in Ontario, like many industries, consists of a small number of large multinational companies, large Canadian firms, and more than 200 medium and small sized operations that range in size from 20 sites to a single sand or gravel pit. Regardless of ownership, all sites hire local workers and supply the product that generates **hundreds of thousands of jobs** in the construction industry in Ontario.

There are also comments circulating regarding haul routes, road repair and the aggregate levy that require correcting. In Ontario, the aggregate industry is the only industry to pay a levy. Currently, that levy is 20.8 ¢ per tonne which equates to more than \$20 million for all of Ontario. The majority of these funds are distributed to local municipalities for infrastructure spending.



In most municipalities, haul routes are located on Regional Roads – which have been built for the purpose of hauling goods. In Ontario, there are more than 200,000 trucks on the roads every day. Only 3% of these trucks are aggregate trucks. The rest carry the 90% of goods that are delivered by truck in this province. Aggregate producers want to be good neighbours and have worked with the Top Aggregate Producing Municipalities of Ontario (TAPMO) to help increase the levy. In addition, producers often work with municipalities on haul road repairs and emergency response services. In many cases in Township's throughout Ontario where entrances are located on Township roads, the producers paid to upgrade the roads to accommodate heavy trucks at their own expense.

These are just some examples of misinformation. OSSGA offers many resources to help understand the aggregate industry.

Our [videos](#) are a great place to start to learn about the industry. You will discover how we all use aggregate – every day – including the individuals critical of the industry! How, in order to build the communities and meet the growth demands of tomorrow, we must look for new supplies of high-quality aggregate today. You'll learn about the environmental due diligence that producers undertake to ensure the industry is safe, clean and responsible. And you'll see for yourself the amazing rehabilitation efforts that have resulted in some of Ontario's most beautiful landscapes – as well as innovative new land uses and agricultural projects.

If you're looking for more, check out our [GravelFacts.ca/resources](https://www.gravelfacts.ca/resources) page for brochures on topics including water management, dust-mitigation, blasting and more information on rehabilitation.

Finally, our new brochure – [The Life Cycle of a Pit or Quarry](#) – walks you through the operation of a pit or quarry from site planning through to rehabilitation. The smartest, most environmentally responsible consideration when mining for stone, sand or gravel is to ensure that the gravel pit is located as close to market as possible.

OSSGA would be delighted to answer any questions about the aggregate industry in Ontario. Please do not hesitate to reach out to OSSGA's Executive Director, Norm Cheesman at 647-727-8774 or by email at ncheesman@ossiga.com.

Our industry wants to work in partnership with communities, to bring the aggregate that we all use every single day of our lives - to where it is needed in the most environmentally and economically way possible.

We won't see you in person at ROMA but hope to see some of you at OSSGA's virtual booth!

**Manitoulin Centennial Manor
Board of Management Meeting
December 17, 2020.
(Unapproved Minutes)**

Present via teleconference:

Pat MacDonald, Wendy Gauthier, Hugh Moggy, Dawn Orr, Dan Osborne, Art Hayden

Regrets: Keith Clement, Extendicare Regional Director; Tamara Beam, Administrator; Sylvie Clarke, DOC

Guest: Recorder: Tom Sasvari, Expositor Mike Erskine

1.0 Call to order

Meeting called to order at 10:10 a.m. by Chair, Pat MacDonald. The members of the Board would once again like to extend a special Thank You to all our staff for all their support and commitment to keeping our residents safe during this difficult time.

2.0 Approval of Agenda

57/20 Orr/Lenihan

That we approve the agenda

....carried

3.0 Approval of Minutes

58/20 Moggy/Gauthier

That we approve the minutes of October 15, 2020

...carried

59/20 Osborne/Hayden

That we approve minutes of November 26, 2020.

...carried

4.0 Business Arising from Minutes

5.0 Correspondence

A letter from Deloitte was received to notify the Board of a \$58, 00.00 GST rebate that was calculated for Centennial Manor. After the fees required the rebate the Home should be left with approximately \$40,000.00, possibly a little less. Once the details are finalized we will receive a final bill from Deloitte.

6.0 **Administrator's Report** is not available.

7.0 Extendicare Report

60/20 Lenihan/Moggy

That we approve the Financial Statements dated December 10, 2020.0, 2020 as received.

...carried

8.0 Budget 2021

61/20 Gauthier/Osborne

That the budget for 2021 be accepted as revised.

....carried

9.0 Fundraising Update

The fund raising report was presented by Wendy Gauthier as follows. The Tree of Lights campaign receipts were \$40,255.75 as of October 1, 2020. Currently, the amount is \$57,255.75 which includes a separate \$5,000.00 donation specified for use to purchase an item for the residents enjoyment. A portion of this was used to purchase an electronic bingo machine which the residents have already been enjoying. The fund raising account total also includes the mutual fund interest. The current balance in Fund Raising is \$82,712.93

Wendy went on to present the Board with the following information. A donor family has stepped up to offer sufficient fund to complete the courtyard renovation (\$57,000.00 from the Tree of Lights has already been dedicated to this project). Following a site visit by landscape architect, Jennifer Harvey, we received a preliminary project proposal for consideration by the Board. If the Board retains her services a design would be ready by summer 2021, with the potential of beginning the project in Fall 2021, depending on the services available for construction, more likely to occur in Spring 2022. The total cost is projected at 200,000 to 250,000 depending on the features that are selected. The donor family has indicated that they are prepared to cover this cost. The Landscape Architectural services as per the proposal from J Harvey are quoted at \$19,775.00

62/20 Moggy/ Hayden

That we accept the fundraising update

...carried

62/20 Gauthier/Orr

Motion to contract J. Harvey according to proposal of 19,225.00

....carried

A second motion unrelated to the courtyard renovation was put forward to the Board

62/20 Moggy/Lenihan

That we use a maximum of \$3000.00 to purchase two big screen Smart TVs for the use of the residents.

...carried

10.0 Meeting Date

The next regular meeting will be January 21, 2021 at 10:00 AM by teleconference.

11.0 Adjournment

63/20 Hayden

That we now adjourn the meeting at 11:25 p.m.

...carried

January 18, 2021

Ms. Tamara Beam
Manitoulin Centennial Manor
70 Robinson Street
Postal Bag 460
Little Current, Ontario
P0P 1K0

Re: December 31, 2020 Financial Statements

Dear Tamara,

Enclosed is the financial statement package prepared for Centennial Manor for the month ended December 31, 2020.

The actual EBITDA for the month is in a surplus position of \$9,243, which is \$17,845 favourable to budget.
On a year-to-date basis the actual EBITDA is in a surplus position of \$89,187, which is \$44,967 favourable to budget.

The current month favourable variance of \$17,845 is mainly attributed to:

- \$16K savings from repairs & maintenance due to no repairs was performed in current month.

The year-to-date favourable variance of \$44,967 is attributed to:

- \$136K favourable in overall revenue mainly due to Minor Capital funding \$49K and IPAC funding \$65K.
- \$59K favourable savings in utilities.
- \$63K favourable savings in repairs and maintenance.
- \$12K favourable savings in general administrative expenses. This is offset by:
- \$131K unfavourable due to IPAC Minor Capital & Minor Capital expenditures.
- \$94K unfavourable pandemic emergency spendings in excess of funding.

The current envelope status are as follows:

- The net Nursing envelope is overspent by \$175,813, of which \$93,773 is due to pandemic.
- The net Program envelope is underspent by \$77,429, which is transferred to Nursing envelope to cover overspend as expected.
- The Food envelope is overspent by \$16,156.

There is a total of \$114,540 net overspend in the flow through envelopes which is \$60,407 unfavourable to budget.

If you have any questions or comments, please do not hesitate to call.

Yours sincerely,



Majuran Sivakumaren
Accounting Manager, Extendedicare Assist

Attachments

cc: Keith Clement

Centennial Manor
Financial Statement Package
December 31, 2020

**Centennial Manor
Financial Statements
For the month ended December 31, 2020**

Page

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Centennial Manor
Income Statement by Envelope
For the month ended December 2020

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CURRENT MONTH							YEAR-TO-DATE							12 MONTH
ACTUAL	PRD	BUDGET	PRD	\$ VAR	PRD VAR		ACTUAL	PRD	BUDGET	PRD	\$ VAR	PRD VAR	BUDGET	
92.37%		99.50%		-7.13%		OCCUPANCY %	93.07%		99.50%		-6.43%		99.50%	
1,860		1,860		-		AVAILABLE RESIDENT DAYS	21,960		21,960		-		21,960	
1,718		1,851		(133)		EARNED RESIDENT DAYS	20,438		21,850		(1,412)		21,850	
ACCOMMODATION (OA)														
\$ 104,458	\$ 60.80	\$ 104,458	\$ 56.44	\$ -	\$ 4.36	GOV'T./RESIDENT FUNDING (per diem)	\$ 1,233,274	\$ 60.34	\$ 1,233,274	\$ 56.44	\$ -	\$ 3.90	\$ 1,233,274	
\$ 2,678	\$ 1.56	\$ 2,139	\$ 1.16	\$ 540	\$ 0.40	GLOBAL FUNDING - OA	\$ 26,872	\$ 1.31	\$ 22,086	\$ 1.01	\$ 4,786	\$ 0.30	\$ 22,086	
\$ 32,798	\$ 19.09	\$ 32,798	\$ 17.72	\$ -	\$ 1.37	MUNICIPAL CONTRIBUTION	\$ 393,577	\$ 19.26	\$ 393,577	\$ 18.01	\$ -	\$ 1.24	\$ 393,577	
\$ 5,543	\$ 3.23	\$ 3,601	\$ 1.95	\$ 1,942	\$ 1.28	REV - SEMI PRIVATE PREMIUM	\$ 50,266	\$ 2.46	\$ 42,327	\$ 1.94	\$ 7,939	\$ 0.52	\$ 42,327	
\$ 13,841	\$ 8.06	\$ 13,913	\$ 7.52	\$ (72)	\$ 0.54	REV - PRIVATE PREMIUM	\$ 153,071	\$ 7.49	\$ 163,055	\$ 7.46	\$ (9,984)	\$ 0.03	\$ 163,055	
\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	IPAC MINIOR CAPITAL FUNDING	\$ 65,240	\$ 3.19	\$ -	\$ -	\$ 65,240	\$ 3.19	\$ -	
\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	IPAC MINIOR CAPITAL FUNDING DEFERRAL	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
\$ 5,475	\$ 3.19	\$ -	\$ -	\$ 5,475	\$ 3.19	MINOR CAPITAL FUNDING	\$ 49,275	\$ 2.41	\$ -	\$ -	\$ 49,275	\$ 2.41	\$ -	
\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	STRUCTURAL COMPLIANCE FUNDING	\$ 16,605	\$ 0.81	\$ 16,425	\$ 0.75	\$ 180	\$ 0.06	\$ 16,425	
\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	PRIOR YEAR ADJUSTMENT	\$ (18,399)	\$ (0.90)	\$ -	\$ -	\$ (18,399)	\$ (0.90)	\$ -	
\$ 9,443	\$ 5.50	\$ 5,455	\$ 2.95	\$ 3,988	\$ 2.55	ANCILLARY REVENUE	\$ 57,498	\$ 2.81	\$ 17,001	\$ 0.78	\$ 40,497	\$ 2.04	\$ 17,001	
\$ -	\$ -	\$ 467	\$ 0.25	\$ (467)	\$ (0.25)	INTEREST REVENUE	\$ 2,412	\$ 0.12	\$ 5,600	\$ 0.26	\$ (3,188)	\$ (0.14)	\$ 5,600	
\$ 174,236	\$ 101.42	\$ 162,831	\$ 87.98	\$ 11,406	\$ 13.43	TOTAL ACCOMODATION REVENUE	\$ 2,029,690	\$ 99.31	\$ 1,893,344	\$ 86.65	\$ 136,347	\$ 12.66	\$ 1,893,344	
\$ 12,151	\$ 7.07	\$ 12,720	\$ 6.87	\$ 569	\$ (0.20)	WAGES - ADMIN	\$ 156,129	\$ 7.64	\$ 150,178	\$ 6.87	\$ (5,951)	\$ (0.77)	\$ 150,178	
\$ 26,600	\$ 15.48	\$ 25,296	\$ 13.67	\$ (1,304)	\$ (1.81)	WAGES - DIETARY	\$ 332,412	\$ 16.26	\$ 288,686	\$ 13.21	\$ (43,726)	\$ (3.05)	\$ 288,686	
\$ 9,898	\$ 5.76	\$ 9,744	\$ 5.26	\$ (154)	\$ (0.50)	WAGES - HOUSEKEEPING	\$ 112,370	\$ 5.50	\$ 110,436	\$ 5.05	\$ (1,935)	\$ (0.44)	\$ 110,436	
\$ 3,691	\$ 2.15	\$ 4,514	\$ 2.44	\$ 823	\$ 0.29	WAGES - LAUNDRY	\$ 47,823	\$ 2.34	\$ 51,223	\$ 2.34	\$ 3,400	\$ 0.00	\$ 51,223	
\$ 3,196	\$ 1.86	\$ 5,761	\$ 3.11	\$ 2,565	\$ 1.25	WAGES - MAINTENANCE	\$ 43,742	\$ 2.14	\$ 68,016	\$ 3.11	\$ 24,274	\$ 0.97	\$ 68,016	
\$ 55,537	\$ 32.33	\$ 58,035	\$ 31.36	\$ 2,498	\$ (0.97)	TOTAL WAGES	\$ 692,477	\$ 33.88	\$ 668,539	\$ 30.60	\$ (23,938)	\$ (3.29)	\$ 668,539	
\$ 17,470	\$ 10.17	\$ 17,780	\$ 9.61	\$ 310	\$ (0.56)	BENEFITS	\$ 190,449	\$ 9.32	\$ 207,971	\$ 9.52	\$ 17,522	\$ 0.20	\$ 207,971	
\$ 13,356	\$ 7.77	\$ 18,555	\$ 10.03	\$ 5,198	\$ 2.25	UTILITIES - FUEL	\$ 91,876	\$ 4.50	\$ 137,439	\$ 6.29	\$ 45,563	\$ 1.79	\$ 137,439	
\$ 6,770	\$ 3.94	\$ 6,802	\$ 3.68	\$ 32	\$ (0.27)	UTILITIES - HYDRO	\$ 83,112	\$ 4.07	\$ 88,111	\$ 4.03	\$ 4,999	\$ (0.03)	\$ 88,111	
\$ 4,597	\$ 2.68	\$ 4,382	\$ 2.37	\$ (215)	\$ (0.31)	UTILITIES - WATER	\$ 44,499	\$ 2.18	\$ 53,244	\$ 2.44	\$ 8,746	\$ 0.26	\$ 53,244	
\$ (0)	\$ (0.00)	\$ 10,936	\$ 5.91	\$ 10,936	\$ 5.91	REPAIRS & MAINT. - PLANNED	\$ 94,054	\$ 4.60	\$ 131,228	\$ 6.01	\$ 37,174	\$ 1.40	\$ 131,228	
\$ (0)	\$ (0.00)	\$ 5,502	\$ 2.97	\$ 5,502	\$ 2.97	REPAIRS & MAINT. - PROVISIONAL	\$ 40,164	\$ 1.97	\$ 66,021	\$ 3.02	\$ 25,857	\$ 1.06	\$ 66,021	
\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	IPAC MINOR CAPITAL EXPENDITURES	\$ 65,240	\$ 3.19	\$ -	\$ -	\$ (65,240)	\$ (3.19)	\$ -	
\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	MINOR CAPITAL EXPENDITURES	\$ 65,700	\$ 3.21	\$ -	\$ -	\$ (65,700)	\$ (3.21)	\$ -	
\$ 4,211	\$ 2.45	\$ 4,108	\$ 2.22	\$ (103)	\$ (0.23)	MAINTENANCE CONTRACTS	\$ 44,698	\$ 2.19	\$ 37,409	\$ 1.71	\$ (7,288)	\$ (0.47)	\$ 37,409	
\$ 2,843	\$ 1.65	\$ 1,753	\$ 0.95	\$ (1,090)	\$ (0.71)	SUPPLIES - DIETARY	\$ 12,437	\$ 0.61	\$ 21,042	\$ 0.96	\$ 8,605	\$ 0.35	\$ 21,042	
\$ 1,681	\$ 0.98	\$ 1,792	\$ 0.97	\$ 110	\$ (0.01)	SUPPLIES - HOUSEKEEPING	\$ 20,293	\$ 0.99	\$ 21,501	\$ 0.98	\$ 1,208	\$ (0.01)	\$ 21,501	
\$ 2,217	\$ 1.29	\$ 1,032	\$ 0.56	\$ (1,185)	\$ (0.73)	SUPPLIES - LAUNDRY	\$ 20,260	\$ 0.99	\$ 12,381	\$ 0.57	\$ (7,878)	\$ (0.42)	\$ 12,381	
\$ 1,128	\$ 0.66	\$ 584	\$ 0.32	\$ (545)	\$ (0.34)	SUPPLIES - MAINTENANCE	\$ 13,256	\$ 0.65	\$ 7,005	\$ 0.32	\$ (6,250)	\$ (0.33)	\$ 7,005	
\$ 3,341	\$ 1.94	\$ 3,118	\$ 1.68	\$ (222)	\$ (0.26)	INSURANCE	\$ 39,674	\$ 1.94	\$ 37,421	\$ 1.71	\$ (2,253)	\$ (0.23)	\$ 37,421	
\$ 24,219	\$ 14.10	\$ 10,487	\$ 5.67	\$ (13,732)	\$ (8.43)	OTHER G&A COSTS	\$ 108,480	\$ 5.31	\$ 120,237	\$ 5.50	\$ 11,757	\$ 0.20	\$ 120,237	
\$ 787	\$ 0.46	\$ 952	\$ 0.51	\$ 166	\$ 0.06	BOARD EXPENSES	\$ 5,695	\$ 0.28	\$ 11,426	\$ 0.52	\$ 5,731	\$ 0.24	\$ 11,426	
\$ 15,359	\$ 8.94	\$ 14,832	\$ 8.01	\$ (527)	\$ (0.93)	MANAGEMENT FEE	\$ 193,600	\$ 9.47	\$ 174,016	\$ 7.96	\$ (19,585)	\$ (1.51)	\$ 174,016	
\$ 97,980	\$ 57.03	\$ 102,615	\$ 55.45	\$ 4,635	\$ (1.58)	TOTAL OTHER EXPENSE	\$ 1,133,487	\$ 55.46	\$ 1,126,452	\$ 51.55	\$ (7,035)	\$ (3.91)	\$ 1,126,452	
\$ 153,517	\$ 89.36	\$ 160,650	\$ 86.80	\$ 7,133	\$ (2.55)	TOTAL ACCOMMODATION EXPENSE	\$ 1,825,963	\$ 89.34	\$ 1,794,990	\$ 82.15	\$ (30,973)	\$ (7.19)	\$ 1,794,990	
\$ 20,720	\$ 12.06	\$ 2,181	\$ -	\$ 18,539	\$ 12.06	NET ACCOMMODATION INCOME	\$ 203,727	\$ 9.97	\$ 98,354	\$ 4.50	\$ 105,373	\$ 5.47	\$ 98,354	
FOOD (RF)														
\$ 17,744	\$ 10.33	\$ 17,744	\$ 9.59	\$ -	\$ (0.74)	GOVERNMENT FUNDING (per diem)	\$ 209,498	\$ 10.25	\$ 209,498	\$ 9.59	\$ -	\$ (0.66)	\$ 209,498	
\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	DEFERRED FOOD REVENUE	\$ 0	\$ 0.00	\$ -	\$ -	\$ 0	\$ 0.00	\$ -	
\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	INTRA-ENVELOPE DEFERRAL ADJUSTMENT	\$ (0)	\$ (0.00)	\$ -	\$ -	\$ (0)	\$ (0.00)	\$ -	
\$ 17,744	\$ 10.33	\$ 17,744	\$ 10.33	\$ -		TOTAL FOOD REVENUE	\$ 209,498	\$ 10.25	\$ 209,498	\$ 9.59	\$ -	\$ (0.66)	\$ 209,498	
\$ 19,524	\$ 11.36	\$ 17,744	\$ 9.59	\$ (1,779)	\$ (1.78)	RAW FOOD	\$ 225,654	\$ 11.04	\$ 209,498	\$ 9.59	\$ (16,156)	\$ (1.45)	\$ 209,498	
\$ 19,524	\$ 11.36	\$ 17,744	\$ 10.33	\$ (1,779)		TOTAL FOOD EXPENSE	\$ 225,654	\$ 11.04	\$ 209,498	\$ 9.59	\$ (16,156)	\$ (1.45)	\$ 209,498	
\$ (1,779)	\$ -	\$ -	\$ (1,779)			NET FOOD INCOME	\$ (16,156)		\$ -		\$ (16,156)		\$ -	

Centennial Manor
Income Statement by Envelope
For the month ended December 2020

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CURRENT MONTH							YEAR-TO-DATE							12 MONTH
ACTUAL	PRD	BUDGET	PRD	\$ VAR	PRD VAR		ACTUAL	PRD	BUDGET	PRD	\$ VAR	PRD VAR	BUDGET	
NURSING (NPC)														
\$ 182,315	\$ 98.51	\$ 187,839	\$ 101.50	\$ (5,523)	\$ (2.98)	GOVERNMENT FUNDING (per diem)	\$ 2,194,264	\$ 107.36	\$ 2,220,950	\$ 101.64	\$ (26,686)	\$ 5.72	\$ 2,220,950	
\$ 24,000	\$ 13.97	\$ -	\$ -	\$ 24,000	\$ 13.97	PANDEMIC FUNDING	\$ 267,000	\$ 13.06	\$ -	\$ -	\$ 267,000	\$ 13.06	\$ -	
\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	PANDEMIC PAY PREMIUM FUNDING	\$ 279,109	\$ 13.66	\$ -	\$ -	\$ 279,109	\$ 13.66	\$ -	
\$ 5,692	\$ 3.31	\$ 4,526	\$ 2.45	\$ 1,166	\$ 0.87	GLOBAL FUNDING - NSG	\$ 57,042	\$ 2.79	\$ 46,700	\$ 2.14	\$ 10,342	\$ 0.65	\$ 46,700	
\$ 11,641	\$ 6.78	\$ 11,641	\$ 6.29	\$ -	\$ 0.49	PAY EQUITY FUNDING	\$ 139,692	\$ 6.83	\$ 139,692	\$ 6.39	\$ -	\$ 0.44	\$ 139,692	
\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	DEFERRED PANDEMIC REVENUE	\$ (0)	\$ (0.00)	\$ -	\$ -	\$ (0)	\$ (0.00)	\$ -	
\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	DEFERRED PANDEMIC PAY PREMIUM REVENUE	\$ (85,966)	\$ (4.21)	\$ -	\$ -	\$ (85,966)	\$ (4.21)	\$ -	
\$ (257)	\$ (0.15)	\$ -	\$ -	\$ (257)	\$ (0.15)	DEFERRED FALLS PREVENTION REVENUE	\$ (649)	\$ (0.03)	\$ -	\$ -	\$ (649)	\$ (0.03)	\$ -	
\$ 7,957	\$ 4.63	\$ 5,641	\$ 3.05	\$ 2,316	\$ 1.58	INTRA-ENVELOPE DEFERRAL ADJUSTMENT	\$ 77,429	\$ 3.79	\$ 66,657	\$ 3.05	\$ 10,772	\$ 0.74	\$ 66,657	
\$ 231,348	\$ 134.66	\$ 209,647	\$ 113.28	\$ 21,701	\$ 21.38	TOTAL NURSING REVENUE	\$ 2,927,920	\$ 143.26	\$ 2,473,999	\$ 113.23	\$ 453,921	\$ 30.03	\$ 2,473,999	
\$ 154,974	\$ 90.21	\$ 167,587	\$ 90.55	\$ 12,613	\$ 0.35	WAGES	\$ 1,873,168	\$ 91.65	\$ 1,910,970	\$ 87.46	\$ 37,802	\$ (4.19)	\$ 1,910,970	
\$ 18,025	\$ 10.49	\$ -	\$ -	\$ (18,025)	\$ (10.49)	PANDEMIC WAGES	\$ 258,492	\$ 12.65	\$ -	\$ -	\$ (258,492)	\$ (12.65)	\$ -	
\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	PANDEMIC PREMIUMS TOP UP WAGES	\$ 157,479	\$ 7.71	\$ -	\$ -	\$ (157,479)	\$ (7.71)	\$ -	
\$ 44,663	\$ 26.00	\$ 44,478	\$ 24.03	\$ (185)	\$ (1.96)	BENEFITS	\$ 502,267	\$ 24.58	\$ 517,275	\$ 23.67	\$ 15,008	\$ (0.90)	\$ 517,275	
\$ 1,681	\$ 0.98	\$ -	\$ -	\$ (1,681)	\$ (0.98)	PANDEMIC BENEFITS	\$ 16,234	\$ 0.79	\$ -	\$ -	\$ (16,234)	\$ (0.79)	\$ -	
\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	PANDEMIC PREMIUMS TOP UP BENEFITS	\$ 35,663	\$ 1.74	\$ -	\$ -	\$ (35,663)	\$ (1.74)	\$ -	
\$ (2,756)	\$ (1.60)	\$ 2,562	\$ 1.38	\$ 5,318	\$ 2.99	SUPPLIES	\$ 26,325	\$ 1.29	\$ 30,684	\$ 1.40	\$ 4,360	\$ 0.12	\$ 30,684	
\$ 14,280	\$ 8.31	\$ -	\$ -	\$ (14,280)	\$ (8.31)	PANDEMIC SUPPLIES	\$ 82,051	\$ 4.01	\$ -	\$ -	\$ (82,051)	\$ (4.01)	\$ -	
\$ 2,814	\$ 1.64	\$ 2,232	\$ 1.21	\$ (582)	\$ (0.43)	INCONTINENT SUPPLIES	\$ 27,732	\$ 1.36	\$ 26,352	\$ 1.21	\$ (1,380)	\$ (0.15)	\$ 26,352	
\$ 662	\$ 0.39	\$ 655	\$ 0.35	\$ (7)	\$ (0.03)	MEDICAL ADVISORY	\$ 7,906	\$ 0.39	\$ 7,863	\$ 0.36	\$ (43)	\$ (0.03)	\$ 7,863	
\$ 227	\$ 0.13	\$ 500	\$ 0.27	\$ 273	\$ 0.14	REPAIRS & MAINTENANCE	\$ 5,351	\$ 0.26	\$ 6,000	\$ 0.27	\$ 649	\$ 0.01	\$ 6,000	
\$ 3,715	\$ 2.16	\$ -	\$ -	\$ (3,715)	\$ (2.16)	PANDEMIC REPAIRS	\$ 3,997	\$ 0.20	\$ -	\$ -	\$ (3,997)	\$ (0.20)	\$ -	
\$ 1,167	\$ 0.68	\$ 1,166	\$ 0.63	\$ (2)	\$ (0.05)	MAINTENANCE CONTRACTS	\$ 14,320	\$ 0.70	\$ 13,989	\$ 0.64	\$ (332)	\$ (0.06)	\$ 13,989	
\$ 1,594	\$ 0.93	\$ 1,250	\$ 0.68	\$ (344)	\$ (0.25)	OTHER G&A COSTS	\$ 15,319	\$ 0.75	\$ 15,000	\$ 0.69	\$ (319)	\$ (0.06)	\$ 15,000	
\$ 241,046	\$ 140.31	\$ 220,430	\$ 119.11	\$ (20,617)	\$ (21.20)	TOTAL NURSING EXPENSE	\$ 3,026,304	\$ 148.07	\$ 2,528,132	\$ 115.70	\$ (498,172)	\$ (32.37)	\$ 2,528,132	
\$ (9,698)	\$ (5.64)	\$ (10,783)	\$ (5.83)	\$ 1,085	\$ 0.18	NET NURSING INCOME	\$ (98,384)	\$ (4.81)	\$ (54,133)	\$ (2.48)	\$ (44,251)	\$ (2.34)	\$ (54,133)	
PROGRAM (PSS)														
\$ 22,432	\$ 13.06	\$ 22,432	\$ 12.12	\$ -	\$ 0.94	GOVERNMENT FUNDING (per diem)	\$ 264,838	\$ 12.96	\$ 264,838	\$ 12.12	\$ -	\$ 0.84	\$ 264,838	
\$ (7,957)	\$ (4.63)	\$ (5,641)	\$ (3.05)	\$ (2,316)	\$ (1.58)	INTRA-ENVELOPE DEFERRAL ADJUSTMENT	\$ (77,429)	\$ (3.79)	\$ (66,657)	\$ (3.05)	\$ (10,772)	\$ (0.74)	\$ (66,657)	
\$ 14,475	\$ 8.43	\$ 16,790	\$ 9.07	\$ (2,316)	\$ (0.65)	TOTAL PROGRAM REVENUE	\$ 187,409	\$ 9.17	\$ 198,181	\$ 9.07	\$ (10,772)	\$ 0.10	\$ 198,181	
\$ 11,579	\$ 6.74	\$ 13,201	\$ 7.13	\$ 1,622	\$ 0.39	WAGES	\$ 152,859	\$ 7.48	\$ 155,624	\$ 7.12	\$ 2,765	\$ (0.36)	\$ 155,624	
\$ 1,723	\$ 1.00	\$ 1,991	\$ 1.08	\$ 268	\$ 0.07	BENEFITS	\$ 20,943	\$ 1.02	\$ 23,384	\$ 1.07	\$ 2,441	\$ 0.05	\$ 23,384	
\$ 1,173	\$ 0.68	\$ 1,577	\$ 0.85	\$ 404	\$ 0.17	SUPPLIES	\$ 13,606	\$ 0.67	\$ 18,917	\$ 0.87	\$ 5,311	\$ 0.20	\$ 18,917	
\$ -	\$ -	\$ 21	\$ 0.01	\$ 21	\$ 0.01	OTHER G&A COSTS	\$ -	\$ -	\$ 255	\$ 0.01	\$ 255	\$ 0.01	\$ 255	
\$ 14,475	\$ 8.43	\$ 16,790	\$ 9.07	\$ 2,316	\$ 0.65	TOTAL PROGRAM EXPENSE	\$ 187,409	\$ 9.17	\$ 198,181	\$ 9.07	\$ 10,772	\$ (0.10)	\$ 198,181	
\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	NET PROGRAM INCOME	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
\$ 9,243	\$ 5.38	\$ (8,602)	\$ (4.65)	\$ 17,845	\$ 10.03	EBITDA	\$ 89,187	\$ 4.36	\$ 44,221	\$ 2.02	\$ 44,967	\$ 2.34	\$ 44,221	
2.20%		-2.21%		4.41%		MARGIN %	1.73%		0.97%		0.76%		0.97%	
ADJUSTMENTS TO CASH FLOW														
\$ (10,000)	\$ (5.82)	\$ (10,000)	\$ (5.40)	\$ -	\$ 0.42	RESERVE	\$ (120,000)	\$ (69.85)	\$ (120,000)	\$ (64.84)	\$ -	\$ 5.01	\$ (120,000)	
\$ (757)	\$ (0.44)	\$ (18,602)	\$ (10.05)	\$ 17,845	\$ (9.61)	NET CASH FLOW	\$ (30,813)	\$ (17.94)	\$ (75,779)	\$ (40.95)	\$ 44,967	\$ (23.01)	\$ (75,779)	

Prepared by Calvin Cheung

Date 1/18/2021

Reviewed by Majuran Sivakumaren

Date 1/18/2021

Centennial Manor
Variance Analysis Report
For the month ended December 2020

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	<u>Accommodation</u>		<u>Food</u>	<u>Nursing</u>	<u>Programs</u>	<u>Current Month's Variance Favourable/ (Unfavourable)</u>
Revenue Variance	\$	11,400	\$ -	\$ 21,700	\$ (2,300)	\$ 30,800
Expense Variance	\$	7,100	\$ (1,800)	\$ (20,600)	\$ 2,300	\$ (13,000)
Total Variance	\$	18,500	\$ (1,800)	\$ 1,100	\$ -	\$ 17,800

Accommodation Revenue

Government/Resident Funding (per diem):

\$ 500

The Accommodation variance is a result of the following:

<u>Description</u>	<u>Type</u>	<u>Actual</u>	<u>Budget</u>	<u>Revenue Variance</u>	<u>Explanation</u>
Global Funding	Per Diem	\$ 1.44	\$ 1.15	\$ 540	Actual increase of Global Funding is higher than budgeted.
				\$ 540	

Preferred Accommodations:

\$ 1,900

Occupancy

	<u>Actual Residents</u>	<u>Budgeted Residents</u>
Semi-Private	7.00	9.00
Private	2.00	5.00
Semi-Private "A"	9.00	3.00
Private "A"	13.00	13.00
	31.00	30.00

Higher revenue mainly due to preferred premium adjustment \$1.7K received in current month from ministry due to Covid.

Minor Capital Funding

\$ 5,500

Effective April 2020, structural compliance funding is replaced by minor capital funding (\$5,475 monthly). Funding received in current month is recognized to offset with approved HVAC system upgrade cost incurred year-to-date.

Ancillary and Interest Revenue:

\$ 3,500

The favourable variance is mainly due to gala donation \$7.5K, that is not budgeted for, offset by safety group rebate \$4.5K due to timing of recognition (safety group rebate was already recognized in November).

Total Accommodation Revenue Variance

\$ 11,400

	Current Month's Variance Favourable/
<u>Accommodation Expenses</u>	
Productive Wages and Salaries: Please refer to page 5.	\$ 2,500
Utilities: The favourable variance is mainly is to lower fuel usage, \$5K, than expected.	\$ 5,000
Repairs & Maintenance (Planned & Provisional): The favourable variance is due to no repairs cost in current month.	\$ 16,400
Supplies: The unfavorable variance is mainly purchases for dietary and laundry supplies.	\$ (2,700)
Other G&A Costs: The unfavourable variance is mainly due to consulting Fees for tax consulting service rendered by Deloitte for working on HST matter (Effective November 1st, 2020, Centennial is approved to claim the higher PSB rate - GST 5% increased from 50% to 83%, and PST 8% from 82% to 87%).	\$ (13,700)
Operating Expenses with a variance of less than \$1,000: There is no other material variances.	\$ (400)
Total Accommodation Expense Variance	\$ 7,100
Total Accommodation Operating Variance	\$ 18,500

Manitoulin Centennial Manor
Variance Analysis Report - Accommodation Envelope Wages
For the month ended December 2020

	<u>Productive Costs</u>				<u>Non-Productive</u>	<u>Purchased</u>	<u>Total Variance</u>	<u>Comments</u>
	<u>Usage Variance</u>		<u>Rate Variance</u>		<u>Variance</u>	<u>Services</u>		
	<u>Hours</u>	<u>Amount \$</u>	<u>Wage Rate</u>	<u>Amount \$</u>		<u>Variance</u>		
<u>Office & Administration:</u>								
Total Office & Administration	(5.0)	798		2	(231)	-	569	
<u>Dietary:</u>								
22020 Food Service Supervisor (O)	(72.1)	(2,200)	\$ 10.11	1,516	(822)	-	(1,506)	Staff 900035384 resigned as dietary supervisor, and staff 900013112 worked more hours than budgeted to cover work with lower wage rates.
Purchased Services	-	-	\$ -	-	0	(1,122)	(1,122)	Nutritionist consulting service hired this month for menu development.
Total Dietary	(66.1)	(2,092)		2,151	(241)	(1,122)	(1,304)	
<u>Housekeeping:</u>								
Total Housekeeping	(11.0)	(237)		613	(530)	-	(154)	
<u>Laundry:</u>								
Total Laundry	14.6	316		244	263	-	823	
<u>Maintenance:</u>								
22700 Maintenance Supervisor (O)	57.3	1,748	\$ 30.53	-	279	-	2,028	This position is currently vacant, ED is covering part of Maintenance duties (confirmed with OM 10/09/20).
Total Maintenance	62.8	1,873		231	461	-	2,565	
Total OA Wage Variance	(4.8)	657		3,240	(277)	(1,122)	2,498	

****Only Job Classes with significant variances are shown**

Centennial Manor
Variance Analysis Report
For the month ended December 2020

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	Current Month's Variance Favourable/
<u>Food Expenses</u>	
Raw Food:	\$ (1,800)
Food is over by \$1.8K this month. Based on trends from past years, home generally spends more on food and exceeds food funding.	
Total Food Expense Variance	<u>\$ (1,800)</u>
Total Net Food Income Variance	<u>\$ (1,800)</u>

Centennial Manor
Variance Analysis Report
For the month ended December 2020

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Nursing Revenue

Government Funding (per diem):

Current
Month's
Variance
Favourable/
\$ (4,400)

Description	Type	Actual	Budget	Revenue Variance	Explanation
Nursing	Per Diem	\$ 86.91	\$ 89.90	\$ (5,523)	Adjusted CMI decreased to 0.8668 from 0.8967 in July 2020 which was not budgeted for.
Global Funding	Per Diem	\$ 3.06	\$ 2.43	\$ 1,166	Actual increase of Global Funding is higher than budgeted.
				\$ (4,357)	

Pandemic Funding:

Additional \$24K of COVID prevention and containment funding (Tranche 9) accrued in current month. Payment is expected to be received in January 2021.

\$ 24,000

Deferred Nursing Revenue:

The Nursing and Personal Care Envelope costs are expense accountable and when funds are not spent, they must be returned to the Ministry of Health and deferred. Current spending patterns result in the following revenue adjustments:

\$ (300)

Envelope	Monthly		Additional Revenue/ (Revenue Deferral)	Budget	Variance
	Expenditure	Funding			
Pandemic Premiums	\$ -	\$ -	\$ -	\$ -	\$ - ⁽²⁾
FALLS PREVENTION	\$ 227	\$ 500	\$ (257)	\$ -	\$ (257) ⁽³⁾
	\$ 241,046	\$ 231,605	\$ (257)	\$ -	\$ (257)

(2) Pandemic Premiums is underspent \$85,966 calendar year to date.

(3) Falls Prevention is underspent \$649 calendar year to date.

Intra-Envelope Deferral Adjustment:

MOH regulations allow for the transfer of underspent envelope funding in Nursing and Programs to overspending in Nursing, Programs and Food. As a result of year to date spending, there was an adjustment made in the current month.

\$ 2,400

Total Nursing Revenue Variance

\$ 21,700

Centennial Manor
Variance Analysis Report
For the month ended December 2020

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	Current Month's Variance Favourable/
<u>Nursing Expenses</u>	
Productive Wages and Salaries: Please refer to page 9.	\$ (5,400)
Benefits: The unfavourable variance is primarily due to adminplex \$0.7K and CPP \$0.8K.	\$ (1,900)
Supplies: The unfavourable variance is mainly due to pandemic supplies, \$15K, offset by \$5K inventory year-end adjustment.	\$ (9,000)
Repairs & Maintenance: The unfavourable variance is mainly due to pandemic repairs \$3.7K for medical mart and rubbermaid linen hampers.	\$ (3,400)
Operating Expenses with a variance of less than \$1,000: There is no other material variances.	\$ (900)
Total Nursing Expense Variance	<u>\$ (20,600)</u>
Total Net Nursing Income Variance	<u>\$ 1,100</u>

Manitoulin Centennial Manor
Variance Analysis Report - Nursing Envelope Wages
For the month ended December 2020

	<u>Productive Costs</u>				<u>Non-Productive</u>	<u>Purchased</u>	<u>Total Variance</u>	<u>Comments</u>
	<u>Usage Variance</u>		<u>Rate Variance</u>		<u>Variance</u>	<u>Services</u>		
	<u>Hours</u>	<u>Amount \$</u>	<u>Wage Rate</u>	<u>Amount \$</u>		<u>Variance</u>		
<u>NURSING:</u>								
33000 Registered Nurse (ONA)	(80)	(3,030)	\$ (4.14)	(3,059)	(1,070)	-	(7,159)	Additional hours to cover for short-staffed RPN. Rate variance due to actual hiring rate is higher than budgeted. Non-productive variance mainly due to overtime premiums \$1.8K.
33100 RPN(S)-RPN	178	4,909	\$ 3.74	2,004	2,629	-	9,542	Position is currently short-staffed and home is trying to recruit. Non-productive variance mainly due to savings in vacation \$1K and general holiday \$1.2K.
42310 Health Care Aide (S)	172	3,803	\$ 1.45	4,231	(3,863)	6,975	11,146	Position is short-staffed. Non-productive variance due to WCB modified duties \$3.4K. No agency services in current month.
Total Regular Nursing	239	4,630		2,770	(1,763)	6,975	12,613	
<u>PANDEMIC Sub-envelope</u>								
COVID-19 Purchased Services	-	-	\$ -	-	-	(5,155)	(5,155)	Unbudgeted COVID-19 wages.
COVID-19 Nursing Clerk	-	-	\$ -	-	3	-	3	Unbudgeted COVID-19 wages.
COVID-19 Receptionist	(233)	-	\$ (16.00)	(3,720)	(260)	-	(3,981)	Unbudgeted COVID-19 wages.
COVID-19 RN	(2)	-	\$ (41.47)	(92)	(6)	-	(98)	Unbudgeted COVID-19 wages.
COVID-19 RN-PT	0	-	\$ (47.71)	7	0	-	7	Unbudgeted COVID-19 wages.
COVID-19 RPN	(7)	-	\$ (25.81)	(172)	(79)	-	(251)	Unbudgeted COVID-19 wages.
COVID-19 Dietary Aide	0	-	\$ (21.75)	6	0	-	7	Unbudgeted COVID-19 wages.
COVID-19 Housekeeping Aide	(235)	-	\$ (21.08)	(4,953)	(413)	-	(5,366)	Unbudgeted COVID-19 wages.
COVID-19 Laundry Aide	(77)	-	\$ (21.70)	(1,662)	(212)	-	(1,874)	Unbudgeted COVID-19 wages.
COVID-19 Health Care Aide	(3)	-	\$ (22.08)	(73)	1	-	(72)	Unbudgeted COVID-19 wages.
COVID-19 Activity Aide	(75)	-	\$ (16.00)	(1,202)	(43)	-	(1,246)	Unbudgeted COVID-19 wages.
Total PANDEMIC Envelope	(631)	-	(234)	(11,862)	(1,008)	(5,155)	(18,025)	
<u>PANDEMIC PAY Sub-envelope:</u>								
Total PANDEMIC Sub-envelope	-	-		-	-	-	-	
Total NURSING Wage Variance	239	4,630		2,770	(1,763)	6,975	(5,412)	

****Only Job Classes with significant variances are shown**

	Current Month's Variance Favourable/
<u>Program Revenue</u>	
Intra-Envelope Deferral Adjustment:	\$ (2,300)
MOH regulations allow for the transfer of underspent envelope funding in Nursing and Programs to overspending in Nursing, Programs and Food. As a result of year to date spending, there was an adjustment made in the current month.	
Total Program Revenue Variance	<u>\$ (2,300)</u>

	Current Month's Variance Favourable/
<u>Program Expenses</u>	
Productive Wages and Salaries:	\$ 1,600
Please refer to page 12.	
Operating Expenses with a variance of less than \$500:	\$ 700
There is no other material variances.	
Total Program Expense Variance	\$ 2,300
	\$ -
Total Net Program Income Variance	
TOTAL VARIANCE	\$ 17,800

Manitoulin Centennial Manor
Variance Analysis Report - Program Envelope Wages
For the month ended December 2020

	<u>Productive Costs</u>				<u>Non-Productive Variance</u>	<u>Purchased Services Variance</u>	<u>Total Variance</u>	<u>Comments</u>
	<u>Usage Variance</u>		<u>Rate Variance</u>					
	<u>Hours</u>	<u>Amount \$</u>	<u>Wage Rate</u>	<u>Amount \$</u>				
<u>PROGRAM:</u>								
42400 Activity Aides (O)	(7.0)	(107)	\$ 5.57	779	146	-	818	Rate variance due to reimbursement received for wages paid for a student worked in the summer.
Total Regular Program	3.8	163		779	397	282	1,622	

*****Only Job Classes with significant variances are shown***

		<u>CURRENT MONTH</u>						<u>YEAR-TO-DATE</u>					
<u>ACTUAL</u>	<u>PRD</u>	<u>BUDGET</u>	<u>PRD</u>	<u>\$ VAR</u>	<u>PRD VAR</u>			<u>ACTUAL</u>	<u>PRD</u>	<u>BUDGET</u>	<u>PRD</u>	<u>\$ VAR</u>	<u>PRD VAR</u>
92.37%		99.50%		-7.13%		OCCUPANCY %		93.07%		99.50%		-6.43%	
1,860		1,860		\$ -				21,960		21,960		-	
1,718		1,851		(133)		EARNED RESIDENT DAYS		20,438		21,850		(1,412)	
<u>PANDEMIC PREMIUM ENVELOPE STATEMENT</u>													
\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	GOVT. FUNDING		\$ 279,109	\$ 13.66	\$ -	\$ -	\$ 279,109	\$ 13.66
\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	GOVT. REVENUE DEFERRAL		\$ (85,966)	\$ (4.21)	\$ -	\$ -	\$ (85,966)	\$ (4.21)
\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	TOTAL MDS/RAI REVENUE		\$ 193,143	\$ 9.45	\$ -	\$ -	\$ 193,143	\$ 9.45
\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	WAGES		\$ 157,479	\$ 7.71	\$ -	\$ -	\$ (157,479)	\$ (7.71)
\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	BENEFITS		\$ 35,663	\$ 1.74	\$ -	\$ -	\$ (35,663)	\$ (1.74)
\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	TOTAL MDS/RAI EXPENSE		\$ 193,143	\$ 9.45	\$ -	\$ -	\$ (193,143)	\$ (9.45)
\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	NET MDS/RAI ENVELOPE		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<u>PANDEMIC ENVELOPE STATEMENT</u>													
\$ 24,000	\$ 13.97	\$ -	\$ -	\$ 24,000	\$ 13.97	PANDEMIC FUNDING		\$ 267,000	\$ 13.06	\$ -	\$ -	\$ 267,000	\$ 13.06
\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	PANDEMIC FUNDING DEFERRAL		\$ (0)	\$ (0.00)	\$ -	\$ -	\$ (0)	\$ (0.00)
\$ 24,000	\$ 13.97	\$ -	\$ -	\$ 24,000	\$ 13.97	TOTAL PANDEMIC REVENUE		\$ 267,000	\$ 13.06	\$ -	\$ -	\$ 267,000	\$ 13.06
\$ 18,025	\$ 10.49	\$ -	\$ -	\$ (18,025)	\$ (10.49)	PANDEMIC WAGES		\$ 258,492	\$ 12.65	\$ -	\$ -	\$ (258,492)	\$ (12.65)
\$ 1,681	\$ 0.98	\$ -	\$ -	\$ (1,681)	\$ (0.98)	BENEFITS		\$ 16,234	\$ 0.79	\$ -	\$ -	\$ (16,234)	\$ (0.79)
\$ 17,995	\$ 10.47	\$ -	\$ -	\$ (17,995)	\$ (10.47)	SUPPLIES		\$ 86,048	\$ 4.21	\$ -	\$ -	\$ (86,048)	\$ (4.21)
\$ 37,701	\$ 21.94	\$ -	\$ -	\$ (37,701)	\$ (21.94)	TOTAL PANDEMIC EXPENSE		\$ 360,773	\$ 17.65	\$ -	\$ -	\$ (360,773)	\$ (17.65)
\$ (13,701)	\$ (7.97)	\$ -	\$ -	\$ (13,701)	\$ (7.97)	NET PANDEMIC ENVELOPE		\$ (93,773)	\$ (4.59)	\$ -	\$ -	\$ (93,773)	\$ (4.59)
<u>FALLS PREVENTION ENVELOPE STATEMENT</u>													
\$ 500	\$ 0.29	\$ 500	\$ 0.27	\$ -	\$ 0.02	GOVT. FUNDING		\$ 6,000	\$ 0.29	\$ 6,000	\$ 0.27	\$ -	\$ 0.02
\$ (257)	\$ (0.15)	\$ -	\$ -	\$ (257)	\$ (0.15)	GOVT. REVENUE DEFERRAL		\$ (649)	\$ (0.03)	\$ -	\$ -	\$ (649)	\$ (0.03)
\$ 243	\$ 0.14	\$ 500	\$ 0.27	\$ (257)	\$ (0.13)	TOTAL FALLS PREVENTION REVENUE		\$ 5,351	\$ 0.26	\$ 6,000	\$ 0.27	\$ (649)	\$ (0.01)
\$ 227	\$ 0.13	\$ 500	\$ 0.27	\$ 273	\$ 0.14	REPAIRS & MAINTENANCE		\$ 5,351	\$ 0.26	\$ 6,000	\$ 0.27	\$ 649	\$ 0.01
\$ 227	\$ 0.13	\$ 500	\$ 0.27	\$ 273	\$ 0.14	TOTAL FALLS PREVENTION EXPENSE		\$ 5,351	\$ 0.26	\$ 6,000	\$ 0.27	\$ 649	\$ 0.01
\$ 17	\$ 0.01	\$ -	\$ -	\$ 17	\$ 0.01	NET FALLS PREVENTION ENVELOPE		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<u>IPAC MINOR CAPITAL ENVELOPE STATEMENT</u>													
\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	GOVT. FUNDING		\$ 65,240	\$ 3.19	\$ -	\$ -	\$ 65,240	\$ 3.19
\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	GOVT. REVENUE DEFERRAL		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	TOTAL IPAC MINOR CAPITAL REVENUE		\$ 65,240	\$ 3.19	\$ -	\$ -	\$ 65,240	\$ 3.19
\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	BENEFITS		\$ 65,240	\$ 3.19	\$ -	\$ -	\$ (65,240)	\$ (3.19)
\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	TOTAL IPAC MINOR CAPITAL EXPENSE		\$ 65,240	\$ 3.19	\$ -	\$ -	\$ (65,240)	\$ (3.19)
\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	NET IPAC MINOR CAPITAL ENVELOPE		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

**Centennial Manor
Balance Sheet
As of December 31, 2020**

	December 31, 2020	December 31, 2019
Current Assets		
Cash and cash equivalents	\$ 579,249	\$ 523,939
* Reserves	\$ 240,000	\$ 120,000
Accounts Receivable-Municipality	\$ 20,135	\$ 4,561
Trust Funds	\$ (6,672)	\$ (6,672)
Accounts Receivable - Residents	\$ 15,432	\$ 13,376
Accounts Receivable-Gov't paid	\$ (0)	\$ 0
Accounts Receivable	\$ 87,057	\$ 31,351
Inventory	\$ 18,848	\$ 20,949
Prepays	\$ 14,470	\$ 12,086
Total Current Assets	\$ 968,519	\$ 719,590
TOTAL ASSETS	\$ 968,519	\$ 719,590
Liabilities		
Current Liabilities		
Short Term Loans	\$ 10,000	\$ 10,000
Accounts Payable - Vendors	\$ 114,166	\$ 259,036
** Accounts Payable - Other	\$ 95	\$ 980
Payroll Clearing	\$ 91,770	\$ 165,990
Accrued Liabilities - Vacation	\$ 145,364	\$ 134,128
Accrued Liabilities - Utilities	\$ 27,321	\$ 29,919
Accrued Liabilities - Management Fees	\$ 33,932	\$ (143,403)
*** Accrued Liabilities - Other	\$ 136,406	\$ 116,521
Retrowages	\$ 3,942	\$ 30,977
Deferred Revenue	\$ 1,804	\$ 6,162
Accrued liabilities - Government Overfunding prior years	\$ 126,185	\$ (78,933)
Food Clearing	\$ 144	\$ 10
Total Current Liabilities	\$ 691,130	\$ 531,388
TOTAL LIABILITIES	\$ 691,130	\$ 531,388
Shareholder's Equity		
Retained Earnings - Current Year	\$ 89,187	\$ 116,781
Retained Earnings	\$ 148,521	\$ 31,741
Reserve Funds	\$ 39,681	\$ 39,681
Total Shareholder's Equity	\$ 277,389	\$ 188,202
TOTAL SHAREHOLDER'S EQUITY	\$ 277,389	\$ 188,202
TOTAL LIABILITIES AND SHAREHOLDER'S EQUITY	\$ 968,519	\$ 719,590

*\$10K reserve for capital purchase is set up monthly beginning January 2019.

**Include GST/PST payable balance for the year.

***Include illness cashout balance \$78K (adjustment provided by auditor every year-end), regular accruals that will be reversed next month \$37K, and audit fees provision for the year \$19K.

**Centennial Manor
Statement of Changes
For the month of December 2020**

	Current December 31, 2020	Year to Date December 31, 2020
Operating Cash Flows		
Net Earnings	\$ 9,243	\$ 89,187
Net Change to Current Working Capital Items:		
Accounts Receivable	\$ 61,043	\$ (73,336)
Inventory	\$ (4,507)	\$ 2,102
Prepays	\$ 3,542	\$ (2,384)
Accounts Payable & Accrued Liabilities	\$ (93,492)	\$ 159,742
Total Cash Provided (Used) By Operations	\$ (24,172)	\$ 175,310
Investing Cash Flows		
Investments	\$ (10,000)	\$ (120,000)
Total Cash Provided (Used) By Investing Activities	\$ (10,000)	\$ (120,000)
Financing Cash Flows		
Total Cash Provided (Used) By Financing Activities	\$ -	\$ -
Increase (Decrease) in cash	\$ (34,172)	\$ 55,310
Cash at beginning of period	\$ 613,421	\$ 523,939
Cash at end of period	\$ 579,249	\$ 579,249

**Centennial Manor
Accounts Receivable Aged Trial Balance
As of December 31, 2020**

	Total	Dec	Nov	Oct	Sep & Prior
Total Municipality A/R Balance (1101060)	20,135	\$ 5,191	\$ 5,191	\$ 5,191	\$ 4,561
Total Resident A/R Balance (1101000)	15,432	\$ 15,432	\$ -	\$ -	\$ -
A/R Balance Subtotal	\$ 35,567	\$ 20,623	\$ 5,191	\$ 5,191	\$ 4,561
Allowance for Doubtful Accounts	\$ -	\$ -	\$ -	\$ -	\$ -
Total A/R Balance	\$ 35,567	\$ 20,623	\$ 5,191	\$ 5,191	\$ 4,561

**Municipality AR \$4,561 balances represents opening 2019 audit entry from prior years. Balance will be written off during next audit. \$15,574 for Q4/2020 will be settled in 2021.*

Residents with a balance over 90 days

Resident Name	Total	Dec	Nov	Oct	Sep & Prior	Comments
	\$ -	\$ -	\$ -	\$ -	\$ -	

Updated By: Sharlene MacDonald

Date Updated: 1/13/2021

**Centennial Manor
Repairs and Maintenance Analysis**

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Details for the month ended December 2020

Building R&M - Accommodation

Department	Item Description	Supplier	Budgeted Item	Actual Amount
Maintenance	#12051 (lighting fixtures) round diff adj	HENDERSON ELECTRIC MANITOULIN	Provisional	\$ (0.01)

		Budget	Variance
Total Accommodation Building R&M	\$ (0.01)	\$ 9,447.30	\$ 9,447.31

Equipment R&M - Accommodation

Department	Item Description	Supplier	Budgeted Item	Actual Amount
Maintenance	#1653485 (oven&griddle) round diff adj	RUSSELL FOOD EQUIPMENT HENDRIX	Planned Equipment R&M	\$ (0.01)

		Budget	Variance
Total Accommodation Equipment R&M	\$ (0.01)	\$ 6,990.09	\$ 6,990.10

Total Accommodation R&M	\$ (0.02)	\$ 16,437.39	\$ 16,437.41
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Summary of Full Year Repairs & Maintenance Spending Versus Budget - As of December 2020

Planned Building R&M Spending - Accommodation

Budgeted Item	Year to Date Actual	Full Year Budget	Remaining Amount
Planned Building R&M \$	49,093.46 \$	71,928.00 \$	22,834.54
Total Planned Building R&M Spending \$	49,093.46 \$	71,928.00 \$	22,834.54
Total Provisional Building R&M Spending \$	152,331.58 \$	41,439.60 \$	(110,891.98)
Total Accommodation Building R&M \$	201,425.04 \$	113,367.60 \$	(88,057.44)

Planned Equipment R&M Spending - Accommodation

Budgeted Item	Year to Date Actual	Full Year Budget	Remaining Amount
Planned Equipment R&M \$	44,960.54 \$	59,300.00 \$	14,339.46
Total Planned Spending \$	44,960.54 \$	59,300.00 \$	14,339.46
Total Provisional Spending \$	18,772.42 \$	24,581.04 \$	5,808.62
Total Accommodation Equipment R&M \$	63,732.96 \$	83,881.04 \$	20,148.08

Accommodation Repairs & Maintenance Grand Total \$	265,158.00 \$	197,248.64 \$	(67,909.36)
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**Centennial Manor
Envelope Balance Summary
As of December 31, 2020**

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Current Month - December 2020								
	Food Envelope	Nursing Envelope					Program Envelope	
		Nursing	PADEMIC	PANDMIEC PREMIUM	FALL PREVENTION	Net Nursing	Program	Net Program
Revenue	\$ 17,744.40	\$ 199,148.00	\$ 24,000.00	\$ -	\$ 500.00	\$ 223,648.00	\$ 22,431.60	\$ 22,431.60
Expenses	\$ 19,523.54	\$ 203,118.70	\$ 37,701.07	\$ -	\$ 226.56	\$ 241,046.33	\$ 14,474.71	\$ 14,474.71
Total Under/(Over) Spend	\$ (1,779.14)	\$ (3,970.70)	\$ (13,701.07)	\$ -	\$ 273.44	\$ (17,398.33)	\$ 7,956.89	\$ 7,956.89
Intra-envelope Deferral	\$ -	\$ 7,956.89				\$ 7,956.89	\$ (7,956.89)	\$ (7,956.89)
Adjusted Under/(Over) Spend	\$ (1,779.14)	\$ 3,986.19	\$ (13,701.07)	\$ -	\$ 273.44	\$ (9,441.44)	\$ -	\$ -

January to December 2020								
	Food Envelope	Nursing Envelope					Program Envelope	
		Nursing	PADEMIC	PANDMIEC PREMIUM	FALL PREVENTION	Net Nursing	Program	Net Program
Revenue	\$ 209,498.40	\$ 2,384,997.75	\$ 267,000.00	\$ 279,109.00	\$ 6,000.00	\$ 2,937,106.75	\$ 264,837.60	\$ 264,837.60
Expenses	\$ 225,654.04	\$ 2,467,037.10	\$ 360,773.42	\$ 193,142.71	\$ 5,351.18	\$ 3,026,304.41	\$ 187,408.94	\$ 187,408.94
Total Under/(Over) Spend	\$ (16,155.64)	\$ (82,039.35)	\$ (93,773.42)	\$ 85,966.29	\$ 648.82	\$ (89,197.66)	\$ 77,428.66	\$ 77,428.66
Intra-envelope Deferral	\$ (0.00)	\$ 77,428.66				\$ 77,428.66	\$ (77,428.66)	\$ (77,428.66)
Adjusted Under/(Over) Spend	\$ (16,155.64)	\$ (4,610.69)	\$ (93,773.42)	\$ 85,966.29	\$ 648.82	\$ (11,769.00)	\$ -	\$ -

Total Calendar Year Under/(Over) Spend (Before Intra-Envelope Adjustments)	\$ (16,155.64)	\$ (82,039.35)	\$ (93,773.42)	\$ 85,966.29	\$ 648.82	\$ (89,197.66)	\$ 77,428.66	\$ 77,428.66
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Falls Prevention Funding:

	<u>2019 Apr-Dec</u>	<u>2020 Jan-Mar</u>	<u>2019-2020 Total</u>
Funding	\$ 4,500.00	\$ 1,500.00	\$ 6,000.00
Expense	\$ (2,904.46)	\$ (1,108.00)	\$ (4,012.46)
	\$ 1,595.54	\$ 392.00	\$ 1,987.54

	<u>2020 Apr-Dec</u>	<u>2021 Jan-Mar</u>	<u>2020-2021 Total</u>
Funding	\$ 4,500.00	\$ -	\$ 4,500.00
Expense	\$ (4,243.18)	\$ -	\$ (4,243.18)
	\$ 256.82	\$ -	\$ 256.82

<u>Calendar year:</u>	<u>2020 Total</u>
Funding	\$ 6,000.00
Expense	\$ (5,351.18)
	\$ 648.82

COVID-19 PANDEMIC FUNDING & EXPENSES

Centennial Manor

For the period ending December 31, 2020

	CURRENT MONTH	FISCAL YEAR-TO-DATE
PANDEMIC FUNDING	24,000.00	267,000.00
DEFERRAL	-	(0.00)
TOTAL REVENUE	24,000.00	267,000.00
<u>PUBLIC HEALTH LEAVE EXPENSES:</u>		
ADMINISTRATOR (CRISIS MANAGEMENT)	-	3,500.00
DIRECTOR OF CARE (CRISIS MANAGEMENT)	-	3,500.00
OFFICE MANAGER (CRISIS MANAGEMENT)	-	3,500.00
OFFICE MANAGER	(0.13)	1,095.76
NURSING CLERK	(2.64)	3,400.87
RECEPTIONIST	3,980.50	20,734.25
ACTIVITY DIRECTOR (CRISIS MANAGEMENT)	-	3,500.00
RN	97.66	6,862.20
RN-PT	(7.14)	256.68
RPN	250.63	8,229.28
COOK	(0.02)	1,033.38
DIETARY AIDE	(6.53)	8,523.61
HOUSEKEEPING AIDE	5,366.32	51,624.19
LAUNDRY AIDE	1,874.29	15,777.12
NURSING AIDE	(0.06)	175.09
HEALTH CARE AIDE	71.80	13,288.66
ACTIVITY AIDES	1,245.53	5,361.32
PURCHASED SERVICES	5,155.12	108,129.41
WAGES SUBTOTAL	18,025.33	258,491.82
BENEFITS	1,680.71	16,233.81
MASKS	1,435.50	10,085.53
FACE SHIELDS	-	5,465.96
GOWNS	19,792.40	21,659.41
GOLVES	232.25	2,776.99
HAND SANITIZER	-	1,634.92
OTHER SUPPLIES	(7,519.78)	39,737.76
EQUIPMENT	3,714.72	3,996.56
OTHER G&A COSTS	339.94	690.66
SUPPLIES AND OTHER EXPENSES SUBTOTAL	17,995.03	86,047.79
TOTAL EXPENSES	37,701.07	360,773.42
NET PANDEMIC	(13,701.00)	(93,773.42)

COVID-19 PANDEMIC PREMIUM FUNDING & EXPENSES**Centennial Manor****For the period ending December 31, 2020**

	CURRENT MONTH	FISCAL YEAR-TO-DATE
PANDEMIC FUNDING	-	279,109.00
DEFERRAL	-	(85,966.29)
TOTAL REVENUE	-	193,142.71
<u>PANDEMIC PREMIUMS & TOP-UP WAGES:</u>		
PURCHASED SERVICES	-	1,777.69
OFFICE MANAGER	-	4,660.30
NURSING CLERK	-	-
RECEPTIONIST	-	-
RN	-	15,166.23
RN-PT	-	1,131.27
RPN	-	13,607.03
COOK	-	5,704.12
DIETARY AIDE	-	15,343.13
HOUSEKEEPING AIDE	-	19,151.77
NURSING AIDE	-	2,660.63
HEALTH CARE AIDE	-	70,863.02
ACTIVITY AIDES	-	3,865.61
MAINTENANCE WORKER	-	3,548.65
WAGES SUBTOTAL	-	157,479.45
BENEFITS	-	35,663.26
TOTAL EXPENSES	-	193,142.71
NET PANDEMIC	-	-



From: CLM Board of Directors
P.O. Box 152, 6266B Highway 542
Mindemoya, Ontario, P0P 1S0

To: Lord Mayor and Council, Billings Township,
P.O. Box 34, 15 Old Mill Road
Kagawong, Ontario, P0P 1J0

January 22, 2021

Re: Community Living Manitoulin Seeks Board Members

To the Lord Mayor and Council of Billings Township,

We approach you on behalf of the Board and organization of Community Living Manitoulin. We are a long serving non-profit organization based out of Mindemoya that strives to provide care and offer residential, vocational and community services to adults with developmental disabilities. We currently offer care for over 60 individuals across all of Manitoulin.

We would be very grateful if you could reflect upon our mission and your communities and whether there are any individuals from your communities who would be a good fit to join our Board. We are looking for those who would be inspired by our mission to advocate, promote and facilitate the full participation, inclusion, and citizenship of people with developmental disabilities. We have attached our 2019-2021 strategic plan for your review and our most recent Audited Financials or to pass along to anyone you may think might be interested.

As part of Board membership, new directors will be provided with Board orientation and Board training through Charity Village's "Boards that Work" training program. In acknowledgment of the necessary travel for on-site monthly board meetings, CLM Board directors are entitled to an annual mileage stipend. Though typically our meetings are held in person, phone or digital attendance is also permitted especially during the on-going pandemic.

If you or any individuals you might think would be a good fit with our organization have any questions about the organization or the Board, we would be most pleased to have a conversation. Our Board Chair Pam Lambert can be reached at: plambert@clmanitoulin.com or by phone at: 705-210-0515.

Thank you for considering our request,

Pam Lambert

Board Chair, On behalf of the Board of Directors of CLM

COMMUNITY LIVING MANITOULIN

**Financial Statements
Year Ended March 31, 2020**

INDEPENDENT AUDITOR'S REPORT

To the Directors of Community Living Manitoulin

Report on the Audit of the Financial Statements

Qualified Opinion

We have audited the financial statements of Community Living Manitoulin, which comprise the statement of financial position as at March 31, 2020, and the statements of operations and changes in net assets, and cash flows for the year then ended, and notes to the financial statements, including a summary of significant accounting policies.

In our opinion, except for the effects of the matter described in the Basis for Qualified Opinion paragraph, the financial statements present fairly, in all material respects, the financial position of Community Living Manitoulin as at March 31, 2020, and the results of its operations and its cash flows for the year then ended in accordance with Canadian accounting standards for not-for-profit organizations (ASNPO).

Basis for Qualified Opinion

In common with many charitable organizations, Community Living Manitoulin derives some of its revenue from donations and special events, the completeness of which is not susceptible to satisfactory audit verification. Accordingly, our verification of this revenue was limited to the amounts recorded in the records of the organization and we were not able to determine whether any adjustments might be necessary to revenues, excess of revenues over expenditures, assets and net assets (deficiency in net assets). Our Independent Auditor's Report pertaining to the organization's financial statements as at and for the year ended March 31, 2019, were qualified for the same matter.

We conducted our audit in accordance with Canadian generally accepted auditing standards. Our responsibilities under those standards are further described in the Auditors' Responsibilities for the audit of the Financial Statement section of our report. We are independent of the Community Living Manitoulin in accordance with the ethical requirements that are relevant to our audit of the financial statements in Canada, and we have fulfilled our other ethical responsibilities in accordance with these requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our qualified opinion.

Other Matter

Our examination was made for the purpose of forming an opinion on the basic summary financial statements taken as a whole. The supplementary information included in Schedules of Ministry Program Revenues and Expenditures is presented for purposes of additional analysis and are not a required part of the basic summary financial statements. The supplementary schedules have not been and are not intended to be prepared in accordance with Canadian accounting standards for not-for-profit organization. Such information has been subjected to the auditing procedures applied in the examination of the basic summary financial statements and, in our opinion, is fairly stated in all material respects in relation to the basic summary financial statements taken as a whole.

Responsibilities of Management and Those Charged with Governance for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with Canadian accounting standards for not-for-profit organizations, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

INDEPENDENT AUDITOR'S REPORT (continued)

In preparing the financial statements, management is responsible for assessing the organization's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless management either intends to liquidate the organization or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the organization's financial reporting process.

Auditors' Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements. As part of an audit in accordance with Canadian generally accepted auditing standards, we exercise professional judgment and maintain professional scepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the organization's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained whether a material uncertainty exists related to events or conditions that may cast significant doubt on the organization's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the organization to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

We communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

FREELANDT CALDWELL REILLY LLP

Freelandt Caldwell Reilly LLP

Chartered Professional Accountants
Licensed Public Accountants

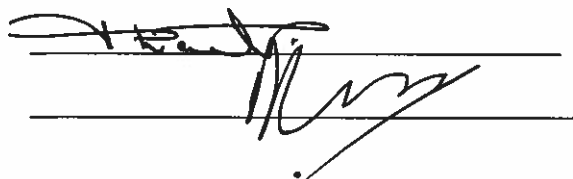
Espanola, Ontario
September 28, 2020

COMMUNITY LIVING MANITOULIN
Statement of Financial Position
March 31, 2020 with comparative figures for 2019

	Programs	Restricted	2020	2019
	\$	\$	\$	\$
Assets				
Current				
Cash	108,503	37,417	145,920	161,310
Accounts receivable (note 3)	52,833	-	52,833	46,766
Interfund balance (note 4)	(151,668)	151,668	-	-
	9,668	189,085	198,753	208,076
Capital assets (note 5)	1,185,551	70,000	1,255,551	1,270,227
	1,195,219	259,085	1,454,304	1,478,303
Liabilities and Net Assets (Deficiency)				
Current				
Accounts payable and accrued liabilities (note 6)	282,487	1,000	283,487	276,442
Deferred contributions	27,989	6,747	34,736	29,267
	310,476	7,747	318,223	305,709
Deferred capital contributions (note 7)	773,718	-	773,718	873,026
	1,084,194	7,747	1,091,941	1,178,735
Net assets (deficiency in net assets)				
Invested in capital assets (note 8)	411,833	70,000	481,833	397,201
Unrestricted	(300,808)	-	(300,808)	(276,446)
Restricted	-	181,338	181,338	178,813
	111,025	251,338	362,363	299,568
	1,195,219	259,085	1,454,304	1,478,303

Contingent liability (note 9)

Approved on behalf of the Board of Directors:



The accompanying notes are an integral part of these financial statements.

COMMUNITY LIVING MANITOULIN
Statement of Operations and Changes in Net Assets
Year ended March 31, 2020 with comparative figures for 2019

	Programs	Restricted	Equity in Capital Assets	2020 Total	2019 Total
	\$	\$	\$	\$	\$
Revenues					
Contributions					
- Ministry of Community Social Services (note 10)	2,939,366	-	-	2,939,366	2,955,689
Residents' contribution	281,292	-	-	281,292	292,670
Amortization of deferred capital contributions	-	-	99,308	99,308	135,562
Other	46,236	-	-	46,236	19,604
Donations	-	6,407	-	6,407	738
Membership fees	-	-	-	-	50
Other program revenues					
- Passport program	198,275	-	-	198,275	182,860
	3,465,169	6,407	99,308	3,570,884	3,587,173
Expenditures					
Salaries	2,093,056	-	-	2,093,056	2,066,626
Benefits	499,733	-	-	499,733	423,203
Services	331,564	3,882	-	335,446	248,615
Supplies and equipment	188,431	-	-	188,431	168,963
Amortization of capital assets	-	-	111,141	111,141	163,108
Transportation and communication	82,007	-	-	82,007	77,111
Other program expenditures					
- Passport program	198,275	-	-	198,275	171,459
	3,393,066	3,882	111,141	3,508,089	3,319,085
Excess (deficiency) of revenues over expenditures before undernoted item	72,103	2,525	(11,833)	62,795	268,088
Excess (deficiency) of revenues over expenditures	72,103	2,525	(11,833)	62,795	268,088
Interfund transfers	(96,465)	-	96,465	-	-
Net assets (deficiency), beginning of year	(276,446)	178,813	397,201	299,568	31,480
Net assets (deficiency), end of year	(300,808)	181,338	481,833	362,363	299,568

The accompanying notes are an integral part of these financial statements.

COMMUNITY LIVING MANITOULIN**Statement of Cash Flows****Year ended March 31, 2020 with comparative figures for 2019**

	2020	2019
	\$	\$
Cash flows from operations		
Excess of revenues over expenditures	62,795	268,088
Items not involving cash		
Loss on disposal of capital assets	1,515	-
Amortization of capital assets	111,141	163,108
Amortization of deferred capital contributions	(99,308)	(135,562)
	76,143	295,634
Changes in non-cash working capital balances		
Accounts receivable	(6,067)	95,660
Accounts payable and accrued liabilities	7,045	(22,627)
Deferred donations	5,469	(3,000)
	82,590	365,667
Cash flows from investing activities		
Deferred capital contributions	-	24,875
Purchase of capital assets	(98,180)	(183,762)
Proceeds on disposal of capital assets	200	-
	(97,980)	(158,887)
Cash flows from financing activities		
Bank indebtedness	-	(105,154)
Increase in cash	(15,390)	101,626
Cash, beginning of year	161,310	59,684
Cash, end of year	145,920	161,310

The accompanying notes are an integral part of these financial statements.

COMMUNITY LIVING MANITOULIN

Notes to the Financial Statements

March 31, 2020

1. Nature of Operations

Community Living Manitoulin is incorporated without share capital under the laws of Ontario and is a tax exempt, charitable, non-profit organization, providing services to developmentally challenged persons in the Manitoulin Island area.

2. Significant Accounting Policies

The financial statements of Community Living Manitoulin are the representation of management. The financial statements have been prepared in accordance with Canadian accounting standards for not-for-profit organizations. The significant policies are detailed as follows:

a) Revenue recognition

Community Living Manitoulin follows the deferral method of accounting for contributions.

In order to ensure observance of limitations and restrictions placed upon the use of available resources, the accounts are maintained in accordance with the principles of fund accounting representing various activities as follows:

Program fund - all program related activities provided by Community Living Manitoulin and certain capital expenditures funded by the provincial government.

Restricted fund - all non-program operating activity, and certain capital expenditures and other projects not funded by the provincial government.

Restricted contributions are recognized as revenue of the appropriate fund in the year in which the related expenses are incurred. Unrestricted contributions are recognized as revenue of the appropriate fund when received or receivable if the amount can be reasonably estimated and collection is reasonably assured. Contributions restricted for the purchase of capital assets are deferred and amortized into revenue on a straight-line basis at a rate corresponding with the amortization rate for the related capital assets.

b) Capital assets

Purchased capital assets are recorded at cost. Contributed capital assets are recorded at fair value at date of contribution. Amortization is provided on a straight-line basis over the asset's estimated useful life as follows:

Buildings	40 years
Furniture	5 years
Computer equipment	5 years
Vehicles	5 years

COMMUNITY LIVING MANITOULIN**Notes to the Financial Statements****March 31, 2020**

2. Significant Accounting Policies (continued)**c) Use of estimates**

The preparation of financial statements in conformity with Canadian accounting standards for not-for-profit organizations requires management to make estimates and assumptions that affect the amounts reported in the financial statements and accompanying notes. Actual results could differ from those estimates. The financial statements have, in management's opinion, been properly prepared using careful judgement within reasonable limits of materiality and within the framework of the disclosed accounting policies. Accounts specifically affected by estimates in these financial statements are the estimated useful lives of capital assets, accrued liabilities and deferred contributions.

d) Financial instruments

Community Living Manitoulin initially measures its financial assets and financial liabilities at fair value adjusted by, in the case of a financial instrument that will not be measured subsequently at fair value, the amount of transaction costs directly attributable to the instrument.

Community Living Manitoulin subsequently measures its financial assets and financial liabilities at amortized cost, except for investments in equity instruments that are quoted in an active market, which are measured at fair value. Changes in fair value are recognized in the statement of operations in the period they occur.

Financial assets and liabilities measured at amortized cost include cash, accounts receivable, bank indebtedness, and accounts payable and accrued liabilities.

Financial assets measured at other than fair value are tested for impairment when there are indicators of possible impairment. When a significant adverse change has occurred during the period in the expected timing or amount of future cash flows from the financial asset or group of assets, a write-down is recognized in the statement of operations. When the events occurring after the impairment confirm that a reversal is necessary, the reversal is recognized in the statement of operations to the amount of the previously recognized impairment.

3. Accounts Receivable

	2020	2019
	\$	\$
Operations	30,217	13,445
HST	22,616	33,321
	52,833	46,766

4. Interfund Balance

The amount owing from the Programs Fund to the Restricted Fund is non-interest bearing and has no specific terms of repayment.

COMMUNITY LIVING MANITOULIN
Notes to the Financial Statements
March 31, 2020

5. Capital Assets

Capital assets of the Program Fund consist of:

			2020	2019
	Cost	Accumulated	Net Book	Net Book
	\$	Amortization	Value	Value
	\$	\$	\$	\$
Land	51,085	-	51,085	51,085
Buildings	2,989,522	2,076,182	913,340	956,586
Vehicles	229,602	79,861	149,741	97,826
Furniture and equipment	235,692	183,772	51,920	69,703
Computer equipment	71,136	51,671	19,465	25,027
	3,577,037	2,391,486	1,185,551	1,200,227

Capital assets of the Restricted Fund consist of:

			2020	2019
	Cost	Accumulated	Net Book	Net Book
	\$	Amortization	Value	Value
	\$	\$	\$	\$
Land	70,000	-	70,000	70,000
Vehicles	67,490	67,490	-	-
Buildings	123,865	123,865	-	-
Furniture and equipment	1,466	1,466	-	-
	262,821	192,821	70,000	70,000

6. Accounts Payable and Accrued Liabilities

	2020	2019
	\$	\$
Trade accounts payable	153,500	148,385
Wages and benefits	77,330	100,254
Government remittances	52,657	27,803
	283,487	276,442

COMMUNITY LIVING MANITOULIN**Notes to the Financial Statements****March 31, 2020****7. Deferred Capital Contributions**

Deferred contributions related to capital assets represent the unamortized amount of grants received for the purchase of capital assets, as follows:

	2020	2019
	\$	\$
Balance, beginning of year	873,026	983,713
Add: amounts received during the year	-	24,875
Less: amounts amortized to revenue	(99,308)	(135,562)
	773,718	873,026

8. Net Assets Invested in Capital Assets

	2020	2019
	\$	\$
a) Net assets invested in capital assets are calculated as follows		
Capital assets	1,255,551	1,270,227
Amounts financed by:		
Deferred capital contributions	(773,718)	(873,026)
	481,833	397,201
b) Change in net assets invested in capital assets is calculated as follows:		
Excess of revenues over expenditures		
Amortization of deferred capital contributions	99,308	135,562
Amortization of capital assets	(111,141)	(163,108)
	(11,833)	(27,546)
Capital grants received	-	(24,875)
Capital asset additions (net of disposals)	96,465	288,143
	96,465	263,268
Net change in investment in capital assets	84,632	235,722

9. Contingent Liability

Community Living Manitoulin has entered into accountable contribution agreements with the Ministry of Community and Social Services, which are subject to audit by the Ministry with adjustment, if any, repayable to the Ministry.

These adjustments are recorded in the accounts in the year in which the liability is determined.

COMMUNITY LIVING MANITOULIN**Notes to the Financial Statements****March 31, 2020**

10. Provincial Contributions – Ministry of Community Social Services

Contributions from the Ministry of Community Social Services consists of:

	2020	2019
	\$	\$
Base - approval	2,939,366	2,955,689

11. Financial Instruments

Transactions in financial instruments may result in an entity assuming or transferring financial risks to or from another party. Community Living Manitoulin is exposed to the following risks associated with financial instruments and transactions it is a party to:

a) Credit risk

Credit risk is the risk that one party to a financial transaction will fail to discharge a financial obligation and cause the other party to incur a financial loss. Community Living Manitoulin is exposed to this risk relating to its cash and accounts receivable.

Community Living Manitoulin minimizes risk associated with its cash balances by holding these financial assets with large reputable financial institutions with high credit ratings.

Community Living Manitoulin is exposed to credit risk associated with its accounts receivable balances of \$52,833 (2019 - \$46,766) which is mainly comprised of amounts due from governments. Community Living Manitoulin manages its exposure to this risk through management's ongoing monitoring of accounts receivable balances and collections.

There have been no charges from the previous year in the exposure to risk on policies, procedures and methods used to measure the risk.

b) Liquidity risk

Liquidity risk is the risk that the organization cannot repay its obligations when they become due to its creditors. Community Living Manitoulin is exposed to this risk relating to its accounts payable and accrued liabilities balances of \$283,487 (2019 - \$276,442).

Community Living Manitoulin reduces its exposure to liquidity risk by monitoring cash activities and expected outflow through extensive budgeting and maintaining enough cash to repay creditors as payables become due.

There have been no significant charges from the previous year in the exposure to liquidity risk or policies, procedures and methods used to reassure the risk.

12. COVID-19 Pandemic

The COVID-19 global outbreak was declared a pandemic by the World Health Organization in March 2020. The negative impact of COVID-19 in Canada and on the global economy has been significant. The global pandemic has disrupted economic activities and supply chains resulting in governments worldwide, and in Canada and its provinces, enacting emergency measures to combat the spread of the virus and protect the economy.

These financial statements have been prepared based upon conditions existing at March 31, 2020 and considering those events occurring subsequent to that date, that provide evidence of conditions that existed at that date. Although the disruption from the pandemic is expected to be temporary, given the dynamic nature of these circumstances, the duration and severity of the disruption to the organization cannot be reasonably estimated and the full financial impact of COVID-19 on the organization's financial position is not known at this time.

COMMUNITY LIVING MANITOULIN
Schedule of Ministry Program Revenues and Expenditures
Administration Program
Year ended March 31, 2020

	Budget	2020	2019
	\$	Actual	Actual
	\$	\$	\$
Revenues	(unaudited)		
Administration	289,927	239,929	220,768
Other	3,029	20,247	19,604
	292,956	260,176	240,372
Expenditures			
Salaries	77,552	93,031	148,358
Benefits	26,367	45,987	38,569
Travel	4,600	1,493	2,312
Communication	6,500	13,836	5,556
Rental	-	-	-
Utilities	-	3,114	-
Staff training	250	85	818
Advertising and promotion	600	505	585
Repairs and maintenance services	10,500	6,390	777
Professional services	45,000	66,431	22,731
IT professional services	-	114	-
Insurance	5,950	7,508	2,926
Other services	106,630	11,138	11,508
Repairs and maintenance supplies and equipment	1,000	29	114
IT supplies and equipment	1,000	3,190	2,729
Other supplies and equipment	7,007	7,325	3,389
	292,956	260,176	240,372
Excess of revenues over expenditures before undernoted items	-	-	-
Capital asset additions included in expenditures (note 5)	-	-	2,072
Excess (deficiency) of revenues over expenditures	-	-	2,072

COMMUNITY LIVING MANITOULIN
Schedule of Ministry Program Revenues and Expenditures
Supported Group Living Residences
Year ended March 31, 2020

	Budget	2020	2019
	\$	Actual	Actual
	\$	\$	\$
Revenues	(unaudited)		
Contributions			
- Ministry of Community Social Services	1,845,167	1,845,167	1,923,482
Residents contributions	257,640	269,892	269,870
Other	-	21,598	-
	2,102,807	2,136,657	2,193,352
Expenditures			
Salaries	1,313,296	1,457,736	1,368,154
Benefits	256,390	332,330	275,457
Travel	4,600	24,386	17,426
Communication	8,000	19,015	17,426
Rental	-	-	-
Utilities	90,000	40,835	43,502
Staff training	5,300	5,549	7,085
Advertising and promotion	-	105	-
Repairs and maintenance services	50,000	60,364	205,662
Professional services	7,500	3,893	2,088
IT professional services	-	-	-
Purchased client services	-	(90)	541
Insurance	27,500	27,706	23,411
Other services	8,500	1,450	8,754
Repairs and maintenance supplies and equipment	2,800	1,510	2,350
IT supplies and equipment	2,000	193	1,752
Other supplies and equipment	146,414	151,945	155,675
Administration	180,507	149,378	130,746
	2,102,807	2,276,305	2,260,029
Excess (deficiency) of revenues over expenditures before undernoted item	-	(139,648)	(66,677)
Capital asset additions included in expenditures (note 5)	-	-	197,570
Loss on disposal of capital assets	-	(1,715)	-
Excess (deficiency) of revenues over expenditures	-	(141,363)	130,893

COMMUNITY LIVING MANITOULIN
Schedule of Ministry Program Revenues and Expenditures
Supported Independent Living
Year ended March 31, 2020

	Budget	2020	2019
	\$	Actual	Actual
	\$	\$	\$
Revenues	(unaudited)		
Contributions			
- Ministry of Community Social Services	362,784	362,784	334,843
- Other	-	4,510	-
	362,784	367,294	334,843
Expenditures			
Salaries	211,630	200,304	188,770
Benefits	43,581	51,719	41,527
Travel	5,000	9,222	11,653
Communication	9,000	8,379	9,449
Utilities	29,100	8,588	10,784
Staff training	5,000	144	454
Advertising and promotion	300	115	10
Repairs and maintenance services	3,000	7,763	6,446
Professional services	-	973	-
Purchased client services	-	-	863
Insurance	6,900	5,372	5,853
Other services	-	269	8,022
Repairs and maintenance supplies and equipment	3,000	51	796
IT supplies and equipment	3,000	1,733	1,622
Other supplies and equipment	6,995	4,602	5,643
Administration	36,278	30,022	25,629
	362,784	329,256	317,521
Excess of revenues over expenditures before undernoted items	-	38,038	17,322
Capital asset additions included in expenditures (note 5)	-	-	7,668
Excess of revenues over expenditures	-	38,038	24,990

COMMUNITY LIVING MANITOULIN
Schedule of Ministry Program Revenues and Expenditures
Community Participation Services and Supports
Year ended March 31, 2020

	Budget	2020	2019
	\$	Actual	Actual
	\$	\$	\$
Revenues	(unaudited)		
Contributions			
- Ministry of Community Social Services	615,650	615,650	610,599
Other	-	606	-
	615,650	616,256	610,599
Expenditures			
Salaries	401,510	328,488	336,223
Benefits	80,075	65,718	65,862
Travel	5,000	2,591	10,311
Communication	7,000	2,834	2,453
Utilities	-	7,625	7,144
Staff training	5,000	1,883	1,868
Advertising and promotion	-	-	41
Repairs and maintenance services	10,000	15,965	12,163
Professional services	2,000	973	-
IT professional services	-	-	-
Purchased client services	-	-	-
Insurance	4,000	9,140	8,779
Other services	15,000	1,207	8,412
Repairs and maintenance supplies and equipment	8,000	2,194	700
IT supplies and equipment	1,500	1,089	13,657
Other supplies and equipment	15,000	13,566	78,281
Administration	61,565	50,948	53,847
	615,650	504,221	599,741
Excess of revenues over expenditures before undernoted items	-	112,035	10,858
Capital asset additions included in expenditures (note 5)	-	-	80,833
Excess (deficiency) of revenues over expenditures	-	112,035	91,691

COMMUNITY LIVING MANITOULIN
Schedule of Ministry Program Revenues and Expenditures
Host Family Residence
Year ended March 31, 2020

	Budget	2020	2019
	\$	Actual	Actual
	\$	\$	\$
Revenues	(unaudited)		
Contributions			
- Ministry of Community Social Services	81,945	81,945	52,945
Expenditures			
Salaries	23,905	68	-
Benefits	3,825	11	-
Personal needs	-	933	-
Travel	3,600	250	506
Advertising and promotion	420	579	-
Professional services	-	-	-
Purchased client services	30,000	35,836	35,753
Other supplies and equipment	12,000	50	528
Administration	8,195	6,782	8,338
	81,945	44,509	45,125
Excess (deficiency) of revenues over expenditures	-	37,436	7,820

COMMUNITY LIVING MANITOULIN
Schedule of Ministry Program Revenues and Expenditures
Caregiver Respite Services and Supports
Year ended March 31, 2020

	Budget	2020	2019
	\$	Actual	Actual
	\$	\$	\$
Revenues	(unaudited)		
Contributions			
- Ministry of Community Social Services	33,820	33,820	33,820
Residents contributions	-	11,400	22,800
Other	-	990	-
	33,820	46,210	56,620
Expenditures			
Salaries	24,299	13,430	25,121
Benefits	6,139	3,968	1,788
Travel	-	-	19
Advertising and promotion	-	-	-
Repairs and maintenance services	-	8	-
Purchased client services	-	-	-
Other supplies and equipment	-	48	285
Administration	3,382	2,799	2,208
	33,820	20,253	29,421
Excess of revenues over expenditures	-	25,957	27,199

COMMUNITY LIVING MANITOULIN STRATEGIC PLAN

SPRING 2019- WINTER 2021

INTRODUCTION

Community Living Manitoulin (CLM) has a long history on Manitoulin Island. The original Hope Farm was founded in 1950 by a grass roots organization of parents of children with developmental disabilities who wished to maintain their children's rootedness in their community. To this day, CLM continues to be an organization that is rooted in its community and continues to integrate its members into the community through programming and services.

CLM services the entirety of Manitoulin, providing developmental services through a range of services and under the auspices of public funding through the Ministry of Children, Community and Social Services. As an incorporated not-for-profit organization, we offer residential and community services to adults with developmental disabilities.

CLM currently operates 4 group homes, a Supported Independent Living program, a Life Skills program, a Respite program and a Supported Employment Program.

CLM serves over 60 individuals with developmental disabilities and employs close to 60 staff members. The organization is led by a volunteer Board of Directors who oversee a management team who report to the ministry and oversee the residential and community programming staff.

CLM is pleased to present our strategic plan for the period of 2019-2021.

This strategic plan was undertaken at the behest of the Board of Directors in the Spring of 2019 and reflects on the policies of the organization and new political realities which will impact the organization over the next 3 years.

The board of directors and staff of CLM participated in an afternoon planning session which provided feedback on the organization's current strengths and weakness and which formed the basis for this strategic plan moving forward.

Mission Statement

Created in 2012 and reaffirmed during the strategic planning process in 2019.

CLM advocates for, promotes, and facilitates the full participation, inclusion, and citizenship of people who have a developmental disability.

Vision

Developed in 2012 and reaffirmed and expanded upon during the 2019 strategic planning process.

CLM envisions a society where everyone belongs, has equality, respect and acceptance. This gives people a sense of self-worth and opportunities for growth. The gifts, uniqueness and innate value of each individual are celebrated, supported and acknowledged as essential to the completeness of the whole community.

We achieve these goals by:

- Providing a safe, respectful and nurturing environment,
- Promoting community inclusion through social, recreational, work, and volunteer opportunities.
- Developing opportunities, supports, and resources for individuals, families and caregivers,
- Developing advocacy and community partnership arrangements,
- Providing safe options of lifestyle and accommodations.

People have the necessary empowerment and are free to:

- Enjoy and exercise all the rights of citizenship,
- Enjoy the ability to make individual choices in safe, self-defined terms,
- Enjoy friendships and other naturally supportive relationships,
- Enjoy a sense of security and freedom from harm,
- Enjoy an individualized level of supports and care that meets each person's needs,
- Enjoy the opportunity and freedom to contribute to, and participate in their community,
- Enjoy the opportunity of doing real work for real pay; fair recognition of accomplishments and the right to eventually retire.

Goal Statement

Created in 2012 and reaffirmed during the strategic planning process in 2019.

CLM pursues the goal that all persons live in a state of dignity, share in all elements of living in the community and have the opportunity to participate effectively.

Values

CLM understands that individuals with developmental disabilities and their families have hopes and dreams like all people and that they are in the best position to understand what their needs are and how they should be met. As an agency committed to helping those it serves to achieve their dreams, CLM upholds the following core values. These values were identified in 2012 and affirmed and expanded upon during the 2019 strategic planning process.

- HONESTY and INTEGRITY – We act with honesty and integrity in everything we do.
- RESPECT and SENSITIVITY – We respect the rights of all individual and those who work within and who come in contact with CLM and we pledge to treat them with respect and sensitivity.
- PRIDE and FULFILLMENT – We take pride in our organization and strive to create an atmosphere of fulfillment in all we do.
- INCLUSION – We strive to fully include Individuals in our community.
- TRANSPARENCY and ACCOUNTABILITY – We accept responsibility for our actions. We are open and transparent.
- OPEN COMMUNICATION – Everyone is encouraged to openly share his or her opinions and views respectfully.
- TEAMWORK – We are supportive of each other's efforts, loyal to one another and care for each other personally and professionally.
- PURPOSE – We are committed to providing Individuals with opportunities for a meaningful and independent life.

Strategic Directions and Objectives

Through the strategic planning process and through a process of prioritization, the board has identified the following 5 key strategic directions.

1. Increase and strengthen Relationships, Collaborations and Strategic Alliances
2. Continually Enhance the Quality of Our Supports and Services for Individuals
3. Invest in and Develop Best Practices in Staff Development and Employee Wellness
4. Strengthen Financial Stability and Sustainability
5. Enhance Governance and Organizational Oversight

Strategic Direction #1

Increase and strengthen Relationships, Collaborations and Strategic Alliances

- CLM will explore shared services and the possibility of amalgamation with other organizations in advance of reductions in funding
- CLM will develop and implement a communications and marketing plan to target specific audiences, including: families of individuals supported, schools/colleges, workplaces/businesses/employers to raise awareness of our programs and services and increase opportunities for the people we support; this plan will include enhancing social media communications and the development and publication of an annual report.
- CLM will put a focus on building relationships with key stakeholders including elected officials, Ministries, funders, child protection and other community based organizations and services

Strategic Direction #2

Continually Enhance and Improve Individual Supports and Services

- CLM will explore new housing opportunities, including family homes, and service expansions, including marketing and fee-for-services within the Passport program and increase the Employment Services and Volunteer Opportunities programs
- CLM will investigate tools for measuring Personal Outcomes Measures (POMs)
- CLM will explore the implementation of a Client Information Management Service, such as AIMS

Strategic Direction #3

Invest in and Develop Best Practices in Staff Development and Employee Wellness

- CLM will explore the creation of development plans for employees, that includes professional development/training needs and opportunities for staff that will lead to better retention rates and morale amongst part-time staff which will also increase embodied knowledge and skills to better serve and support individuals served.
- CLM will evaluate employment data and the recruitment processes and implement policies and practices that better allow for successful recruitment and retention of well-qualified staff.
- CLM will encourage and support staff to improve reporting and communications between all levels of the organization

Strategic Direction #4

Strengthen Financial Stability and Viability

- CLM will explore new avenues for diversified funding, including new fundraising opportunities and grant-writing opportunities and collaborations with other organizations
- CLM will create a comprehensive infrastructure plan that will allow for improved infrastructure budgeting
- CLM will create a comprehensive technology plan that will allow for improved technology budgeting
- CLM will seek to improve internal financial reporting process

Strategic Direction #5

Enhancing Board Governance and Oversight

- The Board of CLM will oversee the review and dissemination of the CLM's organizational chart, supporting and helping to enforce the organizational definition of roles
- The Board of CLM will develop succession planning for board members and executive positions and pursue best practices for board diversity
- The Board of CLM will pursue developmental sector specific board training
- The Board of CLM will regularly review and update all governing documents, including by-laws, policies and procedures and ensure these are disseminated organization wide

**Ministry of
Municipal Affairs
and Housing**

Office of the Minister
777 Bay Street, 17th Floor
Toronto ON M7A 2J3
Tel.: 416 585-7000

**Ministère des
Affaires municipales
et du Logement**

Bureau du ministre
777, rue Bay, 17^e étage
Toronto ON M7A 2J3
Tél. : 416 585-7000



234-2021-344

January 26, 2021

Dear Head of Council:

Our government is committed to improving local service delivery and better respecting taxpayers' dollars. That is why we launched the Municipal Modernization Program in 2019. Through this program, the Ontario government is providing funding to help small and rural municipalities modernize service delivery and identify new ways to be more efficient and effective.

Today at the Rural Ontario Municipal Association (ROMA) conference, I announced the launch of the second intake under the Municipal Modernization Program. Modern, efficient municipal services that are financially sustainable are more important than ever in light of the COVID-19 pandemic. Even as municipalities continue to face challenges, there are also opportunities to transform services and stimulate new ways of doing business.

The second intake will allow municipalities to benefit from provincial funding to conduct third party reviews as well as to implement projects to increase efficiency and effectiveness and lower costs in the longer term. I also want to encourage you to work with your neighbouring municipalities to find innovative joint projects that can benefit each of you. The government is excited to learn about your project applications that support the following priorities:

- Digital modernization
- Service integration
- Streamlined development approvals
- Shared services/alternative delivery models

To apply, you must submit a completed Expression of Interest form with attached supporting documents via the Transfer Payment Ontario (TPON) system by **March 15, 2021**. To get started, visit www.Ontario.ca/getfunding.

If you have questions on the program, or would like to discuss a proposal, I encourage you to contact your [Municipal Services Office](#) or e-mail municipal.programs@ontario.ca.

I look forward to continuing to work together to support your municipality in delivering efficient, effective and modern services for your residents and businesses.

Sincerely,

A handwritten signature in blue ink that reads "Steve Clark". The signature is written in a cursive, flowing style.

Steve Clark
Minister

c. Chief Administrative Officers and Treasurers

Minutes of the POA Board of Management Meeting

Held on Friday, January 22, 2021 at 10:30 a.m.

Meeting Conducted Via Zoom

Present: Derek Stephens, Chairperson, Central Manitoulin
Mike Erskine, NEMI
Bryan Barker, Billings
Martin Ainslie, Burpee and Mills
Rick Gordon, Tehkummah
Jack Bould, Gordon/Barrie Island
Dan Osborne, Gore Bay
Dayna Nelder, POA Clerk
Annette Clarke, POA Manager
Pam Fogal, Incoming POA Manager

Absent: Christianna Jones, Assiginack - Joined Meeting during Closed Session
Brent St. Denis, Cockburn Island

1. Adoption of the January 22, 2021 Agenda

Moved by Martin Ainslee

Seconded by Mike Erskine

THAT the January 22, 2021 Agenda be adopted as presented.

Carried

2. Disclosure of Pecuniary Interest – none declared

3. Adoption of the September 22, 2020 Minutes

Moved by Rick Gordon

Seconded by Mike Erskine

THAT the minutes of the September 22, 2020 POA Board of Management Meeting be adopted as presented.

Carried

4. Business Arising out of the Minutes

- i) Part II Tickets – Annette advised no further updates. Covid 19 preparedness has taken priority at all levels of government and her contact is not available to send out the information required. Annette advised that her contact at MAG was sending the information to the legal department to get something in writing to confirm that it is the

OPP's responsibility to have all the information required on a ticket to ensure completeness when filing ticket with POA Office. If the ticket is not completed properly the POA Office has no way to file the ticket in the system. Annette will give Pam all the information required to follow up on this matter. Mike stated he will contact the Expositor to advise them to correct the information that has been posted in the paper regarding this matter.

- ii) Resumption of Court Services – Pam and Dayna provided an update to the board members. They have been working diligently to get Gore Bay ready for trials. To do this there were a number of changes that had to be made to meet the criteria set by the Province to meet Covid safety requirements. In person trials will be held at the Gore Bay Community Hall. To do this we had to purchase a new dais (desk) for Justice of the Peace; laptop; printer/scanner; toll free line; internet connection; plexiglass barriers; masks; soap. Additional staff is required as well. Three part time persons plus the POA Manager and POA Clerk will be required to manage an in person court day at the hall. We will require dedicated custodian; screener; clerk; zoom technician; elevator operator. We are on track to be ready. Given the current covid lockdown situation it is expected that this date will be extended. Early Resolution dates resumed in October, 2020. Additional dates were requested and granted. The backlog of Early Resolution matters have been cleared and we are up to date. There is a backlog of trials but we are confident we can have these matters cleared fairly quickly once the go ahead is given to proceed.
- iii) Relocating of POA Office within Municipal Building – Annette advised that there has been no further action on this matter. Pricing was never submitted by the contractor. Given the current financial situation Annette advised that it wasn't an affordable option at this time.

5. New Business

- i) POA Financial as of December 31, 2020

Annette presented the Financial Report for period ending December 31, 2020. She noted that this is not a final number and is unaudited but it reflects our current financial situation. The statement reflects a deficit of \$22,513.23. This deficit is attributable to the COVID 19 situation. The inability to collect and enforce fines combined with the inability to have court has directly impacted our revenue stream. Revenue is down almost \$40,000.00 from budget. Our expenses were down slightly due to court costs being down but other administrative costs ie. Staff, audit, insurance, supplies etc. remained relatively the same. Annette advised that POA offices across the province are in the same situation. This is only the second time since taking over the POA in 2000 that the POA has had a deficit. She advised that the board will have to make a decision how to cover the deficit ie. Reserves; bill the municipalities or a combination. Discussion ensued.

Annette advised the reserve balance at the end of 2019 was \$49,848.00. Utilizing the reserve for the entire deficit would leave approximately \$27,335.00 depending on the audited balance.

Mike felt that the purchase of capital items should definitely come from the reserve because that is what it is for. He felt the municipalities need to be advised that this deficit is caused by the covid situation.

Rick noted that municipalities did receive covid monies and perhaps that or the cannabis fund received by municipalities could be used to offset the deficit.

Derek stated that Central Manitoulin has used most of their covid monies. He suggested that municipal funds would have to be used.

Dan stated that Gore Bay does not have a lot left of their covid monies. He feels that, as a group, we should be making some waves and asking for money from province. He indicated that he feels the deficit should come from the reserves. Either in its entirety or partially.

Bryan agreed with Dan. He felt the use of the covid funds was restrictive and there were unclear guidelines as to what it could and couldn't be used for. He felt it was best to use the reserve fund this year.

All members agreed to utilize the reserve fund to cover the 2020 Deficit.

Moved by Mike Erskine

Seconded by Bryan Barker

WHEREAS the current financial statement indicates the POA will be in a deficit position at the end of 2020;

THEREFORE BE IT RESOLVED THAT the Audited 2020 deficit be covered by the POA Reserve.

Carried

Moved by Bryan Barker

Seconded by Dan Osborne

WHEREAS the POA Board of Management is concerned with the current financial status of the Provincial Offences Act – Gore Bay Court Services;

AND WHEREAS Gore Bay is operating at a deficit in excess of \$22,000.00 which is unprecedented;

AND WHEREAS the deficit is directly attributable to the restrictions imposed by the Province as it relates to the Province's response to the COVID 19 situation;

AND WHEREAS the Province has had almost one year to find a solution to ensure the safe and continued operations of the Provincial Offences Court system in Ontario;

AND WHEREAS the Province transferred the POA operations to municipalities in 2000 with the expectation that it would operate on a profit and not negatively impact the financial status of the participating municipalities;

AND WHEREAS the Provincial Government has provided COVID19 grants to municipalities but not directed any of those monies to POA Boards;

THEREFORE BE IT RESOLVED THAT the Gore Bay POA Board of Management lobby the Provincial Government to provide COVID 19 Support funds to ALL POA Court Operations in the Province of Ontario;

FURTHER all POA Court Offices in the Province of Ontario be asked to support this motion by sending letters to the Premier of Ontario, Ministry of Attorney General, and local MPP's asking for action to provide financial assistance to all municipal POA Offices impacted by COVID 19.

Carried

Annette advised that the POA Office will send out letters to all participating municipalities; MPP Mike Mantha and the parties outlined in the motion above.

The Board noted that they wanted the letter to the municipalities to make it clear that the deficit from 2020 is directly caused by Covid and that the monies had to be taken from reserve.

ii) POA Draft 2021 Budget

Annette went over the 2021 budget highlighting the fact that she anticipates another year with a deficit balance. Again, this is directly impacted by the fact we have increased court costs ie. Additional staffing; increased operational costs for toll free number; internet; zoom; purchase of printer; dais; etc. These additional costs total approximately \$15,000.00 which is normally what we have as a profit at year end. Given this fact and the fact that our revenue stream is still impacted by the Provincial restrictions related to covid it is expected that we will operate at a deficit. As the budget states we will have to access the reserve for \$6,541.00 to cover the costs for 2021. That is based on having a healthy revenue stream which is unsure at this time. If we were able to become fully operational and the restrictions for collection and enforcement were lifted we should be able to collect the backlog and have a better than average year but that is all unknown at this time.

Prior to adoption of the budget the POA Board went into a closed session to determine staffing and wages.

iii) Resignation of POA Manager

As previously advised Annette Clarke resigned her position as POA Manager subject to finding a new manager to fill her position. She felt it was in the best interest of the Board to have a Manager that worked in the Municipal Office to ensure availability.

iv) Appointment of new POA Manager

6. Closed Session

i) Staff

Moved by Mike Erskine

Seconded by Bryan Barker

THAT the POA Board of Management enter a closed session at 11:35 a.m. to discuss Staff.

Carried

Moved by Mike Erskine

Seconded by Jack Bould

THAT the POA Board of Management come out of closed session at 12 noon.

Carried

Board came out of closed session and adopted the following motions:

Moved by Bryan Barker

Seconded by Rick Gordon

THAT the resignation of Annette Clarke as POA Manager effective December 31, 2020 be accepted with regret.

Carried

Moved by Dan Osborne

Seconded by Christianna Jones

THAT Pam Fogal be appointed as POA Manager effective January 1, 2021;

FURTHER her wage rate is established as per the closed session of the POA Board of Management.

Carried

Moved by Bryan Barker

Seconded by Christianna Jones

THAT Annette Clarke be hired as POA Backup Clerk/Court Reporter at a rate as establishes in closed session;

FURTHER this motion be retroactive to September 1, 2020.

Carried

Moved by Bryan Barker

Seconded by Christianna Jones

THAT Ken Bentley and Justin McVey be hired part time to work the POA Courts for Covid screening and Custodian to meet the provincial requirements for the operation of court to meet the COVID 19 regulations;

FURTHER Ken and Justin be paid as per the rates establishes in closed session.

Carried

Moved by Dan Osborne

Seconded by Mike Erskine

THAT Dayna Nelder, POA Clerk and Court Reported be given a three (3%) percent wage increase effective January 1, 2021;

FURTHER Dayna Nelder be given a \$2500.00 Pay for Performance bonus based on her excellent performance in 2020.

Carried

Moved by Bryan Barker

Seconded by Mike Erskine

THAT the POA 2021 Draft Budget be adopted as presented.

Carried

7. Other – none

8. Adjournment

Moved by Martin Ainslee

THAT the POA Board of Management adjourn at 12:07 p.m.

Carried

Meeting adjourned.

Minutes prepared by
Annette Clarke

Township of Billings

ACCOUNTS FOR PAYMENT from Jan 14, 2021 to Jan 29, 2021

Cheque No.	Cheque Date	Payee	Amount
6599	Jan 19, 2021	Public Health Sudbury & Districts	2,156.79
6600	Jan 21, 2021	Manitoulin Centennial Manor	9,651.68
6602	Jan 27, 2021	Minister of Finance MTO	2,263.00
6603	Jan 29, 2021	Aeolian	3,586.62
6604	Jan 29, 2021	Brendan Addison Mobile Mechanical	2,685.21
6605	Jan 29, 2021	Bridal Veil Variety	292.46
6606	Jan 29, 2021	Build North Construction Inc.	135,303.88
6607	Jan 29, 2021	CRD Creighton	1,719.31
6608	Jan 29, 2021	CSD Grand Nord	715.00
6609	Jan 29, 2021	DataFix	565.00
6610	Jan 29, 2021	Encompass IT	3,895.11
6611	Jan 29, 2021	EXP Services Inc.	31,304.22
6612	Jan 29, 2021	Jeff's Taxi & Delivery	80.00
6613	Jan 29, 2021	Laurentian Business Product	97.63
6614	Jan 29, 2021	Manitoulin Fuels	246.53
6615	Jan 29, 2021	Manitoulin Tourism Association	282.50
6616	Jan 29, 2021	Municipality of Gordon & Barrie Island	5,754.05
6617	Jan 29, 2021	Ontario Municipal Tax & Revenue Association	254.25
6618	Jan 29, 2021	Public Health Sudbury & Districts	2,156.79
6619	Jan 29, 2021	R.J. Burnside & Associates Limited	1,864.50
6620	Jan 29, 2021	Rainbow District School Board	73,500.00
6621	Jan 29, 2021	The Manitoulin Expositor	124.97
6623	Jan 29, 2021	The Manitoulin West Recorder	300.20
6624	Jan 29, 2021	Van Houtte Coffee Services	211.68
6626	Jan 29, 2021	Realterm Energy Corp.	954.85
preauthorized payments			
DS	Jan 14, 2021	Superior Propane	\$ 1,046.24
DS	Jan 15, 2021	Payroll Remittance	\$ 18,824.30
DS	Jan 18, 2021	GFL Environmental	\$ 4,667.43
DS	Jan 18, 2021	Rogers (PW Cell Phones)	\$ 271.20
DS	Jan 20, 2021	Payroll Remittance	\$ 13,961.71
DS	Jan 20, 2021	Canada Life-RSP	\$ 1,474.32
DS	Jan 20, 2021	Superior Propane-	\$ 31.97
DS	Jan 20, 2021	OCWA Contract	\$ 9,486.58
DS	Jan 22, 2021	Bell Canada	\$ 561.78
DS	Jan 25, 2021	Eastlink-Tower site	\$ 148.81
DS	Jan 25, 2021	LBPC Lease-Copier	\$ 175.00
DS	Jan 26, 2021	Hydro One	\$ 5,427.44
TOTAL			336,043.01