

INAUGURAL COUNCIL AGENDA Thursday, December 8, 2022 at 6:00 p.m. Monora Park, Banquet Room 500 Monora Park Drive, Mono

1. Call to Order and Welcome

Sonya Pritchard, Chief Administrative Officer

2. New Council Procession

3. O Canada

Lead by Aliyah Morant

4. Honour Song

Performed by invited drum, Ashunyung

5. <u>Introductions of Members of Council</u>

6. Oaths of Office for Members of Council

Administered by Michelle Dunne, Clerk

7. <u>Election of 2023 Warden</u>

8. Oath of Office for 2023 Warden

Administered by Michelle Dunne, Clerk

9. Presentation of the Chain of Office, Gavel and Warden's Pin

Presented by Sonya Prichard, Chief Administrative Officer

10. Remarks by the 2023 Warden

11. <u>Clerk's Report – Allocation of Votes on County Council – 2022-2026</u>

A report from the Clerk, dated December 8, 2022, to report to provide information on the allocation of votes on County Council as a result of the municipal elections on October 24, 2022.

THAT the report of the Clerk, dated December 8, 2022, regarding the allocation of votes on County Council for the 2022-2026 Term, be received.

12. Selection of Committee Chairs and Committee Members

13. Clerk's Report – Appointments to Outside Boards

A report from the Clerk, dated December 8, 2022, to provide information on the various outside boards that Dufferin County Council must appoint a representative(s) to sit on.

THAT the report of the Clerk, dated December 8, 2022, with respect to appointing County representatives to outside boards, be received;
AND THAT Councillor be appointed to the Dufferin Board of Trade Board;
AND THAT Councillor be appointed to the Headwaters Communities in Action Leadership Council;
AND THAT Councillor and Councillor be appointed to the Wellington Dufferin Guelph Public Health Unit Board.
AND THAT Councillor Janet Horner, Councillor and Councillor and Councillor names be submitted as candidates to be appointed to the Niagara Escarpment Commission (NEC);
AND THAT Councillor Chris Gerrits be appointed as Dufferin County Council's representative on the Southwestern Integrated Fibre Technology (SWIFT) Board.

14. <u>Clerk's Report – Resume In-Person Council Meetings</u>

A report from the Clerk, dated December 8, 2022, to consider a return to in-person Council meetings.

THAT the report from the Clerk, dated December 8, 2022, regarding resumption of in-person Council meetings, be received;

AND THAT Council resume in-person meetings for Council and continue with virtual meetings for Committees;

AND THAT staff investigate rental options to accommodate Council meetings in the short term.

15. <u>Chief Administrative Officer's Report – Submission to Environmental Registry</u> <u>of Ontario (ERO) regarding Bill 23</u>

A report from the Chief Administrative Officer, dated December 8, 2022, to provide a draft submission to the ERO in response to Bill 23, *More Homes Faster Act, 2022,* which received Royal Assent on November 28, 2022.

THAT the report of the Chief Administrative Officer, dated December 8, 2022, regarding the submission to ERO regarding Bill 23, be received;

AND THAT Council direct staff to submit the attached submission and circulate the correspondence to the Minister of Municipal Affairs and Housing and the local MPP/Minister of Health.

16. <u>Confirmatory By-Law</u>

2022-xx A by-law to confirm the proceedings of the Council of the Corporation of the County of Dufferin at its meeting held on

December 8, 2022.

THAT By-Law 2022-xx be read a first, second and third time and enacted.

17. Adjournment

THAT the meeting adjourn.



Report To: Council

Meeting Date: December 8, 2022

Subject: Allocation of Votes on County Council – 2022-2026

From: Michelle Dunne, Clerk

Recommendation:

THAT the report of the Clerk, dated December 8, 2022, regarding the allocation of votes on County Council for the 2022-2026 Term, be received.

Executive Summary

This report to Council will provide information on the allocation of votes on County Council as a result of the municipal elections on October 24, 2022.

Background & Discussion

The County of Dufferin Act refers to the composition of members of County Council. County Council is composed of the Mayor and Deputy Mayor of each local municipality having 2,500 or more municipal electors and the Mayor of each local municipality having less than 2,500 municipal electors. The composition of Council is changing from 14 to 15 the 2022-2026 term.

The County of Dufferin Act also sets out the how the votes for each municipality are allocated. The number of votes each local municipality has on County Council is determined by dividing the number of municipal electors in the local municipality by 1,500, rounded to the nearest whole number. Each municipality has a minimum of two votes and no local municipality shall have one-half or more of the total votes. If a local municipality has two representatives, the votes shall be split equally between them and if the number of votes is an odd number, the mayor has the extra vote.

Changes for New Term

The number of councillors has increased to 15 with the Deputy Mayor of Melancthon joining the Council. The Town of Orangeville and the Town of Shelburne will have one additional vote each.

All municipal Clerks have reported their totals for the number of electors. In accordance with the County of Dufferin Act, the voting on County Council for the current term (2022 – 2026) is as follows:

Municipality	Number of Electors and Votes*	Allocation of Votes and Members
Amaranth	3462 ÷ 1500 = 2.31 (2 votes)	Mayor 1 Deputy Mayor 1
East Garafraxa	2228 ÷ 1500 = 1.49 (2 votes)	Mayor 2
Grand Valley	2866 ÷ 1500 = 1.91 (2 votes)	Mayor 1 Deputy Mayor 1
Melancthon	2545 ÷ 1500 = 1.70 (2 votes)	Mayor 1 Deputy Mayor 1
Mono	7486 ÷ 1,500 = 4.99 (5 votes)	Mayor 3 Deputy Mayor 2
Mulmur	3626 ÷ 1,500 = 2.42 (2 votes)	Mayor 1 Deputy Mayor 1
Shelburne	5823 ÷ 1,500 = 3.89 (4 votes)	Mayor 2 Deputy Mayor 2
Orangeville	22,111 ÷1,500 = 14.74 (15 votes)	Mayor 8 Deputy Mayor 7
Totals	*number of votes is rounded to nearest whole number	Votes 34

Financial, Staffing, Legal, or IT Considerations

There will be an increase in the council budget from previous years due to one additional member sitting on Council.

In Support of Strategic Plan Priorities and Objectives

Good Governance – ensure transparency, clear communication, prudent financial management

Respectfully Submitted By:

Michelle Dunne Clerk

Reviewed by: Sonya Pritchard, Chief Administrative Officer



Report To: Council Meeting Date: December 8, 2022 **Appointments to Outside Boards** Subject: From: Michelle Dunne, Clerk **Recommendation:** THAT the report of the Clerk, dated December 8, 2022, with respect to appointing County representatives to outside boards, be received; AND THAT Councillor be appointed to the Dufferin Board of Trade **Board**; AND THAT Councillor ______ be appointed to the Headwaters **Communities in Action Leadership Council;** AND THAT Councillor _____ and Councillor _____ appointed to the Wellington Dufferin Guelph Public Health Unit Board; AND THAT Councillor Janet Horner, Councillor _____ and Councillor names be submitted as candidates to be appointed to the **Niagara Escarpment Commission (NEC)**; AND THAT Councillor Chris Gerrits be appointed as Dufferin County Council's representative on the Southwestern Integrated Fibre Technology (SWIFT) Board. **Executive Summary**

This report to Council will provide information on the various outside boards that

Dufferin County Council must appoint a representative(s) to sit on.

Background & Discussion

There are several outside boards that Council appoints a member to be the County of Dufferin representative, these include:

Dufferin Board of Trade (DBOT) – One Representative

DBOT strives to support and empower local business by connecting businesses with each other and with the resources they need, advocating for business needs, encouraging consumers to support local, and saving businesses money. The DBOT Board of Directors are charged with the overall responsibility for DBOT strategic direction and policy.

Former Councillor Sandy Brown was Dufferin County Council's representative on the DBOT Board.

Headwaters Communities In Action (HCIA) - One Representative

HCIA is a citizens group that fosters leadership and action in support of a long-term vision of community well-being for the Headwaters Region. HCIA provides citizens with information about emerging issues and opportunities and also support the start-up of collaborative projects that enhance community well-being.

Currently, Councillor Darren White is the Dufferin County Council representative on the HCIA Leadership Council.

Wellington-Dufferin-Guelph Public Health (WDGPH) – Two Representatives

Wellington-Dufferin-Guelph Public Health is governed by an autonomous Board of Health. The WDGPH works to improve the health of communities and individuals through promotion, protection and prevention.

Currently, Dufferin County Council's representatives are Councillor Guy Gardhouse and Ralph Manktelow, Councillor from Town of Mono. Ralph Manktelow and Councillor Gardhouse have both indicated that they would like to continue to be Dufferin County representatives this term.

We also require representation on the Niagara Escarpment Commission (NEC) and Southwestern Integrated Fibre Technology (SWIFT). These boards have a separate selection processes and appointments are approved through their boards.

Niagara Escarpment Commission (NEC) – One Representative

The Niagara Escarpment Commission is a statutory body that operates at "arms length" from the provincial government. It is mandated to develop, interpret and apply Niagara Escarpment Plan policies that maintain and enhance the vitality of the Escarpment's unique environmental and landscape features. The Niagara Escarpment Commission plays an integral role in the protection and maintenance of the Niagara Escarpment. The NEC has requested Dufferin County put forth the names of at least three individuals who wish to be considered for appointment to the NEC. The new candidates on the list will have to be reviewed by and/or apply for appointment as a Commissioner through the Public Appointments Secretariat.

Currently, Councillor Janet Horner's appointment will expire on December 31, 2022. The list of names and contact information for consideration will need to be sent as soon as possible. Councillor Horner has indicated that she would like her name to be submitted for consideration.

Southwestern Integrated Fibre Technology (SWIFT) – One Representative

Southwestern Integrated Fibre Technology (SWIFT) is a non-profit municipally-led broadband expansion project created to improve internet connectivity in underserved communities and rural areas across Southwestern Ontario. The role of the SWIFT Board Directors is to help foster the development of SWIFT and provide strategic direction and oversight for the corporation. As well, the board plays a key role in helping build broadband in southwest Ontario, Caledon and Niagara.

Currently, Councillor Gerrits is the Dufferin County Council SWIFT representative. His two-year term will end on April 28, 2023. Council can re-appoint Councillor Gerrits or nominate a new Council Representative to serve on the SWIFT Board for a two-year term. Councillor Gerrits has indicated that he would like to be reappointed at the end of his term.

Financial, Staffing, Legal, or IT Considerations

There are no financial, staffing, legal or IT considerations.

In Support of Strategic Plan Priorities and Objectives

Good Governance – ensure transparency, clear communication, prudent financial management

Respectfully Submitted By:

Michelle Dunne Clerk

Reviewed by: Sonya Pritchard, Chief Administrative Officer



Report To: Council

Meeting Date: December 8, 2022

Subject: Resume In-Person Council Meetings

From: Michelle Dunne, Clerk

Recommendation

THAT the report from the Clerk, dated December 8, 2022, regarding resumption of in-person Council meetings, be received;

AND THAT Council resume in-person meetings for Council and continue with virtual meetings for Committees;

AND THAT staff investigate rental options to accommodate Council meetings in the short term.

Executive Summary

This report considers a return to in-person Council meetings. With the removal of all provincial COVID restrictions many organizations have re-established in-person meetings and events. Members of Council and staff have expressed an interest in more opportunities to come together.

Background & Discussion

For many years, county Council was held in Court Room 204 at 51 Zina Street. Starting in July 2019, County Council began holding their council meetings in the Orangeville Council Chambers in order to provide a live feed/video recording of Council meetings on a one-year trial basis. Due to the pandemic, Council moved to a virtual meeting process in April 2020. Since the very start of the pandemic, all Council and Committee meetings have been held virtually to continue move business forward.

Now that COVID restrictions have been lifted, there has been discussion that Council would like to resume in-person meetings. Despite the success of the virtual meeting procedures, in-person meetings help build stronger relationships and increase engagement. In-person meeting encourages more of a collaborative environment and are less regimented than a virtual meeting. An ideal solution is likely a mix of virtual and in-person meetings. This can be accomplished by holding committee meetings virtually and Council meetings in person.

During the pandemic, renovations in the Orangeville Council Chambers has made the space no longer able to accommodate the County's 15-member Council. In addition, Court Room 204 is currently undergoing repairs and will not be available for several months. Even after repairs are completed it is questionable whether or not the space will be able to appropriately accommodate the 15-member Council. This means that staff will need to investigate other options on where council meetings can be held both in the short and long-term. Many considerations will need to be looked at, which include options to live stream, record, or have a hybrid meeting option.

Financial, Staffing, Legal, or IT Considerations

Moving County Council back to in-person meetings would most likely result in a cost for rental of space in the short-term. This has been a budget item since 2019, when Council was meeting at the Orangeville Council Chambers. In the long-term it may be necessary to invest in a permanent solution to accommodate County Council. It is expected that such a discussion will take place in 2023.

In Support of Strategic Plan Priorities and Objectives

Good Governance – ensure transparency, clear communication, prudent financial management

Respectfully Submitted By:

Michelle Dunne, Clerk

Reviewed by: Sonya Pritchard, Chief Administrative Officer



Report To: Council

Meeting Date: December 8, 2022

Subject: Submission to Environmental Registry of Ontario (ERO)

regarding Bill 23

From: Sonya Pritchard, Chief Administrative Officer

Recommendation:

THAT the report of the Chief Administrative Officer, dated December 8, 2022, regarding the submission to ERO regarding Bill 23, be received;

AND THAT Council direct staff to submit the attached submission and circulate the correspondence to the Minister of Municipal Affairs and Housing and the local MPP/Minister of Health.

Executive Summary

This report to Council includes a draft submission to the ERO in response to Bill 23, *More Homes Faster Act, 2022,* which received Royal Assent on November 28, 2022. The attached submission focuses on the impacts to the development charges.

Background & Discussion

Bill 23, *More Homes Faster Act, 2022*, was introduced on October 25 and received Royal Assent on November 28th. This Act makes a number of sweeping changes to several Acts including the Development Charges Act. Although the Act is now in effect, the commenting period on the Environmental Registry is open until December 9th, 2022 A draft submission is attached.

In Support of Strategic Plan Priorities and Objectives

Good Governance – ensure transparency, clear communication, prudent financial management

Respectfully Submitted By:

Sonya Pritchard Chief Administrative Officer

Attachment: ERO Submission



November 23, 2022

ERO number: 019-6172

Ministry of Municipal Affairs and Housing

To whom it may concern,

Re: Comments on Development Charges Act Changes Proposed in Bill 23

This letter addresses the amendments to the *Development Charges Act* (DC Act) contained in Bill 23 from the perspective of the County of Dufferin. Although the County of Dufferin supports measures to increase supply and improve housing affordability, it is unclear that these proposed DC Act changes will be effective in achieving this goal. Further, these changes are likely to create significant financial challenges for municipalities and may have the unintended impact of delaying infrastructure projects necessary to support growth. Below is a breakdown of concerns with the proposed changes to the DC Act, examples of the estimated impacts on Dufferin County and recommendations.

Timing and Scope of Legislation

The introduction of Bill 23 the day after the 2022 municipal election accompanied by a short-deadline for participation in committee hearings and a 30-day commenting period to the Environmental Registry did not allow for municipal council discussion and analysis. With November 15 being the earliest possible date for new councils to be sworn into office, there was virtually no opportunity for councils to weigh in and make representation at the committee hearing. Many of our local Councils in Dufferin County are not yet sworn in and County Council cannot officially assume their duties until all eight local Councils are in place. County Council will be sworn in on December 8th, well past the committee hearing date and the initial commenting deadline. The extension of the commenting deadline to December 9th has allowed County Council to review this submission; however, it is extremely disconcerting that the bill was passed in advance of this date on November 28th, 2022.

Although, the specific concerns relayed in this letter relate only to the proposed DC Act changes; Bill 23 is an omnibus bill with far-reaching, permanent implications for municipalities and Ontarians as a whole. The short time frame and limited consultation for municipal councils to understand and provide feedback, severely impacts our duties as policy makers, community representatives, and stewards.

<u>Recommendation:</u> Continue to review submission made after November 28th, 2022 and be prepared to make future amendments to the *More Homes Built Faster Act* after considering the municipal perspective. All relevant information should form part of the decision-making process and is key to good governance, accountability and transparency.

Phase-in of New Development Charges

Benefit to new home buyers unclear: The phase-in of new development charges over a 5-year period will be costly to municipalities and property tax payers with no requirement to ensure the savings are passed on to new home buyers. There is little evidence to show that development charge changes will reduce the price of homes. In addition, there is little transparency for new home owners as the development charges are generally built in to the price of the new home. Although the benefit to new home buyers is unclear, it is evident that the phase in will mean a loss of revenue for municipalities that will need to be made up through property taxes.

Phase-in is excessive and punitive to municipalities: The phase-in provision does not just apply to the increase in DCs but to the whole charge (including non-residential). Should a charge increase by 10%, the 20% phase in would effectively result in a decrease in the Development Charge payable on all development. It would take 2 years just to get back to the previous rate. This unnecessarily reduces municipal revenue when the DC rate is relatively stable.

Retroactivity: Requiring retroactivity of the phase in to by-laws passed after January 1, 2022 unduly impacts some municipalities more than others. The County of Dufferin passed the most recent DC By-law on June 8, 2022. The background study for this bylaw, the public consultation process and review and analysis were done in good faith and represent compliance with the DC Act at that time.

The County of Dufferin will be significantly impacted by the proposed phase-in provision and the retroactive clause. It is estimated that a phase in of the current charge would result in over \$540,000 in lost DC revenue over the next five years for those remaining eligible costs. This amount is based on the DC eligible projects in the current background study assuming equal building activity over the next ten years. This phase in process will then be restarted when the next DC Bylaw is introduced in 5 years (the new 10 year DC Bylaw period only applies to bylaws passed after November 28, 2022) leaving only 1 year of full collections before another 20% reduction is required.

Although the County is the only municipality in Dufferin to be immediately impacted by this proposed change, all local municipalities will see the impact as new by-laws come into

effect. For example: Using the current eligible costs Shelburne estimates a loss of about \$810,000 post 2025.

<u>Recommendation:</u> Reconsider the phase-in and retroactive provision. Should some form a phase-in continue, it should apply only to increases in the charge and be limited to residential buildings for a 2 year period, to be effective on the date of Royal Assent.

Removal of Studies as an Eligible Cost

The change in definition of eligible capital costs to eliminate studies will shift these costs to the municipal levy where they will be need to be prioritized with other expenditures. These studies are essential for determining the infrastructure required to support growth. Delays in these studies due to a lack of funding may ultimately lead to delays in infrastructure construction and consequently housing builds.

In Dufferin County, the elimination of this charge will result in additional tax levy costs of well-over a million dollars in the next few years. For the County itself, there are currently \$815,000 in studies required in 2023. Although, studies remain eligible in the current bylaw they are subject to the phase in reduction and will be completely eliminated for all future DC Bylaws. There are impacts for local municipalities as well. Shelburne estimates \$533,750 for future studies would no longer be covered by DCs. Grand Valley currently has studies valued at \$315,000 (with about \$205,000 still to be collected) in its By-law which expires in 2024. The cost for future studies is not known at this time; however, given that Grand Valley has been identified as the primary location for growth in Dufferin County, it is likely that additional studies needed to support infrastructure related to growth will be required going forward. In Mulmur Township, collections for studies average about \$20,000 annually. East Garafraxa collects about \$5,000 annually.

<u>Recommendation</u>: Reconsider studies as an eligible cost. These studies form the basis of long-term capital growth and infrastructure plans. The need for these studies is largely driven by development and should be paid for by development.

Potential Removal of Land as an Eligible Cost

Prohibiting development charge revenue to be used in the acquisition of land required for growth related projects is very likely to delay these projects as land acquisition is the first step in planning and building new infrastructure. Without the necessary infrastructure, housing will be delayed or in some cases building may proceed only to later be confronted with challenges resulting from a lack of infrastructure.

Dufferin County has eligible costs of \$1.9 million for land in the DC Background study. It is unclear at this time if this will remain an eligible cost.

<u>Recommendation</u>: Maintain land required for growth related infrastructure projects as an eligible capital cost.

Removal of Housing as an Eligible Service

The removal of housing as an eligible service from the DC Act likely signals an end to new municipal/community housing builds. Without the development charge revenue to support these projects, municipalities will not have sufficient funds to move forward. Arguably, building more social or community housing is the only way to ensure an inventory of affordable housing for low income Ontarians. Shifting the building of "affordable" housing to private developers, where affordable is defined as 80% of the going market rate, will still not be attainable for many. Canadian Mortgage and Housing Corporation defines affordable housing as costing 30% of a household's gross income. Increasing the overall supply does not explicitly address the staggering lack of truly affordable units. In the County of Dufferin, there is currently a waiting list for community housing that extends beyond seven years. The County of Dufferin has constructed 3 housing projects since 2010 and is currently using development charges to pay down the debt that was incurred for these projects. There is currently \$6,400,000 in the current background study for eligible housing services. For 2023, there is balance in the housing services development charges account that will cover the debt payment. Starting in 2024, the payment will need to come entirely from property taxes. This alone will translate to a more than a 1% increase on the County of Dufferin levy.

<u>Recommendation</u>: Reconsider housing as an eligible service to ensure an increase in the inventory of affordable housing units. Alternatively, provide municipalities with previous debt commitments or previously committed projects additional funding to offset these costs. Create funding opportunities for municipalities to continue to build and operate affordable housing that is geared to income.

Move to a 15-year Service Level

Extending the historical service level from 10 years to 15 years will effectively reduce the average service level in a high growth environment and further reduce the development charges available to fund infrastructure required for growth.

<u>Recommendation</u>: Reconsider the change and maintain a 10-year service level for calculating future development charges. Even more desirable would be to move away from historical service levels and calculate the development charges based on projected infrastructure requirements associated with anticipated population growth.

Exemptions and Discounts

The proposed exemptions and discounts for affordable and attainable units as well as the allowance for up to 3 dwellings units where one currently exists, may be beneficial in creating more mixed use and missing middle housing. Calculating the value of the reductions in development charges revenue that will result is not possible. However, the impact will be a transfer of growth-related infrastructure costs to municipal property taxes. Many smaller municipalities simply do not have capacity to absorb these added costs and therefore many of infrastructure projects needed to support the growth will be delayed or simply not pursued at all.

<u>Recommendation</u>: In line with recommendations from the Municipal Finance Officers' Association, develop an infrastructure funding program to offset the loss of DC revenue and ensure the required infrastructure can be built in a timely manner to support development. Another option would be a DC rebate program funded by the province.

Summary

The County of Dufferin supports the need for action to address the Housing Crisis in Ontario. This is a complex problem requiring collaboration from all levels of government. The proposed changes to the DC Act move away from the long-held position that growth should pay for growth and transfers the cost of growth-related infrastructure to the municipal property tax base. We welcome the recent communication from the Minister of Municipal Affairs and Housing to AMO that indicates "municipalities will remain whole" and look forward to an opportunity to participate in additional conversations that will allow us to work together to create a more affordable housing supply.

CORPORATION OF THE COUNTY OF DUFFERIN

BY-LAW NUMBER 2022-xx

A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE COUNTY OF DUFFERIN AT ITS MEETING HELD ON DECEMBER 8, 2022.

WHEREAS Section 5 (1) of the *Municipal Act, 2001*, as amended, provides that the powers of a municipality shall be exercised by its Council;

AND WHEREAS Section 5 (3) of the *Municipal Act, 2001*, as amended, provides that municipal powers shall be exercised by by-law;

NOW THEREFORE BE IT ENACTED BY THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE COUNTY OF DUFFERIN ENACTS AS FOLLOWS:

- All actions of the Council of the Corporation of the County of Dufferin at its meetings held on December 8, 2022 in respect to every report, motion, by-law, or other action passed and taken by the Council, including the exercise of natural person powers, are hereby adopted, ratified and confirmed as if each report, motion, resolution or other action was adopted, ratified and confirmed by its separate by-law.
- 2. The Warden of the Council and the proper officers of the Corporation of the County of Dufferin are hereby authorized and directed to do all things necessary to give effect to the said action, to obtain approvals where required and except where otherwise provided, to execute all documents necessary in that behalf.

READ a first, second and third time and finally passed this 8th day of December, 2022.

Warden	Michelle Dunne, Clerk