

**THE CORPORATION OF THE  
TOWN OF MATTAWA**

**AGENDA**

**REGULAR MEETING OF COUNCIL  
MONDAY, JANUARY 11, 2010  
7:00 P.M.**

**MUNICIPAL COUNCIL CHAMBERS  
160 WATER STREET  
MATTAWA, ONTARIO**

**THE CORPORATION OF THE TOWN OF MATTAWA**  
**A G E N D A**  
**MUNICIPAL COUNCIL CHAMBERS**  
**160 WATER STREET**  
**MATTAWA, ONTARIO**  
**MONDAY, JANUARY 11<sup>TH</sup>, 2010 @ 7:00 P.M.**

**1. Petitions & Delegations**

**2. Correspondence**

- 2.1 City of North Bay – Re: Annual POA Budget Meeting  
General Government Services Committee – Clerk
- 2.2 North Bay & District Chamber of Commerce – Re: Business Leaders Forum  
General Government Services Committee – Clerk
- 2.3 Rail America Inc. – Re: OVR Press Release  
General Government Services Committee – Clerk
- 2.4 Ministry of Transportation – Re: Hwy 630 Amable du Fond River Bridges  
General Government Services Committee – Clerk
- 2.5 Ministry of Tourism – Re: Minister’s Tourism Announcement  
Recreation, Tourism & Special Projects Committee – Director of Recreation, Tourism  
& Special Projects
- 2.6 North Bay-Mattawa Conservation Authority – Re: November 25<sup>th</sup> Meeting Minutes  
Conservation Authority Committee – Clerk
- 2.7 North Bay Parry Sound District Health Unit – Re: October/November Meeting Minutes  
Health Services Committee – Clerk
- 2.8 MMAH – Re: Approval of Changes to Municipal Elections Act  
General Government Services Committee – Clerk
- 2.9 MPAC – Re: 2010 Funding Requirements  
General Government Services Committee – Clerk
- 2.10 Belanger Family – Re: Acknowledgment of Gratitude  
General Government Services Committee – Clerk
- 2.11 AMO – Re: OMPF Allocations for 2010  
Finance Committee – Clerk
- 2.12 Ministry of Finance – Re: OMPF Allocations for 2010  
Finance Committee – Clerk

**Monday, January 11, 2010**

**Correspondence – Cont'd**

- 2.13 Ontario's Near North – Re: Business and Marketing Plan  
Recreation, Tourism & Special Projects Committee – Director of Recreation, Tourism  
& Special Projects
- 2.14 North Bay Parry Sound District Health Unit – Re: December 16<sup>th</sup> Meeting Agenda  
Health Services Committee – Clerk
- 2.15 Union Gas – Re: Winter Warmth Program  
Social & Family Services Committee – Clerk
- 2.16 AMO – Re: Auditor General's 2009 Report Highlights  
General Government Services Committee – Clerk
- 2.17 Northeastern Fire Education Conference Committee – Re: 12<sup>th</sup> Annual Conference  
Fire Department Committee – Fire Chief
- 2.18 City of Pembroke – Re: Request for Support Resolution  
General Government Services Committee – Clerk
- 2.19 AMO – Re: Affordable Access to Recreation for Ontarians  
Recreation, Tourism & Special Projects Committee – Director of Recreation, Tourism  
& Special Projects
- 2.20 County of Grey – Re: Request for Support Resolution  
General Government Services Committee – Clerk
- 2.21 DNSSAB – Re: November 12<sup>th</sup> Meeting Minutes  
Social & Family Services Committee – Clerk
- 2.22 North Bay-Mattawa Conservation Authority – Re: October 28<sup>th</sup> Meeting Minutes  
Conservation Authority Committee – Clerk
- 2.23 Ms. Beth Shields – Re: Old Hospital Heritage Designation  
General Government Services Committee – Clerk
- 2.24 Ms. Samantha McLean-Lefebvre – Re: Donation Request for Volunteering in Honduras  
General Government Services Committee – Clerk

**QUESTIONS/COMMENTS**

- 4. MUNICIPAL REPORT NUMBER 589**
  
- 5. OTHER BUSINESS: I) REPORT(S)  
II) QUESTIONS AND ANSWERS**
  
- 6. NOTICES OF MOTION**
  
- 7. ADJOURNMENT**

Monday, January 11<sup>th</sup>, 2010

Members of Council,

Attached please find Municipal Report Number 589 for consideration by Council.

Respectfully submitted

Wayne P. Belter  
Administrator/Clerk/Treasurer

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**INDEX**

<b><u>ITEM</u></b>	<b><u>PAGE</u></b>
<b>ADOPTION OF THE MINUTES</b>	<b>1</b>
<b>MUNICIPAL HOUSING FACILITIES AGREEMENT BY-LAWS</b>	<b>2</b>
<b>COMMITTEE OF ADJUSTMENT MEMBER FOR 2009</b>	<b>3</b>
<b>ANNUAL BORROWING BY-LAW</b>	<b>4</b>

Date: MONDAY, JANUARY 11<sup>TH</sup>, 2010

Page No: **1**

**THE CORPORATION TOWN OF MATTAWA**

**COMMITTEE: GENERAL GOVERNMENT SERVICES**

**CHAIRPERSON: COUNCILLOR G. THIBERT**

**DEPT. HEAD: WAYNE P. BELTER**

**TITLE: ADOPTION OF THE MINUTES**

**Draft By-Law**       **Item**       **Policy Recommendation**

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**Mayor D. Backer and Members of Council:**

It is respectfully recommended to Council that the minutes of the Regular Meeting, Monday, December 14, 2009 be adopted as circulated.

Councillor G. Thibert

## THE CORPORATION OF THE TOWN OF MATTAWA

The minutes of the regular meeting of Council held Monday, December 14<sup>th</sup>, 2009 at 7:00 p.m. in the Municipal Council Chambers.

Present: Mayor Dean Backer  
Councillor G. Thibert  
Councillor L. Perreault  
Councillor C. Lacelle  
Councillor L. Mick  
Wayne P. Belter, Clerk

\*When a recorded vote is requested and the minutes indicate the recorded vote was "Unanimous" it means all Councillors present and noted above voted in favour unless otherwise indicated.

### Resolution Number 09-64

Moved by Councillor G. Thibert

Seconded by Councillor C. Lacelle

That the Municipal Report Number 588 be adopted

Carried

Page 184 Carried  
Page 185 Carried  
Page 186 Carried  
Page 187 Carried  
Page 188 Carried  
Page 189 Carried  
Page 190 Carried  
Page 191 Carried  
Page 192 Carried  
Page 193 Carried  
Page 194 Carried

Recorded Vote on Page 194 and the vote was as follows:

Voting For: Mayor D. Backer, Councillors L. Perreault, C. Lacelle, M. L. Arrowsmith, L. Mick

Voting Against: Councillor G. Thibert

The regular meeting of Council Monday, December 14, 2009 adjourned at 9:02 p.m.

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Mayor

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Clerk

**THE CORPORATION TOWN OF MATTAWA**

**COMMITTEE: PLANNING & DEVELOPMENT SERVICES**

**CHAIRPERSON: COUNCILLOR G. THIBERT**

**DEPT. HEAD: WAYNE P. BELTER**

**TITLE: MUNICIPAL HOUSING FACILITIES AGREEMENT BY-LAWS**

  X   Draft By-Law                             Item                             Policy Recommendation

**Mayor D. Backer and Members of Council:**

The Town of Mattawa in co-operation with Mattawa Community Development Incorporated has commenced a process to permit Mattawa Community Development Incorporated to provide a sixteen unit seniors assisted rental residential town house development within the Town of Mattawa. A Zoning By-law amendment has been approved by Council for the redevelopment of municipal property (to be donated to the Development Corporation) at the corner of Turcotte Park Road and Mattawan Street.

Mattawa Community Development Incorporated and the District of Nipissing Social Services Administration Board, in accordance with the Province of Ontario and Central Mortgage and Housing Co-operation, (CMHC), require approval of a Municipal Capital Facilities By-law to allow for the development of senior’s housing at below fair market value in order to make them affordable. Mattawa's contribution to the project has been to support and be in agreement to the Province/CMHC requirement that the project be taxed at the single family tax rate instead of the multi-family tax rate. Without the municipality agreeing to this condition the project would not receive approval.

**Recommendation:**

That By-law 10-01 be approved in order to provide for Municipal Housing Facilities and that By-law 10-02 be also approved which will permit a Municipal Capital Facilities Agreement be signed and enacted by Mattawa Community Development Incorporated, District of Nipissing Social Services Administration Board and the Town of Mattawa which, once approved by all parties will form an integral part of the overall approval process required to eventually see the construction and availability of a sixteen unit assisted seniors town housing complex in our community.

Respectfully submitted

Councillor G. Thibert



# THE CORPORATION OF THE TOWN OF MATTAWA

## BY-LAW NO. 10-01

### MUNICIPAL HOUSING FACILITIES BY-LAW

#### BEING A BY-LAW OF THE CORPORATION OF THE TOWN OF MATTAWA TO PROVIDE FOR MUNICIPAL HOUSING FACILITIES

WHEREAS the Corporation of the Town of Mattawa, pursuant to section 110 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, may enter into agreements for the provision of municipal capital facilities by any person;

AND WHEREAS the District of Nipissing Social Services Administration Board, as Consolidated Municipal Service Manager (Service Manager) is the delivery agent under the *Ontario Works Act, 1997*, S.O. 1997, c.25, Schedule A and is authorized to operate and manage housing projects as well as to establish, fund and administer programs for the provision of residential accommodation in its service area under the *Social Housing Reform Act, S.O. 2000, c.27*;

AND WHEREAS Section 6 of the *Social Housing Reform Act* provides that the provision of residential accommodation by a Service Manager is deemed to be a municipal purpose of that Service Manager and a Service Manager may exercise for the purposes of the *Social Housing Reform Act*, the powers that it has as a municipality;

AND WHEREAS Section 110 of the *Municipal Act 2001, (the "Act")*, S.O. 2001, c.25, as amended, allows municipalities to enter into agreements for the provision of municipal capital facilities by any proponent;

AND WHEREAS Ontario Regulation 189/01 was filed May 31, 2001, to amend Ontario Regulation 46/94 to add "municipal capital facilities" to the class of municipal capital facilities for which municipal councils may enter into agreements pursuant to Section 110 of the Act;

AND WHEREAS the said Ontario Regulation 46/94, as amended, requires that before a by-law authorizing an agreement under Section 110 of the Act respecting municipal housing project facilities is entered into a municipal housing facilities by-law must be enacted, which must comply with requirements set out in that Regulation;

AND WHEREAS Council is of the opinion that making use of Section 110 of the Act is a desirable means of increasing the supply of affordable housing by providing financial or other assistance at less than fair market value to the Mattawa Community Development Incorporated on the criteria set out in this by-law;

NOW THEREFORE, the Council of the Corporation of the Town of Mattawa enacts as follows:

1. In this by-law,  
"Act" means the *Municipal Act 2001, S.O. 2001, c.25*, as amended, and its Regulations;  
"Affordable housing" means affordable housing as set out in Section 5 & 6 of this By-law;

“Affordable Rent” means rents achieving an average project rent, which is 20% below the CMHC average market rent; if CMHC does not publish an annual survey of rents for the Corporation of the Town of Mattawa, then the “affordable rent” for that period shall be determined by the Service Manager;

“Average Project Rent” means the average monthly unit rent by unit type, located within the Corporation of the Town of Mattawa as determined and amended from time-to-time by CMHC; if CMHC does not publish an annual survey of rents for the, then the “average project rent” for that period shall be the average rent as determined by the Service Manager;

“Canada/Ontario Affordable Housing Program” Affordable Housing Agreement signed by the province of Ontario and the Government of Canada on April 29<sup>th</sup>, 2005;

“Northern Remote” a sub-component of the Canada/Ontario Affordable Housing Program and established by the Province to make funding available for Northern Service Managers;

“Clerk” means the Clerk of the Corporation of the Town of Mattawa;

“CMHC” means the Canada Mortgage and Housing Corporation;

“Council” means the Council of the Corporation of the Town of Mattawa;

“Geared-to-income” means financial assistance provided in respect of a household under a social housing program to reduce the amount of the household must otherwise pay to occupy a unit in a social housing project;

“Household” means an individual who lives alone or two or more individuals who live together;

"Housing Project" means a project or part of a project designed to provide or facilitate the provision of residential accommodation, with or without public space, recreational facilities and commercial space or building appropriate thereto;

"Housing Provider" means a corporation or individual legally entitled to own real property in the District and with whom the Corporation of the Town of Mattawa has entered into or will enter into a municipal housing project facilities agreement under section 2 of this by-law;

“Maximum income limit” (also referred to as “Household Income Limits” or HIL’s) means the maximum income that a household may have at the time of application to be eligible for a specific affordable housing unit. Maximum income limits will be set for unit types using the average rent for the applicable municipal area, based on the principle that no less than 30% of a household’s gross income is spent on rent;

“Municipal housing facility” means the class of municipal capital facilities, as prescribed by paragraph 6.1(1) of section 2 of Ontario Regulation 46/94, as amended;

“Municipal housing facilities agreement” means an agreement as set out in Section 2 of Ontario Regulation 46/94, as amended;

“Municipal housing facility by-law” means a by-law enacted by Council pursuant to paragraph 6.1(1)(a) of Ontario Regulation 46/94, as amended;

The Mattawa Community Development Incorporated is a non-profit corporation with whom the Service Manager has recommended (through resolution) that the municipality should enter into or, should consider entering into, a municipal housing facility agreement under Section 2 of this by-law;

“Rent” means the amount charged for accommodation in a housing unit and is used in this by-law to mean the same thing as a housing charge under the Co-operative Corporations Act;

“Rent supplement agreement” means rent supplement agreement as defined in the *Social Housing Reform Act, 2000, c.27*, as amended, and any policies adopted by the Service Manager in accordance with that Act;

“Service Manager” means the District of Nipissing Social Services Administration Board, the Consolidated Municipal Service Manager for the Corporation of the Town of Mattawa under the *Ontario Works Act, 1997, S.O. 1997, c.25, Sch. A* authorized to operate and manage housing under the *Social Housing Reform Act, S.O. 2000, c.27*, as the context requires;

“Social housing program” means a program prescribed as a housing program under the *Social Housing Reform Act, 2000*;

"Unit Size" means the size of a unit within a municipal housing project facility or potential municipal housing project facility, measured by the number of bedrooms;

## **Service Manager**

2. Council may pass by-laws permitting the Service Manager to recommend that council enter into municipal housing facility agreements with the Mattawa Community Development Incorporated, pursuant to subsection 110(1) of the Act, for the provision of the municipal housing project facilities.
3. The Service Manager shall ensure that the agreement mentioned in Section 2 unless it is determined that: all, (or an agreed upon percentage), of the housing units to be provided as part of the municipal housing facility fall within the definition of affordable housing.
4. Upon passing of the by-law referred to in Section 2, the Clerk shall give written notice of the by-law to the Minister of Education and Training or successor, as set out in the Act.

## **Affordable Housing**

5. The definition of “affordable housing” for the purpose of a municipal housing project facilities agreement shall be:
  - (a) Housing which would have an “average project rent” or, rent that would be affordable to those households within the lowest 35 percent of the income distribution (35<sup>th</sup> percentile) for the Corporation of the Town of Mattawa. Housing that has “average project rent” typically has the following:
    - (i) Housing where monthly rent costs (excluding utilities) do not exceed 30 percent of gross monthly household income;
    - (ii) Affordable ownership housing is housing where monthly housing expenses (including mortgage principle, interest and property tax but excluding insurance or utilities expenses) do not exceed 30 percent of gross monthly household income.
  - (b) For the purposes of participating in the “Canada/Ontario Affordable Housing Program”, the definition of “affordable housing” shall be municipal housing project facilities in which the average project rent for each unit size, exclusive of utilities, parking, telephone, cable and other related fees, is less than or equal to the most recently released average CMHC rent for the Corporation of the Town of Mattawa for that unit size. Where CMHC average rent amounts are not defined, the average rent shall be determined by the Service Manager;
  - (c) For the purpose of participating in the Canada/Ontario Affordable Housing Agreement—Northern Remote Program, affordable housing shall be municipal housing project facilities in which the “affordable rent” is 20% below the CMHC average rent for the Corporation of the Town of Mattawa for that unit size. Where CMHC average rent amounts are not defined, the affordable rent shall be determined by the Service Manager;

## **Eligibility**

6. Eligibility for affordable housing to be provided as part of a municipal housing facility agreement will be determined by the Service Manager.

## **Agreement with the Mattawa Community Development Incorporated**

7. A municipal housing facility agreement shall contain, but not be limited to, the following provisions:
  - a) a clause stating that each housing unit in the municipal housing facility shall meet the definition of affordable housing in section 5 of this by-law;
  - b) the term of the agreement;
  - c) the number of housing units being provided;
  - d) the Service Manager may register the agreement on title;

- e) a list of the benefits being conveyed to the Mattawa Community Development Incorporated under this by-law, including their estimated present day value;
- f) the conditions attached to the financial or other assistance given to The Mattawa Community Development Incorporated;
- g) if *the Mattawa Community Development Incorporated* does not comply with the terms and conditions of the agreement, the Mattawa Community Development Incorporated shall, if demanded, pay to the Service Manager the entire amount of benefits conveyed under the agreement, together with any applicable costs and interest, and any other penalties or consequences as determined by the Service Manager;
- h) such other contractual provisions respecting the sale, transfer, mortgage or assignment of the municipal housing facility;
- i) that the Mattawa Community Development Incorporated shall be required to submit required supporting documentation and report annually to the satisfaction of the Service Manager;
- j) other terms and conditions satisfactory to the Service Manager which may include, but which are not limited to, any and all forms of property transactions together with any and all general and specific security as the Service Manager considers necessary or desirable;
- k) such other contractual provisions, which are required to be inserted, based on fundamental contractual drafting principles satisfactory to the Service Manager;
- l) the municipal housing facility agreement shall be binding on the Mattawa Community Development Incorporated' heirs, successors and assigns;
- m) during the time period in which the municipal housing facility agreement is in force, the Mattawa Community Development Incorporated shall, as a condition precedent to a sale to a subsequent purchaser, require the subsequent purchaser to enter into an agreement with the municipality, and that agreement shall impose the terms of the municipal housing facility agreement on that subsequent purchaser;
- n) in addition to a general indemnity, the Mattawa Community Development Incorporated shall specifically indemnify the municipality and the Service Manager if the provision set out in clause (p) is breached.

8. A municipal housing project facilities agreement may with respect to the provision, lease, operation or maintenance of the municipal housing project facilities that are subject to the agreement, provide for financial or other assistance at less than market value or at no cost to the *Mattawa Community Development Incorporated* with respect of the provision, lease, operation or maintenance of the municipal housing project facilities that are subject of the agreement, and such assistance may include:

- a) giving or lending money and charging interest;
- b) giving, lending, leasing or selling property;
- c) guaranteeing borrowing, and
- d) providing the services of employees of the Service Manager.

9. This by-law may be cited as the Municipal Housing Facilities By-Law.

READ, PASSED AND ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2010.

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Mayor

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Clerk

**THE CORPORATION TOWN OF MATTAWA**

**COMMITTEE: PLANNING AND DEVELOPMENT SERVICES**

**CHAIRPERSON: COUNCILLOR G. THIBERT**

**DEPT. HEAD: WAYNE P. BELTER**

**TITLE: COMMITTEE OF ADJUSTMENT MEMBERS FOR 2010**

10-03 Draft By-Law                      \_\_\_\_\_ Item                      \_\_\_\_\_ Policy Recommendation

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**Mayor D. Backer and Members of Council:**

The Town of Mattawa has an approved Official Plan and Zoning By-Law which guides and regulates development within the municipality.

Zoning By-Law Number 85-23 is a document that sets standards for development and is not flexible in its interpretation. Council is empowered by way of Section 44(3) of the Planning Act R.S.O., 1990 to appoint a Committee of Adjustment to consider minor variances to the Zoning document. This Committee has the power to reduce the By-law provisions normally required by the Zoning By-law.

The Committee must be appointed by By-Law each year and can be made up of a minimum of three people and historically the Committee is made up of Councillors although the public may be members. It is now recommended that the three Councillors be appointed to the Committee for 2009.

**Recommendation:**

That the Committee of Adjustment be appointed from the members of Council and By-Law Number 10-03 be approved which appoints Councillors Garry Thibert, Paul Dupras and Lorne Mick to the Committee for the year 2010 in accordance with Section 44(3) of the Planning Act.

Respectfully submitted

Councillor G. Thibert

**THE CORPORATION OF THE TOWN OF MATTAWA**

**BY-LAW NUMBER 10-03**

WHEREAS, Council adopted By-Law Number 85-26 which established a Committee of Adjustment.

AND WHEREAS Council now wishes to appoint three Committee of Adjustment members for the year 2010.

NOW THEREFORE it is enacted as a by-law of the Town of Mattawa that:

1. Councillors G. Thibert, P. Dupras and L. Mick be appointed to the Committee of Adjustment for the Town of Mattawa.
2. The term of office for the members of the Committee of Adjustment be for the year 2010.

READ, PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_ 2010.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk



**THE CORPORATION TOWN OF MATTAWA**

COMMITTEE: FINANCE

CHAIRPERSON: COUNCILLOR L. PERREAULT

DEPT. HEAD: WAYNE P. BELTER

TITLE: BORROWING BY-LAW NUMBER 10-04

10-04 Draft By-Law                      \_\_\_\_\_ Item                      \_\_\_\_\_ Policy Recommendation

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**Mayor D. Backer and Members of Council:**

The attached By-law is customarily passed at the beginning of each year, which authorizes the Town to borrow money, if needed, to meet expenditures until taxes and grants are received. In the event of short-term cash requirements, it is necessary to have the By-law approved to allow us to borrow.

**Recommendation:**

It is respectfully recommended that the attached By-Law and Agreement with ScotiaBank be approved which will allow the municipality to borrow money, if necessary, until grants and taxes are received.

Respectfully submitted

Councillor L. Perreault

