

May 31st 2019

TO: Municipality of East Ferris, Head of Council

RE: Information Request Pursuant to Section 224.1 Municipal Act of Ontario

Head of Council,

1. Section 224 of the Municipal Act establishes the role of council, to represent the public and to consider the well-being and interests of the municipality. Council has a further duty under Section 224.1 explicitly;
 - to ensure the accountability and transparency of the operations of the municipality,
2. Given the noted, key responsibilities of a councillor under the Act are to support the municipality while ensuring the **public interests** are maintained.
3. Accordingly, the following enquiries are submitted to uphold accountability and transparency associated to East Ferris Municipal operations;

FILE: SB-2018-02, OPA-2018-02, C-2018-02 - Macpherson Drive, One Mile Road, Centennial Crescent

- a. Within filed reports to Council, and during submissions at Council meetings, Municipal staff planner Mr. Greg KIRTON references the proposed development to be aligned with both the Provincial Policy Statement and equally the East Ferris Township Municipal Planning by-law.
- b. To enable understanding and awareness of the cited references, particulars related to the involved referenced sections within the Provincial Plan and Municipal planning by-law are hereby further requested?

FILE: SB 2018-02 -MACPHERSON DRIVE, ONE MILE ROAD, CENTENNIAL CRESCENT

- c. Notable road works along Macpherson drive, Centennial Crescent and One mile Lake road has been recently undertaken in 2018. Can you advise if any municipal, provincial or Federal grant or taxpayer funding dollars were involved in the preparation of entry points to pending subdivision lots along the above noted Municipal roads, adjacent the roadway shoulders, and were permits issued by the Municipality for the work?

FILE: SB 2018-02 -MACPHERSON DRIVE, ONE MILE ROAD, CENTENNIAL CRESCENT

- d. Mr. KIRTON confirms that no disbursement to date by the East Ferris Municipality to enable an “unbiased” study, review, analysis related to the proposed subdivision. Given the nature of the development and a lawful duty to uphold public safety interests including due-

diligence mitigation, is the Municipality considering any “Neutral” risk assessments associated to the following;

- i. Hydrology studies of the involved waterbodies and bordering tributaries, especially its movement in relation to involved and surrounding lands.
- ii. Assessment and analysis of potential Species at risk associated with water and land based ecosystems on the involved and bordering lands,
- iii. Assessment and review from the Insurance Bureau of Canada to ensure adequate fire services enabling protection of both Urban setting structure fires, and forest fire protection services, by a neutral professional,
- iv. Assessment and review of vehicular, pedestrian, cyclists, off-road vehicles, motorized snow vehicles, and wildlife interactions along and in relation to the roadways impacted by the proposed subdivision particularly given the shift from rural to urban development and the absence of municipal sidewalks. The review undertaken by a neutral appropriate professional enabling risk appraisal.
- v. Assessment and review of risk associated with Climate change, caused by the proposed development specifically related to the human footprint and Green House gases.
- vi. Assessment and review of risks associated with increased pressures on Provincial and Municipal emergencies services to ensure adequate citizen safeguards.
- vii. Has there been any consultation with area First Nations to ensure involved lands are not impacted by on-going or potential land claims.

FILE: SB 2018-02 -MACPHERSON DRIVE, ONE MILE ROAD, CENTENNIAL CRESCENT

- e. Citizens within the East Ferris community have a concern that a former municipal employee (Municipal planner) possesses a pecuniary interest associated to the involved subdivision. To ensure and safeguard both public and municipal interest, and in particular the accountability and transparency provisions of the Municipal Act, can you validate and or refute inhabitants concerns, and provide details related to the previous Municipal planners employment tenure with the East Ferris Municipality and when employ with the Municipality was severed?

ENFORCEMENT BY-LAW

- f. Can you advise if the Municipality of East Ferris currently possesses a by-law that enables a court prosecution capability within a Court of Law for violations or non-conformances of municipal by-laws occurring within the municipality? Please advise the by-law number.
 - g. Can you also provide statistical data related to by-law related offences litigated by the East Ferris municipality over the past 5 years?
4. It is appreciated that such request for information may be burdensome for Municipal staff. The Municipal Act imposes a regulatory duty on council and municipal staff to work together towards the common goal of serving the needs of those who live in the municipality. Accordingly, your cooperation with continued requests is much appreciated,

Best Regards,

Oscar Horth

Montcalm Lane