

ITEMS OF INFORMATION
COUNCIL AGENDA – November 22, 2021

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Haldimand County Provincial Offences Act Ticket Issuance Statistics

Year	2015	2016	2017	2018	2019	2020	2021
JANUARY	279	217	149	151	209	104	157
FEBRUARY	201	205	184	186	330	81	169
MARCH	273	248	364	213	283	84	229
APRIL	566	211	181	295	370	81	371
MAY	422	202	197	337	262	270	372
JUNE	398	197	214	271	238	140	160
JULY	567	171	146	345	349	216	269
AUGUST	336	272	203	303	325	122	131
SEPTEMBER	238	173	117	184	298	190	163
OCTOBER	242	258	143	212	236	154	139
NOVEMBER	302	153	164	248	108	113	
DECEMBER	200	102	127	276	71	160	
Total	4024	2409	2189	3021	3079	1715	2160

The above figures reflect tickets issued in Haldimand County from all sources including Haldimand County By-law Enforcement, the O.P.P., and various provincial ministries. They do not include Part II (Parking) issued offences.

Comprehensive POA Stats - 2021

Legislation / By-law Reference		JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
Summary of Charges Laid by OPP													
Highway Traffic Act (Part I - ticket)		147	145	185	317	337	129	258	92	119	108		
Highway Traffic Act (Part III - information)		9	23	21	22	19	17	0	15	34	14		
Parking By-laws (Part II)	By-law 307/02		2	1	1	17	3	1	2	1	4		
	By-law 302/02 (snow)		1										
	By-law 1534-15 Parks						7	11					
Discharge Firearms	By-law 41-74												
	By-law 38-74												
	By-law 11-79												
Noise	By-law 1435/14												
Open Air Fires	By-law 1662/16												
EMCPA	7.0.11(2)(a)												
Late Filed Part 1 Tickets	these #'s not included in total			12	3		2		1	2			
Total of all Charges Laid		156	171	207	340	373	156	270	109	154	126	0	0
										OPP Total: 2062			
Summary of Charges Laid by County Staff													
Discharge Firearms	By-law 41-74												
	By-law 38-74												
	By-law 11-79												
Noise	By-law 1435/14												
Property Standards	By-law 730/06												
Ontario Building Code Act, 1992	Section 8(1) No Permit												
	Section 12(2) Fail to												
	Comply to Order												
Open Air Fires	1662/16				7		2	3		2	2		
Planning Act	562(67)(1)										2		
Haldimand-Norfolk Tree By-law	By-law 15-00					3				1			
Fire Protection	By-law 28(1)			1		1							
Parking By-laws (Part II)	By-law 307/02	14	39	24	26	186	256	195	147	10	4		
	By-law 302/02 (snow)	38	12	6									
Parks	By-law 1534/15					50	71	100	103	4			
Site Alteration By-law	By-law 1664/16				2								
Total of all Charges Laid		52	51	31	35	240	329	298	250	17	8	0	0
										Staff Total: 1311			
Summary of Charges Laid by Other Enforcement Agencies													
Ministry of Natural Resources and Forestry				4	16	3	5	3	2	6	2		
Welland & District Society for the Prevention of Cruelty to Animals (SPCA)		1	1	1	3	3	3			1	6		
Ministry of Finance					2	6			2				
Ministry of Revenue													
Ministry of Transportation													
Ministry of Environment				15			4	5	11		5		
Ministry of Labour				2	2				9				
Ministry of Housing													
Ministry of Agriculture, Food & Rural Affairs													
Ontario College of Trades													
Health Protection Act													
Total of all Charges Laid		1	1	22	23	12	12	8	24	7	13	0	0
							Other Enforcement Agency Total: 123						
*Note: Total Charges (Excluding Parking) reflects what is recorded and reported regularly to Council (through the Council Information Package) and PSB for year-by-year historical trends. The historical trends spreadsheet does not capture parking tickets.							*Total Charges (Excluding Parking)		2160				
							OPP Issued Parking Charges		51				
							Staff Issued Parking Charges		1285				
							Total Parking Charges Issued		1336				
							Total of All 2021 Charges		3496				



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November 15, 2021

Honourable Doug Ford
Premier of Ontario
Legislative Building
Queen's Park
Toronto ON M7A 1A1

Dear Premier Ford:

This is to advise that City Council, at a meeting held on October 18, 2021, passed the following resolution regarding liquor licence sales and patio extensions:

"WHEREAS the Covid-19 pandemic has been both a health crisis and an economic crisis; and,

WHEREAS the Alcohol and Gaming Commission of Ontario (AGCO), an agency of the Province of Ontario, regulates licensed establishments; and,

WHEREAS the requirements for temporary extension of a liquor licence sales and temporary patio extensions have been relaxed throughout the pandemic, including downloading of certain approvals to the municipality, and proved beneficial to business operators; and,

WHEREAS the Downtown Kitchener BIA has invested \$600,000 into new downtown restaurant patios and the Belmont Village BIA invested in creating a new pedestrian-only patio experience; and,

WHEREAS the City of Kitchener has provided \$100,000 in business recovery grants to support Kitchener restaurants in adapting their patios to respond to the pandemic; and,

WHEREAS the City of Kitchener has developed a seamless system for approving patio expansion during the pandemic, supporting more than 60 restaurant owners across the city; and,

WHEREAS the City of Kitchener would like to provide further opportunities for helping strengthen our economy, continue to support local businesses, and have successfully managed the new licensed-area extension approvals delegated to the municipality;

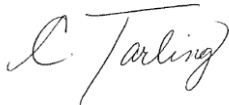
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THEREFORE BE IT RESOLVED that the City of Kitchener strongly encourages the Province of Ontario to continue the relaxed regulations in perpetuity, including, but not limited to, the following: i) permitting extensions of licensed areas without requiring AGCO approval, subject to municipal authorization; and, ii) flexibility on the requirements for demarcation of the limits of a patio, such as not requiring a prescribed physical barrier;

THEREFORE BE IT RESOLVED that should the AGCO propose to complete a comprehensive review of the temporary extension of a liquor licence sales and temporary patio extension regulations, The City of Kitchener wishes to volunteer to participate in any pilot programs that would allow the current regulations that are in effect until 3:00 a.m. on January 1, 2022 to be maintained, as the City would like to continue to show support to our local businesses;

THEREFORE BE IT FINALLY RESOLVED that a copy of this resolution be forwarded to the Premier of Ontario, Tom Mungham, Chief Executive Officer, AGCO, the Association of Municipalities of Ontario, Federation of Canadian Municipalities and all other municipalities in Ontario."

Yours truly,



C. Tarling
Director of Legislated Services
& City Clerk

c: Tom Mungham, Chief Executive Officer, AGCO
Monika Turner, Association of Municipalities of Ontario
Joanne Vanderheyden, President, Federation of Canadian
Municipalities
Ontario Municipalities



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RESOLUTION NO. 21-247

Moved by: Marc Dupuis
Seconded by: Steve Brousseau

WHEREAS the government of Ontario recently announced the continued postponement of the province-wide assessment update for the 2022 and 2023 taxation years, and;

WHEREAS this means that property values will continue to be based on the January 1, 2016 valuation date until at least 2024, and;

WHEREAS the Municipality of Mattice – Val Côté is aware of the important increase in property values throughout the province and within its own jurisdiction and;

WHEREAS the continued postponement of property valuation translates into a significant loss of taxation revenue for Municipalities;

NOW THEREFORE BE IT RESOLVED THAT Council for the Municipality of Mattice – Val Côté urges the government of Ontario to reconsider its decision and to direct MPAC to proceed with a province-wide assessment update in order for Ontario Municipalities to be able to collect property taxes based upon actual property values, and;

BE IT FURTHER RESOLVED THAT a copy of this resolution be forwarded to the Premier of Ontario, to MPAC, to AMO, to all Ontario municipalities and to our federal and provincial government representatives, Carol Hughes and Guy Bourgouin.

- CARRIED -

I, Guylaine Coulombe, CAO/Clerk of the Municipality of Mattice – Val Côté, do hereby certify this to be a true and complete copy of Resolution 21-247, passed by the Council of the Municipality of Mattice – Val Côté at its meeting held the 8th day of November 2021.

DATED at Mattice, Ontario
This 10th day of November 2021


Guylaine Coulombe



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Dear Haldimand County Council:

On behalf of CUPE Ontario's nearly 125,000 active members of the Ontario Municipal Employees Retirement System (OMERS), I am writing today to express our serious concerns with OMERS' investment performance.

In 2020, OMERS posted a net loss 2.7%, representing three billion dollars in losses. This was during a year that comparable defined benefit pension plans and funds in Canada posted substantial investment gains. CUPE Ontario investigated further and tracked investment returns at OMERS for ten years. We found that OMERS has underperformed relative to other large pension plans and funds, as well as relative to its own benchmarks. We also found that OMERS no longer shares this critical information in their annual reporting, making it difficult for plan members to hold their investment managers accountable.

Attached you will find a report detailing OMERS investment underperformance. Also attached, you will find the analysis of a third-party actuary (PBI Actuarial consultants) who confirmed that our reasoning and conclusions were sound.

CUPE Ontario believes plan members and employers have the right to know why OMERS' investments have, over a ten-year period, underperformed other large defined benefit pension plans and funds. If OMERS had performed in line with the average large Canadian public pension plan, it would have a substantial, multi-billion-dollar surplus, versus the deficit it currently faces.

Considering the significant impact such underperformance could have on plan members and on all sponsors who hold the liabilities of the plan, **we are calling on OMERS to cooperate fully with an independent and transparent third-party review of its investment performance** transparent and accountable to plan members, sponsors like CUPE Ontario, other unions, and employers like the Haldimand County.

We are hoping that the Haldimand County Council will join our call for an independent expert review of OMERS. **We are asking you, and other municipal councils across the province, to debate the following motion or to pass a similar motion calling for a third-party expert review of OMERS.** The terms of such a review would need to be agreed upon by sponsors and they could explore whether reasonable costs could be funded from the plan.

We simply cannot afford another decade of investment returns so far below other pension plans and funds. We know that ensuring strong investment returns is a goal shared by employers like the Haldimand County and by unions like CUPE.

CUPE Ontario staff person Liam Bedard is available to answer any questions you may have. He can be reached at lbedard@cupe.on.ca.

All materials are available in French at cupe.on.ca/francaisomers.

It's time for all of us to work together to #FixOMERS.

Thank you,

A handwritten signature in black ink, appearing to read "Fred Hahn".

Fred Hahn
President of CUPE Ontario

Proposed Motion – Independent Review of OMERS' Investment Performance

1. The Haldimand County Council is calling for an immediate, comprehensive and independent third-party expert review of OMERS' investment performance and practices over the past ten years, conducted by the OMERS Pension Plan's sponsors and stakeholders.
2. Such a review would, at a minimum:
 - a. Compare OMERS plan-level, and asset class-level performance to other comparable defined benefit pension plans and funds, OMERS internal benchmarks, and market-based benchmarks.
 - b. Examine OMERS decision-making processes around the timing of various investment decisions.
 - c. Assess the risk management policies and protocols that were in place and determine if they were followed and/or if they were sufficient to protect the plan from undue risk.
 - d. Assess whether the disclosures provided to the OMERS Administrative and Sponsorship Boards were sufficient evidence to allow the Boards to respond appropriately and in a timely manner.
 - e. Examine executive compensation, investment fees and investment costs at OMERS in comparison to other major defined benefit pension plans and funds.
 - f. Examine other relevant issues identified by the third-party expert review.
 - g. Make recommendations for changes at OMERS to ensure stronger returns moving forward.
 - h. Issue their final report and recommendations in a timely manner.
 - i. Publicly release its full report and recommendations to ensure that it is available to OMERS sponsors, stakeholders, and plan members.
3. The Haldimand County Council further calls on the OMERS Administrative Corporation to:
 - a. Provide all requested data, documentation and information required of the review panel to fulfill its mandate.
 - b. Establish a step-by-step plan, with OMERS sponsors and stakeholders, to implement any recommendations set out in the review report.

OMERS Bulletin

November 15, 2021

This bulletin includes important information in response to letters that have been sent to municipal Councils by CUPE Ontario regarding OMERS investment performance

There is nothing more important to OMERS than our commitment to members and employers. We recognize the significance that having a lifelong, secure and reliable stream of pension income has on members when they retire. Canada's jointly sponsored public sector pension plans, including OMERS, are leaders in governance, plan design and investment expertise. We have positive and far-reaching impacts on society, beyond the members we serve.

OMERS Economic Impact

OMERS helps generate significant economic activity in Ontario – through OMERS retirees' spending and through our operations and the investments we make in local communities across Ontario. This includes approximately \$5 billion in pension payments made annually to over 180,000 retirees. Throughout OMERS almost 60-year history, we have consistently paid pensions on time, and as promised.

OMERS activities support one of every 64 jobs across Ontario, including 118,000 jobs across all rural regions, and lead to \$12 billion in gross domestic product.

We have partnered with the Canadian Centre for Economic Analysis (CANCEA) to measure OMERS economic impact, and we will be sharing some additional findings from a new report through our Q4 newsletters to members, employers and stakeholders.

We know that OMERS activities support one of every **64 jobs** across Ontario, including **118,000 jobs** across all rural regions, and lead to **\$12 billion** in gross domestic product.

OMERS is proud to be amongst the Canadian public sector pension plans that are held in high esteem around the world, far beyond this country’s borders. As a 2017 World Bank Group study notes, “Canada is home to some of the world’s most admired and successful public pension organizations...Over the past three decades, a ‘Canadian model’ of public pension has emerged that combines independent governance, professional in-house investment management, scale, and extensive geographic and asset-class diversification.”

OMERS Credit Ratings

Our credit ratings were affirmed by four rating agencies earlier this year, with Fitch Canada including in their credit report that OMERS AAA rating reflects our “solid long-term investment track record... [and] strong corporate governance”, among other qualities.

AAA	AAA	Aa1	AA+
DBRS	Fitch	Moody’s	S&P

Comparison of OMERS Results Against Other Pension Plans

OMERS investment strategy is designed to earn stable long-term returns, to meet our specific pension liabilities, while operating within a professional risk appetite that will meet the needs of our pension plan. Other pension plans have their own plan demographics, design features, risk appetite, liabilities and funded status – and some of these differ significantly from OMERS. As a result, comparing OMERS results against those of other pension plans is not the right focus because it necessitates taking information out of context and does not present a complete and fair comparison.

In the municipal context, an analogy would be comparing property taxes across municipalities: they all have a different set of circumstances. While it’s important to be aware of other property tax rates across Ontario, municipalities will set their property taxes based on their own set of circumstances – their own needs to finance the delivery of public services to their residents.

We believe that our performance should be assessed against our own benchmarks, which are set annually by the Administration Corporation (AC) Board, and consider our specific pension liabilities, risk appetite, and the trade-offs between risks and returns. We align these benchmarks with OMERS objective of providing sustainable, affordable and meaningful pensions over the long term.

These benchmarks form the basis of our disclosures in our publicly available [Annual Report](#).

Investment Results

Over the 10-year period leading up to 2020, OMERS investment portfolio averaged an annual return of 8.2%, and 8.5% for the five- and three-year period. In 2019, OMERS delivered an 11.9% return.

We have previously shared that we were not pleased with our 2020 investment results. The effects of the global COVID-19 pandemic negatively impacted our portfolio in 2020, contributing to an investment return net of expenses of -2.7%. The factors contributing to these results are outlined in our [Annual Report](#) and include the following:

- widespread lockdowns which severely affected the business- and consumer-facing investments;
- the loss in value of OMERS portfolio of high-quality public equities in early 2020, which did not fully recover during the market rally in the latter part of 2020; and
- the actions we took proactively to enhance and protect the Plan's liquidity from further possible adverse market events achieved their objectives but resulted in currency losses.

In addition to these three factors, long-term bond yields fell steeply in March and April, leading to strong returns for those assets. OMERS prioritizes short-dated, higher-yielding credit investments, with only a small allocation to long-term bonds, whose fair values can be volatile and whose low (or even negative) cash yield is not enough to meet our long-term investing hurdle rate. Accordingly, our 2020 returns did not materially benefit from these types of gains.

As published in our mid-year financial results, this situation has reversed and we earned \$9.2 billion of net investment income in the first six months of 2021.

Mid-Year Financial Results as of June 30, 2021

In August 2021, we released our mid-year investment update for the first time, which is available at [omers.com](https://www.omers.com). For the first six months of the year, we earned a net return of 8.8%, and net assets grew by \$9 billion to \$114 billion. Further, over the **12 months** ended June 30, 2021, the Plan earned a net investment return of **18.2%**.

We expect the positive results to date in 2021 will continue for the remainder of the year, provided equity markets remain stable. The AC Board and the OMERS leadership team strongly believe we have the investment expertise and strategy in place to continue to achieve long-term returns consistent with our objectives.

For the first six months of the year, we earned a net return of 8.8%, and net assets grew by \$9 billion to \$114 billion. Further, over the **12 months** ended June 30, 2021, the Plan earned a net investment return of **18.2%**.

OMERS Governance Model

It is important for you to know that in 2012, pursuant to the *Ontario Municipal Employees Retirement System Review Act, 2006*, an independent reviewer (“Reviewer”) was appointed by the Minister of Municipal Affairs and Housing to conduct a review of the operation of OMERS governance structure. The Reviewer confirmed the importance of having an independent, professional OMERS AC Board to oversee the investment performance of the Plan, among other matters.

Role of the Independent, Professional OMERS AC Board of Directors

OMERS investment strategy and execution is governed by the independent AC Board of Directors, whose professional members are nominated by OMERS sponsors, including two representatives nominated by CUPE. It is the AC Board’s responsibility to govern OMERS investment program, and it takes this duty very seriously.

AC Board of Directors Review of the 2020 Financial Results and Consideration of the Third-Party Review

Following the 2020 results, the AC Board undertook a thorough and extensive review of OMERS investment strategy and past decisions. George Cooke, the independent AC Board Chair, made the following comments on the matter earlier this year:

“OMERS investment program is governed by an independent expert board, whose members have been nominated by our sponsors. The board continually and thoroughly reviews investment performance, independent of management, utilizing external experts where appropriate. Following the 2020 results specifically, we undertook a thoughtful look at our investment strategy and past decisions with an open mind. We are confident in our strong new leadership team and have concluded that our current investment strategy is appropriate. An additional third-party independent review is not warranted.”

The Association of Municipalities of Ontario and Consideration of the Third-Party Review

OMERS leadership and OMERS AC and Sponsors Corporation (SC) Board appointees work closely with the Municipal Employer Pension Centre of Ontario (MEPCO) Board and AMO staff to ensure their issues and concerns are fully considered by the AC and SC Boards, and by OMERS leadership. We particularly focused on this positive working relationship during 2021 and had frank and constructive discussions about OMERS investment performance.

As a Plan Sponsor representing municipalities across Ontario, AMO has two qualified, professional representatives on the OMERS AC Board, overseeing the investment performance of the Plan. The City of Toronto, as OMERS largest employer, has a separate seat on the AC Board, also filled by a qualified professional.

More information is available in [MEPCO's August newsletter](#) and [MEPCO's November newsletter](#) in which AMO and MEPCO expressed confidence in OMERS Plan governance and administration.

In addition to AMO, other sponsors, including the Police Association of Ontario (PAO), Ontario Professional Fire Fighters' Association (OPFFA), Ontario Secondary School Teachers' Federation (OSSTF) and OPSEU, have also written to the OMERS AC Board Chair confirming their support for the independent AC Board of Directors to oversee OMERS investment performance. Following are excerpts from a letter sent by these sponsors to OMERS:

"...in our view, the ultimate responsibility for the performance of OMERS' investments lies with the Administration Corporation Board of Directors [the "AC Board"]. The AC Board is responsible for placing individuals in leadership roles at OMERS, evaluating their performance, assessing risk, and making key decisions with regard to the investment fund and its administration."

"We therefore would not support any position that would substitute the view of a single sponsor organization or a group of sponsor organizations for the view of the AC Board. This would undermine the independent nature of the AC Board and reduce their ability to properly hold OMERS staff to account."

OMERS has also provided information to the Ontario Municipal Administrators Association (OMAA), in response to questions they posed, which will be made available on their website.

Continuing Oversight and Governance of OMERS

To ensure the effective oversight and governance, and the proper functioning of the AC Board, it is critical that sponsor organizations continue to nominate directors with the expertise to independently evaluate and approve strategic investment choices and assess investment manager skill. AC directors are nominated by OMERS sponsors and appointed by the SC Board.

OMERS management and the AC Board will continue to review, refine and improve our disclosures as we gather feedback from stakeholders and as the reporting environment continues to evolve.

Conclusion

The role of governance and oversight of OMERS investment strategy resides in the hands of the independent AC Board. The AC Board has considered the request by CUPE Ontario for a third-party review of OMERS investment results and has determined that it is not warranted.

OMERS 2021 annual results will be released during the first quarter of 2022, and we welcome the opportunity to discuss our performance with employers, sponsors and stakeholders following this release.

At the same time, the Sponsors Corporation is undertaking the important work of reviewing the Plan against a shifting membership demographic to ensure that we are set up to deliver sustainable, affordable and meaningful pensions for generations to come.

We look forward to 2022 with humble confidence, as we celebrate OMERS 60th year of proudly serving members across Ontario.

If you would like to further discuss our investment results, our governance structure or require any additional information, please contact our Stakeholder Relations team at StakeholderRelations@omers.com.

We look forward to
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