



**The Corporation of the Township of Malahide
REGULAR COUNCIL MEETING AGENDA
June 20, 2024 – 7:30 p.m.**

**Springfield & Area Community Services Building – Council Chambers
51221 Ron McNeil Line, Springfield & via Zoom**

- (A) Call Meeting to Order
- (B) Disclosure of Pecuniary Interest
- (C) Approval of Previous Minutes **RES 1**
- (D) Presentations/Delegations/Petitions
 - Meeting to Consider – Hewer Drain relating to parts of Lots 6 & 7, Concession 11, Township of Malahide (geographic Malahide) **RES 2**
- (E) Reports of Departments
 - (i) Director of Fire & Emergency Services
 - (ii) Director of Public Works
 - Malahide Water & Wastewater Systems – APAM SCADA Wide Network Agreement **RES 3**
 - (iii) Director of Corporate Services/Treasurer
 - (iv) Building/Planning/By-law
 - Application for Consent to Sever No. E 48-24-Bill & Ann Marie Reymer **RES 4**
 - Applications for Consent to Sever No. E49-24 and E51-24 - Bill & Ann Marie Reymer **RES 5**
 - Application for Consent to Sever No. E42/E43-24– Maitland Williams and Aidan Wilkins **RES 6**
 - (v) Clerk
 - (vi) CAO
 - Customer Service-Related Policies **RES 7**
- (F) Reports of Committees/Outside Boards **RES 8**

- Joint Minutes - Aylmer Area Secondary Water Supply System & Port Burwell Area Secondary Water Supply System – Draft Minutes of June 12, 2024
- Long Point Region Conservation Authority – Minutes of May 1, 2024
- Catfish Creek Conservation Authority – Draft Watershed-based Resource Management Strategy Consultation Period

(G) Correspondence **RES 9**

1. Association of Municipalities of Ontario - WatchFile – June 6, 2024, and June 13,
2. Elgin County Council Highlights – May 28, 2024
3. AMCTO – E.A. Danby Award – Malahide Township and Municipality of Bayham for Shared Services Agreement
4. OLT Decision – D13-MV-10-23 – Part of Lot 7, Concession 5 – 48726 John Wise Line
5. Aylmer Cemetery Board – Letter of Appreciation for grant funding
6. Municipality of Callander – Request to resume assessment cycle
7. Corporation of the Township of Larder Lake – Request for Financial Support to complete the Asset Retirement Obligations (ARO)

(H) Other Business

(I) By-laws **RES 10**

- By-law-24-24-Lot Standards
- By-law-24-25-Property Standards
- By-law-24-35-Procedural By-law

(J) Closed **RES 11-12**

- A personal matter about an identifiable individual, including Municipal and Local Board Employees (Section 239 (2)(c)).

(K) Confirmatory By-law **RES 13**

(L) Adjournment **RES 14**

PLEASE NOTE that the draft resolutions provided below DO NOT represent decisions already made by the Council. They are simply intended for the convenience of the Council to expedite the transaction of Council business. Members of Council will choose whether or not to move the proposed draft motions and the Council may also choose to amend or defeat them during the course of the Council meeting.

1. THAT the minutes of the regular council meeting of Council held on June 6, 2024 be adopted as printed and circulated.

2. THAT the Engineer's Report for the Hewer Municipal Drain be accepted;

AND THAT By-law No. 24-33 being a by-law to provide for the Hewer Municipal drainage works be read a first and second time and provisionally adopted.

3. THAT Report No. PW-24-27 entitled "Malahide Water & Wastewater Systems – APAM SCADA Wide Network Agreement" be received;

AND THAT the Mayor and CAO/Clerk be authorized and directed to renew the existing APAM SCADA Wide Area Network Agreement for a term of three years and to execute the necessary documents with Execulink; SUBJECT TO the acceptance by the Joint Board of Management for the Aylmer and Port Burwell Area Secondary Water Supply Systems of their portion.

4. THAT Report No. DS-24-31 entitled "Application for Consent to Sever No. D10-E48-24 of Bill and Ann Marie Reymer (Authorized Agent: Civic Planning Solutions Inc. c/o David Roe)" be received;

AND THAT the Application for Consent to Sever No. D10-E48-24 of Bill and Ann Marie Reymer (Authorized Agent: Civic Planning Solutions Inc. c/o David Roe), relating to the property located at CON 4 N PT LOTS 11,12, Township of Malahide (49579 John Wise Line), be supported for the reasons set out in this Report;

AND THAT this report and the recommended conditions be forwarded to the Land Division Committee for its review and consideration.

5. THAT Report No. DS-24-32 entitled "Application for Consent to Sever No. D10-E49 and D10-E51-24 of Bill and Ann Marie Reymer (Authorized Agent: Civic Planning Solutions Inc. c/o David Roe)", relating to the properties located at CON 5 PT LOT 13 RP;11R9058 PART 1 and CON 5 S PT LOT 13, Township of Malahide (49718 and 49780 John Wise Line), be received;

AND THAT the Application for Consent to Sever No. D10-E49-24 and D10-E51-24 of Bill and Ann Marie Reymer (Authorized Agent: Civic Planning Solutions Inc. c/o David Roe), relating to the properties located at CON 5 PT LOT 13 RP;11R9058 PART 1 and CON 5 S PT LOT 13, Township of Malahide (49718 and 49780 John Wise Line), be supported for the reasons set out in this Report;

AND THAT this report and the recommended conditions be forwarded to the Land

Division Committee for its review and consideration.

6. THAT Report No. DS-24-30 entitled “Application for Consent to Sever No. D10-E42/E43-24 of Maitland Williams and Aidan Wilkins” be received;

AND THAT the Application for Consent to Sever No. D10-E42/43-24 of Maitland Williams and Aidan Wilkins relating to the properties located at CON 5 S PT LOT 35 RP 11R;3317 PART 1 and CON 5 S PT LOT 35, Township of Malahide (53358 and 53408 John Wise Line), be supported for the reasons set out in this Report;

AND THAT this report and the recommended conditions be forwarded to the Land Division Committee for its review and consideration.

7. THAT Report No. HR-24-05 entitled “Customer Service-Related Policies” be received for information;

AND THAT the policies attached to this report be brought forward for approval at an upcoming Council meeting.

8. THAT the following Reports of Committees/Outside Boards be noted and filed:

- Joint Minutes - Aylmer Area Secondary Water Supply System & Port Burwell Area Secondary Water Supply System – Draft Minutes of June 12, 2024
- Long Point Region Conservation Authority – Minutes of May 1, 2024
- Catfish Creek Conservation Authority – Draft Watershed-based Resource Management Strategy Consultation Period

9. THAT the following correspondence be noted and filed:

1. Association of Municipalities of Ontario - WatchFile – June 6, 2024, and June 13,
2. Elgin County Council Highlights – May 28, 2024
3. AMCTO – E.A. Danby Award – Malahide Township and Municipality of Bayham for Shared Services Agreement
4. OLT Decision – D13-MV-10-23 – Part of Lot 7, Concession 5 – 48726 John Wise Line
5. Aylmer Cemetery Board – Letter of Appreciation for grant funding
6. Municipality of Callander – Request to resume assessment cycle
7. Corporation of the Township of Larder Lake – Request for Financial Support to complete the Asset Retirement Obligations (ARO)

10. THAT the following by-laws be considered read a first, second and third reading and properly signed and sealed:

- By-law-24-24-Lot Standards
- By-law-24-25-Property Standards

- By-law-24-35-Procedural By-law

11. THAT Council move into Closed Session at ____p.m., pursuant to Section 239(2) of the Municipal Act, 2001, as amended, to discuss the following:
 - A personal matter about an identifiable individual, including Municipal and Local Board Employees (Section 239 (2)(c)).
12. THAT Council move out of Closed Session and reconvene at ____p.m. in order to continue with its deliberations.
13. THAT By-law No.24-34, being a Confirmatory By-law, be given first, second and third readings, and be properly signed and sealed.
14. THAT the Council adjourn its meeting at _____ p.m. to meet again on July 4, 2024, at 7:30 p.m.

DRAFT

The Corporation of the Township of Malahide
June 6, 2024 – 7:30p.m.
 Virtual Meeting - <https://youtu.be/a9hpLkLkFqo>

The Malahide Township Council met at the Springfield & Area Community Services Building, at 51221 Ron McNeil Line, Springfield, at 7:30p.m. The following were present:

Council: Mayor D. Giguère, Deputy Mayor M. Widner, Councillor S. Leitch, Councillor J. Wilson, Councillor R. Cerna, Councillor S. Lewis, and Councillor C. Glinski.

Staff: Chief Administrative Officer N. Dias, Clerk A. Adams, Director of Corporate Services A. Boylan, Director of Public Works J. Godby, and Director of Fire & Emergency Services J. Spoor.

CALL TO ORDER:

Mayor Giguère took the Chair and called the meeting to order at 7:30p.m.

DISCLOSURE OF PECUNIARY INTEREST and the General Nature thereof:

Deputy Mayor Widner disclosed a pecuniary interest with respect to Council Agenda item D– Meeting to Consider Ketchabaw Drain and Meeting to Consider Priester Drain, and Agenda item E, Reports of Departments, Petition for Drainage-Wagler, Bender and Petition for Drainage-Fehr. The nature of the conflict being that a Partner at Spriet Associates is an immediate relative of his.

MINUTES:

No. 24-194

Moved By: Rick Cerna

Seconded By: Sarah Leitch

THAT the minutes of the regular council meeting held on May 16, 2024 be adopted as printed and circulated.

Carried

PRESENTATIONS/DELEGATIONS/PETITIONS:

- Public Hearing - Minor Variance Application – Charles Terry and Lori Latvala relating to the property located at Part Unnumbered Lot, N/S Water St. E/S Victoria St. PL55, Township of Malahide Pt2 11R6342, Pt3 11R6923 (49332 Dexter Line)

No. 24-195

Moved By: Rick Cerna

Seconded By: John H. Wilson

THAT the Committee of Adjustment for the Township of Malahide be called to order at 7:33p.m. and that Mayor Dominique Giguère be appointed Chairperson for the “Committee of Adjustment”.

Carried

Chair Giguère advised that the purpose of this Public Hearing is to consider an application for a Minor Variance submitted by Charles Terry and Lori Latvala relating to the property located at Part Unnumbered Lot, N/S Water St. E/S Victoria St. PL55, Township of Malahide Pt2 11R6342, Pt3 11R6923, and known municipally as 49332 Dexter Line.

Chair Giguère requested that Eric Steele of Monteith Brown Planning Consultants (MBPC) provided an overview of the application.

Chair Giguère asked if any additional comments were received and the Clerk advised there were none.

Chair Giguère asked if any person in attendance wished to make any comments and they did not.

Chair Giguère asked if any Committee members wished to make any comments regarding the application and they did not.

No. 24-196

Moved By: Scott Lewis

Seconded By: Mark Widner

THAT Report No. DS-24-27 entitled “Minor Variance Application of Charles Terry and Lori Latvala relating to the property located at Part Unnumbered Lot, N/S Water St. E/S Victoria St. PL55, Township of Malahide Pt2 11R6342, Pt3 11R6923 (49332 Dexter Line)” be received;

AND THAT the Minor Variance Application No. D13-MV-03-24 of Charles Terry and Lori Latvala relating to the property located at Part Unnumbered Lot, N/S Water St. E/S Victoria St. PL55, Township of Malahide Pt2 11R6342, Pt3 11R6923 (49332 Dexter Line)”, BE APPROVED for the reasons set out in this Report.

AND THAT the approval shall be subject to the following condition(s):

- 1) That the owner/applicant obtain the necessary Building Permit within 2 years from the date of decision to the satisfaction of the Chief Building Official, ensuring that the approved variance applies only to the proposed accessory structure as illustrated with the application; and,**
- 2) That the structure be constructed as per the details shown in the drawings as provided with the application (site location and architectural detail) to the satisfaction of the Chief Building Official.**

Carried

No. 24-197

Moved By: Rick Cerna

Seconded By: Sarah Leitch

THAT the Committee of Adjustment for the Township of Malahide be adjourned and the Council meeting reconvene at 7:38p.m.

Carried

Deputy Mayor Widner disclosed a pecuniary interest with respect to Council Agenda item D– Meeting to Consider Ketchabaw Drain and Meeting to Consider Priester Drain. He retired from the meeting and abstained from all discussions and voting on the matter.

- Meeting to Consider – Ketchabaw Drain relating to parts of Lots 20 to 22, Concessions 9 and 10 (geographic South Dorchester)

Brian Lunn as a property owner effected on this drain mentioned a concern he would like addressed when this is being constructed. Mr. Spriet noted that the tile on the new drain will likely elevate this as the drain being proposed is quite an upgrade.

No. 24-198

Moved By: Chester Glinski

Seconded By: Rick Cerna

THAT the Engineer’s Report for the Ketchabaw Municipal Drain be accepted;

AND THAT By-law No. 24-29 being a by-law to provide for the Ketchabaw Municipal drainage works be read a first and second time and provisionally adopted.

Carried

No. 24-199

Moved By: Scott Lewis

Seconded By: Sarah Leitch

THAT the Court of Revision for the Ketchabaw Municipal Drain be scheduled to be held on July 4, 2024, at 7:30 p.m.

Carried

No. 24-200

Moved By: John H. Wilson

Seconded By: Sarah Leitch

THAT the tenders for the construction of the Ketchabaw Municipal Drain be requested for June 24, 2024 at 11:00 a.m.

Carried

- Meeting to Consider – Priester Drain serving parts of Lot A, Concessions 10 to 12 (geographic South Dorchester) in the Township of Malahide and parts of Lots 27 and 28, Concessions 10 and 11 (geographic Dereham) in the Township of South-West Oxford

Wayne Rockx owner of a property in the watershed, stated that in his opinion a grass waterway would be efficient in the area. Mr. Devos agreed but the owner did request a different method that will also be sufficient with active maintenance and monitoring. Mr. Lopez added that landowners, if they choose, are welcome to include these grass waterways.

No. 24-201

Moved By: John H. Wilson

Seconded By: Sarah Leitch

THAT the Engineer's Report for the Priester Drain be accepted;

AND THAT By-law No. 24-31 being a by-law to provide for the Priester drainage works be read a first and second time and provisionally adopted.

Carried

No. 24-202

Moved By: Rick Cerna

Seconded By: Scott Lewis

THAT the Court of Revision for the Priester Drain be scheduled to be held on July 4, 2024, at 7:30 p.m.

Carried

No. 24-203

Moved By: Rick Cerna

Seconded By: Sarah Leitch

THAT the tenders for the construction of the Priester Drain be requested for June 24, 2024 at 11:00 a.m.

Carried

Deputy Mayor Widner returned to his seat at the Council table.

REPORTS OF DEPARTMENTS:Director of Fire & Emergency Services

- Fire Apparatus Replacement

No. 24-204

Moved By: John H. Wilson

Seconded By: Mark Widner

THAT Report No F24-05 entitled “Fire Apparatus Replacement” be received;

AND THAT the Municipal Staff be authorized and directed to purchase, from Commercial Emergency Equipment Company, one (1) Maxi-Metal Pumper Tanker based on the specifications outlined in the attached proposal, in the amount of \$738,491.23 (plus applicable taxes), to replace the 2004 Tanker currently in service at Station 3;

AND THAT the purchase of such Pumper-Tanker for Station 3 be financed wholly from the approved 2024 Capital Budget.

Carried

Director of Public Works

Deputy Mayor Widner disclosed a pecuniary interest with respect to Council Agenda item E, Reports of Departments, Petition to Drainage-Wagler, Bender and Petition for Drainage-Fehr. He retired from the meeting and abstained from all discussions and voting on the matter

- Petition for Drainage – Wagler, Bender

No. 24-205

Moved By: Rick Cerna

Seconded By: Chester Glinski

THAT Report No. PW- 24-20 entitled “Petition for Drainage – Wagler, Bender” be received;

AND THAT John Spriet, P. Eng., of Spriet Associates, be appointed to prepare an Engineer’s Report for the Wagler Petition.

Carried

- Petition for Drainage – Fehr

No. 24-206

Moved By: Scott Lewis

Seconded By: Chester Glinski

THAT Report No. PW- 24-22 entitled “Petition for Drainage – Fehr” be received;

AND THAT John Spriet, P. Eng., of Spriet Associates, be appointed to prepare an Engineer’s Report for the Fehr Petition.

Carried

Deputy Mayor Widner returned to his seat at the Council table.

- College Line Reconstruction – Change of Scope

No. 24-207

Moved By: Scott Lewis

Seconded By: Sarah Leitch

THAT Report No. PW- 24-25 entitled “College Line Reconstruction – Change of Scope” be received;

AND THAT the change of scope for the 2024 reconstruction of College Line be approved as outlined in this report.

Carried

Director of Corporate Services/Treasurer

- Asset Management Plan Update

No. 24-208

Moved By: John H. Wilson

Seconded By: Sarah Leitch

THAT Report No. FIN-24-17 entitled “Asset Management Plan Update” be received;

AND THAT Council approve and endorse the Township’s 2024 Asset Management Plans, as appended.

Carried

Building/Planning/By-law

- Application for Consent to Sever No. E 12-24 of Buehlmann Farms Inc.

No. 24-209

Moved By: Rick Cerna

Seconded By: Scott Lewis

THAT Report No. DS-24-13 entitled “Application for Consent to Sever No. E 12-24 of Buehlmann Farms Inc (Authorized Agent: David Roe c/o Civic Planning Solutions Inc)” be received;

AND THAT the Application for Consent to Sever of Buehlmann Farms Inc (Authorized Agent: David Roe C/O Civic Planning Solutions Inc), relating to the property located at Part of Lots 11 and 12, Concession 9, Township of Malahide and known municipally as 11960 and 11980 Imperial Road, be supported for the reasons set out in this Report;

AND THAT this report and the recommended conditions be forwarded to the Land Division Committee for its review and consideration.

Carried

- Application for Consent to Sever No. E38-24 of Kenneth Drabick, on behalf of Ankor Farm Ltd.

No. 24-210

Moved By: Rick Cerna

Seconded By: Scott Lewis

THAT Report No. DS-24-29 entitled “Application for Consent to Sever No. D10-E38-24 of Kenneth Drabick, on behalf of Ankor Farm Ltd. (Authorized Agent: Civic Planning Solutions Inc. c/o David Roe)” be received;

AND THAT the Application for Consent to Sever of Kenneth Drabick, on behalf of Ankor Farm Ltd. (Authorized Agent: Civic Planning Solutions Inc. c/o David Roe), relating to the property located at Lot 18, Concession 8 South Dorchester, Part 2 of RP 11R10007, Former Geographic Township of South Dorchester, Township of Malahide, and known municipally as 48028 Wilson Line, be supported for the reasons set out in this Report;

AND THAT this report and the recommended conditions be forwarded to the Land Division Committee for its review and consideration.

Carried

- Geographical Information Systems – Shared Services Agreement

No. 24-211

Moved By: Sarah Leitch

Seconded By: Rick Cerna

That Report No. DS-24-26 entitled “Geographical Information Systems – Shared Services Agreement”, be received;

AND THAT Malahide Council authorize to execute the Geographical Information Systems Shared Services Agreement with the County of Elgin.

Carried

REPORTS OF COMMITTEES/OUTSIDE BOARDS:

No. 24-212

Moved By: Scott Lewis

Seconded By: Rick Cerna

THAT the following Reports of Committees/Outside Boards be noted and filed:

- **EECC – Draft Minutes of May 8, 2024**
- **Kettle Creek Conservation Authority – Minutes of April 17, 2024**

Carried

CORRESPONDENCE:

No. 24-213

Moved By: Rick Cerna

Seconded By: Scott Lewis

THAT the following correspondence items be noted and filed:

- 1. Association of Municipalities of Ontario - WatchFile – May 16, 2024, May 23, 2024, and May 30, 2024**
- 2. Elgin County Council Highlights – May 14, 2024**
- 3. St. Thomas – Elgin Health Recruitment Partnership – Correspondence regarding request for presentation**
- 4. Municipality of Bayham – Notice of Official Plan Review Open House**
- 5. Aylmer-Malahide Museum May-June Newsletter**

6. **Springfield Family Fun Day Committee - Notice of Event**
7. **Western Ontario Wardens Caucus – ERO Posting 019-8462 Submission in regards to proposed development changes to Development Charges Act**
8. **Township of Lake of Bays – Request for Royal Assent of Administrative Monetary Penalty System in the Ontario Building Code Act**
9. **Correspondence Received (Non-Resident) - Environmental Concern for Roundup use throughout Canada**

Carried

OTHER BUSINESS:

BY-LAWS:

No. 24-214

Moved By: Scott Lewis

Seconded By: Sarah Leitch

THAT the following by-laws be considered read a first, second and third reading and properly signed and sealed:

- By-law-24-30-Appoint CBO & Building Inspectors**
- By-law-24-27-GIS Services Agreement**

Carried

CONFIRMATORY:

No. 24-215

Moved By: Sarah Leitch

Seconded By: Rick Cerna

THAT By-law No.24-32, being a Confirmatory By-law, be given first, second and third readings, and be properly signed and sealed.

Carried

ADJOURNMENT:**No. 24-216****Moved By: Mark Widner****Seconded By: Rick Cerna****THAT Council adjourn its meeting 9:00p.m to meet again on June 20, 2024.****Carried**

Mayor – D. Giguère

Clerk – A. Adams



TOWNSHIP OF MALAHIDE

DRAINAGE BY-LAW NO. 24-33

Drainage Act, R. S.O. 1990, c. D17
Reg. 300/81, s.1, Form 6

Being a By-law to provide for a drainage works
on the Hewer Drain
in the Township of Malahide,
in the County of Elgin

WHEREAS the requisite number of owners have petitioned the Council of the Township of Malahide in the County of Elgin in accordance with the provisions of the Drainage Act, requesting that the following lands and roads may be drained by a drainage works.

Parts of Lots 6 & 7
Concession 11
In the Township of Malahide (geographic Malahide)

AND WHEREAS the Council for The Corporation of the Township of Malahide has procured a report made by Spriet Associates and the report is attached hereto and forms a part of this By-law;

AND WHEREAS the property owner, D. & J. DYKXHOORN (Roll No. 014-010-18), will construct and fund the drainage works being incorporated under this report.

AND WHEREAS zero dollars (\$0.00) is the amount to be contributed by the municipality for construction of the drainage works;

AND WHEREAS the Council is of the opinion that the drainage of the area is desirable;

NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF MALAHIDE UNDER THE DRAINAGE ACT ENACTS AS FOLLOWS:

1. The report, dated May 31, 2024, and attached hereto is hereby adopted and the drainage works as therein indicated and set forth is hereby authorized, and shall be completed in accordance therewith.
2. (a) The Corporation of the Township of Malahide may borrow on the credit of the Corporation the amount of \$00,000.00 being the amount necessary for construction of the drainage works.

(b) The Corporation may issue debentures for the amount borrowed less the total amount of,

- 1. Grants received under section 85 of the Act;
- 2. Commuted payments made in respect of lands and roads assessed within the municipality;
- 3. Moneys paid under subsection 61(3) of the Act; and
- 4. Moneys assessed in and payable by another municipality, and

(c) Such debentures shall be made payable within five years from the date of the debenture and shall bear interest at a rate not higher than the rate charged by the Ontario Municipal Improvement Corporation on the date of sale of such debentures.

- 3. A special equal amount rate sufficient to redeem the principal and interest on the debentures shall be levied upon the lands and roads as set forth in the Schedule to be collected in the same manner and at the same time as other taxes are collected in each year for five years after the passing of this By-law.
- 4. All assessments of \$500.00 or less are payable in the first year in which the assessment is imposed.
- 5. This By-law comes into force on the date of the passing thereof and may be cited as "Hewer Drain Relocation 2024".

READ A FIRST AND SECOND TIME THIS 20th day of June, 2024.

Mayor

Clerk

READ A THIRD TIME AND FINALLY PASSED THIS 4th day of July, 2024.

Mayor

Clerk



REPORT NO. PW-24-27

TO: Mayor & Members of Council

DEPARTMENT: Public Works

MEETING DATE: June 17, 2024

SUBJECT: **Malahide Water & Wastewater Systems – APAM SCADA Wide Network Agreement**

RECOMMENDATION:

THAT Report No. PW-24-27 entitled “Malahide Water & Wastewater Systems – APAM SCADA Wide Network Agreement ” be received;

AND THAT the Mayor and CAO/Clerk be authorized and directed to renew the existing APAM SCADA Wide Area Network Agreement for a term of three years and to execute the necessary documents with Execulink; SUBJECT TO the acceptance by the Joint Board of Management for the Aylmer and Port Burwell Area Secondary Water Supply Systems of their portion.

PURPOSE & BACKGROUND:

In 2012, the contract to supply and monitor a Wide Area Network (WAN) with Execulink Telecom Inc. was extended for a period of five years and was renewed for three years in 2018 and 2021. The WAN contract is for the group commonly referred to as APAM. The APAM group is comprised of the Aylmer Area Secondary Water Supply System, the Port Burwell Area Secondary Water Supply System, and the Township of Malahide.

This partnership allows all the parties involved access to the benefits of SCADA Communication System which is used for continual monitoring and remote operation of the water and wastewater sites. Given the interconnectivity of many of the systems, having an integrated SCADA system is beneficial. The total cost of the service is apportioned to the members based on the number of sites applicable to each member and by the services required at each of the individual sites.

The current sites within the agreement which are individually apportioned to each group member’s portion of the contract cost are as follows:

- Aylmer Secondary (EMPS, Chamber 13, Chamber 16, Aylmer Water Tower);
- Pt. Burwell Secondary (MV1, Dexter Re-chlor Facility, PB Water Tower, Lakeview Re-chlor Facility)
- Malahide Township (Copenhagen Booster, Springfield SPS, OPC SPS)
- The APAM WAN Central Server at the Malahide main office is also included in the agreement. The monthly cost for the server is apportioned to all APAM members

based on the number of sites the member has connected divided by the total number of sites (Central Server not included in total).

Based on historical cost apportionment, the monthly apportionment for the member's is apportioned as follows:

- Aylmer Area Secondary - $4/11 = 36.4\%$
- Pt. Burwell Secondary - $4/11 = 36.4\%$
- Malahide Water $1/11 = 9.1\%$
- Malahide Sewer $2/11 = 18.2\%$

COMMENTS & ANALYSIS:

Staff believe that the services are competitively priced and recommend renewing the agreement. Prior to the renewal of the contract, Staff met with the service provider to review costs and services. The proposed agreement includes the provisioning of replacement routers for each site at a total value of approximately \$8000.00. If approved Execulink has proposed a one-time installation fee of \$750.00 to complete router replacements which is a value-added service to the agreement. The new agreement includes router rentals and replacement for each site. This was added to the agreement because the existing routers which belong to the APAM group members are no longer manufacturer supported. In the event of failure, a similar unit must be sourced, configured and brought to site which can cause significant down time on SCADA when failure occurs. During the current agreement the router at EMPS which is an Aylmer Secondary site, failed and took several days to source a reconfigured unit from Execulink. The existing routers were considered to be at the end of their useful life in 2019. With a rental agreement a new router can be brought to site the same day to create improved redundancy and reliability of the WAN and the SCADA system and avoid lengthy service interruptions at no additional cost to the members.

The total monthly cost of the new agreement is approximately \$120.00 per month more than the current agreement. The proposed agreement has some shifts in pricing for the various services provided. Each site has approximately \$10.00 per/month increase, which is minor considering a \$15.00 per/month router rental has been added to the proposed. Additionally, the monthly fees for sites with hybrid bondar (cellular failover) in the agreement has come down \$5.00 per/month with a \$2.00 per/month reduction to LTE data for the applicable sites.

Staff have been pleased with the service provided as Execulink Telecom Inc. has continued to improve reliability and customer support for the APAM Wide Area Network, with a large reduction in communication failures and improved response times when issues occur.

Staff of the Administering Municipality recommends that the Township of Malahide, along with the Aylmer and Port Burwell Area Secondary Water Supply Systems Joint

Boards of Management, accept the Execulink contract renewal and approve renewing the agreement as outlined in this report.

FINANCIAL IMPLICATIONS:

There is a provision in the budget for annual operating expenses for the SCADA WAN outlined in the quote provided by Execulink.

Execulink Telecom Inc has proposed a renewed monthly rate of \$2526.37 (excluding HST) for the APAM invoice, with minimal pricing increases compared to the previous agreement. As previously identified this cost is charged proportionally to the APAM members as outlined in the attached quotation.

LINK TO STRATEGIC & OPERATIONAL PLANS:

N/A

CONSULTATION:

The Staff recommend renewing the proposed agreement with Execulink Telecom Inc. for the APAM WAN agreement for another three-year term. They have continued to provide reliable service and quality technical support for the Wide Area Network on an ongoing 24/7 basis.

ATTACHMENTS:

N/A

Prepared by: S. Gustavson, Water/Waste Water Operations Manager

Reviewed by: J. Godby, Director of Public Works

Approved by: N. Dias, Chief Administrative Officer



REPORT NO. DS-24-31

TO: Mayor & Members of Council

DEPARTMENT: Development Services

MEETING DATE: June 20, 2024

SUBJECT: **Application for Consent to Sever No. D10-E48-24 of Bill and Ann Marie Reymer (Authorized Agent: Civic Planning Solutions Inc. c/o David Roe), relating to the property located at CON 4 N PT LOTS 11,12, Township of Malahide (49579 John Wise Line)**

RECOMMENDATION:

THAT Report No. DS-24-31 entitled “Application for Consent to Sever No. D10-E48-24 of Bill and Ann Marie Reymer (Authorized Agent: Civic Planning Solutions Inc. c/o David Roe)” be received;

AND THAT the Application for Consent to Sever No. D10-E48-24 of Bill and Ann Marie Reymer (Authorized Agent: Civic Planning Solutions Inc. c/o David Roe), relating to the property located at CON 4 N PT LOTS 11,12, Township of Malahide (49579 John Wise Line), be supported for the reasons set out in this Report;

AND THAT this report and the recommended conditions be forwarded to the Land Division Committee for its review and consideration.

PURPOSE & BACKGROUND:

An application for consent to sever (“the application”) has been submitted by Civic Planning Solutions (c/o David Roe) on behalf of owners Bill and Ann Marie Reymer to sever an existing dwelling that has become surplus to their farming operation as a result of farm consolidation.

The application relates to the property located at CON 4 N PT LOTS 11,12, Township of Malahide, and known municipally as 49579 John Wise Line.

The County Land Division Committee has scheduled a Public Hearing for this application to be considered on July 24, 2024.

COMMENTS & ANALYSIS:

The subject lands are approximately 38.69 hectares (95.6 acres) in area, have approximately 346 metres (1,135 feet) of frontage along John Wise Line, and contain an existing single detached dwelling, barn, silo, along with an accessory shed and lean-to.

The subject lands are bounded by John Wise Line to the North and are surrounded by agricultural lands in all directions.

The owners are proposing to sever the existing farm dwelling as it has become surplus to their farm operation as a result of farm consolidation. The applicants own and farm six other agricultural properties totalling approximately 2,000 acres within relative proximity of the subject lands. The proposed severed parcel would be approximately 0.77 hectares (7,700 m²) in area and have approximately 95 metres of frontage along John Wise Line. The proposed retained parcel would be approximately 37.92 hectares in area and have 248 metres of frontage along John Wise Line.

Provincial Policy Statement (PPS)

In Prime Agricultural Areas, the Provincial Policy Statement (PPS) permits lot creation for the purposes of severing an existing dwelling that has been rendered surplus as a result of farm consolidation, provided the new lot will be limited to a minimum size needed to accommodate the use and appropriate private services, as well as it is ensured that new residential dwellings are prohibited on any remnant parcel of farmland (Section 2.3.4.1c).

The proposed severed parcel is of a minimum size (0.77 ha) to accommodate the existing dwelling and private services. A Zoning By-law Amendment will be required as a condition of consent approval to rezone the proposed retained parcel to prohibit future residential uses on the farmland.

County of Elgin Official Plan

The subject property is designated "Agriculture Area" on Schedule 'A', Land Use Plan. Lot creation is permitted for lands within this designation for the purposes of severing a residence surplus to a farming operation provided that development of a new residence is prohibited on any retained farmland (Section E1.2.3.4b).

As a condition of approval, a Zoning By-law Amendment will be required to rezone the proposed retained farmland to 'Special Agriculture Zone (A2)' that would prohibit a dwelling as well as rezone the severed dwelling to 'Small Lot Agriculture (A4)' to reflect the surplus farm dwelling property as well as address zoning deficiencies.

Malahide Official Plan

The subject property is designated "Agriculture" and "Natural Gas Reserve" on Schedule 'A1' (Land Use Plan). A portion of the subject lands along the western edge of the property is designated "Hazard Lands" on Schedule 'A2' (Constraints Plan).

The Malahide Official Plan permits secondary uses including surplus farm dwellings on separate lots (Section 2.1.2.2). Section 2.1.7 of the Official Plan permits lot creation for the severance of a surplus farm dwelling provided certain criteria are met, including that

the existing dwelling be built and occupied for a minimum of ten years and a land use conflict is not created with agricultural operations in the surrounding areas (Section 2.1.7.1). The existing dwelling has been in existence for more than 10 years and is not anticipated to create a land use conflict with surrounding agricultural operations. Surplus farm dwelling severances are exempt from Minimum Distance Separation under Section 2.1.3 of the Official Plan.

The Official Plan requires that the severed parcel can be serviced by a private sanitary waste disposal system and a potable water supply that is situated within the severed lot; is located within 100 metres of an opened travelled road; and that the severed parcel be rezoned to a Special Agricultural zone that permits surplus farm dwellings (Section 2.1.7.2). The proposed severed lot meets the minimum lot area requirements of the Zoning By-law and the existing septic system and well are located within the lot boundaries. Letters supporting the good conditions of the well and weeping bed have been provided to support the application. Further, the proposed lot and existing dwelling are located within 100 metres of a public open road.

The Official Plan also requires that the proposed retained farm parcel be of suitable size to support agricultural uses, meet the provisions of the 'Agricultural (A1)' or 'Special Agriculture (A2)' zone, and be rezoned to prohibit the establishment of a dwelling (Section 2.1.7.4). Provided the approval of a Zoning By-law Amendment is granted to rezone the proposed severed and retained lots. The application meets these criteria of the Official Plan.

The subject lands contain an area of 'Hazard Lands' associated with a Municipal Drain. No development is proposed within the 'Hazard Lands' designation and it is noted that any future development within Hazard Lands may require approval from the Conservation Authority.

Malahide Zoning By-law

The subject property is within the 'General Agricultural (A1)' zone, on Key Map 72 of Schedule "A" to the Township's Zoning By-law No. 22-18. As previously noted in this report, the PPS and both Official Plans require that the proposed severed and retained parcel be rezoned. It is recommended that the proposed retained parcel would be rezoned to the 'Special Agricultural (A2)' zone to prohibit a residential dwelling as a condition of consent approval. The proposed retained parcel meets the minimum lot area (20 ha) and lot frontage (150 m) requirements of the 'A2' zone.

The proposed severed parcel will be rezoned to 'Small Lot Agriculture Special (A4-XX)'. The 'A4' zone is intended to be applied to lots created as a result of a surplus farm dwelling severance to reflect the primary use of the lot being for residential purposes. The proposed Zoning Amendment would also include a site-specific provisions to recognize the size and location of the existing accessory buildings.

FINANCIAL IMPLICATIONS:

The full cost of the application and associated process is at the expense of the Applicant and has no implications to the Township's Operating Budget.

LINK TO STRATEGIC & OPERATIONAL PLANS:

Priorities:	Unlock Responsible Growth
Tangible Results:	Policy Driven Decision Making

CONSULTATION:

N/A

ATTACHMENTS:

1. Report Photo;
2. Application Sketch; and
3. Recommended Conditions.

Prepared by: E. Steele, MBPC, Consulting Planner for the Township

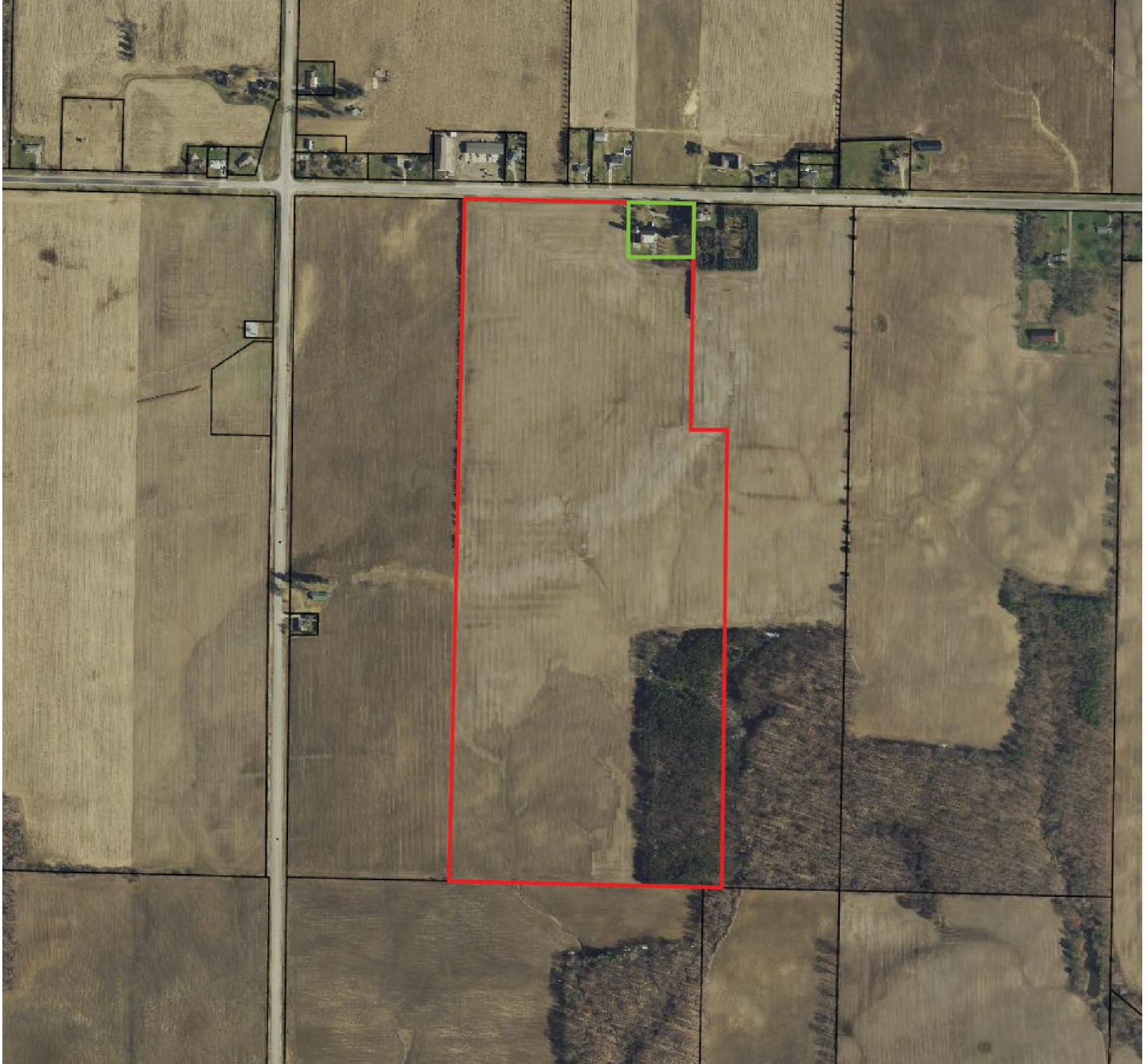
Reviewed by: J. McGuffin, MBPC, VP & Principal Planner

Approved by: N. Dias, Chief Administrative Officer

APPLICATION FOR CONSENT TO SEVER
Owners: Bill and Ann Marie Reymer

49579 John Wise Line
Part Lots 11,12, Concession 4,
Township of Malahide

Township of Malahide
Figure 1



OFFICIAL PLAN DESIGNATION
AGRICULTURAL

ZONING
General Agricultural (A1)



Subject Property

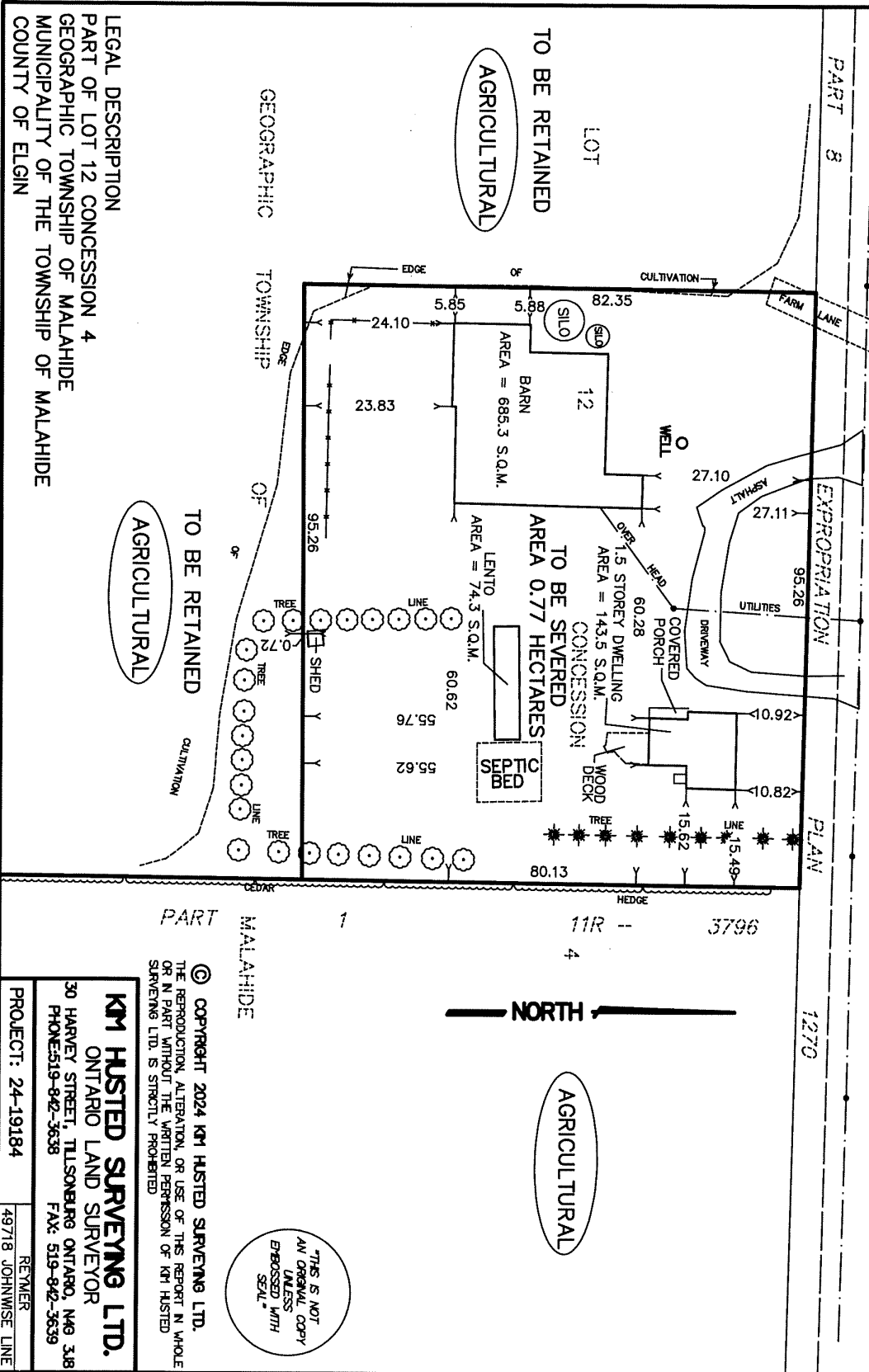


Area to be Severed

CAUTION
 - THIS IS NOT A PLAN OF SURVEY OR SURVEYORS REPORT AND SHALL NOT BE USED FOR TRANSACTION OR FINANCING PURPOSES

SKETCH FOR PROPOSED SEVERENCE FOR B & M REYMER NOT TO SCALE

JOHN WISE LINE (SEE TOWNSHIP OF MALAHIDE BY-LAW 99-47)
 COUNTY ROAD 45 (30.0M WIDE AS NOTED)
 ROAD ALLOWANCE BETWEEN CONCESSIONS 4 AND 5



LEGAL DESCRIPTION
 PART OF LOT 12 CONCESSION 4
 GEOGRAPHIC TOWNSHIP OF MALAHIDE
 MUNICIPALITY OF THE TOWNSHIP OF MALAHIDE
 COUNTY OF ELGIN

TO BE RETAINED
 AGRICULTURAL

TO BE SEVERED
 CONCESSION
 AREA 0.77 HECTARES

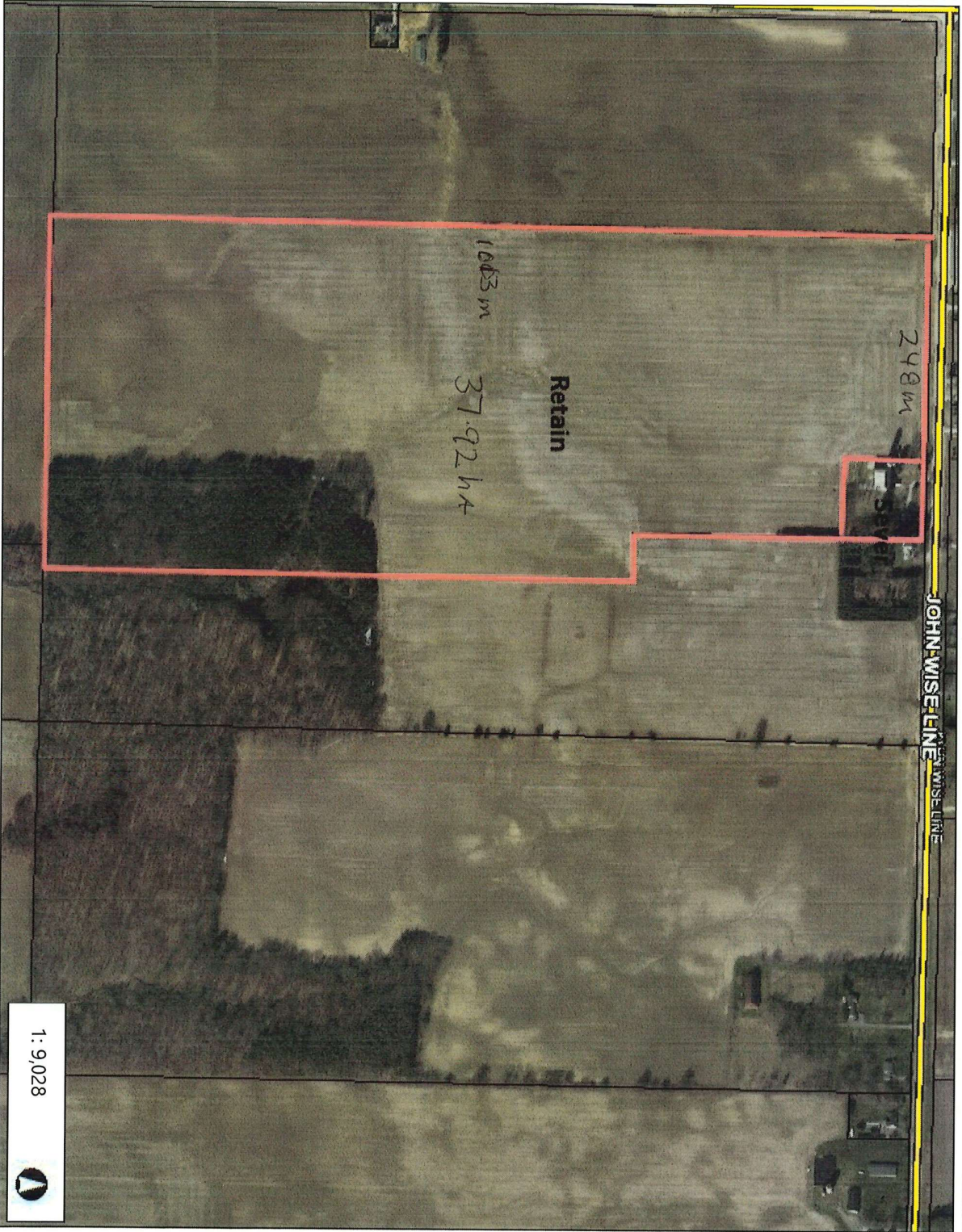
TO BE RETAINED
 AGRICULTURAL

TO BE RETAINED
 AGRICULTURAL

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KM HUSTED SURVEYING LTD.
 ONTARIO LAND SURVEYOR
 30 HARVEY STREET, TILSONBURG ONTARIO, N4G 3J8
 PHONE: 519-842-3638 FAX: 519-842-3639
 PROJECT: 24-19184 REYMER 49718 JOHN WISE LINE



0.5 0 0.23 0.5 Kilometers

WGS_1984_Web_Mercator_Auxiliary_Sphere
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1:9,028



Legend

- Elgin County Parcels
 - Elgin Road Network
 - Elgin Road Network
 - Elgin Road Network
 - Elgin Road Network
 - Local
 - Arterial
 - Highways
 - Boundary
 - World Imagery
 - Low Resolution 15m Imagery
 - High Resolution 60cm Imagery
 - High Resolution 30cm Imagery
- Citations

Notes

E48-24 – Recommended Conditions

1. In order to facilitate the approval process for the severance, the applicant is required to furnish a grading plan for both the severed and retained parcels. This plan should be prepared by a qualified professional, such as an engineer or surveyor, who will assess and confirm that sufficient lot drainage is adequate for both properties. This confirmation will ensure that the separation of one property does not lead to drainage issues on the other. If, due to existing site conditions, the certification cannot be provided, the applicant is obligated to engage a qualified professional to create a grading plan. Subsequently, the necessary site alterations and grading works must be completed before final approval of the severance is granted. This requirement aims to guarantee responsible land development practices and prevent potential future drainage complications between the severed and retained parcels.
2. That the applicant initiate and assume, if required, all engineering costs associated with the preparation of a revised assessment schedule in accordance with the Drainage Act, RSO1990, as amended, with a deposit to be paid in full to the township prior to the condition being deemed fulfilled. If the deposit does not cover the costs of the revised assessment schedule, the applicant will be billed for any additional costs incurred.
3. That all outstanding work orders or by-law enforcement issues be resolved to the satisfaction of the Chief Building Official prior to the condition being deemed fulfilled.
4. That the applicants initiate and assume all planning costs associated with the required Zoning Amendment or other land use planning process as required in accordance with the Ontario Planning Act, RSO 1990, with such cost to be paid in full to the Township and that the required process be successfully completed prior to the condition being deemed fulfilled.
5. Confirmation that private sewage system be confined entirely within the boundaries of the newly created parcel. That system be in conformance with all required setbacks from lot lines prior to the condition being deemed fulfilled.
6. That the necessary deeds, transfers and charges for certificates and/or instruments necessary for registration be submitted prior to certification all of which are to be fully executed.
7. That all applicable property taxes, municipal fees and charges be paid to the Township prior to the stamping of the deeds.
8. That an electronic version of the reference plan be submitted to the satisfaction of the Township.
9. That the applicant is responsible to apply and pay all fees to the Township with respect to Civic Addressing Numbers/Signage for the severed and retained portions of property prior to the condition being deemed fulfilled.



REPORT NO. DS-24-32

TO: Mayor & Members of Council
DEPARTMENT: Development Services
MEETING DATE: June 20, 2024
SUBJECT: **Application for Consent to Sever No. D10-E49/E51-24 of Bill and Ann Marie Reymer (Authorized Agent: Civic Planning Solutions Inc. c/o David Roe), relating to the properties located at CON 5 PT LOT 13 RP;11R9058 PART 1 and CON 5 S PT LOT 13, Township of Malahide (49718 and 49780 John Wise Line)**

RECOMMENDATION:

THAT Report No. DS-24-32 entitled “Application for Consent to Sever No. D10-E49 and D10-E51-24 of Bill and Ann Marie Reymer (Authorized Agent: Civic Planning Solutions Inc. c/o David Roe)”, relating to the properties located at CON 5 PT LOT 13 RP;11R9058 PART 1 and CON 5 S PT LOT 13, Township of Malahide (49718 and 49780 John Wise Line), be received;

AND THAT the Application for Consent to Sever No. D10-E49-24 and D10-E51-24 of Bill and Ann Marie Reymer (Authorized Agent: Civic Planning Solutions Inc. c/o David Roe), relating to the properties located at CON 5 PT LOT 13 RP;11R9058 PART 1 and CON 5 S PT LOT 13, Township of Malahide (49718 and 49780 John Wise Line), be supported for the reasons set out in this Report;

AND THAT this report and the recommended conditions be forwarded to the Land Division Committee for its review and consideration.

PURPOSE & BACKGROUND:

Two consent to sever applications (“the applications”) have been submitted by Civic Planning Solutions (c/o David Roe) on behalf of owners Bill and Ann Marie Reymer to adjust the boundary between the two properties under their ownership.

The applications relate to parcels located at CON 5 PT LOT 13 RP;11R9058 PART 1, known municipally as 49718 John Wise Line, and the adjacent property located at CON 5 S PT LOT 13, known municipally as 49780 John Wise Line.

The County Land Division Committee has scheduled a Public Hearing for this application to be considered on July 24, 2024.

COMMENTS & ANALYSIS:

The consent applications are submitted to facilitate a land swap between two parcels that are both currently owned by the applicant. The proponent is proposing to sever approximately 0.29 hectares (0.72 acres) of land that is currently vacant from 49718 John Wise Line and convey it to the farm parcel at 49780 John Wise Line while simultaneously severing an area of approximately 0.28 hectares (0.69 acres), which contains an existing unoccupied barn with solar panels, from 49780 John Wise Line and convey it to 49718 John Wise Line. This land swap results in a minor change in shape and area of the two parcels and is intended to change the ownership of the barn and solar panels to the residential parcel.

49718 John Wise Line has an area of approximately 0.76 hectares (1.88 acres) and a frontage of approximately 141 metres. If the consent applications are approved, 49718 John Wise Line will have an area of approximately 0.75 ha (1.85 acres), gaining a total area of approximately 0.02 acres, with the frontage being reduced to approximately 129 meters.

49780 John Wise Line currently has an area of approximately 36.97 hectares (91.35 acres) and a frontage of approximately 275 metres. If the consent applications are approved, 49780 John Wise Line will have an area of approximately 36.98 ha (91.38 acres) and a frontage of approximately 248 metres.

Provincial Policy Statement (PPS)

The PPS defines development as the creation of a new lot, change in land use or construction of buildings and structures requiring approval under the planning act (s. 6.0). As such, no new development is being proposed by the applications.

Lot adjustments in prime agricultural areas may be permitted for legal or technical reasons (s. 2.3.4.2) with legal or technical reasons being defined as:

“means severances for purposes such as easements, corrections of deeds, quit claims, and minor boundary adjustments, which do not result in the creation of a new lot.”

The land swap would result in a slight net gain for the agricultural parcel of 0.01 hectares and would be a minor change to the size of the two parcels. The proposed boundary adjustment will not result in negative impacts on the viability of the properties or the adjacent properties to be used for their planned and intended purposes.

County of Elgin Official Plan

The subject lands are designated “Agriculture Area” on Schedule ‘A’, Land Use Plan, and are identified as having frontage along a “County Minor Arterial” Road on Schedule ‘B’, “Transportation Plan”.

The County Official Plan states that, in agricultural areas, consents may be granted for legal or technical reasons such as minor boundary adjustments that do not result in the creation of a new lot (s. E1.2.3.4).

The applications would result in a near one-for-one land swap, with the agricultural farm parcel having a net increase in land of 0.01 hectares. This would be considered a minor boundary adjustment with no impact on the viability of the farm parcel and would not result in the creation of a new lot.

Malahide Official Plan

The subject properties are designated “Agriculture” with a “Natural Gas Reserve” overlay on Schedule ‘A1’ (Land Use Plan). Consents for minor boundary adjustments are permitted in any designation provided the severed and retained parcels comply with the applicable requirements of the Official Plan and Zoning By-law (s. 8.7.1.7). As previously noted, the proposed boundary adjustment resulting in a net increase of 0.01 hectares of land for the farm parcel at 49780 John Wise Line would be considered minor in both size and impact.

Malahide Zoning By-law

Currently, 49718 John Wise Line is zoned as “Small Lot Agricultural (A4)”, and 49780 John Wise Line is zoned as “Special Agricultural (A2)” on Key Map 63 of Schedule ‘A’ to the Township’s Zoning By-law No. 18-22.

A Zoning By-law amendment will be required as a condition of the consent to adjust the zoning boundaries to match the new parcel fabric, as well as to permit an increased floor area for an accessory structure. As the accessory barn will now be located on the residential parcel (49718 John Wise Line), a special provision will need to address an accessory floor area of 444 square meters, where the permitted maximum floor area of an accessory building in the A4 zone is 200 square metres.

The agricultural parcel (49780 John Wise Line) meets all the required provisions of the A2 zone.

FINANCIAL IMPLICATIONS:

The full cost of the application and associated process is at the expense of the Applicant and has no implications to the Township’s Operating Budget.

LINK TO STRATEGIC & OPERATIONAL PLANS:

Priorities:	Unlock Responsible Growth
Tangible Results:	Policy Driven Decision Making

CONSULTATION:

N/A

ATTACHMENTS:

1. Report Photo;
2. Application Sketch; and
3. Recommended Conditions.

Prepared by: E. Steele, MBPC, Consulting Planner for the Township

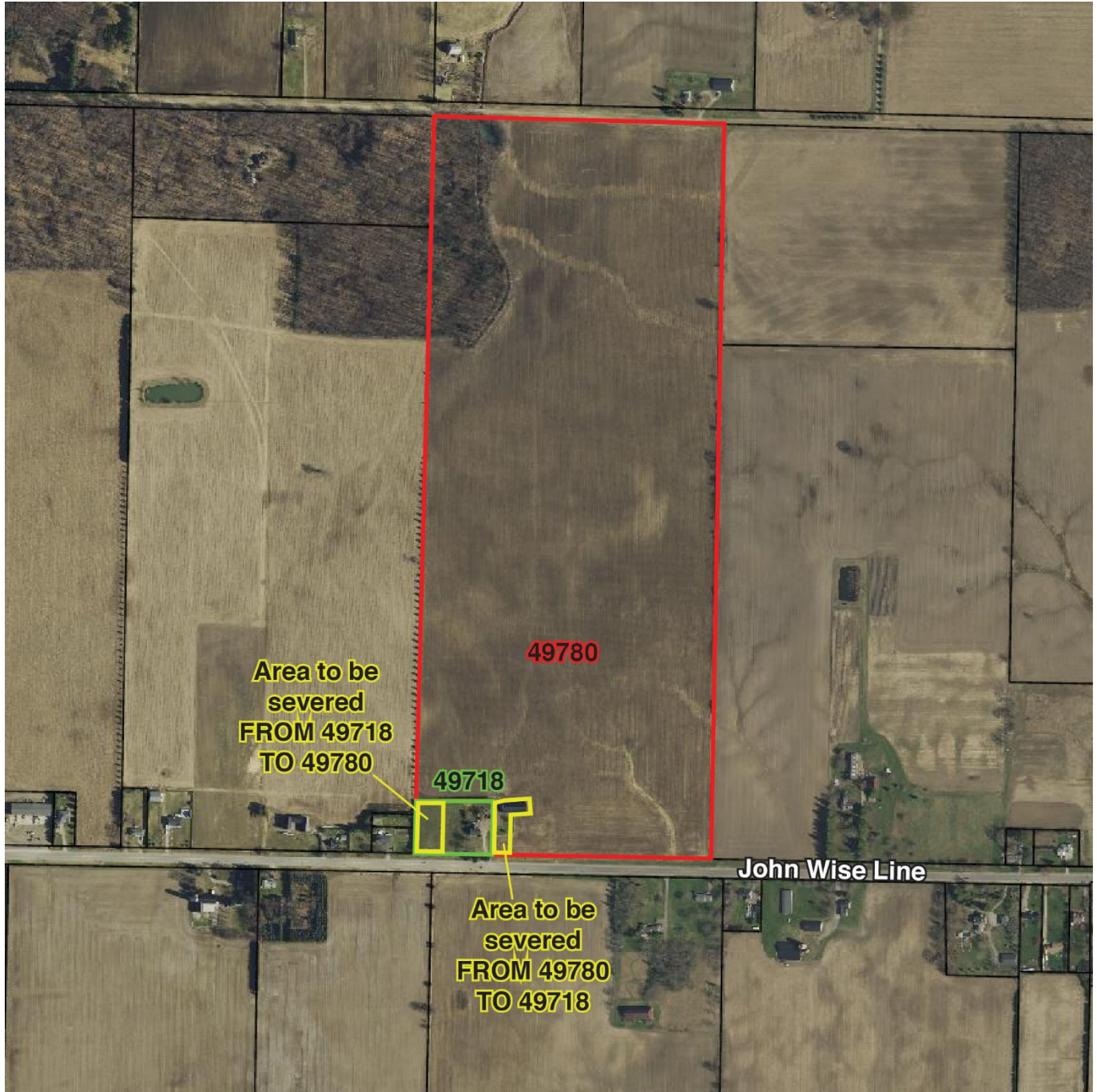
Reviewed by: J. McGuffin, MBPC, VP & Principal Planner

Approved by: N. Dias, Chief Administrative Officer

APPLICATION FOR CONSENT TO SEVER
Owners: Bill and Ann Marie Reymer

49718 & 49780 John Wise Line
 Part Lot 13, Concession 5,
 Township of Malahide

**Township
 of Malahide
 Figure 1**



OFFICIAL PLAN DESIGNATION
 AGRICULTURAL

ZONING

Special Agricultural (A2)
 Small Lot Agricultural (A4)

- 49780 John Wise Line (A2 Zone)
- 49718 John Wise Line (A4 Zone)
- Areas to be Severed and conveyed















1: 9,028 

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WGS, 1984, Web_Mercator, Auxillary, Sphere
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THIS MAP IS NOT TO BE USED FOR NAVIGATION

Legend

-  Elgin County Parcels
-  Elgin Road Network
-  Elgin Road Network
-  Elgin Road Network
-  Local
-  Arterial
-  Highways
-  Boundary
-  World Imagery
-  Low Resolution 15m Imagery
-  High Resolution 60cm Imagery
-  High Resolution 30cm Imagery
-  Citations

Notes

E49-24 – Recommended Conditions

1. In order to facilitate the approval process for the severance, the applicant is required to furnish a grading plan for both the severed and retained parcels. This plan should be prepared by a qualified professional, such as an engineer or surveyor, who will assess and confirm that sufficient lot drainage is adequate for both properties. This confirmation will ensure that the separation of one property does not lead to drainage issues on the other. If, due to existing site conditions, the certification cannot be provided, the applicant is obligated to engage a qualified professional to create a grading plan. Subsequently, the necessary site alterations and grading works must be completed before final approval of the severance is granted. This requirement aims to guarantee responsible land development practices and prevent potential future drainage complications between the severed and retained parcels.
2. That the applicant initiate and assume, if required, all engineering costs associated with the preparation of a revised assessment schedule in accordance with the Drainage Act, RSO1990, as amended, with a deposit to be paid in full to the township prior to the condition being deemed fulfilled. If the deposit does not cover the costs of the revised assessment schedule, the applicant will be billed for any additional costs incurred.
3. That all outstanding work orders or by-law enforcement issues be resolved to the satisfaction of the Chief Building Official prior to the condition being deemed fulfilled.
4. That the applicants initiate and assume all planning costs associated with the required Zoning Amendment or other land use planning process as required in accordance with the Ontario Planning Act, RSO 1990, with such cost to be paid in full to the Township and that the required process be successfully completed prior to the condition being deemed fulfilled.
5. Confirmation that the private sewage system be confined entirely within the boundaries of the newly created parcel. That system be in conformance with all required setbacks from lot lines prior to the condition being deemed fulfilled.
6. That the necessary deeds, transfers and charges for certificates and/or instruments necessary for registration be submitted prior to certification all of which are to be fully executed.
7. That all applicable property taxes, municipal fees and charges be paid to the Township prior to the stamping of the deeds.
8. That an electronic version of the reference plan be submitted to the satisfaction of the Township.

E51-24 – Recommended Conditions

1. In order to facilitate the approval process for the severance, the applicant is required to furnish a grading plan for both the severed and retained parcels. This plan should be prepared by a qualified professional, such as an engineer or surveyor, who will assess and confirm that sufficient lot drainage is adequate for both properties. This confirmation will ensure that the separation of one property does not lead to drainage issues on the other. If, due to existing site conditions, the certification cannot be provided, the applicant is obligated to engage a qualified professional to create a grading plan. Subsequently, the necessary site alterations and grading works must be completed before final approval of the severance is granted. This requirement aims to guarantee responsible land development practices and prevent potential future drainage complications between the severed and retained parcels.
2. That the applicant initiate and assume, if required, all engineering costs associated with the preparation of a revised assessment schedule in accordance with the Drainage Act, RSO1990, as amended, with a deposit to be paid in full to the township prior to the condition being deemed fulfilled. If the deposit does not cover the costs of the revised assessment schedule, the applicant will be billed for any additional costs incurred.
3. That all outstanding work orders or by-law enforcement issues be resolved to the satisfaction of the Chief Building Official prior to the condition being deemed fulfilled.
4. That the applicants initiate and assume all planning costs associated with the required Zoning Amendment or other land use planning process as required in accordance with the Ontario Planning Act, RSO 1990, with such cost to be paid in full to the Township and that the required process be successfully completed prior to the condition being deemed fulfilled.
5. Confirmation that private sewage system be confined entirely within the boundaries of the newly created parcel. That system be in conformance with all required setbacks from lot lines prior to the condition being deemed fulfilled.
6. That the necessary deeds, transfers and charges for certificates and/or instruments necessary for registration be submitted prior to certification all of which are to be fully executed.
7. That all applicable property taxes, municipal fees and charges be paid to the Township prior to the stamping of the deeds.
8. That an electronic version of the reference plan be submitted to the satisfaction of the Township.



REPORT NO. DS-24-30

TO: Mayor & Members of Council

DEPARTMENT: Development Services

MEETING DATE: June 20, 2024

SUBJECT: **Application for Consent to Sever No. D10-E42/E43-24 of Maitland Williams and Aidan Wilkins relating to the properties located at CON 5 S PT LOT 35 RP 11R;3317 PART 1 and CON 5 S PT LOT 35, Township of Malahide (53358 and 53408 John Wise Line)**

RECOMMENDATION:

THAT Report No. DS-24-30 entitled “Application for Consent to Sever No. D10-E42/E43-24 of Maitland Williams and Aidan Wilkins” be received;

AND THAT the Application for Consent to Sever No. D10-E42/43-24 of Maitland Williams and Aidan Wilkins relating to the properties located at CON 5 S PT LOT 35 RP 11R;3317 PART 1 and CON 5 S PT LOT 35, Township of Malahide (53358 and 53408 John Wise Line), be supported for the reasons set out in this Report;

AND THAT this report and the recommended conditions be forwarded to the Land Division Committee for its review and consideration.

PURPOSE & BACKGROUND:

Two consent to sever applications (“the applications”) have been submitted by Maitland Williams and Aidan Wilkins to adjust the boundary between the two properties under their respective ownership.

Maitland Williams owns the property located at CON 5 S PT LOT 35 and known municipally as 53408 John Wise Line and Aidan Wilkins owns the adjacent property located at CON 5 S PT LOT 35 RP 11R;3317 PART 1, known municipally as 53358 John Wise Line.

The County Land Division Committee has scheduled a Public Hearing for this application to be considered on June 26, 2024.

COMMENTS & ANALYSIS:

53408 John Wise Line is approximately 3.0 ha (7.48 acres) in area and has approximately 270 metres along John Wise Line. The property contains a single detached dwelling and is primarily wooded.

53358 John Wise Line is approximately 13.3 ha (32.92 acres) in area and has no legal frontage. It shares an irregular lot line with 53048 John Wise Line to the south. The property is primarily wooded, bounded by Big Otter Creek to the north. Access to the property currently crosses through 53408 John Wise Line.

Maitland Williams is proposing to sever 6.35 acres from his property and convey it to the adjacent property owned by Aiden Wilkins at 53358 John Wise Line, while Wilkins is proposing to simultaneously sever 13.98 acres from his property and convey it to Williams at 53408 John Wise Line.

After the severance, 53408 John Wise Line will have an area of approximately 10.2 ha (25.29 acres), gaining a total of approximately 17.81 acres, with the frontage reduced to approximately 182 meters. 53358 John Wise Line will have an area of approximately 6.1 ha (15.11 acres), losing a total of approximately 17.81 acres, but gaining approximately 88 metres of frontage on John Wise Line.

Provincial Policy Statement (PPS)

Lot adjustments in prime agricultural areas may be permitted for legal or technical reasons (s. 2.3.4.2), where legal and technical reasons are defined as:

“severances for purposes such as easements, corrections of deeds, quit claims, and minor boundary adjustments, which do not result in the creation of a new lot.”

The proposed boundary adjustment would result in 53358 John Wise Line having a legal road frontage on John Wise Line and would create a more regular and orderly lot boundary compared to the current irregular lot line. It is noted that the properties are heavily constrained by natural heritage features and have not been used for agricultural production. The proposed boundary adjustment would not impact the ability of the parcels to continue to be used for existing and permitted uses and would not result in the creation of a new lot.

A natural heritage feature covers the majority of both parcels. The PPS does not permit development and site alteration within or adjacent to natural heritage features unless it has been demonstrated that there will be no negative impacts. The PPS defines development as the creation of a new lot, change in land use or construction of buildings and structures requiring approval under the planning act (s. 6.0). As a result, no development is being proposed by the applications.

County of Elgin Official Plan

The subject properties are designated “Agriculture Area” on Schedule ‘A’, Land Use Plan, is identified as having frontage along a “Local” Road on Schedule ‘B’, “Transportation Plan”, and is designated as “Significant Woodlands” on Appendix 1.

The County Official Plan states that, in agricultural areas, consents may be granted for legal or technical reasons such as minor boundary adjustments that do not result in the creation of a new lot (s. E1.2.3.4). The proposed boundary adjustment corrects the existing condition of 53358 John Wise Line having no frontage onto an open public road and the irregular shared lot line between the two properties. The applications would not result in the creation of a new lot.

The PPS does not permit development and site alteration within or adjacent to natural heritage features unless it has been demonstrated that there will be no negative impacts. It is noted that the shared lot line currently bisects the natural heritage feature and the proposed boundary adjustment would not be considered development in the context of the PPS as defined therein.

Malahide Official Plan

The subject properties are designated “Natural Heritage” with a small portion as “Agriculture” on Schedule ‘A1’ (Land Use Plan). The properties are identified as being in a “Provincially Significant (20+ ha)”, “Significant A.N.S.I.’s” and “Hazard Lands” on Schedule ‘A2’ (Constraints Plan).

The Official Plan provides guidance on consents, stating that consents for minor boundary adjustments are permitted in any designation provided the severed and retained parcels comply with the applicable requirements of the Official Plan and Zoning By-law (s. 8.7.1.7). The proposed boundary adjustment would be considered minor and would bring both parcels into greater conformity with the Zoning By-law. The Natural Heritage and Hazard features are not being altered, and no development, as defined by the PPS, is occurring as a result of the applications, the proposed lot boundary adjustment meets the applicable requirements of the Official Plan.

Malahide Zoning By-law

Currently, both properties are zoned as A1 on Key Map 68 of Schedule “A” to the Township’s Zoning By-law No. 18-22 and are legally existing undersized lots. 53408 John Wise Line meets the minimum frontage required in the zoning by-law both before and after the severance. 53358 John Wise Line currently has no lot frontage but will have a frontage of approximately 88 meters after the severance. As such, the applications bring the undersized lot closer to conformity to the zoning by-law than prior to the severance and would provide legal road frontage to 53358 John Wise Line, as required under Section 4.8 of the Zoning By-law. It is recommended that a Zoning By-

law Amendment be required as a condition of severance to permit the proposed reduced lot area and frontage of the proposed lots.

FINANCIAL IMPLICATIONS:

The full cost of the application and associated process is at the expense of the Applicant and has no implications to the Township's Operating Budget.

LINK TO STRATEGIC & OPERATIONAL PLANS:

Priorities:	Unlock Responsible Growth
Tangible Results:	Policy Driven Decision Making

CONSULTATION:

N/A

ATTACHMENTS:

1. Report Photo;
2. Application Sketch; and
3. Recommended Conditions.

Prepared by: E. Steele, MBPC, Consulting Planner for the Township

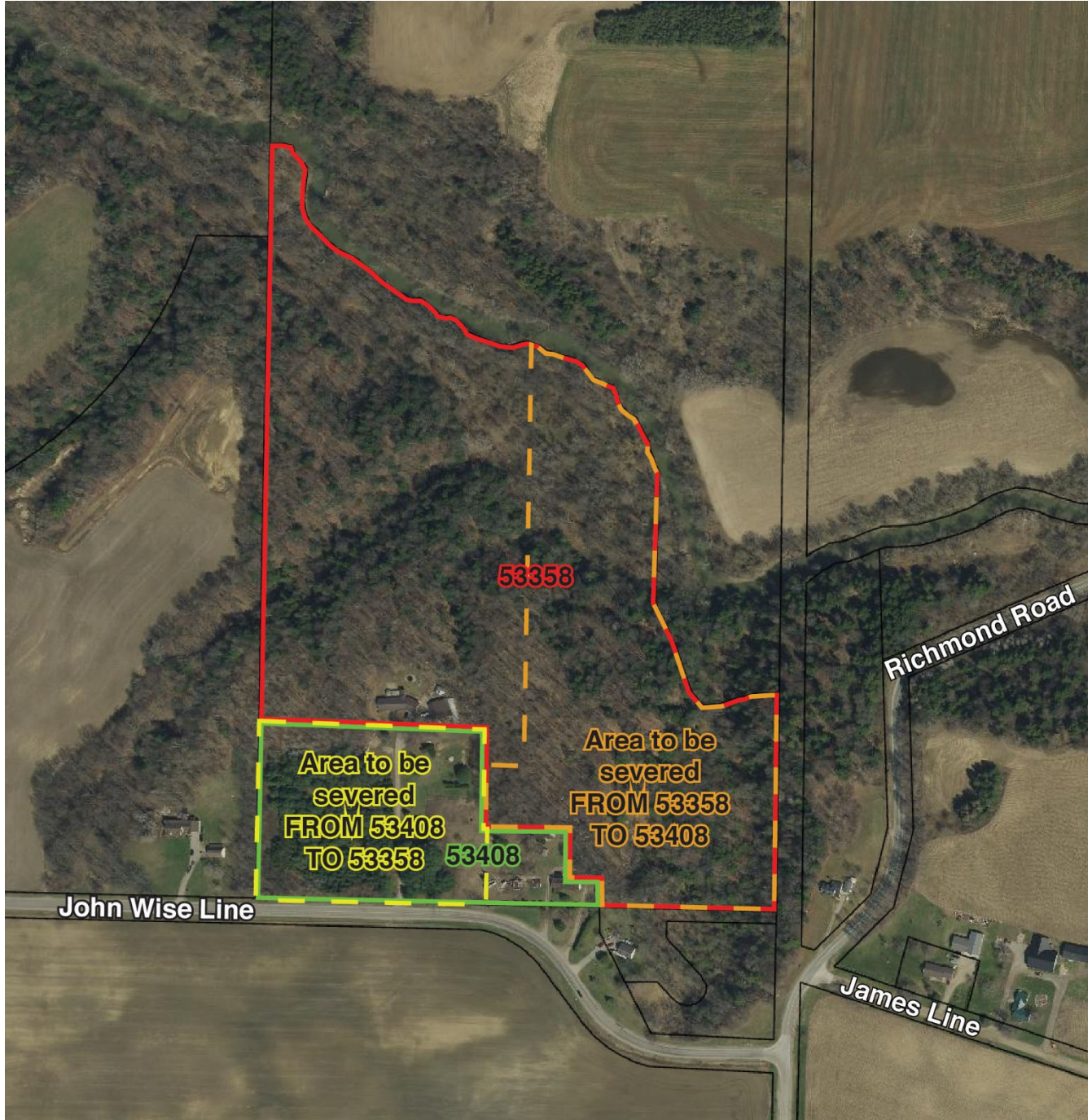
Reviewed by: J. McGuffin, MBPC, VP & Principal Planner

Approved by: N. Dias, Chief Administrative Officer

APPLICATION FOR CONSENT TO SEVER
Owners: Aiden Wilkins and Maitland Williams


53358 & 53408 John Wise Line
Part Lot 35, Concession 5 S,
Township of Malahide

Township
of Malahide
Figure 1




OFFICIAL PLAN DESIGNATION
Natural Heritage & Agriculture

 53358 John Wise Line

 53408 John Wise Line

ZONING
General Agricultural (A1)

 Areas to be Severed and conveyed

NOTES

BOUNDARY DIMENSION INFORMATION TAKEN BY FIELD SURVEY PREPARED BY CALLON DIETZ O.A.L.S.'s COMPLETED ON THE 24th DAY OF APRIL, 2024.
ALL AREAS ARE APPROXIMATE FOR DISCUSSION PURPOSES ONLY.

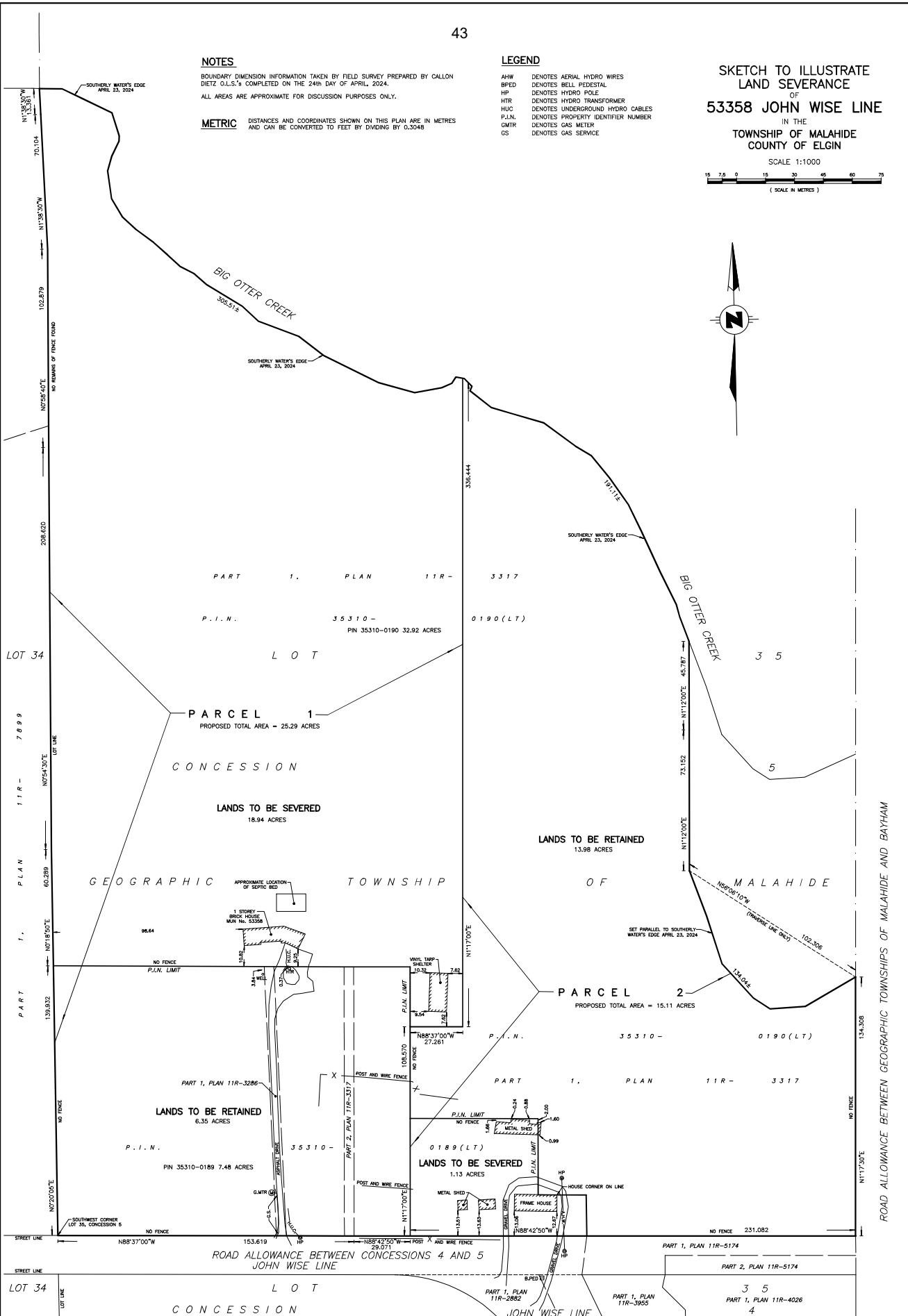
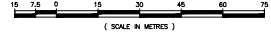
METRIC DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

LEGEND

- APHW DENOTES AERIAL HYDRO WIRES
- BPFD DENOTES BELL FREDESTAL
- HP DENOTES HYDRO POLE
- HTR DENOTES HYDRO TRANSFORMER
- HUC DENOTES UNDERGROUND HYDRO CABLES
- PLJK DENOTES PROPERTY IDENTIFIER NUMBER
- GMTR DENOTES GAS METER
- GS DENOTES GAS SERVICE

**SKETCH TO ILLUSTRATE
LAND SEVERANCE
OF
53358 JOHN WISE LINE
IN THE
TOWNSHIP OF MALAHIDE
COUNTY OF ELGIN**

SCALE 1:1000



CAUTION THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED EXCEPT FOR THE PURPOSE INDICATED IN THE TITLE BLOCK.

Callon Dietz INCORPORATED
ONTARIO LAND SURVEYORS
CARLETON PLACE LONDON NORTH BAY
info@callondietz.com callondietz.com

SURVEY BY: CJ DRAWN BY: MM FILE No: 24-26126 PLAN No: C-2828

E42-24 – Recommended Conditions

1. That all outstanding work orders or by-law enforcement issues be resolved to the satisfaction of the Chief Building Official prior to the condition being deemed fulfilled.
2. That the applicants initiate and assume all planning costs associated with the required Zoning By-law Amendment or other land use planning process as required in accordance with the Ontario Planning Act, RSO 1990, with such cost to be paid in full to the Township and that the required process be successfully completed prior to the condition being deemed fulfilled.
3. Confirmation that private sewage system be confined entirely within the boundaries of the newly created parcel. That system be in conformance with all required setbacks from lot lines prior to the condition being deemed fulfilled.
4. That the necessary deeds, transfers and charges for certificates and/or instruments necessary for registration be submitted prior to certification all of which are to be fully executed.
5. That all applicable property taxes, municipal fees and charges be paid to the Township prior to the stamping of the deeds.
6. That an electronic version of the reference plan be submitted to the satisfaction of the Township.

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REPORT NO. HR-24-05

TO: Mayor & Members of Council
DEPARTMENT: Human Resources
MEETING DATE: June 20, 2024
SUBJECT: **Customer Service-Related Policies**

RECOMMENDATION:

THAT Report No. HR-24-05 entitled “Customer Service-Related Policies” be received for information;

AND THAT the policies attached to this report be brought forward for approval at an upcoming Council meeting.

PURPOSE & BACKGROUND:

This report proposes the implementation of comprehensive Customer Service Policies aimed at fostering a consistent, flexible, and solution-oriented approach to handling customer interactions. This initiative aligns with our strategic plan to enhance service delivery, improve customer satisfaction, and build trust within our community.

The Township has recognized the need to enhance its customer service framework to better meet the needs of our residents, businesses, and stakeholders. Currently, there are no policies in place regarding customer service and the handling of complaints and requests. Without these policies, the current processes lack consistency, flexibility, and a proactive problem-solving orientation. By addressing these gaps, we aim to support the strategic plan’s objectives of increasing efficiency, satisfaction, and building community trust.

COMMENTS & ANALYSIS:

The primary objectives of the proposed Customer Service Policy are:

1. **Consistency:** Standardize customer service protocols across all to ensure uniformity in service delivery.
2. **Flexibility:** Empower employees to adapt to various customer needs and situations with a responsive and adaptable approach.
3. **Solution-Oriented:** Encourage a proactive stance in resolving issues promptly and effectively, prioritizing customer satisfaction and community trust.

The primary objectives of the proposed Complaint and Service Request Handling Policy are:

1. **Enhance Customer Satisfaction:**
 - Provide a responsive and efficient mechanism for addressing complaints and service requests to ensure customers feel heard and valued.
 - Ensure timely resolution of issues to improve overall satisfaction with municipal services.
2. **Standardize Procedures:**
 - Establish clear, consistent protocols for handling complaints and service requests across all departments.
 - Define roles and responsibilities to ensure accountability and uniformity in service delivery.
3. **Improve Communication:**
 - Facilitate transparent and effective communication between the municipality and its customers throughout the complaint and service request process.
 - Keep customers informed about the status and outcome of their submissions.

The primary objectives of the proposed Frivolous, Vexatious, or Unreasonable Requests/Complaints Policy are:

1. **Ensure Efficient Use of Resources:**
 - Prevent the waste of municipal resources on handling complaints and requests that are determined to be frivolous, vexatious, or unreasonable.
 - Allow staff to focus on legitimate and substantive issues that require attention.
2. **Maintain a Safe and Respectful Workplace:**
 - Protect employees from harassment, abuse, and undue stress caused by frivolous, vexatious, or unreasonable complainants.
 - Foster a supportive and respectful work environment where staff can perform their duties effectively.
3. **Establish Clear Guidelines:**
 - Define what constitutes frivolous, vexatious, or unreasonable complaints and requests.
 - Provide clear criteria and procedures for identifying and managing such complaints and requests.

The primary objectives of the revised HR (Human Resources) Policy C-3.6 Customer Service are:

1. **Expectations:** Ensure employees understand Customer Service standards and how they apply to performance.

2. Customer-Centric Culture:

- Embed customer service excellence into the organizational culture, ensuring it is a core value.
- Encourage staff members to prioritize customer needs and demonstrate empathy and respect in all interactions.
- Make customer service accessible to all members of the community, including disabilities and language barriers.
- Align performance for staff with the Township's broader strategic objective.

FINANCIAL IMPLICATIONS:

The initial investment includes developing and delivering training programs for staff to ensure they understand and can implement the new customer service policies effectively. Additionally, continuous training programs to keep staff updated on best practices and any changes in customer service policies.

These costs are factored in through the training budget at budget deliberations. For 2024, an evaluation of the current budget will be reviewed to allow for external customer service training if necessary. There will be no additional costs or financial impacts in this budget year.

LINK TO STRATEGIC & OPERATIONAL PLANS:

Implementing robust Customer Service-related policies is crucial to achieving Council's Strategic objectives in the following ways:

Mission:	Essential services that are timely, cost-effective, easy to access and aligned with policies
Priorities:	Establish, document, and implement service levels
Tangible Results:	Consistent use of Customer Service Standards and policy-driven decision-making

CONSULTATION:

The Corporate Policies were completed in collaboration with S.Tripp, Community Relations & Economic Development Manager, A. Adams, Manager of Legislative Services/Clerk and N.Dias, Chief Administrative Officer.

In addition, we used various sources to develop these policies, including reviewing policies from other municipalities, specifically, The Township of Blue Mountain, and all relevant legislation.

ATTACHMENTS:

1. A09-CORP-002 Customer Service Policy
2. A09-CORP-003 Complaint and Service Request Handling Policy
3. A09-CORP-004 Frivolous, Vexatious, or Unreasonable Requests/Complaints Policy
4. Human Resources Policy C-3.6 Customer Service (original)
5. Human Resources Policy C-3.6 Customer Service (revised)

Prepared by: S. Loewen, Human Resources Manager

Reviewed by: N. Dias, Chief Administrative Officer

Approved by: N. Dias, Chief Administrative Officer



CORPORATE POLICY

Section: Administration
Policy Title: Customer Service Policy
Policy No.: A09-CORP-002
Approved by: Council
Effective Date: 2024-06-20
Revised:

CUSTOMER SERVICE POLICY

1. POLICY STATEMENT

- 1.1 The Township of Malahide (“Township”) is committed to delivering exceptional, equitable, and accessible customer service.
- 1.2 Staff will provide the best customer service possible and are empowered to make decisions to ensure each customer’s experience is meaningful, fair, and respectful.
- 1.3 It is equally important for all our customers to behave respectfully, fostering an environment that welcomes everyone. The prosperity of our Township relies on our ability to work together in the most efficient and effective ways, striking a balance between the needs of individuals and the overall needs of the Township.

2. PURPOSE AND SCOPE

2.1 Purpose:

- To identify the Township’s customer service standards to ensure a consistent, standard practice that reflects the Township’s commitment to customer service excellence.
- To establish uniform standards and procedures for all employees, in all departments responding to customers’ requests for service, questions, and feedback.

2.2 Scope:

- This policy applies to all forms of customer service by Township employees to the community, and appropriate conduct by customers requesting information, a service, filing a complaint or compliment, or providing feedback, and includes, but is not limited to online, electronic, print, and verbal communications.

- 2.3 This policy covers service standards in general for all stakeholders. The Township has additional policies which outline specific accessibility standards for persons with disabilities.

3. CUSTOMER SERVICE STANDARDS

3.1 Prompt Response:

We strive to respond to customer inquiries, concerns, and requests in a timely manner. The Township's goal is to acknowledge all customer contact within three (3) business days and provide a resolution or update within a reasonable timeframe as communicated with the customer.

3.2 Empathy and Respect:

The Township is committed to treating all customers with empathy, respect, and professionalism. We understand that each customer is unique and may have diverse needs and expectations. We listen attentively, show understanding, and provide appropriate solutions.

3.3 Clear Communications:

We communicate clearly and effectively with our customers using simple, jargon-free language (for example, Abbreviations may not be understood by customers). We ensure that all information provided is accurate, relevant, and comprehensive, enabling customers to make informed decisions.

3.4 Problem Resolution:

We are committed to resolving customer issues promptly and efficiently. Our customer service representatives are trained to manage complaints, troubleshoot problems, and find effective solutions. We escalate complex issues to appropriate departments or managers for further assistance, ensuring a satisfactory resolution.

3.5 Continuous Improvement

The Township will consider complaints and requests for service as opportunities to evaluate programs and services for possible improvement.

4. CUSTOMER SERVICE CHANNELS

- 4.1 The Township of Malahide provides various channels for customers to reach us, ensuring convenience and accessibility. Customers can contact us through:

Channel	Contact Information
Phone	519-773-5344
In Person	87 John Street South, Aylmer
By Appointment	519-773-5344
Email: General Inquiries	malahide@malahide.ca

Email: Finance/Property Tax-related (PAP or EFT Forms), Accounts Payable Invoices/Statements	finance@malahide.ca
Email: Fire & Emergency – General Inquiries	fireadmin@malahide.ca
Phone: Roads Emergencies – After Hours	519-435-6498
Phone: Water/Wastewater – After Hours	519-435-6528
Staff emails & contacts are listed on our website	Malahide.ca
Website: Service Requests & Formal Complaints	Malahide.ca

4.2 The Township is open from **Monday to Friday, 8:30 am to 4:30 pm**. These hours are dedicated to serving our clients and customers efficiently and effectively.

4.3 Communication and Walk-ins:

Our staff strives to promptly answer all phone calls during business hours and to accommodate walk-in requests. However, due to the potential pre-scheduled meetings and ongoing staff commitments, the immediate availability of walk-in services cannot always be guaranteed.

4.4 Scheduling Appointments:

To ensure that our customers receive the best possible service and undivided attention, we strongly recommend scheduling an appointment. Appointments help us prepare for your visit and allocate appropriate resources and personnel to meet your needs.

4.5 Priority of Service:

The Township recognizes that many departments have competing priorities, scheduled appointments, inspections, etc., and therefore, we appreciate our customers' understanding and cooperation in helping to manage our schedules to serve you better.

5. RESPONSE TIMEFRAMES

5.1 The Township recognizes the importance of timely responses to customer inquiries. Employees are expected to respond to inquiries as follows:

Inquiry Type	Contact Information
General Inquiries	Acknowledged – Within three (3) business days
More Detailed Inquiries	See 5.2 below
After Hours Emergency Response	Immediate
Request for Service	Acknowledged within three (3) business days and processed based on priority at the discretion of the Township.
Formal Complaints	Acknowledged within three (3) business days. Full resolutions within thirty (30) days.

5.2 Staff should acknowledge inquiries within three (3) business days. However, please note that if a department has established its customer service response standards to comply

with legislative requirements, those specific standards will take precedence. If staff is unable to respond fully within the required amount of time, a response time estimate will be provided based on the complexity of the inquiry and the availability of staff.

6. ESCALATION PROCESS

6.1 If a customer's concern is not resolved to their satisfaction, we have an escalation process to ensure their issue receives appropriate attention. The escalation process is as follows:

1. **Level 1:** Customer Service Representative/Employee:
 - Manages initial customer inquiries and attempts to resolve the issue.
 - If unable to resolve, escalate to Level 2.
2. **Level 2:** Supervisor
 - Review the customer's concern and investigate further.
 - Works towards a resolution and communicates with the customer.
 - If unable to resolve, escalate to Level 3.
3. **Level 3:** Department Head
 - Assesses the escalated issue and explores all practical solutions.
 - Communicate with the customer, providing updates and alternative resolutions, striving to achieve a satisfactory outcome.
 - If unable to resolve, escalate to CAO and the formal complaint process protocol, if deemed necessary (see Policy A09-CORP-003 Complaint Management and Resolution Policy).

7. COMPLIMENTS AND COMPLAINTS

7.1 A compliment is an expression of approval made by a customer about a Township employee's behaviour or conduct.

7.1.1 Process for compliment handling:

A compliment may be made in several ways:

- Verbal compliments can be made in person, or by telephone, while written compliments may be made by email.
- The compliment will be shared with the employee and will be acknowledged as part of the Township's employee recognition program and performance review process. It is important to celebrate and recognize staff for their dedication and contributions to the success of the Township's overall vision, mission, and values.

7.2 A complaint is an expression of dissatisfaction made by a customer about services, processes, actions, or behaviour of Township employees.

7.2.1 Process for complaint handling:

Refer to A09-CORP-003 Complaint Management and Resolution Policy for details.

8. RESPONSIBILITIES

- 8.1 Employees are responsible for complying with this policy.
- 8.2 Customers are responsible for:
- Ensure that behaviour and actions respect the rights of others to create an enjoyable environment for all and a respectful workplace for Township employees.
 - Ensure that complaints (informal or formal) filed are neither frivolous nor vexatious in nature (refer to A09-CORP-004 Frivolous, Vexatious, or Unreasonable Complaints/Requests Policy).
- 8.3 Management is responsible for following up on compliments and complaints in accordance with the Township policy.
- 8.4 Human Resources is responsible for working with management in determining the appropriate level of progressive discipline and/or remedial action for the circumstances, as required.
- 8.5 The Chief Administrative Officer is responsible for implementing this policy and liaising with Council on Customer concerns and complaints.

9. REFERENCES

A09-CORP-003 Complaint Management & Resolution Policy

A09-CORP-004 Frivolous, Vexatious, or Unreasonable Complaints/Requests Policy

[HRM-B-4.2 Respect in the Workplace](#)

[HRM-C-3.1 Employee Code of Conduct](#)

[Municipal Freedom of Information and Protection of Privacy Act](#)

[Accessibility for Ontarians with Disabilities Act, 2005](#)

[Ontario Human Rights Code](#)



Section:	Administration
Policy Title:	Complaint and Service Request Handling Policy
Policy No.:	A09-CORP-003
Approved by:	Council
Effective Date:	2024-06-20
Revised:	

COMPLAINT AND SERVICE REQUEST HANDLING POLICY

1. POLICY STATEMENT

- 1.1. The Township of Malahide is committed to delivering high-quality services and maintaining a constructive relationship with all stakeholders, including customers, contractors, and employees. We recognize the importance of feedback, including complaints, which provide valuable insights into the satisfaction of our service recipients and the discovery of areas where our services can be improved.
- 1.2. This policy provides the public with an avenue for submitting complaints and requests for service.
- 1.3. This policy will help the Township continue to provide excellent service to the public and contribute to the continuous improvement of operations.

2. PURPOSE AND SCOPE

2.1. Purpose:

The purpose of this Policy is to ensure that all complaints and service requests are handled systematically and promptly, with the aim of resolving any issues in a timely and satisfactory manner.

2.2. Scope:

This policy applies to all municipal staff.

The following types of Complaints will not be investigated in accordance with this Policy and include but are not limited to:

- Criticisms or anonymous complaints.
- Complaints regarding a decision or recommendation of Council or a Committee of Council.

- Complaints regarding whether a meeting of Council was appropriately held in accordance with the Closed Meeting provisions outlines in the Municipal Act, 2001 (closed meeting complaints are governed by the Ontario Ombudsman).
- Complaints about Members of Council (as they are governed by the Council Code of Conduct and investigated by the Integrity Commissioner).
- Complaints which involve ongoing litigation.
- Internal employee complaints.
- Frivolous, Vexatious, or unreasonable complaints/requests (see Policy A09-CORP-004).
- Issues that have statutory review and appeal processes including but not limited to Freedom of Information Requests, development charges levies, land use planning, by-law and building notices, orders, and appeals.
- Outside boards and agencies, for example, EECC Board, Police Services.
- Requests to change a by-law.
- Suggestions.
- Civil matters (e.g., disputes between neighbours).

3. DEFINITIONS

Complaint means an expression of dissatisfaction or concern about the action or lack of action taken regarding operations, facilities, services, or programs provided by the Township or a person or body on behalf of the Township.

Feedback means an opinion or comment about a program, facility, service, or employee.

Complainant means a customer who is submitting a Complaint. Any customer who uses or is affected by Township services can make a Complaint including residents, visitors, businesses, and community groups.

Township means the Township of Malahide.

Council means Township of Malahide Council as a whole.

Employee means all full-time, part-time, temporary, seasonal, students, volunteers, and staff hired on a contract basis for a defined period of time, of the Township.

CAO means Chief Administrative Officer.

Ombudsman means the Ombudsman of Ontario, or the Ombudsman appointed by Council in accordance with Section 223.13 (1) of the Municipal Act, 2001, S.O. 2001, c 25.

Personal Information means personal information as defined in Section 2(1) of the Municipal Freedom of Information Protection of Privacy Act including,

- a) information relating to the race, national or ethnic origin, colour, religion, age, sex, sexual orientation or marital or family status of the individual.

- b) information relating to the education or the medical, psychiatric, psychological, criminal or employment history of the individual or information relating to financial transactions in which the individual has been involved.
- c) any identifying number, symbol or other particular assigned to the individual.
- d) the address, telephone number, fingerprints, or blood type of the individual.
- e) the personal opinions or views of the individual except if they relate to another individual.
- f) correspondence sent to an institution by the individual that is implicitly or explicitly of a private or confidential nature and replies to that correspondence that would reveal the contents of the original correspondence.
- g) the views or opinions of another individual about the individual; and,
- h) the individual's name if it appears with other Personal Information relating to the individual or where the disclosure of the name would reveal other Personal Information about the individual.

Request for Service means a request submitted to the Township for a specific service or to notify the Township that a service was not provided in time. Examples include:

- Requesting the repair of a road surface.
- Reporting of a malfunctioning streetlight.
- Notifying the Township of missed garbage collection.
- Reporting a by-law infraction.

4. EXAMPLES OF COMPLAINTS

The following are some examples of **Complaints** covered by this policy:

- Complaints about receiving poor customer service.
- Complaints about the quality of the service provided.
- Timeliness in responding to a complaint.
- Concerns regarding a staff member that appears to be in contravention of:
 - Code of Conduct.
 - Established policies and procedures of the Township.
 - Appropriate legislation.
 - Is unethical on its face.

The following are some examples of **Service Requests** covered by this policy:

- Mailbox Repair
- Snow Removal
- Road Maintenance Concern
- Water/Sewer Related
- Drainage Relate

5. PRINCIPALS

5.1. Accessibility:

Information about how to make a complaint or a request for service should be clearly available to all stakeholders without any barriers. Complaints and service requests can be lodged through various channels such as email, telephone, in person, or through our website.

5.2. Transparency:

The process for handling complaints will be transparent from the submission to the resolution stage. Complainants will be kept informed of the progress of their complaints and the outcomes achieved.

5.3. Accountability:

Employees at all levels are responsible for managing and resolving complaints in accordance with this policy.

5.4. Impartiality:

Every complaint will be addressed fairly and objectively, without bias. Making a complaint will not negatively affect future dealings with the Township. Customers will not be discriminated against during the investigation or because of a complaint. Staff about whom a complaint is launched will be treated fairly.

5.5. Confidentiality:

Protecting the privacy of all parties is of utmost importance. Information will be collected, used, and disclosed in accordance with the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA).

5.6. Timeliness:

Complaints will be acknowledged within three (3) business days of receipt, and efforts will be made to resolve complaints within 30 business days or within a reasonable timeframe. Service requests are submitted to the appropriate department for processing and are processed on a priority basis at the discretion of the Township.

5.7. Continuous Improvement

Complaints will be considered as opportunities to evaluate programs and services for improvement and will record lessons learned.

6. ROLES AND RESPONSIBILITIES

6.1. Staff are responsible for directing complaints and requests for service to the appropriate Manager and/or the CAO. The appropriate department will monitor the status of complaints and requests and ensure responses by the departments in accordance with the service standards.

- 6.2. Customers are to recognize the difference between a complaint and a service request. Customers are also requested to acknowledge that the Township must consider the needs of the whole community. They are to provide honest and respectful communication with a goal of improving services.
- 6.3. Staff are to have knowledge and understanding of the purpose of receiving complaints and requests, the process through which a complaint and request can be made and the service standards that apply.
- 6.4. Managers and Directors are responsible for investigating and responding to complaints about services they are responsible for. Complaints about staff are to be processed by the Human Resources Manager in collaboration with the CAO.

7. PROCESS

7.1. Complaints Resolution Attempt

7.1.1. Informal Complaints

Whenever possible, customers are encouraged to collaborate with Employees at the first point of contact to have issues addressed. Employees will listen with an open mind and make efforts to resolve complaints in a timely and respectful manner.

It is the responsibility of the Employee to attempt to resolve issues or concerns before they become complaints and identify opportunities to improve Township Services.

7.1.2. Formal Complaints

Should a resolution not be made at the first point of contact, formal complaints can be submitted through the following channels:

1. Online at www.malahide.ca – File Formal Complaint
2. By completing the [Complaint Form](#) and submit online or by:
 - Email at malahide@malahide.ca
 - By mail to: Township of Malahide, 87 John Street South, Aylmer, ON, N5H 2C3
 - In person at: 87 John Street South, Aylmer, ON, N5H 2C3
 - By fax to 519-773-5334

In order to submit a formal complaint to the Township, Complainants are required to provide as much detail as possible including:

- Contact Information – name, address, phone number, email (anonymous complaints will not be accepted).
- Details of the complaint
- Location
- Date/Time
- Name of any individuals or staff involved.
- Resolution being sought.

7.2. Submitting a Service Request Form

Service Requests can be submitted through the following channels:

1. Online at www.malahide.ca – Service Request Portal (preferred).
2. By completing the [Service Request Form](#) and submitting by:
 - By email to malahide@malahide.ca
 - By mail to: Township of Malahide, 87 John Street South, Aylmer, ON, N5H 2C3
 - In person at: 87 John Street South, Aylmer, ON, N5H 2C3
 - By fax to 519-773-5334

8. UPON RECEIPT OF FORMAL COMPLAINT

- 8.1. The CAO's office shall acknowledge receipt of a formal complaint within three (3) days of receiving the complaint form.
- 8.2. The CAO shall review the issues identified by the Complainant and in doing so may:
 - a) Review relevant municipal and provincial legislation.
 - b) Review the Township's relevant policies and procedures.
 - c) Review any existing file documents.
 - d) Interview Employee(s) or member(s) of the public involved in the complaint.
 - e) Identify actions that may be taken to address the complaint or improve Township operations; or
 - f) Take other actions the CAO deems expedient to resolving the matter.
- 8.3. Upon receipt of a complaint, and where the CAO deems it appropriate, the CAO may delegate the authority to investigate and respond to a Complaint to another Employee, e.g., the Human Resources Department.
- 8.4. The CAO may not delegate the authority to investigate a complaint to an Employee who is or may be named in the complaint.
- 8.5. The CAO or delegate shall maintain a file of the complaint in compliance with the Township's records retention by-law.

9. DECISION

- 9.1. Within thirty (30) calendar days of the CAO receipt of a complaint, a response shall be provided in writing to the Complainant. The response shall include:
 - a) Whether the complaint was substantiated.
 - b) If the complaint was not substantiated, the reason(s) for their decision; and,
 - c) Any actions the Township has or will take as a result of the complaint.
- 9.2. If the CAO or delegate is unable to provide a response within thirty (30) days of receipt, they shall notify the Complainant of the delay and provide an estimate of when a response will be provided.

10. COMPLAINT APPEAL PROCESS

10.1. There is no additional appeal process at the municipal level. If the Complainant is not satisfied with the results of the investigation or the process, they may contact the Office of the Ontario Ombudsman. The Ontario Ombudsman has the authority to look at how the issue was handled by the Township, the steps taken, and the outcome. The Ombudsman had the authority to consider and make recommendations as to whether the process was fair, transparent, and in accordance with applicable policies and by-laws of the Township.

11. GENERAL

11.1. Copies of all correspondence and notices shall be retained in the complaint file.

11.2. Where appropriate, copies of correspondence shall be placed in the Employee's HR (Human Resources) file that is subject to the complaint.

11.3. Communications with a Complainant shall not provide details of disciplinary measures imposed on any Employee.

11.4. The CAO or their delegate shall make dated records of any communication and attempted contacts with the Complainant(s).

12. CONSEQUENCES OF NON-COMPLIANCE

12.1. Non-compliance with the Township Complaint and Service Request Handling Policy may result in the complaint being filed with the Ontario Ombudsman for investigation.

12.2. Consequence to commensurate with the severity of non-compliance.

13. MONITORING AND EVALUATION

13.1. This policy is reviewed by the Manager of Legislative Services/Clerk or designated at least every Council Term (4 years) to ensure its effectiveness and compliance with legislation and current business processes or as required based on legislative changes.

13.2. The Manager of Legislative Services/Clerk is authorized to make minor or housekeeping amendments to this Policy as required.

14. REFERENCES

A09-CORP-002 Customer Service Policy

A09-CORP-004 Frivolous, Vexatious, or Unreasonable Complaints/Requests Policy

[HRM C-3.1 Employee Code of Conduct](#)

Council Code of Conduct

[Municipal Freedom of Information and Protection of Privacy Act](#)

[Accessibility for Ontarians with Disabilities Act, 2005](#)

[Ontario Human Rights Code](#)



CORPORATE POLICY

Section:	Administration
Policy Title:	Frivolous, Vexatious, or Unreasonable Complaints/Requests Policy
Policy No.:	A09-CORP-004
Approved by:	Council
Effective Date:	2024-06-20
Revised:	

FRIVOLOUS, VEXATIOUS, OR UNREASONABLE COMPLAINTS/REQUESTS POLICY

1. POLICY STATEMENT

- 1.1. The Township of Malahide (the Township) is committed to providing exemplary service and ensuring that municipal resources are used effectively and efficiently to maintain service excellence and responsiveness to all members of the public. This policy addresses Frivolous, Vexatious, or Unreasonable complaints or requests that consume a disproportionate amount of Township time and resources, ultimately impeding Employees from attending to other essential issues.

2. PURPOSE AND SCOPE

2.1. Purpose:

The purpose of this policy is to guide Employees to identify situations that meet the criteria of Frivolous, Vexatious, or Unreasonable complaints and/or requests and the associated actions that may be taken in such circumstances. Actions taken pursuant to this policy will ensure that municipal resources are used effectively and efficiently while maintaining a high level of service excellence, responsiveness, and professionalism to all members of the public.

2.2. Scope/Application:

This Policy applies to all Employees, Volunteers, Students, and/or Contracted Service Providers of the Township of Malahide.

This Policy does not apply to:

- Complaints about Members of Council (as they are governed by the Council Code of Conduct and investigated by the Integrity Commissioner).
- Members of advisory and quasi-judicial committees and local and other boards.
- A function where there is a statutory or prescribed process for review, or which is governed by specific legislation.
- Complaints from Employees about other Employees or working conditions.
- Allegations of violations of Canada's Criminal Code.

This Policy does not apply where legal action against the Township or a Township official has been threatened or commenced. Additionally, the Policy does not apply to typical Complaints, which are addressed through the Complaint and Service Request Handling Policy, which provides the public with an avenue for submitting Complaints about Township programs, facilities, services, and Employees, and provides a consistent practice for handling Complaints.

3. DEFINITIONS

Township means the Township of Malahide.

Complaint means an expression of dissatisfaction or concern about the action or lack of action taken regarding operations, facilities, services, or programs provided by the Township or a person or body on behalf of the Township. A Complaint can be spoken, written, or submitted by another method of communication.

Complainant is a customer person who is submitting a Complaint. Any customer who uses or is affected by Township services can make a Complaint including residents, visitors, businesses, and community groups.

Contracted Service Provider means an individual or business that undertakes a contract or agreement with the Township in order to perform a service on a continuing basis (e.g., Janitors, Building Services, etc.).

Council means Malahide Council as a whole. Council Member means an individual member of Council, including the Mayor.

Cyberbullying means the use of communication technologies to engage in deliberate, repeated or hostile behaviour intended to harm, embarrass, Harass or slander someone deliberately, including, but not limited to: social media outlets (e.g. Facebook, Instagram, Twitter, YouTube, LinkedIn, etc.), personal blogs, web pages, discussion groups or online media/newspaper articles.

Employee means all full-time, part-time, temporary, seasonal and Employees hired on a contract basis for a defined period of time, of the Township of Malahide as well as, Students.

Feedback means an opinion or comment about a program, facility, service, or Employee.

Harassment or Harass means engaging in a course of behaviour, comment, or conduct, whether it occurs inside or outside the work environment, that is or ought reasonably to be known to be unwanted. It includes but is not limited to any behaviour, conduct or comment that is directed at or is offensive to another person:

- on the grounds of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, age, handicap, sexual orientation, marital status, or family status, as well as any other grounds under the provisions of the Human Rights Code; or
- which is reasonably perceived by the recipient as an intention to bully, embarrass, intimidate, or ridicule the recipient.

Ombudsman means the Ombudsman of Ontario, or the Ombudsman appointed by Council in accordance with Section 223.13 (1) of the Municipal Act, 2001, S.O. 2001, c 25. Request means the act of asking for something to be given or done.

Frivolous means a Complaint/Request that has no serious purpose or value or may have little merit and be trivial and is part of a pattern of conduct that amounts to an abuse of the right of access, interferes with the operations of the institution, or is made in bad faith or for a purpose other than to obtain access.

Unreasonable means a Complaint/Request that is likely to cause distress or disruption to the Township, its Employees, or other members of the public, without any proper or justified cause. Behaviour that because of the nature or frequency of a Complaint's contact with the Township, negatively affects the ability to deal with their Complaints or those of others.

Vexatious means a Complaint/Request without merit, that is pursued in a manner that is malicious, intended to inconvenience, embarrass, or harass the recipient or is a pattern of conduct by the Complainant that amounts to the misuse of the Complaints processes and procedures.

Volunteer means an individual who volunteers their services, from time to time, to assist in areas of the Township, including Volunteer Firefighters.

4. IDENTIFYING THE CONDUCT OR BEHAVIOUR

4.1. The decision to classify someone's behaviour as Unreasonable, or to classify a request or complaint as Frivolous or Vexatious, could have serious consequences for the individual, including restricting their access to Township services, facilities, and staff. The decision may be a result of a repeated pattern of conduct when, on several occasions, a person engages in one or more behaviours or actions identified as Unreasonable, Frivolous, and/or Vexatious, or it may be a single significant incident that requires the invocation of this policy. If an incident presents an immediate threat, contact 9-1-1.

4.2. Although each case must be determined in light of its own circumstances, below are examples meant to help staff identify Frivolous, Vexatious, or Unreasonable

conduct. It is understood that these examples are not determinative; the list is not exhaustive, nor does any action set out in the list necessitate the application of this policy.

4.3. Examples of Frivolous, Vexatious, or Unreasonable conduct may include, but are not limited to:

- Refusing to specify the grounds of a complaint, despite offers of assistance.
- Prolonged submission of requests with high volume and frequency of communications to one or more Township Employees via one or more customer service channels.
- Requests for information the Complainant has already seen, or clear intent to reopen issues that have already been considered and concluded.
- Refusing to accept the decision of the Township, repeatedly arguing points with no new evidence.
- Where complying with the request would impose a significant burden on the Township in terms of expense and affect our ability to provide services to others.
- Where the Complainant states that the request is meant to cause maximum inconvenience, disruption, or annoyance.
- Where the request lacks any serious purpose or value. An apparent lack of value would not usually be enough on its own to make a request vexatious but may when considered with other factors.
- Complaint is retaliatory or is initiated with the intent to embarrass or annoy another customer or resident or in an attempt to use Township services or by-law as a tool in an ongoing neighbour dispute.
- Make excessive demands on the time and resources of Employees with lengthy phone calls, emails to numerous Employees, excessive social media posts on Township channels, or detailed correspondence every few days and expecting immediate response.
- Causing distress to Employee using intimidation or hostile, abusive, or offensive language, or an unreasonable fixation on an individual Employee or any of the prohibited behaviours defined in the Township's Respect in the Workplace – Workplace Violence, Harassment, and Sexual Harassment Policy.
- Making unjustified complaints about Employees who are trying to deal with the issues and threatening to negatively affect their employment status with the Township.
- Excessive, repeated, or hostile cyberbullying and contact with Township social media accounts, intended to harm, embarrass, harass, or slander the Township of its Employees (See Township's Social Media Policy).

4.4. Each situation will be considered on a case-by-case basis. The decision to classify the Complainant's conduct as Frivolous, Vexatious, or Unreasonable will be made by the CAO, in consultation with the Senior Management Team and if necessary, the Township Solicitor.

5. Determining whether a complainant's behaviour is Frivolous, Vexatious, or Unreasonable requires a flexible approach that considers all circumstances. There is no strict test or set criteria for making this determination. The key question is whether the behaviour creates a pattern likely to cause distress, disruption, or irritation without proper or justified cause. The decision can be based on one or more instances of frivolous, vexatious, or unreasonable behaviour. Staff must provide documented evidence of the complainant's behaviour, such as emails, letters, social media posts, photographs, voicemails, or staff notes reporting a conversation or incident, before applying the restrictions outlined in this policy.

6. RESPONSIBILITIES

6.1. Employees

Employees are to have knowledge and understanding of the purpose of receiving complaints, the process through which a complaint can be made and the service standards that apply to complaints. They are to be aware of this policy and any accompanying guidelines and protocols.

6.2. Directors, Managers, and Supervisors

Directors, Managers, and Supervisors are responsible for ensuring that relevant Employees are aware of and trained in this policy and any accompanying guidelines and protocols.

6.3. Members of Council and Committees:

Members of Council and Committees will consult with the CAO and the Integrity Commissioner, if necessary, regarding cases of Unreasonable behaviour and/or Frivolous and Vexatious action that the Member wishes to address, as described in this policy. Upon being consulted by a Member of Council or Committees, the Integrity Commission shall provide advice to the Member respecting any proposed action under this policy as it relates to the Member's obligations under the Code of Conduct for Members of Council.

6.4. Customers/Members of Public

Customers are asked to recognize that the Township must consider the needs of the whole community. They are to provide honest and respectful communication with a goal of improving services.

7. LEGISLATIVE AND POLICY OVERVIEW

7.1. Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M. 56

The Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M. 56, provides that a request for information may be denied if, on reasonable grounds, it is found to be Frivolous or Vexatious.

7.2. Occupiers' Liability Act and Occupational Health and Safety Act

The Township has a general legislated duty under the Occupiers' Liability Act, R.S.O. 1990, c 0.2, to take such care, as in all the circumstances reasonable, for any persons entering on its premises, and the property brought on the premises are reasonably safe. The Township has further duties under the Occupational Health & Safety Act, R.S.O. 1190, c 0.1, to address workplace violence and harassment and to:

- Make reasonable efforts to provide a safe, healthy working environment for its Employees.
- Ensure that all persons on the property are reasonably safe while on the premises; and,
- Make reasonable efforts to provide for the safety of all Council, Employees, Students, Volunteers, and the public in Township operations and in public use of Township facilities.

7.3. Related Policies:

The Township of Malahide is committed to ensuring a climate of understanding and mutual respect and to make reasonable efforts to provide a safe workplace, free from any form of discrimination, harassment, bullying or actual, attempted or threatened violence. The Respect in the Workplace – Violence and Harassment Policy details the steps available to the Township to ensure that a respectful and safe workplace is maintained.

The Township's Complaint and Service Request Handling Policy provides the public with an avenue for submitting complaints and service requests and provides Township Employees with consistent practices for handling complaints and requests about Township programs and services.

8. ADDRESSING THE CONDUCT OR BEHAVIOUR

8.1. Employee review

In the event suspected Frivolous, Vexatious or Unreasonable conduct is experienced or observed, the Employee will consult with their Manager or Supervisor providing any supporting materials identifying the nature of the conduct including, as appropriate:

- The number of requests and complaints made by the Complainant and the status of each.
- The length of time that Employees have been in contact with the Complainant, including the time and resources invested in the issue(s).
- The history of interactions (where appropriate) and the amount of correspondence that has been exchanged with the Complainant.
- A summary of the steps taken by Employees to resolve the issue.
- The nature of the Complainant's behaviour.

Employees may choose to contact their Manager or Supervisor for assistance prior to a pattern of conduct being established if the Complainant's behaviour is of concern.

8.2. Director/Manager/Direct Supervisor Review

Managers/direct Supervisors are responsible for reviewing the information provided by Employees and determining if the complaint should be escalated to the appropriate Director.

Before escalating to the CAO, the Director, Manager, or direct Supervisor must be satisfied that:

- The Employee has dealt with the complaint properly and in line with relevant procedures and statutory guidelines.
- Employees have made reasonable efforts to satisfy or resolve the complaint and communication with the Complainant has been adequate.
- The Complainant is not attempting to provide any significant new information by contacting Employees.

8.3. CAO Confirmation

The CAO is responsible for reviewing the information provided by the Director/Manager/direct Supervisor in a timely manner and confirming whether or not this Policy should apply. The CAO may want to contact or convene Employees from other departments to confirm the extent of the Complainant's contact with the Township.

If, after reviewing the circumstances, the CAO determines that action under this policy should be taken, they will determine the appropriate action(s)/restrictions in accordance with this Policy in consultation with the Senior Leadership Team and the Township Solicitor (if necessary).

9. APPLICATION OF RESTRICTIONS AND NOTICE

9.1. When a decision has been made to classify the Complainant's conduct as Frivolous, Vexatious or Unreasonable, the Complainant (where possible and appropriate) will receive written notification from the CAO, with a copy to Members of Council, the Senior Management Team, detailing:

- The reasons for the decision.
- The restrictions to be applied.
- The review date; and
- What this means for the Complainant's contact with the Township.

9.2. Restrictions available to CAO under this policy shall be tailored to deal with the individual circumstances of each case and may include, but are not limited to:

- A letter of warning may be issued to the Complainant for any conduct that is in violation of this policy.

- Limiting the Complainant's correspondence with Employee to a particular form (e.g., email only), time (e.g., telephone calls only at specific times and days of the week) or duration (e.g., conversations may last no longer than ten minutes).
- Limiting the Complainant to an established point of contact at the Township (where possible, other Employees should be advised not to respond to the Complainant, but to refer them to the established point of contact).
- Requiring any face-to-face interactions between the Complainant and Employee to take place in the presence of an appropriate witness and in a suitable location.
- Requiring the Complainant to make contact only through a third party (e.g., solicitor, friend acting on their behalf).
- Requiring that the Complainant produces full disclosure of documentation or information before Employees will investigate any new complaints.
- Instructing Employees not to respond to further correspondence from the Complainant regarding the complaint of a substantially similar issue.
- Instructing Employees not to investigate any complaints regarding an issue that has already been investigated, or which is substantially similar to an issue which has already been investigated.
- Limiting or regulating the Complainant's use of or access to the Township's services or facilities (e.g., community centres, administration building).
- In extreme circumstances, instructing Employees to severely reduce or completely cease responses to further complaints and correspondence from the Complainant; and/or
- Other actions as deemed appropriate by the panel of Senior Management Team members.

10. REVIEW OF RESTRICTIONS

- 10.1. The complainant shall have thirty (30) days from the date upon which the notice is received of restrictions to appeal against the decision by providing to the CAO a written letter outlining the reasons for the appeal. The CAO may confirm, rescind, or amend the restrictions, review date, extension, or modifications within ten (10) days of receiving an appeal.
- 10.2. Under this policy, any restrictions imposed will have a specific review date. The CAO will determine this date based on the circumstances of the case. The review date may be set at ninety (90) days or longer from the date the restrictions were implemented, especially in cases of severe conduct or a pattern of behaviour from the complainant that requires a longer restriction period. The CAO will review the complainant's status in consultation with the relevant Manager/Direct Supervisor on or before the review date and will communicate the outcome in writing to the complainant.
- 10.3. Where restrictions are not respected by the Complainant, further restrictions may be imposed upon review in accordance with this policy.

10.4. In the event that complaints cannot be resolved under this policy, they may be submitted to the Ombudsman's office.

10.5. New Complaints

Complaints on separate or new issues from a Complainant who has come under this Policy will be treated on their individual merits. The CAO will decide if any restrictions, which are currently in effect, should be applied to the new complaint.

11. MAINTAINING DETAILED RECORDS

11.1. Employees are responsible for maintaining detailed records of their interactions with Complainants (emails, notes of telephone conversations, and notes of in-person discussions) in order to justify any action being taken to restrict the Complainant's access to Employees. Records must be retained in accordance with the Township's Records Retention By-law and Schedule.

12. MONITORING AND EVALUATION

12.1. This policy is reviewed by the Manager of Legislative Services/Clerk or designated at least every Council Term (4 years) to ensure its effectiveness and compliance with legislation and current business processes or as required based on legislative changes.

12.2. The Manager of Legislative Services/Clerk is authorized to make minor or housekeeping amendments to this Policy as required.

13. REFERENCES

A09-CORP-002 Customer Service Policy

A09-CORP-003 Complaint and Service Request Handling Policy

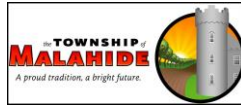
A09-CORP-001 Social Media Policy

[HRM-B-4.2 Respect in the Workplace](#)

[Municipal Freedom of Information and Protection of Privacy Act](#)

[Occupational Health and Safety Act](#)

Ontario Ombudsman – [Tips for Municipal Complaint Resolution Policy](#)



Section: Terms and Rules of Employment	Policy Number: C-3.6
Subsection: Standards of Conduct	Effective Date: January 1, 2011
Subject: Customer Service	Revision Date:
	Page 1 of 1

C-3.6 CUSTOMER SERVICE

Purpose:

To provide guidelines on how to achieve the highest possible level of customer service for the Township of Malahide.

Policy:

1. The Township is committed to provide superior customer service.
2. In all dealings with customers, the Township expects employees to be pleasant, courteous and respectful.
3. Excellent and courteous phone service is critical. Please adhere to the following telephone guidelines:
 - a. Update voicemail on a daily basis, or at least when employees will be absent for a full day or longer.
 - b. Activate the Out of Office Assistant for e-mail for absences of a full day or longer.
 - c. Do not put callers on hold for an extended period of time.
 - d. Whenever possible, answer a caller's question yourself rather than transferring them to other individuals.
 - e. Answer phones whenever possible so callers are not continually put through to voicemail.
 - f. Employees must notify the receptionist when they are leaving the office and when they expect to return.
 - g. Return all phone calls within twenty-four hours if possible.
4. Please use discretion with respect to confidential client information.



Section: Terms and Rules of Employment	Policy Number: C-3.6
Subsection: Standards of Conduct	Effective Date: January 1, 2011
Subject: Customer Service	Revision Date: June 20, 2024
Related Policy: A09-CORP-002 Customer Service Policy	Page 1 of 1

C-3.6 CUSTOMER SERVICE

1. PURPOSE:

To provide guidelines on how to achieve the highest possible level of customer service for the Township of Malahide.

To ensure all communications follow the Township's customer service values and principles:

- Prompt Response: we strive to respond to customer inquiries, concerns, and requests in a timely manner.
- Empathy and Respect: treating all customers with empathy, respect, and professionalism.
- Clear Communications: communicate clearly and effectively.
- Problem Resolution: resolve customer issues promptly and efficiently.
- Continuous Improvement: consider complaints and requests for service as opportunities to evaluate programs and services for possible improvement.

2. POLICY:

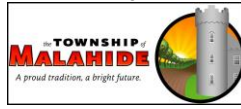
The Township is committed to delivering exceptional, equitable, and accessible customer service..

Staff will provide the best customer service possible and are empowered to make decisions to ensure each customer's experience is meaningful, fair, and respectful.

3. EXPECTATIONS:

3.1 In order to meet the needs and expectations of customers, within the context of approved municipal policies and procedures, all employees are expected to:

- Anticipate the needs of customers and plan accordingly in order to successfully meet these needs, including accessibility standards for a person with disabilities.
- Greet customers in a prompt, professional, and respectful manner.
- Identify themselves, their department, and their title.
- Listen actively to all requests and concerns.
- Be pleasant, courteous, respectful, and helpful during the entire interaction.
- Try to improve communication and engagement with all customers.
- Communicate honestly, courteously, and knowledgeably with all customers; and



- Maintain their voicemail and email to ensure customers are aware of planned absences.
 - Identify alternative contacts and a return date in the voice message or out-of-office attendant email.

3.2 Front office staff generally have the most interaction with customers and have additional standards to meet as follows:

- Coordinate schedules with all front staff to ensure there is coverage for the front office and incoming phones during all business hours.
- Set up an automated attendant on the phone system when the phone is not attended:
- Refer customer inquiries to the appropriate person in the appropriate department.
- Avoid bouncing an inquiry around. If the appropriate employee is unavailable or absent, the customer should be made aware of this.

4. RESPONSE TIMEFRAMES:

4.1 Employees are expected to respond to inquiries as follows:

Inquiry Type	Contact Information
General Inquiries	Acknowledged – Within <u>three</u> (3) business days
More Detailed Inquiries	See 5.2 below
After Hours Emergency Response	Immediate
Request for Service	Acknowledged within three (3) business days and processed based on priority at the discretion of the Township.
Formal Complaints	Acknowledged within three (3) business days. Full resolutions within thirty (30) days.

4.2 Employees should acknowledge inquiries within three (3) business days. However, many departments have established their customer service response standards to comply with legislative requirements, those specific standards will take precedence. If the employee is unable to respond fully within the required amount of time, it is expected that the Employee will provide the customer with a response time estimate.

5. CUSTOMER COMPLAINTS & COMPLIMENTS

5.1 Informal Complaint Resolution Process:

Whenever possible, Employees are encouraged to find resolutions to address customer concerns and complaints.

- Employees should listen attentively to a customer’s complaint, acknowledge their concerns, and express empathy.



- Employees should assess the details of the complaint to understand its nature and impact on the customer.
- Employees are encouraged to offer practical and reasonable solutions to address the complaint.
- If a complaint is beyond the Employee's authority or expertise, they should escalate it to a Supervisor or Manager for further assistance. See A09-Corp-002 Policy escalation process.

5.2 Formal Complaint Process:

When the attempt to resolve a customer's concern or complaint is not successful, or the customer wishes to pursue the formal complaint process, formal complaints can be submitted by completing the [Formal Complaint Form](#).

6. TRAINING AND SUPPORT

- 6.1 Customer Service Training: Employees will receive training in customer service skills, complaint handling, and resolution techniques as required, including accessibility.
- 6.2 Ongoing Support: Supervisors and Managers will provide ongoing support and guidance to employees, helping them navigate complex or challenging complaints and taking over when necessary.

7. COMPLIANCE AND ACCOUNTABILITY

Employees are expected to adhere to this policy and demonstrate a commitment to resolving customer complaints effectively. Failure to comply with the policy may result in corrective action, up to and including termination of employment.

8. CONCLUSION

By empowering employees to resolve customer complaints, the Township aims to enhance customer satisfaction to improve overall service quality. This policy underscores the Township's dedication to providing exceptional customer service and addressing concerns proactively and efficiently.

JOINT AGENDA
AYLMER AREA SECONDARY WATER SUPPLY SYSTEM
PORT BURWELL AREA SECONDARY WATER SUPPLY SYSTEM
JOINT BOARD OF MANAGEMENT

June 12, 2024 – 1:00 PM
Malahide Council Chambers
51221 Ron McNeil Line, Springfield, ON

Board Members:

Municipality of Central Elgin – Norman Watson
Town of Aylmer – Pete Barbour
Township of Malahide – Chester Glinski
Municipality of Bayham – Tim Emerson

Staff:

Municipality of Central Elgin – Alex Piggott
Town of Aylmer – Andy Grozelle
Township of Malahide – Jason Godby, Sam Gustavson, Adam Boylan, and Tanya Hoover

(1) Call to Order

Pete Barbour is appointed Chair and the meeting is called to order at 1:00 pm.

(2) Disclosure of Pecuniary Interest

No disclosures of pecuniary interest declared

(3) Adoption of Prior Minutes

Moved by: Norman Watson

Seconded by: Tim Emerson

THAT the minutes of the Port Burwell Area Secondary Water Supply System Joint Board of Management meeting held on March 6, 2024 and April 24, 2024 be approved as circulated.

Carried

Moved by: Chester Glinski

Seconded by: Tim Emerson

THAT the minutes of the Aylmer Area Secondary Water Supply System Joint Board of Management meeting held on March 6, 2024, be approved as circulated.

Carried

(4) Reports

- Water Loss Billing

Members discussed the water loss billing matter and instructed the administrating staff to follow up with a report, including additional details on the matter under consideration.

Moved by: Norman Watson
Seconded by: Chester Glinski

THAT Report AASWSS-24-08 titled “Water Loss Billing” be received.

Carried

- 2023 Audited Financial Statements and Year-End Report

Moved by: Norman Watson
Seconded by: Chester Glinski

THAT the 2023 Audited Financial Statements and Year-End Report be received;
AND THAT the Chair be authorized to sign the Engagement Letter, Audit Planning Letter, and Audit Findings Letter from Graham, Scott, Enns LLP, dated June 12, 2024, on behalf of the AASWSS Board.

AND THAT the Aylmer Area Secondary Water Supply System 2023 surplus of \$239,383 be transferred to reserves.

Carried

- 2023 Audited Financial Statements and Year-End Report

Moved by: Tim Emerson
Seconded by: Norman Watson

THAT the 2023 Audited Financial Statements and Year-End Report be received;
AND THAT the Chair be authorized to sign the Engagement Letter, Audit Planning Letter, and Audit Findings Letter from Graham, Scott, Enns LLP, dated June 12, 2024, on behalf of the PBASWSS Board.

AND THAT the Port Burwell Area Secondary Water Supply System 2023 surplus of \$116,067 be transferred to reserves.

Carried

- Mid-Year Financial Update

Moved by: Norman Watson
Seconded by: Chester Glinski

THAT Report AASWSS-24-10 entitled “Mid-Year Financial Update” be received.

Carried

- Mid-Year Financial Update

Moved by: Tim Emerson

Seconded by: Chester Glinks

THAT report PBASWSS-24-11 entitled “Mid-Year Financial Update” be received.

Carried

- APAM SCADA Wide Area Network Agreement

Moved by: Norman Watson

Seconded by: Tim Emerson

THAT Report No. AASWSS-24-05 entitled “APAM SCADA Wide Area Network Agreement” be received;

AND THAT the Aylmer Area Secondary Water Supply System Joint Board of Management authorizes the Administering Municipality to renew the APAM SCADA Wide Area Network Agreement for a term of three years and to execute the necessary documents with Execulink; SUBJECT TO the acceptance by the Township of Malahide and the Joint Board of Management for the Port Burwell Area Secondary Water Supply System of their portion.

Carried

- APAM SCADA Wide Area Network Agreement

Moved by: Tim Emerson

Seconded by: Norman Watson

THAT Report No. PBASWSS-24-07 entitled “APAM SCADA Wide Area Network Agreement” be received;

AND THAT the Port Burwell Area Secondary Water Supply System Joint Board of Management authorizes the Administering Municipality to renew the existing APAM SCADA Wide Area Network Agreement for a term of three years and to execute the necessary documents with Execulink; SUBJECT TO the acceptance by the Township of Malahide and the Joint Board of Management for the Aylmer Area Secondary Water Supply System of their portion.

Carried

- 2024 First Quarter Operations Report

Moved by: Norman Watson
Seconded by: Chester Glinski

THAT Report No. AASWSS-24-06 entitled “2024 First Quarter Operations Report” be received.

Carried

- First Quarter 2024 Operations Report

Moved by: Norman Watson
Seconded by: Chester Glinski

THAT Report No. PBASWSS-24-08 entitled “First Quarter 2024 Operations Report” be received.

Carried

- DWQMS Operational Plan: Revision to Element 3 – Commitment and Endorsement

Moved by: Norman Watson
Seconded by: Chester Glinski

THAT Report No. AASWSS-24-07 entitled “DWQMS Operational Plan: Revision to Element 3 – Commitment and Endorsement” be received;

AND THAT the Joint Board of Management for the Aylmer Area Secondary Water Supply System does hereby endorse the Operational Plan and authorizes the Mayor and Clerk of the Administering Municipality, being the Township of Malahide, to sign the Element 3 Commitment and Endorsement on their behalf.

Carried

- DWQMS Operational Plan: Revision to Element 3 – Commitment and Endorsement

Moved by: Tim Emerson
Seconded by: Norman Watson

THAT Report No. PBASWSS-24-09 entitled “DWQMS Operational Plan: Revision to Element 3 – Commitment and Endorsement” be received;

AND THAT the Joint Board of Management for the Port Burwell Area Secondary Water Supply System does hereby endorse the Operational Plan and authorizes the Mayor and Clerk of the Administering Municipality being the Township of Malahide to sign the Element 3 Commitment and Endorsement on their behalf.

Carried

(5) Correspondence

N/A

(6) New Business

N/A

(7) Adjournment

Moved by: Chester Glinksi
Seconded by: Norman Watson

THAT the Aylmer Area Secondary Water Supply System Joint Board of Management adjourn at 2:02 p.m. to meet again on September 4, 2024 at 1:00 p.m.

Carried

Moved by: Tim Emerson
Seconded by: Chester Glinksi

THAT the Port Burwell Secondary Water Supply System Joint Board of Management adjourn at 2:02 p.m. to meet again on September 4, 2024 at 1:00 p.m.

Carried

Pete Barbour – Board Chair

Allison Adams - Clerk



LONG POINT REGION CONSERVATION AUTHORITY
Board of Directors Meeting Minutes of May 1, 2024
Approved June 5, 2024

Members in attendance:

Robert Chambers, Chair	County of Brant
Dave Beres, Vice-Chair	Town of Tillsonburg
Shelley Ann Bentley	Haldimand County
Doug Brunton	Norfolk County
Michael Columbus	Norfolk County
Tom Masschaele	Norfolk County
Jim Palmer	Township of Norwich
Stewart Patterson	Haldimand County
Chris Van Paassen	Norfolk County
Rainey Weisler	Municipality of Bayham/Township of Malahide
Peter Ypma	Township of South-West Oxford

Regrets:

Staff in attendance:

Judy Maxwell, General Manager
 Aaron LeDuc, Manager of Corporate Services
 Leigh-Anne Mauthe, Interim Manager of Watershed Services
 Saifur Rahman, Manager of Engineering and Infrastructure
 Jessica King, Social Media and Marketing Associate
 Dana McLachlan, Executive Assistant

1. Welcome and Call to Order

Chair, Robert Chambers called the meeting to order at 6:30 p.m., Wednesday, May 1, 2024.

2. Additional Agenda Items

Item 9 g) Phase Out of Free Well-Water Testing is added to the May 1, 2024 agenda under New Business.

3. Approval of the Agenda

A-59/24

Moved by J. Palmer
 Seconded by R. Weisler

THAT the LPRCA Board of Directors approves the amended agenda.

Carried

4. Declaration of Conflicts of Interest

None were declared.

FULL AUTHORITY COMMITTEE MEMBERS

Shelley Ann Bentley, Dave Beres, Doug Brunton, Robert Chambers, Michael Columbus,
 Tom Masschaele, Jim Palmer, Stewart Patterson, Rainey Weisler, Chris Van Paassen, Peter Ypma

5. Minutes of the Previous Meeting

a) Board of Directors Meeting Minutes of April 3, 2024

There were no errors or omissions.

A-60/24

Moved by D. Brunton

Seconded by C. Van Paassen

THAT the minutes of the LPRCA Board of Directors Meeting held April 3, 2024 be adopted as circulated.

Carried

6. Business Arising

Michael Columbus inquired if any comments have been received regarding the Vittoria Dam Class Environmental Assessment. Judy Maxwell informed the Board that the notification will be posted in the newspapers next Thursday and the 30-day comment period will start from that date.

7. Review of Committee Minutes

There were no committee minutes for review.

8. Planning Department

a) Section 28 Regulations Approved Permits (L. Mauthe)

Through the General Manager's delegating authority, 20 applications were approved in the past month. A summary of the applications was provided in the report.

No questions were received from the Board.

A-61/24

Moved by R. Weisler

Seconded by P. Ypma

THAT the LPRCA Board of Directors receives the Section 28 Regulations Approved Permits report dated May 1, 2024 as information.

Carried

FULL AUTHORITY COMMITTEE MEMBERS

Shelley Ann Bentley, Dave Beres, Doug Brunton, Robert Chambers, Michael Columbus,
Tom Masschaele, Jim Palmer, Stewart Patterson, Rainey Weisler, Chris Van Paassen, Peter Ypma

9. New Business

a) **General Manager's Report (J. Maxwell)**

Judy Maxwell provided a report summarizing operations this past month.

Dave Beres and Aaron LeDuc attended Conservation Ontario's Annual General Meeting and both provided a brief overview of the contents of that meeting, which included the election of the new board and the financial reports.

A-62/24

Moved by M. Columbus
Seconded by R. Weisler

That the LPRCA Board of Directors receives the General Manager's Report for April 2024 as information.

Carried

b) **Q1 Financial Report (A. LeDuc)**

The financial report was presented by Aaron LeDuc.

Chris Van Paassen asked if there will be another forest tract put out for tender this year. Judy Maxwell replied there are no plans to issue another tender at this time.

A-63/24

Moved by P. Ypma
Seconded by R. Weisler

THAT the LPRCA Board of Directors receives the Q1 Financial Report – March 31, 2024 for the period up to and including March 31, 2024 as information.

Carried

c) **Backus Heritage Site Collections Management Policy (J. Maxwell)**

Judy Maxwell presented the report and summarized the changes to the policy.

Peter Ypma noticed there was a position title error under Section 5 of the policy. The policy will be amended.

A-64/24

Moved by T. Masschaele
Seconded by D. Brunton

THAT the LPRCA Board of Directors approves the Backhouse Historic Site Collections Management Policy as amended.

Carried

FULL AUTHORITY COMMITTEE MEMBERS

Shelley Ann Bentley, Dave Beres, Doug Brunton, Robert Chambers, Michael Columbus,
Tom Masschaele, Jim Palmer, Stewart Patterson, Rainey Weisler, Chris Van Paassen, Peter Ypma

d) Regulations Officer and PO Officer Appointment (L. Mauthe)

The report was presented by Leigh-Anne Mauthe.

Peter Ypma asked for clarification on Section 28 and Section 29 of the *Conservation Authorities Act* and wanted information on staff training to protect themselves when dealing with these matters.

Leigh-Anne Mauthe explained that Section 28 is the Planning regulations and Section 29 is in regards to public use of authority's property. All designated LPRCA Regulations Officers have taken the Provincial Offences Officer training program which includes a de-escalation module.

Judy Maxwell also noted that the park supervisors, assistants and some support staff, recently attended a one-day de-escalation training course designed specifically for working at a conservation area. All staff training/certification is recorded by the HR team.

A-65/24

Moved by S. Patterson
Seconded by S. Bentley

THAT the LPRCA Board of Directors appoints Meagan Doan, Resource Planner as an LPRCA Regulations Officer and Provincial Offences Officer for the purpose of compliance and enforcement of any regulation made under section 28 and section 29, as per subsection 30.1 of the *Conservation Authorities Act*, and the *Trespass to Property Act*

Carried

e) ERO Posting 019-8320: Minister's Permit and Review Powers under the Conservation Authorities Act (Leigh-Anne Mauthe)

Leigh-Anne Mauthe summarized the report and presented the LPRCA comments and recommendations letter to be submitted to the Environmental Registry of Ontario.

A-66/24

Moved by P. Ypma
Seconded by M. Columbus

THAT the LPRCA Board of Directors directs staff to send the attached letter as Long Point Region Conservation Authority's submission to the Environmental Registry of Ontario number 019-8320.

Carried

FULL AUTHORITY COMMITTEE MEMBERS

Shelley Ann Bentley, Dave Beres, Doug Brunton, Robert Chambers, Michael Columbus,
Tom Masschaele, Jim Palmer, Stewart Patterson, Rainey Weisler, Chris Van Paassen, Peter Ypma

f) ERO Posting 019-8462: Review of Proposed Policies for a New Provincial Planning Policy Instrument (Leigh-Anne Mauthe)

Leigh-Anne Mauthe summarized the report and presented the LPRCA comments and recommendations letter to be submitted to the Environmental Registry of Ontario. There were no questions.

A-67/24

Moved by J. Palmer

Seconded by D. Brunton

THAT the LPRCA Board of Directors directs staff to send the attached letter as Long Point Region Conservation Authority's submission to the Environmental Registry of Ontario number 019-8462 Review of proposed policies for a new provincial policy instrument.

Carried

g) Phase Out of Free Well-Water Testing

Correspondence was brought forth from the Source Protection Authority meeting regarding the 2023 Auditor General's audit report suggesting Public Health Ontario streamline the laboratory operations for water testing and implement fees for testing well-water to private well owners.

A-68/24

Moved by C. Van Paassen

Seconded by T. Masschaele

WHEREAS: private water systems (e.g., wells) are not protected through legislated requirements under The Safe Drinking Water Act 2002 and The Clean Water Act 2006, but are more likely to contribute to cases of gastrointestinal illness than municipal systems;

AND

WHEREAS: the 2023 Ontario Auditor General's value-for-money audit of Public Health Ontario (PHO) recommended that PHO, in conjunction with the Ontario Ministry of Health, begin the gradual discontinuance of free private drinking water testing;

AND

WHEREAS: in the jurisdiction of LPRCA, many households do not receive water from municipal systems, with many relying on a private drinking water system, including wells;

AND

WHEREAS: the Walkerton Inquiry Report Part II, concluded the privatization of laboratory testing of drinking water samples contributed directly to the E. coli outbreak in Walkerton, Ontario in May 2000;

AND

FULL AUTHORITY COMMITTEE MEMBERS

Shelley Ann Bentley, Dave Beres, Doug Brunton, Robert Chambers, Michael Columbus, Tom Masschaele, Jim Palmer, Stewart Patterson, Rainey Weisler, Chris Van Paassen, Peter Ypma

WHEREAS: all Ontarians deserve safe, clean water, and free well-water testing is a way to help ensure that residents on private wells continue to have barrier-free access to well water testing.

THEREFORE, BE IT RESOLVED THAT: the Board of Directors calls on the Province to not phase out free well-water testing as part of the proposed streamlining efforts of public health laboratory operations in the province;

AND

FURTHER THAT: this resolution be circulated to the Hon. Sylvia Jones, Minister of Health; Hon. Lisa Thompson, Minister of Agriculture, Food and Rural Affairs; Hon. Andrea Khanjin, Minister of the Environment, Conservation and Parks; local MPPs; and Conservation Ontario and Ontario’s conservation authorities.

Carried

The Board convened in a closed meeting at 7:25 p.m.

10. Closed Session

A-69/24

Moved by D. Beres

Seconded by P. Ypma

THAT the LPRCA Board of Directors does now enter into a closed session to discuss:

- A trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the Authority, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization.

Carried

The Board reconvened in open session at 7:26 p.m.

The April 3, 2024 closed meeting minutes was approved in the closed session.

Next meeting: June 5, 2024, Board of Directors, 6:30 p.m.

Adjournment

The Chair adjourned the meeting at 7:26 p.m.

Robert Chambers
Chair

Judy Maxwell
General Manager/Secretary-Treasurer

FULL AUTHORITY COMMITTEE MEMBERS

Shelley Ann Bentley, Dave Beres, Doug Brunton, Robert Chambers, Michael Columbus, Tom Masschaele, Jim Palmer, Stewart Patterson, Rainey Weisler, Chris Van Paassen, Peter Ypma



CATFISH CREEK CONSERVATION AUTHORITY

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e-mail: admin@catfishcreek.ca • www.catfishcreek.ca

June 17, 2024

Township of Malahide
87 John Street South
Aylmer, ON N5H 2C3

Dear Council and Senior Staff,

Re: Catfish Creek Conservation Authority's Watershed-based Resource Management Strategy Consultation Period

The Catfish Creek Conservation Authority (CCCA) manages natural hazards and natural resources on behalf of our 5 member municipalities and 22,000 watershed residents. The CCCA addresses environmental issues and opportunities that aid to benefit the entire Catfish Creek watershed.

Under the Conservation Authorities Act, each Conservation Authority in Ontario is required to prepare a Watershed-based Resource Management Strategy (Strategy). The goal of the Strategy is to ensure that the CCCA's Programs and Services respond to watershed issues and reflect the organization's mandate under the Conservation Authorities Act.

The CCCA has prepared a draft Strategy and is inviting municipalities, Indigenous communities and the public to review and provide comment. It should be noted that staff had to adhere to stringent provincially mandated guidelines while compiling the Strategy.

The draft Strategy is available on the CCCA's website at <https://www.catfishcreek.ca/wp-content/uploads/2024/06/WBRMS.pdf> and comments may be submitted until July 26, 2024.

Inquiries regarding the Strategy can be directed to Dusty Underhill, General Manager/ Secretary - Treasurer at generalmanager@catfishcreek.ca.

Yours in nature,

Dusty Underhill, General Manager/ Secretary Treasurer



Watershed-based Resource Management Strategy

Approved by Board of Directors:

Effective Date:

Motion No:

Land Acknowledgment:

We would like to take this time to recognize that the land on which we gather is in the traditional territory shared between the Haudenosaunee (ho - din - oh - show - knee) confederacy, the Anishinabe (ah - nih - shih - nah - bai) nations, and the Attiwonderonk Neutrals. First Nations people have longstanding relationships to the land, water and Southwestern Ontario and we are thankful for the opportunity to live, learn and share with mutual respect and appreciation.

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Acknowledgments and Authors:

The Catfish Creek Conservation Authority (CCCA) would like to thank Conservation Ontario for the guidance documents that were provided to assist in fulfilling the requirements of the Mandatory Watershed-based Resource Management Strategy (Strategy), other Conservation Authorities for draft content and the Conservation Authorities Act and its regulations.

The authors of the CCCA Strategy are Peter Dragunas, Water Management Technician and Dusty Underhill, General Manager/ Secretary - Treasurer.

Thank you to everyone who took the time to contribute to the Strategy through public consultation that occurred from June 17, 2024 to July 26, 2024 with final review and approval from the CCCA Board of Directors on August 8, 2024.

1.0 INTRODUCTION

1.1 Purpose

The purpose of the Watershed Based Resource Management Strategy is to assist the Catfish Creek Conservation Authority (CCCA) with developing or improving the delivery of programs and services and their efficiencies and their effectiveness in supporting Mandatory Category 1 Programs.

As part of the Strategy, each Conservation Authority (CA) across the province will develop guiding principles and objectives that inform the design of our programs and services. This document is a summary of information the CCCA can rely upon to directly inform and support program and service delivery, and identify any issues and risks which may limit the delivery of Category 1 programs/services, including actions to address such risks. As such, the Strategy may be used as a management and communications tool with the CCCA's member municipalities, all levels of government, and members of the community to identify actions and Category 2 and 3 programs and services that are recommended to support the delivery of mandatory CA programs and services if necessary. It provides a mechanism to update CCCA's Programs and Services Inventory and to identify where opportunities exist for improving and/ or maintaining watershed health.

To understand the environmental health of the Catfish Creek watershed and the Lake Erie tributaries within CCCA's jurisdiction all environmentally natural and developed artificial components within the watershed require consideration. The CCCA administrative area is comprised of many natural and urbanized elements, from agriculture to municipal to old growth forest, water resources and recreation all of which are comprised of individual ecosystems, together they make-up the watershed bionetwork.

1.2 Goal

The goal of the Strategy is to design and deliver cost effective programs and services that protect people and property from natural hazards and climate change impacts, protect municipal drinking water resources, conserve nature, and provide opportunities for outdoor recreation and education across the watershed. By considering the interconnectedness of the above noted components, this approach helps in achieving holistic and effective management of water resources and associated ecosystems.

1.3 About CCCA

The CCCA was established under Order in Council on February 23, 1950 by request from the Town of Aylmer and Malahide Township. Conservation Authorities protect, restore and effectively manage impacts on Ontario's water resources such as lakes, rivers, streams and groundwater. Conservation Authorities develop programs that protect natural heritage and habitats and promote watershed stewardship practices that lead to healthy watersheds. The CCCA is a local not for profit organization located in southwestern Ontario who implements programs and objectives to;

- 1) Protect life and minimize property damage from natural hazards and climate impacts,
- 2) Improve and protect the ecological health of the Catfish Creek watershed's increasing biodiversity, habitat connectivity, and natural cover,
- 3) Curate an appreciation and create equitable access to nature,
- 4) Ensure our Conservation Lands are protected and enhanced,

- 5) Operate a sustainable, fiscally responsible and adaptable organization.

1.4 Legislative Background

Proclaimed provisions within the Conservation Authorities Act (CAA) and accompanying regulations establish requirements for Mandatory Programs and Services (see Section 21.1 of the Act <https://www.ontario.ca/laws/statute/90c27#BK29> and Ontario Regulation 686/21 (O.Reg 686/21) <https://www.ontario.ca/laws/regulation/210686>).

O.Reg. 686/21 sets out the Mandatory Programs and Services, which must be delivered by all Conservation Authorities in Ontario. Subsection 12(1)3 of the regulation requires all Conservation Authorities to prepare a WBRMS in accordance with subsections 12(4) through (9).

Proclaimed provisions within the Conservation Authorities Act and accompanying regulations establish a requirement for Transition Plans including a Program and Service Inventory and Agreements for Programs and Services (Category 1: Mandatory Programs and Services, Category 2: Municipal Programs and Services Provided on Behalf of a Municipality, Category 3: Programs and Services Advisable by the Conservation Authority). The Strategy may include both Category 2 (municipal - s21.1.1) and Category 3 (other - s21.1.2) programs and services provided by the CA, where the agreement which provides for the delivery of these programs or services permits the inclusion of these programs or services in the Strategy. The CCCA currently only has Category 1 Mandatory Programs and Services and Category 3, Other Programs and Services. The CCCA's Category 3 programs are cost recoverable or paid in full by monies not acquired from municipal levy such as grants, reserves and cost recovery.

2.0 VISION, MISSION, CORPORATE VALUE, STRATEGIC PILLARS, NEXT STEPS

2.1 CCCA's Strategic Plan 2024-2034 (Guiding Principles and Objectives)

In 2023 the Board of Directors approved a Strategic Plan to guide the CCCA from 2024-2034. The new ten (10) year Strategic Plan builds on previous successes and accomplishments, while moving the CCCA forward so we can modernize how staff operate. This will allow staff to be more responsive to changing watershed conditions and economic factors.

The strength and success of the CCCA has been the emphasis on local community involvement. The conservation movement has been a movement of, by and for the people over the past 75 years. We strive to create and implement programs to further the conservation, restoration, development, and management of the natural resources of the Catfish Creek watershed.

2.1.1 Our Vision:

Harmony between the social and ecological needs of the watershed of present and future generations.

2.1.2 Our Mission:

To communicate and deliver resource management services and programs in order to achieve social and ecological harmony for the watershed.

2.1.3 Our Corporate Values:

1. Committed; We are committed to conservation and work every day to improve the health and function of the Catfish Creek watershed, and to provide sustainable outdoor recreation opportunities and customer service that the community expects from us.
2. Creative; We are creative in our solutions and we understand the challenges of today's economy. We are committed to be creative and adaptive in our business solutions to ensure we are a sustainable organization for years to come.
3. Compassionate; We are compassionate towards landowners and we understand both their interests and those of a changing environment. We will continue our great history of working with landowners to find solutions that work for all parties.
4. Proud; We are proud of the Catfish Creek Conservation Authority and dedicating ourselves to the protection of the watershed. We will work hard to increase natural spaces so that future generations can also be proud of the watershed.

Please refer to <https://www.catfishcreek.ca/about-us/publications/> to view the 2024-2034 Catfish Creek Conservation Authority Strategic Plan in its entirety.

3.0 GOVERNANCE/JURISTICDTION

3.1 Conservation Authorities Act (CAA)

The Conservation Authorities Act was created by the Ontario Provincial Legislature in 1946 to ensure the conservation, restoration and responsible management of hydrological features through programs that balance human, environmental and economic needs. The Act authorizes the formation of Conservation Authorities on a watershed basis.

The purpose of the Conservation Authorities Act is to provide for the organization and delivery of programs and services that further the conservation, restoration, development and management of natural resources in Ontario watersheds.

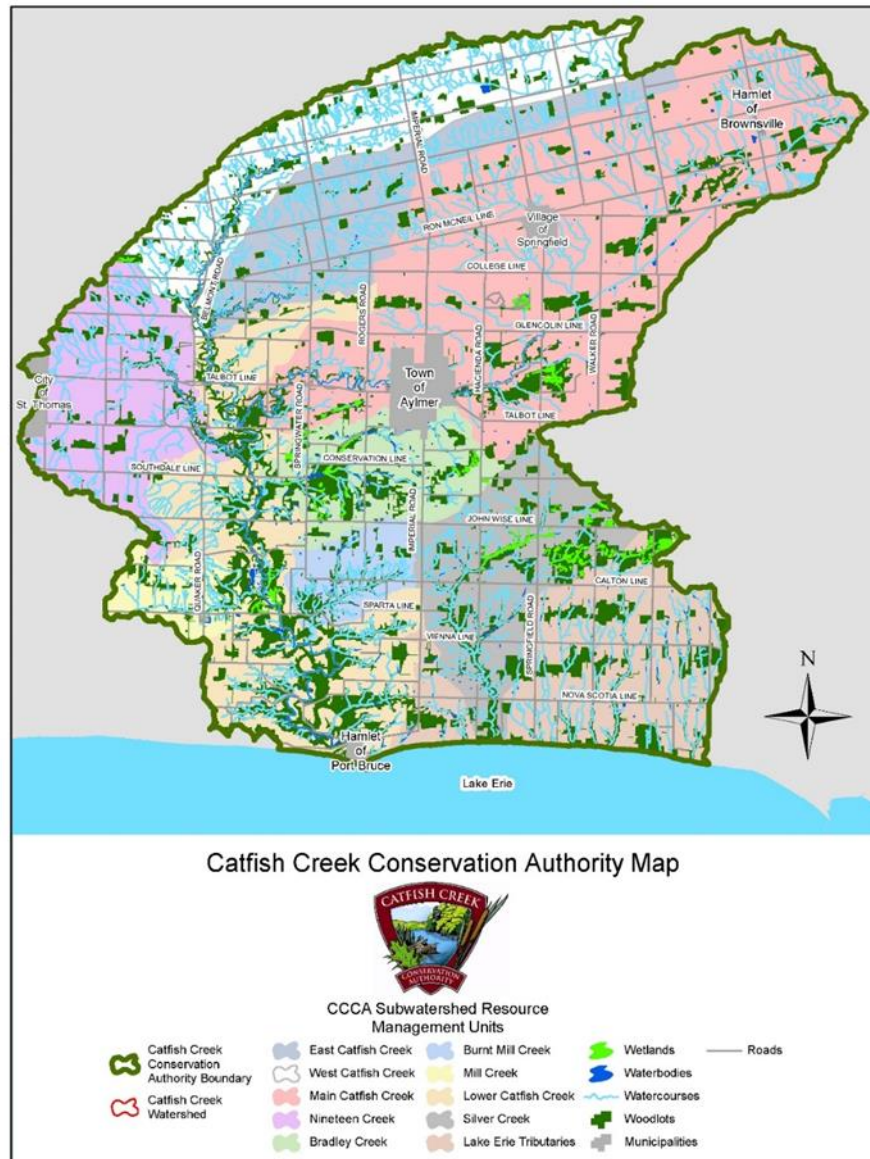
The CCCA was formed under The CAA by Order in Council on February 23, 1950. Ted Clement, Walter Curtis and Stu McBrien wanted an Authority, which would find water. The Town of Aylmer and Malahide Township petitioned the Minister of Public Works to form an Authority on Catfish Creek. At the time there were six member municipalities including the Town of Aylmer, the Village of Springfield, Townships of Malahide, Dereham, South Dorchester and Yarmouth. Today the CCCA watershed encompasses all or portions of the Town of Aylmer (100%), The Township of Malahide (82%), The Township of Southwest Oxford (8%), The Municipality of Central Elgin (40%), and The City of St Thomas (4%).

3.2 Clean Water Act

The Catfish Creek Source Protection Plan was approved on September 19, 2014 and came into effect on January 1, 2015. The Ontario government passed the Clean Water Act in 2006 to implement some of the recommendations of the Walkerton Inquiry. The Act ensures communities protect their municipal drinking water supplies through prevention by developing collaborative, watershed-based source protection plans based on science. The Act created source protection areas and source protection regions. A source protection region can have one or more source protection areas. The Act also created

a local multi-stakeholder source protection committee for each region. These committees identify significant existing and future threats to their municipal drinking water sources and develop plans to address those threats. The CCCA watershed has one municipal drinking water system in the village of Brownsville in the Township of South-West Oxford. The system has two wells that provide water to about 500 people. The Elgin Area Primary Water Supply System also provides municipal water to a number of communities in the watershed, including the Town of Aylmer, Port Bruce and Copenhagen both in the Township of Malahide. The CCCA Source Water Protection Assessment Report can be viewed at; <https://www.sourcewater.ca/en/source-protection-areas/Catfish-Creek-Source-Protection-Plan.aspx#gsc.tab=0>.

3.3 Jurisdiction



(CCCA Sub-watershed Resource Management Units Map 1)

The Catfish Creek watershed is located in the heart of the Carolinian zone in southwestern Ontario. The CCCA administrative boundary is divided into ten sub-watershed management units (CCCA Sub-Watershed Resource Management Units Map 1). Catfish Creek and its tributaries drain an area of approximately 490 square kilometres in Elgin and Oxford counties. The Catfish Creek and seven of the encompassing sub-watershed management units enters Lake Erie at Port Bruce. Much of the land of the watershed is used for agriculture. The City of St. Thomas and the Town of Aylmer are the major urban areas, with other settlements in Malahide such as Springfield and Port Bruce. The Town of Aylmer, the City of St. Thomas, the Township of Malahide, the Township of South-West Oxford, and the Municipality of Central Elgin are our participating municipalities. The total population in the watershed as of 2023 was an estimated 22,000.

3.3.1 Town of Aylmer

Centrally located in the Catfish Creek basin, Aylmer is a charming small town found in Elgin County in Southwestern Ontario. The Town of Aylmer is the largest urban municipality in the CCCA watershed. There are 7,695 residents in Aylmer, with an average age of 40.6. Males make up 48.2% of the population, while females account for 51.8%. Locals under 14 years old represent the largest age group in Aylmer (1,560 individuals), followed by those aged over 65 (1,550 people). Typically, urban centers face a number of challenges with regard to protecting water quality in developed landscapes. Municipalities in the watershed have developed policies for the treatment of stormwater. Requirements are consistent with the concepts and technological requirements established by the Province through its stormwater management quality guidelines and planning and design manual. The Town of Aylmer is also faced with the challenges of promoting the principals/benefits of stormwater management with existing (or retrofitting) infrastructure in older urban areas.

The Town of Aylmer's Official Plan provides guidance for the physical development of the Town through the establishment of land use designations and development policies while having regard to relevant social, economic, and environmental issues for the planning period of 2011 to 2031, though policies will be reassessed every five years in accordance with the Planning Act. In more specific terms, the purpose of The Town of Aylmer's Official Plan is to provide a policy framework, which encourages growth and prosperity in Aylmer while preserving and enhancing the Town's unique small town character.

3.3.2 City of St. Thomas

St Thomas is located in the heart of Southwestern Ontario in beautiful Elgin County. Surrounding St. Thomas are numerous picturesque towns, lakeside villages and historic hamlets, each with their own unique charm. St Thomas is a quick hop from London, Ontario and the shores of Lake Erie. There are 42,840 residents in St. Thomas, with an average age of 43.0. Males make up 48.3% of the population, while females account for 51.7%. Locals over 65 years old represent the largest age group in St. Thomas (9,115 individuals), followed by those aged under 14 (7,155 people). A small (eastern) portion of the City of St. Thomas is within the watershed. The area is over 80 percent developed with a mixture of residential, commercial and industrial land uses. The final remaining parcel (agricultural land) in the watershed is designated for residential development and is currently proceeding by plan of subdivision on full services. The \$7-billion Volkswagen electric vehicle battery manufacturing plant is currently being built at an industrial park area in St. Thomas. The structure will cover an area of roughly 370 acres, equivalent to the size of more than 210 soccer or football fields. The site is approximately eighty percent (80%) in the CCCA watershed.

3.3.3 Township of Malahide

The Township of Malahide is located on the north shore of Lake Erie. The Township is directly linked to Canada's major transportation artery, Highway 401, with exchanges on Imperial Road (Hwy 73), Belmont Road (Hwy 74), Dorchester Road and Putnam Road. There are 9,310 residents in Malahide, with an average age of 37.9. Males make up 51.1% of the population, while females account for 48.9%. Locals under 14 years old represent the largest age group in Malahide (2,180 individuals), followed by those aged over 65 (1,450 people). The Township of Malahide encompasses 67% of the total land area within the watershed. The Official Plan emphasizes the predominant use of land in the Township will be related to agricultural activities. Policies have been developed to permit agriculture-related uses and compatible secondary land uses throughout the Township.

The policies and land use designations included in The Municipality of Malahide's Official Plan were prepared to guide development in the Township of Malahide for the twenty-year period between 2009 and 2029. In addition, every five years, the policies of the Official Plan are reviewed for their effectiveness and future utility. Background data is also updated at this point. For the most part, the Official Plan emphasizes that the predominant use of land in the Township will be related to agricultural activities. Several policies have been incorporated in the Official Plan for the specific purpose of preserving highly productive farmland for agricultural purposes. The Official Plan has also identified lands, which would be the most appropriate for non-farm development. These lands are adjacent to existing built-up areas and are designated as settlement areas for varying levels of growth and development. In all cases, historical communities and local urban areas have been identified and recognized as settlement areas in their Official Plan.

3.3.4 Township of Southwest Oxford

South-West Oxford is a township located within Oxford County. There are 7,585 residents in South - West Oxford, with an average age of 39.4. Males make up 51.4% of the population, while females account for 48.6%. Locals under 14 years old represent the largest age group in South - West Oxford (1,595 individuals), followed by those aged over 65 (1,260 people). A small portion of the County of Oxford is within the Catfish Creek watershed. The County is responsible for the preparation of Official Plan policies and for the appraisal of any proposed amendments. Oxford County Council through the Community and Strategic Planning Department develop land use strategies to help guide development of the member municipalities. Individual municipalities are responsible for the approval and enforcement of the Zoning By-law provisions, in this case all lands within the Corporation of the Township of South-West Oxford.

The Township of South-West Oxford comprises the extreme northeast quadrant of the watershed and corresponds to the headwaters of the main branch of Catfish Creek. Dominated by rural agricultural land uses, this area is designated 'Agricultural Reserve' in the County's Official Plan. The primary use permitted within this designation is farming, including general farming, animal or poultry operations, cash crop farming, nurseries, and agricultural research, together with agricultural residential uses required for the farm and farm buildings and structures necessary to the farming operation. Secondary uses include agricultural commercial/ industrial, resource extraction (sand and gravel), and protection of environmentally significant features.

3.3.5 Municipality of Central Elgin

Central Elgin is a township located in Elgin County on Lake Erie. There are 13,745 residents in Central Elgin, with an average age of 45.3. Males make up 50% of the population, while females account for 50%. Locals over 65 years old represent the largest age group in Central Elgin (3,155 individuals), followed by those aged 55 to 64 (2,490 people). The Municipality, consistent with directives in the Provincial Policy Statement- 2005, promotes efficient development in designated growth areas. The municipality is striving to ensure that necessary infrastructure and public services are in place to encourage future development to only proceed on full services (water/sewage). The designated growth priority areas are located outside the watershed. Expansion within the communities of Sparta (no municipal services) and New Sarum (partial services) is limited to minor infilling/ lot creation for single-family residential building lots.

3.4 Governance

The CCCA is governed by a Board of Directors, which is formed by a member from each of our member municipalities. Proportion of representation is based on population of the member municipalities located within the CCCA watershed. The CCCA Board of Directors is comprised of five members, which fulfills our legal requirement under the CAA. An Agricultural Representative can be appointed at any time under the Ministers Discretion.

- Township of Malahide one (1) member
- Town of Aylmer one (1) member
- Municipality of Central Elgin one (1) member
- Township of Southwest Oxford one (1) member
- City of St Thomas one (1) member

4.0 WATERSHED CHARACTERIZATION

4.1 Climate of Elgin County

The Catfish Creek watershed, situated on the north shore of Lake Erie, has a geographic location, which provides a more temperate climate compared to other parts of Southern Ontario. The temperate climate denotes moderate, even precipitation throughout the year, summers that are warm to hot and humid and freezing temperatures in winter. Winters are mild compared to the rest of Ontario due to the watersheds southerly location and the moderating effect of Lake Erie. Map 4 shows the location of precipitation monitoring stations in the watershed.

General weather patterns in this region consist of four seasons. Winter is generally considered to have temperatures lower than zero degrees Celsius, beginning in December and lasting until late February or early March. Spring lasts approximately two months, followed by four months (June to September) of summer and two months of autumn (Sanderson, 1998). The average annual temperature is about 7.5 degrees Celsius to 8.5 degrees Celsius. Extreme temperatures in this region have been known to reach as low as -32 degrees Celsius in January and as high as 38 degrees Celsius in July (Table 1).

Lake Erie moderates the climate in this region by absorbing heat from the sun during the summer months and releasing it slowly throughout the winter months. Winds coming across the lake are

generally warmer than the land in winter and cooler in summer, thereby moderating the air temperature over the Catfish Creek watershed, adding to a longer frost-free growing season in the lowland plains.

Table 1: Temperature Characteristics Within The Catfish Creek Watershed

Location	Temperature	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Year
Culloden Easey	Daily Average (°C)	-6.3	-5.2	-0.1	6.5	13.5	18.4	20.8	19.8	15.4	9.1	3.1	-3	7.7
	Standard Deviation	2.9	2.9	2.1	1.6	2.2	1.3	1.1	1.2	1	1.4	1.6	2.8	
	Daily Maximum (°C)	-2.9	-1.6	3.9	11.2	19	23.9	26.4	25.2	20.5	13.5	6.4	0.1	
	Daily Minimum (°C)	-9.8	-8.9	-4.1	1.8	8	12.9	15.2	14.3	10.3	4.6	-0.2	-6.1	
	Extreme Maximum (°C)	15	18	23	29	32	36	37	36	33	25	20.6	18	
	Extreme Minimum (°C)	-30	-28	-23	-13	-4	1	6	1	-2.2	-7.8	-15		
Port Stanley	Daily Average (°C)	-5.5	-5.2	0	6.1	12.4	17.2	20	19.4	15.6	9.4	4.1	-2	7.6
	Standard Deviation	2.7	2.7	1.9	1.4	1.6	1.2	0.8	1.1	0.9	1.7	1.4	2.7	1
	Daily Maximum (°C)	-1.7	-0.9	4.1	10.6	17.6	22.2	25.2	24.6	20.8	14.2	7.7	1.5	12.2
	Daily Minimum (°C)	-9.4	-9.5	-4	1.6	7.2	12.2	14.7	14.1	10.4	4.5	0.4	-5.4	3.1
	Extreme Maximum (°C)	14.4	13	21	27.2	31.7	34.4	34.4	33.9	31.7	25.6	20	15.5	
	Extreme Minimum (°C)	-32.8	-32	-27.2	-16.7	-5	-0.6	3.3	0	-2.2	-8.3	-18.9	-31.7	
St. Thomas WPCP	Daily Average (°C)	-4.8	-3.7	1	7.4	13.8	18.6	21	20.2	16.1	10	4.1	-1.8	8.5
	Standard Deviation	2.7	2.6	1.9	1.4	2.1	1.3	1.1	1.3	0.8	1.5	1.4	3	1
	Daily Maximum (°C)	-0.9	0.6	5.6	12.9	19.9	24.5	26.8	25.8	21.5	15.1	7.8	1.7	13.4
	Daily Minimum (°C)	-8.6	-7.9	-3.7	2	7.8	12.6	15.2	14.6	10.7	4.9	0.3	-5.3	3.5
	Extreme Maximum (°C)	14.5	18.5	24.5	29.5	32.5	38	37	34.5	32.5	26	21.5	18.5	
	Extreme Minimum (°C)	-31	-30	-23.5	-16	-3	1	6	0	-2	-7	-13.5	-27.5	
Westminster TWC WPCP	Daily Average (°C)	-6.3	-5.7	-0.1	6.7	13.2	18	20.7	19.7	15.5	9.2	3.3	-2.8	7.6
	Standard Deviation	2.9	2.7	2.1	1.6	1.9	1.3	0.9	1.1	1	1.8	1.5	2.5	1.2
	Daily Maximum (°C)	-2.7	-1.8	4	11.8	19.1	23.8	26.5	25.4	20.8	14	7	0.6	12.4
	Daily Minimum (°C)	-9.9	-9.7	-4.2	1.6	7.3	12.1	14.7	14	10.1	4.4	-0.3	-6.1	2.8
	Extreme Maximum (°C)	13.9	14	24	29	31.7	37	37	35	32.5	29.4	22.2	18.5	
	Extreme Minimum (°C)	-32.2	-30.6	-27	-13	-5.6	-1.1	3.3	1	-3.9	-9.4	-13.5	-28.9	
London A	Daily Average (°C)	-6.3	-5.5	-0.3	6.3	13	18	20.5	19.5	15.3	9	3.1	-3	7.5
	Standard Deviation	2.8	2.9	2.3	1.7	2.1	1.4	1.1	1.2	1.1	1.7	1.6	2.7	0.8
	Daily Maximum (°C)	-2.4	-1.4	4.2	11.6	19	23.8	26.3	25.2	20.9	14	6.9	0.6	12.4
	Daily Minimum (°C)	-10.1	-9.7	-4.7	1	7	12.1	14.6	13.7	9.6	4	-0.7	-6.5	2.5
	Extreme Maximum (°C)	16.7	17.8	24.8	29.4	32.4	38.2	36.7	37	34.4	30	24.4	18.5	
	Extreme Minimum (°C)	-31.7	-29.5	-24.8	-12.2	-5	-0.6	5	1.5	-3.3	-11.1	-18.3	-26.9	

Annual average precipitation in the watershed is generally between 950 millimetres to 1,075 millimetres. A majority of winter precipitation falls as rain.

Precipitation is quite evenly distributed throughout the year, although the intensity, duration and frequency of precipitation are quite different among the seasons. The accumulation of snow in the winter months prolongs the effects of precipitation, as infiltration is delayed until a thaw. Spring thaw often brings long, low intensity rainfall and when coupled with the melting snow can make the spring season appear to be constantly wet and overcast. The summer often brings short, high intensity rainfalls with high evapotranspiration rates, which makes precipitation appear to be infrequent and less than the other seasons. As seen in Table 1: Temperature Characteristics Within the Catfish Creek Watershed, Figure 1: Normal Average Precipitation and Temperature for Catfish Creek Watershed, and Table 2: Precipitation Patterns within the Catfish Creek Watershed, precipitation amounts are quite evenly distributed throughout the year despite seasonal perception rates in this region.

The water requirements for human and environmental purposes over the course of the year are quite variable. The demands on climate to replenish the streams and groundwater aquifers are often not met during the summer months, while the winter and spring seasons often see a surplus of water for the watershed.

Figure 1: Normal Average Precipitation and Temperature for Catfish Creek Watershed

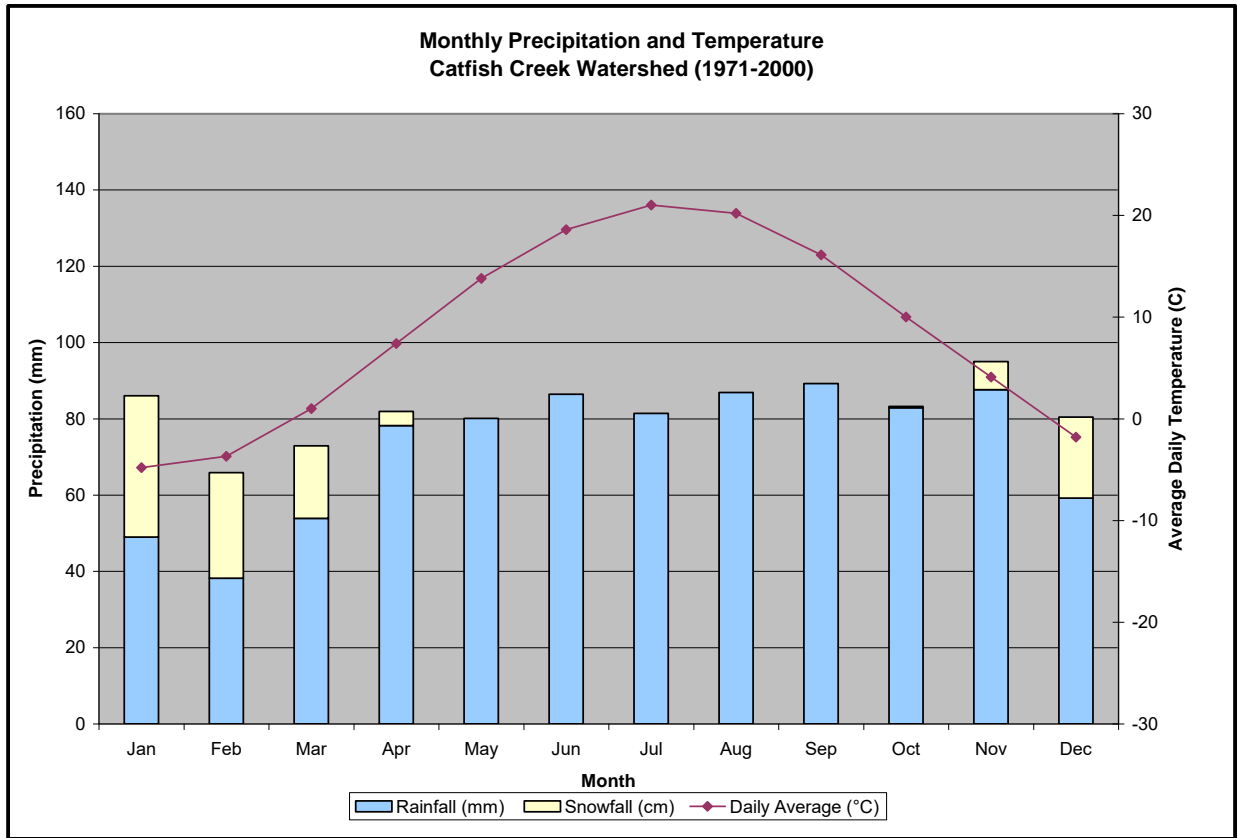


Table 2: Precipitation Patterns With in the Catfish Creek Watershed

Location	Precipitation	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Year
Aylmer Ont Hydro	Rainfall (mm)	49	38.2	53.9	78.2	80.1	86.4	81.4	86.9	89.2	82.9	87.6	59.2	872.9
	Snowfall (cm)	37	27.7	19	3.7	0	0	0	0	0	0.3	7.4	21.2	116.3
	Precipitation (mm)	86.1	65.9	72.9	81.9	80.1	86.4	81.4	86.9	89.2	83.2	95.1	80	988.8
	Extreme Daily Rainfall (mm)	80	45.6	29.2	47.8	45.2	53.4	79.6	65.2	75.4	67	60.6	40	
	Extreme Daily Snowfall (cm)	20.2	29	16.4	11.4	0	0	0	0	0	2.5	12	19.4	
	Extreme Daily Precipitation (mm)	80	45.6	36.2	47.8	45.2	53.4	79.6	65.2	75.4	67	60.6	42	
Culloden Easey	Rainfall (mm)	36.8	31.2	59	84.9	84.2	94.7	95.3	90.7	101.5	86	92.8	56	913.1
	Snowfall (cm)	43.7	28.8	22.9	5.3	0.2	0	0	0	0	0.9	13.5	39.1	154.4
	Precipitation (mm)	80.5	60	81.9	90.2	84.4	94.7	95.3	90.7	101.5	87	106.4	95.1	1067.7
	Extreme Daily Rainfall (mm)	54.4	52.6	62	51.8	60.4	116	68.4	88.4	58.8	68.4	63.6	38.8	
	Extreme Daily Snowfall (cm)	30	19	20	12	5	0	0	0	0	6	17	25	
	Extreme Daily Precipitation (mm)	54.4	52.6	62	51.8	60.4	116	68.4	88.4	58.8	68.4	63.6	38.8	
Westminster TWC WPCP	Rainfall (mm)	25.6	29.5	56.7	71.1	76.9	85	84.6	100.6	93.3	74.2	87	51.8	836.2
	Snowfall (cm)	46.3	33.7	18.6	4.9	0	0	0	0	0	1.2	9.6	38.4	152.7
	Precipitation (mm)	71.9	63.1	75.3	76	76.9	85	84.6	100.6	93.3	75.4	96.6	90.2	988.9
	Extreme Daily Rainfall (mm)	47.4	49.7	37.1	54.6	52.6	93	72.9	75	52.4	45	43	39.9	
	Extreme Daily Snowfall (cm)	32	51	17.5	14.5	1	0	0	0	0	6	26	40	
	Extreme Daily Precipitation (mm)	47.4	51	37.1	54.6	52.6	93	72.9	75	52.4	45	43	40	
	Extreme Snow Depth (cm)	51	60	22	14	0	0	0	0	0	5	6	51	
London A	Rainfall (mm)	31.1	29.1	53.8	73.8	82.6	86.8	82.2	85.3	97.7	74.9	73.7	47	817.9
	Snowfall (cm)	52.6	38.1	28.6	9.2	0.3	0	0	0	0	2.7	19.7	51.1	202.4
	Precipitation (mm)	74.2	60	78.4	82.2	82.9	86.8	82.2	85.3	97.7	77.6	91.1	88.6	987.1
	Extreme Daily Rainfall (mm)	45	58.8	43.2	66.4	58.2	82.8	63	69.9	89.1	56.9	56.5	45.6	
	Extreme Daily Snowfall (cm)	32.5	30	27.4	21.8	5.8	0	0	0	0	15.7	40.6	57	
	Extreme Daily Precipitation (mm)	46	58.8	44.2	66.4	58.2	82.8	63	69.9	89.1	56.9	56.5	45.6	
	Extreme Snow Depth (cm)	69	47	43	20	0	0	0	0	0	13	51	70	

4.1.1 Catfish Creek Precipitation

Climate change is overarching and influences resource issues. Changes to precipitation patterns, including storm intensity and frequency, temperature patterns (especially as they apply to snow accumulation, winter ice formation, and melt), and wind patterns all influence on-the-ground conditions. As hydrologic inputs change, the changes to flooding and low water (drought) conditions will follow. More intense rain events will increase the risk of flash floods. This is particularly true in urban areas where the land is impervious, and drainage is dependent on local storm sewers and their capacity to handle the event flow and their rate of discharge to local streams will determine flood risk. Changes to storm frequency can lead to longer periods of dry conditions, which is of concern for several municipal water supplies, as well as for the many residents who rely on private wells.

4.1.2 Catfish Creek Conservation Authority Natural Hazards

A fundamental resource management concept is to first understand the local conditions and the natural processes affecting a natural resource in order to choose a suitable planning and management approach.

The following is a list of natural hazards, which have affected or may affect the CCCA:

- Flooding hazards, lake and riverine
- Lake and riverine ice conditions
- Wave uprush, lake
- Storm surge, lake
- Dynamic beaches, lake
- Lake shore stability
- Riverine bank erosion
- Slope stability, lake, riverine and inland

Development shall generally be directed, in accordance with guidance developed by the province (as amended from time to time), to areas outside of:

- a) hazardous lands adjacent to the shorelines of the Great Lakes - St. Lawrence River System and large inland lakes which are impacted by flooding hazards, erosion hazards and/or dynamic beach hazards;
- b) hazardous lands adjacent to river, stream and small inland lake systems which are impacted by flooding hazards and/or erosion hazards; and
- c) hazardous sites.

Development and site alteration shall not be permitted within:

- a) the dynamic beach hazard;
- b) defined portions of the flooding hazard along connecting channels (the St. Mary's, St. Clair, Detroit, Niagara and St. Lawrence Rivers);

- c) areas that would be rendered inaccessible to people and vehicles during times of flooding hazards, erosion hazards and/or dynamic beach hazards, unless it has been demonstrated that the site has safe access appropriate for the nature of the development and the natural hazard;
- d) and a floodway regardless of whether the area of inundation contains high points of land not subject to flooding.

4.1.3 Human-Made Hazards

Development on, abutting or adjacent to lands affected by mine hazards; oil, gas and salt hazards; or former mineral mining operations, mineral aggregate operations or petroleum resource operations may be permitted only if rehabilitation or other measures to address and mitigate known or suspected hazards are under way or have been completed.

Sites with contaminants in land or water shall be assessed and remediated as necessary prior to any activity on the site associated with the proposed use such that there will be no adverse effects.

Planning authorities should support, where feasible, on-site and local re-use of excess soil through planning and development approvals while protecting human health and the environment.

4.1.4 Flooding and Erosion

Managing the risk associated with flooding and erosion is one of the primary roles of the CCCA under the Conservation Authorities Act. The CCCA monitors and predicts flood flows and water levels year-round, operate one flood control structure and relay flood messages to local municipalities and emergency management officials. This information is used to keep people out of harm's way in advance of potential flood and erosion events.

4.1.5 Flood Management Activities of Conservation Authorities

Undertake floodplain mapping, modelling, and monitoring streamflow, rainfall and snowpack. Regulate development in flood prone areas in cooperation with municipalities and the Province. Provide planning support and advice to municipalities to minimize flood impacts and issue warnings. If able to, acquire important floodplain lands and flood vulnerable structures.

The CCCA brings added protection and benefits with our foundational watershed management activities, which include watershed-scale monitoring, data collection management and modelling, watershed-scale studies, plans, assessments and strategies, and watershed-wide actions including stewardship, communications, and outreach and education activities. For more information on our Flood Management efforts please see our Flood Management Manual at <https://www.catfishcreek.ca/about-us/publications/>.

4.1.6 Ice Management

Historically the Catfish Creek Conservation Authorities (CCCA) administrative area has predominantly been subject to ice jam induced flooding. Therefore, the CCCA administers the Catfish Creek Conservation Authority Ice Management Plan. This plan is considered a live document and is revised/updated as required; it is not a guarantee to prevent any future flooding within CCCA's administrative area.

The purpose of the Ice Management Plan is to provide the Conservation Authority, its member municipalities Emergency Coordinators and any applicable government agencies the basic and recommended tools during flooding within the CCCA administrative area. All agencies public or private who are likely to be involved with flood emergencies must be aware of their agency responsibilities at times of emergency response due to flooding. Additionally, watershed residents who have been warned/notified of Flood Watch or Flood Warning watershed conditions must assume the responsibility to safeguard their personal safety and belongings. It is highly recommended that residents pay close attention during their fall/ winter preparations that properties and belongings are flood proofed.

The Ontario Ministry of Natural Resources & Forestry is the provincial agency responsible for flood emergencies. Within the CCCA administrative boundary, this role is assigned to the CCCA, and staff are tasked with the responsibility for alerting member municipalities and applicable agencies of possible flooding within its administrative area.

An internal Flood Operations Plan has been compiled to provide a systematic procedure for the Authority Flood Co-coordinator and staff to consult during flood emergencies. The flood operations manual can be found at <https://www.catfishcreek.ca/about-us/publications/>.

A minimum requirement of the Flood Management Program necessitates that the Flood Operation Plan be reviewed annually or additionally if required.

The Conservation Authority is not responsible for notifying individual citizens of the watershed. This responsibility lies with the applicable municipal Emergency Coordinator. It is this position who has responsibility to ensure the notification of its citizens.

Understanding of Catfish Creek channel hydraulics and Port Bruce local knowledge has identified that keeping the channel flowing within Port Bruce during break-up is an effective method of reducing flood damage due to ice jams. A component of the Ice Management Strategy is for Malahide Township to contract equipment on standby (icebreaker and/or dragline) to help keep the channel clear of ice jams, principally in the area of Rocabore Bay and the Harbour. Provided Lake Erie ice does not plug Port Bruce Harbour, this would provide in-channel ice flow unobstructed passage to Lake Erie.

4.1.7 Drought or Low Water Response

The Ontario Low Water Response (OLWR) was developed to ensure provincial preparedness, to assist Government Agencies in the co-ordination and to support local response in the event of low water and drought conditions.

The Ontario Government announced that there was no provincial funding available for OLWR for 2019 or beyond, consequently the Catfish Creek Conservation Authority formally terminated the program but by default maintained the monitoring of water flows within the Catfish Creek.

Under the amended Conservation Authorities Act, Ontario Regulation 686/21, Mandatory Programs and Services the OLWR has been restored and;

3. (1) An authority shall provide programs and services to support its functions and responsibilities to facilitate drought and low water forecasting and warning as set out in subsection (2).

(2) The authority's functions and responsibilities with respect to drought and low water forecasting and warning mentioned in subsection (1) are the following:

1. Maintaining information on surface water hydrology and the areas within the authority's area of jurisdiction that are vulnerable to drought or low water events.
2. Maintaining a stream flow-monitoring network that, at a minimum, includes stream flow gauges available as part of the provincial-federal hydrometric network and, where the authority considers it advisable, includes additional local stream flow gauges.
3. Monitoring of weather and climate information, snow surveys and water levels and flows utilizing local, provincial and federal data sources.
4. Analysis of local surface water hydrologic conditions related to risk of drought and low water events.
5. Gathering information to determine when low water levels exist within the authority's area of jurisdiction and initiating and maintaining the appropriate response to confirmed low water levels in accordance with the document entitled Ontario Low Water Response, dated March 2010, and available on request from the Ministry of Northern Development, Mines, Natural Resources and Forestry, as amended from time to time.
6. Communications to inform persons or bodies that the authority considers advisable of the potential or actual impact of drought and low water events in a timely manner.
7. Provision of ongoing information and advice to persons and bodies mentioned in paragraph 6 to support,
 - i. emergency and drought or low water activities during a drought or low water event, and,
 - ii. documentation of drought and low water events.

The CCCA historical/ existing OLWR plan is and was based on current legislation and regulations. The Authority has presently reviewed and updated the Low Water Response Plan to assure it complies with the current Section 28 regulations.

CCCA will be reinstating all applicable committees/ teams relative to low water response. Historically a Provincial Low Water Level Response Task Force was formed to coordinate an inter-ministry response to low water levels and to make recommendations for sustained management of low water conditions. Through this the OLWR plan recognizes the partnership between provincial government agencies and local authorities that sustainable environmental management must be approached at all levels of government, agriculture, recreation and special interest groups to maintain beneficial access to water.

The province provides overall direction and coordinates policies, science and information systems. In extreme circumstances the province, has in the past, provided support where local declarations of an emergency have been made.

At the local level, applicable agencies are directed to collect information, interpret policy and deliver programs to minimize the effects of low water condition levels. The three condition levels are Level I (10% voluntary conservation), Level II (20% voluntary conservation) and Level III (Conservation, Restriction and Regulation).

Precipitation and streamflow indicators are used to determine the OLWR condition level for watersheds. Guidelines/thresholds for these indicators are provided in the OLWR manual along with the procedure to determine when a watershed moves from one level into another. Agency roles and responsibilities for each level are also identified within the manual, Ontario Low Water Response, 2010. For more information on the CCCA's Ontario Low Water Response, please see <https://www.catfishcreek.ca/about-us/publications/>.

4.2 Water Resources/ Management

Water management is a truly important program of the Catfish Creek Conservation Authority. It involves various characteristics of surface and groundwater management, relating to water quality and quantity. Other programs within CCCA, Ministry of the Environment, Conservation and Parks (MOECP), local municipalities, and Ministry of Natural Resources and Forestry (MNRF) are associated with the CCCA Water Management Program. In order to sustain water quantity to an acceptable recognized quality, co-operation amongst the aforementioned agencies is necessary (Catfish Creek Conservation Authority, Watershed Plan, Draft No.1 April, 1983).

The Authorities jurisdictional boundary was defined at the inception of the Authority. Today the Authority manages, in principal, the waters within the hydrological boundaries of the Catfish Creek watershed, coupled with a small number of adjacent Lake Erie tributaries.

Flood control, source water protection, surface water and ground water recharge, wetland area protection, surface and groundwater quality and quantity are all components of the current CCCA Water Management Program. Future significance is expected on each of these, through assorted government funded programs, administered through Conservation Authority advancements, particularly in water quality and quantity

4.3 Benefits

If natural ecosystems are maintained and degraded ecosystems are rehabilitated, then the areas resources can be naturally managed. Natural ecosystems manage our natural resources by regulating the areas environment through the extent and variety of the regions flora and fauna. A diverse flora ecosystem will minimize the impact of not only extreme weather but also normal weather patterns by reducing the erosion effect of rain on areas not covered by vegetation and increasing infiltration in areas, which have vegetation cover.

Environmental nature-based solutions can help to:

- Sustain (clean) water supplies by increasing the water infiltration and storage capacity of wetlands/soils and the recharge of aquifers.
- Mitigate drought by releasing water from natural storage features, including soil and groundwater, surface water and aquifers.
- Prolong the life of reservoirs by reducing siltation.

At high rainfall storm intensities, a percentage of the rainfall flows directly off the land into a watercourse and while some penetrates the soil, where plants may take it up. A portion moves in the soil towards rivers and streams and another fraction penetrates deeper into the ground, replenishing groundwater. Steady release of water stored underground and in wetlands serves to maintain river flows long after rainfall events. These ecosystem services regulate the impacts of rainfall events and directly moderate the supply of water in the basin.

In conjunction with these water flows, the condition of the water in the system may vary dramatically. In a high rainfall event where a catchment has degraded land, the run-off water may have very high turbidity from eroded soils and pollutants that have washed off the land. This results in siltation of water storage systems and increased costs to water treatment systems. Water that penetrates the ground or is held on floodplains and wetlands allows much of the silt and pollution to be deposited or removed. Water passing through the soil or wetlands is cleaned by physical and biological processes and requires less treatment to reach potable and or recreational quality. The quality of a catchment therefore directly affects water quality.

Nature-based solutions can help to:

- Treat polluted water from point and non-point sources by trapping and/ or containing sediments, pollutants in sediments, soils and vegetation (filtration and chemical conversion).
- Protect groundwater from contamination by removing sediments, heavy metals and other pollutants.
- Relieve pressure on existing water treatment infrastructure through bio retention and infiltration.
- Improve the quality of wastewater, e.g. using constructed wetlands alone or in conjunction with conventional wastewater treatment plants.

(UN Environment-DHI, UN Environment and IUCN 2018. Nature-Based Solutions for Water Management: A Primer.)

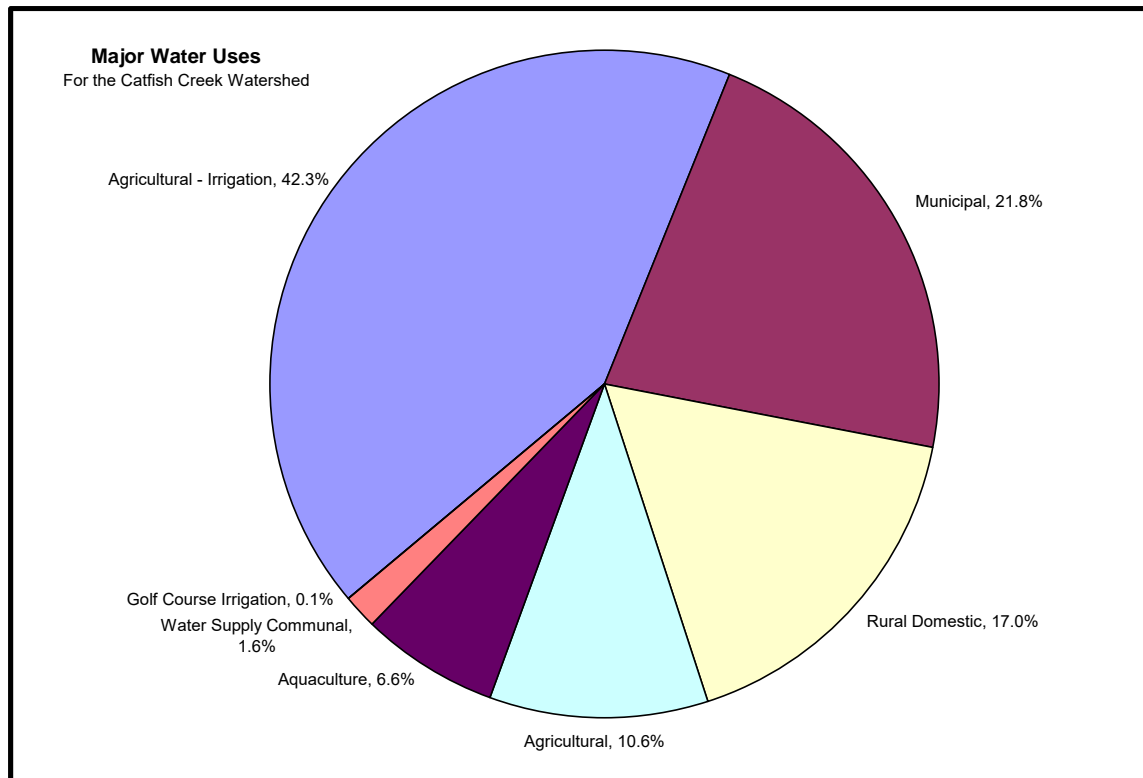
5.0 WATER USE INVENTORY

This section is a summary of the water uses within the Catfish Creek watershed for 2005 as found in a report entitled “Water Use in the Catfish Creek Watershed” (Wong and Bellamy, 2005). Water use estimates are broken down into four subgroups: Municipal Supply, Agricultural, Un-serviced Population and Other Permitted Takings (larger than 50,000 L/day). The water use estimates were determined using the best available data, including Census of Population, Census of Agriculture, municipalities, and the Permit to Take Water (PTTW) database. A phone survey of the permit holders was completed to refine water use estimates based on their records, with a 50 percent response rate. The analysis of all water use data identified the water uses and percentages within the basin.

Table 3: Total Water Use Comparison (in cubic metres)

Water Use Category	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	TOTAL
1 Agricultural - Irrigation						637,750	1,275,500	637,750					2,551,000
2 Municipal	103,960	97,260	105,440	91,940	120,160	115,240	141,280	114,560	115,090	104,000	89,980	118,050	1,316,950
3 Rural Domestic	87,160	78,720	87,160	84,350	87,160	84,350	87,160	87,160	84,350	87,160	84,350	87,160	1,026,200
4 Agricultural	40,150	36,260	40,150	38,850	40,150	38,850	94,770	94,770	93,470	40,150	38,850	40,150	636,560
5 Aquaculture	33,800	30,530	33,800	32,710	33,800	32,710	33,800	33,800	32,710	89,975	32,710	33,800	397,920
6 Water Supply Communal	6,630	5,610	6,790	6,570	7,370	6,890	8,040	8,280	7,620	7,870	6,970	6,960	97,540
7 Golf Course Irrigation					1,180	1,140	1,180	1,180	1,140	1,180			7,000
TOTAL	271,700	248,380	273,340	254,420	289,820	916,930	1,641,730	977,500	334,380	330,335	252,860	286,120	6,033,170

Figure 2: Major Water Uses on an Annual Basis in Catfish Creek Watershed



5.1 Municipal Water Supply

Municipal water use is the supply of water provided through a central distribution system operated by a municipality. Municipal water use includes urban domestic use, whether indoor or outdoor, and includes uses for industrial, commercial, institutional or other uses that rely on municipalities for their water supply.

Brownsville (approximately 500 residents) has the only groundwater source for municipal water takings in the Catfish Creek watershed. All other municipalities receive their water from Lake Erie from either primary or secondary water systems from an intake in Lake Erie off Port Stanley. These communities include Aylmer (approximately 2,600 residents), and smaller communities in both Central Elgin and Malahide Townships. Municipal water use totalled 1.3 million cubic metres in 2004 in this region.

5.1.1 Groundwater Use

Groundwater and surface water are vital resources for the livelihood and recreation of constituents and visitors of the Catfish Creek watershed. Area residents use groundwater as the primary source of potable water, which is categorized as un-serviced domestic water use. Un-serviced domestic water use is described as; all water for domestic indoor and outdoor residential applications, not on a municipal water distribution system. Generally, un-serviced domestic water use is established within rural communities and private landowners that take water from private wells.

The rural population in the Catfish Creek watershed is estimated at 22,000 and draws 1.0M cubic metres of groundwater per year. Groundwater is also the source of water for a community in the northern region of the watershed and draws more than 33 000 cubic metres of water per year (Water Use in the Catfish Creek Watershed, September 2005 Draft, Amanda Wong, Samuel Bellamy, Grand River Conservation Authority).

A draft report of the Catfish Creek groundwater (Groundwater Resources of the Catfish Creek Conservation Authority and Kettle Creek Conservation Authority) study has been completed in partnership with Ontario Geological Survey (OGS).

5.1.2 Surface Water

Areas not utilizing un-serviced water systems for domestic water use are linked to a municipal water supply system, which obtains water from Lake Erie through the Elgin Area Primary Water Supply System. Municipal water use is described as; a supply of water that is provided through a central distribution system operated by a municipality and includes; indoor or outdoor urban domestic use, industrial, commercial and institutional and other applications that rely on municipalities for their water supply.

The proximity to Lake Erie provides easy access to municipally serviceable water supplies to the southern regions of the watershed. Municipal water use totals 1.3M cubic metres per year for this region (Water Use in the Catfish Creek Watershed, September 2005 Draft, Amanda Wong, Samuel Bellamy, Grand River Conservation Authority).

5.1.3 Combined

Various water uses for agricultural operations such as livestock watering and irrigation, may use a combination of groundwater or surface water from municipal drainage ditches, ponds, or natural channels. Since inexpensive and reliable water sources are fundamental to an agricultural economy such as exists in the Catfish Creek watershed, the Authorities ground and surface water base flow capacities must be maintained year-round to facilitate the agricultural surface water applications.

5.1.4 Agricultural Water Use

Agricultural water use was divided into two categories livestock/farming operation water use and crop irrigation water use. This division was based on the information available for the two categories, as well as the differing water requirements for each use throughout the year. Water use for livestock and other farming operations are generally year-round takings, as opposed to crop irrigation, which only occurs

during the summer growing season. Other farming operations considered in this water use category include greenhouse operations.

Livestock water demands were estimated using a water use coefficient for daily water requirements and the number of livestock in the watershed. The volume of livestock and other year-round agricultural water requirements, excluding irrigation water, is relatively small, accounting for 0.7 million cubic metres per year.

Crop irrigation is the application of supplemental water onto cropped fields when natural precipitation is insufficient. The estimation of irrigation water requirements were completed using the irrigated area estimation from Census of Agriculture information and a demand model, estimating an average number of irrigation events likely to occur in the watershed per growing season. This demand model (GAWSER), bases the irrigation water requirements on soil moisture content, and averaged four irrigation events per year, for the CCCA watershed. The irrigation demand model only considers irrigation events meant for maintaining soil moisture at adequate levels for plant growth. Irrigating for climate control, such as spring irrigation to protect against frost, was not considered in this exercise. To determine a possible breakdown of the source of irrigation water, the Permit to Take Water database was consulted. It was determined that from the 239 agricultural irrigation sources, 138 were supplied by groundwater and 101 were supplied from surface water, producing a 58 percent, 42 percent split, respectively. Irrigated crops in this watershed may include tobacco, ginseng, potatoes and vegetables, and the water requirements for all irrigation activity accounts for 2.6 million cubic metres per year.

5.1.5 Use of Irrigation

The use of irrigation in the watershed is not extensive, and is generally only applied onto specialty crops such as vegetables, sod, fruit and root crops such as tobacco, potatoes and ginseng. It is rare that other crops are irrigated unless the growing season is particularly dry.

The use of irrigation is concentrated mostly in the Norfolk Sand Plain area in the southeast portion of the watershed where there is a higher percentage of specialty crops grown in well-drained soils. Irrigation for agriculture in the Catfish Creek watershed is concentrated in the summer months of July and August with some exceptions earlier or later in the growing season. The concentration of these large water takings during warmer and often dryer periods and in a limited area poses problems to water quantity in both groundwater and surface water sources.

5.1.6 Un-serviced Domestic Water Use

Un-serviced domestic water use is all water uses for domestic (indoor and outdoor residential water use) use that are not on a municipal distribution system. Generally, these are rural communities and water could be taken from private wells. The estimation of un-serviced domestic water use was based on population estimates and per capita water use rates for rural residents.

Rural domestic per capita water use has traditionally been much lower than urban domestic use. While the actual rate varies depending on a large number of factors, 160 litres per day was assumed to be the rural domestic per capita water use rate (Vandierendonck and Mitchell, 1997). It should be noted that a large percentage of this water is likely returned to the shallow groundwater system via septic systems. This water use is assumed relatively constant throughout the year. The rural population in the Catfish Creek watershed is estimated to be 17,500 and draw 1.0 million cubic metres of water per year.

5.1.7 Other Permitted Water Takings

For water uses in the watershed that did not fall into the three previously mentioned categories (municipal, agricultural and rural un-serviced), the Ministry of the Environment (MOE) Permit to Take Water database was used. The MOE requires any person taking greater than 50,000 litres of water on any day of the year (animal watering, domestic usage and firefighting excluded) to apply for a PTTW. This generally includes many industrial and larger commercial operations, as well as many agricultural water requirements, such as irrigation.

A phone survey of the water takers in the Catfish Creek watershed was completed in the summer of 2005 (June to August), to get better estimates or actual volumes of water use by each user. The survey generated responses from two of the four permits (50 percent response rate) to refine the estimates of their water uses. Where no data could be obtained from the user, adjustments were made based on seasonality of the water takings. For instance, golf course irrigation is likely to occur only during the months of May through October, while commercial water uses are year-round water takings. These adjustments were included where available in the calculation of the water use estimate for large permitted water takings.

The total volume of water takings for all these permits in 2005 was 0.5 million cubic metres, with golf courses taking the bulk of this volume at 0.4 million cubic metres and communal water supplies for just less than 1.0 million cubic metres per year.

5.1.8 Water Control Structures

The CCCA operates one water control structure for flood attenuation and recreation, the Springwater Dam.

6.0 HABITATS AND WILDLIFE

6.1 Forestry and Reforestation

Programs within Catfish Creek Conservation Authority may well be measured and classified in order of significance, however, to administer a watershed effectively all curriculum need to be interconnected and addressed collectively. This involves characterizing terrestrial and aquatic resources sequentially to assist in connecting entire environmental assets, relating to mandated programs within CCCA, and government agencies associated with the CCCA Watershed Management Plan.

As outlined in the Water Management component “Flood control, source water protection, water recharge, wetland area protection, surface and groundwater quality and quantity are all components of the current CCCA Water Management Program.” Increased significance and awareness is anticipated on each of these, particularly in water quality and quantity, which links with the forestry management element, *Water Management, CCCA Watershed Management Plan, 2006*.

The Forest Management program of the Catfish Creek Conservation Authority predominantly focuses on Authority owned lands including selected woodlot management consultation services for municipally owned woodlots and private lands within the watershed. Forest cover (Map 2) within Catfish Creek Conservation Authorities administrative boundary is largely located along incised valley slopes, flood plains and wetland areas in the southern section of the watershed and is estimated at 14.4% (17,500

acres, 7,000 ha). The forested areas are protected to a significant degree by the tree bylaws of Elgin and Oxford Counties.



Map 2: Forested Areas Within Catfish Creek Watershed

The foundation of the CCCA Forest Management Program focuses on the retention of existing forest cover and reforestation of priority water management areas, with the purpose of benefiting the aquatic and terrestrial environment, watershed resource base, constituents and visitors. Included in these areas are soil and slope regulated highly erodible land, marginal/poor agricultural land, water retention and discharge areas. By recognizing and focusing on these areas, the Authority understands their value in achieving the objectives of accompanying Authority programs by providing erosion control, groundwater recharge/discharge areas, fish and wildlife habitat.

Trees (and other vegetation in the catchment), intercept rainfall and increase infiltration, thus moderating both run-off into the river system and storage of water in the soil. The ability of soils in forest areas to store water and release it through seepage, transpiration and evaporation helps to regulate the water supply in the catchment.

Establishing or conserving forests (and promoting other sustainable land use activities in the watershed) can help to improve water quality. Forests improve water quality by reducing sediment in water bodies and trapping or filtering other water pollutants.

Forests and areas with good vegetation cover can moderate extreme events by reducing the likelihood or frequency of elevated water conditions, landslides and mudflows, which can cause extensive damage to infrastructure and inhabited areas.

Use of riparian buffers to maintain water quality in streams and rivers is a forest and conservation management best practice in many countries and is mandatory in some areas. Riparian buffers are vegetated, often forested, areas ("strips") next to streams, rivers, lakes and other waterways protecting aquatic environments from the impacts of surrounding land use.

The CCCA will incorporate the following strategies and initiatives in an integrated forestry program:

- a) Programs and restoration efforts will be coordinated and focused, consistent with approved, applicable agency plans and studies (e.g. *'Elgin Stewardship Strategy', CCCA Watershed Plans, Source Water Protection Plans*);
- b) Prepare, monitor, review and update forest management plans/activities on Authority owned properties;
- c) Assist private landowners with reforestation and management of forests throughout the watershed (e.g. landowner extension, information transfer, technical assistance);
- d) Assist municipalities to `protect, manage and expand forest cover (e.g. Municipal Woodlot Management, Roadside Tree Planting, County Tree-Cutting By-laws);
- e) Continue the acquisition of prioritized environmentally sensitive areas; and,
- f) Develop partnerships for program delivery and education (volunteers, service clubs, scouting groups, funding sources).

The Authority offers limited woodlot management services to landowners of private woodlots through the preparation of Managed Forest Tax Incentive Plans (MFTIP), renewals and approvals of plans prepared by other accredited individuals. Reforestation assistance is offered by the Authority on a first-come first-served basis, and is paid for through grants, reserves and fee for service (cost recoverable).

Technical and workforce assistance for reforestation is available from the Authority upon request, for areas requiring a minimum of 500 trees. An additional program initiated by the CCCA, the Municipal Woodlot Management Program is designed to assist with managing municipally-owned lands by providing comprehensive woodlot management and reforestation services for these areas on a fee for service basis.

6.1.1 Riparian Zones

Riparian buffers help to maintain water quality in waterways by protecting streams from non-point source pollution (e.g. surrounding agricultural activities). Riparian vegetation cover provides a barrier between sediments, and pollutants such as nitrates and phosphates, washed from the land and water bodies. Temperature moderation from shading creates an important aquatic habitat, especially for fish and insect life, providing protection from extreme temperatures. During flood events, riparian vegetation slows run-off by absorbing excess water, reducing peak flow and helping to mitigate potential flood damage downstream. Some studies show that riparian buffers can help to reduce the amount of sediment reaching streams by as much as 80 percent.

6.1.2 Wetlands

The definition of wetlands is very broad but normally refers to shallow vegetated water bodies, swamps and marshes or areas that may periodically be dry, varying in size from a few square metres to many square kilometres. The water regulation services provided by wetlands are often cost-competitive and more sustainable than those provided by conventional infrastructure solutions, at the same time providing a wide range of socioeconomic co-benefits. Wetlands contribute to water quality through their natural ability to filter effluents and absorb pollutants. Microorganisms in the sediment and vegetation in the soil help to break down many types of waste, eliminating pathogens and reducing the level of nutrients and pollution in the water. There is a limit to the amount of pollution wetlands can

absorb, however. If this tipping-point is reached, their ability to treat pollution may be greatly reduced until they are restored to health, which can be a difficult and lengthy process.

Protecting, restoring or constructing wetlands can help to provide clean water for ecosystems, harvesting biomass, drinking water needs and other uses. The ability of wetlands to store large amounts of water and release it slowly plays a key role in the natural regulation of water quantity during periods of drought and flooding. Wetlands also trap sediments and thus reduce their downstream transport.

Wetlands can 'slow' flood waters, reducing potential flood damage downstream, and increase resilience to storms, thereby avoiding potential damage to grey infrastructure and human lives. In periods of drought, they can function as 'retention basins', providing water through slow release of stored water. The retention capacity of different types of wetlands varies and needs to be evaluated individually.

Constructed wetlands are created artificially with the aim of simulating the hydrological processes of natural wetlands. They function as biological wastewater treatment 'technologies', either supplementing or replacing conventional treatment plants. They are often used for nutrient pollution control (and thus reduction of eutrophication risk) of various wastewater streams (domestic wastewater, grey water, urban wastewater from sewerage).

Constructed wetlands can also be used to reduce flow velocity, remove nutrients and sediments and mitigate surface run-off from agricultural and livestock fields, as well as in urban areas. Their main water management benefits include reduced downstream pollution, improved water quality and flood and drought regulation. (UN Environment-DHI, UN Environment and IUCN 2018)

6.1.3 Tall Grass Prairie

In Ontario, tallgrass prairies were historically found in the southwestern part of the province, particularly in the Elgin County to Windsor Essex Region and along the shores of Lake Erie. However, due to agricultural expansion, urbanization, and other land use changes, the tallgrass prairie ecosystem in Ontario has been severely reduced, and much of what remains is fragmented and degraded.

The tallgrass prairies in Ontario were once home to a diverse array of plant and animal species, including tall grasses like big bluestem and Indian grass, as well as wildflowers such as blazing star and prairie clover. Wildlife such as grassland birds, and small mammals also depend on these habitats for food and shelter. Tallgrass prairies provide important habitat for pollinators such as bees, butterflies, and other insects. Many prairie wildflowers rely on pollinators for reproduction, and healthy pollinator populations are essential for maintaining ecosystem functioning and supporting agricultural productivity.

The deep root systems of tallgrass prairie plants help to store carbon in the soil, contributing to carbon sequestration and helping to mitigate climate change. The dense network of roots in tallgrass prairies helps to improve soil structure, prevent erosion, and increase water infiltration, leading to healthier soils and improved water quality. Tallgrass prairies act as natural water filters, trapping sediment and pollutants and helping to regulate water flow and prevent flooding.

Efforts to conserve and restore tallgrass prairies in Ontario are underway, with organizations like the CCCA and Nature Conservancy of Canada working to protect remaining patches of native prairie habitat and restore degraded areas. These efforts often involve initiatives such as controlled burns, native

grassland plantings, and invasive species removal to help restore the ecological integrity of these important ecosystems.

Despite the challenges of conserving tallgrass prairies in Ontario, there is growing recognition of their ecological significance and efforts to protect and restore them for future generations to enjoy and benefit from. Overall, tallgrass prairies are important ecosystems that provide a wide range of ecological services and support diverse plant and animal communities. Protecting and restoring these habitats is essential for maintaining biodiversity, supporting ecosystem health, and mitigating the impacts of climate change.

6.1.4 Description

Ecosystem integrity may be defined as "the ability to support and maintain a balanced, integrated, and adaptive community of organisms having a species composition, diversity and functional organization comparable to those of natural habitats within a region" (Karr, J. R. and D. R. Dudley. 1981. *Ecological Perspectives On Water Quality Goals*. Environmental Management 5: (55-68).

Located in the Carolinian Forest Ecosystem; early descriptions (circa 1837 - 1851) suggest that the forests were mostly hardwoods, combined with a southern species component. The region was mottled with white pine stands on well-drained soils, sugar maple and beech dominated the better-quality soils, while soft maple, elm and oak savannas colonized the sand plains. Mixed stands of white cedar, eastern hemlock, white pine, soft maple and yellow birch established on poorer-quality soils.

Development within Catfish Creek watershed is largely agricultural with small urban pockets speckling the landscape. The importance of agriculture within Catfish Creek to the local economy is clear, but the effect that agriculture has on forest ecosystems requires paramount attention and investigation. Suitability of soils for agriculture led to a rapid decline of the forested lands; by 1860 60% of Elgin County forests were depleted and by 1910, only 10% remained. Today with an aggressive reforestation program 17% of Catfish Creek watershed has a forest component, located along watercourses, valley lands or in areas of poor drainage that are privately, municipal, authority and provincially owned.

7.0 GENERAL LAND USE

7.1 Agricultural Sector Distribution

Agriculture is a large part of the Catfish Creek watershed, as 84 percent of the land area is designated and used for agricultural purposes. Both livestock and agricultural crops are prominent practices, with 70 percent overall in cropped agricultural land. There are a total of 14,400 head of cattle, 40,000 heads of swine and 290,500 heads of poultry across the watershed. The majority of crops grown in the watershed are corn (36.5 percent), soybean (31 percent) and grains (12 percent).

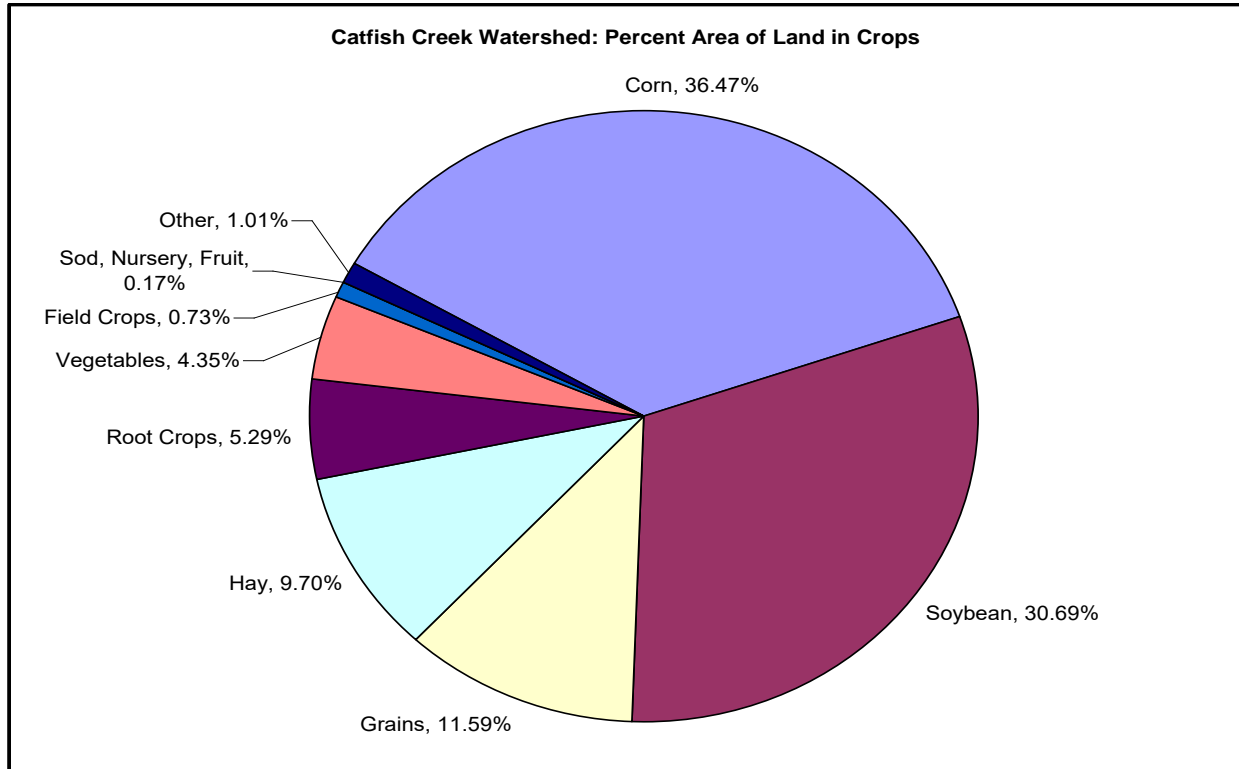


Figure 3: Percent Area of Land used for Agriculture (by crop)

7.1.1 Cropping Characteristics in the Catfish Creek Watershed

Agricultural crops in the Catfish Creek watershed are typical to south western Ontario. Corn and soybean are the highest in land area, with grains and hay as the next largest in land area. Vegetables and root crops, however, make up a large percentage of land relative to the rest of south western Ontario, due to the location of ideal soils of the Norfolk Sand Plain. Vegetables and root crops generally have smaller field sizes and higher water requirements than other row crops. Root crops such as tobacco and potatoes were substantially higher in the southern Catfish area, with 88 percent of all hectares of root crop reported in this area. Overall, root crops comprised 11 percent of the cropped land area in the lower Catfish, while only occupying 1.1 percent of the upper Catfish. All other crops were in similar or greater quantities in the upper Catfish.

7.1.2 Livestock

Livestock farming in the Catfish Creek watershed is fairly high considering the small size of the watershed. The Upper Catfish Creek has the majority of livestock with large intensive farms, which could pose problems to the downstream reaches for nutrient loadings. Swine farms are prominent in number and are found mostly in the Upper Catfish Creek, averaging over 1,100 pigs per farm. Poultry is also much more intensive in the upper Catfish, with double the number of farms and head of poultry found on these farms, averaging 5,600 per farm. Approximately 75 percent of the farms in the upper Catfish reported raising cattle, accounting for 84 percent of the total number of cattle found in the entire watershed. Cattle in the upper Catfish average 102 per farm (Table 3).

Livestock	Total Numbers			Average Number Per Farm			Per Hectare Farmed Land		
	Cattle	Pigs	Poultry	Cattle	Pigs	Poultry	Cattle	Pigs	Poultry
Lower Catfish	2,260	3,580	57,500	60	390	2,666	0.13	0.20	3.2
Upper Catfish	12,170	36,420	232,970	102	1186	5,557	0.54	1.61	10.3
All CCCA	14,430	40,000	290,470	80	790	4,110	0.33	0.91	6.76

Table 4: Total Head of Livestock (by sub-basin) in Catfish Creek Watershed

The highest nutrient values are found in the lower Catfish due to the greater amount of farmland in crops and in stream cumulative effects. In this area, approximately 25 percent of the total farmland is applied with manure over the year. There was considerably more farmland in root crops on sandy soils in this lower Catfish, which could require more organic material provided by manure applications. Runoff into the creeks and groundwater system could be an issue in lower Catfish area. Livestock can also introduce bacteria, as well as silt from the banks, directly into the waterways if proper fencing is not in place.

7.1.3 Agricultural Management Practices

Management practices include such activities as conservation tillage and grassed waterways, and are preventative actions against erosion into the waterways or chemical runoff. Across the watershed, to reduce the amount of sediment loading in the waterways, 34.7 percent of farms reported using grassed waterways, 5.7 percent use contour cultivation and 8.3 percent use strip cropping. The use of winter cover crops (42.5 percent) and the use of windbreaks or shelter belts (24 percent) has helped to prevent the removal of topsoil by wind. Crop rotation is the most widely used conservation practice at 61.2 percent of farms reporting. This increases the longevity, productivity and environmental quality of farmland by replacing nutrients into the soil.

7.1.4 Soils and Vegetated Land

Maintaining good soil structure and vegetation cover has benefits for farming on every scale, from large scale irrigation to rain-fed smallholder systems. Causes of soil degradation include deforestation, extensive cultivation on marginal land and improper cultivation practices such as poor manuring management, misuse of fertilizers, excessive irrigation, overgrazing and water erosion. As agriculture uses about 70 per cent of global water withdrawals and a large proportion of surface water pollution originates from agriculture, the potential benefits of improved water management in agriculture are enormous.

Low or zero-till systems, mulching, crop rotation and maintenance of vegetation cover (conservation agriculture) all contribute to good soil structure, improve water retention and drainage and reduce erosion and pollution of surface waters. Along with other structural and management interventions, these measures can help improve agricultural productivity, while also improving resilience to drought and flooding.

7.1.5 Mining and Aggregate Extraction

There are no open pit/mining operations currently licensed within the Catfish Creek watershed.

Currently, there are five areas licensed by the Ministry of Natural Resources and Forestry (MNRF) pursuant to the Aggregate Resources Act, relative to aggregate extraction within the watershed. All of the licensed operations are located in a small cluster along County Road 45 (John Wise Line) and Pleasant Valley Line in the Municipality of Central Elgin. The situation of these licenses is due to the localized surficial geology (sand and gravel deposits).

Two of the licenses are located on one property (Pleasant Valley Aggregates/Trout Farm) and have almost exhausted the material within the 55 hectare licensed area. Extraction did occur below the water table to a level of 178 metres above sea level (pit floor elevation). Extensive rehabilitation has occurred on this site to permit land uses which include passive recreation, aquaculture and a put-and-take/public fishing area.

The third license has been issued to a property immediately to the east of the above operation, on Lot: 26; Concession: 5; geographic Township of Yarmouth. The licensed area is 29 hectares with a proposed tonnage of 45,350 tonnes annually. Terms of the license will allow for extraction to proceed to a level of 180.3 metres above sea level, which is below the water table, however, no active extraction has been initiated to date.

On the north side of Pleasant Valley Line is the fourth license issued to North Shore Farming Company. The licensed area encompasses 19 hectares (annual tonnage of 150,000 tonnes) with a final pit floor elevation of 206 metres above sea level being above the water table.

The final active pit is 65 hectares in size and is licensed to Alisar Aggregates Inc. on John Wise Line. Extraction will be above the water table (pit floor elevation 198 metres above sea level) with an annual maximum tonnage of 300,000 tonnes.

Also of note, is the issuance of a 'way-side-permit' to The Township of Malahide to allow the use of sand material (total tonnage of 33,080 tonnes) for specific road projects within the municipality. Located on Lot: 7; Concession: 3 in the Township of Malahide, this authorization will permit the removal of a small "sand knoll" (well above the water table) with the final rehabilitation back to agricultural production.

8.0 WATERSHED CHALLENGES

The CCCA identified a number of challenges that may influence program priorities and services over the next several years. Challenges may include, but are not limited to:

8.1 Capacity Levels

Increases to conservation authority roles and responsibilities disproportionately impact smaller conservation authorities such as the Catfish Creek Conservation Authority with a very limited tax base within our area of jurisdiction to support mandatory program and service delivery. Variances in capacity affect the extent to which the CCCA can support hazard management policy objectives. Conservation Ontario and municipalities have repeatedly requested increases to provincial funding levels to conservation authorities, which have not been increased in well over 20 years.

8.1.1 Increased Development Pressure

If development continues at prevailing densities in the watershed, land will be consumed at an even faster rate than population grows, particularly in rural and suburban areas. This expanding footprint will put additional pressure on diminishing wildlife resources and their habitats, and has the potential to drive more plants and animals toward extinction.

8.1.2 Invasive Species

Invasive species are the second most significant threat to biodiversity, after habitat loss. In their new ecosystems, invasive species become predators, competitors, parasites, hybridizers, and diseases of our native and domesticated plants and animals.

8.1.3 Climate Change

Watersheds are affected by climate changes that are altering the quantity, quality, timing and distribution of water. The cumulative impacts of past land-uses, water withdrawals, and disturbances in a watershed are all exacerbated by climate changes.

8.1.4 Species at Risk

Ontario has the most species at risk in Canada, a number which has jumped by 22 per cent since 2009 (although no new species have been added to the Species at Risk in Ontario List since 2018) while approvals to impact species at risk have increased by 6,262 per cent in that same time frame.

8.1.5 Agricultural Runoff

When plant nutrients from synthetic fertilizers or organic fertilizers, decomposed crop residues, and agricultural waste products, such as wastewater from dairies, run off into fresh water, they speed up the eutrophication of water bodies.

8.1.6 Habitat and Biodiversity Loss

Biodiversity loss can have significant direct human health impacts if ecosystem services are no longer adequate to meet social needs. Indirectly, changes in ecosystem services affect livelihoods, income, local migration and, on occasion, may even cause or exacerbate political conflict.

8.1.7 Water Quality

Water quality degradation affects both aquatic life and human uses of water. For example, higher concentrations of nutrients may result in uncontrolled plant growth and reduce the amount of dissolved oxygen available for fish and other aquatic animals. They can also foster the growth of algae, some of which can cause health effects in humans and animals. Degraded water quality can also undermine economic activities such as fisheries, tourism and agriculture.

8.1.8 Floodplain Mapping

Mapping of floodplains and flood damage centres is critical to flood preparedness. With changing precipitation patterns, the return period for events of a given magnitude (e.g., 1:25 year or 1:100 year flood) is changing. Floodplain mapping needs to be updated accordingly, or in the case of some sub watersheds, needs to be assessed for the first time.

8.1.9 Erosion

In areas with expanding population, agricultural production, construction and urbanization as well as human activities soil erosion is a major problem. Soil erosion adversely hinders the growth of plants, agricultural yields, quality of water, and recreation. It is a key cause of degradation of soils as it occurs naturally on all lands.

8.1.10 Flooding

Flooding is considered the most significant natural hazard in Ontario in terms of death, damage and civil disruption and is the costliest type of natural disaster in Canada in terms of property damage.

8.1.11 Drought

Historically, periods of dry weather and low water levels, or drought, were relatively uncommon in Ontario occurring once every 10-15 years. However, in recent years, periods of drought are becoming more common, as the demand for water steadily increases and climate change impacts weather patterns and water availability.

8.1.12 Urbanization and Development

Rapid urbanization leads to increased impervious surfaces, such as roads and buildings, which can disrupt natural hydrological processes and increase runoff, leading to erosion, flooding, and water quality degradation.

8.1.13 Water Pollution

Pollution from various sources such as agricultural runoff, industrial discharge, and urban runoff can degrade water quality, impacting aquatic ecosystems and human health.

8.1.14 Resource Management Conflicts

Conflicts over the allocation and use of water resources among various stakeholders, including municipalities, industries, agriculture, and environmental conservation interests, can complicate watershed management efforts.

8.1.15 Data Deficiency and Monitoring

Limited availability of data on water quantity, quality, and ecosystem health, as well as challenges in monitoring and assessing watershed conditions, hinders effective decision-making and management.

8.1.16 Community Engagement and Education

Engaging and empowering local communities in watershed management efforts, as well as raising awareness about the importance of conservation and sustainable water use practices, are ongoing challenges.

8.1.17 Financial and Human Resources

Limited funding and capacity constraints within conservation authorities can restrict our ability to implement comprehensive watershed management programs and initiatives effectively.

Addressing these challenges requires integrated approaches that incorporate ecosystem-based management principles, stakeholder collaboration, adaptive management strategies, and innovative technologies to safeguard the health and resilience of watersheds for current and future generations.

9.0 OVERVIEW OF CCCA PROGRAMS AND SERVICES

A new categorization of CA programs and services was initialized through amendments to the Conservation Authorities Act by the Province of Ontario. A Programs and Services Guide was created and within it Category 1, Mandatory, Category 2, Municipally Advised, and Category 3, Non-mandatory; advisable by CCCA. Category 1 Programs and Services are to be included in the WBRMS and Category 2, and Category 3 Programs and Services can also be included if agreements have been reached between the CA and its member municipalities. The CCCA supports Category 1 Mandatory Programs and Services and Category 3 Programs and Services. All Category 3: Other Programs and Services are all compensated via grants, reserves or fee for service work (cost recoverable).

Category 1: Mandatory Programs and Services Overview	
Category 3: Other Programs and Services Overview	
Program Area	General Description
Natural Hazard Management: Category 1 Mandatory Programs and Services Budget 2024 - \$322,049.35	
Section 28 Permit Administration and Compliance Activities/ Enforcing and Administering the Act Mandatory in accordance to CA Act; Reg. 686/21 s.8	Reviewing and processing permit applications, technical reports, natural hazards studies, mapping and updates to regulation limits mapping. Site visits/ inspections, communication with applicants, agents, and consultants. Property enquires and legal expenses for regulations and compliance. Administering and enforcing sections 28, 28.0.1, and 30.1 of the act as required.
Review Under Other Legislation Mandatory in accordance to CA Act; Reg. 686/21 s.6	Input and review on a variety of different Acts including, The Aggregate Resources Act, Drainage Act, Environmental Assessment Act and The Ontario Planning Act. Subdivisions, consents and minor variances.
Municipal Plan Input and Review Mandatory in accordance to CA Act; Reg. 686/21 s.7	Provide technical information, advice, and policy support to municipalities on matters relating to Natural Hazards Policies (Section 3.1 under the PPS) with a focus on Official Plan and Official Plan Amendments. This includes, broad policy interpretation, transfer of data, information and science to municipalities, and provision of advice on matters relating to natural hazards policy to Ministry of Municipal Affairs and Housing.

<p>Flood Forecasting and Warning</p> <p>Mandatory in accordance to CA Act; Reg. 686/21 s.2, Reg. 686/21 s.3</p>	<p>Daily data collection and monitoring of local weather forecasts hydrometric stations, local water level forecasts and watershed conditions. Flood event forecasting, provincial watershed condition statements and inter agency communications in the event of a flood. Maintenance of flood forecasting equipment and annual meeting with applicable inter agency flood emergency coordinators.</p>
<p>Flood and Erosion Control Infrastructure Operation and Management</p> <p>Mandatory in accordance to CA Act; Reg. 686/21 s.5</p>	<p>Flood and erosion control infrastructure and low flow augmentation includes 1 dam.</p>
<p>Ice Management Services</p> <p>Mandatory in accordance to CA Act; Reg. 686/21 s. 4</p>	<p>Providing advice for ice jam prevention and mitigation through-out the winter season. Suggest equipment for ice mitigation and create/ update an Ice Management Plan.</p>
<p>Catfish Creek Channel Monitoring</p> <p>Mandatory in accordance to CA Act; Reg. 686/21 s. 2, s.3, s.4</p>	<p>Monitoring the Catfish Creek channel morphology changes at Port Bruce due to seasonal loading and/or scour by bathometric sounding the lower reaches of the Catfish Creek through Port Bruce.</p>
<p>Drought and Low Water Response</p> <p>Mandatory in accordance to CA Act; Reg. 686/21 s.3</p>	<p>Monitoring of surface and groundwater conditions and analysis of low water data for dissemination to irrigators, landowners and applicable government agencies. Technical and administrative support to regional advisors, and the CCCA's Irrigation Committee.</p>
<p>Natural Hazards Technical Studies and Information Management</p> <p>Mandatory in accordance to CA Act; Reg. 686/21 s.1(1)</p>	<p>Data collection and study of technical report designs to mitigate natural hazard. Development and use of systems to collect and store data and to provide spatial geographical representations of data.</p>

<p>Natural Hazards Communications, Outreach and Education</p> <p>Mandatory in accordance to CA Act; Reg. 686/21 s.2, s.3, s.4, s.5</p>	<p>Promoting public awareness of natural hazards including flooding, drought, and erosion. Social media services. Media relations. Natural hazards studies, mapping and updates to Regulation Limits mapping and data transfer to public, through web based map(s) showing Regulation Limits .</p>
<p>Core Watershed - based Resource Management Strategy</p> <p>Mandatory in accordance to CA Act; 21.1(1) O. Reg. 686/21 12 (1) 3</p>	<p>Collate/compile existing resource management plans, watershed plans, studies, and data. Strategy development, implementation, and annual reporting. This project builds on previous Watershed Management Strategies.</p>
<p>ISSUES AND RISKS</p> <p>Natural Hazard Management:</p> <ol style="list-style-type: none"> 1. CCCA does not currently provide stormwater management review, due to the changes under the CA Act. Should direction change or clarification be provided by the Province, the Board might decide to reassess this decision to ensure that stormwater management is reviewed consistently across the watershed. 2. Conservation authorities are restricted by the Province from commenting on planning applications regarding natural heritage, as has been done under agreement with municipalities for several years. The health of natural heritage systems and features within the watershed could be negatively impacted without this regional, watershed based review. 3. Climate change could result in more frequent flooding and low water events resulting in the need for more rain gauges and stream gauges, computer models for flood forecasting, and demand for more staff time and resources. 4. Major maintenance for Flood and Erosion Control works could be required when no provincial funding is available; most of the flood and erosion control structures at LTC are not eligible for provincial funding due to the nature of the scoring matrix for funding. 5. Plans and Technical Studies require considerable staff time and/or outside expertise. Municipal/provincial/federal funds and municipal agreements are needed to support completion of technical studies or mapping projects. 6. Natural hazards can be highly complex and uncertain in terms of their occurrence, intensity, and impacts. This uncertainty makes it difficult to predict and prepare for events effectively. 	

<p>7. An increase in natural hazards enforcement and complaints results in an increased demand for staff time. The ability to hire new staff is paramount but limited by funding shortfalls.</p> <p>8. Rapid population growth and urbanization in hazard-prone areas increase the vulnerability of communities to natural hazards. Urbanization often leads to the development of infrastructure in high-risk areas, exacerbating the potential for damage and loss of life.</p> <p>9. Effective coordination and cooperation among various stakeholders, including government agencies, NGOs, and the private sector. Political and institutional challenges, such as bureaucratic hurdles and conflicting interests, can hinder effective collaboration and decision-making.</p> <p>10. Reliance on technology for hazard monitoring, early warning systems, and communication can introduce risks such as system failures, malfunctions, or cyber-attacks, which may compromise the effectiveness of response and recovery efforts.</p>	
<p>Provincial Water Quality and Quantity Monitoring: Category 1 Mandatory Programs and Services Budget 2024 – \$9,366.44</p>	
<p>Provincial Water Quality Monitoring Network (PWQMN) and Provincial Groundwater Monitoring Network (PGMN)</p> <p>Mandatory in accordance to CA Act; Reg. 686/21 s.12</p>	<p>Through a partnership with the MECP, CCCA undertakes stream water quality monitoring at four sites. The Conservation Authority collects the water samples at the four sites, ten times per year and MECP is responsible for the laboratory analysis and data management. The results are made available to CCCA. The data is used to prepare watershed report cards and report on watershed health. It also helps prioritize the need for watershed restoration projects. CCCA has a long-standing partnership with the MCEP for groundwater level and water quality monitoring at 5 stations (2 sites) across the watershed. CCCA costs include data collection, shipping, minor equipment repairs/purchases, data management, and reporting. The Province funded the installation of the network and continues to fund equipment replacements. Information collected is helping to build a database on groundwater levels and groundwater quality and is used in the preparation of watershed report cards.</p>
<p>Integrated Water and Climate Station</p> <p>Mandatory in accordance to CA Act; Reg. 686/21 s.12 (2)</p>	<p>CCCA uses four MECP hydrometric stations to monitor flows and precipitation within the Catfish Creek Watershed</p>
<p>Water Quality and Quantity Monitoring Category 3: Other Programs and Services Budget 2024 – Funded by Self-Generated Revenue</p>	
<p>Surface Water Quality Monitoring Program</p>	<p>In addition to PWQMN, CCCA maintains nine benthic monitoring sites across the watershed. CCCA responds to local spills events at the request of MECP. Costs include sampling, analysis and reporting.</p>

Watershed Report Card	Conservation Authorities report on local watershed conditions every five years. Measuring environmental indicator changes within the watershed, with a focus on Authority managed projects to evaluate efforts and track progress.
<p>ISSUES AND RISKS</p> <p>Provincial Water Quality & Quantity Monitoring:</p> <ol style="list-style-type: none"> 1. Agencies often face constraints in terms of funding, personnel, and equipment for monitoring water quality and quantity. Limited resources can lead to gaps in monitoring coverage and frequency, hindering the ability to identify emerging issues and trends. 2. Ensuring the accuracy, reliability, and consistency of water quality and quantity data across different monitoring sites and time periods can be challenging. Factors such as sensor calibration, sampling techniques, and data interpretation practices can vary, affecting the comparability and usefulness of the data for decision-making. 3. Interpretation and usefulness of PGMN data to support CCCA programs (e.g. low water program, watershed report card). 4. Climate change is altering precipitation patterns, temperature regimes, and hydrological cycles, leading to shifts in water availability, quality, and distribution. Provincial monitoring programs must account for these climate change impacts and incorporate adaptive strategies to assess and mitigate associated risks effectively. 5. Maintaining and upgrading monitoring infrastructure, such as gauges, sensors, and laboratory facilities, is necessary to ensure the reliability and continuity of water monitoring efforts. However, funding constraints and technological obsolescence may hinder efforts to modernize and optimize monitoring systems. 6. Ensuring the sustainability of groundwater resources requires long-term monitoring efforts to track changes in groundwater levels, quality, and usage over time. However, maintaining continuity and consistency in monitoring activities over extended periods can be challenging due to funding uncertainties, institutional changes, and competing priorities. 7. Groundwater contamination from sources such as industrial activities, agriculture, and urban development poses significant risks to human health and environmental integrity. Provincial groundwater monitoring programs must prioritize the detection and assessment of contamination threats and implement mitigation measures to protect groundwater resources. 8. Adequate funding, personnel, and equipment are essential for conducting groundwater monitoring (PGMN) activities effectively. However, CAs may face resource constraints, which can limit the frequency of monitoring, the number of monitoring wells, and the analytical capacity of laboratories. 9. Groundwater systems are complex, heterogeneous, and dynamic, with interactions between geological, hydrological, and environmental factors influencing groundwater flow and quality. 	

Understanding and monitoring these dynamics require interdisciplinary approaches and advanced modeling techniques, which may pose challenges to the CCCA.

10. Ensuring the quality and consistency of groundwater monitoring data is essential for making informed decisions about groundwater management. However, challenges such as sensor calibration, sampling protocols, and data validation procedures can affect the reliability and usability of monitoring data.

**Drinking Water Source Protection: Category 1 Mandatory Programs and Services
2024 Budget - \$6,267.78**

<p>Drinking Water Source Protection (DWSP)</p> <p>Mandatory in accordance to CA Act; Reg. 686/21 s.13 (1)1</p>	<p>Locally, CCCA disseminates information and provides advice to local municipalities to facilitate implementation of the Source Protection Plan and to identify local priorities for future updates to the Assessment Report and Source Protection Plan. CCCA is responsible for administering the Catfish Creek Source Protection Authority – governance, administration, meetings, reports and the delivery of other activities required by the Clean Water Act and its regulations.</p>
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ISSUES AND RISKS

Drinking Water Source Protection (DWSP): Regional and Local:

1. Insufficient funding, personnel, and technical expertise can hamper drinking water source protection initiatives. Limited resources may result in inadequate monitoring, enforcement, and implementation of best management practices, leaving drinking water sources vulnerable to contamination and degradation.
2. Keeping the science current (updated technical studies needed including issues identification, water budgets, wellhead protection areas, intake protection zones and vulnerability).
3. Protection of non-municipal systems (communal and private).
4. Challenges with implementation of the Source Protection Plan.
5. Delivery of an effective education and outreach program.
6. Program Coordinator has no supervisory role over local Source Protection Authority staff within regional staffing structure.
7. Urbanization, agricultural expansion, and industrial development can lead to land use changes that compromise drinking water sources. Increased impervious surfaces, deforestation, and soil erosion can impact water quality through sedimentation, nutrient runoff, and contamination from pollutants.
8. Climate change exacerbates existing risks to drinking water sources by altering precipitation patterns, temperature regimes, and hydrological cycles. Extreme weather events, such as floods, droughts, and storms, can impact water availability, quality, and infrastructure resilience, posing challenges for drinking water source protection efforts.

<p>9. Invasive species and habitat loss can degrade ecosystem functions and impair water quality in drinking water sources. Invasive plants, algae, and aquatic species can disrupt natural ecosystems, alter nutrient cycling, and increase the risk of harmful algal blooms and waterborne diseases.</p> <p>10. Drinking water sources can be contaminated by various pollutants from point sources (such as industrial discharge pipes) and non-point sources (such as agricultural runoff and urban stormwater). Contaminants may include pathogens, chemicals, heavy metals, and nutrients, posing risks to human health and the environment.</p>	
<p>Conservation Lands: Category 1 Mandatory Programs and Services 2024 Budget - \$86,900.35</p>	
<p>Section 29 Minister's Regulation Rules of Conduct in Conservation Areas</p> <p>Mandatory in accordance to CA Act; Reg. 688/21</p>	<p>Conservation areas regulations enforcement/compliance. Incurred legal expenses for regulation and compliance.</p>
<p>Conservation Areas</p> <p>Mandatory in accordance to CA Act; Reg. 686/21 s.9(1)</p>	<p>Management and maintenance of three passive day use conservation areas (Yarmouth Natural Heritage Area, Archie Coulter and Springwater Forest, not the Campground) with recreational trails. Includes passive recreation, risk management program, hazard tree management, gates, fencing, signage, brochures, communications, pedestrian bridges, trails, parking lots, pavilions, roadways, stewardship, restoration, ecological monitoring, carrying costs such as taxes and insurance. Ivan Steen & Ward McKenna; existing agreements with The Corporation of the Town of Aylmer, for use of the Ivan Steen Conservation Area and Ward McKenna Conservation Area for public park space and recreational amenities which is maintained by The Corporation of the Town of Aylmer .</p>
<p>Conservation Area Major Maintenance</p> <p>Mandatory in accordance to CA Act; Reg. 686/21 s.9 (2)</p>	<p>Major maintenance and capital improvements to support public access, safety and environmental protection such as pedestrian bridges, boardwalks, trails.</p>
<p>Inventory of Conservation Authority Lands</p> <p>Mandatory in accordance to CA Act;</p>	<p>The land inventory includes the following information: location as well as date, method and purpose of acquisition, land use. One -time project with updates as properties are acquired or disposed of.</p>

CA Act 21.1(1) O. Reg. 686/21 9 (3)	
Conservation Areas Strategy Mandatory in accordance to CA Act; 21.1(1) O. 0Reg. 686/21 9 (1)	A strategy to guide the management and use of CA-owned or controlled properties including guiding principles, objectives, land use, natural heritage, classifications of lands, mapping, identification of programs and services on the lands, public consultation, publish on website. Updates of existing conservation area management plans.
Land Acquisition and Disposition Strategy Mandatory in accordance to CA Act; Reg. 686/21 s.9 (2) (5)	A policy to guide the acquisition and disposition of land in order to fulfill the objects of the authority is to be created before the end of the Transition Period.
Springwater Conservation Area	CCCA operates one campground and its associated facilities, generates our main revenue stream and offsets costs of mandated programs.
CCCA forests and management areas (not Conservation Areas)	Management and maintenance of CA owned lands (will all be listed in the Land Inventory) Includes forest management, signage, gates, passive recreation, stewardship, restoration, ecological monitoring, carrying costs such as taxes and insurance.
Conservation Lands Category 3: Other Programs and Services Budget 2024 - Funded by Self-Generated Revenue	
Land acquisition	Strategic acquisition of environmentally significant properties. Follow guidance from our land acquisition and disposal policy.
Private Land Stewardship Program/ Integrated	Work with property owners to implement Best Management Practices to mitigate flood and erosion hazards, improve and protect water quality, restore floodplains and river valleys, reduce nutrient contamination, restore and enhance wetlands to reduce flooding peaks and augment low flow, management of terrestrial non-native invasive species, protect groundwater, and improve aquatic species at risk habitat. Apply for and manage external funding, promote private land stewardship such as tree planting, wetlands and tall grass prairie plantings, outreach, provide technical advice and design assistance .
Tree Planting and Forestry Services	Site preparation, tree and shrub planting, and survival assessments, technical assistance, hazard tree abatement, link to funding programs to maintain form and function of watershed forest cover. CCCA Tree Planting

	<p>Program allows property owners to purchase bare root native tree and shrub seedlings at a minimal cost. CCCA also provides full service tree planting to landowners. Administration of Malahide Roadside Tree Planting Program. Agreement with Town of Aylmer to manage Aylmer Woodlot.</p>
<p>Education Programming in Conjunction with Thames Valley Schoolboard</p>	<p>An annual Memorandum of Understanding is signed with Thames Valley District Schoolboard leasing a part of Springwater Forest to the Jaffa Outdoor Education Center for an outdoor classroom. The Maple Program, Marsh Quest and Forest Festival are all ran in conjunction with Thames Valley District Schoolboard staff.</p>
<p>ISSUES AND RISKS</p> <p>Conservation Lands Program:</p> <ol style="list-style-type: none"> 1. Complete Ecological Lands Classification (ELC) mapping and identify habitat of species at risk. 2. Funding for major trail improvements. 3. Aging infrastructure. 4. Signage updates required to address legislative and social needs. 5. Invasive species can outcompete native flora and fauna, disrupt ecosystem functions, and alter habitat structure and composition on conservation lands. Invasive plants, animals, and pathogens may spread rapidly, outpacing management efforts and threatening the integrity of native ecosystems. 6. Ecosystem enhancement and regeneration. 7. Engagement of volunteers to assist with Conservation Lands management. 8. Conservation lands often intersect with competing interests, such as agriculture, forestry, energy development, and indigenous rights. Conflicting land uses, resource extraction, and development pressures can lead to conflicts among stakeholders and challenges in achieving conservation goals while balancing socio-economic needs. 9. Wildlife diseases, such as pathogens, parasites, and emerging infectious diseases, can spread rapidly among populations on conservation lands, causing mortality, population declines, and ecosystem disruption. Disease outbreaks may be exacerbated by factors such as habitat degradation, climate change, and wildlife-human interactions. 10. Recreational activities, tourism, and infrastructure development on conservation lands can lead to human disturbance, habitat degradation, and wildlife displacement. Overuse of trails, off-road vehicles, and camping sites can degrade sensitive habitats, disturb nesting sites, and stress wildlife populations. 	
<p style="text-align: center;">Enabling Services: Category 1 Mandatory Programs and Services Budget 2024 – \$143,635.60</p>	

<p>Enabling Services</p> <p>Mandatory in accordance with CA Act, 21.1 (1) para 1. (iv)</p>	<p>Corporate Services are key services provided to all departments of the Conservation Authority, Board of Directors, member municipalities and the general public to enable LTC to operate in an accountable, transparent, efficient and effective manner. These general operating expenses and capital costs, permitted as Mandatory Program and Services under Part IV and Section 21.1 of the CA Act, are not directly related to the provision of a specific program or service that an authority provides (Ontario Regulation 402/22: Budget and Apportionment). Funding for these services are both municipally funded and self-generated. Administrative, human resources, operating and capital costs which are not directly related to the delivery of any specific program or service, but are the overhead and support costs of a conservation authority. Includes health and safety program, overseeing programs and policies.</p>
<p>Financial Services</p> <p>Mandatory in accordance to CA Act, 21.1(1) para 1. (iv)</p>	<p>Financial services ensures the wise use of funds and fiscal accountability. Ongoing vigilance is needed to ensure that the funding received from member municipalities, the provincial and federal governments, other partners, agencies and donors is used wisely for the betterment of the watershed region. It includes development of the annual budget, accounts payable and receivable, payroll, financial analysis, financial audit, administration of reserves and investments, asset management, financial reports for funding agencies, preparing and submitting reports to the Canada Revenue Agency, and administration of the benefits program.</p> <p>Also included under Financial Service is fundraising. As a non-profit registered charity, CCCA undertakes fundraising to support its conservation efforts. This includes: grant writing, direct requests to businesses and private donors, and fundraising campaigns. Annual budget, accounts payable and receivable, payroll, financial analysis, financial audit, administration of reserves and investments, financial reports for funding agencies, preparing and submitting reports to CRA, benefits program administration.</p>
<p>Legal Expenses</p> <p>Mandatory in accordance to CA Act, 21.1 (1) para 1. (iv)</p>	<p>Costs related to agreements/ contracts , administrative by-law updates.</p>
<p>Governance</p> <p>Mandatory in accordance to CA Act, 21.1 (1) para 1. (iv)</p>	<p>Governance is the overall framework for managing and decision making of the organization. Governance costs cover those required for operation and support of the Board of Directors, any associated Boards or Advisory Committees, and for the Office of Chief Administrative Officer/Secretary-Treasurer Supporting CA Boards, Advisory Committees, GM and Senior Management.</p>

<p>Communications and Outreach</p> <p>Mandatory in accordance to CA Act, 21.1 (1) para 1. (iv)</p>	<p>Informing public of CCCA programs and projects through media, open houses, public meetings, website administration, responding to inquiries from the public, crisis communications .</p>
<p>Administration Building</p> <p>Mandatory in accordance to CA Act, 21.1 (1) para 1. (iv)</p>	<p>Office buildings and workshop used to support CCCA staff, programs and services. Includes utilities, routine and major maintenance, property taxes.</p>
<p>Information Technology Management/ GIS</p> <p>Mandatory in accordance to CA Act, 21.1 (1) para 1. (iv)</p>	<p>Data management, records retention. Development and use of systems to collect and store data and to provide spatial geographical representations of data.</p>
<p>Vehicle and Equipment</p> <p>Mandatory in accordance to CA Act, 21.1 (1) para 1. (iv)</p>	<p>A fleet of vehicles and equipment to support the work of the CCCA, including capital purchases, fuel, licenses, repairs and maintenance. Programs and projects are charged for the use of the vehicles and equipment .</p>
<p>ISSUES AND RISKS</p> <p>Enabling Services:</p> <ol style="list-style-type: none"> 1. Municipal funding required for capital costs. 2. Funding support for operational costs. 3. Self-generated funding is unpredictable. 4. Legal expenses are not consistent annually. 5. Future major maintenance or alterations to buildings and other equipment could result in increased costs. 6. Staff turnover, knowledge transfer. 7. Keeping current and acquiring technology to sustain program functions and to meet expectations. 8. E-Commerce/improved online customer service processes and tracking required. 9. Cyber security. 	

10. Public expectations for Open Data.
11. Enhanced mapping, data, and analytical tools to facilitate faster, sound decision making.
12. Funds for purchase of necessary data products (i.e. Orthophotography).

To review our complete inventory of Programs and Services please see <https://www.catfishcreek.ca/wp-content/uploads/2022/02/CCCA-Programs-Services-Inventory.pdf>.

10.0 **RISK ASSESSMENT AND MITIGATION EFFORTS**

The issues and risks documented in this strategy have been identified and mitigation measures are as described. In most cases, the amount of funding required to mitigate the risks is “To be Determined (TBD)” as the issue may not arise or be able to be addressed in the foreseeable future, and may be outside of the review period for this document.

Mandated Programs and Services		
Issues and Risk	Mitigation	Cost
Natural Hazard Management		
CCCA does not currently provide stormwater management review for water quality, due to the changes under the CA Act. Should direction change or clarification be provided by the Province, the Board may decide to reassess this decision to ensure that stormwater management is reviewed consistently across the watershed.	Monitor requirements. If stormwater Management review re-introduced for water quality, requirement to hire engineer or retain engineering consultant.	TBD
Conservation authorities are restricted by the Province. Monitor requirements. The costs could be from commenting on planning applications regarding natural heritage, as has been done under agreement with municipalities for several years. The health of natural heritage systems and features within the	Monitor requirements.	TBD

watershed could be negatively impacted without this regional, watershed based review.		
Climate change could result in more frequent flooding and low water events resulting in the need for more rain gauges and stream gauges, computer models for flood forecasting, and demand for more staff time and resources.	Ensure staff efficiencies, budget for increased staffing. Equipment is covered under the Capital Asset Management Plan. Apply for grants for climate change resiliency when available.	TBD
Major maintenance for Flood and Erosion Control works could be required when no provincial funding is available.	Continue to regulate development to lessen need for control works. Continue regular maintenance of existing projects to identify upcoming maintenance requirements. Municipal support for future maintenance requirements.	TBD
Plans and Technical Studies require considerable staff time and/or outside expertise. Municipal/provincial/federal funds and municipal agreements are needed to support completion of technical studies or mapping projects.	Contribute to Special Projects Reserve when funds are available. Costs for Project Management should be built into the project when available.	TBD
An increase in natural hazards enforcement and complaints results in an increased demand for staff time. The ability to hire new staff is paramount but limited by funding shortfalls.	Ensure staff efficiencies.	TBD
Provincial Water Quality and Quantity Monitoring		
Long-term access to wells on private lands (landowner turnover).	Maintain communications. Ensure agreements are in place. Move or close wells if required.	TBD

Interpretation and usefulness of PGMN data to support CCCA programs (e.g. low water program, watershed report card).	Seek assistance from Province with interpretation. Move or close wells if required.	TBD
Drinking Water Source Protection		
Discontinuation or diminished provincial funding.	Lobby for continued provincial funding. The Province has an alternate funding mechanism proposed through regulation that could download the financial responsibility to the municipalities.	TBD
Keeping the science current (updated technical studies needed including issues identification, water budgets, wellhead protection areas, intake protection zones and vulnerability).	Lobby for provincial support for updated technical studies and the associated funding.	TBD
Protection of non-municipal systems (communal and private).	Lobby for provincial support and funding.	TBD
Challenges with implementation of the Source Protection Plan.	Encourage Source Protection Committee to review policy effectiveness. Increase focus for Education and Outreach.	TBD
Delivery of an effective education and outreach program.	Seek additional funding/staffing for new tools and increased outreach. Track effectiveness/of education campaigns through surveys, etc.	TBD
Program Coordinator has no supervisory role over local Source Protection Authority staff within regional staffing structure.	Program Coordinator involvement in the development of local work plan targets with local Source Protection Authority managers.	TBD

Increased development impacting vulnerable areas and the number of potential threats.	Increase education for municipal leaders and staff to understand the significance of unsafe development. Update vulnerability studies.	TBD
Conservation Lands		
Complete Ecological Lands Classification (ELC) mapping and identify habitat of species at risk.	Budget staffing to undertake work.	TBD
Funding for major trail improvements.	Capital Asset Management Plan in place to anticipate and cover capital costs.	TBD
Aging Infrastructure.	Capital Asset Management Plan in place to anticipate and cover capital costs.	TBD
Signage updates required to address legislative and social needs.	Budget for work.	TBD
Invasive species inventory and management.	Budget staffing to undertake work. Grant proposals.	TBD
Ecosystem enhancement and regeneration.	Partnerships with municipalities Grant proposals Budget staff time.	TBD
Engagement of volunteers to assist with Conservation Lands management.	Implement an organized approach to a volunteer program.	TBD
Population growth and increased outdoor activity resulting in increased stresses on the Conservation Area and potential for visitor conflicts.	Budget for increased maintenance/repairs (Asset Management Plan). Increased staff presence on CA Lands.	TBD
Enabling Services		
Municipal funding required for capital costs.	Capital Asset Management Plan required to anticipate and cover capital costs.	TBD

Funding support for operational costs.	Regular budgeting process and implementation of a Board member budget sub-committee.	TBD
Self-generated funding is unpredictable.	Plan and budget on more reliable funding sources.	TBD
Legal expenses are not consistent annually.	The legal reserve fund increased to cover increasing legal action. Allocated when surplus funds are available.	TBD
Future major maintenance or alterations to buildings and other equipment could result in increased costs.	Capital Asset Management Plan in place to anticipate and cover capital costs, to be reviewed every 5 years.	TBD
Staff turnover, knowledge transfer.	Offer competitive salaries and benefits in a positive work environment. Maintain good records. Develop/maintain policies and procedures/ documents.	TBD
Keeping current and acquiring technology to sustain program functions and to meet expectations.	Ensure sufficient annual budget. Information Technology and Operations (IT and Ops) Review recommendations to assist in prioritizing technology upgrades and apply to budget cycle.	TBD
E-Commerce/improved online customer service processes and tracking required.	Include in future Business Plan/Budget.	TBD
Cyber security.	Cyber insurance. Budget for external Information Technology provider and staff training, as recommended in the IT and Ops Review.	TBD
Public expectations for Open Data.	Ensure staff time to develop platform.	TBD

Enhanced mapping, data, and analytical tools to facilitate faster, sound decision making.	T and Ops Review recommendations for dedicated GIS position.	TBD
Funds for purchase of necessary data products (i.e. orthophotography).	Capital Asset Management Plan in place to anticipate and cover costs.	TBD

11.0 REVIEW AND ASSESSMENT OF CCCA PROGRAMS AND SERVICES

The Strategy must be prepared on or before December 31, 2024. The Strategy is made available to the public on the Authority’s website, or by other means the CA considers advisable, by December 31, 2024.

As a best practice, CCCA will post this on the established CA Governance Webpage (where certain other documents are required to be posted pursuant to [O. Reg. 400/22](#)). Once the Strategy is complete, the CCCA will notify the organizations and individuals who were engaged in the consultation process of the availability of the final Strategy. There is no legislative requirement to submit to the Province a confirmation of completion of the Strategy.

The Strategy will be reviewed every five (5) years or as required to enter into new Category 1,2, and 3 Programs and Services or to re-evaluate Category 1,2, or 3 Programs and Services the CCCA offers to its member municipalities.

12.0 INFORMATION SUPPORTING CCCA PROGRAMS

Ontario Regulation 686/21 requires this Strategy include a summary of existing technical studies, monitoring programs, and other information about the natural resources the Conservation Authority relies on within its area of jurisdiction or in specific watersheds that directly informs and supports the delivery of programs and services under section 21.1 of the CA Act.

CCCA’s monitoring programs are described elsewhere in this document. Water level monitoring is accomplished through the flood forecasting and warning, low water response, and base flow monitoring programs and the Provincial Groundwater Monitoring Network. Water quality is monitored through the Provincial Water Quality Monitoring Network and local programs (benthic macroinvertebrate monitoring and local surface water quality monitoring programs).

In addition to its monitoring programs, CCCA relies on a range of technical resources to inform decision making. Some of these have been completed in-house and others have been contracted to consultants. The documents, computer models and mapping products need updated from time to time to address and respond to changes in land use, watershed conditions, the regulatory framework, and emerging issues. These resources are described in Appendix 2.

13.0 FUTURE INITIATIVES

Opportunities for growth, new programs, services and projects that benefit the watershed and its municipal partners can materialize at any time; these could be long-term or short-term initiatives. These

special projects may update existing studies and mapping, help address current and emerging issues, and/or assist with delivery of programs. Not only are there benefits to the health of the watershed, but the Conservation Authority benefits from heightened expertise, new resources, enhanced partnerships and use of the completed products. The program, services and projects could fall into any of the three categories permitted under the CA Act: mandatory, municipal or other (Category 1, 2 or 3, respectively). In addition, the projects could fall under any of the programs and services described in this Strategy, or be new initiatives

13.1 Watershed and Sub-Watershed Plans

Watershed and watershed plans take a holistic view of the entire hydrological system, considering the interconnectedness of land, water, and ecosystems within a defined geographic area. This integrated approach allows for more comprehensive and effective management of natural resources. By assessing the characteristics and vulnerabilities of watersheds and sub-watersheds, these plans can identify areas at risk of erosion, flooding, habitat degradation, pollution, and other environmental hazards.

Understanding these vulnerabilities is essential for implementing targeted mitigation and adaptation measures. Watershed and sub-watershed plans help to reduce risks associated with natural hazards such as floods, droughts, and wildfires. By implementing measures such as green infrastructure, land use planning, and erosion control, these plans can enhance the resilience of communities and ecosystems to extreme events. They play a critical role in protecting water quality by identifying sources of pollution, implementing best management practices, and promoting sustainable land use practices. These efforts are essential for safeguarding drinking water supplies, supporting aquatic habitats, and preserving recreational opportunities. Watershed and sub-watershed plans provide a framework for long-term planning and management of natural resources. By setting goals, objectives, and action plans, these plans guide decision-making and resource allocation over multiple years and across different jurisdictional boundaries. Healthy watersheds and sub-watersheds provide a wide range of economic benefits, including clean water supplies, recreational opportunities, tourism revenue, and ecosystem services such as flood control and carbon sequestration. By investing in watershed planning and management, communities can protect these valuable resources and support sustainable economic development.

13.1.2 Updates to Mapping and Technical Projects

Accurate floodplain maps allow communities to assess the extent and severity of flood risks in a given area. By identifying flood-prone zones and vulnerable infrastructure, updated mapping enables better-informed decision-making for land use planning, emergency preparedness, and infrastructure development. Access to up-to-date flood hazard data helps residents, businesses, and local authorities understand areas at risk of flooding. This information allows communities to take proactive measures to protect lives and property, such as implementing building codes, evacuation plans, and floodplain zoning regulations.

Insurance companies rely on floodplain maps to assess flood risks and determine insurance premiums. Accurate mapping ensures that insurance rates reflect the actual level of risk, which can incentivize property owners to invest in flood mitigation measures and reduce financial losses from flooding events. Engineers and urban planners use floodplain maps to design and locate infrastructure such as roads, bridges, utilities, and drainage systems. Updated mapping allows for more precise engineering designs that consider flood risks, minimize exposure to hazards, and enhance the resilience of critical

infrastructure. Floodplain mapping helps identify environmentally sensitive areas, such as wetlands and riparian zones, which provide important habitat for wildlife and contribute to ecosystem health. Incorporating environmental considerations into floodplain management supports conservation efforts and promotes sustainable land use practices.

Up-to-date floodplain mapping is essential for risk assessment, community safety, insurance, infrastructure planning, environmental protection, regulatory compliance, climate change adaptation, and public awareness. Investing in accurate and reliable mapping data is critical for building resilient and sustainable communities that are better equipped to withstand and recover from flood disasters.

13.1.3 Public Engagement/ Consultation

As outlined in the regulation, all CAs are required to ensure stakeholders and the public are consulted during the preparation of the WBRMS in “a manner that the authority considers advisable”. Further, CAs must ensure stakeholders and the public are consulted during the periodic review and update process for the strategy. The CCCA released the Strategy for our member municipalities, public and First Nations from June 17, 2024 to July 26, 2024. Letters will be provided to our participating municipalities, Indigenous Communities, and the public advising them of the consultation period.

14.0 BIBLIOGRAPHY

Vitousek, P. M., H. A. Mooney, J. Lubchenco, and J. Melillo. (1997a). Human Domination of Earth’s Ecosystems. Science 277:494-499.

(Karr, J. R. and D. R. Dudley. 1981. Ecological perspectives on water quality goals. Environmental Management 5: 55-68)

Norris, R. H. and Norris, K. R. (1995). The Need for Biological Assessment of Water Quality, Australian Journal of Ecology 20(1): 1-6.

Palmer, M. A., Ambrose, R. F. and Poff, N. L.. Ecological Theory and Community Restoration Ecology. 1997, Restoration Ecology 5(4): 291-300.

Kelly, J. R. and Harwell, M. A. (1990). Indicators of ecosystem recovery. Environmental Management 14(5): 527-545.

15.0 REFERENCES

Schwab G. et. al., Soil and Water Conservation Engineering, Third edition, pg. 25, John Wiley & Sons, Inc., 1981.

American Society of Agriculture Engineers, Hydrologic Modeling of Small Watersheds, pg. 3, 1982.

Springwater Reservoir Sediment Control Structure Study, MacLaren Engineers, 1989.

Paragon Engineering Limited, Catfish Creek Master Drainage Plan - Main Report, January 1991.

Ontario Ministry of Natural Resources, Manual of Instructions - Aquatic Habitat Inventory Surveys.

Government of Ontario, Conservation Ontario, Upper Thames River Conservation Authority and Rideau Valley Conservation Authority, Innovations in Watershed Stewardship - Watershed Reporting: Improving Public Access to Information, May 2003.

S. M. Willis, Operating Plan for Springwater Forest and the Jaffa Tract for the Period 1 April, 1978 to 31 March, 1988, December 1979

Department of Planning and Development, Catfish Creek Conservation Report – Ground water Forestry, 1951.

Ontario Department of Mines and Northern Affairs, Map 2225 – Physiography of the Southwestern Portion of Southern Ontario, 1972.

Ontario Ministry of Agriculture and Food, The soils of Elgin County – Volume 1, 1992.

Ontario Ministry of Agriculture and Food, The soils of Elgin County – Volume 2, 1992.

2nd Australian Stream Management Conference Proceedings (1999) Eds Rutherford I, Bartley, R. Urban stream rehabilitation through a decision-making framework to identify degrading processes and prioritize management actions.

Christopher J. Walsh and Peter F. Breen¹

Palmer, M. A., Ambrose, R. F. and Poff, N. L.. Ecological Theory and Community Restoration Ecology. 1997, *Restoration Ecology* 5(4): 291-300.

Brookes, A. (1994). "River Channel Change." chapter, in: The Rivers Handbook. Vol. 2 . Blackwell Scientific Publications, Oxford. pp.55-75.

Hey, R. D. (1994). "Environmentally sensitive river engineering." chapter, in: The Rivers Handbook. Vol. 2. Blackwell Scientific Publications, Oxford. pp.55-75.

Kelly, J. R. and Harwell, M. A. (1990). Indicators of ecosystem recovery. *Environmental Management* 14(5): 527-545.

Norris, R. H. and Norris, K. R. (1995). The Need for Biological Assessment of Water Quality. *Australian Journal of Ecology* 20(1): 1-6.

Biological Indicators Last updated on Monday, September 15th, 2003

<http://www.epa.gov/bioindicators/>

Riparian Areas, Oregon State University, Corvallis, OR 97331-4501 541-737-1000, [Copyright](#) © 2003 Oregon State University, <http://www.cropinfo.net/riparian.htm>

Department of Chemistry, Ontario Agriculture College, Guelph, (1929) Soil Map County of Elgin. The Department of Militia and Defense, Ottawa. (soil map 3)

Ontario Centre for Soil Resources Evaluation (cartographic data collected on-site in 1982-1983 and 1987-1989). Soils of Elgin County Central Townships Ontario Sheet 2, Soil Survey Report No. 63. Ontario Ministry of Agriculture and Foods. (Soil map 2)

- Ontario Centre for Soil Resources Evaluation (cartographic data collected on-site in 1982-1983 and 1987-1989). Soils of Elgin County Central Townships Ontario Sheet 3, Soil Survey Report No. 63. Ontario Ministry of Agriculture and Foods. (soil map 1)
- Ontario Department of Mines and Northern Affairs, Ontario Research Foundation. (1984). Map 2225, Physiography of the Southwestern Portion of Southern Ontario. Ontario Department of Mines and Northern Affairs. (physiography map)
- Gleick, P.H. 2000. The World's Water 2000-2001. The Biennial Report on Freshwater Resources. Island Press, Washington, D.C. 215 pp.
- Hatfield, J.L. and B.A. Steward. 1998. Animal Waste Utilization: Effective use of Manure. Ann Arbor Press, Chelsea, MI.
- Postel, S.L. 1999. Pillars of Sand: Can the irrigation miracle last? W.W. Norton, New York.
- Matson, P. A., W. J. Parton, A. G. Power, and M. J. Swift. 1997. Agricultural Intensification and Ecosystem Properties. Science 277:504-509.
- Asner, G. P., T. R. Seastedt, and A. R. Townsend. (1997). The Decoupling of Terrestrial Carbon and Nitrogen Cycles. BioScience 47:226-234.
- Vitousek, P. M., H. A. Mooney, J. Lubchenco, and J. Melillo. (1997a). Human Domination of Earth's Ecosystems. Science 277:494-499.
- Vitousek, P. M., J. D. Aber, R. W. Howarth, G. E. Likens, P. A. Matson, D. W. Schindler, W. J. N. Pretty, J. Thompson, and F. Hinchcliff. (1997b). Human Alterations of the Global Nitrogen Cycle: Sources and Consequences. Ecological Applications.
- Catfish Creek Master Drainage Plan - Main Report, Paragon Engineering Limited, January 1991.
- Clean Up Rural Beaches (CURB) Plan, For Catfish Creek and Kettle Creek Watersheds. Kettle Creek and Catfish Creek Conservation Authorities, for The Ontario Ministry of Environment and Energy ISBN 0-7778-4406-0, March 1994.
- Soils of Elgin County Central Townships Ontario Sheets 2 and 3, Soil Survey Report No. 63.,
- Grand River Conservation Authority, August 2008, Pilot Study: Requirements for Recommending Level III in Whitemans Creek Phase II.
- Catfish Creek Conservation Authority, March 2007, Catfish Creek Fish Habitat Management Report.
- Lake Erie Source Protection Region, January 2008, Catfish Creek Watershed Characterization Report, DRAFT, Lake Erie Source Protection Region Technical Team.
- Grand River Conservation Authority, September 2005, Water Use in the Catfish Creek Watershed Draft, Amanda Wong, Samuel Bellamy.

UN Environment-DHI, UN Environment and IUCN 2018. Nature-Based Solutions for Water Management: A Primer.

16.0 APPENDIX 2- INFORMATION SUPPORTING CCCA PROGRAMS

- 1) Richardson, A.H. (1951). "Catfish Creek Conservation Report 1951"
- 2) MacLAREN, J. (1976). "Report to the Catfish Creek Conservation Authority on Rural Fill Line Mapping".
- 3) MOE (1978). "Catfish Creek Drainage Basin Study Surface Water Hydrology, Quality, Biology and Waste Loading Guidelines".
- 4) CCL (1982). "Authority Telemark Correlation Study Port Bruce Ontario".
- 5) Cumming Cockburn Ltd. ("CCL", now "IBI Group") (1982). "Port Bruce Flood-line Mapping Study".
- 6) MNR (1982) "Springwater Study, Floristics, Community Patterns and Regeneration Transects".
- 7) Johnson, M. (1982). "Catfish Creek Conservation Authority Wetland Inventory, Evaluation and Management Strategy".
- 8) Berry, B. DeMoor, M. Snowsell, M (1983). "A Valleylands Study of Catfish Creek and its Tributaries".
- 9) CCCA Staff (1983). "Catfish Creek Conservation Authority Environmentally Significant Area Report".
- 10) CCCA Staff (1983). "Catfish Creek Conservation Authority Drainage Report".
- 11) CCCA Staff (1983). "Catfish Creek Conservation Authority Watershed Plan".
- 12) CCCA Staff (1984). "Burnt Mill Creek Stream Study".
- 13) CCL (1984). "Port Bruce Flood Damage Reduction Study".
- 14) MNR (1984). "Silver Creek Valleylands Study 1984".
- 15) CCL (1985). "Port Bruce Flood of February 13-14, 1984".
- 16) CCL (1985). "Yarmouth Township and Springfield Floodplain Mapping Study".
- 17) CCCA Staff (1985). "Bradley Creek Conservation Area Forest/ Wildlife Inventory Survey".

- 18) MacLaren Engineers (1986). "Catfish Creek Conservation Authority Floodline Mapping Study Town of Aylmer".
- 19) Kaiser, J. MNR (1988). "A Life Science Inventory of the Catfish Creek Slope and Floodplain Forest, Elgin County".
- 20) MNR (1989). "Great Lakes System Flood Levels and Water Related Hazards
- 21) Philpott Associates Coastal Engineers (1991). Shoreline Management Plan Catfish Creek Conservation Authority
- 22) Mereu, T. Paragon Engineering Limited (1991). "Bradley Creek Master Drainage Plan".
- 23) CCCA Staff (1992). "Silver creek Water Quality Inventory".
- 24) Gillard, D. (1993). "Hydraulic Tuning Survey".
- 25) Annett, T. Ministry of the Environment (1993). "Sediment/ Fill Report".
- 26) Atria Engineering Hydraulics Inc. (1994). "Overview of Computer Software Addressing Wave Uprush, Wave Overtopping Slope Stability".
- 27) MNR (1994). "Geotechnical Principles for Stable Slope Great Lakes- St Lawrence River Shoreline Policy".
- 28) Triton Engineering Services Limited and Hall Coastal Canada Limited (April 1994). "Port Bruce Harbor Hydrological Study".
- 29) Crook, P. (1997). "Catfish Creek Conservation Authority Port Bruce Harbour Flood Control Project".
- 30) Riggs Engineering Ltd. (June, 2001). "Assessment of Catfish Creek Streamlining, Village of Port Bruce".
- 31) CCCA Staff (2007). "Catfish Creek Fish Habitat Management Report".
- 32) MNR (2010). "Natural Heritage Reference Manual".
- 33) Riggs Engineering Ltd. (2012). "Port Bruce Sedimentation Study, Port Bruce, Ontario".
- 34) Environment Canada (2013). "How Much Habitat is Enough".
- 35) Lake Erie Region Source Protection Committee (2014). "Catfish Creek Source Protection Area APPROVED ASSESSMENT REPORT".

- 36) Baird (2015). "Elgin County Shoreline Management Plan".
- 37) MNR (2019). "Protecting People and Property: Ontario's Flooding Strategy".
- 38) CCCA Staff (2023). "Catfish Creek Conservation Authority Strategic Plan".
- 39) Dragunas, P. Water Resources Technician (2024). "CCCA Flood Forecasting and Warning".
- 40) Dragunas, P. Water Resources Technician (2024). "Flood Forecasting and Warning Manual".
- 41) Dragunas, P. Water Resources Technician (2024). "CCCA Ice Management Plan".
- 42) TRUE Consulting (2024). "Port Bruce Riverine and Coastal Floodplain Mapping".

TOWNSHIP OF MALAHIDE

By-law No. 24-24

LOT MAINTENANCE BY-LAW

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TOWNSHIP OF MALAHIDE**BY-LAW NO. 24-24**

Being a By-law to Provide for the Maintenance of Land in a
Clean and Clear Condition

WHEREAS section 127(a) of the Municipal Act, S.O. 2001, c. 25, as amended, (hereinafter "Act") authorizes a local municipality to pass by-laws respecting the cleaning and clearing of lands, not including buildings, and to require the owner or occupant of such land to clean and clear that land, not including buildings, or to clear refuse or debris from such lands;

AND WHEREAS section 127(b) of the said Act authorizes a local municipality to regulate when and how the matters referred to in the previous section 127(a) shall be done;

AND WHEREAS section 127(c) of the said Act provides this policy may prohibit the depositing of refuse or debris on land without the consent of the owner or occupant of such land;

AND WHEREAS section 127(d) of the said Act authorizes a local municipality to define "refuse" for the purposes aforesaid;

AND WHEREAS section 131 of the said Act authorizes a local municipality to prohibit and regulate the use of any land for the storage of used motor vehicles for the purpose of wrecking or dismantling them or salvaging parts from them for sale or other disposition;

AND WHEREAS section 436 of the said Act authorizes a municipality to pass by-laws providing for entry onto lands for purposes of, among other things, inspection in relation to matters otherwise prohibited and/or regulated by by-law;

AND WHEREAS section 446 of the said Act authorizes a municipality to direct or require that a matter or thing be done in default of which the municipality may enter upon land at any reasonable time to do such matter or thing at the expense of the owner and, furthermore, providing that the cost of doing such matter or thing may be recovered by the municipality by action or by adding such costs to the tax roll and collecting them in the same manner as taxes;

AND WHEREAS section 425 and 429 of the said Act authorizes a municipality to pass by-laws providing that a person who contravenes a by-law of the municipality is guilty of an offence and thereafter subject to penalty;

AND WHEREAS the Council of The Corporation of the Township of Malahide deems it desirable to regulate and govern the maintenance of land in order to enhance the quality of the community and neighbourhoods, to protect the safety, health, and well-being of the public, and to ensure the continued enjoyment of property by residents and property owners of the said Municipality.

NOW THEREFORE the Council of The Corporation of the Township of Malahide **HEREBY ENACTS AS FOLLOWS:**

1. Short Title

- (1) This By-Law shall be known as “Lot Maintenance By-Law”.

2. Definitions

- (1) “**By-Law**” means this By-Law.
- (2) “**By-Law Enforcement Officer**” means a Municipal Enforcement Officer as appointed by Council or a police officer, including but not limited to a member of the Ontario Provincial Police.
- (3) “**Commercial Solid Waste or Grease Container**” means a waste or grease disposal container placed on land within the territorial limits of the Municipality for the temporary storage of waste or grease; provided that, to meet this definition, the said container shall be waterproof, leak-proof, and shall be covered at all times except when depositing waste therein or removing the contents thereof.
- (4) “**Composting**” shall mean the biological degradation or breakdown of organic material into soil-like material.
- (5) “**Composting Container**” shall mean the holding unit used to store yard, garden, or household waste for purposes of composting.
- (6) “**Corporation**” means The Corporation of the Township of Malahide.
- (7) “**Council**” means the elected Council of The Corporation of the Township of Malahide.
- (8) “**Land**” or “**Lands**” means real property, including a water lot, within the territorial limits of the Municipality and, for purposes of this By-Law includes real property constituting all or a portion of a lot lying or being appurtenant to a building or structure, whether used for residential or commercial purposes but excluding any such building or structure.

- (9) “**Lot**” means a parcel of land, the boundaries of which are defined in the last registered instrument by which legal or equitable title to the said parcel was lawfully and effectively conveyed.
- (10) “**Maintenance**” means the preservation and keeping of a property in compliance with requisite standards, prohibitions, or regulations as contained in this By-Law.
- (11) “**Motor Vehicle**” means any form of transportation for humans designed to be propelled or driven otherwise than by muscular power and includes but is not limited to automobiles, cars, trucks, motorcycles, motor homes, and trailers of any description.
- (12) “**Municipality**” means the Township of Malahide and includes the geographic area thereof.
- (13) “**Noxious Weed**” means and includes a plant designated as a noxious weed pursuant to The Weed Control Act, R.S.O. 1990, c. W.5, as amended.
- (14) “**Nuisance**” means any use or condition which interferes with the normal enjoyment or use of any lands, including but not limited to neighbouring land.
- (15) “**Occupant**” means any person or persons over the age of eighteen (18) years in possession and/or control of land or lands within the Municipality.
- (16) “**Other Vehicle**” means any form of transportation for humans designed to be propelled or driven otherwise than by muscular power and includes but is not limited to tractors, self-propelled construction and/or industrial equipment or implements of husbandry, motorized snow vehicles, or cars of steam, electric, or diesel railways.
- (17) “**Owner**” means the person or persons who owns or own any land or lands, or any lots thereof, within the Municipality and includes but is not limited to a registered or equitable owner, occupant, tenant, lessee, or mortgagee in possession.
- (18) “**Person**” means any individual, company, corporation or director thereof, partnership, firm, trust, sole proprietorship, government or government agency, authority, or entity, howsoever established, joint venture, syndicate, or other legal entity, and further includes all successors, assigns, or legal representatives thereof.
- (19) “**Private Drain**” means a sanitary private drain for the collection and transmission of sanitary sewage to the sanitary sewer and to which extraneous flows, such as storm drainage, roof water, and surface and/or ground waters are not to be intentionally admitted.

- (20) **“Vessel”** means any form of marine transportation for humans, commodities, or goods and designed to be propelled by any means including but not limited to internal combustion engine or engines or otherwise by steam, electric, muscular, or natural power.
- (21) **“Waste Material”** means any article, thing, matter, or effluent that appears to have been set aside, discarded, abandoned, or discharged, whether of any value or not, or otherwise appears to have been used up in whole or in part, or expended or worn out in whole or in part and, without limiting the generality of the foregoing, includes but is not limited to the following:
- a. Garbage, refuse, debris, litter, grass clippings, tree and garden cuttings, brush, vegetative undergrowth and underbrush, dead, diseased or damaged trees or bushes or leaves therefrom, and leaves.
 - b. Containers, including but not limited to crockery, dishes, glassware and bottles, both plastic and/or metal.
 - c. Paper, cardboard, cloth, plastics, and/or synthetics.
 - d. Weighty or bulky materials such as machinery, stoves, refrigerators and other such appliances, furniture, furnace parts, pipes, water or fuel tanks, wooden or metal signs or pallets, or any part or parts thereof.
 - e. A motor vehicle or other vehicle which is not operative, a motor vehicle which is not currently licensed pursuant to the provisions of the Highway Traffic Act, S.O. 1990, c. H.8, as amended, discarded motor vehicle or other vehicle, automotive parts, vehicle parts and accessories, mechanical equipment, mechanical parts, unmounted tires, tires mounted on rims, and/or accessories or adjuncts to any such motor vehicle or other vehicle and mechanical equipment.
 - f. A vessel which is not operative, discarded vessel, unsound or unseaworthy vessel, vessel parts and accessories, mechanical equipment, mechanical parts, and/or accessories or adjuncts to such a vessel and/or mechanical equipment.
 - g. Broken concrete (other than for shore protection), asphalt pavement, patio/sidewalk slabs, surplus building materials whether new or used.
 - h. Material resulting from or as part of construction, alteration, repair or demolition of any building or structure.
 - i. Rubble, inert fill, and/or fencing materials.
 - j. All waste of animal or vegetable origin resulting from the processing or preparation or storage or sale or consumption of food, except any material of vegetable origin placed in the composting container.

- k. Any liquid containing chemicals or solids either dissolved or in suspension.
- l. Any animal excrement, except for animal excrement being applied for a horticultural or an agricultural use.

(22) “**Yard**” or “**Yards**” means the land or lands, other than publicly-owned land or lands, around or appurtenant to the whole or any part of a residential or non-residential building or structure and used or capable of being used in connection with such land or lands.

3. Scope

- (1) The regulations, standards, and/or prohibitions set forth in this By-Law are deemed to create minimum standards for the promotion of the health, safety, comfort, convenience, and general welfare of the Municipality and its residents and property-owners.

4. General Prohibition

- (1) No person, including any owner or occupant of land, shall fail to comply with any regulation, standard, or prohibition set forth in this By-Law.

5. Lot Maintenance Regulations, Standards, and/or Prohibitions

- (1) Every owner of land in the Municipality shall keep such land, in whole and in part and including all yards, grounds, and vacant lands, drained and cleaned and cleared of all waste material.
- (2) For purposes of clarity and in respect of the regulation set forth in section 5(1) above, the requirement for keeping land cleaned and cleared of all waste material is deemed to include removal of any noxious weed and/or grasses in excess of 20cm in height, measured from ground level at the location from which such noxious weed or grass grows, except on any slope requiring such vegetation for slope stability, the proof of which exception is borne by the owner or owners of such land.
- (3) Every owner of land in the Municipality shall fill in any excavation located on such land so owned which is not completely enclosed by an adequate barrier and/or fencing, the adequacy of which barrier or fencing is to be determined by the Chief Building Official of the Municipality or his or her designate.
- (4) For purposes of clarity and in respect of the regulation set out in section 5(3) above, the requirement for filling in an excavation does not apply to work that, in the opinion of the Chief Building Official of the Municipality or his or her designate, is actively proceeding under a construction or building permit.
- (5) No person, including any owner of land in the Municipality, shall connect or cause or permit any connection of any weeping tile, foundation drain, roof drain,

or lay drain into any private drain servicing such lands, including any building or structure erected thereon, and, furthermore, no person, including any owner of land in the Municipality, shall discharge or cause or permit to be discharged any extraneous flow, including but not limited to roof or surface water or storm drainage, into any private drain.

- (6) Every owner of land in the Municipality and serviced by a private drain shall alter or repair that private drain to disconnect any extraneous flows from or into such private drain.
- (7) Every owner of land in the Municipality shall drain lands so owned upon which surface or groundwater has accumulated to a depth which, in the opinion of the By-Law Enforcement Officer, creates an unsafe or dangerous condition.
- (8) For purposes of clarity and in respect of the regulation set forth in section 5(7) above, the requirement for draining of surface or groundwater does not apply to swimming pools lawfully constructed, installed, and maintained, storm water management facilities, water gardens, or natural bodies of water.
- (9) Every owner of land in the Municipality shall keep all hedges and trees adjacent to a public sidewalk or highway cut and trimmed so as to allow safe and unhindered passage and an unrestricted view of pedestrians and/or vehicular traffic travelling upon such sidewalk or highway.
- (10) No person, including the owner thereof, shall use or cause or permit the use of any land in the Municipality for dumping, depositing, or otherwise disposing of waste material of any kind.
- (11) No person, including any owner thereof, shall use any land in the Municipality for storage of any motor vehicle without a current license plate or any other vehicle for the purpose of wrecking or dismantling them or salvaging parts thereof for sale or other disposal unless that use of such land in the Municipality is in strict compliance with zoning requirements enacted by the Municipality.
- (12) No person, including any owner thereof, shall use any land in the Municipality for storage of any other vehicle or vehicles or any vessel or vessels for the purpose of wrecking or dismantling such vessel or vessels or salvaging parts there from for sale or other disposition unless such use of land is in conformity with zoning requirements enacted by the Municipality.
- (13) No person, including the owner of any land in the Municipality, shall cause or permit any Commercial Solid Waste or Grease Container to overflow its normal capacity when its cover or covers are in a closed and secured position.
- (14) No person, including the owner of any land in the Municipality, shall cause or permit foul or offensive odour or odours to emanate from any Commercial Solid Waste Container or Grease Container.

- (15) Every owner of any lot fronting any municipal highway or street where an adjacent sidewalk has been constructed shall remove and/or clear away and keep removed and cleared away all snow and ice from such sidewalk on the street side nearest to such lot, such removal to be completed within twenty-four (24) hours of a snowfall.
- (16) Every owner of any lot in the Municipality which fronts upon any municipal highway or street where an adjacent sidewalk has been constructed shall remove and clear away and keep removed and cleared away all dirt, debris, and litter from the said sidewalk on the street side nearest to such lot.
- (17) No person, including any owner thereof, shall plant, maintain, or permit any tree, brush, hedge, or shrub to grow more than one (1) metre in height on a corner lot where such tree, bush, hedge, or shrub is planted within four (4) metres of the intersection of the front lot line and the exterior lot line of such lot.
- (18) Every owner of any land in the Municipality shall keep such land clean and clear of any dilapidated or collapsed buildings or structures, or parts thereof, as erected upon such land.
- (19) Every owner of any land in the Municipality shall keep a yard or pen where a dog or dogs are allowed to run in a clean and sanitary condition and, furthermore, all excrement, feces, refuse, and dropped or scattered food associated therewith shall be removed from such yard or pen by the said owner at least once every three (3) days.
- (20) Every owner of land in the Municipality shall keep such land clean and clear of any object or objects and/or condition or conditions which are or could create any health, fire, or safety hazards, including but not limited to any object or condition which could promote or encourage the infestation and/or habitation of or by rodents, insects, or other vermin.

6. Special Provisions – Landscaping

- (1) Without limiting the generality of any provision set forth above,
- (a) Every owner of land in the Municipality shall keep all trees, bushes, hedges, and other landscaping material in a condition so as to prevent unsightly or unreasonable undergrowth in relation and compared to the surrounding natural environment.
- (b) Every owner of land in the municipality shall keep and take reasonable steps to keep grass, trees, bushes, hedges, and other landscaping material in a living condition.

7. Special Provisions – Natural Gardens

- (1) Without limiting the generality of any provision set forth above and subject to the regulations and prohibitions set forth in section 7(2) below, the owner of any land in the Municipality may grow and maintain a managed and natural landscape, including one or more species of wild flowers, shrubs, trees, herbaceous plants, ferns, and/or grasses, or any combination thereof and regardless of whether such species are native or non-native to the Municipality and/or edible or not edible (referred to as a “natural garden”), upon such land.
- (2) No owner of land in the Municipality shall plant, grow, or maintain a natural garden that:
 - (a) contains any noxious weed;
 - (b) in a suburban area as identified or defined in section 4 of the Official Plan for the Municipality that:
 - (i) fails to maintain a growth setback of two (2) metres from the nearest edge of a highway (as defined by the Highway Traffic Act, R.S.O 1990, c. H.8, as amended) within which any tree, shrub, plant, flower, fern, or grass cannot exceed 15cm in height as measured from the ground level at the location from which it grows; and/or
 - (ii) Fails to maintain a growth setback of two (2) metres from the nearest edge of a sidewalk constructed adjacent to such land within which any tree, shrub, plant, flower, fern, or grass cannot exceed 15cm in height as measured from the ground level at the location from which it grows.

8. Special Provisions – Lot Grading and Drainage / Fill Placement

- (1) Without limiting the generality of any provision set forth above, every owner of land in the Municipality,
 - (a) shall keep such land adequately drained of surface water, including suitable provision for its disposal without causing or creating erosion;
 - (b) shall not discharge water, including but not necessarily limited to surface water, water collected from the roof of any building or water from a swimming pool, onto any driveway, entranceway, walkway, sidewalk, stair, step, or any land adjacent thereto, or any highway in such a manner so as to cause damage or create an unsafe condition;
 - (c) shall not cause or permit roof drainage to be discharged onto the ground less than one (1.0) metre from any building constructed

thereon, provided that, at the location of discharge, such water does not escape onto or adversely affect adjacent lands or otherwise cause erosion;

- (d) shall not permit the discharge of water from drain pipes, tiles or other such device, designed and intended for the collection and discharge of water, into a ditch, road allowance or adjacent property without the express written permission from the Township of Malahide and/or the adjacent land owner.
- (e) shall not cause or allow any fill piled upon such land to remain in and on the levelled state for longer than fourteen (14) days from the date of such piling, unless the land contains a construction site for which a building permit has been issued by the Municipality and is in effect;
- (f) shall not cause or allow any fill piled upon land to remain uncovered by sod, seed, or agricultural crops for more than thirty (30) days from the date of such piling, unless the land either:
 - (i) is being actively farmed,
 - (ii) contains a construction site for which a building permit has been issued by the Municipality and is in effect, or,
 - (iii) is subdivided under a signed subdivision agreement with the Municipality.
- (g) shall not cause or permit fill to remain upon land which results in the lot grading being altered from what was initially approved in the lot grading plan.

9. Special Provisions – Outdoor Storage

- (1) Where outdoor storage is permitted in the zoning by-law, every owner of any land in the Municipality shall:
 - (a) locate and maintain such storage in a safe condition, wherein all stored items and materials are packed or stacked in a neat and orderly fashion or in bins, containers, structures, or enclosures appropriate for the nature, composition, or other characteristic properties or distinctive attributes of such stored items and materials; and,
 - (b) completely enclose such outdoor storage area with fencing at least 1.5 metres in height, which fencing shall be constructed in such a fashion to screen the view of all items and materials so stored and provided that such fenced enclosures,
 - (c) shall be located at least six (6.0) metres from any highway, and,

- (d) shall be landscaped on the exterior sides thereof, save any side which adjoins any building, driveway, or parking or loading area.

10. Special Provisions – Fences / Fencing

- (1) Every owner of land or lands in the Municipality upon or between which a fence, fences, or fencing has been erected shall maintain such fence, fences, or fencing,
 - (a) in general repair, free from loose or insufficiently secured, rotten, warped, or broken materials or elements;
 - (b) in a safe and structurally sound condition, capable of sustaining safely its own weight and any load to which it could reasonably be subjected;
 - (c) free of dangerous objects; and,
 - (d) reasonably plumb, unless specifically designed to be other than vertical.

11. Administration and Enforcement

- (1) This By-Law shall be administered by a By-Law Enforcement Officer appointed by Council and shall be enforced by either such By-Law Enforcement Officer or a police officer.
- (2) The By-Law Enforcement Officer may, from time to time, designate another person or persons or retain the services of a qualified consultant to assist in the performance of duties hereunder.
- (3) The By-Law Enforcement Officer may enter on any land at any reasonable time for the purpose of carrying out an inspection of such land, including for the purpose of determining whether or not this By-Law or any Notice of Violation issued hereunder is being complied with.
- (4) For the purpose of conducting an inspection pursuant to section 11(3) above, a power of entry may be exercised by a By-Law Enforcement Officer to carry out an inspection and the said By-Law Enforcement 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 or extracts;
 - (c) require information from any person related to a matter relevant to the inspection;

- (d) alone or in conjunction with any person possessing special or expert knowledge, make examinations or take tests, samples, or photographs necessary for the purposes of the inspection.

12. Notice of Violation

- (1) If a By-Law Enforcement Officer is satisfied that a violation or contravention of this By-Law has occurred, the said By-Law Enforcement Officer may serve written notice upon the owner of the involved land, directing that the violation be remedied within a specific period. Such notice shall contain reasonable particulars of the violation adequate to identify same and the location of the land as well as the date by which compliance must be effected.
- (2) In the event that the violation in the notice is not remedied within the aforesaid period of time, the By-Law Enforcement Officer:
 - (a) may cause the violation to be remedied at the expense of the owner. The Municipality shall not be responsible for any damage or loss that may be sustained by the owner as a result and/or;
 - (b) may initiate proceedings in the Ontario Court of Justice for the violation.
- (3) Where a By-Law Enforcement Officer deems a violation of this By-law to constitute an emergency or danger to the public, the said By-Law Enforcement Officer may, without notice, cause such violation to be remedied at the expense of the owner. The Municipality shall not be responsible for any damage or loss that may be sustained by the owner as a result. Where the violation is remedied without prior notice to the owner, the By-Law Enforcement officer shall serve written notice upon the owner of the land describing the particulars of the violation so as to adequately identify same and the location of the land as well as the date upon which the remedial action was taken.
- (4) Any notice given under this By-Law may be given by regular mail, electronic mail or personal delivery. Delivery by regular mail shall be deemed to have been effected on the third day after posting.
- (5) The Municipality may recover its costs of remedying a violation of this By-Law by invoicing the owner, by institution of court proceedings, or by adding the cost to the tax roll in the same manner as municipal taxes. The exercise of any such remedy shall not preclude the exercise of any other available remedy.

13. Offence and Penalty

- (1) Any person who contravenes any provision of this By-Law or a notice issued hereunder is guilty of an offence and, upon conviction, is liable to a minimum fine of \$300.00 and a maximum fine of not more than \$15,000.00.

- (2) A director or officer of a corporation who knowingly concurs in a violation or contravention by the corporation of any provision of or notice under this By-Law is guilty of an offence and, upon conviction, is liable to a minimum fine of \$300.00 and a maximum fine of not more than \$15,000.00.
- (3) If either a notice has been issued under this By-Law or any Court of competent Jurisdiction has issued an Order in respect of this By-Law and such notice or Order has not been complied with, then any ongoing contravention of such notice or Order shall be deemed to be a continuing offence for each day or part thereof that the said notice or Order is not complied with.
- (4) Any person who contravenes any provisions of this By-Law so as to constitute or commit a continuing offence shall be liable to a fine of not less than \$300.00 and not more than \$15,000.00 for each day or part of a day that such offence continues. The total of any such daily fines for such continuing offence shall not exceed \$100,000.00.
- (5) In the event of conviction of an offence of this By-Law, the Court entering such conviction or any other Court of competent jurisdiction may, in addition to any other penalty, make an Order prohibiting the continuation or repetition of the offence by the person so convicted.
- (6) No person shall hinder or obstruct an Officer in the performance of their duties while they are exercising a power or authority under this by-law.

14. Severability

- (1) If a Court of competent jurisdiction declares any section or part of this By-Law invalid, the remainder of this By-Law shall continue in force unless the Court makes an order to the contrary.

15. Effective Date

- (1) This By-Law shall come into full force and take effect on the date it is passed.

READ a FIRST and SECOND, time this 20th day of June, 2024.

READ a THIRD time and FINALLY PASSED this 20th day of June, 2024.

Mayor, D. Giguère

Clerk, A, Adams

THE CORPORATION OF THE TOWNSHIP OF MALAHIDE

BY-LAW NO. 24-25

Being a By-law for prescribing standards for the maintenance and occupancy of Property within the Township of Malahide

WHEREAS subsection 15.1(3) of the *Building Code Act, 1992*, S.O. 1992, c. 23, as amended, provides that the Council of the Township may pass a by-law prescribing standards for the maintenance and occupancy of Property within the Township of Malahide, for prohibiting the occupancy or use of such Property that does not conform to the standards, for requiring Property that does not conform to the standards to be repaired and maintained to conform to the standards or for the site to be cleared of all buildings, structures, debris or refuse and left in graded and levelled condition;

AND WHEREAS subsection 15.6(1) of the *Building Code Act, 1992*, S.O. 1992, c. 23, as amended, requires that a by-law passed under section 15.1 of the said *Building Code Act* shall provide for the establishment of a Property Standards Committee;

AND WHEREAS the Official Plan of the Township of Malahide includes provisions relating to Property conditions in the Township;

AND WHEREAS the Council of the Corporation of the Township of Malahide has determined that it is desirable for the greater betterment of the Township to prescribe standards for the maintenance and occupancy of Property within the Township;

AND WHEREAS the Council of the Corporation of the Township of Malahide has prescribed these standards with studied moderation in keeping with the character of the Township of Malahide;

NOW THEREFORE the Council of the Corporation of the Township of Malahide

HEREBY ENACTS AS FOLLOWS:

1. SHORT TITLE

(1) This By-law may be cited as the "Property Standards By-law".

2. INTERPRETATION

(2) In interpreting this By-law:

(a) The captions and headings are inserted for convenience or reference only and do not define, limit or enlarge the scope, meaning or intent of any provisions.

(b) Words used in the present tense include the future tense, words in the masculine gender include the feminine and neuter, and the singular number includes the plural and the plural the singular.

(c) The word “shall” is mandatory and not discretionary

Definition

(3) In this By-law, unless the context otherwise requires:

“Building Code Act” means the Building Code Act, 1992, S.O. 1992, c.23, as amended or any successor thereof.

“Clerk” means the person appointed by the Council of The Corporation of the Township of Malahide to the position of Clerk of the Township of Malahide.

“Committee” means a Property Standards Committee established under this By-law.

“Council” means the Council of the Township.

“Derelict” includes Property or a thing that is: (i)ruined or dilapidated; or (ii) missing an integral part (such as a motor or transmission of an automobile) and unable to operate under its own power.

“Dwelling unit” means a building or part thereof operated as a housekeeping unit, used or intended to be used as a domicile by one or more persons and usually containing cooking, eating, living, sleeping and sanitary facilities.

“Medical Officer of Health” means the Medical Officer of Health of the Southwest Public Health Unit.

“Occupant” means any person over the age of eighteen years in possession of the Property.

“Officer” means a Property Standards Officer who has been assigned the responsibility of administering and enforcing this By-law.

“Owner” means any of the following:

a) the registered owner of land;

b) the person for the time being managing or receiving the rent of the land or premises in connection with which the word is used, whether on the person’s own account or as agent or trustee of any other person, or who would receive the rent if the land and premises were let; or,

c) the lessee or occupant of the property who, under the terms of a lease, is required to repair and maintain the property in accordance with the standards for maintenance and occupancy of property.

“Parking Area” means an area, whether covered or uncovered, which is provided for the temporary parking of vehicles and may include ingress and egress driveways, aisles, and parking spaces.

“Property” means a building or structure or part of a building or structure and includes the lands and premises appurtenant thereto and all mobile homes, mobile buildings, mobile structures, outbuildings, fences, and erections thereon whether theretofore or hereafter erected, and includes vacant property.

“Refuse” means any discarded, disused or inoperative item, material or thing and includes garbage of any kind and, without limiting the generality of the foregoing, includes rubbish, inoperative vehicles and mechanical equipment, automotive and mechanical parts, appliances, furnaces, heater or fuel tanks, furniture, household goods, table waste, paper, cartons, crockery, glassware, cans, yard or garden refuse, earth or rock fill, material from construction or demolition projects and old clothing;

“Township” means the Corporation of the Township of Malahide, or the geographic Township of Malahide, as context requires.

“Vehicle” means an automobile, truck, motorcycle, motorized snow vehicle, and motorized all-terrain vehicle, but does not include cars or engines running on railway tracks, farm tractor, or self-propelled farm machinery or road building equipment.

“Yard” means a space appurtenant to a building or structure, located on the same lot as such building or structure, and which is open, uncovered, and unoccupied from the ground to the sky except as permitted otherwise by this By-law.

“Yard, Front” means a Yard extending across the full width of a lot between the front lot line and the nearest main wall or supporting member of any main building or structure on the lot.

“Yard, Rear” means a Yard extending across the full width of a lot between the rear lot line and the nearest main wall or supporting member of any main building or structure on the lot.

“Yard, Exterior Side” means a side Yard immediately butting a street.

“Yard, Interior Side” means a side Yard other than an exterior side Yard.

3. **GENERAL**

Application

- (1) The standards for maintenance and occupancy set out in this By-law are hereby prescribed and adopted as the minimum standards for all Property within the geographical boundaries of the Township of Malahide.

Non-conforming Use Prohibited

- (2) The occupancy or use of any Property within the Township of Malahide that does not conform to the standards prescribed in this By-law is prohibited.

Correction and Clearance of Non-Conforming Buildings and Structures

- (3) Any Property that does not conform to the standards set forth in this By-law shall have the offending condition corrected and be maintained to conform to the standards prescribed in this By-law or the site shall be cleared of all buildings, structures, debris or refuse and left in graded and levelled condition.

Removal of Signs, Notices Or Placards Prohibited

- (4) No person other than an Officer or any person acting under the Officer's instructions shall remove from any premises of any sign, notice or placard placed thereon pursuant to the provisions of the *Building Code Act*, as amended, or this By-law.

Application of Other By-laws

- (5) Nothing in this By-law shall relieve any person from any obligation to comply with the requirements of any other By-law or with the requirements to obtain any license, permit, certificate, authority, approval, consent or variance otherwise required.

Zoning

- (6) When a Property is properly zoned and lawfully used for that purpose nothing in this By-law shall prohibit such use.

Validity

- (7) Should any section, clause or provision of this By-law be held by a Court of competent jurisdiction to be invalid, the validity of the remainder of the By-law shall not be affected.

Conflicting By-Laws

- (8) Where any provision of this By-law conflicts with any provision of any other By-law of the Township, the provision that establishes the higher standard of protection for the health, safety and welfare of the public shall apply.

Conflict with the *Building Code Act*

- (9) This By-law shall be subject to the provisions of the *Building Code Act*, as amended and where any provision of this By-law conflicts with or is inconsistent with the provisions of the *Building Code Act*, the provisions of the *Building Code Act*, shall apply and shall be deemed to be incorporated into this By-law.

Repairs and Maintenance

- (10) Every Owner of a Property shall:
- (a) repair, maintain and keep the Owner's Property in accordance with the standards set out herein;
 - (b) require all persons who use or occupy the Owner's Property to comply with this By-law; and,
 - (c) comply with any order issued in relation to the Owner's Property pursuant to this By-law.
- (11) In the event that a Property does not meet any of the standards set out herein, the Owner of the Property shall immediately take any and all required action to bring the Owner's Property into compliance with this By-law.
- (12) Every Occupant of a Property shall, in that part of the Property that the Occupant occupies or controls:
- a) maintain all plumbing, cooking, and refrigerating appliances and fixtures and all storage facilities and other equipment therein, if any, in a clean and sanitary condition;
 - b) keep all exits from any building or structure on the Property clean and unobstructed; and
- (13) All work, repairs and maintenance of Property shall be carried out with suitable materials and in a good and workmanlike manner and shall conform to all other by-laws of the Township, codes, statutes and regulations as may be applicable.

4. GENERAL

Compost Heaps

- (1) The Occupant of a residential Property may maintain a compost heap or bin, provided that the compost heap is no larger than 4 metres square and 1.2 metres in height and is enclosed on all sides by concrete block, lumber, a metal frame, or a commercial enclosed container designed for composting.
- (2) Compost heaps or bins shall not be placed in the Front Yard or Exterior Side Yards.
- (3) Compost bins and enclosures shall be maintained in a good state of repair and shall not be overfilled.

Refuse Storage

- (4) External containers and receptacles, where permitted, shall be screened from the view of neighbouring properties and shall be provided with covers so that any material contained therein shall not be exposed to view or to rodents, vermin, insects or other pests. Such covers shall be provided at all times, except when the containers or receptacles are actually being filled or emptied.

Vermin

- (5) Every Property shall be kept free of rodents, vermin, termites and other injurious insects and other pests.

Lighting

- (6) Where exterior artificial lighting is used on a privately-owned Property, it shall be positioned and directed and shall be of an intensity so as not to cause any nuisance or impairment to any neighbouring property, having regard to the character and intended use of the properties in the vicinity.

Water Management

- (7) Every Yard shall be maintained to as to:
 - (a) Facilitate the flow of water through natural drainage, drainage swales, ditches or water courses;
 - (b) Prevent recurrent ponding or the entry of storm water on grade; and
 - (c) Prevent any adverse impact to adjacent properties due to storm water on grade, originally falling in the Yard entering an adjacent property, other than

(i) through an existing natural or artificial drainage swale, ditch or watercourse, or

(ii) in accordance with a grading plan approved by the Township pursuant to subdivision, severance or site plan control, a building permit, a site alteration by-law, or any other approval process.

- (8) No storm water or roof water shall be permitted to discharge onto a sidewalk, walkway, steps, porch or other pedestrian access to a property.

Water Features

- (9) Every swimming pool, hot tub, and wading pool, as well as accessories and appurtenances thereto including fences and gates, shall be maintained in good repair, in a clean and safe condition, free from leaks and health and safety hazards.

Excavations

- (10) Every Property shall be kept free of all unnecessary or unused excavations, holes, unenclosed wells, pits, shafts, cisterns or reservoirs, and the same shall be filled to grade with clean fill.

Fences and Retaining Walls

- (11) All fences, retaining walls and other structures designed to form barriers shall be:
- (a) Maintained in a good state of repair, in a safe and structurally sound condition;
 - (b) Protected from deterioration by the application of suitable protective materials, or constructed of a material that is inherently resistant to deterioration; and,
 - (c) Kept plumb, unless specifically designed to have a different angle.

Buildings and Structures--General

- (12) Every building or structure and every part thereof shall be maintained in a structurally sound condition so as to be capable of sustaining its own weight and any additional load to which it may be subjected through normal use.
- (13) Every building or structure and every part thereof shall be maintained in a clean and tidy condition and in a good state of repair. Any damage or deterioration to a building or structure or to any part thereof shall be promptly repaired in a good and workmanlike manner, having regard to the nature and extent of the damage, using suitable materials.

- (14) The foundations, walls, columns, beams, floors, roof slabs and balconies of a building shall be maintained in a good state of repair and in a safe and structurally sound condition, free from damaged, decayed or weakened sills, piers, posts or other supports in a manner so as to prevent the entry of moisture, rodents and insects into the building.

Doors and Windows

- (15) All exterior openings for doors and windows to a building shall be fitted with doors or windows.
- (16) Exterior doors, windows and skylights shall be maintained in good repair and weather tight condition. Rotted, damaged and defective materials including but not limited to doors, door frames, sashes and casings shall be renewed. Broken glass shall be replaced or protected.

Stairs, Porches and Balconies

- (17) Outside stairs, porches, balconies and landings shall be maintained so as to be free of holes, cracks and other defects. Broken, loose, rotted or deteriorated materials shall be replaced.

Railings

- (18) Guardrails, balustrades and handrails shall be constructed and maintained rigid in nature capable of sustaining any load to which it may be subjected through normal use.
- (19) A handrail shall be installed in conjunction with every set of stairs containing more than three risers and such handrail shall be adequately secured and maintained in good repair.
- (20) Secure guardrails shall be installed around the perimeter of the higher floor surface where there is a difference in elevation to adjacent surfaces of more than 0.6 metres.

Exterior Walls

- (21) The exterior walls of a building shall be maintained in good repair, free from cracked or broken masonry, defective or deteriorated wood or metal siding or trim, and cracked, broken or loose stucco, and in a weathertight condition.
- (22) The exterior walls of a building shall be protected from deterioration by the application of paint or other suitable protective materials, or constructed of a

material that is inherently resistant to deterioration, and shall be maintained as necessary.

- (23) Eavestroughs, rainwater pipes, flashing, exterior ducts, and other metal surfaces shall be kept free from rust by the application of a suitable protective material.

Roofs

- (24) All roofs of buildings and structures shall be maintained:

- (a) In a good state of repair;
- (b) In a weathertight condition, so as to prevent the admission of water into any part of the roof or building;
- (c) Free from loose or unsecured parts, objects or materials; and,
- (d) Free from dangerous accumulation of snow, ice, or other materials.

Vacant and Damaged Buildings

- (25) Every vacant building shall be maintained in a secure condition to prevent unauthorized entry.
- (26) Every vacant building shall have all services to the building turned off except those services that are required for the security and maintenance of the Property.
- (27) Every building damaged by fire, storm or other cause shall be demolished or restored so that the building is structurally sound within a reasonable time after such damage occurs.
- (28) Every opening in a fire-damaged building shall be boarded up to prevent unauthorized entry into the building until the necessary work is completed.

Demolition

- (29) Upon the demolition or removal of any building or structure, all excavations shall be filled to grade with clean fill and levelled with the surrounding grade and landscaped.

Parking

- (30) All areas used for vehicular traffic and parking shall be surfaced with asphalt, concrete, crushed stone, paving stones arranged in a uniform pattern, or gravel surfacing, and shall be kept free from dirt or other litter and kept in good repair.

Interior Structures and Surfaces

- (31) The interior floors, ceilings and walls of a building shall be maintained:
- (a) In good repair, free from moisture, holes, loose boards and damaged or decayed materials;
 - (b) In a safe condition.
- (32) All floors and floor coverings in buildings shall be kept in a smooth and level condition, free of loose, warped, protruding or broken coverings.

Water and Plumbing

- (33) Every dwelling shall be provided with an adequate supply of drinkable running water from a source approved by the Medical Officer of Health.
- (34) Every dwelling unit shall contain plumbing fixtures consisting of at least,
- (a) a toilet;
 - (b) a kitchen sink;
 - (c) a washbasin; and
 - (d) a bathtub or shower.
- (35) A washbasin shall be located in every room containing a toilet unless this is not possible, in which case, a washbasin shall be located in a room adjoining the room containing the toilet.
- (36) No toilet or urinal shall be located in a room that is used for the preparation, cooking, storage or consumption of food, or for sleeping.
- (37) Bathtubs and showers shall be caulked so as to form a continual seal impervious to water penetration.
- (38) Every sink, washbasin, bathtub or shower required by this by-law shall have an adequate supply of hot and cold running water.
- (39) Every toilet required by this by-law shall have an adequate supply of running water.
- (40) All waste water pipes shall either be connected to the municipal sanitary sewer system, or to a septic system.
- (41) No person shall cause, permit, continue or allow the discharge of wastewater or sanitary sewage in any manner other than as required under section 4(40).

(42) All septic systems shall be maintained in good working order.

Kitchens

(43) Every dwelling unit shall include a kitchen which shall contain, in addition to a kitchen sink, an electrical or gas power supply for cooking and refrigeration purposes as approved by the appropriate authority.

Ventilation Systems

(44) Ventilation systems shall be cleaned regularly to prevent the accumulation of materials which could create a fire or explosion hazard, contaminate the air or create any other health or safety hazard.

Heating and Mechanical Systems

(45) Every dwelling shall be provided with a heating system capable of maintaining a room temperature of 20 degrees Celsius (68 degrees Fahrenheit) in the centre of all 3.47 habitable rooms, bathrooms and powder rooms.

(46) The heating system required by section 4(45) shall be maintained in good working condition and be capable of heating the dwelling to the required temperature.

(47) Portable heaters shall not be used as a primary source of heat, except in an emergency.

(48) A portable heater shall not be placed so as to impede the free movement of persons within the room where the heater is located.

(49) In the case of a heating system that burns solid or liquid fuel, every fuel-burning appliance shall be properly vented to the outside air by means of a chimney or flue as required to ensure safe operation of the appliance.

(50) Every fireplace, chimney, smoke pipe, flue, vent and similar construction shall be maintained so as to be free from defects and shall prevent gases and smoke from leaking into the dwelling unit.

(51) Air conditioners shall be maintained in a safe mechanical and electrical condition.

Electrical Systems

(52) Buildings with electrical service shall be connected to the electricity supply system in a manner that provides adequate capacity for the intended use of the building and electrical facilities within the building, including the connections, lines, outlets, fuses, circuit breakers, and any appurtenances thereto shall be maintained in good working order.

- (53) The owner of every Property with electrical service shall ensure that the electrical system is inspected and approved for use by the appropriate authority.

Lighting

- (54) Artificial lighting shall be available in all rooms, stairways, halls, corridors, garages and basements of a dwelling unit that are accessible to its occupants.
- (55) Where interior artificial lighting is used on a privately-owned Property, it shall be positioned and directed and shall be of an intensity so as not to cause any nuisance or impairment to any neighbouring property, having regard to the character and intended use of the properties in the vicinity.

5. ADMINISTRATION AND ENFORCEMENT

Property Standards Committee

- (1) A Property Standards Committee is hereby established which shall be composed of five (5) individuals appointed from time to time by Council.
- (2) Each member of the Committee shall be appointed for a term of one year.
- (3) When a vacancy occurs in the membership of the Committee, the Council shall forthwith fill the vacancy.
- (4) The members of the Committee shall elect one of themselves as chair, and when the chair is absent through illness or otherwise, the Committee may appoint another member acting chair.
- (5) Any member of the Committee may administer oaths.
- (6) The members of the Committee shall be paid such compensation as the Council may provide.
- (7) Secretarial services for the Committee shall be provided through the office of the Clerk.
- (8) The Secretary of the Committee shall keep on file minutes and records of all applications and the decisions thereon and of all other official business of the Committee, and the *Municipal Act, 2001*, as amended, applies with necessary modifications to such documents.
- (9) A majority of the Committee constitutes a quorum.

- (10) The Committee may adopt its own rules of procedure but before hearing an appeal the Committee shall give notice or direct that notice be given of such hearing to such persons as the Committee considers should receive such notice.

Property Standards Officer—General Duties

- (11) Upon receipt of a written complaint, it shall be the duty of an Officer to administer and enforce the provisions of this By-law, and in the performance of such duty, he shall have all the powers and responsibilities set forth in the *Building Code Act*, as amended, and the Regulations thereto.

Right of Entry

- (12) Subject to section 5(11) an Officer may, upon producing proper identification, enter upon any Property at any reasonable time without a warrant for the purpose of inspecting the Property in relation to the complaint to determine,
- (a) whether the Property conforms with the standards prescribed by this By-law; or
 - (b) whether an order made under section 5(13) has been complied with.

Orders

- (13) An Officer who finds that a Property does not conform with any of the standards prescribed in this By-law may make an order:
- (a) stating the municipal address or the legal description of such Property,
 - giving reasonable particulars of the repairs to be made or stating that the site is to be cleared of all buildings, structures, debris or refuse and left in a graded and leveled condition;
 - (b) indicating the time for complying with the terms and conditions of the order and giving notice that, if the repair or clearance is not carried out within that time, the Township may carry out the repair or clearance at the Owner's expense; and
 - (c) indicating the final date for giving notice of appeal from the order, and how the order may be appealed.

Service and Posting of Order

- (14) 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.

Removal Prohibited

- (15) Where any sign, notice, order or placard has been placed on any premises pursuant to this By-law, no person shall remove such sign, notice or placard from the premises without the authority of the Officer.

Registration of Orders

- (16) The order may be registered in the proper land registry office, and upon such registration, any person acquiring an interest in the land subsequent to the registration of the order shall be deemed to have been served with the order on the day on which the order was served, and when the order has been fully complied with, the Clerk of the Township shall forthwith cause to be registered in the proper land registry office a notice certifying that such order has been complied with, which shall operate as a discharge of the order.

Appeal to Property Standards Committee

- (17) When the Owner upon whom an order has been served is not satisfied with the terms or conditions of the order, he may appeal to the Property Standards Committee by sending notice of appeal by registered mail or personal delivery to the Secretary of the Property Standards Committee within fourteen days after being served with the order.
- (18) An order that is not appealed within the time referred to in section 5(17) is deemed to be confirmed.
- (19) The Secretary of the Committee shall, upon receipt of the notice of appeal, fix an appointment for hearing thereof and give notice in writing of the appointment for hearing at least fourteen days prior to the date fixed therefore to the appellant and to the Officer who issued the order. The Committee may give further notice or direct that notice be given of the hearing of an appeal to such other persons as the Committee considers advisable.

Powers of Committee on Appeal

- (20) If an appeal is taken, the Committee shall hear the appeal and shall have all the powers and functions of the Officer who made the order and may,

- (a) confirm, modify or rescind the order to demolish or repair; and,
 - (b) extend the time for complying with the order if, in the Committee's opinion, the general intent and purpose of the By-law is maintained.
- (21) The decision of the Committee shall be made in writing and the Secretary of the Committee shall serve a copy of the Committee's written decision to the appellant and the Officer who issued the order.

Appeal to Court

- (22) The Township, or any Owner or Occupant or person affected by a decision under of section 5(21) may appeal the decision to a judge of the Superior Court of Justice by notifying the Clerk of the Township in writing and by applying to the Superior Court of Justice for an appointment within 14 days after being served with the decision appealed from.
- (23) The Superior Court of Justice shall appoint, in writing, a time and place for the hearing of the appeal and may direct in the appointment the manner in which and the person upon whom the appointment is to be served.
- (24) On the appeal, the judge has the same powers and functions as the committee.

Effect of Decision

- (25) An order that is deemed to be confirmed under section 5(18), or that is confirmed or modified by the Committee under section 5(20), or by a judge under section 5(24), shall be final and binding upon the owner who shall carry out the repair or demolition within the time and in the manner specified in the order.

Certificate of Compliance

- (26) Following a satisfactory inspection of a Property, the Officer shall, if requested by the Owner, issue to the Owner a certificate of compliance, if, in the Officer's opinion, the Property is in compliance with the standards set out in this By-law.
- (27) Where the Owner has made a request for a certificate of compliance, the fee of Sixty Dollars (\$60.00) shall be paid prior to the issuance of the certificate of compliance.

6. EMERGENCY POWERS

Emergency Orders

- (1) Despite any other provision of this By-law, if, after an inspection of a Property, an Officer is satisfied that there is nonconformity with the standards prescribed in this

By-law to such extent as to pose an immediate danger to the health or safety of any person, the Officer may make an order containing particulars of the nonconformity and requiring remedial repairs or other work to be carried out immediately to terminate the danger.

Service of Emergency Order

- (2) The Order shall be served on the Owner of the Property and such other persons affected thereby as the Officer determines and a copy shall be posted on the Property.

Emergency Powers

- (3) After making an order under section 6(2), the Officer may, either before or after the order is served, take any measures necessary to terminate the danger and, for this purpose, the Township may, through its employees and agents, at any time enter upon the Property in respect of which the order was made without a warrant.

No Liability

- (4) The Officer, the Township or anyone acting on behalf of the Township is not liable to compensate the Owner, Occupant or any other person by reason of anything done by or on behalf of the Township in the reasonable exercise of its powers section 6(3).

Service

- (5) Where the order was not served before measures were taken by the Officer to terminate the danger, the Officer shall forthwith after the measures have been taken serve or send copies of the order in accordance with section 6(2) as soon as practicable after the measures have been taken, and each copy of the order shall have attached to it a statement by the Officer describing the measures taken by the Township and providing details of the amount expended in taking the measures.

Service of Statement

- (6) If the order was served before the measures were taken, the Officer shall serve a copy of the statement mentioned in section 6(5) in accordance with section 6(2) as soon as practicable after the measures have been taken.

Application to Court

- (7) As soon as practicable after the requirements of sections 6(5) and 6(6) have been complied with, the Officer shall apply to a judge of the Superior Court of Justice for

an order confirming the order made under section 6(1) and the judge shall hold a hearing for that purpose.

Powers of Judge

- (8) The judge in disposing of an application under section 6(7) shall:
- (a) confirm, modify, or rescind the order; and
 - (b) determine whether the amount spent on measures taken to terminate the danger may be recovered in whole, in part, or not at all.

Order Final

- (9) The disposition under section 6(8) is final.

7. FAILURE TO COMPLY - ENFORCEMENT - PENALTIES

Enforcement—Remedial Action

- (1) If an order made under this By-law that has been confirmed or deemed confirmed has not been complied with, the Township may cause the Property to be repaired or demolished in accordance with the order.
- (2) For the purpose of repairing or demolishing a Property in accordance with section 7(1), employees or agents of the Township may enter the Property at any reasonable time without a warrant.
- (3) The Township or a person acting on the Township's behalf is not liable to compensate the Owner, Occupant, or any other person by reason of anything done by or on behalf of the Township in the reasonable exercise of its powers under section 7(1).
- (4) The Township may recover its costs of effecting any repair or demolition done pursuant to section 7(1) by action or by adding the costs to the tax roll for the Property and collecting them in the same manner as municipal taxes. Any cost so added to the tax roll shall bear interest from the date the first demand for payment is made at the same rate as overdue taxes.

Enforcement—Statutory Injunction

- (5) In addition to any other remedy and to any penalty imposed under this By-law, a contravention of any of the requirements of this By-law may be restrained by application at the instance of a taxpayer or of the Township in accordance with the provisions of the *Municipal Act, 2001*.

Enforcement—Offence

- (6) Every person who contravenes any provision of this By-law is guilty of an offence and is liable, upon conviction, to a fine of not more than fifty thousand dollars (\$50,000) for a first offence and to a fine of not more than (\$100,000) for a subsequent offence.
- (7) Notwithstanding section 7(6), if the person convicted is a corporation, the corporation is liable to a fine of not more than five hundred thousand dollars (\$500,000) for a first offence and to a fine of not more than one million, five hundred thousand dollars (\$1,500,000) for a subsequent offence.

8. REPEAL AND REPLACE

- (1) By-law No. 20-12 is hereby repealed.
- (2) This By-law shall come into force immediately upon being finally passed.

READ a **FIRST** and **SECOND** time this 20th day of June, 2024.

READ a **THIRD** time and **FINALLY PASSED** this 20th day of June, 2024.

Mayor, D. Giguère

Clerk, A. Adams

THE CORPORATION OF THE TOWNSHIP OF MALAHIDE

BY-LAW NO. 24-35

Being a By-law to Govern the Proceedings of Council and Committee Meetings of the Corporation of the Township of Malahide.

WHEREAS Section 238 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, provides that every municipality shall pass a procedure by-law for governing the calling, place and proceedings of meetings, for public notice of meetings and for electronic participation in meetings;

NOW THEREFORE, be it resolved Council of The Corporation of the Township of Malahide HEREBY ENACTS AS FOLLOWS:

1. By-laws 17-97, 20-83, 22-14 and all previous by-laws related to meeting procedures of Council and Committee, including amending by-laws, are hereby repealed.
2. That this By-law shall come into effect on the final passing thereof.

READ a FIRST and SECOND time this 20th day of June 2024.

READ a THIRD time and **FINALLY PASSED** this 20th day of June 2024.

Mayor, D. Giguère

Clerk, A. Adams

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1. SHORT TITLE

- 1.1. This By-law shall be known as "The Procedural By-law" for The Corporation of the Township of Malahide.

2. DEFINITIONS IN THIS BY-LAW

General Terms and Legislation

- 2.1. "Municipality" means The Corporation of the Township of Malahide.
- 2.2. "Municipal Act" means the Municipal Act, S.O. 2001, Chapter 25, as amended.
- 2.3. "MCIA" means the Municipal Conflict of Interest Act, R.S.O. 1990, c. M.50, as amended.
- 2.4. "MFIPPA" means the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56, as amended.
- 2.5. "Planning Act" shall mean the Planning Act, R.S.O. 1990, c.P. 13, as amended.

Council Positions and Titles

- 2.6. "Council" shall mean the Council of the Corporation of the Township of Malahide.
- 2.7. "Mayor" shall mean the Head of Council of the Corporation of the Township of Malahide.
- 2.8. "Deputy Mayor" shall mean the member of Council elected or appointed to this position, who exercises the Mayor's powers and responsibilities in the absence of the Mayor.
- 2.9. "Acting Head of Council" shall mean the Deputy Mayor when the Mayor is absent or vacates or the office of the Mayor is vacant or, when the Mayor and Deputy Mayor are absent or vacates or the offices of the Mayor and Deputy Mayor are vacant, the member of Council who is appointed by Council to act from time to time in the place and stead of the Mayor and who shall exercise all of the rights, powers and authority of the Head of Council while so acting.
- 2.10. "Councillor" shall mean a person elected or appointed as a member of Council but does not include the Mayor or Deputy Mayor.
- 2.11. "Member" shall mean a member of Council, a member of a Committee or both as the context requires.

Staff Positions and Titles

- 2.12. "Staff" shall mean persons employed by the Corporation of the Township of Malahide.
- 2.13. "CAO" shall mean the Chief Administrative Officer of the Township of Malahide and includes any official of the Municipality appointed by Council to exercise the power(s) of the CAO in the absence of the CAO.
- 2.14. "Clerk" shall mean the Clerk or Committee Clerk of the Corporation of the Township of Malahide as the context requires and includes the Deputy Clerk and any official of the Municipality appointed by Council to exercise the power(s) of the Municipal Clerk in the absence of the Clerk or Deputy Clerk.

Meeting Positions and Titles

- 2.15. "Chair"
- (1) in the case of the Council shall mean the Mayor, Deputy Mayor or the Member appointed to act as Chair during the absence of the Mayor and Deputy Mayor from a Meeting or a portion of a Meeting. While acting as Chair the Member shall exercise all of the powers and responsibilities of the Mayor under this Procedural By-law.
 - (2) in the case of a Statutory Public Meeting, Public Meeting or a Court of Revision Hearing, Chair shall mean the Mayor, Deputy Mayor or the Member, whoever presides over a portion of the Meeting of the Statutory Public Meeting, Public Meeting or a Court of Revision Hearing as provided for in this Procedural By-law.
 - (3) in the case of a Committee, Chair means the Member appointed as such by the Committee.
- 2.16. "Vice Chair" in the case of a Committee shall mean such Member of a Committee who has been appointed to act in the place and stead of the Committee Chair when such Chair is absent from a meeting of the Committee for any cause and who shall exercise all the rights, power and authorities of the Chair.
- 2.17. "Committee Clerk" shall mean the staff person employed by the Corporation of the Township of Malahide to exercise the power(s) of the Clerk in a Committee Meeting.

Meetings, Committees and Local Boards

- 2.18. "Meeting" shall mean any Regular or Special Meeting of Council, including a Statutory Public Meeting, Public Meeting or a Court of Revision Hearing where,
- (1) a quorum of members is present, and
 - (2) Members discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of the Council, local board or committee.
- 2.19. "Committee" shall mean any ad hoc, advisory, joint, standing or other committee, subcommittee or similar entity of which at least 50 percent of its composition are also members of Council or local boards.
- (1) "Local Board" shall mean a municipal service board, transportation commission, board of health, planning board, or any other board, commission, committee, body or local authority established or exercising any power under any Act with respect to the affairs or purposes of one or more municipalities, excluding a school board, conservation authority, police service board, or public library.
- 2.20. "Ad Hoc Committee" means a special purpose committee of limited duration, appointed by Council to consider a specific matter and automatically dissolved upon submitting its final report, unless otherwise directed by Council.
- 2.21. "Advisory Committee" means a committee appointed by Council to act in an advisory capacity on operational and strategic issues during the full term of Council.

- 2.22. "Joint Committee" means a committee involving collaboration between multiple municipalities or the municipality and other organizations or levels of government to address regional issues or shared services.
- 2.23. "Standing Committee" means a committee appointed by Council for responsibility over permanent and ongoing functions.
- 2.24. "Statutory Committee" means a committee mandated by legislation with specific responsibilities defined by law, such as a committee of adjustment.

Recommendations and Decision-Making Mechanisms

- 2.25. "Recommendation" means a proposal put forward by a member, staff, or external party for consideration by Council or Committee.
- 2.26. "Motion" means a proposal to be decided by Council or Committee that is moved by a member and seconded by another member. When adopted by vote, it becomes a Resolution.
- 2.27. "Direction" means informal instruction or guidance given by Council to staff or committees regarding specific actions or initiatives. Directions may not require formal adoption or approval through vote. They serve as a means for Council to express its intentions of preference.
- 2.28. "Resolution" shall mean a formal expression of opinion or intention adopted by Council through a vote.
- 2.29. "By-law" means a formal legal instrument enacted by Council that may be enforced to regulate various aspects of municipal governance. Bylaws may be used to regulate control, or govern specific activities, behaviours, or matters within the jurisdiction of the municipality.

Other Meeting Definitions

- 2.30. "Abstain" shall mean to refrain from voting. Should a member abstain from voting, their vote is counted in the negative unless the member is not participating in the vote due to a declared conflict on a matter before the Council or Committee.
- 2.31. "Delegation" shall mean a person or group of persons desiring to verbally present information or to make a request to Council or Committee.
- 2.32. "Electronic Participation" shall mean participation in a Meeting from a remote location by such electronic means or service as determined and provided by the Clerk.
- 2.33. "Point of Order" shall mean a statement made by a Member during a Meeting drawing to the attention of the Chair a breach of the Rules of Procedure.
- 2.34. "Point of Privilege" shall mean the raising of a question that concerns a Member, or all of the

Members of Council or Committee, when a Member believes that his rights, immunities or integrity or the rights, immunities or integrity of Council, Committee or staff as a whole have been impugned.

- 2.35. "Quorum" means the minimum number of Members that must be present at a meeting to make the proceedings of that meeting valid, as established by the Municipal Act, 2001, as defined in Section 5.9 herein
- 2.36. "Recorded Vote" shall mean the written record of the name and vote of every Member present when the vote is called on any matter or question during a Meeting of Council.
- 2.37. "Rules of Procedure" shall mean the rules and requirements contained within this Procedural By-law.
- 2.38. "Website" shall mean the Township of Malahide website address identified as www.malahide.ca
- 2.39. Unless the context otherwise requires, in this Procedural By-law the words used in the female gender shall include the male gender and the singular shall include the plural, and vice-versa, as the context requires.

3. GENERAL PROVISIONS

- 3.1. Applicability: Save as otherwise provided herein, the procedural rules and requirements of this by-law shall be observed in all meetings and shall be the rules and requirements which govern the order of their business.
- 3.2. Principles of the Procedural By-law.
- (1) The principles of openness, transparency and accountability to the public guide the municipal decision-making process. In the context of Council/Committee proceedings, this is accomplished by:
- (a) ensuring the decision-making process is understood by the public and other stakeholders;
 - (b) providing access to information and opportunities for input by the public and other stakeholders consistent with the requirements of this by-law and other statutory requirements;
 - (c) exercising and respecting individual and collective roles and responsibilities provided for in this by-law and other statutory requirements; and
 - (d) the protection of basic rights by recognizing the right of the majority to decide, the minority to be heard and individuals have the opportunity to participate.
- (2) The principles of parliamentary law governing Council and Committees include:
- (a) the majority of Members have the right to decide;
 - (b) the minority of Members have the right to be heard;

- (c) all Members have the right to information to help make decisions, unless otherwise prevented by law;
- (d) all Members have a right to an efficient Meeting;
- (e) all Members have the right to be treated with respect and courtesy; and
- (f) all Members have equal rights, privileges and obligations.

3.3. Suspension of Rules and Procedures

- (1) Notwithstanding Section 3(1) of this by-law, the rules and regulations contained herein that are discretionary and not mandatory under statute may be temporarily suspended by a majority vote, with the exception of the following circumstances:
 - (a) where required by-law;
 - (b) contractual agreements binding the Municipality;
 - (c) amending this by-law; and
 - (d) quorum requirements

3.4. Issue not Addressed

- (1) If an issue is raised that is not expressly addressed in this by-law, the issue shall be decided by the Chair, subject to an appeal to the Members.
- (2) All points of order or procedure not provided for in these Rules of Procedure shall be decided in accordance with the rules of procedure known as Robert's Rules of Order.

3.5. Video Equipment, Recording Devices and Cellular Telephones

- (1) All communication devices shall be switched to 'silent' upon entering the location where any Council/Committee Meeting is being held.
- (2) The Municipality will make every reasonable effort to ensure that live streaming and video recordings are available to the public. However, there may be situations where the live streaming and video recordings may be unavailable or delayed due to technical difficulties. Meetings will not be cancelled, postponed or delayed due to technical issues with live streaming or recording of meetings if Council Chambers is physically open and accessible to the public.
- (3) The official record of all Council/Committee Meetings shall be the written minutes in accordance with the Municipal Act, Section 239 (1) which states that minutes of meetings are to be recorded without note or comment by the Clerk.
- (4) Video files from live streaming on the internet are part of the public realm and, as such, are subject to alteration by a member of the public with no municipal control over such alterations.
- (5) The Municipality assumes no liability associated with any alterations that may be made by a member of the public on the internet.

4. DUTIES OF COUNCIL & COMMITTEES

4.1. Duties of the Mayor:

- (1) It shall be the duty of the Mayor to carry out the responsibilities of Head of Council set forth in the Municipal Act, in addition to the following responsibilities:

- (a) to open the Meeting of Council by taking the Chair and calling the Members to order;
 - (b) to announce the business before the Council in the order in which it is to be acted upon;
 - (c) to receive and submit, in the manner prescribed by this Procedural By-law, all motions presented by Members;
 - (d) to recognize any Member who wishes to speak and to determine the order of speakers;
 - (e) to put to vote all questions which are regularly moved and seconded, or necessarily arise in the course of the proceedings;
 - (f) to decline to put to vote motions which contravene the provisions of the Procedural By-law;
 - (g) to enforce the provisions of the Procedural By-law
 - (h) to enforce on all occasions the observance of order and decorum among the Members;
 - (i) to call by name, any Member refusing to comply with this Procedural By-law and to order the Member to vacate the Council Chambers, or the place of Meeting, as the case may be;
 - (j) to cause to be expelled and excluded any member of the public who creates a disturbance or acts improperly during a Meeting and, if necessary, to direct the Clerk to seek appropriate assistance from the Ontario Provincial Police Service;
 - (k) to authenticate, by signature, all By-laws and Meeting minutes;
 - (l) to rule on any points of order raised by Members;
 - (m) to represent and support the decisions of Council, declaring its will and explicitly and implicitly obeying its decisions in all things;
 - (n) to adjourn the Meeting when the business is concluded, or if considered necessary by the Mayor because of grave disorder, to adjourn the sitting without putting to the vote any question, or suspend the sitting for a time to be named;
 - (o) to nominate for Council consideration the Members of Council to serve on Committees or to request advice or nominations from members of Council for appointment to such committees;
 - (p) to consult with the Clerk and CAO on the preparation of the agenda pursuant to Section 6.1 of this Procedural By-law.
- (2) By virtue of office, the Mayor is appointed as an ex-officio member of every Committee, with the right to participate fully and vote, unless prohibited By-law.
 - (3) Where a Committee is established by reference to a particular number of Members without specifically providing for membership of the Mayor, such number is automatically increased by one, except where prohibited by law.

4.2. Duties of the Deputy Mayor

- (1) Where the Mayor gives notice to the Clerk that they will be absent from the Municipality, or of their absence through illness, or their office is vacant, or vacate the chair, then the Deputy Mayor shall act in their place and instead of the Mayor and, while so acting, has and may exercise all the rights, powers and authority of the Head of Council.

4.3. Duties of the Members of Council

- (1) It shall be the duty of the Members to carry out the role of Council as set forth in the Municipal Act, in addition to the following responsibilities:
 - (a) to deliberate on the business submitted to Council;
 - (b) to vote when a motion is put to a vote, except where otherwise disqualified from doing so by law;
 - (c) to represent and support the decisions of Council, declaring its will and explicitly and implicitly obeying its decisions in all things
 - (d) to Chair the portion of a Meeting for which the Member is the appointed Chair and assume the duties of the Mayor as detailed in Section 4.1; and
 - (e) to apply and respect the Rules of Procedure
- (2) Council Members shall adhere to the Council Code of Conduct as adopted by Council and as amended from time to time.
- (3) Act as an alternate lower-tier member to attend County Council where the Municipality gives notice to the County Clerk of the absence of a County Councillor in accordance with the Elgin County Procedural By-law.
- (4) No member of the Council shall have power to direct or interfere with the performance of any work for the Corporation of the Township of Malahide.

4.4. Duties of the Committee Chair:

- (1) It shall be the duty of the Chair to:
 - (a) open the Committee Meeting by taking the Chair and calling the Members to order;
 - (b) to announce the business before the Committee in the order in which it is to be acted upon;
 - (c) receive and submit, in the manner prescribed by this Procedural By-law, all motions presented by Members;
 - (d) recognize any Member who wishes to speak and to determine the order of speakers;
 - (e) put to vote all questions which are regularly moved and seconded, or necessarily arise in the course of the proceedings;
 - (f) decline to put to vote motions which contravene the provisions of the Procedural By-law;
 - (g) enforce the provisions of the Procedural By-law;
 - (h) enforce on all occasions the observance of order and decorum among the Members;
 - (i) call by name, any Member refusing to comply with this Procedural By-law and to order the Member to vacate the Council Chambers, or the place of Meeting, as the case may be;
 - (j) cause to be expelled and excluded any member of the public who creates a disturbance or acts improperly during a Meeting and, if necessary, to direct the Committee Clerk to seek appropriate assistance from the Ontario Provincial Police Service;
 - (k) authenticate, by signature, all Meeting minutes;
 - (l) rule on any points of order raised by Members;
 - (m) represent and support the decisions of the Committee;

- (n) adjourn the Meeting when the business is concluded, or if considered necessary by the Chair because of grave disorder, to adjourn the sitting without putting to the vote any question, or suspend the sitting for a time to be named;
- (o) consult with the Committee Clerk on the preparation of the agenda pursuant to Section 6.1 of this Procedural By-law.

4.5. Duties of the Committee Vice Chair

- (1) Where the Chair gives notice to the Committee Clerk that they will be absent from the Municipality, or of their absence through illness, or their position is vacant, or they to act, then the Vice Chair shall act in their place and instead of the Chair and, while so acting, has and may exercise all the rights, powers and authority of the Chair.

4.6. Participation of the Committee Chair in Debate

- (1) The Chair who presides over any part of a Meeting may state relevant facts and their position on any matter before Council or Committee without leaving the chair, which may take place immediately prior to the vote, but it shall not be permissible for the Chair to move a motion or debate without first leaving the chair.
- (2) If, during a Meeting of Council or Committee, the Chair desires to leave the chair to move a motion or take part in the debate pursuant to Section 4.6(1), or otherwise, the Chair shall call on the Vice Chair or, in their absence, another Member to preside until the Chair resumes the chair.

4.7. Duties of the Committee Members

- (1) It shall be the duty of the Members to carry out the following responsibilities:
 - (a) to deliberate on the business submitted to the Committee;
 - (b) to vote when a motion is put to a vote, except where otherwise disqualified from doing so by law;
 - (c) to represent and support the decisions of the Committee;
 - (d) to Chair the portion of a Meeting for which the Member is the appointed Chair and assume the duties of the Chair as detailed in Section 4.6; and
 - (e) to apply and respect the Rules of Procedure
- (2) Council Committee Members shall adhere to the Council Code of Conduct as adopted by Council and as amended from time to time.
- (3) Non-Council Committee Members shall adhere to the Employee Code of Conduct as adopted by Council and as amended from time to time.
- (4) No Member shall have power to direct or interfere with the performance of any work for the Corporation of the Township of Malahide.

5. MEETINGS

5.1. Place of Meeting

- (1) Unless otherwise directed by Council, all Regular and Special Meetings shall be held in Council Chambers at Springfield & Area Community Services Building, 51221 Ron McNeil Line in Springfield, Ontario.

5.2. Inaugural Meeting

- (1) The first Meeting of Council following a regular election shall be held at a date and time set by the Clerk in accordance with the Act. The Clerk shall be responsible for the location, content and format of the Agenda for the Inaugural Meeting and all arrangements related thereto.
- (2) At the Inaugural Meeting, each Member present shall make their Declaration of Office and sign Council's Code of Conduct.

5.3. Regular Meetings

- (1) Regular Meetings of Council shall be held on the first and third Thursday of each month commencing at 7:00 p.m., unless such a day is a Statutory Holiday, or on such other day and time as may be determined from time to time by resolution of Council.
- (2) Notwithstanding Section 5.3(1) of this by-law, in January, July and August, a Regular Meeting of Council shall only be held on one scheduled Thursday, as set by Council commencing at 7:00 p.m., unless such a day is a Statutory Holiday, or on such other day and time as may be determined from time to time by resolution of Council.
- (3) Pursuant to Sections 5.3(1-2) of this By-law, when a Regular Meeting falls on a Statutory Holiday, the meeting shall occur on the following business day.

5.4. Special Meetings

- (1) In addition to Regular Meetings, the Mayor may, at any time, summon a Special Meeting of Council by giving direction to the Clerk stating the date, time and purpose of the Special Meeting.
- (2) The Clerk shall summon a Special Meeting of Council when requested to do so in writing by a majority of Members, at the time mentioned in the request.
- (3) Written notice of a Special Meeting of Council shall be given to all Members at least twenty-four (24) hours before the time appointed for such Meeting and shall be delivered electronically via e-mail to their respective municipal e-mail address.
 - (a) The written notice shall indicate the nature of the business to be considered at the Special Meeting as well as the date, time and place of the Meeting.
- (4) No business other than that indicated in the written notice shall be considered at the Special Meeting.
- (5) All Special Meetings of Council shall be held at the location of the last Regular Meeting of Council unless an alternative location is specified in the notice of Special Meeting.

5.5. Emergency Meeting

- (1) Notwithstanding any other provision of this by-law, on urgent and extraordinary occasions, an Emergency Special Meeting of the Council may be called by the Mayor without advance notice being given by the Clerk pursuant to this By-law, to consider and deal with such urgent and extraordinary matters.
 - (a) In this case, the consent of a majority of the Members to hold such a Meeting without advance notice is necessary.

- (2) Notwithstanding any other provision of this by-law, on urgent and extraordinary occasions, Council may, by Resolution, authorize the holding of a Regular or Special Meeting at a location outside the Municipal boundaries.

5.6. *Statutory Public Meetings, Public Meetings, Court of Revision Hearings, Hearings or Information Sessions Held Under the Planning Act, Development Charges Act and Other Applicable Legislation*

- (1) Council from time to time may conduct a Statutory Public Meeting, Public Meeting, Court of Revision Hearing, Hearing or other Information Session for any purpose giving such Notice as may be deemed necessary or required by law, or the Municipality's Public Notice By-law, as amended from time to time.
- (2) If Council is required by law to hold a Statutory Public Meeting, Public Meeting, Court of Revisions Hearing, Hearing or other Information Session the Rules of Procedure outlined herein shall govern.

5.7. *Meetings Open to Public*

- (1) Subject to Section 5.8 of this Procedural By-law, Meetings shall be open to the public and no person shall be excluded therefrom except for improper conduct.
- (2) Physical access to the place of meeting and/or a digital stream that is capable of and/or enables the public to hear, or watch and hear, all Members participating in the Meeting constitutes an open meeting.
- (3) The Chair may request that members of the public vacate the Council Chambers if their behaviour is deemed to be disruptive to the business at hand. The Chair may unilaterally suspend the Meeting until order is restored in the Council Chambers.

5.8. *Closed Meetings*

- (1) Except as otherwise provided herein, all Meetings shall be open to the public.
- (2) Council may, by Resolution, close a Meeting or part of a Meeting to members of the public if the subject matter being considered is:
 - (a) the security of the property of the Municipality or Local Board;
 - (b) personal matters about an identifiable individual, including Municipal and Local Board Employees;
 - (c) a proposed or pending acquisition or disposition of land by the Municipality;
 - (d) labour relations or employee negotiations;
 - (e) litigation or potential litigation, including matters before administrative tribunals, affecting the Municipality;
 - (f) the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
 - (g) a matter in respect of which the Council is authorized by another provincial statute to hold a closed meeting;
 - (h) information explicitly supplied in confidence to the municipality of local board by Canada, a province or territory or a Crown agency of any of them;
 - (i) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if

disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;

- (j) a trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value;
 - (k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.
 - (l) a request under the Municipal Freedom of Information and Protection of Privacy Act, if the council, board, commission or other body is the head of an institution for the purposes of that Act;
 - (m) an ongoing investigation respecting the municipality, a local board or a municipally controlled corporation by the Ontario Ombudsman, a municipal Ombudsman, or meeting investigator; or
 - (n) an educational or training session provided that no member discusses or otherwise deals with a matter in a way that materially advances the business or decision-making of the Council, local board, or committee. No motion, resolution, by-law, debate, agreement in principle consensus, straw vote, recommendation or other action or decision may be proposed, discussed, decided upon, adopted, taken or made at an educational or training session.
- (3) A motion by Council to close a Meeting or part of a Meeting to the public shall state:
 - (a) The fact of the holding of the closed meeting; and
 - (b) The general nature of the subject matter to be considered at the closed Meeting.
 - (4) Where a Meeting or part of a Meeting is closed to the public, Council shall request those persons not specifically invited to the closed Meeting to vacate Council Chambers and discontinue digital streaming and recording as the case may be.
 - (5) A Meeting or part of a Meeting shall not be closed to the public during a vote except where permitted by law including, without limitation, Section 239(6) of the Municipal Act, which allows a Meeting to be closed to the public during a vote pursuant to sections 239 (2) or (3) and the vote is for a procedural matter or for giving directions or instructions to officers, employees or agents of the Municipality or persons retained by or under a contract with the Municipality, and Council deems that it is in the best interests of the Municipality to do so.
 - (6) Notwithstanding Section 5.8(5), the vote on a resolution approving a contract for the acquisition or disposal of land, including the sale of road allowances, shall be conducted in open session.
 - (7) The Motion to rise from "In Camera" shall include the time that Council arose. The Clerk shall record without note or comment all resolutions, decisions and other proceedings at a Meeting of Council when it is closed to the public.
 - (8) Members shall ensure that confidential matters disclosed to them during closed Meetings are kept confidential. Any breach of confidential matters disclosed during closed Meetings shall be subject to the sanctions contained in the Council Code of Conduct.

5.9. Quorum

- (1) A quorum of Council shall be four (4) Members.
- (2) A quorum of a Committee shall be a majority of the Members of the Committee.
- (3) If a Quorum is not present within fifteen (15) minutes after the time appointed for the Meeting, the Clerk or designate shall record the names of the Members present and the Meeting shall stand adjourned until the date of the next Regular Meeting or other Meeting called in accordance with the provisions of this Procedural By-law.

5.10. Public Notice of Meeting

- (1) Public notice of each regularly scheduled Meeting shall be deemed to be given by making the agenda available for viewing on the Municipal Website by 4:30 p.m. on the Tuesday preceding the regularly scheduled Meeting, unless circumstances prevent this from occurring whereby the Clerk will post the Agenda as soon as practicable.
- (2) Notice of Special Meetings shall be posted on the Municipal Website not less than twenty-four (24) hours before the time appointed for the Special Meeting.
- (3) Where an Emergency Special Meeting of Council is held in accordance with Section 5.5, notice of the Emergency Special Meeting shall be posted on the Municipal Website, as soon as practicable.
- (4) Lack of sufficient notice, as provided for herein, shall not affect the validity of holding a Meeting, Special Meeting or any action taken thereat where a majority of Members are present and the Meeting is open to the public pursuant to Section 5.7 of this by-law.

5.11. Adjournment – Due Hour

- (1) Except as provided in Section 10.15, a Regular or Special Meeting of Council shall adjourn at the hour of 11:00 p.m., if in session at that time, and shall reconvene at such other day and time as Council, by resolution, may direct, or the next regularly scheduled Meeting of Council.

5.12. Cancellation of Meeting

- (1) The Mayor/Chair or the Deputy Mayor/Vice Chair, in the Mayor's/Chair's absence, or the Clerk, in the absence of both the Mayor/Chair and Deputy Mayor/Vice Chair, may cancel any Meeting of Council/Committee if of the opinion that sufficient cause or an emergency warrants such action. The Clerk shall inform as many Members as they are able to reach.
 - (a) Sufficient cause for the purposes of Section 5.12(1) shall include the following:
 - (i) If the Clerk determines in advance that Quorum will not be achieved;
 - (ii) If a Meeting is Cancelled by Council/Committee recommendation;
 - (iii) In the event of an emergency or imminent weather event; or
 - (iv) Where the Meeting is no longer required due to a lack of forecasted agenda items as advised by the Clerk.

5.13. Electronic Participation

- (1) A Member who is unable to attend a Council/Committee Meeting in person may participate in that Meeting by electronic or other communication facilities if:

- (a) the facilities enable all participating Members, whether attending in person or through electronic participation, to hear and be heard by all other Members.
 - (b) except for all or any part of the Council Meeting that is closed to the public, the electronic or other facilities are capable of and enable the public to hear, or watch and hear, all Members participating in the Meeting.
- (2) A Member who intends to participate in any such Meeting by electronic or other communication facilities shall give to the Clerk Notice of that intention at least 24 hours prior to the commencement of such Meeting, provided that, if Notice of such Meeting is provided less than 24 hours prior to its scheduled commencement, then the Member shall give to the Clerk as much notice as possible prior to commencement of such Meeting.
 - (3) In all such circumstances, the Clerk will, as soon as reasonably possible, provide the Member intending to attend by electronic participation with instructions on how to connect to and participate in that Meeting by electronic or other communication facilities.
 - (4) There shall be no limit upon the number of Members who may attend a Meeting of Council/Committee by electronic or other communication facilities.
 - (5) Each Member attending the Meeting by electronic or other communication facilities shall notify the Chair and other Members when he or she joins the Meeting and, if and when applicable, upon leaving the Meeting.
 - (6) Any Member attending and present during a Meeting by electronic or other communication facilities shall be counted for purposes of quorum at the commencement of and at any point in time during the Meeting.
 - (7) Any Member attending and present during a Meeting by electronic or other communication facilities may vote on any matter being considered in such Meeting and that vote shall be counted.
 - (8) The method of vote shall be as determined by the Chair and may be unrecorded or recorded. Any members participating electronically without video abilities will be asked by the Chair to vote verbally.

5.14. Failure to Vote/and or Respond

- (1) If the Member, whether present in person or electronically after two (2) attempts, fails to vote and/or respond to the call of their name, then the vote is recorded as 'no', unless directed otherwise by the Chair.

6. AGENDAS AND MINUTES

6.1. Council Meeting Agenda

- (1) The Clerk, in consultation with the CAO and Mayor, shall cause to be prepared an electronic Agenda generally under the following headings for the use of the Members at the Regular Meetings of Council:
 - (a) Call to Order
 - (b) Approval of the Agenda
 - (c) Disclosures of Pecuniary Interest
 - (d) Announcements
 - (e) Adoption of Minutes of Previous Meeting(s)

- (f) Public Meetings & Committee of Adjustment
- (g) Delegations
- (h) Approval of Business (Consent Agenda)
- (i) Unfinished Business
- (j) New Business
- (k) By-laws

Council will then recess and Committee of the Whole convenes:

- (l) Business for Consideration
- (m) Unfinished Business
- (n) New Business

Committee of the Whole adjourns and Council reconvenes:

- (o) Closed Session
- (p) Confirmatory By-law
- (q) Adjournment

6.2. Committee Meeting Agenda

- (1) The Committee Clerk, in consultation with the Committee Chair, shall cause to be prepared an electronic Agenda generally under the following headings for the use of the Members at a Committee Meeting (does not include the Committee of the Whole):
 - (a) Call to Order
 - (b) Approval of the Agenda
 - (c) Disclosures of Pecuniary Interest
 - (d) Announcements
 - (e) Adoption of Minutes of Previous Meeting(s)
 - (f) Delegations
 - (g) Unfinished Business
 - (h) New Business
 - (i) Adjournment
- (2) The business of the Committee Meeting shall be considered in the order as it appears on the Agenda, unless otherwise decided by a vote of the majority of the Members present and voting.

6.3. Meeting Minutes

- (1) The Clerk shall cause the Minutes to be taken of each Meeting of Council/Committee whether it is closed to the public or not. These minutes shall include:
 - (a) the place, date and time of the Meeting;
 - (b) the name of the Members and the record of attendance of the Members;
 - (c) should a Member enter after the commencement of the Meeting or leave prior to
 - (d) adjournment, the time shall be noted;
 - (e) declarations of pecuniary interest;
 - (f) all resolutions of the Meeting without note or comment.
- (2) The following shall apply for Meeting Minutes of Council:

- (a) Following approval of the Minutes, the Minutes shall be signed by the Mayor and the Clerk.
 - (b) The Clerk shall ensure that the Minutes of the last Regular and Special Meetings of Council are posted on the Municipal website and prepared in accordance with Section 6.7 of this Procedural By-law.
 - (c) The Minutes of each Meeting shall be presented to Council for confirmation at the next Regular Meeting.
- (3) The following shall apply for Committee Meeting Minutes:
- (a) The draft Minutes of each Committee Meeting shall be presented to Council for information at the next Regular Meeting.
 - (b) Recommendations from Committees requiring approval from Council will be brought forward by report from the Committee for consideration at a Council Meeting.
 - (c) The Minutes of each Committee Meeting shall be presented to the Committee for confirmation at the next Committee Meeting.
 - (d) Following approval of the Minutes, the Minutes shall be signed by the Committee Chair and the Committee Clerk.
 - (e) The Clerk shall ensure that the Minutes of the Committee Meeting are posted on the Municipal website and prepared in accordance with Section 6.7 of this Procedural By-law.

6.4. Inquiries

- (1) Members may make inquiries to the CAO for Meeting of Council or appropriate Department Head for Meetings of Committees, relating to any recommendation, by-law, motion or other matter connected with the business of Council/Committee.
- (2) Any inquiry should be submitted to the CAO or appropriate Department Head in writing at least 24 hours in advance of the meeting at which it is to be made.
- (3) Staff will endeavour to provide responses to all member inquiries prior to the meeting, while copying all members in the consolidated responses.
- (4) Members shall not debate a matter with a staff member.

7. ORDER OF PROCEEDINGS – COUNCIL & COMMITTEES

7.1. Call to Order

- (1) As soon as a Quorum is present after the hour set for the holding of the Meeting, the Mayor/Chair shall take the chair and call the Members present to order.
- (2) If the Mayor/Chair does not attend a Meeting within fifteen (15) minutes after the time set for the Meeting and a quorum is present, the Deputy Mayor/Vice Chair shall preside over the Meeting and shall exercise all duties and responsibilities of the Mayor/Chair as outlined in this Procedural By-law until the Mayor/Chair is present at the Meeting and able to perform their responsibility to assume the chair.
- (3) If the Deputy Mayor/Vice Chair is also not present within fifteen (15) minutes after the time set for the Meeting and a quorum is present, the Clerk shall call the Meeting to order,

and the Members present shall appoint a Presiding Member who shall act as Chair of the Meeting until the arrival of the Mayor/Chair or Deputy Mayor/Vice Chair, whoever is the first to arrive and is able to assume the chair.

7.2. Approval of the Agenda

- (1) Members may review, and propose any amendments if necessary to the agenda. This may involve adding, removing or re-arranging items on the Agenda of a Regular Meeting of Council or a Committee Meeting.
- (2) Despite Section 7.2(1) there shall not be additions to an Agenda of a Special Meeting of Council.

7.3. Disclosures of Pecuniary Interest

- (1) Where a Member, either on their own behalf or while acting for, by, with or through another, has any pecuniary interest, direct or indirect, in any matter and is present at a Meeting at which the matter is the subject of consideration, the Member shall:
 - (a) prior to any consideration of the matter at the Meeting, disclose the interest and the general nature thereof;
 - (b) not take part in any discussion of or vote on any question with respect to the matter; and
 - (c) not attempt in any way before, during and after the meeting to influence the voting on any such question.
- (2) Where the Meeting is not open to the public, in addition to complying with the requirements of Section 7.2(1), the Member shall immediately leave the Meeting or part of the Meeting during which the matter is under consideration.
- (3) Where a Member is absent from a Meeting which includes a matter for which the Member has a pecuniary interest, the Member shall disclose this interest and otherwise comply at the first Meeting attended by him after the particular Meeting.
- (4) A Member shall file with the Clerk a written statement of any interest declared by the Member in accordance with the MCIA and its general nature, and the Clerk will make the disclosure publicly available and will maintain a registry of written statements of disclosure.

7.4. Announcements

- (1) Members may share announcements about upcoming community events, give recognition for achievements or contributions by individuals or groups in the community, express gratitude, share general information about conferences or seminars attended, or present awards.

7.5. Adoption of Minutes

- (1) Minutes of previous Meetings shall be listed under this section of the Meeting Agenda.
- (2) Previous Meeting Minutes may be disposed of through a single resolution or, alternatively, any Member may request that one or more be separated and voted on separately.

7.6. Delegations

- (1) Delegations shall be conducted in accordance with Section 8 of this by-law.

7.7. Business for Approval (Consent Agenda) – Council Meetings Only

- (1) Council may determine approval on items that were received for recommendation from a previous Committee of the Whole session.
- (2) Where unanimous approval of the consent agenda is not obtained, a Member may remove or pull an item from the consent agenda for further discussion or deliberation.

7.8. Unfinished Business

- (1) This section provides consideration for items that were previously discussed, deliberated, or initiated in previous meetings but were not fully resolved or completed at that time. These items are carried forward to be revisited, continued or concluded.
- (2) For Council Meetings only, this section allows Members an opportunity to address specific items for further discussion or deliberation that were removed or pulled from the consent agenda for Business for Approval.

7.9. New Business

- (1) This section provides an opportunity for Members to consider new items to finalize for approval.
- (2) Items for this section shall be introduced at the Approval of the Agenda.
- (3) For Council Meetings only, these items must meet the following requirements:
 - (a) Time-sensitive in nature;
 - (b) Has a clear connection to the interests of the Municipality; and
 - (c) Requires an immediate action or decision within the jurisdiction of the Municipality with limited time for discussion and deliberation of Council.
- (4) For Council Meetings only, despite Section 7.9(3) to ensure the expediency of development related decisions, Planning Reports shall always be introduced as New Business during the Council portion of the meeting.

7.10. By-laws – Council Meetings Only

- (1) Every By-law, when introduced, shall be in written form and shall contain no blanks, except such as may be required to conform to accepted procedure or to comply with the provisions of any Act, and shall be complete with the number and date to be affixed.
- (2) When the by-laws are reported with or without amendment, they shall be forthwith given first, second and third reading in a single motion at the same Meeting on the affirmative vote of the majority of the Members present and voting.
- (3) Every By-law which has been enacted by Council shall be numbered and dated, and shall be signed by the Mayor, or their designate, and the Clerk, sealed with the seal of the Municipality and, thereafter, shall be retained under the control of the Clerk.

7.11. Committee of the Whole – Council Meetings Only

- (1) The Committee of the Whole is a procedural mode of operation in which all members of Council sit as a committee to discuss and debate matters in a more informal and flexible setting.
- (2) The rules governing the procedure of Council and the conduct of the Members of Council, shall be observed in Committee of the Whole, so far as they are applicable, except that:
 - (a) Recorded votes shall not be permitted; and
 - (b) more latitude may be allowed in discussions, as determined by the Chair.
- (3) The results of votes taken during the Committee of the Whole are not final decisions of Council, rather they are recommendations which will be given further consideration and finally voted on under regular rules of Council.
- (4) Business for Consideration – Committee of the Whole:
 - (a) This section provides for Council to consider recommendations on items such as staff and committee reports, draft bylaws and draft policies.
- (5) Unfinished Business:
 - (a) This section provides consideration for items under “Business for Consideration” that were previously discussed, deliberated, or initiated in a previous meeting but were not fully resolved or completed at that time. These items are carried forward to be revisited, continued, or concluded.
- (6) New Business – Committee of the Whole:
 - (a) This section provides an opportunity for Members to add new items for consideration.
 - (b) Items for this section shall be introduced at the Approval of the Agenda.
 - (c) These items must meet the following requirements:
 - (i) Materialized after the publication of the Agenda;
 - (ii) Time-sensitive in nature;
 - (iii) Has a clear connection to the interests of Municipality; and
 - (iv) Requires an action or decision within the jurisdiction of the Municipality for Council to consider.
- (7) Correspondence – Committee of the Whole:
 - (a) All Correspondence, including petitions, intended to be presented to Council shall be legibly written or printed, shall not contain any defamatory, impertinent or improper matter or language, shall identify the author(s) by name and municipal address and shall be filed with the Clerk before it is presented to Council.
 - (b) Correspondence shall not be placed on the Agenda if the identity of the author or authors cannot be confirmed.
 - (c) No person, except a member of Council or an authorized Municipal employee, shall before or during a meeting of Council, place on the desks of Members or otherwise distribute any material whatsoever.
 - (d) Correspondence, including emails, intended for Council or a committee is generally received as public information subject to MFIPPA. The Clerk shall be advised of any confidential items, the general nature of the confidentiality and will determine whether the item meets identified criteria for confidential correspondence and

whether it will be circulated within the Agenda, circulated under separate cover or provided in the Closed Agenda.

- (e) Every item of Correspondence shall be delivered to the Clerk no later than Friday at 12:00 p.m. of the week prior to the Meeting. The Clerk, at their own discretion, is delegated the authority to direct the item of Correspondence or a summary thereof to the appropriate Agenda. The Clerk shall ensure that a summary of the content of the correspondence is prepared and included in the Agenda.

7.12. Closed Session

- (1) See section 5.8.

7.13. By-law to Confirm the Proceedings of Council – Council Meetings Only

- (1) At the conclusion of all Regular and Special Meetings of Council and prior to Adjournment, a Confirming By-law shall be brought forward to confirm the actions of the Council at that Meeting in respect of each Motion, Resolution and other action taken and a Confirming Bylaw, when introduced, shall be taken as having been read and shall be voted on without debate.

7.14. Adjournment

- (1) See Sections 10.15.

8. DELEGATIONS

- 8.1. Persons desiring to verbally present information on matters of fact or to make a request to Council or Committee shall give notice, including specific details regarding the subject of their address to the satisfaction of the Clerk no later than 12:00 p.m. Friday of the week prior to the Meeting.
- 8.2. No delegation shall be permitted regarding:
 - (1) Labour relations and negotiations
 - (2) Any employee relations
 - (3) Litigation or Potential Litigation Matters
 - (4) Advertisements for products or services
 - (5) Bidders or Potential Bidders
 - (6) Election campaigning
 - (7) Requests for Financial Assistance and Fee Waivers Outside of Established Processes
 - (8) Matters which are not within the Council/Committee's jurisdiction
 - (9) Matters which have been decided upon by Council during the current term of Council and requests for reconsideration
 - (10) Matters which have been referred to staff for a report, until the matter is before Council or Committee
 - (11) Matters which are the subject of an Education and Training Session
- 8.3. Notwithstanding Section 8.1, a person wishing to present information is not required to give written notice nor be listed on the agenda with respect to a matter before Council for which the public has been given notice of the Public Meeting under the Planning Act, any

- other Act, or according to Municipal Policy, as required.
- 8.4. Each person addressing Council/Committee shall step up, and shall give their name and address in an audible tone of voice for the record. All remarks shall be addressed to Council/Committee as a body and not any member or staff thereof. Delegations shall be limited to speak for no more than fifteen (15) minutes and be so advised in advance of their delegations. An extension to speak may be decided, without debate, by a majority of Members present. Where a Delegation wishes to provide Members with written communication, including a petition, supporting the Delegation's comments, the communication shall be provided to the Clerk and may be distributed to the Members at the discretion of the Clerk.
- 8.5. No Delegation shall:
- (1) speak disrespectfully of any person;
 - (2) use improper language or unparliamentary language;
 - (3) speak on any subject other than the subject for which they have received approval to address Council/Committee;
 - (4) disobey the rules of procedure or a decision of the Chair;
 - (5) speak regarding an identifiable individual involved in an on-going by-law investigation or on a by-law enforcement matter;
 - (6) enter into a cross debate with other delegations, administration, members of Council/Committee, or the Mayor/Chair.
- 8.6. Municipal audio-visual equipment may be used to assist in presentations, provided that permission has been obtained for the use of such equipment from the Clerk at the time the presenter(s) contacts the Clerk to register for the meeting. The presentation material must be provided to the Clerk by 12:00 p.m. Friday the week prior to the scheduled day of the Meeting.
- 8.7. Members shall be permitted to ask questions of delegates only to clarify their submissions or to elicit further information from them that is relevant to their submission.
- 8.8. Council/Committee may refuse to hear delegations when, in the opinion of Council/Committee, the subject of the presentation is beyond the jurisdiction of the Municipalities, is a repetitive topic, or is a topic deemed to be frivolous.
- 8.9. Delegates may be permitted to participate electronically in a Meeting following procedures and requirements set out by the Clerk and subject to the following:
- (1) electronic means of participating must be available for the Meeting;
 - (2) electronic participation must be clear and uninterrupted and allow for two-way communication, and if any unreasonable delay or interference is caused to the Meeting as a result of the Electronic Participation, the connection will be terminated

9. RULES OF DEBATE AND CONDUCT

9.1. Conduct of Members

- (1) No member shall:
 - (a) speak disrespectfully of the Reigning Sovereign, or of any Member of the Royal Family, or of the Governor-General, the Lieutenant-Governor of any Province, of any

- member of the Senate, the House of Commons of Canada or the Legislative Assembly of the Province of Ontario;
- (b) use offensive words or unparliamentary language or speak disrespectfully against Council/Committee, against any Member or against any officer or employee of the Municipality;
 - (c) speak on any subject other than the subject being debated;
 - (d) disobey the Rules of Procedure or a decision of the Chair, whoever is in the chair for the Meeting or a portion of the Meeting, on questions of Points of Order or procedure or upon the interpretation of the Rules of Procedure except where the ruling of the Chair is reversed by the Council/Chair pursuant to this by-law. If a Member persists in any such disobedience after having been called to order, the Chair shall forthwith order that Member to vacate the Council Chambers or room in which the Meeting is being held, but if the Member apologizes, he may, by majority vote of the Members, be permitted to retake his seat;
 - (e) speak in a manner that is discriminatory in nature based on an individual's race, ancestry, place of origin, ethnic origin, citizenship, creed, gender, sexual orientation, age, colour, marital status, family status or disability; or
 - (f) where a matter has been discussed in a Closed Meeting, and where the matter remains confidential, disclose the content of the matter or the substance of the deliberations of the closed Meeting to any person.
- (2) Address the Chair
 - (a) Any Member desiring to speak shall signify their desire to speak in such manner as the Chair may direct, and upon being recognized by the Chair, shall address the Chair, only.
 - (3) Order of Speaking
 - (a) When two or more Members signify a desire to speak, the Chair shall recognize the Member who, in the opinion of the Chair, so signified first and next recognize in order the other Members.
 - (4) Point of Privilege
 - (a) Where a Member considers that their integrity, the integrity of the Council/Committee, as a whole, or the integrity of staff has been impugned, the Member may, on a Point of Privilege, rise with the consent of the Chair for the purpose of drawing the attention of Council/Committee to the matter.
 - (b) When a Member is permitted to raise such matter of privilege, it shall take precedence over other matters, but the Member shall not be permitted to enter into any argument or introduce any Motion related to the Point of Privilege.
 - (c) When the Chair considers that the integrity of staff has been impugned or questioned, the Chair may permit staff to make a statement to Council/Committee.
 - (d) When a Point of Privilege is raised, it shall be considered and decided by the Chair immediately and the decision of the Chair under this section shall be final.
 - (5) Point of Order
 - (a) When a Member desires to call attention to a violation of the Rules of Procedure, the Member shall ask leave of the Chair to raise a Point of Order and, after leave is

granted, shall succinctly state the Point of Order to the Chair and the Chair shall then decide upon the Point of Order and advise the Member of the decision

- (6) Appeal of Ruling of Chair
 - (a) With respect to a ruling on either a Point of Privilege or a Point of Order, if the Member does not appeal immediately thereafter to Council/Committee, the decision of the Chair shall be final.
 - (b) If the Member wishes to appeal the decision of the Chair, they shall appeal immediately to Council/Committee, otherwise the decision of the Chair is final.
 - (c) If the decision is appealed, the Chair will give concise reasons for their ruling and will call a vote by Council/Committee, without debate on the following question: "Will the ruling be sustained; and the decision of Council/Committee, is final. The Chair may vote on this question. In the event of a tie of votes, the ruling of the Chair shall be deemed to be sustained.
- (7) Members Speaking
 - (a) When a Member is speaking, no other Member shall interrupt the Member except to raise a Point of Order.
- (8) Questions Read
 - (a) Any Member may require the question or motion under discussion to be read at any time during the debate but not so as to interrupt a Member while speaking.
- (9) Speak Once – Reply
 - (a) No Member shall speak more than once to the same question without leave of Council/Committee except that a reply shall be allowed to be made only by a Member who has presented the motion, but not by any Member who has moved an amendment or procedural motion in response to that motion.
- (10) Time Limited
 - (a) No Member, without leave of Council/Committee shall speak to the same question or in reply for longer than five (5) minutes.
- (11) Questions
 - (a) A Member may ask a question for the purposes of obtaining information relating only to the matter under discussion and such questions must be stated concisely and asked only through the Chair.
 - (b) Notwithstanding Section 9(11)(a) when a Member has been recognized as the next speaker, then immediately before speaking, such Member may ask a question through the Chair, concerning any matter connected with the business of the Municipality currently under discussion but only for the purpose of obtaining information, following which the Member may speak.

10. MOTIONS

10.1. Reading

- (1) All motions must be introduced by a mover and a seconder before the Chair may put the question or motion on the floor for consideration. If no Member seconds the motion, the motion shall not be on the floor for consideration and therefore it shall not be recorded in the minutes.

- (2) Notwithstanding Section 10.1, if a motion is printed in the Agenda as either a separate item or as part of a Report, it need not be read in its entirety unless requested to do so by a Member of Council/Committee but shall be deemed as read for the purposes of introducing the Motion.

10.2. *Withdrawn*

- (1) After a motion is properly moved and seconded, it shall be deemed to be in possession of Council/Committee, but may be withdrawn by the mover at any time before decision or amendment.

10.3. *Motion Ruled Out of Order*

- (1) Whenever the Chair is of the opinion that a motion is contrary to these Rules of Procedure, the Chair shall rule the motion out of order.

10.4. *Not Within Jurisdiction of Council/Committee*

- (1) A Motion in respect of a matter which requires the exercise of a legislative power by Council/Committee which is not within its jurisdiction shall not be in order at a Meeting of Council/Committee.

10.5. *Motions Without Notice and Without Leave*

- (1) The following matters and motions may be introduced orally by a Member without written notice and without leave, except as otherwise provided by this Procedural By-law, and shall be decided without debate:
 - (a) a point of order or privilege;
 - (b) to adjourn;
 - (c) to table the question without directions or instructions;
 - (d) to suspend the Rules of Procedure;
 - (e) to lift from the table;
 - (f) to divide the question;
 - (g) to refer (without instructions);
 - (h) question be now put; and
 - (i) to recess.
- (2) The following motions may be introduced orally by a Member without notice and without leave, except as otherwise provided by this Procedural By-law, and may be debated:
 - (a) to refer with direction (direction for referral only to be debatable);
 - (b) to table with instructions (instructions for tabling only to be debatable);
 - (c) to amend; and
 - (d) to rescind.

10.6. *Priority of Disposition*

- (1) A motion properly before Council/Committee for decision must be disposed of before any other motion can be received except a motion in respect of matters listed in Section 10.5.

10.7. Motion to Amend

- (1) A motion to amend:
 - (a) Motion to Amend
 - (b) shall relate to the subject matter of the main motion;
 - (c) shall not be received proposing a direct negative to the question; and
 - (d) shall be put to a vote in reverse order to the order in which the amendments are made.

10.8. Question be Now Put

- (1) A motion that the question be now put:
 - (a) is not debatable cannot be amended
 - (b) cannot be proposed when there is an amending motion under consideration, except for the purpose of moving that the amending motion be put;
 - (c) when resolved in the affirmative, requires that the question, motion, amending motion or
 - (d) motion as amended, whichever is under consideration be put forward immediately without
 - (e) debate or amendment;
 - (f) can only be moved in the following words, "that the question be now put"; and
 - (g) requires an affirmative vote of two-thirds (2/3) of the Members present and voting.

10.9. Motion to Refer or Defer/Postpone

- (1) A motion to refer or to refer back or to defer or to postpone the question may include instructions respecting the terms upon which the question is to be referred or deferred or postponed.
- (2) A motion to refer or to refer back or to defer or to postpone the question shall not be debatable except where instructions are included, in which case, only the instructions shall be debatable.
- (3) A motion to refer or to refer back or to defer or to postpone the question may not be amended except where instructions are included, in which case, only the instructions may be amended in accordance with the provisions in Section 10(9)(2).

10.10. Motion to Table

- (1) A motion simply to table is not debatable except where instructions are included, in which case, only the instructions shall be debatable. Such motion cannot be amended.
- (2) A motion to table with some condition, opinion, or qualification added to the motion shall be deemed to be a motion to defer or postpone made under Section 10(9).
- (3) The matter tabled shall not be considered again by Council/Committee until a motion has been made to lift from the table the tabled matter at the same or subsequent Meeting.
- (4) A motion to lift a tabled matter from the table is not subject to debate or amendment.

10.11. Motion to Divide

- (1) A motion containing distinct proposals may be divided and a separate vote shall be taken upon each proposal contained in a motion if decided upon by a majority vote of the Members present and voting.

10.12. Motion to Rescind

- (1) A motion to rescind a previous action of Council/Committee requires a two-thirds (2/3) vote of the Members present and voting provided that notice has been given at the previous Meeting or in the Agenda for the Meeting, and in case the aforesaid notice has not been given, the motion to rescind requires a two-thirds (2/3) vote of the Members present and voting.
- (2) A motion to rescind is not in order when action has been taken on the order of Council/Committee of which it is impossible to revise. The part of an order of Council/Committee which has not been acted upon, however, may be rescinded.

10.13. Reconsideration

- (1) A resolution, by-law or any question or matter (except one of indefinite postponement) which has been adopted previously by Council may be reconsidered by Council subject to the following:
 - (2) only a Member who voted thereon may make a Motion to Reconsider;
 - (3) such motion must be supported by two-thirds of the Members present and voting in favour of such reconsideration before the matter is re-opened for debate;
 - (4) debate on a motion to reconsider must be confined to reasons for or against the subject of the reconsideration;
 - (5) if a motion to reconsider is decided in the affirmative, such reconsideration shall become the next order of business, unless the motion calls for a future date, and debate on the question to be reconsidered may proceed as though it previously had never been voted on; and
 - (6) a vote to reconsider a particular matter or decision will not be considered more than once during the term of Council.

10.14. Motion to Recess

- (1) A motion to recess shall provide for Council/Committee to take a short intermission within a Meeting which shall neither end the Meeting nor destroy its continuity and after which, proceedings shall immediately resume at the point where they were when interrupted.
- (2) A motion to recess is not debatable, but it is amendable as to the length of the recess and is not in order when another motion is on the floor.

10.15. Motion to Adjourn

- (1) A motion to adjourn is not debatable or amendable and shall always be in order except:
 - (a) when another Member is in possession of the floor;
 - (b) when a vote has been called;
 - (c) when the Members are voting; or
 - (d) when a Member has indicated to the Chair their desire to speak on the matter before Council/Committee.

- (2) A motion to adjourn, if carried, without qualification, will bring a Meeting or session of the Council/Committee to an end.
- (3) A motion to proceed beyond the hour of 11:00 p.m.:
 - (a) shall not be amended or debated;
 - (b) shall always be in order except when a Member is speaking or the Members are voting; and
 - (c) shall require the support of a majority of the Members present and voting.

11. NOTICE OF MOTIONS

- (1) A Member of Council may file a Motion or Notice of Motion to be placed on the Council Agenda with the Clerk no later than 4:00p.m on the Friday of the week preceding the Council Meeting at which it is to be presented for consideration and dealt with.
- (2) Any motion may be introduced without notice if Council, without debate, agrees on a majority vote to dispense with notice.

12. VOTING ON MOTIONS

- (1) Immediately preceding the taking of a vote on a motion, the Chair may state the question in the form introduced and shall do so if required by a Member.
- (2) After a question is finally put by the Chair, no Member shall speak to the question nor shall any other motion be made until after the vote is taken and the result has been declared.
- (3) Every Member present at the Meeting, when the question is put, shall vote thereon unless disqualified under the Municipal Conflict of Interest Act to vote on the question.
- (4) Except where the Member is disqualified under the Municipal Conflict of Interest Act from voting, if a Member abstains from a vote when a question is put, that Member shall be deemed to have voted in the negative.
- (5) Each Member has only one vote.

13.1 ***Unrecorded Vote***

- (1) The manner of determining the decision of the Council/Committee on a motion shall be at the direction of the Chair and may be by voice, show of hands, standing, or otherwise.

13.2 ***Recorded Vote***

- (1) Immediately preceding or after the taking of a vote on a motion, a Recorded Vote may be requested by a Member at which time each Member present, except a Member who is disqualified from voting by any Act, shall announce his vote openly and the Clerk shall record his name and his vote on the question.
- (2) The order in which Members, present and voting, vote on Recorded Votes shall be:
 - (a) Ward Councillors (in ascending numerical order);
 - (b) Deputy Mayor; and
 - (c) Mayor

14. CONDUCT OF THE AUDIENCE

- 14.1. Members of the public who constitute the audience in the Council Chamber, or other such place where a Meeting is held in accordance with Section 5 of this Procedural By-law, during a Meeting shall respect the decorum of Council/Committee, maintain order and quiet and may not:
- (1) address Council/Committee without permission;
 - (2) interrupt any speaker or action of the Members or any person addressing Council/Committee;
 - (3) speak out;
 - (4) behave in a disorderly manner; or
 - (5) make any noise or sound that proves disruptive to the conduct of the Meeting.
- 14.2. Placards, signs, posters, etc. or any advertising devices shall not be permitted in the Council Chambers, or any other location in which Council/Committee may conduct their business.
- 14.3. The Mayor/Chair may request that a member or members of the public vacate the Council Chambers or any other location in which Council/Committee may conduct their business if their behaviour is deemed to be disruptive to the business at hand.

15. ADMINISTRATION

- 15.1. This By-law shall be administered by the Clerk.
- 15.2. The Clerk shall be delegated authority to make minor clerical, typographical or grammatical corrections to any Council record or documentation, including but not limited to: by-laws, Motions, resolutions, Agendas and/or minutes. Said corrections are to be made to ensure correct and complete implementation of the decisions and actions of Council and its Committees.

THE CORPORATION OF THE TOWNSHIP OF MALAHIDE**BY-LAW NO. 24-34**

Being a By-law to adopt, confirm and ratify matters dealt with by resolution of the Township of Malahide.

WHEREAS Section 5(3) of the Municipal Act, 2001, c. 25, as amended, provides that the powers of every council are to be exercised by by-law;

AND WHEREAS in many cases, action which is taken or authorized to be taken by the Township of Malahide does not lend itself to the passage of an individual by-law;

AND WHEREAS it is deemed expedient that the proceedings of the Council of the Township of Malahide at this meeting be confirmed and adopted by by-law;

NOW THEREFORE the Council of The Corporation of the Township of Malahide **HEREBY ENACTS AS FOLLOWS:**

1. THAT the actions of the Council of the Township of Malahide, at its regular meeting held on June 20, 2024 in respect of each motion, resolution and other action taken by the Council of the Township of Malahide at such meeting is, except where the prior approval of the Ontario Municipal Board or other authority is required by law, is hereby adopted, ratified and confirmed as if all such proceedings were expressly embodied in this By-law.
2. THAT the Mayor and the appropriate officials of the Township of Malahide are hereby authorized and directed to do all things necessary to give effect to the action of the Council of the Township of Malahide referred to in the proceeding section.
3. THAT the Mayor and the Clerk are hereby authorized and directed to execute all documents necessary in that behalf and to affix thereto the corporate seal of the Township of Malahide.
4. THAT this By-law shall come into force and take effect upon the final passing thereof.

READ a **FIRST** and **SECOND** time this 20th day of June, 2024.

READ a **THIRD** time and **FINALLY PASSED** this 20th day of June, 2024.

Mayor, D. Giguère

Clerk, A. Adams