



The Corporation of the Township of Malahide
COUNCIL AND COMMITTEE OF THE WHOLE MEETING AGENDA
August 15, 2024 – 7:00 p.m.

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

- (A) Call to Order
- (B) Approval of the Agenda
- (C) Disclosure of Pecuniary Interest
- (D) Announcements
- (E) Adoption of Minutes of Previous Meeting(s)
 - Council Meeting Minutes of July 4, 2024
- (F) Public Meetings & Committee of Adjustment
 - Zoning By-law Amendment Application - D14-Z15-22 (Diana & Martin Langlois, Agent: Joe Malec)-51150 Ron McNeil Line
 - Zoning By-law Amendment Application – D14-Z09-24 (General Housekeeping Amendment)
 - Zoning By-law Amendment Application – D14-Z08-24 (584012 Ontario Limited c/o Bert Brower, Agent: Mark Stone)-52773 Chalet Line
 - Meeting to Consider – Laidlaw Drain
- (G) Delegations
- (H) Approval of Business (Consent Agenda)
- (I) Unfinished Business
- (J) New Business
 - DS-24-34-Application for Consent to Sever-Hotke-49757 Talbot Line
 - DS-24-35-Development Agreement Application-Kayla & Jason Smith-51211 Clinton Street
 - PW-24-33-Playground Surface Supply and Installation Tender Results
 - PW- 24-32-Petition for Drainage – Hayhoe
 - PW- 24-26-Petition for Drainage – Dyck
 - PW- 24-28-Tender Award – Ketchabaw Drain
 - PW- 24-29-Tender Award – Priester Drain
 - EECC Board of Management Correspondence - Canada Day Celebrations 2025 Joint Application for Grant Funding
- (K) By-laws

- 24-43-Development Agreement-51211 Clinton Street
- 24-44-By-law Enforcement Officer Appointment
- 24-48-Langlois Rezoning-51150 Ron McNeil Line
- 24-45-2024 Tax Rate By-law
- 24-29-Ketchabaw Drain 3rd Reading
- 24-31-Priester Drain 3rd Reading

Committee of the Whole

(L) Business for Consideration

- FIN-24-20-2023 Budget Performance and Financial Update
- FIN-24-21-Development Charges Annual Update
- FIN-24-22-Cash in Lieu of Parkland
- FIN-24-23-Building Stabilization Reserve Fund
- HR-24-06 entitled Health & Safety Policy under Occupational Health & Safety Act – Annual Compliance Update
- PW-24-23-Drainage Update Report

(LI) Unfinished Business

- Customer Service Related Policies

(LII) New Business

Council Members may bring new items for consideration but items for this section shall be introduced at the Approval of the Agenda

(O) Correspondence

Items listed under Correspondence are RECEIVED for information in one motion. Council members may request that one or more item(s) be separated for further action.

1. AMO Watchfile – July 4, 2024, July 11, 2024, July 18, 2024, July 25, 2024 and August 1, 2024
2. AMO/OMA Joint Health Resolution Campaign regarding Physician Shortage
3. LPRCA – Board of Directors Minutes June 5, 2024 and Hearing Board Minutes June 5, 2024
4. Aylmer Cemetery Board – Minutes January 23, 2024
5. SWPH - Household Food Insecurity in the SWPH Region and Effective Policy-Based Solutions
6. Ministry of Municipal Affairs and Housing - Planning Act and Development Charges Act Regulations related to the Cutting Red Tape to Build More Homes Act, 2024 (Bill 185)
7. Ministry of Natural Resources - Proposal Regarding Developing a commercial-scale framework for geologic carbon storage
8. Township of Otonabee-South Monaghan-Regulations for Importation and Safe Use of Lithium-ion Batteries

Committee of the Whole Adjourns

(P) Closed Session

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

(Q) Confirmatory By-law

(R) Adjournment

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 August 15, 2024 Regular Council Meeting Agenda be approved as presented.
2. THAT the minutes of the regular council meeting of Council held on July 4, 2024 be adopted.
3. THAT the Public Meeting relating to the Zoning By-Law Amendment Application of Diana & Martin Langlois relating to the property located at Reference Plan 53, Part Lot 1, 12, 13 & 15, South Dorchester and known municipally as 51150 Ron McNeil Line be called to order at ___p.m.
4. THAT the Public Meeting relating to the Zoning By-Law Amendment Application of Diana & Martin Langlois relating to the property located at Reference Plan 53, Part Lot 1, 12, 13 & 15, South Dorchester and known municipally as 51150 Ron McNeil Line be adjourned at ___p.m.
5. THAT Report No. DS-24-35 entitled "Zoning By-Law Amendment Application of Diana & Martin Langlois" relating to the property located at Reference Plan 53, Part Lot 1, 12, 13 & 15 (South Dorchester) (51150 Ron McNeil Line) be received;
AND THAT the Zoning By-law Amendment Application No. D14-Z15-22 of Diana & Martin Langlois relating to the property located at Reference Plan 53, Part Lot 1, 12, 13 & 15 (South Dorchester) (51150 Ron McNeil Line), Township of Malahide BE APPROVED for the reasons set out in this Report.
6. THAT the Public Meeting relating to the Zoning By-Law Amendment -General Housekeeping Amendment relating to the lands within the Township of Malahide be called to order at ___p.m.
7. THAT the Public Meeting relating to the Zoning By-Law Amendment -General Housekeeping Amendment relating to the lands within the Township of Malahide be adjourned at ___p.m.
8. THAT Report No. DS-24-23 entitled "Zoning By-law Application D14-Z09-24 – General Housekeeping Amendment" relating to lands within the Township of Malahide be received;
AND THAT Council hold a public meeting to obtain comments from members of the public;
AND THAT the staff be directed to bring forward a final By-law for consideration by Council at a subsequent meeting.
9. THAT the Public Meeting relating to the Zoning By-Law Amendment Application of 584012 Ontario Limited c/o Bert Brouwer relating to the property located at Concession 5, Part of Lot 31,32 & 33 and known municipally as 52773 Chalet Line be called to order at _____p.m.

10. THAT the Public Meeting relating to the Zoning By-Law Amendment Application of 584012 Ontario Limited c/o Bert Brouwer relating to the property located at Concession 5, Part of Lot 31,32 & 33 and known municipally as 52773 Chalet Line be called adjourned at _____p.m.

11. THAT Report No. DS-24-38 entitled "Zoning By-Law Amendment Application of 584012 Ontario Limited c/o Bert Brouwer" relating to the property located at Concession 5, Part of Lot 31,32 & 33 (52773 Chalet Line) be received;

AND THAT Zoning By-law Amendment Application No. D14-Z08-24 of 584012 Ontario Limited c/o Bert Brouwer relating to the property located at Concession 5, Part of Lot 31,32 & 33 (52773 Chalet Line), Township of Malahide BE DENIED for the reasons set out in this Report.

12. THAT the Engineer's Report for the Laidlaw Drain be accepted;

AND THAT By-law No. 24-38 being a By-law to provide for the Laidlaw Municipal drainage works be read a first and second time and provisionally adopted.

13. THAT Report No. DS-24-33 entitled "Application for Consent to Sever D10-E53/54-24 of James and Barbara Hotke (Authorized Agent: Eugenio DiMeo) be received;

AND THAT the Application for Consent to Sever D10-E53/54-24 of James and Barbara Hotke (Authorized Agent: Eugenio DiMeo) located at CON 6 N PT LOT 15 CON STR N;PT LOT 88 RP 11R1450 PART 1;& RP 11R6231 PART 1, Township of Malahide (49757 Talbot 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.

14. THAT Report No. DS-24-36 entitled "Application for Development Agreement as per Minor Variance of Kayla and Jason Smith" be received;

AND THAT Council pass By-law 24-43, being a By-law to authorize the execution of a Development Agreement with Kayla and Jason Smith pursuant to Section 45 of the Planning Act, R.S.O. 1990, and Minor Variance Application No. D13-MV-08b-21.

15. THAT Report No. PW-24-33 entitled "Playground Surface Supply and Installation Tender Results" be received;

AND THAT Staff be authorized enter into an agreement with Quality Turf Supply for the supply and installation of Playground Surface material at the Mill St Park, Malahide Community Place, South Dorchester Community Hall and Wonnacott Park.

16. THAT Report No. PW- 24-32 entitled "Petition for Drainage – Hayhoe" be received;

AND THAT George Vereyken, P. Eng., of Spriet Associates, be appointed to prepare an Engineer's Report for the Hayhoe Petition, it being noted that the Petitioner is requesting

this petition to be incorporated into the Engineers report currently being prepared for the Pritchard Drain Improvement.

17. THAT Report No. PW- 24-26 entitled “Petition for Drainage – Dyck” be received;
AND THAT George Vereyken, P. Eng., of Spriet Associates, be appointed to prepare an Engineer’s Report for the Dyck Petition.
18. THAT Report No. PW- 24-28 entitled “Tender Award – Ketchabaw Drain” be received; AND THAT the tender for the Ketchabaw Drain be awarded to Van Gorp Drainage, in the amount of \$158,448.00 (plus applicable taxes).
19. THAT Report No. PW- 24-29 entitled “Tender Award – Priester Drain” be received;
AND THAT the tender for the Priester Drain be awarded to Van Bree Drainage, in the amount of \$387,235.00 (plus applicable taxes).
20. That the Council of the Malahide Township direct staff to participate in a joint funding application to the Canadian Heritage Celebrate Canada funding program for Canada Day Celebrations in 2025 and provide confirmation to the EECC Board.
21. THAT the following by-laws be now read a first, second and third time and finally passed:
 - 24-43-Development Agreement-51211 Clinton Street
 - 24-44-By-law Enforcement Officer Appointment
 - 24-48-Langlois Rezoning-51150 Ron McNeil Line
 - 24-45-2024 Tax Rate By-lawAND THAT the following by-laws be now read a third time and finally passed:
 - 24-29-Ketchabaw Drain 3rd Reading
 - 24-31-Priester Drain 3 Reading
22. RESOLVED THAT we do now move into Committee of the Whole.
23. THAT Report No. FIN-24-20 entitled “2023 Budget Performance and Financial Update” be received;

AND THAT the Township’s 2023 budget surplus be distributed to reserves as recommended.
24. THAT Report No. FIN-24-21 entitled “Development Charges Annual Update” be received.
25. THAT Report No. FIN-24-22 entitled “Cash in Lieu of Parkland” be received.
26. THAT Report No. FIN-24-23 entitled “Building Stabilization Reserve Fund” be received.
27. THAT Report No. HR-24-06 entitled “Health & Safety Policy under Occupational Health & Safety Act – Annual Compliance Update” be received;

AND THAT the Mayor and Chief Administrative Office be authorized to sign the Health & Safety Policy on behalf of the Corporation;

AND THAT the revised Human Resources Policy B-4.2 Respect in the Workplace (Violence and Harassment) be received for information and further be brought forward for approval at an upcoming Council Meeting.

28. THAT Report No. PW- 24-23 entitled "Drain Update Report" be received.

29. THAT the Customer Service-Related Policies" be received for information;

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

30. RESOLVED that Items O.1-O.8 be received and filed.

31. RESOLVED THAT we do now move out of Committee of the Whole and reconvene the regular council meeting

32. 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)).

33. THAT Council move out of Closed Session and reconvene at ____p.m. in order to continue with its deliberations.

34. THAT By-law No.24-39, being a Confirmatory By-law, be given first, second and third readings, and be properly signed and sealed.

35. RESOLVED THAT we do now adjourn at _____ p.m. to meet again on September 5, 2024 at 7:00p.m.

The Corporation of the Township of Malahide
July 4, 2024 – 7:00p.m.
 Virtual Meeting - <https://youtu.be/NLBei4tL3fk>

The Malahide Township Council met at the Springfield & Area Community Services Building, at 51221 Ron McNeil Line, Springfield, at 7:00p.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, and Director of Fire & Emergency Services J. Spoor.

CALL TO ORDER:

Mayor Giguère took the Chair and called the meeting to order at 7:03p.m.

APPROVAL OF AGENDA:

No. 24-232

Moved By: Scott Lewis

Seconded By: Rick Cerna

THAT the July 4, 2024 Council & Committee of the Whole Meeting Agenda be approved as presented with the following additions and or changes:

1. Section J – New Business Item- EECC Sound System Modernization & Upgrades Award
2. Section 0 – Correspondence Item- Catfish Creek Conservation Authority Notice of Port Bruce Riverine & Coastal Floodplain Mapping Study Information Session
3. Section F & G be switched in the order of proceedings for this agenda package.

Carried

DISCLOSURE OF PECUNIARY INTEREST and the General Nature thereof:

Deputy Mayor Widner disclosed a pecuniary interest with respect to Agenda item F– Court of Revision – Priester Drain and Court of Revision- Ketchabaw Drain. The nature of the conflict being that a Partner at Spriet Associates is an immediate relative of his.

ANNOUNCEMENTS:

Deputy Mayor Widner encouraged fellow Councillors to review the proposed funding initiatives for St. Thomas Elgin General Hospital, suggesting that any comments or inquiries should be directed to their County Councillor.

Mayor Giguère emphasized the importance of this discussion and also encouraged the public to stay informed, advising them as well to contact their County Councillor with any comments or inquiries due to the considerable media coverage on this topic.

ADOPTION OF MINUTES:

No. 24-233

Moved By: Rick Cerna

Seconded By: Sarah Leitch

THAT the minutes of the regular meeting of Council held on June 20, 2024 be adopted.

Carried

DELEGATIONS:

- Rob Foster of Graham Scott Enns - 2023 Financial Statement Presentation

Rob Foster provided an overview of the documents submitted as part of the agenda package for the 2023 Financial Statements.

No. 24-234

Moved By: Sarah Leitch

Seconded By: John H. Wilson

THAT the 2023 Audited Financial Statements, as prepared by Graham Scott Enns, and presented by auditor Rob Foster, be approved as submitted.

PUBLIC MEETINGS & COMMITTEE OF ADJUSTMENT:

Deputy Mayor Widner disclosed a pecuniary interest with respect to Council Agenda items F Court of Revision – Priester Drain and Court of Revision- Ketchabaw Drain. He retired from the meeting and abstained from all discussions and voting on the matter.

- Court of Revision – Priester Drain

No. 24-235

Moved By: Sarah Leitch

Seconded By: John H. Wilson

THAT the Council of the Township of Malahide does hereby appoint the following members to sit on the Court of Revision for the Priester Drain:

Mayor Dominique Giguère (Chair)
Councillor John H. Wilson

Councillor *Paul Buchner* of South West Oxford

No. 24-236

Moved By: John H. Wilson

Seconded By: Paul Buchner

THAT the Court of Revision for the Priester Drain be called to order at 7:31p.m.

AND THAT Dominique Giguère be appointed Chair.

Carried

Chair Giguère asked the drainage engineer to briefly outline the nature of the proposed drainage works and the related assessment schedule. Drainage Engineer Mike DeVos provided an overview of the Priester Drain and the court of revision process.

No written comments/objections were received.

Chair Giguère inquired if anyone in attendance wished to make any comments or ask any questions concerning the proposed assessment schedule.

Chair Giguère asked if any members of the Court of Revision or members of the public had any comments, questions or required any clarification from the engineer. Member Buchner acknowledged his familiarity with the process and costs associated with drain installations in his municipality, and had no additional comments or concerns on the matter.

Chair Giguère stated that the next steps of the Court of Revision are for members to consider a resolution to either confirm the rates presented by the engineer or amend the assessments. Drainage Engineer Mike DeVos explained the two types of the appeal process if warranted.

No. 24-237

Moved By: Paul Buchner

Seconded By: John H. Wilson

THAT the Court of Revision members for the Priester Drain do hereby accept the recommendations of Drainage Engineer Mike DeVos; and further, does hereby confirm the drainage assessments as outlined in the Report of the Drainage Engineer dated May 6, 2024.

Carried

No. 24-238

Moved By: John H. Wilson

Seconded By: Paul Buchner

THAT the Court of Revision relating to the Priester Drain be adjourned and the Council Meeting reconvene at 7:36p.m.

Carried

- Court of Revision – Ketchabaw Drain

No. 24-239**Moved By: Scott Lewis****Seconded By: Rick Cerna**

THAT the Council of the Township of Malahide does hereby appoint the following members to sit on the Court of Revision for the Ketchabaw Drain:

Mayor Dominique Giguère (Chair)
Councillor Sarah Leitch
Councillor John H. Wilson

Carried**No. 24-240****Moved By: Sarah Leitch****Seconded By: John H. Wilson**

THAT the Court of Revision for the Ketchabaw Drain be called to order at 7:37p.m.

AND THAT Dominique Giguère be appointed Chair.

Carried

Chair Giguère asked the drainage engineer to briefly outline the nature of the proposed drainage works and the related assessment schedule. Drainage Engineer John Spriet provided an overview of the Ketchabaw Drain.

No written comments/objections were received.

Chair Giguère inquired if anyone in attendance wished to make any comments or ask any questions concerning the proposed assessment schedule.

Brian Lunn, a landowner assessed for the drain, expressed concern about the benefit of the assessment to his property and sought assurance that it would function properly. Mr. Spriet pointed out that the assessment Mr. Lunn is paying is significant, considering the 85 acres of his property are going through the drain and are based on outlet which effects his costs. Mr. Lunn sought reassurance regarding the functionality of the drain and its proper flow. Mr. Spriet confirmed that during the construction of the new drain, an engineer would verify that the connection points operate correctly. Additionally, the Township Superintendent will supervise the site to ensure proper functioning. If there is an issue or repairs needed to the others he can undertake those repairs if required.

Mr. Lunn inquired about payment options, and Director Boylan explained the debenture program that is available to assist with covering this cost, advising him to contact the office upon receipt of the invoice for further discussion.

Chair Giguère asked if any members of the Court of Revision or members of the public had any comments, questions or required any clarification from the engineer and there were none.

Chair Giguère stated that the next steps of the Court of Revision are for members to consider a resolution to either confirm the rates presented by the engineer or amend the assessments. Drainage Engineer John Spriet explained the two types of the appeal process if warranted.

No. 24-241

Moved By: Sarah Leitch

Seconded By: John H. Wilson

THAT the Court of Revision members for the Ketchabaw Drain do hereby accept the recommendations of Drainage Engineer John M. Spriet; and further, does hereby confirm the drainage assessments as outlined in the Report of the Drainage Engineer dated May 3, 2024.

Carried

No. 24-242

Moved By: Sarah Leitch

Seconded By: John H. Wilson

THAT the Court of Revision relating to the Ketchabaw Drain be adjourned and the Council Meeting reconvene at 7:45p.m.

Carried

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

APPROVAL OF BUSINESS (CONSENT AGENDA):

No items.

UNFINISHED BUSINESS:

No items.

NEW BUSINESS:

- Severance Application – Meesters

No. 24-243**Moved By: John H. Wilson****Seconded By: Mark Widner**

THAT Report No. DS-24-33 entitled "Application for Consent to Sever No. D10-E57-24 of Gerrit and Susan Meesters be received;

AND THAT the Application for Consent to Sever No. D10-E57-24 of Gerrit and Susan Meesters relating to a property located at CON 9 E PT LOT 17, Township of Malahide (48302 Crossley Hunter 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

- Canada Community-Building Fund

No. 24-244**Moved By: Scott Lewis****Seconded By: Sarah Leitch**

THAT Report No. FIN-24-19 entitled "Canada Community-Building Fund" be received;

AND THAT Council endorse the 2024 – 2034 Canada Community-Building Fund Municipal Funding Agreement with the Association of Municipalities of Ontario.

Carried

- Tandem Snow Plow Replacement

No. 24-245**Moved By: Chester Glinski****Seconded By: Sarah Leitch**

THAT Report No. PW-24-30 entitled "Tandem Snow Plow Replacement" be received;

AND THAT Staff be authorized enter into an agreement with Viking-Cives Ltd. for the purchase of one (1) Tandem Axle Snow Plow based on the specifications outlined in the attached proposal.

Carried

- Single Axle Snow Plow Replacement

No. 24-246**Moved By: Rick Cerna****Seconded By: Chester Glinski**

THAT Report No. PW-24-31 entitled "Single Axle Snow Plow Replacement" be received;

AND THAT Staff be authorized enter into an agreement with Viking-Cives Ltd. for the purchase of one (1) Single Axle Snow Plow based on the specifications outlined in the attached proposal;

AND FURTHER THAT Staff be authorized to equip the existing single axle cab and chassis with a new landscape box so that it may be utilized in wood chipping operations and to be used as a backup snow plow unit.

Carried

- EECC Sound System Modernization & Upgrades Award

Mayor Giguère clarified that the agenda item stemmed from the EECC meeting on July 3, 2024. The EECC Sound System Modernization & Upgrades, initially budgeted at \$15,000, required an amendment due to project costs totaling \$23,575.00 (excluding HST). Consequently, each municipality will need to approve a capital budget amendment to allocate an additional \$4,287.50 per municipal partner.

No. 24-247

Moved By: John H. Wilson

Seconded By: Sarah Leitch

That the Council of the Township of Malahide approve a EECC Capital budget amendment for an additional \$4,287.50 per municipal partner, for the EECC Sound System line item.

Carried

BY-LAWS:

No. 24-248

Moved By: Rick Cerna

Seconded By: Scott Lewis

THAT By-law 24-36-Municipal Funding Agreement with AMO for Canada Community Building Fund be now read a first, second and third time and finally passed:

AND THAT By-law 24-33-Hewer Drain and By-law 24-08-Drabick Rezoning be now read a third time and finally passed.

Carried

COMMITTEE OF THE WHOLE:

No. 24-249

Moved By: Rick Cerna

Seconded By: Sarah Leitch

RESOLVED THAT we do now move into Committee of the Whole.

Carried

- Business for Consideration
- Dog Tag Program

No. 24-250

Moved By: Scott Lewis

Seconded By: John H. Wilson

THAT Report No. FIN-24-18 entitled "Dog Tag Program" be received;

AND THAT The committee recommends that staff provide a follow-up report with alternative solutions to the dog tag program.

Carried

- Unfinished Business

No items.

- New Business

No items.

- Correspondence

No. 24-251

Moved By: Rick Cerna

Seconded By: Scott Lewis

RESOLVED that Items O.1-O.6 be received and filed;

AND THAT the additional correspondence item Catfish Creek Conservation Authority Notice of Port Bruce Riverine & Coastal Floodplain Mapping Study Information Session be received and filed.

Carried

No. 24-252

Moved By: Rick Cerna

Seconded By: Chester Glinski

RESOLVED THAT we do now move out of Committee of the Whole and reconvene the regular council meeting.

Carried

CLOSED SESSION:

No items.

CONFIRMATORY BY-LAW:

No. 24-253

Moved By: Sarah Leitch

Seconded By: John H. Wilson

THAT By-law No.24-37, being a Confirmatory By-law, be given first, second and third readings, and be properly signed and sealed.

Carried

ADJOURNMENT:

No. 24-254

Moved By: Mark Widner

Seconded By: Rick Cerna

THAT Council adjourn its meeting at 8:51p.m

Carried

Mayor – D. Giguère

Clerk – A. Adams



REPORT NO. DS-24-35

TO: Mayor & Members of Council
DEPARTMENT: Development Services
MEETING DATE: August 15, 2024
SUBJECT: **Zoning By-Law Amendment Application of Diana & Martin Langlois (Authorized Agent: Hummingbird Homes Property Management Inc. c/o Joe Malec) relating to the properties located at Reference Plan 53, Part Lot 1, 12, 13 & 15 (South Dorchester) (51150 Ron McNeil Line)**

RECOMMENDATION:

THAT Report No. DS-24-35 entitled “Zoning By-Law Amendment Application of Diana & Martin Langlois” relating to the property located at Reference Plan 53, Part Lot 1, 12, 13 & 15 (South Dorchester) (51150 Ron McNeil Line) be received;

AND THAT the Zoning By-law Amendment Application No. D14-Z15-22 of Diana & Martin Langlois relating to the property located at Reference Plan 53, Part Lot 1, 12, 13 & 15 (South Dorchester) (51150 Ron McNeil Line), Township of Malahide BE APPROVED for the reasons set out in this Report.

PURPOSE & BACKGROUND:

The subject Zoning By-law Amendment Application (“the Application”) has been submitted by Joe Malec on behalf of the landowners to permit two existing residential units on the main floor of a commercial building in the “General Commercial” Zone, whereas the By-law only permits residential units on above the main floor. The Zoning Amendment would also include site-specific amendments to permit 0.8 spaces per dwelling unit, whereas the By-law requires one (1) space per dwelling unit and remove the minimum parking requirement for the existing retail uses, whereas the By-law requires one space per 25m² of floor area.

The Application relates to the property located at Reference Plan 53, Part Lot 1, 12, 13 & 15 (South Dorchester), Township of Malahide, and known municipally as 51150 Ron McNeil Line.

Notice of the Application has been circulated to agencies and registered property owners as prescribed and regulated by the Planning Act, RSO 1990, and the Malahide Official Plan, including posting notice in two recent issues of the Aylmer Express.

COMMENTS & ANALYSIS:

The subject property is approximately 1,360 m² in area, has approximately 18.4 metres of frontage along Ron McNeil Line, approximately 49 metres of frontage on Whittaker Road, and currently contains a two-storey, mixed-use building with two commercial units and two residential units located on the ground floor and five residential units located on the second floor. The subject property is surrounded by residential lands to the north, commercial uses to the east and west, as well as institution, commercial, and residential uses to the south.

The Zoning By-law permits residential dwelling units that are accessory to a commercial use in the General Commercial Zone, provided they are located above the ground floor. The owner is proposing to rezone the subject lands to recognize these existing uses and have them permitted within a site-specific zone.

Provincial Policy Statement (PPS)

In settlement areas, the PPS directs that land use patterns shall be based on a range of uses and opportunities for intensification and redevelopment (s. 1.1.3.2). Additionally, appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form (s. 1.1.3.3).

New development taking place in designated growth areas should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, as well as sufficient infrastructure. Municipalities are to provide for an appropriate range and mix of housing options, as well as encourage redevelopment and residential intensification (s. 1.4.3). Municipal servicing is the preferred method of servicing for new development (s. 1.6.6.2). The Village of Springfield is serviced by municipal sanitary sewer and individual private wells. All of the dwelling units are currently existing and there are no changes proposed to how the subject lands are currently serviced. The application is consistent with the policies of the PPS.

County of Elgin Official Plan

The subject property is designated "Settlement Area Tier 2" on Schedule 'A', Land Use Plan and is identified as having frontage along a "Local" on Schedule 'B', "Transportation Plan". This designation permits a wide range of residential uses and commercial uses.

The Official Plan directs that commercial areas are to be protected and encourages development that combines commercial, residential, and other land uses to facilitate an efficient urban environment (s. C1.1.2). The maximization of existing buildings to accommodate a wide range of uses is supported and development should make an efficient use of land (s. C1.5). The Official Plan also supports residential intensification within settlement areas and the provision of affordable housing options (s. C1.3.3). The application would support the continuation of an existing building on the main street of Springfield to continue to be used for a mix of commercial and residential uses. The

proposed reduction in parking for the existing residential units would allow for existing residential units to remain as part of the existing housing stock in the community and encourage the provision of affordable housing.

Malahide Official Plan

The subject lands are designated as “Central Business District” on Schedule ‘B’, Land Use & Constraints of the Township of Malahide Official Plan.

Section 4.4.3 of the Official Plan directs that the predominant land use shall be for commercial purposes, including the sale of goods and services. Secondary uses are also permitted within the CBD including residential uses. The existing building currently contains two commercial units that would continue operating for commercial use and would continue to front onto the main street of Springfield. The dwelling units on the main floor would be located to the rear of the building behind the commercial units.

The Official Plan requires that development is adequately serviced by municipal services and infrastructure, as well as appropriate stormwater management (s. 4.4.3). The Zoning By-law seeks to permit residential units that are located within the existing building. There is no proposed change to the servicing of the existing residential and commercial units and no site alteration is proposed as part of the development.

The Official Plan also requires adequate off-street parking to be provided. The subject lands currently contain size (6) parking spaces that service the existing residential units. Based on information provided with the application, some of the existing residents do not have vehicles. It is noted that the existing building on the subject lands covers approximately half of the subject property, with the remaining portion of the parcel being irregular in shape. As a result, the subject lands would not likely be able to accommodate parking for both the existing residential units and the commercial uses. It is also noted that the reduction of the parking requirements generally improves housing affordability. On-street parking is widely available along Ron McNeil Line and along Whittaker Road to accommodate employees and customers of the commercial uses. Given the existing site constraints and staff are not aware of any issues with the site functioning to date, the proposed reduction in parking would conform to the Official Plan.

It is noted that the Official Plan does contain policies that allow the Township to consider accepting a cash in lieu payment as an alternative to the provision of on-street parking where funds would be then directed towards the creation of new or improved parking areas servicing the central business district area (s. 4.4.3.5). However, there is no current mechanism in the Township’s parking by-law that determines the rate at which a cash in lieu payment is calculated and when such a payment would be made. This is likely due to few applications previously being submitted that propose reduced parking within the central business district of Springfield. It is noted that Council may wish to give future consideration to amending the current parking by-law to contain further policies on the taking of cash in lieu of parking.

Malahide Zoning By-law No. 18-22

The subject property is within the “General Commercial (GC) Zone” on Key Map D1 of Schedule “D” to the Township’s Zoning By-law No. 18-22.

The Zoning By-law permits residential dwelling units that are accessory to a commercial use in the General Commercial Zone, provided they are located above the ground floor. The intent of this provision is to ensure that commercial uses are the principal use for lands located within the GC zone and residential uses remain secondary. The residential units proposed to be legalized through the Zoning By-law Amendment are located behind the commercial units and are accessed from the rear of the building. The commercial units will continue to front onto the main street of Springfield and be visible as the primary use.

The Zoning Amendment would also include site-specific amendments to permit 0.8 spaces per dwelling unit, whereas the By-law requires one (1) space per residential dwelling unit. Based on information provided by the applicant, the site currently accommodates six (6) parking spaces, whereas a total of seven (7) parking spaces are required and not all of the current tenants own vehicles. The proposed reduction in parking would encourage the provision of affordable housing options within the community.

The application would also remove the minimum parking requirement for the existing retail uses, whereas the By-law requires one space per 25m² of floor area. The commercial uses within the building consist of approximately 296 m² of floor area which would require a total of 12 parking spaces under the By-law’s current parking standards. As previously discussed in this report, the site is currently constrained by the size of the existing building and its irregular shape. It is noted that off-street commercial parking has not previously existed on the subject lands and that the adjacent public roadways contain available on-street parking options for over 100 metres in each direction along Ron McNeil Line to accommodate employees and customers of the commercial uses.

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:

Notice of Public Meeting was given in accordance with Planning Act regulations. As of the date of writing this report, the following has been received:

- Comments were received from a member of the public raising concerns that the application would impact the intersection of Ron McNeil Line and Whittaker Road. The comments note concerns related to challenges with pedestrian road crossing at the intersection, safety concerns with vehicle, truck, and traffic in the area. The comments included a request for support of a pedestrian crossing at the intersection and the completion of a Road Safety Audit for the area.

Staff note that residential and commercial uses are currently existing and would be no increase in traffic generated as a result of the application. It is also noted that general concerns relating to the amount of traffic and the provision of pedestrian crossings in the area would be best directed to the County of Elgin which oversees Ron McNeil Line and Whittaker Road and that these matters could be further reviewed by staff and Council outside of the public meeting.

ATTACHMENTS:

1. Report Photo;
2. Application sketch; and
3. By-law.
4. Public Comments

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: Diana & Martin Langlois

51150 Ron McNeil Line

Reference Plan 53, Part Lot 1, 12, 13 & 15 (South Dorchester),


Township of Malahide

Township
of Malahide
Figure 1



§
N.T.S.

OFFICIAL PLAN DESIGNATION
Central Business District

 Area Subject to Rezoning
(Subject Property)

ZONING
General Commercial (GC)



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 IN ANY FORM WITHOUT WRITTEN PERMISSION
 FROM HOUGHON + HOUGHTON INCORPORATED.

**TOWNSHIP OF MALAHIDE ZONING BYLAW
 BUILDING SETBACKS - EXISTING BUILDING TO REMAIN
 FRONT 0.1M (SE) AND 0.4M (SW)
 SIDE 0M
 REA'R 16.6M**

PLAN OF SURVEY (to be read in conjunction
 with Report Summary)

SURVEYOR'S REAL PROPERTY REPORT
 OF
PART OF LOTS 1, 12, 13, 15
REGISTERED PLAN 53
 (VILLAGE OF SPRINGFIELD)
 BEING IN THE GEOGRAPHICAL TOWNSHIP OF SOUTH DORCHESTER, NOW IN THE
TOWNSHIP OF MALAHIDE
COUNTY OF ELGIN, ONTARIO
 SCALE : 1" = 30'
 HOUGHON + HOUGHTON INCORPORATED - 2020 ©

**MUNICIPAL ADDRESS KNOWN AS
 51150 RON McNEIL LINE**

REPORT SUMMARY (to be read in conjunction
 with Plan of Survey)

REGISTERED EASEMENTS AND/OR RIGHTS-OF-WAY:
 PART 1 PLAN 11R-7364 IS SUBJECT TO EASEMENT AS IN E409525

ADDITIONAL REMARKS:

- 1) BUILDING TIES TAKEN TO EXISTING BRICK
- 2) HYDRO METERS CROSSES THE EASTERN LIMIT
- 3) A/C UNITS CROSSES THE EASTERN LIMIT
- 4) VENTS CROSS THE EASTERN LIMIT
- 5) GAS METER CROSSES THE EASTERN LIMIT
- 6) GARAGE CROSSES THE WESTERN LIMIT

ASSOCIATION OF ONTARIO
 LAND SURVEYORS
 PLAN SUBMISSION FORM
 000000

THIS PLAN IS NOT VALID
 UNLESS IT IS AN EMBOSSED
 ORIGINAL COPY
 ISSUED BY THE SURVEYOR
 IN ACCORDANCE WITH REGULATION
 1026 Section 29(3)

NOTE

HOUGHON + HOUGHTON INCORPORATED grants DIANA & MARTIN LANGLOIS ["The Clients"], their solicitor and other related parties permission to use "Original Copies" of the Surveyor's Real Property Report in transactions involving "The Clients".

SURVEYOR'S CERTIFICATE

- I CERTIFY THAT:
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
 2. THE SURVEY WAS COMPLETED ON THE 5th DAY OF MARCH, 2020.

DATE: _____ ROSS A. CLARKE
 ONTARIO LAND SURVEYOR

CAUTION : "Original copies" approved by this office
 must bear the Ontario Land Surveyor's signature and seal.

BEARING REFERENCE

BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS ORP-A & ORP-B BY REAL TIME NETWORK (RTN) OBSERVATIONS, UTM ZONE 17, NAD83 (CSRS) (2020.0).

DISTANCE NOTE

DISTANCE ON THIS PLAN ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999562

LEGEND

- | | |
|---|--|
| □ DENOTES SURVEY MONUMENT SET AND MARKED 1201 | (1201) DENOTES ROSS A. CLARKE, O.L.S. (NTS) DENOTES NOT TO SCALE |
| ■ DENOTES SURVEY MONUMENT FOUND | (S) DENOTES SET |
| SIB DENOTES STANDARD IRON BAR | (S) DENOTES SET |
| SSIB DENOTES SHORT STANDARD IRON BAR | (M) DENOTES MEASURED |
| IB DENOTES IRON BAR | (WI) DENOTES WITNESS MONUMENT |
| RIB DENOTES ROUND IRON BAR | (S/P) DENOTES SET BY PROPORTION |
| CC DENOTES CUT CROSS | (P) DENOTES PLAN 11R-4733 |
| CP DENOTES CONCRETE PIN | (P1) DENOTES PLAN 11R-4685 |
| FD DENOTES SURVEY MONUMENT FOUND | (P2) DENOTES PLAN 11R-7364 |
| (OU) DENOTES ORIGIN UNKNOWN | (P3) DENOTES REGISTERED PLAN 120 |
| (R-P) DENOTES REGISTERED PLAN 53 | (P4) DENOTES PLAN 11R-8324 |
| (D) DENOTES INSTRUMENT No. E289101 | |
| (D1) DENOTES INSTRUMENT No. SF2414 | |

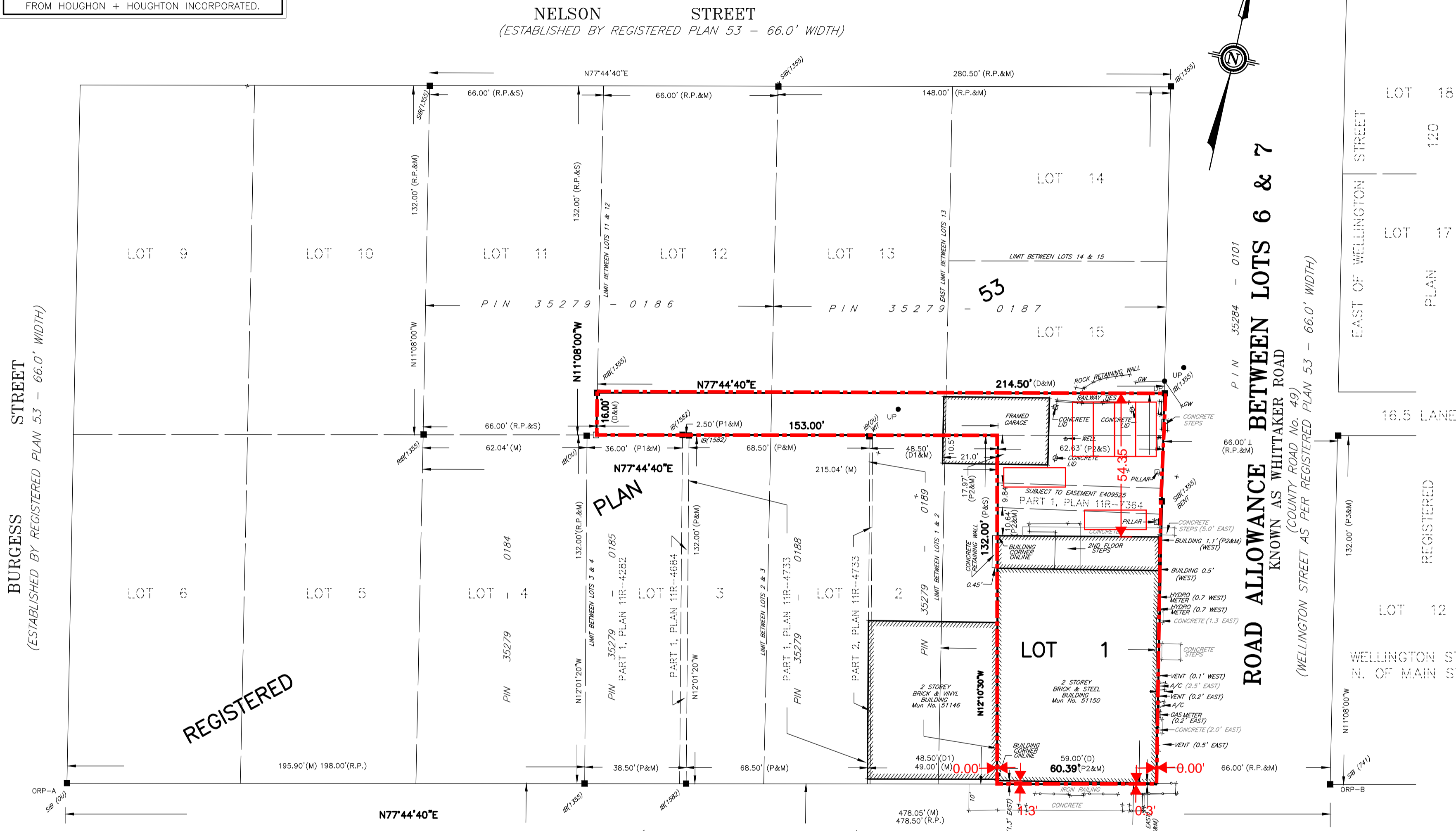
CAD DATE: 21/MAY/2020 11:09AM CAD FILE: C:\USERS\DRIFT\DESKTOP\CSI DRAWINGS\36239-00\36239-00.DWG

HOUGHON + HOUGHTON INCORPORATED

ONTARIO LAND SURVEYORS

15 ST, CATHARINE STREET, ST. THOMAS Ontario, N5P 2V7
 Ph. (519) 631-2212

DRAWN BY	SJP
CHECKED BY	KRB
JOB NO.	36239-00
FILE	L-S. DORCHESTER-53-0
PLAN FILE	2020DAT1



ROAD ALLOWANCE BETWEEN TOWNSHIPS OF SOUTH DORCHESTER & MALAHID

COUNTY ROAD No. 52
 (FORMERLY MAIN STREET)
 (ESTABLISHED BY REGISTERED PLAN 53 - 66.0' WIDTH)
 PIN 35279 - 0183

INTEGRATION DATA

OBSERVED REFERENCE POINTS (ORPs): UTM 17, NAD83 (CSRS) (2010.0)
 COORDINATES ARE TO AN URBAN ACCURACY SEC 14 (2) OF O.REG 216/10

POINT ID	NORTHING	EASTING
ORP-A	N 15557327.000	E 1657175.895
ORP-B	N 15557428.584	E 1657643.004

CAUTION: COORDINATES CANNOT IN THEMSELVES, BE USED TO RE-ESTABLISH CORNER OR BOUNDARIES SHOWN ON THIS PLAN

"IMPERIAL"
 Distances & Coordinates shown on this plan are in Feet and can be converted to Metres by multiplying by 0.3048

**THE CORPORATION OF THE
TOWNSHIP OF MALAHIDE
BY-LAW NO. 24-40**

Being a By-law to amend By-law No. 18-22

Diana & Martin Langlois
51150 Ron McNeil Line

WHEREAS the Council of The Corporation of the Township of Malahide deems it necessary to pass a By-law to amend By-law No. 18-22, as amended;

AND WHEREAS authority is granted under Section 34 of the Planning Act, as amended, to pass a By-law;

AND WHEREAS this By-law conforms with the Official Plan of the Township of Malahide, as amended;

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

1. **THAT** the area shown in bold on the attached map, Schedule “A”, and described as Reference Plan 53, Part Lots 1, 12, 13 & 15 (South Dorchester), in the Township of Malahide, shall be removed from the “General Commercial (GC) Zone” of By-law No. 18-22 and placed within the “General Commercial – Site Specific (GC-6) Zone” of By-law No. 18-22 as set forth in this By-law. The zoning of this land shall be shown as “GC-6” on Key Map D1 of Schedule “D” to By-law No. 18-22, as amended.
2. **THAT** By-law No. 18-22, as amended, is hereby further amended by amending Section 7.4 GENERAL COMMERCIAL (GC) ZONE – ‘SITE-SPECIFIC’ ZONES, by adding the following new subsection.

“7.4.6 a) Defined Area

GC-6 as shown on Schedule ‘A’, Map No. D1.

b) Permitted Uses

2 existing residential dwelling units on the main floor to the rear of the existing commercial units
all other permitted uses.

c) Minimum Parking Spaces

Dwelling Units	0.8 spaces per unit
Retail store	0 spaces

3. **THAT** this By-law shall come into force:

- a) Where no notice of objection has been filed with the Township's Clerk within the time prescribed by the Planning Act and regulations pursuant thereto, upon the expiration of the prescribed time; or,
- b) Where notice of objection has been filed with the Township's Clerk within the time prescribed by the Planning Act and regulations pursuant thereto, upon the approval of the Ontario Land Tribunal.


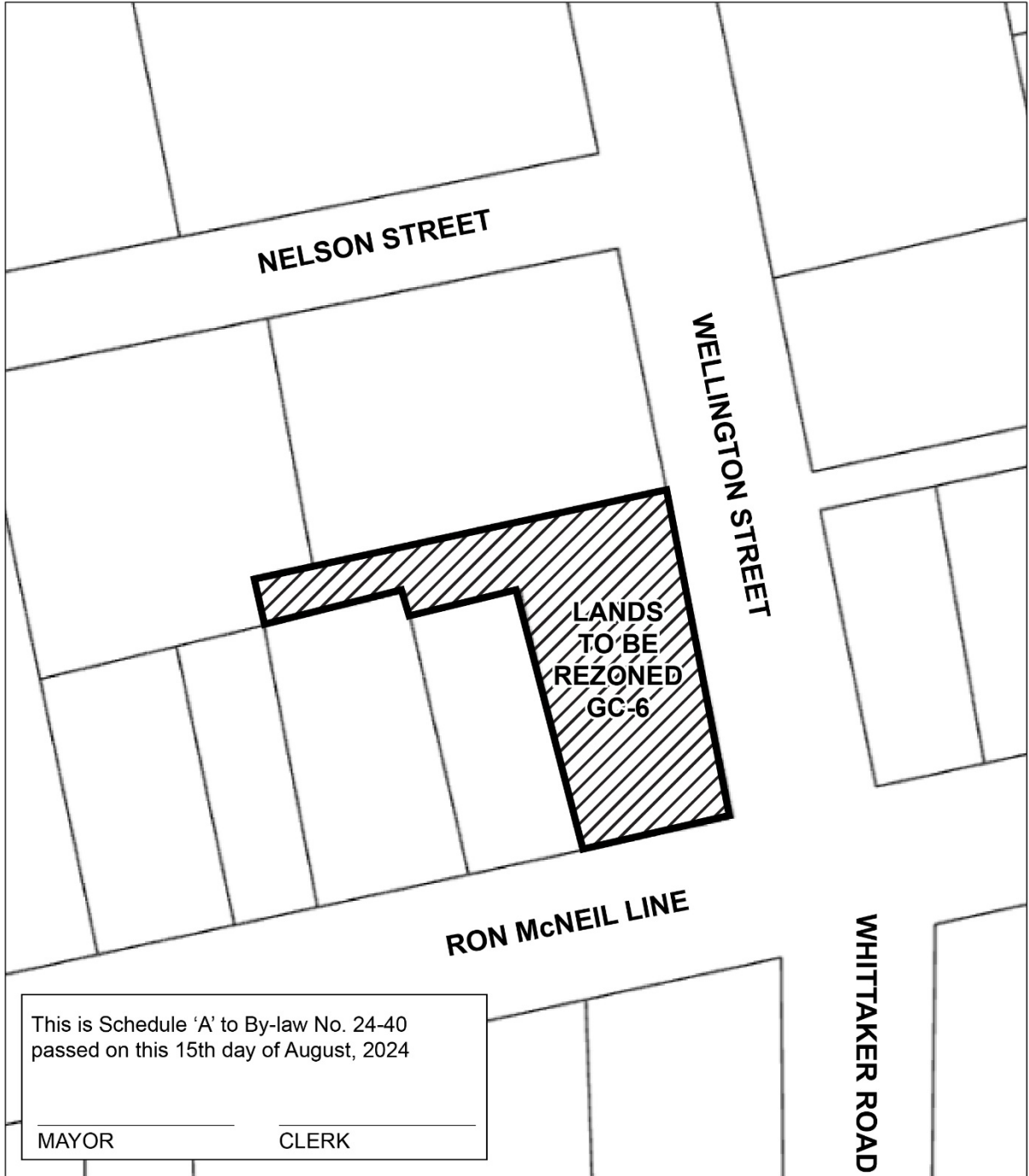
READ a **FIRST** and **SECOND** time this 15th day of August, 2024.

READ a **THIRD** time and **FINALLY PASSED** this 15th day of August, 2024.

Mayor – D. Giguère

Clerk – A. Adams

SCHEDULE A



TOWNSHIP of MALAHIDE
A proud tradition, a bright future.

Township of Malahide
Comprehensive Zoning-Bylaw No.18-22

SCHEDULE 'D'
Map No. D1
SPRINGFIELD

0 5 10 20 Metres

From: Tara Ostrosser

Sent: Monday, August 12, 2024 9:04 AM

Subject: Re: Notice of Public Meeting – Proposed Zoning By-Law Amendment

The following are my written concerns;

1. Specific to the Proposed Zoning By-Law Amendment, File No. D14-Z15-22, the amendment is requesting to have reduction of site-specific parking from 1.0 to 0.8 spaces per dwelling unit. I would like to understand how the reduction of parking spaces to less than 1.0 car per unit be able to support the number of residents in the units?
2. Pertaining to the removal of minimum number of parking spaces for commercial units (can you confirm this will be along Ron Mc Neil?) with the transition from commercial to residential what is Malahide and the County's plan to address "no Overnight Parking" on all County and Township roads and streets annually, in Malahide, during November 15-March 15th?

Should the amendment be passed it is my belief that permanent parking will contribute to an already unsafe intersection, at Ron Mc Neil and Whittaker. The issue I would like to present to council is with respect to visual impairments & difficulty of pedestrian road crossing, across two lanes of road, specifically Southbound across Ron Mc Neil from the NW corner of the intersection and secondly across Whittaker toward the Post Office from the NW corner of the intersection. As a rural community, Springfield is no stranger to larger vehicle traffic consisting of tractor trailers, farm vehicles, construction vehicles etc. By nature, residential vehicles are also quite commonly of larger size ie. Trucks, large vans, SUV's etc. (ie. we do not see many FIATs around parked town). As a 5'10", adult, depending on the vehicle parked along the street, I have difficulty seeing if there is on-coming traffic, without stepping into the road to see around parked cars, let alone a child half my size or an individual with mobility restrictions. I'd like to illustrate a personal scenario; my children are eager to go bike riding and yet I am ducking my head out around parked cars hoping someone won't pull out from roadside parking (ie. Post Office, commercial or residential) and that there will be a break in traffic long enough that I can have my twins go as fast as their 3-year old legs will carry them, across the street, while learning to bike & trying to teach them road safety, while sprinting between cars. This scenario can apply both to cross Ron Mc Neil North to South, from the NW corner, or to cross Whittaker West to East from the NW corner. This is not a unique safety concern for my family alone but a community safety issue for all pedestrians regardless of age (an increased hazard for young, old, and mobility impaired). I support community development and added housing for individuals. However, I hope each transformation/amendment includes management of change of existing road safety infrastructure and considers future scope. I would like to see a crosswalk constructed at this intersection or at minimum a courtesy crossing similar to that in Aylmer along Talbot street) ie. at Talbot Street East and King Street).

I've been advised requests for road improvement should be directed to Elgin County staff. I will follow up and inquire about any proposed plans for improvements. However, I would like to request support for a Road safety Audit for the area as I've been told Road Safety audits completed thus far in Malahide have been focused on the rural areas of the Township and specifically excluded the urban areas.

Tara Monti



REPORT NO. DS-24-37

TO: Mayor & Members of Council
DEPARTMENT: Development Services
MEETING DATE: August 15, 2024
SUBJECT: **Zoning By-law Application D14-Z09-24 – General Housekeeping Amendment**

RECOMMENDATION:

THAT Report No. DS-24-23 entitled “Zoning By-law Application D14-Z09-24 – General Housekeeping Amendment” relating to lands within the Township of Malahide be received;

AND THAT Council hold a public meeting to obtain comments from members of the public;

AND THAT the staff be directed to bring forward a final By-law for consideration by Council at a subsequent meeting.

PURPOSE & BACKGROUND:

During the previous Official Plan Review of the Township’s Official Plan, the Township received a number of comments expressing interest in housing options within the agricultural areas of the Township. As part of that process, Township Council adopted Official Plan Amendment 20, which included policies that permit secondary dwelling units in the “Agriculture” designation.

The Township Zoning By-law currently only permits second dwelling units in residentially zoned properties within the Township’s settlement areas. The purpose of this housekeeping amendment is to implement the policies of the Township Official Plan and add provisions to the Zoning By-law that would also permit and regulate second dwelling units within the “General Agricultural (A1)”, “Large Lot Agricultural (A3)”, “Small Lot Agricultural (A4)” and “Rural Residential (RR)” zones.

Additionally, in January 2024, the Township received a request from St. Thomas-Elgin Childcare Services to amend the Township or Malahide’s Zoning By-law 18-22 to increase accessibility and supply of childcare spaces. Specifically, that request seeks Council’s consideration of an amendment to amend the Zoning By-law to permit home childcare for up to six children, whereas the By-law currently permits up to five children.

The Application relates to the whole of the Township of Malahide.

Notice of the Application has been circulated as prescribed and regulated by the Planning Act, RSO 1990, and the Malahide Official Plan, including posting notice in two recent issues of the Aylmer Express.

COMMENTS & ANALYSIS:

Secondary Dwelling Units

The Provincial Policy Statement permits a range of agricultural uses in prime agricultural areas, which under the PPS also accessory uses such as accommodations, including farm labour. The County Official Plan does not currently contain specific criteria for secondary dwelling units. However, it is noted that the new County Official Plan adopted by County Council does include policies, including that secondary dwelling units are not a second principal dwelling but are accessory to a principal dwelling, and are subject to local policies and regulations related to size, servicing, and access. The adopted County Official Plan does not permit the severance of these units from the principal dwelling on the farm parcel. While the County Official Plan is not yet in force and effect, the policies proposed by staff in this amendment would meet these criteria.

Section 2.1.12 of the Township of Malahide Official Plan permits second dwelling units within lands in the Agricultural designation within an existing single detached dwelling or in an accessory building located on the same lot. Additionally, the Official Plan sets out the following criteria for second dwelling units:

- a) *be situated within or in close proximity to the clustering of existing farm buildings and structures and/or the main dwelling on the lot as the case may be;*

Staff have completed a jurisdictional scan of policies within other municipalities, as well as an aerial mapping exercise of farm building clusters on agricultural properties in the Township to determine an appropriate maximum setback requirement that would apply to second dwelling units. Staff are proposing policies within the draft By-law that would require second dwelling units located in an accessory building to be located a maximum distance of 30 metres away from the principal dwelling. This would minimize the amount of land that is potentially removed from production to accommodate a new accessory dwelling unit.

- b) *be of a size and design to render it clearly accessory and secondary to the main dwelling. A maximum of one dwelling unit shall be permitted and a maximum floor area shall be stipulated in the Zoning By-law;*

Staff have completed an in-depth review of zoning policies with area municipalities relating to second dwelling units in agricultural areas, as well as the Township's Official Plan criteria, to prepare a maximum floor area requirement that would be appropriate for the agricultural areas within the Township. The maximum floor area provisions currently

in place in other municipalities range widely and staff are proposing a provision that is similar with municipalities that permit larger floor areas to provide a greater range and flexibility of housing options.

Staff are proposing that the maximum floor area of a secondary dwelling unit in an accessory structure that is a maximum of 60% of the floor area of the principal dwelling, up to a cap of a maximum of 125 m². Secondary dwelling units located within an existing dwelling would be permitted up to the size of 40% of the principal dwelling's floor area up to a maximum of 75 m².

Statistics Canada reports that the median above-grade living area of a single detached dwelling in 2019 is 1,520 ft² and the median size of apartment and condo units for the greater Toronto area in 2020 was 822 ft². Considering this information and that units are likely to be smaller in larger urban areas, the proposed maximum floor area requirements have been prepared to provide greater flexibility in unit size. Table 1 and Table 2 below illustrate the maximum size of a secondary dwelling unit based on the current floor area of an existing dwelling:

Table 1. Potential Size of a Secondary Dwelling Unit in an Accessory Building

Principal Dwelling Floor Area		Secondary Dwelling Unit Max. Floor Area	
m2	ft2	m2	ft2
250	2700	125	1350
183	1969	110	1184
167	1794	100	1076
150	1615	90	969
133	1435	80	861
117	1256	70	753

Table 2. Potential Size of a Secondary Dwelling Unit within Principal Dwelling

Principal Dwelling Floor Area		Secondary Dwelling Unit Max. Floor Area	
m2	ft2	m2	ft2
187.5	2018	75	807
175	1883	70	753
162.5	1749	65	699

The maximum floor area provisions proposed within the provided draft By-law would provide opportunity for additional housing options within the agricultural areas of the Township, while also ensuring that these units are clearly accessory to the principal dwelling and consistent with the rural character of the Township.

- c) be serviced by the existing on-site water supply and existing sanitary waste disposal system serving the main dwelling;*

Similar zoning provisions are proposed to be carried forward into the proposed By-law Amendment.

- d) be subject to the Minimum Distance Separation (MDS I) requirements such that the second dwelling unit shall not further contravene a noncomplying MDS I setback that already exists in the case of the main dwelling;

Requirements that a new second dwelling unit shall comply with MDS requirements has been carried forward into the proposed amendment. MDS I setbacks would be examined during the building permit process.

- e) A severance of the second dwelling unit from the balance of the lot will not be permitted.

Secondary dwelling units are intended to be accessory uses to a main dwelling and the principal use on a property. Implementing provisions such as a maximum setback between the principal dwelling and a second dwelling unit in an accessory building and the requirement for a second dwelling unit to share private water and septic services with the principal dwelling unit.

The proposed Zoning By-law Amendment is also proposed to contain other general requirements, including requiring a minimum of one parking space be provided for a secondary dwelling unit, that a separate and independent entrance is provided for a proposed unit, and that the proposed unit complies with the Ontario Building Code, and

Day Care Facilities

Currently, the Township's Zoning By-law permits a Day Care Facility within the Institutional Zone and is defined as:

"2.46 DAY CARE FACILITY shall mean a premises that receives more than five persons who are not of common parentage, primarily for the purpose of providing temporary care or guidance, or both temporary care and guidance, for a continuous period not exceeding twenty-four hours. Care may be provided for children, seniors and/or persons with disabilities".

Based on the information provided by St. Thomas-Elgin Social Services as part of the request, the Township's By-law does not include a definition for home childcare as permitted under the [Child Care and Early Years Act, 2014](#) which allows licensed home childcare for up to six children. The intent of the request to amend the Township's Zoning By-law is to include the definition of home childcare that aligns with other provincial legislation and increases the permissions to operate home childcare services as-of-right. This would provide for further opportunities in increasing the supply of home childcare within the Township.

A jurisdictional scan of Zoning By-law requirements in neighbouring communities has identified that there are other local municipalities, including the Municipalities of Bayham, Southwold, and Thames Centre, that have adopted provisions within their Zoning By-laws to define day care centres of having six or more children and home childcare to permit up to six children being cared for through home-based childcare.

FINANCIAL IMPLICATIONS:

N/A.

LINK TO STRATEGIC & OPERATIONAL PLANS:

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

CONSULTATION:

Notice of Public Meeting was given to obtain initial comments from members of the public. As of the date of writing this report, the following has been received:

- Comments were received from a home daycare provider expressing support for the proposed amendment to the definition of “daycare facility” to increase the number of children that can be cared for through home childcare services.

ATTACHMENTS:

1. Draft By-law.
2. Public Comments

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

**THE CORPORATION OF THE
TOWNSHIP OF MALAHIDE
BY-LAW NO. 24-41**

Being a By-law to amend By-law No. 18-22

General Amendment – Housekeeping By-law

WHEREAS the Council of The Corporation of the Township of Malahide deems it necessary to pass a By-law to amend By-law No. 18-22, as amended;

AND WHEREAS authority is granted under Section 34 of the Planning Act, as amended, to pass a By-law;

AND WHEREAS this By-law conforms with the Official Plan of the Township of Malahide, as amended;

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

1. **THAT** By-law No. 18-22, as amended, is hereby further amended by amending Section 2.0 by amending the existing definition as follows:

2.108 LICENSED HOME CHILD CARE shall mean a premises that receives more than **six** persons who are not of common parentage, primarily for the purpose of providing temporary care or guidance, or both temporary care and guidance, for a continuous period not exceeding twenty-four hours. Care may be provided for children, seniors and/or persons with disabilities.

2. **THAT** By-law No. 18-22, as amended, is hereby further amended by amending Section 4.0 by adding the following: “4.30 SECONDARY DWELLING UNITS –SETTLEMENT AREAS”
3. **THAT** By-law No. 18-22, as amended, is hereby further amended by amending Section 4.0 by adding the following new subsection and renumbering all subsequent subsections:

“4.31 SECONDARY DWELLING UNITS – AGRICULTURAL ZONES

Where in this By-law a single unit dwelling or a semi-detached dwelling is listed as a permitted use outside of a settlement area, a secondary dwelling unit shall also be permitted either within that dwelling or within a building accessory to the said dwelling subject to the following:

- a) Where the secondary dwelling unit is located within a single unit dwelling:
 - i. a maximum of one secondary dwelling unit shall be permitted. If a garden suite, supplementary farm housing, or seasonal farm dwelling already exists on a lot, a secondary dwelling unit is not permitted;
 - ii. an independent entrance to the second dwelling unit from outside the dwelling shall be provided;
 - iii. the floor area of the secondary dwelling unit shall not exceed 40% of the floor area of

- the single detached dwelling to a maximum of 75m².
- iv. a minimum of one parking space dedicated to the secondary dwelling unit shall be provided in addition to any other required parking;

b) Where the secondary dwelling unit is located within an accessory building:

- i. a maximum of one secondary dwelling unit shall be permitted. If a garden suite, supplementary farm housing, or seasonal farm dwelling already exists on a lot, a second dwelling unit is not permitted;
- ii. the requirements herein with respect to an accessory building shall be complied with;
- iii. the floor area of the secondary dwelling unit shall not exceed 60% of the floor area of the main dwelling to a maximum of 125 m².
- iv. the secondary dwelling unit shall be serviced by the existing on-site water supply and existing sanitary waste disposal system serving the main dwelling;
- v. the maximum setback between a secondary dwelling unit in an accessory building and the main dwelling located on the same lot shall be 30 metres;
- vi. be subject to the Minimum Distance Separation (MDS I) requirements such that the secondary dwelling unit shall not further contravene a noncomplying MDS I setback that already exists in the case of the main dwelling.
- vii. a minimum of one parking space dedicated to the secondary dwelling unit shall be provided in addition to any other required parking;

4. **THAT** By-law No. 18-22, as amended, is hereby further amended by amending Section 5.1 of the Agricultural Zones by deleting the table in 5.1.1 and replacing it with the following:

		A	B	C	D
	USES, BUILDINGS & STRUCTURES	A1	A2	A3	A4
1	agricultural use	✓	✓	✓	
2	agri-tourism use	✓	✓	✓	
3	animal kennel	✓*		✓*	✓*
4	bed & breakfast establishment	✓		✓	✓
5	commercial greenhouse	✓	✓	✓	
6	estate winery	✓		✓	
7	farm produce outlet	✓	✓	✓	
8	farm winery	✓		✓	
9	forestry use	✓	✓	✓	✓
10	group home	✓		✓	✓
11	halfway house	✓		✓	✓
12	home occupation	✓		✓	✓
13	market garden	✓	✓	✓	
14	mushroom farm	✓	✓	✓	
15	plant nursery	✓	✓	✓	
16	restricted agricultural use				✓
17	riding school	✓	✓	✓	
18	sawmill	✓	✓	✓	
19	seasonal farm dwelling	✓		✓	
20	second dwelling unit	✓		✓	✓
21	secondary farm occupation	✓		✓	
22	single unit dwelling	✓		✓	✓
23	wildlife preserve	✓	✓	✓	

24	supplementary farm housing	✓		✓	
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1. **THAT** By-law No. 18-22, as amended, is hereby further amended by amending Section 6.1 of the Residential Zones by deleting the table in 6.1.1 and replacing it with the following:

		A	B	C	D	E
	USES, BUILDINGS & STRUCTURES	VR1	VR2	HR	RR	MH
1	apartment dwelling	✓				
2	bed & breakfast establishment	✓	✓	✓	✓	
3	boarding house or rooming house	✓	✓	✓		
4	community garden as an accessory use	✓	✓	✓		
5	converted dwelling	✓	✓	✓		
6	double duplex dwelling	✓				
7	duplex dwelling	✓	✓	✓		
8	group home	✓	✓	✓		
9	home occupation	✓	✓	✓	✓	
10	mobile home		✓			✓
11	multiple unit dwelling	✓	✓			
12	retirement home	✓	✓	✓		
13	second dwelling unit	✓	✓	✓	✓	
14	semi-detached dwelling	✓	✓	✓		
15	single unit dwelling	✓	✓	✓	✓	
16	townhouse dwelling	✓	✓			
17	triplex dwelling	✓	✓			
18	two-unit dwelling	✓	✓	✓		

2. **THAT** this By-law shall come into force:

- a) Where no notice of objection has been filed with the Township's Clerk within the time prescribed by the Planning Act and regulations pursuant thereto, upon the expiration of the prescribed time; or,
- b) Where notice of objection has been filed with the Township's Clerk within the time prescribed by the Planning Act and regulations pursuant thereto, upon the approval of the Ontario Land Tribunal.

READ a **FIRST** and **SECOND** time this 15th day of August, 2024.

READ a **THIRD** time and **FINALLY PASSED** this 15th day of August, 2024.

Mayor – D. Guigere

Clerk – A. Adams

DRAFT

-----Original Message-----

From: Tammy-lyn Green

Sent: Monday, August 12, 2024 11:28 AM

Subject: Revise purposely of "daycare facility"

Good morning. I am submitting a letter in Full Support of increasing the minimum number of persons cared for from 5-6. I currently run an Unlicensed Homebased Childcare Center. Currently I have 9 families on my waitlist and unfortunately I am unable to help any of them at this time as I have 5 full time children in care. There is definitely the need for more spaces everywhere. Unfortunately the shortage of RECEs is not helping the situation. With shortage of spaces and staffing parents are finding it difficult to find good childcare for their children as well as sacrificing their employment. If increasing each home child care by 1 space is an option, we are already helping the families in need. As well with the increase of cost of living (food, craft supplies, equipment, etc) a child ratio increase would help the owner of Home Childcare with expenses. I cannot express how important this purposely could be for the surrounding communities.

Thank you

Tammy-Lyn Green



REPORT NO. DS-24-38

TO: Mayor & Members of Council
DEPARTMENT: Development Services
MEETING DATE: August 15, 2024
SUBJECT: **Zoning By-Law Amendment Application of 584012 Ontario Limited c/o Bert Brouwer (Authorized Agent: MLS Planning c/o Mark Stone) relating to the properties located at Concession 5, Part of Lot 31,32 & 33 (52773 Chalet Line)**

RECOMMENDATION:

THAT Report No. DS-24-38 entitled “Zoning By-Law Amendment Application of 584012 Ontario Limited c/o Bert Brouwer” relating to the property located at Concession 5, Part of Lot 31,32 & 33 (52773 Chalet Line) be received;

AND THAT Zoning By-law Amendment Application No. D14-Z08-24 of 584012 Ontario Limited c/o Bert Brouwer relating to the property located at Concession 5, Part of Lot 31,32 & 33 (52773 Chalet Line), Township of Malahide BE DENIED for the reasons set out in this Report.

PURPOSE & BACKGROUND:

The subject Zoning By-law Amendment Application (the “Application”) has been submitted by MLS Planning Consultants, on behalf of 584012 Ontario Limited (c/o Bert Brouwer) to fulfill a condition of Consent Application E76-23, which received conditional approval from the County Land Division Committee. The Zoning By-law Amendment would rezone the proposed retained parcel from “Large Lot Agricultural (A3)” to the “General Agricultural – Site Specific (A1-24)” zone to permit a reduced lot area of 7.4 hectares, whereas the By-law requires a minimum lot area of 20 hectares.

The Application relates to the property located at Concession 5, Part of Lot 31,32 & 33, Township of Malahide, and known municipally as 52773 Chalet Line.

Notice of the Application has been circulated to agencies and registered property owners as prescribed and regulated by the Planning Act, RSO 1990, and the Malahide Official Plan, including posting notice in two recent issues of the Aylmer Express.

COMMENTS & ANALYSIS:

The subject property is approximately 43.3 hectares (107 acres) in area, has approximately 336 metres of frontage along Chalet Line, and contains an existing single detached dwelling and accessory workshop, storage buildings and shed. The subject property is surrounded by agricultural lands in all directions, with Chalet Line bounding the parcel to the north. The property is bound on the eastern edge by woodlands containing a tributary to the South Creek, creating an irregular shape for the parcel.

The applicant had previously submitted Consent Application E76-23 to permit a lot addition to sever approximately 35.9 hectares (89 acres) of land and convey it to the adjacent farm parcel to the south. These lands are currently “Large Lot Agricultural (A3)” and would continue to remain in the A3 zone when merged on title with the adjacent farm parcel.

The retained parcel would have an area of approximately 7.4 hectares (18 acres) and a frontage of approximately 336 metres along Chalet Line. Based on the information provided by the applicant, the retained parcel would continue to contain the existing single detached dwelling and accessory building and are proposed to be used for a 4-acre tree farm. The applicant proposes to rezone the severed parcel from “Large Lot Agricultural (A3)” to the “General Agricultural – Site Specific (A1-24)” zone to permit a reduced lot area of 7.4 hectares, whereas the By-law requires a minimum lot area of 20 hectares.

Planning staff had recommended that the previous consent application not be supported on the basis that the proposed conveyance was too great to be considered minor and would result in a significantly undersized agricultural parcel thereby fragmenting the agricultural resources of the Township and resulting in an agricultural parcel that would not be as viable or permit sufficient long-term flexibility for changes to farming. Consent application E76-23 was supported by Township Council and was conditionally approved by the County Land Division Committee.

While staff did not recommended approval of the previous severance application, should Township Council decide to continue supporting the proposal and approve the application, staff have attached a draft By-law with this report to permit the proposed change in zoning.

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
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CONSULTATION:

Notice of Public Meeting was given in accordance with Planning Act regulations. As of the date of writing this report, the following has been received:

- No comments have been received from members of the public or agencies.

ATTACHMENTS:

1. Report Photo;
2. Application sketch; and
3. By-law.

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

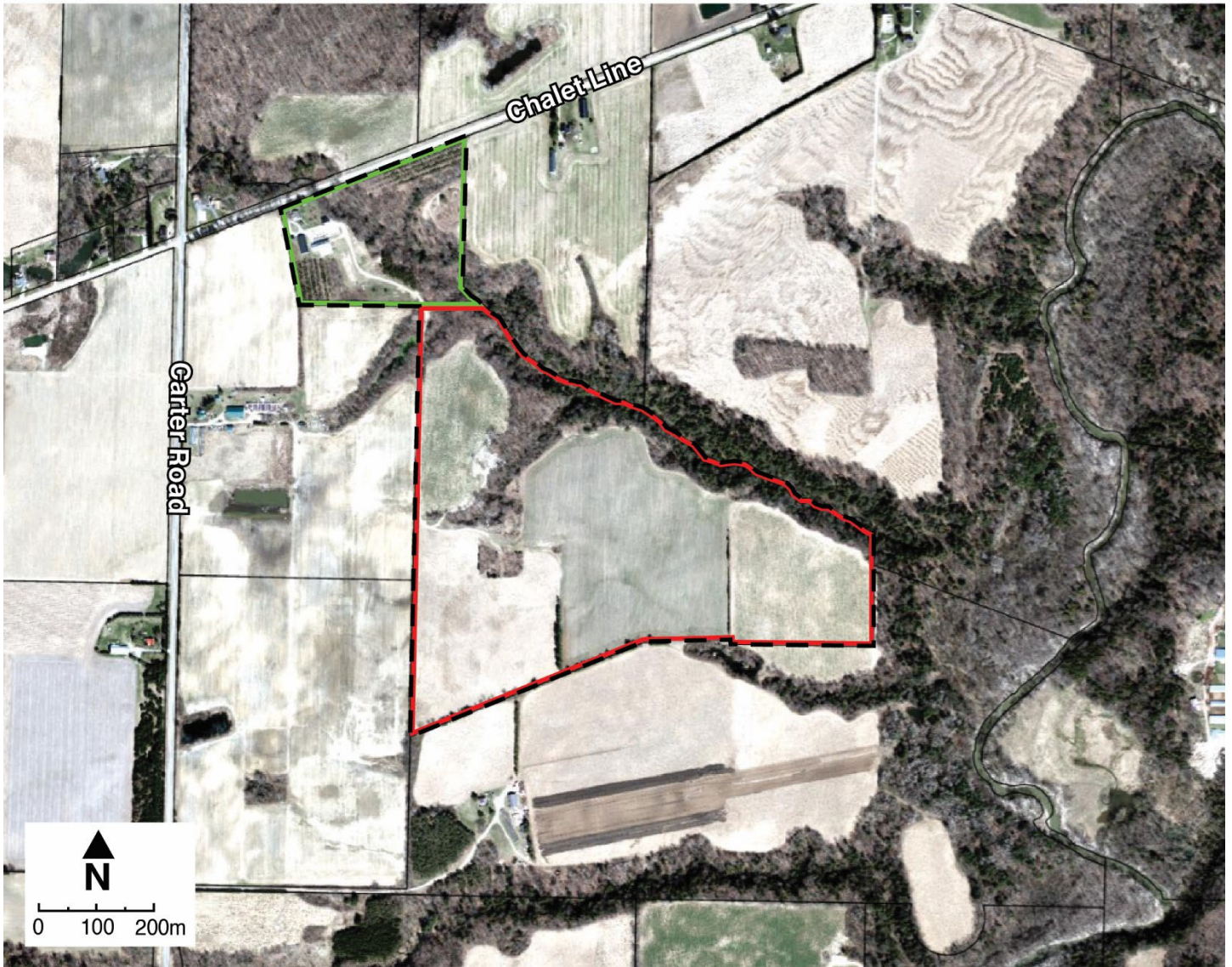
Reviewed by: J. McGuffin, MBPC, VP & Principal Planner

Approved by: N. Dias, Chief Administrative Officer

APPLICATION FOR CONSENT TO SEVER
Owners: Bert Brouwer




52773 Chalet Line
Concession 5, Part of Lot 31,32 & 33,
Township of Malahide

Township
of Malahide
Figure 1

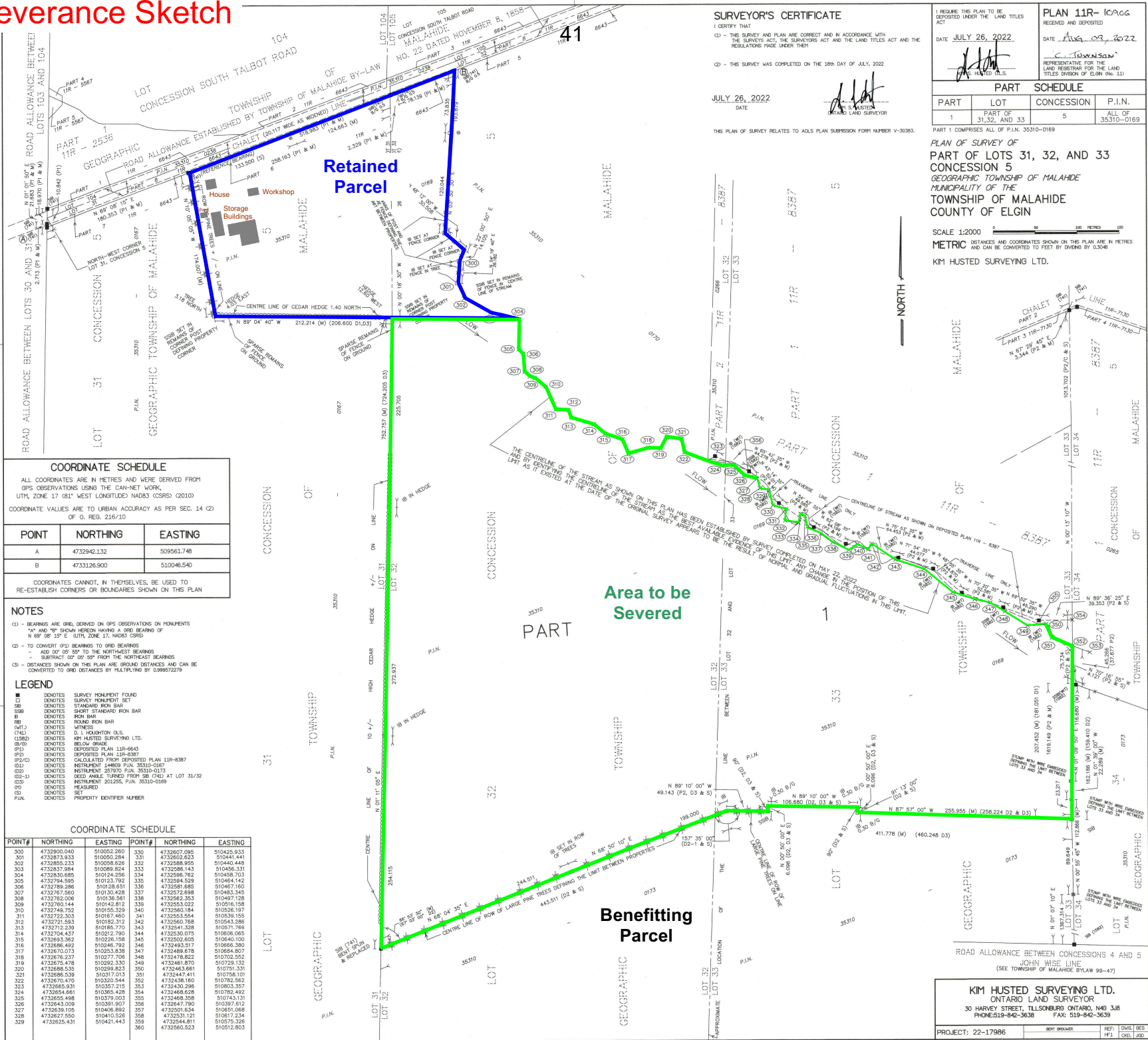


OFFICIAL PLAN DESIGNATION
Agriculture

ZONING
Large Lot Agriculture (A3)

-  Area to be Severed
-  Area to be Retained
-  Subject Property

Severance Sketch



SURVEYOR'S CERTIFICATE
 I CERTIFY THAT:
 (1) - THE SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM;
 (2) - THIS SURVEY WAS COMPLETED ON THE 26TH DAY OF JULY, 2022.
 JULY 26, 2022
 DATE
 (Signature)
 METRO LAND SURVEYOR

PLAN 11R-10A96
 REGISTERED AND DEPOSITED
 DATE: JULY 26, 2022
 DATE: AUG 09, 2022
 (Signature)
 REPRESENTATIVE FOR THE LAND TITLES DIVISION OF ELGIN, ONT. L13
PART SCHEDULE

PART	LOT	CONCESSION	P.I.N.
1	PART OF 31, 32, AND 33	5	ALL OF 35310-0169

PART 1 COMPRISES ALL OF P.I.N. 35310-0169

PLAN OF SURVEY OF PART OF LOTS 31, 32, AND 33 CONCESSION 5 GEOGRAPHIC TOWNSHIP OF MALAHIDE MUNICIPALITY OF THE TOWNSHIP OF MALAHIDE COUNTY OF ELGIN
 SCALE 1:2000
 METRIC DISTANCES AND COORDINATES SHOWN ON THE PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVING BY 3.048
 KIM HUSTED SURVEYING LTD.

COORDINATE SCHEDULE
 ALL COORDINATES ARE IN METRES AND WERE DERIVED FROM GPS OBSERVATIONS USING THE CAN-NET WORK, UTM, ZONE 17 (81° WEST LONGITUDE) NAD83 (CSRS) (2010)
 COORDINATE VALUES ARE TO URBAN ACCURACY AS PER SEC. 14 (2) OF O. REG. 216/10

POINT	NORTHING	EASTING
A	4732942.132	509561.748
B	4733126.900	510046.540

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN

NOTES

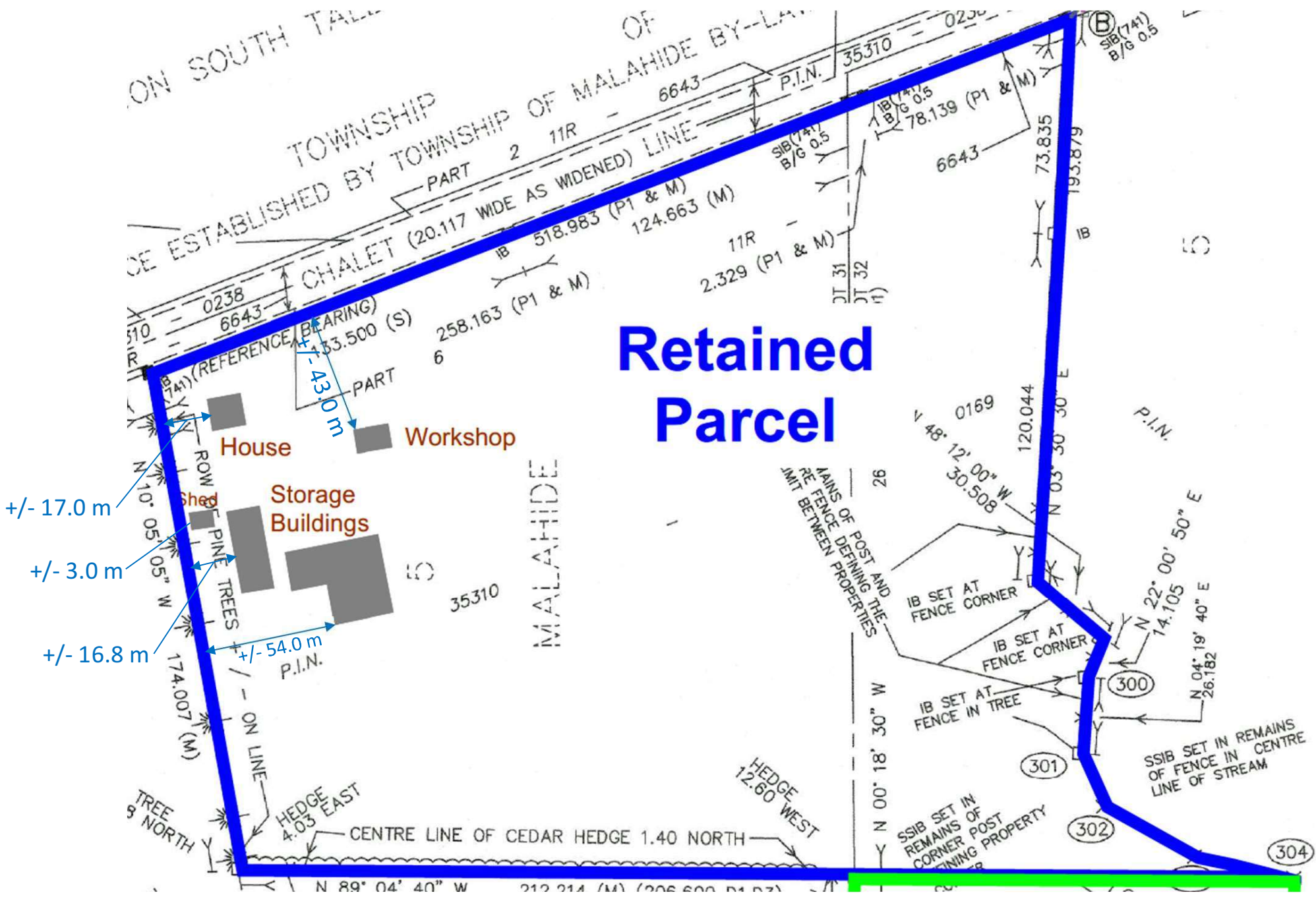
- BEARINGS ARE GRID, DERIVED ON GPS OBSERVATIONS ON POINTS "A" AND "B" SHOWN HEREON HAVING A GRID BEARING OF N 89° 05' 15" E (UTM, ZONE 17, NAD83 CSRS)
- TO CONVERT (P3) BEARINGS TO GRID BEARINGS ADD 02° 05' 50" TO THE NORTHWEST BEARINGS SUBTRACT 02° 05' 50" FROM THE NORTHEAST BEARINGS
- DISTANCES SHOWN ON THE PLAN ARE GROUND DISTANCES AND CAN BE CONVERTED TO GRID DISTANCES BY MULTIPLYING BY 0.99972285

LEGEND

- IRON RODS SURVEY MONUMENT FOUND
- IRON RODS SURVEY MONUMENT SET
- IRON RODS STANDED IRON BAR
- IRON RODS SHORT STANDED IRON BAR
- IRON RODS IRON BAR
- IRON RODS ROUND IRON BAR
- IRON RODS WITNESS
- IRON RODS D. I. HIGHTON DLS.
- IRON RODS KIM HUSTED SURVEYING LTD.
- IRON RODS BELOW GRADE
- IRON RODS DEPOSITED PLAN 11R-8387
- IRON RODS CALCULATED FROM DEPOSITED PLAN 11R-8387
- IRON RODS INSTRUMENT 44809 P.I.N. 35310-0167
- IRON RODS INSTRUMENT 25790 P.I.N. 35310-0173
- IRON RODS BENCH MARK TURNED FROM SB (74) AT LOT 31/32
- IRON RODS INSTRUMENT 20285, P.I.N. 35310-0289
- IRON RODS BENCH MARK
- IRON RODS SET
- IRON RODS PROPERTY NUMBER

COORDINATE SCHEDULE

POINT#	NORTHING	EASTING	POINT#	NORTHING	EASTING
300	4732900.040	510052.260	330	4732907.095	510425.933
301	4732878.933	510050.284	331	4732802.623	510441.441
302	4732855.233	510048.626	332	4732858.955	510440.448
303	4732837.984	510089.824	333	4732986.143	510456.331
304	4732930.695	510124.296	334	4732962.112	510468.703
305	4732794.595	510123.792	335	4732994.529	510464.142
306	4732788.286	510128.031	336	4732968.685	510471.603
307	4732767.560	510130.428	337	4732972.698	510483.345
308	4732762.006	510136.561	338	4732966.353	510497.138
309	4732760.144	510142.359	339	4732953.022	510518.159
310	4732749.752	510155.329	340	4732960.184	510526.197
311	4732722.303	510167.460	341	4732955.554	510535.155
312	4732721.593	510182.312	342	4732960.768	510543.286
313	4732710.239	510168.730	343	4732951.328	510571.766
314	4732704.437	510212.790	344	4732930.075	510626.065
315	4732693.362	510251.897	345	4732907.605	510684.807
316	4732686.492	510246.792	346	4732493.217	510686.380
317	4732670.077	510253.836	347	4732489.678	510686.807
318	4732676.237	510277.708	348	4732478.822	510702.552
319	4732675.478	510292.330	349	4732461.870	510725.132
320	4732686.535	510294.823	350	4732463.661	510729.331
321	4732686.539	510307.013	351	4732447.411	510728.101
322	4732670.470	510320.544	352	4732438.160	510762.562
323	4732665.931	510357.215	353	4732430.296	510803.357
324	4732654.861	510391.428	354	4732448.628	510793.492
325	4732655.498	510379.003	355	4732468.308	510743.131
326	4732644.009	510391.807	356	4732647.790	510397.812
327	4732639.105	510406.892	357	4732501.634	510651.068
328	4732627.550	510410.526	358	4732531.121	510871.234
329	4732625.431	510414.443	359	4732544.811	510975.326
360	4732560.523	510512.803			



**THE CORPORATION OF THE
TOWNSHIP OF MALAHIDE
BY-LAW NO. 24-42**

Being a By-law to amend By-law No. 18-22

584012 Ontario Limited c/o Bert Brouwer
52773 Chalet Line

WHEREAS the Council of The Corporation of the Township of Malahide deems it necessary to pass a By-law to amend By-law No. 18-22, as amended;

AND WHEREAS authority is granted under Section 34 of the Planning Act, as amended, to pass a By-law;

AND WHEREAS this By-law conforms with the Official Plan of the Township of Malahide, as amended;

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

1. **THAT** the area shown in bold on the attached map, Schedule "A", and described as Concession 5, Part of Lots 31,32 & 33 in the Township of Malahide, shall be removed from the "Large Lot Agricultural (A3) Zone" of By-law No. 18-22 and placed within the "General Agricultural (A1) Zone" of By-law No. 18-22 as set forth in this By-law. The zoning of this land shall be shown as "A1-24" on Key Map 68 of Schedule "A" to By-law No. 18-22, as amended.
2. **THAT** By-law No. 18-22, as amended, is hereby further amended by amending Section 5.4 GENERAL AGRICULTURAL (A1) ZONE – 'SITE-SPECIFIC' ZONES, by adding the following new subsection.

"5.4.24 a) Defined Area

A1-24 as shown on Schedule 'A', Map No. 68.

b) Minimum Lot Area

7.4 hectares

3. **THAT** this By-law shall come into force:
 - a) Where no notice of objection has been filed with the Township's Clerk within the time prescribed by the Planning Act and regulations pursuant thereto, upon the expiration of the prescribed time; or,
 - b) Where notice of objection has been filed with the Township's Clerk within the time prescribed by the Planning Act and regulations pursuant thereto, upon the approval of the Ontario Land Tribunal.

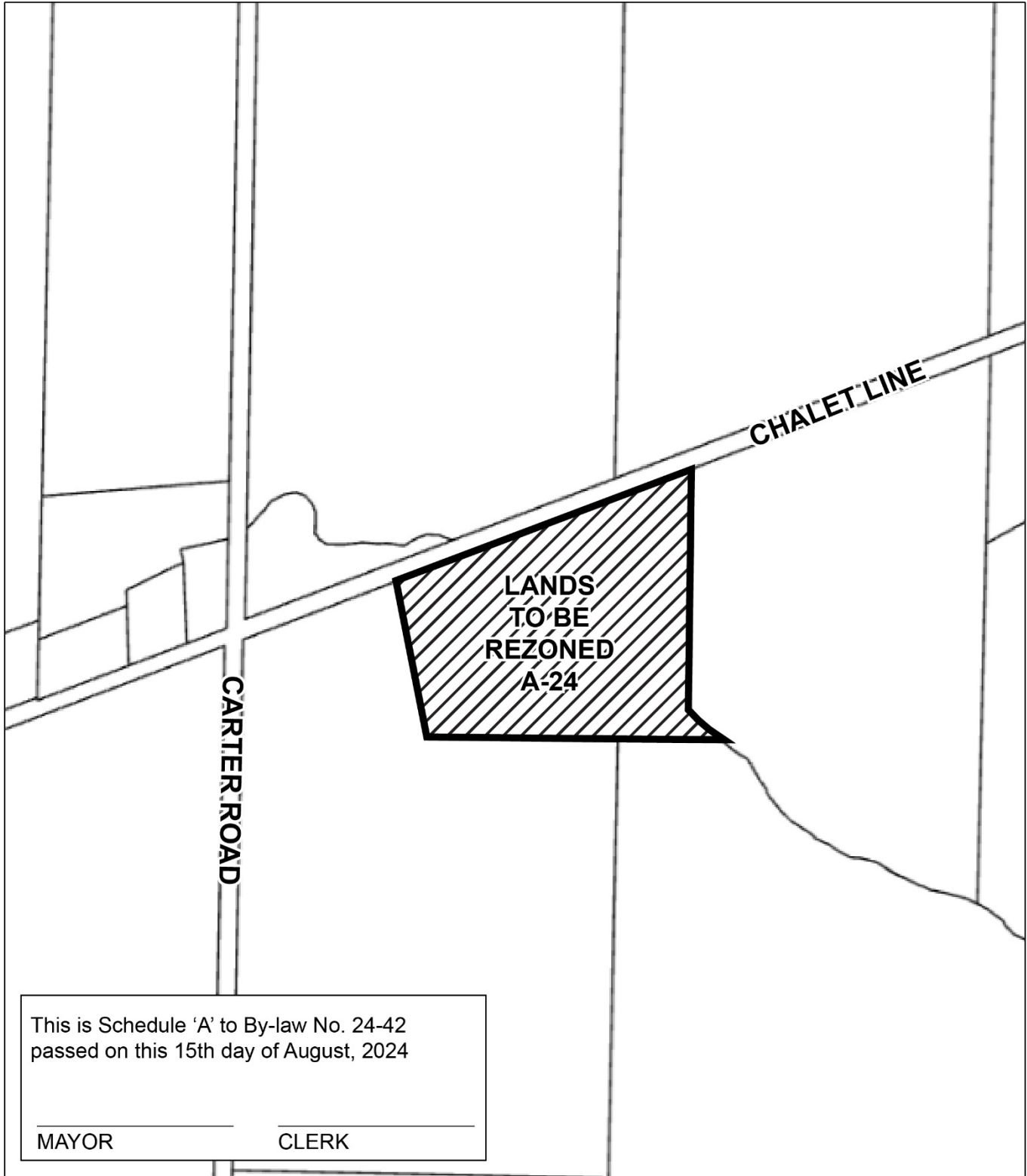
READ a **FIRST** and **SECOND** time this 15th day of August, 2024.

READ a **THIRD** time and **FINALLY PASSED** this 15th day of August, 2024.

Mayor – D. Giguère

Clerk – A. Adams

SCHEDULE A





TOWNSHIP OF MALAHIDE

DRAINAGE BY-LAW NO. 24-38

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 Laidlaw 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 11 to 13
Concession 8
In the Township of Malahide

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

AND WHEREAS the estimated total cost of constructing the drainage works is \$61,000.00.

AND WHEREAS \$61,000.00 is the amount to be contributed by the municipality for construction of the drainage works.

AND WHEREAS \$61,000.00 is being assessed in the Township of Malahide in the County of Elgin.

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 July 4, 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 \$61,000.00 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,
 - i. Grants received under section 85 of the Act;
 - ii. Commuted payments made in respect of lands and roads assessed within the municipality;
 - iii. Moneys paid under subsection 61(3) of the Act; and
 - iv. Moneys assessed in and payable by another municipality,
 - (c) And 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 passing thereof and may be cited as the "Laidlaw Drain".

READ a FIRST and SECOND time this 15th day of August, 2024 .

Mayor

Clerk

READ a THIRD time and **FINALLY PASSED** this 19th day of September, 2024.

Mayor

Clerk



REPORT NO. DS-24-34

TO: Mayor & Members of Council
DEPARTMENT: Development Services
MEETING DATE: August 15, 2024
SUBJECT: **Application for Consent to Sever No. D10-E53/54-24 of James & Barbara Hotke (Authorized Agent: Eugenio DiMeo) relating to a property located at CON 6 N PT LOT 15 CON STR N;PT LOT 88 RP 11R1450 PART 1;& RP 11R6231 PART 1, Township of Malahide (49757 Talbot Line)**

RECOMMENDATION:

THAT Report No. DS-24-33 entitled “Application for Consent to Sever D10-E53/54-24 of James and Barbara Hotke (Authorized Agent: Eugenio DiMeo) be received;

AND THAT the Application for Consent to Sever D10-E53/54-24 of James and Barbara Hotke (Authorized Agent: Eugenio DiMeo) located at CON 6 N PT LOT 15 CON STR N;PT LOT 88 RP 11R1450 PART 1;& RP 11R6231 PART 1, Township of Malahide (49757 Talbot 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 Eugenio DiMeo, on behalf of the owners, to create two new residential lots within the Suburban area east of Aylmer along the south side of Talbot Line.

The application relates to the property located at CON 6 N PT LOT 15 CON STR N;PT LOT 88 RP 11R1450 PART 1;& RP 11R6231 PART 1 and known municipally as 49757 Talbot Line.

The County Land Division Committee has scheduled a Public Hearing for this application to be considered on August 28, 2024.

COMMENTS & ANALYSIS:

The subject lands are approximately 0.92 hectares (2.28 acres) in area, have approximately 161 metres of frontage along the south side of Talbot Line, and currently contain a one storey single detached dwelling and two accessory buildings. A large

portion of the property to the east of the existing dwelling consists of a vacant grassed area. The Candy Drain runs along the western and southern edge of the property.

The applicant is proposing to sever the property to create two new lots for the purpose of future residential development, specifically single detached dwellings. The two new residential lots would have areas of approximately 2,809 m² and 2,767 m², with frontages of approximately 42 metres along Talbot Line. The existing dwelling and accessory buildings will be wholly contained on the retained lot with an area of approximately 3,654 m², and a frontage of approximately 77 metres on Talbot Line.

Provincial Policy Statement (PPS)

The PPS provides direction for sustaining communities through promoting efficient development patterns (s. 1.1.1), further directing growth and development to occur in settlement areas (s. 1.1.3.1) with land use patterns that efficiently use land resources (s. 1.1.3.2). The PPS also supports infill development and providing and providing housing options to meet the needs of the community (s. 1.4.3).

The subject lands are proposed to be serviced by municipal water and private septic systems. The PPS permits partial services within settlement areas to allow for infilling and minor rounding out of development provided that site conditions are suitable (s. 1.6.6.5). The subject lands are an existing rural residential property located within the suburban area and are located between rural residential parcels. The proposed development would be considered an infill severance.

There are no designated natural heritage features on or adjacent to the subject lands (s. 2.1.8).

The proposed severance helps to intensify the residential use of an underutilized property that is in a "Suburban Area" designation which is considered a settlement area in the Malahide Official Plan ("Local OP"). The application is consistent with the PPS.

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 "Provincial Highway" and are in a "Tourism Corridor" on Schedule 'B', "Transportation Plan".

It is recognized in the County Official Plan ("County OP") that certain lands outside of settlement areas have been designated for non-agricultural development by the lower tier Official Plans (s. C2.2). The subject lands are designated as "Suburban Area" which permits a range of uses, including residential lots.

General criteria are given in the County OP for new lots by consent that shall be satisfied before the approval authority issues provisional approval, including (E1.2.3.1): fronting and accessed by a public road; the province permitting access if the direct access is a

provincial highway; has adequate size and frontage as per the Zoning By-law; can be serviced by appropriate water supply and means of sewage disposal; will not negatively affect the drainage of the area; will not negatively affect natural features; will not negatively affect groundwater for the area; will not negatively affect natural hazard processes; and conforms to the local Official Plan. Staff are satisfied that these criteria can be met, subject to the recommended conditions are applied to any approval granted.

The County OP provides direction for development on Provincial Highways, stating that it will be subject to approval by the Ministry of Transportation (“MTO”). The proponent has undergone consultation with the MTO to determine the minimum lot frontages acceptable to the MTO at the location and will be required to obtain the necessary permit approvals from the MTO.

Malahide Official Plan

The subject property is designated “Suburban Area” on Schedule ‘A1’ (Land Use Plan) with the southwestern portion of the subject lands designated as “Hazard Lands” on Schedule ‘A2’ (Constraints Plan).

Policies for the Suburban Area designation fall under the settlement areas section of the Local OP and include that intensification and infill development shall be permitted (s. 4.2.1.2). As a general guide for infilling in Suburban Areas, residential infilling shall be defined as a single family dwelling which will be erected on a vacant lot bounded on both sides by existing nonfarm development, which is not more than approximately 100 metres apart (s. 4.2.2), with additional policy stating consents should only be granted where soil and drainage conditions are suitable, a suitable water supply is obtained and the installation of adequate sanitary sewage treatment systems is permitted. Further, minimum parcel sizes of 1,400 m² are prescribed.

The proposed new residential lots are located on vacant land bounded by non-farm development that is approximately 100 meters apart. Through the conditions placed on the provisional approval of this consent, a soil drainage solution will be required, a water supply will be obtained, and a sewage system will be permitted. The smallest of the newly proposed lots has a lot area of approximately 2,767 m².

No development shall be permitted on Hazard Lands without a permit or written clearance from the Conservation Authority (s. 5.1.2). The proposed development would be required to obtain the necessary approvals from the Catfish Creek Conservation Authority and meet and requirements for new residential buildings.

Malahide Zoning By-law

The subject property is zoned as Rural Residential (RR) on Key Map 54 of Schedule “A” to the Township’s Zoning By-law No. 18-22 (Town ZBL), with a ‘Conservation Authority Regulated Area’ overlay.

Single detached dwellings are a permitted use in the RR Zone, which requires a minimum lot area of 2000 m² and a minimum lot frontage of 30 metres for new lots. Both the severed and retained lots would meet the minimum lot area and frontage requirements of the Zoning By-law. It is noted that any future development will be subject to the minimum setbacks to municipal drains under Section 4.19 of the Zoning By-law.

A portion of the subject lands is located within the Conservation Authority Regulated Area Overlay. As previously noted, the owners will be required to obtain the necessary permits and approvals from the Conservation Authority before development may proceed.

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: James & Barbara Hotke





49757 Talbot Line
CON 6 N PT LOT 15 CON STR N;
PT LOT 88 RP 11R1450 PART 1;& RP 11R6231 PART 1,
Township of Malahide

Township
of Malahide
Figure 1



OFFICIAL PLAN DESIGNATION
Suburban Area

ZONING
Rural Residential (RR)

-   Areas to be Severed
-  Area to be Retained
-  Subject Property

SURVEYOR'S REAL PROPERTY REPORT
 PART 1 PLAN OF
 CONFESSION SOUTH OF TALBOT ROAD
 GEOGRAPHIC TOWNSHIP OF MALAHIDE
 COUNTY OF ELGIN

SCALE - 1: 500
 METRIC DISTANCES SHOWN ON THE PLAN ARE IN METERS AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

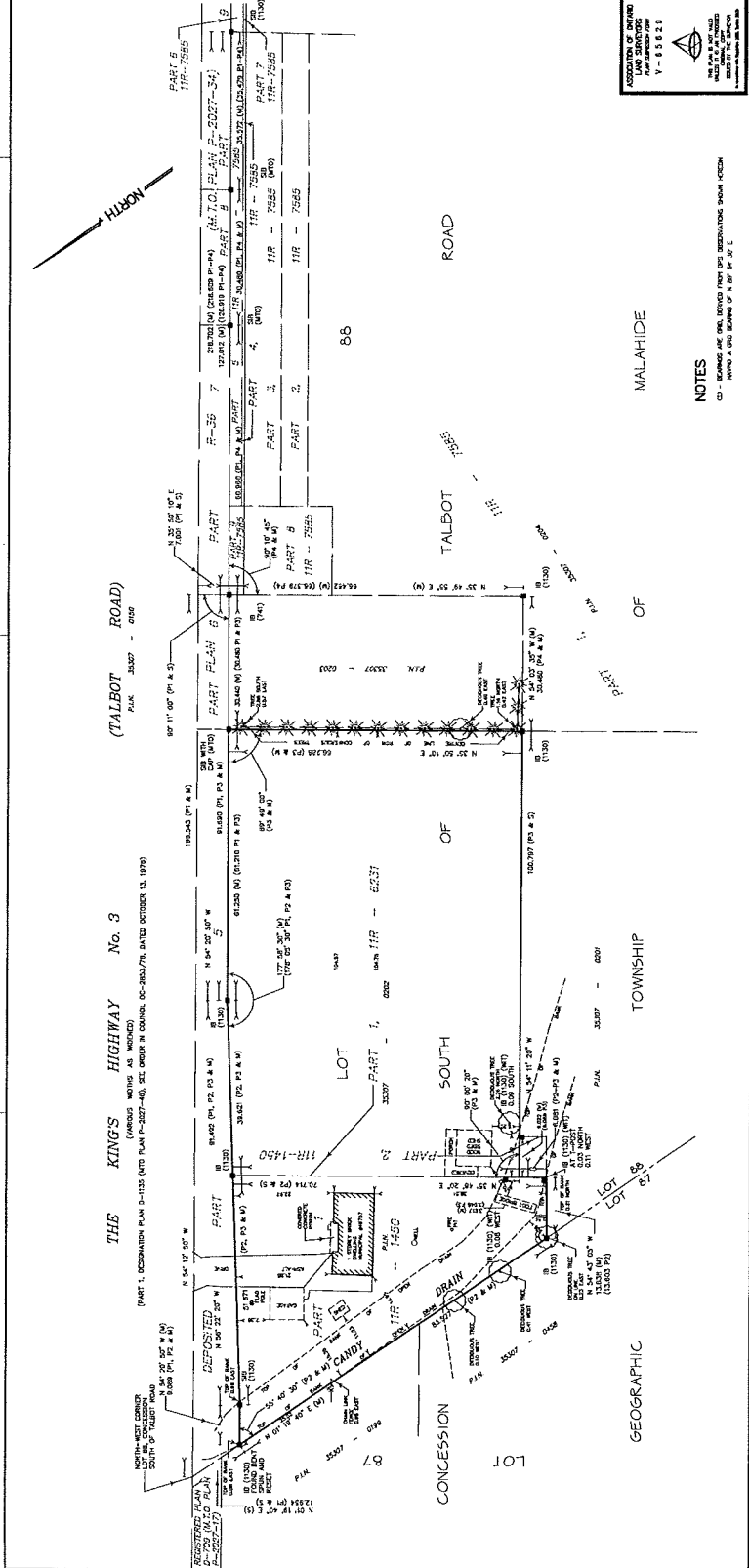
NOT NOTED SURVEYING LTD.

PART 2
 THE SURVEYOR'S REAL PROPERTY REPORT HAS BEEN PREPARED FOR [CLIENT NAME] AND HE HAS ACCEPTED THIS REPORT WITH UNDERSTANDING AND HAS AGREED TO ACCEPT THE SURVEYOR'S CERTIFICATE OF ACCURACY.
 THE SURVEYOR'S REAL PROPERTY REPORT HAS BEEN PREPARED FOR [CLIENT NAME] AND HE HAS ACCEPTED THIS REPORT WITH UNDERSTANDING AND HAS AGREED TO ACCEPT THE SURVEYOR'S CERTIFICATE OF ACCURACY.
 THE SURVEYOR'S REAL PROPERTY REPORT HAS BEEN PREPARED FOR [CLIENT NAME] AND HE HAS ACCEPTED THIS REPORT WITH UNDERSTANDING AND HAS AGREED TO ACCEPT THE SURVEYOR'S CERTIFICATE OF ACCURACY.
 THE SURVEYOR'S REAL PROPERTY REPORT HAS BEEN PREPARED FOR [CLIENT NAME] AND HE HAS ACCEPTED THIS REPORT WITH UNDERSTANDING AND HAS AGREED TO ACCEPT THE SURVEYOR'S CERTIFICATE OF ACCURACY.

SURVEYOR'S CERTIFICATE
 I, [SURVEYOR NAME], SURVEYOR, DO HEREBY CERTIFY THAT THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE SURVEY ACT AND THE REGULATIONS AND THE RESULTS THEREOF ARE CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.
 DATE: [DATE]
 SIGNATURE: [SIGNATURE]



NOT NOTED SURVEYING LTD.
 30 HAVERTY STREET, ALLANBURGH, ONTARIO, CANADA M2H 1C6
 PHONE: 905-662-8638 FAX: 905-662-8639
 PROJECT: 22-29189987



LEGEND

(1)	UNLAWFUL ENCROACHMENT
(2)	ADJACENT PROPERTY
(3)	PROPOSED ENCROACHMENT
(4)	EXISTING ENCROACHMENT
(5)	EXISTING CONCRETE
(6)	EXISTING ASPHALT DRIVE
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NOTES
 01 - EXISTING ARE AWL, EXISTING FRONT OF SUPERVISORS SOUTH SIDE
 02 - EXISTING ARE AWL, EXISTING FRONT OF SUPERVISORS SOUTH SIDE
 03 - EXISTING ARE AWL, EXISTING FRONT OF SUPERVISORS SOUTH SIDE



ASSOCIATION OF ONTARIO LAND SURVEYORS
 V - 5 5 2 3

Site Plan

34080006018601
49757 TALBOT LINE

Legal Description
CON 6 N PT LOT 15 CON STR N
PT LOT 88 RP 11R1450 PART 1 &
RP 11R6231 PART 1

Official Plan - SUBURBAN AREA
Zoning - RR

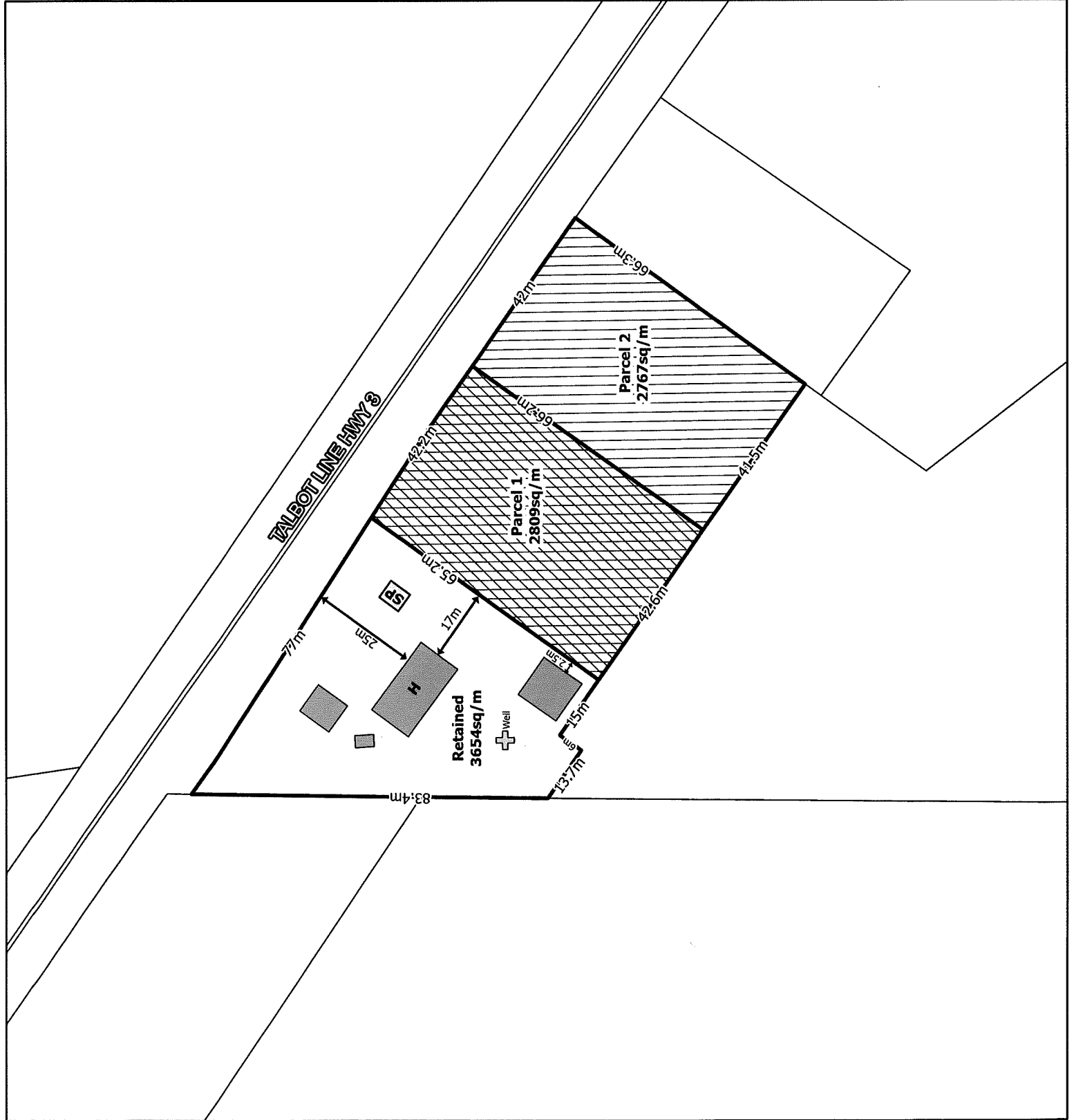
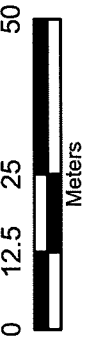
Proposed
Land Severance
Two parcels

- Retained
- Parcel 1
- Parcel 2
- Well
- Septic
- House

54



Projection: NAD 83
UTM Zone 17
Date: May, 2024
This drawing is neither a
legally recorded map
nor a survey and is not
intended to be used as one.



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55



Projection: NAD 83
UTM Zone 17
Date: May, 2024

This drawing is neither a
legally recorded map
nor a survey and is not
intended to be used as one.



E53-24 – Recommended Conditions

1. That the applicant be required to initiate and assume, if required, all costs associated with connection to the Municipal Water Service, with such costs to be paid in full to the township prior to the condition being deemed fulfilled.
2. That the applicant initiates and assume, if required, all engineering costs associated with the preparation of a revised assessment schedule in accordance with the Drainage Act, RSO 1990, 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 and responsible for any additional costs incurred.
3. That the applicant initiate and assume, if required, all engineering and construction costs associated with construction of a new Municipal drain, or, the relocation of Municipal drain. To be commenced in accordance with the Drainage Act, RSO 1990. All costs to be paid in full to the township prior to the condition being deemed fulfilled. If a lot grading plan is required as a condition of severance, it should be done in conjunction with the new Municipal drain or relocation of Municipal Drain.
4. That the applicant be required to retain the services of a professional designer and have an engineered Lot grading development plan and ditch grading plan prepared in accordance with good engineering practices, that are suitable to the Township prior to the condition being deemed fulfilled.
5. 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.
6. Confirmation that the existing 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.
7. The owner has the necessary review and lot assessment conducted to ensure that it is suitable for the installation of a sewage disposal system and payment of necessary fees per lot.
8. 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.
9. That the necessary deeds, transfers and charges for certificates and/or instruments necessary for registration be submitted in triplicate prior to certification all of which are to be fully executed.
10. That all applicable property taxes, municipal fees and charges be paid to the Municipality prior to the stamping of the deeds.

11. That an electronic version of the reference plan be submitted to the satisfaction of the Municipality.

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10. That all applicable property taxes, municipal fees and charges be paid to the Municipality prior to the stamping of the deeds.

11. That an electronic version of the reference plan be submitted to the satisfaction of the Municipality.



REPORT NO. DS-24-36

TO: Mayor & Members of Council

DEPARTMENT: Development Services

MEETING DATE: August 15, 2024

SUBJECT: Development Agreement – 51211 Clinton Street – Kayla & Jason Smith

RECOMMENDATION:

THAT Report No. DS-24-36 entitled “Application for Development Agreement as per Minor Variance of Kayla and Jason Smith” be received;

AND THAT Council pass By-Law 24-43, being a By-law to authorize the execution of a Development Agreement with Kayla and Jason Smith pursuant to Section 45 of the Planning Act, R.S.O. 1990, and Minor Variance Application No. D13-MV-08b-21.

PURPOSE & BACKGROUND:

On December 2, 2021, the Township Committee of Adjustment approved Minor Variance application D13-MV-08b-21 for the lands known municipally as 51211 Clinton Street. The purpose of the application was to permit a reduced setback from an accessory structure to a municipal drain of 3.5 metres, whereas the Zoning By-law requires a minimum setback of 7.5 metres between any building or structure and the centreline of a closed tile drain.

Staff had no concerns with the proposed setback reduction at the time of the application, provided that the owner enter into an agreement that stipulates that any fencing on the eastern boundary of the subject lands that may need to be removed to accommodate future drainage maintenance or installations will be at no cost to the Township. This requirement was attached as a condition of approval to the application by the Committee.

COMMENTS & ANALYSIS:

The owners are seeking to obtain a building permit for the proposed accessory building which requires a Development Agreement to be entered into. Development Services staff have prepared a draft agreement, which is included as an attachment to this report. The agreement requires that the removal, and any subsequent replacement, of any fencing located along the subject lands eastern boundary that is required by the Township of Malahide to accommodate future drainage maintenance or installations will be at the sole expense of the Owners. Public Works staff have reviewed the draft agreement and have no concerns.

FINANCIAL IMPLICATIONS:

- The full cost of the preparation of the Development Agreement is at the expense of the owners and has no implications to the Township's Operating Budget.

LINK TO STRATEGIC & OPERATIONAL PLANS:

- Unlock responsible growth.
- Establish, document, and implement service levels

CONSULTATION:

N/A

ATTACHMENTS:

1. By-law
2. Draft Development Agreement

Prepared by: Eric Steele, MBPC, Planner,

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

Approved by: N. Dias, Chief Administrative Officer

THE CORPORATION OF THE TOWNSHIP OF MALAHIDE

BY-LAW NO. 24-43

Being a By-law to authorize the execution of a Development Agreement, pursuant to Section 45 of the Planning Act, R.S.O. 1990, and Application No. D13-MV-08b-21, with Kayla and Jason Smith relating to the property located at Part of Lot 135, in the Village of Springfield, Township of Malahide.

WHEREAS Subsection 9 of Section 45 of the Planning Act, R.S.O. 1990, c. P.13, authorizes committees of adjustment to grant approvals subject to such terms and conditions as the committee considers advisable and as are set out in the decision;

AND WHEREAS Subsection 9.1 of Section 45 of the Planning Act, R.S.O. 1990, c. P.13, authorizes municipalities to enter into agreements with the owner of the land dealing with some or all of the terms and conditions of such approval by the committee of adjustment;

AND WHEREAS Subsection 9.2 of Section 45 of the Planning Act, R.S.O. 1990, c. P.13, any agreement entered into under subsection 9.1 may be registered against the land to which it applies and the municipality is entitled to enforce the agreement against the owner and, subject to the Registry Act and the Land Titles Act, against any and all subsequent owners of the land;

AND WHEREAS the Committee of Adjustment for the Township of Malahide, on December 2, 2021, approved a Minor Variance as per Application No. D13-MV-08b-21, relating to the property located at 51211 Clinton St, property further described as Part of Block 135 on Plan 120, Part 1 on 11R-8851, Village of Springfield, and registered in the Registry Office for the Land Titles Division of Elgin (No. 11), being all of the P.I.N. identified as P.I.N. 35287- 0411 (LT) (the "Property"), subject to the entering into of a Development Agreement;

AND WHEREAS the Council of The Corporation of the Township of Malahide is desirous of entering into a Development Agreement with Kayla and Jason Smith as the owner of the property subject to Application No. D13-MV-08b-21;

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

1. THAT the entering into a Development Agreement with Kayla and Jason Smith relating to the property located at Part of Lot 135, in the Village of Springfield, at 51211 Clinton St., further described as as Part of Block 135 on Plan 120, Part 1 on 11R-8851, is hereby approved and authorized.
2. THAT the Mayor and the Clerk are hereby authorized and directed to execute on behalf of The Corporation of the Township of Malahide the said Development Agreement in substantially the same form as that attached hereto as Schedule "A" and forming a part of this By-law.
3. THAT the said Development Agreement shall take effect and come into force upon the signing thereof by all parties thereto.
4. THAT this By-law shall come into force and take effect on the final passing thereof.

READ a **FIRST** and **SECOND** time this 15th day of August, 2024.

READ a **THIRD** time and **FINALLY PASSED** this 15th day of August, 2024.

Mayor, D. Giguere

Clerk, A. Adams

**AGREEMENT MADE UNDER SECTION 45
OF THE PLANNING ACT, R.S.O. 1990**

THIS AGREEMENT made this _____ day of _____ A.D. 2024.

BETWEEN:

KAYLA AND JASON SMITH
(Hereinafter called the "Owners")

OF THE FIRST PART

- and -

THE CORPORATION OF THE TOWNSHIP OF MALAHIDE
(Hereinafter called the "Township")

OF THE SECOND PART

WHEREAS the Owners represent that they are the Owners of the lands located in the Hamlet of Springfield in the Township of Malahide described as Part of Lot 135, on Plan 120 (being Part 1 on RP 11R-8851), in the Village of Springfield, and registered in the Registry Office for the Land Titles Division of Elgin (No. 11), being all of the P.I.N. identified as P.I.N. 35287- 0411 (LT) (the "Property");

AND WHEREAS the Owners have applied to the Township of Malahide Committee of Adjustment (herein called "the Committee") for a Minor Variance pursuant to Section 45 of the Planning Act to permit relief from the minimum Municipal Drain setback requirement of 7.5 metres in Zoning By-law 18-22 in order to construct an accessory building on the subject property 3.5 metres from the Clinton Street Drain pursuant to Committee of Adjustment Application No. D13-MV-08b-21 (herein called "the Application");

AND WHEREAS the Committee approved the Application subject to the Owners satisfying certain conditions prior to the Township issuing a building permit for the accessory building pursuant to the Application;

AND WHEREAS this Agreement is being entered into by the parties hereto in order to satisfy one of the conditions to the approval of the Application which reads as follows:

"3) That a development agreement be registered on title stating that any fencing on the subject lands eastern boundary may need to be removed to accommodate future drainage maintenance or installations at no cost to the Township.

AND WHEREAS this Agreement is being registered against the lands as described above and the Township is entitled to enforce the provisions thereof against the Owners and, subject to the provisions of the Registry Act and the Land Titles Act, any and all subsequent owners of the land in accordance with Subsection (9.2) of Section 45 of the Planning Act, R.S.O. 1990, as amended;

NOW THEREFORE WITNESSETH THAT in consideration of the premises and the sum of TWO (\$2.00) DOLLARS paid to the Township by the Owners (the receipt whereof is hereby acknowledged) and in consideration of the Township being supportive of the Owners' intentions to construct an accessory building on the lands as proposed in Application No. D13-MV-08b-21, the Owners covenant and agree with the Township to provide, to the satisfaction of and at no expense to the Township, the following:

- 1. The Owners agree:

- a) To obtain the necessary Building Permit and obtain occupancy of the accessory structure within four (4) years from the date of decision, and to the satisfaction of the Chief Building Official for the Township of Malahide, ensuring that the approved variance applies only to the proposed accessory structure which is to be situated as illustrated with the Application;
 - b) That the removal, and any subsequent replacement, of any fencing located along the subject lands eastern boundary that is required by the Township of Malahide to accommodate future drainage maintenance or installations will be at the sole expense of the Owners.
2. Adjustments to the requirements and provisions of this Agreement may be made subject to the approval of the Township provided that such adjustments are in the spirit of this Agreement and the intent of this Agreement is maintained. Such minor adjustments shall not require an amendment to this Agreement; however, the written approval of the Township is required before such minor adjustments can be made.
3. Nothing in this Agreement constitutes a waiver of the obligation of the Owners to comply with the Zoning By-law of the Township or any other By-laws of the Township or any regulations or restrictions legally imposed by any government authority or agency having jurisdiction in connection therewith.
4. The Owners agree that all the facilities and matters required by this Agreement shall be provided and maintained at their sole risk and expense and to the satisfaction of the Township. The Owners further agree that in the event that they fail to comply with any of the provisions of this Agreement, in the sole discretion of the Township, the Township may perform such requirements at the expense of the Owners upon seven (7) days prior notice, in writing, to the Owners and forthwith in the case of any emergency. The Owners acknowledge that any expense incurred by the Township in the performance of such requirements is the responsibility of the Owners and shall be recoverable by the Township.
5. The Owners, on behalf of themselves, their successors and assigns, hereby covenant to indemnify and save harmless the Township against any legal liability for losses, damages, claims, actions, demands, suits, and costs arising directly or indirectly from anything done by it or its servants, contractors or agents in connection with its performance under this Agreement.
6. This Agreement shall be registered against the Property. The covenants, agreements, conditions, and understandings herein contained on the part of the Owners shall run with the lands and shall endure to the benefit of and be binding upon the parties hereto and their successors and assigns. The Owners further covenant and agree to pay to the Township the cost of registration of this Agreement.
7. If any terms of this Agreement shall be found to be ultra vires the Township, or otherwise unlawful, such terms shall inclusively be deemed to be severable, and the remainder of this Agreement mutatis mutandis shall be and remain in full force and effect.
8. The Owners agree to obtain and to register such postponements as may be acceptable to the Township of any charges, mortgages or encumbrances on the Property prior to the registration of this Agreement. The Owners acknowledge that the Township will not be required to finalize or register this Agreement until it has been satisfied that no other outstanding charges or encumbrances are registered on the Property.
9. The Owners acknowledge that the Township, in addition to any other remedy it may have at law, shall also be entitled to enforce this Agreement in accordance with section 446 of the *Municipal Act, 2001*, S.O. 2001, c. 25.

- 10. The parties covenant and agree with each other not to call into question or challenge, directly or indirectly, in any proceeding or action in court, or before any administrative tribunal, the other party's right to enter into and enforce this Agreement. This provision may be pleaded by either party in an action or proceeding as an estoppel of any denial of such right.
- 11. This Agreement shall be interpreted under and be governed by the laws of the Province of Ontario.

IN WITNESS WHEREOF the Owners have hereunto affixed their signatures and the Township has hereunto affixed its corporate seal under the hands of its Mayor and Clerk.

Witness

 Jason Smith

Witness

 Kayla Smith

**The Corporation of the Township of
 Malahide**

Per: _____
 D. Giguere, Mayor

Per: _____
 Allison Adams, Clerk
 We have authority to bind the Corporation.



REPORT NO. PW-24-33

TO: Mayor & Members of Council
DEPARTMENT: Public Works
MEETING DATE: August 15, 2024
SUBJECT: **PLAYGROUND SURFACE SUPPLY AND INSTALLATION
TENDER RESULTS**

RECOMMENDATION:

THAT Report No. PW-24-33 entitled “Playground Surface Supply and Installation Tender Results” be received;

AND THAT Staff be authorized enter into an agreement with Quality Turf Supply for the supply and installation of Playground Surface material at the Mill St Park, Malahide Community Place, South Dorchester Community Hall and Wonnacott Park.

PURPOSE & BACKGROUND:

Through the regular inspection of the playgrounds, staff have been monitoring the playground surfaces to ensure that they meet the playground safety standards for fall protection. The playgrounds at the Mill St Park, Malahide Community Place, South Dorchester Community Hall and Wonnacott Park have been noted for top up / replacement.

Based on this identification and the timeframe shown for wear on the surface, a 5-year rotation of top up has been put into play for the Asset Management plan. This top up will meet the requirements for safety and accessibility.

COMMENTS & ANALYSIS:

Municipal Staff utilized the Bids & Tenders Website to receive tenders for the supply and installation of playground surfaces. Three tenders were received with all three companies quoting the use of the same product, Fibretop Engineered Wood Fibre Playground Surface.

The tender results are as follows:

Quality Turf Group	\$20,480.00
ABC Recreation	\$24,841.27
Jaro’s Property Maintenance	\$34,655.00

Based on these results, staff are recommending award of the tender to Quality Turf Supply.

Quality Turf Supply has provided playground surface material to the Township in the past at Wonnacott Park and Tracey St Park. Staff are satisfied with their work and the quality of the product supplied.

FINANCIAL IMPLICATIONS:

The approved 2024 Capital budget includes \$30,500.00 to fund this project.

The proposed contractor for this tender provided a bid of \$20,480.00 plus HST

LINK TO STRATEGIC & OPERATIONAL PLANS:

The topping up of the playground surface meets the values identified in the 2023 Strategic plan by: "Maximizing the utilization of all assets: People, Facilities, and Technology".

Prepared by: C. Cox, Facilities Manager

Reviewed by: J. Godby, Director of Public Works

Approved by: N. Dias, Chief Administrative Officer



REPORT NO. PW- 24-32

TO: Mayor & Members of Council

DEPARTMENT: Public Works

MEETING DATE: August 15, 2024

SUBJECT: Petition for Drainage – Hayhoe

RECOMMENDATION:

THAT Report No. PW- 24-32 entitled “Petition for Drainage – Hayhoe” be received;

AND THAT George Vereyken, P. Eng., of Spriet Associates, be appointed to prepare an Engineer’s Report for the Hayhoe Petition, it being noted that the Petitioner is requesting this petition to be incorporated into the Engineers report currently being prepared for the Pritchard Drain Improvement.

PURPOSE & BACKGROUND:

As the Council may recall, Spriet Associates was appointed to prepare a new Engineer’s Report under *Section 78* of the *Drainage Act R.S.O. 1990*, to address maintenance and other issues including a new assessment schedule for the entire length of the Pritchard Drain as outlined in Staff report PW-23-32.

The Township has received a petition for drainage from Todd Hayhoe at 52696 Calton Line to have a new branch of the Pritchard drain constructed to service a portion of his lands assessed into the drain.

COMMENTS & ANALYSIS:

Once a landowner submits a petition, the Township is required under the *Drainage Act R.S.O. 1990*, to appoint a Drainage Engineer to prepare a Drainage Report for the Council to address the request.

Section 4(1) of the *Drainage Act* states:

A petition for the drainage by means of a drainage works of an area requiring drainage as described in the petition may be filed with the clerk of the local municipality in which the area is situated by,

- (a) the majority in number of the owners, as shown by the last revised assessment roll of lands in the area, including the owners of any roads in the area;

- (b) the owner or owners, as shown by the last revised assessment roll, of lands in the area representing at least 60 percent of the hectarage in the area;
- (c) where a drainage works is required for a road or part thereof, the engineer, road superintendent or person having jurisdiction over such road or part, despite subsection 61 (5);
- (d) where a drainage works is required for the drainage of lands used for agricultural purposes, the Director.

The *Drainage Act* provides that Council must give consideration to the petition and, within thirty days (*Section 5.1a*) of the filing, decide whether or not to proceed. If Council decides not to proceed then written notice of its decision must be sent to each petitioner. A petitioner may appeal to the Ontario Drainage Tribunal if Council decides not to proceed, or if Council does not act on the petition within 30 days.

It may be difficult for Council to decide on the validity of the petition as it is based on the definition of the “area requiring drainage”. Initially, the petitioner(s) define the area on the petition they submit, however, the area must be defined by an engineer at the “on-site meeting” to determine the validity of the petition.

If the Council decides to proceed then written notice of its decision must be given to (*Section 5.1b*):

- (a) to each petitioner;
- (b) the clerk of each local municipality that may be affected;
- (c) the conservation authority that has jurisdiction over any lands in the area;
- (d) the Minister of Natural Resources.

The Council must appoint an engineer within sixty days (*Section 8.3*) of giving notice to proceed. The engineer appointed is to file a said report within six (6) months (*Section 39.1*) of the appointment.

Following the appointment, the engineer shall (*Section 9.1*) cause the Clerk of the municipality to send out written notice, specifying the time and place of an “on-site meeting”. The notice must be served seven days prior to the proposed site meeting.

Therefore, Staff are recommending that George Vereyken, P. Eng., of Spriet Associates Ltd., be appointed by the Council to prepare a report to address the Hayhoe petition, it being noted that Mr. Hayhoe is looking to have a new branch/connection on the municipal drain currently being considered.

FINANCIAL IMPLICATIONS:

N/A

LINK TO STRATEGIC & OPERATIONAL PLANS:

N/A

CONSULTATION:

Petitioner

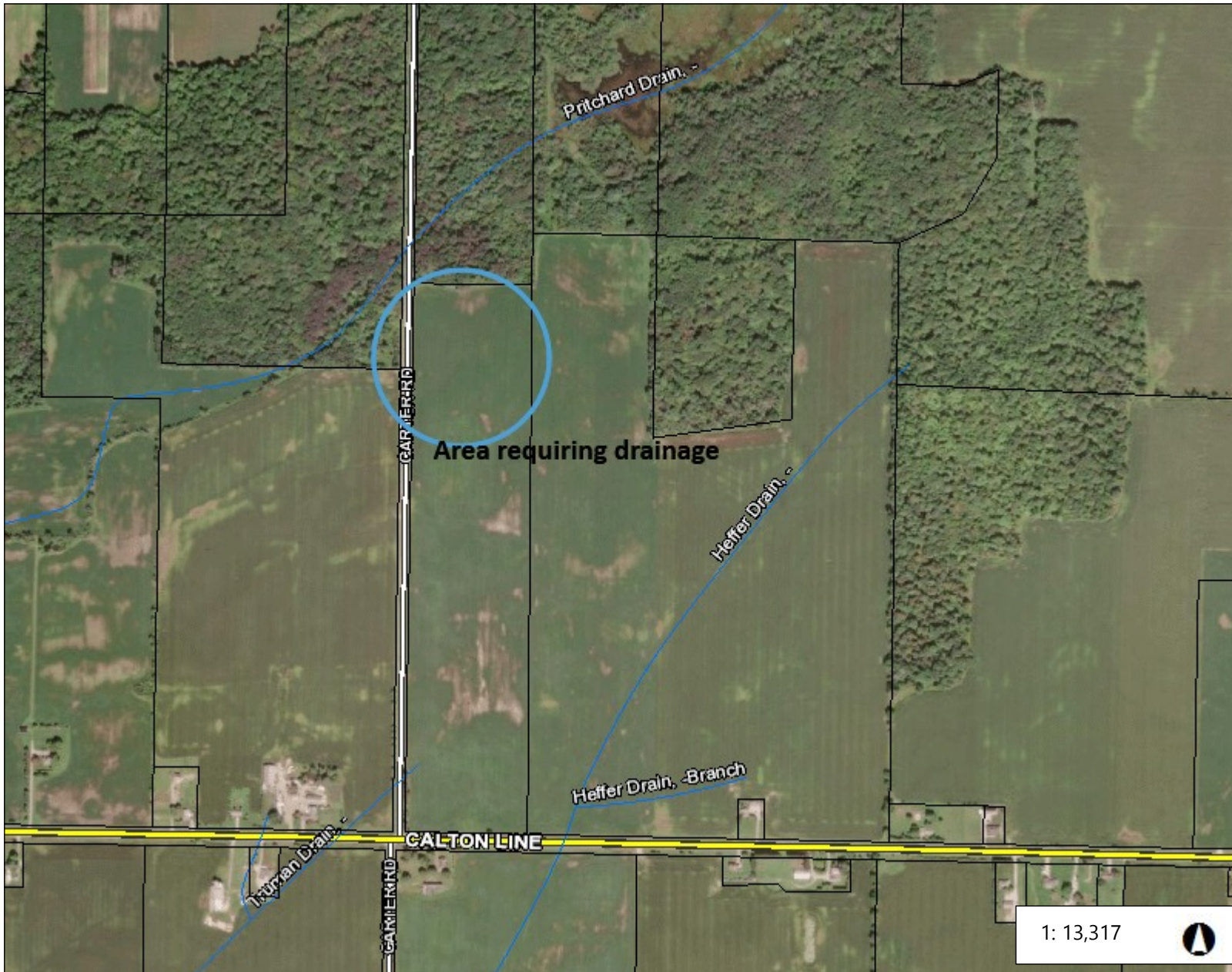
ATTACHMENTS:

1. Drain location map

Prepared by: B. Lopez, Engineering Technologist/Drainage Superintendent

Reviewed by: J. Godby, Director of Public Works

Approved by: N. Dias, Chief Administrative Officer



Legend

- Elgin County Parcels
- Drainage
- Boundary
- Elgin Road Network
- Elgin Road Network
- Elgin Road Network
- Lagoons
- World Imagery

1: 13,317



0.7 0 0.34 0.7 Kilometers

Notes



REPORT NO. PW- 24-26

TO: Mayor & Members of Council

DEPARTMENT: Public Works

MEETING DATE: August 15, 2024

SUBJECT: Petition for Drainage – Dyck

RECOMMENDATION:

THAT Report No. PW- 24-26 entitled “Petition for Drainage – Dyck” be received;

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

PURPOSE & BACKGROUND:

The Township of Malahide has received a petition for drainage. The petition is to construct a new drain as a condition of severance that was previously approved by Malahide Council and the Elgin County Land Division Committee. This is a typical severance requirement which provides development with a legal and adequate outlet for surface/subsurface water.

The landowner, Eva Dyck, has petitioned the Township to have a new drain constructed at 6501 Springfield Road, to accommodate a new residential building lot. The estimated length of the project is 200 meters in order to extend a drain outlet southerly the existing Bobbett Drain. An overview drawing is provided at the end of this report showing the location of the proposed severance and existing Bobbett Drain.

COMMENTS & ANALYSIS:

Once a landowner submits a petition, the Township is required under the *Drainage Act R.S.O. 1990*, to appoint a Drainage Engineer to prepare a Drainage Report for the Council to address the request.

Section 4(1) of the Drainage Act states:

A petition for the drainage by means of a drainage works of an area requiring drainage as described in the petition may be filed with the clerk of the local municipality in which the area is situated by,

- (a) the majority in number of the owners, as shown by the last revised assessment roll of lands in the area, including the owners of any roads in the area;

- (b) the owner or owners, as shown by the last revised assessment roll, of lands in the area representing at least 60 percent of the hectarage in the area;
- (c) where a drainage works is required for a road or part thereof, the engineer, road superintendent or person having jurisdiction over such road or part, despite subsection 61 (5);
- (d) where a drainage works is required for the drainage of lands used for agricultural purposes, the Director.

The *Drainage Act* provides that Council must give consideration to the petition and, within thirty days (*Section 5.1a*) of the filing, decide whether or not to proceed. If Council decides not to proceed then written notice of its decision must be sent to each petitioner. A petitioner may appeal to the Ontario Drainage Tribunal if Council decides not to proceed, or if Council does not act on the petition within 30 days.

It may be difficult for Council to decide on the validity of the petition as it is based on the definition of the “area requiring drainage”. Initially, the petitioner(s) define the area on the petition they submit, however, the area must be defined by an engineer at the “on-site meeting” to determine the validity of the petition.

If the Council decides to proceed then written notice of its decision must be given to (*Section 5.1b*):

- (a) to each petitioner;
- (b) the clerk of each local municipality that may be affected;
- (c) the conservation authority that has jurisdiction over any lands in the area;
- (d) the Minister of Natural Resources.

The Council must appoint an engineer within sixty days (*Section 8.3*) of giving notice to proceed. The engineer appointed is to file a said report within six (6) months (*Section 39.1*) of the appointment.

Following the appointment, the engineer shall (*Section 9.1*) cause the Clerk of the municipality to send out written notice, specifying the time and place of an “on-site meeting”. The notice must be served seven days prior to the proposed site meeting.

Therefore, Staff is recommending that George Vereyken, P. Eng., of Spriet Associates Ltd., be appointed by the Council to prepare an engineer’s report.

FINANCIAL IMPLICATIONS:

N/A

LINK TO STRATEGIC & OPERATIONAL PLANS:

N/A

CONSULTATION:

Petitioner

ATTACHMENTS:

1. Drain location map

Prepared by: B. Lopez, Engineering Technologist/Drainage Superintendent

Reviewed by: J. Godby, Director of Public Works

Approved by: N. Dias, Chief Administrative Officer



Legend

- Elgin County Parcels
- E911
- Boundary
- Elgin Road Network
- Elgin Road Network
- Elgin Road Network
- Lagoons
- World Imagery

1: 3,329



0.2 0 0.08 0.2 Kilometers

WGS_1984_Web_Mercator_Auxiliary_Sphere
© Latitude Geographics Group Ltd.

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes



REPORT NO. PW- 24-28

TO: Mayor & Members of Council
DEPARTMENT: Public Works
MEETING DATE: August 15, 2024
SUBJECT: Tender Award – Ketchabaw Drain

RECOMMENDATION:

THAT Report No. PW- 24-28 entitled “Tender Award – Ketchabaw Drain” be received;

AND THAT the tender for the Ketchabaw Drain be awarded to Van Gorp Drainage, in the amount of \$158,448.00 (plus applicable taxes).

PURPOSE & BACKGROUND:

As Council is aware, the Township of Malahide received a request for improvement to have portions of the existing Ketchabaw Drain reconstructed. Township Council authorized for tenders to be called by resolution No. 24-199 following the first and second reading of Bylaw No. 24-29.

No. 24-199

Moved By: John H. Wilson

Seconded By: Sarah Leitch

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

Carried

COMMENTS & ANALYSIS:

The Township of Malahide called tenders for the construction of the Ketchabaw Drain which closed on June 24, 2024, at 11:00 am. The Township received 2 (two) bid submissions at that time. The tender results are as follows (prices do not include taxes):

Van Gorp Drainage - \$158,448.00

Van Bree Drainage - \$168,710.00

Engineer’s Estimate: \$147,800.00

The lowest bid was received from Van Gorp Drainage, in the amount of \$158,448.00 (plus HST). Staff are satisfied that Van Gorp Drainage can perform the duties tasked in

this contract. The Staff would therefore recommend that the Council award the Ketchabaw Drain tender to Van Gorp Drainage.

FINANCIAL IMPLICATIONS:

The Drainage Act RSO 1990, Sec 59(1) requires award of contract for tenders closing within 133% of the Engineers Estimate. The low tender submitted by Van Gorp Drainage is more than the cost estimated by the Engineer but within the 133% as specified in the Drainage Act and therefore Council is required to award the works. The Engineer's estimate for construction was \$147,800.00 (plus HST). Actual incurred project costs will be distributed to the benefitting landowners provided in the assessment schedule of the adopted engineer's report.

LINK TO STRATEGIC & OPERATIONAL PLANS:

N/A

CONSULTATION:

Spriet Associates

ATTACHMENTS:

None

Prepared by: B. Lopez, Engineering Technologist/Drainage Superintendent

Reviewed by: J. Godby, Director of Public Works

Approved by: N. Dias, Chief Administrative Officer



REPORT NO. PW- 24-29
TO: Mayor & Members of Council
DEPARTMENT: Public Works
MEETING DATE: August 15, 2024
SUBJECT: Tender Award – Priester Drain

RECOMMENDATION:

THAT Report No. PW- 24-29 entitled “Tender Award – Priester Drain” be received;

AND THAT the tender for the Priester Drain be awarded to Van Bree Drainage, in the amount of \$387,235.00 (plus applicable taxes).

PURPOSE & BACKGROUND:

As Council is aware, the Township of Malahide received a petition for drainage to have a new drain constructed to service properties along Pigram Road in the Township of Malahide and Hawkins Road in the Township of Southwest Oxford. Township Council authorized for tenders to be called by resolution No. 24-202 following the first and second reading of Bylaw No. 24-31.

No. 24-202

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

COMMENTS & ANALYSIS:

The Township of Malahide called tenders for the construction of the Priester Drain which closed on June 24, 2024, at 11:00 am. The Township received 1 (one) bid submission at that time. The tender results are as follows (prices do not include taxes):

Van Bree Drainage - \$387,235.00

Engineer’s Estimate: \$362,600.00

The lowest bid was received from Van Bree Drainage, in the amount of \$387,235.00 (plus HST). Staff are satisfied that Van Bree Drainage can perform the duties tasked in

this contract. The Staff would therefore recommend that the Council award the Priester Drain tender to Van Bree Drainage.

FINANCIAL IMPLICATIONS:

The Drainage Act RSO 1990, Sec 59(1) requires award of contract for tenders closing within 133% of the Engineers Estimate. The low tender submitted by Van Bree Drainage is more than the cost estimated by the Engineer but within the 133% as specified in the Drainage Act and therefore Council is required to award the work. The Engineer's estimate for construction was \$362,600.00 (plus HST). Actual incurred project costs will be distributed to the benefitting landowners provided in the assessment schedule of the adopted engineer's report.

LINK TO STRATEGIC & OPERATIONAL PLANS:

N/A

CONSULTATION:

Spriet Associates

ATTACHMENTS:

None

Prepared by: B. Lopez, Engineering Technologist/Drainage Superintendent

Reviewed by: J. Godby, Director of Public Works

Approved by: N. Dias, Chief Administrative Officer



The Corporation of the Town of Aylmer
46 Talbot Street West, Aylmer, Ontario N5H 1J7
Office: 519-773-3164 Fax: 519-765-1446
www.aylmer.ca

July 4, 2024
Town of Aylmer Council
Town of Malahide Council

Re: Canada Day Celebrations 2025 Joint Application for Grant Funding

Dear Members of Council,

At their meeting on July 3, 2024, the East Elgin Community Complex Board of Management passed the below resolution:

Resolution No. _____ -24

Moved by Member Wilson and seconded by Member Barbour:

That Report REC 13-24 entitled Canada Day Celebrations 2025 be received for information; and,

That the Board request the Town of Aylmer and Township of Malahide confirm their commitment to again host the annual Canada Day Celebrations in 2025 at the EECC; and,

That the Councils confirm their intent to undertake a joint funding application to the Canadian Heritage Celebrate Canada funding program.

Endorsement of this resolution from the Town of Aylmer Council and the Township of Malahide is requested. The following template resolution is offered:

Resolution No. _____ -24

That the Council of the _____ direct staff participate in a joint funding application to the Canadian Heritage Celebrate Canada funding program for Canada Day Celebrations in 2025 and provide confirmation to the EECC Board.

Thank you,

Owen Jaggard, EECC Board Secretary
Director of Legislative Services/Clerk, Town of Aylmer
46 Talbot Street West, Aylmer, ON N5H 1J7
519-773-3164 Ext. 4913 | Fax 519-765-1446
ojaggard@town.aylmer.on.ca | www.aylmer.ca

CC: Andy Grozelle, EECC Administrator, Town of Aylmer Chief Administrative Officer

Attachments

Associated Staff Reports to the EECC Boards

THE CORPORATION OF THE TOWNSHIP OF MALAHIDE**BY-LAW NO. 24-44**

Being a By-law to appoint a Municipal By-law Enforcement Officer for the Township of Malahide.

WHEREAS Section 15 of the Police Services Act, R.S.O. 1990, Chapter P.15, provides that council of a municipality may appoint persons to enforce the by-laws of the municipality and such municipal law enforcement officers are peace officers for the purpose of enforcing municipal by-laws;

AND WHEREAS pursuant to section 1 of the Provincial Offences Act, R.S.O. 1990, Chapter P.33 the Attorney General of Ontario has designated municipal law enforcement officers as provincial offences officers to enforce the by-laws of the municipality under the Provincial Offences Act;

AND WHEREAS the Council of The Corporation of the Township of Malahide deems it desirable and expedient to appoint a Municipal By-law Enforcement Officer to enforce the by-laws of the Township of Malahide;

AND WHEREAS the Council of the Corporation of the Township of Malahide has entered into a shared services memorandum of understanding with the Municipality of Bayham for the provision of by-law enforcement services to be provided by the Municipality of Bayham and requiring the appointment of certain Municipal By-law Enforcement Officials and/or third-party contractors qualified to ensure adequate service delivery;

NOW THEREFORE the Council of The Corporation of the Township of Malahide hereby enacts as follows:

1. THIS BY-LAW is enacted by the Corporation of the Township of Malahide, in the Province of Ontario, to establish the process for and the appointment of a Municipal By-law Enforcement Officer (hereinafter referred to as "MBEO"), and to outline the powers, duties, and responsibilities of the MBEO in enforcing municipal by-laws within the Township of Malahide.
2. THAT Mark Russell shall be appointed as the MBEO for the Corporation of the Township of Malahide effective August 19, 2024.
3. THAT in accordance with the shared services memorandum of understanding with the Municipality of Bayham, Mark Russell is authorized to perform the responsibilities on behalf of the Township of Malahide as contained under Section 5. herein.

4. THAT the MBEO shall be a duly qualified and trained individual, possessing the necessary knowledge, skills, and qualifications as required by the relevant provincial legislation, including but not limited to the Ontario Municipal Act and the Ontario Provincial Offences Act, specifically:
 - a. The MBEO shall have the authority to enforce all municipal by-laws enacted by the Township of Malahide within the limits prescribed by the relevant legislation.
 - b. The MBEO shall have the power to investigate and enforce by-law infractions, issue warnings, notices, and administrative penalties as authorized by the applicable municipal by-laws.
 - c. The MBEO shall have the authority to issue tickets, summonses, and other legal notices, as required, in accordance with the Ontario Provincial Offences Act and any other relevant legislation.
 - d. The MBEO shall have the power to enter any premises or property within the municipality for the purpose of investigating and enforcing by-law compliance, subject to obtaining any necessary search warrants as required by law.
 - e. The MBEO shall have the responsibility to maintain accurate records of by-law investigations, enforcement actions, and related activities, and to provide regular reports to the Township's Chief Administrative Officer (hereinafter referred to as the "CAO") and/or Township of Malahide Council.
 - f. The MBEO shall cooperate and coordinate with other municipal departments, law enforcement agencies, and relevant authorities as necessary to effectively enforce municipal by-laws.
5. IF ANY PROVISION of this by-law or its application to any person or circumstance is found invalid or unenforceable by a court of competent jurisdiction, such invalidity or unenforceability shall not affect the other provisions or applications of this by-law, which shall remain in full force and effect.
6. THIS BY-LAW shall come into effect upon its passing and registration in accordance with the applicable legislative requirements.
7. THAT BY-LAW 23-52 and all previous by-laws inconsistent with the provisions of this by-law are hereby repealed.

READ a **FIRST** and **SECOND** time this 15th day of August, 2024.

READ a **THIRD** time and **FINALLY PASSED** this 15th day of August, 2024.

Mayor, D. Giguère

Clerk, A. Adams

THE CORPORATION OF THE TOWNSHIP OF MALAHIDE**BY-LAW NO. 24-45**

Being a By-law to set the 2024 tax rates and levies.

WHEREAS the Council of The Corporation of the Township of Malahide in accordance with the provisions of Section 312 of the Municipal Act, 2001, c. 25, has prepared and provisionally adopted the estimates of all sums required during the Year 2024 for the purposes of the Municipality, including the sums required by law to be provided for School purposes and County purposes for the Year 2024;

AND WHEREAS the Council of The Corporation of the County of Elgin has enacted By-law No. 22-15 being a by-law to adopt the 2024 County Budget, to set tax ratios for the Year 2024 and to establish the 202 County tax rates to be levied by the local municipalities in the County of Elgin;

AND WHEREAS the Ministry of Finance enacted Ontario Regulation 46/21 amending Ontario Regulation 400/98 made under the Education Act establishing tax rates for school purposes to be levied by the local municipalities in the County of Elgin;

AND WHEREAS Section 342(1) (a) of the *Municipal Act 2001*, S.O. 2001, c.25, as amended, allows a local municipality to provide for the payment of taxes in one amount or by instalments and the date or dates in the year for which the taxes are imposed on which the taxes or instalments are due;

AND WHEREAS Section 342 (1) (b) of the *Municipal Act 2001*, S.O. 2001, c.25, as amended allows a local municipality to provide for alternative instalments and due dates in the year for which the taxes are imposed other than those established under clause 342 (1) (a) to allow taxpayers to spread the payment of taxes more evenly over the year;

AND WHEREAS Section 345 of the *Municipal Act 2001*, S.O. 2001, c. 25, as amended, allows for a percentage charge, not to exceed 1.25 per cent of the amount of taxes due and unpaid, to be imposed as a penalty for the non-payment of taxes, and allows for an interest charge, not to exceed 1.25 per cent each month of the amount of taxes due and unpaid, to be imposed for the non-payment of taxes;

AND WHEREAS the whole of the taxable assessment on real property in the Township of Malahide, according to the 2024 Assessment Roll, certified by the Assessment Commissioner, and as further modified to reflect changes of the Assessment Review Board, Severances and Section 442 Tax Write-Offs and upon which the taxes for 2024 are to be levied;

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

1. THAT the Tax Rates for 2024 be established as set out in Schedule 'A' attached hereto.

2. THAT a special area rate for street lighting and sidewalk maintenance be applied, in addition to the rates above, to the geographic Village of Springfield as set out in Schedule 'B' attached hereto.
3. THAT there shall be levied and collected such other rates and/or Special Area Rates, pursuant to the Municipal Act, 2001 and/or the Drainage Act.
4. THAT the final taxes shall be due and payable in two installments, namely September 15, 2024 and November 15, 2024.
5. That alternative due dates and payments in the year be allowed, under the provisions of a pre-authorized payment plan, or otherwise agreed upon by the payer on account of any taxes due.
6. THAT there shall be imposed a penalty for non-payment of taxes on the due date or on any installment, the amount of one and one-quarter percent (1.25%) of the amount due and unpaid on the first day of default, and an additional penalty of one and one-quarter percent (1.25%) shall be added on the first day of each calendar month thereafter in which default continues.
7. THAT the Director of Corporate Services/Treasurer is hereby authorized to mail or e-mail, or cause to be mailed or e-mailed the Notice of Taxes Due to the residence or place of business of such person indicated on the last revised assessment roll, specifying the amount of taxes payable.
8. THAT all taxes be paid at the Malahide Township Office; at most financial institutions; by telephone banking; or by internet banking, by the person charged with such payment or their authorized designate.
9. THAT Schedules 'A', 'B' and 'B.1' attached hereto form a part of this By-law.
10. THAT By-law 24-19 and any other by-laws or provisions in other by-laws found to be inconsistent with this By-law are hereby deemed to be repealed.
11. THAT this By-law shall come into force and take effect on the final date of passing thereof.

READ a FIRST and SECOND time this 15th day of August 2024.

READ a THIRD time and **FINALLY PASSED** this 15th day of August 2024.

Mayor, D. Giguère

Clerk, Allison Adams

TOWNSHIP OF MALAHIDE**SCHEDULE 'A'****TO BY-LAW NO. 24-45****TAX RATES**

Property Class	2024	2023
Residential	0.00767263	0.00721319
Commercial Occupied	0.01256470	0.01181233
Commercial Vacant Land	0.01256470	0.01181233
Commercial Small Scale on Farm Business	0.00314117	0.00295308
Industrial Occupied	0.01707236	0.01605008
Industrial Vacant Land	0.01707236	0.01605008
Industrial Small Scale on Farm Business	0.00426828	0.00401270
Pipeline	0.00878209	0.00825622
Farmland	0.00176470	0.00165903
Managed Forest	0.00191816	0.00180330

TOWNSHIP OF MALAHIDE

SCHEDULE 'B'

TO BY-LAW NO. 24-45

VILLAGE OF SPRINGFIELD SPECIAL AREA RATES

- i) Identification of Special Service: the provision of streetlight and sidewalks in the Village of Springfield
- ii) Special Levy Funded Costs: the Township of Malahide utilizes a special area levy in the Village of Springfield to maintain pre-amalgamation differences in property taxation as a result of the provision of streetlights and sidewalks, a service not generally provided elsewhere in the Township.

Springfield's special area levy is intended to fund a portion of operating and capital costs for streetlights and sidewalks within Springfield's designated service area. Costs relating to the provision of streetlights and sidewalks are not considered eligible unless otherwise defined in the table below.

Eligible Special Service Costs	Portion	2024
Streetlight Utilities	100%	\$6,300
Streetlight Maintenance	100%	2,500
Sidewalk Maintenance	40%	2,000
Contributions to Reserves – Streetlights	100%	3,100
Contributions to Reserves – Sidewalks	40%	1,800
Total Special Area Levy		\$15,700

- iii) Designated Special Service Area: See Schedule B.1 to By-law 24-45 for a map of properties which are included in the Village of Springfield's designated special area.
- iv) Special Area Tax Rates:

Property Class	2024	2023
Residential	0.00021737	0.00043333
Commercial	0.00035597	0.00070963
Industrial	0.00048367	0.00096421
Pipeline	0.00024880	0.00049599
Farmland	0.00005000	0.00009967



TOWNSHIP OF MALAHIDE

DRAINAGE BY-LAW NO. 24-29

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 Ketchabaw 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 20 to 22
Concessions 9 and 10
In the Township of Malahide
(geographic South Dorchester)

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

AND WHEREAS the estimated total cost of constructing the drainage works is \$211,000.00.

AND WHEREAS \$211,000.00 is the amount to be contributed by the municipality for construction of the drainage works.

AND WHEREAS \$211,000.00 is being assessed in the Township of Malahide in the County of Elgin.

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 3, 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 \$211,000.00 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,
 - i. Grants received under section 85 of the Act;
 - ii. Commuted payments made in respect of lands and roads assessed within the municipality;
 - iii. Moneys paid under subsection 61(3) of the Act; and
 - iv. Moneys assessed in and payable by another municipality,
 - (c) And 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 passing thereof and may be cited as the "Ketchabaw Drain".

READ a FIRST and SECOND time this 6th day of June, 2024 .

Mayor

Clerk

READ a THIRD time and **FINALLY PASSED** this 15th day of August, 2024.

Mayor

Clerk



TOWNSHIP OF MALAHIDE

DRAINAGE BY-LAW NO. 24-31

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 Priester 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.

Lot A
Concessions 10, 11 and 12
In the Township of Malahide (geographic South Dorchester)

AND

Lot 28
Concession 11
In the Township of Southwest Oxford (geographic Dereham)

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

AND WHEREAS the estimated total cost of constructing the drainage works is \$532,600.00.

AND WHEREAS \$532,600.00 is the amount to be contributed by the municipality for construction of the drainage works.

AND WHEREAS \$319,214.00 is being assessed in the Township of Malahide in the County of Elgin.

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 6, 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 \$532,600.00 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,
 - i. Grants received under section 85 of the Act;
 - ii. Commuted payments made in respect of lands and roads assessed within the municipality;
 - iii. Moneys paid under subsection 61(3) of the Act; and
 - iv. Moneys assessed in and payable by another municipality,
 - (c) And 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 passing thereof and may be cited as the "Priester Drain".

READ A FIRST AND SECOND TIME THIS 6th day of June, 2024.

Mayor

Clerk

READ A THIRD TIME AND FINALLY PASSED THIS 15th day of August, 2024.

Mayor

Clerk



REPORT NO. FIN-24-20
TO: Mayor & Members of Council
DEPARTMENT: Corporate & Financial Services
MEETING DATE: August 15, 2024
SUBJECT: 2023 Budget Performance and Financial Update

RECOMMENDATION:

THAT Report No. FIN-24-20 entitled “2023 Budget Performance and Financial Update” be received;

AND THAT the Township’s 2023 budget surplus be distributed to reserves as recommended.

PURPOSE & BACKGROUND:

The purpose of this report is to provide an overview on the financial results of the Township’s financial operations in 2023. Staff’s financial reporting is being provided on an exception basis whereby significant deviations from the Township’s approved budget are reported back to Council. Many of the variances noted in this report were forecasted on a line-by-line basis and addressed through adjustments in the Township’s 2024 Budget. Comprehensive details of any of the Township’s operating areas are further available at Council’s discretion.

COMMENTS & ANALYSIS:

Property Tax Supported Operating Budget

Each year, the Township sets its property tax levy, or the amount of total property tax revenue it will charge to property owners, based on the projected net operating expenditures of its operations. Net operating expenditures represent the total operating costs of the Township after accounting for any revenue directly associated with those operations. During 2023, the Township estimated its net operating expenditures to be \$8,331,001, though by the end of the year, \$7,778,984 was spent resulting in surplus funds of \$552,016.

A breakdown of the Township's property tax supported operating surplus of \$552,016 is provided in the following table. An analysis of each departmental variance in excess of \$20,000 has been provided for Council's review.

2023 Property Tax Supported Operating Budget					
Department	Division	2023 Budget	2023 Net Cost	Surplus / (Deficit)	Note
General Government	Council	\$183,685	\$178,653	\$5,032	
	Administration	\$1,123,382	\$1,126,739	(\$3,357)	
	Animal Control	\$0	\$392	(\$392)	
Development Services	Planning	\$121,989	\$100,509	\$21,480	a
	Building	\$0	\$46,288	(\$46,288)	b
	By-law Enforcement	\$65,000	\$27,760	\$37,240	c
Emergency Services	Fire	\$809,290	\$729,111	\$80,179	d
	Emergency Management	\$71,043	\$44,306	\$26,737	e
	Police	\$1,053,000	\$1,030,111	\$22,889	f
Public Works	Road Operations	\$2,671,788	\$2,541,675	\$130,113	g
	County Roads	\$0	\$47,326	(\$47,326)	h
	Waste Management	\$391,351	\$322,039	\$69,312	i
	Streetlights & Sidewalks	\$15,922	(\$7,603)	\$23,525	j
	Drainage	\$138,588	\$122,877	\$15,711	
	Parks	\$88,245	\$94,971	(\$6,726)	
	Recreation	\$318,441	\$326,713	(\$8,272)	
	Cemeteries	\$48,410	\$47,797	\$613	
Debt & Reserves	Debt Servicing	\$318,099	\$318,099	\$0	
	Reserves	\$2,393,657	\$2,393,657	\$0	
Other	Other Revenues	(\$1,982,400)	(\$2,128,468)	\$146,068	k
External Boards	Conservation	\$179,994	\$175,502	\$4,492	
	EECC	\$321,517	\$240,531	\$80,986	l
Total		\$8,331,001	\$7,778,985	\$552,016	

Notes:**a) Planning, \$21,480 Surplus**

In response to staffing vacancies that could not be promptly filled, the Township opted to outsource many planning related functions to Monteith Brown Planning Consultants for significant portions of the year. As a result, a budget surplus of \$108,010 from position vacancies was redistributed to fund a budget deficit of \$102,568 as a result of additional external consulting costs.

2023 Planning Surplus	
Wages & Benefits	\$108,010
Consulting	(102,568)
Fee Revenue	43,174
Legal Expenses	(27,032)
Other	(104)
2023 Surplus	\$21,480

During this time, the Township experienced a high volume of planning applications which generated \$43,174 in surplus planning revenues. Planning related legal expenses exceeded budget expectations by \$27,032 as a result of an appeal made to the Ontario Land Tribunal relating to a development in Springfield.

b) Building, \$46,288 Deficit

The Township saw a decline in building permit activity during 2023 with permit revenues during the year totalling \$211,200 (2022: \$273,000, 2021: \$278,000), falling well short of budget expectations. This decline is believed to be primarily influenced by rising interest rates, which increased borrowing costs for developers and homeowners, making new construction projects less financially attractive. Additionally, supply chain disruptions and labour shortages, lingering effects of the COVID-19 pandemic, led to higher construction costs and project delays.

The Township funds its building services exclusively through building permit revenue. Prior years' building permit revenue surpluses are retained in the Township's Building Stabilization Reserve Fund. A draw from this reserve fund is recommended to fund the Township's 2023 building permit deficit.

c) By-Law Enforcement, \$37,240 Surplus

An estimate of \$65,000 was included in the 2023 Budget to cover half the annual cost of a By-Law Enforcement Officer, with the remaining cost being funded by the Municipality of Bayham. The Township's shared By-Law Enforcement Officer did not start until mid-July and, as such, wage savings of \$37,240 were realized during the year.

d) Fire Service, \$80,179 Surplus

Beginning in 2023, the Township's revised Fire and Emergency Services Cost Recovery Fees by-law permits Fire Services to fully recover its costs associated with responding to motor vehicle collisions from at-fault drivers. As a result, motor vehicle collision

recoveries during the year totalled \$119,358 (2022: \$22,945, 2021: \$39,290), exceeding budget expectations by \$39,358.

Training revenues, particularly relating to the Township's DZ course, totalled \$61,325 exceeding budget expectations by \$41,325. The Township has increasingly expanded its presence as a regional DZ trainer with training programs running 4 to 5 times each year compared to historical offerings of 1 to 2 times per year.

e) Emergency Management, \$26,737 Surplus

In 2023, the Township had an arrangement with L.Simon Construction to retain dragline equipment in Port Bruce to divert ice blockages, as required. By the end of February, it became apparent that ice blockages would be extremely unlikely due to prevailing weather conditions. As such, the dragline equipment was removed early thereby avoiding the cost of equipment standby charges for the remainder of the winter.

f) Police, \$22,889 Surplus

Net policing costs during 2023 totalled \$1,028,275 against a budget of \$1,050,950. While the Township is informed of the OPP's exact billing rates prior to each budget cycle, a number of grants and credits are irregularly disbursed throughout each year, as coordinated by the County of Elgin, often resulting in budget variances.

g) Road Operations, \$130,113 Surplus

The cost of hourly employees, such as those employed in the Township's Roads Department, varies year to year depending on actual hours worked. Budget variances can result from a number of factors such as required overtime, unanticipated absences, heavy winters or unanticipated maintenance. The Township's actual wage costs fell below budget estimates by 4.86% resulting in a surplus of \$73,725.

The rising cost of materials, such as asphalt, concrete, and aggregate as a result of supply chain disruptions and inflationary pressures were difficult to predict in 2023. While some categories of road maintenance were overspent during the year as a result, overall, road material and supply budgets were well managed with a net surplus of \$23,081 during the year.

2023 Roads Surplus	
Wages	\$73,725
Materials & Supplies	
Gravel Maintenance	(3,590)
Tar & Chip Maintenance	(40,344)
Roadside Maintenance	26,108
Signage & Safety	(23,355)
Bridges & Culverts	64,262
Total	23,081
Winter Control	(493)
Fleet	(38,189)
Facilities	(27,339)
Recoveries	115,448
Other	(16,120)
2023 Surplus	\$130,113

Fleet fuel, maintenance and repair costs totalled \$484,859, exceeding a budget estimate of \$446,670 by \$38,189. Staff attribute to this operational deficit to the underbudgeting of fleet-related costs over the last couple of years. Adjustments were made to the 2024 Budget to bring these estimates more in line with the post-COVID costs observed by staff. The 2024 Budget includes additional funding of \$37,400 for fleet expenses.

Costs relating to the Public Works shops exceeded budget expectations by \$27,339 for 2023. The majority of this overage relates to repairs required to the south yard's mobile lunch trailer. Other unexpected costs included the replacement of the shop's security and radio systems.

Road operations revenues exceeded budget expectations by \$115,488 during 2023. Road maintenance agreement equipment usage charges to the County based on Township-owned vehicle usage on county-owned roads accounts for \$61,301, the majority of these surplus funds. Other revenue surpluses include a grant secured with the Federation of Canadian Municipalities to build the Township's Asset Management Plan and an annual aggregate pit levy of \$13,052 was unbudgeted.

h) County Roads, \$47,326 Deficit

In exchange for maintenance of County roads, the Township receives transfer payments from the County of Elgin as defined in the Roads Maintenance Agreement (RMA). Costs relating to the maintenance of County Roads amounted to \$862,658 which exceeded 2023 RMA funding by \$49,738. This operating deficit is recommended to be funded by the County Roads Reserve. If approved, the County Roads Reserve's accumulated deficit would equal \$58,401 at the end of 2023.

i) Waste Management, \$69,312 Surplus

The Government of Ontario, released Blue Box Regulation (O. Reg. 391/21) under the Resource Recovery and Circular Economy Act, 2016, which transitioned the responsibility of recycling services from municipalities to producers of recyclable materials. The Township entered into an agreement with Circular Materials Ontario (CMO) to continue to provide recycling services in the community in exchange for monthly reimbursements of costs. Under its contract with CMO, the Township is eligible to receive \$6.06 per property plus administrative, fuel and inflationary adjustments. These adjustments were underbudgeted for 2023 with the Township's actual recovery rate per property currently equaling \$7.88 resulting in a surplus for the year. The Township's 2024 Budget was similarly under-budgeted for this reason. Staff estimate the 2025 Budget will include approximately an \$82,000 reduction to the Township's property tax levy to more accurately predict this revenue.

j) Streetlights & Sidewalks, \$23,525 Surplus

The Township's streetlights and sidewalks budget was underspent by \$23,525 during 2023. The Township uses a special area levy to fund its streetlight and sidewalk infrastructure. Council has directed for unused special levy revenues to be retained in restricted reserves. A breakdown of the Township's streetlights and sidewalks surplus is provided in the table below.

2023 Streetlights & Sidewalks Surplus				
	Special Levy (%)	2023 Total	Special Levies	General Levy
<u>Expenses</u>				
Streetlight Utilities	100%	\$6,765	\$6,765	\$0
Streetlight Maintenance	100%	3,605	3,605	0
Sidewalk Winter Control	0%	3,205	0	3,205
Transfer to Reserves	100%	10,195	10,195	0
Total		\$23,770	\$20,565	\$3,205
<u>Budgeted Funding</u>				
Special Levies	100%	\$31,373	\$31,373	\$0
General Levy	0%		0	15,922
Total		\$47,295	\$31,373	\$15,922
2023 Surplus/(Deficit)		\$23,525	\$10,808	\$12,717

k) Other Revenues, \$146,068 Surplus

Interest earned on the Township's cash-like assets such as bank accounts and GICs are tracked against the Township's operating budget. Lending rates increased during 2023 resulting in unexpected interest income on the Township's operating funds and high-interest savings account funds resulting in a surplus for the year.

l) East Elgin Community Complex (EECC), \$80,986 Surplus

The East Elgin Community Complex generated a surplus in 2023 of which half is shared by the Township of Malahide. The sources of the surplus can be identified in the EECC 2023 audited financial statements as presented to the Board of Management on May 8, 2024.

Rate Supported Operating Budgets

The Township's water and sewer services are funded solely through their respective user rates and are therefore budgeted separately from the Township's property tax supported budget. Staff do not note any exceptional variances in either budget area for 2023. The Township's water budget generated a \$2,507 surplus, a 0.25% budget variance which is recommended to be transferred to the Water Reserve. The Township's sewer budget had a \$6,838 deficit which is recommended to be funded from the Township's Sewer Reserve.

2023 Rate Supported Surplus/(Deficit)		
Rate Base	Surplus/ (Deficit)	Variance (%)
Water	\$2,507	0.25%
Sewer	(\$6,838)	(1.93%)

Capital Budget

The Township spent \$3,655,924 against its Capital Budget of \$5,652,700 leaving \$1,996,776 in funding unspent during 2023. To complete ongoing projects, funding in the amount of \$1,886,168 was carried into 2024. A net surplus of \$110,608 remains in the Township's reserves to fund future capital projects. Schedule A, attached to this report, lists the full set of capital project variances for 2023.

Recommended Reserve Distributions

To close the Township's 2023 financial records, Council is required to authorize a transfer of surplus funds back to reserves and authorize transfers from reserves to fund noted budget deficits. Of the Township's \$658,293 total surplus for 2023, \$634,822 may be distributed to reserves at Council's sole discretion. Staff recommend these unrestricted funds be transferred to the Capital Reserve to fund future capital projects as selected by Council through future budget deliberations. A full list of recommended reserve transfers is provided below.

Budget Area	Funding Type	Surplus/(Deficit)	Destination Reserve
Property Tax Supported Operating Budget	Unrestricted (at Council's discretion)	634,822	Capital Reserve
	Building Permits	(46,288)	Building Stabilization Reserve Fund
	County Roads Funding	(47,326)	County Roads Reserve
	Special Area Levy	10,808	Springfield Streetlights & Sidewalks
Rate Supported Operating Budget	Water	2,507	Water Reserve
	Sewer	(6,838)	Sewer Reserve
Capital Budget	Capital Funding Sources	110,608	N/A

2023 Budget Surplus	\$658,293	
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Schedule B, attached to this report, provides an updated overview of the Township in reserves assuming staff's recommended transfers are approved as proposed.

ATTACHMENTS:

Schedule A) Capital Budget
Schedule B) Reserve Continuity Schedule

Prepared by: A. Boylan, Director of Corporate Services/Treasurer

Approved by: N. Dias, Chief Administrative Officer

Schedule A) 2023 Capital Budget

	Budget	Actual	Carried to 2024 Budget	Surplus/ Deficit
Roads				
Road Safety Audits	\$47,400	\$5,473	\$40,000	\$1,927
Reconstruction w/ Storm Sewers - Pressey Line	\$150,000	\$962	\$150,000	-\$962
Double Surface Treatment (75mm)	\$327,600	\$345,467	\$0	-\$17,867
Single Surface Treatment	\$530,500	\$564,305	\$0	-\$33,805
Single Surface Treatment w/ Edge Padding	\$64,700	\$35,779	\$0	\$28,921
Gravel Resurfacing	\$196,800	\$194,786	\$0	\$2,014
Guiderails	\$100,000	\$108,860	\$0	-\$8,860
Studies - Road Needs Study Update	\$10,000	\$0	\$0	\$10,000
Chipper#61	\$21,000	\$38,736	\$0	-\$17,736
GPS Survey Equipment	\$50,000	\$34,656	\$0	\$15,344
Unanticipated Pier Parking Lot& Drainage Works	\$0	\$11,592	\$0	-\$11,592
	\$1,498,000	\$1,340,616	\$190,000	-\$32,616
Bridges & Culverts				
C-17 Vienna	\$33,900	\$26,923	\$0	\$6,977
Hacienda Rd Culvert Rehab Design	\$35,300	\$10,921	\$0	\$24,379
B-7 Carter	\$209,500	\$246,500	\$0	-\$37,000
	\$278,700	\$284,344	\$0	-\$5,644
Fleet				
Loader 44 (2008) 15Yr	\$330,000	\$284,238	\$0	\$45,762
Truck Replacements	\$262,700	\$237,554	\$50,000	-\$24,854
	\$592,700	\$521,792	\$50,000	\$20,908
Drains				
Sparta Line	\$200,000	\$137,589	\$110,000	-\$47,589
	\$200,000	\$137,589	\$110,000	-\$47,589
Fire & Emergency Services				
SCBA & Bunker Gear	\$42,600	\$34,102	\$0	\$8,498
Radios & Pagers	\$3,000	\$3,185	\$0	-\$185
Hoses, Nozzles & Adaptors	\$8,000	\$7,367	\$0	\$633
Tech Rescue Equipment	\$22,900	\$19,361	\$0	\$3,539
Tanker 3	\$700,000	\$0	\$700,000	\$0

Schedule A) 2023 Capital Budget

	Budget	Actual	Carried to 2024 Budget	Surplus/ Deficit
Fire & Emergency Services (continued)				
General Equipment Allowance	\$6,000	\$3,401	\$0	\$2,599
	\$782,500	\$67,416	\$700,000	\$15,084
Facilities				
Route and Seal MCP Parking Lot	\$8,000	\$6,704	\$0	\$1,296
Fire Hall 3 HVAC	\$50,000	\$0	\$50,000	\$0
Admin Office Renovation (Dir. Development Services)	\$25,000	\$0	\$0	\$25,000
Admin Office Desks, Tables & Chairs	\$4,000	\$0	\$0	\$4,000
MCP Desks, Tables & Chairs	\$8,000	\$5,023	\$0	\$2,977
South Works Yard Desks, Tables & Chairs	\$2,500	\$0	\$0	\$2,500
South Works Yard Water Softener	\$4,000	\$0	\$4,000	\$0
Facility Condition Assessment	\$15,000	\$14,939	\$0	\$61
Council Chambers Furniture Replacement	\$17,000	\$0	\$17,000	\$0
	\$133,500	\$26,666	\$71,000	\$35,834
East Elgin Community Complex				
Township Share of EECC Capital	\$199,000	\$77,777	\$0	\$121,223
	\$199,000	\$77,777	\$0	\$121,223
Parks				
Copenhagen Park	\$40,000	\$36,939	\$0	\$3,061
Port Bruce Waterfront Master Plan	\$40,000	\$0	\$40,000	\$0
SDCH - Walking Path Paving	\$35,000	\$25,948	\$0	\$9,052
Baseball Diamond 1 cut in, top dress & regrade	\$9,800	\$9,938	\$0	-\$138
	\$124,800	\$72,825	\$40,000	\$11,975
Administration & Governance				
Strategic Plan	\$50,000	\$18,037	\$31,963	\$0
Allowance for Equipment Replacements	\$8,000	\$8,651	\$0	-\$651
Modernization Initiatives	\$13,500	\$21,764	\$0	-\$8,264
Server Replacement	\$50,000	\$0	\$49,300	\$700
	\$121,500	\$48,452	\$81,263	-\$8,215
Water				

Schedule A) 2023 Capital Budget

	Budget	Actual	Carried to 2024 Budget	Surplus/ Deficit
Water Meter Replacements	\$15,000	\$17,963	\$0	-\$2,963
Talbot Street East Watermain Replacement	\$1,634,000	\$990,095	\$643,905	\$0
Water (continued)				
Copenhagen PLC Replacement	\$0	\$16,531	\$0	-\$16,531
Copenhagen Pump Replacement	\$8,000	\$10,729	\$0	-\$2,729
Copenhagen Pump Rebuild	\$2,000	\$1,803	\$0	\$197
Copenhagen PRV Replacement	\$6,000	\$4,491	\$0	\$1,509
Copenhagen Standby Generator	\$30,000	\$6,614	\$0	\$23,386
Hydrant & Sample Station Painting	\$6,000	\$0	\$0	\$6,000
	\$1,701,000	\$1,048,226	\$643,905	\$8,869
Sewer				
PLC Replacements	\$0	\$16,531	\$0	-\$16,531
Springfield Pump Rebuild	\$16,000	\$9,426	\$0	\$6,574
Springfield Soft Start Pump	\$5,000	\$4,264	\$0	\$736
	\$21,000	\$30,221	\$0	-\$9,221
Total	\$5,652,700	\$3,655,924	\$1,886,168	\$110,608

Schedule B) Reserve Continuity Schedule

	2023 Opening Balance	2023 Net Transfers	2023 Investment Income	Surplus/ (Deficit) Distributions	Current Balance	2024 Budgeted Net Transfers	Forecasted Uncommitted Balance
Obligatory Reserve Funds							
Building Stabilization Reserve Fund	\$637,527	\$0	\$34,086	-\$46,288	\$625,325	-\$55,000	\$570,325
Development Charges Reserve Fund	\$633,952	\$8,062	\$36,440	\$0	\$678,454	\$0	\$678,454
Canada Community Building Fund	\$1,033,744	\$84,111	\$59,423	\$0	\$1,177,278	-\$1,089,232	\$88,046
Ontario Community Infrastructure Fund	\$115,348	\$416,457	\$17,023	\$0	\$548,828	\$32,906	\$581,734
Cash in Lieu of Parkland	\$20,869	\$0	\$1,157	\$0	\$22,026	\$0	\$22,026
Ontario Cannabis Legalization Fund	\$14,530	\$0	\$0	\$0	\$14,530	\$0	\$14,530
Restricted Grants & Donations	\$65,344	-\$61,622	\$0	\$0	\$3,722	\$0	\$3,722
County Roads	-\$11,075	\$0	\$0	-\$47,326	-\$58,401	\$0	-\$58,401
	\$2,510,239	\$447,008	\$148,129	-\$93,614	\$3,011,762	-\$1,111,326	\$1,900,436
Restricted Fees & Levies							
Water	\$270,119	-\$141,996	\$19,575	\$2,507	\$150,205	\$167,157	\$317,362
Sewer	\$880,916	\$116,289	\$55,164	-\$6,838	\$1,045,531	\$115,558	\$1,161,089
Springfield Streetlights & Sidewalks	\$54,376	\$204,280	\$15,398	\$10,808	\$284,862	\$4,900	\$289,762
Avon Streetlights	\$1,776	\$195	\$0	\$0	\$1,971	\$0	\$1,971
Cemeteries	\$84,510	\$0	\$4,687	\$0	\$89,197	\$0	\$89,197
	\$1,291,697	\$178,768	\$94,824	\$6,477	\$1,571,766	\$287,615	\$1,859,381
Contingency & Stabilization							
Contingency & Stabilization	\$1,314,038	\$34,200	\$0	\$0	\$1,348,238	\$0	\$1,348,238
Municipal Elections	\$0	\$8,000	\$0	\$0	\$8,000	\$8,000	\$16,000
Planning & Development	\$279,280	\$0	\$0	\$0	\$279,280	\$0	\$279,280
	\$1,593,318	\$42,200	\$0	\$0	\$1,635,518	\$8,000	\$1,643,518
Projects & Initiatives							
Capital Reserve	\$6,553,037	-\$140,252	\$480,534	\$634,822	\$7,528,141	-\$676,287	\$6,851,854
Modernization Fund	\$402,160	-\$15,412	\$0	\$0	\$386,748	\$0	\$386,748
	\$6,955,197	-\$155,664	\$480,534	\$634,822	\$7,914,889	-\$676,287	\$7,238,602
Total	\$12,350,451	\$512,312	\$723,487	\$547,685	\$14,133,935	-\$1,491,998	\$12,641,937



REPORT NO. FIN-24-21
TO: Mayor & Members of Council
DEPARTMENT: Corporate & Financial Services
MEETING DATE: August 15, 2024
SUBJECT: Development Charges Annual Update

RECOMMENDATION:

THAT Report No. FIN-24-21 entitled "Development Charges Annual Update" be received.

PURPOSE & BACKGROUND:

The Township retained Watson & Associates Economists Ltd., to undertake a Development Charges Background Study and update the Township's development charges. In 2021, Council received the study and a new development charges bylaw was later passed. The study provides a detailed explanation of the Township's development charge policies, relevant legislative requirements and restrictions as well as a summary of the rate setting process and eligible costs. The study is available on the Township's website for those looking for additional information not contained within this report.

The Development Charges Act, section 43(1) states that "The Treasurer of a municipality shall each year on or before such date as the council of a municipality direct, give the council a financial statement relating to development charge by-laws and reserve funds established under section 33". In addition, paragraphs 12 and 13 of Ontario Regulation 82/98 indicate the information to be included in the report.

COMMENTS & ANALYSIS:**Development Charges Rates**

The Township collects Development Charges generally at the time of issuance of building permits, as per Section 26 of the D.C. Act, 1997. Development charge rates increase each September by a phased-in amount approved in the Township's Development Charges by-law until September 2023. Further, each September, rates are indexed using the Non-residential Building Construction Price Index in accordance with section 5 of the Township's development charges by-law and section 7 of the

Development Charges Act. The Township's active development charge rates are provided below for information.

Development Charge Rates		
Single and semi-detached dwellings	\$10,455	per residential unit
*Other multiples	\$8,268	
Apartments (2+ bedrooms)	\$6,391	
Apartments (bachelor or 1 bedroom)	\$4,098	
**Special Care/special dwelling units	\$3,368	
Non-residential	\$3.79	per sq. ft
<i>*other than single-detached, semi-detached, apartments or special care units</i>		
<i>** assisted living facilities (subject to conditions)</i>		

2023 Development Charges Reporting

Schedules A and B, as appended to this report, include development charges transaction details required to be reported to Council as prescribed in the Development Charges Act.

Schedule "A" provides a summary of the development charges collected during 2023 as per the Township's development charges bylaw including reserve fund transactions and balances. Development charges collections during the year were \$160,799, lower than the Township's three-year average of \$181,000. Institutional development, namely from Mount Salem Christian School, accounted for over one-third of collections. Growth-related costs for protection services and library services have exceeded development charge revenues thereby drawing their respective service reserves into negative balances which will be funded through future development charge collections.

Schedule "B" provides a list of growth-related projects that have received contributions from the development charges reserve funds in 2023. A total of \$152,736 in development charges were used to offset costs which would otherwise be funded through property taxes. Annual debenture payments pertaining to the Imperial Firehall, Malahide Community Place and South Dorchester Community Hall were assessed as growth-related in the Township's development charges background study and therefore eligible to be offset through development charge revenues.

A summary of development charges activities and obligatory reserve fund transfers relating to by-law 21-63 is detailed below.

Development Charges Reserve Fund	
Balance as of January 1, 2023	\$631,952
Add: Development charges collected	160,799
Add: Interest earned	36,440
Less: Transfers to capital projects	(152,737)
Balance as of December 31, 2023	\$678,454

Funds remaining in the Development Charges Reserve Fund are considered to be committed for projects as identified in the 2021 Development Charges Background Study. The funds will be used to offset growth-related capital projects as eligible costs are incurred.

LINK TO STRATEGIC & OPERATIONAL PLANS:

As the Township continues to form a strategy to “unlock responsible growth”, it will be imperative that Council reviews its development charges policies. The Township’s existing development charges by-law is based on a set of assumptions which may or may not continue to serve the Township’s strategic interests depending on how and where the Township plans to grow.

It is recommended the Township review its strategy for growth and the infrastructure improvements required to accommodate that growth in order to align its development charge rates with its long-term capital plan. The Township’s current development charges by-law expires on September 2, 2026, though an earlier update, contingent on updated growth planning, is recommended.

ATTACHMENTS:

1. Schedule A – Statement of Development Charges Reserve Fund
2. Schedule B – Amounts Transferred to Capital or Other Funds

Prepared by: A. Boylan, Director of Corporate Services/Treasurer

Approved by: N. Dias, Chief Administrative Officer

Schedule A
Township of Malahide
Statement of Development Charges Reserve Fund

Description	Services to which the Development Charge Relates (examples)					Total
	Non-Discounted Services		Discounted Services			
	Services Related to a Highway	Protection ⁴	Administration	Parks and Recreation ⁵	Library	
Opening Balance, January 1, 2023	495,474	-10,282	55,573	95,580	-2,393	633,952
Plus:						
Development Charge Collections	62,772	61,802	7,931	27,607	687	160,799
Accrued Interest	27,922	0	3,132	5,386	0	36,440
Repayment of Monies Borrowed from Fund and Associated Interest ¹	0	0	0	0	0	0
Sub-Total	90,694	61,802	11,063	32,993	687	197,239
Less:						
Amount Transferred to Capital (or Other) Funds ²	26,886	78,505	0	43,073	4,273	152,736
Amounts Refunded	0	0	0	0	0	0
Amounts Loaned to Other D.C. Service Category for Interim Financing	0	0	0	0	0	0
Credits ³	0	0	0	0	0	0
Sub-Total	26,886	78,505	0	43,073	4,273	152,736
						0
Closing Balance, December 31, 2023	559,282	-26,985	66,635	85,500	-5,979	678,454

¹ No DCs were used to provide interim financing for non-growth related projects

² See Schedule B for details

³ No credit agreements currently in place

⁴ Service category includes: Fire Services

⁵ Service category includes: Indoor Recreation Services and Parkland Development Services

The Municipality is compliant with s.s. 59.1 (1) of the *Development Charges Act*, whereby charges are not directly or indirectly imposed on development nor has a requirement to construct a service related to development been imposed, except as permitted by the *Development Charges Act* or another Act.

Schedule B
Township of Malahide
Amounts Transferred to Capital or Other Funds

Service Area / Project	Development Charges	Other Sources of Funding	Total Project Actual
<u>Services Related to a Highway</u>			
Carter Rd Bridge Rehab Design	23,101	223,399	246,500
Bridges - Hacienda Rd Culvert Rehab	1,092	9,829	10,921
Bridges - Vienna Ln Culvert Rehab	2,692	24,231	26,923
	26,886	257,459	284,344
<u>Protection</u>			
Imperial Fire Hall Debenture Payments	78,505	70,551	149,056
	78,505	70,551	149,056
<u>Parks & Recreation</u>			
MCP & SDCH Debenture Payments	43,073	65,336	108,409
	43,073	65,336	108,409
<u>Library</u>			
MCP Debenture Payments - Library Portion	4,273	6,568	10,841
	4,273	6,568	10,841
Total	152,736	334,578	444,241



REPORT NO. FIN-24-22
TO: Mayor & Members of Council
DEPARTMENT: Corporate & Financial Services
MEETING DATE: August 15, 2024
SUBJECT: Cash in Lieu of Parkland

RECOMMENDATION:

THAT Report No. FIN-24-22 entitled “Cash in Lieu of Parkland” be received.

COMMENTS & ANALYSIS:

Under Section 42 of the Planning Act, the Township may require, as a condition of development, that land be conveyed to the municipality for park or other public recreational purposes. Alternatively, the Township may require a payment in lieu, to the value of the land otherwise required to be conveyed. In May of 2012, the Township of Malahide passed By-law No. 12-40, being a by-law requiring such lands or cash-in-lieu of lands for parkland be conveyed to the municipality for new development. This is established at 2% for Commercial/Industrial and 5% for all other cases as set out in the Planning Act. Once collected, these funds must be held in a reserve fund, allocated interest and spent only for the acquisition of land to be used for park or other recreational purposes including the erection, improvement or repair of buildings and the acquisition of machinery. The Planning Act requires the Treasurer to report the collection of and allocation of funds collected through Section 42 of the Planning Act annually.

The Township’s last cash in lieu of parkland collection was in 2015. As such, there is nothing to report in 2023 aside from interest accrued on the Cash in Lieu of Parkland Reserve Fund balance. A summary of the Township’s Cash In Lieu of Parkland Reserve Fund is provided for review.

Cash in Lieu of Parkland Reserve Fund	
January 1, 2023	\$20,869
Fees Collected	\$0
Interest Earned	\$1,157
December 31, 2023	\$22,026

Prepared by: A. Boylan, Director of Corporate Services/Treasurer

Approved by: N. Dias, Chief Administrative Officer



REPORT NO. FIN-24-23
TO: Mayor & Members of Council
DEPARTMENT: Corporate & Financial Services
MEETING DATE: August 15, 2024
SUBJECT: Building Stabilization Reserve Fund

RECOMMENDATION:

THAT Report No. FIN-24-23 entitled “Building Stabilization Reserve Fund” be received.

PURPOSE & BACKGROUND:

The Building Code Act, 1992, S.O. 1992, c. 23 (the “Act”) prescribes that a municipality is required to prepare a report every twelve months that reports on the fees it prescribes for the application and issuance of permits and costs to administer and enforce the Act in its area of jurisdiction. The Township’s building permits have been unmodified since 2019. A full list of the Township’s active permit fees is appended to this report.

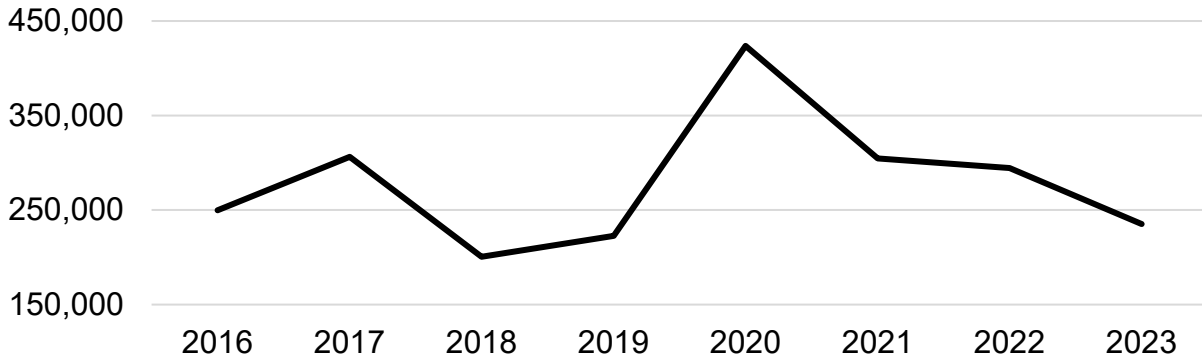
A municipality is permitted to have a reserve fund which is available to manage the risks involved in the operation of a Building Division. Construction downturns, capital purchases, litigation and changes in legislation are examples of factors which may place stress on the annual budget. It is for these types of unexpected expenses that the Township’s Building Stabilization Reserve Fund was established.

COMMENTS & ANALYSIS:

Building Services Financial Operations

The Township incurred \$322,335 in operating costs to administer and enforce the Act during 2023. Building permit fees of \$235,092 and recoveries from the Municipality of Bayham of \$40,955 totaled \$276,047 in annual revenues resulting in a \$46,288 operating deficit. Most of this shortfall seems to be the result of slowed economic growth and reduced construction activity in the Township resulting in a decline in permit revenues. For context, building permit revenues from 2016 to 2022 averaged \$285,952 per year compared to 2023’s total of \$235,092. The subsequent graph shows a brief history of the Township’s annual permit revenues.

Annual Permit Revenues



A full financial summary for Building Services' 2023 operating budget attached to this report for additional information.

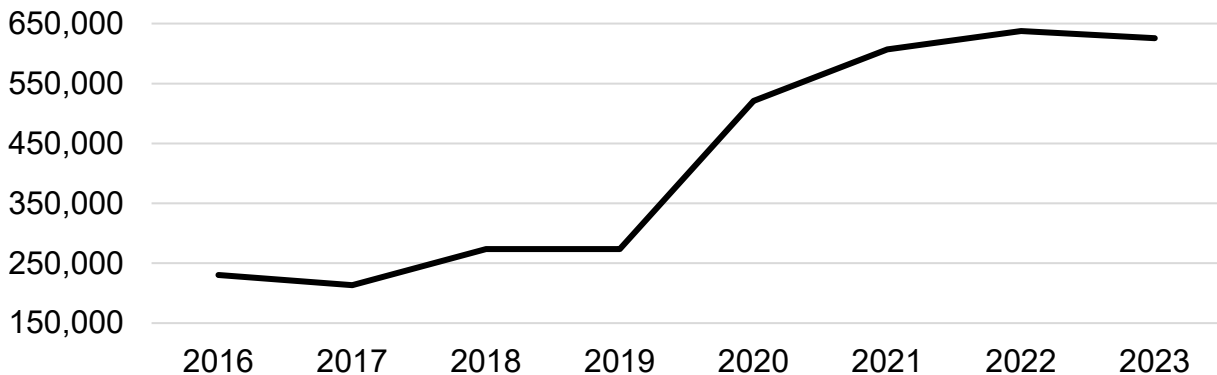
Building Stabilization Reserve Fund

At the beginning of 2023, the Township had retained \$637,527 in its Building Stabilization Reserve Fund which is made up of unused building permit revenue. These funds accrued investment income during the year of \$34,086 which has been transferred to the reserve fund in accordance with the Act. When accounting for 2023's operating deficit, the Township's Building Stabilization Reserve fund closes at \$625,325.

Building Stabilization Reserve Fund	
2023 Opening Balance	\$637,527
Add: Accrued Interest	34,086
Less: 2023 Operating Deficit	(46,288)
2023 Closing Balance	\$625,325

Since 2016, the Building Stabilization Reserve Fund has grown from \$230,284 to \$625,325. Much of this growth came in 2020 when building permit revenues reached a historic high of \$423,697. Since this time, growth in the reserve has slowed, implying permit fees are now approximately on par with related service expenditures. A history of the balance of the Building Stabilization Reserve Fund is provided below.

Reserve Fund Balance



Impact on Building Permit Fee Schedule

As a result of the Township's healthy Building Stabilization Reserve Fund balance, the Township has not adjusted its building permit fees since 2015. As costs to provide the service continue to increase as a result of inflation, it will be important for the Township to continue to monitor its Building Stabilization Reserve Fund balance and annual draws. In order for the cost of building permits to be borne by applicants rather than the general tax base, the Township will eventually need to consider indexing its building permit fees to offset inflationary pressures. Staff is, however, currently satisfied with the Township's building permit fee structure and reserve fund balance therefore no further review of the Township's fee schedule is proposed for this year.

ATTACHMENTS:

1. Schedule A - 2023 Building Service Operating Summary

Prepared by: A. Boylan, Director of Corporate Services/Treasurer

Approved by: N. Dias, Chief Administrative Officer



REPORT NO. HR-24-06

TO: Mayor & Members of Council
DEPARTMENT: Human Resources
MEETING DATE: August 15, 2024
SUBJECT: **Health & Safety Policy under Occupational Health & Safety Act Annual Compliance Update**

RECOMMENDATION:

THAT Report No.HR-24-06 entitled “Health & Safety Policy under Occupational Health & Safety Act – Annual Compliance Update” be received;

AND THAT the Mayor and Chief Administrative Office be authorized to sign the Health & Safety Policy on behalf of the Corporation;

AND THAT the revised Human Resources Policy B-4.2 Respect in the Workplace (Violence and Harassment) be received for information and further be brought forward for approval at an upcoming Council Meeting.

PURPOSE & BACKGROUND:

On June 27, 2023, Council adopted its Health & Safety Policy. The Occupational Health & Safety Act (OHSA) requires Employers to annually review this policy, update it, post it, and maintain a program to ensure all employees are trained and provided refresher training as needed.

Council has also requested an annual update, specifically of the inquiries and complaints, which have been received under the OHSA, particularly relating to Bill 132 and Bill 168 (Violence and Harassment).

COMMENTS & ANALYSIS:

All new staff, including volunteer firefighters, have received Health & Safety Orientation Training and have been provided with a copy of our Health & Safety Handbook. This training includes specific information regarding Respect in the Workplace (Violence and Harassment) and the processes in place for reporting, investigating, and resolving incidents of violence and harassment in the workplace.

To improve the culture of health and safety and further support Council’s commitment to Health & Safety, we have recently implemented SafetyHub, a learning management system that features safety training videos and assessments. Employees are assigned various safety topics related to their specific positions throughout the year.

Additionally, we are also utilizing Microsoft 365 and have created a Health & Safety Employee SharePoint Site. This has been created to centralize all critical health and safety information, policies, procedures, and resources.

All of the above components support the Township’s commitment to providing a safe and secure workplace.

OHSA Legislative Requirements

OHSA Requirement	OHSA Description	Malahide
Joint Health & Safety Committee	<p>50 plus workers – you are required to have a Joint Health & Safety Committee (JHSC). The committee must have at least four (4) members.</p> <p>At least half of the members must be workers employed at the workplace who do not exercise managerial functions.</p>	<p>Malahide has two Committees:</p> <p>Main Committee: consisting of members, Ryan DeSutter, Chris Cox, Matt Teeple, Eric Donkers, Cindy Ryan, Sue Loewen</p> <p>Fire Committee: consisting of members, Jeff Spoor, Scott Salmon, Hollis Clark, Jordan Steele, Brian Brooks, Sue Loewen</p> <p>Names and work locations are posted in the workplace as per OHSA subsection 9(32).</p>
Certification	The Act prescribes that at least two members of the committee have certification (one representing the worker and one representing persons who exercise managerial functions)	<p>The following members are JHSC Certified:</p> <p>Ryan DeSutter Matt Teeple Eric Donkers Sue Loewen Jeff Spoor Scott Salmon Hollis Clark</p> <p>We exceed the requirement to account for potential vacancies and increased benefit to the organization and further ensure that employee is a “competent” worker and supervisor as defined in the OHSA.</p>

Meetings	Committee members are required to meet at the workplace at least once every three months.	<p>Malahide exceeds the minimum requirements for the Main Committee meeting every other month.</p> <p>Malahide meets the minimum requirements for the Fire Committee, meeting quarterly.</p> <p>Agendas and Minutes are prepared and available for review if required.</p>
Workplace Inspections	The Act requires that the workplace be inspected at least once a month by a designated worker member of the JHSC.	Malahide meets this requirement and conducts inspections at all facilities on a monthly basis.

Annual Incidents Update

Sixteen (16) incidents were reviewed, and discussions took place regarding procedural changes that could be made to prevent these incidents in the future. Details of these incidents are set out in the chart below.

Date	Type of Incident	Nature and Outcome of the Incident	Corrective Action
July 2023 (note earlier incidents reported in the 2023 H&S Report)	Equipment Damage	Minor property damage occurred, knocked over post on property – no financial impact	Review Procedures for backing up
Sept 2023	Equipment Damage	Damage to vehicle occurred during backup operation – hitting a parking pole	Review Procedures for backing up
Oct 2023	Injury	Sustained knee injury during normal course of work, slip and fall – filed WSIB Form 7	n/a
Jan 2024	Equipment Damage	Tarp on pumper blew off while responding to a dispatched call. No injuries or accidents	Equipment Malfunction – Solutions considered by J.Spoor
Jan 2024	Equipment Damage	Aylmer Fire Truck hit Pumper # 5 in a parking lot causing the	Aylmer paid the costs of the repair.

		passenger mirror to break.	
Feb 2024	Injury	Sustained hand injury while responding to a fire call, slip and fall – file WSIB Form 7.	n/a Importance of proper housekeeping
Feb 2024	Near Miss	Fire Truck's side ladder flung out onto oncoming traffic as the maneuvered vehicle onto the road.	Instruction / Training – importance of pre-inspection procedures
Feb 2024	Equipment Damage	Grader backed into concrete block which hit the eavestrough of building at the shop. Limited visibility due to winter conditions.	Apply reflective strips to concrete blocks around building.
Feb 2024	Incident	While operator the chipper (closing chute) operator slipped and chute came down and struck operator on shoulder. No significant injuries.	Review Job Hazard assessment to determine mitigation strategies.
Feb 2024	Equipment Damage	Operator error when turning around at dead end road with the snowplow hit hydro pole causing damage to plow and pole.	Investigation initiated and corrective action applied.
Feb 2024	Equipment Damage	Operator error when backing truck out of shop bay. Truck hit overhead door causing significant damage to door.	Investigation initiated and corrective action applied.
June 2024	Accident	Firefighter auto accident responding to call - not at fault, no injuries sustained, personal insurance to cover.	n/a Reminder of the importance of safe driving techniques
June 2024	Exposure	Firefighter exposure to blood during patient transfer at hospital.	Triggered procedures of exposures –

		Reported exposure to WSIB.	involving public health.
July 2024	Incident	Firefighter while stepping out of the cab, twisted knee, no injuries or emergency care.	n/a
July 2024	Equipment Damage	Drone was possibly hit by bird strike, took a nosedive in the water	n/a
July 2024	Incident	Firefighter fainted while operating a firehose during training. No injuries sustained	Ruled out potential causes such as heat, etc.

The Township's Respect in the Workplace Policy has been reviewed and revised to enhance clarity and effectiveness ensuring employees understand their rights and responsibilities, and for management to enforce effectively. Please see the attachments.

Between the last report (July 2023) and the date of writing this report, there have been zero (0) formal complaints brought forward regarding Workplace Violence and Harassment.

FINANCIAL IMPLICATIONS:

N/A or provide details

LINK TO STRATEGIC & OPERATIONAL PLANS:

Mission:	Information that promotes understanding and participation
Priorities:	Establish, document, and implement service levels
Tangible Results:	More policy-driven decision-making, ensuring compliance with legislative requirements.

CONSULTATION:

Consultation of the Ontario Health & Safety Act.

Consultation with the Human Resources Community of Practice Group through shared resources and information concerning the revisions on the Respect in the Workplace Policy.

ATTACHMENTS:

1. Health & Safety Annual Policy
2. Human Resources Policy B-4.2 Respect in the Workplace Original
3. Human Resources Policy A09-HRM-B-4.2 Respect in the Workplace – Revised

Please click on the direct links within the Revised Policy for additional information and documents.

Prepared by: S. Loewen, Human Resources Manager

Approved by: N. Dias, Chief Administrative Officer



Section: Employee Management	Policy Number: A09-HRM-B-4.2
Subsection: Human Rights	Effective Date: January 1, 2011
Subject: Respect in the Workplace	Revision Date: April 2024
	Page 1 of 10

A09-HRM-B-4.2 RESPECT IN THE WORKPLACE (Workplace Violence, Harassment, and Sexual Harassment)

1.1 Policy Statement

The Township of Malahide (“Township” or “Employer”) is committed to providing a work environment in which all workers are treated with respect and dignity. Workplace Violence, Harassment, and Sexual Harassment by any person, will not be tolerated.

Violence, harassment, and discrimination are violations of the [Occupational Health and Safety Act](#) and the [Ontario Human Rights Code](#). The policy shall provide a framework for the Township to meet its obligations under these Acts and a process for responding to and resolving complaints.

We all have a responsibility to help create a safe workplace by preventing violence, threats of violence, domestic violence that carries over into the workplace, harassment including sexual harassment, and discrimination of all types including sexual and racial discrimination.

1.2 Purpose and Scope

1.2.1 Purpose

The purpose of this policy is to:

- Ensure that the Occupational Health and Safety Act (OHSA) and Human Rights Code (HRC) are supported and complied with by the Township.
- Demonstrate continued commitment to diversity, equity, and inclusion in the workplace climate we create, which aligns with the Township’s corporate guiding principles of respect.
- A guideline on how incidents of violence and harassment are handled and investigated.

1.2.2 Scope

This policy applies to employees, members of Council, firefighters, volunteers, customers, suppliers, visitors, contractors, or anyone else an employee encounters in the workplace. Incidents that occur beyond the normal workplace, on social media, or outside of working hours that have an impact on the working environment, including working relationships may also be captured in this policy.

1.3 Definitions

1.3.1 General Definitions:

Workplace: Any land, premises, location, or thing at, upon, in, or near which a worker works.

Complainant: A person who has alleged a violation of this policy.

Respondent: A person who has been alleged to have violated this policy.

Occupational Health & Safety Act (OHSA): The main purpose of the OHSA is to provide the legal framework to achieve the goal of protecting workers from health and safety hazards on the job by setting out duties for all workplace parties and rights for workers to help establish a strong internal responsibility system (IRS) in the workplace.

Ontario Human Rights Code (OHRC) – Protected Grounds: Ontario Human Rights Code prohibits harassment and discrimination on the basis of the following protected grounds race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, age, record of offences, marital status, family status, sex, disability, sexual orientation, gender identity, and gender expression.

Discrimination: Unfair or adverse treatment based on one or more of the protected grounds, as defined in the OHRC. Examples include, but are not limited to denial of a promotion, work assignment, career development, or training.

Disrespectful and Inappropriate Behaviour: Behaviours that obstruct or hinder the ability of people to work and access the Township's facilities, services, programs, or events, that are known or ought to be known to cause emotional harm and/or compromise the safety and health of people.

1.3.2 Workplace Violence is defined under OHSA as:

- a) The exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker.
- b) An attempt to exercise physical force against a worker, in a workplace, that could cause physical injury to the worker.
- c) A statement or behaviour that is reasonable for a worker to interpret as a threat to exercise physical force against the worker, in a workplace, that could cause physical injury to the worker.

Examples of what constitutes workplace violence when repeated or is one single severe event:

- a) Verbally threatening to attack a worker.
- b) Leaving threatening notes at or sending threatening emails to the workplace.
- c) Shaking a fist in a worker's face.
- d) Wielding a weapon at work.

- e) Hitting or trying to hit a worker.
- f) Throwing an object at a worker.
- g) Sexual violence against a worker.
- h) Kicking an object the worker is standing on such as a ladder.
- i) Trying to run down a worker using a vehicle or equipment such as a forklift.

Violence can come from the workplace itself or outside sources. Violence may occur between:

- Co-workers.
- Supervisors; or
- A customer, vendor, or individual someone deals with in the course of their work.

1.3.3 Domestic Violence

Domestic violence is a pattern of behaviour used by one person to gain power and control over another with whom they have or had an intimate relationship. This pattern of behaviour may include physical violence, sexual, emotional, psychological intimidation, verbal abuse, stalking, harassment or controlling behaviours. Domestic violence becomes workplace violence or harassment when it occurs or spills over into the workplace.

Examples of what constitutes domestic violence spillover into the workplace include:

- a) Repeatedly harassing an employee or co-worker with phone calls or emails.
- b) Stalking or harassing an employee or co-worker at work.
- c) Showing up at the workplace and pestering an employee or co-workers.
- d) Threatening or physically harming an employee or co-workers.

1.3.4 Workplace Harassment is defined under OHSAs as:

- a) engaging in a course of vexatious comment or conduct against a worker in a workplace that ought reasonably to be known to be unwelcome or workplace sexual harassment.

It also includes words, gestures, or actions that have a negative context, deliberately diminish a person's dignity, or harm their physical or psychological well-being.

Examples of what constitutes workplace harassment when repeated or one single severe event:

- a) Serious or repeated rude, degrading, or offensive remarks, such as insults, put-downs, jokes or teasing related to a person's physical characteristics, appearance, or a prohibited ground of discrimination.
- b) Intimidation, threats, verbal abuse, extortion, constantly interrupting, yelling, or shouting.
- c) Bullying (physical, verbal, social, cyber). Humiliating a person in a public setting.

- d) Destabilizing the person by making fun of their beliefs, values, political and/or religious choices, and mocking their weak points.
- e) Comments destroying a person's reputation, repeated insinuations, or unfounded accusations.
- f) Discrediting the person by spreading malicious gossip or rumours, ridiculing them, humiliating them, calling into question their convictions or their private life.
- g) Systematically interfering with normal work conditions, sabotaging places, or instruments of work. Controlling the person by withholding resources necessary to succeed. Isolating the person by no longer talking to him or her, denying or ignoring his or her presence, or distancing them from others.
- h) Displaying or circulating offensive pictures or materials in print or electronic form.

Employee Tool: [“Is it Harassment? A Tool to Guide Employees – Canada.ca”](#)

Employee Tool: [Examples to help to differentiate between Harassment and Frustration.](#)

Examples of what does not constitute workplace harassment:

- a) Normal exercise of management's right to manage such as the day-to-day management of operations, performance at work or absenteeism, the assignment of tasks, reference checks, and the application of progressive discipline, up to and including termination, constitute the legitimate exercise of management's authority.
- b) Constructive criticism about work performance or a mistake and not the person.
- c) Counselling an employee on their performance when done in a non-discriminatory or harassing manner. Conversations relating to missing work and deadlines.
- d) A single or isolated incident such as an inappropriate remark or abrupt manner.
- e) A social relationship welcomed by both individuals.
- f) Work-related stress or difficult professional constraints such as a budget reduction exercise.

1.3.5 **Workplace Sexual Harassment** is defined under OHSa as:

- a) Engaging in a course of vexatious comment or conduct against a worker in a workplace because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome; or,
- b) Making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant, or deny a benefit or advancement to the worker and the person knows or ought reasonably to know that the solicitation or advance is unwelcome.

Examples of what constitutes workplace sexual harassment when repeated or one single severe event:

- a) Inappropriate questions, suggestions, or remarks about a person's sex life.
- b) Making sexual jokes and comments or bragging about sexual prowess.
- c) Posting or sharing pornography, sexual pictures or cartoons, sexually explicit graffiti, or other sexual images.

- d) Unwelcome social invitations with sexual overtones or flirting. Persistently asking someone out, despite being turned down.
- e) Invasion of personal space. Getting too close for no reason. Brushing against or cornering someone. Making unnecessary physical contact, including unwanted touching. Demanding hugs.
- f) Unwelcome sexual advances which may or may not be accompanied by promises or threats, explicit or implicit. Asking for sex in exchange for a benefit or a favour.

1.3.6 Poisoned Work Environment

A poisoned work environment can be defined as the following:

- a) A work environment where harassment and/or discrimination with broad overtones creates a hostile, negative, intolerable workplace as assessed by a reasonable, objective observer. This does not require comments or actions to be directly aimed at a specific employee.

Examples of what constitutes a poisoned work environment when repeated or one single severe event:

- a) Outbursts of anger and rage that seem to be an exaggerated display of emotion relative to the situation. Where an individual is unable to identify, monitor and regulate emotions.
- b) Pervasive and ingrained patterns of dysfunctional thoughts (irrational beliefs) and feelings (emotions) that contribute to behaviours (dysfunctional, caustic, destructive), not only for themselves but others.
- c) Expressing intense unhealthy negative emotions (i.e., anxiety, envy, fear, anger, jealousy, resentment, hostility), often in impulsive, erratic, and inappropriate ways.
- d) Hypersensitivity. Overreacting with anger to feedback, annoyances, criticisms, rejections, or frustrations.
- e) Unable or unwilling to engage with others in a friendly, sociable, or professional manner without reacting negatively.

1.4 Prevention

It is our mutual responsibility to ensure that we create and maintain a harassment and violence-free workplace and address violence and/or threat of violence from all sources (including ratepayers, clients, employers, supervisors, employees, strangers, and domestic/intimate partners).

Employee Tool: [Guidelines for Prevention of Workplace Violence.](#)

1.4.1 Employer's Responsibilities

The Employer's responsibilities include:

- a) Creating and maintaining a workplace culture that is free of harassment.

- b) Doing everything reasonable to protect workers from workplace violence and harassment.
- c) Making workers aware of potential risks.
- d) Developing policies and programs that address violence and harassment.
- e) Annually reviewing policies and programs that address violence and harassment.
- f) Training workers on how to recognize and deal with workplace violence and harassment.
- g) Investigating all reports of violence and harassment.
- h) Determining whether employees have participated in violence, harassment or discrimination and the disciplinary action that will be taken.

1.4.2 Supervisor's Responsibilities

The Supervisor's responsibilities include:

- a) Assist in creating a harassment-free workplace.
- b) Contact the Human Resources Manager if they receive a complaint of workplace violence or harassment, or witness, or are aware of harassing or violent behaviour.
- c) Take every reasonable precaution to protect employees from workplace violence, including evaluating a person's history of violent behaviour to determine whether and to whom this employee poses a risk.

In making this evaluation, Supervisors should consider:

- Whether the person's history of violence was associated with the workplace or work.
- Whether the history of violence was directed at a particular employee or employees in general.
- How long ago did the incidence of violence occur?

In certain circumstances, Supervisors may have a duty to provide information about the risk of workplace violence from a person with a history of violent behaviour if an employee can be expected to encounter that person during the course of his or her work, and the risk of workplace violence is likely to expose them to physical injury.

Supervisors will only release as much personal information about the person with a history of violent behaviour as is reasonably necessary to protect an employee from physical injury.

1.4.3 Employee's Responsibilities

The Employee's responsibilities include:

- a) Understanding rights and responsibilities under OHSA.
- b) Know how to report violence, harassment, and sexual harassment.
- c) Know how to participate in an investigation.

1.5 Reporting Procedures

Everyone has a responsibility to report workplace violence, harassment, and sexual harassment when these incidents occur. This applies to the Employer, management, and all employees. If threats are not reported, they may persist and can eventually escalate.

1.5.1 Immediate Assistance Procedures

If you are concerned for the safety or well-being of yourself or another worker due to violence or harassment in the workplace, individuals are advised to **call the Police or emergency responders** for immediate assistance and inform the Employer.

1.5.2 Concerns for Safety

If you are concerned for the safety or well-being of yourself or another worker due to violence or harassment in the workplace, please notify the Human Resources Manager.

1.5.3 Informal Procedure

Attempt to resolve the matter at the individual level.

It is important to inform someone if their behaviour is unwelcome and needs to stop immediately. The person may not be aware that their behaviour is offensive and may apologize if they are made aware. Though it may be difficult, addressing the issue directly can resolve many disputes quickly and effectively. If you feel uncomfortable confronting the person directly, you can report the incident to the Human Resources Manager.

If the harassment continues after you have confronted the individual, you may want to provide him or her with a written statement of the situation. Include specific details of the behaviours you consider to be harassing, your request to the harasser to stop and your expectations that he or she will stop. Provide details of the next steps you plan to take if the harassment does not stop e.g., filing a formal complaint. Make sure you keep a copy of this statement for yourself.

Keeping a record of incidents including harassment start, specifics, witnesses, and responses are crucial and can be proof that you have made considered decisions and taken appropriate actions. Records become your protection if you are questioned or challenged. Without them, you are at risk. Good recordkeeping can not only protect you, but can support the Employer in their investigations.

1.5.4 Formal Procedure

Reporting Workplace Violence and Harassment:

If someone believes they have been subject to or witnessed violence or harassment they should submit a complaint to the Human Resources Manager. Reporting incidents of workplace violence and harassment should be submitted using the Laserfiche Form (link below) and relevant or supporting documentation can be submitted directly to the Human Resources Manager.

[Respect in the Workplace - Incident Reporting Form.](#)

1.5.5 Complaints Against a Member of Council

If the alleged harasser is a Member of Council, the complainant is welcome to file a complaint with the CAO to forward to the Municipality's Integrity Commissioner.

1.5.6 Complaints Against the CAO

If the alleged harasser is the CAO, the complainant is welcome to file a complaint with the Head of Council. The Head of Council, in association with other Members of Council will investigate and take necessary steps to resolve the issue.

1.6 Investigation Process

Once a complaint has been received, the Human Resources Manager will commence a thorough investigation. It is the Township's goal, where practicable, that the investigation is completed within thirty (30) days of the complaint being filed.

The investigation will include:

- a) Informing the respondent of the complaint.
- b) Interviewing the complainant, respondent, and any persons involved in the incident.
- c) Identifying and interviewing any witnesses; and
- d) Obtaining statements from all parties involved.

All the above information will be documented and used to determine whether an incident of violence or harassment occurred. If necessary, the Employer may employ outside assistance or request the use of legal counsel. The Joint Health and Safety Committee of the Township of Malahide will not be involved in the investigations and will not be provided with any identifying information about the parties involved.

A copy of the complaint, detailing the complainant's allegations, will be provided to the respondent, who will be invited to reply in writing to the complainant's allegations. The reply will be made known to the complainant before the case proceeds.

The Employer will take all measures to prevent any disclosure of the incident and the identities of the parties involved, unless the disclosure is necessary for the investigation, for taking corrective action or required by law.

[Appendix "A" Investigation Checklist.](#)

1.7 Results of the Investigation

Upon completion of an investigation, the Employer will provide both the complainant and the respondent a written summary of the findings of the investigation and any

corrective action that has been or will be taken as a result of the investigation. The written notification will be provided within ten (10) days of the investigation being completed and will not include the investigation report unless required by law.

1.8 Disciplinary Measures

Any disciplinary action will be determined by the CAO and will be proportional to the seriousness of the behaviour or action involved in the incident up to and including termination of employment.

It is a violation of this policy for anyone to knowingly make a false complaint, or to provide false information about a complaint. Unfounded or frivolous allegations may cause both the respondent and the Township considerable damage. Any employee who knowingly makes a false allegation related to violence or harassment will be subject to immediate disciplinary action, up to and including termination of employment.

1.9 Control Measures and Supports

1.9.1 Control Measures

Where the Employer determines that violence or harassment has occurred, control measures will be implemented to eliminate or control the risk of violence or harassment to a worker as a result of the investigation. These control measures will be determined on a case-by-case basis, depending on the situation investigated. Any control measure enacted will be communicated to the complainant and respondent, as well as any other employees that the measure affects.

An employee has the right to refuse work if they have a reason to believe that workplace violence is likely to endanger them. Upon refusing to work, the employee must report the circumstances of the refusal to the Human Resources Manager. An investigation will follow in the presence of an appointed member of the Joint Health and Safety Committee of the Township of Malahide.

1.9.2 Supports

Employees who experience violence and harassment can access various support systems. See the document linked below for the various supports that are available.

[Supports Information Sheet.](#)

1.10 Documentation and Confidentiality

1.10.1 Record-Keeping

The Township of Malahide will ensure that appropriate records of complaints and investigations relating to incidents of violence and workplace harassment are kept, including:

- a) A copy of the complaint or details about the incident.
- b) Any records related to the investigation including notes.
- c) A copy of witness statements, if taken.
- d) A copy of the investigation report, if applicable.
- e) A summary of the investigation results, including the reports provided to the complainant and respondent.
- f) A copy of any corrective action taken to address the complaint or incident.

1.10.2 Confidentiality

The Township of Malahide will not disclose the name of a complainant or respondent, or the circumstances related to the complaint to any person except where disclosure is necessary to investigate the complaint or take corrective action with respect to the complaint or as required by law. The Township will only disclose the minimum amount of personal information or details necessary for these purposes.

All records of harassment, and subsequent investigations, are considered confidential and will not be disclosed to anyone except to the extent required by law. The Township will do everything reasonably possible to protect the privacy of any individuals involved and to ensure that complainants and respondents are treated fairly and respectfully.

1.11 Policy Review and Training

1.11.1 Policy Review

The Occupational Health and Safety Act states that the employer must ensure its workplace violence and harassment program is reviewed at least annually or when any gaps or deficiencies in its program are identified as a result of an investigation. The up-to-date program and policy shall be in written form and shall be posted at a conspicuous place throughout the workplace. (“Code of practice to address workplace harassment | ontario.ca”)

The Joint Health and Safety Committee of the Township of Schreiber will be responsible for initiating the policy review process.

1.11.2 Policy Training

Training will be conducted for new hires, with periodic refresher training and additional training as needed following investigations.



Section: Employee Management	Policy Number: B-4.2
Subsection: Human Rights	Effective Date: January 1, 2011
Subject: Respect in the Workplace	Revision Date: November, 2020
	Page 1 of 2

B-4.2 RESPECT IN THE WORKPLACE (Harassment and Violence)

Purpose:

The Township of Malahide is committed to providing and maintaining a working environment that is based on respect for the dignity and the rights of everyone in the organization and the public they serve. It is the Township's goal to provide a healthy and safe work environment that is free of any form of harassment or violence.

Scope:

The Township will not tolerate ignore or condone any form of discrimination, harassment or violence. This policy applies to all employees, elected officials, volunteers, students, contractors and consultants. It applies in any location in which they are engaged in work-related activities. This includes but is not limited to:

- the workplace (office, facilities, works yard etc.)
- during work-related travel
- at restaurants, hotels or meeting facilities that are being used for business purposes
- in municipally-owned or leased facilities
- during telephone, email or other communications; and
- at any work-related social event, whether or not it is municipally sponsored.

This policy also applies to situations in which an employee is harassed or subjected to violence in the workplace from individuals who are not employees of the municipality, such as ratepayers and suppliers, although the available remedies may be constrained by the situation. Discrimination, harassment and violence are serious forms of employee misconduct which may result in disciplinary action up to and including discharge.



Definitions

1. ***Discrimination***

Workplace discrimination includes any distinction, exclusion or preference based on the protected grounds in the *Ontario Human Rights Code*, which nullifies or impairs equality of opportunity in employment or equality in the terms and conditions of employment.

The protected grounds of discrimination are:

- race, colour, ancestry, citizenship, ethnic origin, or place of origin,
- creed, religion
- age
- sex (including pregnancy and gender identity)
- sexual orientation
- family, marital (including same-sex partnership) status
- disability or perceived disability
- a record of offences for which a pardon has been granted under the *Criminal Records Act* (Canada) and has not been revoked, or an offence in respect of any provincial enactment.

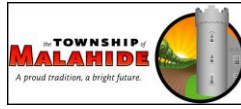
2. ***Sexual Harassment***

Sexual harassment includes conduct or comments of a sexual nature that the recipient does not welcome or that offends him or her. It also includes negative or inappropriate conduct or comments that are not necessarily sexual in nature, but which are directed at an individual because of his or her gender.

Both men and women can be victims of sexual harassment, and someone of the same or opposite sex can harass someone.

Some examples of sexual harassment are:

- sexual advances or demands that the recipient does not welcome or want
- threats, punishment or denial of a benefit for refusing a sexual advance
- offering a benefit in exchange for a sexual favour
- leering (persistent sexual staring)
- displaying sexually offensive material such as posters, pictures, calendars, cartoons, screen savers, pornographic or erotic web sites or other electronic material
- distributing sexually explicit e-mail messages or attachments such as pictures or video files
- sexually suggestive or obscene comments or gestures
- unwelcome remarks, jokes, innuendoes, propositions or taunting about a persons body, clothing or sex
- persistent, unwanted attention after a consensual relationship ends
- physical contact of a sexual nature, such as touching or caressing; and



- sexual assault

3. Discriminatory Harassment

Discriminatory harassment includes comments or conduct based on the protected grounds in the *Ontario Human Rights Code*, which the recipient does not welcome or that offends him or her.

Some examples of discriminatory harassment include:

- offensive comments, jokes or behaviour that disparage or ridicule a person's membership in one of the protected grounds, such as race, religion or sexual orientation
- imitating a person's accent, speech or mannerisms
- persistent or inappropriate questions about whether a person is pregnant, has children or plans to have children; or
- inappropriate comments or jokes about an individual's age, sexual orientation, personal appearance or weight.

Harassing comments or conduct can poison someone's working environment, making it a hostile or uncomfortable place to work, even if the person is not being directly targeted. This is commonly referred to as a *poisoned working environment* and it is also a form of harassment.

Some examples of actions that can create a poisoned work environment include:

- displaying offensive or sexual materials such as posters, pictures, calendars, web sites or screen savers
- distributing offensive e-mail messages, or attachments such as pictures or video files
- practical jokes that embarrass or insult someone; or
- jokes or insults that are offensive, racist or discriminatory in nature.

4. Workplace Harassment and Bullying

Workplace harassment is a health and safety issue that is covered under the *Occupational Health and Safety Act*.

The *Occupational Health and Safety Act* defines workplace harassment as:

Engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome.

Workplace harassment may have some or all of the following components



- it is generally repetitive, although a single serious incident may constitute workplace harassment if it undermines the recipient's psychological or physical integrity and has a lasting harmful effect
- it is hostile, abusive or inappropriate
- it affects the person's dignity or psychological integrity; and
- it results in a poisoned work environment

In addition, behaviour that intimidates, isolates, or discriminates against the recipient may also be included.

Some examples of workplace harassment are:

- verbally abusive behaviour such as yelling, insults, ridicule and name calling including remarks, jokes or innuendos that demean, ridicule, intimidate or offend
- workplace pranks, vandalism, bullying and hazing
- gossiping or spreading malicious rumors
- excluding or ignoring someone, including persistent exclusion of a particular person from workplace-related social gatherings
- undermining someone else's efforts by setting impossible goals, with short deadlines and deliberately withholding information that would enable a person to do their job
- providing only demeaning or trivial tasks in place of normal job duties
- humiliating someone
- sabotaging someone else's work
- displaying or circulating offensive pictures or materials
- offensive or intimidating phone calls or emails
- impeding an individual's efforts at promotions or transfers for reasons that are not legitimate; and
- making false allegations about someone in memos or other work related documents.

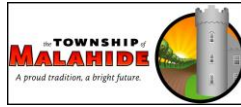
What isn't harassment

Workplace harassment should not be confused with legitimate, reasonable management actions that are part of the normal work function, including:

- measures to correct performance deficiencies, such as placing someone on a performance improvement plan
- imposing discipline for workplace infractions; or
- requesting medical documents in support of an absence from work.

It also does not include normal workplace conflict that may occur between individuals or differences of opinion between co-workers.

The Test of Harassment



It does not matter whether you intended to offend someone. The test of harassment is whether you knew or *should have known* that the comments or conduct were unwelcome to the other person. For example, someone may make it clear through their conduct or body language that the behaviour is unwelcome, in which case you must immediately stop that behaviour.

Although it is commonly the case, the harasser does not necessarily have to have power or authority over the victim. Harassment can occur from co-worker to co-worker, supervisor to employee and employee to supervisor.

5. Workplace and Domestic Violence

Workplace and domestic violence that may occur in the workplace are health and safety issues, which are covered under the *Occupational Health and Safety Act*.

Workplace Violence

Workplace violence is defined under the *Occupational Health and Safety Act* as:

- the exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker
- an attempt to exercise physical force against a worker, in a workplace, that could cause physical injury to the worker
- a statement or behaviour that is reasonable for a worker to interpret as a threat to exercise physical force against the worker, in a workplace, that could cause physical injury to the worker.

It is defined broadly enough to include acts that may be considered criminal. Workplace violence includes:

- physically threatening behaviour such as shaking a fist at someone, finger pointing, destroying property, throwing objects
- intimidating behaviour that causes the recipient to have a fear of physical violence
- obscene or harassing telephone calls
- verbal or written threats to physically attack a worker
- leaving threatening notes or sending threatening emails
- wielding a weapon at work
- stalking someone
- physically aggressive behaviours including hitting, shoving, standing excessively close to someone in an aggressive manner, pushing, kicking, throwing an object at someone, physically restraining someone or any other form of physical or sexual assault; and
- destruction of workplace or co-worker property.



Violence that occurs outside the normal workplace but which has an impact on the working environment, including working relationships, may also be considered violence in the workplace.

Domestic Violence

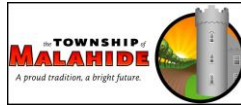
If you are experiencing domestic violence that may likely expose you, or other workers, to physical injury that may occur in the workplace, we will take every precaution reasonable to protect you and your co-workers in the circumstances. This may include some or all of the following:

- creating a safety plan
- contacting the police
- establishing enhanced security measures such as a panic button, code words, and door and access security measures
- screening calls and blocking certain email addresses
- setting up priority parking or providing escorts to your vehicle or to public transportation, and
- Facilitating your access to counseling through the Employee Assistance Program or other community support programs.

Preventing Harassment and Violence

It is our mutual responsibility to ensure that we create and maintain a harassment and violence free workplace and address violence and/or the threat of violence from all possible sources (including ratepayers, clients, employers, supervisors, workers, strangers, and domestic/intimate partners).

The Township will do its part by not tolerating or condoning discrimination, harassment or violence in the workplace. This includes making everyone in its organization aware of what behaviour is and is not appropriate, assessing the risk of workplace violence, investigating complaints, and imposing suitable corrective measures.



Duties of Supervisors

Supervisors are expected to assist in creating a harassment-free workplace and to immediately contact the Human Resources Manager if they receive a complaint of workplace harassment or violence, or witness, or are aware of harassing or violent behaviour. Supervisors must also take every reasonable precaution to protect employees from workplace violence, including evaluating a person's history of violent behaviour to determine whether and to whom this employee poses a risk. In making this evaluation Supervisors should consider:

- whether the person's history of violence was associated with the workplace or work;
- whether the history of violence was directed at a particular employee or employees in general; and
- how long ago the incidence of violence occurred.

In certain circumstances, Supervisors may have a duty to provide information about a risk of workplace violence from a person with a history of violent behaviour if an employee can be expected to encounter that person during the course of his or her work, and the risk of workplace violence is likely to expose them to physical injury. Supervisors will only release as much personal information about the person with a history of violent behaviour as is reasonably necessary to protect an employee from physical injury.

Duties of All Employees

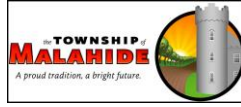
You must do your part by ensuring that your behaviour does not violate this policy and by fostering a work environment that is based on respect and is free of harassment.

You are also required to report to your Supervisor or the HR Manager, the existence of any workplace violence or threat of workplace violence.

Procedure for Resolving and Investigating Harassment Complaints

Informal Procedure

If you believe that you are being harassed, the first thing to do is to tell the person to stop. Do so as soon as you receive any unwelcome comments or conduct. Although this may be difficult to do, telling the person you don't like their actions is often enough to stop the behaviour.



Some of the things you can say that might stop the behaviour include:

- I don't want you to do that.
- Please stop doing or saying . . .
- It makes me uncomfortable when you . . .
- I don't find it funny when you . . .

If the harassment continues after you have confronted the individual, you may want to provide him or her with a written statement of the situation. Include specific details of the behaviours you consider to be harassing, your request to the harasser to stop and your expectations that he or she will stop. Provide details of the next steps you plan to take if the harassment does not stop e.g. filing a formal complaint. Make sure you keep a copy of this statement for yourself.

It helps to keep a record of any incident(s) that you experience. This includes when the harassment started, what happened, whether there were any witnesses and what was your response.

If you believe that someone who is not a member of our organization e.g. a ratepayer, supplier, etc., has harassed or discriminated against you, please report the harassment to your Supervisor or the HR Manager. Although the Township has limited control over third parties, we will do our best to address the issue and prevent further problems from arising.

Formal Procedure

If the complaint cannot be resolved informally or if it is too serious to handle on an informal basis, you may bring a formal complaint to the HR Manager and/or the Chief Administrative Officer/Clerk.

If you bring a formal complaint we will need as much written information as possible, including the name of the person you believe is harassing you, the place, date and time of the incidents and the name of any possible witnesses. A copy of the Workplace Respect Complaint form is available from the HR Manager.

It is important that the Township receive your complaint as soon as possible so that the problem doesn't escalate or happen again. Once your complaint is received, we will initiate a formal investigation, if it is necessary and appropriate to do so.

Discrimination and harassment are serious matters. Therefore, if you decide not to make a formal complaint, the Township may still need to investigate the matter and take steps to prevent further harassment. For example, the Township may need to continue with an investigation if the allegations are serious or if there have been previous complaints or incidents involving the respondent.



Please note that it is the Township's policy not to investigate anonymous complaints unless there are extenuating circumstances.

Investigation Procedure

The HR Manager will commence an investigation as quickly as possible. They may choose to use either an internal or external investigator, depending on the nature of the complaint.

The investigation will include:

- interviewing the complainant and respondent to ascertain all of the facts and circumstances relevant to the complaint, including dates and locations.
- interviewing witnesses, if any
- reviewing any related documentation; and
- making detailed notes of the investigation and maintaining them in a confidential file.

Once the investigation is complete, the investigator(s) will prepare a detailed report of the findings to Chief Administrative Officer/Clerk. A summary of the findings will also be provided to the complainant and respondent.

It is the Township's goal to complete any investigation and communicate the results to the complainant and the respondent within thirty days after a complaint is received, where possible.

Corrective Action

The Chief Administrative Officer/Clerk will determine what action should be taken as a result of the investigation.

The HR Manager will inform the complainant and respondent of the results of the investigation and whether (but not necessarily what) corrective measures were taken, if any were necessary.

If a finding of harassment is made, the Township will take appropriate corrective measures, regardless of the respondent's seniority or position in the Corporation.

Corrective measures may include one or more of the following:

- discipline, such as a verbal warning, written warning or suspension without pay
- termination with or without cause
- referral for counseling (sensitivity training), anger management training, supervisory skills training, or attendance at educational programs on workplace respect
- a demotion or denial of a promotion



- reassignment or transfer
- financial penalties such as the denial of a bonus or performance related salary increase, and
- any other disciplinary action deemed appropriate under the circumstances.

If there is not enough evidence to substantiate the complaint, corrective measures will not be taken.

If you make a complaint in good faith and without malice, regardless of the outcome of the investigation, you will not be subject to any form of discipline. The Township will, however, discipline or terminate anyone who brings a false and malicious complaint.

Procedure for Resolving and Investigating Workplace Violence

Workplace Violence

You have the right to refuse work if workplace violence is likely to endanger you. In that instance, please immediately contact your Supervisor at which point appropriate measures will be taken to protect you and investigate the situation. You will be moved to a safe place as near as reasonably possible to your normal work station and will need to be available for the purposes of investigating the incident. In some circumstances, subject to the provisions of any Collective Agreement, you may be provided with reasonable alternative work during normal working hours.

In appropriate circumstances, the Township may contact the police, or other emergency responders as appropriate, to assist, intervene or investigate workplace violence.

Details of measures and procedures for summoning immediate assistance will be provided and may include:

- *equipment to summon assistance such as personal alarms, phones, cell phones, etc.*
- *emergency telephone numbers and/or email addresses;*
- *emergency procedures*

Provided the situation is dealt with quickly and the danger to workers is removed, the necessity of work refusal may be alleviated.

Investigation Procedure

You are required to report the existence of any workplace violence or threat of workplace violence to your Supervisor or the HR Manager. The HR Manager will commence an investigation as quickly as possible. They may choose to use either an internal or external investigator, depending on the nature of the incident.

The investigation will include:



- conducting interviews of relevant individuals to ascertain all of the facts and circumstances relevant to the complaint, including dates and locations
- reviewing any related documentation; and
- making detailed notes of the investigation and maintaining them in a confidential file.

Once the investigation is complete, the investigator(s) will prepare a detailed report of the findings. A copy of the report will be provided to the Joint Health and Safety Committee and Chief Administrative Officer/Clerk.

Corrective Action

The Chief Administrative Officer/Clerk will determine what action should be taken as a result of the investigation.

If a finding of workplace violence is made, the Township will take appropriate corrective measures, regardless of the respondent's seniority or position in the Township.

Corrective measures may include one or more of the following:

- discipline, such as a verbal warning, written warning of suspension without pay
- termination with or without cause
- referral for counseling (sensitivity training), anger management training, supervisory skills training, or attendance at educational programs on workplace respect
- a demotion or denial of a promotion
- reassignment or transfer
- financial penalties such as the denial of a bonus or performance related salary increase; and
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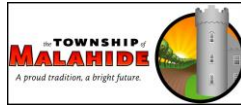
If you make a complaint in good faith and without malice, regardless of the outcome of the investigation, you will not be subject to any form of discipline. The Township will, however, discipline or terminate anyone who brings a false and malicious complaint.

Procedures for Addressing Domestic Violence

If you are experiencing domestic violence or believe domestic violence may occur that would expose you to physical injury in the workplace, you must advise your Supervisor. Your Supervisor or the HR Manager will assist in preventing and responding to the situation, which may include seeking the assistance of the local police.

Confidentiality of Complaints and Investigations

The Township recognizes the sensitivity of harassment and violence complaints and will keep all complaints confidential, to the extent that the Township are able to do so. The

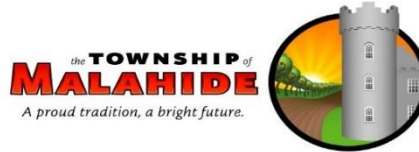


Township will only release as much information as is necessary to investigate and respond to the complaint or situation or if required to do so by law.

Out of respect for the relevant individuals, it is essential that the complainant, respondent, witnesses and anyone else involved in the formal investigation of a complaint, maintain confidentiality throughout the investigation and afterwards.

Protection from Retaliation

The Township will not tolerate retaliations, taunts or threats against anyone who complains about harassment or takes part in an investigation. Any person who taunts, retaliates against, or threatens anyone in relation to a harassment or violence complaint may be disciplined or terminated.



August 15, 2024

Health & Safety Policy

Malahide Township Council is vitally committed to the health and safety of its employees. It is the objective of the Corporation of the Township of Malahide in conjunction with Council to protect Township employees from workplace injury or illness and to make every effort to ensure a healthy environment and provide for work to be carried out in a manner that protects the safety of the employees and the public. All supervisors, workers and volunteer firefighters must be dedicated to the objective of reducing the risk of injury and illness.

The Health and Safety Program and Violence and Harassment Program, which this Policy is a part of, ensure that health and safety are integrated into all functional operations of the Corporation of the Township of Malahide.

The Township of Malahide is ultimately responsible for worker health and safety. Council for the Township of Malahide is committed to taking every reasonable precaution to protect workers from harm. Legislative requirements of the Occupational Health and Safety Act will serve as the minimal acceptable standard.

Supervisors are accountable for the health and safety of workers under their supervision. Supervisors are responsible to ensure that machinery and equipment are safe and that workers follow established safe work practices and procedures. Workers must receive adequate training in their specific work tasks to protect their health and safety.

Every employee, volunteer firefighter, sub-contractor and employee of a subcontractor must protect his/her own health and safety by following the law and the Township of Malahide's safe work practices and procedures. All hazards must be immediately reported to a supervisor.

All parties are expected to consider health and safety in every activity. Commitment to health and safety must form an essential part of the Township's organization from Council to the workers.

Mayor - D. Giguère

CAO – N. Dias



REPORT NO. PW- 24-23

TO: Mayor & Members of Council
DEPARTMENT: Public Works
MEETING DATE: August 15, 2024
SUBJECT: Drain Update Report

RECOMMENDATION:

THAT Report No. PW- 24-23 entitled “Drain Update Report” be received.

PURPOSE & BACKGROUND:

This report provides Council with an update on the status of the various current/in progress drainage works as of July 1, 2024.

COMMENTS & ANALYSIS:

Name of Report	Date of petition	Meetings	Status
Ashton Street Drain	February 2024	April 2024	Waiting for design
Burks Drain	November 2021	February 2022	Construction complete
Chalet Line Drain	March 2024	April 2024	Waiting for design
Coelho Drain	March 2024	May 2024	Waiting for design
Cook Drain (Severance)	February 2020	September 2019	Pending MTO approval
J.L. Ferguson Drain	November 2021	December 2022	Construction complete
Ketchabaw Drain	September 2023	March 2024	Construction fall 2024
Kettle Creek Drain (Cleanout)	April 2020	April 2022	Construction to be completed in 2024
Laidlaw Drain	March 2024	May 2024	Waiting for design
Maginnis Drain	May 2022	January 2023	Construction Complete

Name of Report	Date of petition	Meetings	Status
Newell Drain	October 2022	December 2022	Awaiting update from landowner
Pressey Line Drain	October 2021	July 2022	To be completed Summer 2024
Priester Drain	January 2022	April 2022	Construction fall 2024
Pritchard Drain	April 2023	Pending	Waiting for final design
Sparta Line Drain 3 & 4	June 2021	November 2021	To be completed summer 2024
Staley Drain - Wagler	November 2023	November 2023	Waiting for design
Summers Drain No.3	April 2023	June 2023	Preliminary design pending
Tate Drain	May 2020	December 2022	Construction summer 2024
Versnick Drain No.3	December 2023	April 2024	Waiting for design
Woolleyville Line Drain	November 2017	Ongoing	In discussions with land owners

FINANCIAL IMPLICATIONS:

N/A

LINK TO STRATEGIC & OPERATIONAL PLANS:

N/A

CONSULTATION:

N/A

ATTACHMENTS:

None

Prepared by: B. Lopez, Engineering Technologist/Drainage Superintendent

Reviewed by: J. Godby, Director of Public Works

Approved by: N. Dias, Chief Administrative Officer



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

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 **responsibilities** 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

The Township strives to respond to customer inquiries, concerns and requests promptly. The Township aims to respond to customer inquiries efficiently and effectively. See response timeframes in section 4 below.

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

The Township will 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

The Township is 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 (Pre-Authorized Payment or Electronic Funds Transfer 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 customers efficiently and effectively.

4.3 Walk-ins

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 To support the Township's customer standard of prompt response, 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 shall 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. Should staff require additional time to resolve a customer's inquiry, considering staff availability or the complexity of the inquiry, a response time estimate shall be provided to the customer.

6. ESCALATION PROCESS

6.1 If a customer's concern is not resolved to their satisfaction, an escalation process can be triggered, 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, escalates to Level 2.
2. **Level 2:** Supervisor
 - Reviews the customer's concern and investigates further.
 - Works towards a resolution and communicates with the customer.
 - If unable to resolve, escalates to Level 3.
3. **Level 3:** Department Head
 - Assesses the escalated issue and explores all practical solutions.
 - Communicates with the customer, providing updates and alternative resolutions, striving to achieve a satisfactory outcome.
 - If unable to resolve, escalates to CAO and the formal complaint process protocol, if deemed necessary (see Policy A09-CORP-003 Service Requests and Complaint Handling 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 Service Requests and Complaint Handling Policy for details.

8. RESPONSIBILITIES

8.1 Employees are responsible for complying with this policy.

8.2 Customers are responsible for:

- Ensuring that their behaviour and actions respect the rights of others to create an enjoyable environment for all and a respectful workplace for Township employees.
- Ensuring 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 Service Requests and Complaint Handling 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:	Service Request and Complaint Handling Policy
Policy No.:	A09-CORP-003
Approved By:	Council
Effective Date:	2024-06-20
Revised Date:	

SERVICE REQUEST AND COMPLAINT HANDLING POLICY

1. POLICY STATEMENT

- 1.1. The Township of Malahide (“Township”) 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 service requests and complaints.
- 1.3. This policy will help the Township continue to provide exceptional 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 service requests and complaints 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

Informal Complaint means a casual or verbal 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. Typically, communicated directly to the employee providing the service, without following a specific structure.

Formal Complaint means a written or official statement of dissatisfaction. Typically, filed when all other attempts to resolve a complaint have failed. It follows a structured process and is documented within the Township's complaint management system.

Comparison:

Aspect	Informal Complaint	Formal Complaint
Communication	Verbal or casual written	Written and official
Process	Unstructured, quick-handling	Structured, follows company protocols
Documentation	Minimal or none	Detailed records maintained
Resolution	Quick and straightforward	Thorough investigation may take longer
Escalation	Usually resolved by front-line staff and/or Manager	Involves CAO
Examples	Mentioning dissatisfaction to a staff member	Submitting a formal letter

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.

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.

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

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.

- Inherently unethical (code of ethics)

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

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

5. PRINCIPLES

5.1. Accessibility:

Information about how to file a service request or a complaint should be available to all stakeholders without any barriers. Service requests and complaints can be lodged through various channels such as email, telephone, in-person, or through forms on 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:

Service requests are submitted to the appropriate department for processing and are processed on a priority basis at the discretion of the Township.

Formal complaints will be acknowledged within three (3) business days of receipt, and efforts will be made to resolve complaints within 30 business days.

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 service requests and unresolved informal complaints to the appropriate Manager. The appropriate department will monitor the status of requests and complaints and ensure responses are in accordance with the service standards.
- 6.2. Customers are to recognize the difference between a service request and a complaint. 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 the goal of improving services.
- 6.3. Staff are to have knowledge and understanding of the purpose of receiving service requests and complaints, the process through which a request and complaint can be made and the service standards that apply.
- 6.4. Managers and Directors are responsible for investigating and responding to informal complaints about services provided by their respective departments. 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 work together with Township staff to address and resolve their concerns.

Informal Complaint Process:

1. Initial Contact: The customer can contact the Township's customer service representative through channels identified in our Customer Service Policy or if the matter already involves a staff member, continue contact with that employee.
2. The staff member will actively listen to the customer's complaint and assess whether the issue can be resolved quickly within their scope of authority.
3. If unresolved, the staff member shall escalate the complaint following the escalation process described in A09-CORP-002 Customer Service Policy.

The Employee is responsible for trying to resolve issues or concerns before they become formal complaints and identify opportunities to improve Township Services.

7.1.2. Formal Complaints

Should a resolution not be made during the informal process, 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 support@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.
2. By completing the [Service Request Form](#) and submitting by:
 - By email to support@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 phone: 519-773-5344
 - By fax to 519-773-5334

8. UPON RECEIPT OF FORMAL COMPLAINT

8.1. The CAO 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 formal 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 has 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 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 Service Request and Complaint Handling Policy may result in the complaint being filed with the Ontario Ombudsman for investigation.

12.2. Consequence to be 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 Date:

FRIVOLOUS, VEXATIOUS, OR UNREASONABLE COMPLAINTS/REQUESTS POLICY

1. POLICY STATEMENT

- 1.1. The Township of Malahide (“Township”) is committed to providing **exceptional** 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

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 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: A09-HRM-C-3.6
Subsection: Standards of Conduct	Effective Date: January 1, 2011
Subject: Customer Service	Revision Date: August 15, 2024
Related Policy: A09-CORP-002 Customer Service Policy	Page 1 of 1

A09-HRM-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 customers' needs and plan accordingly to successfully meet them, 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.



July 04, 2024

In This Issue

- New *Senior Active Living Centres Act* regulation.
- Next Generation 9-1-1 Transition Funding Applications Open.
- Municipal Codes of Conduct: Pre-conference workshop at AMO 2024.
- Indigenous Community Awareness training.
- Plan your fall education schedule.
- BLOG: What is the Value of High Interest Savings Accounts for your municipality?
- What does it really cost to repair damaged residential sewer lines?
- Opportunity to help project researching municipal energy needs.
- Careers.

Provincial Matters

The new *Senior Active Living Centres Act* [regulation](#) improves access to the SALC program by allowing additional entities that can make the required 20% funding contribution. For more information contact seniorspolicyunit@ontario.ca.

The next wave of applications are open for the 2024-25 NG9-1-1 funding program until August 23, 2024. Information sessions are available. Please contact estd.ng9-1-1@ontario.ca for more information.

Education Opportunities

The [Municipal Codes of Conduct pre-conference workshop](#) on Saturday, August 17 is for municipal leaders who are looking to guide and strengthen their council and corporation's conduct, behaviour, and practices. Register today - space is limited.

OFIFC and AMO are offering training to build indigenous cultural competency in municipal government. Through a self-paced learning module and live virtual component, this training will provide knowledge and tools to utilize in moving improved and stronger Indigenous-municipal relations forward in Ontario. [Register today](#) for the October 8 workshop.

Time to sign up for AMO Education fall workshops: [Cybersecurity for Municipal Councillors](#), [Strategic Thinking, Planning and Leading](#), [Managing Communications through Crisis](#), [Indigenous Community Awareness](#), [Navigating Conflict as an Elected Official](#), [Land Use Planning](#), [Competing Rights](#), and [Community Engagement Strategic Approaches](#).

LAS

Our joint municipal investment company, ONE Investment, offers a High Interest Savings Account (HISA) Program that offer municipalities a liquid option for the investment of short-term funds, other than a GIC. [Read here](#) to learn more about this offering.

Our Water and Service Line Program partner, SLWC, breaks down the cost of what a resident can expect to pay for a damaged water line. [Read more here](#).



July 11, 2024

In This Issue

- Get access to MIDAS!
- Next Generation 9-1-1 Transition Funding Applications Open.
- AMO Knowledge Exchange on Community & Supportive Housing Symposium.
- Municipal Codes of Conduct: Pre-conference workshop at AMO 2024.
- Indigenous Community Awareness training.
- Plan your fall education schedule.
- How Algonquin transformed its digital presence.
- Help your residents save thousands of dollars in service line repair fees.
- Registration now open for OMSSA's 2024 Forum!
- Registration open for Western Ontario Municipal Conference.
- Careers.

AMO Matters

The [Municipal Information & Data Analysis System](#) (MIDAS) - recently enhanced - is a web-based tool that provides access to the Financial Information Returns (FIRs) data to all Ontario municipalities. For access, municipal elected officials and municipal staff can email MIDASAdmin@amo.on.ca.

Provincial Matters

The next wave of applications are open for the 2024-25 NG9-1-1 funding program until August 23, 2024. Information sessions are available. Please contact estd.ng9-1-1@ontario.ca for more information.

Education Opportunities

The [AMO Knowledge Exchange on Community and Supportive Housing Symposium](#), October 1 - 2, will convene elected officials, municipal staff, federal and provincial representatives, Indigenous partners, and other sector partners for networking, knowledge sharing, and collaboration on how we can work together to advance community and supportive housing solutions in communities across Ontario. View full details and [register today](#).

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LAS

Join our Barrier-free Website Builder service partner, GHD, for a discussion with Algonquin Highlands on how the township transformed its online presence and enhanced residents' experience. [Sign up here.](#)

The City of Hamilton celebrates its 10-year anniversary partnering with Service Line Warranties of Canada (SLWC), which has saved City residents \$5 million dollars for repairs of their sewer and water line infrastructure. Read the [press release](#) and learn more about the LAS-endorsed [Service and Water Line Warranty program.](#)

Municipal Wire*

Join OMSSA virtually on September 24-25 to learn about current issues that are impacting community safety and well-being. Hear about successes and how to evaluate the impact of this work. [Register today.](#)

WOWC is holding its annual [Western Ontario Municipal Conference](#) in Chatham-Kent on October 25. Explore and collaborate on a wide range of topics affecting our municipalities.

Careers

[Applications Analyst, FIMS - Regional Municipality of Durham.](#) Closing Date: July 21, 2024.

[Municipal Planner - Municipality of Red Lake.](#) Closing Date: August 9, 2024.

About AMO

AMO is a non-profit organization representing almost all of Ontario's 444 municipal governments. AMO supports strong and effective municipal government in Ontario and promotes the value of municipal government as a vital and essential component of Ontario's and Canada's political system. Follow [@AMOPolicy](#) on Twitter!

AMO Contacts

[AMO Watchfile](#) Tel: 416.971.9856

[Conferences/Events](#)

[Policy and Funding Programs](#)

[LAS Local Authority Services](#)

[MEPCO Municipal Employer Pension Centre of Ontario](#)

[ONE Investment](#)

[Media Inquiries](#)

[Municipal Wire, Career/Employment and Council Resolution Distributions](#)





AMO Watchfile



July 18, 2024

In This Issue

- Get access to MIDAS!
- Next Generation 9-1-1 Transition Funding applications open.
- LAS discussion on water & wastewater feasibility study at AMO Conference.
- Municipal Codes of Conduct: Pre-conference workshop at AMO 2024.
- AMO Knowledge Exchange on Community & Supportive Housing Symposium.
- Plan your fall education schedule.
- Removing barriers: Best practices for accessible web content.
- Fill out survey for a chance to win eSignature software.
- Click Before You Dig! It's the law (Locates Campaign).
- IESO municipal webinar for next round of energy procurements.
- Registration open for Western Ontario Municipal Conference.
- Careers.

AMO Matters

The [Municipal Information & Data Analysis System](#) (MIDAS) - recently enhanced - is a web-based tool that provides access to the Financial Information Returns (FIRs) data to all Ontario municipalities. For access, municipal elected officials and municipal staff can email MIDASAdmin@amo.on.ca.

Provincial Matters

The next wave of applications are open for the 2024-25 NG9-1-1 funding program until August 23, 2024. Information sessions are available. Please contact estd.ng9-1-1@ontario.ca for more information.

Education Opportunities

LAS is undertaking a feasibility study to create joint municipal services board(s) or municipal service corporation(s) to provide water and wastewater services. Whether you are an elected official or a subject matter expert your insights and expertise on governance, operations of water and wastewater systems, and impacts of municipal service corporations are invaluable. Stop by on August 18 between 1:30 and 3:30pm at the AMO Conference to talk to the LAS Water and Wastewater Expert Panel, LAS/AMO staff regarding challenges and opportunities for water and wastewater systems.

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The [AMO Knowledge Exchange on Community and Support Housing Symposium](#), October 1 - 2, will convene elected officials, municipal staff, federal and provincial representatives, Indigenous partners, and other sector partners for networking, knowledge sharing, and collaboration on how we can work together to advance community and supportive housing solutions in communities across Ontario. View full details and [register today](#).

AMO has released a number of its fall education workshops. Sign up today for a range of workshops including, communication skills, planning for and understanding cyber security, Indigenous cultural

awareness and a number council leadership programs. [Click here](#) to see all opportunities.

LAS

Making the internet accessible to all is not recommended but prescribed. The blog focuses on four main principles: perceivable, operable, understandable, and robust. Read more [here](#).

Share feedback on what would help your municipality tackle its biggest digital citizen service challenges. [Answer 10 short questions](#) for a chance to win a 60-day Enterprise free trial of ConsignO Cloud, AMO's preferred eSignature platform.

Municipal Wire*

Help protect underground infrastructure by spreading the Click Before You Dig safety message to your community residents this summer. No matter the size of your project, always Click Before You Dig at [OntarioOneCall.ca](#).

The IESO is hosting a [webinar for municipalities](#) and indigenous communities on July 30 about the next round of energy procurements which will include renewable generation and storage projects.

WOWC is holding its annual [Western Ontario Municipal Conference](#) in Chatham-Kent on October 25. Explore and collaborate on a wide range of topics affecting our municipalities.

Careers

[General Manager, Corporate Services - City of Thunder Bay](#). Closing Date: August 9.

[Road Specialist - Intact Public Entities](#). Closing Date: August 15.

[Deputy Chief Information Officer, Digital Workplace & IT Service Management - City of Windsor](#). Closing Date: August 6.

[Deputy Chief Information Officer, Business Solutions & Project Delivery - City of Windsor](#). Closing Date: August 6.

[Program Manager, Housing Programs - Region of Durham](#). Closing Date: July 31.

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[LAS Local Authority Services](#)

[MEPCO Municipal Employer Pension Centre of Ontario](#)

[ONE Investment](#)

[Media Inquiries](#)

[Municipal Wire, Career/Employment and Council Resolution Distributions](#)



July 25, 2024

In This Issue

- Next Generation 9-1-1 Transition Funding applications open.
- LAS discussion on water & wastewater feasibility study at AMO Conference.
- Municipal Codes of Conduct: Pre-conference workshop at AMO 2024.
- AMO Knowledge Exchange on Community & Supportive Housing Symposium.
- Plan your fall education schedule.
- Blog: Heat Pumps - the Low Carbon Technology of the Future.
- Click Before You Dig! It's the law (Locates Campaign).
- IESO municipal webinar for next round of energy procurements.
- Opportunity to help project researching municipal energy needs.
- Careers.

Provincial Matters

The next wave of applications are open for the 2024-25 NG9-1-1 funding program until August 23, 2024. Information sessions are available. Please contact estd.ng9-1-1@ontario.ca for more information.

Education Opportunities

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AMO has released a number of its fall education workshops. Sign up today for a range of workshops including, communication skills, planning for and understanding cyber security, Indigenous cultural awareness and a number council leadership programs. [Click here](#) to see all opportunities.

LAS

Heat pumps contribute to the reduction of greenhouse gas emissions by up to 80% compared to conventional heating and cooling systems. [Our latest blog](#) explains why.

Municipal Wire*

Help protect underground infrastructure by spreading the Click Before You Dig safety message to your community residents this summer. No matter the size of your project, always Click Before You Dig at OntarioOneCall.ca.

The IESO is hosting a [webinar for municipalities](#) and indigenous communities on July 30 about the next round of energy procurements which will include renewable generation and storage projects.

Pollution Probe and QUEST Canada aim to talk for one hour with Ontario communities for an [OEB funded project](#) to address your community's innovative energy needs and priorities. Register by emailing rkiro@pollutionprobe.org until September 16.

Careers

[Chief Administrative Officer - Municipality of Lakeshore](#). Closing Date: August 19.

[CAO/Clerk - Municipality of Whitestone](#). Closing Date: August 23.

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[ONE Investment](#)

[Media Inquiries](#)

[Municipal Wire, Career/Employment and Council Resolution Distributions](#)



August 01, 2024

In This Issue

- Launching Municipal Workforce Development Project Roadmap.
- Next Generation 9-1-1 Transition Funding applications open.
- LAS discussion on water & wastewater feasibility study at AMO Conference.
- Municipal Codes of Conduct: Pre-conference workshop at AMO 2024.
- AMO Knowledge Exchange on Community & Supportive Housing Symposium.
- Plan your fall education schedule.
- Managing Risk with a Sidewalk Assessment.
- Careers.

AMO Matters

AMO encourages you to read AMO's Workforce Development [Project Roadmap](#) which identifies priority areas and future actions for AMO and its partners to support employee recruitment and retention.

Provincial Matters

The next wave of applications are open for the 2024-25 NG9-1-1 funding program until August 23, 2024. Information sessions are available. Please contact estd.ng9-1-1@ontario.ca for more information.

Education Opportunities

LAS is undertaking a feasibility study to create joint municipal services board(s) or municipal service corporation(s) to provide water and wastewater services. Whether you are an elected official or a subject matter expert your insights and expertise on governance, operations of water and wastewater systems, and impacts of municipal service corporations are invaluable. Stop by on August 18 between 1:30 and 3:30 pm at the [AMO Conference](#) to talk to the LAS Water and Wastewater Expert Panel, LAS/AMO staff regarding challenges and opportunities for water and wastewater systems.

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LAS

Sidewalk trip hazards are a safety and liability issue for municipalities. An [LAS Road & Sidewalk Assessment](#) survey shows all deficiencies along with imagery to focus your sidewalk repairs and address legal challenges. [Contact Tanner](#) for a no-obligation quote.

Municipal Wire*

About AMO

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**Association of Municipalities of Ontario (AMO)**

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Toronto, Ontario M5H 3B7
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Ontario Medical Association

150 Bloor St. West, Suite 900
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Canada
TF: 1.800.268.7215
T: 416.599.2580
F: 416.533.9309
E: info@oma.org
oma.org

Dear Heads of Council and Clerks,

Communities across Ontario have been facing critical healthcare challenges, including long waitlists for primary care, shortages of doctors and other healthcare workers; and emergency room closures. These cracks in Ontario's health care system are impacting economic development, health, and well-being at the local level.

In response, the Ontario Medical Association (OMA) and the Association of Municipalities of Ontario (AMO) are working collaboratively to advocate for a better healthcare system for Ontario's residents and communities.

We have jointly developed the attached draft council resolution (Appendix A - Also in [PDF](#) and [Word](#) Versions), urging the provincial government to recognize the physician shortage in your municipality and the rest of Ontario. By adopting this resolution, your municipality can play a crucial role in highlighting the urgent need for more healthcare resources and support.

AMO is excited to welcome everyone to Ottawa for our annual conference from August 18-21, 2024. We are pleased to inform you that the OMA will be participating at this year's conference. Along with sponsoring the Rural Caucus Lunch on August 20, the OMA has reserved meeting room at the Fairmont Château Laurier for both August 20 and 21 to meet directly with municipal leaders. During these meetings, we would like to hear what you are seeing on the ground and discuss opportunities to work closer with you. We believe that collaboration between Ontario's doctors and all 444 municipalities is essential in addressing the healthcare needs of your community.

To set up a meeting with the OMA, please reach out to Tarun.Saroya@OMA.org (Senior Advisor for Government Relations and Advocacy) to book a 15-30 minute time slot at your earliest convenience.

We look forward to your positive response and to working together towards a healthier future for all Ontarians.

Yours sincerely,



Kimberly Moran
CEO, Ontario Medical Association



Colin Best
AMO President

Appendix A:

WHEREAS the state of health care in Ontario is in crisis, with 2.3 million Ontarians lacking access to a family doctor, emergency room closures across the province, patients being de-rostered and 40% of family doctors considering retirement over the next five years; and

WHEREAS it has becoming increasingly challenging to attract and retain an adequate healthcare workforce throughout the health sector across Ontario; and

WHEREAS the Northern Ontario School of Medicine University says communities in northern Ontario are short more than 350 physicians, including more than 200 family doctors; and half of the physicians working in northern Ontario expected to retire in the next five years; and (Northern Ontario only)

WHEREAS Ontario municipal governments play an integral role in the health care system through responsibilities in public health, long-term care, and paramedicine.

WHEREAS the percentage of family physicians practicing comprehensive family medicine has declined from 77 in 2008 to 65 percent in 2022; and

WHEREAS per capita health-care spending in Ontario is the lowest of all provinces in Canada, and

WHEREAS a robust workforce developed through a provincial, sector-wide health human resources strategy would significantly improve access to health services across the province;

- NOW THEREFORE BE IT RESOLVED THAT the Council of (the name of municipality) urge the Province of Ontario to recognize the physician shortage in (name of municipality) and Ontario, to fund health care appropriately and ensure every Ontarian has access to physician care.

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55 University Ave Suite 800 | Toronto, ON M5H 3B7 CA

This email was sent to aadams@malahide.ca.

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LONG POINT REGION CONSERVATION AUTHORITY
Board of Directors Meeting Minutes of June 5, 2024
Approved July 3, 2024

Members in attendance:

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

Regrets:

Shelley Ann Bentley	Haldimand County
Stewart Patterson	Haldimand County

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
 Paul Gagnon, Lands and Waters Supervisor
 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, June 5, 2024.

2. Additional Agenda Items

There were no additional agenda items.

3. Approval of the Agenda

A-70/24

Moved by J. Palmer

Seconded by M. Columbus

THAT the LPRCA Board of Directors approves the agenda as circulated.

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 May 1, 2024

There were no errors or omissions.

A-71/24

Moved by P. Ypma

Seconded by R. Weisler

THAT the minutes of the LPRCA Board of Directors Meeting held May 1, 2024 be adopted as circulated.

Carried

6. Business Arising

There was no business arising from the minutes.

7. Review of Committee Minutes

a) Lee Brown Marsh Management Committee – December 14, 2023

There were no questions or comments.

A-72/24

Moved by M. Columbus

Seconded by D. Brunton

THAT the minutes of the Lee Brown Marsh Management Committee Meeting held December 14, 2023 be adopted as circulated.

Carried

b) Audit and Finance Committee – May 10, 2024 Draft

There were no questions or comments.

A-73/24

Moved by D. Beres

Seconded by C. Van Paassen

THAT the minutes of the Audit and Finance Committee Meeting held May 10, 2024 be adopted as circulated.

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

8. Correspondence

- a) **Bobbi Ann Brady, Haldimand-Norfolk MPP – Public Health Ontario’s Phase-out of free public water testing**

A-74/24

Moved by C. Van Paassen
Seconded by J. Palmer

THAT the correspondence outlined in the Board of Directors agenda of June 5, 2024 be received as information.

Carried

9. Planning Department

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

Through the General Manager’s delegating authority, 24 applications were approved in the past month. A summary of the applications was provided in the report.

Michael Columbus asked if permit LPRCA-32/23 was for the same property as the Hearing this evening. Leigh-Anne Mauthe replied that it was, two permits have been approved and another application is outstanding unable to be approved by staff as it does not meet policy requirements.

A-75/24

Moved by R. Weisler
Seconded by T. Masschaele

THAT the LPRCA Board of Directors receives the Section 28 Regulations Approved Permits report dated June 5, 2024 as information.

Carried

10. New Business

- a) **General Manager’s Report (J. Maxwell)**

Judy Maxwell provided a report summarizing operations this past month. In addition to the report, Judy advised the Board that the current Backus Museum Committee Chair, Betty Chanyi, recently resigned from the committee. An election for a new Chair will occur at the next committee meeting.

A-76/24

Moved by D. Brunton
Seconded by R. Weisler

That the LPRCA Board of Directors receives the General Manager’s Report for May 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

b) 2024 Tree Planting Report (P. Gagnon)

The report was presented by Paul Gagnon and in response to the Board's questions with regards to the planning process, Paul responded that it is site specific depending on the landowner's objectives, site conditions, soil conditions, prep work required, species available for the conditions.

A-77/24

Moved by J. Palmer

Seconded by C. Van Paassen

THAT the LPRCA Board of Directors receives the Tree Planting Program Update as information.

Carried

c) Asset Retirement Obligation Policy (A. LeDuc)

Aaron LeDuc presented the report noting the policy had been presented and supported by the Audit and Finance Committee, on May 10, who then directed that the policy be sent to the Board for approval.

A-78/24

Moved by C. Van Paassen

Seconded by R. Weisler

THAT the LPRCA Board of Directors approves the Asset Retirement Obligation Policy.

Carried

d) Update to LPRCA Hearing Procedures Policy, CA Act Section 28 (L. Mauthe)

The report and the updated Hearing Procedures Policy was presented by Leigh-Anne Mauthe.

A-79/24

Moved by T. Masschaele

Seconded by D. Brunton

THAT the updated Hearing Procedures Policy, CA Act Section 28 be approved.

Carried

e) Community Outreach (Jessica King)

Jessica King provided a summary of past and upcoming events in 2024 as outlined in the report. All upcoming events can be found on the LPRCA website at the following link. <https://www.lprca.on.ca/events/>; and the Interpretive Programming calendar for the Backus Heritage Conservation Area can also be found on the LPRCA website at the following link. <https://www.lprca.on.ca/interpretive-programming/>.

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

Robert Chambers was pleased to see the return of the War of 1812 event this year.

A-80/24

Moved by P. Ypma

Seconded by R. Weisler

THAT the LPRCA Board of Directors receives the 2024 Community Outreach report as information.

Carried

Next meeting: July 3, 2024, Board of Directors, 6:30 p.m.

Adjournment

The Chair adjourned the meeting at 7:03 p.m.

Robert Chambers
Chair

Judy Maxwell
General Manager/Secretary-Treasurer

/dm

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



**LONG POINT REGION CONSERVATION AUTHORITY
Hearing Board Meeting Minutes of June 5, 2024
Approved July 3, 2024**

Members in attendance:

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

Regrets:

Shelley Ann Bentley	Haldimand County
Stewart Patterson	Haldimand County

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. Roll Call and Call to Order

The Chair called the meeting to order at 7:15 p.m., Wednesday, June 5, 2024.

A-81/24

Moved by D. Beres
Seconded by R. Weisler

THAT the LPRCA Board of Director's does now sit as a Hearing Board.

Carried

The roll was called to conduct the following Hearing under Section 28 of the *Conservation Authorities Act*.

2. 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

3. Hearing: LPRCA-86/24 – Theresa Livingston

4. Chair’s Opening Remarks

The Chair gave his opening remarks and reviewed the guidelines and process to be followed for the hearing.

5. Presentation by Long Point Region Conservation Authority Staff

Leigh-Anne Mauthe introduced the applicant Theresa Livingston and her husband, Jerry Livingston, then proceeded to present the staff report.

Staff recommended refusal to grant a permit for this application for the following reasons:

1. The construction of the proposed structure is contrary to Long Point Region Conservation Authority shoreline policies for development in the Lake Erie flood hazard and dynamic beach area. These policies have been implemented to reduce or eliminate preventable risk to life and property damage from flooding.
2. The control of flooding is affected by the development as the overall risk to property damage is increased.
3. The control of dynamic beach is affected by the development as it creates a new hazard and the overall risk to property damage is increased.

Peter Ypma asked what the primary concern is with regards to the regulations. Leigh-Anne Mauthe replied both the risk to life and property and the dynamic beach hazard.

6. Presentation by the Applicant

Nathan Kolomaya and Dave McPherson addressed the board on behalf of the client requesting approval of the application. A presentation was not submitted by the applicant in advance of the hearing.

Mr. Kolomaya requested that the Board keep in mind the application is for a minor addition. The structure is being built to withstand hydrostatic forces and there is over 200’ of beach.

Mr. McPherson stated that the LPRCA mapping does not readily show the dynamic beach hazards so the applicants and their agent were unaware that such a hazard existed until a later date. The Norfolk County Lake Erie Hazard Mapping and Risk Assessment Report, 2020, commissioned by LPRCA for Norfolk County was referenced. Mr. McPherson stated that both the Baird Report and the online LPRCA maps carry disclaimers and therefore their accuracy cannot be relied upon. The applicants asked surveyors, Jewitt and Dixon, to plot the dynamic beach on land but were unable to do so because there was no point of reference on land. The mapping was completed using aerial photography.

Staff and the proponent responded to questions from the Board.

Peter Ypma requested clarification on the size of the addition within the hazard area. Jerry Livingston replied that it was approximately 16’x17’.

Peter Ypma asked what the dangers are by allowing the structure within the dynamic beach hazard line. Leigh-Anne responded that it depends on water movement and the sediment supply to the

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

beach. Generally, any type of structure creates a barrier to the sediment supply. The beach is currently approximately 200' but has been much smaller in the past few years with higher water levels. If the natural processes of a dynamic beach are impeded, it could potentially leave no beach and the water could potentially come up to and surpass the building structure which could potentially impact the soil in the area. This flood hazard applies to all of Turkey Point. When reviewing applications in that area, staff are concerned with not interrupting those natural dynamic beach processes.

Jim Palmer remarked that the dynamic beach hazard line looked straight and questioned if the beach was normally straight. Leigh-Anne replied that the beach is predominantly straight with a slight curve.

Doug Brunton asked staff for clarification of the Flood Elevations and the foundation level of the addition. Leigh-Anne replied that the 100-year flood event static elevation is 176.5m and the addition is at the 177.54m mark.

The members entered the closed session of the Hearing Board at 8:08 p.m.

A-82/24

Moved by M. Columbus
Seconded by R. Weisler

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

- Litigation or potential litigation, including matters before administrative tribunals (e.g. Local Planning Appeal Tribunal), affecting the Authority.

Carried

The LPRCA Hearing Board reconvened in open session at 8:23 p.m.

The Chair advised Theresa Livingston that the permit has been approved.

A-83/24

Moved by J. Palmer
Seconded by R. Weisler

That the LPRCA Board of Directors does now adjourn from sitting as a Hearing Board.

Carried

Adjournment

The Chair adjourned the meeting at 8:25 p.m.

Robert Chambers
Chair

Judy Maxwell
General Manager/Secretary-Treasurer

/dm

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

Aylmer Cemetery

Minutes of Board Meeting January 23, 2024

The members of the Aylmer Cemetery Board met at the Edward Jones office in Aylmer at 7:00 pm for their bi-monthly meeting.

Attendance at the meeting was as follows (P = Present; A = Absent; R = Regrets):

Board Members:

P	Rowland Hill	- Chairman
P	Jeff Haldenby	- Member
P	Jason Rauhe	- Councillor/Member
P	Rick Cerna	- Councillor/Member
P	Jeff Wiebenga	- Member
R	Andrew Wiebe	- Member

Cemetery Staff:

A	Joe Silverthorn	-Assistant Superintendent
P	Eugene Lindsay	- Superintendent
P	Janine Northey	- Secretary/Treasurer

1. Call to Order – Introduction/Attendance:

Noting that a quorum for this meeting had been achieved, Rowland Hill, Chair, called the meeting to order at 7:02pm.

2. Conflict of Interest:

None

3. Additions/Deletions to Agenda:

None

4. Motion to Adopt Agenda:

Moved By:	Jeff Wiebenga
Seconded By:	Jeff Haldenby
Carried	

5. Minutes of Previous Meeting:

Motion: To adopt the minutes of the Board Meeting Dated September 26, 2023

Moved By:	Jeff Haldenby
Seconded By:	Jeff Wiebenga
Carried	

6.0 Treasurer's Report:

The balance in the Meridian Account as of December 1st, 2023 was \$92,146.37. Cheques written from Sept 1-30 totaled \$17,272.21. December deposits of \$26,256.45 left a balance of \$101,130.61 before Dec 31st, A/P of (\$10,320.527) after A/P leaves a balance of \$90,810.04 remaining in the Meridia account.

6.1 Motion: To accept Treasurer's Report and pay the Accounts Payable totalling \$10,320.57:

Moved By: Jeff Wiebenga
 Seconded By: Jeff Haldenby
 Carried

7. Items from Previous Meeting:

- a) Building is looking good, and progress is steady. Roof is done, windows and front doors are in. Waiting on the knee wall to be complete and then siding will be installed
- b) Demos for Cemetery software is on pause for now
- c) Janine has completed one OACFP course and will be starting the second course soon.
- d) The CEBA loan has been paid in full in the amount of \$40,000 and the \$20,000 is forgiven.

8. New Business:

- a) Will discuss 2024 future employees, infrastructure and equipment at the next meeting.

9. Superintendent's Report:

The cemetery has been steady with burials and things are going well. Equipment is looking good, but may consider if we need a new lawn mower or weed whipper. May also look into whether this spring is a good time to trade in the Kubota.

9.1 Motion: To accept the superintendent's report as presented:

Moved By: Jeff Haldenby
 Seconded By: Jason Rauhe
 Carried

10. Board Members Issues/Concerns/Questions:

Jason talked to us about the Towns decision to cut the amount of the grant for the Cemetery. We are grateful to still be receiving a grant. Malahide Township also cut the amounts of their grants. We are not sure yet if our amount will be affected.

Continuing to seek new board members to join the Aylmer Cemetery Board.

11. Date of Next Meeting:

The date of the next general meeting will be Tuesday March 26th ,2024 at 7:00pm
 At the Edward Jones Office in Aylmer.

12. Adjournment:

Motion: To adjourn the meeting at 7:37pm
 Moved By: Jeff Haldenby
 Seconded By: Rick Cerna
 Carried

Rowland Hill, Chairman _____



St. Thomas Site
 Administrative Office
 1230 Talbot Street
 St. Thomas, ON
 N5P 1G9

Woodstock Site
 410 Buller Street
 Woodstock, ON
 N4S 4N2

August 1, 2024

Nathan Dias
 Chief Administrative Officer
 Township of Malahide
 87 John Street South
 Aylmer, ON N5H 2C3

sent via email ndias@malahide.ca

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

sent via email AAdams@malahide.ca

Dear Mr. Dias, and Ms. Adams,

RE: Household Food Insecurity in the SWPH Region and Effective Policy-Based Solutions

We are pleased to inform you about two recent reports presented to the Southwestern Public Health (SWPH) Board of Health. The reports, entitled [Household Food Insecurity in the SWPH Region and Effective Policy-Based Solutions](#) and [Addressing Food Insecurity and Poverty in Oxford County, Elgin County, and the City of St. Thomas 2023 Report](#), have been enclosed for your review.

These reports bring to light the issue of household food insecurity, a situation where households lack consistent access to enough nutritious food due to financial constraints¹. Unfortunately, this is a significant public health problem in our region, directly impacting the health and well-being of our residents¹. It also has considerable implications for our healthcare system² and our community's economic vitality³. While our region is fortunate to have many community partners who offer emergency food services and community meals during times of need, these programs are not a long-term solution to the problem of household food insecurity. As household food insecurity is rooted in inadequate incomes, research shows that the most effective way to address this issue is through policy changes that provide adequate and stable incomes¹. Such policy changes include, but are not limited to, improving social assistance rates, increasing minimum wage to reflect the actual cost of living, providing a 'Living Wage', supporting residents in filing their taxes to ensure access to benefits they are eligible for, and enacting a Basic Income.


SWPH's Board of Health has endorsed the recommendations highlighted in the reports to support income-based policies. SWPH strongly believes that all employees should have the

means to access basic needs and participate in their communities. Therefore, we are seeking certification to become a 'Living Wage' employer. We recognize that our municipalities are strong leaders in promoting and protecting the health of those who live and work in our communities. We encourage you to explore the benefits of providing a Living Wage by visiting the [Ontario Living Wage Network website](#).

To learn more about household food insecurity and poverty reduction in our communities, we kindly encourage you to reach out to Kendall Chambers, kchambers@swpublichealth.ca, 1-800-922-0096 (ext. 3519), Randie Gregoire, rgregoire@swpublichealth.ca, (ext. 1345), Rebecca Wallace, rwallace@swpublichealth.ca, (ext. 3466), and Shreya Sachdeva, ssachdeva@swpublichealth.ca, (ext. 1300).

We thank you for your consideration in this matter.

Sincerely,



Cynthia St. John
Chief Executive Officer
Southwestern Public Health



Dr. Ninh Tran
Medical Officer of Health
Southwestern Public Health

c: Bernia Martin, Board of Health Chair
Peter Heywood, Program Director
Marcia Van Wylie, Program Manager
Kendall Chambers, Registered Dietitian
Randie Gregoire, Public Health Nurse
Rebecca Wallace, Public Health Nurse
Shreya Sachdeva, Health Promoter

Attachments:

Household Food Insecurity in the SWPH Region and Effective Policy-Based Solutions
Addressing Food Insecurity and Poverty in Oxford County, Elgin County, and the City of St.
Thomas 2023 Report

References:

¹ Li T, Fafard St-Germain AA, Tarasuk V. Household food insecurity in Canada, 2022 [Internet]. Toronto: Research to identify policy options to reduce food insecurity (PROOF); 2023 [cited 2023 Nov 21]. 67 p. Available from: <https://proof.utoronto.ca/>

² Tarasuk V, Cheng J, de Oliveira C, Dachner N, Gundersen C, Kurdyak P. Association between household food insecurity and annual health care costs. CMAJ. 2015;187(14):E429-E436. <https://doi.org/10.1503/cmaj.150234>

³ CCO and Ontario Agency for Health Protection and Promotion (Public Health Ontario). The burden of chronic diseases in Ontario: key estimates to support efforts in prevention [Internet]. Toronto: Queen's Printer for Ontario; 2019 [cited 2024 Jan 15]. 47 p. Available from: https://www.publichealthontario.ca/-/media/Documents/C/2019/cdburden-report.pdf?rev=fbf6ca2fc4534442adee001f92cb4fcf&sc_lang=en

**Ministry of
Municipal Affairs and Housing**

Planning Policy Branch
777 Bay Street, 13th Floor
Toronto ON M5G 2E5
Tel. 416-585-6014

**Ministère des
Affaires municipales et du Logement**

Direction des politiques d'aménagement
777, rue Bay, 13^e étage
Toronto ON M5G 2E5
Tél. 416-585-6014



Date: July 3, 2024

Subject: **Planning Act and Development Charges Act Regulations related to the
*Cutting Red Tape to Build More Homes Act, 2024 (Bill 185)***

I am writing to provide an update on regulations under the *Planning Act and Development Charges Act, 1997* related to the *Cutting Red Tape to Build More Homes Act, 2024*.

The *Planning Act and Development Charges Act, 1997* regulations came into effect on July 1, 2024.

Changes made include:

- modernizing public notice requirements and providing municipalities with the ability to provide notice in respect of the above matters on a municipal website if there is no local print newspaper available
- consequential amendments to remove requirements for certain statements regarding appeal rights to be included in public notices
- consequential changes to ensure notice is provided to nearby public hospitals and airports
- housekeeping amendments for the removal of spent provisions related to DC exemptions for additional residential units and the prescribed amount of time for the DC freeze period

You can view copies of the amending *Planning Act* regulations on Ontario's e-Laws website:

- [Ontario Regulation 285/24](#) – amending Ontario Regulation 543/06 “Official Plans and Plan Amendments”
- [Ontario Regulation 286/24](#) – amending Ontario Regulation 545/06 “Zoning By-Laws, Holding By-Laws and Interim Control By-Laws”
- [Ontario Regulation 287/24](#) – amending Ontario Regulation 544/06 “Plans of Subdivision”
- [Ontario Regulation 288/24](#) – amending Ontario Regulation 197/96 “Consent Applications”
- [Ontario Regulation 289/24](#) – amending Ontario Regulation 200/96 “Minor Variance Applications”

- [Ontario Regulation 290/24](#) – amending Ontario Regulation 509/20 – “Community Benefits Charges and Parkland”
- [Ontario Regulation 291/24](#) – amending Ontario Regulation 549/06 “Prescribed Time Period – Subsections 51 (52.4) of the Act”

You can view copies of the amending Development Charges Act, 1997 regulations on Ontario’s e-Laws website:

- [Ontario Regulation 279/24](#) – amending Ontario Regulation 82/98 – “General”

If you have any questions about the changes to the land use planning and appeal system, including the *Planning Act* regulatory changes, please email PlanningConsultation@ontario.ca.

If you have any questions about the changes to the *Development Charges Act, 1997*, including the regulatory changes related to public notice requirements under the Act and other matters, please email MFPB@ontario.ca.

Sincerely,

Laura Evangelista, Director
Provincial Policy Branch
Ministry of Municipal Affairs

Ruchi Parkash, Director
Municipal Finance Policy Branch
Ministry of Municipal Affairs

Ministry of Natural Resources

Development and Hazard Policy
Branch
Policy Division
300 Water Street
Peterborough, ON K9J 3C7

Ministère des Richesses naturelles

Direction de l'élaboration et des politiques
relatives aux dangers
Division de l'élaboration des politiques
300, rue Water
Peterborough (Ontario) K9J 3C7



July 10, 2024

Subject: *Proposal Regarding Developing a commercial-scale framework for geologic carbon storage*

Hello,

The Ministry of Natural Resources is seeking feedback on the development of a legislative and regulatory framework for commercial-scale geologic carbon storage. The current posting is available at <https://ero.ontario.ca/notice/019-8767>. It provides an overview of how various components of the framework could function and has a series of questions at the end seeking feedback on how Ontario could regulate the activity.

This proposal follows four previous engagement opportunities related to the framework development in January 2022, November 2022, April 2023 and September 2023. A roadmap towards regulating geologic carbon storage was released in November 2022 and can be found at <https://www.ontario.ca/page/geologic-carbon-storage>.

Although Ontario's framework would apply provincially, to help provide for the responsible development of commercial-scale projects, the framework could initially focus on enabling commercial-scale projects within saline aquifers and depleted oil and gas reservoirs in southwestern Ontario at depths of 800 metres or more. These are expected to be the most viable opportunities for geologic carbon storage in Ontario given the current state of carbon storage technologies. To continue to advance the development of new technologies, projects that do not meet the above criteria could be permitted under a testing and demonstration permit.

For more information on what geologic carbon storage is, and where it could occur, Ontario has included a background information document at the end of this letter.

If you would like more information or have any questions, please contact Andrew Ogilvie, Manager of Resources Development Section, through email: Resources.Development@ontario.ca.

Sincerely,

Jennifer Keyes
Director, Development and Hazard Policy Branch

Attachment: Geologic Carbon Storage background document

Introduction

Large quantities of carbon dioxide (CO₂) are generated through industrial processes such as the production of cement, steel and fertiliser, from power generation, during oil and gas refining, and as a by-product of creating hydrogen from methane.

One way of reducing the impact of CO₂ emissions from these large emission sources is to take captured CO₂ that would have otherwise been emitted into the atmosphere and to permanently store (sequester) it in deep underground rock formations (storage formations). This process is termed ‘geologic carbon storage,’ and is one tool being considered to manage Ontario’s emissions.

Geologic carbon storage is necessary for economically achieving emissions targets and net-zero emissions, especially for carbon-intensive industries.

According to the Global CCS Institute, “the injection and storage of CO₂ is the final stage in the carbon capture and storage process and has been working safely and effectively for over 50 years” and “close to 300 million tonnes of CO₂ has been injected into storage formations underground.”¹

How is CO₂ stored?

Captured carbon dioxide emissions from industrial processes are transported and

injected into a storage well that injects the CO₂ into deep geologic formations.

Depth is an important factor in geologic carbon storage. As depth increases below the surface, temperature and pressure increase. At depths greater than 800 metres (about 1.5 times the height of the CN Tower) temperature and pressure are high enough that CO₂ reaches a ‘supercritical’ state – it has the density of a liquid but flows like a gas – which allows the CO₂ to be stored efficiently.²

Underground storage formation characteristics are also important. The following technical requirements are considered when determining if a formation is a good fit for geologic carbon storage:²

- **Porosity:** the pore space in which the CO₂ can be stored.
- **Permeability:** the interconnectedness of the pore spaces that enables the injected CO₂ to flow throughout the formation.
- **Cap rock:** the presence of an impermeable barrier to flow around the formation to contain the CO₂ permanently.

Detailed, site specific studies need to be conducted to prove site suitability for geologic carbon storage.

After injection activities end, wells are plugged, and the site is decommissioned and monitored to mitigate any potential safety risks to the public or the environment.

¹ Global Carbon Capture and Storage Institute Ltd. <https://www.globalccsinstitute.com/ccs-101-storage/>. Used under Creative Commons Attribution-Noncommercial-NoDerivatives 4.0 International Licence. © 2024 Global Carbon Capture and Storage Institute Ltd.

² Carter, T., Gunter, W., Lazorek, M., Craig, R. (2007). *Geological Sequestration of Carbon Dioxide: A Technology Review and Analysis of Opportunities in Ontario*. Climate Change Research Report CCRR-07. Ontario Ministry of Natural Resources. ISBN 978-1-4249-4557-3

What happens to the CO₂ after it is injected?

Carbon dioxide can be trapped in several ways:

- **Structural trapping** occurs when the rock layers above the storage formation form a cap or seal that prevents the upward movement of CO₂.
- **Solution trapping** occurs when the injected CO₂ dissolves into saline water that is present in the storage formation.
- **Residual trapping** occurs when CO₂ is trapped in pores within the storage formation.
- **Mineral trapping** occurs when the CO₂ reacts with the reservoir rocks and fluids to form solid carbonate minerals that permanently trap the CO₂.

Where could CO₂ be stored in Ontario?

Currently, there are no geologic carbon storage projects in Ontario. Most projects in other jurisdictions have occurred in deep sedimentary rock formations including:

- saline aquifers
- depleted oil and gas reservoirs

Previous desktop research has suggested the most suitable storage formations in Ontario may be found beneath the beds of Lake Huron and Lake Erie and surrounding onshore areas, which also coincide with many of the province's largest point source emitters of CO₂.

Ontario is taking a phased approach to create a regulatory framework for geologic carbon storage which will play an important role in supporting industry, encouraging sector innovation, and helping industry manage emissions and meet emissions targets. Our roadmap to regulating geologic carbon storage can be found online at [Roadmap towards regulating geologic carbon storage](https://www.ontario.ca/page/geologic-carbon-storage).³

³ <https://www.ontario.ca/page/geologic-carbon-storage>

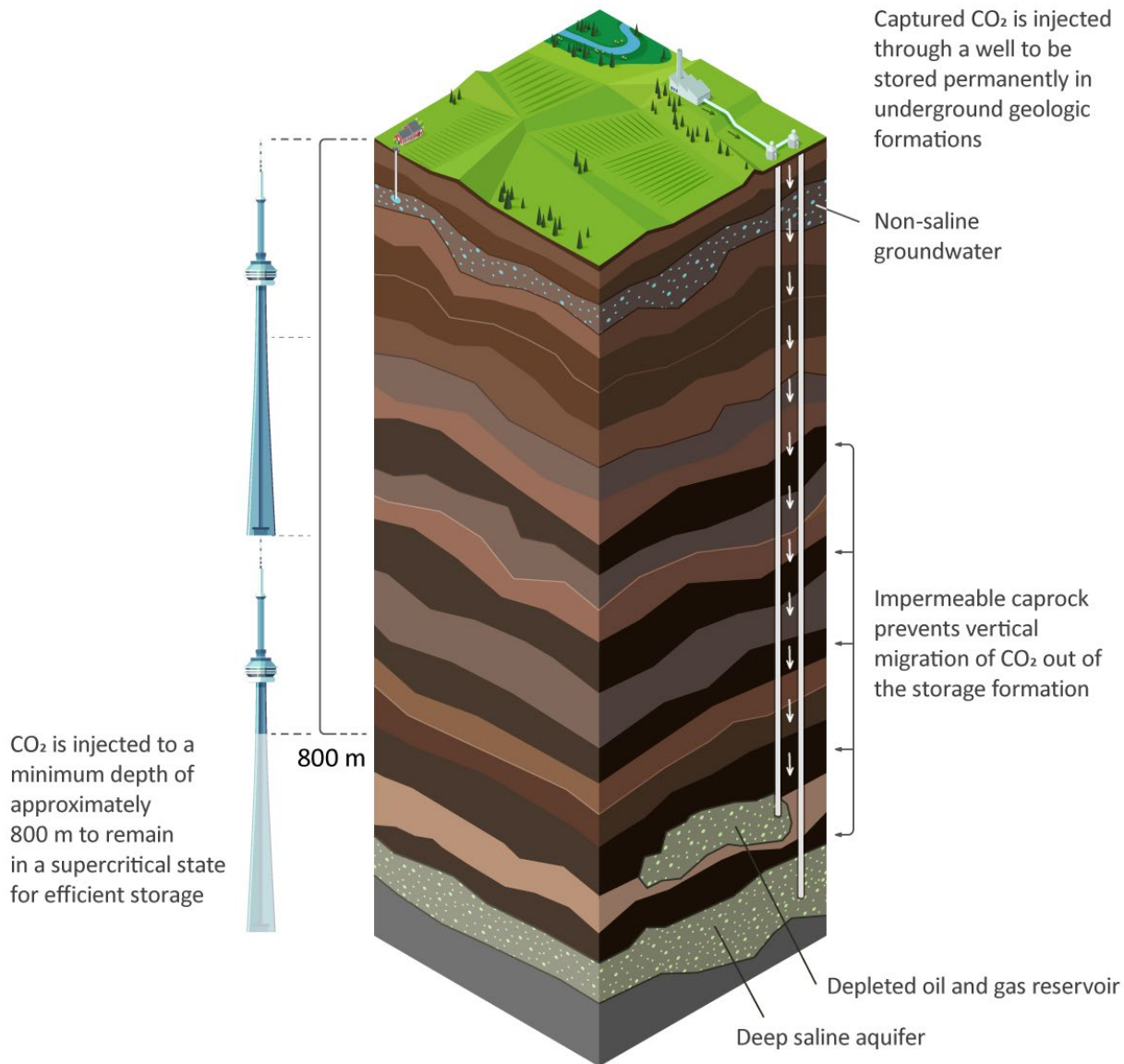


Figure 1: Schematic diagram of geologic carbon storage in a depleted oil and gas reservoir and a deep saline aquifer. This diagram is for illustrative purposes only. Objects shown are not drawn to scale.



The Corporation of the Township of Otonabee-South Monaghan

June 28, 2024

Via Email: david.piccinico@pc.ola.org

Hon. David Piccini M.P.P.
Minister of Labour, Immigration, Training and Skills Development
117 Peter Street
Port Hope, ON
L1A 1C5

Dear Minister Piccini:

Re: Regulations for the Importation and Safe Use of Lithium-ion Batteries

I am writing today to bring to your attention a matter of significant importance to the Township of Otonabee-South Monaghan, regarding the importation and safe use of lithium-ion batteries.

At the June 17, 2024 Council Meeting the Fire Chief of the Township of Otonabee-South Monaghan made a presentation to Council on the dangers presented by lithium-ion batteries. The Fire Chief was reporting back from attending the Charged For Life Symposium presented by the Office of the Fire Marshal.

During the presentation, the Fire Chief stressed that the increased importation and use of non-Original Equipment Manufacturer (OEM) aftermarket batteries is presenting a significant increase in fire and explosion, putting citizens and responding personnel in danger. These after market batteries are not Underwriter Laboratories of Canada (ULC) certified but can be imported into Canada without any associated regulations.

Unlicensed persons and locations can store and modify lithium-ion batteries in our communities without regulations, providing dangerous conditions within a community. Charging these batteries within the home or multi-unit dwellings can result in larger fires with grave results.

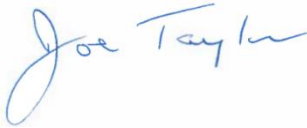
As Canada becomes more aware of Green Energy solutions, these batteries are used more often, increasing the danger to our communities. We support the Ontario Fire Marshal's program to educate citizens on the danger associated with lithium-ion batteries and encourage every municipality to actively promote safe practices for the use of lithium-ion batteries.

We also call upon all levels of government to enact regulations for the importation, sale, storage, and use of non-OEM or ULC certified lithium-ion batteries.

Thank you in advance for your attention to this very critical issue, and I look forward to your prompt consideration and support.

Please do not hesitate to contact me or our Fire Chief if you require any additional information.

Yours truly,
Township of Otonabee-South Monaghan

A handwritten signature in blue ink that reads "Joe Taylor". The signature is written in a cursive style with a large initial "J" and a long horizontal stroke at the end.

Joe Taylor, Mayor

Cc: MP, Philip Lawrence
All Ontario Municipalities

THE CORPORATION OF THE TOWNSHIP OF MALAHIDE**BY-LAW NO. 24-39**

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 August 15, 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 15th day of August, 2024.

READ a **THIRD** time and **FINALLY PASSED** this 15th day of August, 2024.

Mayor, D. Giguère

Clerk, A. Adams