



**Township of Southgate  
Council Meeting Agenda**

**December 7, 2022**

**9:00 AM**

**Holstein Council Chambers  
123273 Southgate Road 12  
Holstein, Ontario N0G 2A0**

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**Pages**

**1. Call to Order**

**2. Land Acknowledgement**

As we gather, we recognize and acknowledge the traditional keepers of this land with whom we share today. The Township of Southgate is a part of the traditional territories of the Anishinaabek, Six Nations of the Grand River, Saugeen Ojibway Nation, Haudenosaunee, and Saugeen Métis. The land that surrounds us is part of who we are as it reflects our histories; may we live in peace and friendship with all its diverse people.

**3. Open Forum - Register in Advance**

If you wish to speak at Open Forum please register with the Clerk in advance of the meeting by email to [lgreen@southgate.ca](mailto:lgreen@southgate.ca)

**4. Confirmation of Agenda**

**Be it resolved that Council confirm the agenda as presented.**

**5. Declaration of Pecuniary Interest**

**6. Public Meeting**

**6.1 C18-22 - Tyler Colwell - Plan 480, Blk J, Lot 1 to 2 - Geographic Village of Dundalk**

### **6.1.1 Background**

**The Purpose** of the proposed Zoning by-law amendment application is to permit a twenty four (24) hour gym to be located on the subject property. In addition, the by-law will provide relief from the parking requirements as required.

**The Effect** of the proposed zoning by-law amendment would be to amend the provisions of the C3-54 zone that is on the subject lands to permit a 24 hours gym and the parking that is required.

### **6.1.2 Application and Notice of Public Meeting** 15 - 29

### **6.1.3 Comments Received from Agencies and the Public** 30 - 36

### **6.1.4 Questions from Council**

### **6.1.5 Applicant or Agent**

### **6.1.6 Members of the Public to Speak**

### **6.1.7 Further Questions from Council**

## **6.2 C20-22 - EBM Farms Inc - Con 1 PT Lot 38 - Geographic Township of Proton**

### **6.2.1 Background**

**The Purpose** of the proposed zoning by-law amendment application is to allow for an Agricultural related use being a small scale Industrial Use shop. The owners wish to add the shop to the list of permitted uses to a new Agricultural exception zone (A1-XXX). The shop, including office and power room is proposed to be up to 750m<sup>2</sup> with outside storage of approximately 500m<sup>2</sup>.

**The Effect** of the proposed zoning by-law amendment would be to change the zone symbol on a portion of the subject lands from Agricultural exception (A1-8) to Agricultural exception (A1-XXX), to permit the Industrial Use shop. Any Environmental Protection Zone

### **6.2.2 Application and Notice of Public Meeting** 37 - 56



6.2.3	Comments Received from Agencies and the Public	57 - 64
6.2.4	Questions from Council	
6.2.5	Applicant or Agent	
6.2.6	Members of the Public to Speak	
6.2.7	Further Questions from Council	

## 7. Delegations & Presentations

7.1	Saugeen Valley Conservation Authority Delegation - Jennifer Stephens, General Manager	65 - 85
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**Be it resolved that** Council receive the delegation from the Saugeen Valley Conservation Authority as information.

## 8. Adoption of Minutes 86 - 140

**Be it resolved that** Council approve the minutes from the October 5, 2022 Council and Closed Session meetings as presented; and  
**That** Council approve the minutes from the November 2, 2022 Special Council meeting as presented; and  
**That** Council approve the minutes from the November 21, 2022 Inaugural Council meeting as presented; and  
**That** Council approve the minutes from the November 23, 2022, November 28, 2022 and November 29, 2020 Special Council and Closed Session meetings as presented.

## 9. Reports of Municipal Officers

### 9.1 Fire Chief Derek Malynyk

9.1.1	FIRE2022-020- Firefighter Years of Service Payment	141 - 142
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**Be it resolved that** Council receive Staff Report FIRE2022-020 for information; and  
**That** Council approve the HR Coordinator to amend Southgate Policy #1 Personnel Policy 16 A) to separate an employee or council members years of service from their volunteer firefighter years of service.

### 9.2 Treasurer William Gott

**9.2.1 FIN2022-034 - Replacement of Folder/Inserter**

143 - 144

**Be it resolved that** Council receive Staff Report FIN2022-034 Replacement of Folder/Inserter as information; and

**That** Council authorizes the Treasurer to proceed with entering into a contract with Pitney Bowes for the lease of a folder/inserter machine for \$298.33 per month for 66 months.

**9.3 Clerk Lindsey Green**

**9.3.1 CL2022-032 – Council Members 2022-2026 Committee and Board Appointments**

145 - 147

**Be it resolved that** Council receive Staff Report CL2022-032 for information; and

**That** Council appoint the following members to the Township of Southgate's Committees and Local Boards to coincide with the 2022-2026 Term of Council:

1. Ruth Hargrave Memorial Library Board:  
Councillor Martin Shipston, Councillor Joan John;
2. Police Services Board:  
Mayor Brian Milne, Councillor Jim Ferguson;
3. Public Liaison Committee:  
Councillor Jim Ferguson;
4. Recreation Advisory Committee:  
Deputy Mayor Dobreen, Councillor Jason Rice;
5. Community Fund Management Committee:  
Deputy Mayor Barbara Dobreen, Councillor Monica Singh Soares;
6. Affordable-Attainable Housing Committee:  
Councillor Martin Shipston, Councillor Joan John;
7. Wellington-North Recreation Advisory Committee:  
Councillor Jim Ferguson;
8. Saugeen Valley Conservation Authority Board:  
Deputy Mayor Barbara Dobreen;

9. Saugeen Mobility and Regional Transit Board:  
Councillor Monica Singh Soares;
10. Grey County Farm Safety Association:  
Councillor Jason Rice;
11. Lystek Public Advisory Committee:  
Deputy Mayor Barbara Dobreen;
12. Mount Forest Doctor Recruitment Committee:  
Mayor Brian Milne;
13. Upper Grand Liaison Committee:  
Deputy Mayor Barbara Dobreen; and

**That** Councillor Martin Shipston be appointed as the Alternate County of Grey Council Representative; and  
**That** Council disband the Fire Department Advisory and Support Committee.

**9.3.2 CL2022-033-Public Members 2022-2026 Committee and Board Appointments 148 - 162**

**Be it resolved that** Council receive Staff Report CL2022-033 for information; and

**That** the following individuals be appointed to the committees and local boards as listed below:

- Ruth Hargrave Memorial Library Board:
  1. Leigh Gorman;
  2. Muriel Scott;
  3. Pam Burgess;
  4. Deedra Watson; and
  5. Janice Kaikkonen
- Police Service Board:
  1. Allan Dobreen
- Public Liaison Committee:
  1. Karen Cheeseman
- Affordable-Attainable Housing Committee:
  1. Gerry McNalty;
  2. Jordan DeJong;
  3. Carolynn Dyer;

4. Samantha Burgoine; and
5. Nola Marion
- Community Fund Management Committee:
  1. Heather Renton;
  2. Carolyn Dyer
- Fence Viewers Appointment:
  1. Brian Stevenson; and
  2. Doug Roberts
- Livestock Evaluator Appointment:
  1. Brian Stevenson

**That** Council consider approval of By-law 2022-163 to appoint Fence Viewers; and

**That** Council consider approval of By-law 2022-169 to appoint a Livestock Valuer; and

**That** Council approve the amended Southgate Affordable-Attainable Housing Advisory Committee Terms of Reference document as presented; and

**That** Council disband the Township of Southgate Senior's Advisory Committee at this time; and

**That** staff prepare the Committee and Board appointment letters on behalf of Mayor Milne to distribute to each newly appointed committee member.

### 9.3.3 By-law 2022-163 - Appointment of Fence Viewers 163 - 165

**Be it resolved that** by-law number 2022-163 being a By-law to Appoint Fence Viewers for the Township of Southgate, Pursuant to the Provisions of the Line Fences Act, R.S.O., and to repeal by-law 2019-018 be read a first, second and third time, finally passed, signed by the Mayor and the Clerk, sealed with the seal of the Corporation and entered into the by-law book.

### 9.3.4 By-law 2022-169 - Appointment of Livestock Valuers 166

**Be it resolved that** by-law number 2022-169 being a by-law to appoint livestock valuers for the Township of Southgate be read a first, second and third time, finally passed, signed by the Mayor and the Clerk, sealed with the seal of the Corporation and entered into the by-law book.

- 9.3.5 CL2022-034 – 2023 Council Calendar Recommendation 167 - 169**
- Be it resolved that** Council receive Staff Report CL2022-034 for information; and  
**That** Council provide direction to staff on 2023 Council meeting times.
- 9.3.6 CL2022-035 – Council Member 2023 Conference Attendance Approval 170 - 172**
- Be it resolved that** Council receive Staff Report CL2022-035 for information; and  
**That** Council provide direction to staff on how to proceed with members 2023 conference attendance.
- 9.3.7 CL2022-036 - 2023 Committee of Adjustment Appointments 173**
- Be it resolved that** Council receive Staff Report CL2022-036 for information; and  
**That** Council consider approval of By-law 2022-160 being a by-law to constitute and appoint members to the Committee of Adjustment for 2023.
- 9.3.8 By-law 2022-160 - Committee of Adjustment Member Appointments 2023 174 - 175**
- Be it resolved that** by-law number 2022-160 being a by-law to Constitute and Appoint Members to the Committee of Adjustment be read a first, second and third time, finally passed, signed by the Mayor and the Clerk, sealed with the seal of the Corporation and entered into the by-law book.

**9.4 Public Works Manager Jim Ellis**

9.4.1	<b>PW2022-053 - Bridge S114 Load Evaluation and Recommended Load Posting</b>	176 - 178
	<p><b>Be it resolved that</b> Council receive Staff Report PW2022-053 for information; and</p> <p><b>That</b> Council approve the recommendation to post Bridge S114 as a triple load posting of 12 Tonnes, 18 Tonnes and 23 Tonnes by by-law No. 2022-168; and</p> <p><b>That</b> Council approves the yield to oncoming traffic signage to be posted in the westbound and eastbound lanes on Southgate Road 04 at the approaches of Bridge S114.</p>	
9.4.2	<b>By-law 2022-168 - Bridge S114 Load Restriction</b>	179
	<p><b>Be it resolved that</b> by-law number 2022-168 being a by-law to restrict the weight of vehicles passing over certain roads be read a first, second and third time, finally passed, signed by the Mayor and the Clerk, sealed with the seal of the Corporation and entered into the by-law book.</p>	
9.4.3	<b>PW2022-054 2022-2023 Winter Operational Plan</b>	180 - 276
	<p><b>Be it resolved that</b> Council receive Staff Report PW2022-054 for information; and</p> <p><b>That</b> Council approves and endorses the 2022/2023 Southgate Winter Operations Planning Document.</p>	
9.4.4	<b>PW2022-055 - ICIP Green 2021 Transfer Payment Agreement</b>	277 - 278
	<p><b>Be it resolved that</b> Council receive Staff Report PW2022-055 for information; and</p> <p><b>That</b> Council consider approving executing the ICIP Green Stream 2021 Transfer Payment Agreement by By-law No. 2022-171.</p>	

**9.4.5 By-law 2022-171 - ICIP Green 2021 Transfer Payment Agreement - Victoria Street 279 - 335**

**Be it resolved that** by-law number 2022-171 being a by-law to authorize an agreement between Her Majesty the Queen in Right of Ontario and The Corporation of the Township of Southgate be read a first, second and third time, finally passed, signed by the Mayor and the Clerk, sealed with the seal of the Corporation and entered into the by-law book.

**9.5 Chief Administrative Officer Dave Milliner**

**9.5.1 CAO2022-079 Southgate Meadows Inc. Flato North Phase 2A 3 Developments Security Reduction Report Final 336 - 363**

**Be it resolved that** Council receive staff report CAO2022-079 as information; and  
**That** Council approve the Flato Dundalk Meadows Inc., Flato North Phase 2A & 3 Subdivision Preliminary Acceptance of the Stages III & IV servicing work with the warranty period to begin December 1st, 2022; and  
**That** Council approve the Flato Dundalk Meadows subdivision developments' request for a security reduction of \$373,934.97 based on worked completed in the Flato North residential project.

**9.6 HR Coordinator Kayla Best**

## 364 - 366

**That** Council approve the COLA increase of 4% to all affected agreements and other Township established inflationary conditions, effective January 1, 2023; and **That** Council approve an additional 2.5% increase to the Staff Pay Grid as part of the initial budget adjustments in the Market Check process for 2023, effective January 1, 2023.

## 367 - 368

**That** Council direct staff to review Job Description updates through the Job Evaluation Committee; and **That** Council direct staff to bring back Job Evaluation Committee recommendations to a future Council meeting.

## 369 - 370

**That** Council approve the Health and Safety Policy #33A and Statement by municipal By-Law 2022-170; and **That** the Mayor sign the Health and Safety Policy Statement for the 2022-2023 period.

## 371 - 373

**Be it resolved that** by-law number 2022-152 being a By-law to adopt a “Health and Safety Policy” known as Policy Number 33 A, be read a first, second and third time, finally passed, signed by the Mayor and the Clerk, sealed with the seal of the Corporation and entered into the by-law book.



## **9.7 Planner Clinton Stredwick**

### **9.7.1 PL2022-079 - Planning Application Process 374 - 376**

**Be it resolved that** Council receive Staff Report PL2022-079 for information; and

**That** Council direct staff to proceed with bringing forward the various recommendations in this report for consideration at the next opportunity.

## **10. By-laws and Motions**

None

## **11. Notice of Motion**

None

## **12. Consent Items**

### **12.1 Regular Business (for information)**

**Be it resolved that** Council approve the items on the Regular Business consent agenda dated December 7, 2022 (save and except items \_\_\_\_\_) and direct staff to proceed with all necessary administrative actions.

<b>12.1.1</b>	<b>FIRE2022-021- Volunteer Firefighter Appointment</b>	<b>377</b>
<b>12.1.2</b>	<b>FIRE2022-022- Volunteer Firefighter Retirement</b>	<b>378</b>
<b>12.1.3</b>	<b>PL2022-080 - Bill 23 Update</b>	<b>379 - 415</b>
<b>12.1.4</b>	<b>HR2022-057 - Public Works Staffing Updates</b>	<b>416</b>
<b>12.1.5</b>	<b>FIN2022-035 - 2021 Financial Statements</b>	<b>417 - 418</b>
<b>12.1.6</b>	<b>Township of Southgate 2021 Audited Financial Statements</b>	<b>419 - 455</b>
<b>12.1.7</b>	<b>Librarian CEO Report - October 2022</b>	<b>456</b>
<b>12.1.8</b>	<b>Librarian CEO Report - November 2022</b>	<b>457</b>

## **12.2 Correspondence (for information)**

**Be it resolved that** Council receive the items on the Correspondence consent agenda dated December 7, 2022 (save and except items \_\_\_\_\_) as information.

- |               |   |                  |
|---------------|---|------------------|
| <b>12.2.1</b> | <b>Hawks Nest Southgate Sponsor Request Letter 2023 - received October 17, 2022</b>         | <b>458 - 462</b> |
| <b>12.2.2</b> | <b>MMAH - More Homes Built Faster Act - Bill 23 - received October 25, 2022</b>             | <b>463</b>       |
| <b>12.2.3</b> | <b>Congratulatory Letter from Premier Doug Ford - received November 15, 2022 - redacted</b> | <b>464</b>       |
| <b>12.2.4</b> | <b>Watson and Associates - Standing Committee on Bill 23 - received November 17, 2022</b>   | <b>465 - 508</b> |
| <b>12.2.5</b> | <b>Watson and Associates - Bill 23 Letter to Our Clients - received November 29, 2022</b>   | <b>509 - 510</b> |
| <b>12.2.6</b> | <b>SMART - 2023 Contributions from Southgate - received November 29, 2022</b>               | <b>511</b>       |
| <b>12.2.7</b> | <b>MMAH - Response to Bill 23 Comments - received November 30, 2022</b>                     | <b>512 - 513</b> |

## **12.3 Resolutions of Other Municipalities (for information)**

**Be it resolved that** Council receive the items on the Resolutions of other Municipalities consent agenda dated December 7, 2022 (save and except items \_\_\_\_\_) as information.

- |               |   |                  |
|---------------|---|------------------|
| <b>12.3.1</b> | <b>Township of Puslinch - Bill 23 Proposed Changes - received November 17, 2022</b>                           | <b>514 - 530</b> |
| <b>12.3.2</b> | <b>City of Mississauga - Bill 23 More Homes Built Faster - received November 23, 2022</b>                     | <b>531 - 581</b> |
| <b>12.3.3</b> | <b>Municipality of Lambton Shores - Bill 23 Consultation - received November 23, 2022</b>                     | <b>582 - 584</b> |
| <b>12.3.4</b> | <b>Town of Aurora - Opposition to Bill 23 - More Homes Built Faster Act 2022 - received November 24, 2022</b> | <b>585 - 586</b> |
| <b>12.3.5</b> | <b>Town of Aurora - Modifications to York Region Official Plan - received November 24, 2022</b>               | <b>587 - 588</b> |

12.3.6	Town of Georgina - Bill 23 - received November 24, 2022	589 - 590
12.3.7	Norfolk County Letter Re Bill 23 - More Homes Built Faster Act, 2022 - received November 25, 2022	591 - 592
12.3.8	City of Stratford - VIA Rail Resolution - received November 28 2022	593 - 595

**12.4 Closed Session (for information)**

None

**13. County Report**

**14. Members Privilege - Good News & Celebrations**

**15. Closed Meeting**

**Be it resolved that** Council proceed into closed session at [TIME] in order to address matters relating to Litigation or Potential Litigation (Sec. 239(2)(e)) (Subject: Update meeting with Southgate's legal counsel), Labour Relations or Employee Negotiations (Sec. 239(2)d) and Personal Matters about an Identifiable Individual (Sec. 239(2)b) (Subject: Chief Administrative Officer Position Recruitment - Verbal Update); and

**That** Township Solicitor Robert Brown of Stutz Brown and Self Professional Corporation, Treasurer William Gott, Public Works Manager Jim Ellis, Chief Building Official Bev Fisher, HR Coordinator Kayla Best, Clerk Lindsey Green and Chief Administrative Officer Dave Milliner remain in attendance.

**Be it resolved that** Council come out of Closed Session at [TIME].

**15.1 Litigation or Potential Litigation (Sec. 239(2)(e)) (Subject: Update meeting with Southgate's legal counsel)**

**15.2 Labour Relations or Employee Negotiations (Sec. 239(2)d) and Personal Matters about an Identifiable Individual (Sec. 239(2)b) (Subject: Chief Administrative Officer Position Recruitment - Verbal Update);**

**16. Confirming By-law**

596

**Be it resolved that** by-law number 2022-167 being a by-law to confirm the proceedings of the Council of the Corporation of the Township of Southgate at its regular meeting held on December 7, 2022 be read a first, second and third time, finally passed, signed by the Mayor and the Clerk, sealed with the seal of the Corporation and entered into the by-law book.

**17. Adjournment**

**Be it resolved that** Council adjourn the meeting at [TIME].



The corporation of  
The Township of Southgate

Application for planning amendment  
Official plan and zoning by-law

**\*\* Pre-consultation is required with the Township before any zoning or official plan amendment applications will be accepted (By-law 66-2012)\*\***

**Instructions:**

- Please check all applicable boxes and answer all applicable questions
- All measurements **MUST** be in metric units. (Imperial Units will not be accepted)
- Additional information may be attached if necessary
- Incomplete applications will be returned
- The Township reserves the right to ask for more information or clarification pertaining to this application at a later time
- Further information is on the last two pages for your reference
- Applications are not accepted without the required fees
- All applications for zoning by-law amendment or Official Plan Amendment must

**For office use only**

File no: C18-22.  
Pre-Consult Date: \_\_\_\_\_  
Date received: \_\_\_\_\_  
Date accepted: \_\_\_\_\_  
Accepted by: \_\_\_\_\_  
Roll # 42 07 110-001-40100  
Conservation authority fee required: \_\_\_\_\_  
Other information: \_\_\_\_\_

Pursuant to one or more of the following Sections 22, 34, 36, and/or 39 of the *Planning Act*, as amended, I/we submit an application for: (check appropriate box)

<input type="checkbox"/> <b>Amendment to the Official Plan</b>	Minor \$1,625.00 application fee <i>plus</i> \$2,000.00 contingency fee Major \$2,708.00 application fee <i>plus</i> \$5,000.00 contingency fee
<i>*contingency fee required for all Official Plan Amendment applications</i>	
<input checked="" type="checkbox"/> <b>Amendment to the Zoning By-law</b>	\$1,300.00 application fee Major \$2,166.00 application fee Major \$2,500.00 contingency fee
<i>*contingency fee required only for complex applications</i>	
<input type="checkbox"/> <b>Removal of a Holding Provision</b> with a related Site Plan Application	\$542.00 application fee or \$542.00 application fee
<input type="checkbox"/> <b>Temporary Use By-Law Amendment</b>	\$1,625.00 application fee <i>plus</i> \$111.00 agreement fee <i>plus</i> \$2,500.00 contingency fee
<b>Other Required Fees:</b>	
<input type="checkbox"/> <b>Public Notice Sign Fee</b>	\$111.00
<input type="checkbox"/> <b>Conservation Authority Fees</b>	SVCA \$260.00 GRCA Call directly for details

**Note on fees:**

The application fees were adopted and approved under the Township of Southgate's fees and charges By-law. All required application fees shall be paid in cash or by cheque made payable to the Township of Southgate at the time of application submission. In the event that all fees are not paid in full at the time of submission, the application shall be deemed incomplete.

Contingency fees will be utilized to cover costs associated with this application when deemed necessary by the Township of Southgate, i.e. professional consultants and legal advice. Any portion of the contingency fee not used in connection with the review and completion of an application will be returned. The applicant further agrees to pay any additional costs and expenses beyond the initial contingency fee which shall be determined by staff of the Corporation of the Township of Southgate in the event that the amount of the initial contingency fee taken is insufficient.

Be advised that the applicant or a representative is expected to appear at any meetings (including the public meeting) to explain the proposal and answer any questions that may arise. Failure to do so may result in deferral of the application and increased costs.

Part A

Owner/Agent/Application Information

\*to be completed by the applicant

1. Name of registered owner: Victor B. Noroozi  
Mailing address: 664 grand Ave. chattem ont.  
Phone# : (H) [REDACTED] (B) [REDACTED]  
Email Address: [REDACTED]

2. Name of applicant: Tyler Colwell  
Mailing address: 38 Wilson Cres. Dundalk  
Phone#: [REDACTED] Email: [REDACTED]  
Applicant's Relationship to Subject Lands:

- ☐ Registered Property Owner  
☐ Holder of Option to Purchase Subject Lands  
☐ Signing Officer of Corporation

☒ Other [Specify] Leasing tenant

3. Name of agent (if applicable) \_\_\_\_\_  
Mailing address: \_\_\_\_\_  
Phone#: \_\_\_\_\_ Email: \_\_\_\_\_

4. Send all correspondence to (choose only one): ☒ Applicant ☐ Agent

5. Preferred Method of communication: ☐ Phone ☒ email ☐ Postal Mail

6. Name any mortgages, charges or encumbrances, in respect to the subject lands:

Mailing Address: \_\_\_\_\_  
Phone#: \_\_\_\_\_

Part B

The subject lands

7. Location of subject property (former municipality):  
☐ Township of Egremont ☐ Township of Proton ☒ Village of Dundalk

Road/street and number: 141 main St. west

Tax Roll#: \_\_\_\_\_

Lot \_\_\_\_\_ Concession \_\_\_\_\_

Lot \_\_\_\_\_ of \_\_\_\_\_ Plan \_\_\_\_\_

8. The date the subject land was acquired by the current owner: \_\_\_\_\_



9. Dimensions of subject property:

frontage 40 m depth 45 m area 1800 sq m/ha

10. Description of the area affected by this application if only a portion of the entire property \_\_\_\_\_

11. Abutting and nearby lands uses

(a) Interest in abutting lands - does the owner or applicant of the subject lands own or have a legal interest in any lands abutting the subject lands? Yes ☐ No ☒

If yes, describe to what extent \_\_\_\_\_

(b) Use of abutting and nearby lands - describe the present use on all properties abutting and opposite the subject lands.

North \_\_\_\_\_

East \_\_\_\_\_

South \_\_\_\_\_

West \_\_\_\_\_

(c) Agricultural livestock operations

☐ If an existing livestock operation is located within 450 metres of the subject lands, prepare a sketch showing locations and approximate size of livestock barns (as per Additional Requirements 20. (b) request) and you must fill out Schedule "A".

12. Environmental Constraints

Indicate whether any of the following environmental constraints apply to the subject lands:

<del>Wetlands</del> <input type="checkbox"/>	<del>Specialty Crop Lands</del> <input type="checkbox"/>
<del>Floodplains</del> <input type="checkbox"/>	<del>ANSI's (areas of natural or scientific interest)</del> <input type="checkbox"/>
<del>Streams, Ravines and Lakes</del> <input type="checkbox"/>	<del>Aggregate Resources</del> <input type="checkbox"/>
<del>Water Resources</del> <input type="checkbox"/>	<del>Thin Overburden</del> <input type="checkbox"/>
<del>Wooded Areas &amp; Forest Management</del> <input type="checkbox"/>	<del>Solid Waste Management</del> <input type="checkbox"/>
<del>Fisheries, Wildlife &amp; Environment</del> <input type="checkbox"/>	<del>Sewage Treatment Plant</del> <input type="checkbox"/>
<del>Heritage Resources</del> <input type="checkbox"/>	

*none.*

13. Official Plan

Indicate the current Official Plan Designation:

Neighbourhood Area <input type="checkbox"/>	Agriculture <input type="checkbox"/>
Downtown Commercial <input checked="" type="checkbox"/>	Rural <input type="checkbox"/>
Arterial Commercial <input type="checkbox"/>	Inland Lakes <input type="checkbox"/>
Industrial <input type="checkbox"/>	Space Extensive Industrial/Commercial <input type="checkbox"/>
Public Space <input type="checkbox"/>	Hazard Lands <input type="checkbox"/>
Special Policy Area <input type="checkbox"/>	Wetlands <input type="checkbox"/>
Major Open Space <input type="checkbox"/>	Mineral Aggregate Extraction <input type="checkbox"/>
Village Community <input type="checkbox"/>	

14. Zoning By-law

Present zoning C3-54

Requested zoning unsure (Fitness facility)

15. Specific proposed use(s) of subject property that this amendment would authorize: (provide a sketch showing locations and approximate size for each building or structure)

Fitness Facility

**For Official Plan Amendment Applications Only:**

14.

16. Please answer the following about this proposed Official Plan Amendment:

Does this application change or replace a designation in the Official Plan?

Changes ☐ Replaces ☐

17. Is this application to implement an alteration to the boundary of an area of settlement or to implement a new area of settlement?

Yes ☐ No ☒

If yes, please provide the details of the official plan or the official plan amendment that deals with this matter.

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18. Does this application propose to remove land from an area of employment?

Yes ☐ No ☒

If yes, please provide the details of the official plan or official plan amendment that deals with this matter.

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19. Is the application being submitted in conjunction with a proposed County Official Plan Amendment? Yes ☐ No ☐

If yes, please provide the details of the official plan or official plan amendment that deals with this matter.

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Type of building/structure Garage (2 bay) with office

Setbacks:

front lot line \_\_\_\_\_

rear lot line \_\_\_\_\_

side lot line \_\_\_\_\_

Building/structure:

4 | Page



height \_\_\_\_\_ dimensions / floor area \_\_\_\_\_

20. The date the existing building(s) or structure(s) on the subject land were constructed: \_\_\_\_\_

21. The length of time that the existing uses of the subject land have continued: \_\_\_\_\_

22. If proposed use is residential, indicate proximity of subject lands to community facilities (parks, schools, etc.): \_\_\_\_\_

23. Specific reason(s) for requesting amendment(s), if not sufficient space, a cover letter should be attached:

current zoning does not allow a gym

24. Has the subject land ever been the subject of a Zoning By-law Amendment?

Yes ☐ No ☐ Unknown ☒

If yes, and if known, specify the file number and status of the application: \_\_\_\_\_

#### Servicing for subject land

25. Facilities existing or proposed for subject lands:

type of access	existing	proposed
_____ provincial highway	_____	_____
<input checked="" type="checkbox"/> municipal road, maintained year round	<input checked="" type="checkbox"/>	_____
_____ municipal road, seasonally maintained	_____	_____
_____ other public road	_____	_____

please specify \_\_\_\_\_

\_\_\_\_\_ right of way available \_\_\_\_\_

please specify \_\_\_\_\_

\_\_\_\_\_ water access available \_\_\_\_\_

Describe the parking and docking facilities and the approximate distance of these facilities customer parking which can accommodate up to 20

type of water supply	existing	proposed
<input checked="" type="checkbox"/> municipally operated piped water system	<input checked="" type="checkbox"/>	_____
_____ privately owned/operated individual well	_____	_____
_____ privately owned/operated communal well	_____	_____
_____ lake or other water body	_____	_____

please specify \_\_\_\_\_

\_\_\_\_\_ other means \_\_\_\_\_

please specify \_\_\_\_\_

type of storm water management	existing	proposed
_____ storm drainage sewer pipe	_____	_____
_____ ditch	_____	_____
_____ swale	_____	_____
_____ other means	_____	_____

please specify \_\_\_\_\_

type of sewage disposal	existing	proposed
<input checked="" type="checkbox"/> municipally operated sanitary sewers	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> privately owned/operated individual septic	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> privately owned/operated communal septic	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> privy	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> other means	<input type="checkbox"/>	<input type="checkbox"/>

please specify \_\_\_\_\_

26. Is there an approved Site Plan and/or a Site Plan Control Agreement in effect on any portion of the subject lands?

Yes ☒ No ☐

If yes, has an amendment to the Site Plan and/or Agreement been applied for?

Yes ☒ No ☐

27. Are there any easements, rights-of-way, restrictions, covenants, or other agreements applicable to the subject lands? (if yes, describe what they are and include applicable Site Plan if applicable.)

Yes ☐ No ☒

### Part C The proposal

28. Describe the **nature** and extent of the relief applied for and the proposed use of the subject lands.

opening a fitness facility. will be 24hr access via  
tracked key cards with cameras

29. Describe the reasons for the proposed amendment(s).

current zoning does not allow a fitness facility

30. Describe the timing of the proposed development, including phasing.

Oct. 15<sup>th</sup>, all equipment will be installed

31. Additional Supporting Documents

List any supporting documents: (e.g. Environmental Impact Study, Hydrologic Report, Traffic Study, Market Area Study, Aggregate License Report, Storm Water Management Report)

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**Part D**

**Statement of compliance**

32. Is this application consistent with the policy statements issued under subsection 3(1) of the Planning Act?

Yes ☒ No ☐

33. Is the subject land within an area of land designated under any provincial plan or plans?

Yes ☐ No ☒

If yes, explain how the application conforms with or does not conflict with the applicable provincial plan or plans.

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**Additional requirements**

34. Supplementary and support material to accompany application, where applicable

- a) a survey of the property prepared by an Ontario Land Surveyor indicating topographical contours and other natural and artificial features such as existing buildings and their uses, railways, highways, pipelines, ditches, swamps, watercourses, drainage, and wooded areas within or adjacent to the subject land. This survey should clearly indicate the land which is the subject of the amendment.

OR

- b) a sketch *drawn to scale* showing the following:

- 1) Boundaries and dimensions of the subject land.
- 2) Location, size and type of all existing and proposed buildings and structures on the subject land, indicating the distance of the buildings or structures from the front yard lot line, rear yard lot line and the side yard lot lines.
- 3) Approximate location of all natural and artificial features on the subject land and on land that is adjacent to the subject land that, in the opinion of the applicant, may affect the application. Examples include buildings, railways, roads, watercourses, drainage ditch, river or stream banks, wetlands, wooded areas, wells and septic tanks.
- 4) Current use(s) on land that is adjacent to the subject land.
- 5) Location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public traveled road, a private road or a right of way.
- 6) If access to the subject land is by water only, the location of the parking and docking facilities to be used.
- 7) Location and nature of any easement affecting the subject land.
- 8) North Arrow

**Other information**

35. Is there any other information that you think may be useful to the municipality or other agencies in reviewing the application? If so, explain below or attach on a separate page:

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Part E  
Authorization and affidavit

36. Owner's Consent (Freedom of Information):

In accordance with the provision of the Planning Act, it is the policy of the Municipality to provide public access to all development applications and supporting documentation.

In submitting this development application and supporting documents I (we),

Peter B. Noroozi and 2004075 Ontario Inc  
Name of Owner(s)

hereby acknowledge the above-noted and provide my (our) consent, in accordance with the provisions of the Municipal Freedom of Information and Protection of Privacy Act, that the information on this application and any supporting documentation provided by myself, my agents, consultants and solicitors, as well as commenting letters of reports issued by the municipality and other review agencies will be part of the public record and will also be available to the general public.

Signature of Owner

date

Aug/31/2022

Signature of Owner

date

37. Owner's Authorization for Agent

I (we), Peter B. Noroozi and 2004075 Ontario Inc  
Name of Owner(s)

hereby authorize Mr. Tyler Colwell to act as  
our agent(s) for the purpose of this application.

Signature of Owner

date

Aug/31/2022

Signature of Owner

date

38. Owner's Authorization for Access

I (we), Peter B. Noroozi and 2004075 Ontario Inc  
Name of Owner(s)

hereby permit Township staff and its representatives to enter upon the premises during regular business hours for the purpose of performing inspections of the subject property.

Signature of Owner

date

Aug/31/2022

Signature of Owner

date

Signature of Witness

date

**Solemn declaration**

**39. Affidavit**

To be completed by owner(s), agent(s), or applicant(s) having completed the application form

**Note: This Affidavit must be signed in the presence of a Commissioner for Taking Oaths.**

I/ (We) Tyler Colwell  
Name(s)  
of the Township of Southgate in the County of Grey  
city/town/municipality county/region

Solemnly declare that all statements contained in this application and all the information provided is true, and I/we make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.


Declared before me at the:

Township of Southgate in County of Grey  
city/town/municipality county/region

This 2 day of September, 2022

  
Signature of Commissioner

  
Signature of Applicant

  
Holly Malynuk, a Commissioner, etc.,  
Province of Ontario, for The Corporation  
of the Township of Southgate.

\_\_\_\_\_  
print name

Signature of Applicant

\_\_\_\_\_  
print name



The Submission must be completed, in accordance to the Site Plan Guide Lines and Check List. Submissions can be forwarded via E-mail provided fees have been paid in full.

I hereby declare that the statements herein are to the best of my knowledge a true and complete representation of the purpose and intent of this application.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Fee Enclosed: \_\_\_\_\_

Owners Authorization for Agent

I/we Victor B. Norcia authorize Mr. Taylor Caldwell  
to act as our agent(s) for the purpose of this application.

664 Grand Ave. Chatham ONT.

DATED at the 31<sup>st</sup> of Aug., this \_\_\_\_\_

31<sup>st</sup> day of Aug., 2022.

Owners Authorization for Access

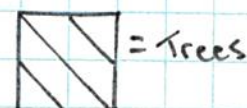
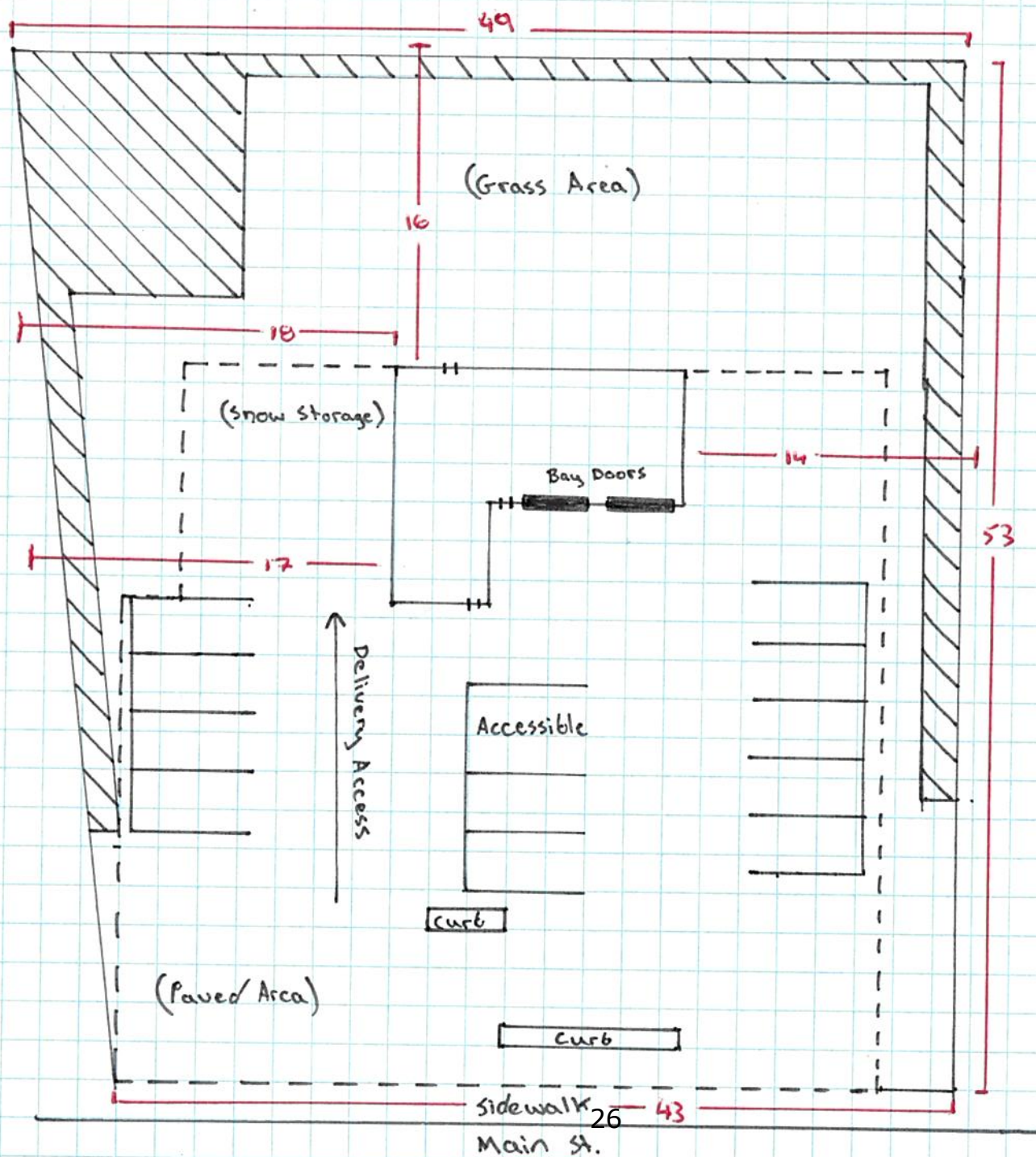
I/we, Victor B. Norcia of the 2004075 Ontario Inc.  
of Chatham in the Ontario

hereby permit Municipal staff and its representatives to enter upon the premises during regular business hours for the purpose of performing inspections of the subject property.

\_\_\_\_\_  
Signature of Witness



141 Main St. West  
Dundalk Ont.  
L9V-3K3



= Trees

□ = 2m / one square represents 2m

Oct. 5<sup>th</sup> / 2022





**The Corporation of the Township of Southgate  
Notice of Public Meeting and Complete application  
Concerning a Proposed Zoning By-law Amendment**

**Take Notice** that the Council of the Corporation of the Township of Southgate has received a complete application for approval of a Zoning By-law Amendment pursuant to Section 34 of the Planning Act, R.S.O. 1990, as amended. Council will hold **public meeting** on:

**December 7, 2022 at 9:00AM**

in the Council Chambers located at 123273 Southgate Road 12, Holstein On,  
N0G 2A0

**NOTE: If you wish to speak at the meeting, please register in advance by contacting the Clerk, Lindsey Green using the contact information below:**

**[lgreen@southgate.ca](mailto:lgreen@southgate.ca) or 519-923-2110 ext. 230**

The meeting will be recorded and uploaded to the Township YouTube Channel:  
<https://www.youtube.com/user/SouthgateTownship>

**Location of the Subject Land**

Applicant: Tyler Colwell

Legal Description: Plan 480 BLK J Lot 1 to 2, Geographic Village of Dundalk

Civic Address: 141 Main Street West

A key map is attached to this notice for additional information.

**The Purpose** of the proposed zoning bylaw amendment application is to permit a 24 hour gym to be located on the subject property. In addition, the bylaw will provide relief from the parking requirements as required.

**The Effect** of the proposed zoning by-law amendment would to amend the provisions of the C3-54 zone that is on the subject lands to permit a 24 hours gym and the parking that is required.

**When will a decision be made?**

A decision of this proposal has NOT been made at this point and will NOT be made at the Public Meeting. After reviewing the application and any comments received, staff will bring a recommendation on this proposal to a future council meeting.

**Want to be notified of a decision?**

You must make a request in writing if you wish to receive a notice on any decision of Council on this proposal.

**Making an Oral or Written Submission**

**Any person or public body** is entitled to attend the public meeting and make written or oral submissions in support of, or in opposition to, the proposed zoning by-law amendment. Persons wishing to make an oral submission to Council at the public meeting are invited to register with the Township Clerk (see contact information below). Written comments should also be addressed to the Clerk at the address below. **Please note that all submissions and the personal information contained therein will become part of the public record in their entirety and may be posted to Southgate's website.**

**Your rights to appeal a decision**

**If** a person or public body does not make oral submissions at a public meeting or make written submissions to the Township of Southgate before the by-law is passed, the person or public body is not entitled to appeal the decision of Council of the Township of Southgate to the Ontario Land Tribunal.

**If** a person or public body does not make oral submissions at a public meeting or make written submissions to the Township of Southgate before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

**Additional Information and Comments**

Please submit written comments to the Clerk Lindsey Green at the address shown below. Additional information is also available for public viewing on Southgate's website at <https://www.southgate.ca/planning-notices/> or by contacting the Township planner Clinton Stredwick at [cstredwick@southgate.ca](mailto:cstredwick@southgate.ca) or at the Township ext. 235. Please quote file #C18-22.

Dated at the Township of Southgate,  
this 10th day November, 2022.

Lindsey Green, Clerk  
[lgreen@southgate.ca](mailto:lgreen@southgate.ca)  
Township of Southgate  
185667 Grey Rd 9,  
Dundalk, ON N0C 1B0  
Phone: (519) 923-2110 ext. 230

Key Map (*not to scale*)

**SUBJECT LAND**





## Planning and Development

595 9<sup>th</sup> Avenue East, Owen Sound Ontario N4K 3E3  
519-372-0219 / 1-800-567-GREY / Fax: 519-376-7970

November 28<sup>th</sup>, 2022

Lindsay Green  
Township of Southgate  
185667 Grey Road 9  
Dundalk, ON  
N0C 1B0

**RE: Zoning By-law Amendment C18-22**  
**Plan 480, BLK J, Lot 1 to 2 (141 Main Street West)**  
**Township of Southgate (geographic Village of Dundalk)**  
**Roll: 420711000140100**  
**Owner: Victor Noroozi**  
**Applicant: Tyler Colwell**

Dear Ms. Green,

This correspondence is in response to the above noted application. We have had an opportunity to review the application in relation to the Provincial Policy Statement (PPS) and the County of Grey Official Plan (OP). We offer the following comments.

The purpose and effect of the subject application is to permit a 24-hour gym to be located on the subject property and seek relief from the parking requirements as required.

Schedule A of the County OP designates the subject lands as 'Primary Settlement Area'. Section 3.5(3) states,

*This Official Plan promotes the development of Primary Settlement Area land use types for a full range of residential, commercial, industrial, recreational, and institutional land uses. These areas will be the focus of the majority of growth within the County.*

The proposed gym will add to the full range of commercial uses in Dundalk. Staff understand that the proposed gym would be located within the existing structure and no significant external changes are proposed. The surrounding land uses appear to be a mix of Industrial and Residential uses. To ensure that any surrounding residential properties are not significantly impacted by increased traffic to the area (and potentially throughout the night, as the gym is proposed to be 24-hours), Southgate staff may wish

to examine options for noise buffering, such as fencing and landscaping around the property.

Appendix A of the County OP indicates the subject lands contain 'Wellhead Protection Zone B'. Section 8.11.2(1) states,

*b) A Wellhead protection area (WHPA) is the area around the wellhead where land use activities have the potential to affect the quality or quantity of water that flows into the well. These are areas of high vulnerability where the greatest care must be taken in the storage, use and handling of materials that could, if mishandled or spilled, pollute or contaminate a municipal well. WHPAs are shown on Appendix A of this Plan and further information about WHPAs can be found in the local source protection plans.*

The WHPA mapping designation is intended to protect the groundwater table. Potential impacts associated with industrial/commercial uses include but are not limited to fuel and/or chemical storage. The proposed development is a commercial fitness business and it is not anticipated that large quantities of fuel or chemicals would be stored on site. Therefore, County planning staff have no concerns.

County Transportation Services have reviewed the subject application and have no concerns.

The Forests and Trails Department have reviewed the subject application and have a comment stating: *The subject lands are located approximately 140 metres from the rail trail and do not directly abut the trail. There are no trail / forest concerns.*

County Paramedic Services have reviewed the subject application and have no concerns.

County Housing Services have reviewed the subject application and have no concerns

In examining the street view imaging County Planning staff would note that the property appears to have been used as a gas station and auto repair shop in the past and would defer to Southgate for a more thorough history. It may be in the interest of the applicant to obtain a letter of opinion from a qualified engineer to determine if a record of site condition would be appropriate to accommodate the proposed changed use. County Planning staff would further recommend that fencing and/or landscaping buffering be explored to ensure no negative impacts to surrounding residential properties.

The County requests notice of any decision rendered with respect to this file.

If you wish to discuss this matter further, please contact me.

Page 3  
November 28<sup>th</sup>, 2022

Yours truly,



Derek McMurdie  
Planner  
(519) 372 0219 ext. 1239  
[Derek.McMurdie@grey.ca](mailto:Derek.McMurdie@grey.ca)  
[www.grey.ca](http://www.grey.ca)

**From:** [Chris Lorenz](#)  
**To:** [Holly Malynyk](#)  
**Subject:** RE: Notice of Public Meeting - C18-22 Tyler Colwell  
**Date:** November 7, 2022 3:09:29 PM

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Good afternoon Holly,

There are no lands regulated by the GRCA at 141 Main Street West. As such, GRCA will not be providing comment.

Thank you,

Chris

**Chris Lorenz, M.Sc.**  
Resource Planner  
Grand River Conservation Authority  
519-621-2763 ext. 2236

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**From:** Holly Malynyk <hmalynyk@southgate.ca>  
**Sent:** November 7, 2022 2:33 PM  
**To:** Bell Canada ROWCC <rowcentre@bell.ca>; Bev Fisher <bfisher@southgate.ca>; Bluewater District School Board <shelley\_crummer@bwdsb.on.ca>; Bluewater District School Board <jayne\_bastarache@bwdsb.on.ca>; Bruce Grey Catholic School Board <al\_hastie@bgcdsb.org>; Chris Lorenz <clorenz@grandriver.ca>; Clinton Stredwick <cstredwick@southgate.ca>; dmilliner@southgate.ca; firechief@southgate.ca; Enbridge Gas <ONTLands@enbridge.com>; Group\_PlanningDeptEmails <Group\_PlanningDeptEmails@grey.ca>; Haudenosaunee Development Institute <hdi2@bellnet.ca>; hsmrcc@bmts.com; Hydro One <landuseplanning@hydroone.com>; jellis@southgate.ca; Juanita Meekins <juanita.meekins@saugeenonibwaynation.ca>; Kevin Green <kgreen@southgate.ca>; Lacy Russell <lrussell@southgate.ca>; lgreen@southgate.ca; Meagan Bruce <M.Bruce@publichealthgreybruce.on.ca>; Metis Nation of Ontario <consultations@metisnation.org>; MMAH <Tyler.Shantz@ontario.ca>; Newdevelopment@rci.rogers.com; Ontario Power Generation <Executivevp.lawanddevelopment@opg.com>; Pegelo, Jessica - MTO <jessica.pegelo@ontario.ca>; Six Nations of the Grand River <lonnybomberry@sixnations.ca>; Union Gas <ontugllandsinq@uniongas.com>; William Gott <wgott@southgate.ca>; WSP on behalf of Bell <circulations@wsp.com>; Riel Warrilow <associate.ri@saugeenonibwaynation.ca>  
**Subject:** Notice of Public Meeting - C18-22 Tyler Colwell

Good morning,

Please find below the link for the Notice of Public Meeting for Zoning By-law amendment Application C18-22

<https://www.southgate.ca/en/municipal-services/planning-applications-public-notices.aspx#C18-22-Tyler-Colwell>

The meeting is scheduled for December 7, 2022 at 9:00AM. Please supply all comments on the above notification by November 29, 2022 so they may be included on the public agenda.

Comments can be received by:

Email: [hmalynyk@southgate.ca](mailto:hmalynyk@southgate.ca)

Fax: 519-923-9262 Attn: Holly Malynyk

Mail: Holly Malynyk, Legislative and Administrative Assistant  
185667 Grey County Road 9  
Dundalk, ON N0C 1B0

Thank you for your attention to this matter.

**Holly Malynyk**  
**Administrative and Legislative Assistant**  
**Township of Southgate**

📍 185667 Grey County Road 9, Dundalk, ON N0C 1B0

☎ 519-923-2110 ext. 233 | Fax 519-923-9262

✉ [hmalynyk@southgate.ca](mailto:hmalynyk@southgate.ca) | [www.southgate.ca](http://www.southgate.ca)



**From:** [Lindsey Green](#)  
**To:** [Clinton Stredwick](#); [Holly Malynyk](#)  
**Subject:** FW: Zone change  
**Date:** November 29, 2022 3:35:32 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)

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**Lindsey Green, Dipl.M.A.**

Municipal Clerk

**Township of Southgate**

185667 Grey County Rd. 9, Dundalk, ON N0C 1B0

519-923-2110 ext. 230 | Fax 519-923-9262

[lgreen@southgate.ca](mailto:lgreen@southgate.ca) | [www.southgate.ca](http://www.southgate.ca)



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**From:** Tammy Poirier [REDACTED]  
**Sent:** November 25, 2022 2:50 PM  
**To:** Lindsey Green <[lgreen@southgate.ca](mailto:lgreen@southgate.ca)>  
**Subject:** Zone change

Hello,

I'm in disagreement to the zone change for a new gym.

It's very premature of the leases to fill this building with gym equipment assuming that the zone change has already been approved by council. This is not acceptable and should not have happened.

The gym seems to cater to a younger generation and I don't agree with 24 hour access. People have young children on Main Street, and having people on Main Street at all hours or making that area a hangout spot for the younger ones. It's going to create an issue with gatherings, noise or possible break-in's.

If the business fails, will that new zone change allow for a cannabis store to go in like it did for Shelburne.

I say no to this zone change keep it as is find some other use for its current zone.

Thank you

Tammy Benoit

Get [Outlook for iOS](#)



**The corporation of  
The Township of Southgate**

**Application for planning amendment  
Official plan and zoning by-law**

**\*\* Pre-consultation is required with the Township before any zoning or official plan amendment applications will be accepted (By-law 66-2012) \*\***

**Instructions:**

- Please check all applicable boxes and answer all applicable questions
- All measurements MUST be in metric units. (Imperial Units will not be accepted)
- Additional information may be attached if necessary
- Incomplete applications will be returned
- The Township reserves the right to ask for more information or clarification pertaining to this application at a later time
- Further information is on the last two pages for your reference
- Applications are not accepted without the required fees
- All applications for zoning by-law amendment or Official Plan Amendment must

**For office use only**

File no: C20-22  
Pre-Consult Date: \_\_\_\_\_  
Date received: October 13 2022  
Date accepted: \_\_\_\_\_  
Accepted by: \_\_\_\_\_  
Roll # 42 07 090 007 01000  
Conservation authority fee required: \_\_\_\_\_  
Other information: \_\_\_\_\_

Pursuant to one or more of the following Sections 22, 34, 36, and/or 39 of the *Planning Act*, as amended, I/we submit an application for: (check appropriate box)

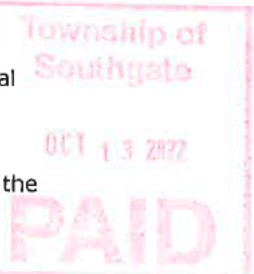
<input type="checkbox"/> <b>Amendment to the Official Plan</b>	Minor \$1,674.00 application fee plus \$2,000.00 contingency fee Major \$2,754.00 application fee plus \$5,000.00 contingency fee
<i>*contingency fee required for all Official Plan Amendment applications</i>	
<input type="checkbox"/> <b>Amendment to the Zoning By-law</b>	\$1,350.00 application fee Major \$2,214.00 application fee Major \$2,500.00 contingency fee
<i>*contingency fee required only for complex applications</i>	
<input type="checkbox"/> <b>Removal of a Holding Provision with a related Site Plan Application</b>	\$594.00 application fee or \$594.00 application fee
<input type="checkbox"/> <b>Temporary Use By-Law Amendment</b>	\$1,674.00 application fee plus \$135.00 agreement fee plus \$2,500.00 contingency fee
<b>Other Required Fees:</b>	
<input type="checkbox"/> <b>Public Notice Sign Fee</b>	\$135.00
<input type="checkbox"/> <b>Conservation Authority Fees</b>	SVCA \$260.00 GRCA Call directly for details

**Note on fees:**

The application fees were adopted and approved under the Township of Southgate's fees and charges By-law. All required application fees shall be paid in cash or by cheque made payable to the Township of Southgate at the time of application submission. In the event that all fees are not paid in full at the time of submission, the application shall be deemed incomplete.

Contingency fees will be utilized to cover costs associated with this application when deemed necessary by the Township of Southgate, i.e. professional consultants and legal advice. Any portion of the contingency fee not used in connection with the review and completion of an application will be returned. The applicant further agrees to pay any additional costs and expenses beyond the initial contingency fee which shall be determined by staff of the Corporation of the Township of Southgate in the event that the amount of the initial contingency fee taken is insufficient.

Be advised that the applicant or a representative is expected to appear at any meetings (including the public meeting) to explain the proposal and answer any questions that may arise. Failure to do so may result in deferral of the application and increased costs.



**Part A**

**Owner/Agent/Application information**

\*to be completed by the applicant

1. Name of registered owner: EBM Farms Inc.  
Mailing address: 3002 Broadway St RR#4 Elmira On N3B2Z3  
Phone# : (H) [REDACTED] (B) [REDACTED]  
Email Address: [REDACTED]

2. Name of applicant: Solomon Martin  
Mailing address: 1730 Chamers Forrest Rd RR#2Wellesley On N0B2T0  
Phone# [REDACTED] Email: [REDACTED]  
Applicant's Relationship to Subject Lands:  
☐ Registered Property Owner  
☐ Holder of Option to Purchase Subject Lands  
☐ Signing Officer of Corporation  
☒ Other [Specify] applicant

3. Name of agent (if applicable) \_\_\_\_\_  
Mailing address: \_\_\_\_\_  
Phone#: \_\_\_\_\_ Email: \_\_\_\_\_

4. Send all correspondence to (choose only one): ☒ Applicant ☐ Agent

5. Preferred Method of communication: ☒ Phone ☒ email ☐ Postal Mail

6. Name any mortgages, charges or encumbrances, in respect to the subject lands:

Mailing Address: \_\_\_\_\_  
Phone#: \_\_\_\_\_

**Part B**  
**The subject lands**

7. Location of subject property (former municipality):  
☐ Township of Egremont ☒ Township of Proton ☐ Village of Dundalk  
Road/street and number: 311049 Grey Rd 8  
Tax Roll #: 420709000701000  
Lot pt lt 38 Concession con 1  
Lot \_\_\_\_\_ of \_\_\_\_\_ Plan \_\_\_\_\_

8. The date the subject land was acquired by the current owner: August 2014

9. Dimensions of subject property:

frontage 848m m depth 395m m area 36.5ha sq m/ha

10. Description of the area affected by this application if only a portion of the entire property this is to change a small portion from A1 to A1 with exception to allow for a small scale dry mfg shop on the property

11. Abutting and nearby lands uses

(a) Interest in abutting lands - does the owner or applicant of the subject lands own or have a legal interest in any lands abutting the subject lands? Yes ☐ No ☒

If yes, describe to what extent \_\_\_\_\_

(b) Use of abutting and nearby lands - describe the present use on all properties abutting and opposite the subject lands.

North agriculture

East agriculture

South agriculture

West agriculture & trailer park

(c) Agricultural livestock operations

- ☐ If an existing livestock operation is located within 450 metres of the subject lands, prepare a sketch showing locations and approximate size of livestock barns (as per Additional Requirements 20. (b) request) and you must fill out Schedule "A".

12. Environmental Constraints

Indicate whether any of the following environmental constraints apply to the subject lands:

Wetlands	<input checked="" type="checkbox"/>	Specialty Crop Lands	<input type="checkbox"/>
Floodplains	<input type="checkbox"/>	ANSI's (areas of natural or scientific interest)	<input type="checkbox"/>
Streams, Ravines and Lakes	<input checked="" type="checkbox"/>	Aggregate Resources	<input checked="" type="checkbox"/>
Water Resources	<input type="checkbox"/>	Thin Overburden	<input type="checkbox"/>
Wooded Areas & Forest Management	<input checked="" type="checkbox"/>	Solid Waste Management	<input type="checkbox"/>
Fisheries, Wildlife & Environment	<input type="checkbox"/>	Sewage Treatment Plant	<input type="checkbox"/>
Heritage Resources	<input type="checkbox"/>		

13. Official Plan

Indicate the current Official Plan Designation:

Neighbourhood Area	<input type="checkbox"/>	Agriculture	<input checked="" type="checkbox"/>
Downtown Commercial	<input type="checkbox"/>	Rural	<input checked="" type="checkbox"/>
Arterial Commercial	<input type="checkbox"/>	Inland Lakes	<input type="checkbox"/>
Industrial	<input type="checkbox"/>	Space Extensive Industrial/Commercial	<input type="checkbox"/>
Public Space	<input type="checkbox"/>	Hazard Lands	<input checked="" type="checkbox"/>
Special Policy Area	<input type="checkbox"/>	Wetlands	<input checked="" type="checkbox"/>
Major Open Space	<input type="checkbox"/>	Mineral Aggregate Extraction	<input type="checkbox"/>
Village Community	<input type="checkbox"/>		

14. Zoning By-law

Present zoning A1-EP

Requested zoning A1-EP , A1 with exception

15. Specific proposed use(s) of subject property that this amendment would authorize: (provide a sketch showing locations and approximate size for each building or structure)
- this ammendment is to change a small portion of this property to A1 with exception to allow for a small scale dry manufacturing shop on the property

**For Official Plan Amendment Applications Only:**

14.

16. Please answer the following about this proposed Official Plan Amendment:

Does this application change or replace a designation in the Official Plan?

Changes ☐ Replaces ☐

17. Is this application to implement an alteration to the boundary of an area of settlement or to implement a new area of settlement?

Yes ☐ No ☐

If yes, please provide the details of the official plan or the official plan amendment that deals with this matter.

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18. Does this application propose to remove land from an area of employment?

Yes ☐ No ☐

If yes, please provide the details of the official plan or official plan amendment that deals with this matter.

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19. Is the application being submitted in conjunction with a proposed County Official Plan Amendment? Yes ☐ No ☐

If yes, please provide the details of the official plan or official plan amendment that deals with this matter.

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Type of building/structure metal clad shop with peak roof

Setbacks:

front lot line 225m

rear lot line 139m

side lot line 463m

Building/structure:

height 8m dimensions / floor area 750m2 gross total of buildings

20. The date the existing building(s) or structure(s) on the subject land were constructed: unknown
21. The length of time that the existing uses of the subject land have continued: long time
22. If proposed use is residential, indicate proximity of subject lands to community facilities (parks, schools, etc.): \_\_\_\_\_
23. Specific reason(s) for requesting amendment(s), if not sufficient space, a cover letter should be attached:  
to supplement the farming income and to support the family
24. Has the subject land ever been the subject of a Zoning By-law Amendment?  
Yes ☐ No ☒ Unknown ☐  
If yes, and if known, specify the file number and status of the application: \_\_\_\_\_

#### Servicing for subject land

25. Facilities existing or proposed for subject lands:

type of access	existing	proposed
_____ provincial highway	_____	_____
_____ municipal road, maintained year round	_____	_____
_____ municipal road, seasonally maintained	_____	_____
<u>county road</u> other public road	<u>✓</u>	_____
please specify _____		
_____ right of way available	_____	_____
please specify _____		
_____ water access available	_____	_____
Describe the parking and docking facilities and the approximate distance of these facilities _____		

type of water supply	existing	proposed
_____ municipally operated piped water system	_____	_____
<u>✓</u> privately owned/operated individual well	<u>✓</u>	_____
_____ privately owned/operated communal well	_____	_____
_____ lake or other water body	_____	_____
please specify _____		
_____ other means	_____	_____
please specify _____		

type of storm water management	existing	proposed
_____ storm drainage sewer pipe	_____	_____
_____ ditch	_____	_____
_____ swale	_____	_____
<u>✓</u> other means	_____	_____



please specify sheet now

- ☐ municipally operated sanitary sewers
- ☒ privately owned/operated individual septic
- ☐ privately owned/operated communal septic
- ☐ privy
- ☐ other means

✓

please specify \_\_\_\_\_

Yes ☐ No ☒

Yes ☐ No ☐

Yes ☐ No ☒

### The proposal

this ammendment is to change a small portion of this property to A1 with exception to allow for a small scale dry mfg shop on the property which will run from 7am to 7pm on week days excluding statutory holidays and Sundays, with 5 employees besides the family, this shop will be in close proximity to other agricultural out buildings and truck traffic is expected to be aprox. 3 trucks daily

to support the family farm

hoping to build in summer 2023

List any supporting documents: (e.g. Environmental Impact Study, Hydrologic Report, Traffic Study, Market Area Study, Aggregate License Report, Storm Water Management Report)



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**Part D**  
**Statement of compliance**

32. Is this application consistent with the policy statements issued under subsection 3(1) of the Planning Act?

Yes ☒ No ☐

33. Is the subject land within an area of land designated under any provincial plan or plans?

Yes ☐ No ☒

If yes, explain how the application conforms with or does not conflict with the applicable provincial plan or plans.

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**Additional requirements**

34. Supplementary and support material to accompany application, where applicable

a) a survey of the property prepared by an Ontario Land Surveyor indicating topographical contours and other natural and artificial features such as existing buildings and their uses, railways, highways, pipelines, ditches, swamps, watercourses, drainage, and wooded areas within or adjacent to the subject land. This survey should clearly indicate the land which is the subject of the amendment.

OR

b) a sketch *drawn to scale* showing the following:

- 1) Boundaries and dimensions of the subject land.
- 2) Location, size and type of all existing and proposed buildings and structures on the subject land, indicating the distance of the buildings or structures from the front yard lot line, rear yard lot line and the side yard lot lines.
- 3) Approximate location of all natural and artificial features on the subject land and on land that is adjacent to the subject land that, in the opinion of the applicant, may affect the application. Examples include buildings, railways, roads, watercourses, drainage ditch, river or stream banks, wetlands, wooded areas, wells and septic tanks.
- 4) Current use(s) on land that is adjacent to the subject land.
- 5) Location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public traveled road, a private road or a right of way.
- 6) If access to the subject land is by water only, the location of the parking and docking facilities to be used.
- 7) Location and nature of any easement affecting the subject land.
- 8) North Arrow

### Other information

35. Is there any other information that you think may be useful to the municipality or other agencies in reviewing the application? If so, explain below or attach on a separate page:

a portion of this farm parcel is showing sand & gravel aggregates but is not in the owners interest to have a quarry

**Part E**  
**Authorization and affidavit**

36. Owner's Consent (Freedom of Information):

In accordance with the provision of the Planning Act, it is the policy of the Municipality to provide public access to all development applications and supporting documentation.

In submitting this development application and supporting documents I (we),

EBM Farms Inc. Enoch Martin and \_\_\_\_\_  
Name of Owner(s)

hereby acknowledge the above-noted and provide my (our) consent, in accordance with the provisions of the Municipal Freedom of Information and Protection of Privacy Act, that the information on this application and any supporting documentation provided by myself, my agents, consultants and solicitors, as well as commenting letters of reports issued by the municipality and other review agencies will be part of the public record and will also be available to the general public.

<u>                    </u> Enoch Martin	_____
Signature of Owner	date
<u>                    </u> Enoch Martin	_____
Signature of Owner	date

37. Owner's Authorization for Agent

I (we), EBM Farms Inc. Enoch Martin and \_\_\_\_\_  
Name of Owner(s)

hereby authorize Solomon Martin to act as  
our agent(s) for the purpose of this application.

<u>                    </u> Enoch Martin	_____
Signature of Owner	date
<u>                    </u> Enoch Martin	_____
Signature of Owner	date

38. Owner's Authorization for Access

I/we, EBM Farms Inc. Enoch Martin, and \_\_\_\_\_  
Name of Owner(s)

hereby permit Township staff and its representatives to enter upon the premises during regular business hours for the purpose of performing inspections of the subject property.

<u>                    </u> Enoch Martin	_____
Signature of Owner	date
<u>                    </u> Enoch Martin	_____
Signature of Owner	date
_____	_____
Signature of Witness	date

**Solemn declaration**

**39. Affidavit**

To be completed by owner(s), agent(s), or applicant(s) having completed the application form

**Note: This Affidavit must be signed in the presence of a Commissioner for Taking Oaths.**

I/ (We) Solomon Martin  
Name(s)  
of the township of Wellesley in the Region of Waterloo  
city/town/municipality county/region

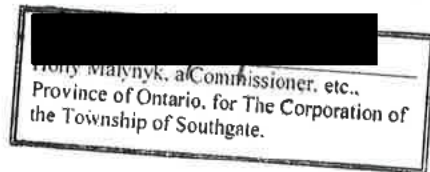
Solemnly declare that all statements contained in this application and all the information provided is true, and I/we make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

Declared before me at the:

Township of Southgate in County of Grey  
city/town/municipality county/region

This 13 day of October, 2022

  
Signature of Commissioner



  
Signature of Applicant  
Solomon Martin  
print name

Signature of Applicant

print name

## Schedule "A"

### Supplementary Information – Agricultural Lands

Agricultural Property History on the subject parcel

(i) What type of farming has been or is currently being conducted?

☐ Beef

☐ Dairy

☐ Swine

☐ Poultry

☐ Sheep

☒ Cash Crop

☐ Other (describe) \_\_\_\_\_

Describe in detail the size, age and feed type used for the type of farming conducted: \_\_\_\_\_

(i) How long have you owned the farm? August 2014

(ii) Are you actively farming the land  
(or – do you have the land farmed under your supervision)?

☒ Yes – For how long?

August 2014

☐ No – When did you stop farming? \_\_\_\_\_

For what reason did you stop farming? \_\_\_\_\_

(iii) Area of total farm holding: 36.5 ha

(iv) Number of tillable hectares: 74 acres

(v) Do you own any other farm properties? ☒ Yes ☐ No

If yes, indicate locations: Lot: pt lt 38 pt 1 Concession: con 2

Former Township: proton

Total Hectares: 23.43

(vi) Do you rent any other land for farming purposes? ☐ Yes ☒ No

If yes, indicate locations: Lot: \_\_\_\_\_ Concession: \_\_\_\_\_

Former Township: \_\_\_\_\_

Total Hectares: \_\_\_\_\_

(vii) Is there a barn on the subject property? ☒ Yes ☐ No

Please indicate the condition of the barn: old and to be demolished , small newer barn to be used for horses

How big is the barn? 132m2

What is the present use of the barn? horses

What is the capacity of the barn, in terms of livestock? unknown

- (viii) Indicate the manure storage facilities on the subject lands
- ☐ Storage already exists
  - ☐ No storage required (manure/material is stored for less than 14 days)
  - ☐ Liquid
    - ☐ inside, underneath slatted floor
    - ☐ outside, with permanent, tight fitting cover
    - ☐ (treated manure/material) outside, no cover
    - ☐ outside, with a permanent floating cover
    - ☐ outside, no cover, straight-walled storage
    - ☐ outside, roof but with open sides
    - ☐ outside, no cover, sloped-sided storage
  - ☒ Solid
    - ☐ inside, bedded pack
    - ☒ outside, covered to be proposed in the future
    - ☐ outside, no cover,  $\geq 30\%$  DM
    - ☐ outside, no cover, 18-30% DM, with covered liquid runoff storage
    - ☐ outside, no cover, 18-30% DM, with uncovered liquid runoff storage

- (ix) Are there any barns on other properties within 450 meters (1,476.38 ft) of the subject lands? ☐ Yes ☒ No

If yes, these barns and distances to the subject property must be shown on the sketch. The following questions must be answered for each property containing a barn regardless of current use.

- (x) What type of farming has been conducted on this other property?

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- (xi) Indicate the number of tillable hectares on other property: \_\_\_\_\_

- (xii) Indicate the size of the barn(s): \_\_\_\_\_

- (xiii) Capacity of barn in terms of livestock: \_\_\_\_\_

- (xiv) Manure Storage facilities on other property (see storage types listed in question above)

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Additional information will be required for Minimum Distance Separation (MDS) calculations – please discuss this with Planning Staff prior to submitting your application

## Zoning amendment process

**Purpose:** a zoning by-law amendment is required to change a zone symbol on a property to permit expanded or different land uses on a specific property. A zoning by-law amendment may also be requested to change a zone provision (setback or similar regulation) or general provision.

**Process:** Discuss your proposal with the municipal planning department prior to submitting your application. Make your application to the planning department along with the required fee. A planning staff report will be prepared and a public meeting will be set. The applicant will be advised of the time and date of this meeting and invited to make representation at this time in order to explain why the zoning amendment request is being made.

You can expect a decision on your application within 150 days. This time is used to review the application, set up a public meeting, post the required public notice, draft a zoning by-law amendment and ensure that all other required documentation is in order.

At least 20 days prior to the public meeting, notice of the public meeting is either sent to every assessed property within 120 metres (400 feet) of the subject property or a notice is placed in the appropriate local newspaper. The applicant or a representative must attend the public meeting to explain why the zoning amendment is required to members of the Council and the public, as well as answer any questions that may arise.

A site plan and agreement may be required to be negotiated prior to any further proceedings of the rezoning process. Following the public meeting and if Council is satisfied with the application, an amending by-law will be considered by Council. Should the by-law be passed, a notice of passing is prepared and sent to everyone on the first mailing list or published in the newspaper. A 20 day appeal period is required to be included in this notice to allow anyone to appeal the by-law to the Ontario Municipal Board.

Should your application not be approved by Council, you also have the right to appeal to the Local Planning Appeals Tribunal within the same 20 day appeal period. More information is available by contacting the municipal planning department or on the Web at: <http://elto.gov.on.ca/news/local-planning-appeal-tribunal/>

If the application is approved and no appeal is filed, a notice of no appeal is prepared and sent to the applicant at which time the process is now completed. A building permit would not be available for any works associated with the by-law until the appeal period has passed and if no appeals were filed.

### Zoning by-law amendment process summary

1. Pre-consultation (required by By-law 66-2012)
2. Submit application
3. Clerk sets a public meeting  
Notice sent to neighbours within 120 metres (400 feet) and various agencies, 20 days prior to public meeting.
4. Public meeting  
Applicant and/or agent should attend to resolve any potential concerns. Council will consider the proposal and may pass a by-law that meeting.
5. Appeal period  
After a Notice of Passing for the by-law amendment is sent to neighbours within 120 metres (400 feet) and agencies, 20 day appeal period begins.
6. Decision final  
If not appeal is filed with the Township within the appeal period, the process is complete and the zoning by-law amendment is in full force and effect.

\*\*\*please do not return this page\*\*\*



# Zoning-Amendment-OPA-Temp-use-Removal-of-Holding-Planning-Application---September-2022 Enoch broadway

Final Audit Report

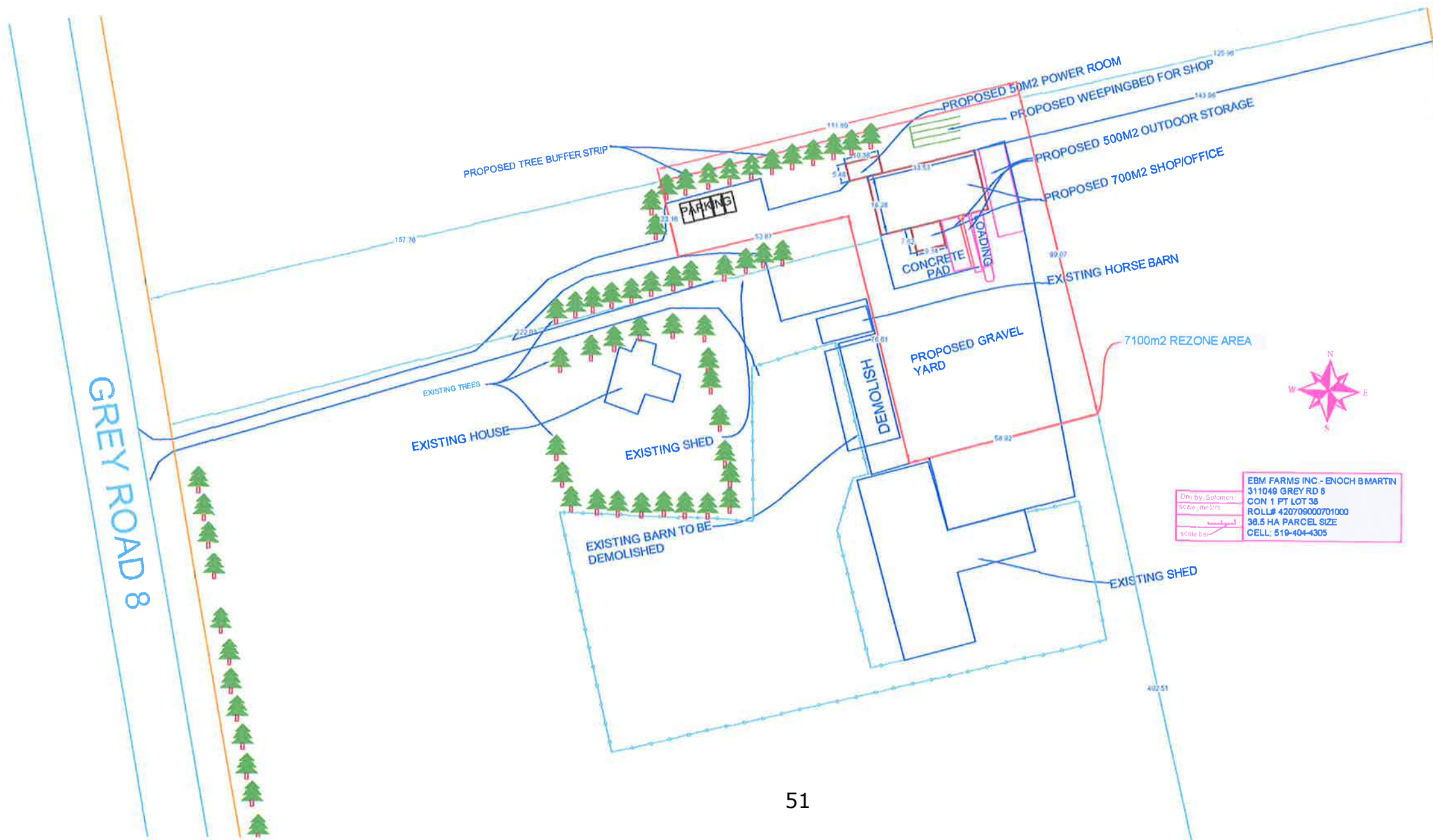
2022-10-13

Created:	2022-10-12
By:	Solomon Martin (kingwoodplating@live.ca)
Status:	Signed
Transaction ID:	CBJCHBCAABAArwWp1ClabFE-f5TDZyHM7yHqgOQn9TZX

## "Zoning-Amendment-OPA-Temp-use-Removal-of-Holding-Planning-Application---September-2022 Enoch broadway" History

-  Document created by Solomon Martin (kingwoodplating@live.ca)  
2022-10-12 - 5:27:11 PM GMT- IP address: 204.237.0.50
-  Document emailed to enoch@broadwaymetals.com for signature  
2022-10-12 - 5:28:49 PM GMT
-  Email viewed by enoch@broadwaymetals.com  
2022-10-12 - 7:43:49 PM GMT- IP address: 184.151.37.53
-  Signer enoch@broadwaymetals.com entered name at signing as E Martin  
2022-10-13 - 0:20:37 AM GMT- IP address: 172.86.240.116
-  Document e-signed by E Martin (enoch@broadwaymetals.com)  
Signature Date: 2022-10-13 - 0:20:38 AM GMT - Time Source: server- IP address: 172.86.240.116
-  Agreement completed.  
2022-10-13 - 0:20:38 AM GMT





EBM FARMS INC. - ENOCH B MARTIN  
311049 GREY RD 8  
CON 1 PT LOT 38  
ROLL# 420709000701000  
38.5 HA PARCEL SIZE  
CELL: 519-404-4305

Div. by Solomon  
Scale, meters  
Scale bar





Grey Road 8

PARKING

CONCRETE PAD

PROPOSED GRAVEL YARD

EXISTING HOUSE

EXISTING SHED

EXISTING BARN TO BE DEMOLISHED

PROPOSED 50M2 POWER ROOM

PROPOSED WEEPINGBED FOR SHOP

PROPOSED 500M2 OUTDOOR STORAGE

PROPOSED 700M2 SHOP/OFFICE

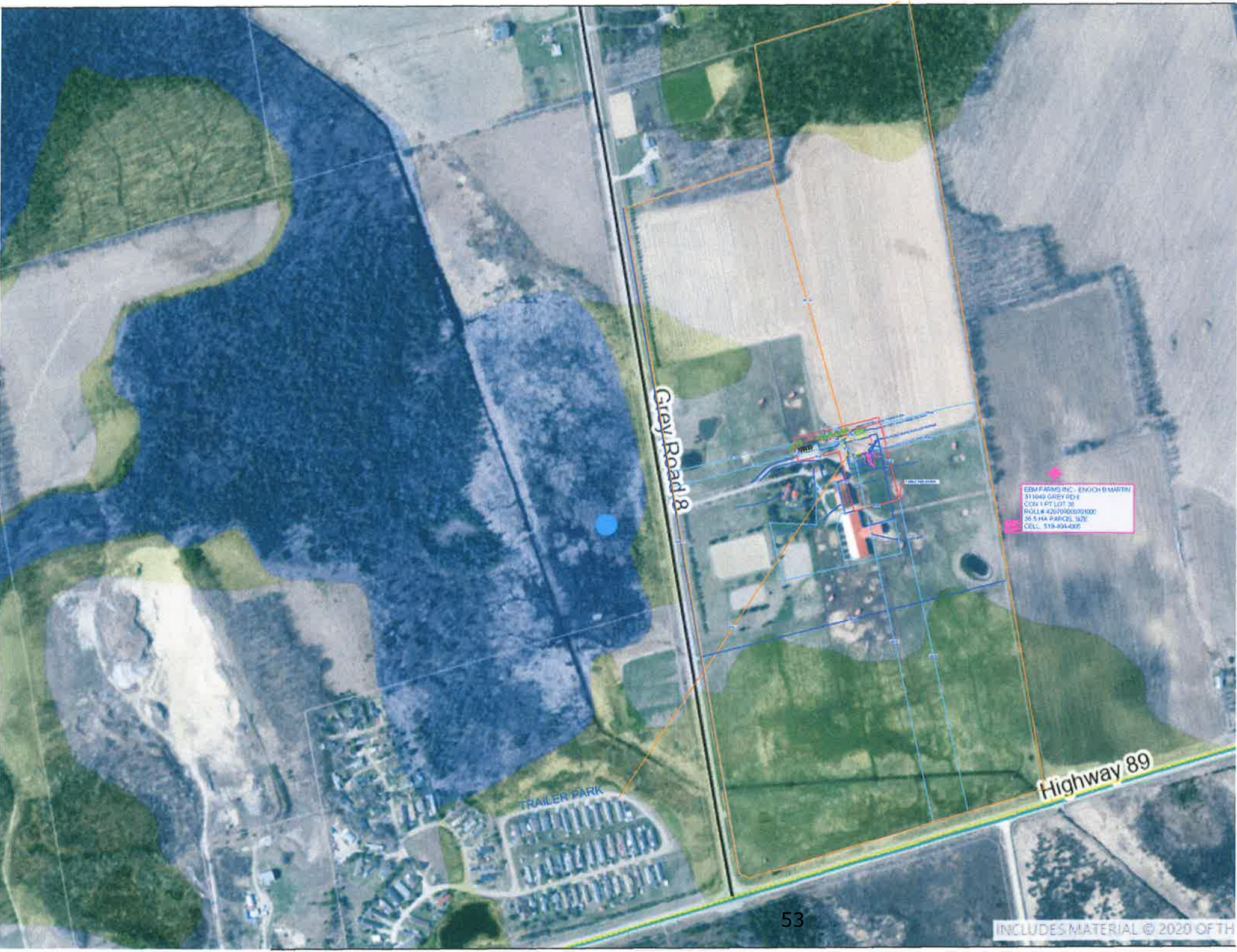
EXISTING HORSE BARN

7100m2 REZONE AREA

EXISTING SHED

EBM FARMS INC - ENOCH B MARTIN  
311049 GREY RD 8  
CON 1 PT LOT 38  
ROLL# 420709000701000  
36.5 HA PARCEL SIZE  
CELL: 519-404-4305





EDM FARM INC., ENOCH B. MARTIN  
311045 GREY RD E  
COS 1 PT LOT 30  
ROLL# 42010000701000  
36.5 HA PARCEL SIZE  
CELL: 519-464-4305

Grey Road 8

Highway 89

TRAILER PARK





**The Corporation of the Township of Southgate  
Notice of Public Meeting and Complete application  
Concerning a Proposed Zoning By-law Amendment**

**Take Notice** that the Council of the Corporation of the Township of Southgate has received a complete application for approval of a Zoning By-law Amendment pursuant to Section 34 of the Planning Act, R.S.O. 1990, as amended. Council will hold **public meeting** on:

**December 7, 2022 at 9:00AM**

in the Council Chambers located at 123273 Southgate Road 12, Holstein On,  
N0G 2A0

**NOTE: If you wish to speak at the meeting, please register in advance by contacting the Clerk, Lindsey Green using the contact information below:**

**[lgreen@southgate.ca](mailto:lgreen@southgate.ca) or 519-923-2110 ext. 230**

The meeting will be recorded and uploaded to the Township YouTube Channel:  
<https://www.youtube.com/user/SouthgateTownship>

**Location of the Subject Land**

Applicant: EBM Farm Inc

Legal Description: Con 1 PT Lot 38

Civic Address: 311049 Grey Road 8, Geographic Township of Proton

A key map is attached to this notice for additional information.

**The Purpose** of the proposed zoning bylaw amendment application is to allow for an Agricultural related use being a small scale Industrial Use shop. The owners wish to add the shop to the list of permitted uses to a new Agricultural exception zone A1-XXX. The shop including office and power room is proposed to be up to 750m<sup>2</sup> with outside storage of approximately 500m<sup>2</sup>.

**The Effect** of the proposed zoning by-law amendment would be to change the zone symbol on a portion of the subject lands from Agricultural exception (A1-8) to Agricultural exception (A1-XXX), to permit the Industrial Use shop. Any Environmental Protection Zone Boundary may be adjusted based on Conservation Authority comments.

**When will a decision be made?**

A decision of this proposal has NOT been made at this point and will NOT be made at the Public Meeting. After reviewing the application and any comments received, staff will bring a recommendation on this proposal to a future council meeting.

**Want to be notified of a decision?**

You must make a request in writing if you wish to receive a notice on any decision of Council on this proposal.

**Making an Oral or Written Submission**

**Any person or public body** is entitled to attend the public meeting and make written or oral submissions in support of, or in opposition to, the proposed zoning by-law amendment. Persons wishing to make an oral submission to Council at the public meeting are invited to register with the Township Clerk (see contact information below). Written comments should also be addressed to the Clerk at the address below. **Please note that all submissions and the personal information contained therein will become part of the public record in their entirety and may be posted to Southgate's website.**

**Your rights to appeal a decision**

**If** a person or public body does not make oral submissions at a public meeting or make written submissions to the Township of Southgate before the by-law is passed, the person or public body is not entitled to appeal the decision of Council of the Township of Southgate to the Ontario Land Tribunal.

**If** a person or public body does not make oral submissions at a public meeting or make written submissions to the Township of Southgate before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

### **Additional Information and Comments**

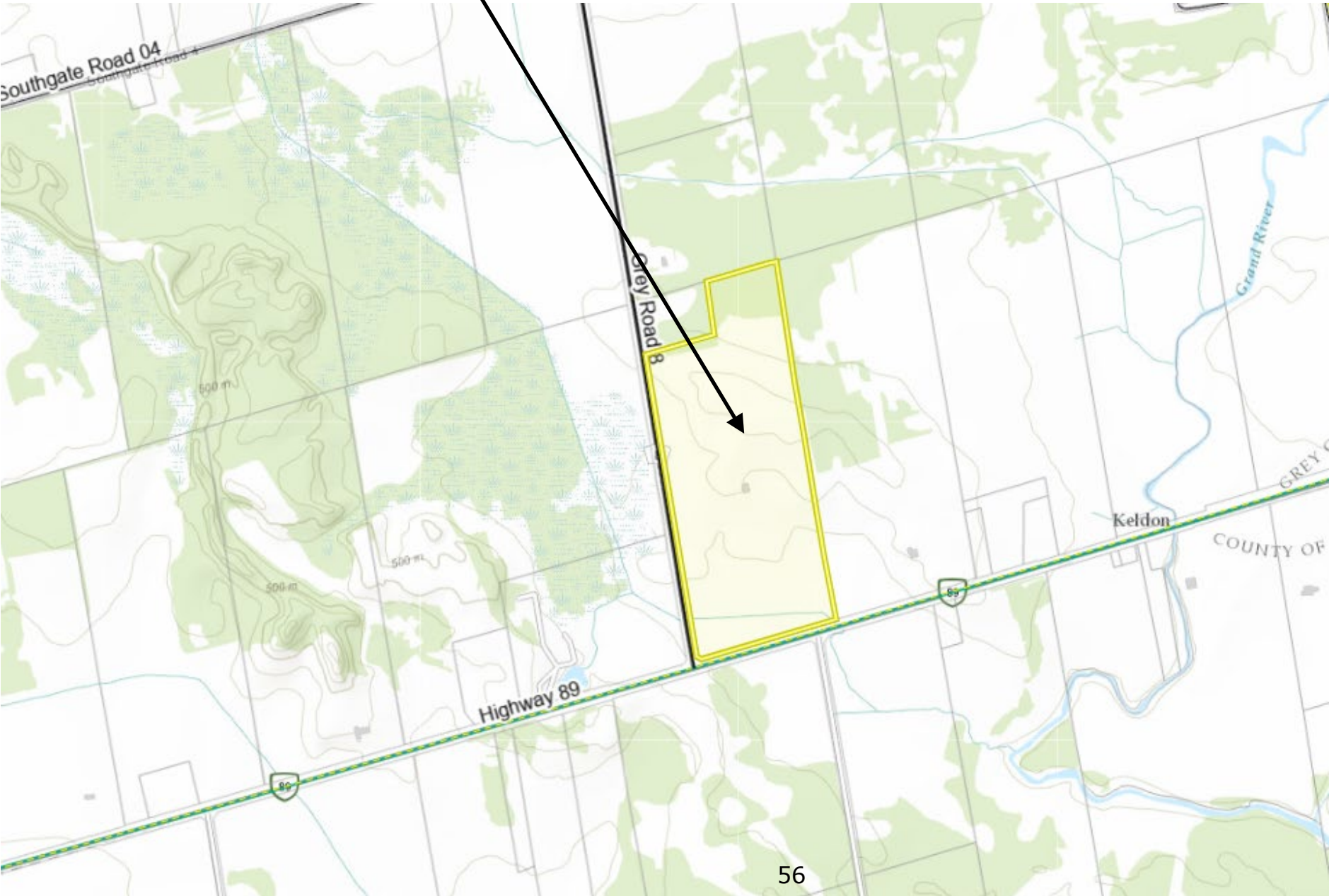
Please submit written comments to the Clerk Lindsey Green at the address shown below. Additional information is also available for public viewing on Southgate's website at <https://www.southgate.ca/planning-notice/> or by contacting the Township planner Clinton Stredwick at [cstredwick@southgate.ca](mailto:cstredwick@southgate.ca) or at the Township ext. 235. Please quote file #C20-22.

Dated at the Township of Southgate,  
this 10th day November, 2022.

Lindsey Green, Clerk  
[lgreen@southgate.ca](mailto:lgreen@southgate.ca)  
Township of Southgate  
185667 Grey Rd 9,  
Dundalk, ON N0C 1B0  
Phone: (519) 923-2110 ext. 230

Key Map (*not to scale*)

**SUBJECT LAND**







## Planning and Development

595 9<sup>th</sup> Avenue East, Owen Sound Ontario N4K 3E3  
519-372-0219 / 1-800-567-GREY / Fax: 519-376-7970

November 21<sup>st</sup>, 2022

Lindsay Green  
Township of Southgate  
185667 Grey Road 9  
Dundalk, ON  
N0C 1B0

**RE: Zoning By-law Amendment C20-22**  
**Concession 1, Part Lot 38 (311049 Grey Road 8)**  
**Township of Southgate (geographic Township of Proton)**  
**Roll: 4207090007010000**  
**Owner: EMB Farms Inc**  
**Applicant: Solomon Martin**

Dear Ms. Green,

This correspondence is in response to the above noted application. We have had an opportunity to review the application in relation to the Provincial Policy Statement (PPS) and the County of Grey Official Plan (OP). We offer the following comments.

The purpose and effect of the subject application is to permit an Agricultural related small scale Industrial use shop with a change in zoning to Agricultural with an exception, which would permit the shop. The shop, including the office and power room, is proposed to be up to 750m<sup>2</sup> with outside storage of approximately 500m<sup>2</sup>.

Schedule A of the County OP designates the subject lands as 'Rural'. Section 5.4.1(1) states,

*The Rural land use type on Schedule A shall permit all uses permitted in Section 5.2.1 of this Plan (the Agricultural land use type).*

Further, Section 5.2.1(1) of the County OP states,

Permitted uses in the Agricultural land use type include:

*a) On-farm diversified uses (See Table 7);*

In addition, Section 5.2.2(5) of the County OP states,

- a) *MDS I will generally not be required for on-farm diversified uses, except where a municipality has required MDS to apply in their municipal official plan or zoning by-law.*

The proposed on-farm diversified use is permitted within the Rural and Agricultural designations. It is recommended that the use conform to MDS, if indicated within the municipality's Zoning By-Law.

Section 5.2.2 Table 8 states that the on-farm diversified use shall be,

*The lessor of: 2% of the total size of the property, or a maximum combined area of the use of 8,000 square metres.*

Further, Section 5.2.2(16) of the County OP states,

*The gross floor area of the buildings (combined total for all buildings associated with the on-farm diversified uses) shall not exceed 20% of the total area of the on-farm diversified use.*

The subject property is approximately 37 hectares in size which would permit a total area of 7,400 square metres to be used for the proposed OFDU, including all parking, loading, buildings, servicing and outdoor storage. The gross floor area for any structures would be limited to 1,480 square meters. The applicant does not provide the area the use will cover or the floor area of the structures. The applicant's proposed use will cover an area of 7,100 square metres, and the proposed shop would be 750 square metres, both of which conform with the County OP. County Planning staff have no concerns.

Section 5.2.2(19) of the County OP states,

*Ministry of the Environment, Conservation and Parks (MECP) D-6 Guidelines, or any successor thereto, shall be considered for any new agricultural-related uses or on-farm diversified uses or an industrial nature in the Agricultural, Special Agricultural, or Rural land use types, to guide the separation of industrial uses from nearby dwellings, institutional uses, or other sensitive non-agricultural uses. Uses which are covered as normal farm practices by the Farming and Food Practices Protection Act (FFPPA) shall not be required to meet the D-6 Guidelines, provided they meet all required Provincial noise, air, water, and wastewater standards.*

Municipal staff shall review the applicability of the D-6 Guidelines to the proposed development. County staff note that the subject property is located directly east of an existing mobile home park. Consideration for noise mitigation measures may be explored to ensure no significant impact to this more sensitive land use.

Schedule A of the County OP indicates the subject lands contain 'Hazard Lands'. Section 7.2(9) states,

*In the Hazard Lands land use type development and site alterations will only be considered if all of the following can be satisfied:*

- a) *The hazards can be safely addressed and new hazards are not created or existing ones aggravated;*
- b) *No adverse environmental impacts will result. The County, in consultation with the conservation authority, may require an environmental impact study to be prepared at the proponent's expense, in accordance with this Plan;*
- c) *Vehicles and people have a way of safely entering and exiting at all times;*
- e) *The advice or approval where required, of the appropriate conservation authority shall be obtained. The County and the conservation authority will consider the mitigation of effects on vegetation, wildlife and fishery resources, and the natural features of the site.*
- f) *There is no feasible location for the development outside of the Hazard Lands land use type.*

Further, Schedule A of the County OP indicates the subject lands are within the adjacent lands of a 'Provincially Significant Wetland'. Section 7.3.1(1) states,

*No development or site alteration may occur within the adjacent lands of the Provincially Significant Wetlands and Significant Coastal Wetlands land use type unless it has been demonstrated through an environmental impact study, as per Section 7.11 of this Plan, that there will be no negative impacts on the natural features or their ecological functions.*

The proposed Industrial use shop is outside of the Hazard Lands and the adjacent lands of the Provincially Significant Wetlands; therefore, County Planning staff have no concerns.

Appendix B of the County OP indicates the subject lands contain 'Other Wetlands'. Section 7.3.2(1) states,

*No development or site alterations are permitted within Other Wetlands or their adjacent lands, shown on Appendix B, or as identified by conservation authorities, unless it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.*

Further, Appendix B of the County OP indicates the subject lands contain 'Significant Woodlands'. Section 7.4(1) states,

*No development or site alteration may occur within Significant Woodlands or their adjacent lands unless it has been demonstrated through an environmental impact study, as per Section 7.11 of this Plan, that there will be no negative impacts on the natural features or their ecological functions. Adjacent lands are defined in Section 7 and 9.18 of this Plan.*

Lastly, Appendix B of the County OP indicates the subject lands contain 'Streams'. Section 7.9(2) states,

*No development will be permitted within 30 metres of the banks of a stream, river, or lake unless an environmental impact study prepared in accordance with Section 7.11 of this Plan concludes setbacks may be reduced and/or where it has been determined by the appropriate conservation authority these setbacks may be reduced. Landowners are encouraged to forest the areas within 30 metres of any stream to maintain and improve fish habitat, ecological function of the stream, and to increase natural connections.*

The proposed Industrial use shop is not located near the Other Wetlands, Significant Woodlands, and the Streams; therefore, County Planning staff have no concerns.

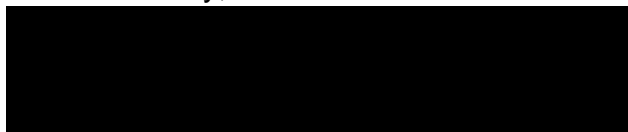
County Transportation Services have reviewed the subject application and have a comment stating *Upgrade entrance to Commercial standard. An Entrance Permit is required.*

Provided the entrance is upgraded to the commercial standard and an Entrance permit is applied for, County Planning staff have no concerns with the subject application.

The County requests notice of any decision rendered with respect to this file.

If you wish to discuss this matter further, please contact me.

Yours truly,



Derek McMurdie  
Planner  
(519) 372 0219 ext. 1239  
[Derek.McMurdie@grey.ca](mailto:Derek.McMurdie@grey.ca)  
[www.grey.ca](http://www.grey.ca)



November 8, 2022

Via email

Holly Malynyk, Administrative and Legislative Assistant  
Township of Southgate  
185667 Grey Road 9  
Dundalk, ON, N0C 1B0

Dear Ms. Malynyk,

**Re: Application File No. C20-22 – Zoning By-law Amendment Application**  
311049 Grey Road 9, Township of Proton  
EBM Farms Inc. c/o Enoch Martin

Grand River Conservation Authority (GRCA) staff has reviewed the above-noted Application for Zoning By-law Amendment at 311049 Grey Road 9 in the Geographic Township of Proton. It is understood that the application is to change the zoning of a small portion of this property from A1 to A1 with exception to permit a small-scale dry manufacturing shop on the property.

**Recommendation**

The GRCA has no objection to the proposed Zoning By-law Amendment application.

**GRCA Comments**

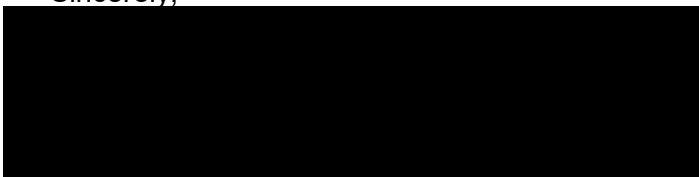
GRCA has reviewed this application as per our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2020) and as a regulatory authority under Ontario Regulation 150/06. GRCA has also provided comments as per our MOU with the Township of Southgate and as a public body under the Planning Act as per our CA Board approved policies.

GRCA regulated features on this property include a wetland, watercourse, floodplain, and the regulated allowance to these features. The proposed lands to be rezoned are not located within GRCA regulated features. As such, GRCA has no objection to the proposed Zoning By-law Amendment. Proposed future development within GRCA regulated lands will require prior written approval from the GRCA in the form of a permit pursuant to Ontario Regulation 150/06.

Consistent with GRCA's 2022 approved fee schedule, this application is considered a minor Zoning By-law Amendment and the applicant will be invoiced in the amount of \$445 for the GRCA's review of this application.

Should you have any questions, please contact me at 519-621-2763 ext. 2236 or at [clorenz@grandriver.ca](mailto:clorenz@grandriver.ca).

Sincerely,



Chris Lorenz  
Resource Planner  
Grand River Conservation Authority

Encl: GRCA Resource Mapping

Copy: County of Grey (via email)  
EBM Farms Inc. c/o Enoch Martin (via email)  
Soloman Martin (via email)





Grand River  
Conservation Authority

Date: Nov 07, 2022

Author: CL

311049 Grey Rd 8, Southgate

Legend

- Regulation Limit (GRCA)
- Regulated Watercourse (GRCA)
- Regulated Waterbody (GRCA)
- Wetland (GRCA)
- Floodplain (GRCA)
  - Engineered
  - Estimated
  - Approximate
  - Special Policy Area
- Slope Valley (GRCA)
  - Steep
  - Oversteep
  - Steep
- Slope Erosion (GRCA)
  - Oversteep
  - Toe
- Lake Erie Flood (GRCA)
- Lake Erie Shoreline Reach (GRCA)
- Lake Erie Dynamic Beach (GRCA)
- Lake Erie Erosion (GRCA)
- Parcel - Assessment (MPAC/MNRF)

This legend is static and may not fully reflect the layers shown on the map. The text of Ontario Regulation 150/06 supercedes the mapping as represented by these layers.

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Disclaimer: This map is for illustrative purposes only. Information contained herein is not a substitute for professional review or a site survey and is subject to change without notice. The Grand River Conservation Authority takes no responsibility for, nor guarantees, the accuracy of the information contained on this map. Any interpretations or conclusions drawn from this map are the sole responsibility of the user.  
The source for each data layer is shown in parentheses in the map legend. For a complete listing of sources and citations go to: <https://maps.grandriver.ca/Sources-and-Citations.pdf>

0 60 120 240 360 Metres  
NAD 1983 UTM Zone 17N Scale: 9,920



Map Centre (UTM NAD83 z17): 548,320 23 4,876,361.39

63

This map is not to be used for navigation | 2020 Ortho (ON)

GRCA



**From:** [Coordinator LRC HSM](#)  
**To:** [Holly Malynyk](#)  
**Subject:** Request for Comments - Southgate (EMB Farms Inc) - proposed Zoning By-law Amendment  
**Date:** November 9, 2022 9:23:39 AM

---

Southgate Municipality

RE: C20-2022

The Historic Saugeen Métis (HSM) Lands, Resources and Consultation Department has reviewed the relevant documents and have no objection or opposition to the proposed Zoning By-law Amendment as presented.

Thank you for the opportunity to review this matter.

Regards,

Chris Hachey

Coordinator, Lands, Resources & Consultation  
Historic Saugeen Métis  
email: [hsmrcc@bmts.com](mailto:hsmrcc@bmts.com)  
phone: 519-483-4000  
site: [saugeenmetis.com](http://saugeenmetis.com)  
address: 204 High Street Southampton, ON

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Saugeen Valley Conservation Authority

# Programs and Services

Jennifer Stephens

General Manager/Secretary-Treasurer

December 7<sup>th</sup>, 2022

# Ontario's Conservation Authorities

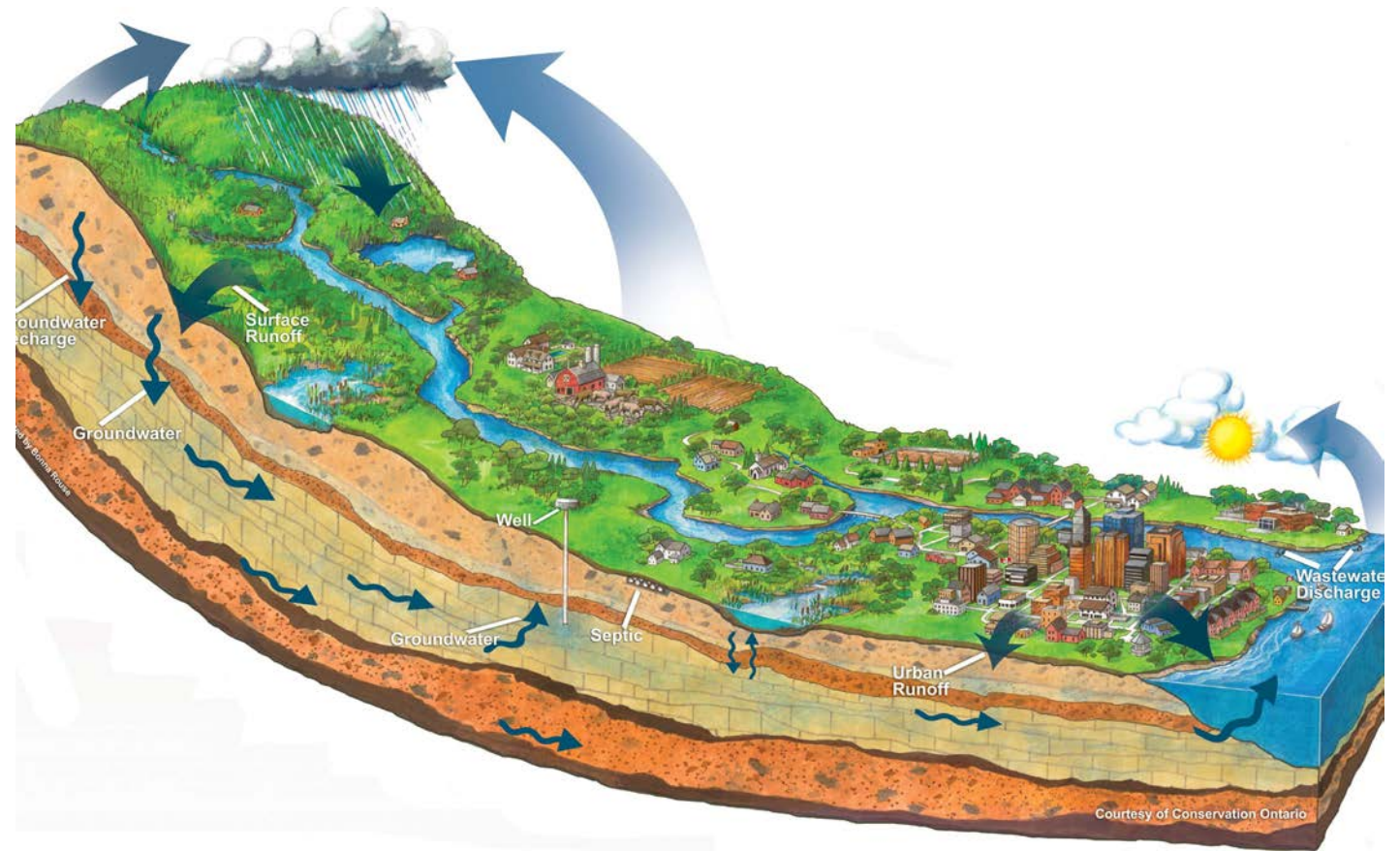
- 36 Conservation Authorities throughout Ontario
- Complete ~32,000 Planning and Permit Reviews Annually
- Manage over \$3.8-Billion worth of flood control and prevention infrastructure
- Protect lives and Prevent more than \$150-million per year in flood damages and disruption
- Work with landowners to plant over 1.3-M trees annually
- Offer 3,500 km worth of trail for people to enjoy, hosting almost 10-M visitors annually
- Second largest landowner in Ontario (collectively)



# What is a Watershed?

## Water flows Downstream...

- A watershed is simply a catchment area.
- When rain falls, it either infiltrates, evaporates, or runs off.
- What happens on your property might affect your neighbours and vice-versa.





**We are one of 36 Conservation Authorities across Ontario under the umbrella organization of Conservation Ontario.**



# Saugeen Valley Conservation Authority

- 15 Municipalities, with 15 Directors on the Board
- Annual budget of 6.0 million (2023)
- 40 full time staff with additional seasonal staff
- 3<sup>rd</sup> largest Conservation Authority in Ontario, covering 4,765 km<sup>2</sup>
- 153 different properties in 86 groupings
- 118 km of shoreline, and 1 waterfall
- 54 km of maintained recreational trails, 129 km in total
- Manage 27 flood and erosion control structures
- Review over 1700-2000 applications annually
- Planted 5.8 million trees since 1974
- Annually plant approximately 150,000 trees



# Flood and Erosion Control Prevention



## Non-Structural Approaches

### Keeping people away from water

- Regulation of development in floodplains
- Flood forecasting and warning
- Water infrastructure maintenance and inspection
- Emergency planning

## Structural Approaches

### Keeping water away from people

- Dams – to control flow of frazil ice and water
- Dykes – to restrict flows to the proper channel
- Channel works – to protect slopes from erosion

# Flood Warning Program

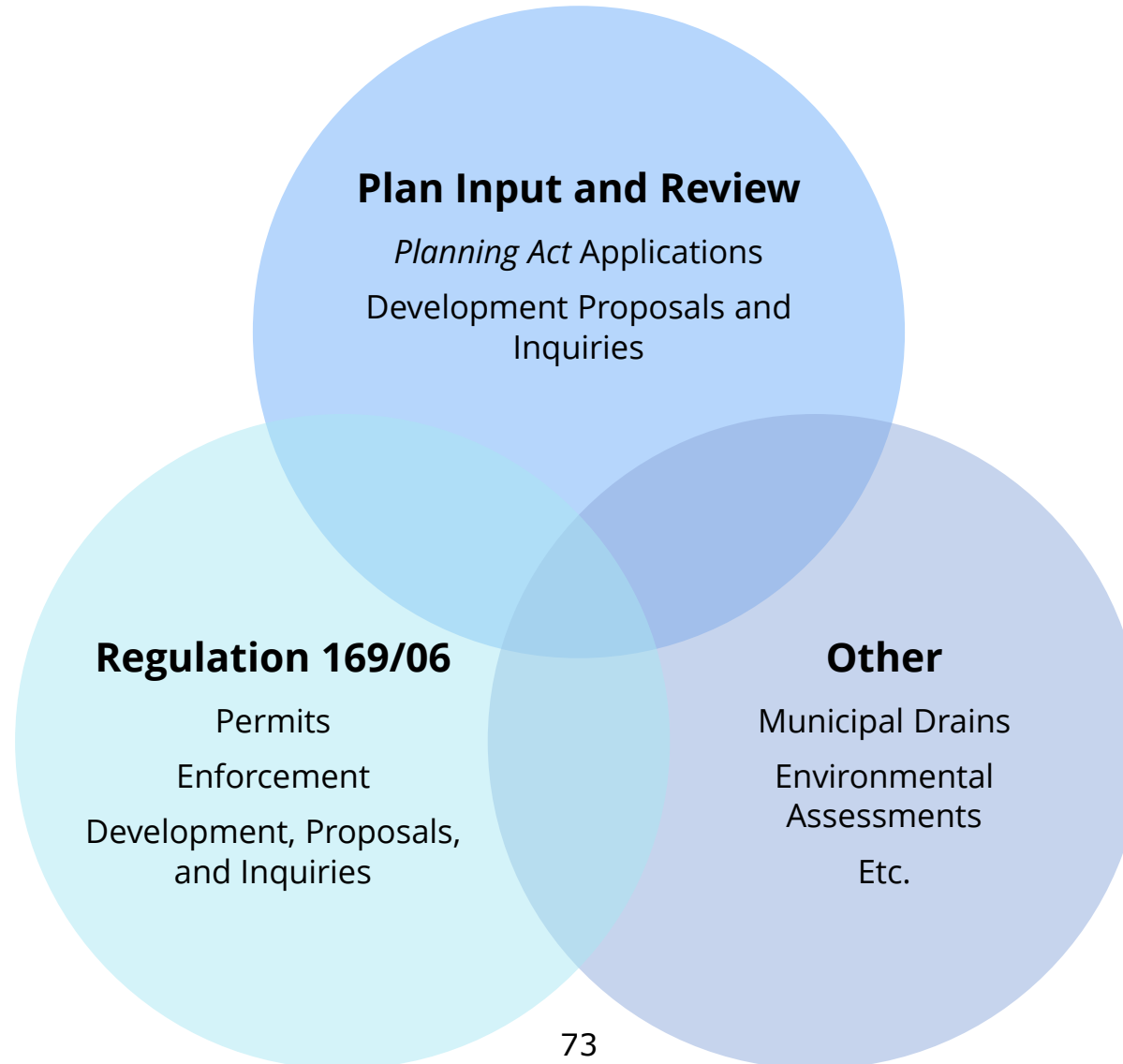
1. To relay routine information concerning watershed river conditions to selected agencies and municipal officials.
2. To provide rapid, advance warning and technical support to concerned officials and to citizens whose lives and properties may be endangered by floodwaters.



# Flood Warning Messages

Normal	Green	
Statement	Yellow	<p><b>Watershed Conditions Statements / Water Safety</b> are issued when general watershed conditions suggest high runoff potential that could lead to flooding and to remind the public that rivers, streams, and ponds may be unsafe for recreational or other activities.</p> <p>High flows, unsafe banks, melting ice or other factors that may result in watercourses being too dangerous for recreational users or the general public.</p>
Flood Watch	Orange	<b>Flood Watch</b> messages are issued when the potential for generalized flooding exists throughout the watershed or identified for specific municipalities.
Warning	Red	<b>Flood Warning</b> messages are issued when flooding is occurring or about to occur. It typically applies to a specific area of the watershed.

# Environmental Planning and Regulations





# Provincially Delegated Responsibility

All CAs have been delegated responsibility under the Provincial One Window Planning System for Natural Hazard management.

As outlined in a CO/MNRF/MMAH Memorandum of Understanding (MOU) CAs have been delegated responsibilities from the MNRF to represent **provincial interests** regarding natural hazards encompassed by Section 3.1 of the Provincial Policy Statement (PPS).

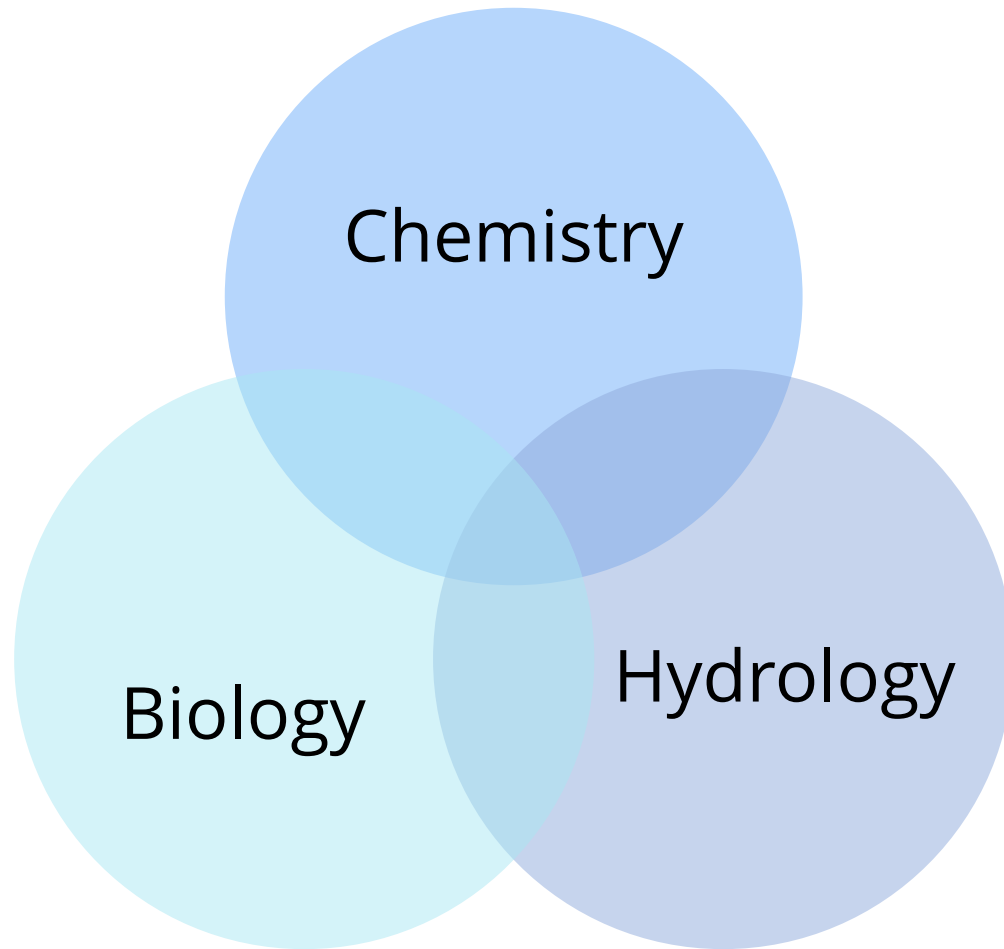
These delegated responsibilities require SVCA to review and provide comments on municipal policy documents (Official Plans and comprehensive zoning by-laws) and development applications.

SVCA's purpose is to ensure municipal policy documents and development applications are consistent with the natural hazard policies of the PPS.



Hurricane Hazel, Toronto 1954

# Water Quality Program - Objectives



To establish baseline water quality data;  
To observe trends; and  
To assess the effectiveness of watershed programs.

# Surface Water Monitoring

SVCA takes surface water samples at 29 different stations in an effort to understand the watershed.





# Biomonitoring

SVCA samples sediments for insect larvae. Different species have different pollution tolerances.



# Groundwater Monitoring

SVCA performs level and maintenance checks quarterly. Well pump and samples are taken every fall.

There are 23 aquifers accessed at 14 sites.





# Forestry

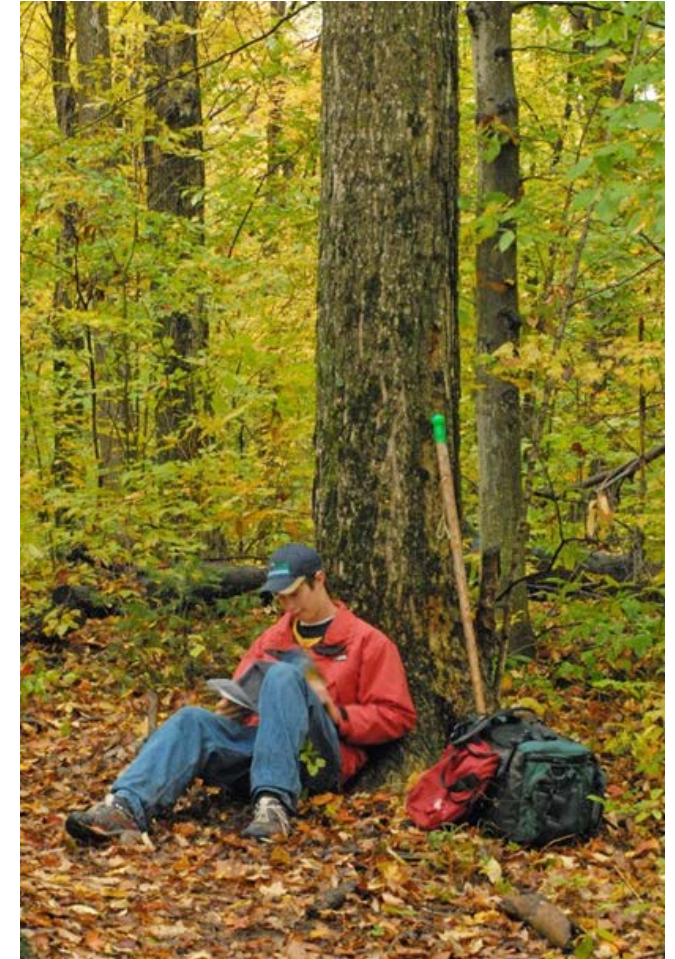
- Tree Planting Program
- Managed Forest Tax Incentive Program applications for Authority properties and private landowners
- Tree Marking and Tendering Program
- Maintenance and improvement projects related to Authority forested properties (8,000ha)



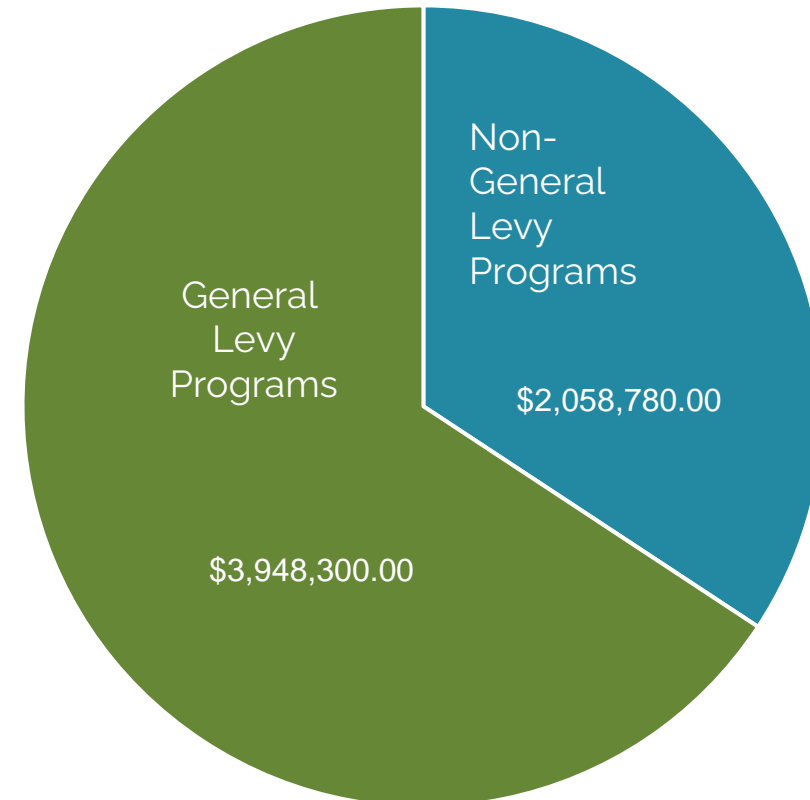


# Land Conservation

Planning and design of maintenance or improvement projects related to Authority properties and structures.



# 2023 Budget



Total: \$6,007,080

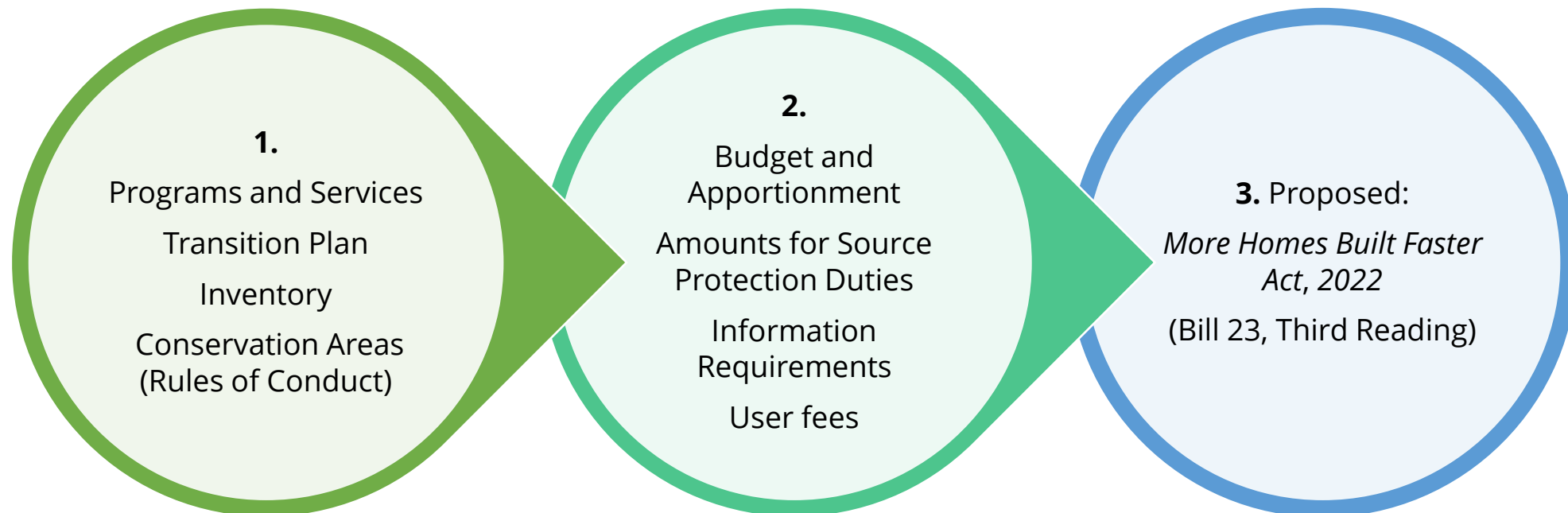
# Township of Southgate



2023 General Levy	Approximate 1% of Municipal Tax Levy	Municipal Levy Impact
\$ 141,332	\$130,000	0.088%

# Conservation Authorities Act

## Overview of Related Changes and Proposals from 2021 Onwards





# Programs and Services



**Category 1:** Mandatory programs and services

**Category 2:** Programs and services a conservation authority does on behalf of municipalities

**Category 3:** Programs and services that a conservation authority determines are advisable to provide in its jurisdiction

Agreements between municipalities and conservation authorities for Category 2 and 3 Programs and Services must be in place by January 1, 2024.



**Thank you!**



## **Township of Southgate Minutes of Council Meeting**

October 5, 2022

9:00 AM

Holstein Council Chambers  
123273 Southgate Road 12  
Holstein, Ontario N0G 2A0

Members Present: Mayor John Woodbury  
Deputy Mayor Brian Milne  
Councillor Barbara Dobreen  
Councillor Michael Sherson  
Councillor Jason Rice  
Councillor Jim Frew  
Councillor Martin Shipston

Staff Present: Dave Milliner, Chief Administrative Officer  
Lindsey Green, Clerk  
Jim Ellis, Public Works Manager  
William Gott, Treasurer  
Bev Fisher, Chief Building Official  
Derek Malynyk, Fire Chief  
Clinton Stredwick, Planner  
Kayla Best, HR Coordinator  
Aakash Desai, Asset Coordinator & Financial Analyst  
Holly Malynyk, Legislative Assistant

### **1. Call to Order**

Mayor Woodbury called the meeting to order at 9:00 AM.

### **2. Land Acknowledgement**

As we gather, we recognize and acknowledge the traditional keepers of this land with whom we share today. The Township of Southgate is a

part of the traditional territories of the Anishinaabek, Six Nations of the Grand River, Saugeen Ojibway Nation, Haudenosaunee, and Saugeen Métis. The land that surrounds us is part of who we are as it reflects our histories; may we live in peace and friendship with all its diverse people.

**3. Open Forum - Register in Advance**

No members of the public spoke at open forum.

**4. Confirmation of Agenda**

No. 2022-648

**Moved By** Deputy Mayor Milne

**Seconded By** Councillor Shipston

**Be it resolved that** Council confirm the agenda as amended.

**Carried**

**5. Declaration of Pecuniary Interest**

Mayor Woodbury declared a conflict of interest to items 8.4.9 - CAO2022-074, 8.4.10 - By-law 2022-148, 8.4.11 - CAO2022-075, 8.4.12 - By-law 2022-144, 8.6.3 - PL2022-076 and 8.6.4 - By-law 2022-150 as all matters pertained to the South East Grey Community Health Centre in which he is a Board Member and did not participate in the discussions or voting of any items.

**6. Delegations & Presentations**

**6.1 Resident Ken Furlong - Delegation**

No. 2022-649

**Moved By** Councillor Dobreen

**Seconded By** Councillor Sherson

**Be it resolved that** Council receive the delegation by resident Ken Furlong as information.

**Carried**

(Ken Furlong's Delegation Notes – Attachment #1 to minutes)

**6.2 NFP Insurance - Renewal Presentation - Carl Murray and Peg Mountney, NFP, Tony Commisso, Intact Public Entities**

No. 2022-650

**Moved By** Councillor Rice

**Seconded By** Councillor Frew

**Be it resolved that** Council receive the NFP Insurance Renewal Presentation as information.

**Carried**

**6.3 BDO Canada LLP - 2021 Audit Final Report - Tracie Smith, Partner and Jacob Perry, Manager A&A**

No. 2022-651

**Moved By** Deputy Mayor Milne

**Seconded By** Councillor Shipston

**Be it resolved that** Council receive BDO's presentation of the 2021 Audit Final Report as information.

**Carried**

Council recessed at 10:09 AM and returned at 10:20 AM.

**7. Adoption of Minutes**

No. 2022-652

**Moved By** Councillor Dobreen

**Seconded By** Councillor Rice

**Be it resolved that** Council approve the minutes from the September 21, 2022 Council and Closed Session meetings as presented.

**Carried**

**8. Reports of Municipal Officers**

**8.1 Treasurer William Gott**

**8.1.1 FIN2022-027 Financial Report – 2021**



No. 2022-653

**Moved By** Councillor Shipston

**Seconded By** Councillor Frew

**Be it resolved that** Council receive Staff Report FIN2022-027 Financial Report –2021 Financial Statements as information; and

**That** Council approve The Corporation of the Township of Southgate Consolidated Financial Statements for the year ended December 31, 2021, as presented.

**Carried**

### **8.1.2 FIN2022-017 Asset Management Plan 2022**

No. 2022-654

**Moved By** Councillor Dobreen

**Seconded By** Councillor Rice

**Be it resolved that** Council receive Staff Report FIN2022-017 Asset Management Plan 2022 as information; and

**That** Council consider for approval By-law 2022-156, being a by-law to adopt Asset Management Plan 2022; and

**That** Council directs staff post Asset Management Plan 2022 on the Southgate website.

**Carried**

### **8.1.3 By-law 2022-156 - Adopt Asset Management Plan**

No. 2022-655

**Moved By** Deputy Mayor Milne

**Seconded By** Councillor Frew

**Be it resolved that** by-law number 2022-156, as amended, being a by-law to adopt "Asset Management Plan 2022" be read a first, second and third time, finally passed, signed by the Mayor and the Clerk, sealed with the seal of the Corporation and entered into the by-law book.

**Carried**

#### **8.1.4 FIN2022-025 2023 Budget**

No. 2022-656

**Moved By** Councillor Shipston

**Seconded By** Councillor Sherson

**Be it resolved that** Council receive Staff Report FIN2022-025 2023 Budget as information; and

**That** the proposed 2023 Budget timeline be approved as presented.

**Carried**

#### **8.1.5 FIN2022-026 Development Charges**

No. 2022-657

**Moved By** Councillor Shipston

**Seconded By** Councillor Rice

**Be it resolved that** Council receive Staff Report FIN2022-026 Development Charges as information; and

**That** Council consider for approval By-law 2022-154, being a by-law with respect to Development Charges.

**Carried**

#### **8.1.6 By-law 2022-154 - Development Charges By-law**

No. 2022-658

**Moved By** Councillor Sherson

**Seconded By** Councillor Shipston

**Be it resolved that** by-law number 2022-154 being a by-law to approve Development Charges be a read a first, second and third time, finally passed, signed by the Mayor and the Clerk, sealed with the seal of the Corporation and entered into the by-law book.

**Carried**

**8.1.7 FIN2022-028 Southgate New Council Chamber Building Retrofit Project**

No. 2022-659

**Moved By** Deputy Mayor Milne

**Seconded By** Councillor Rice

**Be it resolved that** Council receive Staff Report FIN2022-028 Southgate New Council Chamber Building Retrofit Project as information; and

**That** Council approves the use of the Modernization Reserve as noted in the report.

**Carried**

**8.2 Clerk Lindsey Green**

**8.2.1 CL2022-029 – 2022 Council Calendar Amendments**

No. 2022-660

**Moved By** Councillor Sherson

**Seconded By** Councillor Shipston

**Be it resolved that** Council receive Staff Report CL2022-029 for information; and

**That** Council approve the amendments to the 2022 Council Calendar as presented.

**Carried**

**8.3 Public Works Manager Jim Ellis**

**8.3.1 PW2022-048 Public Works Recommendation to Pulverize Road Sections Back to Gravel**

Councillor Dobreen requested a recorded vote on the main motion.

No. 2022-661

**Moved By** Deputy Mayor Milne  
**Seconded By** Councillor Dobreen

**Be it resolved that** Council receive Staff Report PW2022-048 for information; and

**That** Council approve the Public Works recommendation to pulverize Road Sections 121, 344, 346, 343 & 345 back to gravel.

Yay (4): Mayor Woodbury, Deputy Mayor Milne, Councillor Dobreen, and Councillor Shipston

Nay (3): Councillor Sherson, Councillor Rice, and Councillor Frew

**Carried (4 to 3)**

### **8.3.2 PW2022-049 Turnkey AVL Telematics System Tender Award Recommendation**

No. 2022-662

**Moved By** Councillor Shipston  
**Seconded By** Councillor Frew

**Be it resolved that** Council receive Staff Report PW2022-049 for information; and

**That** Council award the Automatic Vehicle Locating /Telematics System Tender to Trackmatics Inc. for hardware and installation costs in the amount of \$47,975.00 and monthly operational data and maintenance costs of \$1,201.00 plus HST.

**Carried**

Councillor Dobreen moved the following motion.

No. 2022-663

**Moved By** Councillor Dobreen  
**Seconded By** Councillor Rice

**Be it resolved that** Council proceed past noon.



**Carried**

Council recessed at 11:46 AM and returned at 11:55 AM.

#### **8.4 Chief Administrative Officer Dave Milliner**

##### **8.4.1 CAO2022-063 Flato East Phase 11 Pre-Servicing Agreement Final Report**

No. 2022-664

**Moved By** Deputy Mayor Milne

**Seconded By** Councillor Shipston

**Be it resolved that** Council receive staff report CAO2022-063 as information; and

**That** Council approve the Flato Dundalk Meadows Inc. project known as Flato East Phase 11 for a Pre-Servicing Final Agreement and the security requirements for this work for their residential development project; and

**That** Council consider approving the Flato Dundalk Meadows Inc. project known as Flato East Phase 11 Pre-servicing Agreement by Municipal By-law 2022-124 at the October 5, 2022 meeting.

**Carried**

##### **8.4.2 By-law 2022-124 - Flato East Phase 11 - Pre-Servicing Agreement**

No. 2022-665

**Moved By** Councillor Shipston

**Seconded By** Councillor Rice

**Be it resolved that** by-law number 2022-124 being a by-law to authorize an agreement between Flato Dundalk Meadows Inc. and the Corporation of the Township of Southgate be read a first, second and third time, finally passed, signed by the Mayor and the Clerk, sealed with the seal of the Corporation and entered into the by-law book.

**Carried**

**8.4.3 CAO2022-070 Mid West Coop-Southgate  
Development Planning and Southgate Land lease  
Agreement Final**

No. 2022-666

**Moved By** Deputy Mayor Milne

**Seconded By** Councillor Sherson

**Be it resolved that** Council receive staff report CAO2022-070 as information; and

**That** Council approve the Mid West Cooperative Inc.- Southgate Land Lease Agreement dated October 5<sup>th</sup>, 2022 as presented; and

**That** Council consider approval of the of the Mid West Cooperative Inc. Land Lease Agreement by municipal By-law 2022-140 at the October 5, 2022 Council meeting.

**Carried**

**8.4.4 By-law 2022-140 - Mid West Coop-Southgate Land  
Lease Agreement**

No. 2022-667

**Moved By** Deputy Mayor Milne

**Seconded By** Councillor Shipston

**Be it resolved that** by-law number 2022-140 being a by-law to authorize an agreement between Mid West Cooperative Inc and the Township of Southgate be read a first, second and third time, finally passed, signed by the Mayor and the Clerk, sealed with the seal of the Corporation and entered into the by-law book.

**Carried**

**8.4.5 CAO2022-071 South Grey Housing Corporation  
Municipal Working Group Update Report**

No. 2022-668

**Moved By** Councillor Sherson  
**Seconded By** Deputy Mayor Milne

**Be it resolved that** Council receive staff report CAO2022-071 as information; and

**That** Council in its new term consider appointment of 2 members to the South Grey Housing Corporation Working Group to discuss the Terms of Reference document and to establish the framework and strategy to create a South Grey Housing Corporation.

**Carried**

#### **8.4.6 SR CAO2022-072 CAO Update Report October 5 2022**

No. 2022-669

**Moved By** Councillor Rice  
**Seconded By** Councillor Sherson

**Be it resolved that** Council receive Staff Report CAO2022-072 as information; and

**That** Council provide direction to staff on the issue of 2023 budgeting for increased police services and agreement enhancements for Southgate.

**Carried**

#### **8.4.7 CAO2022-073 Greenlid Development Reserve Capacity Servicing Allocation Report**

No. 2022-670

**Moved By** Deputy Mayor Milne  
**Seconded By** Councillor Dobreen

**Be it resolved that** Council receive staff report CAO2022-074 as information; and

**That** Council approve the servicing allocation to 2137569 Ontario Inc. (Greenlid) of 6 equivalent residential unit of Water and 1 equivalent residential unit of Wasterwater servicing capacity for their industrial development project;

and

**That** Council consider approving the allocation of 6 equivalent residential unit of Water and 1 equivalent residential unit of Wasterwater servicing capacity for 2137569 Ontario Inc. (Greenlid) industrial development project by Municipal By-law 2022-147 at the October 5, 2022 meeting; and

**That** Council authorize the Mayor and the Clerk to sign the 2137569 Ontario Inc. (Greenlid) Industrial Development Project Final Servicing Capacity Allocation Agreement.

**Carried**

#### **8.4.8 By-law 2022-147 - 2137569 Ontario Inc. (Greenlid) Capacity Allocation Agreement**

No. 2022-671

**Moved By** Councillor Rice

**Seconded By** Councillor Sherson

**Be it resolved that** by-law number 2022-147 being a by-law to authorize an agreements between 2137569 Ontario Inc and the Corporation of the Township of Southgate be read a first, second and third time, finally passed, signed by the Mayor and the Clerk, sealed with the seal of the Corporation and entered into the by-law book.

**Carried**

#### **8.4.9 CAO2022-074 SEGCHC Institutional Development Reserve Capacity Servicing Allocation Report**

Mayor Woodbury declared a conflict of interest to items 8.4.9 - CAO2022-074, 8.4.10 - By-law 2022-148, 8.4.11 - CAO2022-075, 8.4.12 - By-law 2022-144 and relinquished the Chair.

Deputy Mayor Milne assumed the Chair.

No. 2022-672



**Moved By** Councillor Dobreen  
**Seconded By** Councillor Shipston

**Be it resolved that** Council receive staff report CA02022-074 as information; and

**That** Council approve the servicing allocation to South-East Grey Community Health Centre of 1 (one) equivalent residential unit of servicing capacity for Water and Wasterwater for their industrial development project; and

**That** Council consider approving the allocation of 1 equivalent residential unit of servicing capacity for Water and Wasterwater to South-East Grey Community Health Centre institutional development project by Municipal By-law 2022-148 at the October 5<sup>th</sup>, 2022 meeting; and

**That** Council authorize the Mayor and the Clerk to sign the South-East Grey Community Health Centre institutional development project for their Final Servicing Capacity Allocation Agreement.

**Carried**

#### **8.4.10 By-law 2022-148 - South-East Grey Community Health Centre Capacity Allocation Agreement**

No. 2022-673

**Moved By** Councillor Sherson  
**Seconded By** Councillor Rice

**Be it resolved that** by-law number 2022-148 being a by-law to authorize an agreement between South-East Grey Community Health Centre and the Corporation of the Township of Southgate be read a first, second and third time, finally passed, signed by the Mayor and the Clerk, sealed with the seal of the Corporation and entered into the by-law book.

**Carried**

**8.4.11 SR CAO2022-075 Lions Medical Centre-SEGSS-SEGSS Southgate Partnership Agreement**

No. 2022-674

**Moved By** Councillor Dobreen

**Seconded By** Councillor Frew

**Be it resolved that** Council receive staff report CAO2022-074 as information; and

**That** Council approve the Lions, SEGCHC, SEGSS & Southgate Partnership Agreement as presented; and

**That** Council consider approving the Lions, SEGCHC, SEGSS & Southgate Final Partnership Agreement by Municipal By-law 2022-144 at the October 5<sup>th</sup>, 2022 meeting.

**Carried**

**8.4.12 By-law 2022-144 - Lions-SEGSS-SEGCHC-Southgate Partnership Agreement**

No. 2022-675

**Moved By** Councillor Shipston

**Seconded By** Councillor Rice

**Be it resolved that** by-law number 2022-144, as amended, being a by-law to authorize a partnership agreement between South-East Grey Community Health Centre, South-East Grey Support Services, The Dundalk and District Lion's Club and The Corporation of the Township of Southgate be read a first, second and third time, finally passed, signed by the Mayor and the Clerk, sealed with the seal of the Corporation and entered into the by-law book.

**Carried**

Mayor Woodbury assumed the Chair.

**8.4.13 SR CAO2022-076 White Rose Park Phase III Service Finance Agreement Report**

No. 2022-676

**Moved By** Deputy Mayor Milne

**Seconded By** Councillor Shipston

**Be it resolved that** Council receive staff report CAO2022-076 as information; and

**That** Council approve the White Rose Park Phase III Service Finance Agreement for this residential development project off-site requirements as presented; and

**That** Council consider approving the White Rose Park Phase III Service Finance Agreement by Municipal By-law 2022-149 at the October 5, 2022 Council meeting.

**Carried**

#### **8.4.14 By-law 2022-149 - White Rose Phase III - Service Finance Agreement**

No. 2022-677

**Moved By** Councillor Frew

**Seconded By** Deputy Mayor Milne

**Be it resolved that** by-law number 2022-149 being a by-law to authorize an agreement between 2570970 Ontario Inc and the Corporation of the Township of Southgate be read a first, second and third time, finally passed, signed by the Mayor and the Clerk, sealed with the seal of the Corporation and entered into the by-law book.

**Carried**

### **8.5 HR Coordinator Kayla Best**

#### **8.5.1 HR2022-049 Electronic Monitoring Policy**

No. 2022-678

**Moved By** Councillor Dobreen  
**Seconded By** Councillor Shipston

**Be it resolved that** Council receive Staff Report HR2022-049 for information; and

**That** Council approve the final Policy #93 Electronic Monitoring Policy as presented; and

**That** Council consider approval of Policy #93 Electronic Monitoring Policy by Municipal By-Law 2022-152 at the October 5, 2022 Council Meeting.

**Carried**

#### **8.5.2 By-law 2022-152 - Adopt Electronic Monitoring Policy No. 93**

No. 2022-679

**Moved By** Councillor Sherson  
**Seconded By** Councillor Rice

**Be it resolved that** by-law number 2022-152 being a by-law to adopt an "Electronic Monitoring Policy" known as Policy Number 93 be read a first, second and third time, finally passed, signed by the Mayor and the Clerk, sealed with the seal of the Corporation and entered into the by-law book.

**Carried**

Deputy Mayor Milne moved the following motion.

No. 2022-680

**Moved By** Deputy Mayor Milne  
**Seconded By** Councillor Dobreen

**Be it resolved that** Council amend the agenda order to move Planner Clinton Stredwick's Staff Reports and By-laws to follow Member's Privilege.

**Carried**

## **8.6 Planner Clinton Stredwick**

*Section 8.6 items were moved down in the agenda to follow Member's Privilege during the meeting.*

### **8.6.1 PL2022-075 - C17-22 - Clark Construction Management Inc**

No. 2022-681

**Moved By** Councillor Frew

**Seconded By** Deputy Mayor Milne

**Be it resolved that** Council receive Staff Report PL2022-075 for information; and

**That** Council Consider approval of Bylaw- 2022-151.

**Carried**

### **8.6.2 By-law 2022-151 - Zoning By-law Amendment C17-22 Clark Construction Management**

No. 2022-682

**Moved By** Councillor Sherson

**Seconded By** Councillor Rice

**Be it resolved that** by-law number 2022-151 being a by-law to amend the Zoning By-law No. 19-2002 entitled the "Township of Southgate Zoning By-law" be read a first, second and third time, finally passed, signed by the Mayor and the Clerk, sealed with the seal of the Corporation and entered into the by-law book.

**Carried**

### **8.6.3 PL2022-076-SP20-22-Dundalk Medical Centre**

Mayor Woodbury declared a conflict of interest to items 8.6.3 - PL2022-076 and 8.6.4 - By-law 2022-150 and relinquished the Chair.



Deputy Mayor Milne assumed the Chair.

No. 2022-683

**Moved By** Councillor Dobreen

**Seconded By** Councillor Sherson

**Be it resolved that** Council receive Staff Report PL2022-076 for information; and

**That** Council consider approval of By-law 2022-150 authorizing the entering into a Site Plan Agreement.

**Carried**

#### **8.6.4 By-law 2022-150 - SP20-22 Dundalk Medical Centre**

No. 2022-684

**Moved By** Councillor Dobreen

**Seconded By** Councillor Rice

**Be it resolved that** by-law number 2022-150 being a by-law authorize the execution of a Site Plan Control Agreement be read a first, second and third time, finally passed, signed by the Mayor and the Clerk, sealed with the seal of the Corporation and entered into the by-law book.

**Carried**

Mayor Woodbury assumed the Chair.

#### **8.6.5 PL2022-077 Site Plan Approval Appointment**

No. 2022-685

**Moved By** Deputy Mayor Milne

**Seconded By** Councillor Frew

**Be it resolved that** Council receive Staff Report PL2022-077 for information; and

**That** Council consider approval of a by-law appointing the Township's Municipal Planner or their designate to approve site plans in accordance with the Site Plan process noted below and discussed.

**Carried**

**8.6.6 By-law 2022-153 - Appoint Clinton Stredwick as Authorized Person pursuant to Section 41(4.0.1) of the Planning Act**

No. 2022-686

**Moved By** Councillor Dobreen

**Seconded By** Councillor Rice

**Be it resolved that** by-law number 2022-153 being a by-law to appoint an employee of the municipality as an authorized person for the purposes of Section 41 (4) of the Planning Act, 1990 be read a first, second and third time, finally passed, signed by the Mayor and the Clerk, sealed with the seal of the Corporation and entered into the by-law book.

**Carried**

**8.6.7 PL2022-078-Southgate Official Plan Update**

No. 2022-687

**Moved By** Councillor Sherson

**Seconded By** Deputy Mayor Milne

**Be it resolved that** Council receive Staff Report PL2022-078 for information; and

**That** Council confirms their acceptance of the proposed County Modifications to the adopted Township of Southgate Official plan.

**Carried**

**9. By-laws and Motions**

**9.1 By-law 2022-145 - Adopt Policy 21 - Council Member Compensation, Expenses and Meetings Claims Policy**

No. 2022-688

**Moved By** Councillor Dobreen

**Seconded By** Councillor Shipston

**Be it resolved that** by-law number 2022-145 being a by-law to adopt a "Council Member Compensation, Expenses & Meeting Claims Guidance and Approval Policy" known as Policy Number 21, be read a first, second and third time, finally passed, signed by the Mayor and the Clerk, sealed with the seal of the Corporation and entered into the by-law book.

**Carried**

**9.2 By-law 2022-146 - Appoint Additional Member to Grey County Compliance Audit Committee 2022-2026 Term**

No. 2022-689

**Moved By** Deputy Mayor Milne

**Seconded By** Councillor Rice

**Be it resolved that** by-law number 2022-146 being a by-law to appoint an additional member to the Grey County Compliance Audit Committee for the 2022 to 2026 Term of Council be read a first, second and third time, finally passed, signed by the Mayor and the Clerk, sealed with the seal of the Corporation and entered into the by-law book.

**Carried**

**10. Notice of Motion**

None.

**11. Consent Items**

**11.1 Regular Business (for information)**

No. 2022-690

**Moved By** Councillor Frew

**Seconded By** Deputy Mayor Milne

**Be it resolved that** Council approve the items on the Regular Business consent agenda dated October 5, 2022 and direct staff to proceed with all necessary administrative actions.

**Carried**

**11.1.1 FIRE2022-017- Grey County Radio System Update**

**11.1.2 FIRE2022-018- Fire Department Quarter Three Update**

**11.1.3 FIRE2022-019- The Fire Zone Radio Show**

**11.1.4 FIN2022-024 2022 Insurance Renewal**

**11.1.5 Librarian CEO Report - September 15, 2022**

**11.1.6 PW2022-047 Department Report**

**11.2 Correspondence (for information)**

No. 2022-691

**Moved By** Councillor Sherson

**Seconded By** Councillor Rice

**Be it resolved that** Council receive the items on the Correspondence consent agenda dated October 5, 2022 (save and except items 11.2.1 and 11.2.6) as information.

**Carried**

**11.2.1 SVCA Correspondence - Budget 2023 - received September 16, 2022**

Councillor Dobreen moved the following motion.

No. 2022-692

**Moved By** Councillor Dobreen

**Seconded By** Deputy Mayor Milne

**Be it resolved** that Council receive correspondence consent item 11.2.1 SVCA Correspondence - Budget 2023

as information; and

**That** Council support the Saugeen Valley Conservation Authority's draft 2023 budget as received.

**Carried**

**11.2.2 SVCA - July 21, 2022 Minutes**

**11.2.3 GRCA Correspondence - General Meeting  
Summary - received September 23, 2022**

**11.2.4 GRCA Correspondence - Progress Report 2  
Under OReg 6878\_21 - received September 23, 2022**

**11.2.5 MMAH - Streamlining Development Approvals in  
Land Use Planning - received September 26, 2022**

**11.2.6 OPP - 2023 Annual Billing Letter for  
Municipalities - received September 29, 2022**

Councillor Dobreen moved the following motion.

No. 2022-693

**Moved By** Councillor Dobreen

**Seconded By** Councillor Shipston

**Be it resolved that** Council receive the OPP 2023 Annual Billing Letter for Municipalities as amended to include the billing amounts as information.

**Carried**

**11.3 Resolutions of Other Municipalities (for information)**

No. 2022-694

**Moved By** Councillor Dobreen

**Seconded By** Deputy Mayor Milne

**Be it resolved that** Council receive the items on the Resolutions of other Municipalities consent agenda dated October 5, 2022 as information.



**11.3.1 Township of Alnwick Haldimand - OMAFRA  
OWDCP Administration Fee - received September 23,  
2022**

**11.3.2 Norfolk County - Draven Alert - received  
September 26, 2022**

**11.3.3 Municipality of Grey Highlands - Increased  
Speeding Fines - received September 26, 2022**

**11.3.4 Municipality of Powassan - OWDCP  
Compensation Program Administrative Fees -  
received September 26, 2022**

**11.4 Closed Session (for information)**

None.

**12. County Report**

Mayor Woodbury reviewed the most recent Grey County Council meeting. Highlights from the most recent meetings can be found [here](#).

**13. Members Privilege - Good News & Celebrations**

Mayor Woodbury wanted to thank Council members for their collaborative efforts for the past four years and wanted to thank staff for their dedication to the Township and the hard work they do.

Councillor Frew wanted to wish Councillors running for re-election the best of luck in the future.

Councillor Dobreen and Deputy Mayor Milne added they're thanks to Mayor Woodbury for his dedication through a challenging term and Councillor Frew for his many years of service.

CAO Milliner thanked Mayor Woodbury and Councillor Frew on behalf of staff for their many years of dedication and hard work in office.

**14. Closed Meeting**

No. 2022-695

**Moved By** Councillor Rice

**Seconded By** Councillor Frew

**Be it resolved that** Council proceed into closed session at 1:14 PM in order to address matters relating to Litigation or Potential Litigation (Municipal Act Sec. 239(2)(e)) and Advice that is Subject to Solicitor-Client Privilege (Municipal Act Sec. 239(2)(f)) (Subject: Solicitor-Client Privilege discussions on future communications with a property owner) and Personal Matters about Identifiable Individuals (Municipal Act, Section 239(2)(b) and Labour Relations or Employee Negotiations (Municipal Act, Section 239(2)(d) (Subject: CAO Succession - Verbal Update) and

**That** Public Works Manager Jim Ellis, Chief Building Official Bev Fisher, HR Coordinator Kayla Best, Clerk Lindsey Green and Chief Administrative Officer Dave Milliner remain in attendance.

**Carried**

Council recessed at 1:14 PM and returned at 1:19 PM.

Chief Building Official Bev Fisher and Public Works Manager Jim Ellis left the meeting at 1:36 PM and did not return.

No. 2022-696

**Moved By** Deputy Mayor Milne

**Seconded By** Councillor Dobreen

**Be it resolved that** Council come out of Closed Session at 1:53 PM.

**Carried**

Council recessed at 1:53 PM and returned at 1:54 PM.

**14.1 Litigation or Potential Litigation (Municipal Act Sec. 239(2)(e)) and Advice that is Subject to Solicitor-Client Privilege (Municipal Act Sec. 239(2)(f)) (Subject: Solicitor-Client Privilege discussions on future communications with a property owner)**

No. 2022-697

**Moved By** Councillor Sherson  
**Seconded By** Councillor Dobreen

**Be it resolved that** Council receive the verbal report regarding solicitor-client privileged discussions on future communications with a property owner as information; and  
**That** Council direct staff to proceed as discussed in Closed Session.

**Carried**

**14.2 Personal Matters about Identifiable Individuals (Municipal Act, Section 239(2)(b) and Labour Relations or Employee Negotiations (Municipal Act, Section 239(2)(d) (Subject: CAO Succession - Verbal Update)**

No. 2022-698

**Moved By** Councillor Frew  
**Seconded By** Councillor Rice

**Be it resolved that** Council receive the verbal update regarding the CAO succession as information; and  
**That** Council direct staff to prepare an open session report for the November 2, 2022, Council meeting to update the public on the status of the new CAO recruitment.

**Carried**

**15. Confirming By-law**

No. 2022-699

**Moved By** Councillor Dobreen  
**Seconded By** Councillor Frew

**Be it resolved that** by-law number 2022-155 being a by-law to confirm the proceedings of the Council of the Corporation of the Township of Southgate at its regular meeting held on October 5, 2022 be read a first, second and third time, finally passed, signed by the Mayor and the Clerk, sealed with the seal of the Corporation and entered into the by-law book.

**Carried**

**16. Adjournment**

No. 2022-700

**Moved By** Deputy Mayor Milne

**Be it resolved that** Council adjourn the meeting at 1:56 PM.

**Carried**

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Mayor John Woodbury

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Clerk Lindsey Green



**Township of Southgate**  
**Minutes of Special Council Meeting**

November 2, 2022  
9 AM  
Holstein Council Chambers  
123273 Southgate Road 12  
Holstein, Ontario N0G 2A0

Members Present: Mayor John Woodbury  
Deputy Mayor Brian Milne  
Councillor Barbara Dobreen  
Councillor Michael Sherson  
Councillor Jason Rice  
Councillor Jim Frew  
Councillor Martin Shipston

Staff Present: Dave Milliner, Chief Administrative Officer  
Lindsey Green, Clerk  
Jim Ellis, Public Works Manager  
William Gott, Treasurer  
Bev Fisher, Chief Building Official  
Kevin Green, Facilities Manager  
Derek Malynyk, Fire Chief  
Clinton Stredwick, Planner  
Kayla Best, HR Coordinator  
Aakash Desai, Asset Coordinator & Financial Analyst  
Holly Malynyk, Legislative Assistant

**1. Call to Order**

Mayor Woodbury called the meeting to order at 9:00 AM.

**2. Confirmation of Agenda**

No. 2022-701



**Moved By** Deputy Mayor Milne  
**Seconded By** Councillor Rice

**Be it resolved that** Council confirm the agenda as amended to include Staff Report FIN2022-030 under Section 8 - Reports of Municipal Officers and SVCA Correspondence re continuing changes to the roles and responsibilities of conservation authorities under Section 9.2 - Correspondence Consent.

**Carried**

**3. Declaration of Pecuniary Interest**

No one declared a pecuniary interest related to any item on the agenda.

**4. Committee of the Whole**

**4.1 Resolve into Committee of the Whole**

No. 2022-702

**Moved By** Councillor Dobreen  
**Seconded By** Deputy Mayor Milne

**Be it resolved that** Council recess the Special Council meeting at 9:01 AM and move into the Committee of the Whole meeting to allow for fuller discussion regarding the 2023 Capital Budget.

**Carried**

**4.2 Appointment of Chair**

No. 2022-703

**Moved By** Deputy Mayor Milne  
**Seconded By** Councillor Rice

**Be it resolved that** the Committee appoint Mayor Woodbury as Chair of the Committee of the Whole meeting on November 2, 2022.

**Carried**

## **5. Reports of Municipal Officers**

### **5.1 Treasurer William Gott**

#### **5.1.1 FIN2022-029 2023 Budget**

No. 2022-704

**Moved By** Councillor Shipston

**Seconded By** Councillor Sherson

**Be it resolved that** the Committee of the Whole receive Staff Report FIN2022-029 2023 Capital Budget as information; and

**That** the Committee of the Whole recommend that Council receive Staff Report FIN2022-029 2023 Capital Budget as information; and

**That** the Committee of the Whole recommend that Council direct staff to proceed with all necessary administrative actions.

**Carried**

Committee recessed at 10:06 AM and returned at 10:20 AM.

## **6. Resolve back to Council**

No. 2022-705

**Moved By** Councillor Rice

**Seconded By** Deputy Mayor Milne

**Be it resolved that** the Committee resolve back to the Special Council meeting at 11:26 AM.

**Carried**

## **7. Motions Resulting from Committee of the Whole**

### **7.1 Staff Report FIN2022-029 2023 Budget**

No. 2022-706

**Moved By** Councillor Dobreen

**Seconded By** Councillor Sherson

**Be it resolved that** Council receive Staff Report 2022-029 2023 Capital Budget as information; and  
**That** Council direct staff to proceed with all necessary administrative actions.

**Carried**

## **8. Reports of Municipal Officers**

### **8.1 Chief Building Official Bev Fisher**

#### **8.1.1 CBO2022-010 Soil Permit Request as per By-law 2017-049**

**Moved By** Councillor Rice

**Seconded By** Councillor Sherson

**Be it resolved that** Council receive Staff Report CBO2022-010 for information; and

**That** Council approve the proposed Soils Permit as per By-law 2017-049 request received from Mr. K Aitken. Permit applicant has met all requirements of the By-law and recognizes the Provincial regulations.

Councillor Dobreen moved the following amendment to the main motion.

**Amendment:**

No. 2022-707

**Moved By** Councillor Dobreen

**Seconded By** Deputy Mayor Milne

**Be it resolved that** Council amend the motion to add a third clause that states, "**That** Council direct staff to enter into a haul route agreement with the applicant as discussed."

**Carried**

**Motion as Amended:**

No. 2022-708

**Moved By** Councillor Rice  
**Seconded By** Councillor Sherson

**Be it resolved that** Council receive Staff Report CBO2022-010 for information; and

**That** Council approve the proposed Soils Permit as per By-law 2017-049 request received from Mr. K Aitken. Permit applicant has met all requirements of the By-law and recognizes the Provincial regulations; and

**That** Council direct staff to enter into a haul route agreement with the applicant as discussed.

**Carried**

**8.1.2 CBO2022-011 Soil Permit Request as Per By-law 2017-049**

No. 2022-709

**Moved By** Councillor Rice  
**Seconded By** Councillor Shipston

**Be it resolved that** Council receive Staff Report CBO2022-011 for information; and

**That** Council approve the proposed Soils Permit as per By-law 2017-049 request received from Mr. C. Antunes. Permit applicant has met all requirements of the By-law and recognizes the Provincial regulations.

**Carried**

Councillor Dobreen moved the following motion.

No. 2022-710

**Moved By** Councillor Dobreen  
**Seconded By** Councillor Shipston

**Be it resolved that** Council proceed past noon.

**Carried**

## **8.2 Treasurer William Gott**

### **8.2.1 FIN2022-030 - Future of Transportation Finance in Ontario (FTF-Ontario) Partnership**

No. 2022-711

**Moved By** Deputy Mayor Milne

**Seconded By** Councillor Rice

**Be it resolved that** Council receive Staff Report FIN2022-030 for information; and

**That** Council approve Southgate's participation in the Future Transportation Finance in Ontario Partnership; and

**That** Council approve the continued participation of the Southgate Asset Co-Ordinator & Financial Analyst Aakash Desai serving on the Good Roads Board of Directors.

**Carried**

## **9. Consent Items**

### **9.1 Regular Business (for information)**

No. 2022-712

**Moved By** Deputy Mayor Milne

**Seconded By** Councillor Dobreen

**Be it resolved that** Council approve the items on the Regular Business consent agenda dated November 2, 2022, and direct staff to proceed with all necessary administrative actions.

**Carried**

#### **9.1.1 HR2022-050 CAO Succession**

#### **9.1.2 HR2022-051 OMERS Plan Update**

#### **9.1.3 HR2022-052 Recreation Staff Update**

#### **9.1.4 HR2022-053 Finance Staff Updates**

#### **9.1.5 PW2022-050 Department Report**



**9.1.6 Councillor Sherson - OACA Conference Report**

**9.1.7 Building, Bylaw and Canine Report September 2022**

**9.1.8 September 2022 Cheque Register**

**9.2 Correspondence (for information)**

No. 2022-713

**Moved By** Councillor Dobreen

**Seconded By** Councillor Shipston

**Be it resolved that** Council receive the items on the Correspondence consent agenda dated November 2, 2022, as information.

**Carried**

**9.2.1 2023 ROMA Annual General Meeting and Conference  
- received October 17, 2022**

**9.2.2 Crime Stoppers of Grey Bruce Coordinator Report -  
July to September 2022-Q3 - received October 18,  
2022**

**9.2.3 Ministry of Agriculture, Food and Rural Affairs -  
Avian Influenza Preventing Transmission Animal  
Health Control Area Order**

**9.2.4 SVCA Correspondence - Province Continues to  
Change Roles and Responsibilities of Conservation  
Authorities**

**9.3 Resolutions of Other Municipalities (for information)**

No. 2022-714

**Moved By** Councillor Rice

**Seconded By** Deputy Mayor Milne

**Be it resolved that** Council receive the items of the Resolutions of Other Municipalities consent agenda dated November 2, 2022, as information.

**Carried**

**9.3.1 Municipality of Wawa - Opposition to Bill 3 Strong  
Mayors Act - received October 20, 2022\_Redacted**

**10. Confirming By-law**

No. 2022-715

**Moved By** Councillor Dobreen

**Seconded By** Councillor Frew

**Be it resolved that** by-law number 2022-157 being a by-law to confirm the proceedings of the Council of the Corporation of the Township of Southgate at its special meeting held on November 2, 2022, be read a first, second and third time, finally passed, signed by the Mayor and the Clerk, sealed with the seal of the Corporation and entered into the by-law book.

**Carried**

**11. Adjournment**

Mayor Woodbury relinquished the Chair.

Deputy Mayor Milne assumed the Chair.

No. 2022-716

**Moved By** Mayor Woodbury

**Seconded By** Councillor Rice

**Be it resolved that** Council adjourn the meeting at 12:03 PM.

**Carried**

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Mayor John Woodbury

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Clerk Lindsey Green



**Township of Southgate**  
**Minutes of Council Meeting**

November 21, 2022  
6:00 PM  
Holstein Council Chambers

***2022-2026 Inaugural Council Meeting***

Members Present: Mayor Brian Milne  
Deputy Mayor Barbara Dobreen  
Councillor Jason Rice  
Councillor Jim Ferguson  
Councillor Martin Shipston  
Councillor Joan John  
Councillor Monica Singh Soares

Staff Present: Dave Milliner, Chief Administrative Officer  
Lindsey Green, Clerk  
Jim Ellis, Public Works Manager  
William Gott, Treasurer  
Bev Fisher, Chief Building Official  
Lacy Russell, Librarian CEO  
Derek Malynyk, Fire Chief  
Terri Murphy, Economic Development Officer  
Clinton Stredwick, Planner  
Kayla Best, HR Coordinator  
Holly Malynyk, Legislative Assistant

**1. Canadian National Anthem**

Mrs. Deedra Watson performed the singing of the Canadian National Anthem.

## **2. Land Acknowledgement**

Outgoing Mayor John Woodbury recited the Township of Southgate's Land Acknowledgement.

*As we gather, we recognize and acknowledge the traditional keepers of this land with whom we share today. The Township of Southgate is a part of the traditional territories of the Anishinaabek, Six Nations of the Grand River, Saugeen Ojibway Nation, Haudenosaunee, and Saugeen Métis. The land that surrounds us is part of who we are as it reflects our histories; may we live in peace and friendship with all its diverse people.*

## **3. Call to Order and Welcoming**

Clerk Lindsey Green called the meeting to order, welcomed everyone in attendance and introduced Council-elect members.

## **4. Regrets**

Clerk Lindsey Green provided regrets from former Mayor's Allan Roach and Anna-Marie Fosbrooke.

## **5. Chief Administrative Officer's Address**

Chief Administrative Officer Dave Milliner shared his address to new Council members.

## **6. Declarations of Office/Affirmations of Allegiance**

Clerk Lindsey Green administered the Declarations of Office to each member of the 2022-2026 Term of Council.

## **7. Prayer**

Mrs. Brenda Calder shared well wishes to Members and a time of prayer with all in attendance.

## **8. Mayor's Inaugural Address**

His Worship, Mayor Brian Milne shared his Inaugural Address with all in attendance.

No. 2022-717

**Moved By** Deputy Mayor Dobreen

**Seconded By** Councillor Rice

**Be it resolved that** Council receive the Mayor's Inaugural address as presented.

**Carried**

**9. Confirming By-law**

No. 2022-718

**Moved By** Councillor John

**Seconded By** Councillor Singh Soares

**Be it resolved that** by-law number 2022-158 being a by-law to confirm the proceedings of the Council of the Corporation of the Township of Southgate at its inaugural meeting held on November 21, 2022, be read a first, second and third time, finally passed, signed by the Mayor and the Clerk, sealed with the seal of the Corporation and entered into the by-law book.

**Carried**

**10. Adjournment**

No. 2022-719

**Moved By** Councillor Rice

**Seconded By** Councillor Shipston

**Be it resolved that** Council adjourn the meeting at 6:42 PM.

**Carried**

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Mayor Brian Milne

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Clerk Lindsey Green





**Township of Southgate**  
**Minutes of Special Council Meeting**

November 23, 2022

9 AM

Holstein Council Chambers  
123273 Southgate Road 12  
Holstein, Ontario N0G 2A0

Members Present: Mayor Brian Milne  
Deputy Mayor Barbara Dobreen  
Councillor Jason Rice  
Councillor Jim Ferguson  
Councillor Martin Shipston  
Councillor Joan John  
Councillor Monica Singh Soares

Staff Present: Dave Milliner, Chief Administrative Officer  
Lindsey Green, Clerk  
Jim Ellis, Public Works Manager  
William Gott, Treasurer  
Bev Fisher, Chief Building Official  
Lacy Russell, Librarian CEO  
Dave Guilbault, Deputy Fire Chief  
Terri Murphy, Economic Development Officer  
Kayla Best, HR Coordinator  
Holly Malynyk, Legislative Assistant

**1. Call to Order**

Mayor Milne called the meeting to order at 9:00 AM.

**2. Confirmation of Agenda**

No. 2022-720

**Moved By** Councillor Rice  
**Seconded By** Councillor Ferguson

**Be it resolved that** Council confirm the agenda as amended.

**Carried**

**3. Declaration of Pecuniary Interest**

No one declared a pecuniary interest related to any item on the agenda.

**4. Committee of the Whole**

**4.1 Resolve into Committee of the Whole**

No. 2022-721

**Moved By** Councillor Shipston  
**Seconded By** Deputy Mayor Dobreen

**Be it resolved that** Council recess the Special Council meeting at 9:04 AM and move into the Committee of the Whole meeting to allow for fuller discussion regarding the 2023 Capital Budget.

**Carried**

**4.2 Appointment of Chair**

No. 2022-722

**Moved By** Councillor Rice  
**Seconded By** Councillor Ferguson

**Be it resolved that** the Committee appoint Mayor Milne as Chair of the Committee of the Whole meeting on November 23, 2022.

**Carried**

**5. Reports of Municipal Officers**

**5.1 Treasurer William Gott**

**5.1.1 FIN2022-031 2023 Capital Budget**

No. 2022-723

**Moved By** Councillor Rice

**Seconded By** Councillor Ferguson

**Be it resolved that** the Committee receive Staff Report FIN2022-031 2023 Capital Budget as information; and

**That** the Committee recommend that Council receive Staff Report FIN2022-031 2023 Capital Budget as information; and

**That** the Committee recommend that Council direct staff to proceed with all necessary administrative actions.

**Carried**

Council recessed at 10:23 AM and returned at 10:33 AM.

Councillor John left the meeting at 10:23 AM.

Councillor Rice moved the following motion.

No. 2022-724

**Moved By** Councillor Rice

**Seconded By** Councillor Ferguson

**Be it resolved that** Council proceed past noon.

**Carried**

**6. Resolve back to Council**

No. 2022-724

**Moved By** Councillor Shipston

**Seconded By** Deputy Mayor Dobreen

**Be it resolved that** the Committee resolve back to the Special Council meeting at 11:59 AM.

**Carried**

Council recessed at 12:00 PM and returned at 12:26 PM.

## **7. Motions Resulting from Committee of the Whole**

### **7.1 FIN2022-031- 2023 Capital Budget**

No. 2022-725

**Moved By** Councillor Shipston

**Seconded By** Councillor Singh Soares

**Be it resolved that** Council receive Staff Report FIN2022-031 2023 Capital Budget as information; and

**That** Council direct staff to proceed with all necessary administrative actions.

**Carried**

## **8. Reports of Municipal Officers**

### **8.1 Clerk Lindsey Green**

#### **8.1.1 CL2022-030-Grand River Conservation Authority Member Appointment Extension**

No. 2022-726

**Moved By** Councillor Rice

**Seconded By** Deputy Mayor Dobreen

**Be it resolved that** Council receive Staff Report CL2022-030 as information; and

**That** Council extend the appointment of Guy Guardhouse to the Grand River Conservation Authority Board until the end of January 2023, or until another appointment has been made, whichever comes first.

**Carried**

### **8.2 Chief Administrative Office Dave Milliner**

#### **8.2.1 CAO2022-077 Dundalk Olde Town Hall GICB Grant Funding Report**

No. 2022-727

**Moved By** Councillor Ferguson  
**Seconded By** Councillor Singh Soares

**Be it resolved that** Council receive Staff Report CAO2022-077 for information; and

**That** Council direct staff to proceed with the application for the Green and Inclusive Community Building Program funding for Dundalk Olde Town Hall renovations.

**Carried**

### **8.2.2 CAO2022-078 2023 ROMA Delegation Request**

No. 2022-728

**Moved By** Councillor Shipston  
**Seconded By** Deputy Mayor Dobreen

**Be it resolved that** Council receive staff report CAO2022-078 as information; and

**That** Council provide staff with direction and feedback on applying for Minister delegation request(s) at the ROMA Conference in 2023.

**Carried**

## **9. Consent Items**

### **9.1 Regular Business (for information)**

No. 2022-729

**Moved By** Councillor Rice  
**Seconded By** Councillor Shipston

**Be it resolved that** Council approve the items on Regular Business consent agenda dated November 23, 2022 and direct staff to proceed with all necessary administrative actions.

**Carried**

#### **9.1.1 PW2022-051 Bridge Inspection Report 2022**

### **9.1.2 Building, By-law and Canine Report - October 2022**

## **9.2 Correspondence (for information)**

No. 2022-730

**Moved By** Deputy Mayor Dobreen

**Seconded By** Councillor Ferguson

**Be it resolved that** Council receive the items on the Correspondence consent agenda dated November 23, 2022 as information.

**Carried**

**9.2.1 GRCA Correspondence - Township of Southgate  
GRCA Appointment Notification - received October 3, 2022**

**9.2.2 ROMA Correspondence - 2023 - 2027 ROMA Board of Directors - Call for Nominations - received October 18, 2022**

**9.2.3 AMO Correspondence - Policy Update - More Homes Built Faster Act - received October 25, 2022**

**9.2.4 MMAH Correspondence re Bill 23 - More Homes Built Faster - received October 25, 2022**

**9.2.5 SVCA Correspondence - 20220915 Meeting Minutes - received October 26, 2022**

**9.2.6 GRCA Correspondence - October 28 2022 GM Summary - received October 28, 2022**

**9.2.7 SMART Correspondence - Sept 30 2022 Board Minutes - received November 2, 2022**

**9.2.8 Congratulatory Letter from Minister Steve Clark - received November 15, 2022**

## **9.3 Resolutions of Other Municipalities (for information)**

No. 2022-731



**Moved By** Councillor Rice  
**Seconded By** Councillor Ferguson

**Be it resolved that** Council receive the items of the Resolutions of Other Municipalities consent agenda dated November 23, 2022 as information.

**Carried**

**9.3.1 Dorian Township - OMAFRA OWDCP Administrative Fee - received October 27, 2022**

**9.3.2 Township of Warwick - CN Railway Contribution Requirements under the Drainage Act - received November 16, 2022**

**9.4 Closed Session (for information)**

None.

**10. Closed Meeting**

No. 2022-732

**Moved By** Councillor Shipston  
**Seconded By** Councillor Rice

**Be it resolved that** Council proceed into Closed Session at 1:02 PM in order to address matters related to Litigation or Potential Litigation(sec.239 (2) e) and Advice that is Subject to Solicitor-Client Privilege(sec.239 (2) f) (Subject: Solicitor-Client Privileged discussions on future communications with a property owner - verbal update), A position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality(sec.239 (2) k) (Subject: Confidential Agreement Discussions - verbal update), Personal matters about an Identifiable Individual(sec.239 (2) b) and Labour Relations or Employee Negotiations(sec.239 (2) d) (Subject: New CAO Recruitment - verbal update); and

**That** Chief Building Official Bev Fisher, Public Works Manager Jim Ellis, HR Coordinator Kayla Best, Clerk Lindsey Green and Chief Administrative Officer Dave Milliner remain in attendance.

**Carried**

Council recessed at 1:04 PM and returned at 1:06 PM.

Councillor John returned to the meeting at 1:04 PM.

Chief Building Official Bev Fisher left at 1:32 PM and did not return.

Public Works Manager Jim Ellis left at 1:49 PM and did not return.

No. 2022-733

**Moved By** Councillor Shipston

**Seconded By** Councillor Singh Soares

**Be it resolved that** Council come out of Closed Session at 2:26 PM.

**Carried**

**10.1 Litigation or Potential Litigation and Advice that is Subject to Solicitor-Client Privilege (Subject: Solicitor-Client privileged discussion regarding future communications with property owner - Verbal Update)**

No. 2022-734

**Moved By** Deputy Mayor Dobreen

**Seconded By** Councillor Shipston

**Be it resolved that** Council receive the verbal update regarding solicitor-client privileged discussions about future communications with a property owner as information.

**Carried**

**10.2 A position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality (Subject: Confidential Agreement Discussions - Verbal Update)**

No. 2022-735

**Moved By** Councillor Rice

**Seconded By** Councillor Shipston

**Be it resolved that** Council receive the verbal update regarding confidential agreement discussions as information.

**Carried**

**10.3 Personal Matters about an Identifiable Individual and Labour Relations and Employee Negotiations (Subject: New CAO Recruitment - Verbal Update)**

No. 2022-736

**Moved By** Councillor Singh Soares

**Seconded By** Councillor Ferguson

**Be it resolved that** Council receive the verbal update regarding the new CAO recruitment as information; and

**That** Council direct staff to proceed as discussed in Closed Session.

**Carried**

**11. Confirming By-law**

No. 2022-737

**Moved By** Councillor Shipston

**Seconded By** Councillor Ferguson

**Be it resolved that** by-law number 2022-159 being a by-law to confirm the proceedings of the Council of the Corporation of the Township of Southgate at its special meeting held on November 23, 2022 be read a first, second and third time, finally passed, signed by the Mayor and the Clerk, sealed with the seal of the Corporation and entered into the by-law book.

**Carried**

**12. Adjournment**

No. 2022-738

**Moved By** Mayor Milne

**Be it resolved that** Council adjourn the meeting at 2:29 PM.

**Carried**

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Mayor Brian Milne

---

Clerk Lindsey Green



**Township of Southgate**  
**Minutes of Special Council Meeting**

November 28, 2022

6 PM

Library - Mill Room

Members Present: Mayor Brian Milne  
Deputy Mayor Barbara Dobreen  
Councillor Jason Rice  
Councillor Jim Ferguson  
Councillor Martin Shipston  
Councillor Joan John  
Councillor Monica Singh Soares

Staff Present: Lindsey Green, Clerk  
Kayla Best, HR Coordinator

**1. Call to Order**

Mayor Milne called the meeting to order at 6:00 PM.

**2. Confirmation of Agenda**

No. 2022-739

**Moved By** Councillor Ferguson

**Seconded By** Councillor Rice

**Be it resolved that** Council confirm the agenda as presented.

**Carried**

**3. Declaration of Pecuniary Interest**

No one declared a pecuniary interest related to any item on the agenda.

#### **4. Closed Session**

No. 2022-740

**Moved By** Deputy Mayor Dobreen

**Seconded By** Councillor Shipston

**Be it resolved that** Council proceed into Closed Session at 6:01 PM in order to address matters related to Labour Relations or Employee Negotiations (Sec. 239(2)d) and Personal Matters about an Identifiable Individual (Sec. 239(2)b) (Subject: Chief Administrative Officer Position Recruitment); and

**That** HR Coordinator Kayla Best and Clerk Lindsey Green remain in attendance.

**Carried**

No. 2022-741

**Moved By** Councillor Ferguson

**Seconded By** Councillor Shipston

**Be it resolved that** Council come out of Closed Session at 8:00 PM.

**Carried**

#### **5. Confirming By-law**

No. 2022-742

**Moved By** Councillor John

**Seconded By** Councillor Singh Soares

**Be it resolved that** by-law number 2022-164 being a by-law to confirm the proceedings of the Council of the Corporation of the Township of Southgate at its special meeting held on November 28, 2022 be read a first, second and third time, finally passed, signed by the Mayor and the Clerk, sealed with the seal of the Corporation and entered into the by-law book.

**Carried**



**6. Adjournment**

No. 2022-743

**Moved By** Mayor Milne

**Be it resolved that** Council adjourn the meeting at 8:01 PM.

**Carried**

---

Mayor Brian Milne

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Clerk Lindsey Green



**Township of Southgate**  
**Minutes of Special Council Meeting**

November 29, 2022  
9 AM  
Holstein Council Chambers

Members Present: Mayor Brian Milne  
Deputy Mayor Barbara Dobreen  
Councillor Jason Rice  
Councillor Jim Ferguson  
Councillor Martin Shipston  
Councillor Joan John  
Councillor Monica Singh Soares

Staff Present: Dave Milliner, Chief Administrative Officer  
Lindsey Green, Clerk  
Jim Ellis, Public Works Manager  
William Gott, Treasurer  
Bev Fisher, Chief Building Official  
Kevin Green, Facilities Manager  
Lacy Russell, Librarian CEO  
Derek Malynyk, Fire Chief  
Kayla Best, HR Coordinator  
Aakash Desai, Asset Management Coordinator and  
Financial Analyst  
Holly Malynyk, Legislative Assistant

**1. Call to Order**

Mayor Milne called the meeting to order at 9:00 AM.

**2. Confirmation of Agenda**

No. 2022-744

**Moved By** Deputy Mayor Dobreen

**Seconded By** Councillor Shipston

**Be it resolved that** Council confirm the agenda as amended.

**Carried**

**3. Declaration of Pecuniary Interest**

No one declared a pecuniary interest related to any item on the agenda.

**4. Closed Meeting**

No. 2022-745

**Moved By** Councillor Rice

**Seconded By** Councillor Ferguson

**Be it resolved that** Council proceed into Closed Session at 9:01 AM in order to address matters related to Personal Matters about an Identifiable Individual (Sec. 239 2(b)) and Labour Relations or Employee Negotiations (Sec. 239 2(d)) (Subject: Market Check and Employee Compensation - Verbal Report), Personal Matters about an Identifiable Individual (Sec. 239 2(b))(Subject: Tax Arrears Certificate Registration - Staff Report FIN2022-33C), Litigation or Potential Litigation (Sec 239. 2(e)) (Subject: Accident at Highway 89 and Sideroad 55 - Verbal Update), A position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality (sec. 239 (2) k) (Subject: Confidential Agreement Discussions - Verbal Update); and

**That** Treasurer William Gott, Public Works Manager Jim Ellis, HR Coordinator Kayla Best, Clerk Lindsey Green and Chief Administrative Officer Dave Milliner remain in attendance.

**Carried**

Council recessed at 9:01 AM and returned at 9:05 AM.

Councillor Singh Soares left the meeting at 10:29 AM and returned at 10:31 AM.

Council recessed at 10:34 AM and returned at 10:40 AM.

HR Coordinator Kayla Best left the meeting at 10:34 AM and did not return.

Treasurer William Gott entered the meeting at 10:40 AM, left the meeting at 10:44 AM and did not return.

Public Works Manager Jim Ellis entered the meeting at 10:44 AM.

No. 2022-750

**Moved By** Councillor Ferguson

**Seconded By** Councillor Singh Soares

**Be it resolved that** Council come out of Closed Session at 11:01 AM.

**Carried**

Council recessed at 11:01 AM and returned at 11:04 AM.

## **5. By-laws and Motions**

### **5.1 By-law 2022-162 - Tax Arrears Extension Agreement**

No. 2022-751

**Moved By** Councillor Shipston

**Seconded By** Councillor Rice

**Be it resolved that** by-law number 2022-162 being a by-law to authorize an extension agreement pursuant to Section 378 of the Municipal Act, 2001, as amended be read a first, second and third time, finally passed, signed by the Mayor and the Clerk, sealed with the seal of the Corporation and entered into the by-law book.

**Carried**

## **6. Committee of the Whole**

### **6.1 Resolve into Committee of the Whole**

No. 2022-752

**Moved By** Deputy Mayor Dobreen

**Seconded By** Councillor Ferguson

**Be it resolved that** Council recess the Special Council meeting at 11:04 AM and move into the Committee of the Whole meeting to allow for fuller discussion regarding the 2023 Capital Budget.

**Carried**

## **6.2 Appointment of Chair**

No. 2022-753

**Moved By** Deputy Mayor Dobreen

**Seconded By** Councillor Rice

**Be it resolved that** the Committee appoint Mayor Milne as Chair of the Committee of the Whole meeting on November 29, 2022.

**Carried**

## **7. Reports of Municipal Officers**

### **7.1 Treasurer William Gott**

#### **7.1.1 FIN2022-032 2023 Capital Budget**

No. 2022-754

**Moved By** Councillor Rice

**Seconded By** Councillor Singh Soares

**Be it resolved that** the Committee receive Staff Report FIN2022-032 2023 Capital Budget as information; and  
**That** the Committee recommend that Council receive Staff Report FIN2022-032 2023 Capital Budget as information; and

**That** the Committee recommend Council direct staff to proceed with all necessary administrative actions.

**Carried**

Mayor Milne relinquished the Chair at 11:10 AM and left the meeting. Deputy Mayor Dobreen assumed the Chair. Mayor Milne returned to the meeting at 11:20 AM and assumed the Chair.

Deputy Mayor Dobreen moved the following motion.

No. 2022-755

**Moved By** Deputy Mayor Dobreen

**Seconded By** Councillor Ferguson

**Be it resolved that** Council proceed past noon.

**Carried**

**8. Resolve back to Council**

No. 2022-756

**Moved By** Councillor Rice

**Seconded By** Councillor John

**Be it resolved that** the Committee resolve back to the Special Council meeting at 1:32 PM.

**Carried**

**9. Motions Resulting from Committee of the Whole**

**9.1 FIN2022-032 2023 Capital Budget**

No. 2022-757

**Moved By** Councillor Shipston

**Seconded By** Councillor Ferguson

**Be it resolved that** Council receive Staff Report FIN2022-032 2023 Capital Budget as information; and

**That** Council direct staff to proceed with all necessary administrative actions.

**Carried**

**10. Reports of Municipal Officers**

**10.1 Public Works Manager Jim Ellis**

**10.1.1 PW2022-052 Holstein Dam Safety Review**



No. 2022-758

**Moved By** Councillor Shipston

**Seconded By** Councillor Ferguson

**Be it resolved that** Council receive Staff Report PW2022-052 Holstein Dam Safety Review for information.

**Carried**

**11. Confirming By-law**

No. 2022-759

**Moved By** Councillor Rice

**Seconded By** Deputy Mayor Dobreen

**Be it resolved that** by-law number 2022-161 being a by-law to confirm the proceedings of the Council of the Corporation of the Township of Southgate at its special meeting held on November 29, 2022 be read a first, second and third time, finally passed, signed by the Mayor and the Clerk, sealed with the seal of the Corporation and entered into the by-law book.

**Carried**

**12. Adjournment**

No. 2022-760

**Moved By** Mayor Milne

**Be it resolved that** Council adjourn the meeting at 1:42 PM.

**Carried**

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Mayor Brian Milne

---

Clerk Lindsey Green

## Township of Southgate

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## Staff Report FIRE2022-020

**Title of Report:** FIRE2022-020- Firefighter Years of Service Payment

**Department:** Fire

**Council Date:** November 23, 2022

### Recommendation:

**Be it resolved that** Council receive Staff Report FIRE2022-020 for information; and **That** Council approve the HR Coordinator to amend Southgate Policy #1 Personnel Policy 16 A) to separate an employee or council members years of service from their volunteer firefighter years of service.

### Background:

Southgate Policy #1 Personnel Policy **Section 16 Separation Gifts a) Employees, Council Members & Volunteer Firefighters Years of Service Payment.** Employees, Council Members and volunteer Fire Fighters will receive a monetary payout for years of service, or for full time, permanent part time and seasonal employees, with the municipality in the amount of \$200.00 for each year of service (up to a maximum of 25 yrs.) for all staff with a minimum of five (5) years of service with the Township of Southgate starting Jan 1, 2000. The first year for which a gift may be paid out is 2000. Payout for the last year of service will be prorated on a monthly basis from January 1 to the last day of the month in which the employee or elected official terminates employment with Southgate. Separation gift does not apply if an employee is dismissed. **Employees and Council Members that also act as volunteer Fire Fighters in the same 12-month period only qualify for one year of service**

### Staff Comments:

Staff would like Council to direct the Human Resource Coordinator to amend this section of the personnel policy to remove that Employees and Council Members that also act as a volunteer Firefighter in the same 12 month period only qualify for one year of service.

Employees or Council Members who decide to take on more responsibility by joining the Dundalk Fire Department to serve the community is largely done outside of their regular working hours. All training for the department is conducted on evenings and weekends. These individuals respond to calls after hours as well.

An unnamed employee recorded in one year 142.4 logged hours with the fire department outside of 7am – 4pm Monday – Friday time frame. This does not include the several volunteer events in a year attended for free by members. The case could be made to leave the policy the same if the employee only responded during regular business hours when they were scheduled on shift with the Township but these employees go above and beyond.

These staff members have two separate job descriptions and employment contracts with the Township which they must uphold both contract's requirements throughout the year. Staff believe since there are two separate employment contracts they should receive two separate separation gifts.

Currently there are two staff retiring from the fire department this year which this policy effects. One employee worked for the Township for several years and has served on the Dundalk Fire Department for 43 years. According to the current policy this employee will only receive payout from 2015 – date. The recommended change would allow the Township to reward this employee for their time served between 2000 – 2015 where they were also an employee of the Township as well as a Dundalk Fire Department Volunteer Firefighter.

The second employee was with the Dundalk Fire Department Prior to a position with the Township of Southgate. If this employee receives their separation gift from the Dundalk Fire Department after almost 20 years of service if they chose to retire within the next five years of, they will not be entitled to receive any separation gift from their employment which they have worked for to date approximately 9 years.

Staff believe by amending the policy it will better show appreciation to current and future employees/ Councillors that take on an extra role serving the community in their own time.

**Financial Implications:**

There will be no financial implications directly because of this report. Costs are budgeted by each department for separation gifts for their employees.

**Communications & Community Action Plan Impact:**

This report has been written and presented to Council to communicate accurate information to the public.

**Concluding Comments:**

1. Staff recommends that Council receive Staff Report FIRE2022-020 for information; and that Council approve the HR Coordinator to amend Southgate Policy #1 Personnel Policy 16 A) to separate an employee or council members years of service from their volunteer firefighter years of service.

Respectfully Submitted,

**Dept. Head:** *Original Signed By*  
Derek Malynyk, Fire Chief Official

**CAO Approval:** *Original Signed By*  
Dave Milliner, CAO



## **Staff Report FIN2022-034**

**Title of Report:** **FIN2022-034 Replacement of Folder/Inserter**  
**Department:** **Finance**  
**Council Date:** December 7, 2022

### **Recommendation:**

**Be it resolved that** Council receive Staff Report FIN2022-034 Replacement of Folder/Inserter as information; and

**That** Council authorizes the Treasurer to proceed with entering into a contract with Pitney Bowes for the lease of a folder/inserter machine for \$298.33 per month for 66 months.

### **Background:**

The Township's Folder/inserter machine, which is used to fold and insert tax and water bills and include a newsletter as required into an envelope, has been unreliable to operate, which results in the requirement of staff time to manually complete the process. Several service calls have been made on the machine, but each service only works temporarily.

In 2021, Pitney Bowes was selected for the lease on the current postage machine since their quote was the lowest obtained. At the time, staff also requested quotes for a folder/inserter since the existing machine was failing. Staff did not proceed with the replacement of the machine since the cost was not in budget.

### **Staff Comments:**

The existing Folder/Inserter machine was purchased in 2012 and recorded as a capital asset.

Rather than purchase a new machine, staff is recommending a new one be leased. The cost to lease a machine would become an operating cost.

Staff have obtained a 2022 quote from Pitney Bowes, but the pricing can only be held until December 2022.

Staff recommends Council authorize the Treasurer to proceed with entering into a lease contract with Pitney Bowes for the lease of the Relay 3500 Professional Insertion System for \$298.33 per month for 66 months. The lease price covers the cost of the machine and its ongoing maintenance.

**Financial Implications:**

The lease will increase operating costs by \$3,577.56 annually (\$298.33 x 12 months), but result in staff time savings.

The total financial impact of the 66 month lease is estimated to be \$20,000.

**Communications & Community Action Plan Impact:**

This report has been written and presented to Council in accordance with the Southgate Community Action Plan:

Mission Statement Pillars

- Trusted Government
- Economic Prosperity.

Themes:

- Municipal Services
- Public Communications

Core Values:

- Integrity
- Stewardship

**Concluding Comments:**

The existing folder/insert machine is failing and requiring additional staff time to complete mailings.

Staff recommends a new folder/insert machine be leased from Pitney Bowes at a cost of \$298.33 per month for 66 months. The new lease will increase annual operating costs by \$3,577.56, but will be offset by a savings in staff time.

The total financial impact of the 66 month lease is estimated to be \$20,000.

Respectfully Submitted,

**Dept. Head:** *Original Signed By*

William Gott, CPA, CA Treasurer

**CAO Approval:** *Original Signed By*

Dave Milliner, CAO

## **Township of Southgate**

### **Administration Office**

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## **Staff Report CL2022-032**

**Title of Report:** CL2022-032 – Council Members 2022-2026  
**Committee and Board Appointments**

**Department:** Clerks

**Branch:** Legislative and Council Services

**Council Date:** December 7, 2022

### **Recommendation:**

**Be it resolved that** Council receive Staff Report CL2022-032 for information; and  
**That** Council appoint the following members to the Township of Southgate's Committees and Local Boards to coincide with the 2022-2026 Term of Council:

1. Ruth Hargrave Memorial Library Board:  
Councillor Martin Shipston, Councillor Joan John;
2. Police Services Board:  
Mayor Brian Milne, Councillor Jim Ferguson;
3. Public Liaison Committee:  
Councillor Jim Ferguson;
4. Recreation Advisory Committee:  
Deputy Mayor Dobreen, Councillor Jason Rice;
5. Community Fund Management Committee:  
Deputy Mayor Barbara Dobreen, Councillor Monica Singh Soares;
6. Affordable-Attainable Housing Committee:  
Councillor Martin Shipston, Councillor Joan John;
7. Wellington-North Recreation Advisory Committee:  
Councillor Jim Ferguson;
8. Saugeen Valley Conservation Authority Board:  
Deputy Mayor Barbara Dobreen;
9. Saugeen Mobility and Regional Transit Board:  
Councillor Monica Singh Soares;
10. Grey County Farm Safety Association:  
Councillor Jason Rice;
11. Lystek Public Advisory Committee:  
Deputy Mayor Barbara Dobreen;
12. Mount Forest Doctor Recruitment Committee:  
Mayor Brian Milne;
13. Upper Grand Liaison Committee:  
Deputy Mayor Barbara Dobreen; and

**That** Councillor Martin Shipston be appointed as the Alternate County of Grey Council Representative; and

**That** Council disband the Fire Department Advisory and Support Committee.



**Background:**

Council appointments to committees and local boards are in effect from 2022-2026, mirroring the Term of Council. With the new term of Council comes the requirement to appoint new members to respective boards and committees.

**Staff Comments:**

Staff requested members interest in appointments to the committees and boards ahead of time and have taken those requests and tried our best to include everyone's while remaining as fair to everyone as possible. Staff have also assigned members to some committee and boards that were not included in initial requests and welcome discussion and amendment if necessary.

Initially staff indicated that we would be researching some of the past committees we have always appointed a member to but seemed to be inactive to see if an appointment was still necessary. Staff have determined that appointing members to the Centre Grey Physician Recruitment Committee, DWQMS Committee and the Southgate Solar Liaison Committee was not necessary anymore and therefore are not included. The Centre Grey Physician Recruitment Committee and the Southgate Solar Liaison Committee have been disbanded and the DWQMS Committee is a staff only committee with the Mayor attending as ex-officio.

Staff did not include a Council appointment for the Youth Action Committee as done in the past and recommend that that committee continue as a staff supported Committee with recreation programming and Library staff supports.

Staff did not include Council appointments for the Fire Department Advisory and Support Committee and recommend disbanding the committee at this time. Historically, the committee met on an as-needed basis only for specific issues and staff do not see a need in the committee continuing. Staff will continue to come to Council for Fire Department related discussions and decisions as necessary.

As discussed at the November 23, 2022, Special Council meeting, members support Mayor Guy Gardhouse of the Municipality of East Garafraxa to continue as the appointed member of the Grand River Conservation Authority Board on behalf of the combined municipalities of Southgate, East Garafraxa, Amaranth, Melancthon and the Town of Grand Valley. Some of the other Council's have not met yet to discuss if any other member is interested. Once a final determination is made on a member, staff will return to Council with that appointment in a separate report.

**Financial Implications:**

Financial implications to the Township is members per-diems for attendance at most Committee and Board meetings throughout the year.

**Communications & Community Action Plan Impact:**

This report has been written and presented to Council to communicate accurate information to the public.

**Concluding Comments:**

That Council approve of the appointments to Committees and Local Boards for the 2022-2026 Terms of Council.

Respectfully Submitted,

**Dept. Head:** *Original Signed By*  
Lindsey Green, Clerk

**CAO Approval:** *Original Signed By*  
Dave Milliner, CAO

**Attachments:** None

## Township of Southgate

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## Staff Report CL2022-033

### **Title of Report: CL2022-033-Public Members 2022-2026 Committee and Board Appointments**

**Department: Clerks**

**Branch: Legislative and Council Services**

**Council Date: December 7, 2022**

### **Recommendation:**

**Be it resolved that** Council receive Staff Report CL2022-033 for information; and  
**That** the following individuals be appointed to the committees and local boards as listed below:

- Ruth Hargrave Memorial Library Board:
  1. Leigh Gorman;
  2. Muriel Scott;
  3. Pam Burgess;
  4. Deedra Watson; and
  5. Janice Kaikkonen
- Police Service Board:
  1. Allan Dobreen
- Public Liaison Committee:
  1. Karen Cheeseman
- Affordable-Attainable Housing Committee:
  1. Gerry McNalty;
  2. Jordan DeJong;
  3. Carolynn Dyer;
  4. Samantha Burgoine; and
  5. Nola Marion
- Community Fund Management Committee:
  1. Heather Renton;
  2. Carolynn Dyer
- Fence Viewers Appointment:
  1. Brian Stevenson; and
  2. Doug Roberts
- Livestock Evaluator Appointment:
  1. Brian Stevenson

**That** Council consider approval of By-law 2022-163 to appoint the Fence Viewers; and

**That** Council consider approval of By-law 2022-169 to appoint a Livestock Valuer; and

**That** Council approve the amended Southgate Affordable-Attainable Housing Advisory Committee Terms of Reference document as presented; and  
**That** Council disband the Township of Southgate Senior's Advisory Committee at this time; and  
**That** staff prepare the Committee and Board appointment letters on behalf of Mayor Milne to distribute to each newly appointed committee member.

**Background:**

Every term of Council, residents are appointed to the advisory committees and local boards, and in accordance with individual terms of reference and procedural by-laws.

**Staff Comments:**

The Township of Southgate relies on the expertise of volunteers in the community and appoints citizens to its many boards and committees. Citizen appointments are generally made by Council in December of an election year, to fulfill the term mirroring the Council term, however occasionally vacancies arise throughout the years and staff may have to re-advertise and re-appoint with Council approval, if necessary. Members gain valuable experience while giving back to the community, and the community benefits greatly from the scope of knowledge and volunteerism provided through participation with township boards and committees.

Staff began recruitment for Committees and Boards the week of October 26, 2022, with a deadline to submit applications by November 18, 2022, at 4:00 pm. Advertisements ran in newspapers for three weeks consecutively, was added to our website and staff pushed the message out frequently on our social media pages through our general Township Facebook page and Instagram and the Library Facebook page. Staff also contacted committee members from the previous term on two occasions to remind them to re-apply to the committees and boards if they were still interested.

There were 18 residents who expressed their interest in serving on one or more of the Township's boards and committees.

The Ruth Hargrave Memorial Library Board received 6 applications by the deadline. The Library Board's Terms of Reference states that 5 members of the public will be appointed to the Board. Section 10(1) of the *Public Libraries Act, 1990* also establishes criteria for appointment to a Public Library Board. The Mayor and staff reviewed the submitted applications and selected 5 applicants to be appointed.

The Police Service Board received 2 applications by the deadline. 1 applicant has since withdrawn their application. The Police Service Board's Terms of Reference states that 1 member of the public shall be appointed to the Board. Staff recommend appointment of the 1 interested applicant.

There was one application received for the Public Liaison Committee. The terms of reference state that 6 members of the public may be appointed to the committee. Staff recommend appointing the 1 interested person now and review the terms of reference to bring forward necessary amendments that reflect current committee practices and/or the future of the PLC.

The Affordable-Attainable Housing Committee received 6 applications by the deadline. 1 applicant has since withdrawn their application. The terms of reference state that the committee will be comprised of 4 representatives from the public. Staff are recommending an update to the Terms of Reference for this committee to make a membership change so there would be 5 members from the public appointed, two Council members appointed, and to remove the Mayor as a voting member. This would leave membership at 7 members total which is preferred rather than landing on an even number. The Mayor is still permitted to attend as ex-officio but would not longer be a voting member or count towards quorum, which is in accordance with our Procedural By-law. The amended Terms of Reference document is included in this staff report as Attachment #1 and staff are recommending approval of the amendments. Staff recommend appointment of the 5 interested applicants.

There was limited interest received for the Community Fund Management Committee. There were 3 applications received by the deadline. 1 applicant has since withdrawn their application. The Terms of Reference state that the committee will consist of 4-6 members of the community. Staff recommend appointing the 2 interested residents now and continue recruitment over the coming weeks. Two members of Council are appointed to the Committee, which would make for 4 members total, although not ideal, it can work in the interim until we see if there is more interest from the community.

There were two applications received for Fence Viewers. Staff recommend appointment of both interested applicants. The *Lined Fences Act, 1990* does not prescribe the number of fence viewers to be appointed. In the past, we have appointed both public members and staff members. In accordance with the Act, the appointment of Fence Viewers must be by By-law. Staff have prepared By-law 2022-163 for consideration by Council following this report which includes the public and staff member appointments.

There was one application received for Livestock Evaluator. The member interested, is currently an appointed livestock evaluator for the Township. Recently, staff have discussed the possibility of having members of staff be livestock evaluators rather than the public, due to program changes, and the role being more administrative in nature now rather than the need for livestock expertise as required in the past. At this time, staff recommend appointment of the interested person as residents have become familiar with contacting this person for livestock predation claims and the

person is interested in continuing in the role. Staff have prepared By-law 2022-169 for consideration by Council following this report which includes the appointment.

There was one application submitted for the Property Standards Appeal Committee (PSAC). The PSAC is a statutory committee, meaning we are required by legislation to have a committee in place. There is a requirement for 3 members to be appointed. Staff will continue efforts in recruiting members for this committee and return with a recommendation as soon as possible that includes the one person that was interested and appoint members all at once, by By-law.

#### **Disband Seniors Advisory Committee:**

There was very little interest received for the Senior's Advisory Committee. The Terms of Reference state that 7 members shall be appointed, all of which are public members. We received 2 applications for the Committee by the deadline.

Staff are recommending that the Seniors Advisory Committee be disbanded at this time and that we contact the two applicants that were interested and thank them for their interest in the Seniors committee and to ask if they would consider being appointed to a different Township Committee that still requires more membership.

Staff feel that the COVID-19 pandemic really took a toll on the Committee and with the low interest in this term. Staff are suggesting that we refocus the efforts of any interested seniors' public members toward the Recreation Committee and possibly entertain member(s) of the public to be appointed to the Recreation Advisory Committee moving forward. We recommend keeping an open communication with community groups such as the Dundalk Young at Heart, the Hillside Academy (Swinton Park) Seniors and the Holstein Seniors groups to work together for events such as the Seniors Fair's that have been successful in the past if there is interest from these community groups in organizing and participating.

Committees like the Seniors Committee takes a lot of time and dedication from volunteer members to successfully plan and hold events like the Seniors Fair. Past members had tremendous dedication and we thank them for their service to the Committee. Unfortunately, staff do not have the capacity to take on the planning role of events such as these and other initiatives the Seniors Advisory Committee has taken on in the past and with very little interest in membership, we feel this is the best path moving forward.

#### **Financial Implications:**

Financial implications to the Township is members per-diems and mileage for attendance at Committee and Board meetings throughout the year.

#### **Communications & Community Action Plan Impact:**

This report has been written and presented to Council to communicate accurate information to the public.



**Concluding Comments:**

Staff have reviewed the applications with Mayor Milne and have provided the above recommendations in order to appoint those individuals to their respective committees and local boards. Staff will continue recruiting efforts for the Community Fund Management Committee, Property Standards Appeal Committee and the Public Liaison Committee, if needed.

Respectfully Submitted,

**Dept. Head:** *Original Signed By*  
Lindsey Green, Clerk

**CAO Approval:** *Original Signed By*  
Dave Milliner, CAO

**Attachment #1** – Affordable-Attainable Housing Committee amended Terms of Reference document (amendments in red)

## Southgate Affordable Attainable Housing Advisory Committee Terms of Reference

~~July 26, 2022~~

### Purpose:

The Southgate Affordable Attainable Housing Advisory Committee (SAAHAC) will provide recommendations and an overall strategy for Council's consideration regarding the implementation of a Community Affordable-Attainable Housing Plans to support homelessness prevention in the Township of Southgate.

### Principles:

1. "Everyone has a right to live somewhere in security, peace and dignity" as quoted from the United Nations housing strategies.
2. Different kinds and sizes of homes are needed to meet the needs of people.
3. Neighbourliness and community participation are important and need to be supported by every housing project and plan.
4. All housing projects should include a mix of market, subsidized and/or rent geared to income and rent-to-own options (percentages to be planned).

### Responsibilities:

1. Develop a strategy for Southgate Council to address the present community challenges of Affordable-Attainable Housing and the Prevention of Homelessness to consider as recommendations and specific actions to be taken.
2. Create a detailed strategy with the recommended implementation timelines.
3. Identify the possible resources, programs and support services required to achieve each strategy and recommendation.
4. Establish a schedule for providing and communicating an Affordable Housing strategy and recommendations reporting should be presented for discussion to Southgate Council.
5. Promote awareness about the importance and benefits of affordable housing in a proactive manner to address some community attitudes.
6. Consider, engage with and advocate to other levels of government for increased funding as well as changes in legislation and regulations that support the Southgate strategy.
7. The Southgate Affordable Attainable Housing Advisory Committee will be required to engage with public, private and not-for-profit sector experts to develop an Affordable-Attainable Housing Strategy that will ensure sustainable outcomes.

### Membership:

The Southgate Affordable Attainable Housing Advisory Committee will be comprised of:

Voting members:

- Four (54) representatives from the public, private and non-profit sectors
- Two (2) municipal council representatives, and
- ~~The Mayor as an ex-officio member.~~

Non-voting County and Southgate Staff Members as frequent or infrequent support and advisory resources:

- Southgate Mayor (ex-officio)
- Southgate CAO
- Southgate Clerk's Department staff to act as the Committee's Recording Secretary
- Grey County Director of Planning or designate (as required)
- Southgate Planner (as required)
- Southgate Chief Building Official (as required)
- Southgate Economic Development Officer (as required)
- Grey County Director of Housing or designate (as required)
- Grey County Social Services or designate (as required)

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Other Non-voting Committee Advisors:

- Building Industry
- Financial Advisory Services
- Landlord/Property Management
- Mental Health Care
- South East Grey Community Health Centre
- Media Relations and Communications Support

#### **Chair/Vice-Chair:**

The Committee shall, at its first meeting elect one from among Advisory Committee members to be Chair, and one member to be Vice-Chair.

#### **Quorum:**

A majority of members, including at least one elected official, are required to be present to constitute a quorum.

#### **Reporting:**

The Southgate Affordable Attainable Housing Advisory Committee shall report to Council through Special Committee of the Whole (COW) meetings to discuss issues and confirm alignment with the goals of the Terms of Reference document. The Committee's reporting to Council may be through a written report, presentation by the Committee's Chair or by way of a joint COW meeting with the SAAHAC attending.

#### **Resources:**

The Township Clerk's Department shall prepare the agendas and provide reports for the Affordable-Attainable Housing Advisory Committee. Staff from Administration, Building, Clerk and Planning Department will provide resources to support the Advisory Committee; additional support may be sought from other departments as required.

#### **Meeting Schedule:**

The Southgate Affordable Attainable Housing Advisory Committee will meet monthly or as determined by the Committee, at a date to be determined by the members. Meetings may be held in person or virtually or a combination of both and in accordance with Policy No. 86 – Electronic Participation Policy. ~~will be held virtually until such times as it is safe to meet in person at a Southgate Municipal building.~~

**Term of Committee:**

The Southgate Affordable Attainable Housing Advisory Committee is appointed by Council and will mirror the term of the Council. Appointments to the Southgate Affordable Attainable Housing Advisory Committee are to be made in December of an Election year. for the remainder of this term of 2021 and 2022, ending November 30, 2022.

**Remuneration:**

The Southgate Affordable Attainable Housing Advisory Committee members will be reimbursed at a rate of \$35.00 per committee meeting and travel costs at the quarterly municipal rate per km.

## Appendix A

### Glossary of Terms

**Accessibility for Ontarians with Disabilities Act, 2005 (AODA):** legislations governing accessibility requirements and standards with a progressive timeline of implementation.

**Affordable Housing:** Housing is deemed to be affordable when a household at or below the median income of its local community can consistently meet all of its basic needs (food, utilities, clothing, transportation, telephone, school supplies) and also cover the cost of accommodation. In most instances, households at or below the median income should not be spending more than one-third of its gross (before tax) monthly income on housing costs - if both housing and basic needs are to be sustainable. For further clarification, affordable housing occurs along a broad continuum that includes, but is not limited to, social housing.

**Association of Municipalities of Ontario (AMO):** AMO works to make municipal governments stronger and more effective. Through AMO, Ontario's 444 municipalities work together to achieve shared goals and meet common challenges. [www.amo.on.ca](http://www.amo.on.ca)

**At risk of homelessness:** Households that have difficulty maintaining appropriate housing that is safe, adequate, affordable and secure. A range of factors can put housing security at risk, including: low income, health issues/illness (including mental health issues), substance use, incarceration or other legal issues, hospitalization, family breakdown, violence, discrimination, inadequate and/or unsafe housing.

**Attainable Housing:** The industry definition of attainable, for-sale housing is unsubsidized, profitable housing developments that meet the needs of those with incomes between 80% and 120% of the Area Median Income.

**Average Market Rent (AMR):** Rental rates that are determined by the Canada Mortgage and Housing Corporation which are comparable to the average rent amount for similar units in the same neighbourhood.

**Canada Mortgage and Housing Corporation (CMHC):** A national housing agency appointed by the federal government of Canada. CMHC is responsible for distributing all federal funding programs for housing, as well as carrying out the current responsibilities of the federal government with regard to affordable housing.

**Canadian Housing & Renewal Association (CHRA):** An organization that provides advocacy, policy, research, and training on affordable housing issues and homelessness at the national level.

**Capital reserves:** Housing providers are required to set aside a pre-determined percentage of their revenue/income into a separate capital reserve fund; this money is used for capital repair and replacement costs of their housing property.

**Community Homelessness Prevention Initiative (CHPI):** combines funding from former separate housing and homelessness programs into a single flexible program. Funding from MMAH can be used by CMSM to address local priorities and better meet the needs of individuals and families who are homeless or at risk of becoming homeless in their local communities. For example, funding that previously had to be used for emergency shelter beds can now be used to provide more long-term housing solutions.

**Consolidated Municipal Service Manager/District Social Services**

**Administration Boards (CMSM/DSSAB):** A municipal government responsible for carrying out the funding and administrative responsibilities of the Housing Services Act. CMSM's/DSSAB's are also responsible for administering other social service programs such as Ontario Works and Children's Services. There are 47 CMSM's and DSSAB's in Ontario.

**Co-operative Housing (Co-ops):** A form of Social Housing. Residents who live in coops are considered "members" of the corporation that owns the building they live in. Members have an obligation to participate in running and maintaining the co-op community. Members elect a board of directors amongst themselves who are responsible for overseeing the management of the co-op. Members must follow the Co-operative Corporations Act, not the Residential Tenancies Act.

**Co-operative Housing Federation of Canada (CHF):** This organization represents non-profit co-operative housing in the region, and advocates on behalf of its members.

**Devolution:** Devolution means the handing over of social housing administration and funding, from the Province to the CMSM. The exception is providers transferred to Ministry of Health and Long Term Care or Ministry of Community and Social Services. Devolution also refers to handing over the federal responsibilities for non-profit housing to the Province - the funding responsibility was transferred in 1998, the administration was implemented under the Social Housing Reform Act in 2000.

**Emergency Shelter:** Short-term accommodation intended for 30 days or less for individuals experiencing homelessness.

**End of Operating Agreements/ Mortgages (EOA/M):** Refers to both the expiry of federally-signed operating agreements as well as the expiry of mortgages and capital financing obligations in social housing under the Housing Services Act (HSA).  
**40th Income Percentile:** The 40th income percentile is a measure of households whose income falls in the bottom 40% of average incomes in a certain geographic area.

**Homelessness Partnership Strategy:** Federal strategy to address homelessness. Initiatives include access to multi-year matching funds to designated communities, funding to support single projects in Outreach Communities, including smaller cities, rural and outlying areas, including the North, and partnerships with Aboriginal communities.

**Homelessness:** The condition of being without long-term stable accommodation.

**Homelessness Prevention:** Activities that help prevent those who are currently housed from housing loss through services such as utility payments, loan programs, rent banks and landlord/tenant mediation. This also includes helping people move to more appropriate housing when needed.

**Housing Allowance:** A fixed partial rent payment made to a tenant to support affordability. The rent payment is made directly to the tenant, making rent more affordable for the tenant. This program is available for use with private rentals, and nonprofit and cooperative housing providers; similar to a Rent Supplement.

**Housing First:** An evidenced-based best practice or program in which homeless individuals are assisted first to meet their housing needs before they are required to meet other treatment expectations or other supports are implemented. 'Housing First' refers to a specific program with unique approaches and resources; whereas 'housing first' is a philosophy based on meeting a person's most basic needs for housing unconditionally that is not tied to one specific program.

**Grey County Housing Corporation:** properties owned and operated by the County of Grey.

**Housing Development Incentive:** Funding offered to property developers, non-profits, co-ops and private landlords, to create more affordable rental housing in the community.

**Housing Service Act, 2011 (HSA):** legislation that outlines the duties and responsibilities for the Consolidated Municipal Service Managers (CMSM) and prescribed non-profit housing providers. Replaced the Social Housing Reform Act, 2000; prescribes mandated services and eligibility requirements in mandated social housing programs and allows some local flexibility.

**Housing Services Corporation (HSC):** Delivers relevant, cost-effective products and services to its housing sector clients, including CMSMs/DSSABs. With more than 10 years of experience in working with different levels of government, different types of social housing and national and international housing organizations, HSC has access to wide-ranging networks that enable Ontario's housing sector to exchange leading and best practices, to direct province-wide findings and to make coordinated recommendations. HSC also partners with public, private and non-profit organizations beyond the housing sector to develop and deliver integrated, cost-effective programs and services and to attract greater investment and to advance social innovation in affordable housing. [www.hscorp.ca](http://www.hscorp.ca)

**Imminent risk of homelessness:** Risk of losing housing within the month.

**Investment in Affordable Housing Program (IAH):** Under the current Investment in Affordable Housing for Ontario (IAH), formerly Canada/Ontario Affordable Housing Program (AHP), federal and provincial funding will go towards the creation and repair of affordable housing over four years. These funds may be used in five different components: Rent Supplement, Housing Allowance, Homeownership Program, Rental Housing, and Ontario Renovates.



**Landlord:** An owner of rental housing that must follow the Residential Tenancies Act, 2006 (RTA).

**Local Health Integration Networks:** Organizations created by the Provincial government to facilitate effective and efficient integration of health care services. LHINs possess significant decision-making power at the community level including the funding of support services to transferred housing providers providing supports to people with mental illness and the frail elderly.

**Local Housing Corporation (LHC):** With devolution under the Social Housing Reform Act in the 1990s and the transfer of Ontario Housing Corporation's public housing stock to the municipal level in 2001, the public housing asset was transformed into 47 different Local Housing Corporations with varying management structures and operational functions. Some LHCs are a department of the municipal body having jurisdiction, while other LHCs operate at arm's length from the municipality even though the Service Manager (SM) is the sole shareholder of the LHC.

**Low Income Cut Off (LICO):** A threshold to determine levels of poverty within a given geographic area. Those who fall below the threshold likely spend a larger share of their income on food, shelter, and clothing. This approach estimates the amount of households who spend 20% more of their household income than the average percentage of income spent by households on food, shelter and clothing. LICO thresholds vary by household size, and community size.

**Low Income Measures (LIM):** While many low-income measures, including the LICO, are well suited to the analysis of trends in low income, the after-tax Low Income Measure (LIM-AT) is now a more popular measure. LIM measures the number and percent of people living in households with income that is less than 50% of the median adjusted household income. Due in part to the methodological changes from the mandatory long-form census to the voluntary National Household Survey; the LIM has become the more widely used and more appropriate measure of low-income.

**Ministry of Children and Youth Services (MCYS):** [www.children.gov.on.ca](http://www.children.gov.on.ca)

**Ministry of Community and Social Services (MCSS):** [www.mcass.gov.on.ca](http://www.mcass.gov.on.ca)

**Ministry of Health and Long-Term Care (MOH/LTC):** [www.health.gov.on.ca](http://www.health.gov.on.ca)

**Ministry of Municipal Affairs and Housing (MMAH):** [www.mah.gov.on.ca](http://www.mah.gov.on.ca)

**Non-Profit Housing:** Community-based affordable rental housing provided by nonprofit corporations, overseen by volunteer boards of directors. A percentage of nonprofit housing tenants pay rents geared to their incomes (known as RGI housing), and the remaining pay market rents. The percentage of tenants paying RGI ranges from 25% to 100% of tenants in the project; generally the ratio is around 60% RGI: 40% market.

**Ontario Municipal Social Services Association (OMSSA):** Established in 1950, the Ontario Municipal Social Services Association (OMSSA) is a non-profit organization whose members are the Consolidated Municipal Service Managers (CMSMs) and District Social Services Administration Boards (DSSABs) across Ontario. OMSSA works to support leadership in integrated human services through strong local service system management in all municipalities. [www.omssa.com](http://www.omssa.com)

**Ontario Non-Profit Housing Association (ONPHA):** A non-profit sector organization that represents non-profit housing providers in Ontario, and offers education and resource materials to non-profit housing providers.

**Operating Subsidy:** Government subsidy under the Housing Services Act (HSA), which the CMSM provides to mandated social housing providers; guaranteed for the life of the mortgage (usually 25 years) to bridge the gap between revenue from market rents and the total cost of mortgage and operations. Public Housing: Housing developed predominantly by the Ontario Housing Corporation (OHC) in the 1960s after CMHC's mandate broadened to housing for low income families. Managed by Local Housing Authorities with local boards; OHC set policy and provided services (such as legal and technical support). The projects were 100% RGI housing. Ownership was downloaded from the Province to the Municipal Service Managers in 2001. The Social Housing Reform Act renamed public housing "Local Housing Corporations" (see Local Housing Corporations--LHCs).

**Rapid Re-Housing:** Is a provision of housing relocation and stabilization services, and short- and/or medium-term rental assistance, as necessary to help a homeless individual or family move as quickly as possible into permanent housing and achieve stability in that housing. (National Alliance to End Homelessness, 2014)

**Rent Supplements:** Programs that provide a rent "top-up" to make renting in full market rate units more affordable. A rent supplement is an amount of money that is given to a landlord to make up the difference between a tenant's payment, and what the actual cost of monthly rent is for that unit; similar to a Housing Allowance.

**Rent-Geared-to-Income (RGI) Subsidy:** The subsidy paid from the CMSM to a social housing provider named under the Housing Services Act, 2011 to allow a defined number of units to be rented to low-income tenants on a rent-geared-to-income basis. The formula for calculating the RGI Subsidy equals the difference between the actual rent paid by the qualifying tenant (paying approximately 30% of their income), and the government-approved market rent of a unit.

**Residential Tenancies Act (RTA):** The provincial legislation that governs the relationship between tenants and landlords in Ontario. The RTA outlines the roles and responsibilities of both the tenant and the landlord.

**Social Housing:** One part of the affordable housing continuum, social housing refers to the range of non-profit, cooperative, and public housing that are funded by regular government operating subsidies; includes Grey County Housing Corporation, nonprofits, and cooperatives under HSA, and federal providers with operating agreements.

**Social Housing Agreement (SHA):** An agreement between CMHC and the Province of Ontario established in 1999 that transferred the administrative responsibility of most federally-assisted housing to the provincial government. It also allowed the Province of Ontario to transfer the administration to municipal government. **Social Housing Reform Act, 2000 (SHRA):** This legislation, proclaimed in December 2000, gave the Province of Ontario the power to transfer responsibility for social housing administration to the municipal level. This legislation has been replaced with HSA 2011.

**Special Priority:** Social Housing applicants who are victims of domestic violence can apply for a special priority status. Applicants and tenants/members with a special priority status are placed higher on the centralized waiting list.

**Support Services:** Services provided to tenants to enable them to live independently in the community.

**Supported Housing:** Social Housing units that offer tenants/members support to live independently, e.g. seniors, people with mental health disabilities, addictions or developmental disabilities. Support staff is not on-site, but will travel to the tenant/member's unit to provide services.

**Supportive Housing:** Non-profit housing for people who need support to live independently e.g. the frail elderly, people with mental health problems, addictions or developmental disabilities. Administration and funding of supportive housing providers were not downloaded to the CMSM in 2001; rather, the responsibilities were transferred to the provincial ministry that funded the support services, either the Ministry of Health/Long-Term Care or the Ministry of Community and Social Services.

**Transitional Housing:** Temporary housing which includes the provision of on- or off-site support services to help individuals move towards independence and self-sufficiency.

### **Planning Terminology:**

**Demolition Control Areas:** Section 33 of the Planning Act permits municipalities to establish demolition control areas by by-law and to require that property owners seeking to demolish a building obtain a permit. Section 99.1 of the Municipal Act (2001) also grants the specific powers to prohibit and regulate the demolition of residential rental properties that contain more than six dwelling units, and to prohibit and regulate the conversion of such residential rental properties to another use.

**Development Charges Exemptions:** Municipalities may exempt or reduce development charges for specified types of development, such as affordable housing, or in areas where development is to be encouraged.

**Development Charges Discounts:** Discounting the development charges for housing providers to construct new affordable units is a direct form of financial support; discounting development charges in a specified area, such as an area designated for intensification, can indirectly result in more affordable housing by encouraging more compact and dense residential construction.

**Development Charges Revenue:** Revenue for affordable housing may also be raised through a dedicated portion of development charges.

**Garden Suites:** Garden suites are detached units that may be portable or constructed from pre-fabricated materials on-site, and can be removed when they are no longer required.

**Height & Density Bonuses:** Section 37 of Ontario's Planning Act permits "height and density bonusing" to allow municipalities to authorize increases in the height and/or density of development that would otherwise not be permitted in exchange for the provision of facilities, services, or other matters that are specified by by-law. The inclusion or designation of funding for new affordable housing units is one possible benefit.

**Modification of Development Standards:** Municipalities can facilitate affordable housing construction by adopting alternate or flexible development standards, provided safety and building quality are not compromised. For example, they may permit dwelling units that are smaller or constructed on smaller lots, or reduce standards such as parking requirements; all of these modifications serve to reduce the cost of development.

**Municipal Capital Facilities Agreements:** Municipal Capital Facilities Agreements allow municipalities to enter into agreements with other parties, including private sector and not-for-profit organizations, to deliver affordable housing. Municipalities must pass municipal housing facilities by-law, which must include a definition of affordable housing and establish policies regarding eligibility for the housing. Municipalities may agree to provide financing assistance such as directly giving or lending money or property, guaranteeing borrowing by the other party, and providing property tax exemptions or reductions and development charge exemptions.

**Ontario Provincial Planning Act:** The Planning Act sets out the ground rules for land use planning in Ontario, and describes how land uses may be controlled, and who may control them.

**Official Plans:** an official plan is a document which sets out the municipality's general planning goals and policies that will guide future land use.

**Secondary units** (also known as accessory units or second suites): Secondary units are self-contained residential units located in dwellings or accessory structures such as laneway garages, with their own kitchen and bathroom facilities. Basement apartments are a typical example.

**The Corporation of the Township of Southgate**  
**By-law Number 2022-163**  
**Being a By-law to Appoint Fence Viewers for the**  
**Township of Southgate, Pursuant to the Provisions of the**  
**Line Fences Act, R.S.O., and to repeal by-law 2019-018**

**Whereas** the Line Fences Act, R.S.O. 1990, c.L.13 authorizes Council to appoint Fence Viewers to carry out the provisions of the Act and to establish fees to be paid to such Fence Viewers; and

**Whereas** Council deems it expedient to appoint Fence Viewers and repeal By-law No. 2019-018,

**Now therefore be it resolved that** the Council of the Corporation of the Township of Southgate enacts as follows:

- 1. That** Brian Stevenson, Doug Roberts, Phil Schram, and Alternate Bev Fisher are hereby appointed Fence Viewers pursuant to the Line Fences Act for the Corporation of the Township of Southgate; and
- 2. That** for each day's work under The Line Fences Act, each Fence Viewer shall be paid a fee of thirty-five (\$35.00) Dollars, plus mileage as per the County of Grey quarterly rate; and
- 3. That** the Terms of Reference, attached as Schedule "A" are approved; and
- 4. That** By-law No. 2019-018 is hereby repealed.

**Read a first, second and third time and finally passed this 7<sup>th</sup> day of December, 2022.**

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**Brian Milne - Mayor**

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**Lindsey Green - Clerk**

## Township of Southgate Fence Viewers

### Terms of Reference

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#### 1. Purpose

1. Fence Viewers are appointed by Council pursuant to the provisions of The *Line Fences Act*, R.S.O. 1990, c. L.17, a Provincial law to govern the arbitration process when neighbours cannot agree on the construction, reconstruction or maintenance of a Line Fence.

#### 2. Meetings

1. When required.
2. A member shall not be absent for three (3) consecutive meetings without notice. For any anticipated lengthy absence (3 meetings or more), the member shall submit a request for leave of absence in order to preserve membership standing. Without a valid and acceptable reason for non-attendance, the individual's appointment will be rescinded.

#### 1. Responsibilities

1. If a dispute arises between owners of adjoining lands respecting the construction of a fence to mark the boundary between those lands, a request can be made to the municipality to have fence-viewers attend. On the date and time appointed, three fence viewers will examine the land in question and hear submissions from the adjoining owners and/or their witnesses. All notices under the Act are sent out by the Clerk's Office.
2. The fence viewers then make an award describing what each neighbour must do and/or pay. The award will specify the location of the fence that each owner or specific owner shall construct, reconstruct or repair, the description of the fence and materials to be used, the date the work is to commence and to be completed, the costs of the proceedings and how the work is to be apportioned to each property owner. In making the award, the fence viewers must take into account the suitability of the fence to the needs of each owner/occupant, the benefit received by each property owner and the type of fence in use in the area.
3. If any of the parties are not satisfied with an award, they can lodge an appeal to a Provincial Referee. An appeal hearing is held. At the hearing, the Municipal Clerk and their Designate attends to take the minutes of the meeting and the fence viewers are required to attend the appeal hearing.

#### 4. Term & Membership Composition

1. Council shall appoint at least three (3) and not more than five (5) appointees as Fence Viewers.
2. Resignations from the Fence Viewers must be in writing.
3. The Fence Viewers shall be appointed for the term of Council but shall continue until such time as new members are appointed by a new Council following an election. Members may be reappointed at the discretion of Council.
4. Recognizing that vacancies may arise, Council will request submissions from the public and will appoint citizens to fill such vacancies.

## **5. Remuneration**

1. \$35.00 per meeting, plus mileage.

## **6. Member in Good Standing**

1. All members should reflect appropriate conduct when attending meetings and/or representing the Township of Southgate.

## **7. General Conduct**

1. All Fence Viewers will abide by the Township of Southgate's Council and Committee Code of Conduct and other applicable Township policies and guidelines.

## **8. Budget**

1. If deemed necessary, Council will approve a budget to include anticipated revenue and estimated expenditures.
2. Purchases will adhere to the Township's purchasing By-law or require the CAO's approval.
3. The budget will be administered by the Clerk. Other funds may be requested of Council for special projects or undertakings.

## **9. Use of Township Logo/Letterhead**

1. Not Applicable.

## **10. Authority**

1. The Fence Viewers shall work within the scope of their responsibilities as set out in this Terms of Reference and the Act.

## **11. Confidentiality**

1. The *Municipal Act, S.O. 2001, c. 25*, shall bind the Fence Viewers as it relates to confidentiality, conflict of interest, closed sessions, and any other requirements under the *Act*, which pertain to the conduct of officials.

## **12. Procedural By-Law**

1. Township of Southgate's Procedure By-law, as amended, will govern the proceedings of meetings of the Fence-Viewers.

## **13. Administrative Fees**

1. Administrative fees including application fees, viewing fees and surveyor fees are applicable, and are at the rate as stated in the most current approved Township of Southgate Fees and Charges By-law listing.



**The Corporation of the Township of Southgate**

**Bylaw No. 2022-169**

**being a by-law to appoint livestock valuers for the  
Township of Southgate**

**Whereas** Section 4 of the Livestock, Poultry & Honey Bee Act R.S.O. 1990, as amended, c. 24 provides that the Council of every local municipality shall by by-law appoint one or more persons as valuers of livestock; and

**Whereas** this by-law shall fix the remuneration to be paid to the livestock valuer;

**Now therefore the Council of the Corporation of the Township of Southgate enacts as follows:**

1. **That** the following be appointed as a livestock valuer:
  - Brian Stevenson; and
2. **That** the remuneration be as follows:
  - \$60.00 per call-out plus mileage at the County of Grey quarterly rate; and
3. **That** By-law 2019-019 is hereby repealed; and
4. **That** this by-law comes into force and effect upon passing.

**Read** a first, second and third time and finally passed this 7<sup>th</sup> day of December, 2022.

---

**Brian Milne – Mayor**

---

**Lindsey Green - Clerk**



## **Staff Report CL2022-034**

**Title of Report:** CL2022-034 – 2023 Council Calendar

**Recommendation**

**Department:** Clerks

**Branch:** Legislative and Council Services

**Council Date:** December 7, 2022

**Recommendation:**

**Be it resolved that** Council receive Staff Report CL2022-034 for information; and  
**That** Council provide direction to staff on 2023 Council meeting times.

**Background:**

In accordance with the Procedural By-law, every year Council approves a Council Meeting Calendar that sets the date and time for every Council meeting for the upcoming year. Historically, Council has always met on the 1<sup>st</sup> and 3<sup>rd</sup> Wednesday of the month, for regular Council meetings.

Prior to 2021, the meeting times were 9am and 7pm consecutively. In 2021, Council changed the second monthly meeting to being at 6pm rather than 7pm. When COVID-19 and lockdowns hit the Province, all Council meeting went virtual. For most of this time, Council changed the meeting time of the second monthly meeting to begin at 1pm rather than at night due to connection concerns related to online technology.

**Staff Comments:**

Staff are looking for feedback from Council on meeting times and the possibility of not moving forward with night meetings and changing the second meeting of the month to begin at 1 pm. In recommending this change, staff are taking into consideration a number of factors.

The public's attendance at both day or night meetings historically has been very low. Most meetings do not have any public attendance, or at the most 1 or 2 people may attend. Anytime we see attendance by the public, it is usually because that person may have a planning application or something similar being considered by Council. Having meetings at night when the public is more apt to be available to attend has not seen an increase in their attendance. Moving forward our meetings will be live streamed, which will give the public a greater opportunity to watch the meetings either while they are being streamed or after the meeting. Staff will also be able to have the proceedings available online much sooner following the event than in the past so the public can watch immediately following the Council meeting. If a member of the public would like to attend to speak at open forum or to

delegate that can be accommodated virtually if they aren't able to make it to the Council chambers in person.

Staff are also taking into consideration that live streaming meetings puts a larger strain on the network and internet capabilities and are cognizant that live streaming night meetings while other residents in the Holstein area are more apt to also be using the internet in a higher capacity than during the day may cause unwanted service interruptions and delays.

The current need is for several staff to bank time after hours to attend Council meetings which comes with a cost. To date in 2022, one staff member has banked a total of 59.25 hours (39.5 at 1.5 rate) attending Council/Committee meetings after hours. Banking time takes staff members away from the office for additional days off outside of vacation days and sick time to use up the hours they banked attending night meetings. On average, there are 3-4 staff members attending night meetings that bank their time.

Staff that are attending night meetings are still starting their workdays at their normal scheduled times, which means on average a 12-14-hour day for staff depending on the length of the meeting as most staff opt to continue working in between the workday end and meeting start time as the break in between does not allow enough time for anything personal that staff may need to attend to. Following a night meeting, regardless of the time it ends, staff are expected back the next day for their scheduled start time. Moving to day meetings only would provide a better work/life balance for staff.

Another consideration that Council has discussed in the past is driving at night, especially in the winter months that may pose a safety risk for members and staff.

Staff do recognize that some Council members may have other job commitments during the day and this change would bring a need for those members to adjust their schedules. During the COVID-19 pandemic when we continued with meetings beginning at 9am and 1pm staff felt that worked very well for everyone at that time, and we didn't run into any scheduling and/or quorum issues.

We are looking for members to take the reasons provided into consideration and discuss meeting times moving forward to provide staff with direction on completing the 2023 Council Calendar. If a change is approved, staff would bring forward the necessary amendments to the Procedural By-law to include the meeting times moving forward and present that for approval.

At this time, staff will not be including Committee and Board meeting dates in the calendar. The first meeting with each committee and board will be scheduled following historical meeting days and times to then allow the committee to discuss and approve a calendar moving forward at their first meeting so members have an opportunity to provide feedback and figure out what works best for each

committee/board. The Committee/Board meetings will be added to the Council meeting calendar and staff will provide an updated calendar once each committee has decided on a schedule. The Public Planning and Committee of Adjustment meetings will continue to be included with the Council calendar.

**Financial Implications:**

There are no financial implications to the Township as a result of this report.

**Communications & Community Action Plan Impact:**

This report has been written and presented to Council to communicate accurate information to the public.

**Concluding Comments:**

That Council provide direction to staff on the 2023 Council meeting times.

Respectfully Submitted,

**Dept. Head:** *Original Signed By*  
Lindsey Green, Clerk

**CAO Approval:** *Original Signed By*  
Dave Milliner, CAO

**Attachments:** None



## **Staff Report CL2022-035**

**Title of Report:** CL2022-035 – Council Member 2023 Conference Attendance Approval  
**Department:** Clerks  
**Branch:** Legislative and Council Services  
**Council Date:** December 7, 2022

**Recommendation:**

**Be it resolved that** Council receive Staff Report CL2022-035 for information; and  
**That** Council provide direction to staff on how to proceed with members 2023 conference attendance.

**Background:**

Staff requested Council members conference preferences ahead of time so a complete report could be brought forward to Council for consideration. Members provided their choices with a maximum of three conference choices as per [Policy No. 2 – Conference, Training and Education](#).

**Staff Comments:**

Council members requested to attend the following conferences in 2023:

Mayor Milne – OGRA, FCM, OAPSB

Deputy Mayor Dobreen – OGRA, AMO

Councillor Rice – OGRA

Councillor Ferguson – OGRA

Councillor Shipston – FCM, OACA, AMO

Councillor John – OGRA, OACA, AMO

Councillor Singh Soares – ROMA, FCM

Staff have included a conference cost estimate to attend all the above as Attachment #1 to this report. This cost breakdown includes the fee to attend the conference, travel costs (mileage), hotel stays, meal allowances and per diems for members attendance. As indicated, the total cost (bottom line) considered only 1 person claiming the mileage expense, assuming members would carpool to the conference.

Staff have noted a considerable rise in the conference and hotel costs compared to prior years. Staff are looking for Council's feedback on continuing with approval of

members to attend all conferences as requested, or to scale back the number of conferences each member is permitted to attend.

Staff have pre-booked the hotels for ROMA and OGRA. Due to the timing of these two conferences, waiting to book is not feasible as the hotels sell out within a day or two of registration opening. There is an option to cancel either hotel with a 1-day penalty or staff can try sending out the information to the area Clerks and see if anyone in their municipality needs a room and transfer the room to recover 100% of the cost.

**Financial Implications:**

The total cost estimate for members to attend all conferences as requested, would be approximately \$38,163.96. Please reference Attachment #1.

**Communications & Community Action Plan Impact:**

This report has been written and presented to Council to communicate accurate information to the public.

**Concluding Comments:**

That Council provide direction to staff on how to proceed with members 2023 conference attendance approvals.

Respectfully Submitted,

**Dept. Head:** *Original Signed By*  
Lindsey Green, Clerk

**CAO Approval:** *Original Signed By*  
Dave Milliner, CAO

**Attachment #1 - 2023 Conference Estimate Cost Breakdown**

## 2023 Conference Cost Estimate

	<b>ROMA Toronto</b>	<b>OGRA Toronto</b>	<b>FCM Toronto</b>	<b>OACA Niagara Falls</b>	<b>OAPSB Niagara Falls</b>	<b>AMO London</b>
<b>Conference Cost</b>	\$ 615	\$ 825	\$ 849	\$ 400	\$ 450	\$ 799
<b>Travel</b>	\$ 140.08	\$ 139.05	\$ 139.05	\$ 199.82	\$ 200.85	\$ 175.10
<b>Accommodation</b>	\$ 564.10	\$ 1018.89	\$ 1000	\$ 403.41	\$ 469.64	\$867
<b>Meal Allowance</b>	\$ 225	\$ 300	\$ 225	\$ 2225	\$ 225	\$ 225
<b>Per Diem</b>	\$ 600	\$ 800	\$ 600	\$ 600	\$ 600	\$ 600
<b>Total Cost of 1 Members Attendance (includes travel)</b>	\$ 2144.18	\$ 3082.94	\$ 2813.50	\$ 1806.23	\$ 1945.49	\$ 2666.10
<b>Number of Members Attending</b>	1	5	3	2	1	3
<b>Total Cost</b>	\$ 2,144.18	\$ 14,858.50	\$ 8,161.05	\$ 3,406.64	\$ 1,945.49	\$ 7,648.10

\*Total cost considered only 1 person claiming the travel (mileage) expense, assuming members would carpool\*

**Estimate costs for all conferences to be attended - \$38,163.96**



**Township of Southgate**  
**Administration Office**  
185667 Grey Road 9, RR 1  
Dundalk, ON N0C 1B0



**Phone:** 519-923-2110  
**Toll Free:** 1-888-560-6607  
**Fax:** 519-923-9262  
**Web:** www.southgate.ca

## **Staff Report CL2022-036**

**Title of Report:** CL2022-036 - 2023 Committee of Adjustment  
**Appointments**  
**Department:** Clerks  
**Branch:** Legislative and Council Services  
**Council Date:** December 7, 2022

### **Recommendation:**

**Be it resolved that** Council receive Staff Report CL2022-036 for information; and  
**That** Council consider approval of By-law 2022-160 being a by-law to constitute and appoint members to the Committee of Adjustment for 2023.

### **Background:**

The Committee of Adjustment (CofA) is established under the authority of the Planning Act, 1990. The CofA considers and may authorize minor variances from the zoning by-law, review and permit extensions and enlargements to legal nonconforming uses and can grant consent for severances (land division), when the severance application involves a variance and/or when the consent is in dispute and cannot be resolved without a hearing.

### **Staff Comments:**

The Committee of Adjustment membership must be appointed yearly by municipal by-law. Staff are recommending approval of By-law 2022-160 to appoint all 7 members of Council to the Committee of Adjustment membership for 2023. At the first Committee meeting in 2023 a Chair and Vice Chair will be selected from the membership.

### **Financial Implications:**

There will be financial implications to the 2023 operating budget for Committee members remuneration. Members of the Committee are paid \$80.00 per meeting, with attendance confirmed by the Secretary-Treasurer through approved minutes. Remuneration includes mileage costs for site visits.

### **Communications & Community Action Plan Impact:**

This report has been written and presented to Council to communicate accurate information to the public.

### **Concluding Comments:**

That Council consider approval of By-law 2022-160 being a by-law to constitute and appoint members to the Committee of Adjustment for 2023.

Respectfully Submitted,

**Dept. Head:** Original Signed By  
Lindsey Green, Clerk

**CAO Approval:** Original Signed By  
Dave Milliner, CAO

## **The Corporation of the Township of Southgate**

### **By-law Number 2022-160**

#### **being a By-law to Constitute and Appoint Members to the Committee of Adjustment**

**Whereas** the Ontario Planning Act R.S.O. 1990, c.P.13 as amended, Part V, Section 44 provides that every Council may by By-law constitute and appoint a Committee of Adjustment for the Municipality; and

**Whereas** By-law No. 9-2001 delegated the authority of Council to give consent under the Planning Act, R.S.O. 1990, as amended to constitute and appoint a Committee of Adjustment, set conditions for such delegation, prescribe a tariff for fees for applications, to provide for remuneration to Committee members, and to prescribe procedures for governing the calling, place and proceedings of Committee meeting; and

**Whereas** pursuant to the Planning Act, (9) the members of the committee shall be paid such compensation as the council may provide; and

**Whereas** the Council of the Corporation of the Township of Southgate deems it appropriate to establish a Committee of Adjustment and appoint members thereto;

**Now Therefore be it resolved that** the Council of the Corporation of the Township of Southgate hereby enacts as follows:

1. **That** effective with the date of passage of this by-law, the persons as listed within "Schedule A" of this by-law shall constitute and hereby be appointed as members of the Township of Southgate Committee of Adjustment beginning January 1, 2023, and ending on December 31, 2023; and
2. **That** the Committee of Adjustment shall consist of seven (7) Members appointed by Council; and
3. **That** the Chair be elected annually at the first meeting of each year; and
4. **That** Members of the Committee receive remuneration in the amount of \$80.00 per meeting (including mileage); and
5. **That** it shall be the responsibility of the Committee of Adjustment to comply with the Rules of Procedure and Terms of Reference and have regard to such matters as are prescribed in the Planning Act, R.S.O, 1990, as amended, or any Regulation there under; and
6. **That** By-law 2021-159 be repealed and replaced effective January 1, 2023; and
7. **That** this By-law come into full force and effect on the date of passage thereof.

**Read a first, second and third time, and finally passed this 7<sup>th</sup> day of December, 2022.**

---

Brian Milne, Mayor

---

Lindsey Green, Clerk

## **Schedule "A" to By-law 2022-160**

1. Brian Milne;
2. Barbara Dobreen;
3. Jason Rice;
4. Jim Ferguson;
5. Martin Shipston;
6. Joan John;
7. Monica Singh Soares



## **Staff Report PW2022-053**

**Title of Report:** PW2022-053 Bridge S114 Load Evaluation and Recommended Load Posting  
**Department:** Public Works  
**Branch:** Transportation & Public Safety  
**Council Date:** December 7, 2022

### **Recommendation:**

**Be it resolved that** Council receive Staff Report PW2022-053 for information; and  
**That** Council approve the recommendation to post Bridge S114 as a triple load posting of 12 Tonnes, 18 Tonnes and 23 Tonnes by by-law No. 2022-168; and  
**That** Council approves the yield to oncoming traffic signage to be posted in the westbound and eastbound lanes on Southgate Road 04 at the approaches of Bridge S114.

### **Background:**

A Structural Evaluation Report was prepared by R.J. Burnside & Associates for Bridge S114, which is located on Southgate Road 04 between Southgate Sideroad 57 and Southgate Sideroad 55 in March 2022. Bridge S114 is a single-lane steel pony truss bridge with concrete deck that was constructed in 1930. The 2022 Bridge Condition Index (BCI) is 59.8 condition rating, which is in the upper level of scoring rating which generally in the range of fair to poor condition, ranked 29th of Southgate's bridges for poorest rating scoring.

An emergency repair was performed in October 2018 to reinforce the severed bottom tension cord.

The Structural Evaluation Report based on the Canadian Highway Bridge Design Code identifies the bridge should be posted with a triple posting of:

### **12 Tonnes, 18 Tonnes and 23 Tonnes**

per 3, 4 and 5 axle vehicles respectively, which has been recommended by RJ Burnside Engineering.

### **Staff Comments:**

The Report recommends a requirement to monitor the deterioration of the bottom chord connecting to the truss on the east side until repaired.

The Report also recommended consulting with the local emergency fire responders of any load capacity concerns. The Dundalk and Wellington North Fire Departments have indicated no concerns with the bridge posting proposed weight restrictions.

Public Works staff are informed if a plow truck is required for sanding on that road section, that the truck be near empty with sand load for crossing over the bridge.

RJ Burnside has provided an estimated quote for the repairs of \$200,000.00, with a work plan including:

- Strengthen/replace Web Member 3
- Repair bottom chord Member 11 where the angles have severe section loss near abutment
- Strengthen top chord Member 9 and 10

The scope of this work above would result in the load posting increasing from 12/18/23 to 21/33/44.

If the load posting of 21/33/44 is not sufficient, additional repairs to Members 4 and 7 could be completed, however there would be additional cost associated with those repairs.

Staff recommends that the westbound and eastbound lane approaches to Bridge S114 on Southgate Road 04 have Yield to Oncoming Traffic signage installed.

#### **Financial Implications:**

The Burnside S114 load capacity evaluation report was \$9,000.00 excluding HST.

To post the triple load posting and Yield to Oncoming Traffic signage will cost approximately \$400.00.

These works are funded out of the Bridge Operational Budget.

#### **Communications & Community Action Plan Impact:**

Goal 5 - Upgrading our "Hard Services"

#### **Action 5:**

The residents and businesses of Southgate recognize our linear services - roads, bridges, water and sewer works, for example - to be a fundamental purpose of municipal government. This infrastructure needs to be serviceable and sustainable so that our businesses and communities can thrive and grow.

#### **Concluding Comments:**

Staff recommendation is that Council receive Public Works Staff Report 2022-053 for information and;

1. That Council approve the recommendation to post Bridge S114 as a triple load posting of 12 Tonnes, 18 Tonnes and 23 Tonnes by by-law No. 2022-168 and;
2. That Council approves the yield to oncoming traffic signage to be posted in the westbound and eastbound lanes on Southgate Road 04 at the approaches of Bridge S114.

Respectfully Submitted,

**Dept. Head:** *Original Signed By*  
Jim Ellis, Public Works Manager

**CAO Approval:** *Original Signed By*  
Dave Milliner, CAO

**Attachments: None**

**The Corporation of the Township of Southgate**

**By-law 2022-168**

**being a by-law to restrict the weight  
of vehicles passing over certain roads**

**Whereas**, subsection 123 (2) of the Highway Traffic Act (R.S.O. 1990, c.H.8 as amended) provides that: “The municipality or other authority having jurisdiction over a bridge may by bylaw limit the gross vehicle weight of any vehicle or any class thereof passing over the bridge, and the requirements of subsection 123(1) with respect to the posting up of notice apply thereto”; and

**Whereas**, the Township is in receipt of a recommendation prepared in accordance with Section 2(b) of Ontario Regulation 103/97 (amended to O.Reg. 159/02); and

**Whereas**, it is deemed expedient to limit the weight of vehicles passing over certain bridges in the Township,

**Now therefore the Council of the Corporation of the Township of Southgate enacts as follow:**

1. **That** no vehicle or combination of vehicles or any class thereof, whether empty or loaded, shall be operated over certain bridges where the gross weight of such vehicles or combination of vehicles or any class thereof exceed the limits listed as follows:

<b>Township No.</b>	<b>M.T.O. Site No.</b>	<b>Concession</b>	<b>Lot</b>	<b>Load Limit</b>
S 114	#8-321	V/VI	19	12/18/23 tonnes

2. That the provisions of this by-law shall be deemed to take full force and effect on the date of passing hereof and the posting of appropriate load limit signs as per Section 123(1) of the Highway Traffic Act.

**Read a first, second and third time and finally passed this 7<sup>th</sup> day of December, 2022.**

\_\_\_\_\_  
Brian Milne – Mayor

\_\_\_\_\_  
Lindsey Green - Clerk





## **Staff Report PW2022-054**

**Title of Report:** PW2022-054 2022-2023 Winter Operational Plan  
**Department:** Public Works  
**Branch:** Transportation & Public Safety  
**Council Date:** December 7, 2022

### **Recommendation:**

**Be it resolved that** Council receive Staff Report PW2022-054 for information; and  
**That** Council approves and endorses the 2022/2023 Southgate Winter Operations Planning Document.

### **Background:**

The Public Works Department has implemented the Ontario Good Roads Association (OGRA) Winter Operations Planning Document templates since 2015. The Public Works Department is required as per the Municipal Act 2001, Ontario Regulation 239/02 to provide Minimum Maintenance Standards (MMS) and Level of Service requirements for winter operations.

### **Staff Comments:**

The 2022/2023 Southgate Winter Operations Planning Document (attachment #1) is the document that the Public Works Department is recommending be approved by Council, as it includes all the information required, reflecting current regulations and levels of service. The MMS also allows for municipalities to declare Significant Weather Events (SWE), which means an approaching or occurring weather hazard issued by Environment Canada under the Public Weather Alerting Program. The SWE can be declared by the Chief Administrative Officer, Public Works Manager or the Public Works Foreman. The declaration will be posted on the Township website, community signs, social media, Facebook and My 511. A declaration to end the event must also be communicated to the public and gives the Township more flexibility in handling these events in expanded timeframes and liability defence. Included in the updates are new equipment and staffing changes.

Section 6 Monitoring & Updating indicates that the 2021/2022 winter season compared to 2020/2021 season had 19.09% centimetres less snow accumulation, 23.33% days less of measurable snowfall amounts, 44.44% less days of freezing rain, 16.67% more days that required salt application and 30.45% more of winter event hours in some of the benchmark areas.

**Financial Implications:**

The Township of Southgate pays fees annually to OGRA which includes discounts on training and this free service provided template for the Winter Operations Planning Document.

**Communications & Community Action Plan Impact:**

Goal 5 - Upgrading our "Hard Services"

**Action 5:** The residents and businesses of Southgate recognize our linear services - roads, bridges, water and sewer works, for example - to be a fundamental purpose of municipal government. This infrastructure needs to be serviceable and sustainable so that our businesses and communities can thrive and grow.

**Concluding Comments:**

Staff recommends that Council receive Staff Report PW2022-054 for information, and that Council approves and endorses the 2022/2023 Southgate Winter Operations Planning Document.

Respectfully Submitted,

**Dept. Head:** *Original Signed By*  
Jim Ellis, Public Works Manager

**CAO Approval:** *Original Signed By*  
Dave Milliner, CAO

**Attachments:**

Attachment #1 – 2022/2023 Winter Operations Planning Document for Township of Southgate



# **Winter Operations Planning Document for Township of Southgate**

**(Winter Season 2022-2023)**

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## A. Purpose

This winter operations plan sets out a policy and procedural framework for ensuring that the “The Township of Southgate” continuously improves on the safe and sustainable delivery of winter maintenance services and the effective and efficient use of road salt in their winter maintenance operations. This plan supersedes all previous plans for the “The Township of Southgate”.

The plan is meant to be dynamic, to allow the municipality to evaluate and phase-in any changes, new approaches and technologies in winter maintenance activities in a fiscally sound manner. At the same time, any modifications to municipal winter maintenance activities must ensure that roadway safety is not compromised.

This Winter Operations Plan for the “The Township of Southgate” was endorsed by “The Township of Southgate Council” on the \_\_7\_\_ day of \_\_\_\_December\_\_\_\_2022.

## B. Definitions

**Anti-icing** means the application of liquid de-icers directly to the road surface in advance of a winter event.

**Continuous Winter Event Response** is a response to a winter event with full deployment of manpower and equipment that plow/salt/sand the entire system.

**De-icing** means the application of solids, liquids, pre-treated material to the road surface after the on-set of the winter event.

**Highway** means a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, any part of which is intended for or used by the general public for the passage of vehicles and includes the area between the lateral property lines thereof.

**Paved Road** means a road with an asphalt surface, concrete surface, composite pavement, or portland cement.

**Pre-treat** means the application of liquids (sodium chloride, calcium chloride, etc.) to dry salt or sand prior to being loaded for storage or applied to the road surface.

**Pre-wetting** means the application of liquids (sodium chloride, calcium chloride, etc.) at the spinner of the truck just prior to application to the road surface.

**Roads Foreman & Fleet Manager** is the person who is on duty at the time directing the snow/ice removal operations of the Township of Southgate. These&nbsp;individuals include: Public Works Manager, and/or any other individual

who may be assigned the responsibility of the Public Works Manager

**Route of Representative Roads** is another term used for patrol routes.

**Salt Route** is a collection of road segments, which during a winter storm will receive applications of salt to prevent the formation of a bond between snow and pavement, or if such a bond has already formed, to break that bond. Typically such routes have some sort of bare pavement level of service. Under certain circumstances (e.g. extremely cold pavement temperatures such that road salt would not be effective at bond breaking or prevention) sand may be applied to such routes to provide a temporary increase in grip.

**Sand Route** is a collection of road segments which during a winter storm will receive applications of sand to provide a temporary increase in grip. Typically such routes include gravel and other unpaved roads, where the use of salt or other freeze-depressant materials might impact road stability. The level of service on such routes would not have bare pavement as a service goal.

**Spot Winter Event Response** is a response to a winter event with only a partial deployment of manpower and equipment or with full deployment to only part of the system.

**Surface Treated Road** is road with bituminous surface treatment comprised of one or two applications of asphalt emulsion and stone chips over a gravel road.

**Unpaved Road** is a graded road with a gravel, stone or other loose traveling surface.

**Winter Event** is a weather condition affecting roads such as snowfall, windblown snow, freezing rain, frost or ice to which a winter event response is required.

**Winter Event Response** is a series of winter control activities performed in response to a winter event.

**Winter Event Response Hours** are the total number of person-hours per year (plowing, salting/sanding, winging back, etc.) to respond to winter events.

## 1. OBJECTIVE OF WINTER OPERATIONS MANAGEMENT

“The Township of Southgate” is committed to providing safe and sustainable winter maintenance operations while continuing to improve those operations to provide safety and mobility for the traveling public. As an integral part of this effort “the Township of Southgate” will strive to optimize the use of all winter maintenance materials as they pursue the goal of a safe and sustainable transportation system.



“The Township of Southgate” Public Works staff will strive, insofar as reasonably practicable, to provide safe winter road conditions for vehicular and pedestrian traffic as set out in the level of service policies and within the resources established by the Council of “the Township of Southgate”.

## **2. POLICY STATEMENT**

The Township of Southgate will conduct safe and sustainable snowfighting to ensure, insofar as reasonably practicable, the safety and mobility of users of the municipal road network, in keeping with applicable state legislation.

The Township of Southgate will provide efficient and cost effective winter maintenance to ensure, insofar as reasonably practicable, the safety of users of the municipal road network in keeping with applicable provincial legislation and accepted standards while striving to minimize adverse impacts to the environment. These commitments will be met by:

- Adhering to the procedures contained within the Winter Operations Plan;
- Reviewing and upgrading the Winter Operations Plan on an annual basis to incorporate new technologies and new developments;
- Committing to ongoing winter maintenance staff training and education; and
- Monitoring on an annual basis, the present conditions of the winter maintenance program, as well as the effectiveness of the Winter Operations Plan.

## **3. QUICK OVERVIEW OF THE TOWNSHIP OF SOUTHGATE**

- Type of Organization: Municipal
- Structural Level: Township
- Estimated Population (2021 Consensus): 8676
- Total Area: 644350000.0 Square metres
- Street Address:  
185667 Grey Road # 9  
Dundalk, Ontario N0C 1B0  
Canada
- Telephone: 519-923-2110
- Website: [www.southgate.ca](http://www.southgate.ca)
- Roads Foreman & Fleet Manager: John Watson, 519-373-7844,
- Police:
  - Ontario Provincial Police - Grey County
    - Primary Phone: 1-800-310-1122

## 4. WINTER MAINTENANCE PROGRAM

### 4.1. The System Maintained

The major activities related to winter maintenance are:

- Snow plowing
- Salt /sand application
- Snow removal
- Snow storage
- Sidewalk plowing and de-icing
- Snow fencing

The Township of Southgate is responsible for winter maintenance on:

Road Category	Surface and Area Type	Individual Length (Lane kilometres)	Total Length (Lane kilometres)
Class 6	Unpaved and Rural	136.2	136.2
Class 5	Paved and Urban	24.0	37.0
	Surface Treated and Rural	13.0	
Class 4	Paved and Rural	278.4	808.9
	Surface Treated and Rural	89.4	
	Unpaved and Rural	441.1	

### 4.2. Level of Service

The Township of Southgate provides the following level of service during the winter maintenance season, as set out in 4.3, in response to a winter event.

The minimum standard for clearing snow accumulation is:

#### 4.2.1. Snow Accumulation and Ice Formation Policy

SNOW ACCUMULATION:

1. The standard for addressing snow accumulation is:
  - a. after becoming aware of the fact that the snow accumulation on a roadway is greater than the depth set out in the Table to this section, to deploy resources as soon as practicable to address the snow accumulation; and
  - b. after the snow accumulation has ended, to address the snow accumulation so as to reduce the snow to a depth less than or equal to the depth set out in the Table within the time set out in the Table,
    - i. to provide a minimum lane width of the lesser of three metres for each lane or the actual lane width, or
    - ii. on a Class 4 or Class 5 highway with two lanes, to provide a total width of at least five metres. O. Reg. 47/13, s. 4.
2. If the depth of snow accumulation on a roadway is less than or equal to the depth set out in the Table to this section, the roadway is deemed to be in a state of repair with respect to snow accumulation. O. Reg. 47/13, s. 4.
3. For the purposes of this section, the depth of snow accumulation on a roadway and, if applicable, lane width under subsection (1)(b), may be determined in accordance with subsection (4) by a municipal employee, agent or contractor, whose duties or responsibilities include one or more of the following:
  - a. Patrolling highways.
  - b. Performing highway maintenance activities.
  - c. Supervising staff who perform activities described in paragraph 1 or 2. O. Reg. 47/13, s. 4.
4. The depth of snow accumulation on a roadway and lane width may be determined by,
  - a. performing an actual measurement;
  - b. monitoring the weather; or
  - c. performing a visual estimate. O. Reg. 47/13, s. 4.
5. For the purposes of this section, addressing snow accumulation on a roadway includes, but is not limited to,
  - a. plowing the roadway;
  - b. salting the roadway;
    - i. the application of other chemical or organic agents to the roadway;
  - c. applying abrasive materials to the roadway; or
  - d. any combination of the methods described in clauses (a), (b), (b.1) and (c). O. Reg. 47/13, s. 4.
6. This section does not apply to that portion of the roadway designated for parking. O. Reg. 47/13, s. 4.

7. If at any time a municipality declares a weather emergency, then all roadways within the municipality are deemed to be in a state of repair in respect of any snow accumulation present, until the applicable time under the Table to this section expires following the end of the declared weather emergency.

#### ICE FORMATION:

1. The standard for attempting the prevention of ice formation on roadways is doing the following in the 24-hour period preceding an alleged formation of ice on a roadway:
  - a. Monitor the weather in accordance with section 3.1.
  - b. Patrol in accordance with section 3.
  - c. If the municipality determines, as a result of its activities under paragraph 1 or 2, that there is a substantial probability of ice forming on a roadway, treat the roadway to attempt to prevent ice formation within the time set out in the Table to this section, starting from the time that the municipality determines is the appropriate time to deploy resources for that purpose. O. Reg. 47/13, s. 5.
2. If the municipality meets the standard set out in subsection (1) and, despite such compliance, ice forms on a roadway, the roadway is deemed to be in a state of repair until the earlier of,
  - a. the time that the municipality becomes aware of the fact that the roadway is icy; or
  - b. the applicable time set out in the Table to this section for treating the roadway to prevent ice formation expires. O. Reg. 47/13, s. 5.
3. The standard for treating icy roadways after the municipality becomes aware of the fact that a roadway is icy is to treat the icy roadway within the time set out in the Table to this section, and an icy roadway is deemed to be in a state of repair until the applicable time set out in the Table for treating the icy roadway expires. O. Reg. 47/13, s. 5.
4. For the purposes of this section, treating a roadway means applying material to the roadway, including but not limited to, salt, sand or any combination of salt and sand. O. Reg. 47/13, s. 5.
5. If at any time a municipality declares a weather emergency, then all roadways within the municipality are deemed to be in a state of repair in respect of any ice present, until the applicable time under the Table to this section expires following the end of the declared weather emergency.

#### TABLE SNOW ACCUMULATION

<b>Class of Highway</b>	<b>Depth</b>	<b>Time</b>
1	2.5 cm	4 hours
2	5 cm	6 hours
3	8 cm	12 hours
4	8 cm	16 hours
5	10 cm	24 hours

TABLE  
ICE FORMATION PREVENTION AND ICY ROADWAYS

<b>Class of Highway</b>	<b>Time</b>
1	3 hours
2	4 hours
3	8 hours
4	12 hours
5	16 hours

The snow accumulation and ice-formation policies are attached herein as a separate document, in Appendix 3-1

#### **4.2.2. Private Sidewalk Responsibility**

The Township of Southgate is responsible for some public sidewalk clearing and is not responsible for private sidewalk clearing, infrastructure not assumed by Township.

#### **4.2.3. Plowing Private Property**

Private properties are the responsibility of respective owners.

### **4.3. Winter Season Maintenance**

For Operational purposes, the Township of Southgate assumes the winter season commences on 2022-Nov-15 and is completed by 2023-Apr-15 , while acknowledging that winter events may occur outside of this timeframe.

### **4.4. Winter Preparations**

In the months prior to the start of the winter maintenance season, as identified in 4.3, the Township of Southgate undertakes the following tasks to prepare for the upcoming winter season.

#### **4.4.1. Prior to Winter Season**

Prior to the winter season, if required, prepare and call tenders for the supply of materials (e.g. salt, sand, liquid, etc.), replacement parts (for plows, solid and liquid application equipment), value added meteorological services (VAMS) and contract equipment (e.g. plow trucks, spreader trucks, combination units, etc.).

Sometime prior to the winter season the Township of Southgate will:

- Conduct a mandatory training session for staff and contract operators where all policies, procedures, schedules, reporting procedures for callout, route maps, equipment training and safety precautions will be discussed. Any issues resulting from the meeting with regard to the policies, procedures, schedules, reporting procedures for callout, route maps, equipment training and safety precautions shall be resolved either at the meeting or prior to the winter season.
- Train winter patrollers (or staff whose duties also include patrolling) on the route of representative roads to be patrolled, their duties during a winter event, record keeping requirements, callout procedures and the de-icing chemicals to be applied for the forecast weather conditions.
- Inspect equipment to ensure proper working order. Schedule and complete any and all equipment repairs.
- Arrange for the delivery of materials (salt, sand and liquid solution) and begin filling storage facilities. If liquid solution is mixed on site, begin mixing and filling storage tanks.
- Confirm that all guiderail, catchbasin, hazard and fire hydrant markers, steep hill, sharp curve ahead warning signs, bridges ices sign, if any, are in place. Any missing markers should be replaced prior to the winter session.

#### **4.4.2. One Month Prior to the Winter Season**

One month prior to the winter season the Township of Southgate will:

- Assign equipment to staff.
- Calibrate material application equipment.
- Allow operators (staff and contract) time to familiarize themselves with any new equipment, material application rates, material application equipment and their route (driving the route and noting obstacles along the route).
- Assign staff to monitor and record weather forecasts on a daily basis. Upon the forecast of an approaching winter event, schedule a patrol of a route of representative roads. If a winter event is forecast prior to the start of the next scheduled shift a night and/or weekend patrol(s) of a route of representative roads should be scheduled. If a night or weekend patrol is scheduled the patroller should monitor and record the weather forecast and road conditions. The patrol person should be authorized to initiate a winter event response if conditions warrant a response.
- Have 50 % of the fleet ready to respond to a winter event.
- Have sufficient staff available to operate the fleet if conditions warrant a winter event response.

#### **4.4.3. Two Weeks Prior to the Winter Season**

Two weeks prior to the winter season the Township of Southgate will:

- Have 75 % of the fleet ready to respond to a winter event.
- Have staff available to operate the required complement of the fleet if conditions warrant a winter event response

#### **4.4.4. At the Start of the Winter Season**

At the start of the winter season:

- Implement the winter shift schedule.
- Begin patrolling representative roads in all roads/areas that the organization is responsible for
- Respond to winter events as per the winter operations plan.

### **4.5. Winter Patrol**

During the winter maintenance season, 4.3, *Township of Southgate* carries out a winter patrol on a route of representative roads twice daily, 7 days a week. Between winter events a patrol of representative roads will occur during daylight hours and a second night patrol will be also be scheduled. The purpose of the patrol is to monitor and record weather and road conditions and mobilize winter maintenance operators and equipment should a winter event be observed and a winter event response is required. On the approach of a winter event or during a winter event the route of representative roads may be modified, insofar as reasonably practicable, depending on the type and severity of winter event or the direction from which the storm approaches. The patrol person will be familiar



with local conditions in their patrol area, and prepare a condition log of road and weather conditions as well as any actions taken during the shift. The winter patrol schedule parallels the designated winter season.

## **4.6. Operations**

### **4.6.1. Staffing and Hours of Work**

The Township of Southgate has a full time employee assigned to each vehicle used for winter operations. Each vehicle is assigned a route for sanding/salting and/or plowing.

The Township of Southgate adheres to the hours of service as dictated by Highway Traffic Safety Act, Reg. 555/06 (Ontario, Canada).

<b>Staffing for Winter Maintenance</b>				
<b>Employee</b>	<b>Job Title</b>	<b>Reports to Facility</b>	<b>Assigned Route(s)</b>	<b>Assigned Equipment</b>
Adam Nicholls	Operator/Labourer	Dundalk Depot	Unit 215, Unit 117, Unit 121, Unit 125, Unit 222	Unit 125 - 2022 Trackless
Al Loucks	Operator / Labourer	Hopeville Depot	Unit 216	
Bill Walsh	Operator/Labourer	Hopeville Depot	Unit 212	Unit 212 - 2013 International 7600 Tandem
Brian Ferguson	Operator / Labourer	Holstein Depot	Unit 122	Unit 113 - 2014 Trackless, Unit 122 - 2020 John Deere Grader 870G
Cory Henry	Lead Hand	Dundalk Depot	Unit 215, Unit 121, Unit 208, Unit 125, Unit 222	Unit 117 - 2018 Kubota Tractor, Unit 121 2020 Trackless , Unit 125 - 2022 Trackless, Unit 208 - 2008 Ford F550, Unit 215 - 2016 International S/A , Unit 222 - 2021 S/A International
Dale Mason	Operator	Hopeville Depot	Unit 101	Unit 101 - 2010 John Deere Grader 870G
Grayson Hannivan	Operator / Labourer	Dundalk Depot	Unit 215, Unit 117, Unit 121, Unit 208, Unit 125, Unit 222	Unit 117 - 2018 Kubota Tractor, Unit 121 2020 Trackless , Unit 125 - 2022 Trackless, Unit 208 - 2008 Ford F550, Unit 215 - 2016 International S/A , Unit 222 - 2021 S/A International
James Johnson	Seasonal Operator / Labourer	Hopeville Depot	Unit 216	Unit 216 - 2017 International 7600 Tandem
John Watson	Roads Foreman & Fleet Manager	Hopeville Depot	RORR 0 Unit 318, Unit 209 - spare unit	Unit 209 - 2004 Sterling Tandem Spare Unit, Unit 315 - 2018 Ford F150, Unit 318 - 2021 Chev 1500
Keith Cressman	Operator/Labourer	Holstein Depot	Unit 105	
Kyle Tipple	Operator / Labourer	Hopeville Depot	Unit 220, Unit 100, Unit 209 - spare unit	Unit 100 - 2004 Volvo Grader 740G

Lorne Fick	Operator / Labourer	Dundalk Depot	Unit 215, Unit 117, Unit 121, Unit 208, Unit 125, Unit 222	Unit 117 - 2018 Kubota Tractor, Unit 121 2020 Trackless , Unit 125 - 2022 Trackless, Unit 208 - 2008 Ford F550, Unit 215 - 2016 International S/A , Unit 222 - 2021 S/A International
Michael Sherson	Operator / Labourer/Patroller	Dundalk Depot	RORR 0 Unit 316, Unit 125 and Unit 121, Unit 215, Unit 208, Unit 222	
Paul Stevenson	Lead Hand	Holstein Depot	Unit 105, RORR 0 Unit 318	
Steve Bates	Team Leader	Hopeville Depot	Unit 220, Unit 209 - spare unit	Unit 209 - 2004 Sterling Tandem Spare Unit, Unit 220 Western Star Tandem
Steve Cooke	Operator/Labourer	Dundalk Depot	Unit 215, Unit 117, Unit 121, Unit 125, Unit 222	
Steve Smart	Operator / Labourer/Patroller	Holstein Depot	Unit 113	
Tia Augurusa	Operator / Labourer	Holstein Depot	Unit 214	Unit 113 - 2014 Trackless, Unit 214 - 2014 International Tandem
Todd Marshall	Operator / Labourer	Holstein Depot	Unit 205, Unit 105	Unit 113 - 2014 Trackless, Unit 205 - 2007 International Tandem
Wayne Burns	Operator / Labourer	Holstein Depot	Unit 116	Unit 113 - 2014 Trackless, Unit 116 - 2016 John Deere Grader 870G
Zach Hull	Patroller/ Operator	Dundalk Depot	RORR 0 Unit 316, Unit 117, Unit 121, Unit 125	Unit 121 2020 Trackless , Unit 125 - 2022 Trackless, Unit 208 - 2008 Ford F550

Some of the key responsibilities associated with the management and overseeing of winter operations for this winter season are as below:

- John Watson will receive issues and concerns of the citizens regarding snow and ice control efforts.
- John Watson will be responsible for making operational decisions.
- John Watson will be authority to which the field staff will communicate the field conditions to.
- John Watson will be responsible for shift scheduling.
- John Watson will (when physically possible) be responsible for providing appropriate signage and or barricades in case a road has to be closed due to severe winter storm.
- John Watson will ensure media releases are sent to local news and radio stations advising of road closures.
- Paul Stevenson will be second in command to the Roads Foreman & Fleet Manager.

#### 4.6.2. Winter Material Used Annually

Primary Solid Material	Brand Name or Supplier	Expected Quantity this Season vs. Actual Quantity Last Season	Comes Pre-Mixed with	In-House Mix Added
Pretreated Salt	Sifto Salt	0.3 Tonnes(Can) vs. 0.3 Tonnes(Can)	Salt (NaCl) 5.5%	

#### 4.6.3. Application Rates

	Min. and Max. Ranges (Tonnes/lane-kilometre)		
	0.0 to -5.0 CELSIUS	-5.0 to -10.0 CELSIUS	-10.0 to -18.0 CELSIUS
Frost	0.01 - 0.02	0.02 - 0.02	0.01 - 0.01
Light Snow	0.01 - 0.02	0.02 - 0.02	0.01 - 0.01
Heavy Snow	0.01 - 0.02	0.02 - 0.02	0.01 - 0.01
Freezing Rain	0.01 - 0.02	0.02 - 0.02	0.01 - 0.01

#### 4.6.4. Equipment - Winter Maintenance Fleet

The Township of Southgate provides winter maintenance services on 24 routes with the equipment listed in Appendix 3.

<b>VEHICLE NAME OR NUMBER</b>	<b>VEHICLE TYPE</b>	<b>ASSOCIATED ROUTES</b>	<b>ASSOCIATED EMPLOYEES</b>	<b>LOCATION /YARD</b>
Unit 100 - 2004 Volvo Grader 740G	Grader	Unit 100	Kyle Tipple, Steve Bates	Hopeville Depot
Unit 101 - 2010 John Deere Grader 870G	Grader	Unit 101	Dale Mason	Hopeville Depot
Unit 105 - 2008 John Deere 870D	Grader	Unit 105	Keith Cressman, Paul Stevenson	Holstein Depot
Unit 113 - 2014 Trackless	Other	Unit 113	Brian Ferguson, Keith Cressman, Paul Stevenson, Tia Augurusa, Todd Marshall, Wayne Burns	Holstein Depot
Unit 116 - 2016 John Deere Grader 870G	Grader	Unit 116	Wayne Burns	Holstein Depot
Unit 117 - 2018 Kubota Tractor	Other	Unit 117	Adam Nichols, Cory Henry, Grayson Hannivan, Lorne Fick, Steve Cooke	Dundalk Depot
Unit 121 2020 Trackless	Other	Unit 121	Adam Nichols, Cory Henry, Grayson Hannivan, Lorne Fick, Michael Sherson, Zach Hull	Dundalk Depot
Unit 122 - 2020 John Deere Grader 870G	Grader	Unit 122	Brian Ferguson	Holstein Depot
Unit 125 - 2022 Trackless	Other	Unit 125	Adam Nicholls, Cory Henry, Grayson Hannivan, Lorne Fick, Michael Sherson, Steve Cooke, Zach Hull	Dundalk Depot
Unit 205 - 2007 International Tandem	Tandem Axle	Unit 205	Todd Marshall	Holstein Depot
			Adam Nichols, Cory	

Unit 208 - 2008 Ford F550	Single Axle	Entire Township 312	Henry, Grayson Hannivan, Lorne Fick, Michael Sherson, Zach Hull	Dundalk Depot
Unit 209 - 2004 Sterling Tandem Spare Unit	Tandem Axle	Unit 220	John Watson, Steve Bates	Hopeville Depot
Unit 212 - 2013 International 7600 Tandem	Tandem Axle	Unit 212	Bill Walsh	Hopeville Depot
Unit 214 - 2014 International Tandem	Tandem Axle	Unit 214	Tia Augurusa	Holstein Depot
Unit 215 - 2016 International S/A	Single Axle	Unit 215	Adam Nichols, Cory Henry, Grayson Hannivan, Lorne Fick, Michael Sherson, Steve Cooke	Dundalk Depot
Unit 216 - 2017 International 7600 Tandem	Tandem Axle	Unit 216	James Johnson	Hopeville Depot
Unit 220 Western Star Tandem	Tandem Axle	Unit 220	Steve Bates	Hopeville Depot
Unit 222 - 2021 S/A International	Single Axle	Unit 222	Adam Nichols, Cory Henry, Grayson Hannivan, Lorne Fick, Michael Sherson, Steve Cooke	Dundalk Depot
Unit 312 - 2016 Ford 150	Other	RORR 0 Unit 318	Paul Stevenson	Holstein Depot
Unit 315 - 2018 Ford F150	Other	RORR 0 Unit 318	John Watson	Hopeville Depot
Unit 318 - 2021 Chev 1500	Other	RORR 0 Unit 318	John Watson	Hopeville Depot
Unit 319 - 2021 Chev 1500	Other	RORR 0 Unit 318	Paul Stevenson	Holstein Depot

#### 4.6.4.1. Mechanics

The Township of Southgate does not have mechanics available to fix equipment issues.

#### **4.6.5. Winter Maintenance Facilities**

The Township of Southgate provides winter maintenance services from the winter maintenance facilities listed below.

##### **4.6.5.1. Holstein Depot**

Facility Type:  
Patrol Yard

Facility Address:  
Holstein Depot, 123273 Southgate Road 12, Holstein, Ontario N0G 2A0,  
Canada

Facility Phone:  
519-334-3581

Number of Front-end Loaders:  
1

Year Built:  
1972

Design and Logistics:

- All materials are handled in a designated area characterized by an impermeable surface
- Equipment is in place to prevent overloading of trucks
- System is in place for collection and/or treatment of wastewater from cleaning of trucks
- Control and diversion of external waters (not impacted by salt) is in place
- Ongoing clean-up of the site surfaces and spilled material is swept up quickly
- Risk management and emergency measures plans are in place

Material Storage Details:

- There is storage space available inside of this facility. It presently stores:
  - Sand / Salt mixture – 2.5 Tonnes(Can)
- There is no storage space available outside of this facility.

Equipment Storage Details:  
CAT 930K Loader



Equipment Washing Details:

This yard is located in the town of Holstein

Miscellaneous Material Details:

Sand dome

Site Drainage Details:

- There isn't any drainage and collection system for runoff of salt-contaminated waters at this facility
- The chloride concentration in the runoff is not monitored
- This site discharges to:
- Additional Site Storage Details

#### **4.6.5.2. Dundalk Depot**

Facility Type:

Patrol Yard

Facility Address:

75 Dundalk Street, Dundalk, Ontario N0C 1B0, Canada

Facility Phone:

519-923-5054

Year Built:

1995

Design and Logistics:

- All materials are handled in a designated area characterized by an impermeable surface
- Equipment is in place to prevent overloading of trucks
- System is in place for collection and/or treatment of wastewater from cleaning of trucks
- Control and diversion of external waters (not impacted by salt) is in place
- Ongoing clean-up of the site surfaces and spilled material is swept up quickly
- Risk management and emergency measures plans are in place

Material Storage Details:

- There is no storage space available inside of this facility.
- There is no storage space available outside of this facility.

Equipment Storage Details:

Unit 125 - 2022 Trackless, Unit 117 - 2018 Kubota Tractor, Unit 208 - 2008 Ford

F550, Unit 215 - 2016 International, Unit 121 - 2020 Trackless Unit 222 - 2022 International Single-Axle

Equipment Washing Details:

Yard located in the town of Dundalk

Miscellaneous Material Details:

Dundalk uses sand and salt from the Grey County dome.

Site Drainage Details:

- There is drainage and collection systems for runoff of salt-contaminated waters at this facility
- The chloride concentration in the runoff is not monitored
- This site discharges to:
- Additional Site Storage Details

#### **4.6.5.3. Hopeville Depot**

Facility Type:

Patrol Yard

Facility Address:

185667 Grey Rd 9 RR#1, Dundalk, Ontario N0C 1B0, Canada

Facility Phone:

519-923-2110

Number of Front-end Loaders:

1

Year Built:

1973

Design and Logistics:

- All materials are handled in a designated area characterized by an impermeable surface
- Equipment is in place to prevent overloading of trucks
- System is in place for collection and/or treatment of wastewater from cleaning of trucks
- Control and diversion of external waters (not impacted by salt) is in place
- Ongoing clean-up of the site surfaces and spilled material is swept up quickly
- Risk management and emergency measures plans are in place

Material Storage Details:

- There is storage space available inside of this facility. It presently stores:
  - Sand / salt – 3.5 Tonnes(Can)
- There is no storage space available outside of this facility.

Equipment Storage Details:  
All equipment is indoors

Equipment Washing Details:  
This location is also the Administration office

Miscellaneous Material Details:  
Sand shed

Site Drainage Details:

- There isn't any drainage and collection system for runoff of salt-contaminated waters at this facility
- The chloride concentration in the runoff is not monitored
- This site discharges to:
- Additional Site Storage Details

#### **4.6.6. Parking Lots**

The Township of Southgate provides winter maintenance services to the listed parking lots below.

##### **4.6.6.1. Frank McIntyre**

Facility Address: Frank McIntyre, 250 Owen Sound Street, Dundalk, Ontario N0C 1B0, Canada

Number of Parking Spots: 20

Responsibility to maintain: Township of Southgate

The lot is used for storage or disposal of snow.

The drainage from this lot is controlled.

Service Policy:

Regular maintenance provided.

##### **4.6.6.2. Medical Center**

Facility Address: 53 Main St W, Dundalk, Ontario N0C 1B0, Canada

Number of Parking Spots: 10

Responsibility to maintain: Township of Southgate

The lot is not used for storage or disposal of snow.

The drainage from this lot is controlled.

Service Policy:

Parking Lot receives regular maintenance.

#### **4.6.6.3. Dundalk Arena and Community Center**

Facility Address: 550 Main Street East, Dundalk, Ontario N0C 1B0, Canada

Number of Parking Spots: 100

Responsibility to maintain: Township of Southgate

The lot is used for storage or disposal of snow.

The drainage from this lot is controlled.

Service Policy:

Parking lot receiving regular maintenance.

#### **4.6.6.4. Library**

Facility Address: 80 Proton St N, Dundalk, Ontario N0C 1B0, Canada

Number of Parking Spots: 10

Responsibility to maintain: Township of Southgate

The lot is used for storage or disposal of snow.

The drainage from this lot is controlled.

Service Policy:

Parking lot receives regular maintenance.

#### **4.6.6.5. Proton Street North**

Facility Address: Proton Street North, Dundalk, Ontario N0C 1B0, Canada

Number of Parking Spots: 20

Responsibility to maintain: Township of Southgate

The lot is not used for storage or disposal of snow.

The drainage from this lot is controlled.

Service Policy:

Parking lot receives regular maintenance.

#### **4.6.6.6. Artemesia Parking Lot**

Facility Address: Artemesia Street North of Main, Dundalk, Ontario N0C 1B0, Canada

Number of Parking Spots: 4

Responsibility to maintain: Township of Southgate

The lot is not used for storage or disposal of snow.

The drainage from this lot is not controlled.

Service Policy:

Parking lot receives regular maintenance.

#### **4.6.7. Snow Removal and Disposal**

Currently, municipal staff removes and hauls snow to the sites listed in the table below when the accumulation of piled snow impedes traffic on the road and/or sight lines at intersections.

The decision to initiate the hauling operation will be dependent upon the depth and accumulation of snow. Snow will only be removed from intersections where a public street intersects with another public street. This operation will typically be conducted after other higher priority post-storm activities have been completed.

Under normal circumstances, hauling of the snow will be conducted during normal working hours. Snow removal from the rights-of-way into private property driveways will be the responsibility of the adjacent private property owner\*.

##### **4.6.7.1. Dundalk**

Site Address: 752051 Ida Street, Dundalk, Ontario N0C 1B0, Canada

#### Surrounding Land Use and Surface Material:

- North of site: Commercial – Unpaved
- South of site: Residential – Unpaved
- East of site: n/a – Unpaved
- West of site: n/a – Unpaved

#### Drainage:

- Controlled runoff: No
- Retention pond: No
- Additional details: The Run-off is managed on site.

#### Site Design:

- Design capacity: 1000000 Litres
- Snow disposed-off entirely on a low permeability surface: 0 %
- Meltwater directed to a retention pond before its discharge: 0 %
- Meltwater collected and discharged into a municipal sewer system: 0 %
- Meltwater collected and discharged into a watercourse: 0 %

#### Additional Details:

Snow is brought to the Township of Southgate lagoon property.

The Township of Southgate does not use snow melters.

### **4.6.8. Plow Routes**

Appendix 2 contains maps of the salt/sand routes, anti-icing routes and plow routes.

### **4.6.9. Salt Vulnerable Areas**

Certain locations within the area of responsibility of the Township of Southgate have been identified as being potentially vulnerable to the over-application of road salt. These areas are shown on the route maps in the appendices. Accordingly, salt storage, snow disposal and material application in these areas will be strictly monitored and in some cases may be restricted in a variety of ways.

#### **4.6.9.1. Dundalk Wells**

Facility Address:

Area Footprint: 230000.0 Square Metres

Additional Details: Well D3 is located at 280 Victoria Street West (industry Road)

in Dundalk Well D4 is located at 550 Main Street East in Dundalk Well D5 is located at 250 Hagan East Street in Dundalk

Mitigation Measures: The Township of Southgate uses 4% salt in a sand/salt mix.

Associated Vulnerabilities: Drinking water (surface or groundwater)

#### **4.6.10. Weather Monitoring**

In order to determine an effective winter event response and allocate the appropriate resources the Township of Southgate supplements their general observations with weather information from various sources which includes:

- 6 Infrared Thermometers
- Observations from municipal staff, communication with staff of adjacent municipalities;
- Customized weather forecasts which are updated 4 times/day from a Value Added Meteorological Service The Winter Web App Team at Ontario Good Roads Association
- OGRA Weather Tracking Service

#### **4.6.11. Communications**

Maintaining reliable internal communications is a critical component of winter operations. The Township of Southgate uses the following:

- All winter maintenance vehicles are equipped with two way communications (radios, cell phone, etc.).
- Township of Southgate provides a call centre which:
  - Is open during the winter season identified in section 4.3 in this document and is staffed 24 hours a day.
  - Is available 7 days a week.

All citizen issues concerning snow and ice control efforts will be routed to Roads Foreman & Fleet Manager . The Roads Foreman & Fleet Manager will determine appropriate follow-up responses to citizen inquiries.

The municipality provides external communication with the general public via:

- Information posted on the municipality's web site ([www.southgate.ca](http://www.southgate.ca))
- [www.facebook.com](https://www.facebook.com)

#### **4.6.12. Boundary Street Jurisdiction and Responsibility**

The table below outlines the responsibilities of each agency has to the roads bordering with the Township of Southgate. The agencies listed in the table have first response maintenance responsibility to these roads. If the Township of

Southgate has its snow routes open and serious problems remain on the boundary streets, The Township of Southgate snow plows may assist based upon the judgement of Roads Foreman & Fleet Manager on duty.

TABLE

<b>Organization, and Contact</b>	<b>Responsibility Details</b>	<b>Telephone Number</b>
The Municipality of Grey Highlands, Chris Cornfield	Roads emergency number	519-986-4069
The Municipality of West Grey, Brent Glazier	Director of Infrastructure & Public Works	519-369-2200
The Township of Melancthon, Craig Micks	Public Works Superintendent	519-925-5525
The Township of Wellington North, Dale Clark	Roads Foreman	519-848-2790

#### **4.6.13. Callout Procedures**

Operational decisions will be made by the Roads Foreman / Fleet Manager or his designate with the aid of available forecasting, Level of Service policy, patrolling etc. However, it should be emphasized that decisions will be subjective and external input, whether in this plan or elsewhere, merely acts as an aid in determining if a call out of staff and equipment by the Roads Foreman / Fleet Manager to respond to a winter event is warranted.

It is vital therefore that the Roads Foreman / Fleet Manager records the prevalent conditions and relevant information when he makes a decision.

The patrol person shall inform the Roads Foreman / Fleet Manager of changing of road and weather conditions observed in the field. When a winter event response is required the patroller will contact Public Works staff by phone. The patroller will contact staff as per the shift schedule and the direction given by the Roads Foreman / Fleet Manager. In the absence of the patroller 1 the patrol 2 person shall be his/her designate and initiate a call out in response to a winter event.

#### **4.6.14. Road Closure and Procedures**

In the event a road must be closed due to a severe winter storm, Ontario Provincial Police - Grey County will request signs be placed to close the road. Appropriate signage and barricades will be available at the patrol yard. Upon receiving a request from Ontario Provincial Police - Grey County to close a road to traffic,



#### **4.6.15. Declaration of Emergency Parking Ban**

No Parking on streets from November 15 to April 15 from 12am to 7am.

Cars parked on the streets during a snow removal effort may be ticketed and/or towed away. A snow emergency parking ban may be declared by Roads Foreman & Fleet Manager , or their designee. The Ontario Provincial Police - Grey County and media will be notified when the parking ban is initiated.

#### **4.6.16. Operating Instructions and Safety Rules**

All individuals (whether local staff or contracted) shall abide by operating instructions and safety rules as stated in Appendix 6.

### **4.7. Decommissioning Winter Operations**

After the winter season identified in 4.3 expires, the Township of Southgate undertakes the following tasks to decommission winter operations:

#### **4.7.1. Two Weeks After the Winter Season Ends**

Two weeks after the winter season ends:

- Cease regularly scheduled winter night patrols.
- Continue monitoring and recording weather forecasts.
- Assign night patrol shift if forecast indicates an overnight winter event is probable.
- Decommission 50 % of the fleet.

#### **4.7.2. One Month After the Winter Season Ends**

One month after the winter season ends:

- Cease all winter highway maintenance operations
- Decommission the remainder of the equipment providing weather forecasts warrant the decommissioning.

### **4.8. Training**

The Township of Southgate provides winter operations training for all staff involved in the delivery of winter services.

Individuals in the following positions within and outside of the organization have been trained:

- Within Organization:
  - Manager(s)
  - Supervisor(s)
  - Operator(s)
  - Mechanic(s)
  - Patroller(s)
- Contracted Staff:
  - Manager(s)
  - Supervisor(s)
  - Operator(s)
  - Mechanic(s)
  - Patroller(s)

It is compulsory for the organization's in-house staff to be trained for winter services. All trained staff will verify that the training was received by either signing the "Record of Training" included in Appendix 7-1 or 7-2, or another verification document.

Current winter operations training(s) for in-house staff:

- Equipment Circle Check
- Equipment Calibration
- Record Keeping
- Health and Safety
- Level of Service – policies, practices and procedures
- Identification of Plow Routes – including variations for year to year and issues identified along the route
- Identification of vulnerable areas
- Yard and Equipment maintenance

## 4.9. Record Keeping

Full and accurate completion of the documents listed below, according to the applicable procedures, ensures that the municipality is protected from liability by providing solid documentation that procedures have been followed.

Staff is responsible for keeping the following records:

For Equipment Operators:

- Materials used (sand, salt, liquids)
- Route Plowed and strategy used (plow only, salt/sand only, anti-ice, combination plowing/sanding/salting)

For Patrollers:

- Winter Patrol Record
- Call Out Diary
- Weather and/or RWIS Information Received

For Operations Supervisors:

- Operations Diary
- Incident/Collision Reports
- Total materials used
- Equipment Calibration Records
- Retains records of salt application rates of your fleets
- Has Automatic Vehicle Location (AVL) system installed on fleet

The date will be recorded as YYYY-MMM-DD. It will be written in a numerical format ( 2022-Dec-01 ). The time shall be documented using the 24 hour clock format.

Always retain the original copy of documents regardless of their appearance. Writing must be legible for others to read and written in ink. Stains or dirt on the documents is not an issue. If a document requires correction then a line is to be placed through the incorrect information without making it illegible and continue writing on the original document. Initial corrections or change in the colour of ink in a case where you change writing pens.

## 5. PLAN IMPROVEMENTS

The current winter maintenance policies, practices and procedures form the baseline or benchmark upon which improvements can be made to improve winter operations and/or the use and management of road salt.

Based upon the need to maintain continual service throughout the season, and the previous experience obtaining critical supplies and equipment at the height of the season, over the next ten years the Township of Southgate plans to undertake a number of improvements that will be monitored and updated annually.

- Equipment
  - 2022-2023 Season: Using Pre-treated salt pug milled with sand. New Tandem snowplow in Holstein unit 221. New Single Axle snowplow in Dundalk unit 222. Updated GPS/AVL in units

## 6. MONITORING AND UPDATING

Safe and sustainable winter operations includes, as one of its fundamental tenets, the monitoring and updating of winter operations plans, policies, practices and

procedures (the “four Ps”) of the Township of Southgate in an ongoing manner. To that end, the following continuous improvement cycle is used to refine the “four Ps” annually.



At the end of the winter season, as identified in 4.3, a meeting to review winter operations will be held each year with all winter operations staff to itemize all issues that arose during the winter season and discuss how these issues may be resolved. Prior to the start of the next winter season and with sufficient lead time to implement any changes, the Township of Southgate shall train staff on the changes to equipment and/or winter maintenance policies, practices, and procedures.

The winter season of (2021/22) will be the benchmark year. Year over year achievement using the performance measures listed below will be measured against said benchmark year. Performance measures will be used to determine whether or not the objectives of the Winter Operations Plan and/or winter maintenance policies, practices, and procedures have been met.

Monitoring the severity of the winter season:

- % change (+/-) in the total annual Centimetres of snow accumulation from the benchmark year
  - Last Season: 1425.0
  - This Season: 1153.0
  - **% Change: -19.09**
- % change (+/-) in the total number of days with measurable snowfall from the benchmark year
  - Last Season: 90
  - This Season: 69
  - **% Change: -23.33**
- % change (+/-) in the total number of days with freezing rain from the benchmark year
  - Last Season: 9
  - This Season: 5
  - **% Change: -44.44**
- % change (+/-) in the total number of continuous winter event responses from the benchmark year
  - Last Season: 22
  - This Season: 51
  - **% Change: +131.82**
- % change (+/-) in the total number of spot winter event response from the benchmark year
  - Last Season: 10
  - This Season: 59
  - **% Change: +490.00**
- % change (+/-) in the total number of winter event hours from the benchmark year
  - Last Season: 2020.0
  - This Season: 2635.0
  - **% Change: +30.45**
- % change (+/-) in the total number of days that required salt operation from the benchmark year
  - Last Season: 30
  - This Season: 35
  - **% Change: +16.67**

Monitoring the Salt Used:

- % change (+/-) in the total tons of salt purchased annually from the benchmark year
  - Last Season: 400.0
  - This Season: 400.0
  - **% Change: +0.00**
- % of applications where discharge rates exceeded
  - Last Season: 0
  - This Season: 0
  - **% Change: +NaN**
- % change (+/-) in the total tons of salt applied annually per lane km per winter event
  - Last Season: 400.0
  - This Season: 400.0
  - **% Change: +0.00**

Ensuring customer satisfaction:

- % change (+/-) in the total number of winter event responses that met or exceed the level of service policy from the benchmark year
  - Last Season: 32
  - This Season: 110
  - **% Change: +243.75**
- % change (+/-) in the total number of complaints received regarding winter operations from the benchmark year
  - Last Season: 3
  - This Season: 5
  - **% Change: +66.67**

## 7. ADDITIONAL DETAILS

### 7.8 No Winter Maintenance Roads 2022-2023

### 7.10 Dundalk Winter Activity Report

The Dundalk Public Works Team will complete this form for reporting Winter Activity.

## 8. DISTRIBUTION OF THIS PLAN

This Plan shall be distributed to the following:

- Public Works Supervisors
- Public Works Manager
- Public Works Foreman / Fleet Manager
- Operations Staff
- Township Plow Trucks or Graders
- Township of Southgate Council

## **9. DISCLAIMER**

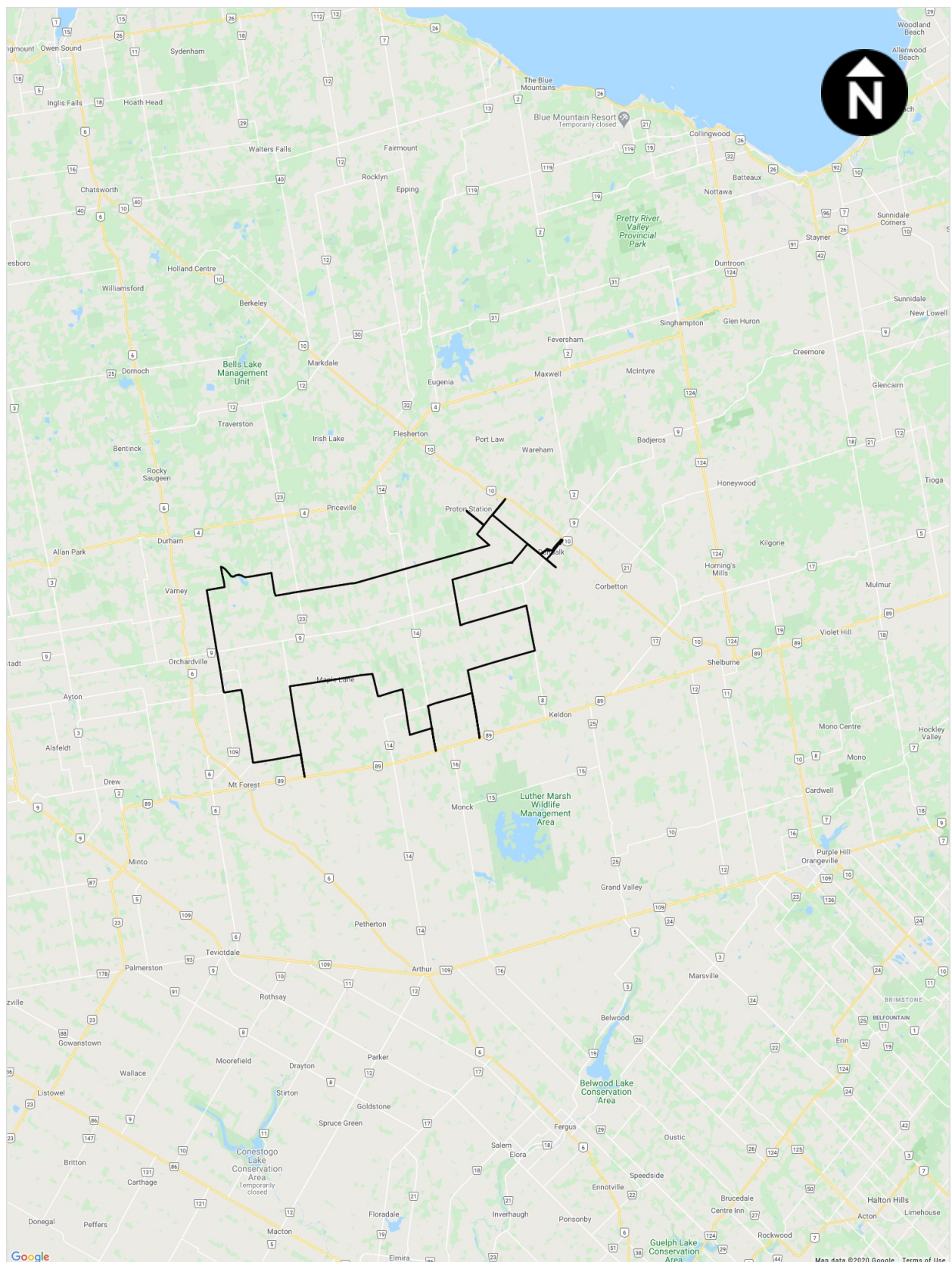
This Manual may be affected by at least one or more of the following events which could delay or alter snow and ice control by the Township of Southgate:

1. Equipment breakdown
2. Vehicles disabled in deep snow.
3. Weather so severe as to cause work to be stopped for the safety of all personnel.
4. Unforeseen conditions and emergencies.
5. Significant medical related emergencies.

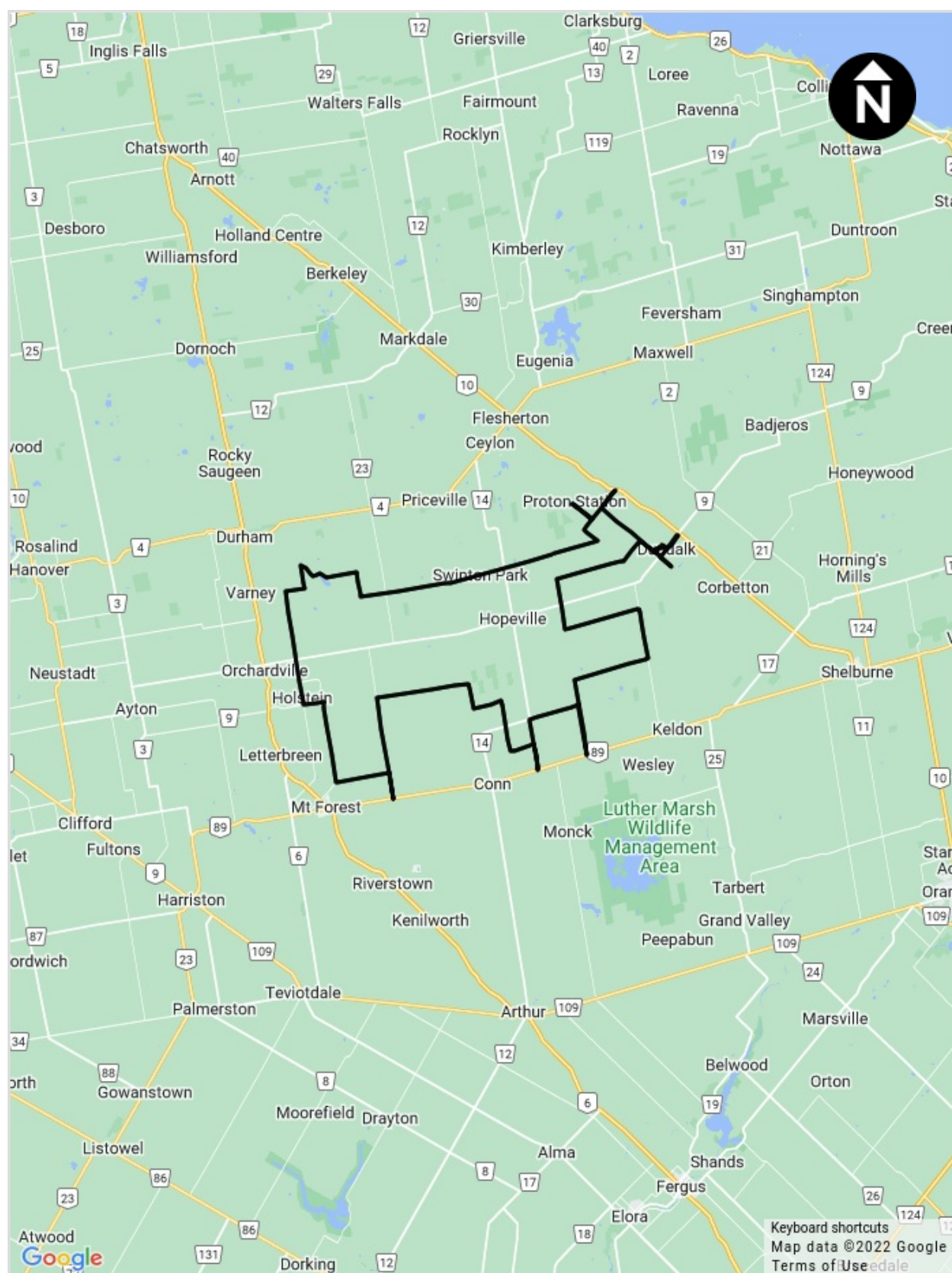
# **Appendix 1**

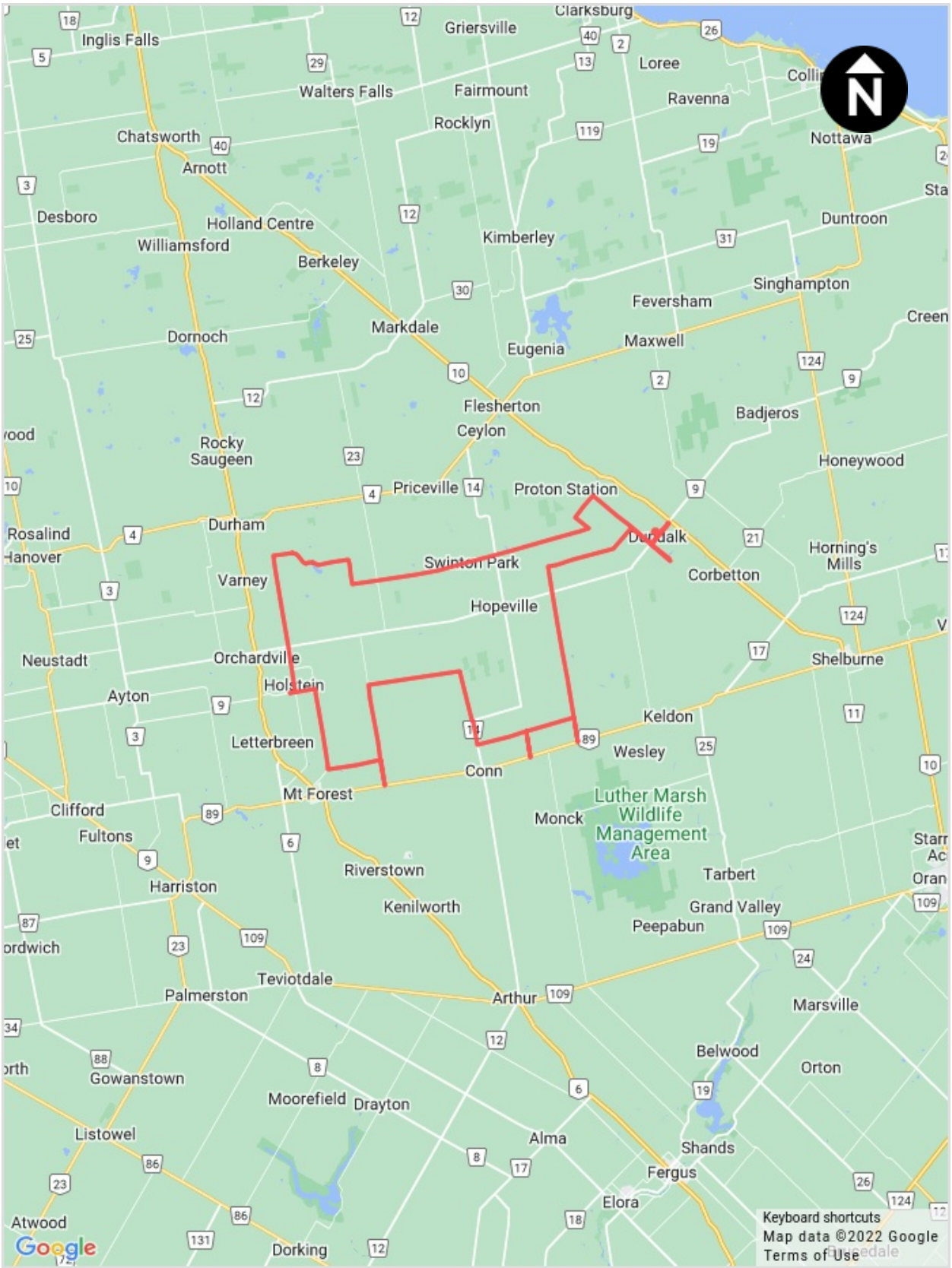
Patrol Routes  
(a.k.a. Routes of Representative Roads)



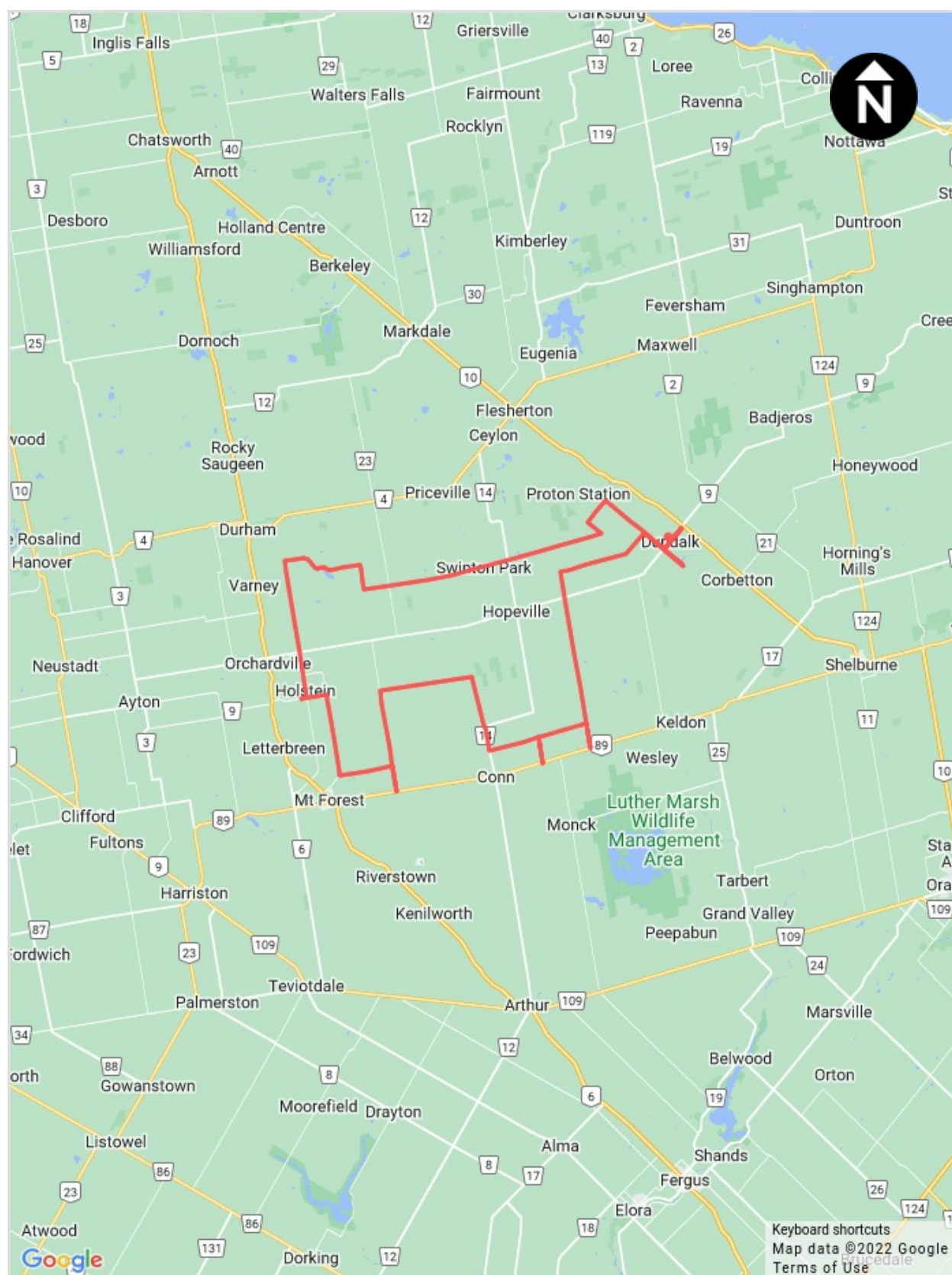










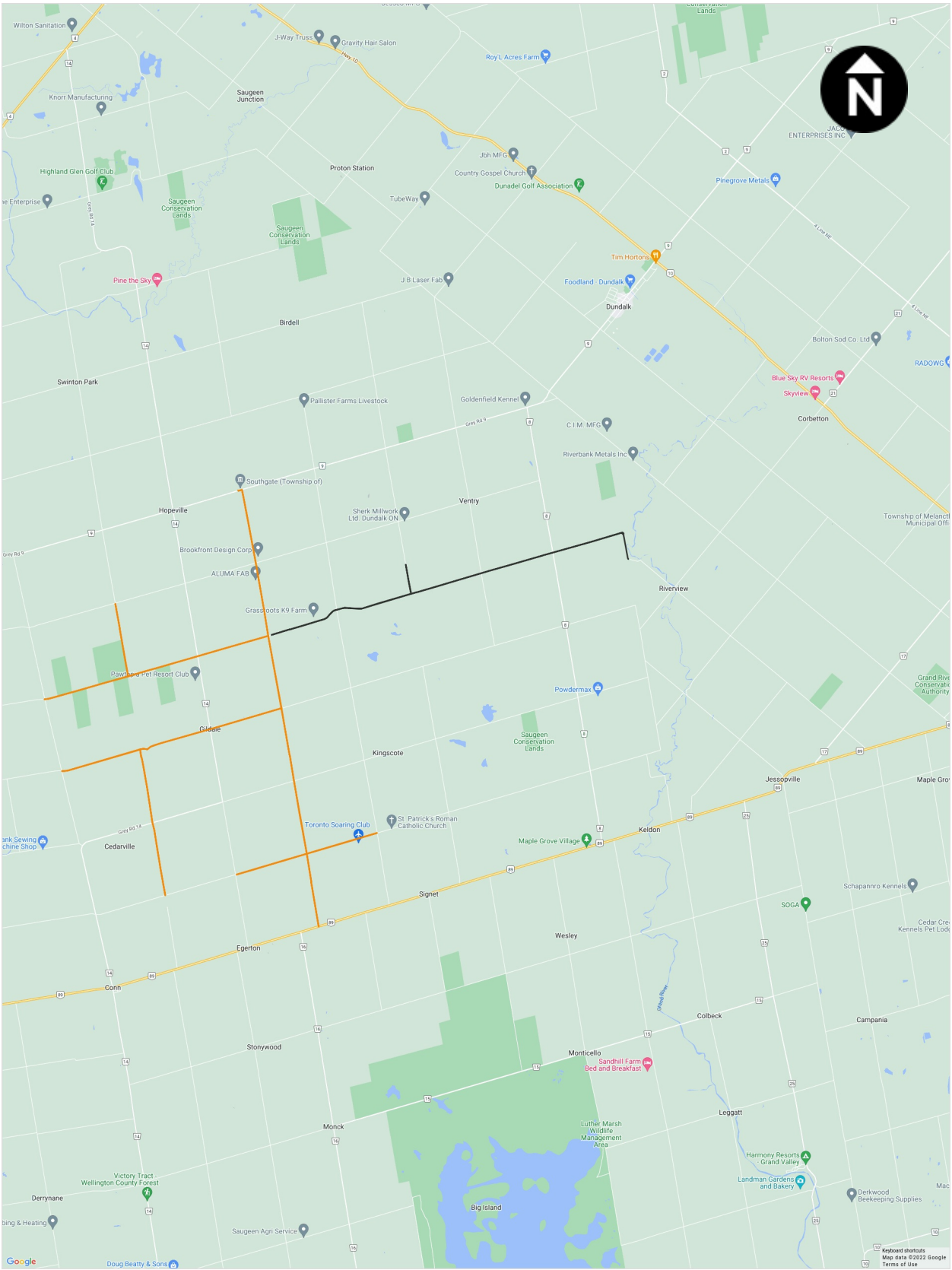


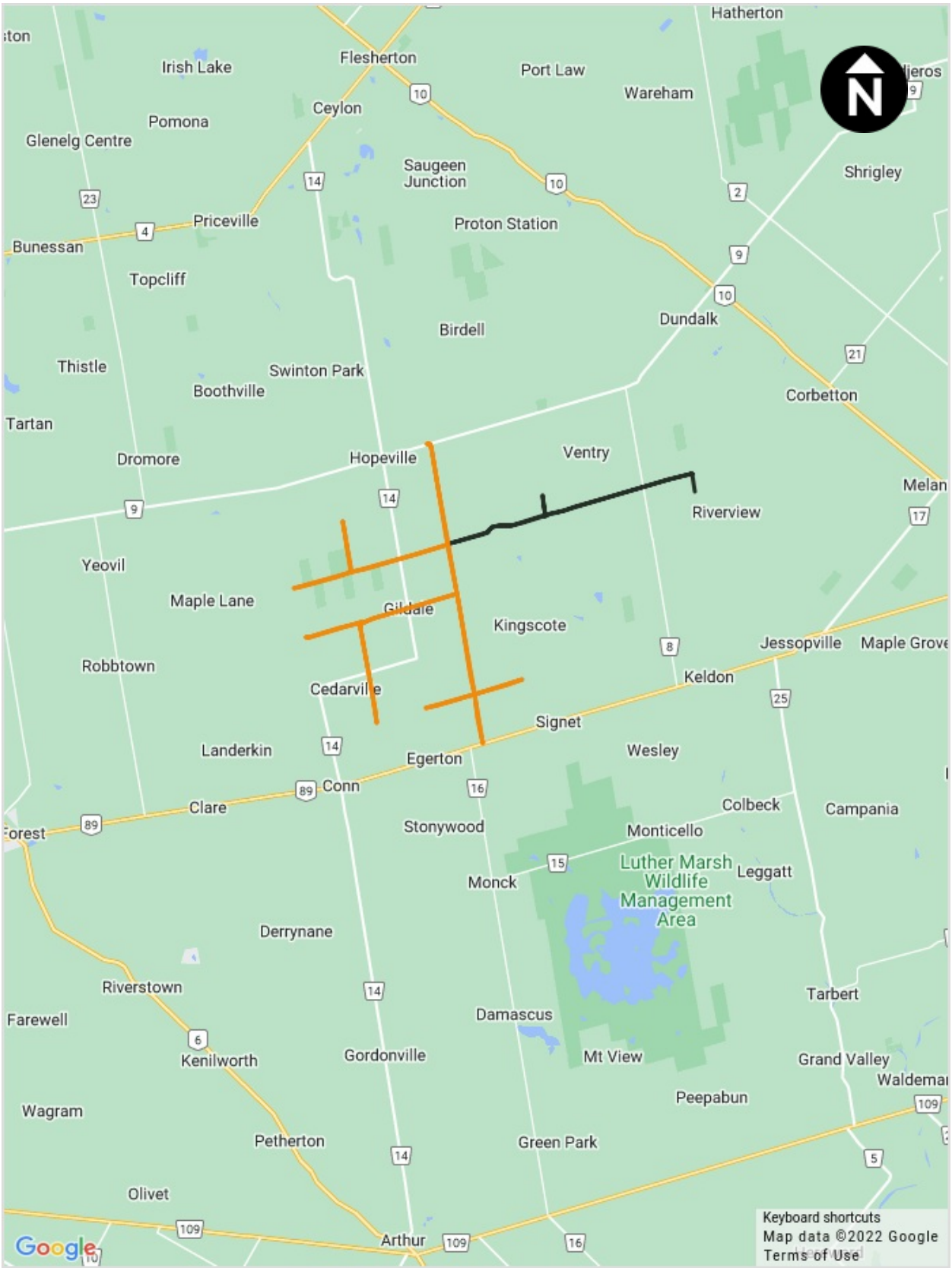
# **Appendix 2**

## Road and Sidewalk Routes

Unit 100  
Roadway Route

Total Length: 187.57 Lane Kilometres

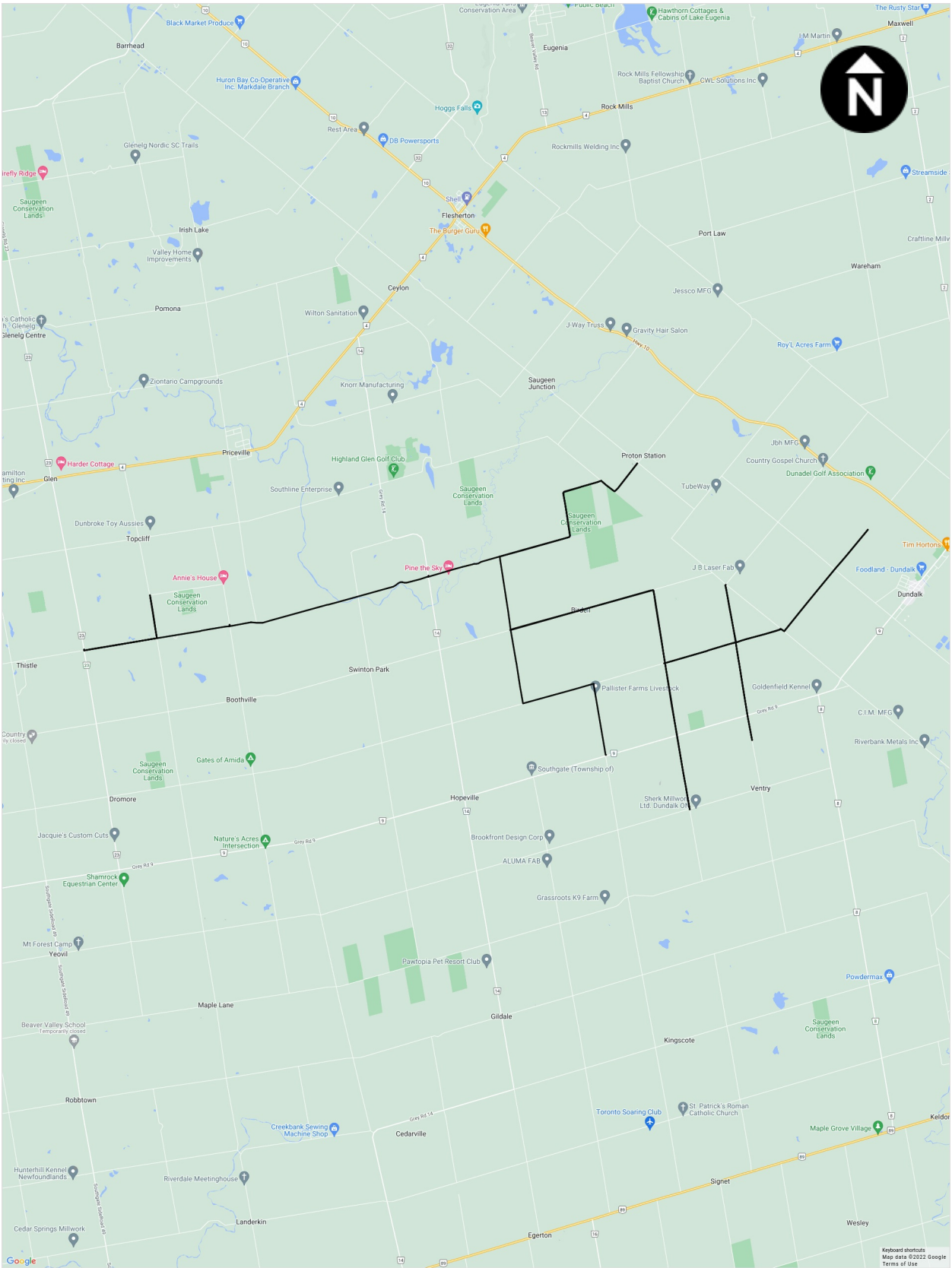






Unit 101  
Roadway Route

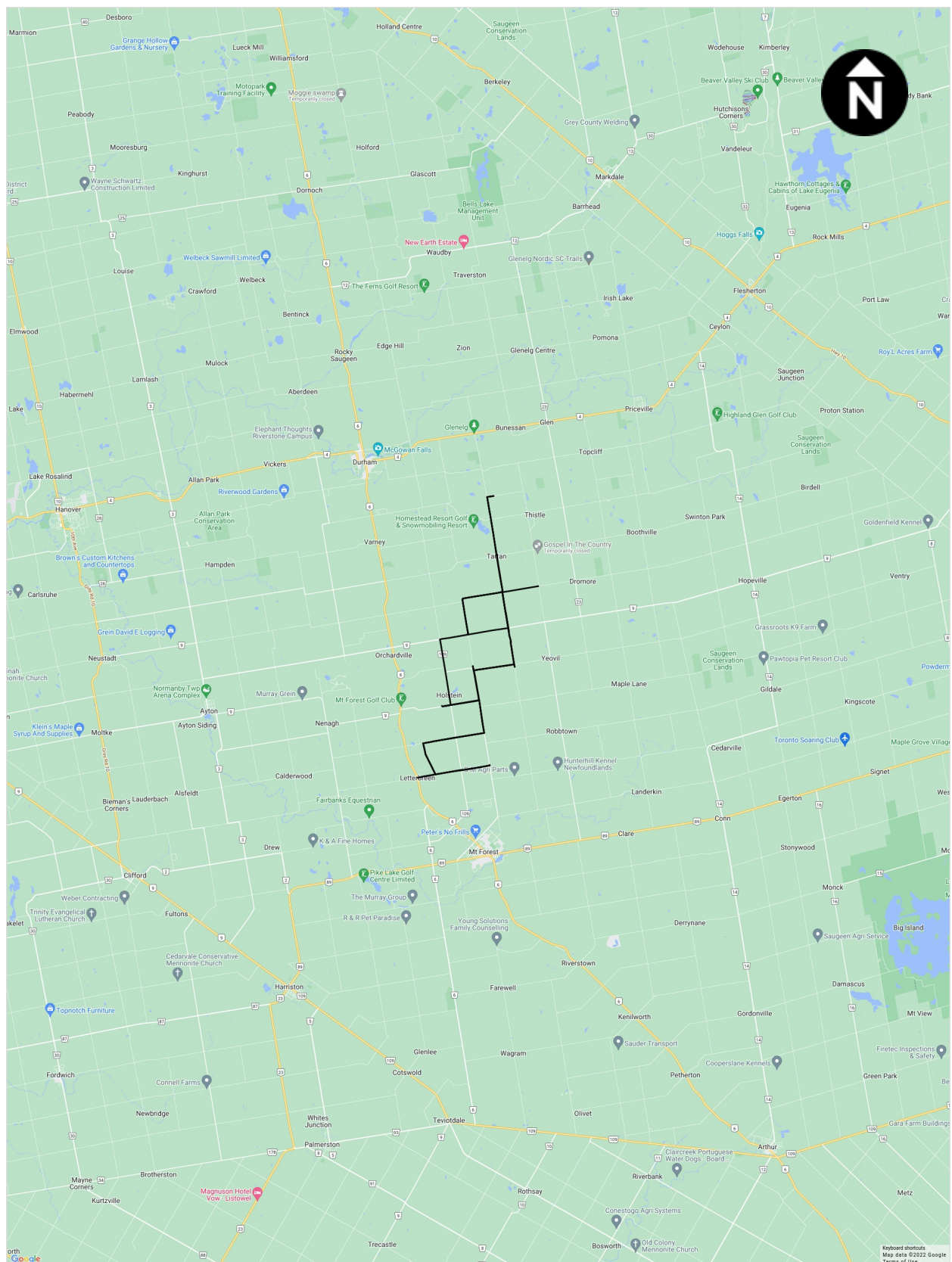
Total Length: 159.95 Lane Kilometres

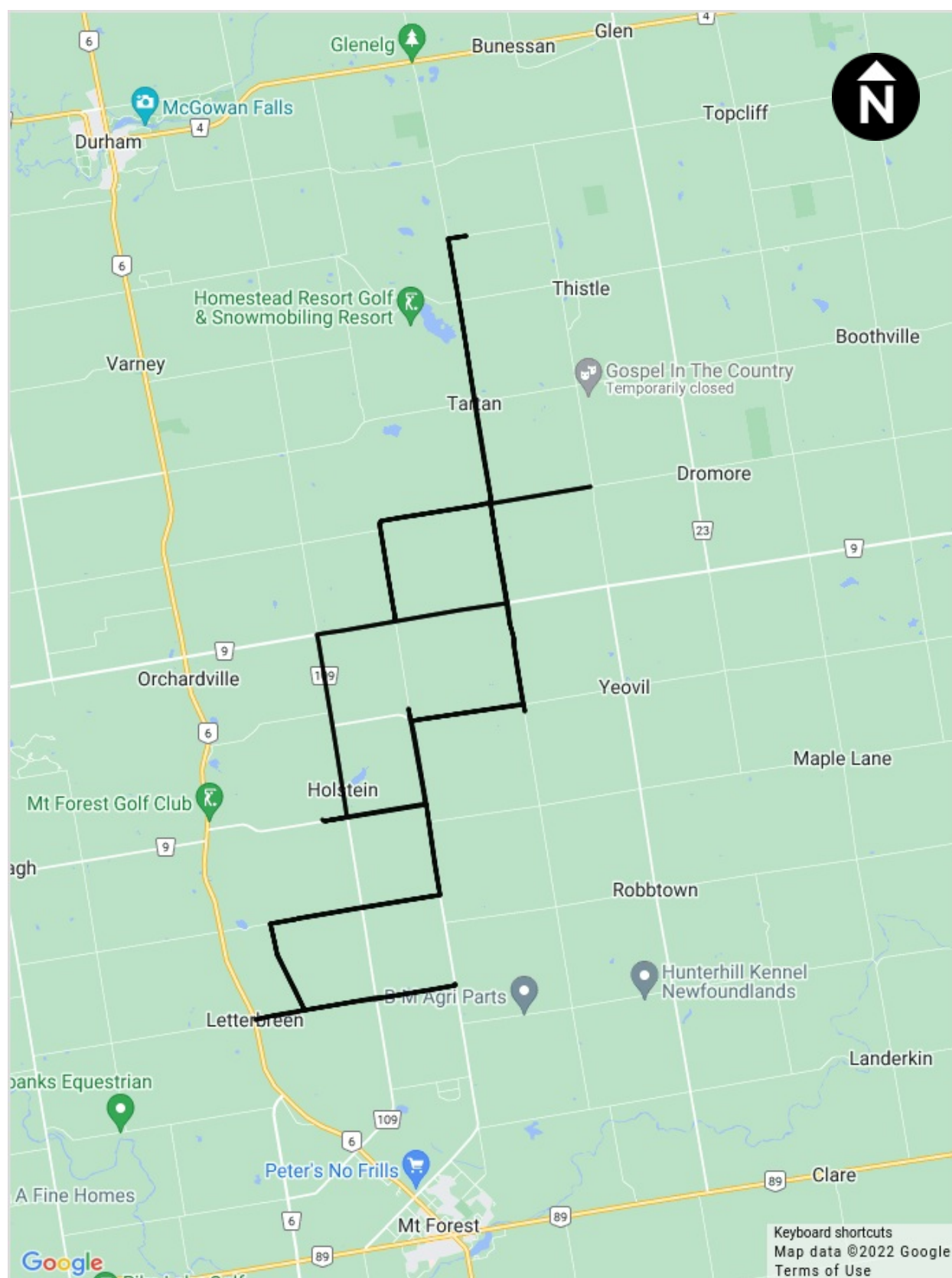


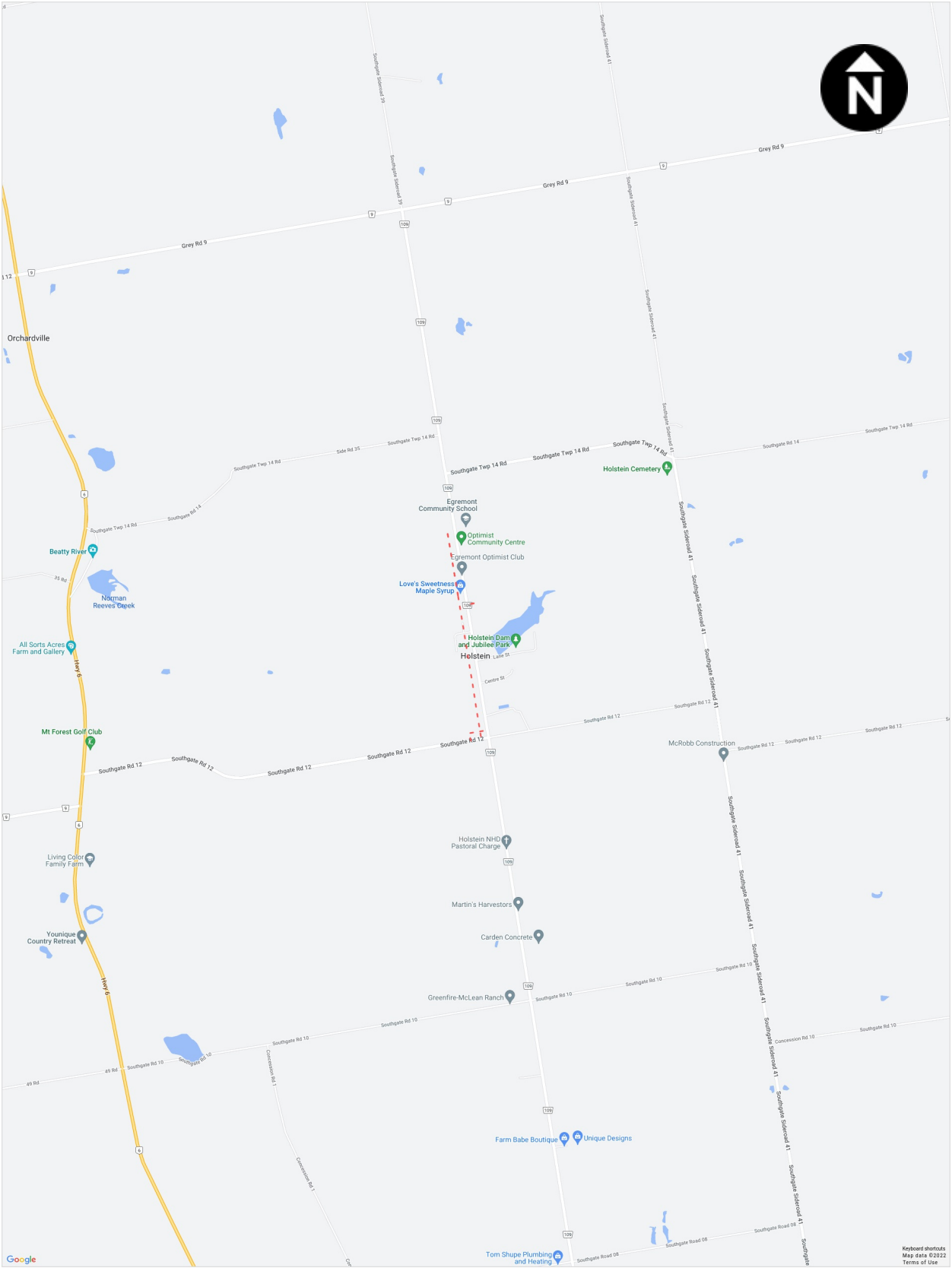


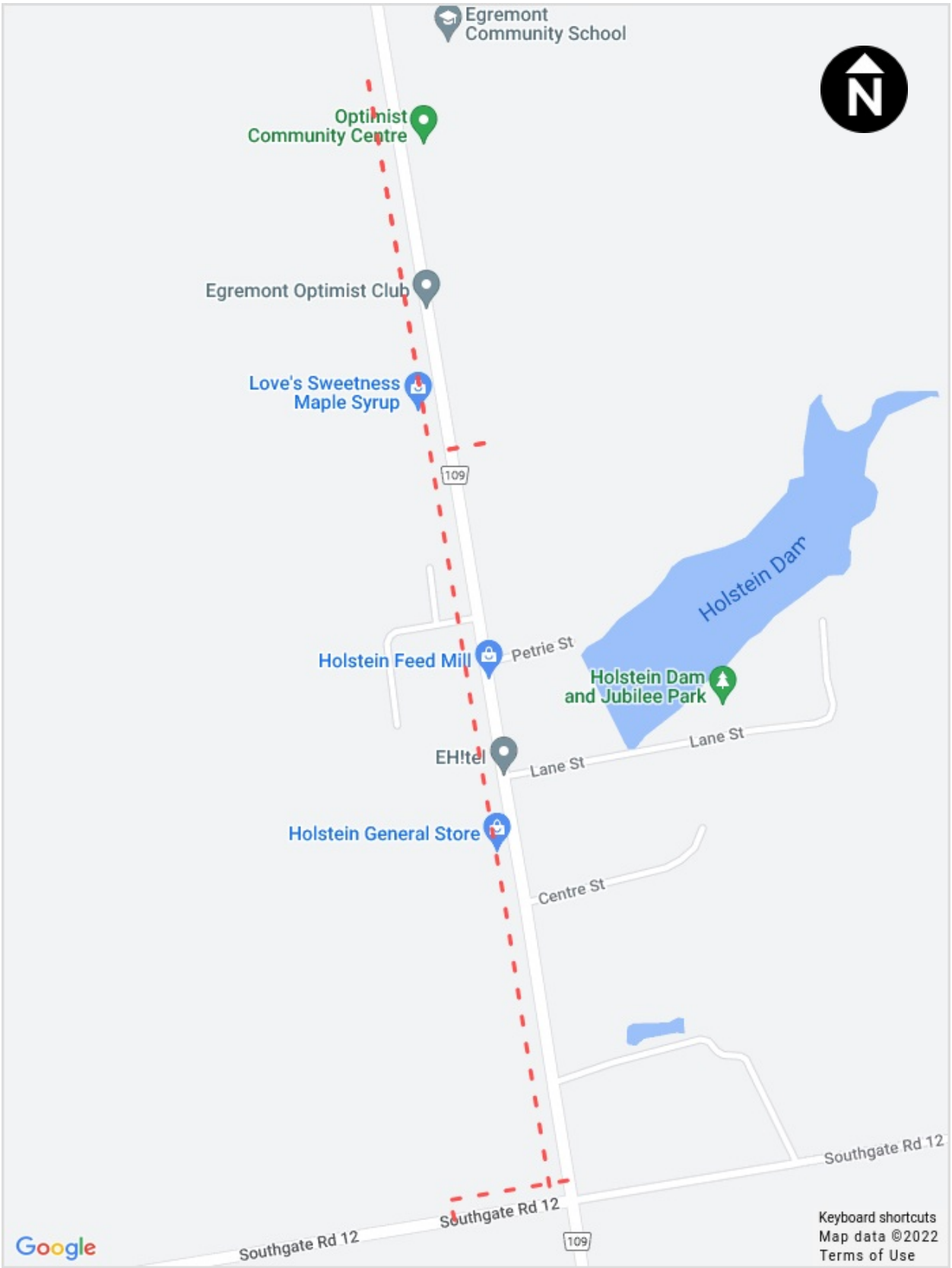
## Unit 105 Roadway Route

Total Length: 151.97 Lane Kilometres





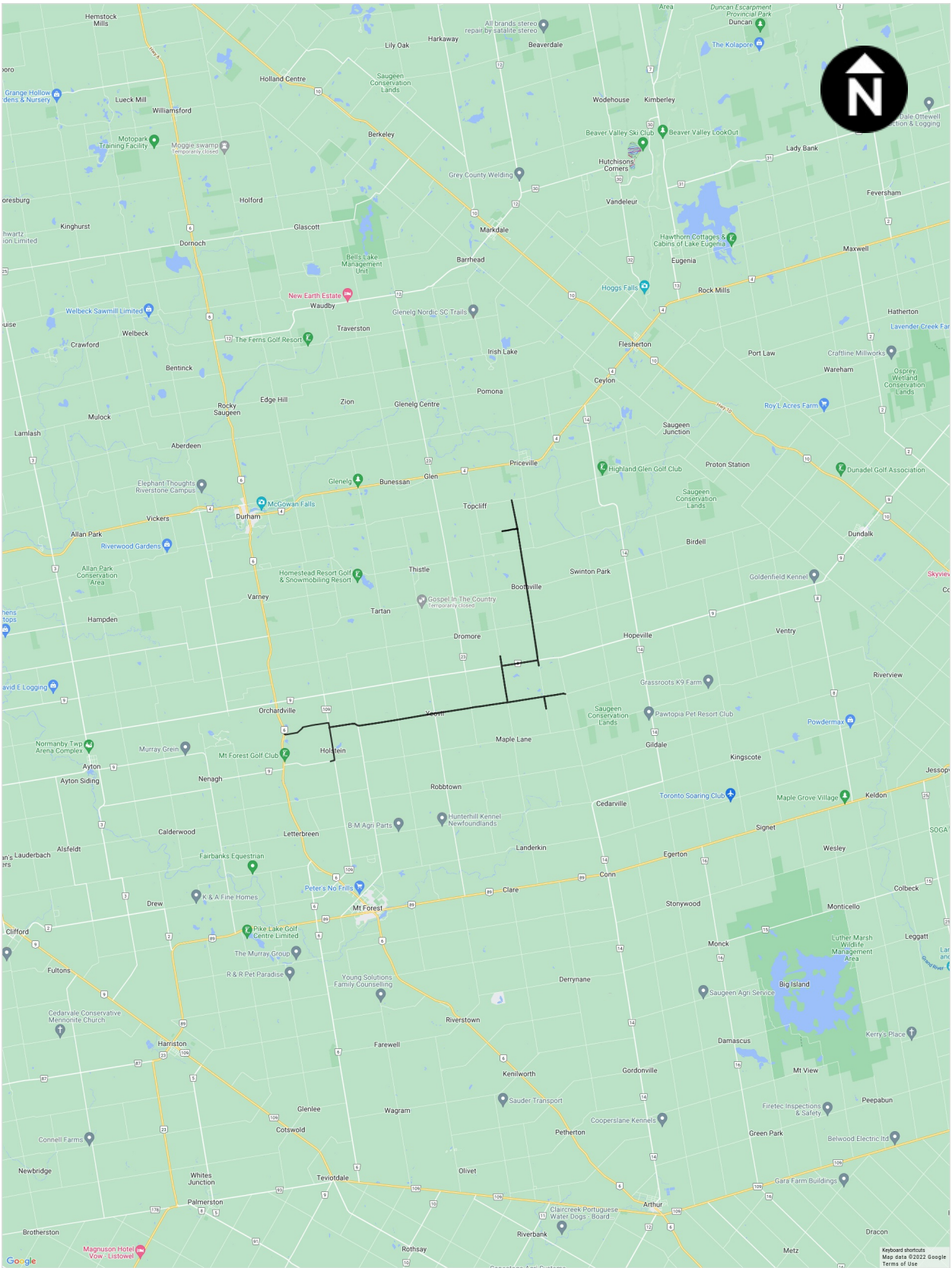


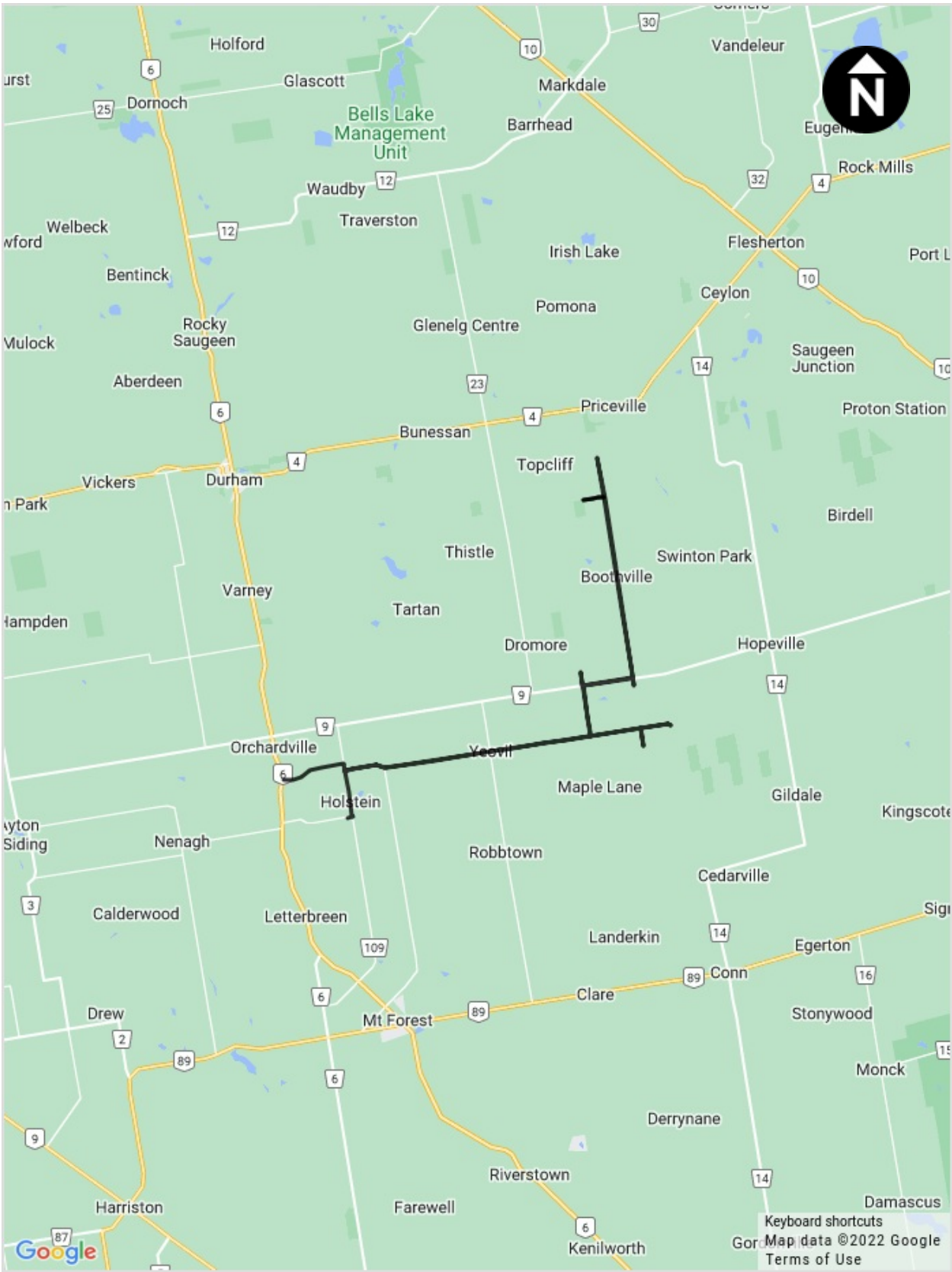


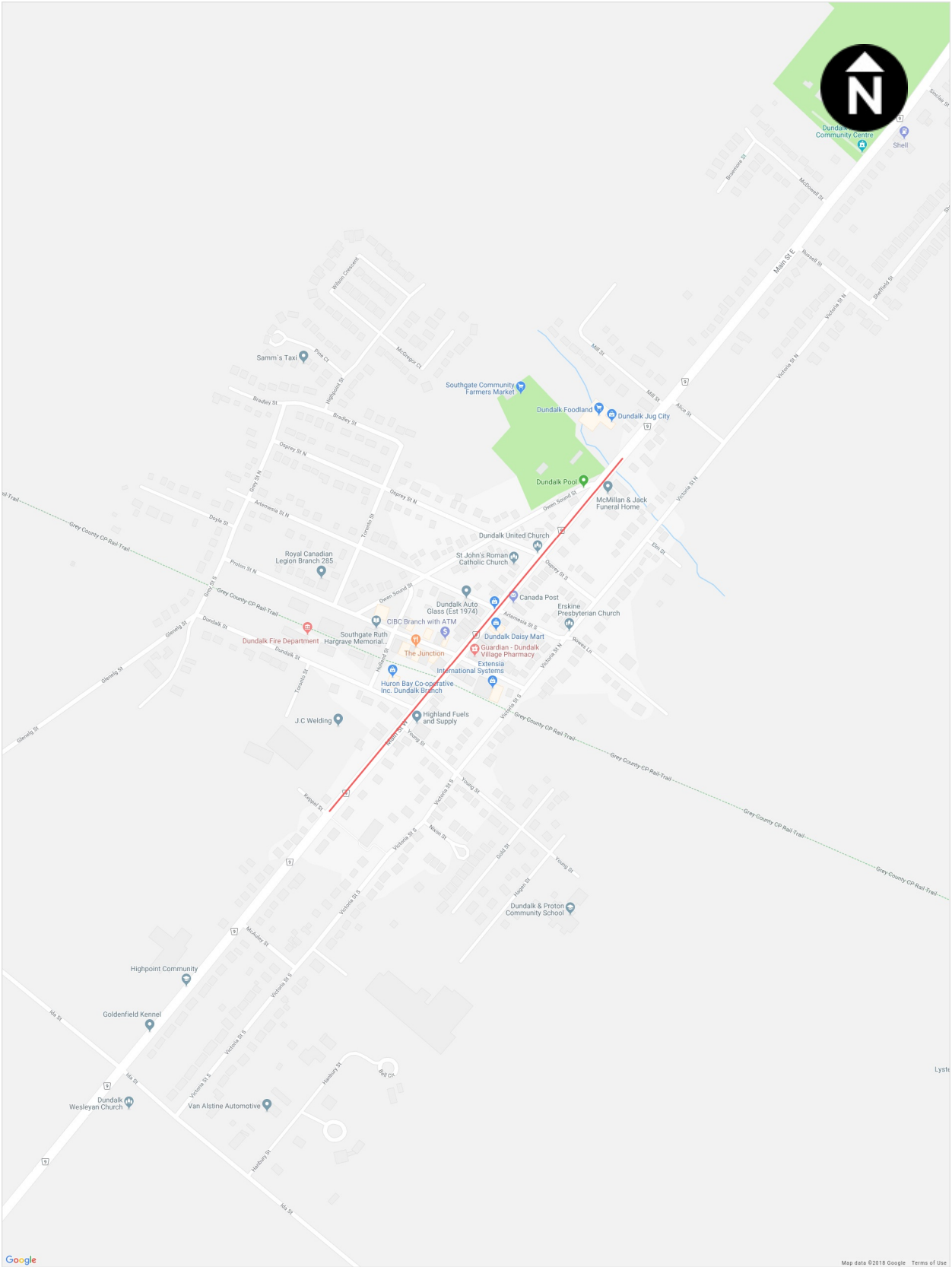


Unit 116  
Roadway Route

Total Length: 123.64 Lane Kilometres







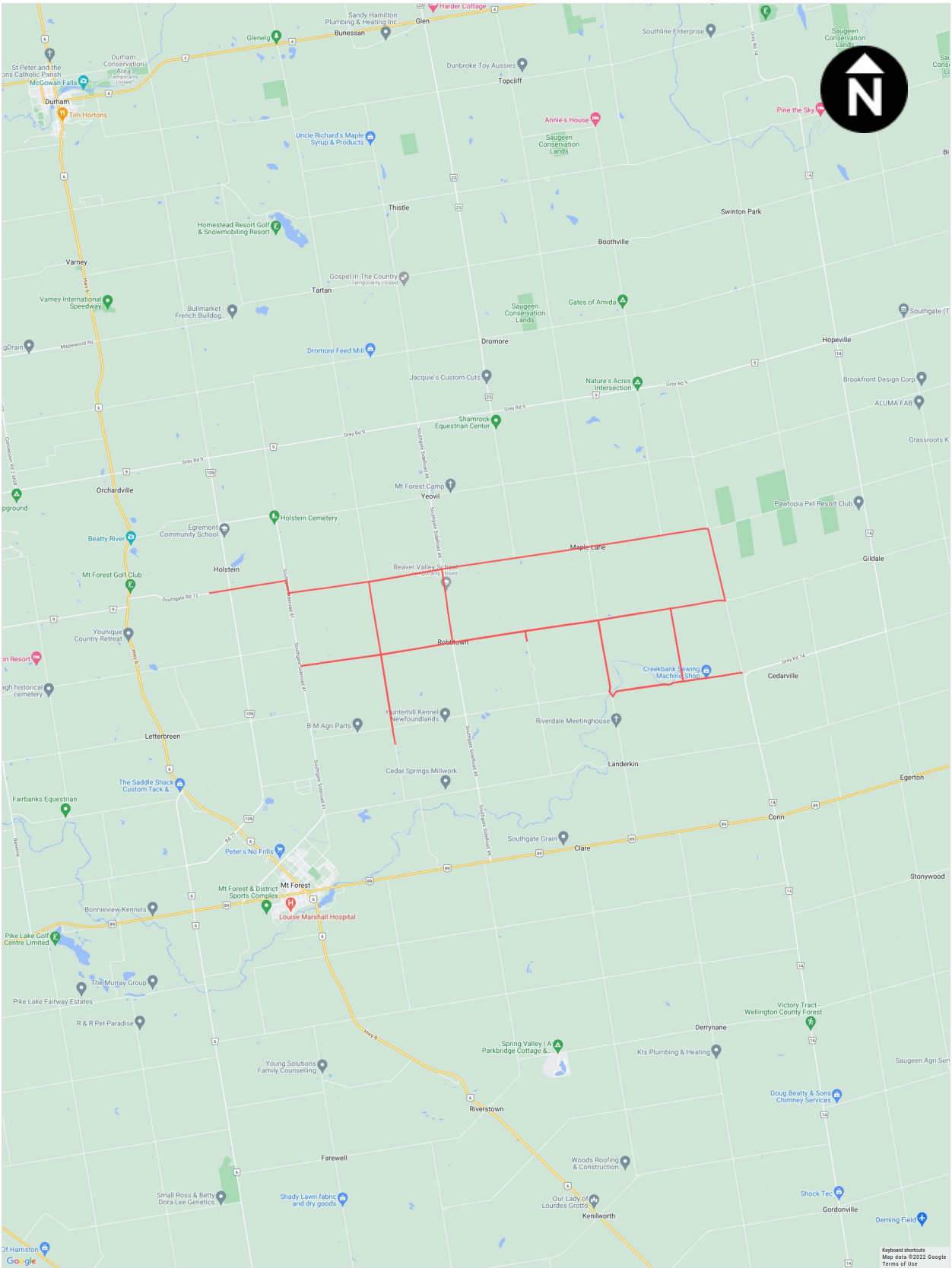


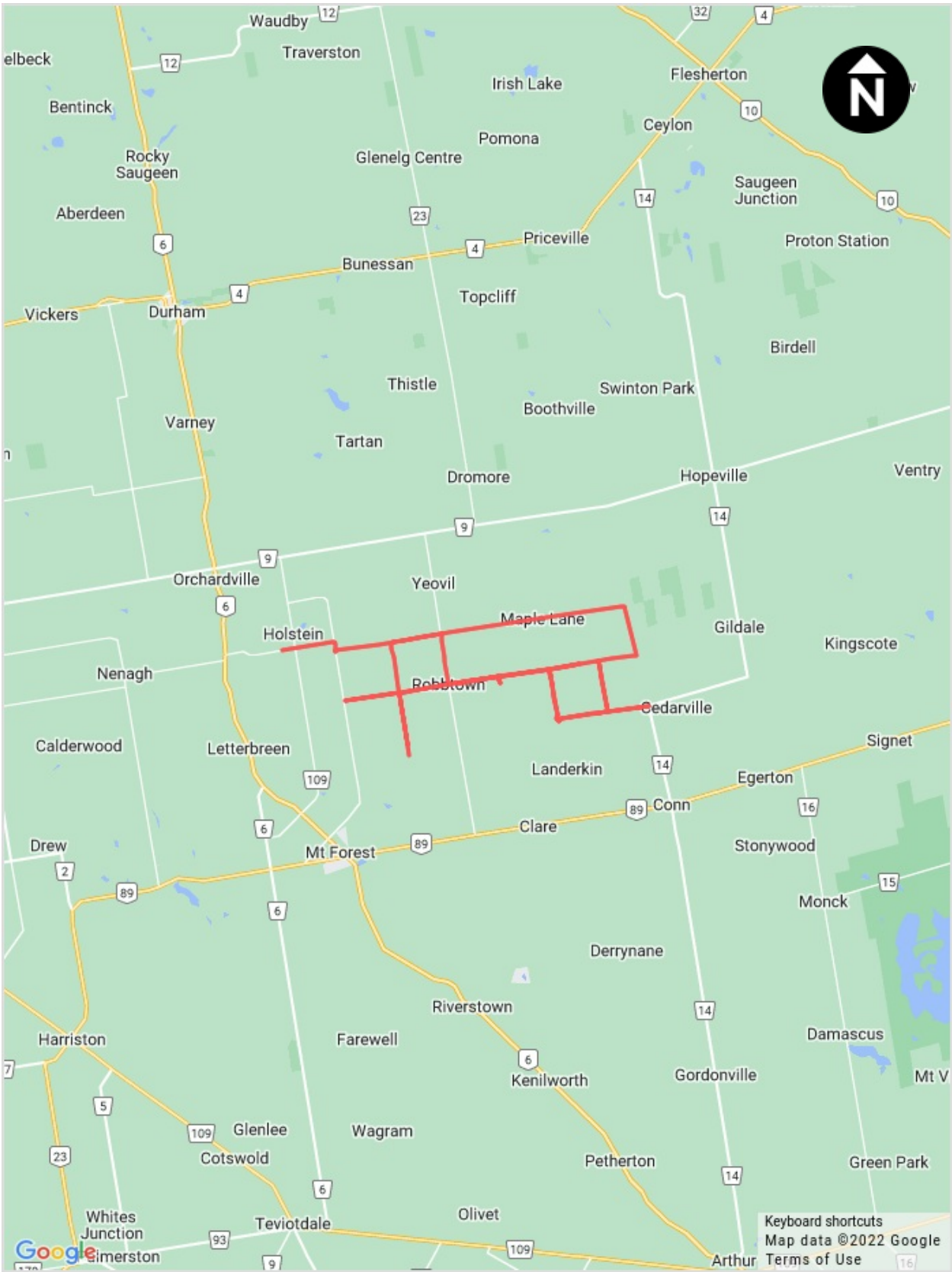




Unit 122  
Roadway Route

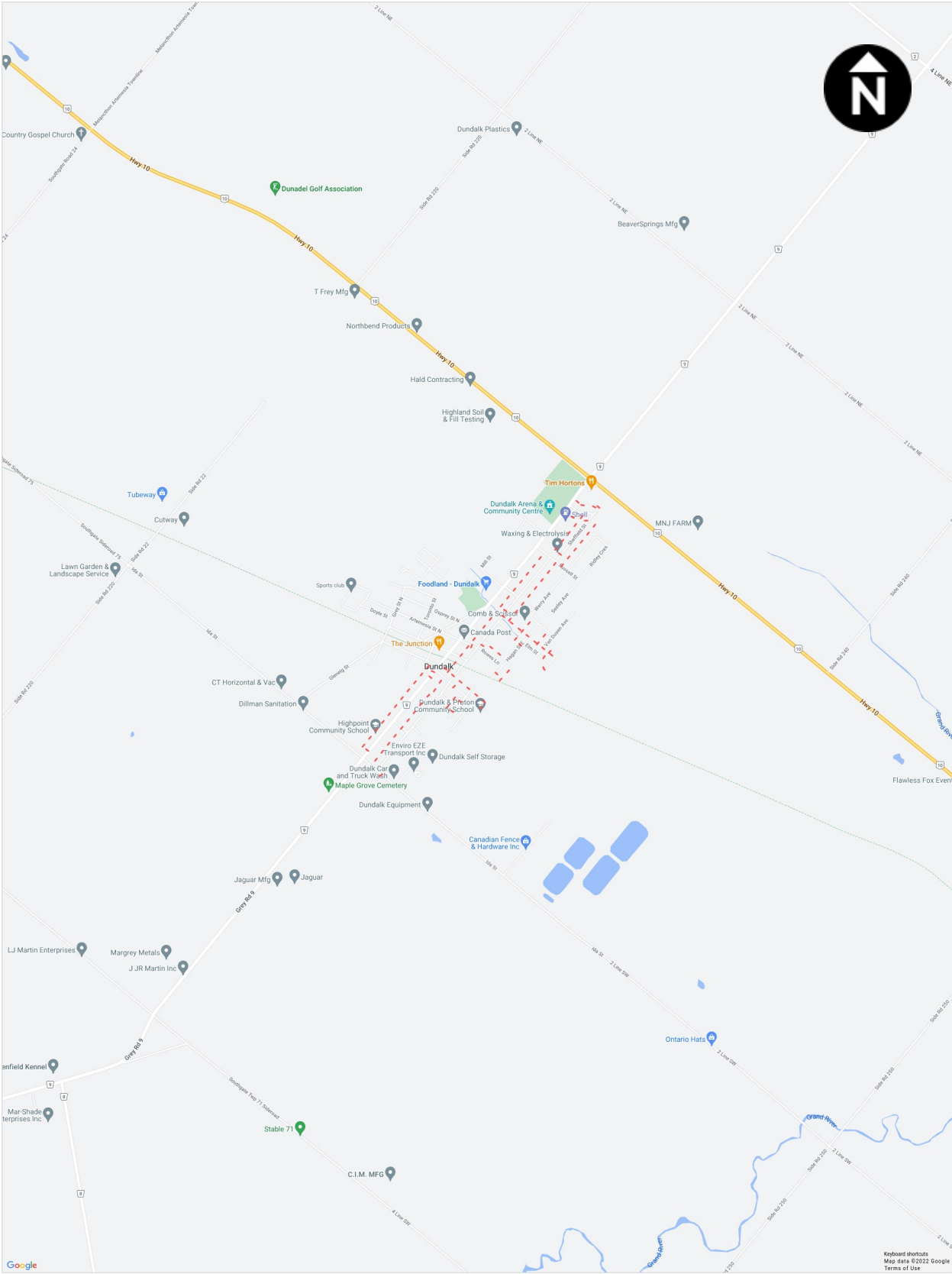
Total Length: 154.64 Lane Kilometres





Unit 125  
Sidewalk Route

Total Length: 6.5 Lane Kilometres





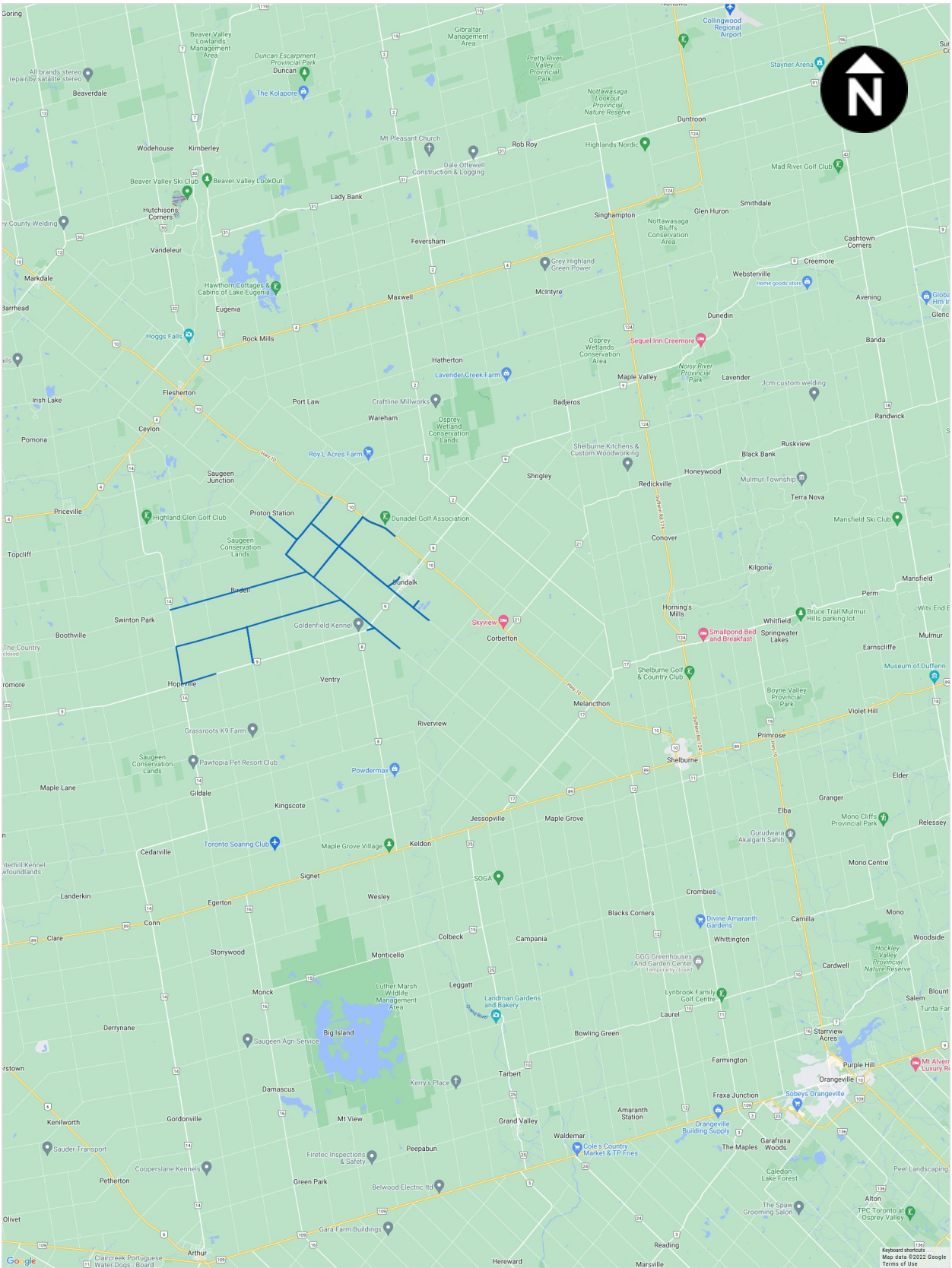
This map shows the Mt Forest area in South Australia. A proposed road layout is highlighted in black, starting from the north and branching out to the west and east. The map includes various towns and landmarks, such as Mt Forest, Letterbreen, and the Mt Forest Golf Club. A north arrow is located in the top right corner.

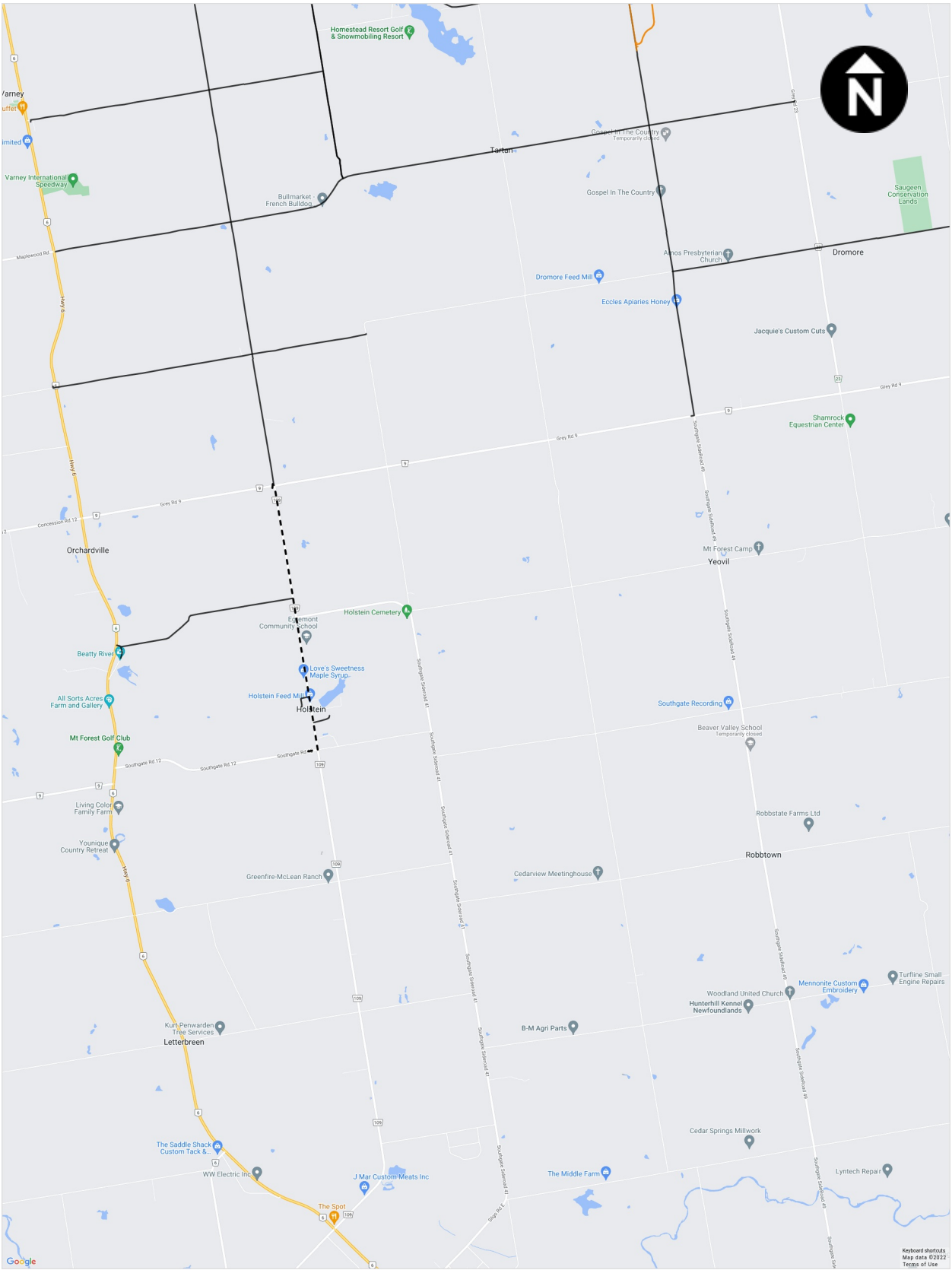




Unit 212  
Roadway Route

Total Length: 169.76 Lane Kilometres



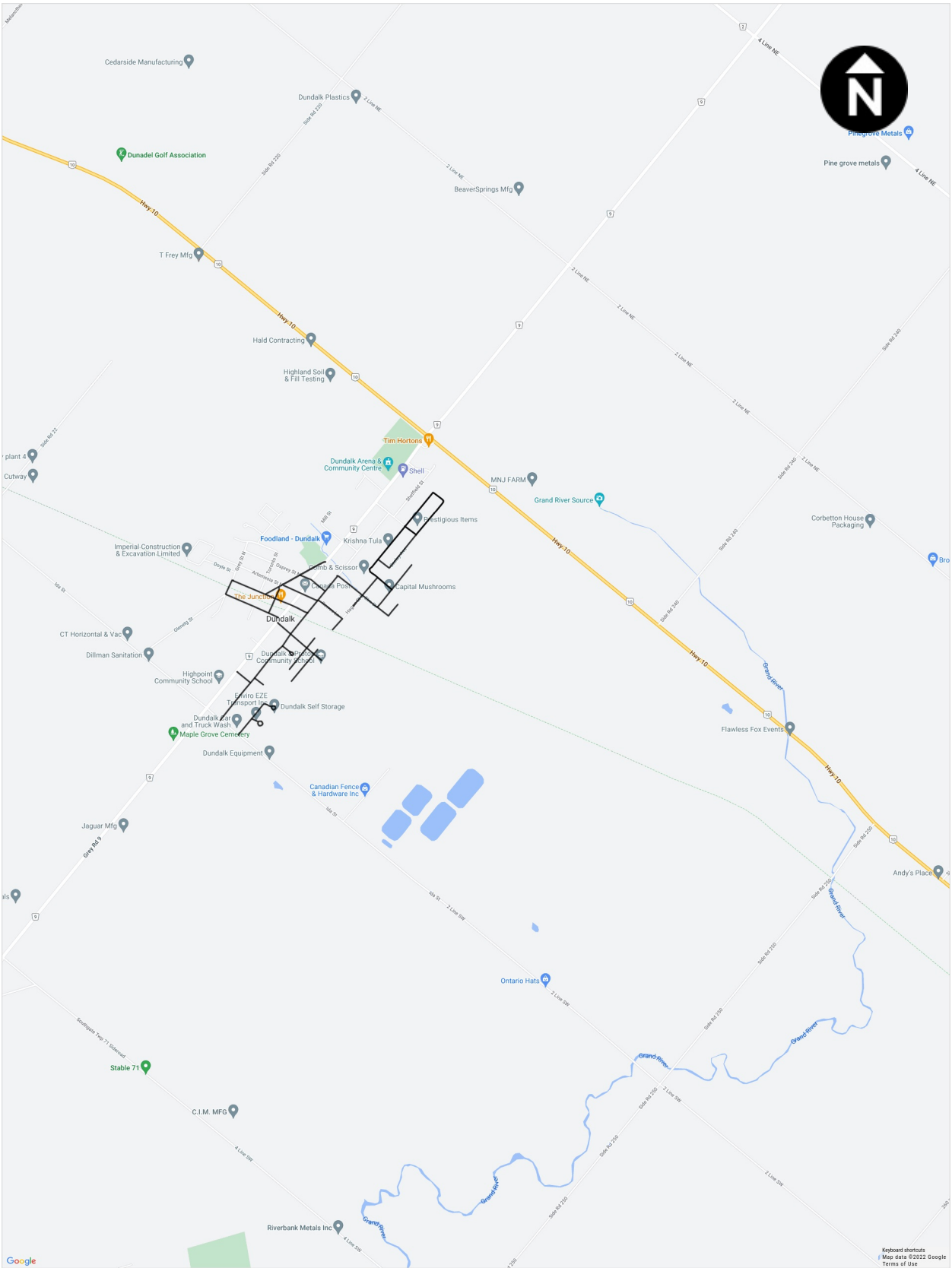






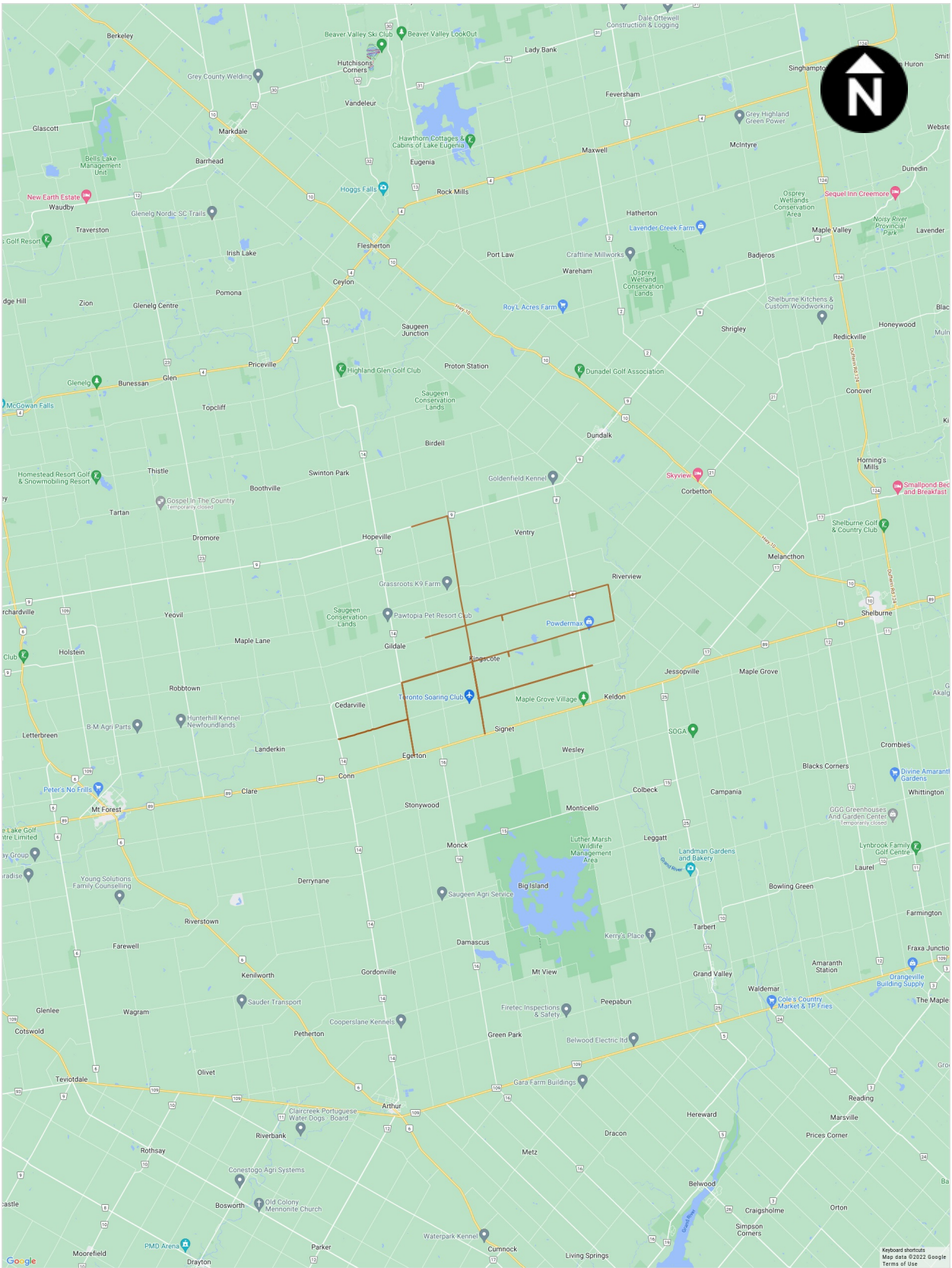
Unit 215  
Roadway Route

Total Length: 17.9 Lane Kilometres



Unit 216  
Roadway Route

Total Length: 156.2 Lane Kilometres

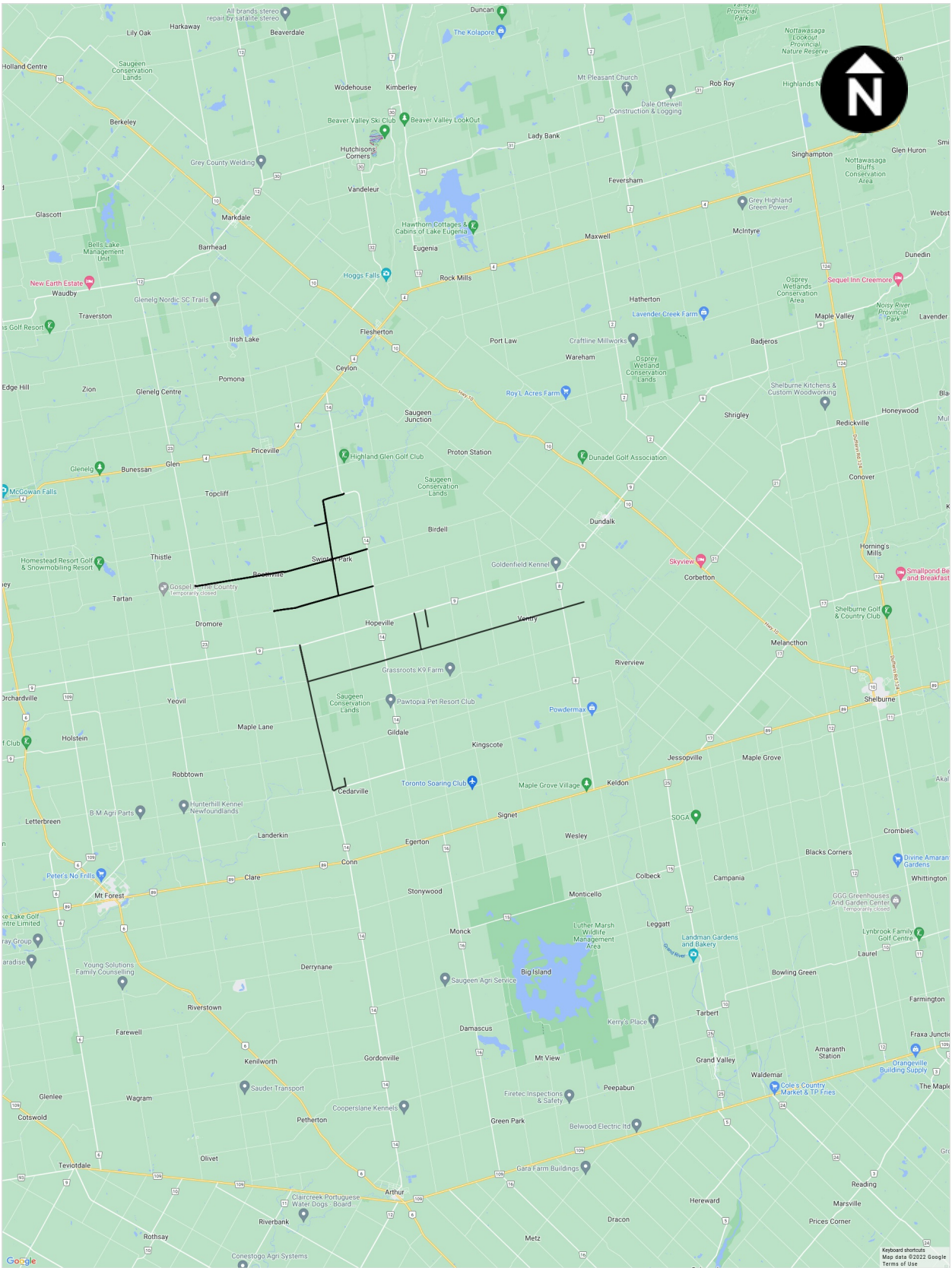






Unit 220  
Roadway Route

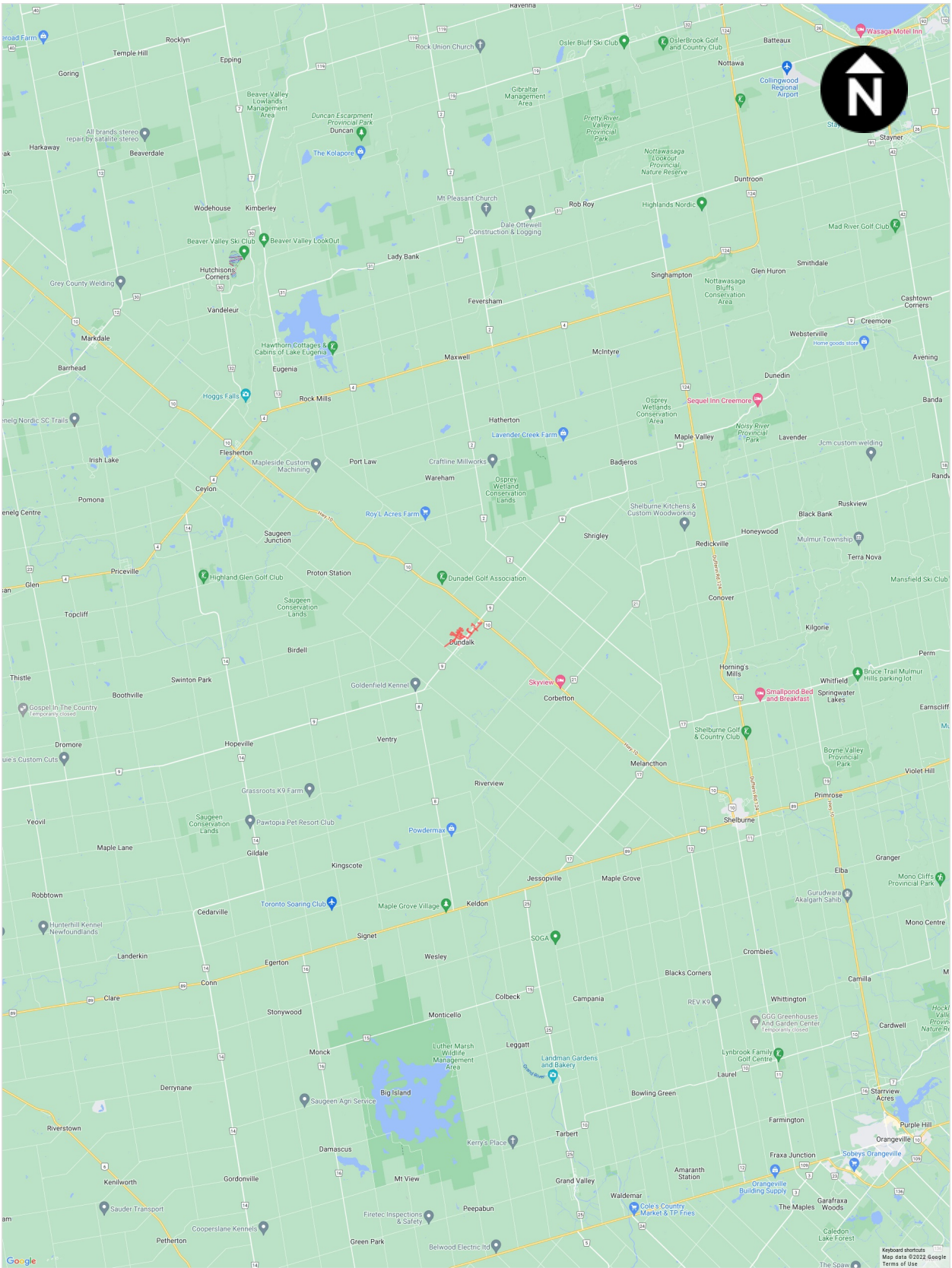
Total Length: 138.37 Lane Kilometres





Unit 222  
Roadway Route

Total Length: 13.05 Lane Kilometres







# Appendix 3

## Equipment List

Equipment	Type	Owned By	Electronic Controller Installed	Calibration Date	Pre-Wet Capability	Anti-Icing Capacity	Infrared Thermometer installed
Unit 100 - 2004 Volvo Grader 740G	Grader	Township of Southgate	N	N/A	N	N	N
Unit 101 - 2010 John Deere Grader 870G	Grader	Township of Southgate	N	N/A	N	N	N
Unit 105 - 2008 John Deere 870D	Grader	Township of Southgate	N	N/A	N	N	N
Unit 113 - 2014 Trackless	Other	Township of Southgate	N	N/A	N	N	N
Unit 116 - 2016 John Deere Grader 870G	Grader	Township of Southgate	N	N/A	N	N	N
Unit 117 - 2018 Kubota Tractor	Other	Township of Southgate	N	N/A	N	N	N
Unit 121 2020 Trackless	Other	Township of Southgate	N	N/A	N	N	N
Unit 122 - 2020 John Deere Grader 870G	Grader	Township of Southgate	N	N/A	N	N	N
Unit 125 - 2022 Trackless	Other	Township of Southgate	N	N/A	N	N	N
Unit 205 - 2007 International Tandem	Tandem Axle	Township of Southgate	N	N/A	N	N	N
Unit 208 - 2008 Ford F550	Single Axle	Township of Southgate	N	N/A	N	N	N
Unit 209 - 2004 Sterling Tandem Spare Unit	Tandem Axle	Township of Southgate	N	N/A	N	N	N
Unit 212 - 2013 International 7600 Tandem	Tandem Axle	Township of Southgate	Y	2020-Oct-28	N	N	N
Unit 214 - 2014 International Tandem	Tandem Axle	Township of Southgate	Y	2016-Oct-28	N	N	N
Unit 215 - 2016 International S/A	Single Axle	Township of Southgate	N	N/A	N	N	N
Unit 216 - 2017 International 7600 Tandem	Tandem Axle	Township of Southgate	N	N/A	N	N	N
Unit 220 Western	Tandem	Township of Southgate	N	N/A	N	N	N

n Star Tandem	Axle	of Southgate	N	N/A	N	N	N
Unit 222 - 2021 S/A International	Single Axle	Township of Southgate	N	N/A	N	N	N
Unit 312 - 2016 Ford 150	Other	Township of Southgate	N	N/A	N	N	Y
Unit 315 - 2018 Ford F150	Other	Township of Southgate	N	N/A	N	N	Y
Unit 318 - 2021 Chev 1500	Other	Township of Southgate	N	N/A	N	N	Y
Unit 319 - 2021 Chev 1500	Other	Township of Southgate	N	N/A	N	N	Y

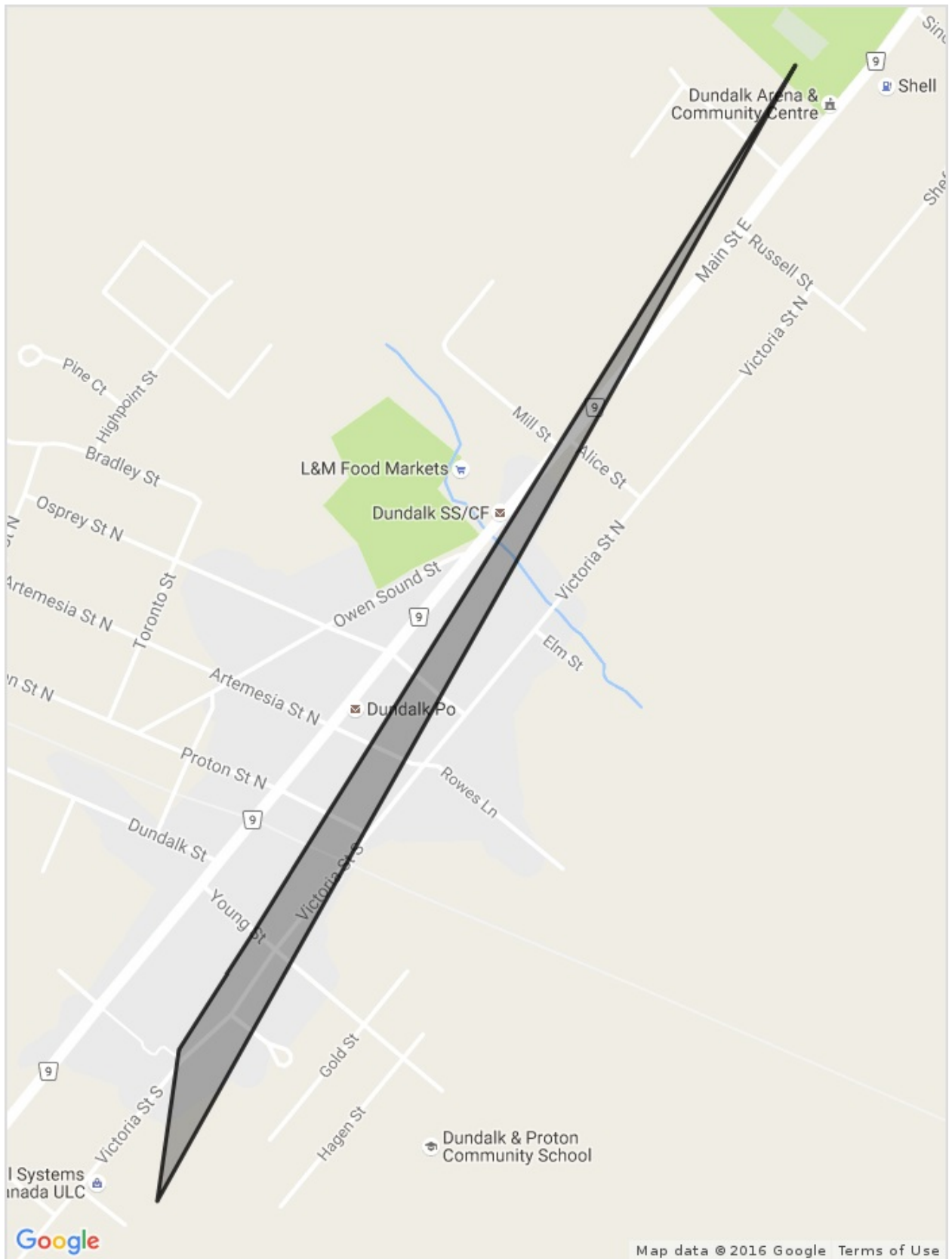
Equipment	Pre-Wet Capability	Anti-Icing Capacity	Other Features	Comments
Unit 100 - 2004 Volvo Grader 740G	N	N		
Unit 101 - 2010 John Deere Grader 870G	N	N		
Unit 105 - 2008 John Deere 870D	N	N		
Unit 113 - 2014 Trackless	N	N	- Has a spreader	
Unit 116 - 2016 John Deere Grader 870G	N	N		
Unit 117 - 2018 Kubota Tractor	N	N		This tractor completes snow cleaning in parking lots
Unit 121 2020 Trackless	N	N	- Has a spreader	
Unit 122 - 2020 John Deere Grader 870G	N	N		
Unit 125 - 2022 Trackless	N	N	- Has a spreader	
Unit 205 - 2007 International Tandem	N	N	- Has a spreader	
Unit 208 - 2008 Ford F550	N	N	- Has a spreader	
Unit 209 - 2004 Sterling Tandem Spare Unit	N	N	- Has a spreader	
Unit 212 - 2013 International 7600 Tandem	N	N	- Has a spreader	
Unit 214 - 2014 International Tandem	N	N	- Has a spreader	
Unit 215 - 2016 International S/A	N	N	- Has a spreader	
Unit 216 - 2017 International 7600 Tandem	N	N	- solid salt application ready,- Has a spreader	
Unit 220 Western Star Tandem	N	N	- Has a spreader	
			- solid salt	

Unit 222 - 2021 S/A International	N	N	- Solid Salt application ready,- Has a spreader	
Unit 312 - 2016 Ford 150	N	N		
Unit 315 - 2018 Ford F150	N	N	- Has mounted mobile RWIS	Foreman Truck 315 patrols all roads within the Municipality
Unit 318 - 2021 Chevrolet 1500	N	N		
Unit 319 - 2021 Chevrolet 1500	N	N		

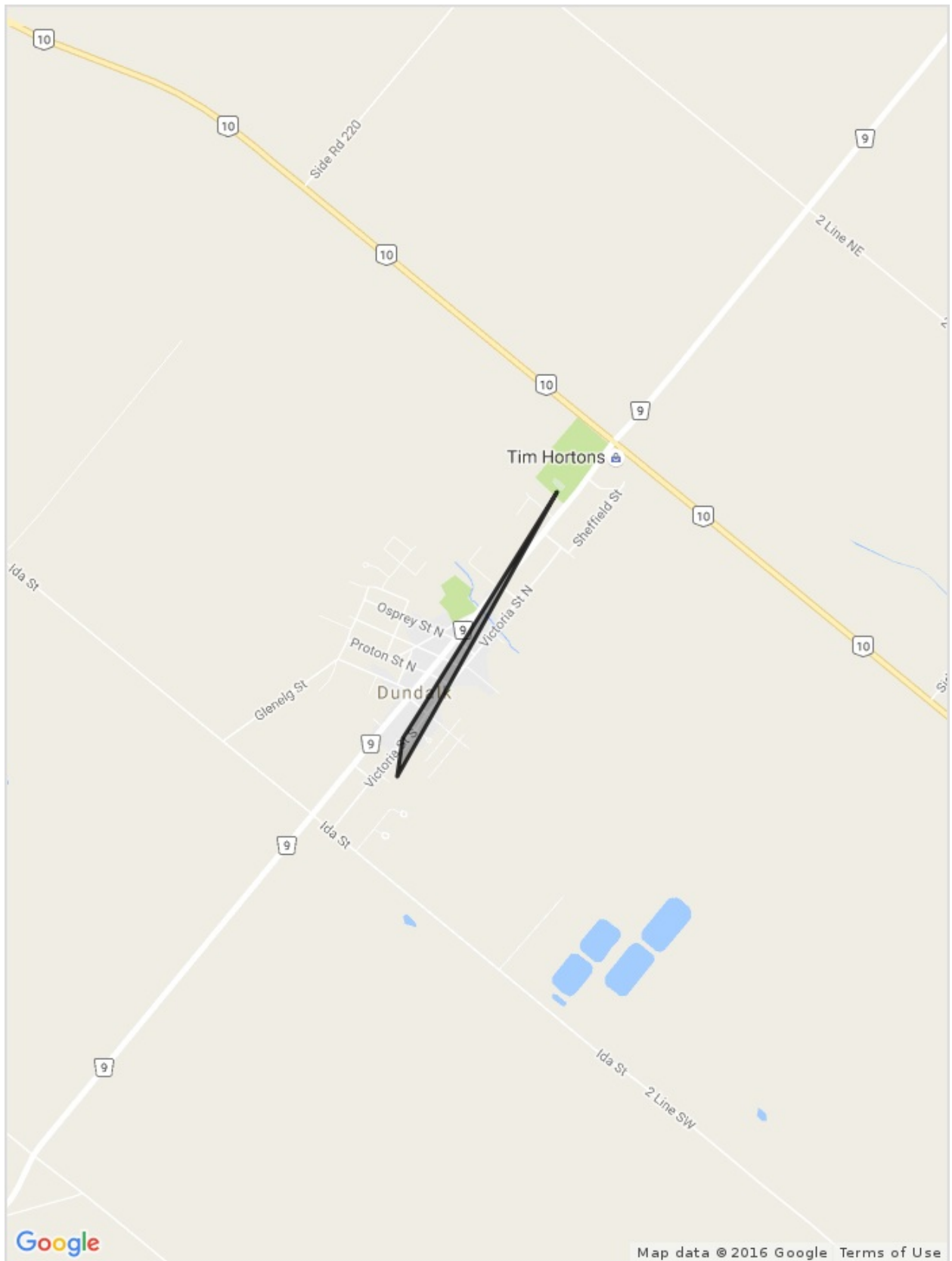
Legend Y = Yes N = No

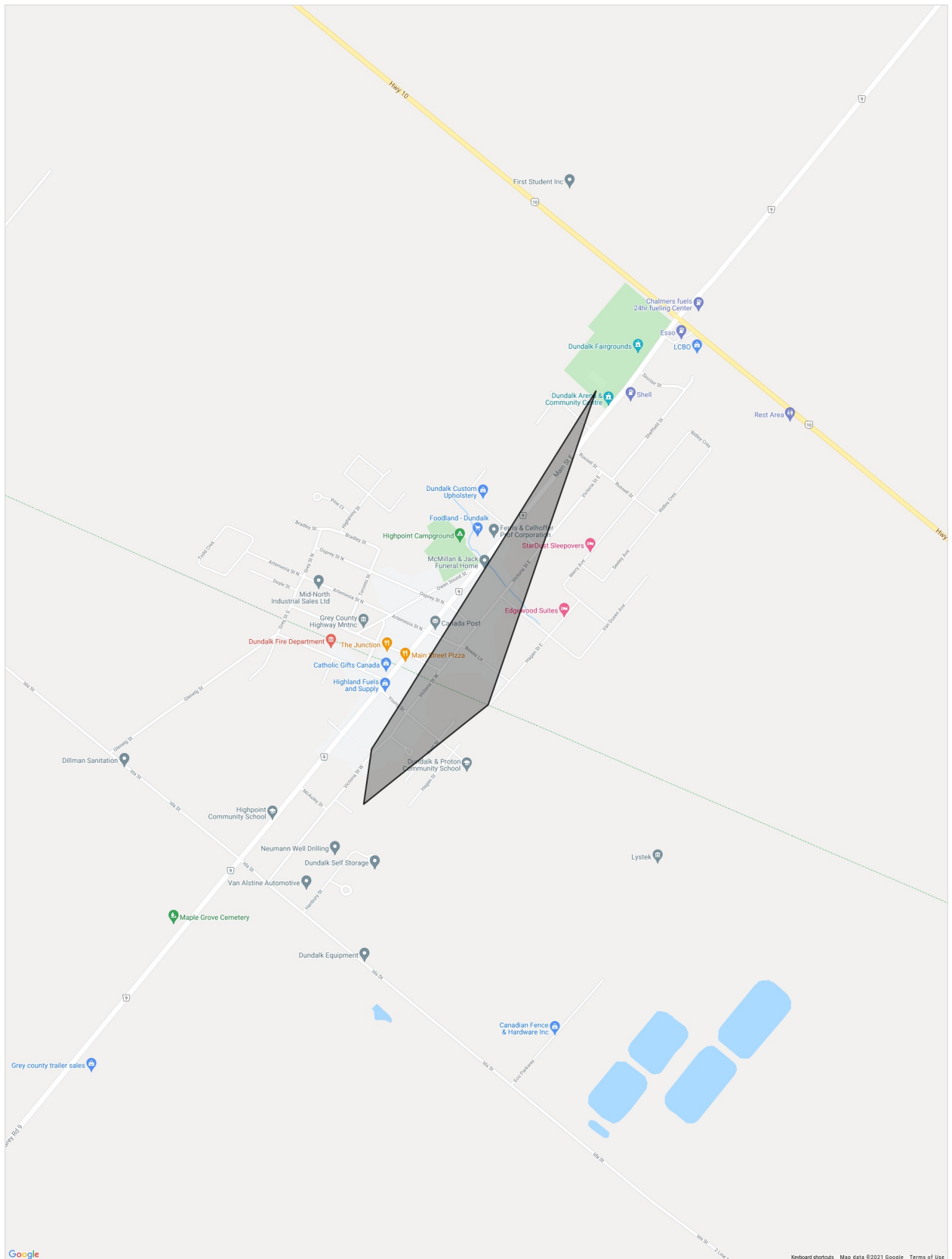
# **Appendix 4-1**

Vulnerable Area  
(Dundalk Wells)









â€,â€,â€,

# **Appendix 5-1**

Media Release  
Road Closed



The Township of Southgate

Date \_\_\_\_\_

Time \_\_\_\_\_

**Media Release**

Due to a severe winter storm *Ontario Provincial Police - Grey County* advise that the following roads in the Township of Southgate are impassable due to (reason, e.g. “drifting and blowing snow”) and have been closed to traffic.

Street Name	From	To

Ontario Provincial Police - Grey County advise that these roads will remain closed until the storm subsides and driving conditions improve.

## **Appendix 5-2**

### **Media Release Severe Weather**



The Township of Southgate

**Date** \_\_\_\_\_

**Time** \_\_\_\_\_

### **Media Release**

Due to a severe winter storm *Ontario Provincial Police - Grey County* advise that many roads in the Township of Southgate are impassable due to drifting and blowing snow. *Ontario Provincial Police - Grey County* advise that you do not drive until the storm subsides and driving conditions improve.

*(Sometimes it is physically impossible to place signs and barricades to close a road, in this instance use this release when the roads have NOT been physically been closed by the placement of signs and barricades or an officer is present to redirect traffic)*



# **Appendix 6**

## **Operating Instructions and Safety Rules**

The Township of Southgate  
OPERATING INSTRUCTIONS AND SAFETY RULES

## 1. WORK HOURS

For major storm events, one 12 hour shifts will be established at the discretion of the  
Public Works Foreman / Fleet Manager

## 2. SAFETY PROCEDURES

Safety is paramount during any snow storm. The following safety rules will be observed by all equipment operators.

A. Check your snow removal equipment prior to leaving the yard and also the following:

- 1) All work lights and emergency lights
- 2) Two-way radio
- 3) Snow plow and frame for damage
- 4) Sander
- 5) Rear view mirrors
- 6) Flags and reflectors
- 7) Windshield wipers
- 8) Heater and defroster
- 9) All necessary mapping for snow and ice removal
- 10) Vehicle Inspection Items
- 11) Liquid dispensing apparatus

B. Report any non-working equipment to a Fleet Manager immediately.

C. Use reasonable caution in operation of snow removal equipment.

D. Drive cautiously.

E. Utilize caution when operating in cramped quarters with parked cars on a street.

F. Know your route and any fixed objects covered by snow.

G. Obey all traffic laws.

H. Do not follow traffic too closely.

I. Slow down prior to turning—your plow will tend to push you where it wants to go.

J. Equipment involved in snow and ice control operations is emergency equipment, but you as the operator, must obey all traffic laws and provide right-of-way to other vehicles.

K. Do not attempt to tow private automobiles—offer assistance by way of radio contact to the Public Works Foreman.

L. Utilize caution when operating deicing equipment. Watch for overhead obstructions.

M. Lower box when necessary.

### 3. ACCIDENTS

Report all moving vehicle accidents immediately to your Supervisor. Depending on the severity of the accident and availability due to storm related issues, the Ontario Provincial Police (OPP) will typically be called to evaluate the accident. Prior to leaving duty on the shift, a Motor Vehicle Accident Report from the OPP should be received. Your Supervisor will attempt to interview the driver at the end of the shift or within 24 hours after return to normal duties.

### 4. CARE AND USE OF EQUIPMENT

The snow plow operator is responsible for routine maintenance of the vehicle. Report any maintenance needed to the Fleet Manager. Check vehicle before and after use for any maintenance needed or damage to equipment. Fill out Operations Daily Inspection Check Sheet. The vehicle should be refuelled at the end of each operator's shift.

### 5. RADIO COMMUNICATIONS

Operators are to take duty instructions from the Public Works Foreman. The Police may report road conditions or other issues to the Public Work's Foreman. It will be the role of the Public Works Foreman to direct all winter maintenance related operations.

### 6. DAILY REPORTS

Upon completion of the shift, operators will be required to fill out a Daily Report sheet. This sheet will document location, date, mileage, and material usage.

### 7. SIGNIFICANT WEATHER EVENT

The Township of Southgate may at times declare a significant weather event. A significant weather event means an approaching or occurring weather hazard with the potential to pose a significant danger to users of the highways within the Township.

A weather hazard means the weather hazards determined by Environment Canada

as meeting the criteria for the issuance of an alert under its Public Weather Alerting Program.

The Township of Southgate may declare a significant weather event relating to snow accumulation on roadways and bicycle lanes; ice formation on roadways and icy roadways; and snow accumulation, ice formation and icy sidewalks.

The standard for treating significant weather events declarations is to:

- Monitor the weather as set out in the Winter Plan and, if deemed practical, deploy resources to address the event starting from the time that the Township deems appropriate to do so.
- Following the end of a weather hazard in respect of which a significant weather event ends, the Township shall declare the end of the significant weather event and address the conditions as in the Winter Plan.
- Declaration of a significant weather event beginning and ending shall be communicated by posting on the Township website, social media, Facebook and municipal511.

# **Appendix 7-1**

## Record of Training



The Township of Southgate

### Record of Training

This statement certifies that the below named individual has successfully completed the in-house Winter Operations Training program as required by The Township of Southgate Winter Operations Plan.

The Winter Operations Training program is comprised of the following modules:

- ☐ Equipment Circle Check
- ☐ Equipment Calibration
- ☐ Record Keeping
- ☐ Health and Safety
- ☐ Level of Service – policies, practices and procedures
- ☐ Identification of Plow Routes – including variations for year to year and issues identified along the route
- ☐ De-icing chemicals – application rates, storage and handling
- ☐ Identification of road salt vulnerable areas and the procedures to follow in those areas
- ☐ Yard and Equipment maintenance

Employee Name \_\_\_\_\_ (Please print name)

Employee Signature \_\_\_\_\_ Date \_\_\_\_\_

Trainer Signature \_\_\_\_\_ Date \_\_\_\_\_

Supervisor Signature \_\_\_\_\_ Date \_\_\_\_\_

## **Appendix 7-2**

Record of Training – Night Patroller





The Township of Southgate

### **Record of Patroller Training**

This certifies that \_\_\_\_\_ (employee name) has successfully completed the in-house Winter Operations –Patroller Training as required by the Township of Southgate Winter Operations Plan.

The Winter Operations –Patroller Training workshop includes the following modules:

☐ Weather monitoring and forecasting results including: Road Weather Information System, Value Added Meteorological Service, eutectic temperature, pavement temperature, dew point

☐ Winter Shift Schedules

☐ Record Keeping

☐ Health and Safety

☐ Level of Service – policies, practices and procedures

☐ Identification of Plow Routes – including variations for year to year and issues identified along the route

☐ De-icing chemicals – usage, application rates, storage and handling

☐ Identification of road salt vulnerable and/or susceptible areas and the procedures to follow in those areas

☐ Call-out procedures

☐ Emergency contacts

☐ Yard and Equipment maintenance

Employee Name \_\_\_\_\_ (Please print name)

Date of Training \_\_\_\_\_

Location of Training \_\_\_\_\_

Trainer Signature \_\_\_\_\_

Supervisor Signature \_\_\_\_\_

# **Appendix 8-1**

(No Winter Maintenance Roads 2022-2023)

Southgate No Winter Maintenance Roads	
Road Name	Notes
Southgate Rd 04	Grey Rd 8 - East 0.93
Southgate Rd 10	Hwy 6 - Sdrd 33
Southgate Sdrd 07	SG RD 14 - Grey Rd 9
Southgate Sdrd 07	Grey Rd 9 - SG RD 22
Southgate Rd 19	SG RD 12 - SG RD 14
Southgate Rd 19	Hwy 89 - SG RD 10
Southgate Rd 21	SG RD 10 - Grey Rd 9
Southgate Sdrd 41	SG RD 14 - Grey Rd 9
Southgate Sdrd 41	SG RD 04 - Wellington St
Southgate Sdrd 47	SG RD 12 - SG RD 14
Southgate Sdrd 47	SG RD 04 - Hwy 89
Southgate Sdrd 55	SG RD 14 - Grey Rd 9
Southgate Sdrd 57	Grey Rd 9 - SG RD 26
Southgate Sdrd 61	SG RD 10 - Grey Rd 9
Southgate-Glenelg Townline	SG Sdrd 47 east 1.1 km
Southgate Sdrd 47	SG RD 04 - SG RD 08
Southgate Sdrd 55	SG RD 08 - SG RD 10
Southgate Sdrd 55	Hwy 89 - north 200 m
Southgate Sdrd 21	Hwy 89 - north
Southgate-Glenelg Townline	SG Sdrd 61- west 1 km
Southgate Sdrd 19	SG RD 24 - north
Southgate Sdrd 71	SG RD 26 - north
Lake Road	SG RD 26 - west 83 m
Homestead Road	SG RD 26 - east 135 m
Southgate Sdrd 07	Hwy 89 - north

## **Appendix 8-2**

(Dundalk Winter Activity Report)

The Dundalk Public Works Team will complete this form for reporting Winter Activity.

### **DAILY WINTER ACTIVITY REPORT**

Date: \_\_\_\_\_ Location: Dundalk  
 Morning Temperature: \_\_\_\_\_ Snowfall: \_\_\_\_\_  
 Freezing Rain: Yes or No  
 Present Road Conditions: \_\_\_\_\_ Time: \_\_\_\_\_  
 Present Sidewalk Conditions: \_\_\_\_\_ Time: \_\_\_\_\_

Activity	Plow Unit #	Start Time	Finish Time	Signs OK	Quantity of Sand Used	Quantity of Salt Used	Operators Signature Completing Task
Snow Plowed All Streets	215						
Sand/Salt Mixture All Streets							
Sand/Salt Mixture Corners Only							
Sand Salt Parking lots							
Route A - Blown / Plowed							
Route A - Salted							
Route B - Blown / Plowed							
Route B - Salted							
All Sidewalks Sanded/Salted							
Additional sections to route A:							
Additional section to route B:							
Works Garage / Fire Hall Snow Blown							
Proton St Parking Lot Snow Blown							
Credit Union Parking Lot Snow Blown							
Artemesia St. Parking Lot Snow Blown							
Holland St Parking Lot Plowed/Blown							
Proton St Back Alley Snow Blown							
Medical Centre Parking Lot Snow Blown							
Library Parking Lot Snow Blown							
MacIntyre Building Parking Lot Snow Blown							

Activity	Plow Unit #	Start Time	Finish Time	Signs OK	Quantity of Sand Used	Quantity of Salt Used	Operators Signature Completing Task
Townhall Steps Shovelled & Salted							
New Library Sanded/Salted							
Transfer Station Blown/ Sanded							
Arena Parking Lot Plowed & Snow Blown							
Hog Barn Parking Lot Plowed & Snow Blown							
Arena Parking Lot Sanded/Salted							
Hog Barn Parking Lot Entrance Sanded/Salted							

Details of Sign Problems :

1 \_\_\_\_\_ Location: \_\_\_\_\_  
2 \_\_\_\_\_ Location: \_\_\_\_\_  
3 \_\_\_\_\_ Location: \_\_\_\_\_  
4 \_\_\_\_\_ Location: \_\_\_\_\_  
5 \_\_\_\_\_ Location: \_\_\_\_\_

Resolution of above Sign Problems :

1 \_\_\_\_\_ Repaired by: \_\_\_\_\_  
2 \_\_\_\_\_ Repaired by: \_\_\_\_\_  
3 \_\_\_\_\_ Repaired by: \_\_\_\_\_  
4 \_\_\_\_\_ Repaired by: \_\_\_\_\_  
5 \_\_\_\_\_ Repaired by: \_\_\_\_\_

Other Activities Completed :

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## **Staff Report PW2022-055**

**Title of Report:** PW2022-055 ICIP Green 2021 Transfer Payment Agreement  
**Department:** Public Works  
**Branch:** Water & Wastewater  
**Council Date:** December 7, 2022

### **Recommendation:**

**Be it resolved that** Council receive Staff Report PW2022-055 for information; and  
**That** Council consider approving executing the ICIP Green Stream 2021 Transfer Payment Agreement by By-law No. 2022-171.

### **Background:**

At the May 4, 2022 Council Meeting, staff presented Staff Report PW2022-029 regarding email correspondence received confirming approval of the Investing in Canada Infrastructure (ICIP) Program Green Stream Intake Green Stream funding for the Rehabilitation of Victoria Street Watermain project.

The funding contribution is the federal government is contributing 40 per cent in total eligible costs up to a maximum of \$1,995,200.00 and Ontario is contributing 33.33 per cent in total eligible costs up to a maximum of \$1,662,500.40 for a total funding contribution amount of \$3,657,700.40 for the project.

### **Staff Comments:**

To finalize the execution of the ICIP Green Stream Transfer Payment Agreement, the agreement will need to be signed by the Southgate Mayor and the Clerk, included as Schedule A to By-law 2022-171.

### **Financial Implications:**

The 2022 Capital Budget projected that the Victoria Street watermain project would be completed in 2023 and 2024, with a total cost of \$5,078,000.00, with expenditures of \$4,988,000 being eligible for the ICIP grant. As Grant Match will be compensated \$182,885.00 (5% of the approved funding amount) for completing the ICIP application.

### **Communications & Community Action Plan Impact:**

Goal 5 - Upgrading our "Hard Services"

### **Action 5:**

The residents and businesses of Southgate recognize our linear services - roads, bridges, water and sewer works, for example - to be a fundamental purpose of municipal government. This infrastructure needs to be serviceable and sustainable so that our businesses and communities can thrive and grow.

**Concluding Comments:**

Staff recommends that Council receive Staff Report PW2022-055 for information, and that Council consider approving executing the ICIP Green Stream 2021 Transfer Payment Agreement by By-law No. 2022-171.

Respectfully Submitted,

**Dept. Head:** **Original Signed By**  
Jim Ellis, Public Works Manager

**Treasurer Approval:** **Original Signed By**  
William Gott, CPA, CA Treasurer

**Human Resources:** **Original Signed By**  
Kayla Best, HR Coordinator/ Assistant to the CAO

**CAO Approval:** **Original Signed By**  
Dave Milliner, CAO

**Attachments: None**

## **The Corporation of the Township of Southgate**

### **By-law Number 2022-171**

being a by-law to authorize an agreement between Her Majesty the Queen in Right of Ontario and The Corporation of the Township of Southgate

**Whereas** the Municipal Act, S.O. 2001, Chapter 25, as amended, Section 5 (3), states that municipal power, including a municipality's capacity, rights, powers and privileges, shall be exercised by by-law unless the municipality is specifically authorized to do otherwise; and

**Whereas** Section 9 of the Municipal Act, 2001, Chapter 25, as amended, provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act; and

**Whereas** it is deemed necessary and desirable that the Council of the Corporation of the Township of Southgate enact a by-law authorizing the Corporation to enter into an agreement with Her Majesty the Queen in Right of Ontario,

**Now therefore be it resolved that** the Council of the Corporation of the Township of Southgate hereby enacts as follows:

1. **That** the agreement between Her Majesty the Queen in Right of Ontario and The Corporation of the Township of Southgate attached hereto as Schedule "A" (the "Agreement"), is hereby ratified and confirmed; and
2. **That** the Mayor and Clerk are hereby authorized and directed to sign the Agreement, in substantially the same form as the agreement attached hereto as Schedule "A", on behalf of the Corporation of the Township of Southgate and all other documents as may be necessary to give effect thereto; and
3. **That** where the provisions of any other by-law, resolution or action of Council are inconsistent with the provisions of this by-law, the provisions of this by-law shall prevail.

**Read a first, second and third time and finally passed this 7<sup>th</sup> day of December, 2022.**

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Brian Milne – Mayor

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Lindsey Green - Clerk

**TRANSFER PAYMENT AGREEMENT  
FOR THE INVESTING IN CANADA INFRASTRUCTURE PROGRAM (ICIP):  
GREEN STREAM**

**THIS TRANSFER PAYMENT AGREEMENT** for an Investing in Canada Infrastructure Program (ICIP): Green Stream Project (the “**Agreement**”) is effective as of the Effective Date.

**B E T W E E N:**

**Her Majesty the Queen in right of Ontario,**  
as represented by the Minister of Infrastructure

(“**Ontario**” or the “**Province**”)

- and -

**THE CORPORATION OF THE TOWNSHIP OF SOUTHGATE**  
**(CRA#870419173)**

(the “**Recipient**”)

**BACKGROUND**

The Investing in Canada Infrastructure Program (“ICIP”) is a federal infrastructure program designed to create long-term economic growth, build inclusive, sustainable and resilient communities, and support a low-carbon economy.

The Government of Canada (“**Canada**”) announced, in its *Budget 2016* and *Budget 2017*, over \$180 billion for the ICIP to support sustainable and inclusive communities, while driving economic growth.

The federal Minister of Infrastructure, Communities and Intergovernmental Affairs and the provincial Minister of Infrastructure entered into the Canada-Ontario Integrated Bilateral Agreement for the Investing in Canada Infrastructure Program for Canada to provide financial support to the Province.

Under the Bilateral Agreement, Canada agrees, amongst other things, to provide contribution funding to the Province under the green infrastructure funding stream of ICIP. This stream supports greenhouse gas emission (GHG) reductions, enables greater adaptation and resilience to the impacts of climate change and climate related disaster mitigation, and ensures that more communities can provide clean air and safe drinking water for their citizens.

Also, under the Bilateral Agreement, Ontario agrees to identify projects and be responsible for

the transfer of ICIP and provincial funds to eligible recipients pursuant to transfer payment agreements.

The Recipient has applied to the Province for ICIP funds to assist the Recipient in carrying out a green stream project.

The Province has submitted to Canada for approval and the Province and Canada have approved, in accordance with the terms and conditions set out in the Bilateral Agreement, the Project as set out in Schedule "C".

The Agreement sets out the terms and conditions upon which ICIP funds, up to the Maximum Funds, will be provided to the Recipient for carrying out the Project.

## CONSIDERATION

In consideration of the mutual covenants and agreements contained in the Agreement and for other good and valuable consideration, the receipt and sufficiency of which are expressly acknowledged, the Province and the Recipient agree as follows:

### 1.0 ENTIRE AGREEMENT

#### 1.1 **Schedules to the Agreement.** The following schedules and their sub-schedules, if any, form part of the Agreement:

- Schedule "A" - General Terms and Conditions
- Schedule "B" - Specific Information
- Schedule "C" - Project Description, Financial Information, Timelines and Project Standards
- Schedule "D" - Reports
- Schedule "E" - Eligible Expenditures and Ineligible Expenditures
- Schedule "F" - Evaluation
- Schedule "G" - Communications Protocol
- Schedule "H" - Disposal of Assets
- Schedule "I" - Aboriginal Consultation Protocol
- Schedule "J" - Requests for Payment and Payment Procedures
- Schedule "K" - Committee

#### 1.2 **Entire Agreement.** The Agreement constitutes the entire agreement between the Parties in respect to the subject matter contained in the Agreement and supersedes all prior oral or written representations and agreements save and except for the Bilateral Agreement, which shall apply in accordance with section 2.1.

## 2.0 CONFLICT OR INCONSISTENCY

2.1 **Conflict or Inconsistency.** In the event of a conflict or inconsistency between any of the requirements of:

- (a) the Bilateral Agreement and the Agreement, the Bilateral Agreement will prevail to the extent of the conflict or inconsistency;
- (b) the main body of the Agreement and any of the requirements of a schedule or a sub-schedule, the main body of the Agreement will prevail to the extent of the conflict or inconsistency;
- (c) Schedule “A” (General Terms and Conditions) and any of the requirements of another schedule or a sub-schedule, Schedule “A” (General Terms and Conditions) will prevail to the extent of the conflict or inconsistency; or
- (d) a schedule and any of the requirements of a sub-schedule, the schedule will prevail to the extent of the conflict or inconsistency.

## 3.0 EXECUTION, DELIVERY AND COUNTERPARTS

3.1 **One and the Same Agreement.** The Agreement may be executed in any number of counterparts, each of which will be deemed an original, but all of which together will constitute one and the same instrument.

3.2 **Electronic Execution and Delivery of Agreement.** The parties agree that the Agreement may be validly executed electronically, and that their respective electronic signature is the legal equivalent of a manual signature. The electronic or manual signature of a party may be evidenced by one of the following means and transmission of the Agreement may be as follows:

- (i) a manual signature of an authorized signing representative placed in the respective signature line of the Agreement and the Agreement scanned as a pdf and delivered by email to the other Party;
- (ii) a digital signature, including the name of the authorized signing representative typed in the respective signature line of the Agreement, an image of a manual signature or an Adobe signature of an authorized signing representative, or any other digital signature of an authorized signing representative, placed in the respective signature line of the Agreement and the Agreement delivered by email to the other Party; or
- (iii) any other means with the other Party’s prior written consent.



#### 4.0 AMENDING THE AGREEMENT AND AGREEMENT REVIEW

- 4.1 **Amending the Agreement.** The Agreement may only be amended by a written agreement duly executed by the Parties.
- 4.2 **Agreement Review.** If, pursuant to section 25.10 (Review of Agreement) of the Bilateral Agreement, the Bilateral Agreement is reviewed after three or five years, or both, of the effective date of the Bilateral Agreement, and any changes to the Bilateral Agreement are required as a result, the Parties agree to amend the Agreement as necessary and in a manner that is consistent with such changes.

#### 5.0 ACKNOWLEDGEMENT

- 5.1 **Acknowledgement from Recipient.** The Recipient acknowledges, in respect of the Project, that:
- (a) the Funds are to assist the Recipient to carry out the Project and not to provide goods or services to the Province or Canada;
  - (b) the Province and Canada are not responsible for carrying out the Project;
  - (c) the Province's and Canada's role in respect of the Project is limited to making a financial contribution to the Recipient for the Project, and the Province and Canada are not involved in the Project or its operation;
  - (d) the Province and Canada are neither decision-makers nor administrators in respect of the Project;
  - (e) the Province is bound by the *Freedom of Information and Protection of Privacy Act* (Ontario) and any information provided to the Province in connection with the Project or otherwise in connection with the Agreement may be subject to disclosure in accordance with that Act;
  - (f) Canada is bound by the *Access to Information Act* (Canada) and any information provided to Canada by either the Province or the Recipient in connection with the Project or otherwise in connection with the Agreement may be subject to disclosure in accordance with that Act;
  - (g) by receiving Funds, the Recipient may be subject to legislation applicable to organizations that receive funding from the Government of Ontario, including the Broader Public Sector Accountability Act, 2010 (Ontario), the Public Sector Salary Disclosure Act, 1996 (Ontario), and the Auditor General Act (Ontario); and
  - (h) the Recipient has read and understood the Bilateral Agreement.

- 5.2 **Acknowledgement from Province.** The Province acknowledges that the Recipient may be bound by the *Municipal Freedom of Information and Protection of Privacy Act* (Ontario) and any information provided to the Recipient in connection with the Project or otherwise in connection with the Agreement may be subject to disclosure in accordance with that Act.

## 6.0 CANADA'S RIGHTS AND INFORMATION SHARING WITH CANADA

- 6.1 **Third Party Beneficiary.** The Recipient agrees that, although the Agreement is between the Province and the Recipient, Canada is, in respect of the rights, covenants, remedies, obligations, indemnities, and benefits (together referred to as "**Rights**") undertaken or given to Canada in the Agreement, a third party beneficiary under the Agreement and is entitled to rely upon and directly enforce those Rights as if Canada were a party to the Agreement.
- 6.2 **Sharing of Information with the Province and Canada.** The Recipient agrees that, consistent with section 6.1 (Third Party Beneficiary) and for the implementation of the Bilateral Agreement:
- (a) the Province or Canada, or both, and in respect of Canada either directly or through the Province, may, upon Notice to the Recipient, request additional information from the Recipient including, without limitation, information for any determination under Article A.27.0 (Environmental Requirements and Assessments) and Article A.28.0 (Aboriginal Consultation);
  - (b) if the Province or Canada, or both, provide the Recipient with Notice under paragraph 6.2(a), the Recipient will, within the timelines set out in the Notice, deliver the information to either the Province or Canada, or both, as required; and
  - (c) the Province or Canada, or both, may share any information received from the Recipient pursuant to the Agreement with each other.

**[SIGNATURE PAGE FOLLOWS]**

The Parties have executed the Agreement on the dates set out below.

**HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO**, as  
represented by the Minister of Infrastructure

\_\_\_\_\_  
Date

\_\_\_\_\_  
p.p. Adam Redish, Assistant Deputy Minister  
The Honourable Kinga Surma  
Minister of Infrastructure

AFFIX  
CORPORATE  
SEAL

**THE CORPORATION OF THE TOWNSHIP OF  
SOUTHGATE**

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name:  
Title:

I have authority to bind the Recipient.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name:  
Title:

I have authority to bind the Recipient.

**[SCHEDULE “A” – GENERAL TERMS AND CONDITIONS FOLLOWS]**

## SCHEDULE “A” GENERAL TERMS AND CONDITIONS

### A.1.0 INTERPRETATION AND DEFINITIONS

#### A.1.1 **Interpretation.** For the purposes of interpretation:

- (a) words in the singular include the plural and vice-versa;
- (b) words in one gender include all genders;
- (c) the background and headings do not form part of the Agreement; they are for information and reference only and will not affect the interpretation of the Agreement;
- (d) any reference to dollars or currency will be in Canadian dollars and currency;
- (e) “shall” and “will” are used interchangeably in the Agreement and denote the same affirmative and imperative obligation on the applicable Party.
- (f) all accounting terms not otherwise defined in the Agreement have their ordinary meanings; and
- (g) “include”, “includes”, and “including” denote that the subsequent list is not exhaustive.

#### A.1.2 **Definitions.** In the Agreement, the following terms have the following meanings:

**“Aboriginal Community”** has the meaning ascribed to it in section I.1.1 (Definitions).

**“Aboriginal Consultation Record”** means the Aboriginal Consultation Record described in section I.3.1 (Requirements for Aboriginal Consultation Record).

**“Agreement”** means this agreement entered into between the Province and the Recipient, all of the schedules and sub-schedules listed in section 1.1 (Schedules to the Agreement), and any amending agreement entered into pursuant to section 4.1 (Amending the Agreement).

**“Asset”** means any real or personal property, or immovable or movable asset, acquired, purchased, constructed, rehabilitated, or improved, in whole or in part, with any of the Funds.

**“Authorities”** means any government authority, agency, body or department having or claiming jurisdiction over the Agreement or the Project, or both.

**“Bilateral Agreement”** means the Canada-Ontario Integrated Bilateral Agreement for

the Investing in Canada Infrastructure Program entered into between Canada and Her Majesty the Queen in right of Ontario, effective as of March 26, 2018, as amended.

**“Business Day”** means any working day the Province is open for business, Monday to Friday inclusive, excluding statutory and other holidays, namely: New Year’s Day; Family Day; Good Friday; Easter Monday; Victoria Day; Canada Day; Civic Holiday; Labour Day; Thanksgiving Day; Remembrance Day; Christmas Day; Boxing Day; and any other day on which the Province is not open for business.

**“Canada”** means, unless the context requires otherwise, Her Majesty the Queen in right of Canada.

**“Canada’s Maximum Contribution”** means the maximum contribution from Canada as set out in Schedule “C”.

**“Committee”** refers to a Committee established pursuant to section A.29.1 (Establishment of Committee).

**“Communications Activities”** means, but is not limited to, public or media events or ceremonies including key milestone events, news releases, reports, web and social media products or postings, blogs, news conferences, public notices, physical and digital signs, publications, success stories and vignettes, photos, videos, multi-media content, advertising campaigns, awareness campaigns, editorials, multi-media products, and all related communication materials under the Agreement.

**“Contract”** means a contract between the Recipient and a Third Party whereby the Third Party agrees to supply goods or services, or both, in respect of the Project in return for financial consideration.

**“Effective Date”** means the date of signature by the last signing party to the Agreement.

**“Eligible Expenditures”** means the costs in respect of the Project that the Recipient has incurred and paid and that are eligible for payment under the terms and conditions of the Agreement, and that are further described in Schedule “E” (Eligible Expenditures and Ineligible Expenditures).

**“Environmental Laws”** means all applicable governmental, regulations, by-laws, orders, rules, policies, or guidelines respecting the protection of the natural environment or the public, and the manufacture, importation, handling, transportation, storage, disposal, and treatment of environmental contaminants and includes, without limitation, the *Environmental Protection Act* (Ontario), *Environmental Assessment Act* (Ontario), *Ontario Water Resources Act* (Ontario), *Canadian Environmental Protection Act, 1999* (Canada), *Canadian Environmental Assessment Act, 2012* (Canada), *Fisheries Act* (Canada), the *Impact Assessment Act* (Canada), and the *Canadian Navigable Waters Act* (Canada).

**“Evaluation”** means an evaluation in respect of the Project or the ICIP as described in Article F.1.0 (Project and ICIP Evaluations).

**“Event of Default”** has the meaning ascribed to it in section A.12.1 (Events of Default).

**“Expiration Date”** means the expiry date set out in Schedule “B” (Specific Information).

**“Federal Approval Date”** means the date on which Canada has approved the Project identified in Schedule “C” (Project Description, Financial Information, Timelines, and Project Standards).

**“Funding Year”** means:

- (a) in the case of the first Funding Year, the period commencing on the Effective Date and ending on the following March 31; and
- (b) in the case of Funding Years subsequent to the first Funding Year, the period commencing on April 1 following the end of the previous Funding Year and ending on the following March 31 or the Expiration Date, whichever comes first.

**“Funds”** means the money the Province provides to the Recipient pursuant to the Agreement, and in any event, will not exceed the Maximum Funds.

**“Holdback”** means the Holdback described in and to be paid in accordance with section A.4.12 (Retention of Contribution) and Article J.7.0 (Holdback).

**“ICIP”** means the Investing in Canada Infrastructure Program, a federal infrastructure program described in the first paragraph of the “Background” to the Agreement.

**“Indemnified Parties”** means Her Majesty the Queen in right of Ontario and Her Majesty the Queen in right of Canada, and includes their respective ministers, officers, servants, agents, appointees and employees.

**“Ineligible Expenditures”** means the costs that are ineligible for payment under the terms and conditions of the Agreement, and that are described in Schedule “E” (Eligible Expenditures and Ineligible Expenditures).

**“Interest or Interest Earned”** means the amount of money earned by the Recipient from placing the Funds in an interest bearing account as set out under section A.4.4 of Schedule “A” of this Agreement, and includes any and all interest or other income generated from the Funds.

**“Loss”** means any cause of action, liability, loss, cost, damage, or expense (including legal, expert, and consultant fees) that anyone incurs or sustains as a result of or in connection with the Project or any part of the Agreement or the Bilateral Agreement.

**“Maximum Funds”** means the maximum Funds amount as set out in Schedule “B” (Specific Information).

**“Notice”** means any communication given or required to be given pursuant to the Agreement.

**“Ontario’s Maximum Contribution”** means the maximum contribution from Ontario as set out in Schedule “C”.

**“Parties”** means the Province and the Recipient.

**“Party”** means either the Province or the Recipient.

**“Person”** means, without limitation, a person, the Recipient, a Third Party, a corporation, or any other legal entity, and their officers, servants, employees, or agents.

**“Proceeding”** means any action, claim, demand, lawsuit, or other proceeding, whether in contract, tort (including negligence), or otherwise, that anyone makes, brings, or prosecutes as a result of or in connection with the Project or any part of the Agreement or the Bilateral Agreement.

**“Project”** means the undertaking described in Schedule “C” (Project Description, Financial Information, Timelines, and Project Standards).

**“Records Review”** means any assessment the Province conducts pursuant to section A.7.4 (Records Review).

**“Remedial Period”** means the period of time within which the Recipient is required to remedy an Event of Default, pursuant to paragraph A.12.3 (b), and includes any such period or periods of time by which the Province extends that time in accordance with section A.12.4 (Recipient Not Remediating).

**“Reports”** means the reports described in Schedule “D” (Reports).

**“Requirements of Law”** means all applicable requirements, laws, statutes, codes, acts, ordinances, approvals, orders, decrees, injunctions, by-laws, rules, regulations, official plans, permits, licences, authorizations, directions, and agreements with all Authorities, and includes the Environmental Laws.

**“Substantial Completion” or “Substantially Completed”** means that the Project can be used for the purpose for which it was intended and, in any event, no later than



October 31, 2026.

**“Term”** means the period of time described in section A.3.1 (Term).

**“Third Party”** means any person or legal entity, other than a Party, who participates in the implementation of the Project by means of a Contract.

**“Total Financial Assistance”** means the total Project funding from all sources including, but not limited to, funding from federal, provincial, territorial, municipal, regional, band council, and Indigenous government sources; private sources; and in-kind contributions.

**“Transfer Payment Ontario”** means the Province’s enterprise system for managing time-limited and ongoing transfer payment activities.

## **A.2.0 REPRESENTATIONS, WARRANTIES, AND COVENANTS**

**A.2.1 General.** The Recipient represents, warrants, and covenants that, in respect of the Project:

- (a) it has, and will continue to have, the experience and expertise necessary to carry out the Project;
- (b) it is in compliance with, and will continue to comply with, all Requirements of Law related to any aspect of the Project, the Funds, or both;
- (c) unless otherwise provided for in the Agreement, any information the Recipient provided to the Province in support of its request for Funds (including, without limitation, any information relating to any eligibility requirements) was true and complete at the time the Recipient provided it and will continue to be true and complete;
- (d) the Project meets and will continue to meet all of the program’s eligibility criteria, construction conditions and the Recipient will abide by all of the Province’s and Canada’s respective requirements set out in the guidelines, including the financial, contractual and reporting requirements;
- (e) the Project will meet the following environmental quality outcome:

<b>Environmental Quality Outcomes:</b>
Increased access to potable water

- (f) if the Project meets an environmental quality outcome, once complete it will, depending on the nature of the Project:

- (i) result in wastewater effluent that meets the Wastewater Systems Effluent Regulations or provincial regulations where there is a federal equivalency agreement in place, where applicable; or
  - (ii) result in drinking water quality that meets or exceeds provincial standards, where applicable.
- (g) any Funds received have not displaced, and will continue to not displace, the Recipient's own funding and spending on public transit.

**A.2.2 Execution of Agreement.** The Recipient represents and warrants that it has:

- (a) the full power and authority to enter into the Agreement; and
- (b) taken all necessary actions to authorize the execution of the Agreement, in a manner that is satisfactory to the Province, including passing of municipal by-law or council resolution authorizing the Recipient to enter into the Agreement, where required.

**A.2.3 Governance.** The Recipient represents, warrants, and covenants that it has, will maintain in writing, and will follow:

- (a) procedures to enable the Recipient to manage Funds prudently and effectively;
- (b) procedures to enable the Recipient to complete the Project successfully;
- (c) procedures to enable the Recipient to identify risks to the completion of the Project and strategies to address the identified risks, all in a timely manner;
- (d) procedures to enable the preparation and submission of all Reports required pursuant to Article A.7.0 (Reporting, Accounting, and Review); and
- (e) procedures to enable the Recipient to address such other matters as the Recipient considers necessary to enable the Recipient to carry out its obligations under the Agreement.

**A.2.4 Supporting Proof.** Upon the request of the Province, the Recipient will provide the Province with proof of the matters referred to in this Article A.2.0 (Representations, Warranties, and Covenants).

**A.3.0 TERM OF THE AGREEMENT AND SUBSTANTIAL COMPLETION**

- A.3.1 **Term.** The term of the Agreement will commence on the Effective Date and will expire on the Expiration Date, unless terminated earlier pursuant to Article A.11.0 (Termination on Notice) or Article A.12.0 (Event of Default, Corrective Action, and Termination for Default).
- A.3.2 **Substantial Completion.** The Recipient will ensure that the Project is Substantially Completed on or before October 31, 2026.

**A.4.0 FUNDS AND CARRYING OUT THE PROJECT****A.4.1 Funds Provided.** The Province will:

- (a) provide the Recipient funding up to the Maximum Funds for the sole purpose of carrying out the Project;
- (b) provide the Funds to the Recipient in accordance with the request for payment and payment procedures provided for in Schedule “J” (Requests for Payment and Payment Procedures); and
- (c) deposit the Funds into an account the Recipient designates, provided that the account:
  - (i) is at a branch of a Canadian financial institution in Ontario; and
  - (ii) is solely in the name of the Recipient.

**A.4.2 Limitation on Payment of Funds.** Despite section A.4.1 (Funds Provided):

- (a) in addition to any other limitation under the Agreement on the payment of Funds, the Province is not obligated to provide:
  - (i) any Funds to the Recipient until the Recipient fulfils the special conditions listed in section A.31.1 (Special Conditions); and
  - (ii) any Funds to the Recipient until the Province and Canada are satisfied with the progress of the Project;
- (b) the Province, at its sole discretion, may adjust the amount of Funds it provides to the Recipient based upon the Province’s assessment of the information the Recipient provides to the Province pursuant to section A.7.2 (Preparation and Submission); and
- (c) any payment of Funds is subject to:

- (i) the requirements of the *Financial Administration Act* (Ontario), including the availability of an appropriation by the Ontario Legislature that is sufficient and constitutes lawful authority for the payment;
- (ii) ministerial funding levels in respect of transfer payments, the program under which the Agreement was made, or otherwise that are sufficient for the payment; and
- (iii) Canada's payment of funds to the Province, pursuant to the Bilateral Agreement, that are sufficient for the payment.

The Province, at its sole discretion, may reduce or cancel any amount of Funds or terminate the Agreement in response to a reduction or lack of federal or provincial government appropriation, ministerial funding levels, or Canada's payment of funds. Notwithstanding Article A.9.0 (Limitation of Liability and Indemnity), the Province will not be liable for any direct, indirect, consequential, exemplary, or punitive damages, regardless of the form of action, whether in contract or in tort (including negligence) or otherwise, arising from any reduction or cancellation of Funds. If any changes to the Agreement, including changes in respect of the Project, are required as a result, the Parties agree to amend the Agreement accordingly.

**A.4.3 Use of Funds and Carry Out the Project.** The Recipient will, in respect of the Project, do all of the following:

- (a) carry out the Project in accordance with the Agreement;
- (b) use the Funds only for the purpose of carrying out the Project;
- (c) spend the Funds only on Eligible Expenditures as described in Schedule "E" (Eligible Expenditures and Ineligible Expenditures);
- (d) not use the Funds to cover any Ineligible Expenditure; and
- (e) not use the Funds to cover any Eligible Expenditure that has or will be funded or reimbursed by one or more of any third party, or ministry, department, agency, or organization of the Government of Ontario or of the Government of Canada.

**A.4.4 Interest-Bearing Account.** If for any reason, Funds were provided to the Recipient before the Recipient's immediate need for the Funds, the Recipient will place the Funds in an interest-bearing account solely in the name of the Recipient at a branch of a Canadian financial institution in Ontario. The Recipient will hold the Funds plus any Interest Earned in trust for the Province until the Funds are used in accordance with the Agreement.

- A.4.5 **Interest.** If the Recipient earns any Interest on the Funds, the Province may do either or both of the following:
- (a) deduct an amount equal to the Interest Earned from the remaining Funds, if any;
  - (b) demand from the Recipient the payment of an amount equal to the Interest Earned.
- A.4.6 **Maximum Funds and Recovery of Excesses.** The Recipient acknowledges that:
- (a) the Funds available to it pursuant to the Agreement will not exceed the Maximum Funds;
  - (b) if Canada's total contribution from all federal sources in respect of the Project exceeds 40 percent of Total Eligible Expenditures, the Province may demand the return of the excess from the Recipient and the Recipient shall return the excess forthwith or the Province may reduce the remaining Funds under the Agreement by an amount equal to the excess;
  - (c) if the Total Financial Assistance received in respect of the Project exceeds one hundred percent (100%) of Total Eligible Expenditures, the Province, at its sole discretion, may, up to the Maximum Funds, demand the return of the excess from the Recipient and the Recipient shall return the excess forthwith or the Province may reduce the remaining Funds under the Agreement by an amount equal to the excess.
- A.4.7 **Disclosure of Other Financial Assistance.** The Recipient will inform the Province promptly of any financial assistance received in respect of the Project.
- A.4.8 **Rebates, Credits, and Refunds.** The Province will, in respect of the Project, calculate Funds based on the actual costs to the Recipient to carry out the Project, less any costs (including taxes) for which the Recipient has received, will receive, or is eligible to receive, a rebate, credit, or refund.
- A.4.9 **Recipient's Acknowledgement of Responsibility for Project.** The Recipient will, in respect of the Project, assume full responsibility for the Project, including, without limitation:
- (a) complete, diligent, and timely Project implementation within the costs and timelines specified in the Agreement and in accordance with all other terms and conditions of the Agreement;
  - (b) all of the costs of the Project, including, without limitation, unapproved expenditures, Ineligible Expenditures, and cost overruns, if any;
  - (c) subsequent operation, maintenance, repair, rehabilitation, construction,

demolition, or reconstruction, as required and in accordance with industry standards, and any related costs for the full lifecycle of the Project; and

(d) the engineering work being undertaken in accordance with industry standards.

**A.4.10 Increase in Project Costs.** If, at any time during the Term the Recipient determines that it will not be possible to complete the Project unless it expends amounts in excess of all funding available to it (a “**Shortfall**”), the Recipient will immediately notify the Province of that determination. If the Recipient so notifies the Province, it will, within 30 days of a request from the Province, provide a summary of the measures that it proposes to remedy the Shortfall. If the Province is not satisfied that the measures proposed will be adequate to remedy the Shortfall, then the Province may exercise one or more of the remedies available to it pursuant to section A.12.4 (Recipient Not Remediating).

**A.4.11 Recipient’s Request for Payment and Payment Procedures.** The Recipient agrees to submit its requests for payment in accordance with the payment procedures provided for in Schedule “J” (Requests for Payment and Payment Procedures).

**A.4.12 Retention of Contribution.** The Province will retain 10% of the Maximum Funds in respect of the Project (“**Holdback**”) up until the following conditions have been met:

- (a) the Recipient has fulfilled all of its obligations under the Agreement for the Project; and
- (b) the Province has carried out the reconciliation, as set out in section J.6.1 (Final Reconciliation and Adjustments), and has made any adjustments required in the circumstances.

## **A.5.0 RECIPIENT’S ACQUISITION OF GOODS OR SERVICES, CONTRACT PROVISIONS, AND DISPOSAL OF ASSETS**

**A.5.1 Acquisition.** The Recipient will ensure that all Contracts are awarded in way that is:

- (a) is fair, transparent, competitive, and consistent with value for money principles, or in a manner otherwise acceptable to the Province and Canada; and
- (b) if applicable, is in accordance with the Canadian Free Trade Agreement and international agreements.

**A.5.2 Non-Compliance with Acquisition Requirements.** If the Province or Canada determines that a Contract is awarded in a manner that is not in compliance with the requirements in section A.5.1 (Acquisition), upon giving Notice to the Recipient, the Province may consider the expenditures associated with the Contract to be an Ineligible Expenditure.

**A.5.3 Exemptions to Competitive Awarding.** The Province and Canada may consent to the provision of exemptions from competitive awarding of Contracts on a case-by-case basis, in their sole and absolute discretion, if the Recipient:

- (a) provides a written request indicating the business case rationale for the exemption, in advance of the Contract being awarded;
- (b) attests to:
  - (i) following value-for-money procurement processes for materials and sub-contracts; and
  - (ii) following its own policies and procedures.

**A.5.4 Contract Provisions.** The Recipient will ensure that all Contracts are consistent with and incorporate the relevant provisions of the Agreement, including its insurance provisions. More specifically, but without limiting the generality of the foregoing, the Recipient agrees to include provisions in all Contracts to ensure:

- (a) that proper and accurate accounts and records are kept and maintained as described in the Agreement including, but not limited to, in paragraph A.7.3(a);
- (b) that all applicable Requirements of Law including, without limitation, labour and human rights legislation, are complied with; and
- (c) that the Contract secures the respective rights of the Province and Canada, and any authorized representative or independent auditor identified by the Province or Canada, and the Auditor General of Ontario and the Auditor General of Canada to:
  - (i) inspect and audit the terms of any Contract, record or account in respect of the Project; and
  - (ii) have free and timely access to the Project sites and facilities, and any records, documentation or information, as contemplated pursuant to section A.7.5 (Inspection and Removal).

**A.5.5 Disposal of Assets.** The Recipient will not, unless in accordance with the terms and conditions set out in Schedule “H” (Disposal of Assets), sell, lease, encumber, or otherwise dispose, directly or indirectly, of any Asset.

## **A.6.0 CONFLICT OF INTEREST**

**A.6.1 Conflict of Interest Includes.** For the purposes of this Article A.6.0 (Conflict of Interest), a conflict of interest includes any circumstances where:

- (a) the Recipient or any person who has the capacity to influence the Recipient's decisions has outside commitments, relationships, or financial interests that could, or could be seen by a reasonable person to interfere with the Recipient's objective, unbiased, and impartial judgment in respect of the Project or the use of the Funds, or both; or
- (b) a former public servant or public office holder to whom any post-employment, ethics and conflict of interest legislation, guidelines, codes, or policies of Canada apply will derive a direct benefit from the Agreement, unless the provision or receipt of such benefits complies with such legislation, guidelines, policies, or codes.

**A.6.2 No Conflict of Interest.** The Recipient will carry out the Project and use the Funds without an actual, potential, or perceived conflict of interest unless:

- (a) the Recipient:
  - (i) provides Notice to the Province disclosing the details of the actual, potential, or perceived conflict of interest; and
  - (ii) requests the consent of the Province to carry out the Project with an actual, potential, or perceived conflict of interest;
- (b) the Province consents in writing to the Recipient carrying out the Project with an actual, potential, or perceived conflict of interest; and
- (c) the Recipient complies with any terms and conditions the Province may prescribe in its consent.

## **A.7.0 REPORTING, ACCOUNTING, AND REVIEW**

**A.7.1 Province and Canada Include.** For the purpose of sections A.7.4 (Records Review), A.7.5 (Inspection and Removal) and A.7.6 (Cooperation), "Province" includes Canada and any auditor or representative that the Province or Canada, or both, may identify.

**A.7.2 Preparation and Submission.** The Recipient will:

- (a) submit to the Province at the address referred to in section A.15.1 (Notice in Writing and Addressed):
  - (i) all Reports in accordance with the timelines and content requirements provided for in Schedule "D" (Reports); and
  - (ii) any other reports in accordance with any timelines and content



requirements the Province may specify from time to time; and

- (b) ensure that all Reports and other reports are:
  - (i) completed to the satisfaction of the Province; and
  - (ii) signed by an authorized signing officer of the Recipient.

**A.7.3 Record Maintenance.** The Recipient will keep and maintain for a period of seven years after the Expiration Date:

- (a) proper and accurate financial accounts and records, kept in a manner consistent with generally accepted accounting principles, including but not limited to its contracts, invoices, statements, receipts, and vouchers and any other evidence of payment relating to the Funds or otherwise to the Project; and
- (b) all non-financial records and documents relating to the Funds or otherwise to the Project.

**A.7.4 Records Review.** The Province, at its sole discretion and expense, may, upon 24 hours' Notice to the Recipient and during normal business hours, enter upon the Recipient's premises to conduct an audit or investigation of the Recipient or the Project regarding the Recipient's compliance with the Agreement, including assessing any of the following:

- (a) the truth of any of the Recipient's representations and warranties;
- (b) the progress of the Project; or
- (c) the Recipient's allocation and expenditure of the Funds.

**A.7.5 Inspection and Removal.** For the purposes of any Records Review, the Province may take one or more of the following actions:

- (a) inspect and copy any records or documents referred to in section A.7.3 (Record Maintenance);
- (b) remove any copies the Province makes pursuant to section A.7.5(a); and
- (c) share any documents, records and findings with Canada.

**A.7.6 Cooperation.** To assist the Province in respect of its rights provided for in section A.7.5 (Inspection and Removal), the Recipient will cooperate with the Province by:

- (a) ensuring that the Province has access to the records and documents wherever they are located;

- (b) coordinating access with any Third Party;
- (c) assisting the Province to copy the records and documents;
- (d) providing to the Province, in the form the Province specifies, any information the Province identifies; and
- (e) carrying out any other activities the Province requests.

**A.7.7 No Control of Records.** No provision of the Agreement will be construed so as to give the Province or Canada, or both, any control whatsoever over the Recipient's records.

**A.7.8 Auditor General (Ontario and Canada).** The Province's rights under this Article A.7.0 (Reporting, Accounting, and Review) are in addition to any rights provided to the Auditor General of Ontario pursuant to section 9.2 of the *Auditor General Act* (Ontario) and to the Auditor General of Canada pursuant to section 7.1 of the *Auditor General Act* (Canada).

**A.7.9 Sharing of Audit Findings and Reports.** The Recipient acknowledges that Canada and the Province may:

- (a) inform each other, and any of their respective authorized representatives and auditors, that an audit is being conducted; and
- (b) share the findings of any audit or investigation, including any ensuing report, with each other and any of their respective authorized representatives and auditors.

**A.7.10 Evaluation.** The Recipient agrees to participate in any Evaluation and comply with the requirements for such Evaluation that are set out in Schedule "F" (Evaluation).

**A.7.11 Calculations.** The Recipient will make all calculations and prepare all financial data to be submitted in accordance with the generally accepted accounting principles in effect in Canada. These will include, without limitation, those principles and standards approved or recommended from time to time by the Chartered Professional Accountants of Canada or the Public Sector Accounting Board, as applicable, or any successor institute, applied on a consistent basis.

**A.7.12 Adverse Fact or Event.** The Recipient will inform the Province immediately of any fact or event of which it is aware that has or will compromise, wholly or in part, the Project.

## **A.8.0 COMMUNICATIONS REQUIREMENTS**

**A.8.1 Communications Protocol.** The Parties agree to be bound by the terms and conditions of the communications protocol provided for in Schedule "G" (Communications Protocol).

## **A.9.0 LIMITATION OF LIABILITY AND INDEMNITY**

**A.9.1 Province and Canada Limitation of Liability.** In no event will any of the Indemnified Parties be held liable for any damages, including direct, indirect, consequential, exemplary, or punitive damages, regardless of the form of action, whether in contract, tort (including negligence), or otherwise, for:

- (a) any injury to any Person, including, but not limited to, death, economic loss, or infringement of rights;
- (b) any damage to or loss or destruction of property of, any Person; or
- (c) any obligation of any Person, including, but not limited to, any obligation arising from a loan, capital lease, or other long-term obligation

in relation to the Agreement, the Bilateral Agreement, or the Project.

**A.9.2 Indemnification of the Province and Canada.** The Recipient will indemnify and hold harmless the Indemnified Parties from and against any Loss and any Proceeding based upon or occasioned by:

- (a) any injury to any Person, including, but not limited to, death, economic loss, or any infringement of rights;
- (b) any damage to, or loss or destruction of, property of any Person; or
- (c) any obligation of any Person, including, but not limited to, any obligation arising from a loan, capital lease, or other long-term obligation,

except to the extent to which such Loss or Proceeding is caused by the negligence or wilful misconduct of any Indemnified Party in the performance of that Indemnified Party's duties.

**A.9.3 Recipient's Participation.** The Recipient will, at its expense, to the extent requested by the Province or Canada, or both, participate in or conduct the defence of any Proceeding against any of the Indemnified Parties and any negotiations for their settlement.

**A.9.4 Province's Election.** The Province or Canada, or both, may elect to participate in, or conduct the defence of, any Proceeding by providing Notice to the Recipient of such election, without prejudice to any other rights or remedies of the Province under the Agreement or of the Province or Canada under the Bilateral Agreement, at law or in equity. If the Province, Canada, or the Recipient, as applicable, participates in the defence, it will do so by actively participating with the other's counsel.

**A.9.5 Settlement Authority.** The Recipient will not enter into a settlement of any

Proceeding against any of the Indemnified Parties unless the Recipient has obtained from the Province or Canada, as applicable, prior written approval or a waiver of this requirement. If the Recipient is requested by the Province or Canada to participate in or conduct the defence of any Proceeding, the Province or Canada, as applicable, will cooperate with and assist the Recipient to the fullest extent possible in the Proceeding and any related settlement negotiations.

- A.9.6 Recipient's Cooperation.** If the Province or Canada conducts the defence of any Proceeding, the Recipient will cooperate with and assist the Province or Canada, as applicable, to the fullest extent possible in the Proceeding and any related settlement negotiations.

## **A.10.0 INSURANCE**

- A.10.1 Recipient's Insurance.** The Recipient represents, warrants, and covenants that it has, and will maintain at its own cost and expense for a period extending at least 90 Business Days beyond the Term, with insurers having a secure A.M. Best rating of B+ or greater, or the equivalent, all the necessary and appropriate insurance that a prudent person carrying out a project similar to the Project would maintain, including commercial general liability insurance on an occurrence basis for third party bodily injury, personal injury, and property damage, to an inclusive limit of not less than \$2,000,000.00 per occurrence, and including products and completed operations coverage with the endorsements identified below:

- (a) the Indemnified Parties as additional insureds in respect of liability arising in the course of performance of the Recipient's obligations under, or otherwise in connection with, the Agreement;
- (b) a cross-liability clause;
- (c) contractual liability coverage; and
- (d) a 30-day written notice of cancellation.

- A.10.2 Proof of Insurance.** At the request of the Province from time to time, the Recipient will:

- (a) provide to the Province, either:
  - (i) annually, certificates of insurance that confirm the insurance coverage as provided in section A.10.1 (Recipient's Insurance); or
  - (ii) other proof that confirms the insurance coverage as provided for in section A.10.1 (Recipient's Insurance); and

- (b) at the Province's request, the Recipient will provide to the Province a copy of any of the Recipient's insurance policies that relate to the Project or otherwise to the Agreement or both.

#### **A.11.0 TERMINATION ON NOTICE**

**A.11.1 Termination on Notice.** The Province may terminate the Agreement at any time without liability, penalty, or costs upon giving at least 30 days' Notice to the Recipient.

**A.11.2 Consequences of Termination on Notice by the Province.** If the Province terminates the Agreement pursuant to section A.11.1 (Termination on Notice), the Province may take one or more of the following actions:

- (a) Direct the Recipient not to incur any further costs for the Project subsequent to the Notice of termination. If the Recipient fails to comply with such direction and unless with the Province's prior written consent, the Recipient shall be solely responsible for any further costs incurred after such Notice was given;
- (b) cancel all further instalments of Funds; and
- (c) demand the payment of any Funds plus any Interest Earned remaining in the possession or under the control of the Recipient.

#### **A.12.0 EVENT OF DEFAULT, CORRECTIVE ACTION, AND TERMINATION FOR DEFAULT**

**A.12.1 Events of Default.** It will constitute an Event of Default if, in the opinion of the Province, the Recipient breaches any representation, warranty, covenant, or other material term of the Agreement, including:

- (a) failing to carry out the Project in whole or in part in accordance with the terms of the Agreement;
- (b) failing to use or spend Funds in accordance with the terms of the Agreement;
- (c) failing to provide, in accordance with section A.7.2 (Preparation and Submission), Reports or such other reports as the Province may have requested pursuant to the Agreement);
- (d) the Recipient's operations, its financial condition, its organizational structure or its control changes such that it no longer meets one or more of the eligibility requirements of the program under which the Province provides the Funds;
- (e) the Recipient makes an assignment, proposal, compromise, or arrangement for

the benefit of creditors, or a creditor makes an application for an order adjudging the Recipient bankrupt, or applies for the appointment of a receiver; or

- (f) the Recipient ceases to operate.

**A.12.2 Consequences of Events of Default and Corrective Action.** If an Event of Default occurs, the Province may, at any time, and at its sole discretion, take one or more of the following actions:

- (a) initiate any action the Province considers necessary in order to facilitate the successful continuation or completion of the Project;
- (b) provide the Recipient with an opportunity to remedy the Event of Default;
- (c) suspend the payment of Funds for such period as the Province determines appropriate;
- (d) reduce the amount of the Funds;
- (e) cancel all further instalments of Funds;
- (f) demand from the Recipient the payment of any Funds plus any Interest Earned remaining in the possession or under the control of the Recipient;
- (g) demand from the Recipient the payment of an amount equal to any Funds the Recipient used, but did not use in accordance with the Agreement;
- (h) demand from the Recipient the repayment of an amount equal to any Funds the Province provided to the Recipient;
- (i) demand from the Recipient an amount equal to the costs the Province incurred or incurs to enforce its rights under the Agreement, including the costs of any Records Review and the costs it incurs to collect any amounts the Recipient owes to the Province; and
- (j) terminate the Agreement at any time, including immediately, without liability, penalty, or costs to the Province upon giving Notice to the Recipient.

**A.12.3 Opportunity to Remedy.** If, in accordance with paragraph A.12.2(b), the Province provides the Recipient with an opportunity to remedy the Event of Default, the Province will provide Notice to the Recipient of:

- (a) the particulars of the Event of Default; and
- (b) the Remedial Period.

**A.12.4 Recipient Not Remediating.** If the Province provided the Recipient with an opportunity to remedy the Event of Default pursuant to paragraph A.12.2(b), and:

- (a) the Recipient does not remedy the Event of Default within the Remedial Period;
- (b) it becomes apparent to the Province that the Recipient cannot completely remedy the Event of Default within the Remedial Period; or
- (c) the Recipient is not proceeding to remedy the Event of Default in a way that is satisfactory to the Province,

the Province may extend the Remedial Period or initiate any one or more of the actions provided for in paragraphs A.12.2(a), (c), (d), (e), (f), (g), (h), (i) and (j).

**A.12.5 When Termination Effective.** Termination under this Article A.12.0 (Event of Default, Corrective Action, and Termination for Default) will take effect as provided for in the Notice.

#### **A.13.0 FUNDS UPON EXPIRY**

**A.13.1 Funds Upon Expiry.** The Recipient will, upon expiry of the Agreement, pay to the Province any Funds plus Interest Earned remaining in its possession, under its control, or both.

#### **A.14.0 DEBT DUE AND PAYMENT**

**A.14.1 Payment of Overpayment.** If at any time the Province provides Funds in excess of the amount the Recipient is entitled to under the Agreement, the Province may:

- (a) deduct an amount equal to the excess Funds plus any Interest Earned from any further instalments of Funds; or
- (b) demand that the Recipient pay to the Province an amount equal to the excess Funds plus any Interest Earned.

**A.14.2 Debt Due.** If, pursuant to the Agreement:

- (a) the Province demands from the Recipient the payment of any Funds, an amount equal to any Funds, or any other amounts owing under the Agreement; or
- (b) the Recipient owes to the Province any Funds, an amount equal to any Funds, or any other amounts under the Agreement, whether or not the Province has demanded their payment,

such amounts will be deemed to be debts due and owing to the Province by the Recipient, and the Recipient will pay the amounts to the Province immediately, unless the Province directs otherwise.

- A.14.3 **Interest Rate.** The Province may charge the Recipient interest on any money owing to the Province by the Recipient under the Agreement at the then-current interest rate charged by the Province of Ontario on accounts receivable.
- A.14.4 **Payment of Money to Province.** The Recipient will pay any money owing to the Province by cheque payable to the “Ontario Minister of Finance” and delivered to the Province at the address set out in Schedule “B” (Specific Information) for the purposes of Notice to the Province.
- A.14.5 **Failure to Repay.** Without limiting the application of section 43 of the *Financial Administration Act* (Ontario), if the Recipient fails to pay any amount owing under the Agreement, Her Majesty the Queen in right of Ontario may deduct any unpaid amount from any money payable to the Recipient by Her Majesty the Queen in right of Ontario.

## **A.15.0 NOTICE**

A.15.1 **Notice in Writing and Addressed.** Notice will be:

- (a) in writing;
- (b) delivered by email, postage-prepaid mail, personal delivery, or courier; and
- (c) addressed to the Province and the Recipient as set out in Schedule “B” (Specific Information), or as either Party later designates to the other by Notice.

A.15.2 **Notice Given.** Notice will be deemed to have been given:

- (a) in the case of postage-prepaid mail, five Business Days after the Notice is delivered; and
- (b) in the case of email, personal delivery, or courier, on the date on which the Notice is delivered.

A.15.3 **Postal Disruption.** Despite paragraph A.15.2(a), in the event of a postal disruption:

- (a) Notice by postage-prepaid mail will not be deemed to be given; and
- (b) the Party giving Notice will provide Notice by email, personal delivery, or courier.



#### **A.16.0 CONSENT BY PROVINCE OR CANADA AND COMPLIANCE BY RECIPIENT**

A.16.1 **Consent.** When the Province or Canada provides its consent pursuant to the Agreement:

- (a) it will do so by Notice;
- (b) it may attach any terms and conditions to the consent; and
- (c) the Recipient may rely on the consent only if the Recipient complies with any terms and conditions the Province or Canada may have attached to the consent.

#### **A.17.0 SEVERABILITY OF PROVISIONS**

A.17.1 **Invalidity or Unenforceability of Any Provision.** The invalidity or unenforceability of any provision of the Agreement will not affect the validity or enforceability of any other provision of the Agreement.

#### **A.18.0 WAIVER**

A.18.1 **Waiver Request.** Either Party may, by Notice, ask the other Party to waive an obligation under the Agreement.

A.18.2 **Waiver Applies.** If in response to a request made pursuant to section A.18.1 (Waiver Request) a Party consents to a waiver, the waiver will:

- (a) be valid only if the Party that consents to the waiver provides the consent by Notice; and
- (b) apply only to the specific obligation referred to in the waiver.

A.18.3 **Waivers in Writing.** If a Party fails to comply with any term of the Agreement, that Party may only rely on a waiver of the other Party if the other Party has provided a written waiver in accordance with the Notice provisions in Article A.15.0 (Notice). Any waiver must refer to a specific failure to comply and will not have the effect of waiving any subsequent failures to comply.

#### **A.19.0 INDEPENDENT PARTIES**

A.19.1 **Parties Independent.** The Recipient is not an agent, joint venturer, partner, or employee of either the Province or Canada, and the Recipient will not represent itself in any way that might be taken by a reasonable person to suggest that it is, or take any actions that could establish or imply such a relationship.

- A.19.2 **No Authority to Represent.** Nothing in the Agreement is to be construed as authorizing any Person, including a Third Party, to contract for or to incur any obligation on behalf of the Province or Canada, or both, or to act as an agent for the Province or Canada. The Recipient will take the necessary action to ensure that any Contract between the Recipient and a Third Party contains a provision to that effect.

## **A.20.0 ASSIGNMENT OF AGREEMENT OR FUNDS**

- A.20.1 **No Assignment.** The Recipient will not, without the prior written consent of the Province, assign any of its rights or obligations under the Agreement.
- A.20.2 **Agreement Binding.** All rights and obligations contained in the Agreement will extend to and be binding on:
- (a) the Recipient's successors and permitted assigns; and
  - (b) the successors to Her Majesty the Queen in right of Ontario.

## **A.21.0 GOVERNING LAW**

- A.21.1 **Governing Law.** The Agreement and the rights, obligations, and relations of the Parties will be governed by and construed in accordance with the laws of the Province of Ontario and the applicable federal laws of Canada. Any actions or proceedings arising in connection with the Agreement will be conducted in the courts of Ontario, which will have exclusive jurisdiction over such proceedings.

## **A.22.0 FURTHER ASSURANCES**

- A.22.1 **Agreement into Effect.** The Recipient will:
- (a) provide such further assurances as the Province may request from time to time in respect to any matter to which the Agreement pertains; and
  - (b) do or cause to be done all acts or things necessary to implement and carry into effect the terms and conditions of the Agreement to their full extent.

## **A.23.0 JOINT AND SEVERAL LIABILITY**

- A.23.1 **Joint and Several Liability.** Where the Recipient is comprised of more than one entity, each entity will be jointly and severally liable to the Province for the fulfillment of the obligations of the Recipient under the Agreement.

**A.24.0 RIGHTS AND REMEDIES CUMULATIVE & JOINT AUTHORSHIP**

**A.24.1 Rights and Remedies Cumulative.** The rights and remedies of the Province under the Agreement are cumulative and are in addition to, and not in substitution for, any of its rights and remedies provided by law or in equity.

**A.24.2 Joint Authorship Of Agreement.** Each and every provision of this Agreement shall be construed as though both Parties participated equally in the drafting of same, and any rule of construction that a document shall be construed against the drafting party, including without limitation, the doctrine commonly known as contra proferentem, shall not be applicable to this Agreement. The Parties shall not seek to avoid a provision herein because of its authorship through recourse to a third-party, court, tribunal or arbitrator.

**A.25.0 FAILURE TO COMPLY WITH OTHER AGREEMENTS**

**A.25.1 Other Agreements.** If the Recipient:

- (a) has failed to comply with any term, condition, or obligation under any other agreement with Her Majesty the Queen in right of Ontario or one of Her agencies (a “**Failure**”);
- (b) has been provided with notice of such Failure in accordance with the requirements of such other agreement;
- (c) has, if applicable, failed to rectify such Failure in accordance with the requirements of such other agreement; and
- (d) such Failure is continuing,

the Province, at its sole discretion, may suspend the payment of Funds for such period as the Province determines appropriate and may demand immediate repayment or deduct such amounts owing plus any Interest Earned from the remaining Funds, if any, as a result of such Failure.

**A.26.0 SURVIVAL**

**A.26.1 Survival.** Any rights and obligations of the Parties that, by their nature, extend beyond the termination of the Agreement will continue in full force and effect for a period of seven years from the date of expiry or termination of the Agreement. Surviving provisions include, without limitation, the following Articles, sections and paragraphs,

and all applicable cross-referenced Articles, sections, paragraphs, schedules, and sub-schedules: Articles 1.0 (Entire Agreement), 2.0 (Conflict or Inconsistency), 5.1 (Acknowledgement from Recipient), 6.0 (Canada's Rights and Information Sharing with Canada), A.1.0 (Interpretation and Definitions) and any other applicable definitions, A.2.0 (Representations, Warranties, and Covenants), A. 4.1(c), A.4.2(c), sections A.4.4 (Interest-Bearing Account), A.4.5 (Interest), A.4.6 (Maximum Funds and Recovery of Excesses), A.4.8 (Rebates, Credits, and Refunds), A.4.9 (Recipient's Acknowledgement of Responsibility for Project), A.5.5 (Disposal of Assets), A.7.1 (Province and Canada Include), A.7.2 (Preparation and Submission) (to the extent that the Recipient has not provided the Reports or other reports as may have been requested to the satisfaction of the Province), A.7.3 (Record Maintenance), A.7.4 (Records Review), A.7.5 (Inspection and Removal), A.7.6 (Cooperation), A.7.7 (No Control of Records), A.7.8 (Auditor General (Ontario and Canada)), A.7.9 (Sharing of Audit Findings and Reports), A.7.10 (Evaluation), A.7.11 (Calculations), Articles A.8.0 (Communications Requirements), A.9.0 (Limitation of Liability and Indemnity), A.10.1 (for a period extending 90 Business Days beyond the Term), sections A.11.2 (Consequences of Termination on Notice by the Province), A.12.1 (Events of Default), paragraphs A.12.2(d), (e), (f), (g), (h) and (i), A.13.0 (Funds Upon Expiry), A.14.0 (Debt Due and Payment), A.15.0 (Notice), and A.17.0 (Severability of Provisions), section A.20.2 (Agreement Binding), and Articles A.21.0 (Governing Law), A.23.0 (Joint and Several Liability), A.24.0 (Rights and Remedies Cumulative & Joint Authorship), A.26.0 (Survival), A.27.0 (Environmental Requirements and Assessments), A.28.0 (Aboriginal Consultation), and A.31.0 (Special Conditions).

## **A.27.0 ENVIRONMENTAL REQUIREMENTS AND ASSESSMENTS**

**A.27.1 Federal Environmental Requirements.** Without limitation to the Recipient's obligations to comply with Environmental Laws and for greater clarity:

- (a) no site preparation, removal of vegetation or construction will occur in respect of the Project; and
- (b) the Province will have no obligation to pay any Eligible Expenditures that are capital costs, as determined by the Province, until Canada is satisfied that federal requirements are met, and continue to be met, under the following:
  - (i) *Canadian Environmental Assessment Act, 2012* or the *Impact Assessment Act*;
  - (ii) other applicable environmental assessment legislation that is or may come into force during the term of the Agreement; and
  - (iii) other applicable agreements between Canada and Aboriginal Communities.

**A.27.2 Assessments.** The Recipient will complete the assessments that are further described in Schedule "D" (Reports).

## **A.28.0 ABORIGINAL CONSULTATION**

- A.28.1 **Aboriginal Consultation Protocol.** The Parties agree to be bound by the terms and conditions of the Aboriginal Consultation Protocol provided for in Schedule “I” (Aboriginal Consultation Protocol).
- A.28.2 **Legal Duty to Consult.** Until Canada and, if applicable, the Province are satisfied that any legal duty to consult and, where appropriate, to accommodate Aboriginal Communities, or any other federal consultation requirement, has been, and continues to be met:
- (a) no site preparation, removal of vegetation or construction will occur in respect of the Project; and
  - (b) despite section A.4.1, the Province has no obligation to pay any Eligible Expenditures that are capital costs, as determined by the Province and Canada; and, for the Project requiring consultation, Canada and, if applicable, the Province must be satisfied that:
    - (i) Aboriginal Communities have been notified and, if applicable, consulted;
    - (ii) where consultation has occurred, the Recipient has provided a summary of consultation or engagement activities, including a list of Aboriginal Communities consulted, concerns raised, and how each of the concerns have been addressed or, if not addressed, an explanation as to why not;
    - (iii) the Recipient is carrying out accommodation measures, where appropriate; and
    - (iv) any other information has been provided which Canada or the Province, or both, may deem appropriate.
- A.28.3 **Funding Conditional upon Meeting Aboriginal Consultation Obligations.** No Funds will be provided to the Recipient under the Agreement unless Canada and, if applicable in the opinion of the Province, the Province are satisfied that their respective obligations have been met in respect of the legal duty to consult and, if applicable, accommodate any Aboriginal Community.

## **A.29.0 COMMITTEE**

- A.29.1 **Establishment of Committee.** The Province may, at its sole discretion, require the establishment of a committee to oversee the Agreement (the “Committee”).
- A.29.2 **Notice of Establishment of Committee.** Upon Notice from the Province, the Parties

will hold an initial meeting to establish, in accordance with Schedule “K” (Committee), the Committee described in section A.29.1 (Establishment of Committee).

### **A.30.0 DISPUTE RESOLUTION**

- A.30.1 **Contentious Issues.** The Parties will keep each other informed of any issues that could be contentious.
- A.30.2 **Examination by the Committee and Parties.** If a contentious issue arises and a Committee has been established under section A.29.1 (Establishment of Committee), the Parties will refer the contentious issue that may arise to the Committee for examination. In the absence of a Committee, the Parties will examine the contentious issue.
- A.30.3 **Potential Dispute Resolution by Committee.** The Committee or the Parties, as the case may be, will attempt, reasonably and in good faith, to resolve disputes as soon as possible and, in any event, within, for the Committee, 30 days, or, for the Parties, 90 days of receiving Notice of a contentious issue.
- A.30.4 **Dispute Resolution by the Parties.** If the Committee cannot agree on a resolution, the matter will be referred to the Parties for resolution. The Parties will provide a decision within 60 Business Days of the Notice.
- A.30.5 **Alternative Mechanisms for Dispute Resolutions.** Where the Parties cannot agree on a resolution, the Parties may use any alternative dispute resolution mechanisms available to them to resolve the issue.
- A.30.6 **Suspension of Payments.** The Province may suspend any payments related to any contentious issue or dispute raised by either Party, together with the obligations related to such issue, pending resolution.

### **A.31.0 SPECIAL CONDITIONS**

- A.31.1 **Special Conditions.** The Province’s funding under the Agreement is conditional upon,
- (a) on or before the Effective Date, the Recipient having provided the Province with, to the Province’s satisfaction:
    - (i) any and all compliance attestations the Transfer Payment Ontario System if directed by the Province;
    - (ii) evidence that the Recipient is in compliance with all provincial and federal tax laws, if directed by the Province;

- (iii) banking information, such as a void cheque or a bank letter, for an interest-bearing account in the name of the Recipient at a Canadian financial institution, into which the Province may transfer funds electronically; and
  - (iv) any other Reports requested by the Province in the format specified.
- (b) prior to submitting a request for payment in respect of the Project under the Agreement if required by the Province,
  - (i) the Recipient having provided to the satisfaction of the Province with written confirmation that:
    - a. the Recipient is in compliance with all Environmental Laws, including the Recipient's obligations under section A.27.1 (Federal Environmental Requirements), and has obtained all necessary approvals and permits;
    - b. the Recipient has met any requirements under Article A.28.0 (Aboriginal Consultation) that may apply to the Project; and
    - c. the Recipient has the necessary ownership of any real property required for the completion of the Project; and
  - (ii) the Recipient having provided to the satisfaction of the Province with any required assessments pursuant to Article A.27.0 (Environmental Requirements and Assessments); and
- (c) where the Recipient is a municipality, the Recipient having submitted to the satisfaction of the Province, in a form and at an address supplied by the Province, an asset management self-assessment on or before the Effective Date, and, thereafter on or before a date provided by the Province, until the Project reaches Substantial Completion.

For greater certainty, if the Province provides any Funds to the Recipient before the conditions set out in this Article A.31.0 (Special Conditions) have been met, and unless the Province has waived compliance with such condition in writing, the Province may exercise one or more of the remedies available to it pursuant to section A.12.2 (Consequences of Event of Default and Corrective Action).

## **END OF GENERAL TERMS AND CONDITIONS**

### **[SCHEDULE "B" – SPECIFIC INFORMATION FOLLOWS]**

## SCHEDULE “B” SPECIFIC INFORMATION

### B.1.0 EXPIRATION DATE

B.1.1 **Expiration date.** The Expiration Date is March 31, 2028.

### B.2.0 MAXIMUM FUNDS

B.2.1 **Maximum Funds.** Maximum Funds means the sum of Canada’s Maximum Contribution and Ontario’s Maximum Contribution.

### B.3.0 ADDRESSEES

B.3.1 **Addressees.** All Reports and Notices under the Agreement will be submitted to the Province at the address listed below:

<b>Contact information for the purposes of Notice to the Province</b>	<p><b>Address:</b> Ministry of Infrastructure Infrastructure Program Delivery Branch 1 Stone Road West, 4NW Guelph, Ontario N1G 4Y2</p> <p>Attention: Manager, Infrastructure Renewal Programs</p> <p><b>Email:</b> ICIPGreen@ontario.ca</p>
<b>Contact information for the purposes of Notice to the Recipient</b>	<p><b>Address:</b> THE CORPORATION OF THE TOWNSHIP OF SOUTHGATE 185667 Grey County Rd 9, Dundalk, Ontario N0C1B0</p> <p><b>Attention:</b> Public Works Manager</p> <p><b>Email:</b> jellis@southgate.ca</p>

**[SCHEDULE “C” - PROJECT DESCRIPTION, FINANCIAL INFORMATION, TIMELINES  
AND PROJECT STANDARDS FOLLOWS]**



## SCHEDULE “C” PROJECT DESCRIPTION, FINANCIAL INFORMATION, TIMELINES AND PROJECT STANDARDS

### C.1.0 PROJECT DESCRIPTION

This project will upgrade drinking water assets in the Township of Southgate. The work will include the replacement of approximately 2,040 metres of watermain, approximately 15 fire hydrants, and the replacement/installation of approximately 25 watermain valves to isolate control points and reduce service disruptions along Victoria Street; and the rehabilitation of the Dundalk D3 well and reservoir to manage discharge into the distribution system.

### C.2.0 FINANCIAL INFORMATION

**C.2.1 Total Eligible Expenditures.** Total Eligible Expenditures means \$4,988,000.00, rounded to two decimal places.

**C.2.2 Ontario’s Maximum Contribution.** Ontario’s Maximum Contribution means \$1,662,500.40, rounded to two decimal places, towards the Total Eligible Expenditures of the Project.

**C.2.3 Canada’s Maximum Contribution.** Canada’s Maximum Contribution means \$1,995,200.00, rounded to two decimal places, towards the Total Eligible Expenditures of the Project.

**C.2.4 Percentage of Provincial Support.** Percentage of Provincial Support means 33.33%, rounded to two decimal places, towards the Total Eligible Expenditures of the Project.

**C.2.5 Percentage of Federal Support.** Percentage of Federal Support 40.00%, rounded to two decimal places, towards the Total Eligible Expenditures of the Project.

### C.3.0 TIMELINES

**C.3.1 Federal Approval Date.** Federal Approval Date means March 25, 2022.

### C.4.0 PROJECT STANDARDS

**C.4.1 Canada’s Requirements for Standards.** In addition to any other standards that the Recipient must meet or exceed for the Project, the Recipient will ensure the Project meets or exceeds the following:

- (a) any applicable energy efficiency standards for buildings outlined in Canada's *Pan-Canadian Framework on Clean Growth and Climate Change* provided by Canada at [www.canada.ca/en/services/environment/weather/climatechange/pan-canadian-framework.html](http://www.canada.ca/en/services/environment/weather/climatechange/pan-canadian-framework.html), or at any other location the Province may provide; and
- (b) the accessibility requirements of the highest accessibility standards published in Ontario, in addition to accessibility requirements in applicable provincial building codes and relevant municipal by-laws.

#### **C.5.0 CHANGES TO THE PROJECT DESCRIPTION, FINANCIAL INFORMATION, TIMELINES, AND PROJECT STANDARDS**

- C.5.1 Province's and Canada's Consent.** Any change to the Project will require the Province's and Canada's consent. When seeking to make a change in respect of the Project, the Recipient will submit updated Project information and any other information that the Province or Canada, or both, may require to the satisfaction of Canada and the Province.

**[SCHEDULE "D" – REPORTS FOLLOWS]**

## SCHEDULE “D” REPORTS

### D.1.0 REPORTING REQUIREMENTS

D.1.1 **Reports.** The Recipient will submit all Reports to the Province in a manner, format, at such dates and with such content, as may be prescribed by the Province from time to time, at its sole discretion, prior to its required submission by the Province. Without limitation and at the sole discretion of the Province, Reports will include the following:

- (a) **Initial Report.** The Initial Report will provide the Recipient’s forecast of the timelines and costs (expenditure forecast) to completion. It also outlines the sources of Recipient funds and confirms other information regarding the Project.
- (b) **Progress Reports.** Progress Reports include an update on the Project’s status. Progress Reports will be submitted by the Recipient no less frequently than twice a year on dates provided by the Province.
- (c) **Claim Reports.** Claim Reports will detail amounts that are being claimed for reimbursement. Claim Reports may be submitted by the Recipient as frequently as needed, but no less frequently than twice a year (if Eligible Expenditures have been incurred). If no Eligible Expenditures have been incurred in the previous six months, the Recipient will notify the Province that no Claim Report is being submitted for that period. When submitting a Claim Report, the report must include a detailed breakdown of invoices that are being claimed for reimbursement. Note that copies of invoices and any associated backup information must be provided at the time of claim submission, as directed by the Province.
- (d) **Final Report.** The Final Report shall summarize the Project’s final timelines, costs, and outcomes. It will include a declaration of Substantial Completion.  
  
The Final Report will be submitted to the Province within sixty (60) Business Days of Substantial Completion or December 31, 2026, whichever is earlier.
- (e) **Other Reports.** Any other reports that the Province so directs on or before such date and with such content as the Province requests.

## **D.2.0 ABORIGINAL CONSULTATION RECORD**

**D.2.1 Inclusion of Aboriginal Consultation Record.** The Recipient will include an updated Aboriginal Consultation Record, if consultation with any Aboriginal Community is required, in its Progress Report.

## **D.3.0 RISK ASSESSMENT**

**D.3.1 Further Details on Risk Assessment.** Upon the Province's written request and within the timelines set out by the Province, the Recipient will provide further details on the risk assessment in respect of the Project.

## **D.4.0 COMPLIANCE AUDIT(S)**

**D.4.1 Compliance Audit(s).** Without limiting the generality of section A.7.4 (Records Review), if requested by the Province from time to time, which request shall be at the Province's sole discretion, the Recipient, at its own expense, will forthwith retain an independent third party auditor to conduct one or more compliance audits of the Recipient or the Project. The audit will be conducted in accordance with Canadian Generally Accepted Auditing Standards, as adopted by the Canadian Institute of Chartered Accountants, applicable as of the date on which a record is kept or required to be kept under such standards. In addition, the audit will assess the Recipient's compliance with the terms of the Agreement and will address, without limitation, the following:

- (a) whether the Funds were spent in accordance with the Agreement and with due regard to economy, efficiency, and effectiveness;
- (b) the Project's progress or state of completion;
- (c) whether the financial information the Recipient provided is complete, accurate, and timely, and in accordance with the Agreement;
- (d) whether the Recipient's information and monitoring processes and systems are adequate to identify, capture, validate, and monitor the achievement of intended benefits of the Project;
- (e) the overall management and administration of the Project;
- (f) recommendations for improvement or redress; and
- (g) whether prompt and timely corrective action is taken on prior audit findings.

## **[SCHEDULE "E" - ELIGIBLE EXPENDITURES AND INELIGIBLE EXPENDITURES FOLLOWS]**

## **SCHEDULE “E”**

### **ELIGIBLE EXPENDITURES AND INELIGIBLE EXPENDITURES**

#### **E.1.0 ELIGIBLE EXPENDITURES**

- E.1.1 Notwithstanding anything to the contrary herein the Agreement, Eligible Expenditures shall only include those direct costs that are considered, in the Province’s and Canada’s sole and absolute discretion, to be directly necessary for the successful completion of the Project, and must be properly and reasonably incurred and paid to an arm’s length party as evidenced by invoices, receipts or other records that are satisfactory to the Province and Canada, in their sole and absolute discretion, and that are associated with the acquisition, planning, environmental assessments, design and engineering, project management, materials and construction or renovation of the Project. Eligible Expenditures exclude costs set out as Ineligible Expenditures in section E.2.1 below, but may include:
- a) The incremental costs of the Recipient’s staff or employees provided that:
    - i. The Recipient is able to demonstrate that it is not economically feasible to tender a Contract that ensures the acquisition of the required goods or services at the best value for money; and
    - ii. The arrangement is approved in advance in writing by the Province and Canada.
  - b) Any costs that are determined by the Province and Canada, in their sole discretion, to be Eligible Expenditures; and
  - c) Notwithstanding section E.2.1(a) of this Schedule, expenditures related to the Project associated with completing climate lens assessments or associated with Aboriginal consultation and engagement activities, if applicable, that were incurred after February 15, 2018.

#### **E.2.0 INELIGIBLE EXPENDITURES**

- E.2.1 Without limiting the discretion of Province and Canada in section E.1.1, the following costs are Ineligible Expenditures and are therefore ineligible to be paid from the Funds:
- a) Costs incurred prior to the Federal Approval Date;
  - b) Costs incurred after October 31, 2026;
  - c) All expenditures related to Contracts signed prior to the Federal Approval Date;
  - d) Costs incurred for terminated or cancelled Projects;
  - e) Costs related to developing a business case or proposal or application for funding;
  - f) Costs associated with the acquisition, expropriation or leasing of:
    - i. Land,

- ii. Buildings, or
- iii. Other facilities
- g) Costs associated with the acquisition or leasing of equipment other than equipment directly related to the construction, improvement, repair, rehabilitation or reconstruction of the Project where the Province has not provided its prior written approval;
- h) Costs that have not been claimed for reimbursement by March 31st of the year following the year in which the costs were incurred;
- i) Capital costs, including site preparation and construction costs, until Canada and if applicable the Province have confirmed in writing that environmental assessment and Aboriginal consultation obligations have been fully met and continue to be fully met;
- j) Costs related to any component of the Project other than its approved scope;
- k) Real estate fees and related costs;
- l) Costs incurred for the general operation, repair and regularly scheduled maintenance of the Project;
- m) Services or works normally provided by the Recipient, incurred in the course of implementation of the Project, except those specified as Eligible Expenditures;
- n) Expenditures related to any goods and services which are received through donations or in-kind contributions;
- o) Any overhead costs, including salaries and other employment benefits of any employees of the Recipient, its direct or indirect operating or administrative costs, and more specifically its costs related to planning, engineering, architecture, supervision, management and other activities normally carried out by its staff, except in accordance with the list of Eligible Expenditures above;
- p) Unreasonable meal, hospitality or incidental costs or expenses of any Third Party;
- q) Any amount for which the Recipient has received, will receive or is eligible to receive, a rebate, credit or refund, in full or in part;
- r) Taxes of any kind;
- s) Costs of relocating entire communities;
- t) In the Province's sole discretion, the costs of communication activities undertaken by the Recipient that did not conform with the requirements of the Communications Protocol in Schedule "G";
- u) Any amounts incurred or paid by the Recipient to an entity that is not at arm's length from the Recipient, except in accordance with the list of Eligible Expenditures above;
- v) Costs incurred contrary to Article 5 of Schedule "A" (Recipient's Acquisition of Goods or Services, Contract Provisions, and Disposal of Assets) of this Agreement;
- w) The costs, charges, penalties or fees incurred or paid by the Recipient in the process of having a cost determined to be an Ineligible Expenditure.
- x) Legal fees, financing charges and loan interest payments, including those related to easements (e.g., surveys);

- (y) If the Project meets an adaptation, resilience and disaster mitigation outcome costs associated with:
  - (i) relocating whole communities;
  - (ii.) emergency services infrastructure; or
  - (iii.) addressing seismic risks; and
- z) Costs of furnishings and non-fixed assets which are not essential for the operation of the funded Asset or Project, as well as all costs associated with moveable assets or rolling stock.

**[SCHEDULE “F” – EVALUATION FOLLOWS]**

## **SCHEDULE “F” EVALUATION**

### **F.1.0 PROJECT AND ICIP EVALUATIONS**

- F.1.1 Recipient’s Participation in Project and ICIP Evaluations.** The Recipient understands that the Province or Canada, or both, may ask the Recipient to participate in one or more evaluation in respect of the Project or the ICIP during and for a period of up to six years after March 31, 2028. The Recipient agrees, if asked and at its own expense, to provide Project-related information to the Province or Canada, or both, for any evaluation.
- F.1.2 Results of Project and ICIP Evaluations.** The result of any evaluation carried under section F.1.1 (Recipient’s Participation in Project and ICIP Evaluations) will be made available to the public, subject to all applicable laws and policy requirements.

**[SCHEDULE “G” – COMMUNICATIONS PROTOCOL FOLLOWS]**



## **SCHEDULE “G” COMMUNICATIONS PROTOCOL**

### **G.1.0 DEFINITIONS**

G.1.1 **Definitions.** For the purposes of this Schedule “G” (Communications Protocol):

“**Joint Communications**” means events, news releases, and signage that relate to the Agreement or the Bilateral Agreement, or both, that are not operational in nature, and that are collaboratively developed and approved by,

- (a) in the case of the Bilateral Agreement, Canada, the Province and the Recipient; and
- (b) in the case of the Agreement, the Province and the Recipient.

### **G.2.0 PURPOSE**

G.2.1 **Purpose.** This communications protocol outlines the roles and responsibilities of each of the Parties to the Agreement in respect of Communications Activities related to the Project.

G.2.2 **Guidance.** This communications protocol will guide all planning, development and implementation of Communications Activities with a view to ensuring efficient, structured, continuous, consistent, and coordinated communications to the Canadian public.

G.2.3 **Application to Communications Activities.** The provisions of this communications protocol apply to all Communications Activities related to the Agreement and the Project.

### **G.3.0 GUIDING PRINCIPLES**

G.3.1 **Information to Canadians.** Communications Activities undertaken through this communications protocol should ensure that Canadians are informed about the Project’s benefits, including the ways in which the Project helps improve their quality of life.

G.3.2 **Factors to Consider.** The scale and scope of Communications Activities undertaken for any Project will take into consideration the financial value, scope and duration of the Project and the feasibility of Joint Communications for such Communications Activities.

- G.3.3 **Deficiencies and Corrective Actions.** The Province will communicate to the Recipient any deficiencies or corrective actions, or both, identified by the Province, Canada or, as applicable, the Committee.
- G.3.4 **Approval of Communications Material.** The announcement or publication of the Project must be approved by the Parties and Canada prior to being carried out.
- G.3.5 **Costs of Communication Activities.** With the exception of advertising campaigns outlined in Article G.10.0 (Advertising Campaigns), the costs of Communication Activities and signage will follow the eligibility rules established in Schedule “E” (Eligible Expenditures and Ineligible Expenditures).

#### **G.4.0 JOINT COMMUNICATIONS**

- G.4.1 **Subject Matter.** The Parties and Canada may have Joint Communications about the funding and status of the Project.
- G.4.2 **Prior Knowledge and Agreement.** Joint Communications in respect of the Project should not occur without the prior knowledge and agreement of the Parties and Canada.
- G.4.3 **Recognition of the Province’s and Canada’s Contributions.** All Joint Communications material must be approved by the Province and Canada and will recognize the Province’s and Canada’s contribution or the Total Financial Assistance, or both, received in respect of the Project.
- G.4.4 **Notice and Timing.** The Recipient and the Province, on its own behalf or that of Canada, may request Joint Communications. The Party requesting the Joint Communications will provide at least 15 Business Days’ notice to the other Party. If the Communications Activity is an event, it will take place at a date and location mutually agreed to by the Parties and, if applicable, Canada.
- G.4.5 **Participation and Representatives.** The Party requesting a Joint Communications will provide the opportunity for the other Party and Canada to choose to participate and, if they do so choose, their own designated representative (in the case of an event).
- G.4.6 **English and French.** Canada has an obligation to communicate in English and French. Communications products related to events must be bilingual and include the Canada word mark and the logos of the Parties. In such cases, Canada will provide the translation services and final approval on products.
- G.4.7 **Table of Precedence for Canada.** The conduct of all Joint Communications will, as applicable, follow the *Table of Precedence for Canada* provided by Canada at

<https://www.canada.ca/en/canadian-heritage/services/protocol-guidelines-special-event/table-precedence-canada.html>, or at any other location as the Province may provide.

## **G.5.0 INDIVIDUAL COMMUNICATIONS**

- G.5.1 Canada's Obligations.** Notwithstanding Article G.4.0 (Joint Communications), the Parties agree that Canada or the Province, or both, have the right to communicate information to Canadians and Ontarians about the Agreement and the use of Funds to meet its legislated and regulatory obligations through their respective own Communications Activities.
- G.5.2 Restrictions.** Each Party may include general ICIP messaging and an overview in respect of the Project in their own Communications Activities. The Province and the Recipient will not unreasonably restrict the use of, for their own purposes, Communications Activities related to the Project and, if the communications are web- or social-media based, the ability to link to it. Canada has also agreed, in the Bilateral Agreement, to the above.
- G.5.3 Publication.** The Recipient will indicate, in respect of the Project-related publications, whether written, oral, or visual, that the views expressed in the publication are the views of the Recipient and do not necessarily reflect those of Canada and the Province.
- G.5.4 Canada's Recognition in Documents.** In respect of the Project where the deliverable is a document, such as but not limited to plans, reports, studies, strategies, training material, webinars, and workshops, the Recipient will clearly recognize Canada's and the Province's respective financial contribution for the Project.
- G.5.5 Acknowledgement of Support.** Unless the Province directs the Recipient to do otherwise, the Recipient will, in respect of the Project-related publications, whether written, oral, or visual, acknowledge the Province's and Canada's support for the Project.

## **G.6.0 OPERATIONAL COMMUNICATIONS**

- G.6.1 Responsibility of Recipient.** The Recipient is solely responsible for operational communications in respect of the Project, including but not limited to calls for tender, contract awards, and construction and public safety notices. Operational communications as described above are not subject to the *Official Languages Act* of Canada.

## **G.7.0 MEDIA RELATIONS**

- G.7.1 Significant Media Inquiry.** The Province and the Recipient will share information promptly with the other Party and Canada if significant media inquiries are received or emerging media or stakeholder issues arise in respect of a Project or the ICIP.

## **G.8.0 SIGNAGE**

- G.8.1 Recognition of Funding Contribution.** The Parties agree that Canada, the Province and the Recipient may each have signage recognizing their funding contribution in respect of the Project.
- G.8.2 Funding Recognition.** Unless otherwise agreed by Canada or the Province, or both, the Recipient will produce and install a sign to recognize the funding contributed by the Province or Canada, or both, at the Project site in accordance with, as applicable, their current respective signage guidelines. Federal sign design, content, and installation guidelines will be provided by Canada. Provincial sign design, content, and installation guidelines will be provided by the Province.
- G.8.3 Permanent Plaque.** Where the Recipient decides to install a permanent plaque or another suitable marker in respect of the Project, the Recipient will:
- (a) on the marker, recognize the Province's and Canada's contributions; and
  - (b) prior to installing the marker, seek the prior written approval of both Canada and the Province, each respectively, for its content and installation.
- G.8.4 Notice of Sign Installation.** The Recipient will inform the Province of sign installations, including providing the Province with photographs of the sign, once the sign has been installed.
- G.8.5 Timing for Erection of Sign.** If erected, signage recognizing Canada's and the Province's respective contributions will be installed at the Project site(s) and be visible for the duration of the Project. The Province will provide Notice to the Recipient specifying the timelines for signage installation and removal and the Recipient will comply with such timelines specified in the Notice.
- G.8.6 Size of Sign.** If erected, signage recognizing Canada's and the Province's respective contribution will be at least equivalent in size and prominence to Project signage for contributions by other orders of government and will be installed in a prominent and visible location that takes into consideration pedestrian and traffic safety and visibility.

- G.8.7 **Responsibility of Recipient.** The Recipient is responsible for the production and installation of Project signage, and for maintaining the signage in a good state of repair during the Project, or as otherwise agreed upon.

**G.9.0 COMMUNICATING WITH RECIPIENT**

- G.9.1 **Facilitation of Communications.** The Province agrees to facilitate, as required, communications between Canada and the Recipient for Communications Activities.

**G.10.0 ADVERTISING CAMPAIGNS**

- G.10.1 **Notice of Advertising Campaigns.** Recognizing that advertising can be an effective means of communicating with the public, the Recipient agrees that Canada or the Province, or both, may, at their own cost, organize an advertising or public information campaign in respect of the Project or the Agreement. However, such a campaign will respect the provisions of the Agreement. In the event of such a campaign, Canada or the Province will inform each other and the Recipient of its intention no less than 21 Business Days prior to the campaign launch.

**[SCHEDULE “H” – DISPOSAL OF ASSETS FOLLOWS]**

## **SCHEDULE “H” DISPOSAL OF ASSETS**

### **H.1.0 DEFINITIONS**

H.1.1 **Definitions.** For the purposes of this Schedule “H” (Disposal of Assets):

“**Asset Disposal Period**” means the period commencing on the Effective Date and ending five (5) years after the Expiration Date.

### **H.2.0 DISPOSAL OF ASSETS**

H.2.1 **Asset Disposal Period.** Unless otherwise agreed to by the Province, the Recipient will maintain the ongoing operations and retain title to and ownership of any Asset acquired in respect of the Project for the Asset Disposal Period.

H.2.2 **Disposal of Asset and Payment.** If, at any time within the Asset Disposal Period, the Recipient sells, leases, encumbers, or otherwise disposes, directly or indirectly, of any Asset other than to Canada, the Province, or a municipal or regional government established by or under provincial statute, the Province may require the Recipient to reimburse the Province or Canada, via the Province, for any Funds received for the Project.

**[SCHEDULE “I” – ABORIGINAL CONSULTATION PROTOCOL FOLLOWS]**

## SCHEDULE “I” ABORIGINAL CONSULTATION PROTOCOL

### I.1.0 DEFINITIONS

I.1.1 **Definitions.** For the purposes of this Schedule “I” (Aboriginal Consultation Protocol):

“**Aboriginal Community**”, also known as “Aboriginal Group”, includes First Nation, Métis, and Inuit communities or peoples of Canada.

“**Aboriginal Consultation Plan**” means the Aboriginal Consultation Plan described in section I.2.1 (Development of Plan).

### I.2.0 ABORIGINAL CONSULTATION PLAN

I.2.1 **Development of Plan.** The Province, based on the scope and nature of the Project or at the request of Canada, may require the Recipient, in consultation with the Province or Canada, or both, to develop and comply with an Aboriginal consultation plan (“Aboriginal Consultation Plan”).

I.2.2 **Procedural Aspects of Aboriginal Consultation.** If consultation with Aboriginal Communities is required, the Recipient agrees that:

- (a) the Province or Canada, or both, may delegate certain procedural aspects of the consultation to the Recipient; and
- (b) the Province or Canada, or both, will provide the Recipient with an initial list of the Aboriginal Communities the Recipient will consult.

I.2.3 **Provision of Plan to Province.** If, pursuant to section I.2.1 (Development of Plan), the Province provides Notice to the Recipient that an Aboriginal Consultation Plan is required, the Recipient will, within the timelines provided in the Notice, provide the Province with a copy of the Aboriginal Consultation Plan.

I.2.4 **Changes to Plan.** The Recipient agrees that the Province or Canada, in the sole discretion of the Province or Canada and from time to time, may require the Recipient to make changes to the Aboriginal Consultation Plan.

### I.3.0 ABORIGINAL CONSULTATION RECORD

I.3.1 **Requirements for Aboriginal Consultation Record.** If consultation with an Aboriginal Community is required, the Recipient will maintain an Aboriginal Consultation Record and provide such record to the Province, and any update to it,

as part of its reporting to the Province pursuant to section D.3.1 (Inclusion of Aboriginal Consultation Record).

**I.4.0 RESPONSIBILITIES OF THE RECIPIENT**

**I.4.1 Notification to and Direction from the Province.** The Recipient will immediately notify the Province:

- (a) of contact by Aboriginal Communities regarding the Project; or
- (b) of any Aboriginal archaeological resources that are discovered in relation to the Project,

and, in either case, the Recipient agrees that the Province or Canada, or both, may direct the Recipient to take such actions as the Province or Canada, or both, may require. The Recipient will comply with the Province's or Canada's direction.

**I.4.2 Direction from the Province and Contracts.** In any Contract, the Recipient will provide for the Recipient's right and ability to respond to direction from the Province or Canada, or both, as the Province or Canada may provide in accordance with section I.4.1 (Notification to and Direction from the Province).

**[SCHEDULE "J" – REQUESTS FOR PAYMENT AND PAYMENT PROCEDURES  
FOLLOWS]**



## **SCHEDULE “J”**

### **REQUESTS FOR PAYMENT AND PAYMENT PROCEDURES**

#### **J.1.0 DEFINITION**

**J.1.1 Definition.** For the purposes of this Schedule “J” (Requests for Payment and Payment Procedures):

“**Final Payment**” means the final payment by the Province to the Recipient in respect of the Project as described in and to be paid in accordance with Article J.8.0 (Final Payment).

#### **J.2.0 PROCEDURES AND TIMING FOR REQUESTS FOR PAYMENT**

**J.2.1 Procedures.** The procedures provided for in Article J.3.0 of this Schedule “J” (Procedures for Requests for Payment for Eligible Expenditures) will apply to requests for payment that the Recipient submits to the Province under the Agreement.

**J.2.2 Diligent and Timely Manner.** The Recipient will submit its requests for payment for Eligible Expenditures in respect of the Project to the Province in a diligent and timely manner, and no less frequently than twice a year if Eligible Expenditures have been incurred. If no Eligible Expenditures have been incurred in the previous six months, the recipient will notify the Province that no claim is being submitted for that period.

#### **J.3.0 PROCEDURES FOR REQUESTS FOR PAYMENT FOR ELIGIBLE EXPENDITURES**

**J.3.1 Timing, Reports and Documents.** The Recipient will submit each request for payment for Eligible Expenditures in respect of the Project to the Province on a date and frequency as indicated in Schedule “D” (Reports) and, if the Province so requested pursuant to paragraph K.4.1(f), after review by the Committee. The Recipient agrees to submit, for each of the circumstances listed below, the following reports and documents:

- (a) for each request for payment, including the final payment, a Claim Report in a format prescribed by the Province, including invoices, statements, receipts, and vouchers and any other evidence of payment relating to the Funds or otherwise to the Project;
- (b) for each request for final payment, a Final Report, in a format prescribed by the Province, acceptable to the Province; and
- (c) such other information as the Province may request.

#### **J.4.0 PAYMENTS OF FUNDS**

- J.4.1 Payment by the Province.** Subject to the terms and conditions of the Agreement, upon receipt of a request for payment fully completed in accordance with this Schedule “J” (Requests for Payment and Payment Procedures), the Province will use its reasonable efforts to pay Funds to the Recipient based on the Recipient’s incurred and paid Eligible Expenditures up to the Maximum Funds, if due and owing under the terms of the Agreement. Claims will be reimbursed based on the Percentage of Provincial Support and the Percentage of Federal Support as set out in Schedule “C”.
- J.4.2** For greater certainty and without limitation, before the Province makes a payment to the Recipient, the following terms and conditions of the Agreement must be met, in the opinion of the Province or Canada, or both:
- (a) the conditions set out in paragraph A.4.2(c) of Schedule “A”;
  - (b) the special conditions listed in Article A.31.0 of Schedule “A” (Special Conditions);
  - (c) receipt and acceptance by the Province of all required Reports and other reports, as applicable;
  - (d) compliance with all applicable audit requirements under the Agreement; and
  - (e) applicable communications requirements, as set out Schedule “G” (Communications Protocol).
- J.4.3** The Province will under no circumstances be liable for interest for failure to make a payment within the time limit provided for in this Article J.4.0 (Payments).

#### **J.5.0 TIME LIMITS FOR REQUESTS FOR PAYMENTS**

- J.5.1 Timing.** The Recipient will submit all requests for payment on or before December 31, 2026.
- J.5.2 No Obligation for Payment.** Notwithstanding anything to the contrary herein, the Province will have no obligation to make any payment for a request for payment submitted after
- (i.) December 31, 2026; or
  - (ii) March 31st of the year following the Funding Year in which the Eligible Expenditures were incurred.

## **J.6.0 FINAL RECONCILIATION AND ADJUSTMENTS**

- J.6.1 **Final Reconciliation and Adjustments.** For the Project, following the submission of the Final Report, which will include a declaration of Substantial Completion, the Province may carry out a final reconciliation of all requests for payments and payments in respect of the Project and make any adjustments required in the circumstances.

## **J.7.0 HOLDBACK**

- J.7.1 **Holdback.** For the Project, the Province may hold back funding in accordance with section A.4.12 (Retention of Contribution).

## **J.8.0 FINAL PAYMENT**

- J.8.1 **Final Payment.** Subject to paragraph A.4.2(c) of Schedule “A”, the Province will pay to the Recipient the remainder of the Funds under the Agreement, including the Holdback, after all of the conditions under section A.4.12 of Schedule “A” (Retention of Contribution) have been met.

**[SCHEDULE “K” – COMMITTEE FOLLOWS]**

## **SCHEDULE “K” COMMITTEE**

### **K.1.0 ESTABLISHMENT OF COMMITTEE**

- K.1.1 Establishment and Term of Committee.** If the Province requires the establishment of a Committee to oversee the Agreement, pursuant to section A.29.1 (Establishment of Committee), the Parties will, within 60 days of the Province providing Notice, hold an initial meeting to establish the Committee. The Committee’s mandate will expire on the Expiration Date of the Agreement.

### **K.2.0 COMMITTEE MEMBERS, CO-CHAIRS, AND OBSERVERS**

- K.2.1 Appointments by the Province.** The Province will appoint two persons as members of the Committee.
- K.2.2 Appointments by the Recipient.** The Recipient will appoint two persons as members of the Committee.
- K.2.3 Chairs of the Committee.** The Committee will be headed by co-chairs chosen from its members, one appointed by the Province and one appointed by the Recipient. If a co-chair is absent or otherwise unable to act, the member of the Committee duly authorized in writing by the Province or the Recipient, as applicable, will replace him or her and will act as co-chair in his or her place.
- K.2.4 Non-committee Member Staff.** The Parties may invite any of their staff to participate in Committee meetings. The Province may invite up to two representatives from Canada to sit as observers on the Committee. For greater certainty, the staff and representative(s) from Canada will not be considered members and will not be allowed to vote.

### **K.3.0 MEETINGS AND ADMINISTRATIVE MATTERS**

- K.3.1 Rules of Committee.** The Committee will:
- (a) meet at least two times a year, and at other times at the request of a co-chair; and
  - (b) keep minutes of meetings approved and signed by the co-chairs as a true record of the Committee meetings.

K.3.2 **Quorum.** A quorum for a meeting of the Committee will exist only when both co-chairs are present.

#### K.4.0 COMMITTEE MANDATE

K.4.1 **Mandate.** Provided that no action taken by the Committee will conflict with the rights of the Parties under the Agreement, the mandate of the Committee will include, but not be limited to:

- (a) monitoring the implementation of the Agreement including, without limitation, the implementation of Schedule “G” (Communications Protocol), for compliance with the terms and conditions of the Agreement;
- (b) acting as a forum to resolve potential issues or disputes and address concerns;
- (c) reviewing and, as necessary, recommending to the Parties amendments to the Agreement;
- (d) approving and ensuring audit plans are carried out as per the Agreement;
- (e) establishing sub-committees as needed;
- (f) at the request of the Province, reviewing requests for payments; and
- (g) attending to any other function required by the Agreement, including monitoring project risk and mitigation measures, or as mutually directed by the Parties.

K.4.2 **Committee Decisions.** Decisions of the Committee will be made as follows:

- (a) the co-chairs will be the only voting members on the Committee; and
- (b) decisions of the Committee must be unanimous and recorded in writing.

#### K.5.0 ROLE OF THE RECIPIENT

K.5.1 **Requirements.** The Recipient undertakes to fulfill, in addition to any other requirements provided for in this Schedule “K” (Committee), the following:

- (a) establish a fixed location where the Agreement will be managed, and maintain it until the expiry of the Committee’s mandate and, if relocation is required, establish a new location;

- (b) prepare and retain, at the location described in paragraph K.5.1(a), and make available to the Committee, all documents needed for the work of the Committee, including payment request forms, approval documents, contracts, and agendas and minutes of meetings of the Committee and its subcommittees;
- (c) ensure that any audit required of the Recipient pursuant to the Agreement is carried out and the results are reported to the Committee;
- (d) ensure that administrative and financial systems are developed and implemented for the Project and the work of the Committee;
- (e) promptly inform the Committee of all proposed changes in respect of the Project; and
- (f) provide the Committee, as requested and within the timelines set by the Committee, and to the Committee's satisfaction, project status information related to Schedule "D" (Reports).

## **Township of Southgate**

### **Administration Office**

185667 Grey Road 9, RR 1  
Dundalk, ON N0C 1B0

**Phone:** 519-923-2110

**Toll Free:** 1-888-560-6607

**Fax:** 519-923-9262

**Web:** [www.southgate.ca](http://www.southgate.ca)

## **Staff Report CAO2022-079**

**Title of Report:** Flato Dundalk Meadows Inc. East & North Subdivision  
Security Reductions Report

**Department:** Administration

**Council Date:** December 7, 2022

### **Council Recommendation:**

**Be it resolved that** Council receive staff report CAO2022-079 as information; and

**That** Council approve the Flato Dundalk Meadows Inc., Flato North Phase 2A & 3 Subdivision Preliminary Acceptance of the Stages III & IV servicing work with the warranty period to begin December 1<sup>st</sup>, 2022; and

**That** Council approve the Flato Dundalk Meadows subdivision developments' request for a security reduction of \$373,934.97 based on work completed in the Flato North residential project.

### **Background:**

A Subdivision Agreement (SDA) is required by the Township of Southgate for all residential development projects where the lands being developed with roads and normal municipal services (lighting, sidewalks, stormwater, wastewater and water) and public servicing (cable TV, electricity, internet, natural gas, telephone, etc.) infrastructure. Subdivision development agreements establish the required infrastructure for the project, inspection of the assets installed, initial maintenance of assets, progress work reductions, preliminary acceptance, warranty period, final acceptance and ownership transfer of the assets to the municipality.

### **Staff Comments:**

The purpose of this report is for the Township to consider by resolution, the security reductions requested by Flato Developments and to approve Flato North Phase 2A & 3 Preliminary Acceptance of Stage III & IV works as reviewed by Triton Engineering.

Crozier Engineering on behalf of the developer has now requested security reductions for the Flato Meadows Inc., Flato North Phase 2A & 3, Stage III & IV Preliminary Acceptance and the Flato North Phases 4, 5 & 6 developments receive updated Stage II Preliminary Acceptance of these phases of the subdivision. The Crozier letter request is included in this staff report as Attachment #1, dated November 29<sup>th</sup>, 2022 and spells out the details of their security reduction request.

The second letter from Crozier is requesting Preliminary Acceptance of Stage III & IV servicing work in the Flato North Phase 2A & 3 residential project. This letter request is included in this staff report as Attachment #2, dated December 1<sup>st</sup>, 2022.

Crozier also prepared the Flato North Required Securities Summary for Phase 2A & 3 (Attachment #3) and for Phase 4, 5 & 6 (Attachment #4). Crozier has also prepared Securities Summary for all of the Flato projects in Dundalk, included in this staff report as Attachment #5.

Triton Engineering staff have completed site inspections and reviewed the Flato North Phase 2A & 3 and Phases 4, 5 & 6 subdivision infrastructure installed to attain the security reductions and acceptance of works. Triton in their first letter report (Attachment #6) dated November 30<sup>th</sup>, 2022 have confirmed the securities required for all the projects in Dundalk is now \$4,745,670.99.

Triton Engineering have completed the Flato North Phase 2A & 3 project inspections and review of the required works have been completed for the Preliminary Acceptance of Stage III & IV approval. The Triton letter is included in this report as the Attachment #7 document and states that the warranty period should begin December 1<sup>st</sup>, 2022.

### **Financial Impact or Long Term Implications**

There is no financial impact to the municipality as a result of this report. The engineering costs to review the servicing and inspection of the project work is paid by the developer.

The new security requirement by Flato Development for their Southgate residential projects is \$4,745,670.99 in letter of credit securities.

### **Communications & Community Action Plan Impact:**

This report has been written and presented to Council to communicate accurate information to the public.

### **Goal 3 - Promoting Health Services and Housing Choices**

**Action 3:** The residents and businesses of Southgate envision a caring community which meets the needs of all ages and incomes for a healthy and comfortable life, even as our population grows and changes.

**Strategic Initiatives 3-A (2019-2023):** By means of appropriate policies, incentives and development partners, the Township will facilitate a significant increase in the supply and comfortable life, even as our population grows and changes.

### **Concluding Comments:**

1. That Council receive this staff report as information.



2. Staff recommend for Council approve the Flato Dundalk Meadows Inc., Flato North Phase 2A & 3 Subdivision Preliminary Acceptance of the Stages III & IV servicing work with the warranty period to begin December 1<sup>st</sup>, 2022.
3. Staff recommend Council approve the securities based on Triton staff review and their letter report on the Flato North Phase 2A & 3 subdivision servicing infrastructure installed and is recommending security reductions of \$373,934.97 and to maintain Flato development securities of \$4,745,670.99 and they recommend Township Council approval.
4. Staff have provided a copy of the Flato East, North & West Phasing Plan for information as Attachment #8.

Respectfully Submitted,

**CAO approval: Original Signed By**

Dave Milliner – CAO  
[dmilliner@southgate.ca](mailto:dmilliner@southgate.ca)  
519-923-2110 x223

**PW approval: Original Signed By**

Jim Ellis – Public Works Mgr.  
[jellis@southgate.ca](mailto:jellis@southgate.ca)  
519-923-2110 x224

**Planning approval: Original Signed By**

Clint Stredwick – Municipal Planner  
[planning@southgate.ca](mailto:planning@southgate.ca)  
519-923-2110 x228

**Attachments:**

- Attachment 1 – Crozier request letter for Flato Development Security Reductions dated November 29, 2022
- Attachment 2 – Crozier request letter for Flato Development Phases 2A & 3 for Preliminary Acceptance for Stage III & IV servicing, dated December 1, 2022
- Attachment 3 – Flato Dundalk Meadows North Phases 2A & 3 Securities Summary Report dated November 29, 2022
- Attachment 4 – Flato Dundalk Meadows North Phases 4, 5 & 6 Securities Summary Report dated November 16, 2022
- Attachment 5 – Flato Dundalk Meadows Securities Summary Report dated November 29, 2022
- Attachment 6 – Triton letter reporting on the Flato Development Total Security requirement dated November 30, 2022
- Attachment 7 – Triton letter reporting on the Flato Development Phases 2A & 3 Preliminary Acceptance of Stage III & IV servicing, dated December 1, 2022
- Attachment 8 – Flato East, North & West Phasing Plan



105 Queen Street West, Unit 14  
Fergus  
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Tel: (519) 843-3920  
Fax: (519) 843-1943  
Email: info@tritoneng.on.ca

ORANGEVILLE • FERGUS • HARRISTON

November 30, 2022

Township of Southgate  
185667 Grey County Road 9  
Dundalk, Ontario  
N0C 1B0

Attention: Dave Milliner  
Chief Administrative Officer

RE: TOWNSHIP OF SOUTHGATE  
FLATO DEVELOPMENTS  
TOTAL SECURITY  
REVIEW & RECOMMENDATION  
OUR FILE: A4154A

Dear Mr. Milliner:

Further to the request and supporting documents from Crozier & Associates (Crozier) dated November 29, 2022 (attached) and based on site inspections completed by Triton Engineering Services Limited, Crozier and Municipal staff, we have confirmed the provided security summary for the Flato Developments within Dundalk.

Based on this, we recommend that the current securities held by the Township be reduced to **\$4,745,670.99**

Security adjustments are subject to the Township confirming that all outstanding accounts with respect to the various Flato Developments have been paid in full and that the Developer is not in default of their obligations pursuant to its agreements(s) with the municipality.

We trust that this information is satisfactory and should you have any questions, please do not hesitate to contact the undersigned.

Respectfully,  
Triton Engineering Services Limited

Dustin C. Lyttle, P. Eng.

cc: Jim Ellis, Public Works Manager, Township of Southgate



NOVEMBER 29, 2022

PROJECT NO: 1060-

4150/4892

SENT VIA: EMAIL

Township of Southgate  
185667 Grey County Rd. 9 RR 1  
Dundalk, Ontario N0C 1B0

Attention: Mr. David Milliner, CAO

RE: **DUNDALK MEADOWS EAST (PHASE 2a & 3) & NORTH (PHASE 456)  
SECURITIES REDUCTION REQUEST  
TOWNSHIP OF SOUTHGATE**

Dear Dave,

Please consider this letter as a formal request that the Township of Southgate grant a securities reduction for the Flato North Phases 2a and 3 based on completion of work and staged approvals recently granted in the Edgewood Greens Subdivision.

On behalf of the Owner, Flato Dundalk Meadows Inc, our firm respectfully requests that the Township release \$373,934.97 from the Flato North Phase 2a & 3 development as this file has more in posted securities than is required. If there is any additional documentation or clarification required, please do not hesitate to contact our office.

Yours truly,

**C.F. CROZIER & ASSOCIATES INC.**



Brittany Robertson, P.Eng.  
Associate, Manager of Land Development

c.c. Shakir Rehmatullah, Flato Developments Inc.  
Dustin Lyttle, Triton Engineering

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Project: Flato West/East/North/Glenelg  
 Project No.: 1060-4057/4066/4150/4892/4410/4171/5177  
 Date: 2022.11.29  
 By: JL'A/BR

### Flato Dundalk Meadows Securities Summary

	Stage of Work/ Acceptance	115% of Remaining Works (100% for Block 75 Site Plan, and 75% of SPS)	10% of Completed Works	Subtotal	HST (13%-11%)	Total	80% of Total	Securities in Place (September 2022)	Proposed Securities change	Total Securities December 2022
Flato West Securities	Accepted		\$ -	\$ -		\$ 50,000.00	\$ 50,000.00	\$ 50,000.00		\$ 50,000.00
Flato East Securities	Stage 3 and 4		\$ 50,000.00	\$ 50,000.00		\$ 50,000.00	\$ 50,000.00	\$ 50,000.00		\$ 50,000.00
Flato North Securities	Stage 3 and 4	\$ 32,945.20	\$ 44,314.14	\$ 77,259.34	\$ 1,545.19	\$ 78,804.53	\$ 63,043.62	\$ 675,000.00	\$ (373,934.97)	\$ 301,065.03
Flato North Externals		\$ -	\$ 500.00	\$ 500.00	incl.	\$ 500.00	\$ 400.00			
Flato 4 5 and 6 Securities	Stage 1 and 2	\$ 225,070.36	\$ 285,422.09	\$ 510,492.45	\$ 10,209.85	\$ 520,702.30	\$ 416,561.84	\$ 735,000.00		\$ 735,000.00
Flato Block 75 Securities	Site Plan	\$ 88,450.00	\$ 37,088.00	\$ 125,538.00	\$ 2,510.76	\$ 128,048.76	\$ 102,439.01			
Flato Block 75 Externals		\$ 38,141.19	\$ 34,053.93	\$ 72,195.12	\$ 1,443.90	\$ 73,639.02	\$ 58,911.22			
Glenelg Internal	Stage 1 and 2	\$ 1,138,838.45	\$ 386,664.23	\$ 1,525,502.68	\$ 30,510.05	\$ 1,556,012.73	\$ 1,244,810.19	\$ 2,500,000.00		\$ 2,500,000.00
Glenelg External		\$ 39,698.00	\$ 171,901.19	\$ 211,599.19	\$ 4,231.98	\$ 215,831.17	\$ 172,664.94			
Flato 7,8 & 10 Securities	Site Servicing	\$ 1,323,311.10	\$ 422,961.18	\$ 1,746,272.28	\$ 34,925.45	\$ 1,781,197.73	\$ 1,424,958.18	\$ 1,109,605.96		\$ 1,109,605.96
Edgewood SPS		\$ 1,423,875.00	\$ -	\$ 1,423,875.00	\$ 28,477.50	\$ 1,452,352.50	\$ 1,161,882.00			
Total			\$ 1,432,904.76	\$ 5,743,234.06		\$ 5,907,088.74	\$ 4,745,670.99	\$ 5,119,605.96	\$ (373,934.97)	\$ 4,745,670.99

**DECEMBER 1, 2022**

**PROJECT NO: 1060-4066/1060-4150**

**SENT VIA: EMAIL**

Township of Southgate  
185667 Grey County Rd. 9 RR 1  
Dundalk, Ontario N0C 1B0

**Attention: Mr. David Milliner, CAO**

**RE: DUNDALK MEADOWS EAST (PHASE 2A & 3)  
CONFORMANCE LETTER FOR SUBSTANTIAL COMPLETION – STAGE III AND STAGE IV  
TOWNSHIP OF SOUTHGATE**

Dear Dave,

By copy of this letter, C.F. Crozier & Associates Inc. certifies that all works completed to date have been constructed in general conformance with all applicable municipal and provincial standards and as indicated on the approved for construction drawings.

The following is a summary of the works completed to date as it pertains to the Subdivision Agreement:

Stage III services involve the completion of the utility services which shall be completed prior to occupancy of any homes including:

- a) electrical distribution system to each residential lot;
- b) street lighting energized,
- c) natural gas to each residential lot;
- d) communication services to each residential lot;
- e) completion of parkland with grading, topsoil, approved vegetation including sod and/or seed (N/A); and
- f) Installation of fencing required by the Township around storm management facilities or other identified hazards (N/A).

Stage IV services include

- a) surface course of asphalt;
- b) sidewalks/walkways;
- c) boulevards;
- d) completion of parkland fencing, and any other fencing required by the Township (still to be completed); and
- e) all other services required by this Agreement.

Please consider this letter as a formal request that the Township of Southgate grant Preliminary Acceptance of Stage III and Stage IV services. A site walk was completed on November 15, 2022 with C.F. Crozier and Associates, Township of Southgate, and Triton Engineering representatives to review the items outlined in this letter. The following deficiencies were identified during the site walk and will be repaired as soon as possible:

- Two cracked sidewalk panels at 108 Seeley Avenue.
- Cracked sidewalk panel in ramp in south-west corner of Werry Avenue & Hagan Street East intersection.
- Cracked sidewalk panels along frontage of the watercourse block on Werry Avenue.
- Cracked Canada Post concrete pad on Russell Street.
- Photocell malfunction for luminaire at 171 Seeley Avenue.
- Photocell malfunction for luminaire at 197 Werry Avenue.
- Trail entrance sidewalks (complete with tactile plates) on Werry Avenue and Seeley Avenue to be installed.
- Installation of four (4) illuminated bollards within Block 247 & Block 372 between Seeley Avenue and VanDusen Avenue.

On behalf of the Owner, Flato Dundalk Meadows Inc, our firm respectfully requests that the Township sign off on the commencement of the one-year guarantee period as described in Article 5.12 of the Subdivision Agreement.

If there is any additional documentation or clarification required, please do not hesitate to contact our office.

Thank you for your prompt attention to this request.

Yours truly,

**C.F. CROZIER & ASSOCIATES INC.**



Brian Homenuk, C.E.T., rcji  
Contract Administrator

e.c.     Shakir Rehmatullah, Flato Developments Inc.  
           Paul Arruda, Flato Developments Inc.  
           Robert Rawlings, Flato Developments Inc.  
           Ray Kirtz, Triton Engineering  
           Dustin Lyttle, Triton Engineering

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ITEM	DESCRIPTION	CONTRACT QUANTITY	UNIT	UNIT PRICE	CURRENT CONTRACT TOTAL	Percent of Remaining	Remaining Works
<b>PART A WORKS</b>							
<b>SCHEDULE A - EARTHWORKS - ZONE 1</b>							
A1	Strip & Windrow Topsoil within Zone III (0.4 m depth assumed) to facilitate fill harvesting. Post harvesting operations, regrade windrowed topsoil within Zone III	28000	m <sup>3</sup>	\$ 4.50	\$ 126,000.00	0.00%	\$ -
A2	Strip from Zone 1 & Stockpile Topsoil to Zone II (from SWM Facility #1, Residential Area & Wetland Restoration Area) (0.4 m topsoil depth assumed)	67600	m <sup>3</sup>	\$ 4.50	\$ 304,200.00	0.00%	\$ -
A3	Place Stockpiled topsoil within the following areas:						
a)	Wetland Restoration Area (1.4 m depth)	15400	m <sup>3</sup>	\$ 4.00	\$ 61,600.00	0.00%	\$ -
b)	SWM Facility #1 (depth varies)	4920	m <sup>3</sup>	\$ 4.00	\$ 19,680.00	0.00%	\$ -
A4	Earthworks Operations within Residential Area of Zone 1						
a)	Cut to Fill	4040	m <sup>3</sup>	\$ 5.00	\$ 20,200.00	0.00%	\$ -
b)	Supply, Place & Compact Imported Engineered Fill	133500	m <sup>3</sup>	\$ 17.25	\$ 2,302,875.00		\$ -
A5	Earthworks Operations within SWM Facility #1						
a)	Cut to Fill (to residential area)	1000	m <sup>3</sup>	\$ 5.00	\$ 5,000.00	0.00%	\$ -
b)	Cut to Fill (to SWM Facility)	3800	m <sup>3</sup>	\$ 5.00	\$ 19,000.00	0.00%	\$ -
A6	Cut to Fill Mineral Soil from the following sources and place & compact within the residential area of Zone 1						
a)	Wetland Restoration Area	25000	m <sup>3</sup>	\$ 5.00	\$ 125,000.00	0.00%	\$ -
b)	Zone III	35000	m <sup>3</sup>	\$ 6.00	\$ 210,000.00	0.00%	\$ -
				<b>Subtotal</b>	<b>\$ 3,193,555.00</b>		<b>\$ -</b>
<b>SCHEDULE B - SANITARY SEWER</b>							
B1	Supply and Install Sanitary Sewers						
a)	200 mm dia.	408.4	m	\$ 260.00	\$ 106,184.00	0%	\$ -
b)	250 mm dia.	507	m	\$ 250.00	\$ 126,750.00	0%	\$ -
B2	Supply and Install Sanitary Structures						
a)	1200 mm dia. (OPSD 701.010)	8	ea	\$ 5,250.00	\$ 42,000.00	0%	\$ -
b)	1200 mm dia. (OPSD 701.010) c/w safety platforms	5	ea	\$ 7,135.00	\$ 35,675.00	0%	\$ -
B3	125mm dia. Sanitary Services	118	ea.	\$ 1,510.00	\$ 178,180.00	0%	\$ -
B4	Locate and connect to existing sanitary sewer (Flato West)	1	LS	\$ 650.00	\$ 650.00	0%	\$ -
B5	CCTV of All Sanitary Sewers (Three Times)	1	LS	\$ 10,000.00	\$ 10,000.00	33%	\$ 3,300.00
				<b>Subtotal</b>	<b>\$ 499,439.00</b>		<b>\$ 3,300.00</b>

ITEM	DESCRIPTION	CONTRACT QUANTITY	UNIT	UNIT PRICE	CURRENT CONTRACT TOTAL	Percent of Remaining	Remaining Works
<b>SCHEDULE C - STORM SEWERS</b>							
C1	Supply & Install Storm Sewers c/w all associated appurtenances						
a)	250mm dia. PVC	102.66	m	\$ 130.00	\$ 13,345.80	0%	\$ -
b)	300mm dia. PVC	584.33	m	\$ 150.00	\$ 87,649.50	0%	\$ -
c)	375mm dia. PVC	368.4	m	\$ 180.00	\$ 66,312.00	0%	\$ -
d)	300mm dia. CL65-D	408.85	m	\$ 196.00	\$ 80,134.60	0%	\$ -
f)	450mm dia. CL65-D	198.25	m	\$ 217.00	\$ 43,020.25	0%	\$ -
g)	525mm dia. CL65-D	107.6	m	\$ 231.00	\$ 24,855.60	0%	\$ -
h)	600 mm dia. CL65-D	53.9	m	\$ 269.00	\$ 14,499.10	0%	\$ -
j)	750mm dia. CL65-D	108	m	\$ 414.00	\$ 44,712.00	0%	\$ -
k)	825mm dia. CL65-D	73	m	\$ 481.00	\$ 35,113.00	0%	\$ -
m)	250mm dia. Catch basin leads	53	m	\$ 150.00	\$ 7,950.00	0%	\$ -
n)	300mm dia. Catch basin leads	76	m	\$ 170.00	\$ 12,920.00	0%	\$ -
C2	Supply & Install Storm Structures c/w frame & grates						
a)	1200mm dia. (OPSD 701.010)	1	ea	\$ 3,814.00	\$ 3,814.00	0%	\$ -
b)	1200mm dia. (OPSD 701.010) (CBMH)	26	ea	\$ 4,106.00	\$ 106,756.00	0%	\$ -
c)	1500mm dia. (OPSD 701.011) (CBMH)	3	ea	\$ 6,170.00	\$ 18,510.00	0%	\$ -
d)	1500mm dia. (OPSD 701.011) (DCBMH)	3	ea	\$ 5,749.00	\$ 17,247.00	0%	\$ -
e)	1800mm dia. (OPSD 701.012)	4	ea	\$ 8,900.00	\$ 35,600.00	0%	\$ -
C3	Supply & Install Catch basins c/w frame & grates						
a)	Single Catch basins	6	ea	\$ 2,004.00	\$ 12,024.00	0%	\$ -
b)	Double Catch basins	4	ea	\$ 3,150.00	\$ 12,600.00	0%	\$ -
c)	Rear Lot Single Catch basins	21	ea	\$ 1,985.00	\$ 41,685.00	0%	\$ -
d)	Rear Lot Double Catch basins	1	ea	\$ 3,115.00	\$ 3,115.00	0%	\$ -
C4	Supply and Install Storm Services						
a)	125 mm dia. c/w Wye and 100 mm dia stub	13	ea	\$ 1,740.00	\$ 22,620.00	0%	\$ -
b)	100 mm dia. (Individual)	92	ea	\$ 1,350.00	\$ 124,200.00	0%	\$ -
C5	CCTV of All Storm Sewers (Three Times)	1	LS	\$ 10,000.00	\$ 10,000.00	33%	\$ 3,300.00
				<b>Subtotal</b>	<b>\$ 838,682.85</b>		<b>\$ 3,300.00</b>



ITEM	DESCRIPTION	CONTRACT QUANTITY	UNIT	UNIT PRICE	CURRENT CONTRACT TOTAL	Percent of Remaining	Remaining Works
<b>SCHEDULE D - WATERMAIN</b>							
D1	Supply & Install PVC Watermain c/w associated appurtenances						
a)	200mm dia.	665	m	\$ 130.00	\$ 86,450.00	0%	\$ -
b)	150mm dia.	445	m	\$ 110.00	\$ 48,950.00	0%	\$ -
D2	Supply & Install 25mm Copper Water Services	118	ea.	\$ 870.00	\$ 102,660.00	0%	\$ -
D3	Supply & Install Fire Hydrant c/w Valve, Lead & Valve Box	5	ea.	\$ 6,650.00	\$ 33,250.00	0%	\$ -
D4	Temporary Connection, Testing and Disinfection of Watermain	1	LS	\$ 8,890.00	\$ 8,890.00	0%	\$ -
D5	Locate and Connect Watermain to existing						
a)	Internal: Flato West (Hagen Street East and Van Dusen Ave.)	1	ea.	\$ 1,540.00	\$ 1,540.00	0%	\$ -
b)	External: Russell Street	1	ea.	\$ 2,310.00	\$ 2,310.00	0%	\$ -
D6	Water Sampling Station c/w outlet to sanitary sewer	1	LS	\$ 3,115.00	\$ 3,115.00	0%	\$ -
D7	Supply & Install watermain and steel casings c/w all associated appurtenances at the following Unnamed Tributary crossings:						
a)	Flato North (Werry Ave): 400 mm dia. Steel casing c/w 200 mm dia. Watermain	18	m	\$ 800.00	\$ 14,400.00	0%	\$ -
b)	Flato North (Seeley Ave): 300 mm dia. Steel casing c/w 150 mm dia. Watermain	15	m	\$ 830.00	\$ 12,450.00	0%	\$ -
				<b>Subtotal</b>	<b>\$ 314,015.00</b>		<b>\$ -</b>

ITEM	DESCRIPTION	CONTRACT QUANTITY	UNIT	UNIT PRICE	CURRENT CONTRACT TOTAL	Percent of Remaining	Remaining Works
<b>SCHEDULE E - ROADWORKS</b>							
E1	Preparation & fine grading of subgrade for roadway	9310	m <sup>2</sup>	\$ 2.50	\$ 23,275.00	0%	\$ -
E2	Supply Place & Compact Road Materials (including temporary turning circles)						
a)	150mm Granular A	8638	m <sup>2</sup>	\$ 7.00	\$ 60,466.00	0%	\$ -
b)	450mm Granular B	13390	m <sup>2</sup>	\$ 14.00	\$ 187,460.00	0%	\$ -
c)	50mm HL4 Base Course Asphalt	7640	m <sup>2</sup>	\$ 14.00	\$ 106,960.00	0%	\$ -
d)	50mm HL3 Surface Coarse Asphalt	7640	m <sup>2</sup>	\$ 15.16	\$ 115,822.40	0%	\$ -
E3	Supply & Place 100mm dia. Subdrain c/w connections	1817	m	\$ 22.50	\$ 40,882.50	0%	\$ -
E4	Supply & Install Concrete Curb and Gutter (OPSD 600.040)	1817	m	\$ 40.00	\$ 72,680.00	0%	\$ -
E5	Supply & Install CSP Arch Culverts at Unnamed Tributary Crossings						
a)	Werry Ave (Flato North) 4500 mm X 1400 mm as per DWG 114A	1	LS	\$ 148,500.00	\$ 148,500.00	0%	\$ -
b)	Seely Ave (Flato North) 4500 mm X 1400 mm as per DWG 114B	1	LS	\$ 144,000.00	\$ 144,000.00	0%	\$ -
E6	Construct 1.5m wide sidewalk along Russell Street c/w restoration	1458	m <sup>2</sup>	\$ 60.00	\$ 87,480.00	10%	\$ 8,748.00
E7	Supply and Place concrete encased utility road crossings						
c)	8x100mm diameter conduit	30	m	\$ 150.00	\$ 4,500.00	0%	\$ -
b)	10x100mm diameter conduit	30	m	\$ 180.00	\$ 5,400.00	0%	\$ -
c)	12x100mm diameter conduit	20	m	\$ 220.00	\$ 4,400.00	0%	\$ -
E8	Supply and Place direct buried utility road crossings						
c)	8x100mm diameter conduit	30	m	\$ 100.00	\$ 3,000.00	0%	\$ -
b)	10x100mm diameter conduit	30	m	\$ 130.00	\$ 3,900.00	0%	\$ -
c)	12x100mm diameter conduit	20	m	\$ 170.00	\$ 3,400.00	0%	\$ -
				<b>Subtotal</b>	<b>\$ 1,012,125.90</b>		<b>\$ 8,748.00</b>

ITEM	DESCRIPTION	CONTRACT QUANTITY	UNIT	UNIT PRICE	CURRENT CONTRACT TOTAL	Percent of Remaining	Remaining Works
<b>SCHEDULE F - EROSION AND SEDIMENT CONTROLS</b>							
F1	<b>Supply, Install &amp; Maintain Heavy Duty Silt Fence SWM Facility #1)</b>	2470	m	\$ 15.50	\$ 38,285.00	0%	\$ -
F2	Supply, Install & Maintain Mud Mat	1	ea.	\$ 5,786.70	\$ 5,786.70	0%	\$ -
F3	Supply, Install & Maintain SWM Facility Erosion and Sediment Controls						
a)	Heavy Duty Silt Fence	600	m	\$ 15.50	\$ 9,300.00	0%	\$ -
b)	Rock Check Dams	2	ea.	\$ 250.00	\$ 500.00	0%	\$ -
c)	Straw Bale Check Dam	2	ea	\$ 290.00	\$ 580.00	0%	\$ -
d)	Temporary Hickenbottom c/w rip-rap and removal	1	ea	\$ 790.00	\$ 790.00	0%	\$ -
e)	Hickenbottom c/w rip-rap (Zone III)	1	ea	\$ 790.00	\$ 790.00	0%	\$ -
	<b>Subtotal</b>				<b>\$ 56,031.70</b>		<b>\$ -</b>
<b>SCHEDULE H -LANDSCAPING AND STREET LIGHTING</b>							
H1	Fine Grading and Placing 150mm of Topsoil and Sod on Boulevards	8222	m²	\$ 8.50	\$ 69,887.00	0%	\$ -
H2	Supply & Place Street Tree Plantings	118	ea	\$ 500.00	\$ 59,000.00	0%	\$ -
H3	Supply and Install Streetlight Poles and Luminaires	38	ea	\$ 3,500.00	\$ 133,000.00	10%	\$ 13,300.00
	<b>Subtotal</b>				<b>\$ 261,887.00</b>		<b>\$ 13,300.00</b>

## SUMMARY OF CONTRACT PRICES

### PART B

SCHEDULE B - SANITARY SEWER

SCHEDULE C - STORM SEWERS

SCHEDULE E - ROADWORKS

SCHEDULE H -LANDSCAPING AND STREET LIGHTING

### Remaining Works

\$	3,300.00
\$	3,300.00
\$	8,748.00
\$	13,300.00

### Securities

Subtotal - Stage 1 & 2 Works	<b>\$ 2,510,392.05</b>	
Subtotal - Stage 3 & 4 Works	<b>\$ 471,789.40</b>	
Subtotal - SCHEDULES B-H	<b>\$ 2,982,181.45</b>	\$ 28,648.00
115% of Remaining Works		\$ 32,945.20
10% of Completed Stage 3 & 4 Works		\$ 44,314.14
<b><u>Securities SubTotal</u></b>		<b>\$ 77,259.34</b>

**Flato 4, 5, & 6 Required Securities - Updated to Stage II Preliminary Acceptance**

ITEM	SPEC.	DESCRIPTION	CONTRACT QUANTITY	UNIT	UNIT PRICE	CURRENT CONTRACT TOTAL	PERCENT REMAINING	REMAINING CONTRACT TOTAL
<b>SCHEDULE A - Sanitary Sewer</b>								
A1	SP3	Supply & Install Sanitary Sewers c/w All Associated Appurtenances						
a)		200mm dia. PVC SDR-35	773	m	\$ 220.00	\$ 170,060.00	0%	\$ -
b)		250mm dia. PVC SDR-35	73	m	\$ 270.00	\$ 19,710.00	0%	\$ -
A2	SP5	Supply & Install 125mm dia. Sanitary Service (PVC DR-28)	149	Each	\$ 1,360.00	\$ 202,640.00	0%	\$ -
A3	SP4	Supply & Install Maintenance Holes c/w Frame & Grate						
a)		1200mm dia. (OPSD 701.010)	8	Each	\$ 5,480.00	\$ 43,840.00	0%	\$ -
b)		1200mm dia. (OPSD 701.010) c/w Safety Platform (OPSD 402.020)	2	Each	\$ 8,290.00	\$ 16,580.00	0%	\$ -
A4	SP3	Locate & Connect to Existing Sanitary Sewer						
a)		Existing 200mm dia. Sanitary Plug (Werry Street)	1	L.S.	\$ 760.00	\$ 760.00	0%	\$ -
b)		Existing 250mm dia. Sanitary Plug (Seeley Avenue)	1	L.S.	\$ 830.00	\$ 830.00	0%	\$ -
A5		Supply & Install 200mm dia. Sanitary Plug for Future Development Connection	1	Each	\$ 740.00	\$ 740.00	0%	\$ -
A6	SP24	Dewatering via Additional Pumps	846	m	\$ 8.00	\$ 6,768.00	0%	\$ -
A7		CCTV Inspection of All Sanitary Sewers (Two times)	1	LS	\$ 7,500.00	\$ 7,500.00	67%	\$ 5,025.00
					<b>Subtotal</b>	<b>\$ 469,428.00</b>		<b>\$ 5,025.00</b>
<b>SCHEDULE B - Storm Sewers</b>								
B1	SP3	Supply & Install Storm Sewers						
a)		300mm dia. PVC SDR-35	312	m	\$ 180.00	\$ 56,160.00	0%	\$ -
b)		375mm dia. PVC SDR-35	207	m	\$ 200.00	\$ 41,400.00	0%	\$ -
c)		450mm dia. Concrete CL-65-D	202	m	\$ 240.00	\$ 48,480.00	0%	\$ -
d)		525mm dia. Concrete CL-65-D	76	m	\$ 260.00	\$ 19,760.00	0%	\$ -
e)		600mm dia. Concrete CL-65-D	132	m	\$ 310.00	\$ 40,920.00	0%	\$ -
f)		675mm dia. Concrete CL-65-D	70	m	\$ 390.00	\$ 27,300.00	0%	\$ -
g)		750mm dia. Concrete CL-65-D	159	m	\$ 470.00	\$ 74,730.00	0%	\$ -
h)		825mm dia. Concrete CL-65-D	50	m	\$ 580.00	\$ 29,000.00	0%	\$ -
i)		300mm dia. Concrete CL-100-D	448	m	\$ 210.00	\$ 94,080.00	0%	\$ -
j)		300mm dia. Concrete CL-100-D	71	m	\$ 210.00	\$ 14,910.00	0%	\$ -
k)		250mm dia. PVC SDR-35	48	m	\$ 180.00	\$ 8,640.00	0%	\$ -
l)		300mm dia. PVC SDR-35	41	m	\$ 200.00	\$ 8,200.00	0%	\$ -
B2	SP4	Supply & Install Storm Sewer Structures c/w Frame & Grate						
a)		1200mm dia. Storm Maintenance Hole (OPSD 701.010)	3	Each	\$ 4,610.00	\$ 13,830.00	0%	\$ -
b)		1500mm dia. Storm Maintenance Hole (OPSD 701.011)	3	Each	\$ 7,350.00	\$ 22,050.00	0%	\$ -
c)		1800mm dia. Storm Maintenance Hole (OPSD 701.012)	1	Each	\$ 10,150.00	\$ 10,150.00	0%	\$ -
d)		1200mm dia. Catch Basin Maintenance Hole (OPSD 701.010)	15	Each	\$ 4,370.00	\$ 65,550.00	0%	\$ -
e)		1500mm dia. Catch Basin Maintenance Hole (OPSD 701.011 and OPSD 703.011)	5	Each	\$ 7,450.00	\$ 37,250.00	0%	\$ -
f)		1500mm dia. Double Catch Basin Maintenance Hole (OPSD 701.011 and OPSD 703.021)	2	Each	\$ 7,250.00	\$ 14,500.00	0%	\$ -

**Flato 4, 5, & 6 Required Securities - Updated to Stage II Preliminary Acceptance**

ITEM	SPEC.	DESCRIPTION	CONTRACT QUANTITY	UNIT	UNIT PRICE	CURRENT CONTRACT TOTAL	PERCENT REMAINING	REMAINING CONTRACT TOTAL
<b>SCHEDULE B - Storm Sewers (Continued)</b>								
B3	SP4	Supply & Install Storm Sewer Structures c/w Frame & Grate						
a)		600mm x 600mm Catchbasin	5	Each	\$ 2,230.00	\$ 11,150.00	0%	\$ -
b)		600mm x 1400mm Double Catch Basin	5	Each	\$ 3,520.00	\$ 17,600.00	0%	\$ -
c)		600mm x 600mm Rear Lot Catchbasin	15	Each	\$ 2,210.00	\$ 33,150.00	0%	\$ -
B4		Supply & Install Storm Services						
a)		100mm dia. (Single Connection)	117	Each	\$ 1,260.00	\$ 147,420.00	0%	\$ -
b)		125mm dia. c/w Wye & 100mm dia. Stubs (Dual Connection)	32	Each	\$ 1,600.00	\$ 51,200.00	0%	\$ -
B5		Construct Temporary Overland Flow Channel with 100mm of Topsoil						
a)		Preparation & Fine Grading	6000	m <sup>2</sup>	\$ 4.25	\$ 25,500.00	0%	\$ -
b)		Terrafix Coir Mat	600	m	\$ 4.75	\$ 2,850.00	0%	\$ -
c)		Hydroseed	6000	m <sup>2</sup>	\$ 0.75	\$ 4,500.00	0%	\$ -
d)		Supply & Install Temporary 600mm dia. C.S.P.	22	m	\$ 400.00	\$ 8,800.00	0%	\$ -
e)		Supply & Install Temporary 1350mm dia. C.S.P.	32	m	\$ 610.00	\$ 19,520.00	0%	\$ -
f)		Supply & Install 1.8m high Chain Link Fence (OPSD 972.130)	76	m	\$ 88.00	\$ 6,688.00	0%	\$ -
g)		Supply & Install Wood Bollards c/w Reflectors	1	LS	\$ 4,800.00	\$ 4,800.00	0%	\$ -
h)		300mm dia., 600mm deep Rip Rap c/w Terrafix 270R Geotextile (OPSD 810.010)	18	m <sup>2</sup>	\$ 82.00	\$ 1,476.00	0%	\$ -
i)		6.0mx1.6m, 300mm dia, 600mm deep c/w Terrafix 270R Geotextile (OPSD 810.010)	95	m <sup>2</sup>	\$ 82.00	\$ 7,790.00	0%	\$ -
B6		CCTV Inspection of All Sanitary Sewers (Two times)	1	LS	\$ 7,500.00	\$ 7,500.00	67%	\$ 5,025.00
					<b>Subtotal</b>	<b>\$ 976,854.00</b>		<b>\$ 5,025.00</b>
<b>SCHEDULE C - Watermain</b>								
C1	SP8	Supply & Install Watermain c/w All Associated Appurtenances						
a)		150mm dia. PVC DR 18	765	m	\$ 160.00	\$ 122,400.00	0%	\$ -
b)		200mm dia. PVC DR 18	75	m	\$ 295.00	\$ 22,125.00	0%	\$ -
C2	SP9	Supply & Install 25mm dia. Water Service Type 'K' Soft Copper	149	Each	\$ 1,120.00	\$ 166,880.00	0%	\$ -
C3		Supply & Install Fire Hydrant c/w Valve & Lead	6	Each	\$ 7,640.00	\$ 45,840.00	0%	\$ -
C4	SP11	Locate & Connect to Existing Watermain						
a)		Locate & Connect to Existing Watermain (150mm dia.) c/w Removals & Restoration on Seeley Avenue	1	Each	\$ 1,590.00	\$ 1,590.00	0%	\$ -
b)		Locate & Connect to Existing Watermain (200mm dia.) c/w Removals & 200mm x 150mm Reducer on Werry Avenue	1	Each	\$ 1,590.00	\$ 1,590.00	0%	\$ -
C5	SP10	Temporary Connection, Testing & Commissioning	1	L.S.	\$ 8,210.00	\$ 8,210.00	0%	\$ -
C6		Water Sampling Station c/w Outlet to Sanitary Sewer	1	L.S.	\$ 5,080.00	\$ 5,080.00	0%	\$ -
C7		Supply & Install Watermain Cap						
a)		150mm dia. Watermain Cap c/w Blowoff for Future Development Connection	1	Each	\$ 1,290.00	\$ 1,290.00	0%	\$ -
b)		200 mm dia. Watermain Cap c/w Blowoff (Russell Street)	1	Each	\$ 1,350.00	\$ 1,350.00	0%	\$ -
C8		Supply & Install 50mm Rigid Insulation Adjacent to Storm Structures	50	m <sup>2</sup>	\$ 65.00	\$ 3,250.00	0%	\$ -
					<b>Subtotal</b>	<b>\$ 379,605.00</b>		<b>\$ -</b>

**Flato 4, 5, & 6 Required Securities - Updated to Stage II Preliminary Acceptance**

ITEM	SPEC.	DESCRIPTION	CONTRACT QUANTITY	UNIT	UNIT PRICE	CURRENT CONTRACT TOTAL	PERCENT REMAINING	REMAINING CONTRACT TOTAL
<b>SCHEDULE D - Roadworks</b>								
D1	SP12	Preparation & Fine Grading of Subgrade for Roadway	9395	m <sup>2</sup>	\$ 1.75	\$ 16,441.25	0%	\$ -
D2	SP13	Supply Place & Compact Road Materials						
a)		150mm Granular A	7600	m <sup>2</sup>	\$ 8.50	\$ 64,600.00	0%	\$ -
b)		450mm Granular B Type I	9395	m <sup>2</sup>	\$ 17.00	\$ 159,715.00	0%	\$ -
c)		50mm HL 4 Asphalt	7600	m <sup>2</sup>	\$ 15.00	\$ 114,000.00	0%	\$ -
d)		40mm HL 3 Asphalt	7600	m <sup>2</sup>	\$ 13.00	\$ 98,800.00	76%	\$ 74,811.36
D3		Supply & Install 100mm dia. Subdrain c/w Connections	2324	m	\$ 23.00	\$ 53,452.00	0%	\$ -
D4	SP15	Supply & Place Concrete Barrier Curb with Standard Gutter (OPSD 600.040)	2324	m	\$ 48.00	\$ 111,552.00	0%	\$ -
D5		Supply & Install Concrete Sidewalk						
a)		1.5m Wide Sidewalk (OPSD 301.010)	1162	m <sup>2</sup>	\$ 68.00	\$ 79,016.00	100%	\$ 79,016.00
b)		2.6m wide Sidewalk	32	m <sup>2</sup>	\$ 68.00	\$ 2,176.00	100%	\$ 2,176.00
D6		Concrete Toe Wall (OPSD 3120.100) Along Perimeter of Block 248	82	m	\$ 270.00	\$ 22,140.00	100%	\$ 22,140.00
D8	SP13	Supply & Place Stormwater Management Facility Temporary Access Road	1743	m <sup>2</sup>	\$ 20.00	\$ 34,860.00	0%	\$ -
D9		Saw Cut Existing Asphalt & Mill 40mm Deep, 300mm Wide	8	m	\$ 170.00	\$ 1,360.00	0%	\$ -
D10		Supply & Install Community Mail Box Pads	1	Each	\$ 450.00	\$ 450.00	100%	\$ 450.00
D11		Supply & Install Steel Beam Guiderail Barricade (OPSD 912.532) Checkboard Type III Sign	1	Each	\$ 2,230.00	\$ 2,230.00	0%	\$ -
D12		Supply & Install Tigertail Sign c/w Posts (Per Township of Southgate Standard)	1	Each	\$ 240.00	\$ 240.00	0%	\$ -
D13		Supply & Install Temporary Street Signage c/w Wood Posts (4" x 4")	11	Each	\$ 410.00	\$ 4,510.00	0%	\$ -
D14		Supply & Install Temporary Stop Signs c/w Wood Posts (4" x 4")	6	Each	\$ 350.00	\$ 2,100.00	0%	\$ -
<b>SCHEDULE D - Roadworks (Continued)</b>								
D15		Supply & Install Permanent Street Signage c/w Posts						
a)		Street Name Sign	6	Each	\$ 470.00	\$ 2,820.00	100%	\$ 2,820.00
b)		Stop Sign	5	Each	\$ 420.00	\$ 2,100.00	0%	\$ -
c)		Road Not Assumed Sign	1	Each	\$ 390.00	\$ 390.00	0%	\$ -
D16	SP16	Supply & Place Concrete Encased Utility Road Crossings						
a)		10 x 100mm Diameter Conduit	44	m	\$ 240.00	\$ 10,560.00	0%	\$ -
b)		12 x 100mm Diameter Conduit	44	m	\$ 260.00	\$ 11,440.00	0%	\$ -
c)		14 x 100mm Diameter Conduit	44	m	\$ 270.00	\$ 11,880.00	0%	\$ -
D17	SP16	Supply & Place Direct Buried Utility Road Crossings						
a)		10 x 100mm Diameter Conduit	44	m	\$ 180.00	\$ 7,920.00	0%	\$ -
b)		12 x 100mm Diameter Conduit	44	m	\$ 200.00	\$ 8,800.00	0%	\$ -
c)		14 x 100mm Diameter Conduit	44	m	\$ 210.00	\$ 9,240.00	0%	\$ -
					<b>Subtotal</b>	<b>\$ 832,792.25</b>		<b>\$ 181,413.36</b>

**Flato 4, 5, & 6 Required Securities - Updated to Stage II Preliminary Acceptance**

ITEM	SPEC.	DESCRIPTION	CONTRACT QUANTITY	UNIT	UNIT PRICE	CURRENT CONTRACT TOTAL	PERCENT REMAINING	REMAINING CONTRACT TOTAL
<b>SCHEDULE E - Earthworks</b>								
E1	SP1	Strip & Haul Topsoil Off-Site from Phases 4, 5, & 6 (0.4m Depth)	34000	m <sup>3</sup>	\$ 13.00	\$ 442,000.00	0%	\$ -
E2		Place Stockpiled Topsoil within SWM Facility 2	1400	m <sup>3</sup>	\$ 6.00	\$ 8,400.00	0%	\$ -
E3	SP2	Earthworks Operations within Phases 4, 5, & 6						
a)		Cut to Fill (Within Residential Area)	3000	m <sup>3</sup>	\$ 5.00	\$ 15,000.00	0%	\$ -
b)		Supply, Place & Compact Imported Fill (Mineral Soil)	46000	m <sup>3</sup>	\$ 18.50	\$ 851,000.00	0%	\$ -
c)		Supply, Place & Compact Imported Fill (Drainage Layer at 0.3m Depth)	25000	m <sup>3</sup>	\$ 22.25	\$ 556,250.00	0%	\$ -
E4	SP2	Earthworks Operations within SWM Facility 2 (Sediment Basin Conversion to SWM Facility)						
a)		Cut to Fill (Within SWM Facility)	550	m <sup>3</sup>	\$ 5.00	\$ 2,750.00	0%	\$ -
b)		Cut to Fill (Place Fill Within Residential Area)	15650	m <sup>3</sup>	\$ 5.00	\$ 78,250.00	0%	\$ -
E5		Temporary Overland Flow Channel						
a)	SP1	Strip & Haul Topsoil Off-Site (0.4m Depth)	2382	m <sup>3</sup>	\$ 13.00	\$ 30,966.00	0%	\$ -
b)	SP1	Haul Off-Site Portion of Topsoil Stockpile from Channel	12000	m <sup>3</sup>	\$ 13.00	\$ 156,000.00	0%	\$ -
c)	SP2	Cut to Fill (Place Within Residential Area)	5900	m <sup>3</sup>	\$ 5.00	\$ 29,500.00	0%	\$ -
d)	SP2	Cut to Fill (Within Channel Area)	2900	m <sup>3</sup>	\$ 5.00	\$ 14,500.00	0%	\$ -
e)	SP2	Cut to Fill (Raise Sediment Basin Berm)	600	m <sup>3</sup>	\$ 5.00	\$ 3,000.00	0%	\$ -
					<b>Subtotal</b>	<b>\$ 2,187,616.00</b>	<b>0%</b>	<b>\$ -</b>
<b>SCHEDULE F - Sediment and Erosion Controls</b>								
F1		Supply, Install and Maintain Sediment and Erosion controls						
a)	SP19	Mud Mat	1	ea.	\$ 4,590.00	\$ 4,590.00	0%	\$ -
b)		Sediment Trap (OPSD 219.220)	1	ea.	\$ 1,130.00	\$ 1,130.00	0%	\$ -
c)		Straw Bale Check Dams (OPSD 219.180)	3	ea.	\$ 170.00	\$ 510.00	0%	\$ -
d)	SP18	Heavy Duty Silt Fence (OPSD 219.130)	634	m	\$ 15.00	\$ 9,510.00	0%	\$ -
F2		Modification to Existing Temporary Sediment Basin						
a)		Supply & Install Hickenbottom Structure	1	Each	\$ 4,450.00	\$ 4,450.00	0%	\$ -
b)		Removal of Existing Hickenbottom Structure	1	LS	\$ 460.00	\$ 460.00	0%	\$ -
					<b>Subtotal</b>	<b>\$ 20,650.00</b>	<b>0%</b>	<b>\$ -</b>

**Flato 4, 5, & 6 Required Securitities - Updated to Stage II Preliminary Acceptance**

ITEM	SPEC.	DESCRIPTION	CONTRACT QUANTITY	UNIT	UNIT PRICE	CURRENT CONTRACT TOTAL	PERCENT REMAINING	REMAINING CONTRACT TOTAL
<b>SCHEDULE G - SWM Facility</b>								
G1	SP12	Preparation & Fine Grading	11500	m <sup>2</sup>	\$ 0.70	\$ 8,050.00	0%	\$ -
G2		Supply & Install Clay Liner (1.0m depth)	6700	m <sup>2</sup>	\$ 7.00	\$ 46,900.00	0%	\$ -
G3		Supply & Install Inlet Storm Sewer						
a)		Concrete Precast Headwall (OPSD 804.040) c/w Grate (804.050) & 1.2m High Chain Link Fence (OPSD 972.130)	1	Each	\$ 20,264.00	\$ 20,264.00	0%	\$ -
b)		3000mm dia. Storm Maintenance Hole	1	Each	\$ 22,200.00	\$ 22,200.00	0%	\$ -
c)	SP3	1200mm dia. Storm Sewer (CL-65D)	13	m	\$ 800.00	\$ 10,400.00	0%	\$ -
d)		Temporary 1200mm dia. CSP	21	m	\$ 510.00	\$ 10,710.00	0%	\$ -
e)		300mm dia. 600mm Deep Rip-Rap c/w Terrafix 270R Geotextile	34	m <sup>2</sup>	\$ 75.00	\$ 2,550.00	0%	\$ -
G4		Supply & Install Outlet Control Structure (Unnamed Tributary)						
a)		2400mm x 3000mm Precast Modified Control Structure	2	Each	\$ 23,400.00	\$ 46,800.00	0%	\$ -
b)		Concrete Precast Headwall (OPSD 804.030) c/w Grate (OPSD 804.050)	1	Each	\$ 5,200.00	\$ 5,200.00	0%	\$ -
c)		Terrafix Terramat FM 200 Protection Matting	97	m <sup>2</sup>	\$ 12.00	\$ 1,164.00	0%	\$ -
d)		675mm dia. Reverse Slope Storm Sewer (CL-65D)	13	m	\$ 395.00	\$ 5,135.00	0%	\$ -
e)		675mm dia. Outlet Storm Sewer (CL-65D)	314	m	\$ 420.00	\$ 131,880.00	0%	\$ -
f)		675mm dia. Double Concrete Headwall (OPSD 972.130 Modified) c/w 1.2m High Black Chain Link Fence	1	Each	\$ 8,350.00	\$ 8,350.00	0%	\$ -
g)		300mm dia., 600mm Deep Rip Rap c/w Terrafix 270R Geotextile	10	m <sup>2</sup>	\$ 75.00	\$ 750.00	0%	\$ -
G5		Supply & Install Extended Detention Outlet Control Structure (Foley Drain)						
a)		1200mm dia. Concrete Maintenance Hole Structure (OPSD 701.010)	1	Each	\$ 4,260.00	\$ 4,260.00	0%	\$ -
b)		Concrete Precast Headwall (OPSD 804.030) c/w Grate (OPSD 804.050) and 1.2m High Black Chain Link Fence	1	Each	\$ 4,250.00	\$ 4,250.00	0%	\$ -
c)		450mm dia. Reverse Slope Storm Sewer (CL-65D)	18	m	\$ 275.00	\$ 4,950.00	0%	\$ -
d)		450mm dia. Outlet Storm Sewer (CL-65D)	11	m	\$ 275.00	\$ 3,025.00	0%	\$ -
<b>SCHEDULE G - SWM Facility (Continued)</b>								
G6		Supply & Install Outlet Control Structure (Foley Drain)						
a)		3000mm x 1800mm Precast Modified Outlet Control Structure c/w 1.2m High Black Chain Link Fence	1	Each	\$ 67,000.00	\$ 67,000.00	0%	\$ -
b)		750mm dia. Concrete (CL-65D) Storm Sewer	30	m	\$ 515.00	\$ 15,450.00	0%	\$ -
c)		750mm dia. Double Concrete Headwall (OPSD 972.130 Modified) c/w 1.2m High Black Chain Link Fence	1	Each	\$ 15,000.00	\$ 15,000.00	0%	\$ -
G7		Supply & Install Concrete Box Culvert (Forebay Berm)						
a)		2400mm x 1200mm Concrete Box Culvert c/w Concrete Bevelled End Sections	21.2	m	\$ 3,900.00	\$ 82,680.00	0%	\$ -
b)		300mm dia. 600mm Deep Rip-Rap c/w Terrafix 270R Geotextile	57	m <sup>2</sup>	\$ 75.00	\$ 4,275.00	0%	\$ -
G8		Supply & Install Dispersion Outlet Stilling Basin (Foley Drain)						
a)		Concrete Precast Headwall (OPSD 804.030) c/w Grate (804.050) & 1.2m High Chain Link Fence (OPSD 972.130)	1	Each	\$ 4,250.00	\$ 4,250.00	0%	\$ -
b)		300mm dia., 600mm Deep Rip Rap	160	m <sup>2</sup>	\$ 75.00	\$ 12,000.00	0%	\$ -
c)		Gabion Baskets	120	sqfm	\$ 535.00	\$ 64,200.00	0%	\$ -
G9		Supply & Install Barrier Gates (per Township of Southgate STD L3)	2	Each	\$ 2,125.00	\$ 4,250.00	100%	\$ 4,250.00
					<b>Subtotal</b>	<b>\$ 269,105.00</b>		<b>\$ 4,250.00</b>





Project Number: 1060-4892  
 Project Name: Flato Phase 4, 5, & 6  
 Date: 2022.11.16

**Flato 4, 5, & 6 Required Securities - Updated to Stage II Preliminary Acceptance**

ITEM	SPEC.	DESCRIPTION	CONTRACT QUANTITY	UNIT	UNIT PRICE	CURRENT CONTRACT TOTAL	PERCENT REMAINING	REMAINING CONTRACT TOTAL
H4		<b>SCHEDULE H - LANDSCAPING AND STREETLIGHTING</b>	29	ea				
		Supply and Install Streetlight Poles and Luminaires			\$ 3,500.00	\$ 101,500.00	0%	\$ -
		<b>Subtotal</b>				<b>\$ 101,500.00</b>		<b>\$ -</b>

**SUMMARY OF CONTRACT PRICES**

SCHEDULE A - Sanitary Sewer	\$ 5,025.00
SCHEDULE B - Storm Sewers	\$ 5,025.00
SCHEDULE C - Watermain	\$ -
SCHEDULE D - Roadworks	\$ 181,413.36
SCHEDULE E - Earthworks	\$ -
SCHEDULE F - Sediment and Erosion Controls	\$ -
SCHEDULE G - SWM Facility	\$ 4,250.00
SCHEDULE H - LANDSCAPING AND STREETLIGHTING	\$ -
<b>Subtotal - Schedules A-D,F-H</b>	<b>\$ 3,049,934.25</b>
115% - Remaining Works	\$ 225,070.36
10% - Completed Works	\$ 285,422.09

J:\1000\1060-Flato Dev\5771-Dundalk Ph.11\OPCs and Securities\Flato Securities Dundalk Master File\2022.11.09 - North Securities Backup\2022.11.16\_Flato 4,5,6 Securities Reduction Request.xlsx[Sheet1]



Project: Flato West/East/North/Glenelg  
 Project No.: 1060-4057/4066/4150/4892/4410/4171/5177  
 Date: 2022.11.29  
 By: JL'A/BR

### Flato Dundalk Meadows Securities Summary

	Stage of Work/ Acceptance	115% of Remaining Works (100% for Block 75 Site Plan, and 75% of SPS)	10% of Completed Works	Subtotal	HST (13%-11%)	Total	80% of Total	Securities in Place (September 2022)	Proposed Securities change	Total Securities December 2022
Flato West Securities	Accepted		\$ -	\$ -		\$ 50,000.00	\$ 50,000.00	\$ 50,000.00		\$ 50,000.00
Flato East Securities	Stage 3 and 4		\$ 50,000.00	\$ 50,000.00		\$ 50,000.00	\$ 50,000.00	\$ 50,000.00		\$ 50,000.00
Flato North Securities	Stage 3 and 4	\$ 32,945.20	\$ 44,314.14	\$ 77,259.34	\$ 1,545.19	\$ 78,804.53	\$ 63,043.62	\$ 675,000.00	\$ (373,934.97)	\$ 301,065.03
Flato North Externals		\$ -	\$ 500.00	\$ 500.00	incl.	\$ 500.00	\$ 400.00			
Flato 4 5 and 6 Securities	Stage 1 and 2	\$ 225,070.36	\$ 285,422.09	\$ 510,492.45	\$ 10,209.85	\$ 520,702.30	\$ 416,561.84	\$ 735,000.00		\$ 735,000.00
Flato Block 75 Securities	Site Plan	\$ 88,450.00	\$ 37,088.00	\$ 125,538.00	\$ 2,510.76	\$ 128,048.76	\$ 102,439.01			
Flato Block 75 Externals		\$ 38,141.19	\$ 34,053.93	\$ 72,195.12	\$ 1,443.90	\$ 73,639.02	\$ 58,911.22			
Glenelg Internal	Stage 1 and 2	\$ 1,138,838.45	\$ 386,664.23	\$ 1,525,502.68	\$ 30,510.05	\$ 1,556,012.73	\$ 1,244,810.19	\$ 2,500,000.00		\$ 2,500,000.00
Glenelg External		\$ 39,698.00	\$ 171,901.19	\$ 211,599.19	\$ 4,231.98	\$ 215,831.17	\$ 172,664.94			
Flato 7,8 & 10 Securities	Site Servicing	\$ 1,323,311.10	\$ 422,961.18	\$ 1,746,272.28	\$ 34,925.45	\$ 1,781,197.73	\$ 1,424,958.18	\$ 1,109,605.96		\$ 1,109,605.96
Edgewood SPS		\$ 1,423,875.00	\$ -	\$ 1,423,875.00	\$ 28,477.50	\$ 1,452,352.50	\$ 1,161,882.00			
Total			\$ 1,432,904.76	\$ 5,743,234.06		\$ 5,907,088.74	\$ 4,745,670.99	\$ 5,119,605.96	\$ (373,934.97)	\$ 4,745,670.99



105 Queen Street West, Unit 14  
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Ontario N1M 1S6  
Tel: (519) 843-3920  
Fax: (519) 843-1943  
Email: info@tritoneng.on.ca

ORANGEVILLE • FERGUS • HARRISTON

November 30, 2022

Township of Southgate  
185667 Grey County Road 9  
Dundalk, Ontario  
N0C 1B0

Attention: Dave Milliner  
Chief Administrative Officer

RE: TOWNSHIP OF SOUTHGATE  
FLATO DEVELOPMENTS  
TOTAL SECURITY  
REVIEW & RECOMMENDATION  
OUR FILE: A4154A

Dear Mr. Milliner:

Further to the request and supporting documents from Crozier & Associates (Crozier) dated November 29, 2022 (attached) and based on site inspections completed by Triton Engineering Services Limited, Crozier and Municipal staff, we have confirmed the provided security summary for the Flato Developments within Dundalk.

Based on this, we recommend that the current securities held by the Township be reduced to **\$4,745,670.99**

Security adjustments are subject to the Township confirming that all outstanding accounts with respect to the various Flato Developments have been paid in full and that the Developer is not in default of their obligations pursuant to its agreements(s) with the municipality.

We trust that this information is satisfactory and should you have any questions, please do not hesitate to contact the undersigned.

Respectfully,  
Triton Engineering Services Limited

Dustin C. Lyttle, P. Eng.

cc: Jim Ellis, Public Works Manager, Township of Southgate



NOVEMBER 29, 2022

PROJECT NO: 1060-

4150/4892

SENT VIA: EMAIL

Township of Southgate  
185667 Grey County Rd. 9 RR 1  
Dundalk, Ontario N0C 1B0

Attention: Mr. David Milliner, CAO

RE: **DUNDALK MEADOWS EAST (PHASE 2a & 3) & NORTH (PHASE 456)  
SECURITIES REDUCTION REQUEST  
TOWNSHIP OF SOUTHGATE**

Dear Dave,

Please consider this letter as a formal request that the Township of Southgate grant a securities reduction for the Flato North Phases 2a and 3 based on completion of work and staged approvals recently granted in the Edgewood Greens Subdivision.

On behalf of the Owner, Flato Dundalk Meadows Inc, our firm respectfully requests that the Township release \$373,934.97 from the Flato North Phase 2a & 3 development as this file has more in posted securities than is required. If there is any additional documentation or clarification required, please do not hesitate to contact our office.

Yours truly,

**C.F. CROZIER & ASSOCIATES INC.**



Brittany Robertson, P.Eng.  
Associate, Manager of Land Development

c.c. Shakir Rehmatullah, Flato Developments Inc.  
Dustin Lyttle, Triton Engineering

J:\1000\1060-Flato Dev\5771-Dundalk Ph.11\OPCs and Securities\Flato Securities Dundalk Master File\2022.11.09 - North Securities Backup\2022.11.16 Security Reduction Request.docx



Project: Flato West/East/North/Glenelg  
 Project No.: 1060-4057/4066/4150/4892/4410/4171/5177  
 Date: 2022.11.29  
 By: JL'A/BR

### Flato Dundalk Meadows Securities Summary

	Stage of Work/ Acceptance	115% of Remaining Works (100% for Block 75 Site Plan, and 75% of SPS)	10% of Completed Works	Subtotal	HST (13%-11%)	Total	80% of Total	Securities in Place (September 2022)	Proposed Securities change	Total Securities December 2022
Flato West Securities	Accepted		\$ -	\$ -		\$ 50,000.00	\$ 50,000.00	\$ 50,000.00		\$ 50,000.00
Flato East Securities	Stage 3 and 4		\$ 50,000.00	\$ 50,000.00		\$ 50,000.00	\$ 50,000.00	\$ 50,000.00		\$ 50,000.00
Flato North Securities	Stage 3 and 4	\$ 32,945.20	\$ 44,314.14	\$ 77,259.34	\$ 1,545.19	\$ 78,804.53	\$ 63,043.62	\$ 675,000.00	\$ (373,934.97)	\$ 301,065.03
Flato North Externals		\$ -	\$ 500.00	\$ 500.00	incl.	\$ 500.00	\$ 400.00			
Flato 4 5 and 6 Securities	Stage 1 and 2	\$ 225,070.36	\$ 285,422.09	\$ 510,492.45	\$ 10,209.85	\$ 520,702.30	\$ 416,561.84	\$ 735,000.00		\$ 735,000.00
Flato Block 75 Securities	Site Plan	\$ 88,450.00	\$ 37,088.00	\$ 125,538.00	\$ 2,510.76	\$ 128,048.76	\$ 102,439.01			
Flato Block 75 Externals		\$ 38,141.19	\$ 34,053.93	\$ 72,195.12	\$ 1,443.90	\$ 73,639.02	\$ 58,911.22			
Glenelg Internal	Stage 1 and 2	\$ 1,138,838.45	\$ 386,664.23	\$ 1,525,502.68	\$ 30,510.05	\$ 1,556,012.73	\$ 1,244,810.19	\$ 2,500,000.00		\$ 2,500,000.00
Glenelg External		\$ 39,698.00	\$ 171,901.19	\$ 211,599.19	\$ 4,231.98	\$ 215,831.17	\$ 172,664.94			
Flato 7,8 & 10 Securities	Site Servicing	\$ 1,323,311.10	\$ 422,961.18	\$ 1,746,272.28	\$ 34,925.45	\$ 1,781,197.73	\$ 1,424,958.18	\$ 1,109,605.96		\$ 1,109,605.96
Edgewood SPS		\$ 1,423,875.00	\$ -	\$ 1,423,875.00	\$ 28,477.50	\$ 1,452,352.50	\$ 1,161,882.00			
Total			\$ 1,432,904.76	\$ 5,743,234.06		\$ 5,907,088.74	\$ 4,745,670.99	\$ 5,119,605.96	\$ (373,934.97)	\$ 4,745,670.99



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ORANGEVILLE • FERGUS • HARRISTON

December 1, 2022

Township of Southgate  
185667 Grey County Road 9  
Dundalk, Ontario  
N0C 1B0

Attention: Dave Milliner  
Chief Administrative Officer

RE: Township of Southgate  
Flato Subdivision  
Dundalk Meadows East - Phase 2A & 3  
Preliminary Acceptance  
Stage III and IV Municipal Services  
Our File: A4169A

Dear Mr. Milliner:

Further to a request from Crozier & Associates (Crozier) dated December 1, 2022 (attached) regarding Preliminary Acceptance of Stage III and IV municipal services (i.e., electrical distribution, surface asphalt, surface works, street lighting) for Phases 2A and 3 of the Flato (Dundalk Meadows East) Subdivision, we wish to advise as follows:

- Site inspections have been completed by Triton Engineering Services Limited, Crozier and municipal staff. These inspections have confirmed that Stage III and IV municipal works have been substantially completed. Deficiencies have been noted during the inspection; however, these do not impact the substantial completion status. A complete deficiency list will be composed and forwarded to the Developer's contractor. These deficiencies are to be addressed in a timely fashion. Securities currently in place shall be retained to ensure these deficiencies are completed satisfactorily.
- The Developer's consultant, Crozier has provided written certification that these services have been constructed and installed in accordance with the approved plans and specifications in their letter dated December 1, 2022 (attached).
- The final grading, fencing and landscaping of the Stormwater Management Pond associated with this phase of the Development will be tied to the Preliminary Acceptance of Stages III and IV of Phase 7 of the Flato East Subdivision.

Based on the preceding, we recommend that Preliminary Acceptance be granted for Stage III and IV municipal services for Phase 2A and 3 of the Flato (Dundalk Meadows East) Subdivision with the guarantee and maintenance period commencing as of December 1, 2022.



We trust that this information is satisfactory and should you have any questions, please do not hesitate to contact the undersigned.

Sincerely,

Triton Engineering Services Limited



Dustin C. Lyttle, P. Eng.

Encl.

cc: Jim Ellis, Township of Southgate

DECEMBER 1, 2022

PROJECT NO: 1060-4066/1060-4150

SENT VIA: EMAIL

Township of Southgate  
185667 Grey County Rd. 9 RR 1  
Dundalk, Ontario N0C 1B0

Attention: Mr. David Milliner, CAO

RE: **DUNDALK MEADOWS EAST (PHASE 2A & 3)**  
**CONFORMANCE LETTER FOR SUBSTANTIAL COMPLETION – STAGE III AND STAGE IV**  
**TOWNSHIP OF SOUTHGATE**

Dear Dave,

By copy of this letter, C.F. Crozier & Associates Inc. certifies that all works completed to date have been constructed in general conformance with all applicable municipal and provincial standards and as indicated on the approved for construction drawings.

The following is a summary of the works completed to date as it pertains to the Subdivision Agreement:

Stage III services involve the completion of the utility services which shall be completed prior to occupancy of any homes including:

- a) electrical distribution system to each residential lot;
- b) street lighting energized,
- c) natural gas to each residential lot;
- d) communication services to each residential lot;
- e) completion of parkland with grading, topsoil, approved vegetation including sod and/or seed (N/A); and
- f) Installation of fencing required by the Township around storm management facilities or other identified hazards (N/A).

Stage IV services include

- a) surface course of asphalt;
- b) sidewalks/walkways;
- c) boulevards;
- d) completion of parkland fencing, and any other fencing required by the Township (still to be completed); and
- e) all other services required by this Agreement.

Please consider this letter as a formal request that the Township of Southgate grant Preliminary Acceptance of Stage III and Stage IV services. A site walk was completed on November 15, 2022 with C.F. Crozier and Associates, Township of Southgate, and Triton Engineering representatives to review the items outlined in this letter. The following deficiencies were identified during the site walk and will be repaired as soon as possible:



- Two cracked sidewalk panels at 108 Seeley Avenue.
- Cracked sidewalk panel in ramp in south-west corner of Werry Avenue & Hagan Street East intersection.
- Cracked sidewalk panels along frontage of the watercourse block on Werry Avenue.
- Cracked Canada Post concrete pad on Russell Street.
- Photocell malfunction for luminaire at 171 Seeley Avenue.
- Photocell malfunction for luminaire at 197 Werry Avenue.
- Trail entrance sidewalks (complete with tactile plates) on Werry Avenue and Seeley Avenue to be installed.
- Installation of four (4) illuminated bollards within Block 247 & Block 372 between Seeley Avenue and VanDusen Avenue.

On behalf of the Owner, Flato Dundalk Meadows Inc, our firm respectfully requests that the Township sign off on the commencement of the one-year guarantee period as described in Article 5.12 of the Subdivision Agreement.

If there is any additional documentation or clarification required, please do not hesitate to contact our office.

Thank you for your prompt attention to this request.

Yours truly,

**C.F. CROZIER & ASSOCIATES INC.**



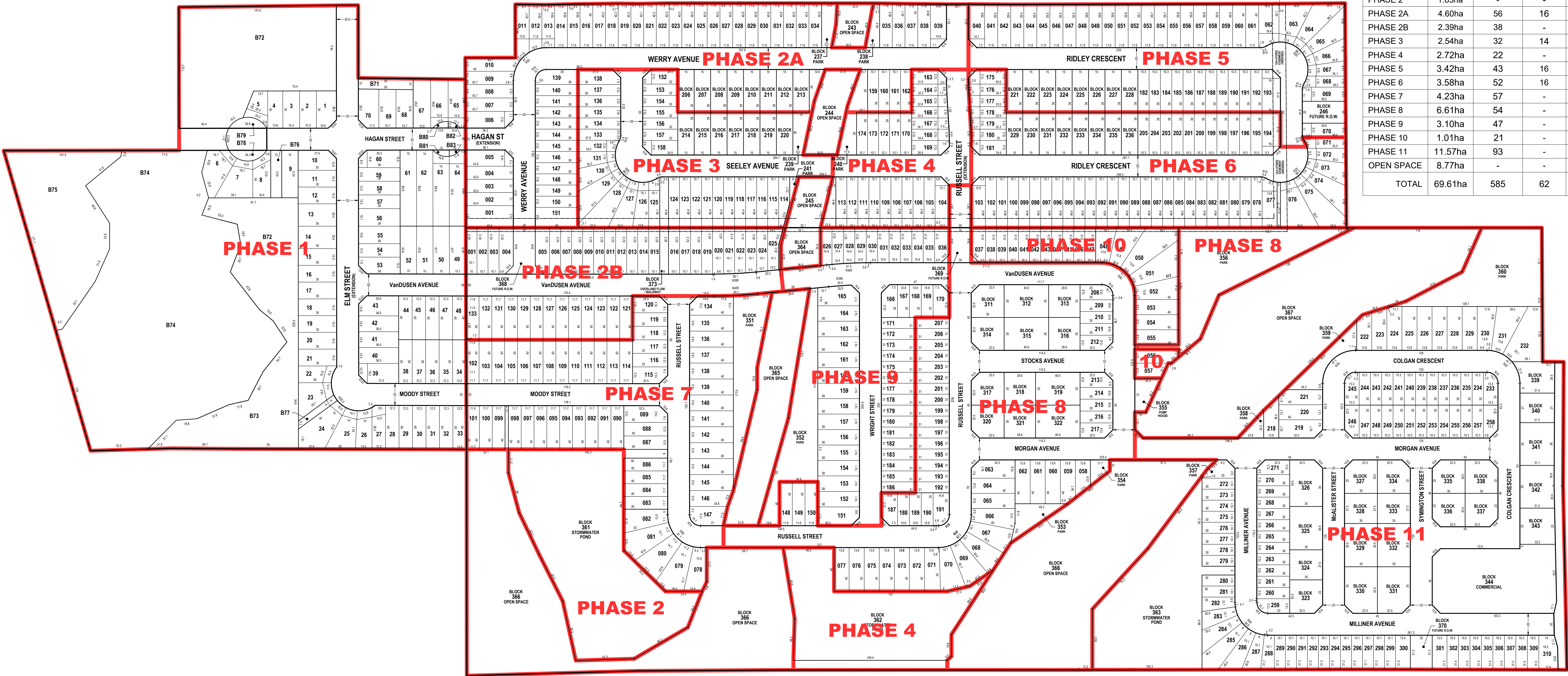
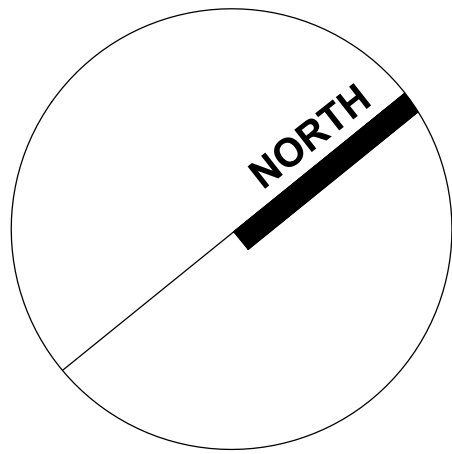
Brian Homenuk, C.E.T., rcji  
Contract Administrator

e.c. Shakir Rehmatullah, Flato Developments Inc.  
Paul Arruda, Flato Developments Inc.  
Robert Rawlings, Flato Developments Inc.  
Ray Kirtz, Triton Engineering  
Dustin Lyttle, Triton Engineering

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# EDGEWOOD GREENS

## COMPOSITE PHASING PLAN



PHASE	AREA	SINGLES	SEMIS	TOWNS	TOTAL
PHASE 1	13.22ha	70	-	-	70
PHASE 2	1.85ha	-	-	-	-
PHASE 2A	4.60ha	56	16	-	72
PHASE 2B	2.39ha	38	-	-	38
PHASE 3	2.54ha	32	14	-	46
PHASE 4	2.72ha	22	-	-	22
PHASE 5	3.42ha	43	16	-	59
PHASE 6	3.58ha	52	16	-	68
PHASE 7	4.23ha	57	-	-	57
PHASE 8	6.61ha	54	-	56	110
PHASE 9	3.10ha	47	-	-	47
PHASE 10	1.01ha	21	-	-	21
PHASE 11	11.57ha	93	-	101	194
OPEN SPACE	8.77ha	-	-	-	-
TOTAL	69.61ha	585	62	157	804



## **Staff Report HR2022-054**

**Title of Report:** **Staff 2023 Wage Grid and Steps**  
**Department:** **Human Resources**  
**Council Date:** December 7, 2022

### **Recommendation:**

**Be it resolved that** Council receive staff report HR2022-054 for information; and

**That** Council approve a one step pay band increase for eligible employees, effective January 1, 2023; and

**That** Council approve the COLA increase of 4% to the 2023 Staff Pay Grid, Council Pay Grid and Volunteer Firefighter Pay Grid, effective January 1, 2023; and

**That** Council approve the COLA increase of 4% to all affected agreements and other Township established inflationary conditions, effective January 1, 2023; and

**That** Council approve an additional 2.5% increase to the Staff Pay Grid as part of the initial budget adjustments in the Market Check process for 2023, effective January 1, 2023.

### **Background:**

Under provisions of Pay Administration Policy #16, employees who meet or exceed job requirements may advance one step within their pay band. Employees that consistently exceed job requirements may advance a further step within their pay band if recommended by their department head. All step movements (merit increases) will be presented to Council for approval each year.

Also under Pay Administration Policy #16, "Each year on **January 1**, the entire pay band grid may move up by a percentage using an established formula using the Statistics Canada Ontario Consumer Price Index (CPI) for October".

Policy #16 Pay Administration Policy also states the following in regards to a market check:

- *Normally every four years the entire pay band grid will be compared to "the market" to ensure the municipality is paying employees fairly.*
- *The median or 50<sup>th</sup> percentile of the comparators will be used. This comparison may involve using a purchased pay survey of the compensation of benchmark positions at comparable municipalities in the area or other methods.*
- *The overall pay band grid may increase, decrease or remain the same as the result of this comparison.*
- *No employee's pay will be reduced as a result of this exercise. However individual pays may be frozen until the pay band for their position catches up to their current pay.*

- *Council will approve any market survey and the implementation of the results.*

The last market check was completed in 2018 and implemented in June of 2019.

### **Staff Comments:**

#### **Step Increases**

Through the Performance Appraisals process there are 36 employees that are recommended to receive a one-step increase within their pay, effective January 1, 2023.

30 employees are not eligible for a step increase on January 1st (14 are on probation, 2 are on leave, 12 are at job rate, 1 is not on the pay grid, 1 position remains vacant and will be on probation when filled).

The total 2023 budget impact for the step increase is \$57,980 (\$46,808 in taxation impact when removing user fee supported wages).

#### **Cost of Living Allowance (COLA)**

The October Statistics Canada Ontario Consumer Price Index (CPI) is 6.5%. Staff recommend applying a 4% COLA increase to the entire pay grid for all positions, including those on probation.

The total 2023 budget impact for the 4% COLA increase is \$137,658 (\$115,018 in taxation impact when removing user fee supported wages).

NOTE: The COLA increase also applies to the Council and Volunteer Firefighter pay grids as well as any affected agreements.

#### **Market Adjustment**

Staff have completed an initial market check and the results show that the entire pay grid is below the market's 50<sup>th</sup> percentile. The comparison was done using comparable municipalities either comparable by location (Grey County and other surrounding county municipalities) or size (under 100 employees in Ontario). Staff recommend adjusting the entire grid by an additional 2.5% on top of the COLA increase in order to bridge some of the gap between the current pay grid and the 50<sup>th</sup> percentile. Staff will bring a separate report during operating budget to address the rest of the gap.

The total 2023 budget impact for the 2.5% Market Adjustment is \$90,915 (\$75,917 in taxation impact when removing user fee supported wages).

### **Financial Implications:**

A summary of the total 2023 budget impact is as follows plus the cost of benefits.

<b>Increase Type</b>	<b>Total with User Fee Wages</b>	<b>Total without User Fee Wages</b>
Step Increase (2%)	\$57,980	\$46,808
COLA (4%)	\$137,658	\$115,018



Market Adjustment (2.5%)	\$90,915	\$75,917
<b>TOTAL</b>	<b>\$286,553</b>	<b>\$237,743</b>

COLA increase of 4% will also be added to the Volunteer Firefighter Pay Grid and Council Pay Grid which are not included in the above calculations.

**Communications & Community Action Plan Impact:**

This report has been written and presented to Council to communicate accurate information to the public.

**Concluding Comments:**

1. Staff recommend that Council receive staff report HR2022-054 as information.
2. Staff recommend that Council approve a one step pay band increase for eligible employees, effective January 1, 2023.
3. Staff recommend that Council approve a 4% COLA increase to the entire pay grid, effective January 1, 2023.
4. Staff recommend that Council approve a 2.5% Market Adjustment increase to the entire pay grid, effective January 1, 2023.
5. Staff recommend that Council approve a 4% COLA increase to all affected agreements and Southgate established inflationary conditions, effective January 1, 2023.

Respectfully Submitted,

**HR Approval:** **Original Signed By**  
Kayla Best, HR Coordinator

**CAO Approval:** **Original Signed By**  
Dave Milliner, CAO

**Attachments:** None



## **Staff Report HR2022-055**

**Title of Report:** Job Description Reviews  
**Department:** Human Resources  
**Council Date:** December 7, 2022

### **Recommendation:**

**Be it resolved that** Council receive staff report HR2022-055 for information; and

**That** Council direct staff to review Job Description updates through the Job Evaluation Committee; and

**That** Council direct staff to bring back Job Evaluation Committee recommendations to a future Council meeting.

### **Background:**

Policy #16 Pay Administration Policy, section 4: The Job Evaluation Process states:

- *If a new job is created **or the duties of an existing job change substantially:***
  - *Supervisor/employee(s) update job description*
  - *Job Evaluation Committee (JEC) update job evaluation score out of 1,000 with assistance from independent consultant as necessary.*
  - *Place the new or revised position on the appropriate pay band.*

### **Staff Comments:**

There are currently five (5) job descriptions currently under review due to significant changes in responsibility and duties that would trigger a change in the evaluation of the job description. The job descriptions being reviewed and updated are:

- Asset Coordinator & Financial Analyst moving to Deputy Treasurer & Asset Manager due to the vacancy of the Deputy Treasurer role and increased responsibilities for asset management.
- Building Administrative Assistant possibly dividing responsibilities between the two existing positions to create two distinctive positions.
- Facilities Manager moving to a Recreation Manager due to the addition of programming and other responsibilities added.
- Facilities Operator & Programming moving to a Recreation Programming Coordinator due to the position evolving into the creation, supervision and running of recreational programs.
- HR Coordinator & Assistant to CAO moving to HR Manager & Assistant to CAO due to increased responsibilities taken on in Human Resources which includes meeting with employees, dealing with concerns, benefits, Health & Safety, payroll review, compensation, market check, policies, recruitment support & onboarding, grant funding application project management/reporting, etc.

that requires increased knowledge and research that is now required for this position.

The process staff recommend in line with the Policy is:

- Update the job descriptions to reflect the current responsibilities, tasks and knowledge (in progress).
- Review by the Job Evaluation Committee (JEC) of the updated job description. The JEC will then provide recommendations on the job description changes and review the pay band. This could result in a band movement either up or down or no movement depending on the evaluation process.
- Staff bring forward JEC recommendations to Council for review and approval for those with changes made by JEC.

**Financial Implications:**

There is no financial impact as a result of this report, however there could be financial impact coming out of the recommendations from JEC.

**Communications & Community Action Plan Impact:**

This report has been written and presented to Council to communicate accurate information to the public.

**Concluding Comments:**

1. Staff recommend that Council receive staff report HR2022-055 as information.
2. Staff recommend that Council direct staff to review job description updates through the Job Evaluation Committee (JEC).
3. Staff recommend that Council direct staff to bring JEC feedback to a future Council meeting.

Respectfully Submitted,

**HR Approval:** *Original Signed By*  
Kayla Best, HR Coordinator

**CAO Approval:** *Original Signed By*  
Dave Milliner, CAO

**Attachments:** None



## **Staff Report HR2022-056**

**Title of Report:** Health & Safety Policy  
**Department:** Human Resources  
**Council Date:** December 7, 2022

### **Recommendation:**

**Be it resolved that** Council receive staff report HR2022-056 for information; and  
**That** Council approve the Health and Safety Policy #33A and Statement by municipal By-Law 2022-170; and  
**That** the Mayor sign the Health and Safety Policy Statement for the 2022-2023 period.

### **Background:**

Under provisions of the Occupational Health and Safety Act (OHSA), Section 25(2), states the employer shall:

- (j) prepare and review at least annually a written occupational health and safety policy and develop and maintain a program to implement that policy.

### **Staff Comments:**

Health and Safety staff and the Joint Health and Safety Committee (JHSC) have reviewed the requirements for this policy as part of the WSIB Excellence Program and updated the policy and process. The Township of Southgate Policy #33A Occupational Health and Safety policy previously included all Health and Safety procedures (the Health and Safety Manual) as part of the policy. Staff have now broken these out into two separate documents in order to provide the separation of what is Policy and what is procedure to implement the policy. The updated Policy #33A is included as Schedule A of By-Law 2022-170.

Since this Policy and Statement are required to be signed off each year, staff recommend the Mayor to sign the updated Statement.

### **Financial Implications:**

There is no financial impact as a result of this report.

### **Communications & Community Action Plan Impact:**

This report has been written and presented to Council to communicate accurate information to the public.

### **Concluding Comments:**

1. Staff recommend that Council receive staff report HR2022-054 as information.
2. Staff recommend that Council approve Policy #33A by municipal By-Law 2022-170.



3. Staff recommend that the Mayor sign the Health and Safety Policy Statement for the 2022-2023 period.

Respectfully Submitted,

**HR Approval:** **Original Signed By**  
Kayla Best, HR Coordinator

**CAO Approval:** **Original Signed By**  
Dave Milliner, CAO

**Attachments:** None

**THE CORPORATION OF THE TOWNSHIP OF SOUTHGATE**

**BY-LAW NUMBER 2022-152**

being a By-law to adopt a "Health and Safety Policy"  
known as Policy Number 33 A

**Whereas** the Municipal Act, S.O. 2001, Chapter 25, as amended, Section 5 (3), states that municipal power, including a municipality's capacity, rights, powers and privileges, shall be exercised by by-law unless the municipality is specifically authorized to do otherwise; and

**Whereas** the Municipal Act, S.O. 2001, Chapter 25, as amended, Section 9, provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act; and

**Whereas** the Council of The Township of Southgate has deemed it desirable to adopt a policy with respect to Health and Safety,

**Now therefore be it resolved that** the Corporation of the Township of Southgate hereby enacts as follows:

1. **That** the "Health and Safety Policy" known as Policy No. 33 A, attached hereto as Schedule A is hereby adopted; and
2. **That** this by-law shall come into force and effect on the date of its passing.

**Read a first, second and third time and finally passed this 7<sup>th</sup> day of December, 2022.**

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Brian Milne – Mayor

---

Lindsey Green – Clerk

# TOWNSHIP OF SOUTHGATE

Policy # 33A

Health & Safety Policy

Approved by Council on: December 7, 2022



## 1. Purpose

The purpose of this policy is to establish a Health and Safety Policy Statement that will articulate the Township of Southgate's commitment to a healthy and safe work environment.

## 2. Scope

This policy applies to all Township of Southgate (Southgate) employees, members of Council, volunteers, members of the public and contractors.

## 3. Definitions

- a. **"Employer"** – for the purpose of this Policy is the Township of Southgate.
- b. **"The Act"** – Occupational Health and Safety Act as amended.

## 4. Policy

- a. The Township shall develop and maintain a Health and Safety Policy and Policy Statement and have the statement signed annually by the Mayor (Schedule A).
- b. The Health and Safety Policy Statement shall be posted in a conspicuous place at all Township workplaces.
- c. In addition to the Health and Safety Policy, the Township shall have a Health and Safety Manual that outlines specific Health and Safety programs and procedures.

## 5. Related Policies and Legislation

- a. Occupational Health and Safety Act, R.S.O. 1990, c. O.1
- b. Township of Southgate Policy #33B: Violence & Harassment Policy



# **Township of Southgate**

## **Policy # 33A**

### **Occupational Health & Safety Policy**

#### **Schedule A**

#### **Southgate Health & Safety Annual Policy Statement**

The Township of Southgate is committed to providing protection of all employees from injury or occupational disease. The Township of Southgate will make every effort to provide a safe, healthy work environment. All management, supervisors and workers must be dedicated to the continuing objective of eliminating hazards that may result in personal injury and illness.

It is the responsibility of the Township to provide safe equipment, safe working conditions, safety training and create a culture of health and safety. All employees are expected to help us create a positive safety culture and help minimize hazards and risks within our workplace. Safe work practices and procedures will be clearly outlined in the Township's Health and Safety Manual for all employees to follow.

Employees are expected to be familiar with the Occupational Health and Safety Act and to abide by all safety regulations and policies and to work safely at all times, so as not to endanger themselves or other workers. It is also the responsibility of every employee to report all unsafe or unhealthy conditions and to ensure that safe and healthy work conditions are maintained.

The objective of our Occupational Health & Safety Policy is to provide and maintain a safe and healthy workplace and to eliminate hazards that result in injuries or illness in the workplace.

---

**Mayor**

---

**Date**



## **Staff Report PL2022-079**

**Title of Report:** PL2022-079-Planning Application Process  
**Department:** Planning Services  
**Council Date:** December 7, 2022

### **Recommendation:**

**Be it resolved that** Council receive Staff Report PL2022-079 for information; and  
**That** Council direct staff to proceed with bringing forward the various recommendations in this report for consideration at the next opportunity.

### **Background**

There has been new legislation that has been passed over the last 8 months That has significantly impacted municipalities and in particular planning. Bill 109 created rigid timelines for certain planning application as well as financial consequences for municipalities for not meeting those timelines.

For Official Plan Amendments there is a 120 day time limit to make a decision on an application from the time it is deemed complete. Should it take longer then that time, 50% of the fees must be returned to the applicant. After another 30 days 75% of the fees must be returned and after that all of the fees must be returned.

Similarly, for Zoning By-law amendments municipalities have 90 days from the time it is deemed complete to make a decision or 50% of the fees must be returned. This increases to 75% after another 30 days and then 100% refund after that.

Lastly, for Site Plan Approvals Municipalities now have 60 days to make a decision with respect to a site plan application. Similarly fees must be returned if there is a delay. Municipalities also appoint a staff person to approve the site plans. For Southgate Township that responsibility falls to the Township Planner.

These changes are slated to take effect with all new planning applications beginning January 1<sup>st</sup> 2023.

### **Staff Comments**

The time constraints above make it paramount that an application have some level of review prior to being deemed complete. Once an application is deemed complete there is very little time or opportunity to make changes and still meet the required timelines. Even an applicant who is agreeable to changes in an application would receive 50% of their fees back if the municipality was one day late on making a decision on their file. The Legislation unfortunately says "shall" refund an applicants fees leaving no wiggle room to work with an applicant.

Another major issue that will ultimately affect efficiency of development approvals, is that municipalities will no longer be able to concurrently process applications as they will have different timelines for approval. Where Southgate in the past has processed Official Plan and Zoning applications at the same time as well as Zoning and Site Plan Applications, that will no longer be possible. These applications have different approval timelines which ultimately means that they must be dealt with separately. A Joint Official Plan Amendment and Zoning By-law Amendment that use to be handled concurrently and take 120 days will now take 210 days.

Another issue that will impact small municipalities is capacity to process applications. With the strict timelines any little delay or overload of work could result in fees being returned affecting the bottom line of municipalities and ultimately the taxpayer.

Larger municipalities have multiple staff to handle a large influx of inquiries, applications or to cover off another staff member that becomes ill or is on vacation. Smaller municipalities with one staff person and larger volumes of development will find it difficult to provide the same level of service and still maintain the legislated timelines. Small municipalities will have to make the choice to hire additional staff to maintain service levels to the public or accept that some if not all of the cost recovery application fees could be lost and the taxpayer ultimately paying for development.

As stated above, it is important to have some level of review of applications before they are deemed complete, to insure that applications are being reviewed properly and municipal and public interests are protected. Discovering after an application has been deemed complete that the engineering work requires a peer review could be time consuming and result in delays that push the application beyond the legislated timeline. To avoid this staff propose the following process:

1. Initial pre-consultation meeting requiring a preliminary sketch of proposed development.
2. Written response outlining all of the studies, reports and drawings that are required to be deemed a complete application.
3. A "P" file is created with the pre-consultation notes and written response to the applicant.
4. Prior to submitting an application all studies and plans are to be submitted along with a \$500 fee for initial review and comments by internal staff, County and potentially peer reviewers. If there are deficiencies in the application materials then the applicant is notified to correct the deficiencies.
5. The application is submitted and deemed complete as prescribed by the planning act and deemed complete.

In addition to the above, to insulate against potential application fee losses or the hiring of additional staff, it is recommended that Planning fees be reviewed and kept current with other municipalities within the region. Planning fees within the Township have not had a serious review in many years and have fallen behind. Correcting this will provide some additional revenue for the Township to offset some costs.

## Recommendations

1. Implement the proposed pre-consultation process outlined above.
2. Update the pre-consultation by-law to require a preliminary review of studies upfront prior to submission.
3. Require a new \$500 review fee to cover a preliminary review of applications
4. Adopt a planning policy indicating that applications will not be handled concurrently. The application with the longest approval time period will be dealt with first.
5. Create a Planning Policy that does not allow applications to be substantially changed once submitted and a clear refund policy for fees.
6. Update the fees and charges bylaws at the earliest opportunity recoup costs and make planning almost entirely cost recovery based.
7. Hire a Junior Planner to provide more capacity to meet the excessive development pressures being experienced by the Township and meet the rigid timelines for all planning applications.

## Financial Implications

As discussed above there are significant financial implications that will arise no matter what Council decides. Should council choose to maintain the status quo, planning service levels will be challenged as the Township will still need to meet the timelines. In addition to service level the revenues will decrease depending on how many application timelines are missed and by how much.

Implementing the recommendations above will allow the municipality to maintain service levels of review and processing in order to meet the legislated timelines required by the recent changes.

## Conclusions

Based on the above discussion it is staff's opinion that the Township should follow through with all of the recommendations outlined in this report.

Respectfully Submitted,

**Municipal Planner:** Original Signed By  
Clinton Stredwick, BES, MCIP, RPP



**CAO Approval:** Original Signed By  
Dave Milliner, CAO

**Attachments:**

**Township of Southgate**  
**Administration Office**  
185667 Grey Road 9, RR 1  
Dundalk, ON N0C 1B0



**Phone:** 519-923-2110  
**Toll Free:** 1-888-560-6607  
**Fax:** 519-923-9262  
**Web:** www.southgate.ca

## **Staff Report FIRE2022-021**

**Title of Report:** FIRE2022-021- Volunteer Firefighter Appointment  
**Department:** Fire  
**Council Date:** December 7, 2022

### **Recommendation:**

**Be it resolved that** Council receive Staff Report FIRE2022-021 for information.

### **Background:**

In September of 2022 the fire department advertised the position of volunteer firefighter through the local paper, social media, the township website, and the fire departments sign on highway 10. A total of 18 applications were received. The candidates progressed through the hiring stages which consisted of an aptitude test, interviews and finally a physical fitness test. From the 18 applicants 9 were chosen and offered the position of Volunteer Firefighter with the Dundalk Fire Department. Their official start date will be January 4<sup>th</sup> 2023 when they will start their recruitment training.

### **Staff Comments:**

Staff would like to welcome Brittany McLeod, Madison Byers, Alexandria Reisenweber, Kelsey Trudgeon, Amanda Coutts, Chris McRae, Justin McLeod, Keegan Henderson, and James Johnstone to the Dundalk Fire Department.

With this hire the Dundalk Fire Department will start the 2023 year with its full complement of volunteer firefighters having 35 on roster.

### **Financial Implications:**

The financial impact of this hire will be accounted for in the 2023 operational budget.

### **Communications & Community Action Plan Impact:**

This report has been written and presented to Council to communicate accurate information to the public.

### **Concluding Comments:**

**1.** Staff recommends that Council receive Staff Report FIRE2022-021 for information.  
Respectfully Submitted,

**Dept. Head:** Original Signed By  
Derek Malynyk, Fire Chief Official

**CAO Approval:** Original Signed By  
Dave Milliner, CAO



## Township of Southgate

### Administration Office

185667 Grey Road 9, RR 1

Dundalk, ON N0C 1B0



**Phone:** 519-923-2110

**Toll Free:** 1-888-560-6607

**Fax:** 519-923-9262

**Web:** www.southgate.ca

## Staff Report FIRE2022-022

**Title of Report:** FIRE2022-022- Volunteer Firefighter Retirement

**Department:** Fire

**Council Date:** December 7, 2022

### Recommendation:

**Be it resolved that** Council receive Staff Report FIRE2022-022 for information.

### Background:

The Dundalk Fire Department has five members retiring from the service this year. Don VanAlstine who has served 43 years on the Dundalk Fire Department, Paul VanAlstine who has served 24 years, Ken Smith who has served 24 years, Lorne Fick who has served 18 years on the Dundalk Fire Department and 7 years with the Township of Erin Fire Department and Bruce Marshall is being recognized for 20 years of service on the Dundalk Fire Department.

### Staff Comments:

Staff would like to thank each member for their service over the years and wish them the best of luck in their future endeavours. Most of these members have joined the Dundalk retired firefighter's association and will still be active at community events for the fire department.

### Financial Implications:

The financial impact of this report will be covered under the 2022 operational wages.

### Communications & Community Action Plan Impact:

This report has been written and presented to Council to communicate accurate information to the public.

### Concluding Comments:

1. Staff recommends that Council receive Staff Report FIRE2022-022 for information.

Respectfully Submitted,

**Dept. Head:** Original Signed By  
Derek Malynyk, Fire Chief Official

**CAO Approval:** Original Signed By  
Dave Milliner, CAO



## **Staff Report PL2022-080**

**Title of Report:** PL2022-080-Bill 23 Impacts on Southgate  
**Department:** Planning Services  
**Council Date:** December 7, 2022

### **Recommendation:**

**Be it resolved that** Council receive Staff Report PL2022-080 for information.

### **Background**

Bill 23 the more Homes Built Faster Act, 2022 was introduced on October 25. This legislation proposed sweeping changes to a number of Acts including the Planning Act, Development Charges Act, and Conservation Authorities Act. These changes and their potential impacts were summarized in a County Staff report PDR-CW-37-22. This report was forwarded on to Council Elect for information but can be reviewed as Attachment 1 to this report.

On November, 28, 2022, Royal Assent was given to Bill 23, the [More Homes Built Faster Act, 2022](#). The Act, which was introduced on October 25, has been passed quickly, but did undergo some important changes after public hearings and debate at the legislative committee stage. These changes are summarized in the staff comments below.

### **Staff Comments**

The original proposal to eliminate all third party appeals was dropped, with the result that there are no changes to the ability to appeal official plan and zoning by-law amendments. Third party appeals are now no longer possible for the approval of minor variances or consent applications. In Southgate this means that Official Plan and Zoning Amendments can still be appealed by local individuals while Consent and Minor Variance Applications can not.

The existing prohibition on applications to amend certain documents within two years of approval, including new official plans, secondary plans and minor variances within two years of a re-zoning application, has been eliminated. For Southgate that means even after just approving our new Official Plan, Developers can request to amend it without giving the plan a change to work. Amending a plan just because a developer comes along is development facilitation not planning.

The five year phase-in period for development charge increases now applies to by-laws passed after January 1, 2022 (the original date had been June 1). This will have a significant effect on the municipality with the loss of 10's of thousands of

dollars to the phasing period only to have to redo it again. So in actuality a municipality will only ever be able to collect 100% of its DC's after 4 years..

Where in-kind contributions are made by a developer to satisfy community benefit charges requirements, an agreement regarding those contributions can now be made and registered on title. This is not relevant to Southgate as we do not have a community benefit charge.

The Site plan process which was restricted to matters of functional servicing (grading and drainage and sewer and water supply) can now apply to:

- matters related to green roofs;
- building construction requirements related to environmental conservation, where permitted, under the Building Code Act;
- the appearance of building elements if it impacts health, safety accessibility or sustainable design.

The biggest impact for Southgate in this regard is that we can no longer require any form of landscaping in a Site Plan. If the developer wants to leave the front lawn as gravel the Township can no longer require grassing or trees if it is not specifically related to grading and drainage.

Not all proposed changes come into force immediately. The Table below drafted by the Osler law firm sets out those changes that are now in force, as well as those that won't come into force until a later date to be confirmed by the government.

Not particularly relevant to Southgate but interesting none the less, Bill 23 does not make any changes to the Greenbelt despite media coverage to the contrary. While the consultation on changes to the Greenbelt was announced the same day that Bill 23 was introduced, the Bill itself does not propose changes to the Greenbelt.

<b>Issue</b>	<b>Proposed changes and impacts on Southgate</b>	<b>In force date</b>
<b>Inclusionary Zoning/Affordable and Attainable Housing</b>	Exempt affordable housing (generally defined as being priced at no greater than 80% of the average price/rent in the year a unit is rented or sold) and inclusionary zoning units from DC, CBCs and parkland dedication.  Comment: Inclusionary Zoning does not apply to Grey County as we do not have any major transit hubs. Generally defining 80% of the average price/rent per unit as affordable housing does have a significant impact Southgate. 80% of the current	Nov. 28, 2022

	market rate is still out of reach for many families in Southgate. Furthermore exempting these proposed units from DC essentially allows developers , under the guise of affordable housing to avoid paying Development Charges.	
	<p>Introduce a category of “attainable housing” which will be defined in future regulations.</p> <p>-Presumably this would be at a rate higher then the affordable threshold however unless there is meaning policy affordable and attainable housing in Southgate is not being addressed.</p>	TBD
	<p>An upper limit of 5% of the total number of units in a development that can be required to be affordable as part of inclusionary zoning, and a maximum period of 25 years over which the units would be required to remain affordable (this is a proposed regulation change, not in the legislation itself)</p> <p>Comment: The Township does not have inclusionary zoning but still 5% is a pitiful number to even make a dent in the affordable housing needs of the province or Township</p>	TBD (regulation not yet in force)
<b>Parkland</b>	<p>The maximum amount of land that can be conveyed or paid in lieu is capped at 10% of the land or its value for sites under 5 ha, and 15 % for sites greater than 5 ha.</p> <p>This provision is likely overdue to limit overcharging by some municipalities but given the limiting of DC charges to pay for development this is one more tool that has been removed from the municipal tool box to now make the tax payer pay for development.</p>	Nov. 28, 2022

	<p>Maximum alternative dedication rate reduced to 1 ha/600 units for land and 1 ha/1000 units for cash in lieu.</p> <p>Comment: This severely limits the amount of parkland that a Township can require for parkland. For the alternative rate this would mean that for all of Flato East we would require 1.5 ha of land.</p>	Nov. 28, 2022
	<p>Parkland rates frozen as of the date that a zoning by-law or site plan application is filed. Freeze remains in effect for two years following approval. If no building permits are pulled in that time, the rate in place at the time the building permit is pulled would apply.</p> <p>Comment: this is another form of phasing that ultimately costs the Township money. Rates for Parkland dedication are frozen from the time the application is made and for 2 years following the approval of the by-law or site plan.</p>	Nov. 28, 2022
	<p>Encumbered parkland/strata parks, as well as privately owned publicly accessible spaces (POPS) to be eligible for parkland credits</p> <p>Comment this is currently not an issue for Southgate.</p>	TBD
	<p>Landowners can identify land they intend to provide for parkland, with the municipality able to appeal to the Tribunal if there is a disagreement.</p> <p>Comment: now the developer can dictate which land the municipality should accept as parkland and if the Municipality does not agree then they must appeal to the OLT.</p>	TBD
	<p>Parks plans to be required prior to the passing of any future parkland dedication by-</p>	Nov. 28, 2022

	<p>law (would not apply to by-laws already passed).</p> <p>Comment: A comprehensive Park Plan must be in place prior to passing any future parkland dedication by-law. This is a potential cost and impediment to a municipality collecting parkland dedication fees.</p>	
	<p>Parkland dedication will apply to new units only (i.e., no dedication can be imposed for existing units)</p> <p>Comment- This makes sense except that it also applies to second and third units within existing homes.</p>	Nov. 28, 2022
	<p>Municipalities will be required to spend or allocate 60% of parkland reserve funds at the start of each year.</p> <p>Comment: This will be a critical part of municipal budgeting to ensure that parkland dedication fees are not wasted. It could however severely limit the municipalities ability to save for larger projects.</p>	Nov. 28, 2022
<b>Development Charges</b>	<p>Five year phase-in of DC rate increases, beginning with a 20% reduction in the first year, with the reduction decreasing by 5% each year until year five when the full new rate applies. This is proposed to apply to all new DC by-laws passed since January 1, 2022</p>	Nov. 28, 2022
	<p>Historical service level for DC-eligible capital costs (except transit) extended from 10 to 15 years</p> <p>Comment: As stated previously this means that a DC by-law will be at 100% for only</p>	Nov. 28, 2022

	half of the time before it is required to be refreshed with a new bylaw. This will be a significant reduction in revenues that would go to help provide new infrastructure in Southgate.	
	<p>DC by-laws will expire every 10 years, instead of every five years. By-laws can still be updated any time.</p> <p>Comment: This will not negatively affect the Township as we still can update the by-law at any time.</p>	Nov. 28, 2022
	<p>Cap the interest paid on phased DCs for rental, institutional and non-profit housing to prime plus 1%.</p> <p>Comment: This is again limiting the Townships ability to recoup costs.</p>	Nov. 28, 2022
	<p>DC/CBC/parkland exemptions for attainable housing, which will be projects designated by future regulations.</p> <p>Comment: These exemption will have an effect of the Townships finance but it is unclear by how much.</p>	TBD (attainable housing regulations not yet released)
	New regulation authority to set services for which land costs would not be an eligible capital cost recoverable through DCs	TBD
	<p>Exclude the cost of studies (including background studies) from recovery through DCs.</p> <p>Comment: This again limits what the Township can recover as far as development costs. DC studies will now be paid for by the Tax payers.</p>	Nov. 28, 2022

	<p>Municipalities will be required to spend at least 60% of DC reserves for priority services (i.e., water, wastewater and roads).</p> <p>Comment: THIS will have a tremendous effect on Southgate. Spending 60% of DC reserves for priority services will severely limit the ability of the municipality to save for larger projects in future years. This could be a major concern for funding eco park road expansions as well as waste water expansions.</p>	Nov. 28, 2022
	<p>Discount for purpose-built rental units, with a higher discount for larger units, on top of the existing DC freeze and deferral of payments over five years.</p> <p>Comment , this again puts the Township in a position of having DC discounted on top of deferral payments for purpose build rental units. The Taxpayer will be directly subsidizing development of rental units.</p>	Nov. 28, 2022
<b>Community Benefit Charges</b>	<p>Maximum CBC payable to be based only on the value of land proposed for new development, not the entire parcel that may have existing development</p> <p>Comment, The Township does not have a Community Benefit Charge.</p>	Nov. 28, 2022
	Maximum CBC to be discounted by 4% of land value divided by the existing building size, as a proportion to total building square footage	Nov. 28, 2022
<b>Removal of Upper Tier approval powers</b>	Upper tier municipalities will be removed from the Planning Act approval process for both lower tier official plans and amendments and plans of subdivision	TBD



	Comment: The act originally indicated the Growth Plan and Greater Golden Horseshoe upper tiers would be the ones losing their approval powers. I believe e\this is still the case but may change.	
	Minister would (unless otherwise provided) therefore become the approval authority for all lower tier OP and OPAs, and Minister's decisions are not subject to appeal	TBD
<b>Zoning in MTSA's</b>	<p>Municipalities will be required to update zoning to include minimum heights and densities within approved Major Transit Station Areas (MTSA) and Protected MTSA's within one year of MTSA/PMTSA being approved</p> <p>Comment: The Township does not have a major Transit Area.</p>	Nov. 28, 2022
<b>Third-party appeals eliminated – minor variances and consents</b>	<p>No one other than the applicant, the municipality, certain public bodies, and the Minister will be allowed to appeal minor variance or consent decisions.</p> <p>Comment: Southgate members of the public can no longer appeal minor variances or consents. So the brunt of any decisions made by the Committee of Adjustment will be felt by Council. The only recourse for the public is to complain directly to Committee members to affect change prior to a decision being made on an application.</p>	Nov. 28, 2022
	Existing third-party appeals where no hearing date has been set. as of October 25, will be dismissed. The scheduling of a case management conference or mediation will not be sufficient to prevent an appeal from being dismissed	

<p><b>Gentle Density/Intensification</b></p>	<p>As of right zoning to permit up to three residential units per lot (two in the main building and one in an accessory building), with no minimum unit sizes.</p> <p>Comment: This will have an affect within the Township with homes having two or even three units provided they can provide the required parking. The Township's by-law should be strengthened to clearly indicate how much frontage is required for snow storage and how much can be utilized for parking.</p>	<p>Nov. 28, 2022</p>
	<p>New units built under this permission would be exempt from DC/CBC and parkland requirements, and no more than one additional parking space can be required</p>	
<p><b>Subdivision approvals</b></p>	<p>Public meetings no longer will be required for applications for approval of a draft plan of subdivision.</p> <p>COMMENT: This has a major affect on the Township as a public meeting is no longer required for the MZO lands in effect. The Township was under the understanding that a public meeting at the Subdivision stage would still be there to educate and inform the public. This is not the case and the public will not have knowledge about what is to transpire within the MZO lands without inquiring with staff.</p>	<p>Nov. 28, 2022</p>
<p><b>Site plan control</b></p>	<p>Developments of up to 10 residential units will be exempted from site plan control.</p> <p>Comment: This could have a problem from a lot servicing and stormwater management perspective.</p>	<p>Nov. 28, 2022</p>

	<p>Architectural details and landscape design aesthetics will be removed from the scope of site plan control.</p> <p>Comment: The Township can no longer require any trees or landscaping. IF the developer wants to put gravel they are free to do that. This is a loss for the Township that will encourage “ugly” development. It won’t necessarily be all development but there will be instances.</p>	<b>Nov 28 2022</b>
<b>Rental Replacement</b>	<p>Minister to be given the authority to enact regulations related to the replacement of rental housing when it is proposed to be demolished or converted as part of a proposed development.</p> <p>This has not been an issue in Southgate.</p>	Nov. 28, 2022
<b>Heritage</b>	<p>Municipalities will not be permitted to issue a notice of intention to designate a property under Part IV of the Ontario Heritage Act unless the property is already on the heritage register when the current 90-day requirement for Planning Act applications is triggered</p> <p>Comment: Heritage under Part IV of the Heritage Act has not been a priority for Southgate.</p>	TBD
	Heritage registers to be reviewed and a decision made whether listed properties are to be designated, and if not, removed from the register	TBD
	A process is proposed which will allow Heritage Conservation District Plans to be amended or repealed	TBD
	Criteria for Heritage Conservation District Plans can be established for regulation	TBD

<b>Ontario Land Tribunal procedures</b>	The Tribunal will have increased powers to order costs against a party which loses a hearing at the Tribunal  Comment: This may be beneficial to the Township but with limiting third party appeals it could also work against the Township where it loses the hearing.	All OLT Act changes not yet in force – date TBD
	The Tribunal is being given increased power to dismiss appeals for undue delay	
	The Attorney General will have the power to make regulations setting service standards with respect to timing of scheduling hearings and making decisions	
	Regulations can also be made to establish priorities for the scheduling of certain matters	
<b>Conservation Authorities</b>	Permits will not be required within regulated areas (including wetlands) for activity that is part of a development authorized under the Planning Act  Comment- This has the effect of allowing those areas of land where “fingers or patches” of wetland exist to be developed. This will benefit the Township in areas like the ecopark where they were farmed in the past but have developed since.	<b>TBD</b>
	A single regulation is proposed for all 36 Authorities in the province	<b>TBD</b>
	Clear limits are proposed on what Authorities are permitted to comment on as part of the planning approvals process, which will keep their focus on natural hazards and flooding  Comment: the Single regulation area is really good as it provides consistency across Ontario. The downside to this legislation is	<b>January 1, 2023</b>

	that Natural Heritage is not being addressed at all anymore. So Private development will now be required to hire someone to provide comments on natural heritage. Alternatively natural Heritage comments could be provided at the County level where there is some economy of scale by hiring one person to comment for all the municipalities within the County.	
<b>Consumer protection</b>	Proposed increases to penalties under the New Homes Construction Licensing Act, 2017 of up to \$50,000	Nov. 28, 2022

### Financial Implications

Many of these changes will have significant negative consequences on the financial ability of the Township to require growth to pay for growth. Growth will now be paid for in part by the taxpayer.

### Conclusions

There are lots of changes to various legislation which will achieve the goal of providing more housing that is clear. The costs to the environment and the taxpayer are not clear however and it remains to be seen if the Province will step up with more infrastructure funding. Based on the above it is recommended to accept this report as information.

Respectfully Submitted,

**Municipal Planner:** *Original Signed By*  
Clinton Stredwick, BES, MCIP, RPP



**CAO Approval:** *Original Signed By*  
Dave Milliner, CAO

### Attachments:

1. **County Staff Report PDR-CW-37-22**

# Committee Report

<b>To:</b>	Warden Hicks and Members of Grey County Council
<b>Committee Date:</b>	November 10, 2022
<b>Subject / Report No:</b>	Comments on Bill 23 / PDR-CW-37-22
<b>Title:</b>	Bill 23 – More Homes Built Faster Act and associated consultations
<b>Prepared by:</b>	Grey County Staff
<b>Reviewed by:</b>	Kim Wingrove and Randy Scherzer
<b>Lower Tier(s) Affected:</b>	All Municipalities
<b>Status:</b>	

## Recommendation

1. That report PDR-CW-37-22 regarding an overview of the '*Bill 23: More Homes Built Faster Act, 2022*' be received; and
2. That report PDR-CW-37-22 be forwarded onto the Province of Ontario as the County of Grey's comments on *Bill 23 More Homes Built Faster Act, 2022* and the associated consultations posted on the Environmental Registry and Ontario Regulatory Registry through postings # 019-2927, 019-6141, 019-6160, 019-6162, 019-6163, 019-6172, 019-6173, 019-6197, 019-6211, 22-MAG011, 22-MMAH017, and 22-MMAH018; and
3. That report PDR-CW-37-22 be forwarded onto the Standing Committee on Heritage, Infrastructure and Cultural Policy as the County of Grey's comments on *Bill 23, More Homes Built Faster Act, 2022*; and
4. That the County request that the province extend the commenting period on *Bill 23 More Homes Built Faster Act, 2022* to allow for additional review and consultation time; and
5. That the report be shared with member municipalities and conservation authorities having jurisdiction within Grey County; and
6. That staff be authorized to proceed prior to County Council approval as per Section 25.6(b) of Procedural By-law 5003-18.

## Executive Summary

The province recently released proposed legislative and regulatory changes under 'Bill 23: More Homes Built Faster Act' and are seeking comments by November 24, 2022, for a number of the

proposed changes. Bill 23 proposes several amendments to the *Planning Act*, the *Development Charges Act*, the *Conservation Authorities Act*, the *Ontario Land Tribunal Act*, as well as several other pieces of legislation. While there are some positive changes in Bill 23, there are other changes that may impact Grey County, member municipalities, and conservation authorities in an adverse fashion. Within the report County staff have flagged policies that could negatively impact County and municipal revenues, changes to the planning process, and changes which would have a major impact on conservation authorities, both in their operations and the services they provide to the County and member municipalities. This report, including Appendix 1, provides a summary of Bill 23 and some recommended comments regarding the legislative and regulatory changes and the associated consultations.

## Background and Discussion

The province established the Provincial Housing Affordability Task Force in 2021 to recommend measures to increase the supply of market housing in Ontario. The Provincial Affordable Housing Task Force released their report earlier this year (linked to in the Attachments section of this report) and made a number of recommendations for the province to consider. In response to those recommendations, the province passed some initial legislative changes through Bill 109 earlier this year. Municipalities across the province are still trying to implement the changes made through Bill 109 to the planning process, with key elements of Bill 109 set to take effect on January 1, 2023

Bill 23 proposes additional changes which could positively and negatively impact municipalities and conservation authorities further. Bill 23 has made several proposed amendments to the *Planning Act*, the *Development Charges Act*, the *Conservation Authorities Act*, the *Ontario Land Tribunal Act*, as well as several other pieces of legislation. There are a series of Environmental Registry and Ontario Regulatory Registry postings which the province is seeking feedback on. Links to each of these postings have been included in the Attachments section of this report. In many of these postings the deadline to provide comments is November 24, 2022.

Given that the legislation and proposed regulatory changes were released on October 25, 2022, the day after the municipal elections, this comment deadline provides very little time for municipalities to review the changes and submit comments through their respective municipal councils, or in the case of other public authorities such as conservation authorities, through their boards. In some cases, based on the changeover in municipal councils, there are no further municipal council meetings between the date the legislation was released and the comment deadline. Staff request that the province consider extending these commenting deadlines into 2023 to allow for more fulsome consultation on the proposed changes.

A housing-oriented review of the Provincial Policy Statement 2020 has also been announced. The deadline for comments is a little further out (December 30<sup>th</sup>, 2022), so staff are planning a future staff report on this topic.

This report provides a summary of the key changes made to the *Development Charges Act*, the *Planning Act*, the *Conservation Authorities Act*, the *Ontario Land Tribunal Act*, as well as some of the other consultations. The report provides some comments/feedback on the matters the province is seeking feedback on.

For the purposes of this report the use of the term ‘municipalities’ is meant to apply in a broad sense to upper, lower, and single tier municipalities, and is not meant to apply to just lower or single tier municipalities.

In preparing this report, County staff discussed the proposed changes with municipal and conservation authority staff, which has helped inform the opinions in the report. Additional meetings are scheduled with municipal and conservation authority staff to discuss matters further.

The effect of new legislative changes can sometimes be tough to predict at this early stage, as some of the future changes will be implemented through further guidelines or regulation changes. Some of the changes are welcomed by the County, however there are changes that cause concern and staff recommend that the province reconsider.

Grey County welcomes the opportunity to provide feedback on these proposed changes and thanks the province for the ability to do so.

## Summary of Comments on Bill 23 and Associated Consultations

A detailed summary of the proposed legislative and regulatory changes has been provided in Tables 1 – 5 in Appendix 1 to this report. For the sake of brevity, staff will not summarize the changes directly in this report, but rather will focus on a summary of the recommended comments to be shared with the province. The below summary will focus on those items where staff are recommending change or clarification, rather than highlighting those items staff are in support of or have no comment on.

### General

1. Staff request that the province consider extending these commenting deadlines into 2023 to allow for more fulsome consultation on the proposed changes.

### ***Development Charges Act (See Appendix 1: Table 1 for more details)***

2. Conditionally exempting development charges (DCs) for a number of set projects will impact (a) municipal DC revenue, and (b) will require additional staff time and resources to manage the agreement process. Municipalities will be required to recoup these lost DC revenues through general tax levy, which will result in tax increases. Some lenders may be reluctant to lend development capital to developers while DCs may still be payable on the project, due to the prospect of a lien arising. A standardized process for title registrations involving a document simpler than an agreement, such as a notice of exempt DCs, may simplify both administration for municipalities and interaction with the land title system for owners, lenders, and transaction parties.
3. The definition of ‘affordable’ (rental and ownership) needs to be adjusted, as 80% of market value is still unaffordable to many Ontarians. It would also be helpful to know if the Provincial Policy Statement (PPS) will also be amending the definition of affordable in the same manner, as this would trigger the need to update municipal official plans.
4. A definition for ‘attainable’ should be provided prior to any legislative changes so that municipalities can understand the impacts.
5. Municipalities should have more autonomy regarding discounting DCs for purpose-built rental units that are priced at market rental rates (i.e., not ‘affordable’ as per the



definition noted above). Criteria may be appropriate which links such discounts to municipal rental vacancy rates.

6. A mandatory phase in of new DC by-laws and charges could have the effect of charging less in the early years of a new DC by-law than the previous by-law charged, negatively impacting long term capital plans.
7. Housing services and background studies should still be eligible for DC funding. Eliminating housing services and background studies appears contrary to Bill 23's objective of seeing additional housing created, and the generally accepted DC philosophy of 'development pays for development'.
8. Extending DC by-laws from five to ten years is supportable, but many municipalities have specific lapsing dates in their current by-laws and so will need to amend them and will need to undertake new background studies in order to do so. If there is any legislative ability to permit extensions of lapsing dates and continuation of established DC amounts within the ten-year period without requiring a new background study that would help those municipalities interested in extending their by-laws.
9. Clarification is needed on 'spending' versus 'allocating' 60% of DC reserve funds each year for water, wastewater, and roads purposes. Depending on how this is defined, allocating may be feasible, but spending would not. If municipalities are required to spend 60% of DC Reserve funds each year for growth-related infrastructure projects, this would be practically impossible as many DC eligible infrastructure projects come with significant costs and require years to accumulate the funds and significant time to complete various studies and approvals needed to undertake the project, including in some case provincial approvals. Additional staff time will be needed for either process and municipalities may be required to debenture the up-front costs associated with growth-related infrastructure projects if sufficient DC funds have not been collected yet prior to when the DC reserves will need to be spent/allocated.

**Planning Act (See Appendix 1: Table 2 for more details)**

10. Limits on third-party appeals may reduce the overall number of appeals and 'speed up' some development processes. It may however place more pressure on approval authorities and/or erode confidence in local governments if adequate discussion and consensus building is not achieved.
11. As-of-right permissions for ARUs in serviced settlement areas are generally supportable but may come with some operational challenges at the local level. It should also be made clear that municipalities can still permit ARUs in privately serviced settlement areas and rural areas.
12. Optional public meetings for subdivisions are difficult to grasp given that many other more minor planning applications will still require a public meeting or public hearing. Municipalities should be encouraged to develop criteria for where subdivision public meetings are required and where they may not be.
13. Removal of upper tier planning responsibilities does not directly impact Grey County at this stage but could have negative impacts on general coordination between municipalities, workloads, and ability to absorb this change at the lower tier level (both short and long-term). Such changes may also result in the duplication of efforts at the lower tier level, on matters previously captured in an upper tier's official plan updates. Should the province look to add additional upper tiers to the list of those without planning

responsibilities, further consultation should be undertaken given the variety of planning service delivery models in upper tiers across the province.

14. Site plan changes should be clarified or reconsidered as to how they apply to mixed use developments containing 10 or less residential units. The ability for municipalities to address sustainability matters and to implement green development standards, often implemented via the Site Plan Control process, should also be considered. Excluding sustainability and climate from site plan consideration, could leave new housing exposed to spiraling energy costs and carbon prices, and necessitate costly future retrofit costs. Upper tiers without planning responsibilities should still be eligible to require road widening on a site plan where the development abuts an upper-tier road.
15. Similar to item # 9 above, clarification is needed on 'spending' versus 'allocating' as it applies to parkland dedication. It should also be made clear that developers seeking to dedicate parkland, or challenge a municipal refusal of parkland dedication, still need to conform to municipal official plan policies on the type of land acceptable for parkland.
16. Inclusionary zoning should be made further applicable to municipalities without protected major transit stations and development permit systems.

***Conservation Authorities Act (See Appendix 1: Table 3 for more details)***

17. The proposed changes to conservation authorities should be considered by the multi-stakeholder working group with the province and the conservation authorities.
18. Exempting conservation authority permits where a planning application has been approved could lead to issues where a planning application has been approved which the conservation authority did not support.
19. The requirement to process permits in a shorter time period can only be completed if conservation authorities are adequately staffed and funded. Some of the changes being proposed will make appropriate funding and staffing levels difficult to achieve.
20. Limiting conservation authority roles in the development process to just natural hazard, will have a negative impact on planning services at the County and municipal levels, where municipalities rely on conservation authorities for such services. Additional staff and financial resources will be needed at the municipal level based on these proposed changes. Natural hazard and natural heritage matters are in many cases not mutually exclusive e.g., a wetland, and therefore it does not make sense to have two separate review bodies assessing each of these elements individually. The province should reconsider this change and should continue to allow for service agreements between municipalities and conservation authorities for non-mandatory services.
21. Freezing conservation authority fees could either drive municipal levy rates up or drive service levels down, creating delays in the development process. Given the changing climate, and more extreme weather events, conservation authorities are more important than ever.
22. Considering conservation authority lands for housing development may not be feasible in most cases due to natural hazard/heritage concerns, and proximity to hard and soft services. If such lands are being considered for development, criteria should be provided at the provincial level in consultation with conservation authorities and municipalities.

***Ontario Land Tribunal Act (See Appendix 1: Table 4 for more details)***

23. Further criteria should be provided for when the OLT may award costs against a losing party, and it should be made clear that costs are not automatically awarded against any losing parties.

### **Other Proposed Legislative and Regulatory Changes (See Appendix 1: Table 5 for more details)**

24. Regarding the review of the Ontario Wetland Evaluation System:
- a. The deletion of conservation authority roles, given their ‘boots on the ground’ role in regulating wetlands and flooding hazards is concerning.
  - b. The deletion of many provisions around ‘wetland complexes’ is also concerning as it would appear to give more credence to individual assessments of wetlands without looking at a systems-based approach. Staff fear that evaluating a wetland in isolation could lead to more wetland loss.
  - c. Wetlands are crucial for our natural environment and mitigating against the impacts of climate change. Staff support greater emphasis on protection and recognition of the role of wetlands in this regard.
25. Regarding the changes to the *Municipal Act* to impose limitations on rental conversions or demolishing rental units, County staff would not want to see restrictions on municipal abilities to limit rentals from being converted to short term accommodations or condominiums. Staff also question how such limitations may interact with rental housing that was conditionally exempted from DCs.
26. Regarding the potential further review of the Building Code, staff encourage consideration of the latest technologies as it applies to both sewage systems and energy efficiency. Based on direction from the County’s Going Green in Grey Climate Change Action Plan, the County supports changes to the Code that enable higher standards for sustainable building, energy efficiency and which promote climate change adaptability.

## **Legal and Legislated Requirements**

None with this report.

## **Financial and Resource Implications**

Based on the changes proposed, particularly the *Development Charges Act* and *Conservation Authorities Act* changes, Bill 23 has potential to significantly impact County and municipal finances, for those municipalities that collect development charges or rely on conservation authority review services. At this stage the exact financial impact is not known, but it will likely mean the need to increase property taxes at the County and municipal levels to recoup the lost development charge revenues and/or require additional staff to be hired. Staff will continue to monitor Bill 23 and work in collaboration with local municipal and conservation authority staff, on ways to address Bill 23’s proposed changes and will keep County Council up to date on the status and impact.

## **Relevant Consultation**

☒ Internal: CAO, Community Services, Finance, Legal Services, Planning, and Transportation Services

☒ External: Member municipalities within Grey and Conservation Authorities having jurisdiction in Grey

## Appendices and Attachments

Appendix 1: Detailed Summaries and Comments on Bill 23 and Associated Consultations

[Bill 23, More Homes Built Faster Act, 2022](#)

[Provincial Affordable Housing Task Force Report](#)

[019-2927 Proposed updates to the regulation of development for the protection of people and property from natural hazards in Ontario](#)

[019-6141 Legislative and regulatory proposals affecting conservation authorities to support the Housing Supply Action Plan 3.0](#)

[019-6160 Proposed Updates to the Ontario Wetland Evaluation System](#)

[019-6162 Consultations on More Homes Built Faster: Ontario's Housing Supply Action Plan 2022-2023](#)

[019-6163 Proposed Planning Act and City of Toronto Act Changes \(Schedules 9 and 1 of Bill 23 - the proposed More Homes Built Faster Act, 2022\)](#)

[019-6172 Proposed Planning Act and Development Charges Act, 1997 Changes: Providing Greater Cost Certainty for Municipal Development-related Charges](#)

[019-6173 Proposed Amendment to O. Reg 232/18: Inclusionary Zoning](#)

[019-6211 Proposed Changes to Sewage Systems and Energy Efficiency for the Next Edition of Ontario's Building Code](#)

[019-6197 Proposed Changes to Ontario Regulation 299/19: Additional Residential Unit](#)

[22-MAG011 Proposed Amendments to the Ontario Land Tribunal Act](#)

[22-MMAH017 Seeking Feedback on Municipal Rental Replacement By-laws](#)

[22-MMAH018 Seeking Input on Rent-to-Own Arrangements](#)

Appendix 1: Detailed Summaries and Comments on Bill 23 and Associated Consultations

*Proposed Changes to the Development Charges Act*

The province is proposing to make a number of changes to the *Development Charges Act* summarized in Table 1 below.

**Table 1: Development Charges Changes and Staff Comment**

Item #	Proposed Change	Staff Comment
1	Exempting development charges (DCs) for affordable residential units and attainable residential units, not-for-profit housing developments, and inclusionary zoning residential units.	<p>Staff see some merit in this approach, and it aligns with the County’s current conditional exemption program. Staff would however note that this change will be onerous for municipalities and counties to apply, as it requires agreements to be registered on title for these exemptions. This change could require municipalities to take on additional staffing resources to manage this agreement process. It is further noted that such exemptions will result in a loss of DC revenue which may be substantial. Recent similar offerings from the County of Grey and the City of Owen Sound on purpose built rental housing have been well utilized, but resulted in significant revenue loss at the County and City levels. It is further noted that the County has experienced some issues with lenders and the ability for proponents to finance development based on these agreements on title, as outlined in recent <a href="#">staff report CAOR-CW-11-22</a>.</p> <p>In addition to increased municipal workloads to manage the agreement process, the use of agreements may complicate purchase and sale transactions for properties, as well mortgage lending processes. If municipalities are to administer a unified system for deferred / exempted development charges, and they will create some form of encumbrance on title similar to deferred DCs, it may be simpler to create a specific type of lien or similar interest that could be registered directly on title through the land titles system (and the land registry system, where still applicable) that would set out the express terms of any conditions applicable to the property with the deferred / exempted DCs, such as the amounts necessary to be repaid, who can advise if the amounts are repayable (e.g. the appropriate local municipality), and the conditions triggering any repayment.</p> <p>In the case of such liens or interests that extend past the original sale of the property (e.g., a property to be maintained as an affordable unit for 25 years), the responsibility of enforcement could be shared with solicitors acting on ownership transfers through the “law statements” mechanism provided for in the title registration system. Those solicitors could confirm compliance with appropriate conditions applying to transactions with the property; this would be similar to the statements they make currently regarding compliance with s. 50 of the Planning Act, a mechanism well understood by real estate lawyers.</p>

Item #	Proposed Change	Staff Comment
2	<p>New definitions for affordable rental and owned housing where affordable equals rent or purchase prices at no greater than 80% average market value or purchase price.</p> <p>A price threshold has not been provided for attainable owned housing.</p>	<p>Staff have significant concerns with the proposed definitions for affordable rental and owned housing. Setting the rate at no greater than 80% of market value would appear to conflict with the affordable definitions in the Provincial Policy Statement, and therefore in most official plans. If these changes are a signal of future PPS changes with respect to how 'affordable' is defined, it will require municipalities across the province to update their official plans.</p> <p>Staff would further note that in communities with high average rents or home values, it may not have the desired effect, e.g., if the average home price is \$1,000,000, then that means anything at \$800,000 or less would be considered affordable. In many municipalities this would mean developers would get DC exemptions for development that is still unaffordable to large portions of the population. This will also result in a significant loss of municipal income from DCs, which would mean that taxes would need to increase for all taxpayers to pay for growth-related capital infrastructure.</p> <p>The province has noted that these values for determining the 80% market value will be identified in the <i>'Affordable Residential Units for the Purposes of the Development Charges Act, 1997 Bulletin'</i>, as amended from time to time. At this point it is not clear how often this bulletin would be updated and whether these values would be set by county/region or if the values would be set by municipality. County staff would note that even within Grey County there is high housing price variability from municipality to municipality.</p> <p>It appears the exemptions for attainable housing would only apply to home ownership and not rental housing. It's tough for staff to estimate what the impact of this change would be, without understanding what values are assigned to attainable housing but would create similar administrative burden for municipalities to administer and monitor these exemptions. Based on the definition provided in the proposed legislative changes, it notes an attainable unit is a residential unit that is not an affordable residential unit. This would lead staff to believe that an attainable unit would be a unit somewhere between 81% and 100% of market value. Based on these proposed changes, the administrative burden it would create, and the lack of DC revenue generated; Development Charges become less viable and therefore growth-related costs are borne by taxpayers. Staff request that the province share a definition for attainable prior to the legislative changes being made, so that municipalities can understand the impact of this proposed change.</p>
3	<p>Discounts on DCs for purpose built rental housing, where rental housing is defined as 4+ units. The discounts are graduated for the</p>	<p>Staff note that the County and some member municipalities have recently been conditionally exempting DCs for purpose built rental units. That said, given that affordable units are already proposed to be exempted as per item # 1 above, it means that the rental units receiving these discounts would be outside of the affordable range. Staff believe this change, coupled with item # 1 above, could have a major impact on DC revenues recouped by municipalities. The perception of having automatic DC discounts</p>

Item #	Proposed Change	Staff Comment
	types of rental units i.e., a one-bedroom receives less discount than a three-bedroom rental unit.	for rental units that are outside of the affordable range could also be challenging. Staff would recommend some municipal discretion in applying this discount program, or possibly tying it to a performance measure (i.e., discounts are only available when a municipal rental vacancy rate drop below 'x' %) and that the units remain as rentals for a period of time and that they cannot be used for short-term accommodation.
4	Limits (prime + 1%) on the amount of interest charged on DCs by municipalities for rental, institutional, and non-profit housing.	This change affects both DC rate freezes and developments that currently benefit from a multi-year payment structure under the DC Act. Under the current Development Charge Interest Policy, the County does not charge interest for developments benefitting from a multi-year payment structure, but does charge a 3.5% interest rate for DC rate freezes. If this change were to take effect the County may be limited to charging a lower interest rate, and may need to update the policy accordingly. Interest could be imposed on multi-year payment structures, but it would be subject to the same statutory limit. Staff note that it may have the effect of further limiting DC revenues on rental housing, which are already reduced based on the proposed DC discounts for purpose-built rentals.
5	Reduction in DCs via a mandatory phase-in of DCs when a new DC by-law is passed. DCs charged during the first, second, third and fourth years of a new DC by-law can be no more than 80%, 85%, 90%, and 95% respectively, of the maximum DC that could have otherwise been charged.	Staff note that phasing in of DCs is a common municipal practise when a new DC by-law is passed. Staff do not have significant concerns with this change; however, recommend that municipalities be given discretion to choose whether they wish to phase-in the increases to their development charges versus applying a mandatory phase-in. It is worth noting that if a municipality completes a new DC background study and by-law, where increased charges are not being proposed, this proposed change will mean that a municipality is recouping less in the first four years of the new by-law than they were in the final year(s) of the former by-law.
6	Exclusions to what can be recovered through DCs including housing services and the cost of background studies.	<p>Staff have significant concerns with the exclusion of housing services and believe it will impact the County's ability to provide county-owned housing. This change would appear to be counter to many of the other changes in Bill 23 which incent new housing creation. Staff would request that this exclusion be deleted from the proposed legislation.</p> <p>Excluding background studies, including DC background studies, would also impact municipal revenues and would require such studies to be paid for from the levy and general tax base, as opposed to being paid for by development. This change appears 'out of line' with the general DC philosophy of development pays for growth-related capital costs. Other limitations on background studies would impact engineering studies needed for construction projects. It is not clear how this limitation on</p>

Item #	Proposed Change	Staff Comment
		engineering studies may be accounted for when such studies are built into the overall cost of the project (e.g., it will cost \$3 million to re-design a road including construction and all engineering costs).
7	Extension of the duration of DC by-laws from five years to ten years. By-laws can still be reviewed and updated earlier than the ten-year horizon if a municipality so chooses.	Staff would generally support this change, but note that for the County, and many municipalities with current by-laws it would require updates to the by-law and DC background study before being able to take advantage of the ten-year timeframe. Staff further note that in times of high inflation municipalities may choose to review their DC by-laws more frequently than every ten years. If there is any legislative ability to permit extensions of lapsing dates and continuation of established DC amounts in current DC-by-laws within the ten-year period without requiring a new background study that would help those municipalities interested in extending their by-laws.
8	Requirements for municipalities to spend or allocate at least 60% of the monies in a DC reserve fund at the beginning of the year for water supply services, wastewater services, and roads.	This change could have significant impacts on municipalities depending on how it is interpreted. If municipalities can allocate 60% of DC reserve revenues through their municipal budget each year, without needing to spend it each year, then that may be okay (e.g. allocated through 10 year capital budget). However, if there is increased onus on municipalities to spend 60% each year, then that would have significant impact on municipalities. Many DC eligible projects related to water, wastewater, or roads come with significant costs, and require years to accumulate the funds needed to undertake the project (e.g. upgrading a wastewater treatment plant). Studies and approvals, including environmental assessments, can take significant lengths of time and are not always feasible to complete in a year. If there was increased onus to spend at least 60% of DC reserves, then it would make it very difficult to accumulate the funds needed to complete these projects. Regardless of if the change is interpreted as 'spend' or 'allocate' it will require additional work from finance and other staff at municipalities to account for these requirements. Staff request that the province revise the legislation to add clarity on what constitutes "allocation".
9	An extension of the historical service levels from 10 to 15 years for DC eligible capital costs, with the exception of transit.	Staff do not have concerns with this proposed change.
10	New regulatory authority to set services for which land costs would not be eligible for DC recovery.	This change would impact municipal revenues depending on future regulation changes to define such services. At this stage it's difficult to predict the level of impact this could have, without knowing what regulations may change in the future. For example, if the County was looking to build a new ambulance station or long-term care home and needed to acquire land, it may mean that the land costs would not be eligible for funding from DC reserves.



Proposed Changes to the Planning Act and Regulations

The province is proposing to make a number of changes to the *Planning Act* and associated regulations summarized in Table 2 below.

Table 2: Planning Changes and Staff Comment

Item #	Proposed Change	Staff Comment
1	New limits on third-party appeals to the Ontario Land Tribunal (OLT) for official plans, official plan amendments (OPAs), zoning by-laws, zoning by-law amendments (ZBLAs), consents, and minor variances.	<p>The proposed changes significantly limit the ability for the public or others to appeal a planning decision, unless the proposed appellant falls under the defined list of a “specified person”. These changes are like the changes made to plans of subdivision, wherein the “specified persons” are generally only utility providers or public authorities including municipalities. Proponents will still have the ability to appeal a decision (i.e. a refusal, non-decision, or conditions on an approval). This proposed change applies retroactively to any existing third-party appeal where no hearing date has been scheduled as of October 25, 2022. Case management conferences and mediation do not count as a hearing date being scheduled, for the purposes of the October 25<sup>th</sup>, 2022, deadline.</p> <p>This proposed change would be significant to the public, municipalities, and developers. The proposed changes should result in less time and money being spent at the OLT in instances where a third-party appeal may have been lodged under the current planning regime. However, the ‘flip-side’ is that once members of the public become aware of these changes they may place additional social pressure on councils, committees of adjustment, and staff to refuse applications, knowing that no further appeal rights exist. Through this change, it may pivot in ‘how we plan’ at municipalities. It may be appropriate to ‘front-end’ technical considerations, and better equip councillors in their role as it relates to the public good and how that gets operationalized in the decision-making process. Both staff and councillors will need to be very effective in frank communication around the social/economic needs of our community and how and why that balances out the unequal ‘costs’ or ‘perceived impacts’ that go with the change. Collectively community buy-in is still important and it may require additional emphasis on staff in identifying or mediating changes/compromises/solutions through the application review process. Neighbours, for example, will have legitimate concerns that need to be addressed within applications, and now will not have further recourse via appeal. If we do not prioritize finding/negotiating workable solutions, staff are worried that this will further erode public trust in local government. While NIMBY [Not in My Backyard] can be bad for our communities, a lack of public trust or participation could also have unintended negative impacts.</p> <p>Changes are also being proposed which would limit conservation authorities from appealing a planning matter, except in the case of a natural hazard issue (i.e., a matter under section 3.1 of the PPS). For the four conservation authorities within Grey, it</p>

Item #	Proposed Change	Staff Comment
		has been very rare that a conservation authority would appeal a planning decision or policy. In County staff's experience this had generally been limited to natural hazard, whereas matters of natural heritage were generally limited to advisory roles.
2	As-of-right permissions for permissions for up to three residential units per property in a settlement area that is serviced by municipal water and sewer services, with no minimum unit sizes and no zoning by-law amendments.	<p>The province has introduced a new definition for “parcel of urban residential land” which is generally defined to mean a residential lot in a settlement area that is serviced by municipal water and sewer services. This proposed change is essentially ‘ramping up’ earlier changes to the <i>Planning Act</i> which allowed for a dwelling as well as two additional residential units (ARUs) per property. The province is clear that through these changes no official plan can contain any policy that has the effect of prohibiting a main dwelling and two ARUs per property in a serviced settlement area. No minimum unit sizes can be required by municipalities and no more than one parking space per unit can be required. Existing official plans that are in effect that contravene these changes are deemed to be of no effect.</p> <p>County staff see merit in the proposed changes, provided they are not interpreted to limit municipalities from also allowing ARUs in settlement areas on private individual services, partial services, or in rural areas. Staff would note that this policy may create additional difficulty at the municipal level as it pertains to tracking servicing allocations and capacity, and/or other operational challenges on existing residential parcels such as snow storage. Some municipalities and members of the public may be concerned with the proposed changes as they would limit municipal abilities with respect to addressing the character of a neighbourhood, as it relates to exterior building changes to facilitate ARUs. County staff have mixed feelings on this matter, as often ‘character’ has been weaponized in the past to fight against legitimate infill or ARU developments, however staff do recognize that the character of our communities is important to residents, visitors, and businesses alike. Allowing additional ARUs as-of-right may also cause concern that such units will be used for short-term accommodation purposes. Some municipalities may need to further update their short-term accommodation policy or licensing regimes.</p> <p>It is further noted, that although there have been permissive ARU policies in effect for a number of years now, not every homeowner is going to want to utilize such permissions. While there have been a number of ARUs built across the County in recent years, it is still a relatively minor number of landowners that seek to own and operate an ARU.</p> <p>Overall, staff are generally supportive of this proposed change and see ARUs as a key component to the spectrum of housing needed in our communities.</p>

Item #	Proposed Change	Staff Comment
3	Public meetings are now optional prior to the draft approval of a plan of subdivision.	<p>Staff have mixed feelings about this proposed change, particularly when coupled with the new limits on third-party appeals. It's curious that the province has made this change specific to subdivisions whereas other more minor planning applications would still require a public meeting or public hearing. Municipalities may choose to adopt a policy or criteria for when public meetings may be required for subdivisions versus when they may be exempted (if municipalities choose to exempt such meetings). At the Grey County level, staff would note that the County has delegated the hosting of a public meeting to our member municipalities, to make the process more streamlined and efficient. Grey County staff would be happy to work with our member municipalities to draft a policy for when subdivision public meetings may be recommended. In many cases subdivision applications also require a zoning by-law amendment application at the municipal level, which would still require a public meeting even if Bill 23 passes. In most cases where zoning amendments and subdivisions are required, a single public meeting is held by the municipality to address both applications. More recently however, as a result of Bill 109, municipal staff are now recommending that the zoning amendment application not be processed simultaneously with the subdivision application, for fear of having to return zoning amendment application fees, should the subdivision take longer to process.</p>
4	Removal of upper tier planning responsibilities for the Regions of Durham, Halton, Niagara, Peel, Waterloo, and York, as well as the County of Simcoe and any other upper-tier municipality that is prescribed.	<p>Through the proposed changes the province now sets out two classes on upper tiers, those with and those without planning responsibilities. At this time, Grey County is not listed or prescribed as an upper tier without planning responsibilities, and therefore Grey's status has not changed. Grey County's status could change in the future if prescribed under section 6 by the Minister.</p> <p>For those upper tiers without planning responsibilities;</p> <ul style="list-style-type: none"> <li>• they no longer have any planning approval responsibilities,</li> <li>• they are no longer able to appeal decisions to the OLT,</li> <li>• they are no longer able to request road widening on a site plan,</li> <li>• their official plans are deemed to constitute an official plan of the lower tier until the municipality revokes it or amends it to provide otherwise,</li> <li>• they are no longer able to establish official plans, even with respect to specific upper-tier infrastructure, such as roads.</li> </ul> <p>Applications that were in process, for which the upper tier was the approval authority, would be forwarded to the lower tier municipality for their review and potential approval. County staff have some concerns with this approach based on;</p>

Item #	Proposed Change	Staff Comment
		<p>a) the workload and readiness of lower tier municipalities to absorb these added responsibilities, both in the short and long term,</p> <p>b) the amount of work the regions and Simcoe County have done in recent years on their municipal comprehensive reviews (MCRs) for growth plan conformity,</p> <p>c) long term this could mean duplication of efforts at each lower tier level, for matters that were previously completed by the upper tier as part of a planning exercise or regional/county official plan update, and</p> <p>d) the need for some level of coordination at the upper tier level.</p> <p>County staff are not intimately familiar with the structures of all of these upper tier planning departments, but have dealt extensively with Simcoe County. In the case of Simcoe, many of the planning approvals have already been delegated to lower tier municipalities. Simcoe has also put extensive work into a MCR for their County Official Plan. It is surprising timing to now have that work somewhat disregarded by the potential removal of planning responsibilities. Furthermore, upper-tiers play a significant role in coordinating cross-boundary matters (e.g., roads, environmental features, etc.) and growth matters between municipalities, which may be lost if these changes take effect. This ‘work’ would then need to be absorbed by those lower-tier municipalities within the regions, Simcoe, and any further prescribed upper tiers. It is quite likely that affected lower tiers would need to up-staff to meet these additional workload demands. Several upper tiers are also the owners and operators of water and wastewater treatment plants across the province. To remove these responsibilities, as well as any potential OLT appeal rights, could have a very negative effect on not only the planning but also the coordination between municipalities within the same upper tier.</p> <p>County staff further note that should the province consider prescribing additional upper tiers, that there are a variety of planning models across the province, including some where planning is solely done at the upper tier level, or where planning is a hybrid function between upper and lower tiers. Not all lower tier municipalities have planning departments or planners on staff. Changes to this model could severely impact municipal abilities to plan for growth and to efficiently process the development applications before them. These changes could have the unintended side effect of slowing down development approvals (at least in the short-term) versus making the process more efficient.</p> <p>For those upper tiers that retain planning responsibilities, they are able to have lower tier planning functions delegated to them, should that be the desired model between upper and lower tiers.</p>

Item #	Proposed Change	Staff Comment
5	<p>Changes to site plan control including;</p> <ul style="list-style-type: none"> <li>• exempting developments of 10 residential units or less,</li> <li>• making land lease developments of any size subject to site plan control,</li> <li>• revised wording on road widening, and</li> <li>• no longer being able to apply site plan control to architectural or landscape design details.</li> </ul>	<p>These proposed changes will impact municipalities in Grey, as many would have previously applied site plan control to blocks of land that contained multi-unit townhouse developments (e.g. 8 rental townhomes on a block of land). It will make it harder to regulate operational matters on site such as snow storage. For multi-unit residential development that does not proceed via a plan of subdivision or condominium (wherein a subdivision agreement could apply), municipalities will have limited tools beyond the zoning by-law to regulate development on-site. Staff request that the province also clarify how this change could impact mixed-use developments i.e., a commercial development with 9 residential apartments above, would this be exempt from site plan control, or would site plan still be applied here.</p> <p>Staff take no issue with the changes that require site plan control to be applied to a land lease development of any number of units. This appears to be a practical reflection of how many municipalities currently treat current land lease developments.</p> <p>Where road widening is required with a site plan application, it can only be requested where it has been shown or described in an official plan. The revisions to this section make it clearer that an upper tier with planning responsibilities is eligible to request and receive such a road widening. While staff appreciate the clarification here, staff believe that it should also apply to upper tiers without planning responsibilities, to the extent at least that the lower tier must require the widening of an upper tier road if requested by the upper tier, and giving the upper tier municipality appeal rights if the widening is not provided (i.e., why should it be much harder for the County of Simcoe to obtain a road widening, when other upper tiers can more easily require the provision of such a widening). Such an impact may result in an affected upper tier municipality moving to requiring road widenings through expropriation, which will come at a higher cost for all involved, and likely impact the built form of the development that was approved through the site plan process. It may also delay development, if the upper tier municipality requires the widening to accommodate utility expansions necessary to serve the development.</p> <p>With respect to the further limits on site plan control, the wording proposed to be deleted is as follows:</p> <p><i>“matters relating to exterior design, including without limitation the character, scale, appearance and design features of buildings, and their sustainable design, but only to the extent that it is a matter of exterior design, if an official plan and a by-law passed under subsection (2) that both contain provisions relating to such matters are in effect in the municipality;”</i></p> <p>Some municipalities have raised concerns that this would limit their ability to address community character, aside from zoning by-law setbacks, and height limitations. Similar to the comments above on ARUs, staff acknowledge that character can be a ‘double-edged sword’ in that there are benefits and drawbacks to how a community could interpret such policies.</p>

Item #	Proposed Change	Staff Comment
		<p>The proposed changes also limit municipal abilities to create site-plan implemented green development standards to support sustainable development. Municipal energy and sustainability standards are well established parts of the planning process across many Ontario municipalities that happen concurrently with other review and approvals. The process does not delay development, and energy efficiency rather improves affordability by ensuring quality homes with lower operating costs. New housing built to municipal green standards also qualifies for financial incentives including the Canadian Mortgage and Housing Corporation (CMHC) Eco Plus mortgage insurance rebate.</p> <p>Staff request that the province reconsider removing this provision, at a minimum as it applies to the sustainable design elements, to preserve municipalities' ability to implement green development standards through site plan, thereby ensuring future housing stock is affordable and efficient for residents.</p>
6	<p>Changes to parkland dedication including;</p> <ul style="list-style-type: none"> <li>• changes to the maximum alternative dedication rates,</li> <li>• freezing parkland rates at the time of zoning or site plan for two years,</li> <li>• parkland dedication will apply to new units only and not to ARUs,</li> <li>• park plans will be required prior to the passing of future parkland dedication by-laws,</li> <li>• encumbered parkland as well as privately operated public spaces is eligible for parkland credits,</li> <li>• municipalities are required to spend or allocated 60% of</li> </ul>	<p>Grey County staff defer to detailed comments from municipal staff on these proposed changes. Several of the proposed changes staff take no issue with, but note that some matters could impose additional work and resource implications on municipalities.</p> <p>Staff note that like the discussion on allocating DC reserve funds in Table 1 above, the difference between 'allocating' and 'spending' is very significant in this case. Similar to DC funded projects, there are many park projects that require years of funding contributions before they can be completed. If the province were intending for municipalities to spend 60% of the reserves each year, it could pose a significant impediment to municipalities. County staff would request that the province clarify this distinction between spending and allocating in this regard.</p> <p>With respect to developers being able to identify lands to convey for parkland purposes, County staff could support this in principle, provided it is clear official plan policies would still apply as to which lands a municipality will accept for parkland dedication. County staff worry that short of having detailed municipal official plan policies in effect here, it could leave municipalities being forced to accept lands that are not suitable for parkland or face costly OLT hearings to 'fight' being given unsuitable lands.</p>

Item #	Proposed Change	Staff Comment
	<p>parkland reserve funds at the start of each year, and</p> <ul style="list-style-type: none"> <li>• developers can identify land they intend to convey for parkland purposes and if the municipality refuses to accept the developer may appeal to the OLT.</li> </ul>	
7	Changes to exempt aggregate resources applications from the two-year freeze after a new zoning by-law or official plan is approved.	County staff support this proposed change.
8	Exempt affordable and attainable housing from DC, Community Benefit Charges, and Parkland dedication.	County staff are supportive in principle, but only conditional upon changes to the proposed definition of 'affordable' and seeing a definition for the term 'attainable', as outlined in Table 1 above.
9	Inclusionary zoning regulations to set an upper limit of 5% of the total number of units to be affordable for a maximum period of 25 years.	<p>County staff have no concerns with this proposed change.</p> <p>County staff would however request that the province consider allowing for a broader use of inclusionary zoning across the province, rather than the current limitations which restrict use to protected major transit station areas and areas within a development permit system. Most municipalities in Ontario have no protected major transit station areas. Furthermore, a development permit system requires a major overhaul of the planning approvals process and is therefore an impediment to many municipalities. Allowing for broader use of inclusionary zoning would 'level the playing field' for smaller and rural municipalities that want to utilize inclusionary zoning.</p>

### *Proposed Changes to the Conservation Authorities Act and Regulations*

The province is proposing to make a number of changes to the *Conservation Authorities Act* and associated regulations summarized in Table 3 below.

**Table 3: Conservation Authorities Changes and Staff Comment**

Item #	Proposed Change	Staff Comment
1	Proposed updates to the regulation of development for the protection of people and property from natural hazards in Ontario.	<p>Changes within this section would:</p> <ul style="list-style-type: none"><li>• exempt the need for a permit from the conservation authority where an approval has been issued under the <i>Planning Act</i>,</li><li>• add restrictions on the matters to be considered in permit decisions, including removing “conservation of land” and “pollution”, while adding in the term “unstable soils and bedrock”,</li><li>• allow for appeals of a non-decision of a permit after 90 days versus the previous 120 days,</li><li>• require conservation authorities to issue permits for projects subject to a Community Infrastructure and Housing Accelerator order,</li><li>• extend the regulation making authority of the Minister where there is a Minister's Zoning Order, and</li><li>• propose a single regulation for all 36 conservation authorities in Ontario.</li></ul> <p>County staff would generally defer to detailed comments from conservation authorities on the above matters. However, of a general nature would note that conservation authority roles appear to be more important than ever, given the impacts of climate change. Conservation authorities were first established in the 1940's in Ontario, but their role was shaped in large part due to Hurricane Hazel in 1954. With climate change, and as Ontario experiences more extreme weather events, their evolving role is crucial to not only protecting public health and safety, but also ensuring the long-term health of our natural environment.</p> <p>Some of the above-noted changes would appear to limit conservation authority permitting powers, and/or exempt a permit when a planning application has been approved. While staff understand the need to streamline processes, these changes could have negative impacts where a municipality has approved an application that is not supported by a conservation authority for reasons of natural hazard. While the conservation authority would retain the ability to appeal to the OLT, if it was a matter of natural hazard, this may not be a financially or politically feasible reality.</p> <p>The requirement to process permits in a shorter period of time can only be completed if conservation authorities are adequately staffed and funded. Some of the changes being proposed will make appropriate funding and staffing levels difficult to achieve.</p> <p>County staff understand that there was previously a multi-stakeholder working group approach in looking at the review of conservation authorities. In speaking with conservation authority staff in Grey, there was support for the province to re-initiate that process and consider these and any future changes as discussion points at that table, before passing anything.</p>



2	Focusing conservation authorities' role in reviewing development related proposals and applications to natural hazards.	<p>Staff have significant concerns with this proposed change. Conservation authority staff would be limited to commenting on natural hazard matters for development proposals and applications under the <i>Planning Act</i>, <i>Niagara Escarpment Planning and Development Act</i>, <i>Condominium Act</i>, <i>Endangered Species Act</i>, <i>Environmental Assessment Act</i>, <i>Aggregate Resources Act</i>, and a number of other pieces of provincial legislation. As such, conservation authorities will no longer be able to provide comments or collect fees on natural heritage matters as part of the development review process. Previously conservation authorities were mandated to comment on natural hazard matters, and many municipalities had agreements with conservation authorities to also provide comments on natural heritage matters. Prior to Bill 23, changes to the <i>Conservation Authorities Act</i> had previously set out mandatory programs and non-mandatory programs. For non-mandatory programs, municipalities could request conservation authorities to provide those services via agreement. Particularly for rural and smaller municipalities, including Grey County, having conservation authorities provide these services is essential to the overall planning and development review process. Grey County staff are currently in the process of negotiating a memorandum of understanding (MOU) with Grey's four conservation authorities to define their role in providing these non-mandatory programs that the County's planning system relies on.</p> <p>This change would have a significant impact on planning in Grey County, both at the County and municipal levels. Without having these services through the conservation authorities, it would require the County and/or member municipalities to either hire new staff with this expertise, and/or contract out these services to a third-party consultant. In either instance it could result in impacts to municipal budgets and the ability to process development applications. The need for these services has been exasperated over the years based on changes at the province. It used to be that some of these natural heritage review functions were captured by staff at the Ministry of Natural Resources and Forestry (MNRF) and/or the Ministry of the Environment, Conservation, and Parks (MECP). However, the roles of those two ministries in the development review process has been reduced, and therefore the County relies more heavily on conservation authority staff. Should these changes be approved, it will require additional budget be allocated at the County and/or municipal levels.</p> <p>County staff would further note that matters of natural hazard and natural heritage are not mutually exclusive. Staff believe that having one public body reviewing the two matters as a system is more efficient than having separate reviews of natural hazard and natural heritage.</p> <p>County staff ask that the province reconsider this change as it relates to removing the conservation authority role for review under the above-noted pieces of legislation. Staff request that municipalities still be able to enter into non-mandatory service agreements with conservation authorities.</p>
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3	Enabling the Minister to freeze conservation authority fees at current levels.	<p>According to <a href="#">Conservation Ontario</a>, a typical breakdown of conservation authority income is as follows:</p> <ul style="list-style-type: none"> <li>• Municipal levies – 53%</li> <li>• Self-generated revenue – 35%</li> <li>• Provincial grants &amp; Special Projects – 8%</li> <li>• Federal Grants or Contracts – 4%</li> </ul> <p>The stated purpose of this change is as follows:</p> <p><i>“The Ministry anticipates this proposal would enable a reduction to the financial burden on developers and other landowners making development related applications and/or seeking permits from conservation authorities, further accelerating housing in Ontario to make life more affordable.”</i></p> <p>County staff have concerns that a freeze would not have the desired outcome of making housing more affordable to any significant degree. It could however have outcomes of either;</p> <ol style="list-style-type: none"> <li>1. limiting a conservation authority’s ability to maintain an appropriate staff complement and protect public safety, or</li> <li>2. requiring additional municipal tax levy and therefore additional property taxes on all landowners.</li> </ol> <p>In speaking with local conservation authority staff, they have noted that such a freeze could either drive municipal levy rates up or drive service levels down. Given the changing climate, and more extreme weather events, County staff fail to see the justification for such a fee freeze.</p> <p>Staff would further note that a number of conservation authorities are in the process of reviewing their fees. These reviews could be radically different should some of the above-noted changes be passed. Should (a) conservation authority roles be limited to commenting on natural hazard, and (b) fee increases be frozen, it would have a major impact on conservation authorities being able to carry out even their mandatory review services.</p>
4	Identifying conservation authority lands suitable for housing and streamlining conservation authority severance and disposition	<p>Within this proposed change the province has noted the following:</p> <p><i>“The Mandatory Programs and Services regulation (O. Reg. 686/21) requires conservation authorities to complete a conservation area strategy and land inventory of all lands they own or control by December 31, 2024. We are proposing to amend the regulation to require the land inventory to also identify conservation authority owned or controlled lands that could support housing development. In identifying these lands, the authority would consider the current zoning, and the</i></p>

	<p>processes that facilitate faster development.</p>	<p><i>extent to which the parcel or portions of the parcel may augment natural heritage land or integrate with provincially or municipally owned land or publicly accessible lands and trails.”</i></p> <p>County staff understand the rationale behind this proposed change and would note that it could be similar to the current surplus lands investigation for affordable housing being undertaken by County staff. While staff do not have concerns in principle, County staff would note that most of the conservation authority owned land in Grey County would not be suitable for housing development purposes based on reasons of;</p> <ul style="list-style-type: none"> <li>• natural hazard,</li> <li>• natural heritage, and</li> <li>• proximity to hard and soft services.</li> </ul> <p>In consulting with conservation authority staff in Grey, it was also noted that blanket statements about using conservation authority lands for development is highly inappropriate and could serve to erode public confidence in government or the conservation authorities.</p> <p>If the province is seeking conservation authorities to undertake this review, County staff would recommend that the province provide criteria on what type of lands may be suitable for housing development and recommend consultation with municipalities. Expectations should also be tempered as to the amount of conservation authority land that would even be feasible for development purposes.</p>
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### *Proposed Changes to the Ontario Land Tribunal Act*

The province is proposing to make a number of changes to the *Ontario Land Tribunal Act* and associated regulations summarized in Table 4 below.

**Table 4: Ontario Land Tribunal Changes and Staff Comment**

Item #	Proposed Change	Staff Comment
1	The OLT will have increased abilities to order costs against a party who loses a hearing at the Tribunal.	Traditionally the OLT and the previous Ontario Municipal Board (OMB) and Local Planning Appeal Tribunal (LPAT) were very reluctant to reward costs. Costs orders were limited to areas where <i>“the conduct or course of conduct of a party has been unreasonable, frivolous or vexatious or if the party has acted in bad faith.”</i> Staff understood that previously the Tribunal did not want the threat of costs to be an impediment to someone lodging an appeal or being a party to a hearing. Given the proposed

Item #	Proposed Change	Staff Comment
		<p><i>Planning Act</i> changes outlined in Table 2 above that limit third-party appeals, the majority of appeals will be between a municipality and a proponent, with some other public bodies or utilities.</p> <p>This change would have the ability to impact municipal costs, should they be found to be the 'losing party.' Staff request that further criteria be provided for when the OLT may award costs against a losing party, and that it be made clear that costs are not automatically awarded against any losing parties.</p>
2	<p>The OLT can dismiss an appeal where;</p> <ul style="list-style-type: none"> <li>the appellant has contributed to an undue delay, or</li> <li>if a party fails to comply with a Tribunal order.</li> </ul>	Staff generally support this change.
3	Regulations can be made to establish a priority for the scheduling of certain appeal matters.	Staff generally support this change.
4	The Attorney General will be able to make regulations with respect to service delivery standards for scheduling hearings and making decisions.	Staff generally support this change.

### *Other Proposed Legislative and Regulatory Changes*

The province is proposing to make a number of changes to the other legislation and associated regulations summarized in Table 5 below.

**Table 5: Other Proposed Changes and Staff Comment**

Item #	Proposed Legislation or Change	Staff Comment
1	<i>Ontario Heritage Act</i>	<p>There are several changes to the <i>Ontario Heritage Act</i> which include how properties get listed on a municipal heritage register, criteria for listing a property, process and timeline for de-listing a property, changes to heritage conservation districts, and a freeze on a designation process in response to a prescribed event.</p> <p>County staff do not work directly with the <i>Ontario Heritage Act</i> and would generally defer to any comments from municipalities who work more directly with this legislation.</p>
2	<i>Municipal Act</i>	<p>Under the proposed changes the Minister is given the authority to enact regulations to impose limitations on the replacement of rental housing when it is proposed to be demolished or converted as part of a proposed development.</p> <p>County staff would not want to see restrictions on municipal abilities to limit rentals from being converted to short term accommodations or condominiums. Staff also question how such limitations may interact with rental housing that was conditionally exempted from DCs.</p>
3	Ontario Wetland Evaluation System	<p>The province has released a proposed updated version of Ontario's Wetland Evaluation System. The document is highly technical and over 60 pages in length. The province has summed up their changes as follows:</p> <ul style="list-style-type: none"> <li>• <i>“add new guidance related to re-evaluation of wetlands and updates to mapping of evaluated wetland boundaries</i></li> <li>• <i>make changes to better recognize the professional opinion of wetland evaluators and the role of local decision makers (e.g. municipalities)</i></li> <li>• <i>other housekeeping edits to ensure consistency with the above changes throughout the manual”</i></li> </ul> <p>Based on a review of the document staff would note the following:</p> <ol style="list-style-type: none"> <li>1. Staff do not have expertise on this subject matter and would generally defer to the experts on this matter.</li> <li>2. The deletion of conservation authority roles, given their ‘boots on the ground’ role in regulating wetlands and flooding hazards is concerning.</li> <li>3. The deletion of many provisions around ‘wetland complexes’ is also concerning as it would appear to give more credence to individual assessments of wetlands without looking at a systems-based approach. Staff fear that evaluating a wetland in isolation could lead to more wetland loss.</li> </ol>

Item #	Proposed Legislation or Change	Staff Comment
		4. Wetlands are crucial to our natural environment and mitigating against the impacts of climate change. Staff support greater emphasis on protection and recognition of the role of wetlands in this regard.
4	Rent-to-Own Arrangements	<p>Through this proposal the province is exploring the following:</p> <p><i>“Ontario is interested in exploring the role that the "rent-to-own" home financing model may have in supporting housing attainability in the province.</i></p> <p><i>Rent-to-own arrangements generally involve a client entering into an agreement with a housing provider (e.g. homeowner/landlord, rent-to-own company, etc.) with the intention that the client will rent the home for period of time and eventually purchase it at the end of the rental term.</i></p> <p><i>Although rent-to-own arrangements can vary based on a range of factors, they typically require clients to pay a monthly rental fee, plus an additional amount to be applied towards a down payment of the property. At the end of the rental term, if the client wishes to buy the property, they can leverage the accumulated down payment to try to secure mortgage approval.”</i></p> <p>County staff are supportive in principle of this change and would appreciate seeing further details on how the rent-to-own agreements can be implemented.</p>
5	Sewage Systems, Energy Efficiency and Building Code	<p>The province is consulting in Fall 2022 on Phase 3 of potential changes to Ontario’s Building Code regarding sewage systems and energy efficiency.</p> <p>County staff have limited expertise on this topic, but would encourage consideration of the latest technologies as it applies to both sewage systems and energy efficiency. Based on direction from the County’s Going Green in Grey Climate Change Action Plan, the County supports changes to the Code that enable higher standards for sustainable building and energy efficiency.</p>



## **Staff Report HR2022-057**

**Title of Report:** Public Works Staffing Update  
**Department:** Human Resources  
**Council Date:** December 7, 2022

**Recommendation:**

**Be it resolved that** Council receive Staff Report HR2022-057 for information.

**Background:**

Each year the Township of Southgate requires seasonal operator labourers in the Roads department for snow removal services.

**Staff Comments:**

Four (4) Seasonal TAPS Operator/Labourer positions and two (2) TAPS Seasonal Patrol positions were posted beginning August 25, 2022. Some of these positions had to be reposted due to not being able to fill during the first round of recruitment. We had one seasonal staff return to our Holstein location. Staff would like to welcome back Keith Cressman and welcome our new staff Al Loucks, James Johnson and Zachary Hull as our Seasonal TAPS Operator/Labourers and Michael Sherson and Steve Smart as our TAPS Seasonal Patrols for the 2022-2023 winter season.

**Financial Implications:**

No financial implication as these positions have been approved for the 2022 budget.

**Communications & Community Action Plan Impact:**

This report has been written and presented to Council to communicate accurate information to the public.

**Concluding Comments:**

1. That Council receive this report as information.
2. That staff & Council congratulate and welcome all new and returning staff.

Respectfully Submitted,

**Human Resources:** Original Signed By

Kayla Best, HR Coordinator/ Assistant to the CAO

**Dept. Head Approval:** Original Signed By

Jim Ellis, Public Works Manager

**CAO Approval:** Original Signed By

Dave Milliner, CAO

**Attachments:** None



## **Staff Report FIN2022-035**

**Title of Report:** FIN2022-035 2021 Financial Statements

**Department:** Finance

**Council Date:** December 7, 2022

**Recommendation:**

**Be it resolved that** Council receive Staff Report FIN2022-035 2021 Financial Statements as information.

### **Background:**

On October 5, 2022, Council passed the following resolution:

**Be it resolved that** Council receive Staff Report FIN2022-027 Financial Report –2021 Financial Statements as information; and

**That** Council approve The Corporation of the Township of Southgate Consolidated Financial Statements for the year ended December 31, 2021 as presented.

### **Staff Comments:**

BDO Canada LLP released the final 2021 Financial Statements on November 14, 2022. BDO Canada LLP made a few minor presentation updates to the financial statements which are noted below

- 1) Consolidated Statement of Cash Flows
  - a. Short Term Investments was removed from the statement presentation as it was determined not to qualify as a "Cash and Cash equivalent" item.
- 2) Note 18 – Commitments was updated to include the Township's commitment of \$60,000 for the Markdale Hospital project of which \$30,000 will be paid in 2022 and \$30,000 in 2023
- 3) In Note 20, under Environmental, the last sentence that read "The Township ensures water and sewage systems meet all Provincial standards" was removed.

BDO Canada LLP noted that the delay in issuing the financial statements was due to inquiries from a resident that obligated BDO Canada LLP to complete additional testing. That testing did not result in a need to change the financial statements.

### **Financial Implications:**

BDO Canada LLP invoiced \$2,675 plus HST for the additional testing.

### **Communications & Community Action Plan Impact:**

This report has been written and presented to Council in accordance with the Southgate Community Action Plan:



#### Mission Statement Pillars

- Trusted Government
- Economic Prosperity.

#### Themes:

- Municipal Services
- Public Communications

#### Core Values:

- Integrity
- Stewardship

#### **Concluding Comments:**

BDO Canada LLP released the 2021 Financial Statements on November 14, 2022. The delay and extra costs was due to the additional testing required as a result of a residents inquiry.

Respectfully Submitted,

**Dept. Head:**            **Original Signed By**  
William Gott, CPA, CA, Treasurer

**CAO Approval:**       **Original Signed By**  
Dave Milliner, CAO

**Attachment:** None

The Corporation of the  
Township of Southgate  
Financial Information  
For the year ended December 31, 2021

The Corporation of the Township of Southgate  
Financial Information  
For the year ended December 31, 2021

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## Independent Auditor's Report

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To the Members of Council, Inhabitants and Ratepayers  
of the Corporation of the Township of Southgate

### Opinion

We have audited the consolidated financial statements of the Corporation of the Township of Southgate (the Township), which comprise the consolidated statement of financial position as at December 31, 2021 and the consolidated statement of operations and accumulated surplus, consolidated statement of changes in net financial assets, and consolidated statement of cash flows for the year then ended, and notes to the consolidated financial statements, including a summary of significant accounting policies.

In our opinion, the accompanying consolidated financial statements present fairly, in all material respects, the consolidated financial position of the Township as at December 31, 2021 and the consolidated results of operations, its consolidated changes in net financial assets, and its consolidated cash flows for the year then ended in accordance with Canadian public sector accounting standards.

### Basis for Opinion

We conducted our audit in accordance with Canadian generally accepted auditing standards. Our responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Consolidated Financial Statements* section of our report. We are independent of the Township in accordance with the ethical requirements that are relevant to our audit of the consolidated financial statements in Canada, and we have fulfilled our other ethical responsibilities in accordance with these requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

### Responsibilities of Management and Those Charged with Governance for the Consolidated Financial Statements

Management is responsible for the preparation and fair presentation of these consolidated financial statements in accordance with Canadian public sector accounting standards, and for such internal control as management determines is necessary to enable the preparation of consolidated financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the consolidated financial statements, management is responsible for assessing the Township's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless management either intends to liquidate the Township or to cease operations, or has no realistic alternative but to do so.



Those charged with governance are responsible for overseeing the Township's financial reporting process.

#### Auditor's Responsibilities for the Audit of the Consolidated Financial Statements

Our objectives are to obtain reasonable assurance about whether the consolidated financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these consolidated financial statements.

As part of an audit in accordance with Canadian generally accepted auditing standards, we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the consolidated financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Township's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Township's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the consolidated financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the Township to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the consolidated financial statements, including the disclosures, and whether the consolidated financial statements represent the underlying transactions and events in a manner that achieves fair presentation.
- Obtain sufficient appropriate audit evidence regarding the financial information of the Township or business activities within the Township to express an opinion on the consolidated financial statements. We are responsible for the direction, supervision and performance of the group audit. We remain solely responsible for our audit opinion.



We communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

Chartered Professional Accountants, Licensed Public Accountants

Owen Sound, Ontario  
November 14, 2022



The Corporation of the Township of Southgate  
Consolidated Statement of Financial Position

December 31	2021	2020
Financial assets		
Cash (Note 1)	\$17,856,635	\$ 14,394,647
Short term investments (Note 2)	1,428,615	1,434,895
Taxes receivable	1,573,463	2,162,643
Trade and other receivable	2,294,001	1,393,496
Long-term receivables (Note 3)	244,261	285,992
Investment in Wellington North Power	49,388	49,388
	<u>23,446,363</u>	<u>19,721,061</u>
Liabilities		
Accounts payable and accrued liabilities	2,134,456	2,857,177
Solid waste landfill closure and post-closure liabilities (Note 4)	229,000	233,000
Post-employment benefits (Note 5)	149,650	139,550
Deferred revenue (Page 27)	11,835,145	7,872,935
Long-term liabilities (Note 6)	4,125,833	4,734,969
	<u>18,474,084</u>	<u>15,837,631</u>
Net financial assets	4,972,279	3,883,430
Non-financial assets		
Inventory of supplies	342,601	294,419
Prepaid expenses	205,837	128,933
Tangible capital assets (Note 7)	<u>55,465,551</u>	<u>54,370,591</u>
Accumulated surplus (Note 8)	<u>\$60,986,268</u>	<u>\$ 58,677,373</u>

The accompanying summary of significant accounting policies and notes are an integral part of these financial statements.

**The Corporation of the Township of Southgate**  
**Consolidated Statement of Operations and Accumulated Surplus**

For the year ended December 31	2021 Budget (Note 11)	2021 Actual	2020 Actual
Revenue			
Taxation	\$ 8,295,094	\$ 8,151,577	\$ 7,819,783
Fees and user charges	2,133,584	2,336,996	2,322,722
Government transfers (Note 12)	2,033,191	1,996,715	1,919,998
Other income (Note 10)	4,610,430	2,113,301	1,621,410
	<u>17,072,299</u>	<u>14,598,589</u>	<u>13,683,913</u>
Expenses			
General government	1,587,027	1,452,355	1,397,340
Protection services	2,501,483	2,646,646	2,223,238
Transportation services	4,086,425	4,298,889	3,707,670
Environmental services	1,953,405	2,096,302	1,795,332
Health services	75,513	478,209	278,124
Recreation and cultural services	898,334	811,851	830,956
Planning and development	369,524	505,442	419,317
	<u>11,471,711</u>	<u>12,289,694</u>	<u>10,651,977</u>
Annual surplus (Note 11)	5,600,588	2,308,895	3,031,936
Accumulated surplus, beginning of the year	<u>58,677,373</u>	<u>58,677,373</u>	<u>55,645,437</u>
Accumulated surplus, end of the year	<u>\$ 64,277,961</u>	<u>\$60,986,268</u>	<u>\$ 58,677,373</u>

The accompanying summary of significant accounting policies and notes are an integral part of these financial statements.

**The Corporation of the Township of Southgate**  
**Consolidated Statement of Changes in Net Financial Assets**

For the year ended December 31	2021 Budget (Note 11)	2021 Actual	2020 Actual
Annual surplus (Page 6)	\$ 5,600,588	\$ 2,308,895	\$ 3,031,936
Acquisition of tangible capital assets	(6,064,033)	(3,357,820)	(3,196,954)
Amortization of tangible capital assets	2,210,000	2,149,900	2,033,699
(Gain) loss on sale of tangible capital assets	-	(552,985)	100,820
Proceeds on disposal of capital assets	-	665,945	40,000
	(3,854,033)	(1,094,960)	(1,022,435)
Change in prepaid expenses	-	(76,904)	(19,820)
Change in inventories of supplies	-	(48,182)	(64,339)
	(3,854,033)	(1,220,046)	(1,106,594)
Increase in net financial assets	1,746,555	1,088,849	1,925,342
Net financial assets, beginning of the year	3,883,430	3,883,430	1,958,088
Net financial assets, end of the year	\$ 5,629,985	\$ 4,972,279	\$ 3,883,430

The accompanying summary of significant accounting policies and notes are an integral part of these financial statements.

The Corporation of the Township of Southgate  
Consolidated Statement of Cash Flows

For the year ended December 31	2021	2020
Cash provided by (used in)		
Operating activities		
Annual surplus (Page 6)	\$ 2,308,895	\$ 3,031,936
Items not involving cash		
Change in landfill closure and post-closure liability	(4,000)	(87,000)
Change in post-employment benefits	10,100	9,708
Amortization	2,149,900	2,033,699
Deferred revenue recognized	(989,872)	(1,228,646)
Contributed capital assets	(12,500)	(25,425)
Loss (gain) on sale of capital assets	(552,985)	100,820
	<u>2,909,538</u>	<u>3,835,092</u>
Changes in non-cash working capital balances		
Taxes receivable	589,180	16,400
Trade and other receivable	(900,505)	109,228
Inventory of supplies	(48,182)	(64,339)
Prepaid expenses	(76,904)	(19,820)
Accounts payable and accrued liabilities	(722,721)	872,830
Deferred revenue received	<u>4,952,082</u>	<u>4,087,283</u>
	<u>6,702,488</u>	<u>8,836,674</u>
Capital transactions		
Cash used to acquire capital assets	(3,345,320)	(3,171,529)
Proceeds on sale of capital assets	<u>665,945</u>	<u>40,000</u>
	<u>(2,679,375)</u>	<u>(3,131,529)</u>
Investing activities		
Additions to long-term receivables	-	(50,000)
Decrease in long-term receivables	41,731	259,314
Decrease (increase) in investments	6,280	(21,852)
Change in investment in Wellington North Power	-	96,958
	<u>48,011</u>	<u>284,420</u>
Financing activities		
Proceeds from long-term liabilities	-	50,000
Repayment of long-term liabilities	<u>(609,136)</u>	<u>(693,748)</u>
	<u>(609,136)</u>	<u>(643,748)</u>
Net change in cash	3,461,988	5,345,817
Cash, beginning of the year	<u>14,394,647</u>	<u>9,048,830</u>
Cash, end of the year	<u>\$17,856,635</u>	<u>\$ 14,394,647</u>

The accompanying summary of significant accounting policies and notes are an integral part of these financial statements.

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## The Corporation of the Township of Southgate

### Summary of Significant Accounting Policies

December 31, 2021

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Management Responsibility	Management of the Corporation of the Township of Southgate has prepared and is responsible for the integrity, objectivity and accuracy of the financial information presented in these consolidated financial statements. The Council reviews and approves the consolidated financial statements.		
Basis of Accounting	<p>The consolidated financial statements of the Corporation of the Township of Southgate are the representations of management. They have been prepared by management in accordance with Canadian public sector accounting standards established by the Public Sector Accounting Board of the Chartered Professional Accountants of Canada as prescribed by the Ministry of Municipal Affairs and Housing.</p> <p>Revenues and expenses are reported on the accrual basis of accounting. The accrual basis of accounting recognizes revenues as they become available and measurable; expenses are recognized as they are incurred and measurable as a result of receipt of goods or services and the creation of a legal obligation to pay.</p>		
Basis of Consolidation	<p>The consolidated statements reflect the assets, liabilities, revenues and expenses of all municipal organizations, committees, and boards which are owned or controlled by Council. All interfund assets and liabilities, and revenues and expenses have been eliminated on consolidation.</p> <p>The following board is controlled by Council and has been consolidated:</p> <table><tr><td>Township of Southgate Public Library Board</td><td>100%</td></tr></table>	Township of Southgate Public Library Board	100%
Township of Southgate Public Library Board	100%		
Use of Estimates	The preparation of financial statements in accordance with Canadian public sector accounting standards requires management to make estimates that affect the reported amounts of assets and liabilities at the date of the financial statements, and the reported amounts of revenues and expenses during the reporting period. Estimates are used when accounting for items such as accrued grant receivables, accrued liabilities, useful lives of capital assets, post-employment benefits, solid waste landfill closure and post-closure costs and taxation revenue. By their nature, these estimates are subject to measurement uncertainty and actual results could differ from management's best estimates as additional information becomes available in the future.		

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## The Corporation of the Township of Southgate

### Summary of Significant Accounting Policies

December 31, 2021

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#### Revenue Recognition

Revenues are recognized as follows:

- a) Taxes are recorded as estimated amounts when they meet the definition of an asset, have been authorized and the taxable event occurs. For property taxes, the taxable event is the period for which the tax is levied. As taxes recorded are initially based on management's best estimate of the taxes that will be received, it is possible that changes in future conditions, such as reassessments due to audits, appeals and court decisions, could result in a change in the amount of tax revenue recognized. Taxes receivable are recognized net of an allowance for anticipated uncollectible amounts.
- b) Fines and donations are recognized when collected.
- c) Fees, user charges and other revenues are recorded upon sale of goods or provision of service when collection is reasonably assured.
- d) Investment income earned on surplus funds (other than obligatory reserve funds) are reported as revenue in the period earned. Investment income earned on obligatory reserve funds is recorded directly to each fund balance as deferred revenue.
- e) Government transfers are recognized as revenue in the financial statements when the transfer is authorized and any eligibility criteria are met, except to the extent that transfer stipulations give rise to an obligation that meets the definition of a liability. Transfers are recognized as deferred revenue when transfer stipulations give rise to a liability. Transfer revenue is recognized in the statement of operations as the stipulation liabilities are settled.

#### Cash and Cash Equivalents

Cash and cash equivalents include cash balances and short-term highly liquid investments that mature within one year.

#### Investments

Investments are recorded at cost unless there has been a decline in the market value which is other than temporary in nature in which case the investments are written down to market value.

#### Solid Waste Landfill Closure and Post-Closure Costs

Site closure and post-closure care costs are recognized over the operating life of the landfills based on capacity used. The liability is recorded at its discounted value, based on the average long-term borrowing rate of the Township.

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## The Corporation of the Township of Southgate

### Summary of Significant Accounting Policies

December 31, 2021

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Inventory	Inventory of supplies is recorded at the lower of cost or replacement cost.												
Tangible Capital Assets	<p>Tangible capital assets are recorded at cost less accumulated amortization. Costs include all amounts that are directly attributable to acquisition, construction, development or betterment of the asset. Amortization is provided over the estimated useful life of the assets, using the straight-line method. The useful life of the assets is based on estimates made by Council. The following rates are used:</p> <table> <tr> <td>Buildings</td><td>50 years</td></tr> <tr> <td>Equipment and vehicles</td><td>5 to 30 years</td></tr> <tr> <td>Roads</td><td>44 to 50 years</td></tr> <tr> <td>Bridges and culverts</td><td>50 years</td></tr> <tr> <td>Water systems</td><td>10 to 70 years</td></tr> <tr> <td>Wastewater systems</td><td>10 to 50 years</td></tr> </table> <p>Tangible capital assets received as contributions are recorded at fair value at the date of receipt and also are recorded as donation revenue.</p>	Buildings	50 years	Equipment and vehicles	5 to 30 years	Roads	44 to 50 years	Bridges and culverts	50 years	Water systems	10 to 70 years	Wastewater systems	10 to 50 years
Buildings	50 years												
Equipment and vehicles	5 to 30 years												
Roads	44 to 50 years												
Bridges and culverts	50 years												
Water systems	10 to 70 years												
Wastewater systems	10 to 50 years												
County and School Board	The Township collects taxation revenue on behalf of the school boards and the County of Grey. The taxation, other revenues, expenses, assets and liabilities with respect to the operations of the school boards and the County of Grey are not reflected in these financial statements.												
Liability for Contaminated Sites	A contaminated site is a site at which substances occur in concentrations that exceed the maximum acceptable amounts under an environmental standard. Sites that are currently in productive use are only considered a contaminated site if an unexpected event results in contamination. A liability for remediation of contaminated sites is recognized when the organization is directly responsible or accepts responsibility; it is expected that future economic benefits will be given up; and a reasonable estimate of the amount can be made. The liability includes all costs directly attributable to remediation activities including post remediation operations, maintenance and monitoring. The liability is recorded net of any expected recoveries. Management is not aware of any contaminated sites.												
Trust Funds	Funds held in trust by the Township, and their related operations, are not included in these financial statements. The financial activity and position of the trust funds are reported separately on the trust funds statement of continuity and balance sheet.												

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The Corporation of the Township of Southgate  
Notes to Financial Statements

December 31, 2021

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1. Cash

	2021	2020
Unrestricted	\$ 6,910,783	\$ 10,378,857
Restricted	10,945,852	4,015,790
	<u>\$17,856,635</u>	<u>\$ 14,394,647</u>

On December 31, 2021, the Township had deposits of \$17,936,396 held in a Canadian Chartered bank. The Canadian Deposit Insurance Corporation insures deposits up to a maximum of \$100,000 per depositor.

The bank account earns interest at the average monthly CIBC Bank's prime rate less 1.8%. The Township of Southgate has undrawn credit facility of \$1,000,000 for operating purposes. Interest is calculated at CIBC bank prime rate less 0.5%.

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2. Short Term Investments

	2021	2020
One Fund - Bond Fund - Public Sector Group of Funds	\$ 428,615	\$ 434,895
Northern Credit Union - Guaranteed Investment Certificates, non-redeemable, interest rates of 1% to 1.25% (2020 - 1.6%), matures June 2022 to June 2023 (2020 - June 2021).	<u>1,000,000</u>	<u>1,000,000</u>
	<u>\$ 1,428,615</u>	<u>\$ 1,434,895</u>

Investments have a market value of \$1,428,615 (2020 - \$1,434,895) at the end of the year. The Deposit Insurance Corporation of Ontario (DICO) insures deposits in a Credit Union up to a maximum of \$250,000 per depositor.

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3. Long-Term Receivables

	2021	2020
Tile drainage loans, 6%, various repayment amounts, due from 2022 to 2030	<u>\$ 244,261</u>	<u>\$ 285,992</u>

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The Corporation of the Township of Southgate  
Notes to Financial Statements

December 31, 2021

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4. Solid Waste Landfill Closure and Post-Closure Liabilities

Solid waste landfill closure and post-closure care requirements have been defined in accordance with industry standards and include final covering and landscaping of the landfill, removal of ground water and leachates, and ongoing environmental monitoring, site inspection and maintenance.

The liability for the three landfill sites in the Township is recorded at \$229,000 and represents the present value of closure and post-closure costs for Egremont's opened cells and the two closed landfill sites at Proton and Dundalk, using the Township's long-term borrowing rate of 3.4%. The liability is recorded based on the capacity of the landfill used to date. The total estimated future expenses for closure and post-closure care are \$295,700 leaving an amount to be recognized of \$66,700. There are unopened cells at Egremont, for which no liability has been accrued. The estimated remaining capacity of the total Egremont site is approximately 279,642 cubic metres, which will be filled in an estimated 99 years. Post-closure care is estimated to continue for a period of 20 years after the closure of the cell. There is no remaining capacity at Dundalk and Proton and the post-closure care is estimated to continue for 2 years and 8 years, respectively.

The liability is currently partially funded in the amount of \$122,779 through reserves. The additional liability is expected to be funded through budget allocations to the landfill reserve over the remaining life of the landfill.

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5. Post-Employment Benefit

	2021	2020
Accrued benefit liability, beginning of the year	\$ 139,550	\$ 129,842
Benefits earned	13,900	14,158
Benefits paid	(3,800)	(4,450)
Accrued benefit liability, end of the year	<u>\$ 149,650</u>	<u>\$ 139,550</u>

The Township has approved a retirement allowance of \$200 per year for each year of service for all employees, volunteer firefighters, and council members that have been with the Township for 5 years. The Township recognizes the post-employment costs in the year the benefit is earned.

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The Corporation of the Township of Southgate  
Notes to Financial Statements

December 31, 2021

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6. Long-Term Liabilities

The balance of long-term liabilities reported on the consolidated statement of financial position is made up of the following:

	<u>2021</u>	<u>2020</u>
Tile drain loans payable, 6%, due from 2022 to 2030	\$ 244,261	\$ 285,992
Demand instalment loan payable, (Egremont Landfill Site), CIBC, 2.5% interest, repayable in blended monthly payments of \$14,253, last scheduled payment March 2026	687,959	842,246
Demand instalment loan payable, CIBC, 1.218% interest, repayable in annual principal payments of \$70,000, last scheduled payment May 2023	140,000	210,000
Loan payable, Ontario Infrastructure and Lands Corporation, 2.35%, payable in blended semi-annual payments of \$210,468, due 2029	<u>3,053,613</u>	<u>3,396,731</u>
	<u>\$ 4,125,833</u>	<u>\$ 4,734,969</u>

The gross interest paid in the year relating to the above long-term debt was \$105,796.

In the absence of demand for repayment, expected principal payments for the next five fiscal years and thereafter are as follows:

2022	\$ 633,393
2023	641,607
2024	566,002
2025	570,550
2026	448,151
Thereafter	<u>1,266,130</u>
	<u>\$ 4,125,833</u>

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The Corporation of the Township of Southgate  
Notes to Financial Statements

7. Tangible Capital Assets

	2021								
	Land	Buildings	Equipment and Vehicles	Roads	Bridges and Culverts	Water System	Wastewater System	Work in Progress	Total
Cost, beginning of the year	\$ 4,090,189	\$ 4,939,644	\$ 11,315,214	\$ 36,919,076	\$ 14,074,378	\$ 9,715,917	\$ 5,793,249	\$ 47,780	\$ 86,895,447
Additions	284,232	12,012	521,329	926,301	1,152,037	185,440	149,698	126,771	3,357,820
Disposals	(31,725)	-	(313,333)	(100,783)	(79,487)	(2,657)	-	-	(527,985)
Cost, end of the year	4,342,696	4,951,656	11,523,210	37,744,594	15,146,928	9,898,700	5,942,947	174,551	89,725,282
Accumulated amortization, beginning of the year	-	1,941,419	6,448,586	13,251,679	6,293,939	2,057,383	2,531,850	-	32,524,856
Amortization	-	106,345	712,534	744,338	260,105	210,208	116,370	-	2,149,900
Disposals	-	-	(313,333)	(35,450)	(63,585)	(2,657)	-	-	(415,025)
Accumulated amortization, end of the year	-	2,047,764	6,847,787	13,960,567	6,490,459	2,264,934	2,648,220	-	34,259,731
Net carrying amount, end of the year	\$ 4,342,696	\$ 2,903,892	\$ 4,675,423	\$ 23,784,027	\$ 8,656,469	\$ 7,633,766	\$ 3,294,727	\$ 174,551	\$ 55,465,551

The Corporation of the Township of Southgate  
Notes to Financial Statements

7. Tangible Capital Assets - (continued)

									2020
	Land	Buildings	Equipment and Vehicles	Roads	Bridges and Culverts	Water Systems	Wastewater Systems	Work in Progress	Total
Cost, beginning of the year	\$ 4,101,489	\$ 4,591,609	\$ 10,805,085	\$ 36,087,839	\$ 14,006,643	\$ 9,356,235	\$ 5,760,912	\$ 3,785	\$ 84,713,597
Additions	-	348,035	959,566	1,197,573	106,549	508,899	32,337	43,995	3,196,954
Disposals	(11,300)	-	(449,437)	(366,336)	(38,814)	(149,217)	-	-	(1,015,104)
Transfer	-	-	-	-	-	-	-	-	-
Cost, end of the year	4,090,189	4,939,644	11,315,214	36,919,076	14,074,378	9,715,917	5,793,249	47,780	86,895,447
Accumulated amortization, beginning of the year	-	1,848,005	6,211,011	12,840,543	6,073,114	1,969,316	2,423,452	-	31,365,441
Amortization	-	93,414	643,332	704,437	259,639	224,479	108,398	-	2,033,699
Disposals	-	-	(405,757)	(293,301)	(38,814)	(136,412)	-	-	(874,284)
Accumulated amortization, end of the year	-	1,941,419	6,448,586	13,251,679	6,293,939	2,057,383	2,531,850	-	32,524,856
Net carrying amount, end of the year	\$ 4,090,189	\$ 2,998,225	\$ 4,866,628	\$ 23,667,397	\$ 7,780,439	\$ 7,658,534	\$ 3,261,399	\$ 47,780	\$ 54,370,591

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The Corporation of the Township of Southgate  
Notes to Financial Statements

December 31, 2021

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7. Tangible Capital Assets - (continued)

The net book value of tangible capital assets not being amortized because they are under construction (or development) is \$174,551 (2020 - \$47,780).

During the year \$12,500 (2020 - \$25,425) in contributed tangible capital assets were recognized in the financial statements.

The Township has recorded land acquired before 1950 at nominal amounts.

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8. Accumulated Surplus

Accumulated surplus consists of individual fund surpluses and reserves as follows:

	2021	2020
	<hr/>	<hr/>
Invested in tangible capital assets		
Tangible capital assets at cost less amortization	\$55,465,551	\$ 54,370,591
Unfinanced capital	(398,244)	(398,292)
Capital assets financed by long-term liabilities and to be funded in future years	<hr/> (3,881,572) <hr/>	<hr/> (4,448,977) <hr/>
Total invested in capital assets	51,185,735	49,523,322
Unfunded post-employment benefits	-	(139,550)
Unfunded solid waste landfill closure and post-closure costs	(229,000)	(233,000)
Investment in Wellington North Power	<hr/> 49,388 <hr/>	<hr/> 49,388 <hr/>
	51,006,123	49,200,160
Reserves and reserve funds (Note 9)	<hr/> 9,980,145 <hr/>	<hr/> 9,477,213 <hr/>
Accumulated surplus	<hr/> <b>\$60,986,268</b> <hr/>	<hr/> <b>\$ 58,677,373</b> <hr/>

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The Corporation of the Township of Southgate  
Notes to Financial Statements

December 31, 2021

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9. Reserves and Reserve Funds Set Aside for Specific Purpose by Council

	2021	2020
Reserves		
Working funds	\$ 422,541	\$ 422,541
Tax stabilization and emergency funds	950,525	1,255,583
Current purposes	2,348,811	1,596,410
Capital purposes	5,743,074	5,723,865
	<u>9,464,951</u>	<u>8,998,399</u>
Reserve funds		
Capital purposes	515,194	478,814
	<u>515,194</u>	<u>478,814</u>
Reserves and reserve funds set aside for specific purpose by Council	<u>\$ 9,980,145</u>	<u>\$ 9,477,213</u>

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10. Other Income

	2021 Budget	2021 Actual	2020 Actual
Penalties and interest on taxation	\$ 225,000	\$ 275,193	\$ 280,824
Other fines and penalties	400	100	670
Investment income	81,250	72,459	118,754
Licenses, permits and rents	678,100	855,930	858,658
Donations	43,700	21,966	10,632
Donation of contributed assets	-	12,500	25,425
Sale of land, equipment, publications, etc.	1,250,100	21,514	191
Gain (loss) on disposal of capital assets	550,000	552,985	(100,820)
Investment in Wellington North Power	-	-	(96,958)
Contributions from development fees	1,770,530	256,436	440,964
Other	11,350	44,218	83,070
	<u>\$ 4,610,430</u>	<u>\$ 2,113,301</u>	<u>\$ 1,621,410</u>

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The Corporation of the Township of Southgate  
Notes to Financial Statements

December 31, 2021

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11. Budgets

Under Canadian public sector accounting principles, budget amounts are to be reported on the consolidated statements of operations and accumulated surplus and changes in net financial assets for comparative purposes. The 2021 budget amounts for the Corporation of the Township of Southgate approved by Council have been reclassified to conform to the presentation of the consolidated statements of operations and accumulated surplus and changes in net financial assets. The following is a reconciliation of the budget approved by Council.

	2021 Budget	2021 Actual	2020 Actual
Annual surplus (Page 6)	\$ 5,600,588	\$ 2,308,895	\$ 3,031,936
Amortization	2,210,000	2,149,900	2,033,699
Change in unfunded liabilities	-	(143,550)	(77,292)
Change in other surpluses	-	-	96,958
	7,810,588	4,315,245	5,085,301
Net transfers to reserves	(2,123,051)	(502,932)	(1,288,108)
Capital acquisitions, disposals and write-down	(6,064,033)	(3,244,860)	(3,056,134)
Capital projects not funded (funded)	14,224	(48)	(187,859)
Proceeds from long-term debt	925,326	-	-
Debt principal repayments	(563,054)	(567,405)	(553,200)
General surplus (Note 8)	\$ -	\$ -	\$ -

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The Corporation of the Township of Southgate  
Notes to Financial Statements

December 31, 2021

12. Government Transfers

	2021	2021	2020
	Budget	Actual	Actual
Operating			
Province of Ontario			
Ontario Municipal Partnership Fund (OMPF)	\$ 590,300	\$ 590,300	\$ 594,400
Conditional - Roads	60,000	241,484	114,293
- Other	113,068	261,392	325,498
	<u>763,368</u>	<u>1,093,176</u>	<u>1,034,191</u>
Government of Canada			
Conditional - Roads	-	5,979	-
- Sewer and Water	-	2,989	-
- Other	-	8,968	-
	<u>-</u>	<u>17,936</u>	<u>-</u>
Other municipalities			
- Other	119,206	147,299	107,626
Total operating transfers	<u>882,574</u>	<u>1,258,411</u>	<u>1,141,817</u>
Tangible capital asset			
Province of Ontario			
Conditional - Roads	-	265,815	318,142
- Other	-	14,367	-
	<u>-</u>	<u>280,182</u>	<u>318,142</u>
Government of Canada			
Conditional - Roads	1,050,617	458,122	221,834
- Other	100,000	-	-
	<u>1,150,617</u>	<u>458,122</u>	<u>221,834</u>
Other municipalities - Other	<u>-</u>	<u>-</u>	<u>238,205</u>
Total tangible capital asset transfers	<u>1,150,617</u>	<u>738,304</u>	<u>778,181</u>
Total transfers	<u>\$ 2,033,191</u>	<u>\$ 1,996,715</u>	<u>\$ 1,919,998</u>



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## The Corporation of the Township of Southgate

### Notes to Financial Statements

December 31, 2021

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#### 13. Pension Agreements

The Township makes contributions to the Ontario Municipal Employees Retirement Fund (OMERS), which is a multi-employer plan, on behalf of 45 members of its staff. This plan is a defined benefit plan which specifies the amount of the retirement entitlement to be received by the employees based on the length of service and rates of pay. Employees and employers contribute jointly to the plan. The employer amount contributed to OMERS for 2021 by the Township of Southgate was \$266,526 (2020 - \$222,226). The contribution rate for 2021 was 9.0% to 15.8% depending on age and income level (2020 - 9.0% to 15.8%).

OMERS is a multi-employer plan, therefore, any pension plan surpluses or deficits are a joint responsibility of Ontario municipal organizations and their employees. As a result, the Township does not recognize any share of the OMERS pension surplus or deficit. The last available report for the OMERS plan was December 31, 2021. At that time the plan reported a \$3.10 billion actuarial deficit (2020 - \$3.2 billion), based on actuarial liabilities of \$119.3 billion (2020 - \$111.8 billion) and actuarial assets of \$116.2 billion (2020 - \$108.6 billion). Ongoing adequacy of the current contribution rates will need to be monitored as fluctuations in the financial markets may lead to increased future funding requirements.

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#### 14. Operations of School Boards and the County of Grey

During the year, the following taxation revenue was raised and remitted to the school boards and the County of Grey:

	2021	2020
School boards	\$ 1,967,616	\$ 2,014,250
County of Grey	3,822,742	3,600,969
	<u>\$ 5,790,358</u>	<u>\$ 5,615,219</u>

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#### 15. Contractual Rights

The Township has a solar agreement dated June 4, 2014 to receive \$75,000 per year for 20 years. As of December 31, 2021 there is fourteen years remaining.

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#### 16. Contingent Liabilities

The Township has been served with claims as a result of motor vehicle accidents and building code and property matters. The Township is not aware of any possible settlements in excess of its liability insurance coverage. The outcomes of these claims are not determinable at this time.

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## The Corporation of the Township of Southgate

### Notes to Financial Statements

December 31, 2021

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#### 17. Trust Funds

The trust funds administered by the Township amounting to \$313,477 (2020 - \$288,394) have not been included in the consolidated statement of financial position nor have the operations been included in the consolidated statement of operations and accumulated surplus. At December 31, 2021, the trust fund balances are as follows:

	2021	2020
Township Cemetery Care and Maintenance funds	\$ 255,684	\$ 248,182
Egremont Optimist Club	30,669	27,660
Other Cemetery Care and Maintenance funds	27,124	12,552
	<u>\$ 313,477</u>	<u>\$ 288,394</u>

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#### 18. Commitments

- i) The Township has committed \$25,000 annually for 10 years for a total of \$250,000 to the South-East Grey Community Health Centre to help provide Seniors and Youth Programs within the community. As of December 31, 2021, \$100,000 has been transferred to South-East Grey Community Health Centre.
  - ii) As of December 31, 2021, the Township has committed \$687,860 for the purchase of a pumper tanker fire apparatus, \$537,555 for the purchase of two plow trucks and \$41,823 for the purchase of a crew cab truck of which \$Nil has been paid.
  - iii) As of December 31, 2021, the Township has committed \$145,000 for the new council chambers of which \$Nil has been paid.
  - iv) The Township has committed \$60,000 for the Markdale Hospital project of which \$30,000 will be paid in 2022 and \$30,000 in 2023.
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#### 19. Uncertainty due to COVID-19

The impact of COVID-19 in Canada and on the global economy increased significantly. As the impacts of COVID-19 continue, there could be further impact on the Township, its citizens, employees, suppliers and other third party business associates that could impact the timing and amounts realized on the Township's assets and future ability to deliver services and projects. At this time, the full potential impact of COVID-19 on the Township is not known. Given the dynamic nature of these circumstances and the duration of disruption, the related financial impact cannot be reasonably estimated at this time. The Township's ability to continue delivering non-essential services and employ related staff will depend on the legislative mandates from the various levels of government. The Township will continue to focus on collecting receivables, managing expenditures, and leveraging existing reserves and available credit facilities to ensure it is able to continue providing essential services to its citizens.

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## The Corporation of the Township of Southgate

### Notes to Financial Statements

December 31, 2021

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#### 20. Segmented Information

The Township of Southgate is a diversified municipal government institution that provides a wide range of services to its citizens such as police, fire, sewer, water, waste collection, disposal and recycling, recreational, library and planning. Distinguishable functional segments have been separately disclosed in the segmented information. The nature of the segments and the activities they encompass are as follows:

##### General Government

This item related to the revenues and expenses that relate to the governance and operations of the Township itself and cannot be directly attributed to a specific segment.

##### Protection to Persons and Property

Protection is comprised of police services, fire protection, conservation authority, emergency measures, canine control and building and structural inspection. The police services work to ensure the safety and protection of the citizens and their property. The fire department is responsible to provide fire suppression service, fire prevention programs, training and education. The members of the fire department consist of volunteers.

The building department provides a number of services including maintenance and enforcement of building and construction codes and review of all property development plans through its application process.

##### Transportation

Transportation is responsible for construction and maintenance of the Township's roadways, bridges, parking areas and streetlighting.

##### Environmental

Environmental services consists of providing waste collection, disposal and recycling to the Township's citizens. It also consists of providing the Township's drinking water and processing and cleaning sewage.

##### Health

Health services include contributions to the operations of local cemeteries.

##### Recreational and Cultural Services

This service area provides services meant to improve the health and development of the Township's citizens. The Township operates and maintains parks and arenas. The Township also provides library services and recreational programs.

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The Corporation of the Township of Southgate  
Notes to Financial Statements

December 31, 2021

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20. Segmented Information - (continued)

Planning and Development

This department is responsible for planning and zoning including the Official plan. This service area also includes tourist information and promotion, business improvement area, weed control, and drainage.

The accounting policies of the segments are the same as those described in the summary of significant accounting policies. Amounts that are directly attributable to a number of segments have been allocated on a reasonable basis as follows:

Taxation and payments-in-lieu

Allocated to those segments that are funded by these amounts based on the budget for the year.

OMPF Grants

Allocated to segments based on the budget for the year.

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The Corporation of the Township of Southgate  
Notes to Financial Statements

For the year ended December 31	General Government	Protection Services	Transportation Services	Environmental Services	Health Services	Recreation and Cultural Services	Planning and Development	2021 Total
Revenue								
Taxation	\$ 896,673	\$ 1,711,831	\$ 3,912,757	\$ 733,642	\$ 81,516	\$ 652,126	\$ 163,032	\$ 8,151,577
Fees and user charges	34,968	65,810	29,861	1,768,429	33,836	79,708	324,384	2,336,996
Specific grants	101,985	148,850	971,399	126,845	-	42,968	14,368	1,406,415
OMPF grant	64,933	123,963	283,344	53,127	5,903	47,224	11,806	590,300
Other revenue	1,104,297	695,445	10,381	217,935	18,068	43,570	23,605	2,113,301
	2,202,856	2,745,899	5,207,742	2,899,978	139,323	865,596	537,195	14,598,589
Expenses								
Salaries and benefits	954,836	683,006	1,137,777	729,692	8,968	435,999	167,169	4,117,447
Interest on debt	-	-	16,410	76,816	-	-	12,569	105,795
Materials and supplies	297,095	414,536	1,550,579	737,882	25,268	233,715	96,584	3,355,659
Contracted services	74,750	1,229,776	39,287	65,786	11,610	1,238	224,878	1,647,325
Other transfers	59,280	211,476	176,185	-	429,000	30,312	4,242	910,495
Rents and financial expenses	3,073	-	-	-	-	-	-	3,073
Amortization	63,321	107,852	1,378,651	486,126	3,363	110,587	-	2,149,900
	1,452,355	2,646,646	4,298,889	2,096,302	478,209	811,851	505,442	12,289,694
<i>Annual surplus (deficit)</i>	<i>\$ 750,501</i>	<i>\$ 99,253</i>	<i>\$ 908,853</i>	<i>\$ 803,676</i>	<i>\$ (338,886)</i>	<i>\$ 53,745</i>	<i>\$ 31,753</i>	<i>\$ 2,308,895</i>

The Corporation of the Township of Southgate  
Notes to Financial Statements

For the year ended December 31	General Government	Protection Services	Transportation Services	Environmental Services	Health Services	Recreation and Cultural Services	Planning and Development	2020 Total
Revenue								
Taxation	\$ 781,979	\$ 1,642,154	\$ 3,362,506	\$ 1,172,967	\$ 78,198	\$ 625,583	\$ 156,396	\$ 7,819,783
Fees and user charges	31,770	51,926	28,274	1,769,880	17,830	107,564	315,478	2,322,722
Specific grants	190,191	104,308	654,269	104,814	-	272,016	-	1,325,598
OMPF grant	59,440	124,824	255,592	89,160	5,944	47,552	11,888	594,400
Other revenue	489,991	678,843	343,279	69,574	11,807	27,916	-	1,621,410
	1,553,371	2,602,055	4,643,920	3,206,395	113,779	1,080,631	483,762	13,683,913
Expenses								
Salaries and benefits	915,921	497,002	890,498	596,654	12,187	413,613	112,198	3,438,073
Interest on debt	-	-	20,491	92,819	-	-	20,771	134,081
Materials and supplies	347,485	245,013	1,389,195	595,496	23,840	242,343	24,503	2,867,875
Contracted services	60,778	1,194,053	65,709	16,028	10,725	2,951	256,878	1,607,122
Other transfers	6,500	216,035	55,100	-	228,000	58,402	4,967	569,004
Rents and financial expenses	2,123	-	-	-	-	-	-	2,123
Amortization	64,533	71,135	1,286,677	494,335	3,372	113,647	-	2,033,699
	1,397,340	2,223,238	3,707,670	1,795,332	278,124	830,956	419,317	10,651,977
<i>Annual surplus (deficit)</i>	<i>\$ 156,031</i>	<i>\$ 378,817</i>	<i>\$ 936,250</i>	<i>\$ 1,411,063</i>	<i>\$ (164,345)</i>	<i>\$ 249,675</i>	<i>\$ 64,445</i>	<i>\$ 3,031,936</i>

The Corporation of the Township of Southgate  
Schedule of Deferred Revenue

For the year ended December 31, 2021

	Opening	Contributions Received	Investment Income	Revenue Recognized	Ending
Obligatory Reserve Funds					
Development charges	\$ 7,677,438	\$ 4,172,922	\$ 48,210	\$ (245,435)	\$11,653,135
Federal gas tax	-	457,447	675	(458,122)	-
Recreational land	66,528	1,064	414	-	68,006
	<u>7,743,966</u>	<u>4,631,433</u>	<u>49,299</u>	<u>(703,557)</u>	<u>11,721,141</u>
Other					
Ontario Community Infrastructure Fund	28,636	236,674	505	(265,815)	-
Other revenue	100,333	34,171	-	(20,500)	114,004
	<u>128,969</u>	<u>270,845</u>	<u>505</u>	<u>(286,315)</u>	<u>114,004</u>
	<u>\$ 7,872,935</u>	<u>\$ 4,902,278</u>	<u>\$ 49,804</u>	<u>\$ (989,872)</u>	<u>\$11,835,145</u>

For the year ended December 31, 2020

	Opening	Contributions Received	Investment Income	Revenue Recognized	Ending
Obligatory Reserve Funds					
Development charges	\$ 4,531,429	\$ 3,549,005	\$ 37,968	\$ (440,964)	\$ 7,677,438
Federal gas tax	-	223,093	(1,258)	(221,835)	-
Recreational land	65,417	500	611	-	66,528
	<u>4,596,846</u>	<u>3,772,598</u>	<u>37,321</u>	<u>(662,799)</u>	<u>7,743,966</u>
Other					
Community Based Capital Project	238,205	-	-	(238,205)	-
Ontario Community Infrastructure Fund	108,914	236,674	1,190	(318,142)	28,636
Other revenue	70,333	39,500	-	(9,500)	100,333
	<u>417,452</u>	<u>276,174</u>	<u>1,190</u>	<u>(565,847)</u>	<u>128,969</u>
	<u>\$ 5,014,298</u>	<u>\$ 4,048,772</u>	<u>\$ 38,511</u>	<u>\$ (1,228,646)</u>	<u>\$ 7,872,935</u>

The Corporation of the  
Township of Southgate  
Trust Funds  
Financial Information  
For the year ended December 31, 2021



The Corporation of the Township of Southgate  
Trust Funds  
For the year ended December 31, 2021

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The Corporation of the Township of Southgate

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## Independent Auditor's Report

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To the Members of Council, Inhabitants and Ratepayers  
of the Corporation of the Township of Southgate

### Opinion

We have audited the accompanying financial information of the Corporation of the Township of Southgate Trust Funds (Trust Funds), which comprise the balance sheet as at December 31, 2021, the statement of continuity for the year then ended, and notes to the financial information including a summary of significant accounting policies.

In our opinion, the accompanying financial information present fairly, in all material respects, the balance sheet for the Trust Funds as at December 31, 2021 and the statement of continuity for the year then ended in accordance with Canadian public sector accounting standards.

### Basis for Opinion

We conducted our audit in accordance with Canadian generally accepted auditing standards. Our responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Financial Information* section of our report. We are independent of the Trust Funds in accordance with the ethical requirements that are relevant to our audit of the financial information in Canada, and we have fulfilled our other ethical responsibilities in accordance with these requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

### Responsibilities of Management and Those Charged with Governance for the Financial Information

Management is responsible for the preparation and fair presentation of this financial information in accordance with Canadian public sector accounting standards, and for such internal control as management determines is necessary to enable the preparation of financial information that is free from material misstatement, whether due to fraud or error.

In preparing the financial information, management is responsible for assessing the Trust Funds ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless management either intends to liquidate the Trust Funds or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the Trust Funds financial reporting process.

#### Auditor's Responsibilities for the Audit of the Financial Information

Our objectives are to obtain reasonable assurance about whether the financial information as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of this financial information.

As part of an audit in accordance with Canadian generally accepted auditing standards, we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial information, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Trust Funds internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Trust Funds ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial information or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the Trust Funds to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial information, including the disclosures, and whether the financial information represents the underlying transactions and events in a manner that achieves fair presentation.



We communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

Chartered Professional Accountants, Licensed Public Accountants

Owen Sound, Ontario  
November 14, 2022

The Corporation of the Township of Southgate  
Trust Funds  
Balance Sheet

December 31, 2021

	Total	Township Cemetery Care and Maintenance	Egremont Optimist Club	Other Cemetery Care and Maintenance
<b>Assets</b>				
Cash	\$ 117,410	\$ 85,428	\$ 30,653	\$ 1,329
Investments, at cost	191,085	165,440	-	25,645
Accounts receivable	1,616	1,616	-	-
Due from Township of Southgate	3,366	3,200	16	150
<b>Fund balance</b>	<b>\$ 313,477</b>	<b>\$ 255,684</b>	<b>\$ 30,669</b>	<b>\$ 27,124</b>

Statement of Continuity

For the year ended December 31, 2021

	Total	Township Cemetery Care and Maintenance	Egremont Optimist Club	Other Cemetery Care and Maintenance
<b>Balance, beginning of the year</b>	<b>\$ 288,394</b>	<b>\$ 248,182</b>	<b>\$ 27,660</b>	<b>\$ 12,552</b>
<b>Receipts</b>				
Share of plot sales	7,114	7,114	-	-
Interest earned	4,180	3,813	213	154
Transferred from Trustee	13,524	-	-	13,524
Donations	7,425	-	7,425	-
C&M funds received	1,320	-	-	1,320
	<b>33,563</b>	<b>10,927</b>	<b>7,638</b>	<b>14,998</b>
<b>Expenses</b>				
Funds released	8,480	3,425	4,629	426
<b>Balance, end of the year</b>	<b>\$ 313,477</b>	<b>\$ 255,684</b>	<b>\$ 30,669</b>	<b>\$ 27,124</b>

The accompanying summary of significant accounting policies and notes are an integral part of these financial statements.

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The Corporation of the Township of Southgate  
Trust Funds  
Notes to Financial Information

December 31, 2021

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1. Summary of Significant Accounting Policies

Management Responsibility	Management of the Corporation of the Township of Southgate has prepared and is responsible for the integrity, objectivity and accuracy of this financial information. The Council reviews and approves the financial information.
Basis of Accounting	<p>The financial information of the Corporation of the Township of Southgate Trust Funds are the representation of management. They have been prepared by management in accordance with Canadian public sector accounting standards established by the Public Sector Accounting Board of the Chartered Professional Accountants of Canada as prescribed by the Ontario Ministry of Municipal Affairs and Housing.</p> <p>Revenue and expenses are reported on the accrual basis of accounting. The accrual basis of accounting recognizes revenues as they become available and measurable; expenses are recognized as they are incurred and measurable as a result of receipt of goods or services and the creation of a legal obligation to pay.</p>
Use of Estimates	The preparation of financial information in accordance with Canadian public sector accounting standards requires management to make estimates that affect the reported amounts of assets and liabilities at the date of the financial information, and the reported amounts of revenues and expenses during the reporting period. By their nature, these estimates are subject to measurement uncertainty and actual results could differ from management's best estimates as additional information becomes available in the future.
Basis of Consolidation	These trust funds have not been consolidated with the financial statements of the Township.

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2. Investments

The total investments of \$177,810 (2020 - \$165,277) reported on the balance sheet at cost have a market value of \$178,994 (2020 - \$165,277) at the end of the year.

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Monthly Statistics Report		
	Aug 2022	Sep 2022
New Patrons	20	27
Tech Help	13	31
Circulation	1,846	1,391
Phone Calls	58	73
Reference/Reader's Advisory	4	6
Programs	21	14
Program Participation	457	183
Social Media Reaches	10,448	9,232
Social Media Total Likes	184	309
E-material Circulation	365	326
E-resource usage	21	16
ILL Circulation – Received	12	17
ILL Circulation – Requests	23	33
Computer Usage	154	182
Wi-Fi	30	58
Library Visits	833	789

### Highlights:

September was a busy month as we resumed back to our full programming schedule. Children's Services launched a new Baby and Toddler Storytime and afternoon crafts for kids that has been well received. Kids Craft time has been broken up into three ages group to allow for age-appropriate activities. PD Day movies, that has always been popular, returned in September and was well attended.

Staff participated in community events including the Dundalk Fall Fair, the Seniors' Fair, Highpoint Community School's open house and Octoberfest. We appreciate having the opportunity to join community events.

### Accomplishments:

- Attended GPLIB Council
- Trained Library Assistant - Part time
- Draft Capital budget
- Public Library Operating Grant
- Attended Seniors Fair
- Attended the OLS Virtual Conference

### 60 Day Plan:

- Winter Book Orders
- 2023 Budget
- New Board applications and advertising
- Develop Board Orientation and Training

### Programs and Events:

- Kids Craft time
- Baby and Toddler Story Time
- Kids PD Movie
- Tweens Craft Time
- Teens Learn to play pool
- Teen Movie Night
- Teen Paint Night
- Local History Talks
- Cricut 1-on-1
- Adult Fall Wreath
- Book-to-Movie Club

### Upcoming Programming:

- Baby & Toddler Story time – Thursdays
- Kids Craft times Ages 4-7 – Nov. 9
- Kids Craft times Ages 8-10 – October 26
- Kids Halloween Scavenger Hunt – Oct. 28
- Tweens Craft Time – Nov. 16
- Teen Scary Movie Night – Oct. 27
- Teen DIY Potion Bottles – Oct. 28
- Teen DIY Lip Gloss – Nov. 3
- Teen Pizza from Scratch – Nov. 10
- How to in 10 Festival – Oct. 22
- Emergency Preparedness – Nov. 8
- Book-to-Movie Club – Nov. 18

Monthly Statistics Report		
	Sep 2022	Oct 2022
New Patrons	27	47
Tech Help	31	23
Circulation	1,391	1,300
Phone Calls	73	40
Reference/Reader's Advisory	6	2
Programs	14	31
Program Participation	183	407
Social Media Reaches	9,232	10,819
Social Media Total Likes	309	442
E-material Circulation	326	348
E-resource usage	16	13
ILL Circulation – Received	17	5
ILL Circulation – Requests	33	20
Computer Usage	182	193
Wi-Fi	58	85
Library Visits	789	919

### Highlights:

October is always a busy programming month for the Library. We launched our series of Local History Talks. Thank you to our volunteer speakers for participating. We had crafts for all ages throughout the month, Adult Tech courses, movie nights, and Halloween themed activities. We brought back the How-to in 10 Festival again this year with great success. Thank you to all our wonderful vendors for giving us their Saturday. On the PD Day we hosted a Halloween Scavenger hunt for the kids that was popular with 45 participants. Class visits with the local schools continue and the kids love coming to the library. It is wonderful to see the library so busy again!

### Accomplishments:

- How to in 10 Festival
- Presentation to Council Elect
- Public Library Operating Grant
- Winter Program Plan

### 60 Day Plan:

- Winter Book Orders
- 2023 Budget
- New Board applications and advertising
- Develop Board Orientation and Training
- 2023 Work Plan

### Programs and Events:

- Kids Craft time
- Baby and Toddler Story Time
- Tweens Craft Time
- Teen Scary Movie Night
- Local History Talks
- Kids Halloween Scavenger Hunt
- Teen DIY Potion Bottle
- Teen DIY Lip Gloss
- Emergency Preparedness
- Teen Pizza from Scratch

### Upcoming Programming:

- Baby & Toddler Story time – Thursdays
- Kids Craft times Ages 4-7 – Dec. 14
- Kids Craft times Ages 8-10 – Dec. 28
- Kids Halloween Scavenger Hunt – Oct. 28
- Tweens Craft Time – Dec. 21
- Teen Light up card – Dec. 8
- Teen Coco Mug – Cricut 1-on-1 – December
- Teen Movie Night – Dec. 22
- Book Club – Nov. 23
- Winter Paper Village Craft – Dec. 1
- Bird Centre Piece – Dec. 13





October 17<sup>th</sup>, 2022

Dear Mayor John Woodbury and Council,

The first-ever Hawks' Nest competition a 'Dragon's Den' inspired event was held in 2016, and the second in 2018, presented by Saugeen Economic Development Corporation (SEDC) and Bruce Community Futures Development Corporation (Bruce CFDC). The Hawks' Nest covers the areas of Grey, Bruce, Wellington North, Minto and the City of Owen Sound.

The intention of the Hawks' Nest is to create local economic development through supporting new and existing businesses and entrepreneurs with training, coaching, mentorship, and financial assistance. Interested businesses and entrepreneurs participate in one of five full-day business plan training sessions, and create and submit their business plan. Personal interviews are held to present their business plan, discuss details, and gather valuable feedback from the General Managers from SEDC and Bruce CFDC. It is forecast that this investment will assist with the creation and/or maintenance of 160 jobs in the two catchment areas of SEDC and Bruce CFDC.

We are encouraged by the response of these two events and look forward to the third event on May 17<sup>th</sup> in Owen Sound. At the event, seven finalists will pitch their business ideas to the Hawks; six high-profile business leaders in the local area who have committed to invest a minimum of \$5,000 in one or more of the finalists that evening. Not only is there a minimum of \$30,000 up for grabs; the finalists will come away with valuable feedback, coaching, mentorship and immeasurable exposure to kick start their business idea.

The Hawks' Nest project is partially funded by the two partners, but the balance of the costs must be raised by the community. As I am sure you agree, economic development is critical in keeping our communities alive and vibrant. We would like to see Southgate become a partner-level sponsor with Hawks Nest. We hope you will consider supporting this, please view the sponsorship packages as outlined in the attached.

More information on the Hawks' Nest is available at [www.sbdc.ca](http://www.sbdc.ca) or [www.bruce.on.ca](http://www.bruce.on.ca). Additionally, tickets will go on sale in April (\$30 each with \$5 of each ticket sale going towards the People's Choice Award).

We thank you for your consideration and support!

***Proudly  
Presented by:***

Rose Austin  
SEDC  
[rose@sbdc.ca](mailto:rose@sbdc.ca)  
[www.sbdc.ca](http://www.sbdc.ca)  
519-799-5750 x  
302



Barb Fisher  
Bruce CFDC  
[bfisher@bruce.on.ca](mailto:bfisher@bruce.on.ca)  
[www.bruce.on.ca](http://www.bruce.on.ca)  
519-396-8141 x 111





## A DRAGONS' DEN INSPIRED EVENT

*Bruce Community Futures & the Saugeen EDC invite to join the Hawks' Nest!*

### Hawks' Nest

creates local economic development to  
support **new and existing small businesses and entrepreneurs** with  
*training, coaching, mentorship and financial assistance.*

A biennial event

### Hawks' Nest

2016 & 2018 saw over 90 individuals  
participate in **FREE business plan training** workshops.

More than 50 applicants submitted proposals to

### Hawks' Nest

for the **opportunity to pitch their ideas** to the Hawks.

### Hawks' Nest

raised over **\$104,000 in investments** for entrepreneurs  
in **grants, loans and partnership** opportunities.

### Hawks' Nest

investments leveraged **over \$3.2M** and helped  
create & maintain **160 jobs** all within

your **Hawks' Nest** area

***Bruce, Grey, Owen Sound, Minto and North Wellington***

**Hawks' Nest event is May 17<sup>th</sup> at the Roxy Theatre, Owen Sound**  
Sponsors contact [hawksnest@sbdc.ca](mailto:hawksnest@sbdc.ca). For details and rules for Hawks' Nest see  
[sbdc.ca](http://sbdc.ca) or [bruce.on.ca](http://bruce.on.ca)

## **CORPORATE SPONSOR** (7 spots available)

**\$2,500**

Receive maximum exposure with 6 other esteemed Corporate Sponsors. Showcase your business as an integral part of this event to support the Hawks' Nest area communities as a major supporter. Business benefits include:

- 3 complimentary tickets to the event—May 17th, 2023 at the Roxy Theatre in Owen Sound
- Corporate logo on the SEDC, Bruce CFDC websites and social media sites with hyperlink
- Customized 30 second video presentation of business played during event (included in broadcast & DVD)
- Recognition by MC during event (within script)
- Full page, print ready (you supply) advertisement in the event program
- Promoted during radio and newspaper advertising and media releases
- Acknowledgement by logo on event posters, program, welcome banner and People's Choice ballot
- Featured on event TV broadcast & event DVD
- Mounted certificate to display to customers

## **PARTNER LEVEL** (for municipalities & counties)

**\$2,000**

Show your community's support of entrepreneurship and enterprise by partnering on the program. Benefit through:

- 2 Complimentary tickets to the event—May 17th, 2023 at the Roxy Theatre in Owen Sound
- Community logo on the SEDC, Bruce CFDC Hawks' Nest website
- Press release acknowledging partnership
- Logo on welcome banner prominently displayed at event
- Recognized by MC during the event—featured on event TV broadcast & DVD
- Logo featured in rotation with other sponsors during breaks at the event
- Recognition in the event program on the partner logo page
- Quarter (1/4) page, print ready (you supply) advertisement in the event program

## **PLATINUM SPONSOR**

**\$1,000**

This prestigious sponsorship package will put your business in the spotlight. As well, you will receive:

- 2 Complimentary tickets to the event—May 17th, 2023 at the Roxy Theatre in Owen Sound
- Logo in event program (logo page) and on welcome banner prominently displayed at event
- Half (1/2) page, print ready (you supply) advertisement in the event program
- Logo featured in rotation with other sponsors during breaks at the event
- Featured on the evening TV broadcast and the event DVD

## **GOLD SPONSOR**

**\$500**

Receive excellent exposure for your business with this new mid-range sponsorship. As a gold sponsor you receive:

- 1 Complimentary ticket to the event—May 17th, 2023 at the Roxy Theatre in Owen Sound
- Quarter (1/4) page, print ready (you supply) advertisement in the event program
- Logo featured in rotation with other sponsors during breaks at the event
- Featured on the event TV broadcast and the event DVD

## **SILVER SPONSOR**

**\$250**

Been seen throughout the evening by attendees at the event—May 17th, 2023 at the Roxy Theatre in Owen Sound by:

- Company name featured in rotation with other sponsors during event intermission
- Eighth (1/8) page, print ready logo (you supply) advertisement in the event program

## **BRONZE SPONSOR**

**\$150**

Show support to entrepreneurs and enterprises at the event May 17<sup>th</sup>, 2023 at the Roxy Theatre in Owen Sound with:

- Company name featured in rotation with other sponsors during event intermission
- Business name included in event program thank you listing



# PARTNERSHIP BENEFITS

- ✓ 2 COMPLIMENTARY TICKETS TO THE EVENT - MAY 17TH
- ✓ COMPANY LOGO ON THE SEDC, BRUCE CFDC HAWKS' NEST WEBSITE
- ✓ PRESS RELEASES ACKNOWLEDGING THE PARTNERS
- ✓ LOGO ON WELCOME BANNER PROMINENTLY DISPLAYED AT THE EVENT
- ✓ RECOGNIZED BY THE MC DURING THE EVENT
- ✓ LOGO FEATURED IN ROTATION WITH OTHER PARTNERS DURING
- ✓ BREAKS RECOGNITION AS A PARTNER IN THE EVENT PROGRAM
  - PARTNER LOGO PAGE
  - 1/4 PAGE AD
- ✓ FEATURED ON EVENT TV BROADCAST & DVD

Hawks' Nest 2023 isn't possible without our esteemed partners and sponsors. If you have questions and or concerns please contact one of the members of the Hawks' Nest Team.

## Hawks' Nest Project Coordinator

Email: [hawksnest@sbdc.ca](mailto:hawksnest@sbdc.ca)  
Office: 519-799-5750 x301

**Rose Austin**  
**SEDC General Manager**  
Email: [rose@sbdc.ca](mailto:rose@sbdc.ca)  
Office: 519-799-5750

**Barb Fisher**  
**Bruce CFDC General Manager**  
Email: [bfisher@bmts.com](mailto:bfisher@bmts.com)  
Office: 519-386-9933

**Please submit payment by March 1st, 2023**

Saugeen Economic Development Corporation  
515 Mill Street, P.O. Box 462, Neustadt, ON N0G 2M0

**Ministry of  
Municipal Affairs  
and Housing**

Office of the Minister

777 Bay Street, 17<sup>th</sup> Floor  
Toronto ON M7A 2J3  
Tel.: 416 585-7000

**Ministère des  
Affaires municipales  
et du Logement**

Bureau du ministre

777, rue Bay, 17<sup>e</sup> étage  
Toronto ON M7A 2J3  
Tél. : 416 585-7000



234-2022-4624

October 25, 2022

Good afternoon,

On October 25, 2022, our government released [More Homes Built Faster: Ontario's Housing Supply Action Plan 2022-2023](#) that proposes bold and transformative action to get 1.5 million homes built over the next 10 years.

Details about the range of measures in our plan can be found in the [news release here](#).

The More Homes Built Faster Plan proposes policies and tools that reflect recommendations from the [Housing Affordability Task Force Report](#) and builds on [More Homes, More Choice](#) and the [More Homes for Everyone Plan](#). Our plan also draws on many elements from AMO's 2022 A Blueprint for Action: An Integrated Approach to Address the Ontario Housing Crisis and ROMA's 2022 Task Force Report on Attainable Housing and Purpose-Built Rentals. These changes are providing a solid foundation to address Ontario's housing supply crisis over the long term and will be supplemented by continued action in the future.

Our government has also introduced the More Homes Built Faster Act, 2022, and is seeking feedback on the changes proposed under the legislation and associated regulations. Additionally, various housing and land use policy reviews – including a housing-focused policy review of A Place to Grow and the Provincial Policy Statement, with a theme of supporting rural and northern housing – are being undertaken to identify and remove barriers to getting more homes built. These and other related consultations can be found through the [Environmental Registry of Ontario and the Ontario Regulatory Registry](#).

We encourage you share this information with senior staff in the municipality and to inform the newly elected head of council and council members. Our government is building a strong foundation for action that will continue to ensure Ontario is a prosperous and growing province – and the best place in the world to call home. We look forward to continued collaboration with our municipal partners to get more homes built faster.

Sincerely,

A handwritten signature in blue ink that reads "Steve Clark".

Steve Clark  
Minister

- c. The Honourable Michael Parsa, Associate Minister of Housing  
Kate Manson-Smith, Deputy Minister  
Ryan Amato, Chief of Staff, Minister's Office  
Joshua Paul, Assistant Deputy Minister, Housing Division  
Municipal Chief Administrative Officers



**Premier of Ontario**  
**Premier ministre**  
**de l'Ontario**

**Legislative Building**  
**Queen's Park**  
**Toronto, Ontario**  
**M7A 1A1**  
**Édifice de l'Assemblée législative**  
**Queen's Park**  
**Toronto (Ontario)**  
**M7A 1A1**

November 14, 2022

Mayor-elect Brian Milne  
Township of Southgate

Dear Mayor-elect Milne:

It is my pleasure to congratulate you on your recent election.

As our government delivers on its ambitious plan to build Ontario, we will continue to work with the province's 444 municipalities as key partners. That means working together to build the public transit, homes and roads and highways needed to meet the needs of growing communities and keep our economy moving forward. It means working together to build good schools for students to learn in and high-quality hospitals and long-term care homes that care for people.

Our government also recognizes the significant pressures facing municipal budgets after two very difficult and unpredictable years. That's why, in 2021, Ontario provided municipalities with over \$1.3 billion in financial relief above and beyond the \$4-billion Safe Restart Agreement to further assist in covering municipal needs. We will continue working with the federal government and municipal partners to protect the long-term sustainability of municipal budgets.

As we do, we're also providing funding so that you can modernize municipal services and find opportunities to make local service delivery more efficient so we can continue to make life more convenient and affordable for taxpayers.

I want you to know that our government will always be here to listen to your needs. When Team Ontario works together, there's nothing we can't do.

Together, let's get building.

Sincerely,

Doug Ford  
Premier



November 16, 2022

To Laurie Scott, MPP, Chair of the Standing Committee on Heritage, Infrastructure, and Cultural Policy:

Re: Bill 23, *More Homes Built Faster Act*, 2022

Firstly, on behalf of Watson & Associates Economists Ltd. (Watson), we would like to thank you for receiving our comments on the Province's proposed changes to the *Development Charges Act* (D.C.A.), *Planning Act*, and *Conservation Authorities Act*, by way of Bill 23, *More Homes Built Faster Act*. The following letter is submitted to the Standing Committee on Heritage, Infrastructure, and Cultural Policy (the "Standing Committee") to supplement the presentation by Gary Scandlan, Managing Partner, on November 17, 2022.

Watson is one of Canada's leading economic consulting firms, comprising municipal economists, planners, accountants, and support staff. The firm has been in operation since 1982. Our work has involved many aspects of municipal finance and economics, including assisting municipalities across the Province with development charges (D.C.s) studies, community benefits charges (C.B.C.) studies, parkland dedication studies, fiscal impact assessments, full cost user fee pricing models, demographic forecasts, growth management studies, and more.

Watson appreciates that the lack of attainable housing is an important issue facing the Province today. This letter, however, provides some commentary on how the Bill may negatively impact the Province's goal to "increase housing supply and provide attainable housing options for hardworking Ontarians and their families," along with the financial burden this legislation will have on municipalities and existing homeowners.

## 1. Impact on Housing Supply

As stated by the Province, the goal is to create an additional 1.5 million new homes over the next 10 years; however, the changes proposed in Bill 23 may actually limit the supply of housing. For urban growth to occur, water and wastewater services must be in place before building permits can be issued for housing. Most municipalities assume the risk of constructing this infrastructure and wait for development to occur. Currently, 26% of municipalities providing water/wastewater services are carrying negative D.C. reserve fund balances for these services<sup>[1]</sup> and many others are carrying significant

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<sup>[1]</sup> Based on 2020 Financial Information Return data.





growth-related debt. The following provides a list of the changes to the various pieces of legislation and how they would negatively impact the supply of housing.

### Development Charges Act

- **Mandatory Phase-in:** The Bill proposes to phase-in the D.C. over the first five-years of being in force. A review of various municipal D.C. by-laws indicates this proposed phase-in will cause a reduction in the amount of D.C. revenue collected by approximately 10% over the phase-in period. This loss in revenue will need to be funded by existing taxpayers, thus subsidizing growth. With respect to water, wastewater, and roads services, if the municipality does not have the ability to fund this lost revenue, it may delay the timing of capital projects, which in turn, will delay the availability of land for the construction of new homes. Additionally, this phase-in would apply to non-residential development. It is unclear how this would increase the housing supply. This matter is further compounded by the loss of revenue due to the additional statutory exemptions discussed in section 2 of this letter.
- **Removal of Housing Services:** Upper-tier and single-tier municipalities across the Province utilize D.C.s to help fund the construction of new affordable housing units with the goal of providing affordable housing to those in need. The removal of housing services as a D.C.-eligible service will reduce municipalities' participation in creating assisted/affordable housing units. Based on present D.C. by-laws, over \$2.2 billion in net growth-related expenditures providing for over 47,000 affordable housing units (*or 3.1% of the Province's 1.5 million housing target*) would be impacted by this proposed change.
- **Removal of Studies from the Definition of Capital Costs:** Studies, such as Official Plans and Secondary Plans, are required to establish when, where, and how a municipality will grow. Master Plans, environmental assessments and other studies are required to understand the servicing needs development will place on infrastructure such as water, wastewater, stormwater, and roads. These studies are necessary to inform the servicing required to establish the supply of lands for development; without these servicing studies, additional development cannot proceed. Removing direct funding for these studies would restrict/delay the supply of serviced land and would be counter to the Province's intent to create additional housing units.

### Planning Act

- **Removal of Planning Policy and Approval Responsibilities:** Removal of these policies and responsibilities from the Regions of Durham, Halton, Niagara, Peel, Waterloo, and York, as well as the County of Simcoe (and potentially others in the future) may result in disjointed planning policies and a lack of coordination of Regional water and wastewater infrastructure. Lower-tier municipalities may have significantly different goals which may lead to inefficient



phasing/staging of development lands, less coordination of servicing plans, and an increased administrative burden for both lower-tier and upper-tier municipalities, as well as the Province.

## 2. Additional Financial Burden on Municipalities and Taxpayers

The proposed changes to the various Acts will have significant financial impacts on Ontario's municipalities along with their respective taxpayers. It is anticipated that these changes are in direct conflict with the principle that "growth pays for growth" and will put additional pressure on property taxes and water and wastewater rates. This increase in funding of growth-related needs from existing taxpayers and ratepayers will create affordability issues for existing homeowners, thus transferring the financial burden of home ownership, not reducing it. The following provides a summary of the proposed changes and how they would increase the financial burden on municipalities and existing taxpayers.

### Development Charges Act

- **Additional Statutory Exemptions (also applies to C.B.C.s and Parkland Dedication) and Discounts:** The Bill provides for a number of statutory exemptions for additional residential units, affordable housing, attainable housing, non-profit housing, and affordable units through inclusionary zoning. In addition, discounts for rental housing will be required.
  - The definition of "affordable" is based on 80% of the market value, whereas municipalities define "affordable" relative to income levels. This broader definition will result in more housing units being eligible for D.C. exemptions which do not meet municipal definitions of "affordable."
  - The definition of "attainable" appears to be even more broad; however, no details are provided on the proposed regulatory definition.
  - These exemptions will result in a loss of D.C. revenue of approximately 10-15% that the municipalities will have to fund from other sources (i.e., property taxes or water/wastewater rates).
- **Mandatory Phase-in:** As noted in section 1 above, this may result in a loss of 10% in D.C. revenues to municipalities.
- **Removal of Housing Services:** As noted in section 1 above, based on present D.C. by-laws in place, over \$2.2 billion in net growth-related expenditures providing for over 47,000 units (*or 3.1% of the Province's 1.5 million housing target*) would be impacted by this change.
- **Revised Definition of Capital Costs:** The Bill proposes to remove the cost of land for certain services (yet to be defined) and studies from the definition of costs eligible for D.C.s.
  - Land – Land represents a significant cost for some municipalities in the purchase of property to provide services to new residents (e.g., water



- plants, new roads, etc.). This is a cost required due to growth and should be funded by new development, if not dedicated by development directly.
- Studies – Master planning and Environmental Assessments are integral to construction of hard infrastructure required to service new development. Removing these costs from being D.C. eligible will shift the burden of these growth-related costs to existing taxpayers and ratepayers.

### Planning Act – Parkland Dedication

- **Reduction in Alternative Parkland Dedication Requirements:** The alternative dedication requirement where land is being conveyed of 1 hectare (ha) per 300 dwelling units would be reduced to 1 ha per 600 dwelling units. Where the municipality imposes payment in lieu (P.I.L.) alternative requirements, the amendments would reduce the amount from 1 ha per 500 dwelling units to 1 ha per 1,000 net residential units. Municipalities already face challenges with the supply of adequate parkland due to the rising cost of land and current limitations under the *Planning Act* relative to municipal parkland standards. By cutting the parkland dedication requirements in half, this will further reduce the municipalities' ability to purchase parkland and will result in additional burden on taxpayers to maintain municipal parkland standards or result in a reduction in the level of parks service over time.
- **10-15% Cap on Land Area for Alternative Rate:** The alternative requirement would be capped at 10% of the land area or land value where the land proposed for development or redevelopment is 5 ha or less; and 15% of the land area or land value where the land proposed for development or redevelopment is greater than 5 ha. These caps would significantly reduce parkland dedication, particularly for high-density residential development and place the maximum dedication levels equivalent to medium-density developments. Given that high-density developments provide limited parklands on site, the contribution made towards creating more land to service the land needs generated is significantly under contributed. Again, these shortfalls will have to be funded by property taxes if Council wishes to maintain municipal parkland standards for existing and future residents.

## 3. Summary Commentary

The above summarizes our concerns with the proposed legislative changes and their impact on the housing supply as well as their financial impact to municipalities and their taxpayers. There are a number of other concerns with the proposed legislation that we have outlined in our detailed responses provided in the attachments. These are as appended as follows:

- Attachment 1 – Changes to the D.C.A.
- Attachment 2 – Changes to the *Planning Act*



- Attachment 3 – Changes to the *Planning Act* – Parkland Dedication
- Attachment 4 – Changes to the *Planning Act* – Community Benefits Charges
- Attachment 5 – Changes to the *Conservation Authorities Act*.

To conclude, while the goal of these proposed changes is to reduce the upfront cost to a new home purchaser, the funding loss for this will come from the existing taxpayer, i.e., existing residents and businesses subsidizing new home purchasers, hence increasing housing affordability concerns.

Over the past 40 years, our firm has undertaken numerous fiscal impact studies of residential development and, as a whole, the new taxes and fees generated by residential growth do not equal the new operating costs required to support these developments. As well, based on past changes to the D.C.A., historical reductions have not resulted in a decrease in the price of housing, hence it is difficult to relate the loss of needed infrastructure funding to affordable housing.

As a result, we would provide the following considerations for the Standing Committee:

1. From the proposed legislation, phase-in charges and exemptions for services essential to creating developable land supply (water, wastewater, stormwater and roads) should be removed...or funded by grants from senior levels of government.
2. Reduction in parkland contributions, caps for high-density development and developer ability to provide encumbered lands/POPS should be removed from parkland dedication legislation to continue to allow municipalities to determine the appropriate level of service for parks.
3. Alternatively, to minimize the overall impact on the taxpayer and ratepayer, provide access to other revenue sources (e.g., HST, land transfer tax) to fund all D.C., parkland dedication, and C.B.C. revenue losses.
4. Municipal housing should continue as an eligible D.C. service.



We again want to thank the Standing Committee for receiving our presentation and correspondence and would appreciate the Committee's consideration of our concerns.

Yours very truly,

WATSON & ASSOCIATES ECONOMISTS LTD.

Andrew Grunda, MBA, CPA, CMA, Principal

Gary Scandlan, BA, PLE, Managing Partner

Jamie Cook, MCIP, RPP, PLE, Managing Partner

Peter Simcisko, BA (Hons), MBE, Managing Partner

Sean-Michael Stephen, MBA, Managing Partner

Jack Ammendolia, BES, PLE, Managing Partner



# Appendices



## Attachment 1 - Changes to the D.C.A.

**1. Additional Residential Unit Exemption:** The rules for these exemptions are now provided in the D.C.A., rather than the regulations and are summarized as follows:

- Exemption for residential units in existing rental residential buildings – For rental residential buildings with four or more residential units, the greater of one unit or 1% of the existing residential units will be exempt from D.C.
- Exemption for additional residential units in existing and new residential buildings
  - The following developments will be exempt from a D.C.:
    - A second unit in a detached, semi-detached, or rowhouse if all buildings and ancillary structures cumulatively contain no more than one residential unit;
    - A third unit in a detached, semi-detached, or rowhouse if no buildings or ancillary structures contain any residential units; and
    - One residential unit in a building or structure ancillary to a detached, semi-detached, or rowhouse on a parcel of urban land, if the detached, semi-detached, or rowhouse contains no more than two residential units and no other buildings or ancillary structures contain any residential units.

### Analysis/Commentary

- For existing single-family homes, this change will not have an impact. For other existing low/medium-density units and for all new units, however, this allowance of a third additional unit that will be exempt from D.C.s adds a further revenue loss burden to municipalities to finance infrastructure. This is of greatest concern for water and wastewater services where each additional unit will require additional capacity in water and wastewater treatment plants. This additional exemption will cause a reduction in D.C.s and hence will require funding by water and wastewater rates.
- Other services, such as transit and active transportation, will also be impacted as increased density will create a greater need for these services, and without an offsetting revenue to fund the capital needs, service levels provided may be reduced in the future.

**2. Removal of Housing as an Eligible D.C. Service:** Housing services would be removed as an eligible service. Municipalities with by-laws that include a charge for housing services can no longer collect for this service once subsection 2 (2) of Schedule 3 of the Bill comes into force.

### Analysis/Commentary

- The removal of housing services will reduce municipalities' participation in creating assisted/affordable housing units and/or put further burden on municipal



taxpayers. This service seeks to construct municipal affordable housing for growing communities. The removal of this service could reduce the number of affordable units being constructed over the next ten years, if the municipalities can no longer afford the construction. Based on present D.C. by-laws in place, over \$2.2 billion in net growth-related expenditures providing for over 47,000 additional units (or 3.1% of the Province's 1.5 million housing target) would be impacted by this change.

**3. New Statutory Exemptions:** Affordable units, attainable units, inclusionary zoning units and non-profit housing developments will be exempt from the payment of D.C.s, as follows:

- Affordable Rental Units: Where rent is no more than 80% of the average market rent as defined by a new bulletin published by the Ministry of Municipal Affairs and Housing.
- Affordable Owned Units: Where the price of the unit is no more than 80% of the average purchase price as defined by a new bulletin published by the Ministry of Municipal Affairs and Housing.
- Attainable Units: Excludes affordable units and rental units; will be defined as prescribed development or class of development and sold to a person who is at “arm’s length” from the seller.
  - Note: for affordable and attainable units, the municipality shall enter into an agreement that ensures the unit remains affordable or attainable for 25 years.
- Inclusionary Zoning Units: Affordable housing units required under inclusionary zoning by-laws will be exempt from a D.C.
- Non-Profit Housing: Non-profit housing units are exempt from D.C. instalment payments due after this section comes into force.

### Analysis/Commentary

- While this is an admirable goal to create additional affordable housing units, further D.C. exemptions will continue to provide additional financial burdens on municipalities to fund these exemptions without the financial participation of senior levels of government.
- The definition of “attainable” is unclear, as this has not yet been defined in the regulations.
- Municipalities will have to enter into agreements to ensure these units remain affordable and attainable over a period of time which will increase the administrative burden (and costs) on municipalities. These administrative burdens will be cumbersome and will need to be monitored by both the upper-tier and lower-tier municipalities.
- It is unclear whether the bulletin provided by the Province will be specific to each municipality, each County/Region, or Province-wide. Due to the disparity in





incomes across Ontario, affordability will vary significantly across these jurisdictions. Even within an individual municipality, there can be disparity in the average market rents and average market purchase prices.

- 4. Historical Level of Service:** Currently, the increase in need for service is limited by the average historical level of service calculated over the ten year period preceding the preparation of the D.C. background study. This average will be extended to the historical 15-year period.

#### **Analysis/Commentary**

- For municipalities experiencing significant growth in recent years, this may reduce the level of service cap, and the correspondingly D.C. recovery. For many other municipalities seeking to save for new facilities, this may reduce their overall recoveries and potentially delay construction.
- This further limits municipalities in their ability to finance growth-related capital expenditures where debt funding was recently issued. Given that municipalities are also legislated to address asset management requirements, their ability to incur further debt may be constrained.

- 5. Capital Costs:** The definition of capital costs may be revised to prescribe services for which land or an interest in land will be restricted. Additionally, costs of studies, including the preparation of the D.C. background study, will no longer be an eligible capital cost for D.C. funding.

#### **Analysis/Commentary**

- Land
  - Land costs are proposed to be removed from the list of eligible costs for certain services (to be prescribed later). Land represents a significant cost for some municipalities in the purchase of property to provide services to new residents. This is a cost required due to growth and should be funded by new development, if not dedicated by development directly.
- Studies
  - Studies, such as Official Plans and Secondary Plans, are required to establish when, where, and how a municipality will grow. These growth-related studies should remain funded by growth.
  - Master Plans and environmental assessments are required to understand the servicing needs development will place on hard infrastructure such as water, wastewater, stormwater, and roads. These studies are necessary to inform the servicing required to establish the supply of lands for development; without these servicing studies, additional development cannot proceed. This would restrict the supply of serviced land and would be counter to the Province's intent to create additional housing units.



**6. Mandatory Phase-in of a D.C.:** For all D.C. by-laws passed after June 1, 2022, the charge must be phased-in annually over the first five years the by-law is in force, as follows:

- Year 1 – 80% of the maximum charge;
- Year 2 – 85% of the maximum charge;
- Year 3 – 90% of the maximum charge;
- Year 4 – 95% of the maximum charge; and
- Year 5 to expiry – 100% of the maximum charge.

Note: for a D.C. by-law passed on or after June 1, 2022, the phase-in provisions would only apply to D.C.s payable on or after the day subsection 5 (7) of Schedule 3 of the Bill comes into force (i.e., no refunds are required for a D.C. payable between June 1, 2022 and the day the Bill receives Royal Assent). The phased-in charges also apply with respect to the determination of the charges under section 26.2 of the Act (i.e., eligible site plan and zoning by-law amendment applications).

### **Analysis/Commentary**

- Water, wastewater, stormwater, and roads are essential services for creating land supply for new homes. These expenditures are significant and must be made in advance of growth. As a result, the municipality assumes the investment in the infrastructure and then assumes risk that the economy will remain buoyant enough to allow for the recovery of these costs in a timely manner. Otherwise, these growth-related costs will directly impact the existing rate payer.
- The mandatory phase-in will result in municipalities losing approximately 10% to 15% of revenues over the five-year phase-in period. For services such as water, wastewater, stormwater, and to some extent roads, this will result in the municipality having to fund this shortfall from other sources (i.e., taxes and rates). This may result in: 1) the delay of construction of infrastructure that is required to service new homes; and 2) a negative impact on the tax/rate payer who will have to fund these D.C. revenue losses.
- Growth has increased in communities outside the Greater Toronto Area (G.T.A.) (e.g. municipalities in the outer rim), requiring significant investments in water and wastewater treatment services. Currently, there are several municipalities in the process of negotiating with developing landowners to provide these treatment services. For example, there are two municipalities within the outer rim (one is 10 km from the G.T.A. while the other is 50 km from the G.T.A.) imminently about to enter into developer agreements and award tenders for the servicing of the equivalent of 8,000 single detached units (or up to 20,000 high-density units). This proposed change to the D.C.A. alone will stop the creation of those units due to debt capacity issues and the significant financial impact placed on



ratepayers due to the D.C. funding loss. Given our work throughout the Province, it is expected that there will be many municipalities in similar situations.

- Based on 2020 Financial Information Return (F.I.R.) data, there are 214 municipalities with D.C. reserve funds. Of those, 130 provide water and wastewater services and of those, 34 municipalities (or 26%) are carrying negative water and wastewater reserve fund balances. As a result, it appears many municipalities are already carrying significant burdens in investing in water/wastewater infrastructure to create additional development lands. This proposed change will worsen the problem and, in many cases, significantly delay or inhibit the creation of serviced lands in the future.
- Note that it is unclear how the phase-in provisions will affect amendments to existing D.C. by-laws.

**7. D.C. By-law Expiry:** A D.C. by-law would expire ten years after the day it comes into force. This extends the by-law's life from five years, currently. D.C. by-laws that expire prior to subsection 6 (1) of the Bill coming into force would not be allowed to extend the life of the by-law.

#### **Analysis/Commentary**

- The extension of the life of the D.C. by-law would appear to not have an immediate financial impact on municipalities. Due to the recent increases in actual construction costs experienced by municipalities, however, the index used to adjust the D.C. for inflation is not keeping adequate pace (e.g., the most recent D.C. index has increased at 15% over the past year; however, municipalities are experiencing 40%-60% increases in tender prices). As a result, amending the present by-laws to update cost estimates for planned infrastructure would place municipalities in a better financial position.
- As a result of the above, delaying the updating of current D.C. by-laws for five more years would reduce actual D.C. recoveries and place the municipalities at risk of underfunding growth-related expenditures.

**8. Instalment Payments:** Non-profit housing development has been removed from the instalment payment section of the Act (section 26.1), as these units are now exempt from the payment of a D.C.

#### **Analysis/Commentary**

- This change is more administrative in nature due to the additional exemption for non-profit housing units.

**9. Rental Housing Discount:** The D.C. payable for rental housing development will be reduced based on the number of bedrooms in each unit as follows:

- Three or more bedrooms – 25% reduction;



- Two bedrooms – 20% reduction; and
- All other bedroom quantities – 15% reduction.

### Analysis/Commentary

- Further discounts to D.C.s will place an additional financial burden on municipalities to fund these reductions.
- The discount for rental housing does not appear to have the same requirements as the affordable and attainable exemptions to enter into an agreement for a specified length of time. This means a developer may build a rental development and convert the development (say to a condominium) in the future hence avoiding the full D.C. payment for its increase in need for service.

**10. Maximum Interest Rate for Instalments and Determination of Charge for Eligible Site Plan and Zoning By-law Amendment Applications:** No maximum interest rate was previously prescribed. Under the proposed changes, the maximum interest rate would be set at the average prime rate plus 1%. How the average prime rate is determined is further defined under section 9 of Schedule 3 of the Bill. This maximum interest rate provision would apply to all instalment payments and eligible site plan and zoning by-law amendment applications occurring after section 9 of Schedule 3 of the Bill comes into force.

### Analysis/Commentary

- Setting the maximum interest rate at 1%+ the average prime rate appears consistent with the current approach for some municipalities but is a potential reduction for others.
- It appears a municipality can select the adjustment date for which the average prime rate would be calculated.
- The proposed change will require municipalities to change their interest rate policies, or amend their by-laws, as well as increase the administrative burden on municipalities.

**11. Requirement to Allocate Funds Received:** Similar to the requirements for community benefits charges, annually, beginning in 2023, municipalities will be required to spend or allocate at least 60% of the monies in a reserve fund at the beginning of the year for water, wastewater, and services related to a highway. Other services may be prescribed by the regulation.

### Analysis/Commentary

- This proposed change appears largely administrative and would not have a financial impact on municipalities. This can be achieved as a schedule as part of the annual capital budget process or can be included as one of the schedules



with the annual D.C. Treasurer Statement. This, however, will increase the administrative burden on municipalities.

**12. Amendments to Section 44 (Front-ending):** This section has been updated to include the new mandatory exemptions for affordable, attainable, and non-profit housing, along with required affordable residential units under inclusionary zoning by-laws.

#### **Analysis/Commentary**

- This change is administrative to align with the additional statutory exemptions.

**13. Amendments to Section 60:** Various amendments to this section were required to align the earlier described changes.

#### **Analysis/Commentary**

- These changes are administrative in nature.



## Attachment 2 - Changes to the *Planning Act*

The following summary of proposed key housing and planning related changes, along with our firm's commentary, is provided below. It is noted that this commentary specifically focuses on the impacts of Bill 23 regarding long-range planning and growth management initiatives at the municipal level.

### 1. Streamlining Municipal Planning Responsibilities

Schedule 9 of the Bill proposes a number of amendments to the *Planning Act*. Subsection 1 (1) of the Act is proposed to be amended to provide for two different classes of upper-tier municipalities; those that have planning responsibilities and those that do not. Changes are proposed to remove the planning policy and approval responsibilities from the following upper-tier municipalities: Regions of Durham, Halton, Niagara, Peel, Waterloo, and York, as well as the County of Simcoe. In addition, the proposed changes could potentially be applied to additional upper-tier municipalities in the future via regulation.

The proposed amendments under Schedule 9 of the Bill introduce numerous questions related to the approach to ensuring effective leadership, management and integration of regional and local land use planning across the affected jurisdictions. In addition to providing a broad vision and planning direction with respect to the long-term management of urban, rural and natural systems, upper-tier municipal planning authorities also play a critical role regarding the coordination, phasing, and delivery of water, wastewater and transportation infrastructure as well as other municipal services. The Provincial Policy Statement, 2020 (P.P.S.) sets out specific responsibilities for upper-tier municipalities, in consultation with lower-tier municipalities, related to planning coordination, housing, economic development, natural environment and municipal infrastructure. Furthermore, the P.P.S. directs upper-tier municipal planning authorities to provide policy direction to lower-tier municipalities on matters that cross municipal boundaries.

While the proposed amendment to the Bill aims to streamline the land use planning process across the affected municipalities, it risks increasing complexity and miscommunication while adding to the technical and administrative efforts of both lower-tier and upper-tier municipalities, as well as the Province.

Furthermore, it would remove critical planning resources and knowledge at the upper-tier level which are required when addressing matters that cross technical disciplines and municipal jurisdictions. This would potentially result in disjointed efforts and outcomes with respect to local planning approvals and regional municipal service delivery.



## 2. Review of the Potential Integration of A Place to Grow and the Provincial Policy Statement (P.P.S.)

The Ministry of Municipal Affairs and Housing is undertaking a housing-focused policy review of A Place to Grow: the Growth Plan for the Greater Golden Horseshoe (G.G.H.), 2019, as amended, hereinafter referred to as the Growth Plan, and the P.P.S. The Province is reviewing the potential integration of the P.P.S. and the Growth Plan into a new Province-wide planning policy framework that is intended to:

- Leverage housing-supportive policies of both policy documents, while removing or streamlining policies that result in duplication, delays or burden the development of housing;
- Ensure key growth management and planning tools are available to increase housing supply and support a range and mix of housing options;
- Continue to protect the environment, cultural heritage, and public health and safety; and
- Ensure that growth is supported with the appropriate amount and type of community infrastructure.

Since the release of the Growth Plan in 2006 under the *Places to Grow Act, 2005*, G.G.H. municipalities have been in a continuous cycle of developing and defending growth management processes and Official Plan updates. Over the past several years, all G.G.H. upper-tier, single-tier, and most lower-tier municipalities have initiated the process of updating their respective Official Plans to bring these documents into conformity with the Growth Plan. Within the G.G.H., this process is referred to as a Municipal Comprehensive Review (M.C.R.). Many of these municipalities have completed their draft M.C.R. analyses and draft Official Plan updates for provincial approval, while several others are approaching completion.

The required technical analysis associated with the growth analysis and urban land needs assessment component of the M.C.R. process is set out in the Provincial Land Needs Assessment (L.N.A.) methodology, which is specific to G.G.H. municipalities.<sup>[1]</sup> The M.C.R. process has required tremendous time and effort on behalf of municipalities, consulting agencies, stakeholder groups and involved residents. The results of these efforts represent a key planning milestone for all G.G.H. municipalities and provide a solid foundation to build on as it relates to future growth management implementation, monitoring and benchmarking.

Ontario municipalities located outside the G.G.H. are also now in the process of updating their respective Official Plans in accordance with the P.P.S. For municipalities in these jurisdictions, this process is referred to as a Comprehensive Review (C.R.). While there are potential benefits regarding the consolidation of the

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<sup>[1]</sup> A Place to Grow: Growth Plan for the Greater Golden Horseshoe, Land Needs Assessment Methodology for the Greater Golden Horseshoe. August 2020.





P.P.S. and the Growth Plan, as it relates to the M.C.R. and C.R. process, there are a number of issues that should be considered regarding this effort, particularly as they relate to long-term growth management and urban land needs, discussed below.

### Long-Term Population and Employment Forecasts

Schedule 3 of the Growth Plan establishes minimum long-term population and employment forecasts for upper-tier and single-tier municipalities in the G.G.H. to the year 2051. The Ministry of Finance (M.O.F.) also establishes long-term population forecasts for all Ontario Census Divisions (C.D.s), which typically represent upper-tier municipalities, separated municipalities, and single-tier municipalities. The M.O.F. forecasts are not recognized as official forecasts for planning purposes in Ontario; however, they are updated annually and can be used to inform population forecasts in Official Plans. Under a consolidated Growth Plan and P.P.S., consideration would need to be given to the role and source of growth forecasts established by the Province for all Ontario municipalities.

### Provincial Land Needs Assessment Methodology Guidelines

As previously noted, the L.N.A. methodology for G.G.H. municipalities was updated by the Province in 2020. In accordance with the Growth Plan, the L.N.A. methodology provides a step-by-step approach to conducting growth forecasts and urban land need assessments for upper-tier and single-tier municipalities for both Community Areas (i.e., living areas) and Employment Areas. All other Ontario municipalities rely on the 1995 Provincial Projection Methodology Guidelines (P.P.M.G.) for guidance regarding the technical approach to growth forecasts and urban land need assessments. It is noted that the 1995 P.P.M.G. suggests that a simplified methodology can be used for smaller or low-growth municipalities. It is further noted that the P.P.M.G. is meant to be used as “best practices” and the guidelines are not mandatory. Under a consolidated Growth Plan and P.P.S., consideration is required regarding the application of a standardized L.N.A. methodology for all Ontario municipalities.

### Addressing Urban Land Needs for Urban Settlement Areas

An important term used in the P.P.S. in the context of both urban land needs and housing affordability is the *Regional Market Area (R.M.A.)*. The R.M.A. is defined in the P.P.S. and Growth Plan (with modifications) as follows:

“an area that has a high degree of social and economic interaction. The upper- or single-tier municipality, or planning area, will normally serve as the regional market area. However, where a regional market area extends significantly beyond these boundaries, then the regional market area may be based on the larger market area. Where regional market areas are





very large and sparsely populated, a smaller area, if defined in an official plan, may be utilized.”

With respect to urban residential land needs assessments, the broad objective of this policy is to ensure the efficient and wise use of all designated urban lands, both occupied and vacant, within the R.M.A. before expanding Urban Settlement Area boundaries. Across southern Ontario municipalities, a key challenge with the application of this policy is the mismatch of urban residential land needs at the urban settlement area level within the defined R.M.A. geography.

If the R.M.A. definition is interpreted too rigidly, it can constrain urban residential development within Urban Settlement Areas, and more broadly across entire municipalities, where identified urban land surpluses have been determined elsewhere within the R.M.A. Neither the P.P.S. nor the Growth Plan provide adequate direction for addressing residential urban land supply and demand mismatches within the R.M.A. Subsection 2.2.1.6 of the Growth Plan provides policy direction regarding *Excess Lands*, which applies exclusively to Outer Ring G.G.H. municipalities. Under a consolidated Growth Plan and P.P.S., a review of the R.M.A. and Excess Lands policies would be required to determine an appropriate and standardized approach to addressing localized urban residential land needs for Urban Settlement Areas and local municipalities.

#### Residential Intensification Targets and Minimum Density Requirements

Subsection 2.2.7.2 of the Growth Plan provides direction with respect to minimum greenfield density targets for G.G.H. upper-tier and single-tier municipalities. These densities range between 40 and 50 people and jobs per gross hectare (ha). Minimum density requirements are also prescribed in the Growth Plan for Strategic Growth Areas, such as Urban Growth Centres and Major Transit Station Areas (M.T.S.A.s). The P.P.S. does not prescribe minimum density targets for Ontario municipalities but does require municipalities to establish density targets for areas adjacent, or in proximity, to M.T.S.A.s and corridors.

Subsection 2.2.2.1 of the Growth Plan requires upper-tier and single-tier G.G.H. municipalities to establish minimum intensification targets within delineated built-up areas (B.U.A.s). These were established under the Growth Plan, 2006. The delineated B.U.A.s within G.G.H. municipalities have remained unchanged since the Growth Plan was established in 2006. The P.P.S. also requires municipalities to establish residential intensification targets but does not prescribe minimum density targets for Ontario municipalities. Furthermore, the P.P.S. does not require municipalities to delineate built area boundaries in Official Plans; however, some Ontario municipalities outside the G.G.H. have delineated built area boundaries for planning purposes. It is noted that the delineation of built area boundaries may be subject to change or update for municipalities outside the G.G.H., while B.U.A.s within the G.G.H. will remain fixed as of 2006. Under a consolidated Growth Plan



and P.P.S., a standardized approach to minimum density requirements and residential intensification targets would be required for all Ontario municipalities.

### Rural Housing

An identified area of the Growth Plan and P.P.S. review is to provide policy direction to enable more residential development in Rural Areas. Rural Settlement Areas include existing hamlets or similar existing small settlement areas that are established in Official Plans. These communities are typically serviced by individual, private, on-site water and/or private wastewater systems. Rural Settlement Areas provide clusters of business operations that are essential to future economic growth. Infilling and minor rounding out of existing residential and non-residential development within Rural Settlement Areas is important to ensure that these areas remain vibrant, sustainable and complete communities. Under a consolidated Growth Plan and P.P.S., enabling more residential development in Rural Settlement Areas, and Rural Areas more broadly, would need to be considered within the context of the existing provincial and local policy frameworks, the land use hierarchy identified in Official Plans, the provision of servicing, as well as the protection of natural heritage and agricultural lands.

### Employment Area Conversion

An identified area of the Growth Plan and P.P.S. review is to provide policy direction to streamline and simplify the conversion of Employment Areas to new residential and mixed-use development, where appropriate. Employment Areas form a vital component of a municipality's land use structure and represent an integral part of the local economic development potential and competitiveness of municipalities. If not carefully evaluated, the conversion of Employment Areas to non-employment uses can potentially lead to negative impacts on the local economy in several ways. First, Employment Area conversions can reduce employment opportunities, particularly in export-based sectors, creating local imbalances between population and employment. Second, Employment Area conversions can potentially erode employment land supply and lead to further conversion pressure as a result of encroachment of non-employment uses within, or adjacent to, Employment Areas. Finally, Employment Area conversions can potentially fragment existing Employment Areas, undermining their functionality and competitive position. Under a consolidated Growth Plan and P.P.S., policy direction regarding the conversion of Employment Areas should emphasize principles and criteria that examine both the quantity and quality of Employment Areas within the context of the local and regional market attributes, as well as the planned urban function of the subject conversion sites.

## **3. 2031 Municipal Housing Targets**

The Province has identified that an additional 1.5 million new housing units are required to be built over the next decade to meet Ontario's current and forecast



housing needs. Furthermore, the Province has assigned municipal housing targets, identifying the number of new housing units needed by 2031, impacting 29 of Ontario's largest and many of the fastest growing single/lower tier municipalities. Key observations on the Province's plan are as follows:

- The municipal housing targets for 2031 collectively account for 1,229,000 units, representing about 82% of Ontario's overall 1.5 million new homes target.
- Of the 29 municipalities with housing targets identified, 25 are within the G.G.H. and four are located in other areas of southwestern and southeastern Ontario.
- Within the G.G.H. municipalities, the municipal housing targets are generally higher than approved housing forecasts. In non-G.G.H. municipalities, there is generally less discrepancy between the approved housing forecasts and the Province's targets. Having said that, the Municipal Housing Pledges are not intended to replace current municipal Official Plans.
- The municipal housing targets are based on current and future housing needs. A share of the overall housing need is attributed to a structural deficit in existing housing inventories, while a portion of the housing need is linked to anticipated population growth over the next decade.
- The housing targets are adapted from the housing needs assessment provided in the "Ontario's Need for 1.5 Million More Homes" report, prepared by Smart Prosperity Institute, dated August 2022.
- The impacted municipalities are being asked to prepare Municipal Housing Pledges to meet these housing targets. These pledges must include details on how the municipality will enable/support housing development through a range of planning, development approvals and infrastructure related initiatives.
- These housing pledges are not intended to replace current municipal Official Plans and are not expected to impact adopted municipal population or employment projections.
- While the municipal housing targets do not specify housing form, density, or geographic location (e.g., greenfield, intensification), it is anticipated that any needs beyond adopted housing forecasts will largely comprise rental and affordable housing units primarily located within B.U.A.s, and to a lesser extent, designated greenfield areas (D.G.A.s).
- To develop effective local policies and programs to support the achievement of the housing targets, it is recommended that municipalities assess their existing and future housing needs through a local lens, building on the high-level assessment provided by the Province.
- Local housing needs should be considered within a broader growth management framework, reflecting population, labour and employment/economic growth potential, and addressed through a planning, economic, fiscal and housing affordability lens.



#### 4. Potential Changes to Inclusionary Zoning

Inclusionary zoning is a tool that can be used by municipalities to ensure the provision of affordable housing. Ontario Regulation (O. Reg.) 232/18 implements inclusionary zoning in Ontario. The proposed amendments to O. Reg 232/18 would:

- Establish 5% as the upper limit on the number of affordable housing units; the 5% limit would be based on either the number of units or percentage share of gross floor area of the total residential units; and
- Establish a maximum period of twenty-five (25) years over which the affordable housing units would be required to remain affordable.

While the proposed changes provide certainty with respect to affordable housing to be provided under inclusionary zoning, they greatly limit a municipality's ability to tailor the provision for affordable housing to the local market and for development feasibility considerations identified through the required Inclusionary Zoning Assessment Report.



## Attachment 3 - Changes to the *Planning Act* – Parkland Dedication

1. **New Statutory Exemptions:** Affordable residential units, attainable residential units, inclusionary zoning residential units, non-profit housing and additional residential unit developments will be exempt from parkland dedication requirements. For affordable, attainable, and inclusionary zoning residential units, the exemption is proposed to be implemented by:

- discounting the standard parkland dedication requirements (i.e., 5% of land) based on the proportion of development excluding affordable, attainable and inclusionary zoning residential units relative to the total residential units for the development; or
- where the alternative requirement is imposed, the affordable, attainable and inclusionary zoning residential units would be excluded from the calculation.

For non-profit housing and additional residential units, a parkland dedication by-law (i.e., a by-law passed under section 42 of the *Planning Act*) will not apply to these types of development:

- Affordable Rental Unit: as defined under subsection 4.1 (2) of the D.C.A., where rent is no more than 80% of the average market rent as defined by a new bulletin published by the Ministry of Municipal Affairs and Housing.
- Affordable Owned Unit: as defined under subsection 4.1 (3) of the D.C.A., where the price of the unit is no more than 80% of the average purchase price as defined by a new bulletin published by the Ministry of Municipal Affairs and Housing.
- Attainable Unit: as defined under subsection 4.1 (4) of the D.C.A., excludes affordable units and rental units, will be defined as prescribed development or class of development and sold to a person who is at “arm’s length” from the seller.
- Inclusionary Zoning Units: as described under subsection 4.3 (2) of the D.C.A.
- Non-Profit Housing: as defined under subsection 4.2 (1) of the D.C.A.
- Additional Residential Units, including:
  - A second unit in a detached, semi-detached, or rowhouse if all buildings and ancillary structures cumulatively contain no more than one residential unit;
  - A third unit in a detached, semi-detached, or rowhouse if no buildings or ancillary structures contain any residential units; and
  - One residential unit in a building or structure ancillary to a detached, semi-detached, or rowhouse on a parcel of urban land, if the detached, semi-detached, or rowhouse contains no more than two residential units and no other buildings or ancillary structures contain any residential units.



## Analysis/Commentary

- While reducing municipal requirements for the conveyance of land or P.I.L. of parkland may provide a further margin for builders to create additional affordable housing units, the proposed parkland dedication exemptions will increase the financial burdens on municipalities to fund these exemptions from property tax sources (in the absence of any financial participation by senior levels of government) or erode municipalities' planned level of parks service.
- The definition of "attainable" is unclear, as this has not yet been defined in the regulations to the D.C.A.
- Under the proposed changes to the D.C.A, municipalities will have to enter into agreements to ensure these units remain affordable and attainable over a period of time, which will increase the administrative burden (and costs) on municipalities. An agreement does not appear to be required for affordable/attainable units exempt from parkland dedication. Assuming, however, that most developments required to convey land or provide P.I.L. of parkland would also be required to pay development charges, the units will be covered by the agreements required under the D.C.A. As such, the *Planning Act* changes should provide for P.I.L. requirements if the status of the development changes during the period.
- It is unclear whether the bulletin provided by the Province to determine if a development is affordable will be specific to each municipality or aggregated by County/Region or Province. Due to the disparity in incomes across Ontario, affordability will vary significantly across these jurisdictions. Even within an individual municipality there can be disparity in the average market rents and average market purchase prices.
- While the proposed exemptions for non-profit housing and additional residential units may be easily applied for municipalities imposing the alternative requirement, as these requirements are imposed on a per residential unit basis, it is unclear at this time how a by-law requiring the standard provision of 5% of residential land would be applied.

**2. Determination of Parkland Dedication:** Similar to the rules under the D.C.A., the determination of parkland dedication for a building permit issued within two years of a Site Plan and/or Zoning By-law Amendment approval would be subject to the requirements in the by-law as at the date of planning application submission.

## Analysis/Commentary

- If passed as currently drafted, these changes would not apply to site plan or zoning by-law applications made before subsection 12 (6) of Schedule 9 of the *More Homes Built Faster Act* comes into force.
- For applications made after the in-force date, this would represent a lag in P.I.L. value provided to municipalities, as it would represent the respective land value





up to two years prior vs. current value at building permit issuance. For municipalities having to purchase parkland, this will put additional funding pressure on property tax funding sources to make up the difference, or further erode the municipality's planned level of parks service.

**3. Alternative Parkland Dedication Requirement:** The following amendments are proposed for the imposition of the alternative parkland dedication requirements:

- The alternative requirement of 1 hectare (ha) per 300 dwelling units would be reduced to 1 ha per 600 dwelling units where land is being conveyed. Where the municipality imposes P.I.L. requirements, the amendments would reduce the amount from 1 ha per 500 dwelling units to 1 ha per 1,000 net residential units.
- Proposed amendments clarify that the alternative requirement would only be calculated on the incremental units of development/redevelopment.
- The alternative requirement would be capped at 10% of the land area or land value where the land proposed for development or redevelopment is 5 ha or less; and 15% of the land area or land value where the land proposed for development or redevelopment is greater than 5 ha.

**Analysis/Commentary**

- If passed as currently drafted, the decrease in the alternative requirements for land conveyed and P.I.L. would not apply to building permits issued before subsection 12 (8) of Schedule 9 of the *More Homes Built Faster Act* comes into force.
- Most municipal parkland dedication by-laws only imposed the alternative requirements on incremental development. As such, the proposed amendments for net residential units seek to clarify the matter where parkland dedication by-laws are unclear.
- Section 42 previously imposed the alternative requirement caps of 10% and 15% of land area or value, depending on the respective developable land area, for developments only within designated transit-oriented communities. By repealing subsection 42 (3.2) of the *Planning Act*, these caps would apply to all developable lands under the by-law.
- As illustrated in the figure below, lowering the alternative parkland dedication requirement and imposing caps based on the developable land area will place significant downward pressure on the amount of parkland dedication provided to municipalities, particularly those municipalities with significant amounts of high-density development. For example:
  - Low-density development of 20 units per net ha (uph), with a person per unit (P.P.U.) occupancy of 3.4, would have produced a land conveyance of 0.98 ha per 1,000 population. The proposed change would reduce this to 0.74 ha, approximately 75% of current levels.



- Medium-density development of 50 uph, with a P.P.U. of 2.6 would produce land conveyance at 50% of current levels (0.64 vs. 1.28 ha/1,000 population).
- Low-rise development of 150 uph, with a P.P.U. of 2.6 would produce land conveyance at 20% of current levels (0.43 vs. 2.15 ha/1,000 population). P.I.L. would be approximately 1/3 of current levels.
- High-rise development of 300 uph, with a P.P.U. of 2.6 would produce land conveyance at 10% of current levels (0.22 vs. 2.15 ha/1,000 population). P.I.L. would be approximately 17% of current levels.<sup>[1]</sup>
- Based on the proposed alternative requirement rates and land area caps, municipalities would be better off:
  - For land conveyance, imposing the alternative requirement for densities greater than 30 units per ha.
    - Sites of 5 ha or less, land conveyance would be capped at 10% of land area at densities greater than 60 units per ha.
    - Sites greater than 5 ha, land conveyance would be capped at 15% of land area at densities greater than 90 units per ha.
  - For P.I.L. of parkland, imposing the alternative requirement for densities greater than 50 units per ha.
    - Sites of 5 ha or less, land conveyance would be capped at 10% of land area at densities greater than 100 units per ha.
    - Sites greater than 5 ha, land conveyance would be capped at 15% of land area at densities greater than 150 units per ha.
  - For densities less than 30 units per ha, imposing the standard requirement of 5% of land area for land conveyance and P.I.L. of parkland.

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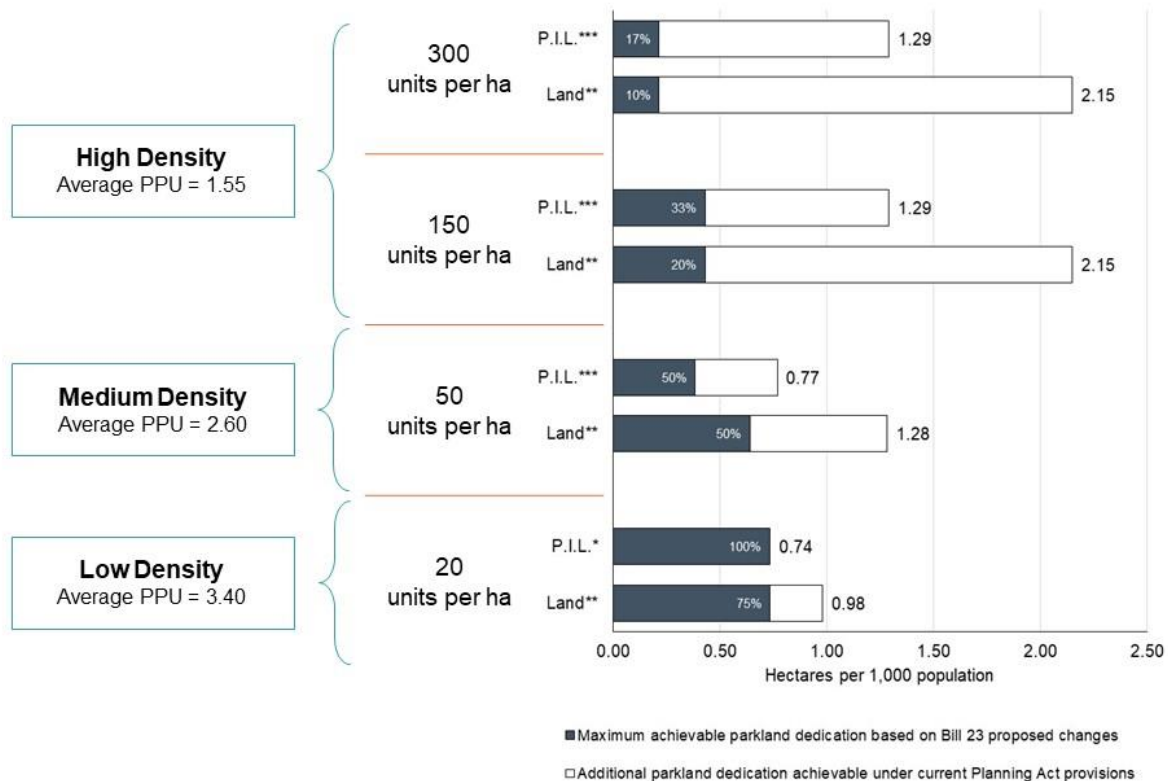
<sup>[1]</sup> Low-rise and high-rise developments with sites larger than 5 ha would only be marginally better under the proposed changes, at 30% and 15% of land conveyance and 50% and 25% P.I.L., respectively.





## Maximum Achievable Parkland Dedication (hectares per 1,000 population)

Development Sites ≤ 5 hectares



\* Using standard requirement (5% of land area or land value)

\*\* Using alternative requirement of 1 hectare of land per 300 units.

\*\*\* Using alternative P.I.L. requirement of 1 hectare per 500 units.



- 4. Parks Plan:** The preparation of a publicly available parks plan as part of enabling an Official Plan will be required at the time of passing a parkland dedication by-law under section 42 of the *Planning Act*.

#### **Analysis/Commentary**

- The proposed change will still require municipal Official Plans to contain specific policies dealing with the provision of land for parks or other public recreational purposes where the alternative requirement is used.
- The requirement to prepare and consult on a parks plan prior to passing a by-law under section 42 would now appear to equally apply to a by-law including the standard parkland dedication requirements, as well as the alternative parkland dedication requirements. This will result in an increase in the administrative burden (and cost) for municipalities using the standard parkland dedication requirements.
- Municipalities imposing the alternative requirement in a parkland dedication by-law on September 18, 2020 had their by-law expire on September 18, 2022 as a result of the *COVID-19 Economic Recovery Act* amendments. Many municipalities recently undertook to pass a new parkland dedication by-law, examining their needs for parkland and other recreational assets. Similar transitional provisions for existing parkland dedication by-laws should be provided with sufficient time granted to allow municipalities to prepare and consult on the required parks plan.

- 5. Identification of Lands for Conveyance:** Owners will be allowed to identify lands to meet parkland conveyance requirements, within regulatory criteria. These lands may include encumbered lands and privately owned public space (POPs). Municipalities may enter into agreements with the owners of the land regarding POPs to enforce conditions, and these agreements may be registered on title. The suitability of land for parks and recreational purposes will be appealable to the Ontario Land Tribunal (OLT).

#### **Analysis/Commentary**

- The proposed changes allow the owner of land to identify encumbered lands for parkland dedication consistent with the provisions available to the Minister of Infrastructure to order such lands within transit-oriented communities. Similar to the expansion of parkland dedication caps, these changes would allow this to occur for all developable lands under the by-law. The proposed changes go further to allow for an interest in land, or POPs.
- The municipality may refuse the land identified for conveyance, providing notice to the owner with such requirements as prescribed. The owner, however, may appeal the decision to the OLT. The hearing would result in the Tribunal determining if the lands identified are in accordance with the criteria prescribed. These “criteria” are unclear, as they have not yet been defined in the regulations.



- Many municipal parkland dedication by-laws do not except encumber lands or POPs as suitable lands for parkland dedication. This is due, in part, to municipalities' inability to control the lands being dedicated or that they are not suitable to meet service levels for parks services. Municipalities that do accept these types of lands for parkland or other recreational purposes have clearly expressed such in their parkland dedication by-laws. The proposed changes would appear to allow the developers of the land, and the Province within prescribed criteria, to determine future parks service levels in municipalities in place of municipal council intent.

**6. Requirement to Allocate Funds Received:** Similar to the requirements for C.B.C.s, and proposed for the D.C.A. under Bill 23, annually beginning in 2023, municipalities will be required to spend or allocate at least 60% of the monies in a reserve fund at the beginning of the year.

### **Analysis/Commentary**

- This proposed change appears largely administrative, increasing the burden on municipalities. This change would not have a fiscal impact and could be achieved as a schedule to annual capital budget. Moreover, as the Province may prescribe annual reporting, similar to the requirements under the D.C.A. and for a C.B.C under the *Planning Act*.



## Attachment 4 - Changes to the *Planning Act* – Community Benefits Charges

**1. New Statutory Exemptions:** Affordable residential units, attainable residential units, and inclusionary zoning residential units will be exempt from the payment of C.B.C.s., with definitions provided as follows:

- Affordable Residential Units (Rented): Where rent is no more than 80% of the average market rent as defined by a new bulletin published by the Ministry of Municipal Affairs and Housing.
- Affordable Residential Units (Ownership): Where the price of the unit is no more than 80% of the average purchase price as defined by a new bulletin published by the Ministry of Municipal Affairs and Housing.
- Attainable Residential Units: Excludes affordable units and rental units; will be defined as prescribed development or class of development and sold to a person who is at “arm’s length” from the seller.
- Inclusionary Zoning Units: Affordable housing units required under inclusionary zoning by-laws.

The exemption is proposed to be implemented by applying a discount to the maximum amount of the C.B.C. that can be imposed (i.e., 4% of land value, as specified in section 37 of the *Planning Act*). For example, if the affordable, attainable, and/or inclusionary zoning residential units represent 25% of the total building floor area, then the maximum C.B.C. that could be imposed on the development would be 3% of total land value (i.e., a reduction of 25% from the maximum C.B.C. of 4% of land value).

### Analysis/Commentary

- While this is an admirable goal to create additional affordable housing units, further C.B.C. exemptions will continue to provide additional financial burdens on municipalities to fund these exemptions without the financial participation of senior levels of government.
- The definition of “attainable” is unclear, as this has not yet been defined in the regulations.
- Under the proposed changes to the D.C.A, municipalities will have to enter into agreements to ensure that affordable units remain affordable for 25 years and that attainable units are attainable at the time they are sold. An agreement does not appear to be required for affordable/attainable residential units exempt from payment of a C.B.C. Assuming, however, that most developments required to pay a C.B.C. would also be paying development charges, the units will be covered by the agreements required under the D.C.A. These agreements should be allowed to include the C.B.C. so that if a municipality needs to enforce the



provisions of an agreement, both development charges and C.B.C.s could be collected accordingly.

- These agreements will increase the administrative burden (and costs) on municipalities. Furthermore, the administration of these agreements will be cumbersome and will need to be monitored by both the upper-tier and lower-tier municipalities.
- It is unclear whether the bulletin provided by the Province will be specific to each municipality, each County/Region, or Province-wide. Due to the disparity in incomes across Ontario, affordability will vary significantly across these jurisdictions. Even within an individual municipality, there can be disparity in the average market rents and average market purchase prices.
- Where municipalities are imposing the C.B.C. on a per dwelling unit basis, they will need to ensure that the total C.B.C. being imposed for all eligible units is not in excess of the incremental development calculation (e.g., as per the example above, not greater than 3% of the total land value).

**2. Limiting the Maximum C.B.C. in Proportion to Incremental Development:** Where development or redevelopment is occurring on a parcel of land with an existing building or structure, the maximum C.B.C. that could be imposed would be calculated based on the incremental development only. For example, if a building is being expanded by 150,000 sq.ft. on a parcel of land with an existing 50,000 sq.ft. building, then the maximum C.B.C. that could be imposed on the development would be 3% of total land value (i.e.,  $150,000 \text{ sq.ft.} / 200,000 \text{ sq.ft.} = 75\% \times 4\%$  maximum prescribed rate = 3% of total land value).

### **Analysis/Commentary**

- With municipal C.B.C. by-laws imposing the C.B.C. based on the land total land value or testing the C.B.C. payable relative to total land value, there will be a reduction in revenues currently anticipated. At present, some municipal C.B.C. by-laws have provisions excluding existing buildings from the land valuation used to calculate the C.B.C. payable or to test the maximum charge that can be imposed. As such, this proposal largely seeks to clarify the administration of the charge.



## Attachment 5 - Changes to the *Conservation Authorities Act*

### 1. Changes to conservation authority involvement in the development approvals process

- **Programs and services that are prohibited within municipal and other programs and services:**
  - Authorities would no longer be permitted to review and comment on a proposal, application, or other matter made under a prescribed Act (if not related to their mandatory programs and services under O. Reg. 686/21). The Province proposes that a new regulation would prescribe the following Acts in this regard:
    - The *Aggregate Resources Act*
    - The *Condominium Act*
    - The *Drainage Act*
    - The *Endangered Species Act*
    - The *Environmental Assessment Act*
    - The *Environmental Protection Act*
    - The *Niagara Escarpment Planning and Development Act*
    - The *Ontario Heritage Act*
    - The *Ontario Water Resources Act*
    - The *Planning Act*
- **Exemptions to requiring a permit under section 28 of the *Conservation Authorities Act***
  - Where development has been authorized under the *Planning Act* it will be exempt from required permits to authorize the development under section 28 of the *Conservation Authorities Act*. Exemptions to permits would also be granted where prescribed conditions are met.
  - Regulation making authority would be provided to govern the exceptions to section 28 permits, including prescribing municipalities to which the exception applies, and any other conditions or restrictions that must be satisfied.
- **Shortened timeframe for decisions**
  - Applicants may appeal the failure of the authority to issue a permit to the Ontario Land Tribunal within 90 days (shortened from 120 days currently).

### Analysis/Commentary

- These changes would focus an authority's role in plan review and commenting on applications made under the above Acts (including the *Planning Act*) to the risks of natural hazards only, limit the developments in which permits under section 28 of the *Conservation Authorities Act* would be required, and shorten timeframes for issuing permits. Authorities would no longer be able to review applications with respect to the natural heritage impacts.



- With respect to natural heritage review requirements, the Province is proposing to integrate the Provincial Policy Statement, 2020 (P.P.S.) and A Place To Grow: Growth Plan for the Greater Golden Horseshoe into a new Province-wide planning policy instrument. It is proposed that this new instrument could include changes to natural heritage policy direction.
- Recent amendments to the *Conservation Authorities Act* have already been implemented to limit a conservation authority to programs and services within their core mandate unless they have entered into an agreement with a municipal partner. Conservation authorities are able to efficiently provide services, such as natural heritage review required under the P.P.S., to municipalities across their watershed. Removing this ability from conservation authorities may result in municipalities having to find other external sources with the expertise to undertake this review, adding to the cost and timeframes for development approvals and negatively impacting the Province's goal of creating more housing.

## **2. Minister's ability to freeze fees**

- The Minister would have the ability to direct an authority to not change the amount of any fee it charges (including for mandatory programs and services) for a specified period of time.

### **Analysis/Commentary**

- Limiting the ability of conservation authorities to recover the costs of plan review and permitting from benefiting developers and landowners will place additional financial burdens on conservation authorities and municipalities to fund these activities.
- As the goal of the Province is to create more housing, it is suggested that any limitations to conservation authority fees that are implemented should only apply to plan review and permitting fees related to the construction of new homes.





## Presentation to the Standing Committee on Heritage, Infrastructure and Cultural Policy on Bill 23

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Gary Scandlan, Managing Partner

November 17, 2022



# Introduction



- At the outset, we would like to thank the Committee for inviting us to speak.
- We are providing a high-level summary PowerPoint presentation along with a detailed letter submission re Bill 23 as it relates to:
  - Development Charges (D.C.s)
  - Planning
  - Parkland Dedication (P.L.D.)
  - Community Benefits Charges (C.B.C.s)
  - Conservation Authorities (cost recovery and input to the planning process).
- This presentation will provide certain highlights for the Committee's consideration.



# Background on Watson & Associates Economists Ltd.

- Watson & Associates Economists Ltd. is a firm of municipal economists, planners and accountants which has been in operation since 1982. With a municipal client base of more than 250 Ontario municipalities and utility commissions, the firm is recognized as a leader in the municipal finance/local government and land economics field.
- Our background is unprecedented including:
  - Having undertaken over one-half of the consulting work completed in Ontario in the D.C. field during the past decade;
  - Provided submissions and undertook discussions with the Province when the *Development Charges Act* (D.C.A.) was first introduced in 1989 and with each subsequent amendment undertaken in 1997, 2015 and 2019 (including being a member of the Provincial Technical Working Group on the 2020 D.C. and C.B.C. regulations;
  - Undertaken numerous studies that focus on growth management, population and employment forecasting, urban land needs, municipal competitiveness, land use planning policy and financial/economic impact analysis;
  - Our work also includes the preparation of asset management plans, P.L.D. reviews, C.B.C.s and conservation authority fees and charges.

# 1. Proposed Changes Which May Restrict/Inhibit the Future Supply of Developable Lands



## **Present Situation**

- For urban growth to occur, water and wastewater services must be in place before building permits can be issued for housing.
- Most municipalities assume the risk of constructing this infrastructure and wait for development to occur.
- Currently, 26% of municipalities providing water/wastewater services are carrying negative D.C. reserve fund balances for these services and many others are carrying significant growth-related debt.
- Where the total cost of infrastructure is unaffordable, or will cause municipalities to exceed their debt capacity limit, many municipalities enter into front-ending and pre-payment agreements to share the cashflow and risk with developers.

# 1. Proposed Changes Which May Restrict/Inhibit the Future Supply of Developable Lands (Cont'd)



## **Bill 23 Impacts**

- In addition to the present situation, Bill 23 proposes to:
  - Phase-in any new by-laws over five years which, on average, would reduce D.C. revenues by approximately 10%.
  - Introduce new exemptions which would provide a potential loss of 10-15% of the D.C. funding.
  - Remove funding of water/wastewater master plans and environmental assessments which provide for specific planning and approval of infrastructure.
  - Unclear whether land costs for treatment facilities and/or for the purchase of land for linear infrastructure will continue to be an eligible capital cost.

# 1. Proposed Changes Which May Restrict/Inhibit the Future Supply of Developable Lands (Cont'd)



## Bill 23 Impacts (Cont'd)

- Make changes to the *Planning Act* that would minimize upper-tier planning in two-tier systems where the upper-tier municipality provides water/ wastewater servicing. This disjointing between planning approvals and timing/location of infrastructure construction may result in inefficient servicing, further limiting the supply of serviced land.
- ***The loss in funding noted above must then be passed on to existing rate payers. This comes at a time when municipalities must implement asset management plans under the Infrastructure for Jobs and Prosperity Act to maintain existing infrastructure. Significant annual rate increases may then limit funding to the capital budget and hence delay servicing of additional developable lands for housing.***
- ***Note that Stormwater and Roads are needed at a similar time to support the creation of developable lands.***



## 2. Proposed Changes which will Impact the Provision of Municipal Housing

- The removal of housing service as an eligible service will reduce municipalities' participation in creating assisted/affordable housing units.
- Based on present and in-place D.C. by-laws, over \$2.2 billion in net growth-related expenditures providing for over 47,000 units (or 3.1% of the Province's 1.5 million housing target) would be impacted by this change.
- Note that several municipalities who are not collecting for the housing service are considering this service for their updated background studies



## 2. Proposed Changes which will Impact the Provision of Municipal Housing (Cont'd)

**Housing Services For Region and Single Tier Municipalities**

Municipality	Year of Bylaw	DC for Single Detached Unit - As per By-law Adoption (\$)	Net DC Recoverable Amount Included - As per DC Background Study (\$millions)	Net DC Recoverable - Indexed to 2022 (\$millions)	Number of New Housing Units
Barrie	2019	626	10.3	13.3	539
Brantford	2021	6,665	37.2	42.6	476
Durham	2018	387	31.2	41.7	416
Guelph	2019	-	-	-	-
Halton	2021	986	50.1	57.3	400
Hamilton	2019	648	18.8	25.1	423
London	2019	-	-	-	-
Niagara	2022	2,039	60.0	60.0	372
Ottawa	2019	179	11.6	14.9	1,190
Peel	2019	3,265	200.5	258.1	521
Simcoe	2022	3,153	67.6	67.6	263
Toronto*	2022	8,603	1,477.0	1,477.0	40,000
Waterloo	2019	-	-	-	-
Windsor	2020	-	-	-	-
York	2022	1,608	181.2	181.2	2,569
<b>Totals</b>				<b>2,239</b>	<b>47,200</b>

\*Total number of units - the net DC amount is after BTE



### 3. Proposed Changes – Affordable Housing vs. Housing Affordability

There are numerous changes which would reduce municipal revenue recovery and shift the financial burden from development to the existing taxpayer and ratepayer, as follows:

- Added exemptions for affordable rental/owned residential units, attainable residential units, inclusionary zoning residential units, non-profit housing and additional units in existing homes provide a loss of funding for all D.C. services as well as C.B.C.s and P.L.D. services.
- D.C. phase-in, loss of study and land costs for new infrastructure, municipal housing as an ineligible D.C. service, loss of C.B.C. revenue and parkland contributions reduced by 50% or more (with 10-15% caps) for higher-density developments.
- Minister freeze on conservation authority fees: lowers funding for the authority which increases costs passed on to existing taxpayers for funding.





### 3. Proposed Changes – Affordable Housing vs. Housing Affordability (Cont'd)

- While the goal of these proposed changes is to reduce the upfront cost to a new home purchaser, the funding for this will come from the existing taxpayer, i.e., existing residents and businesses subsidizing new home purchasers, hence increasing housing affordability concerns.
- Over the past 40 years, our firm has undertaken numerous fiscal impact studies of residential development – as a whole, the new taxes and fees generated by residential growth do not equal the new operating cost required to support these developments.
- Based on past changes to the D.C.A., historical reductions have not resulted in a decrease in the price of housing; hence, it is difficult to relate the loss of needed infrastructure funding to affordable housing.

## 4. Considerations for the Standing Committee



- From the proposed legislation, phase-in charges and exemptions for services essential to creating developable land supply (water, wastewater, stormwater and roads) should be removed...or funded by grants from senior levels of government.
- Reductions in parkland contributions, caps for high-density development and developer ability to provide encumbered lands/POPS should be removed from P.L.D. legislation to continue to allow municipalities to determine appropriate levels of service for parks.
- Alternatively, to minimize the overall impact on the taxpayer and ratepayer, provide access to other revenue sources (e.g., HST, land transfer tax) to fund all D.C./P.L.D./C.B.C. revenue losses.
- Municipal housing should continue as an eligible D.C. service.

Thank you.



Questions

November 29, 2022

Dear Clients:

Re: *More Homes Built Faster Act*

In our continued efforts to keep our clients up to date on the legislative amendments resulting from Bill 23 (*More Homes Built Faster Act*), we are writing to inform you that Bill 23 received Royal Assent on November 28, 2022. This letter highlights the changes that were introduced with the Second Reading of the Bill and identifies the amendments that are currently in effect for the *Development Charges Act* (D.C.A.), as well as section 37 (community benefits charges (C.B.C.s)) and section 42 (parkland dedication) of the *Planning Act*.

### ***Development Charges Act***

- Second Reading of the Bill introduced two substantive modifications to the proposed changes, including:
  - For the phase-in of the charges over the first four years of a development charges (D.C.) by-law, under First Reading the transition provisions only applied to existing D.C. by-laws passed on or after June 1, 2022. These rules now apply to a D.C. by-law passed on or after January 1, 2022.
  - The discount for rental housing developments is applicable to a D.C. payable under a section 27 agreement, for prescribed developments that were entered into before the *More Homes Built Faster Act* received Royal Assent. These discounts do not apply to payments made under the agreement prior to this date.
- All sections of Schedule 3 of the *More Homes Built Faster Act* are in effect as of November 28, 2022 (date of Royal Assent) with the exception of:
  - Subsection 4.1 of the D.C.A., which provides exemptions for affordable and attainable residential units;
  - Rules under front-ending agreements with respect to affordable and attainable residential units; and
  - Regulation powers related to defining attainable housing and criteria for arm's length transactions.

These exceptions will come into effect on the date of proclamation. As of the date of this letter, proclamation has not been given.

### **Section 37 of the *Planning Act* – Community Benefits Charges**

- Second Reading of the Bill introduced an additional change to the proposed C.B.C. amendments under section 37 of the *Planning Act*. The change allows a municipality to enter into an agreement with a landowner for the provision of in-



kind contributions. It also allows for this agreement to be registered on title of the land to which the charge applies.

- Section 10 of Schedule 9 of the *More Homes Built Faster Act* is in effect as of November 28, 2022 (date of Royal Assent) with the exception of:
  - Subsection 37 (32.1) of the *Planning Act*, which provides reductions in the maximum charge for developments containing affordable and attainable residential units.

This subsection of the *Planning Act* will come into effect on the date of proclamation. As of the date of this letter, proclamation has not been given.

### **Section 42 of the *Planning Act* – Parkland Dedication**

- No additional changes or modifications were made since First Reading of the Bill with respect to the parkland dedication amendments under section 42 of the *Planning Act*.
- Section 12 of Schedule 9 of the *More Homes Built Faster Act* is in effect as of November 28, 2022 (date of Royal Assent) with the exception of:
  - Subsections 42 (1.1) and 42 (3.0.3) of the *Planning Act*, which provide reductions in the standard and alternative parkland dedication requirements for affordable and attainable residential unit developments; and
  - Subsections 42 (4.30) through 42 (4.39) of the *Planning Act* which allow a landowner to identify the land for parkland conveyance under the by-law.

These subsections of the *Planning Act* will come into effect on the date of proclamation. As of the date of this letter, proclamation has not been given.

We would be pleased to discuss the changes resulting from the *More Homes Built Faster Act* with you in further detail at your convenience.

Yours very truly,

WATSON & ASSOCIATES ECONOMISTS LTD.

Andrew Grunda, MBA, CPA, CMA, Principal

Gary Scandlan, BA, PLE, Managing Partner

Peter Simcisko, BA (Hons), MBE, Managing Partner

Sean-Michael Stephen, MBA, Managing Partner

Jamie Cook, MCIP, RPP, PLE, Managing Partner

Jack Ammendolia, BES, PLE, Managing Partner

**SAUGEEN MOBILITY**  
and REGIONAL TRANSIT

**2023 MUNICIPAL CONTRIBUTIONS - 7% INCREASE - SOUTHGATE**

Ridership October 1, 2021 to September 30, 2022

	Area- sq kms	StatsCan Dwellings	2021 StatsCan POPULATION		% 30%		POPULATION - 30% 2.92%		ACTUAL RIDERSHIP		% 70%		RIDERSHIP - 70% 0.80%		OVERALL 2023 SHARE	2023 TOTAL LEVY	\$ per capita	\$ per rides per ride 100 pop	2022 CONTRIBUTION	2021 SHARE	2021 CONTRIBUTION	2020 SHARE	2020 CONTRIBUTION	2019 SHARE	2018 SHARE			
Southgate	643.08	3257	8716	9.74%			2.92%		212	1.14%			0.80%		3.72%	27154.95	3.12	128.09	2.43	26924.37	5.51%		35817.85	5.51%		32838.79	4.38%	3.99%
	2018 CONTRIBUTION	2017 SHARE	2017 CONTRIBUTION	2016 SHARE	2016 CONTRIBUTION	2015 SHARE	2015 CONTRIBUTION	2014 SHARE	2014 CONTRIBUTION	2013 SHARE	2013 CONTRIBUTION	2012 SHARE	2012 CONTRIBUTION	2011 SHARE														
Southgate	26347.69	4.18%	21539.47	3.53%	20917.92	3.61%	21092.02	3.94%	14516.38	3.54%	13412.06	3.58%	12934.75	3.94%														

**Ministry of  
Municipal Affairs  
and Housing**

Office of the Minister

777 Bay Street, 17<sup>th</sup> Floor  
Toronto ON M7A 2J3  
Tel.: 416 585-7000

**Ministère des  
Affaires municipales  
et du Logement**

Bureau du ministre

777, rue Bay, 17<sup>e</sup> étage  
Toronto (Ontario) M7A 2J3  
Tél. : 416 585-7000



234-2022-5420

November 30, 2022

Colin Best  
President  
Association of Municipalities of Ontario  
[amopresident@amo.on.ca](mailto:amopresident@amo.on.ca)

Dear Colin Best:

I am writing to you today in the spirit of the long-standing partnership between Ontario and the Association of Municipalities of Ontario.

Since the day our government took office, we have been steadfast in our support and empowerment of our municipal partners. Working together, Ontario has provided tens of billions of dollars in new funding to support municipal services and build critical infrastructure, spurring job creation and creating the conditions for long-term economic growth.

During the COVID-19 pandemic, governments rightly put politics aside to work together as a unified team. That is why our government, in partnership with the federal government, was proud to provide over \$4 billion to Ontario's municipalities through the Safe Restart Agreement to address pandemic-related pressures, including for public transit, shelters and other operating costs. In fact, this funding provided one of the largest investments the province has ever made in the housing and homelessness sector.

I am writing today to address municipal feedback regarding Bill 23, the *More Homes Built Faster Act*. In particular, I would like to address the suggested impact the legislation could have on the ability of municipalities to fund infrastructure and services that enable housing.

The central intention of Bill 23 is to build more homes that are attainable for our growing population by discounting and exempting municipal fees and taxes for affordable, non-profit and purpose-built rental housing, and new homebuyers who otherwise face these significant costs. For example, municipal fees and taxes currently add an average of \$116,900 to the cost of a single-family home in the Greater Toronto Area before a single shovel is in the ground. That's the size of a down payment for many families, and puts the dream of homeownership out of reach for thousands of Ontarians.

I know that you and your membership share our goal of building communities that are welcoming to all residents, including new Canadians – towns and cities where everyone can have a place to call home and the dream of home ownership is kept alive. That is why our decision to rein in unsustainable and out-of-control municipal fees on new homebuyers is the right thing to do, and that is why our position on Bill 23 will not waver.

At the same time, it is critical that municipalities are able to fund and contract road, water, sewer, and other housing enabling infrastructure and services that our growing communities need. There should be no funding shortfall for housing enabling infrastructure as a result of Bill 23, provided municipalities achieve and exceed their housing pledge levels and growth targets. That's why we are taking immediate action to launch a third-party audit of select municipalities to get a factual understanding of their finances, including their reserve funds and development charge administration. Together, we can use this process to get the facts, make improvements, and better serve taxpayers by exploring alternative tools for growth to appropriately pay for growth rather than continuing to raise development fees on new homebuyers.

As we undertake this work together, we are committing to ensuring municipalities are kept whole for any impact to their ability to fund housing enabling infrastructure because of Bill 23.

Furthermore, as good partners and in recognition of most municipalities making best efforts to accelerate the issuance of housing permits and approvals to meet and exceed their pledge targets, the government will introduce legislation that, if passed, would delay the implementation of development application refund requirements set out in Bill 109 by six months, from January 1, 2023 to July 1, 2023.

The federal government shares our objective of building 1.5 million homes in Ontario over the next 10 years, particularly at a time when it has set ambitious new targets for immigration. The majority of these newcomers will be welcomed to Ontario in search of jobs and opportunity. To this end, the province looks forward to working with our municipal partners to ensure we receive a proportional share of the federal government's new \$4 billion national Housing Accelerator Fund. We also expect that all municipalities will make an application to the federal Housing Accelerator Fund for funding that will support housing enabling infrastructure and relieve municipal charges levied on new homebuyers.

Together, we will ensure we can achieve our shared goal of building desperately needed homes. A strong partnership between the Province of Ontario and municipalities is critical if we are to solve our housing supply crisis – and we look forward to continuing our work together.

Sincerely,



Steve Clark  
Minister

- c. The Honourable Doug Ford, Premier of Ontario  
The Honourable Chrystia Freeland  
Deputy Prime Minister and Minister of Finance  
The Honourable Peter Bethlenfalvy, Minister of Finance  
The Honourable Caroline Mulroney, Minister of Transportation  
The Honourable Kinga Surma, Minister of Infrastructure  
The Honourable Prabmeet Sarkaria, President of the Treasury Board  
Brian Rosborough, Executive Director, AMO





The Honourable Doug Ford  
Premier of Ontario  
Legislative Building, Queen's  
Park  
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VIA EMAIL:  
[premier@ontario.ca](mailto:premier@ontario.ca)

Township of Puslinch  
7404 Wellington Road 34  
Puslinch, ON N0B 2J0  
[www.puslinch.ca](http://www.puslinch.ca)

November 17, 2022

RE: 9.3.3 Report ADM-2022-065 Bill 23 Proposed Changes

Please be advised that Township of Puslinch Council, at its meeting held on November 9, 2022 considered the aforementioned topic and subsequent to discussion, the following was resolved:

**Resolution No. 2022-366:**

**Moved by Councillor Sepulis and  
Seconded by Councillor Bailey**

That Report ADM-2022-065 entitled Bill 23 Proposed Changes and Consent items 6.6 and 6.15 and Correspondence Item 10.4 be received; and

Whereas the Township of Puslinch has received correspondence dated Oct. 25, 2022 from Minister Clark regarding the More Homes Built Faster Act, 2022 (Bill 23); and

Whereas the Township of Puslinch Council recognizes that there is a housing affordability concern in Ontario;

Be it resolved that the Township of Puslinch Council advise the Province that it has significant concerns about the actions contained therein to:

1. Essentially remove meaningful public participation from the land use planning process;
2. Reduce the protection of natural heritage features/natural hazards, and the resulting impact on public health, public safety, and climate change objectives;
3. Reduce the important role of Conservation Authorities in the review of development applications (a loss of technical expertise critical to rural municipalities);



4. Eliminate the long-established regional planning framework in the Province;
5. Streamlining aggregate applications by permitting Ministry staff to make decisions until such time that more information is provided;
6. Financial implications of all of the impacts of Bill 23, by eliminating the long accepted concept of growth paying for growth, and shifting that burden to the tax payer through property taxes;
7. Proposed Heritage Act changes related to timelines to designate properties listed on the Registry with undesignated status undermines the ability of the community to save these structures through community engagement and goodwill; and

Whereas the Township of Puslinch received the presentation from the Mill Creek Stewards;

Be it Resolved, that Puslinch Council request that the Ministry review the presentation by the Mill Creek Stewards; and

Whereas the Township of Puslinch received the Hamilton Conservation Authority Board Resolution and the Halton Conservation Authority correspondence addressed to the Province;

Be it Resolved, that Puslinch Council supports the comments contained therein; and

That the presentation and the Council Resolution be forwarded to Premier Ford, Minister Clark, Speaker Arnott, County of Wellington, AMO, ROMA, Grand River Conservation Authority, Conservation Halton, Hamilton Conservation Authority and all Ontario municipalities.

**CARRIED**



As per the above resolution, please accept a copy of this correspondence for your information and consideration.

Sincerely,  
Courtenay Hoytfox  
Municipal Clerk

CC:

The Honourable Steve Clark, Minister of Municipal Affairs and Housing [steve.clark@pc.ola.org](mailto:steve.clark@pc.ola.org)

The Honourable Ted Arnott, MPP Wellington-Halton Hills [ted.arnottco@pc.ola.org](mailto:ted.arnottco@pc.ola.org)

The County of Wellington [donnab@wellington.ca](mailto:donnab@wellington.ca)

Association of Municipalities of Ontario (AMO) [amo@amo.on.ca](mailto:amo@amo.on.ca)

Rural Ontario Municipal Association (ROMA) [romachair@roma.on.ca](mailto:romachair@roma.on.ca)

Grand River Conservation Authority [planning@grandriver.ca](mailto:planning@grandriver.ca)

Conservation Halton [cpriddle@hrca.on.ca](mailto:cpriddle@hrca.on.ca)

Hamilton Conservation Authority [ereimer@conservationhamilton.ca](mailto:ereimer@conservationhamilton.ca)

All Ontario Municipalities

Mill Creek Steward's Comments On

# Bill 23

Building Homes Faster Action Plan



Mr Mayor, Councillors

May we begin with our deepest sympathies, no I'm kidding, congratulations to you all on your recent election/acclamation. The Mill Creek Stewards believe you're going to have an especially significant and challenging term in office as municipalities try to define their role in the provincial-municipal relationship.

That relationship brings us to the "More Homes Built Faster Action Plan" proposed by the Ontario government and presented to you as Item 6.6 on today's Agenda.

The provincial government is trying to sell this Plan as a means of building homes faster and cheaper by empowering municipalities.

**It does neither. This bill is a wolf in a sheepskin.**

If we start with those innocent looking sheepskins. This plan supports:

- 1) Eliminating/reducing regional planning to allow more local input.
- 2) Streamlining and reducing the costs of development applications.
- 3) "As of right" Additional Residential Units ARUs
- 4) Building more homes near transit corridors.
- 5) Housing targets and helping homebuyers
- 6) Improving the Ontario Land Tribunal.

At least some are creditable goals!

We can't argue with those goals but if we look underneath we see wolves.

- 1) Eliminating regional planning. Does allow more local input but at significantly more local costs. At the same time, by stripping input from Conservation Authorities, the result is no cross-jurisdictional planning, a critical aspect of water, land and environment planning recognized and instituted decades ago and applauded internationally. To add insult to injury this plan requires CAs to define CA land suitable for housing development and removes barriers to their sale.
- 2) Streamlining and reducing application costs. Does allow for faster application approvals but is that the problem? The provincial government's own Housing Task Force in the spring of 2022 identified land availability and development applications as non-issues. Their maps showed the lands adjacent to communities, and still available for development, serve the province's needs for the next 30 years with minimal new lands and no greenbelt land. As well, lands proposed for removal from the greenbelt are farther from infrastructure and would cost municipalities significantly more to develop. It should be noted that there is a shortage associated with housing but its not land. The average house and lot size has doubled in the last twenty years, doubling resource consumption and creating a resource not housing shortage, which explains why so much approved-land sits undeveloped. While reducing application and development costs compromises the generation of critical municipal revenue necessary for essential housing infrastructure development, especially extended development. The province offers no offsets to cover municipality's significant losses in revenue, while at the same time downsizing CAs and regional governments, further increasing the administration costs of local municipalities.
- 3) "As of right" ARUs. A true sheep with no wolf but unnecessary as municipalities like Puslinch have already implemented this aspect in everything but name.
- 4) Building near transit corridors. Again a true sheep but very small compared to the wolves.
- 5) Housing targets and assisting homebuyers. Does help homebuyers through attainable housing targets and development fee exemptions but leaves large loopholes in who can buy attainable housing and especially resell, while fee exemptions include no provincial offsets, once again leaving the tax base of local municipalities to bear the costs.
- 6) Improving the OLT. Does sound positive but it's limited to eliminating third party i.e. community groups like ours from appealing any Official Plan or Zoning bylaw amendments while permitting industry to appeal. This is at the same time as the province has removed regional planning and the right of appeal from regional governments and right of input from CAs.

And sadly the province already has specific targets for these wolves:

Pitting its wolves against two Greenland agreements covering the Golden Horseshoe. The province seeks to reverse both agreements. In the case of both agreements, the means for amendments already exist. Its just criteria that protect critical aspects of the broader community need to be met first. The province claims these criteria that protect the environment, natural features and farmland are too slow but slower is not slow and slower is the way that democracy, government by the people, works to balance risk for the broad community.

Pitting wolves against the Greenbelt itself, where the province is seeking to remove large swaths of protected land, while promising to offset it with land elsewhere. No belt can do its job if its chewed in pieces and the Greenbelt is no different, especially when the offset lands are distant, less than presented and being recycled as they were trumpeted months ago. As stated previously, these lands are not even needed and the province was very clear prior to the election that the no land would be removed from the Greenbelt. At the same time the substitute restricted development lands are being passed to distant municipalities like Puslinch at no gain.

Pitting its wolves against two specific higher tier municipalities, Hamilton and Kitchener-Waterloo, whose land planning guided by referendums met provincial targets but ran counter to provincial wishes. In this case the province promises low tier municipalities the power to ignore higher tier planning. One of the most significant problems resulting from this Bill is the elimination of cross-jurisdictional planning associated with regional governments (higher tier) and our unique conservation authorities (watersheds).

Pitting its wolves against wetlands, farmland and natural heritage features is of particular concern to our group. The province has supplied little wolf detail in its Action Plan except in the case of wetlands through its "Proposed Changes to OWES". These changes are a preview of what we can expect with respect to all other areas of planning. The core of this proposal is reducing bureaucracy and its costs by eliminating provincial oversight. I refer you to the paper appendix where original text is in black and removed or added text is blue. Removed text has a line through it, which is most of the text. In essence little has been added and much taken away in the name of streamlining. This reduction doesn't empower municipalities. It is a crass means of cutting provincial costs, downloading research on municipalities and minimizing the effectiveness of land planning oversight: all while appearing to substitute municipal oversight, i.e. empowerment. Municipalities will either face significant additional planning staff costs or face approving by default, all applications for development.

Specifically the province proposes to almost totally eradicate Ministry input into land planning when it comes to evaluating farmland, water courses, natural heritage features, wetlands and endangered species. Unfortunately as a replacement it only offers municipalities one option: subjective evaluations done without the benefit of objective report frameworks (page 1), significantly reduced detail including references (page 2,3), potentially done by unskilled workers supervised at a distance, done without the benefit of experienced Conservation Authority and Ministry personnel and considered complete when presented to the appropriate planner regardless of comprehensiveness (page 4).

**This is not municipal empowerment**, just a means to chaos, chaos that disempowers municipalities in every case where the municipalities and province disagree.

Finally in finishing our review, we must comment on the cynical use throughout both Bill 23 and the OWES Plan, of the "offsets" concept. This offset concept sounds innocent but in effect it eliminates any protection municipalities may have still hoped to extend to their water sources, farmlands, wetlands, natural heritage

features, species habitats and greenlands. Worst is the offset fund aspect, which allows developers to circumvent substitution and simply pay for destruction. When destruction engenders millions of dollars, a few thousand dollars is a small price for developers to pay.

**Bill 23 is not municipal empowerment but nuclear disempowerment. It won't build homes faster or cheaper but will have catastrophic effects on our environment including our Mill Creek.**

We have no doubt the Township's staff have prepared a comprehensive review of this Plan but we felt given this Action Plan's massive and immediate impact even as far as the Provincial Policy Statement, required we add our voice in person.

We are especially concerned by its plan to deny community groups like ours the right to participate in planning decisions and further the right to appeal planning decisions if we somehow manage to learn about them.

Please consider a strong response to the province's request for input on this proposed Plan. Thank you for your time and attention.

Note this legislation while eliminating the right of community groups like ours to appeal municipal decisions, doesn't eliminate the right of industry (aggregate, housing etc.)

Note this legislation tries to distract from municipalities that are already resolving housing shortages with densification at much lower cost and speedier resolution.

Note the extremely short timeline for comment on this Bill as well as the shortened timelines on all ERO comment periods, reflects a provincial agenda while significantly stressing our municipal staff.

Note greenbelt lands and wetlands have already been bought cheaply by speculators anticipating government proposed changes, meaning the whole concept of greenbelt, i.e. its permanency, is being destabilized.

Note this legislation not only eliminates the requirement for CA input for development applications but forbids it, i.e. a gag order. "Required to look at watershed protection only without reference to development".

Note this legislation put the existence of the Provincial Policy Statement, the foundation of lower tier government planning, in question, as it over-rides the PPS on farmland, wetlands, natural heritage sites, species protection etc.



A Healthy Watershed for Everyone

Via Email: [gschwendinger@puslinch.ca](mailto:gschwendinger@puslinch.ca)

November 7, 2022

Glenn Schwendinger, CAO/Clerk  
Office of the CAO/Clerk  
Township of Puslinch Office  
7404 Wellington Road 34  
Puslinch, Ontario  
N0B 2J0

**Re: Hamilton Conservation Authority Board Resolution re. Ministry of Natural Resources and Forestry proposals in support of Bill 23 More Homes Built Faster: Ontario's Housing Supply Action Plan 2022-23**

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Dear Mr. Schwendinger,

On November 3, 2022, the Hamilton Conservation Authority (HCA) Board of Directors passed the following unanimous resolution:

**BD12, 3113**

**MOVED BY: Jim Cimba  
SECONDED BY: Brad Clark**

**THAT the following key points regarding the Ministry of Natural Resources and Forestry proposals in support of Bill 23 More Homes Built Faster: Ontario's Housing Supply Action Plan 2022-23 be sent to HCA's member municipalities:**

- **Proposed changes should take into account a watershed-based approach to balance growth with the environment and public health and safety.**
- **CAs should continue with the ability to review and comment on natural heritage in permitting and planning applications and retain responsibility for**



**Natural Hazard approvals to ensure safe development.**

- **We request continued collaboration with the Province in regard to the proposed changes and support Conservation Ontario's call to engage with the established multi-stakeholder Conservation Authorities Working Group (CAWG) that helped guide the Province in its implementation of the last round of changes to the CA Act.**
- **Municipalities should retain the option to enter into MOUs with CAs for municipally requested advisory services.**
- **Permit CAs to work towards cost recovery targets so that development pays for development.**
- **The Province should recognize the importance of CA lands and ensure clear policies to protect them.**

**CARRIED**

Sincerely,

A handwritten signature in black ink that reads "Lisa Burnside". The signature is written in a cursive, flowing style.

Lisa Burnside  
CAO, Hamilton Conservation Authority

The Honourable Doug Ford  
Premier of Ontario  
Legislative Building, Queen's Park  
Toronto, ON, M7A 1A1  
[premier@ontario.ca](mailto:premier@ontario.ca)

The Honourable Steve Clark  
Minister of Municipal Affairs and Housing  
College Park 17th Floor, 777 Bay St,  
Toronto, ON M7A 2J3  
[steve.clark@pc.ola.org](mailto:steve.clark@pc.ola.org)

The Honourable Graydon Smith  
Minister of Natural Resources and Forestry  
Whitney Block, 99 Wellesley St W,  
Toronto, ON M7A 1W3  
[minister.mnrf@ontario.ca](mailto:minister.mnrf@ontario.ca)

The Honourable David Piccini  
Minister of the Environment, Conservation and Parks  
College Park 5th Floor, 777 Bay St,  
Toronto, ON M7A 2J3  
[david.piccinico@pc.ola.org](mailto:david.piccinico@pc.ola.org)

October 31st, 2022

Dear Premier Ford, Minister Clark, Minister Smith and Minister Piccini,

We are writing to you in response to Bill 23, the *More Homes Built Faster Act*, which was announced on Tuesday, October 25th, 2022, specifically regarding Schedule 2.

We agree that there is a housing supply and affordability issue in Ontario that needs to be pragmatically addressed. We support the government's commitment to reducing unnecessary barriers to development and streamlining processes. We share this commitment and publicly report on the standards of service delivery to illustrate our goal of providing the best customer service to the municipalities, communities, residents and developers we serve.

We will do our part to help the Province meet its goal of building 1.5 million homes in Ontario over the next ten years. We think your stated outcomes are important but are concerned that your proposed legislative changes may have unintentional, negative consequences. Rather than creating the conditions for efficient housing development, these changes may jeopardize the Province's stated goals by increasing risks to life and property for Ontario residents.

## 1. Potential sweeping exemptions to transfer CA regulatory responsibilities to municipalities

Conservation Halton would like to understand the government's intentions with this proposed exemption. It is unclear whether it will be limited to certain types of low-risk development and hazards, or if the purpose is to transfer Conservation Authorities (CA) responsibilities to municipalities on a much broader scale. While the government wants to focus CAs on their core mandate, this proposed sweeping exemption signals the exact opposite. As proposed in the legislation, the CA exclusions will nullify the core functions of CAs and open up significant holes in the delivery of our natural hazard roles, rendering them ineffective. This will negatively

impact our ability to protect people and property from natural hazards, which seem to be more and more prevalent with extreme weather events.

Without limitations or further scoping, these proposed changes signal the likelihood of future delegation of CA permitting roles to municipalities that have neither capacity nor expertise in water resources engineering, environmental planning and regulatory compliance. This will result in longer response times and increased costs and impede the government's goal of making life more affordable.

Municipalities will also assume sole liability for the impact of development on natural hazards within municipal boundaries and on neighbouring upstream and downstream communities, which is a significant and new responsibility that they have never had to manage.

***Key Recommendations:***

- Address this risk expressly – keep all hazard-related responsibilities with CAs.
- Engage with the existing multi-stakeholder Conservation Authorities Working Group (CAWG) to ensure there is a streamlined, consistent and scoped process for CAs to help the Province achieve its housing goals while ensuring costs are low, the process is fast and Ontario taxpayers are protected.

**2. Proposed change that would prohibit CAs from entering into MOUs with municipalities for other services (e.g., natural heritage reviews, select aspects of stormwater management reviews, etc.)**

Conservation Halton has demonstrated that we can deliver these services efficiently without lengthening the approvals process. There is no evidence that municipalities can do this faster or cheaper. Bill 23 as currently written, precludes municipalities from entering into agreements with CAs to provide advice on environmental and natural heritage matters. They will have to coordinate with neighbouring municipalities and the Province on a watershed basis, rather than taking advantage of expertise already available within many CAs.

***Key Recommendations:***

- Municipalities should retain the option to enter into MOUs with CAs, with clearly defined terms, timelines and performance measures, as allowed under Section 21.1.1 (1) of the CA Act.
- Work with the CAWG to develop guidance for commenting and exploring the option of limiting CAs from commenting beyond natural hazards risks except where a CA has entered into an agreement or MOU.

**3. Proposed change to freeze CA fees**

This proposal has no guidelines on the timing or permanence of the fee freeze. Conservation Halton has already undertaken an extensive cost-based analysis that has been benchmarked against other development review fees to ensure our fees do not exceed the cost to deliver the service. We meet regularly with developer groups and municipalities to ensure our fees, processes and service standards are transparent, consistent and fair. We hope that you will be guided by your already approved fee policy that Conservation Halton supports, otherwise this change will impose additional costs on municipalities.

***Key Recommendation:***

- Require CAs to demonstrate to the Province that permit and planning fees do not exceed the cost to deliver the program or service and only consider freezing fees if CAs are exceeding 100% cost recovery.

**4. Wetland Offsetting**

Wetlands play a critical role in mitigating floods. Further wetland loss may result in serious flooding, putting the safety of communities at risk. Wetlands are a cost-effective strategy for protecting downstream properties. The

government must be prudent when considering changes like offsetting, which could negatively affect the ability of wetlands to reduce flooding and confuse roles in wetland management and protection between municipalities and CAs.

Conservation Halton is disciplined and focused on providing mandatory programs and services related to natural hazards. We have a transparent and proven track record of providing regulatory services that are streamlined, accountable and centred on rigorous service delivery standards. Our commitment focuses on stakeholder engagement, from meeting homeowners on-site to engaging with the development community to better understand perceived barriers. This approach helps us find innovative solutions for continued and safe growth in the municipalities we serve.

To ensure the most effective implementation of this Bill, we believe it is critical that the government presses pause on the proposed changes we have highlighted and meet with us to clarify and consider more effective alternatives. It is our hope that we can work with you again to safeguard the best possible outcomes for the people of Ontario.

You had such great success through the multi-stakeholder CA Working Group, which your Progressive Conservative government created and which Hassaan Basit, President and CEO of Conservation Halton, chaired. We strongly suggest continuing this engagement and we stand ready to help.

Sincerely,

Gerry Smallegange



Chair  
Conservation Halton Board of Directors

Mayor Gordon Krantz



Town of Milton  
Conservation Halton Board member

Mayor Rob Burton, BA, MS



Town of Oakville  
Conservation Halton Board member

Mayor Marianne Meed Ward



City of Burlington  
Conservation Halton Board member

cc:

MPP Ted Arnott  
MPP Parm Gill  
MPP Stephen Crawford  
MPP Effie Triantafilopoulos  
MPP Natalie Pierre  
MPP Donna Skelly  
MPP Deepak Anand  
MPP Peter Tabuns



# COUNTY OF WELLINGTON

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## COMMITTEE REPORT

**To:** Chair and Members of the Planning Committee  
**From:** Sarah Wilhelm, Manager of Policy Planning  
Jameson Pickard, Senior Policy Planner  
**Date:** Thursday, November 10, 2022  
**Subject:** **Bill 23 – More Homes Built Faster Act, 2022**

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### 1.0 Purpose

The purpose of this report is to provide an overview of proposed changes recently introduced by the Minister of Municipal Affairs and Housing through the “More Homes Built Faster Act, 2022” (Bill 23) aimed at increasing housing supply in Ontario.

This report comments on parts of the amendments related to the land use planning and development approvals process and also highlights other changes under consideration that have impacts across County Departments, Member Municipalities and Conservation Authorities. The Treasury Department will report separately to the Administration, Finance and Human Resources Committee on the potential impacts related to development charges.

### 2.0 Background

The Provincial Government has proposed sweeping changes to multiple statutes, regulations, policies and other matters to help achieve the goal of building 1.5 million homes in Ontario over the next 10 years. Bill 23 impacts nine statutes, including major changes to the Planning Act, Development Charges Act and Conservation Authorities Act. The Government is moving fast and the changes are far reaching.

### 3.0 Major Themes

The proposed changes focus on the following major themes:

- building more homes;
- streamlining processes; and
- reducing costs and fees to build houses.

The Government has posted material for comment on the Environment Registry of Ontario and the Ontario Regulatory Registry about the proposed legislative and regulatory changes (see Appendix A for list). Planning staff have reviewed and summarized information to assist the County and Member Municipalities in their review of the material (Appendix B) but encourage those interested to review the proposed changes in their entirety.

Key changes are listed below.

### 3.1 Building More Homes

In an effort to build more homes, the Province has proposed the following changes:

<b>Additional Residential Units (ARUs)</b>	<ul style="list-style-type: none"><li>• allow landowners to have up to 3 residential units per lot without the need for a zoning by-law amendment in municipally-serviced urban residential areas</li><li>• would permit 3 units in the main dwelling (including 2 ARUs) or a combination of 2 units in the main dwelling (including 1 ARU) and another ARU in an ancillary building</li><li>• zoning by-laws cannot set a minimum unit size or require more than one parking space per unit, but other zoning rules would apply</li></ul>
<b>Housing targets to 2031</b>	<ul style="list-style-type: none"><li>• set housing targets to 2031 for 29 “large and fast-growing” municipalities in Southern Ontario (not applicable to Wellington County)</li></ul>
<b>Major transit stations</b>	<ul style="list-style-type: none"><li>• build more homes near major transit stations (not applicable to Wellington County)</li></ul>
<b>Conservation Authorities</b>	<ul style="list-style-type: none"><li>• identification of Conservation Authority lands suitable for housing</li></ul>

### 3.2 Streamlining

The Provincial Government is looking to streamline a wide range of policies and procedures to reduce the time it takes for new housing to be built.

<b>Public Involvement</b>	<ul style="list-style-type: none"><li>• remove “third party” appeal rights for all planning applications (this would include appeals by the public)</li><li>• remove the public meeting requirement for draft plan of subdivision approvals</li></ul>
<b>Conservation Authorities (CAs)</b>	<ul style="list-style-type: none"><li>• remove Conservation Authority appeal rights for planning applications, except where the appeal would relate to natural hazards policies</li><li>• limit Conservation Authority responsibilities to review and comment on planning applications (either on behalf of a municipality or on their own) to focus on natural hazards and flooding</li><li>• change the Provincial wetland evaluation system, including shifting responsibility for wetland evaluation to local municipalities</li><li>• establish one regulation for all 36 CAs in Ontario</li></ul>

<b>New Provincial Planning Document</b>	<ul style="list-style-type: none"> <li>eliminate duplication between the Provincial Policy Statement (PPS) and A Place to Grow (Growth Plan), by combining them into one document and providing a more flexible approach to growth management</li> </ul>
<b>Planning Responsibilities</b>	<ul style="list-style-type: none"> <li>shift planning responsibilities from some upper-tier municipalities to lower-tier municipalities (not applicable to Wellington County)</li> </ul>
<b>Site Plans</b>	<ul style="list-style-type: none"> <li>exclude projects with 10 or fewer residential units from site plan control</li> <li>exclude exterior design of buildings from site plan control</li> </ul>
<b>Heritage</b>	<ul style="list-style-type: none"> <li>add more stringent requirements related to municipal heritage registers and timing of designation</li> </ul>
<b>Rental Unit Demolition and Conversion</b>	<ul style="list-style-type: none"> <li>impose limits and conditions on the powers of a local municipality to prohibit and regulate the demolition and conversion of residential rental properties</li> </ul>

### 3.3 Reducing Costs and Fees

Reductions in costs and fees are mainly focused in the following areas:

<b>Development Charges and Parkland Dedication</b>	<ul style="list-style-type: none"> <li>exempt non-profit housing developments, inclusionary zoning residential units (not applicable to Wellington County), and affordable, additional and attainable housing units from development charges and parkland dedication</li> <li>discount development charges for purpose-built rentals</li> <li>remove costs of certain studies from development charges</li> <li>reduce alternative parkland dedication requirements</li> </ul>
<b>Conservation Authorities</b>	<ul style="list-style-type: none"> <li>a temporary freeze on CA fees for development permits and proposals</li> </ul>
<b>Other</b>	<ul style="list-style-type: none"> <li>review of other fees charged by Provincial ministries, boards, agencies and commissions</li> </ul>

### 3.4 Additional Matters

Beyond the proposed land use planning changes, other key changes include to:

- enable the Ontario Land Tribunal (OLT) to speed up processing of appeals
- provide the OLT with discretionary power to order the unsuccessful party at a hearing to pay the successful party's costs

- provide a potential rent-to-own financing model
- increase penalties under the New Homes Construction Licensing Act of up to \$50,000

## 4.0 Conclusion

Ontario is in the midst of a housing crisis. While there are no simple solutions to the problem, action is required. Several of the Government's initiatives support recommendations of the County's Attainable Housing Strategy such as:

- streamlining the land use planning approval process;
- reducing/exempting certain development charges and parkland dedication requirements;
- introducing an attainable housing category; and
- considering a potential rent-to-own financing model.

While the above proposals will likely increase the supply of housing, more information is needed to better understand how related cost reductions will be passed on to potential home buyers.

The County has previously commented to the Province about duplication between the Provincial Policy Statement and the Provincial Growth Plan for the Greater Golden Horseshoe Area and welcome the creation of one streamlined Provincial Planning document and a simplified process for comprehensive growth reviews. Planning staff do, however, have concerns about how this might impact the municipal comprehensive review (MCR) work completed to date.

We have significant concerns about actions to:

- essentially remove meaningful public participation from the land use planning process;
- reduce the protection of natural heritage features/natural hazards, and the resulting impact on public health, public safety, and climate change objectives;
- reduce the important role of Conservation Authorities in the review of development applications (a loss of technical expertise critical to rural municipalities); and
- eliminate the long-established regional planning framework in the Province.

Staff note that there is a substantial amount of material posted for consultation and little time to respond (most comments are due late November or early December). Unfortunately, this timeframe does not allow for many newly elected Councils (including Wellington County) to meet and discuss their comments. We understand that more information is to follow as Bill 23 also introduces the potential for additional policies and regulations. Therefore, the full impact of the proposed amendments is unknown.

## 5.0 Next Steps

At the time of writing this report, the Bill has passed second reading and is at the Committee stage in the Legislature. Staff will continue to monitor the proposed legislation as it moves through the legislative process. Staff will engage with AMO and other organizations to provide input and will report at a later date when the legislation comes into effect and/or additional policies and regulations are made available.



## Recommendations

That the report “Bill 23 – More Homes Built Faster Act, 2022” be received for information.

That this report be forwarded to the Ministry of Municipal Affairs and Housing on behalf of the County of Wellington and circulated to member municipalities for their consideration prior to Environmental and Regulatory Registry Provincial comment deadlines.

Respectfully submitted,



Sarah Wilhelm, BES, MCIP, RPP  
Manager of Policy Planning



Jameson Pickard, B. URPL, RPP, MCIP  
Senior Policy Planner



## MISSISSAUGA

RESOLUTION 0231-2022  
adopted by the Council of  
The Corporation of the City of Mississauga  
at its meeting on November 23, 2022

0231-2022

Moved by: D. Damerla

Seconded by: C. Fonseca

1. That Council endorse positions and recommendations contained and appended to the report titled *"Bill 23 'More Homes Built Faster' and Implications for City of Mississauga,"* and authorize staff to prepare additional detailed comments on Bill 23 and any associated regulations, as needed. In particular, the City be made whole for any revenue losses from changes to the imposition of development changes and parkland dedication.
2. That the Mayor or designate be authorized to make submissions to the Standing Committee with respect to issues raised in this report, or to otherwise provide written or verbal comments as part of the Ministry's public consultation process.
3. That the City Clerk forward this report to the Ministry of Municipal Affairs and Housing; Mississauga's Members' of Provincial Parliament, the Association for Municipalities Ontario, and the Region of Peel.

Recorded Vote	YES	NO	ABSENT	ABSTAIN
Mayor B. Crombie			X	
Councillor S. Dasko	X			
Councillor A. Tedjo	X			
Councillor C. Fonseca	X			
Councillor J. Kovac	X			
Councillor C. Parrish	X			
Councillor J. Horneck	X			
Councillor D. Damerla	X			
Councillor M. Mahoney	X			
Councillor M. Reid	X			
Councillor S. McFadden	X			
Councillor B. Butt	X			

Carried (11, 0, 1 Absent)

# City of Mississauga Corporate Report



Date: November 17, 2022

To: Mayor and Members of Council

From: Andrew Whittemore, M.U.R.P., Commissioner of  
Planning & Building

Originator's files:  
LA.07.BIL

Meeting date:  
November 23, 2022

## Subject

Bill 23 "More Homes Built Faster Act" and Implications for City of Mississauga

## Recommendation

1. That Council endorse positions and recommendations contained and appended to the report titled "*Bill 23 'More Homes Built Faster' and Implications for City of Mississauga*," and authorize staff to prepare additional detailed comments on Bill 23 and any associated regulations, as needed. In particular, the City be made whole for any revenue losses from changes to the imposition of development charges and parkland dedication.
2. That the Mayor or designate be authorized to make submissions to the Standing Committee with respect to issues raised in this report, or to otherwise provide written or verbal comments as part of the Ministry's public consultation process.
3. That the City Clerk forward this report to the Ministry of Municipal Affairs and Housing; Mississauga's Members of Provincial Parliament, the Association for Municipalities Ontario, and the Region of Peel.

## Executive Summary

- Recent amendments have been proposed to several pieces of legislation that form Bill 23 "*More Homes Built Faster Act, 2022*" (the Bill) that impact the imposition of development charges (DCs), parkland dedication, planning and appeals processes and the environment.
- Staff support the need to improve the diversity and affordability of housing. However, staff's assessment is that Bill 23 is overly focused on blanket fee reductions that would apply for market rate developments with no guarantee that savings will be passed on to renters and homebuyers.

- It is estimated that the Bill could cost the City up to \$815 to \$885M over the next ten years.<sup>1</sup> Without corresponding provincial grants, Mississauga would need to recover that revenue through the tax base or by reducing service levels.
- A key part of this shortfall is generated by DC reductions, changes to what is DC eligible and DC exemptions. Staff estimate that the shortfall could be up to \$325M over a ten-year period<sup>1</sup>.
  - The Province has proposed arbitrary retroactive phase-ins to all of the City's DCs (including non-residential DCs). The way the Province has structured these reductions are punitive, apply to each municipality differently and will be challenging to administer.
  - What is eligible for DC collection would also change with the removal of "affordable housing" and "studies," and the potential to limit the service for which land acquisitions can be recovered through development charges.
  - City staff support some of the proposed DC exemptions (e.g. non-profits and second units), but the other contemplated exemptions could incent small, private condominium units, at the expense of more affordable units.
- The financial impacts are even more staggering when examining the proposed changes to parkland dedication. Staff estimate the City could lose \$490 to \$560M in ten years, making up more than 70% of this revenue stream.
  - For a standard development in the City (e.g. 500 unit tower on an acre), the City could go from collecting \$10M to \$1.7M in cash-in-lieu. It's noted land prices in Mississauga are close to \$20M per acre in many of its growth areas.
  - Moreover, the Bill would allow developers to choose where parkland is located on a site (e.g. they prefer to offer slivers of undevelopable land) and they would receive full parkland credits for Privately Owned Publicly Accessible Space (POPS). It is in condominium developers' financial interest to provide a privately owned park since it can allow for higher densities on the site (e.g. parking under the park). Condominium residents will be forced to maintain the asset indefinitely while the quality, access, and programming is typically inferior to a city-owned park.
- Some of the proposed changes could speed up the approvals process (e.g. gentle intensification and pre-zoning major transit station areas), and staff are supportive of these changes. However, others could undermine important planning considerations (e.g. not allowing architectural and landscape details to be considered at site plan could undermine quality of place. Furthermore, removing the City's ability to implement Green Development Standards could impact the creation of units that are more efficient and affordable to heat and operate).

<sup>1</sup> This assumes that the DC By-law would need to be updated upon its expiry in 2027 and that land is removed as a DC eligible cost for each City service, as part of that exercise.

- Given the provincial importance of creating more affordable housing, it is difficult to understand the policy rationale for reducing municipal tools to create new units.
  - According to the Region of Peel the proposed elimination of Housing from Regional DCs puts at risk over 930 affordable housing units in various stages of planning and development in Mississauga for low and moderate income households e.g. East Avenue, Brightwater – with a possible shortfall of \$200M.
  - Proposed revisions to inclusionary zoning (IZ) affordability thresholds will result in virtually no inclusionary zoning ownership units being affordable for low and middle income households.
  - It is estimated that the 5% of development IZ cap will result in a minimum of 40% less affordable units than was anticipated with current IZ provisions.
  - Moreover, the Province is consulting on potentially removing or scaling back rental protection-laws.
- The potential impacts on the environment are also significant, with proposed changes to the Conservation Authorities and the boundaries of the Greenbelt. These natural features are needed to help us adapt to a changing climate. The possibility of building on flood and hazard lands is concerning given increased storm events and potential liabilities.
- Given the broad potential impacts on the natural environment, community infrastructure, parks, transit, affordable housing and the quality of our urban environments; it is suggested the Province take the time to consult with a broader range of stakeholders to help refine this Bill and achieve a more balanced and strategic plan to create more housing.
- A summary of City staff's top requests to the Province are listed below:
  1. **It is estimated that the Bill could cost the City up to \$815 to \$885M over the next ten years.<sup>2</sup> It is requested that the Province make the City whole (e.g. provide offsetting grants) to cover any loss in revenue resulting from the legislative changes to DCs and CIL.**
  2. Remove non-residential DC discounts and restore City's ability to set its own DC rates.
  3. Not remove or limit eligibility of "costs to acquire land" for DC collection.
  4. Restore "affordable housing" and ability to fund "studies" as eligible for DC collection.
  5. Remove "attainable" housing from the proposed exemptions to DCs, CBCs and Parkland.

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<sup>2</sup> This assumes that the DC By-law would need to be updated upon its expiry in 2027 and that land is removed as a DC eligible cost for each City service, as part of that exercise.

6. Develop mechanisms to ensure any publically funded discounts go directly to homebuyer.
7. Maintain the income-based definition of affordable housing as per the Provincial Policy Statement (PPS). If not, it is requested that the Province adapt the CMHC average existing market rent by bedroom for rental units and a 70% rate of average new unit price with separate values for unit size/bedrooms for ownership units.
8. Restore parkland rates, or at least remove the land value caps placed on rates.
9. Roll back ability for developers to determine park locations, or at least ensure parkland dedications are contiguous, link into the existing parkland network and have public street frontage and visibility.
10. Remove 100% credit for POPS, or at least roll it back to some lesser amount to disincentivize developers providing a POPS over a public park.
11. Increase Inclusionary Zoning set-aside rate cap to 10%.
12. Extend the affordability for “ownership” units to 99 years; this will have no impact on developers but will allow for more sustainable affordable housing supply.
13. Consider some type of incentive program to help capitalize infill projects in established neighbourhoods (e.g. a loan program that could help homeowners fund renovations to their homes to add second or third units).
14. Update Ontario Building Code to ensure singles and towns are built in a way that would support retrofitting for second units.
15. Restore urban design and landscape details at site plan stage.
16. Restore ability to consider sustainable design (e.g. use of Green Development Standards) at the site plan stage.  
Maintain existing Ontario Land Tribunal (OLT) process where costs are rarely awarded.
17. Maintain the City’s ability to protect rental housing stock through its Rental Protection By-law.
18. Province could reconsider the benefits of the proposed heritage review process, as most likely it will slow down development.
19. Reconsider the benefits of limiting Conservation Authorities (CA) powers to comment on natural heritage, as the City will need to establish expertise and development process could be slowed down.
20. Maintain existing wetland protections, the benefits of developing on wetlands do not outweigh the potential environmental outcomes.
21. Not adopt a Provincial ecological off-setting policy. Technical ecological advice on offsetting should be provided in local context by the Conservation Authorities and the City, as appropriate.

## Background

Bill 23 works to implement some actions contained in *Ontario's Housing Supply Action Plan*, with the goal of increasing housing supply in Ontario by building 1.5 million new homes by 2032.

On October 25, 2022, the Honourable Steve Clark, Minister of Municipal Affairs and Housing (the Minister) introduced the Bill to the legislature with sweeping changes to 10 Acts (including the *Planning Act*, *Municipal Act*, *Development Charges (DCs) Act*, *Ontario Heritage Act*, *Conservation Authorities Act*, *Ontario Land Tribunal (OLT) Act*) and the Ontario Building Code.

The Province has also proposed further consultation on a range of provincial plans, policies and regulations. This includes revoking the Parkway Belt West Plan, merging the Growth Plan for the Greater Golden Horseshoe (the Growth Plan) with the PPS and changing the boundaries of the Greenbelt Plan. The Province has also committed to create working groups with municipalities to limit land speculation and examine rental protection by-laws.

Comment periods on the proposed changes (via 19 Environmental Registry of Ontario postings and 7 Ontario Regulatory Registry postings) close between November 24 and December 30, with the majority closing on November 24, 2022. City staff will continue to update and advise Council on the impacts of Bill 23 as it advances and when implementation details become available.

The purpose of this report is to: highlight to Council the major changes proposed in Bill 23; the potential impacts on the City; identify areas of support and areas that should be reconsidered by the Province and have Council endorse all comments contained and appended to this report. In anticipation of the Bill advancing, staff also seek authority to submit comments to the Province as needed, where timelines do not permit reporting to Council in advance (e.g. over the Christmas/New Year break).

## Comments

The Province is setting a goal of Ontario building 1.5 million new homes by 2032. Of this total, Mississauga must *pledge* to build 120,000 homes in the next ten years (in other words 12,000 units a year). Staff question whether the development industry even has the capacity to construct that amount of units given persistent labour and material challenges.

In 2021, Mississauga issued building permits for 5,500 new units. So far, 2022 is a record year, but the City has still only issued building permits for 6,100 new units. In other words, if Mississauga is to meet this Provincial target it must double its current levels of development. Fortunately, the City has been planning for growth well beyond its Regional allocation of 100,000 units so no City planning policy changes are needed to reach the provincial pledge.<sup>3</sup>

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<sup>3</sup> *Technical Memo: Mississauga's City Structure and Residential Growth Accommodation*.  
File: CD.02-MIS can be accessed [here](#) (see April 19, 2022, PDC Agenda, Item 5.2)

However, the Bill has the potential to significantly reduce the amount of money available to the City to provide the infrastructure required to create complete communities in these planned growth areas. Many of the measures appear designed to create short-term benefits for developers of market units while saddling municipalities and future unit owners with costs and reduced amenities for decades to come. While the Bill does have some positive provisions that are specifically intended to help build more affordable and purpose built rental housing, other provisions of the Bill would have the opposite effect by reducing the amount of this badly needed housing.

Staff have summarized key changes proposed into 7 themes:

- Mandatory and retroactive phase-in of DCs would lead to significant funding shortfalls;
- Delivery of the City's infrastructure program could be jeopardized by what is classified as "DC eligible" and fee exemptions;
- City's parkland revenue could be reduced by 70% and the quality of parkland could be diminished;
- Support proposals to streamline neighbourhood infill and intensification around transit station areas;
- Range of impacts stemming from major changes to planning and appeals processes, including planning powers removed from Region of Peel and uploaded to the Province;
- Elimination and reduction of municipal tools could further threaten affordable housing;
- Significant impacts on Ontario's heritage and natural environment and its ability to mitigate and adapt to a climate changing.

Please note that not all changes proposed are captured in the body of this Corporate Report. **Please see Appendix 1 for a detailed list of changes**, potential implications for the City and comments to be shared with the Province.

## **1) MANDATORY AND RETROACTIVE PHASE-IN OF DCs WOULD LEAD TO SIGNIFICANT FUNDING SHORTFALLS**

City Council passed its current DC By-law on June 22, 2022. The proposed changes to the *DC Act* direct that for any DC By-law passed after June 1, 2022, a 20% reduction must be applied to the DC rates in Year 1 of the By-law, with the reduction decreasing by 5% in subsequent years.

General estimates of the potential DC revenue lost, focusing solely on this proposal alone, are included below:

- Year 1: By applying a 20% discount, City will collect \$22.2 M less in DC revenues
- Total 4-Year DC revenue loss, estimated at \$56.1 M.



As part of the 2022 DC By-law review, the City's DC rates increased by 12%. Therefore if this proposal is implemented and a 20% discount is applied, the City would be collecting less revenue than prior to its 2022 DC by-law passage.

The mandatory discounts are punitive, arbitrary and the logic is unclear, given they affect each municipality so differently. For example, there are several municipalities that updated their DC rates prior to June 1, 2022 that are not having to apply the discounts, and those municipalities that didn't update their by-law recently are also not having to apply the discounts. The mandatory discounts undermine Council's discretion to impose a discount or phase-in of the DC rates; many of such policies are developed with consultation with the development industry.

City staff request that the Province continue to allow municipal Council the sole discretion to set their own policies and DC rates and remove the mandatory retroactive phase-in. If not, staff recommend that the phase-in only apply to by-laws passed after Royal Assent of the Bill and/or only apply where the proposed DC rate increase is greater than 20%.

These discounts also apply to non-residential development. City staff question how housing affordability and stock is improved by collecting less DC revenue from commercial and industrial developers. It is suggested to the Province that discounts be limited to the residential sector.

- ***Request that Province remove non-residential DC discounts and restore City's ability to set its own DC rates. Otherwise, a municipality should be made whole for these DC discounts***

## **2) DELIVERY OF THE CITY'S INFRASTRUCTURE PROGRAM COULD BE JEOPARDIZED BY DC ELIGIBILITY AND FEE EXEMPTIONS**

### **DC Eligibility**

The proposed changes impact what is eligible for DC collection. It is proposed that studies and affordable housing can no longer be funded by DCs, and the ability to fund land acquisition for prescribed services will be limited by a future Regulation.

City staff's biggest concern is that a future regulation could limit land acquisition being an eligible cost recoverable through DCs for prescribed services. Land plays an integral part in the delivery of City services to its residents – whether it be the land for a library, community centre or arena, fire station, transit facility or land for the road network. Without land, or the funding to purchase land, the project itself would become unviable or unfunded. Without information about the scope of a future regulation, the financial impact is difficult to assess. However, if land were removed as an eligible cost for all services, the potential revenue loss would be approximately \$34 Million on an annual basis, upon the passage of the next DC by-law. City staff would ask the Province not to remove or limit land as an eligible DC cost.

Another concerning change is the removal of a municipality's' ability to fund affordable housing through DCs. In the past this funding has supported Regional capital projects as well as partnerships with the private sector to increase affordable housing supply.

Likewise, staff have concerns about not allowing for DC funded studies. These studies include, but are not limited to, the City's Future Directions Plans, Transit Infrastructure Plans and Growth Management Plans. It is suggested that the services be reinstated as collectively these measures help to build affordable and complete communities.

- ***As a priority, request that Province not remove or limit eligibility of "costs to acquire land" for DC collection. Also request that Province restore "affordable housing" and ability to fund "studies" as eligible for DC collection***

## **DC, Parkland and CBC Exemptions**

### *Affordable and Attainable Housing*

The proposed changes exempt DCs, parkland dedication and Community Benefit Charge (CBCs) for "affordable" and "attainable" housing, Inclusionary Zoning (IZ) units, non-profit housing and second and third units.

The City already uses DCs as a tool to incentivize "missing middle" housing and exempts charges for second units, Accessory Dwelling Units and has approved DC grant based exemptions for non-profit affordable rental housing.

However, staff are concerned that broadly exempting all units that are 80% of market value could incentivize the creation of very small units (e.g. most bachelors and many one bedroom units in the city would likely meet this proposed definition) and not help achieve the types of "missing middle" housing that Ontarian households so desperately need.

At minimum, the "average" market price should be delineated for each unit size or bedroom count. Additionally, the Province should consider lowering the threshold to 70% to ensure exemptions are targeted to units affordable to low- and moderate- income households. For rental units, City staff suggest that a CMHC definition 100% AMR for rental units be adopted which is a common definition used for new rental unit incentives.

It is noted that City staff will be challenged to administer exemptions based on an 80% of the resale purchase price for ownership and 80% average market for rental for affordable units. DCs are often levied ahead of all units being sold and the price of units is in constant flux. It will be hard to determine which units may be eligible. It is also unclear how the 80% of average market rate will be determined and there could be opportunities for abuse.

The impact of exempting “attainable housing” from these growth charges is unknown. However, if the Province’s definition is so broad that it applies to any unit that is not owned by an investor it could be financially catastrophic for the City. It is suggested the Province remove “attainable” housing from exemptions as the Bill already has policies exempting non-profit and gentle infill units from DCs and other charges.

As mentioned above, it is considered that the Province should make municipalities whole for any discounts offered. It is suggested that the Province could use Federal Housing Accelerator funding to address some of this municipal shortfall and staff would welcome that approach.

### Rental Housing

The proposed changes also result in the DC payable for a purpose built rental housing development being discounted based on the number of bedrooms in each units, the proposal as follows:

- Bachelor and 1 bedroom units – 15% reduction in DCs
- Two bedroom units – 20% reduction in DCs
- Three+ bedroom units – 25% reduction in DCs

The potential revenue loss stemming from this change alone would be roughly \$8.5 Million over a ten-year period. Despite this shortfall staff are supportive of these changes as it could provide an incentive to build purpose built rental units, particularly larger units. Albeit the effectiveness of this measure is muted by DC discounts and exemptions being so widely applied across the board. Staff suggest senior grants such as the Federal Housing Accelerator be used to offset the lost revenue.

### Passing on Discounts to Buyers

It is suggested that the Province carefully examine safeguards to ensure any publically funded discounts are passed onto new homeowners. As noted in the recent report<sup>4</sup> prepared by N. Barry Lyon Consultants, developers will price housing at the maximum level the market will support and increases/decreases in fees do not affect the sale price of units. Lost revenue leads to increased property taxes that reduce affordability overall.

City staff support requirement to enter into an agreement registered on title, to secure the exemptions, but would prefer to see an arrangement where the DCs are paid in full by the developer, then refunded to the purchaser, much like existing programs for first-time homebuyer tax rebates. This approach would help ensure that the cost savings are passed on to the homebuyer and would also expedite DC administration.

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<sup>4</sup> 2019 Development Costs Review – The Effect of Development-Related Costs on Housing Affordability can be accessed [here](#) (see May 1, 2019, General Committee Agenda, Item 8.2.)

- ***Request that Province:***
  - ***Remove “attainable” housing from the proposed exemptions***
  - ***Develop mechanisms to ensure that those people looking to buy a home to live in benefit from these municipally funded discounts. DCs could be paid in full by the developer and then refunded to eligible purchasers***
  - ***Maintain the income-based definition of affordable housing as per the PPS. If not, it is requested that the Province adopt the 100% CMHC average market rent by bedroom type for rental units and a 70% rate of average resale price with separate values for unit size/bedrooms for ownership units***

### **3) CITY’S PARKLAND REVENUE COULD BE REDUCED BY 70% AND THE QUALITY OF PARKLAND COULD BE DIMINISHED**

#### **Reduced Parkland Rates**

The proposed changes include significant reduction to the current parkland dedication and Cash-in-Lieu (CIL) rates.

Specifically, maximum alternative dedication rates are lowered to 1 hectare per 600 units, from 1 hectare per 300 units for land. And 1 hectare for 1000 units for CIL, down from 1 hectare per 500 units. For high-density development, it is proposed that parkland is capped at 10% of land for smaller sites (up to 5 hectares) and 15% of land for large sites (over 5 hectares). These rates will be kept lower by being frozen at the date a zoning by-law or site plan is filed.

Mississauga has built out almost all of its greenfields and its development is changing to be more intensive. As a result, the City collects much of its CIL from medium and high density developments and uses these funds to acquire parkland (e.g. rather than through conveyance, which is more common in a greenfield context). The City is at a point in its development where significant future parkland will need to be acquired. However, the CIL rates proposed by the Bill are so low they will not allow the City to remain competitive buyers of land.

The full costs associated with this change are difficult to quantify. However on a site by site basis it is significant. For a routine application in Mississauga e.g. a tower of approximately 500 units on a site that is 1 acre, it is expected that subject to Bill 23 the City would collect \$1.74M in CIL. This compares to \$10.7M in CIL under the City’s existing By-law (adopted June 2022).

This proposed Bill 23 rate is also well below the City’s former by-law, that is 15 years old and was already unable to keep pace with rising land costs in Mississauga. Under the City’s former By-law, it could have collected \$5.0M in CIL payments.

*Case Study: Typical Development in Mississauga and CIL Rates*

Development	Under Past by-law	Under New By-law	Under Proposed Bill 23
18 storey mixed use building containing 427 residential units (no parkland dedication)	427*\$11,710/unit = <b>\$5,000,200</b>	@ 25,112 Full August 2023 CIL Capped Rate  427*\$25,112 = <b>\$10,722,800</b>	<b>\$1,734,300</b> CIL capped at 10% of land value.

A high-level estimate citywide suggested that under the recently approved by-law CIL revenues were anticipated to be in the order of \$1.398B between 2022 and 2041, which was the amount of revenue needed to address parkland needs. With Bill 23, that is expected to be reduced to an approximate range of \$284M - \$419M falling significantly short of projected needs.

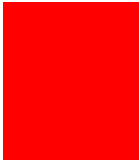
Overall, these impacts are substantial and it is requested that the Province restore former parkland rates. However, if the Province wishes to maintain these lower rates it is requested that the 10% cap on parkland be removed as an urgent priority.

- ***Request that Province restore parkland rates, or at least remove the land value caps placed on rates***

### Land Owners to Determine Park Locations

A major concern for City staff is that the proposed changes allow developers to choose where to locate parkland. This will likely result in small sections of undevelopable land being dedicated. City staff strongly urge the Province to roll back this change, but at the very least add requirements that ensure parkland dedications are contiguous, link into the existing parkland network (where applicable) and have public street frontage and visibility.

The proposed change does allow the City to appeal a developer's parkland proposal to the OLT. However, if a developer is already going to the OLT over other issues related to their application, then any leverage the City may have had is lost. Under the proposed Bill, a municipality can also be required to take on parkland it does not want. Currently, the OLT rarely order a municipality take on parkland. It is suggested that this practice be maintained and a municipality should not be forced to manage undesirable lands.

- 
- ***Request that Province roll back ability for land owners to determine park locations, or at least ensure dedications are contiguous, link into the existing parkland network and have public street frontage and visibility***


#### **Privately Owned Publicly Accessible Spaces (POPS)**

The proposed changes would allow POPS and encumbered parkland to receive the same credits as a publicly owned unencumbered park. This will make it difficult for the City to secure unencumbered parkland, particularly in its growth areas.

A POPS does not provide the same level of service as a public park. Hours of operation and maintenance of POPS are subject to an easement agreement with the owner, which may be limiting. POPS have limited programming ability and would rarely, if ever, include playground equipment and other needed park amenities. Also, because POPS are encumbered (e.g. have infrastructure underground) they will not support mature trees and are more routinely closed for maintenance.

Moreover, the creation of a POPS places a significant burden on new unit owners/condominium boards. Many new unit owners may not realize the full extent of the financial commitment they are making to manage a POPS. For large developments often more than one condominium board is responsible for managing a POPS, creating frictions and administrative challenges.

Overall, POPS arrangements generate one off value for developers. Both the City and the future residents will be forced to deal with challenges stemming from this arrangement indefinitely. City staff strongly urge the Province to remove this clause, or at least roll it back to some lesser amount to disincentivize a POPS arrangement over a public park.

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- ***Request that Province remove 100% credit for POPS, or at least roll it back to a lesser amount to disincentivize developers providing a POPS over a public park***

## **4) SUPPORT PROPOSALS TO STREAMLINE NEIGHBOURHOOD INFILL AND INTENSIFICATION AROUND STATION AREAS**

### **Neighbourhood Infill**

The Province has proposed that three units be allowed on a lot as-of-right and parking rates are set at a maximum of one per dwellings. City staff are already working on permitting increased infill opportunities (e.g. up to 3 units) through the City's *"Increasing Housing Choices in Neighbourhoods"* study and parking rates for infill developments were reduced in line with these recommendations earlier this year. Moreover, Mississauga had already waived development charges for up to three units in its latest DC By-law.

City staff would suggest that the Province carefully consider the many barriers to residential infill in existing neighbourhoods. Specifically, construction costs for even modest residential infill units are expensive and mortgages are difficult to secure. From the City's work, it is estimated that a one bedroom/ one storey garden suite is \$250K, a two storey / two bedroom suite is \$425K and a garage conversion to a one bedroom unit is in the order of \$92K. A loan program, or way of making capital available to homeowners, could go a long way to more of these opportunities being realized.

The Province could also consider updating the Ontario Building Code (OBC) to require that all single and semi-detached units be constructed in a way that would allow for easy conversion into second suites.

- ***Province could consider some type of incentive program to help capitalize infill projects (e.g. grants or loans) in established neighbourhoods***
- ***Province could update OBC to ensure singles and towns are built in a way that would support retrofitting for second units***

### **Intensification around Stations**

The Province has proposed "as-of-right" zoning in all MTSA's and is requiring zoning by-laws be updated within a year (reduced from three years). City staff will work to ensure these provincial deadlines are met, although would suggest to the Province that 18 months is a more realistic timeline. While updated zoning is important, staff do not expect that updating our zoning by-law will lead to a major increase in development. For twenty years, the City has pre-zoned its Downtown Core for unlimited heights and densities and while development remains steady, it is moderated by constraints around labour, materials, development phasing and other financial considerations.

### **Site Plan Exemptions and No Architectural and Landscape Details**

The Province has proposed that residential development of up to 10 units be exempt from site plan control, except for land lease communities. Staff can work with the exemption however, this change could shift more of the review effort to the building permit stage. Staff are seeking clarification from the Province on whether or not city standards (e.g. storm water management, road requirements and design etc.) can be applied where a new development may be exempt.

Staff are extremely concerned by the removal of architectural and landscape details at site plan. Elimination of this takes away the City's ability to shape the public realm and would undermine the quality of places in our city. It is also proposed to remove consideration of sustainable designs. This will limit the ability for the City to implement the Green Development Standards that contribute to more efficient homes being built in Mississauga that will reduce utility bills and GHG emissions.



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- ***Request that Province restore urban design, sustainable design and landscape details at site plan stage***

## **5) RANGE OF IMPACTS STEMMING FROM MAJOR CHANGES TO PLANNING AND APPEALS PROCESSES, INCLUDING MANY PLANNING POWERS BEING UPLOADED TO PROVINCE**

### **Regional Planning Powers**

The Province has proposed to take on many new planning powers, with regional municipalities proposed to be completely removed from the planning process. A key outcome of these changes and this centralization of powers is that the Province could soon be the City's approval authority. Meaning it would be the Province that would sign off on the City's Official Plan and associated amendments rather than the Region of Peel and that the Province could redline and change the plans as they saw fit without consultation.

It is hard to gauge the impact this will have on the process. However, if it does aim to speed things up, the Province will need to build up significant expertise in municipal land use planning otherwise it is likely a bottleneck will occur.

Given the Bill downloads many responsibilities onto the City of Mississauga from the Region of Peel (and later in the report the Conservation Authorities), there could be significant staffing impacts and the need for the City to establish new areas of expertise.

### **Limiting Third Party Appeals**

The Province has proposed to limit third party appeals. City staff consider that limiting third party appeals for developers will significantly speed up the planning processes. Currently, the City's entire Official Plan (OP) can be appealed. In the past these broad OP appeals have taken near a decade to resolve. A similar appeals process can then unfold around site specific appeals. The collective outcome of this is a lack of certainty around the City's planning framework and increased speculation on land. However, this limit on appeals also extends to the community, who may wish to have the opportunity to participate more fully in the planning process.

### **Awarding Costs**

Staff are however, concerned about the proposal for the OLT to more routinely award costs against a losing party. When coupled Bill 109 that requires a municipality to provide a decision in a very short space of time (or otherwise have to refund fees), a municipality could get caught in a position where it has to refuse an application because some major issue has not been resolved on the site and could later be punished by having costs awarded against them. City staff consider that the OLT's current process where costs are only awarded where there is a genuine attempt to obstruct a matter should continue, and costs should be rarely awarded.



- ***Request that Province maintain existing OLT process where costs are rarely awarded***

### **Changes to Provincial Plans**

The merging of the PPS and Growth Plan has also been proposed, yet limited details have been provided. The Growth Plan sets out the Greater Golden Horseshoe's urban structure (e.g. Urban Growth Centres served by transit etc.), and its growth forecasts are fundamental to good infrastructure planning. While no details are released, it is suggested that at the very least these aspects be maintained. Any changes to this document should occur in consultation with municipalities.

City staff are supportive of adding urban river valleys to the Greenbelt and already protect these lands. It is submitted that only lands be added to the Greenbelt and not subtracted.

- ***Request that Province:***
  - ***Consult municipalities as provincial plans are updated***
  - ***GGH urban structure of Urban Growth Centres and Major Transit Station Areas is maintained***
  - ***Growth forecasts are maintained for infrastructure planning***
  - ***Not change Greenbelt boundaries, aside from adding lands***

## **6) ELIMINATION AND REDUCTION OF MUNICIPAL TOOLS THAT FURTHER THREATEN AFFORDABLE HOUSING**

### **Inclusionary Zoning (IZ)**

#### *Definition, Set-aside Rate Cap, and Affordability Term Cap*

Currently housing affordability is defined in terms of annual income spent on housing costs e.g. no more than 30%. The Province is proposing a shift to a market-based definition of affordability that can be set at no lower than 80% of resale prices for IZ ownership units and no more than 80% of average market rent for IZ rental units. While it is unclear which data sources the Province will use to set these "average" rates, it appears that the only segment of the population that could afford an IZ ownership unit are those at the top end of the moderate-income band – that is, households earning \$95,000 per year or more<sup>5</sup> - pricing out the vast majority of Mississauga's essential workforce.

The Province has also proposed an IZ set-aside rate cap of 5% of units / residential gross floor area. Mississauga's adopted IZ provisions require a rate ranging from 5% to 10% after an initial phase-in period. The rates are consistent with the results of the provincially mandated market

<sup>5</sup> Based on Toronto Region Real Estate Board (TRREB) data from Q3, 2022.

feasibility analysis. City staff do not support the 5% maximum as it will result in a minimum of 40% less affordable units than anticipated by the City's current IZ provisions. City staff request that the 5% cap be revised to 10% to help increase the supply of affordable units. In addition, with the DC, parkland, and CBC exemptions proposed for all IZ units, the feasibility of development is increased and therefore developments can absorb higher set-aside rates.

The Province is proposing a maximum affordability period of 25 years for IZ units. The City's current IZ provisions require that in condominium projects and IZ rental units are to remain affordable for a minimum of 25 years (plus a 5-year phase out) and IZ ownership units are to remain affordable for a minimum of 99 years. The City is exempting purpose-built rental projects from IZ. The rental affordability term was intentionally set shorter than the ownership affordability term to encourage / incentivize delivery of IZ rental units in condominium projects. Since the developer does not retain ownership of affordable ownership units, development feasibility is not impacted by the affordability term for IZ ownership units. Staff do not support the proposed maximum affordability period because it will cause ownership units to be lost from the IZ inventory sooner than necessary, and the proposed maximum term will have no impact on development feasibility / housing supply.

Overall, the collective impact of these proposed changes undermine the ability of this policy tool to work as intended and deliver affordable housing. The changes also reduce the efficiency of administering the IZ program. Staff urge the Province to reconsider the proposed changes to the IZ regulations, to ensure that IZ can have a meaningful impact in communities.

- ***Request that Province increase IZ set-aside rate cap to 10%***
- ***Request that Province extend the affordability for "ownership" units to 99 years; this will have no impact on developers but will allow for more sustainable affordable housing supply***
- ***Request Province maintain the income-based definition of affordable housing as per the Provincial Policy Statement***

### **Rental Protection By-law**

Rental protection by-laws help to ensure that affordable rental supply continues to remain in areas designated for intensification and to mitigate unintended consequences of growth. Retaining affordable rental housing is critical to supporting our workforce needs and businesses. It is suggested to the Province that the power for municipalities to develop rental protection by-laws be maintained. Additional considerations could be made to tailor rental protection to local markets.

The City of Mississauga has taken a flexible approach to implementing this tool recognizing the need to enable property owners to upgrade and make more efficient use of existing rental properties. For example, the by-law requires that affordable rental units be replaced by same unit types by bedroom, rather than floor areas, at similar, not the same rents. A recent proposal

was approved in Mississauga wherein the property owner was able to increase the number of rental units from 8 to 15 units. The approval process is short and typically delegated to staff.

- ***Request that Province maintain the City's ability to protect rental housing stock***

## **7) SIGNIFICANT IMPACTS ON ONTARIO'S HERITAGE, NATURAL ENVIRONMENT AND ABILITY TO MITIGATE AND ADAPT TO A CHANGING CLIMATE**

### **Heritage**

The proposed changes to the *Heritage Act* create a two-year limit to review all properties on the heritage register and designate properties. Only properties currently on heritage registers can be designated. All designated properties and heritage conservation districts are to meet two out of three criteria for designation and there is a new process for repealing designations. Some of these proposed processes are to be established in forthcoming regulations.

These proposed changes to the *Heritage Act* will create a large amount of work for the City's heritage community, including the Heritage Advisory Committee and Heritage Planning staff, with potentially little reward. Rather than the City carefully considering heritage attributes through a development application processes as they arise, the City will be required to go through a process of reviewing and potentially designating 1,000 listed properties (not designated properties) on the City's register.

These efforts will take time, have staffing implications, and potentially create a substantial number of appeals at the OLT. Staff are concerned they could hold up development rather than allow it to move forward more quickly.


- ***Province could reconsider the benefits of heritage review process, as most likely it will slow down development***

### **Conservation Authorities**

Proposed changes to the *Conservation Authority Act* aim to streamline approvals by only permitting the Conservation Authorities (CAs) to focus on natural hazards impacts on people and their property, as opposed to protecting the Natural Heritage System as a whole. This could allow new developments to be built on lands that should be or were once protected.

Additionally, it is proposed that municipalities would exercise sole approval when a development application is filed, which may include decision making over hazard lands. The City relies heavily on the CAs for their technical review and analysis for both natural hazards as well as natural heritage. The City has excellent working relationships with Credit Valley Conservation (CVC), Toronto Region Conservation Authority and Conservation Halton. All have an excellent track record of delivering their expert technical advice in a timely manner.

Presently, the City does not have the expertise to take on these expanded responsibilities. The City will need to hire new staff in order to fill the current role of CAs and build up this knowledge base. Again, this will take time and will more likely slow down the process than speed it up.



***Request that Province reconsider the benefits of limiting CA's powers to comment on natural heritage, as the City will be solely responsible to review such matters, and in the short term processes will be slowed down as new staff are hired and expertise is established***

## Natural Heritage System

The proposed changes to the *Conservation Authority Act* move Ontario from a holistic approach to protection of the environmental and social ecological values of a watershed to one focused on the protection of people and property against natural hazards. By framing the issue this way, Ontario could stand to lose the natural functions provided by its natural heritage system (e.g.: filtering air and water, mitigating flooding and erosion, storing carbon, providing habitat for fish and wildlife, and providing a wide range of recreation and tourism opportunities) in exchange for conventional infrastructure.

This change in approach creates a one-off financial benefit for developers. All of whom would have probably purchased newly approved land cheaply, because it would have likely been considered a flood plain with high erosion potential. Yet if this land is developed, these natural hazard burdens will be transferred to unit owners and municipalities.

Negative outcomes could be more pronounced if other measures proposed in this Bill result in the City's natural heritage system being reduced in size and as society at large works to adapt to a changing climate.

### Wetlands

Proposed changes to the Ontario Wetland Evaluation System (OWES) alter the way that wetlands are identified and evaluated. The proposed changes would remove the concept of wetland complexes, which will make it more difficult for small wetlands (<2ha in size) to be included and evaluated under the system. Given that wetlands comprise only about 0.9% of the city's land base and many are small and exist in a mosaic of smaller habitats, the identification

and protection of small wetlands is essential to maintaining biodiversity and ecosystem function at a local and landscape scale.

The proposed changes to the OWES will also allow for wetland boundaries to be re-defined *after* they have been evaluated and accepted; which could lead to a situation where unauthorized/unpermitted changes to wetlands have led to a reduction in their size or loss over time to facilitate more growth in areas that would have been otherwise protected.

#### Ecological Offsetting Policy

Furthermore, the Province is consulting on a newly proposed "Ecological Offsetting" policy. Staff are concerned such a policy could result in Mississauga's natural heritage features and functions, that would otherwise be protected in-situ, being proposed for removal and replaced elsewhere, including outside of the city, region and/or watershed.

Staff are concerned that this proposal could lead to a steady reduction in the amount of natural space covered by the City's Natural Heritage System, weakening the entire system, with no mechanism to require that suitable compensation be provided within the city and/or assurances that an equal asset is provided elsewhere.

- ***Request that Province maintain existing wetland protections, the benefits of developing on wetlands do not outweigh the potential environmental outcomes.***
- ***Not adopt a Provincial ecological off-setting policy. Technical ecological advice on offsetting should be provided in local context by the Conservation Authorities and the City, as appropriate.***

## Financial Impact

The changes identified in the proposed Bill 23 will have significant financial impact for the City. The full cost and administrative burden cannot be determined without additional details that will be found in the regulations, when these are released. The following analysis is based on currently available details.

### Impact on Development Charges

It is estimated that the Bill could cost the City up to \$325M over a ten-year period. The potential ten-year DC revenue loss is shown as follows.

2023 - 2032	
Forecasted DC Revenue <sup>1</sup>	\$1,135,000,000
<b>Less: Lost DC Revenue<sup>2</sup></b>	<b>(\$325,000,000)</b>
Net Forecasted DC Revenue	\$810,000,000

1. *Forecasted DC Revenue is based on the development forecast contained in the 2022 Development Charges Background Study.*
2. *Lost DC Revenue based on: Mandatory retroactive phase-in, removing land and studies as DC eligible cost, 15-year service level calculation, estimated DC discount on for-profit rental units, and the requirement to update the DC by-law upon its expiry in 2027.*

It should be noted that there will be future financial losses stemming from Bill 23 that cannot be quantified at the time of writing of this report. The City requires full details, including Regulations and Bulletins, to be released by the Province to completely understand the financial impact. Of particular concern is the DC exemption for “Attainable Housing” which is currently only defined as not affordable nor rental units.

### Impact on Cash-in-Lieu of Parkland

Based on the proposals that are currently defined by the Province through Bill 23, the potential CIL Parkland revenue loss is shown as follows.

2023 - 2032	
Forecasted CIL Parkland Revenue <sup>1</sup>	\$700,000,000
<b>Less: Lost CIL Parkland Revenue<sup>2</sup></b>	<b>\$490,000,000 to \$560,000,000</b>
Net Forecasted CIL Parkland Revenue	\$140,000,000 to \$210,000,000

1. *Forecasted CIL Parkland Revenue is based on the 2022 Parkland Conveyance By-law Update Report.*
2. *Lost CIL Parkland Revenue is based on preliminary estimates prepared by Hemson Consulting Ltd. based on available data.*

Some changes to parkland dedication cannot be quantified in dollar values. For example, developers would be able to choose the location of their parkland dedication. This is of particular concern as the City may end up with remnant parcels of land or “slivers” of land that would be unsuitable for park amenities. As well, the City must accept encumbered and privately owned public space (POPS) as parkland dedication.

All of these proposed changes will create significant budget pressures. These discounts will either need to be made up by reducing service levels or increasing property taxes and charges. Transferring the burden from developers to new unit owners and taxpayers, all of which will undermine affordability in Mississauga on the whole.

## Conclusion

Mississauga has demonstrated a strong commitment to support provincial aims to create more housing, a greater mix of housing and efforts to make home ownership and renting more affordable. The City further supports the government’s commitment to reduce red tape and make it easier to live and do business in Ontario. However, staff’s assessment is that Bill 23 is overly focused on blanket fee reductions that would apply for market rate developments with no guarantee that savings will be passed on to renters and homebuyers.

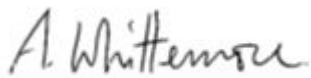
A fundamental concern that staff have with the proposed Bill is that it fails to recognize the complexity of getting a development off the ground. Staff are supportive of provincial efforts to streamline processes and ensure zoning is up to date etc., but these measures address one part of the process. Developers are dealing with all manner of costs and constraints – including labour, construction costs, rising interest rates, financing, development phasing and so on. Without addressing these matters, it is unlikely that the Bill will result in the increased level of development that is being anticipated.

With so much on the line – the potential impacts on the natural environment, community infrastructure, parks, transit, affordable housing and the quality of our urban environments – the Province should slow down and reflect on the collective impact of these changes. Taking the time to consult with a broader range of stakeholders in meaningful ways could help achieve a more balanced and strategic plan for housing that meets the needs of Ontarians.

## Attachments

Appendix 1: Detailed Comments to Province

Appendix 2: List of All ERO and Related Postings



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Andrew Whitemore, M.U.R.P., Commissioner of Planning & Building

Prepared by: Katherine Morton, Manager, City Planning Strategies,  
Planning Strategies and Data

**Table 1 – Changes to City of Toronto Act, 2006 and Municipal Act, 2001 - Rental Protection**

Provincial Comments Period closes on November 24, 2022 (ORR: 22-MMAH017)

Proposed Changes	Potential City Impacts	Comments to the Province
<p><b>Rental Replacement</b></p> <p>Minister given the authority to make regulations imposing limits and conditions on the powers of a local municipality to prohibit and regulate the demolition and conversion of residential rental properties.</p>	<ul style="list-style-type: none"> <li>• Could diminish ability to protect rental housing. The possible outcomes could be anything from reducing the conditions Mississauga can make on the Sec. 99 permit to eliminating Mississauga's ability to regulate rental demolition or conversions at all.</li> <li>• Mississauga currently uses a flexible approach to protect rental supply while still encourage reinvestment in existing rental stock. It does not impact the tenant provisions of the Residential Tenancies Act (RTA).</li> </ul>	<ul style="list-style-type: none"> <li>• Staff are seeking clarification on the extent of Minister's authority.</li> <li>• Staff would support approaches to rental protection that allow landowners to reinvest in the stock while protecting the existing (more affordable) supply. One example of flexibility is how Mississauga regulates the number of bedrooms but not unit sizes (GFAs). Financial offsets, provincial/federal tax credits and other innovative solutions should be explored.</li> <li>• Staff would welcome participation in any working groups before regulations are enacted.</li> </ul>

**Table 2 – Changes to Conservation Authorities Act, 1990**

Provincial Comment Period closes on November 24, 2022 (ERO: 019-6141) and December 30, 2022 (ERO: 019-2927)

Proposed Changes	Potential City Impacts	Comments to the Province
<p><b>Cannot Comment on Applications</b></p> <p>Conservation Authorities cannot provide services related to reviewing and commenting on proposals and planning and</p>	<ul style="list-style-type: none"> <li>• Conservation Authorities act as technical advisors to the municipality on matters of natural heritage protection. Without their expertise, the municipality will have to grow this capacity on its team to address these matters.</li> <li>• Furthermore, an individual municipality lacks the expertise to inform development decisions that may have cross-jurisdictional concerns (e.g. risk of</li> </ul>	<ul style="list-style-type: none"> <li>• Staff suggest the Province reconsider the proposed changes to enable Conservation Authorities to continue providing their essential review services to municipalities. Municipalities currently lack expertise and it would take time to grow these services, potentially leading to approval delays.</li> </ul>



Proposed Changes	Potential City Impacts	Comments to the Province
<p>development related applications.</p> <p>Minister can direct Conservation Authorities not to change the fees it charges for a program or service for a specified period of time.</p>	<p>flooding and water quality decisions upstream impact other municipalities downstream). Conservation Authorities can address these concerns through a watershed-based approach, which is important for Mississauga's downstream and lake-fronting location.</p>	<ul style="list-style-type: none"> <li>• A holistic approach of protecting our natural heritage systems and the public from natural hazards is important for residents, businesses and municipalities to be able to withstand and adapt to more extreme weather events because of climate change.</li> </ul>
<p><b>Removing the Consideration of Control of Pollution and Conservation of Land</b></p> <p>Removing factors of pollution and conservation of land, and adding a new factor, namely, the control of unstable soil or bedrock when Conservation Authorities are making decisions.</p>	<ul style="list-style-type: none"> <li>• The removal of <i>pollution</i> and <i>conservation of land</i> from the oversight of the Conservation Authority would create a large gap in how matters are addressed through the planning process. It could lead to development that may pollute the natural heritage system (including aquatic habitat, watercourses and Lake Ontario), and allow for development inside natural features that would otherwise be protected from incompatible uses. These features form the backbone of Mississauga's natural heritage system (e.g. valleylands) and provide critical ecosystem functions.</li> </ul>	<ul style="list-style-type: none"> <li>• Staff recommend that the Province reconsider further scoping the oversight of the Conservation Authority to exclude pollution and conservation of land in order to retain the robust environmental protections that are required to ensure a healthy and resilient natural heritage system.</li> <li>• A holistic approach of protecting the natural heritage systems and the public from Natural Hazards is critical for residents, businesses and municipalities to be able to withstand and adapt to more extreme weather events due to climate change.</li> <li>• If existing controls are removed flood prone areas are subject to greater levels of development, then the Province could consider an environmental justice and equity lens. For example, homeowners may struggle to obtain appropriate home insurance for flooding or won't be able to afford the costs. Impacts could also be significant for renters.</li> </ul>

Proposed Changes	Potential City Impacts	Comments to the Province
<p><b>Obligations Regarding Land Disposition</b></p> <p>The disposition of certain land requires the Conservation Authority to provide a notice of the proposed disposition to the Minister (rather than obtaining the Minister's approval).</p> <p>Conservation Authorities to conduct public consultation before disposing of certain lands and the notice of public consultation must include description of the type of land, proposed date of disposition and proposed future use of the lands, if known.</p> <p>The Minister would be allowed to impose terms and conditions on an approval given with respect to a project that involved money granted by the Minister under section 39.</p>	<ul style="list-style-type: none"> <li>It is unclear what criteria would be established in order to determine land disposition. Given the reduction in scope of the Conservation Authorities to matters other than flooding and erosion, other areas that are currently owned for conservation purposes that play important ecological roles (i.e. wetlands, significant natural areas, habitat of endangered and threatened species etc.) may be proposed for future housing.</li> </ul>	<ul style="list-style-type: none"> <li>Conservation Authority lands that are critical to securing ecosystem services should be maintained for conservation. Staff recommend that the Province remove this proposed amendment and prioritize the long term impacts on the environment.</li> <li>Should the amendment proceed, clear criteria should be developed that exclude lands that support conservation purposes from the disposition process.</li> </ul>
<p><b>Development for Which a Minister's Order is Issued</b></p> <p>Conservation Authorities required to issue a permission</p>	<ul style="list-style-type: none"> <li>The oversight provided by the Conservation Authority permit process provides an important level of protection for critical ecosystem features such as wetlands and watercourses. Depending on the intent of the MZO or Planning Act approval, if</li> </ul>	<ul style="list-style-type: none"> <li>Staff recommend that the Province reconsider the approach to development in this case to enable greater oversight in natural heritage protection.</li> </ul>

Proposed Changes	Potential City Impacts	Comments to the Province
or permit where an order has been made under section 47 of the Planning Act (MZO) also apply to orders made under section 34.1 of the Planning Act (Minister's order at request of municipality).	environmental protection is not at the forefront it could result in the loss of portions of Mississauga's Natural Heritage and associated ecological functions.	

**Table 3 – Changes to Development Charges Act, 1997**

Provincial Comment Period closes on November 24, 2022 (ERO: 019-6172)

Proposed Changes	Potential City Impacts	Comments to the Province
<p><b>Mandatory and Retroactive Phase-in of DC Rates for any DC By-law Passed on or After June 1, 2022</b></p> <p>Reduction in the maximum DC that could otherwise be charged for the first four years a DC by-law is in force. Any DC imposed during the first, second, third and fourth years that the DC by-law is in force could be no more than 80, 85, 90 and 95 per cent, respectively, of the maximum DC that could have otherwise been charged.</p>	<ul style="list-style-type: none"> <li>This would have an immediate detrimental financial impact to the City. Focusing solely on this proposal alone, the revenue loss to the City would be over \$56 million over a four-year period.</li> <li>The lost DC revenue would impact the City in various ways; if the capital project were to go forward in the time frame as planned, there would be property tax increase implications. Should property tax rate increases not be viable, the timing of the delivery of service could be delayed. As a worst case scenario, the lack of DC funding could make a project completely unviable and the City may experience declines in its service levels.</li> <li>This proposal impacts the City unfairly, given that the City's DC by-law was passed only 21 days after the retroactive date the Province has chosen. It is</li> </ul>	<ul style="list-style-type: none"> <li>Generally speaking, City staff are supportive of proposals contained in Bill 23 that would affect meaningful change to the overall affordability and supply of housing. City staff are of the view that the retroactive and mandatory phase-in does not achieve the Province's stated goal.</li> <li>City staff are unclear why the blanket reduction also applies to the non-residential sector. It is unclear how this would help support affordable housing.</li> <li><b>Request to the Province:</b></li> <li>Remove the application of the mandatory retroactive phase-in of DC rates to the non-residential DCs.</li> </ul>

Proposed Changes	Potential City Impacts	Comments to the Province
<p>Reductions are applicable to new DC by-laws imposed on or after June 1, 2022.</p>	<p>noted that municipalities that passed their DC by-law one day before the June 1, 2022 date are not impacted by this proposal. As such, the date seems fairly arbitrary.</p>	<ul style="list-style-type: none"> <li>• Continue to allow municipalities to set their own policies on phasing-in rate increases and not include any mandatory discounts in the DCA.</li> <li>• <b>Alternative Suggestions:</b></li> <li>• Any mandatory phase-in provisions included in the DCA should only apply to DC by-laws passed after Royal Asset of the Bill.</li> <li>• A mandatory phase-in only applies if the proposed DC rate increase is greater than 20%.</li> <li>• The phase-in period be reduced from 4 years to 2 years.</li> </ul>
<p><b>Changes to Eligible DC Costs</b></p> <p>New regulation authority to prescribe services where land costs will not be an eligible capital costs.</p> <p>Studies would no longer be an eligible capital cost.</p> <p>Removal of Housing from the list of eligible DC services.</p>	<ul style="list-style-type: none"> <li>• The potential revenue loss stemming from removing land as an eligible cost would be approximately \$34 million on an annual basis.</li> <li>• Without land, or the funding to purchase land, the project itself would become unviable or unfunded.</li> <li>• This is an area of significant concern for City staff.</li> <li>• The potential revenue loss stemming from removing studies as an eligible capital cost would be \$800,000 on an annual basis.</li> <li>• The Region is the Housing Service Manager and therefore would be impacted if Housing was removed from the list of eligible DC services. The Region's 2020 DC study projected \$200M over the next ten years for critical affordable housing initiatives such as the housing master plan. The change to the DC Act puts projects in Mississauga such as East Avenue, Brightwater, and others at risk.</li> </ul>	<ul style="list-style-type: none"> <li>• Land plays an integral part in the delivery of City services to its residents – whether it be the land for a library, community centre or arena, fire station, transit facility or land for the road network.</li> <li>• Again, City staff are concerned that the removal of land as an eligible capital cost is punitive and serves only to reduce the City's revenues.</li> <li>• <b>Request to the Province:</b></li> <li>• Not remove or limit eligibility of “costs to acquire land” for DC collection.</li> <li>• Studies play an integral part on how the City plans for future infrastructure and service delivery to its future residents. Restore studies as an eligible capital cost</li> <li>• Restore Housing as eligible DC service</li> </ul>
<p><b>Discounts for Purpose Built Rental Units</b></p>	<ul style="list-style-type: none"> <li>• The potential revenue loss stemming from this change alone would be roughly \$850,000 on an annual basis.</li> </ul>	<ul style="list-style-type: none"> <li>• Staff are supportive of these changes as it could provide an incentive to build purpose built rental units, particularly larger units.</li> </ul>

Proposed Changes	Potential City Impacts	Comments to the Province
<p>Discounts are as follows:  -25% for 3+ bedrooms  -20% for 2 bedrooms  -15% for bachelor &amp; 1 bedroom</p>	<ul style="list-style-type: none"> <li>This proposed discount would be in addition to the statutory deferral of the DCs over a six-year period, stemming from the change to the DC Act that came into effect on January 1, 2020.</li> </ul>	<ul style="list-style-type: none"> <li>It is suggested the province consider using grants such as the Housing Accelerator Fund to offset lost revenue.</li> </ul>
<p><b>Change to the Historic Service Level Calculation</b></p> <p>Historical service level for DC eligible capital costs (except transit) extended from 10 to 15 years.</p>	<ul style="list-style-type: none"> <li>This particular proposal, again, seems arbitrary and affects each municipality differently</li> <li>The preliminary high level sensitivity analysis performed by City staff shows an overall neutral effect on the DC rates, with the exception of Fire Services where the City has utilized non-DC funding sources to increase its service levels and this proposal would see a decrease to the Fire DC rates.</li> </ul>	<ul style="list-style-type: none"> <li>Because this proposal seems fairly arbitrary and seemingly has the desired effect to lower DC rates and overall revenues to municipalities, it is an undesirable change.</li> <li>However, given the gamut of proposed changes of Bill 23, City staff have an overall neutral position to this particular change.</li> </ul>
<p><b>Cap on the Interest Charged by Municipalities</b></p> <p>The proposed amendment would cap the interest to prime rate plus 1 percent on rental and prescribed institutional developments. This also applies to the rates frozen at the time of application.</p>	<ul style="list-style-type: none"> <li>The City and Region currently have a Council approved policy which levies an interest rate of 5.5%.</li> <li>Subsequently, Council approved a policy that set the interest rate at 0% for rental housing developments.</li> <li>By prescribing the maximum interest rate to the prime lending rate would more closely align with borrowing rates should the City need to debt finance growth-related capital projects.</li> </ul>	<ul style="list-style-type: none"> <li>City staff have a neutral position towards this particular change in the legislation.</li> </ul>
<p><b>Requirement to Spend or Allocate 60% of DC reserve funds</b></p> <p>Beginning in 2023, municipalities will be required to spend or allocate at least</p>	<ul style="list-style-type: none"> <li>The City has plans to utilize the Roads DC reserve fund balance through the City's long-term financial planning and annual budgeting exercises.</li> <li>Depending on how stringent the Province is on their definition of "allocate", this requirement may make it difficult to plan for larger capital projects,</li> </ul>	<ul style="list-style-type: none"> <li>City staff have an overall neutral position towards this particular change in the legislation.</li> </ul>

Proposed Changes	Potential City Impacts	Comments to the Province
60% of the monies in a reserve fund for priority services (water, waste water, distribution and treatment of services, and roads).	and the ability to change the capital forecast annually.	
<b>Expiration of DC By-law</b>  Changing the DC by-law expiration from 5 to 10 years. DCs can still be updated anytime before the 10 year period.	<ul style="list-style-type: none"> <li>This proposal seems fairly arbitrary and seemingly has the desired effect to stagnate the DC rates for a period of ten years.</li> </ul>	<ul style="list-style-type: none"> <li>Given that it is not a mandated ten year shelf life of the DC by-law, City staff have an overall neutral position towards this particular change in the legislation.</li> </ul>
<b>Exemptions from DCs for:</b> <ul style="list-style-type: none"> <li>&gt; 1 unit or 1% of existing units in an existing purpose-built rental building</li> <li>Residential intensification (additional dwelling unit and ancillary units)</li> </ul>	<ul style="list-style-type: none"> <li>The potential financial impacts would be nominal, given the changes made to the Regulations in 2020 which exempt additional dwelling units that are within or ancillary to a primary unit.</li> </ul>	<ul style="list-style-type: none"> <li>City staff are general supportive of financial relief to units supporting gentle densification.</li> </ul>
<b>Exemptions from DCs for:</b> <ul style="list-style-type: none"> <li>Non-profit housing</li> </ul>	<ul style="list-style-type: none"> <li>Many municipalities provide a grant-in-lieu of fees and charges to true non-profit housing providers.</li> <li>The potential financial impact would be nominal.</li> </ul>	<ul style="list-style-type: none"> <li>Staff support fee exemptions (DCs, CBC, Parkland Dedication) for non-profit housing developments.</li> </ul>

Proposed Changes	Potential City Impacts	Comments to the Province
<p><b>Full Exemptions from DCs, CBCs and Parkland Dedication</b></p> <p>Full exemptions from DC charges for affordable units; attainable units; and inclusionary zoning units. Affordable housing generally defined as being priced at no greater than 80% of the average resale price or average rent in the year a unit is sold or rented.</p> <p>Future regulations will give definition for “attainable housing units”</p>	<ul style="list-style-type: none"> <li>• The City has already passed a by-law with respect to DC grants for Affordable Rental Housing, but it differs from the proposal in a few ways: <ul style="list-style-type: none"> <li>○ The grant would only be available to non-profit rental housing units</li> <li>○ Only the City’s portion of DCs would be eligible for a grant</li> <li>○ The value of the grant would be determined based on the proposed rents relative to AMR where rents up to 100% AMR would be eligible for up to a 100% grant and rents up to 125% AMR would be eligible for up to a 50% grant</li> </ul> </li> <li>• The proposed changes are likely to support the creation of more housing units and increase supply, but is unlikely to have a true impact on creating (and preserving) <b>affordable</b> housing units.</li> </ul>	<ul style="list-style-type: none"> <li>• More information is requested to understand how “average resale price” and “average market rent” be set. Will the Province be setting these rates on an annual basis? Will this be done on a municipality-by-municipality basis and by unit type?</li> <li>• Additional details regarding the information that will be included in the MMAH bulletin supporting determination of eligibility for exemptions is required to understand implementation and impacts.</li> <li>• Further clarification is required for the definition(s) of “attainable housing units” and/or “development designated through regulation” to understand the magnitude and scope of DC fee exemptions.</li> <li>• Staff support the requirement to enter into an agreement registered on title, to secure the exemptions. However, it’s preferable to see an arrangement where the DCs are paid in full by the developer, then refunded to the purchaser, much like existing programs for first-time homebuyer tax rebates – this would help ensure that the cost savings are in fact passed on to the homebuyer.</li> </ul>

## Table 4 – Changes to Ontario Heritage Act

Provincial Comment Period closes on November 24, 2022 (ERO: 019-6196)

Proposed Changes	Potential City Impacts	Comments to the Province
<p><b>Listing of Properties on Municipal Heritage Register</b></p> <p>New requirements aimed to focus the use of the heritage register listing process with new threshold test (to meet certain prescribed criteria for cultural heritage value or interest) for listing a property.</p>	<ul style="list-style-type: none"> <li>Increasing the threshold for designated properties from one to two criteria will have an impact on how Mississauga recognizes the heritage on equity-seeking groups. Many of the structures which play a foundational role in the community lack architectural value and are plain but have a significant importance and story behind them.</li> </ul>	<ul style="list-style-type: none"> <li>Changing the threshold of designating properties from one to two criteria will limit the City's ability to recognize the heritage of equity seeking groups.</li> <li>Many equity seeking communities solidified themselves in buildings and locations which hold significant associative value to the community, but little architectural or design value. As such, the heritage of these communities would be undervalued against the heritage of more established and better documented communities.</li> <li>The Province could consider options and expanding the criteria to directly engage with equity-seeking communities and ensure that heritage is approached in an equitable manner.</li> </ul>
<p><b>Time Limits and De-listing of Properties</b></p> <p>Requirement to review the heritage register and make decisions whether listed properties will be designated, and if not, the properties will be removed from the register.</p> <p>If a municipality fails to take action in two years from the date the property is listed to initiate the designation</p>	<ul style="list-style-type: none"> <li>Significant impact to the City's heritage resources by limiting the time a property can be listed on the register. Listing a property on the register gives Mississauga time to consider its heritage value and allow for other means of conserving and interpreting its heritage and history aside from protection through designation.</li> </ul>	<ul style="list-style-type: none"> <li>This change will limit the City's ability to explore options of interpretation and commemoration outside of the standard designation process, making the heritage process less flexible and potentially cause more challenges to development.</li> </ul>



Proposed Changes	Potential City Impacts	Comments to the Province
<p>process, then it will be required to remove the property.</p> <p>If a property is removed from the register as a result of a municipality's non-action, they would be prohibited from listing that property again for a period of five years.</p>		
<p><b>Freeze on Designation Process</b></p> <p>The designation process would "freeze" once a prescribed event occurs (e.g. likely to include submission of some or most development applications)</p> <p>Municipalities would not be permitted to issue a notice of intention to designate a property unless the property is already on the register when the current 90 day requirement for applications is triggered.</p>	<ul style="list-style-type: none"> <li>The City would not be able to add properties to the heritage register when 'prescribed event' occurs. This places the onus on the City to be proactive in maintaining the heritage register and anticipating when a property may come up for development.</li> </ul>	
<p><b>Heritage Conservation Districts</b></p> <p>New proposed process to allow for heritage conservation district plans to be amended or repealed.</p>	<ul style="list-style-type: none"> <li>Minimal impact to the City as this is already the process used when establishing and amending Heritage Conservation Districts.</li> </ul>	

Proposed Changes	Potential City Impacts	Comments to the Province
Requirement for municipalities to first undertake a study of the area to ascertain the heritage it seeks to protect, establish the district via by-law, adopt a heritage conservation district plan, and the plan would have to explain how the cultural heritage value or interest of the district meets new prescribed criteria.		

**Table 5 – Changes to the Ontario Land Tribunal (OLT) Act, 2021**

Provincial Comment Period closes on November 25, 2022 (ORR: 22-MAG011)

Proposed Changes	Potential City Impacts	Comments to the Province
<b>Dismissal of Appeals</b>  Proposed changes to expand OLT's authority to dismiss proceedings without a hearing on the basis of undue delay or the OLT is of the opinion that a party has failed to comply with an OLT order.	<ul style="list-style-type: none"> <li>Generally, improvements to the OLT are welcomed however, the proposed changes will impact public participation and reduce municipalities' ability to serve the public interest.</li> </ul>	

Proposed Changes	Potential City Impacts	Comments to the Province
<p><b>Cost Awards</b></p> <p>Proposed changes to increase powers for the OLT to order an unsuccessful party to pay a successful party's costs.</p>	<ul style="list-style-type: none"> <li>There may be instances where the unsuccessful party is a municipality and will have to pay the awarded costs. This greatly burdens municipalities and existing taxpayers, as well as, widens the gap for financial implications and budgetary shortfalls.</li> </ul>	<ul style="list-style-type: none"> <li>Staff recommend the OLT maintain an approach where cost awards are rare, and recommend the Province exempt municipalities from having to pay costs if they are the unsuccessful party.</li> </ul>
<p><b>Prioritizing Resolution of certain proceedings</b></p> <p>Proposed new powers for the Lieutenant Governor to make regulations setting standards with respect to timing of scheduling hearings and making decisions.</p> <p>The Minister can prescribe timelines that would apply specified steps taken by the OLT in specified classes of proceedings.</p>	<ul style="list-style-type: none"> <li>Generally, improvements to the OLT are welcomed, however the proposed changes centralize powers that reduce public participation, transparency and accountability.</li> </ul>	<ul style="list-style-type: none"> <li>Staff recommend having written criteria for prioritizing hearings and making decisions.</li> </ul>

**Table 6 – Changes to the Planning Act, 1990**

Provincial Comment Period closes on November 24, 2022 (ERO: 019-6163, ERO: 019-6172)

Proposed Changes	Potential City Impacts	Comments to the Province
<p><b>Ministerial Amendment of Official Plan</b></p> <p>New powers for the Minister to make amendments to an official plan and the power to make amendments based on Minister's opinion that the plan is likely to adversely affect a matter of provincial interest.</p>	<ul style="list-style-type: none"> <li>Minister will be the approval authority for Mississauga's OP but it is unclear how it will use this power e.g. (ad hoc in between MCR processes).</li> <li>Staff are concerned with the uncertainty around timelines and approval of each individual third party initiated Official Plan Amendment (OPA)</li> <li>This also erodes the public process and reduces opportunities for public input into the Official Plan when these amendments occur.</li> </ul>	<ul style="list-style-type: none"> <li>Seeking clarification on how new powers will be used and whether the Province will be approval authority for all amendments (e.g. even in instances where there are no conformity issues with provincial legislation)</li> </ul>
<p><b>Third-Party Appeals</b></p> <p>Proposed changes will limit third party appeals and require that the prospective appellant be a specified person to qualify for appeal rights (e.g. limited to public bodies).</p> <p>The proposed limit on third-party appeal rights will be applied retroactively to appeals that have not had a hearing scheduled before October 25, 2022. changes would apply to all Planning Act decisions.</p>	<ul style="list-style-type: none"> <li>Limits the rights of general public and participation in the appeals process.</li> <li>This means that city-initiated OPAs, would be approved by the province and cannot be appealed by the public, including landowners. See S. 17(24).</li> <li>Based on the transition policies, the OLT appeals received for existing projects could be dismissed unless there are new regulations specifying classes of appeals that may be exempt.</li> </ul>	<ul style="list-style-type: none"> <li>Staff consider that removing the ability for developers to appeal will significantly speed up and create greater certainty in the planning process. Developers still have an opportunity to apply for an Official Plan Amendment/ rezoning through site-specific development application.</li> <li>This limit on appeals extends to the community, who may wish to have the opportunity to participate in the appeals process.</li> </ul>

Proposed Changes	Potential City Impacts	Comments to the Province
<p><b>Cap on Community Benefit Charges Contribution</b></p> <p>Introduction of a new cap on the total amount of a community benefit charge based on only the value of the land proposed for new development.</p> <p>Affordable housing units will be exempt and implemented by discounting the max CBC of 4% of land value by the floor area of the affordable units as a proportion of total building floor area.</p>	<ul style="list-style-type: none"> <li>• Impacts to revenue and in turn, reduced benefits.</li> <li>• Impacts to community infrastructure and long term planning and implementation of new community services/facilities</li> </ul>	<ul style="list-style-type: none"> <li>• The original 4% proposal by the Province did not provide for a meaningful revenue source to municipalities in the first place. This proposal continues to erode this funding source.</li> </ul>
<p><b>Site Plan Control Exemption</b></p> <p>Developments of up to 10 residential units will be exempt from site plan control and there are no transition provisions.</p>	<p>Cumulative impacts of site plan exemption to the City include removing the ability to:</p> <ul style="list-style-type: none"> <li>• Acquire land dedications (e.g. road widenings, sight triangles, greenbelt/hazard lands) and easements (e.g. stormwater/servicing easements</li> <li>• Control access (e.g. access to main corridors), site circulation/design for vehicles and people,</li> <li>• Local improvements (e.g. sidewalks, multi-use trails) and lack of ability to collect cash-in-lieu of sidewalks or have developer build missing portion of sidewalk</li> <li>• Evaluate site servicing/capacity</li> <li>• Stormwater management controls, and potential loss of the proposed measures all together</li> </ul>	<ul style="list-style-type: none"> <li>• Staff are seeking clarification on whether applicants still have to use/comply with City Standards. This is very important for a number of issues, but particularly for municipal servicing, stormwater management requirements/control measures, private road design/naming, etc.</li> </ul>

Proposed Changes	Potential City Impacts	Comments to the Province
	<ul style="list-style-type: none"> <li>• Utility coordination and streetlighting improvement/relocation</li> <li>• SP Agreement to deal with design of required municipal works and/or to include other required conditions or clauses</li> <li>• Identify existing and proposed encroachments on City owned lands/ROWs, and identify need for encroachment, license, consent to enter agreements, etc.</li> <li>• Not being able to identify existing easements or other site restrictions/constraints (these can impact setback distances to proposed buildings, proposed building footprint location can be impacted)</li> <li>• Fencing and acoustic requirements</li> <li>• Limiting the application of green development standards is likely to result in inefficient homes being built – leading to increases in greenhouse gas emissions and high utility costs for residents.</li> <li>• This exemption will impact the City’s ability to manage smaller, sensitive infill redevelopment projects. It will result in the elimination of the Replacement Housing (Infill) Site Plan process in Wards 1, 2, 5 and 7.</li> <li>• This exemption would leave the City’s Natural Heritage System vulnerable to removal and non-mitigated impacts. Loss of ability to provide technical advice on appropriate mitigation, restoration and compensation related to the Natural Heritage System (NHS).</li> </ul>	<ul style="list-style-type: none"> <li>• This exemption could reduce the size and quality of the City’s natural heritage features which provide essential ecosystem services.</li> </ul>

Proposed Changes	Potential City Impacts	Comments to the Province
<p><b>New Exclusions from Site Plan Control</b></p> <p>Matters of exterior design, landscape architecture, streetscape and sustainable design will be removed from site plan control (however, exterior access to building with affordable housing will still be reviewed).</p>	<p>Exterior Design</p> <ul style="list-style-type: none"> <li>Removes ability to ensure durable materials and sustainable features are used, which leads to lower quality built form and long term maintenance issues.</li> </ul> <p>Landscape Architecture / Sustainable Design</p> <ul style="list-style-type: none"> <li>Removes ability to ensure compatibility with surrounding properties</li> <li>Removes ability to ensure linkages to surrounding infrastructure such as pedestrian access to transit</li> <li>Removes ability to incorporate sustainable design features such as low impact design, stormwater management, planting and appropriate green features and Green Development Standards</li> <li>Removes ability to incorporate resolving stormwater impact adapting to climate change</li> </ul> <p>Streetscape</p> <ul style="list-style-type: none"> <li>Removes municipal ability to obtain sidewalks, street trees and appropriate urban infrastructure required to create and sustain walkable, transit-oriented communities</li> <li>Removes an opportunity to coordinate utilities with city engineering requirements which will have financial impacts on cities: capital projects may be required to address to complete the public realm resulting from increased development activity</li> </ul>	<ul style="list-style-type: none"> <li>Staff recommend that that these matters should be retained in site plan control in order to achieve walkable, liveable and desirable communities.</li> <li>Seeking clarification on whether these matters are removed from site plan control for commercial, industrial and institutional uses.</li> <li>Limiting the application of Green Development Standards could result in inefficient homes being built – leading to increases in greenhouse gas emissions and higher utility costs for residents.</li> </ul>
<p><b>Removal of Upper Tier Responsibilities and Approval</b></p> <p>Proposed changes will remove all upper tier municipalities</p>	<ul style="list-style-type: none"> <li>The Region's Official Plan will no longer exist. This will be a loss of regional planning expertise on cross-jurisdictional matters, such as, health of natural systems that Mississauga is part of.</li> </ul>	<ul style="list-style-type: none"> <li>Seeking clarification on the extent of the Province's decision making (e.g. whether the Province will approve every individual amendment).</li> </ul>

Proposed Changes	Potential City Impacts	Comments to the Province
<p>from the review and approval process for lower tier official plans, amendments and plans of subdivision.</p> <p>The Minister will become the new approval authority for all lower tier official plans and amendments. The Minister's decisions cannot be appealed.</p>	<ul style="list-style-type: none"> <li>• Relevant parts of The Region's Official Plan will be deemed to be part of Mississauga's Official Plan. Staff and Council will have to make decisions regarding what parts of the Region's recently approved OP must be integrated directly into Mississauga's OP, what needs to be revised, how to eliminate redundancies and any conflicts and what parts to rescind. This will require significant time and resources. It is out of scope of the current Official Plan Review (OPR) process.</li> <li>• As approval authority for the City's new Official Plan, the Province will be able to directly modify Council-approved Official Plan policies. Additionally, the Minister will now be able to modify any Official Plan policy at any time when the Minister considers it to be likely to adversely affect a matter of provincial interest. This appears to be similar to MZOs, but for Official Plan policy instead of zoning by-laws.</li> <li>• Employment Conversion authority will be brought back to the City.</li> <li>• The Region's OP has extensive environmental policy and mapping which will become the City's responsibility to administer and update as it pertains to Mississauga. Consequently, additional staff expertise and resources may be required.</li> <li>• Some of Region's map schedules will have to be integrated into the City's new OP.</li> <li>• City will now be responsible to make decisions on Smart Centre requested Employment Land conversions and the Heartland land use study.</li> </ul>	<ul style="list-style-type: none"> <li>• Seeking clarification on the transition, process and timeline to integrate and repeal Regional OP policies into Mississauga's OP.</li> <li>• Clarification on conformity requirements, as there will not be an upper tier official plan (e.g. lower tier has one year to conform with upper tier plan).</li> <li>• Seeking clarification on matters pertaining to conflicts between the Region's OP and Mississauga's OP amidst the local OP and OPAs getting approved e.g. which policies will prevail.</li> <li>• If lower tier municipalities will be responsible for employment and population forecasting, while the Region will be the infrastructure provider, what will be the roles and relationship between the upper and lower tier municipalities?</li> </ul>



Proposed Changes	Potential City Impacts	Comments to the Province
	<ul style="list-style-type: none"> <li>City will need to determine how much of the Official Plan Review (OPR) should progress in light of Bill 23 (including elimination of Regional planning authority), which could still change and has an undetermined in-force date. It is likely prudent to delay the OPR Policy Bundle 3 release to address the Bill 23 changes and pending changes to the Provincial Policy Statement and Growth Plan that the Province has indicated is coming. It appears that the 1 year time requirement for the City to update its Official Plan to conform to the Region's Official Plan no longer applies, as the Region's Official Plan will no longer exist but will be deemed to form part of Mississauga's Official Plan, where applicable.</li> </ul>	
<p><b>Increased Gentle Intensification</b></p> <p>Proposed as of right permissions will allow up to three residential units permitted on the lot of a detached house, semi-detached house and rowhouses, with no minimum unit size.</p> <p>New units will be exempt from DC, Community Benefit Charge and parkland requirements.</p>	<ul style="list-style-type: none"> <li>The City's Official Plan (as well as Official Plan Review draft policies) and Zoning by-laws will have to be revised to address this.</li> <li>This proposed change is in alignment with preliminary direction in Mississauga's <i>Increasing Housing Choices in Neighbourhoods</i> Study (IHCN) and the Official Plan Review (OPR).</li> <li>Currently, the City's Zoning By-law requires 1.25 spaces per unit in a duplex or triplex. This will need to be revised. As per design work from the consultants on the IHCN project, staff are considering a maximum of 0.66 spaces/unit in a triplex (this would permit a two-car driveway and triplex building that fits within the existing footprint of a single-detached house and driveway).</li> </ul>	<ul style="list-style-type: none"> <li>Staff are seeking clarification on implementation, including the application of zoning standards (e.g. can zoning provisions have the effect of limiting the zones/sites where 3 units on a lot are feasible?) and parking requirements.</li> <li>Seeking clarification on time requirements for implementation.</li> </ul>

Proposed Changes	Potential City Impacts	Comments to the Province
	<ul style="list-style-type: none"> <li>• As part of Mississauga's recently approved Parking Regulations Study, an extra parking space is not required for a second unit.</li> <li>• Consistent with this proposed change, the recently approved Parkland Conveyance By-law includes an exemption for up to two additional residential units (ARUs). The City's By-law provides a clear definition for ARUs.</li> <li>• There is no language on timing requirements. This would mean the current 3 year zoning conformity requirement would apply once the OP is revised to conform to these new requirements, but it is unclear.</li> </ul>	
<p><b>Appeals of Zoning By-laws for Protected MTSA's and Reduced Timeframe for Conformity</b></p> <p>Municipalities with official plan policies for Protected MTSA's have no more than one year to amend all the zoning-by laws to conform with provincial policies and plans.</p> <p>Zoning within Protected MTSA's can be appealed and amended if the updated zoning is passed more than one year after the official plan policies come into effect.</p>	<ul style="list-style-type: none"> <li>• Significant timing impact to Zoning Services work program, given requirement to amend zoning for PMTSA's within 1 year of OP policies being in place, instead of 3 years prior to Bill 23.</li> <li>• The proposed wording makes it unclear as to when the 1 year requirement begins (i.e. the in-effect date of the Region's new OP or the in-effect date of Bill 23).</li> <li>• Scope of required zoning changes is unclear, including how to incorporate minimum densities (i.e. whether use of minimum building floor space index will satisfy legislative requirements).</li> <li>• It appears that a member of the public cannot appeal the initial bylaw itself (only public bodies and utilities have this right), but an applicant (e.g. a developer) would have the ability to submit a zoning bylaw amendment application to amend the MTSA zoning bylaw once it is in place if the 1</li> </ul>	<ul style="list-style-type: none"> <li>• Seeking clarification on when the 1 year requirement begins.</li> <li>• It is likely that the City will have to update its ZBL and then re-update it after the new OP is approved. This diverts planning resources and creates inefficiencies in the process.</li> <li>• Pending significant changes to the Provincial Policy Statement and the Growth Plan that have been announced by the Province will add to process inefficiencies, as some of this zoning conformity work may have to be redone after release of these revised documents.</li> <li>• Consequently, it is recommended that a minimum of 18 months is given for zoning implementation.</li> </ul>

Proposed Changes	Potential City Impacts	Comments to the Province
	<p>year timeline is not achieved. The benefits of having Protected MTSAs, including having maximum building height certainty in most of our Strategic Growth Areas will be lost if the City is not able to achieve the 1 year timeline for zoning conformity.</p> <ul style="list-style-type: none"> <li>• The new Regional OP was approved by the Province on Nov 4, 2022 and includes MTSA policies. It is unclear how any conflicts between the two official plan documents will be dealt with.</li> </ul>	
<p><b>Changes to Parkland Dedication Requirements</b></p> <p>Proposed changes reduce the amount of parkland for a development where the maximum amount of land that can be conveyed or paid in lieu is capped at 10% of the land for sites under 5 ha and at 15% for sites greater than 5 ha.</p> <p>The maximum alternative dedicate rate will be reduced to 1 ha/600 units for parkland and 1 ha/1000 units for cash in lieu.</p> <p>Parkland rates will be frozen as of the date that a zoning-by law or site plan application is</p>	<ul style="list-style-type: none"> <li>• The proposed reductions in the amount of parkland/ CIL that can be required of new development significantly impacts the City's ability to achieve parkland goals set out in the Parks Plan. Parkland requirements included in the recently approved Parkland Conveyance By-law accounted for the amount of parkland needed to 2041 to support new growth and ensure the provision of complete communities.</li> <li>• The proposed new legislation would have the effect of reducing CIL revenues by approximately 70% - 80% thereby significantly impacting the City's ability to provide the amount of parkland needed in Mississauga neighbourhoods. The result would be less new parkland where it is needed and increased pressure on the existing parkland supply.</li> </ul>	<ul style="list-style-type: none"> <li>• The proposed changes could result in lower standards for parkland provision and less access to parkland. The proposed caps in Bill 23 would undermine the principle that growth pays for growth. Funding shortfalls will be transferred onto the tax base reducing overall affordability in the city.</li> <li>• The City is requesting that the Province restore the former rates, or that it remove the funding cap.</li> </ul>

Proposed Changes	Potential City Impacts	Comments to the Province
<p>filed. The freeze is effective for two years after approval. If two years have passed since the contribution amount was calculated, then the value will be calculated based on the rate on the day of the first building permit.</p>		
<p><b>Parkland Dedication Exceptions</b></p> <p>Proposed changes will exempt two additional residential units on a lot and non-profit housing from parkland dedication requirements.</p>	<ul style="list-style-type: none"> <li>• The recently approved Parkland Conveyance By-law includes an exemption for up to two additional residential units (ARUs).</li> <li>• The recently approved Parkland Conveyance By-law includes an exemption for any development or redevelopment undertaken by the Region of Peel, which could include some non-profit housing. The proposed new legislation proposes exemptions for affordable housing, IZ units, non-profit housing and attainable housing, which is beyond the by-law exemptions. The impact to the City is a decreased ability to provide parkland, as part of a complete community, to support these types of developments.</li> </ul>	<ul style="list-style-type: none"> <li>• Staff support fee exemptions (DCs, CBC, Parkland Dedication) for additional residential units as it encourages additional density in existing residential neighbourhoods to make better use of existing infrastructure and services.</li> </ul>
<p><b>Requirement for a Parks Plan</b></p> <p>The proposed change will require a municipality to prepare and make available a parks plan before passing of a parkland dedication by-law.</p>	<ul style="list-style-type: none"> <li>• The 2022 Parks Plan was approved by Council earlier this year. It is unclear if the proposed new legislation will require a new Parks Plan every time a Parkland Conveyance By-law is passed or an update to the existing Parks Plan.</li> </ul>	<ul style="list-style-type: none"> <li>• Seek clarification on the need for a new Parks Plan.</li> </ul>

Proposed Changes	Potential City Impacts	Comments to the Province
<p><b>Landowners can Select Portion of Lands for Parkland</b></p> <p>Developers can identify the land they intend to convey to the municipality for parkland. If agreement can't be reached the municipality or the land owner can appeal it to the OLT. If OLT determines the land meets certain criteria, the municipality may be required to credit it towards the parkland contribution.</p> <p>Furthermore, the new changes allow landowners to dedicate encumbered parkland (strata parks) and privately owned publicly accessible spaces (POPS) for eligible parkland credits.</p>	<ul style="list-style-type: none"> <li>• This proposed change that allows developers to identify the lands they intend to convey could result in dedication of small sections of undevelopable lands or parcels that are unsuitable for functional parkland.</li> <li>• The proposed change that requires full parkland credit for encumbered parkland (strata and POPS for example), will result in less unencumbered parkland in growth areas. Encumbered parkland does not provide the same level of park service as a publicly owned and operated park. POPS have limited park programming ability, are subject to maintenance and operational restrictions and will not support mature trees. The financial burden for maintenance and capital investments for POPS would be that of the private landowner. Credits for POPS are financially beneficial to the developer but could cause financial hardship for the future private landowner/s, particularly in the case of residential buildings that would be responsible for maintaining these spaces.</li> </ul>	<ul style="list-style-type: none"> <li>• Request that Province roll back ability for landowners to determine park locations, or at least ensure dedications are contiguous, link into the existing parkland network and have public street frontage and visibility.</li> <li>• Request that Province remove 100% credit for encumbered lands or POPS, or at least roll it back to some lesser amount to disincentivize developers providing encumbered parkland or POPS over a public park.</li> </ul>
<p><b>Requirement for Minimum Spending of Parkland Monies</b></p> <p>New requirement for municipalities to spend or allocate at least 60% of the monies in their parkland reserve account at the beginning of each year.</p>	<ul style="list-style-type: none"> <li>• The City already allocates CIL funds through the CIL Continuity 10 Year Plan forecast.</li> </ul>	<ul style="list-style-type: none"> <li>• Seeking more information from the Province regarding the meaning of "allocation" to determine if there are any impacts.</li> </ul>

Proposed Changes	Potential City Impacts	Comments to the Province
<b>Public Meeting for Subdivision Applications</b>  The proposed change will completely remove the public meeting from subdivision applications.	<ul style="list-style-type: none"> <li>• This reduces the public's ability to participate in the subdivision process</li> <li>• Additionally, minor variances and consents are no longer appealable by residents, which is a significant change.</li> </ul>	

**Table 7 – Review of A Place to Grow (Growth Plan) and Provincial Policy Statement (PPS)**

Provincial Comment Period closes on December 30, 2022 (ERO: 019-6177)

Proposed Changes	Potential City Impacts	Comments to the Province
<b>Merging the Growth Plan and PPS</b>  Consultation process on merging the Growth Plan and the PPS.	<ul style="list-style-type: none"> <li>• Few details have been provided to date on how the Growth Plan and PPS would change.</li> </ul>	<ul style="list-style-type: none"> <li>• Staff are requesting that the Province consult with municipalities on changes to these documents.</li> <li>• Staff suggest that Regional Urban Structure (e.g. UGCs and MTSAs) and growth forecasts to help plan for regional infrastructure be maintained.</li> </ul>

**Table 8 – Municipal Housing Targets to 2031**

Proposed Changes	Potential City Impacts	Comments to the Province
<p><b>New Housing Targets for Municipalities</b></p> <p>The Province has assigned Mississauga a new housing target of 120,000 units by 2031. Targets are based on current population and growth trends.</p>	<ul style="list-style-type: none"> <li>In 2021, Mississauga issued building permits for 5,500 new units. So far, 2022 is a record year, but the City has still only issued building permits for 6,100 new units.</li> <li>If Mississauga is to meet the Provincial housing target, it must double its current levels of development. The City has been planning for growth well beyond its Regional allocation of 100,000 units so no city planning policy changes are needed to reach the provincial pledge.</li> </ul>	<ul style="list-style-type: none"> <li>Staff suggest these targets may be hard to reach given constraints on the development industry (e.g. market conditions, high interest rates and labour and construction costs that influence viability and timing of development projects).</li> </ul>

**Table 9 – Changes to Ontario Regulation 232/18 – Inclusionary Zoning**

Provincial Comment Period closes on December 9, 2022 (ERO: 019-6173)

Proposed Changes	Potential City Impacts	Comments to the Province
<p><b>New definition of “Affordable” for Inclusionary Zoning (IZ) Units</b></p> <p>Province is proposing that the lowest price/rent that a municipality can require a developer to sell / rent IZ units at is 80% of the average resale purchase price of ownership units or 80% of the average</p>	<ul style="list-style-type: none"> <li>This change would require amendments to Mississauga’s policies/IZ By-law and would raise questions about the fundamental utility of the IZ tool to increase housing supply that is affordable for Mississauga’s moderate income households. The proposed definition for ownership IZ units would mean that IZ units are effectively unaffordable to the vast majority of Mississauga’s moderate income households.</li> </ul>	<ul style="list-style-type: none"> <li>Suggest the use PPS definition for housing affordability, which is based on annual income spent on housing costs. If it is decided to move to a market-based approach, affordable ownership units should be priced at 70% or less of resale price.</li> <li>Requesting that the Province maintain the income-based definition of “affordable housing” for IZ units.</li> </ul>

Proposed Changes	Potential City Impacts	Comments to the Province
market rent (AMR) for rental units.		<ul style="list-style-type: none"> <li>• Requesting clarification on methodology (e.g. will it be a rate by unit type or one rate regardless of type? What is the source of the resale data?)</li> </ul>
<p><b>Caps on IZ Set-Aside Rate</b></p> <p>Proposed change will set an upper limit to the set-aside rate, which would be 5% of total number of units or 5% of total residential gross floor area.</p>	<ul style="list-style-type: none"> <li>• Impacts to the City's Official Plan and Zoning-bylaw set-aside rate provisions.</li> <li>• Mississauga's IZ policies require a rate ranging from 5% to 10% residential area, after an initial phase-in.</li> <li>• Recent Provincial legislation changes already limited the geographic scope of IZ to protected MTSAs, directly impacting IZ unit yield.</li> <li>• Raises question of administrative efficiency of IZ for both the City and Region, given the small IZ unit yield that may result.</li> </ul>	<ul style="list-style-type: none"> <li>• City staff do not support the 5% maximum as it will result in approximately 40% less affordable units than anticipated by the City's current IZ provisions. The proposed changes reduce the efficiency of administering the IZ program.</li> <li>• One-size-fits-all approach does not recognize that certain sub-markets in Ontario can absorb a higher rate, especially given significant public investment to transit and infrastructure.</li> <li>• The 5% maximum calls into question the necessity of current requirements to perform periodic IZ market analyses / policy updates.</li> <li>• Request that Province increase the set aside rate cap to 10% to help increase the supply of affordable units.</li> <li>• Request that Province consider cash-in-lieu for scenarios where the IZ unit yield is small in smaller projects, to reduce administrative burden to developers and municipalities.</li> </ul>



Proposed Changes	Potential City Impacts	Comments to the Province
<b>Cap on Affordability Term</b>  Proposed maximum affordability period of 25 years for IZ units.	<ul style="list-style-type: none"> <li>Impacts City's Official Plan and zoning provisions for IZ.</li> <li>Raises question of merit of IZ program given short affordability term.</li> <li>Mississauga's adopted policy and zoning provisions establish a 99-year affordability term for ownership units and a 25-year affordability term (plus 5-year phase-out) for rental units. The rental affordability term was intentionally set shorter than the ownership term to encourage delivery of rental units in condominium developments. The City exempts purpose-built rental projects from IZ.</li> </ul>	<ul style="list-style-type: none"> <li>Staff do not support the proposed maximum affordability period because it will cause ownership units to be lost from the IZ inventory sooner than necessary, and the proposed maximum term will have no impact on development feasibility / housing supply.</li> <li>Request that Province extend the affordability for "ownership" units to 99 years; this will have no impact on developers but will allow for more sustainable affordable housing supply.</li> </ul>

**Table 10 – Proposed Amendments to the Greenbelt Plan and Greenbelt Area Boundary Regulation**

Provincial Comment Period closes on December 4, 2022 (ERO: 019-6216 and ERO: 019-6217)

Proposed Changes	Potential City Impacts	Comments to the Province
<b>Changes to the Greenbelt Plan and Area Boundary</b>	<ul style="list-style-type: none"> <li>Removing land from the Greenbelt could have environmental consequences both inside and outside of Mississauga.</li> <li>Environment impacts could be compounded by a reduced role of Conservation Authorities.</li> </ul>	<ul style="list-style-type: none"> <li>There are no guarantees that removing some lands from the Greenbelt while adding others will have equal environmental value and ecological function.</li> <li>City staff are supportive of adding urban river valleys to the Greenbelt and already protect these lands.</li> <li>It is submitted that only lands be added to the Greenbelt and staff are not supportive of removing lands.</li> </ul>

**Table 11 – Proposed Updates to the Ontario Wetlands Evolution System**

Provincial Comment Period closes on November 24, 2022 (ERO: 019-6160)

Proposed Changes	Potential City Impacts	Comments to the Province
<p><b>Removing the Concept of Wetland Complexes</b></p> <p>The proposed changes would remove the concept of wetland complexes and weaken the evaluation process. The changes will allow for wetland boundaries to be re-defined after they have been evaluated and accepted.</p>	<ul style="list-style-type: none"> <li>• It will be more difficult for smaller wetlands (&lt;2 ha in size) to be included and evaluated under the system.</li> <li>• Given that wetlands comprise only about 0.9% of the city's land base and many are small and exist in a mosaic of smaller habitats, the identification and protection of small wetlands will be impacted - they are essential to maintaining biodiversity and ecosystem function at a local and landscape scale.</li> <li>• Given that boundary changes will be allowed after a wetland has been accepted, this could lead to a situation where unauthorized and unpermitted changes to wetlands lead to a reduction in their size or loss over time to facilitate growth in areas that would have been otherwise protected.</li> </ul>	<ul style="list-style-type: none"> <li>• The Province should maintain existing wetland protections. The benefits of developing on wetlands do not outweigh the potential environmental outcomes.</li> </ul>

## Appendix 2: List of All ERO and Related Postings

### Postings to the Environmental Registry of Ontario (ERO)

	Name of Posting	Link and ERO #	Comment Deadline
<b>Information Bulletins</b>			
1	Consultations on More Homes Built Faster: Ontario's Housing Supply Action Plan 2022-2023	<a href="#">019-6162</a>	n/a
2	2031 Municipal Housing Targets	<a href="#">019-6171</a>	n/a
<b>Legislation (Act)</b>			
3	Proposed Planning Act and City of Toronto Act Changes (Schedules 9 and 1 of Bill 23 – the proposed More Homes Built Faster Act, 2022)	<a href="#">019-6163</a>	November 24, 2022
4	Proposed Planning Act and Development Charges Act Changes: Providing Greater Cost Certainty for Municipal Development-related Charges	<a href="#">019-6172</a>	November 24, 2022
5	Supporting Growth and Housing in York and Durham Regions Act, 2022	<a href="#">019-6192</a>	November 24, 2022
6	Proposed Changes to the Ontario Heritage Act and its regulations: Bill 23 (Schedule 6) - the Proposed More Homes Built Faster Act, 2022	<a href="#">019-6196</a>	November 24, 2022
<b>Regulation</b>			
7	Proposed updates to the regulation of development for the protection of people and property from natural hazards in Ontario	<a href="#">019-2927</a>	December 30, 2022
8	Legislative and regulatory proposals affecting conservation authorities to support the Housing Supply Action Plan 3.0	<a href="#">019-6141</a>	November 24, 2022
9	Proposed Amendment to O. Reg. 232/18: Inclusionary Zoning	<a href="#">019-6173</a>	December 9, 2022
10	Proposed Changes to Ontario Regulation 299/19: Additional Residential Units	<a href="#">019-6197</a>	December 9, 2022
11	Proposed Changes to Sewage Systems and Energy Efficiency for the Next Edition of Ontario's Building Code	<a href="#">019-6211</a>	December 9, 2022
12	Proposed Amendments to the Greenbelt Area Boundary Regulation O. Reg. 59/05	<a href="#">019-6217</a>	December 4, 2022
13	Proposed redesignation of land under the Oak Ridges Moraine Conservation Plan O. Reg. 140/02	<a href="#">019-6218</a>	December 4, 2022
<b>Policy</b>			

14	Proposed Updates to the Ontario Wetland Evaluation System	<a href="#">019-6160</a>	November 24, 2022
15	Conserving Ontario's Natural Heritage	<a href="#">019-6161</a>	December 30, 2022
16	Proposed Revocation of the Parkway Belt West Plan	<a href="#">019-6167</a>	December 30, 2022
17	Proposed Revocation of the Central Pickering Development Plan	<a href="#">019-6174</a>	November 24, 2022
18	Review of A Place to Grow and Provincial Policy Statement	<a href="#">019-6177</a>	December 30, 2022
19	Proposed Amendments to the Greenbelt Plan	<a href="#">019-6216</a>	December 4, 2022

### Postings to Ontario's Regulatory Registry (ORR)

	Name of Posting	Link and Proposal #	Comment Deadline
<b>Proposal</b>			
1	Seeking Input on Rent-to-Own Arrangements	<a href="#">22-MMAH018</a>	December 9, 2022
<b>Act</b>			
2	Seeking Feedback on Municipal Rental Replacement By-Laws	<a href="#">22-MMAH017</a>	November 24, 2022
3	Proposed Amendments to the Ontario Land Tribunal Act, 2021	<a href="#">22-MAG011</a>	November 25, 2022
4	Amendments to the New Home Construction Licensing Act, 2017 to Protect Purchasers of New Homes	<a href="#">22-MGCS021</a>	November 24, 2022
5	Proposed legislative amendments to the Ontario Underground Infrastructure Notification System Act, 2012 under the More Homes Built Faster Act, 2022	<a href="#">22-MGCS022</a>	November 25, 2022
<b>Regulation - Minister</b>			
6	Proposed Building Code Changes to Support More Homes Built Faster: Ontario's Housing Supply Action Plan: 2022-2023 (Phase 3 - Fall 2022 Consultation for the Next Edition of Ontario's Building Code)	<a href="#">22-MMAH016</a>	December 9, 2022
7	General Proposed Changes for the Next Edition of Ontario's Building Code (Phase 2 – Fall 2022 Consultation)	<a href="#">22-MMAH019</a>	December 9, 2022

### Background and Other Provincial Updates

	Description	Link
1	Community Infrastructure and Housing Accelerator – Final Guideline	<a href="#">Guideline</a>
2	More Homes Built Faster Act, 2022 - Backgrounder	<a href="#">Backgrounder</a>
3	More Homes Built Faster Action Plan	<a href="#">Action Plan</a>
4	Bill 23, More Homes Built Faster Act, 2022	<a href="#">Bill 23</a>



THE MUNICIPALITY OF

LAMBTON SHORES

Administration

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November 22, 2022

by email: [schicp@ola.org](mailto:schicp@ola.org)

Standing Committee on Heritage, Infrastructure and Cultural Policy

To Whom It May Concern

Re: Proposed Legislation  
Bill 23 – More Homes Built Faster Act, 2022

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Thank-you for the opportunity to comment on the above-noted proposed legislation.

Please be advised that the Council of the Municipality of Lambton Shores passed Resolution 22-1108-11 at its November 8, 2022 regular Council meeting:

*THAT staff draft a letter to the province outlining Lambton Shores' concerns with Bill 23 and circulate to AMO and all Ontario municipalities.*

Lambton Shores is a thriving, growing community on the shores of Lake Huron. It includes several communities experiencing appreciable growth in residential and commercial developments. Lambton Shores' beaches, lakeshore communities, places like Grand Bend and Pinery Provincial Park, and its provincially and internationally significant natural heritage areas make Lambton Shores a well-known tourist destination and desirable place to live and work. Like much of rural Ontario and perhaps more so, it has experienced housing shortages, increased development activity, and a sharp rise in housing costs in the last several years.

In general, Bill 23 seems to be intended to address approval process problems that exist in larger centers more so than portions of rural Ontario like Lambton Shores. Lambton Shores, on the whole, works well with the development community and issues timely planning and other development approvals. In Lambton Shores' case, Bill 23 will "fix" many things that are not really broken and will have the unintended effect of substituting relatively efficient processes with additional processes, time, and costs to development.

The Province conducted a very narrow, developer and real estate-focused, consultation in developing its strategy to address the housing crisis. It is misleading to lay so much blame on the easy target of municipalities. Delays are often due to a development proponent's reluctance to provide information, meet requirements, and follow processes that are overseen by municipalities, but provincially-established. If the Province wishes to speed up Municipal approvals, it should look at its own approval processes, legislation, and responsiveness with respect to matters related to the *Endangered Species Act*, Records of Site Conditions, archaeological assessments, Environmental Compliance Approvals, and the like.

The limiting factor in addressing the housing crisis is labour and material shortages, caused by government policy and the demographics of aging baby-boomers. The Province would better address the housing crisis by finding ways to increase the capacity of the building industry and direct that capacity towards forms of housing that produce more units (e.g. medium and high rather than low density), rather than placing expectations on municipalities that increase staffing needs and put more pressure to draw labour away from construction and manufacturing.

## **Conservation Authorities**

With respect to Conservation Authorities, the Municipality of Lambton Shores has an excellent working relationship with our two Conservation Authorities (Ausable Bayfield and St Clair Region). They are responsive given the level of resources they have and provide valuable expertise, resources, and services to the Municipality. These would not be practical for a Municipality of our size to provide internally. The Municipality wishes to retain the ability to obtain these services through memorandums of understanding.

- If the CAs are prohibited from commenting on natural heritage matters, the Municipality will need to instead refer development proposals to third party consultants, which will add time and cost to development proponents, contrary to the intent of Bill 23.
- Municipalities will be reluctant to grant planning approvals that would exempt development from Conservation Authority approvals. The Municipality lacks the expertise to assess natural hazards and does not wish to assume the liability. Just as planning approval processes were not designed to address Ontario Building Code matters, planning approval processes and Municipalities lack the unique tools and mechanisms of CAs and the *Conservation Authorities Act* to ensure development can proceed while appropriately addressing hazards.
- Repeal of the Regulations specific to each CA, in favour of a province-wide Regulation, will eliminate the local flavor of each CA and its ability to provide for the needs of its constituent municipalities, which are different in rural Ontario than in larger centers.

## **Additional Dwelling Units**

With respect to allowing three units as-of-right on residentially zoned lands:

- This permission potentially creates additional dwelling units in areas where existing municipal services are at full capacity.
- For a second or third unit to be permitted in a particular form of dwelling, it should be clarified that the applicable zone must permit that form of housing in the first place. The current wording of the legislation would seem to permit, for example, a single detached dwelling with a basement apartment on lands zoned and intended for medium and high density, contrary to the intent to Bill 23 to create more units.
- How will the province ensure that these additional dwelling units are used as primary residences, as intended by Bill 23? In significant tourist areas like the Municipality of Lambton Shores, these provisions will promote additional

conversions of existing primary residences into two or three short term rental accommodations, contrary to the intent of Bill 23.

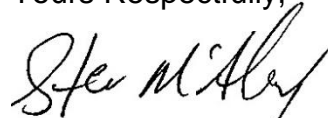
## **Waiving Fees**

With respect to waiving development charges, parkland dedication and other requirements for additional dwelling units, not-for-profit housing, inclusionary housing, etc., the Municipality questions whether these savings to developers will be passed on in lower unit purchase prices. (Consumer demand and willingness to pay remains higher than the building industry's capacity to supply.) Development will however increase municipal service and infrastructure needs, the costs of which will be a burden passed on to the existing tax base, if not collected through development charges.

## **Site Plan Approval**

Waiving site plan approval for residential developments of ten or fewer dwelling units will create adverse impacts to public and municipal interests and developments. The site plan approval process currently provides a single mechanism to address relevant items such as parking, site grading, stormwater management, site servicing, servicing capacity, entrances, work on municipal lands, and sidewalk and road closures. These are important considerations even for smaller developments. In the absence of site plan approval, municipalities will be forced to rely on (or create) a variety of other mechanisms and by-laws to address these interests, which will be less efficient than site plan approval and contrary to the intent of Bill 23 to reduce process.

Yours Respectfully,



Stephen McAuley,  
Chief Administrative Officer

- cc. Honourable Doug Ford, Premier of Ontario, [premier@ontario.ca](mailto:premier@ontario.ca)  
Honourable Steve Clark, Minister of Municipal Affairs and Housing, [minister.mah@ontario.ca](mailto:minister.mah@ontario.ca)  
Honourable Graydon Smith, Minister of Natural Resources and Forestry, [minister.mnrf@ontario.ca](mailto:minister.mnrf@ontario.ca)  
Honourable David Piccini, Minister of Environmental Conservation and Parks, [Minister.mecp@ontario.ca](mailto:Minister.mecp@ontario.ca)  
Honourable Monte McNaughton, MPP Lambton – Kent – Middlesex, [Monte.McNaughtonco@pc.ola.org](mailto:Monte.McNaughtonco@pc.ola.org)  
[PlanningConsultations@ontario.ca](mailto:PlanningConsultations@ontario.ca)  
Association of Municipalities of Ontario  
Ontario municipalities

November 23, 2022

The Honourable Doug Ford, Premier of Ontario  
Premier's Office, Room 281  
Legislative Building, Queen's Park  
Toronto, ON M7A 1A1

**Delivered by email**  
**premier@ontario.ca**

Dear Premier:

**Re: Town of Aurora Council Resolution of November 22, 2022; Re: Motion 7.2 – Mayor Mrakas – Opposition to Bill 23, More Homes Built Faster Act, 2022**

Please be advised that this matter was considered by Council at its meeting held on November 22, 2022, and in this regard, Council adopted the following resolution:

**Whereas Bill 23, the More Homes Built Faster Act, omnibus legislation that received first reading in the provincial legislature on October 25, 2022, proposes changes to nine Acts. Many of these proposed changes are significant and will restrict how municipalities manage growth through implementation of the official plan and the ability to provide essential infrastructure and community services; and**

**Whereas the effect of Bill 23 is that the Conservation Authority will no longer be able to review and comment on development applications and supporting environmental studies on behalf of a municipality; and**

**Whereas Bill 23 proposes to freeze, remove, and reduce development charges, community benefits charges, and parkland dedication requirements; and**

**Whereas Bill 23 will remove all aspects of Site Plan Control of some residential development proposals up to 10 units. Changes would also remove the ability to regulate architectural details and aspects of landscape design;**

- 1. Now Therefore Be It Hereby Resolved That the Town of Aurora oppose Bill 23, More Homes Built Faster Act, 2022, which in its current state will severely impact environmental protection, heritage preservation, public participation, loss of farmland, and a municipality's ability to provide future services, amenities, and infrastructure, and negatively impact residential tax rates; and**



- 2. Be It Further Resolved That the Town of Aurora call upon the Government of Ontario to halt the legislative advancement of Bill 23, More Homes Built Faster Act, 2022 to enable fulsome consultation with Municipalities to ensure that its objectives for sound decision-making for housing growth that meets local needs will be reasonably achieved; and**
- 3. Be It Further Resolved That a copy of this Motion be sent to The Honourable Doug Ford, Premier of Ontario, The Honourable Michael Parsa, Associate Minister of Housing, The Honourable Steve Clark, Minister of Municipal Affairs and Housing, Peter Tabuns, Interim Leader of the New Democratic Party, local Members of Parliament Tony Van Bynen for Newmarket—Aurora and Leah Taylor Roy for Aurora—Oak Ridges—Richmond Hill, and all MPPs in the Province of Ontario; and**
- 4. Be It Further Resolved That a copy of this Motion be sent to the Association of Municipalities of Ontario (AMO) and all Ontario municipalities for their consideration.**

The above is for your consideration and any attention deemed necessary.

Yours sincerely,



Michael de Rond  
Town Clerk  
The Corporation of the Town of Aurora

MdR/lb

Copy: Hon. Michael Parsa, Associate Minister of Housing  
Hon. Steve Clark, Minister of Municipal Affairs and Housing  
Peter Tabuns, Interim Leader, New Democratic Party  
Tony Van Bynen, MP Newmarket—Aurora  
Leah Taylor Roy, MP Aurora—Oak Ridges—Richmond Hill  
All Ontario Members of Provincial Parliament  
Association of Municipalities of Ontario (AMO)  
All Ontario Municipalities



Legislative Services  
Michael de Rond  
905-726-4771  
clerks@aurora.ca

Town of Aurora  
100 John West Way, Box 1000  
Aurora, ON L4G 6J1

November 23, 2022

The Honourable Doug Ford, Premier of Ontario  
Premier's Office, Room 281  
Legislative Building, Queen's Park  
Toronto, ON M7A 1A1

**Delivered by email**  
**premier@ontario.ca**

Dear Premier:

**Re: Town of Aurora Council Resolution of November 22, 2022; Re: Motion 7.1 –  
Mayor Mrakas – Modifications to York Region Official Plan**

Please be advised that this matter was considered by Council at its meeting held on November 22, 2022, and in this regard, Council adopted the following resolution:

**Whereas the Province on November 4, 2022, approved the York Region Official Plan with 80 modifications; and**

**Whereas these modifications to the Regional Official Plan have been made by the Minister including two in the Town of Aurora; and**

**Whereas these modifications have been made without consultation or support by the Town of Aurora; and**

**Whereas Section 4.2 is modified by adding a new policy subsection after policy 4.2.29, titled "Special Provisions", followed by new policies: "4.2.30 Special provisions for the lands known municipally as 1289 Wellington Street East in the City of Aurora (PIN 036425499). Notwithstanding any other policies in this Plan to the contrary, the minimum density target to be achieved is 330 units per hectare and minimum building height of 12 storeys.";**

- 1. Now Therefore Be It Hereby Resolved That the Town of Aurora opposes the modification by the Minister of Municipal Affairs and Housing for the lands known municipally as 1289 Wellington Street East in the Town of Aurora (PIN 036425499); and**
- 2. Be It Further Resolved That the Town of Aurora requests the Minister to revoke special provision 4.2.30 to allow for the normal planning process to occur, as the Modification to the Regional Official Plan is contrary to the**

**planning applications (OPA and ZBA) currently before the OLT (case files: OLT-22-004187 and OLT-22-004188); and**

- 3. Be It Further Resolved That a copy of this Motion be sent to The Honourable Doug Ford, Premier of Ontario, The Honorable Sylvia Jones, Deputy Premier of Ontario, The Honourable Steve Clark, Minister of Municipal Affairs and Housing, Peter Tabuns, Interim Leader of the New Democratic Party, and all MPPs in the Province of Ontario; and**
- 4. Be It Further Resolved That a copy of this Motion be sent to the Association of Municipalities of Ontario (AMO) and all Ontario municipalities for their consideration; and**
- 5. Be It Further Resolved That a letter be submitted to The Honourable Doug Ford, Premier of Ontario, The Honourable Steve Clark, Minister of Municipal Affairs and Housing, The Honourable Michael Parsa, Associate Minister of Housing and MPP Aurora—Oak Ridges—Richmond Hill, and Dawn Gallagher Murphy, MPP Newmarket—Aurora, expressing our disappointment with the lack of consultation and communication with the Town of Aurora and requesting that an explanation as to why this significant change was warranted be provided.**

The above is for your consideration and any attention deemed necessary.

Yours sincerely,



Michael de Rond

Town Clerk

The Corporation of the Town of Aurora

MdR/lb

Copy: Hon. Sylvia Jones, Deputy Premier of Ontario  
Hon. Steve Clark, Minister of Municipal Affairs and Housing  
Peter Tabuns, Interim Leader, New Democratic Party  
All Ontario Members of Provincial Parliament  
Association of Municipalities of Ontario (AMO)  
All Ontario Municipalities



## GEORGINA

### Legislative Services Department/Clerk's Division

Please be advised that the Town of Georgina Council, at its meeting held on November 22, 2022, considered proposed Bill 23, the More Homes Built Faster Act, 2022 and subsequent to discussion, the following motion was passed:

Moved By Councillor Neeson  
Seconded By Councillor Genge  
RESOLUTION NO. C-2022-0354

WHEREAS on November 10, 2022, York Region Council adopted a resolution as follows:

"York Region requests the Province of Ontario to halt Bill 23 and begin consultation with the Housing Supply Action Plan Implementation Team to ensure municipalities can work in partnership with the Province of Ontario over the next few months to address the housing affordability concerns in our communities.

The Minister of Municipal Affairs and Housing be requested to appoint key stakeholders, such as the Association of Municipalities of Ontario (AMO), to the Housing Supply Action Plan Implementation Team.

The Regional Clerk circulate this report, including new Attachment 5, presented as Item G.1.1 on the revised agenda, to the Minister of Municipal Affairs and Housing, local municipalities, AMO, Federation of Canadian Municipalities (FCM) and local MPPs."

AND WHEREAS Schedule 10 to Bill 23 Supporting Growth and Housing in York and Durham Regions Act, 2022 proposes to expedite the expansion and extension of the York Durham Sewage System effectively replacing the Upper York Sewage Solution (UYSS) project;

AND WHEREAS The Council of the Corporation of the Town of Georgina supports the halting of the Upper York Sewage Solutions project and the redirection of related drainage Area flows to the York Durham Sewage System;

THEREFORE BE IT RESOLVED THAT The Council of the Corporation of the Town of Georgina supports the November 10, 2022 resolution of York Region Council concerning Bill 23, with the exception that The Council of the Corporation of the Town of Georgina supports Schedule 10 to Bill 23 Supporting Growth and Housing in York and Durham Regions Act, 2022 which proposes to expedite the expansion and extension of the York Durham Sewage System effectively replacing the Upper York Sewage Solution (UYSS) project;

AND FURTHER THAT The Council of the Corporation of the Town of Georgina support the resolution of the Board of the Lake Simcoe Region Conservation Authority dated November 18, 2022 directing Staff to provide a submission to Environmental Registry of Ontario No. 019-6141 based on comments within Staff Report No. 40-22-BOD regarding Provincial Bill 23 - More Homes Built Faster Act, 2022 and that Staff be directed to submit a letter to the Minister of Natural Resources and Forestry and the Minister of Environment, Conservation and Parks requesting that the Conservation Authorities Working Group be re-engaged;

AND FURTHER THAT the Council of the Corporation of the Town of Georgina opposes the proposed removal or re-designation of approximately 7,400 acres of protected lands from the Provincial Greenbelt Area and/or the Oak Ridges Moraine Conservation Plan for residential development as set out in ERO posting number 019-6217 and ERO posting number 019-6218;

AND FURTHER THAT the Council of the Corporation of the Town of Georgina opposes the conversion of Conservation Authority lands, for housing purposes in the absence of a fuller understanding of the criteria that will be used to conduct the assessment and a Municipal Comprehensive Review that demonstrates the need for the conversion to meet population targets;

AND THAT this resolution be forwarded to the Honourable Doug Ford, Premier of Ontario, the Honourable Steve Clark, Minister of Municipal Affairs and Housing, the Honourable David Piccini, Minister of the Environment, Conservation and Parks, the Honourable Graydon Smith, Minister of Natural Resources and Forestry, Caroline Mulroney, MPP, York-Simcoe, York Region MPP's, York Region municipalities, Lake Simcoe Watershed MPP's, the Honourable Peter Tabuns, Leader of the Opposition and interim leader of the Ontario New Democratic Party, the Honourable John Fraser, Interim Leader of the Ontario Liberal Party, the Honourable Mike Schreiner, Leader of the Green Party of Ontario, Lake Simcoe Region Conservation Authority, Association of Municipalities of Ontario (AMO) and all Ontario municipalities.

November 17, 2022

SENT VIA E-MAIL TO:

Hon. Steve Clark  
Minister of Municipal Affairs and Housing  
[Steve.Clark@pc.ola.org](mailto:Steve.Clark@pc.ola.org)

Dear Minister Clark:

Re: Bill 23 "*More Homes Built Faster Act, 2022*"

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On behalf of the Council of The Corporation of Norfolk County, please be advised that Council passed the following resolution at the November 16, 2022 Council-in-Committee meeting:

**Resolution No. 13**

**Moved By:** Mayor Martin

**Seconded By:** Councillor Columbus

WHEREAS on October 25, 2022, the Provincial government introduced Bill 23 known as the "More Homes Built Faster Act, 2022";

AND WHEREAS the overall stated purpose of Bill 23 is to introduce several legislative changes to increase housing supply throughout Ontario and to achieve the province's goal of 1.5 million homes over the next ten years;

AND WHEREAS the proposed changes include significant changes to six pieces of legislation including but not limited to development charges reform, diminished role of conservation authorities, removal of legislated planning responsibilities from some upper-tier municipalities, removal of public consultation in relation to subdivisions, adjusting the rights of appeal by third parties, and adjusting how growth-related capital infrastructure is paid for;

AND WHEREAS commenting timelines for these new proposed changes is constricted with some comments due on November 24, 2022, for many of the proposed changes;

AND WHEREAS given the enormity of the proposed changes and potential long-term financial impacts to municipalities, including Norfolk County, additional time is needed to review, engage, and analyze the proposal to provide informed feedback;

NOW THEREFORE BE IT RESOLVED THAT

1. the County formally request the Ministry of Municipal Affairs and Housing extend the commenting period for all components of the proposed Bill 23 to at least January 15, 2023 to allow for a more informed consultation period.
2. That the Mayor be directed to submit a letter on behalf of Norfolk County Council to the Ontario Minister of Municipal and Affairs MP, and local MPP, expressing concerns with the proposed legislation as detailed in staff memo CD-22-110, and the letter be circulated to all municipalities in the Province of Ontario.

**Carried.**

Should you have any questions regarding this matter or should you require additional information, please contact the Office of the County Clerk at 519-426-5870 x. 1261, or email: [Clerks@norfolkcounty.ca](mailto:Clerks@norfolkcounty.ca).

Sincerely,

Teresa Olsen  
County Clerk  
Norfolk County

CC:

- Leslyn Lewis, M.P., Haldimand-Norfolk  
[leslyn.lewis@parl.gc.ca](mailto:leslyn.lewis@parl.gc.ca)
- Bobbi Ann Brady, M.P.P., Haldimand-Norfolk  
[BABrady-CO@ola.org](mailto:BABrady-CO@ola.org)
- All Ontario municipalities



**Corporate Services Department  
Clerk's Office**

CITY of STRATFORD  
City Hall, P.O. Box 818  
Stratford ON N5A 6W1

519-271-0250 Ext. 5237  
Fax: 519-273-5041  
[www.stratford.ca](http://www.stratford.ca)

November 28, 2022

Right Hon. Justin Trudeau  
Prime Minister of Canada  
Office of the Prime Minister  
80 Wellington Street  
Ottawa, ON K1A 0A2

[justin.trudeau@parl.gc.ca](mailto:justin.trudeau@parl.gc.ca)

Dear Prime Minister:

Re: Resolution – Funding and Support for VIA Rail Services

At their November 14, 2022, Regular Council meeting, Stratford City Council adopted a resolution petitioning the federal government to adequately fund and fully support VIA Rail Canada in increasing the frequency, reliability and speed of VIA Rail service.

A copy of the resolution is attached for your consideration. We kindly request your support and endorsement.

Sincerely,

Tatiana Dafoe  
Clerk

Encl.  
/ja

cc: Premier Doug Ford  
MPP Matthew Rae  
MP John Nater  
Association of Municipalities of Ontario  
Federation of Canadian Municipalities  
All Ontario municipalities





**THE CORPORATION OF THE CITY OF STRATFORD**  
**Resolution: Funding and Support for VIA Rail Service**

**WHEREAS** The Corporation of the City of Stratford supports the National Transportation Policy and Section 5 of the *Canada Transportation Act*, S.C. 1996, c. 10 (as amended), which states in part:

*"a competitive, economic and efficient national transportation system that meets the highest practicable safety and security standards and contributes to a sustainable environment, makes best use of all modes of transportation at the lowest cost is essential to serve the needs of its users, advance the well-being of Canadians, enable competitiveness and economic growth in both urban and rural areas throughout Canada. Those objectives are achieved when:*

*(a) competition and market forces among modes of transportation, are prime agents in providing viable and effective transportation services;*

*(b) regulation and strategic public intervention are used to achieve economic, safety, security, environmental or social outcomes*

*(c) rates and conditions do not constitute an undue obstacle to the movement of traffic within Canada or to the export of goods from Canada;*

*(d) the transportation system is accessible without undue obstacle to the mobility of persons, including persons with disabilities; and*

*(e) governments and the private sector work together for an integrated transportation system."*

**WHEREAS** the Government of Canada has stated: "*we are serious about climate change*" and "*smart investments in transit help connection communities .... We will continue to work with communities and invest in the infrastructure they need today and into the future*";

**WHEREAS** Abacus data has indicated that Canadians are focused on building transit to reduce congestion and connect communities;

**WHEREAS** the Canadian Transport Commission main finding at public hearings in 1977 was that there should be no further reductions to passenger rail services;

**WHEREAS** the frequency of VIA trains running in Canada has been reduced significantly since 1977, causing a subsequent significant drop in ridership;

**WHEREAS** there is a need for balanced transportation with more using transit and less using automobiles;

**WHEREAS** the changing demographic relating to house prices, housing affordability will require further expansions of transit;

**WHEREAS** there is a need to visit tourist sites located along rail lines;

**WHEREAS** the annual cost of congestion to the Greater Toronto Hamilton Area economy alone is between \$7.5 and \$11 billion;

**WHEREAS** there are 10 million more vehicles on the road today than there were in 2000; and

**WHEREAS** the City of Stratford requests the support of this resolution from all communities served by VIA;

**NOW THEREFORE BE IT RESOLVED THAT** the Council of the Corporation of The City of Stratford recommends to the Government of Canada to adequately fund and fully support VIA Rail Canada in increasing the frequency, reliability and speed of VIA rail service in 2022 and successive years.

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Adopted by City Council of The Corporation of the City of Stratford on November 14, 2022

The Corporation of the City of Stratford, P.O. Box 818, Stratford ON N5A 6W1  
Attention: City Clerk, 519-271-0250 extension 5329, [clerks@stratford.ca](mailto:clerks@stratford.ca)

**The Corporation of the Township of Southgate**  
**By-law Number 2022-167**  
**being a by-law to confirm the proceedings of the**  
**Council of the Corporation of the Township of Southgate**  
**at its regular meeting held on December 7<sup>th</sup>, 2022.**

Authority: Municipal Act, 2001, S.O. 2001, c.25, as amended, Sections 5 (3) and 130.

**Whereas**, the Municipal Act, 2001, S.O. 2001, c.25, as amended, Section 5 (3), provides that the jurisdiction of every Council is confined to the municipality that it represents, and its powers shall be exercised by by-law;

**And whereas**, the Municipal Act, 2001, S.O. 2001, c.25, as amended, Section 130 provides that every Council may pass such by-laws and make such regulations for the health, safety and well-being of the inhabitants of the municipality in matters not specifically provided for by this Act and for governing the conduct of its members as may be deemed expedient and are not contrary to law;

**Now therefore**, the Council of the Corporation of the Township of Southgate hereby enacts as follows:

1. **That** the action of the Council at its regular meeting held on December 7<sup>th</sup>, 2022 in respect to each report, motion, resolution or other action passed and taken by the Council at its meeting, is hereby adopted, ratified and confirmed, as if each resolution or other action was adopted, ratified and confirmed by separate by-law.
2. **That** the Mayor and the proper officers of the Township are hereby authorized and directed to do all things necessary to give effect to the said action, or to obtain approvals where required, and, except where otherwise provided, the Mayor and the Clerk are hereby directed to execute all documents necessary in that behalf and to affix the corporate seal of the Township to all such documents.
3. **That** this by-law, to the extent to which it provides authority for or constitutes the exercise by the Council of its power to proceed with, or to provide any money for, any undertaking work, project, scheme, act, matter or thing referred to in subsection 65 (1) of the Local Planning Appeal Tribunal Act, 2017, S.O. 2017 Chapter 23, shall not take effect until the approval of the Local Planning Appeals Tribunal with respect thereto, required under such subsection, has been obtained.
4. **That** any acquisition or purchase of land or of an interest in land pursuant to this by-law or pursuant to an option or agreement authorized by this by-law, is conditional on compliance with Environmental Assessment Act, R.S.O. 1990, Chapter E.18.

**Read a first, second and third time and finally passed this 7<sup>th</sup> day of December, 2022.**

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Brian Milne - Mayor

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Lindsey Green – Clerk