



THE CORPORATION OF THE TOWNSHIP OF SOUTHWOLD

- A G E N D A -

Monday September 25, 2023

REGULAR MEETING OF COUNCIL

7:00 p.m., Keystone Complex, 35921 Talbot Line, Shedden/Via Video Link

1. CALL TO ORDER

2. ADDENDUM TO AGENDA

3. DISCLOSURE OF PECUNIARY INTEREST

4. ADOPTION OF MINUTES

- (a) Minutes of Regular Council Meeting of September 11, 2023
- (b) Draft Minutes of the Canada Day Committee Meeting of August 2, 2023
- (c) Draft Minutes of the Economic Development Committee Meeting of September 7, 2023

5. DELEGATION

- (a) **7:00 p.m.** – Michele Lant, Director of Corporate Services/Treasurer
FIN 2023-12 2024 Capital Budget Report #1
- (b) **7:30 p.m.** – Athena Zachariah, Mercy Smith and Neerja Mehta **RE:**
Consideration for a recreation facility for Talbotville Meadows Subdivision
- (c) **8:00 p.m.** – Mark Harris and Matt Belding – **QCWA 2nd Quarter Operations Reports-Southwold Water Distribution System and Talbotville Wastewater Treatment Plant.**

6. DRAINAGE

7. PLANNING

- (a) PLA 2023-29 Natural Heritage Policy Updates

8. REPORTS

- (a) ENG 2023-47 County Road Maintenance Agreement
- (b) CAO 2023-47 Responding to the Housing Affordability Task Force's Recommendations

- (c) CAO 2023-48 Council Meetings in October
- (d) County Council Highlights – September 12, 2023

9. CORRESPONDENCE

- (a) Town of Grimsby Resolution RE: Establishing a Guaranteed Livable Income.

10. BY-LAWS

- (a) By-law No. 2023-52, being a by-law to enter into a Road Maintenance Agreement with the County of Elgin
- (b) By-law No. 2023-53, being a By-law to confirm the resolutions and motions of the Council of the Township of Southwold, which were adopted on September 25, 2023

11. OTHER BUSINESS *(For Information Only)*

12. CLOSED SESSION

- (a) A position, plan, procedure, criteria or instructions to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board (section 239 (2)(k)) – Industrial Assessment Programs.

13. ADJOURNMENT: **NEXT REGULAR MEETING OF COUNCIL**
Wednesday October 11, 2023 @ 7:00 P.M.
Keystone Complex, 35921 Talbot Line,
Shedden/Via Video Link



THE CORPORATION OF THE TOWNSHIP OF SOUTHWOLD

MINUTES

Regular Council Meeting
Monday September 11, 2023
7:00 p.m. Keystone Complex, 35921 Talbot Line, Shedden/Via Video Link

COUNCIL PRESENT: Mayor Grant Jones
Deputy Mayor Justin Pennings
Councillor John Adzija
Councillor Sarah Emons
Councillor Scott Fellows

ALSO PRESENT: Lisa Higgs, CAO/Clerk
Michele Lant, Director of Corporate Services/Treasurer
Aaron Van Oorspronk, Director of Infrastructure & Development
Services
Jeff McArthur, Director of Emergency Services/Fire Chief
June McLarty, Corporate Services Clerk

Mayor Jones called the meeting to order at 7:00 p.m.

ADDENDUM TO AGENDA: None

DISCLOSURES: None

ADOPTION AND REVIEW OF MINUTES:

Council Minutes – Adopt

2023-271 Councillor Emons – Deputy Mayor Pennings

THAT the Minutes of the Regular Council Meeting of August 14, 2023 and the Minutes of the Special Council Meeting of September 5, 2023 are hereby adopted.

CARRIED

Court of Revision – Bogart Drain “C” 2023

2023-272 Councillor Adzija – Councillor Fellows

THAT the Minutes of the Court of Revision for the Bogart Drain “C” 2023 are hereby adopted.

CARRIED

Committee Minutes – Review

2023-273 Councillor Emons – Councillor Fellows

THAT Council has reviewed the Draft Minutes of the War Memorial Committee Meeting of July 18, 2023 and the Communities in Bloom Meeting of August 16, 2023.

CARRIED

War Memorial Committee Recommendation

2023-274 Deputy Mayor Pennings – Councillor Fellows

THAT the following people are appointed as members of the War Memorial Committee:

Leah Morise

Karen Lynch

CARRIED

REPORTS:

FIR 2023-09 Activity Report – August 2023

Jeff McArthur presented this report.

FIR 2023-10 Cancer Prevention Taskforce

Jeff McArthur presented this report.

ENG 2023-42 Activity Report – August 2023

Aaron VanOorspronk presented this report.

ENG 2023-38 Talbotville Meadow Phase 2 Subdivision Agreement

2023-275 Councillor Adzija – Councillor Emons

THAT Report ENG 2023-38 relating to the Talbotville Meadows Phase 2 Subdivision Agreement, be received for information; and

THAT Council approve By-Law 2023-46 - Talbotville Meadows Phase 2 Subdivision Agreement.

CARRIED

Bag Tags for Commercial and Agricultural Zoned Properties

2023-276 Deputy Mayor Pennings – Councillor Adzija

THAT a supply of 50 extra bag tags will be provided to properties that pay commercial assessment.

CARRIED

ENG 2023-43 Commercial Bag Tags and Green Bin Quotations

2023-277 Councillor Emons – Deputy Mayor Pennings

THAT Report ENG 2023-43 relating to Commercial Bag Tags and Green Bin Quotations be received for information and,

THAT Council approve the organics cart quotation supplied by Rehrig Pacific Company in the amount of \$50,650 plus HST and,

THAT Council accept the proposed Waste Management Bylaw No. 2023-50.

CARRIED

DELEGATION:

Elizabeth VanHooren and Betsy McClure, Kettle Creek Conservation Authority

7:30 p.m. – 7:37 p.m.

Cost Apportioning Agreement

2023-278 Councillor Emons – Councillor Adzija

THAT Council receives the presentation from Kettle Creek Conservation Authority as information; and

THAT Council approves By-law No. 2023-49- Cost Apportioning Agreement.

CARRIED

REPORTS:

ENG 2023-44 Highway 3 Widening Comments

2023-279 Deputy Mayor Pennings – Councillor Fellows

THAT Report ENG 2023-44 relating to Highway 3 Widening Comments be received for information and,

THAT Council approve and authorize Staff to formally submit the comments to the Ministry of Transportation, as amended.

CARRIED

ENG 2023-45 Southwold Planting Guidelines

2023-280 Councillor Emons – Councillor Fellows

THAT Report ENG 2023-45 relating to Southwold Planting Guidelines be received for information and,

THAT Council authorize Staff to amend the Design Guidelines to include the Planting Guide.

CARRIED

ENG 2023-46 Union Road and Talbot Line Signals

2023-281 Councillor Fellows – Councillor Emons

THAT Report ENG 2023-46 relating the Union Road and Talbot Line signals and,

THAT Council provide direction to Staff regarding one of the proposed options for the intersection of Union Road and Talbot Line; and,

THAT Council approves of Option #1 in the report.

CARRIED

DELEGATION:

8:07 p.m. – 8:29 p.m.

Aileen Murray, Mellor Murray Consulting Inc.

Strategic Plan

2023-282 Councillor Adzija – Councillor Fellows

THAT the Council of the Township of Southwold approves the 2023 Strategic Plan as presented; and,

THAT Council provide directions to Staff regarding the Strategic Plan.

CARRIED

REPORTS:

FIN 2023-11 Q2 Financial Report

2023-283 Councillor Emons – Deputy Mayor Pennings

THAT Report FIN 2023-11 Financial Report – January to June 2023 be received and filed for information.

CARRIED

CBO 2023-15 Activity Report – August 2023

This report was presented to Council.

CAO 2023-40 Activity Report – August 2023

Lisa Higgs presented this report to Council.

CAO 2023-41 Shedden Open Space Park Renaming

2023-284 Councillor Adzija – Deputy Mayor Pennings

THAT Council formally adopt the name of “Corsley Park” for the previously titled Shedden Open Space Park.

CARRIED

CAO 2023-42 Municipal Recognition of September 30th, 2023 as National Day of Truth and Reconciliation

2023-285 Councillor Emons – Deputy Mayor Pennings

WHEREAS the Truth and Reconciliation Commission released its final report on June 2, 2015, which included 94 Calls to Action to redress the legacy of residential schools and advance the process of Canadian reconciliation;

AND WHEREAS all Canadians and all orders of government have a role to play in reconciliation;

AND WHEREAS Recommendation #80 of the Truth and Reconciliation Commission called upon the federal government, in collaboration with Aboriginal peoples, to establish, as a statutory holiday, a National Day for Truth and Reconciliation to ensure that public commemoration of the history and legacy of residential schools remains a vital component of the reconciliation process;

AND WHEREAS the Federal Government announced September 30th, as the National Day for Truth and Reconciliation (National Orange Shirt Day) and a statutory holiday;

THEREFORE, BE IT RESOLVED THAT the Council of the Township of Southwold does hereby commit to recognizing September 30th, as the National Day for Truth and Reconciliation (National Orange Shirt Day) by sharing the stories of residential school survivors, their families, and communities;

AND THAT the Council of the Township of Southwold Commits to:

- a. postings on social media discussing history and stories
- b. committing to completing module training online with Indigenous Canada through University of Alberta
- c. flying the "Every Child Matters" Flag on the Municipal Flag Pole from September 29th to October 2nd in acknowledgement of National Day for Truth and Reconciliation
- d. encourage staff to wear orange shirts on Friday September 29th in recognition of the September 30th National Day

CARRIED

CAO 2023-43 Diversity, Equity and Inclusion Plan

2023-286 Councillor Fellows – Councillor Emons

THAT Council directs staff to coordinate with Elgin County to develop a Diversity, Equity and Inclusion Plan; and,

THAT staff be directed to bring the finalized plan back to Council as information once the DEI plan is completed.

CARRIED

CAO 2023-44 Enabling Alternative Accommodations

2023-287 Deputy Mayor Pennings – Councillor Adzija

THAT the Council of the Township of Southwold apply for an amendment to its Official Plan to allow for Alternative Accommodations; and,

THAT the Planner of the Township of Southwold prepare amendments to the Township's Zoning By-Law to include verbiage as endorsed in the alternative accommodations handbook and apply concurrently with the Official Plan Amendment so that there are no further delays in implementation.

CARRIED

CORRESPONDENCE:

Fee Waiver Request – Fingal – Shedden & District Optimist Club Halloween Party

2023-288 Councillor Fellows – Councillor Emons

THAT Council of the Township of Southwold approves the \$450 fee waiver request for the 2023 Halloween Party on October 27, 2023 hosted by the Optimist Club of Fingal, Shedden and District at the Keystone Complex.

CARRIED

BY-LAWS:

- By-law No. 2023-46, being a by-law to enter into a development agreement, Talbotville Meadows, Phase 2
- By-law No. 2023-49, being a by-law to enter into an apportioning agreement with Kettle Creek Conservation Authority
- By-law No. 2023-50, to establish, maintain and operate a system to provide for the curbside collection of household and institutional, commercial and industrial non-hazardous waste and organic material.

By-laws

2023-289 Councillor Fellows – Councillor Adzija

THAT By-law Nos. 2023-46, 2023-49 and 2023-50 be read a first and second time, considered read a third time and finally passed this 11th day of September, 2023.

CARRIED

OTHER BUSINESS

- Ministry of Infrastructure RE: Red Tape Reduction for Designated Broadband Projects.
- Ministry of Municipal Affairs and Housing RE: Building Faster Fund
- Ministry of Natural Resources and Forestry RE: Streamlining of Approvals under the *Aggregate Resources Act* and Supporting Policy
- Letter from Honourable Lisa Thompson, Minister of Agriculture, Food and Rural Affairs RE: Increasing Deadstock Capacity Initiative
- Municipality of Central Elgin RE: ZBA 42264 Ron McNeil Line
- MTO Notice of Commencement and PIC: Highway 401 and Colonel Talbot Road Interchange Reconfiguration and Highway 4 and Glanworth Drive Bridge Replacements

Council reviewed the items under Other Business.

CLOSED SESSION:

2023-290 Councillor Emons – Deputy Mayor Pennings

THAT Council of the Township of Southwold now moves into a session of the meeting that shall be closed to the public at **8:53 p.m.** in accordance with Section 239 (2) of the Municipal Act, S.O. 2001, c. 25 for discussion of the following matters;

- Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board. (Section 239(2)(e)) – (2 items) Drainage Act Recovery & Utilities and Insurance Claims.

CARRIED

Adjournment of Closed Session

2023-291 Councillor Adzija – Councillor Emons

THAT Council of the Township of Southwold adjourns the Closed Session of the Regular Council meeting at **9:28 p.m.**

CARRIED

STAFF DIRECTION

Staff were directed by Council to the items that were discussed in the Closed Session.

Confirming By-law

- By-law No. 2023-51, being a By-law to confirm the resolutions and motions of the Council of the Township of Southwold, which were adopted on September 5 and September 11, 2023

Confirming By-law

2023-292 Deputy Mayor Pennings – Councillor Fellows

THAT By-law No. 2023-51 be read a first and second time, considered read a third time and finally passed this 11th day of September, 2023.

CARRIED

ADJOURNMENT:

2023-293 Councillor Emons – Deputy Mayor Pennings

THAT Council for the Township of Southwold adjourns this Regular meeting of Council at **9:28 p.m.**

CARRIED

Mayor
Grant Jones

CAO/Clerk
Lisa Higgs

Canada Day Committee

Minutes

Wednesday, August 2, 2023

Township Office

6pm

Attendance: Jim Carder, Stacy Danielson, Melissa Day, Councillor John Adzija

1. **Welcome:** John Adzija
2. **Agenda:** Agenda was accepted as circulated
3. **Minutes:** Minutes were accepted as circulated.
4. **Finance:**
 - a. **Budget – We need to do a final tally to confirm we were within budget.**
5. **Observations: Strengths/Challenges and Recommendations for 2024:**
 - a. Fireworks were well received but they had a delayed start because of the baseball game that was happening at the same time. We need to make sure the location is booked with the township for next year and that no baseball game is scheduled to avoid this. The event will be the night before Canada Day.
 - b. It was great to include the food bank and we should do that again next year. They had their money collection out front and that resulted in half the normal collections for the Optimists. We need to make sure that Food Bank collections are behind the Optimist's next year.
 - c. Precutting the cake made it quicker and easier to distribute the cake during the event. We should do that again.
 - d. 10 Cakes from Costco seemed to be the right amount of cake. We need to make sure we plan to pick up the cakes earlier since Costco was really busy on the day before the holiday and that put us behind schedule.
 - e. We need to order more plates and forks. We had 450 of each so we should order 100 of each next year.
 - f. People entered the park earlier than 7:30 and the insurance did not begin until 7:30. This put us at some risk with liability because of the early entry. Next year

we should start the insurance 1 hour earlier than the publicly announced start time.

- g. If we keep the same schedule for next year, we will need to make sure we inform the dignitaries to come by 7:45pm at the latest to make sure they arrive in time for the cake cutting. This year we asked them to be there no later than 8:30 but our schedule had cake cutting at 8:10 so we need to finalize the schedule before June sends out the invite letters.
- h. We need to make sure the fireworks are on the ad for the event. Looks like it was not on the one for this year.
- i. The glow sticks were received well but it would be good to have the glow sticks put together and ready to give out if we use them again next year. This was a little bit of a bottle neck.
- j. The face painting went well and we think we had the right number of face painters. James will book Dotsy for the same set up next year.
- k. James will follow up with the food vendors to see if they were happy with the sales and if they would like to participate next year.
- l. Would be good to have the cakes in a different spot next year because they were in front of the speakers. This made it difficult to communicate with people while giving out cake.
- m. Music went over well. Would be good to ensure the sound and mic checks are done before the event to ensure the MC is comfortable with the set up.
- n. The location and participation of the fire fighters was great. We should be prepared to provide them a table and ensure we have a designated area for them.
- o. Zero Waste was a good addition and kept garbage clean up to a minimum. Would be great to have them again next year.
- p. We need to make sure the automatic locks on the washrooms are set to later lock time for that evening to make sure they do not lock during the event.

Overall it was a successful event and we received lots of praise from the attendees. Looking forward to making it an even better event in 2024.

6. Next Meeting: Tentatively book for Tuesday March 5 at 6:30 PM

7. Adjournment: Adjourned by Jim Carder and Stacy Danielson

John Adzija, Chair

Lizeanne Kerkvliet, Secretary

Date



Southwold Economic Development Committee

Meeting Minutes

Thursday, September 7th, 2023 at 8:00 am
Shedden Fire Station, 9331 Union Road

Voting Members

Present: Deputy Mayor Justin Pennings
Councillor John Adzija
Steve Bushell
Barry Harrison
Grayden Laing
Michelle Hoffsuemer

Absent: Hiba Arabi

Staff/Resource: Lisa Higgs, CAO/Clerk
Aaron Van Oorspronk, Director of Infrastructure and Development
Josh Mueller, Planner (Connecting Remotely)
Carolyn Krahn, Manager of Economic Development
and Strategic Initiatives

1. Call to order

Chairperson Pennings called the meeting to order at 8:10 am. He welcomed CAO/Clerk Lisa Higgs back to the Committee. Chairperson Pennings questioned whether anyone had any contact with member Hiba Arabi, since she has not been present at a meeting in a long time. It was noted that staff should attempt to contact Ms. Arabi and if contact remains unsuccessful, a replacement should be sought.

2. Agenda Approval

The agenda for the September 7th, 2023 meeting was approved.

3. Minutes from Previous Meeting

The committee approved the minutes from the August 2nd, 2023 meeting, with a small change noted by Councillor Adzija to the next meeting date; it needs to be corrected from September 2nd to September 7th.

4. New Business:

a. Alternative Accommodations – Staff Report and Background Information

CAO/Clerk Lisa Higgs provided a report to the Committee on the Alternative Accommodations. The Committee discussed the concerns with permitting them “as of right” with respect to the number permitted on each lot and the siting of the buildings. Planner Mueller and Ms. Higgs indicated that these site specific concerns will need to be addressed in the Zoning By-Law and any buildings constructed will have to comply with the Ontario Building Code.

The Committee directed that the recommendation for an Official Plan Amendment and Zoning By-Law Amendment be brought to Council.

b. Use of Shedden Commercial Space – Staff Report and Background information

CAO/Clerk Lisa Higgs provided a report to the Committee on the use of the Shedden Commercial Space. Ms. Higgs referenced an earlier report from staff in 2018 and the various options for the Committee to review and recommend to Council. Committee members Steve Bushell and Barry Harrison indicated that their opinion was that improvements to the building would be very costly and higher than the report’s lowest estimate. The Committee directed staff to arrange for a high level inspection of the building by a qualified home inspector (vs. an engineer) to determine the potential viability of the building and high level cost estimate. The Committee’s intention is to find out whether it is worth moving forward with the appropriate studies for a full renovation. The Committee suggested that staff contact the current tenants and ask

about their long-term plans for the site and also had a fulsome discussion about the Township's long-term role as a commercial property owner.

c. Property Inventory – Staff Report and Background Information

Staff shared with the Committee an initial draft of a property inventory for both Township owned properties and an early investigation into commercially owned properties in the municipality.

d. Farmers Market & Farm Markets Ontario – How to Start a Farm Market, & Information on other local Farm Markets

Information was shared with various resources on generating a local farm market. The Committee discussed that if Southwold is to proceed with hosting a farmers market, there needs to be a focus on creating an experience to help with attraction. The Committee discussed that a first step may be to solicit public interest in attending a market and ensuring that there would be local vendors interested in selling their products at the market.

e. OFA/OMAFRA – Agricultural Economic Development Webinar Series

The Committee received the links to the webinar series as information.

5. Development Updates from Staff and Committee Members

- Director of Infrastructure and Development Aaron VanOorspronk provided the committee with updates on various sanitary infrastructure developments in the Township including the progress of shared servicing discussions with Central Elgin and possible interest in more development in Talbotville.

6. Community Economic Development Plan

The Committee suggested that the Economic Development Plan should be updated to reflect changing circumstances in the region, especially as it relates to the introduction of the new VW plant. There was a discussion that a future meeting will include a comprehensive discussion from the Committee looking at the implementation plan and then the Committee can decide whether to have Mellor Murray involved in updating the plan or possible accessing County resources.

7. Next Meeting

The next meeting will be held on Thursday, October 5th, 2023 at 8 am.

8. Adjournment

The meeting adjourned at 9:18 am.

Chairperson, Justin Pennings

Staff Resource, Lisa Higgs



TOWNSHIP OF SOUTHWOLD

Report to Council

MEETING DATE: September 25, 2023

PREPARED BY: Michele Lant, Director of Corporate Services/Treasurer

REPORT NO: FIN 2023-12

SUBJECT MATTER: 2024 Capital Budget – Report #1

Recommendation:

None – For Information.

Purpose:

To present the format for the 2024 Capital Budget discussions.

Budget Discussion Process:

In an effort to ensure that the 2024 municipal budget can be adopted early into the operating year and also to facilitate adequate time for council discussion of various high value assets, staff is recommending that Council commence capital budget deliberations in the fall.

As Council is aware, there are significant building, fleet, and infrastructure projects and staff feels there are advantages in deliberating in the Fall and in separating capital budget deliberations from operating. Many operating budget line items are established using inflationary indexes and so it can be useful to wait until later in the calendar year to attain values that are closer to actual year-over-year costs. Capital items, contrarily, are less dependant on data from the previous year. Staff are also suggesting that there are advantages in completing the capital budget in the fall, especially in that staff can initiate procurement earlier in the year, hoping to get more competitive bids early.

The 2024 Capital Budget discussions will prioritize the capital needs of the Township once all information is presented for Council's consideration. Staff from each department will present capital budget recommendations in three categories:

A. Mandatory

- Locked in commitments approved by Council in prior years
- Projects with prior legally binding commitments

- Projects that are required for the Health and Safety of citizens, to adhere to the Asset Management Plan and to maintain the current Levels of Service

B. Critical

- To maintain critical components at the current service levels and in a state of good repair
- Projects that will become mandatory in future years.
- Infrastructure that has a high risk of breakdown or service disruption

C. Recommended

- Projects will bring infrastructure back to recommended levels or increase from the current levels of service.

Staff are recommending that this fall, at least 1 hour be designated at various meetings for senior management to present on various major capital projects.

Proposed Budget Discussion Meeting Schedule:

- Monday, September 25, 2023 – Initial presentation – format of capital budget discussions
- Wednesday, October 11, 2023 – Roads/Infrastructure capital improvement, Parks Capital
- Monday, October 23, 2023 – Roads Fleet & Roads Buildings Capital, Administrative Capital
- Monday, November 13, 2023 – Fire Capital
- Monday, November 27, 2023 – Council resolutions with staff direction for inclusion in Capital Budget documents
- December 2023 – Capital Budget approval by Council
- December 2023 – Operating Budget preparation and circulation to Council
- January 2024 – Operating Budget approval by Council

Summary

In summary, staff will present to Council recommendations for capital budget inclusion using the categories of Mandatory, Critical and Recommended that tries to address the significant funding requirements for Asset Management, maintain our current levels of service and where necessary, bring infrastructure back to recommended levels of service.

FIN 2023-12 2024 Capital Budget Report #1

Staff is looking forward to working collaboratively with Council on the 2024 Budget and delivering our important services to the residents of the Township.

Financial Implications:

None. The Budget and Capital Forecast will help establish and guide financial planning for 2024 and beyond.

Strategic Plan Goals:

The above recommendation helps the Township meet the Strategic Plan Goal of:

- ☐ Promoting residential, agricultural, commercial, and industrial development by ensuring policies and services are in place to support growth in The Township of Southwold.
- ☐ Promoting a healthy, naturally beautiful, and community-oriented municipality by encouraging and supporting involvement of volunteer organizations wishing to provide cultural and recreational activities in the Township of Southwold.
- ☐ Providing improved transportation and a strong commitment to asset management with a goal of maintaining the Township's infrastructure in the promotion of public safety
- ☒ Exercising good financial stewardship in the management of Township expenditures and revenues.
- ☐ Promoting public engagement, transparent government, and strong communications with all members of the community across various mediums for the strengthening of civic participation.

Respectfully Submitted by:
Michele Lant, Director of Corporate
Services/Treasurer
"Submitted electronically"

Approved by:
Lisa Higgs, CAO/Clerk
"Approved electronically"

- **Council / Committee / Advisory Committee Date:**

Sep 11 2023

- **Subject:**

Request to consider Recreation facility for Talbotville meadows neighborhood

- **Name of Spokesperson:**

VimalKumar SathiyaBalan

- **Name of Group or Person(s) being represented (if applicable):**

VimalKumar SathiyaBalan

- **Brief summary of issue or purpose of delegation:**

Sub: Request to consider Recreation facility for Talbotville meadows neighborhood

Introduction

We are a new subdivision from 2022 and potential growing neighborhood of Talbotville, we had an opportunity to know each other in recent times through engaging community events such as Potluck. During our conversation, we understood that our neighborhood may require a winter recreation facility to stay active. We would like to express our proposal in front of Southwold council to consider and check feasibility. This may help both Talbotville residents (current and future) and Southwold Township to grow together.

Proposals

We observed. A Year living in this community, our residents may be interested in having a few recreational activities listed below other than more planned summer activities at our Talbotville meadows (Baseball, 2 Soccer fields). We thank township for the existing facility, and we are already taking advantage of existing facilities, however we would you like to consider our proposal from listed below recreational activities which we do not or limited to have our township and nearby township. This helps both of us, and our future generations, to take advantage of staying active all through the year. Our proposal to have a small or medium sized indoor recreation facility (community center) may include.

1. Badminton court
2. Indoor board games
3. Party hall (There are lot of birthday parties and anniversaries happening year around)
4. Swimming Pool
5. Gym facility (average one household person from Talbotville spent \$40 monthly subscription cost for their Gym at St. Thomas).

How Southwold Township would benefit from this proposal

1. Good will
2. Party hall rental income

3. Indoor facility subscription income

- **Have you be in contact with Municipal Staff or a Council Member regarding your matter of interest?**

No

- **Name:**

VimalKumar SathiyaBalan

- **Address:**

- **Phone number:**

- **Email address:**

- **Do you require any accessibility accommodation?**

No



**Talbotville Meadows neighborhood
Recreation facility proposal Contact: 613 698 7110
Email: meadowstalbotville@gmail.com**

To: Southwold Township council

Wednesday, September 6, 2023

- Mayor Grant Jones
- Deputy Mayor Justin Pennings
- Council Members
- Councilor John Adzija
- Councilor Sarah Emons
- Councilor Scott Fellows

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How Southwold Township would benefit from this proposal

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2. Party hall rental income
3. Indoor facility subscription income



Ontario Clean Water Agency
Agence Ontarienne Des Eaux

Southwold Water Distribution System Operations Report Second Quarter 2023

Ontario Clean Water Agency, Southwest Region
Mark Harris, Sr. Operations Manager, Aylmer Cluster
Date: August 4, 2023

Facility Description

| | |
|---------------------------------|--|
| Facility Name: | Southwold Water Distribution System |
| Regional Manager: | Dale LeBritton - (519) 476-5898 |
| Senior Operations Manager: | Mark Harris - (226) 545-0414 / Vitaliy Talashok - (226) 378-8986 |
| Business Development Manager: | Robin Trepanier - (519) 791-2922 |
| Facility Type: | Municipal |
| Classification: | Class 2 |
| Drinking Water System Category: | Large Municipal Residential |
| Title Holder: | Municipality |

Service Information

The Southwold Distribution System services approximately 1310 service connections throughout the Township of Southwold in rural areas, Shedden and Fingal. The system supplies water to the Dutton Dunwich Distribution System, St. Thomas Distribution System and Middlesex Centre. At the Iona Interconnect, the Dutton-Dunwich Distribution System can also back feed into the Southwold system in case of emergency. The Lynhurst area (in Southwold) is supplied by the St. Thomas Area Secondary Water Supply System and the Central Elgin Distribution System, this area is operated by the City of St. Thomas.

Operational Description

A re-chlorination facility is located on Talbot Line. The Shedden Re-Chlorination Facility boosts the free chlorine residual from the supply from the St. Thomas Area Secondary Water Supply System. Water quality is monitored at this location through online chlorine analyzers as well as sampling locations located throughout the distribution system. Auto flushers are installed in problem/low usage areas in the distribution system in order to maintain adequate residuals. There are three pressure reducing valves located in the distribution system to control high pressure areas. Chambers for draining, isolating and air relief are located throughout the distribution system as well.

CLIENT CONNECTION MONTHLY CLIENT REPORT

Facility Name: Southwold Distribution System
ORG#: 5071

SECTION 1: COMPLIANCE SUMMARY

FIRST QUARTER:

There were no compliance issues to report during the first quarter

SECOND QUARTER:

There were no compliance issues to report during the second quarter.

SECTION 2: INSPECTIONS

FIRST QUARTER:

On January 18th a routine MECP inspection was conducted in the Southwold Distribution System. The final inspection report was received on March 16th. There were no non-compliances identified. The inspection rating report has not yet been received.

SECOND QUARTER:

There were no MECP on MOL inspections conducted during the second quarter.

SECTION 3: QEMS UPDATE

FIRST QUARTER:

There were no QEMS updates to report this quarter.

SECOND QUARTER:

There were no QEMS updates to report this quarter.

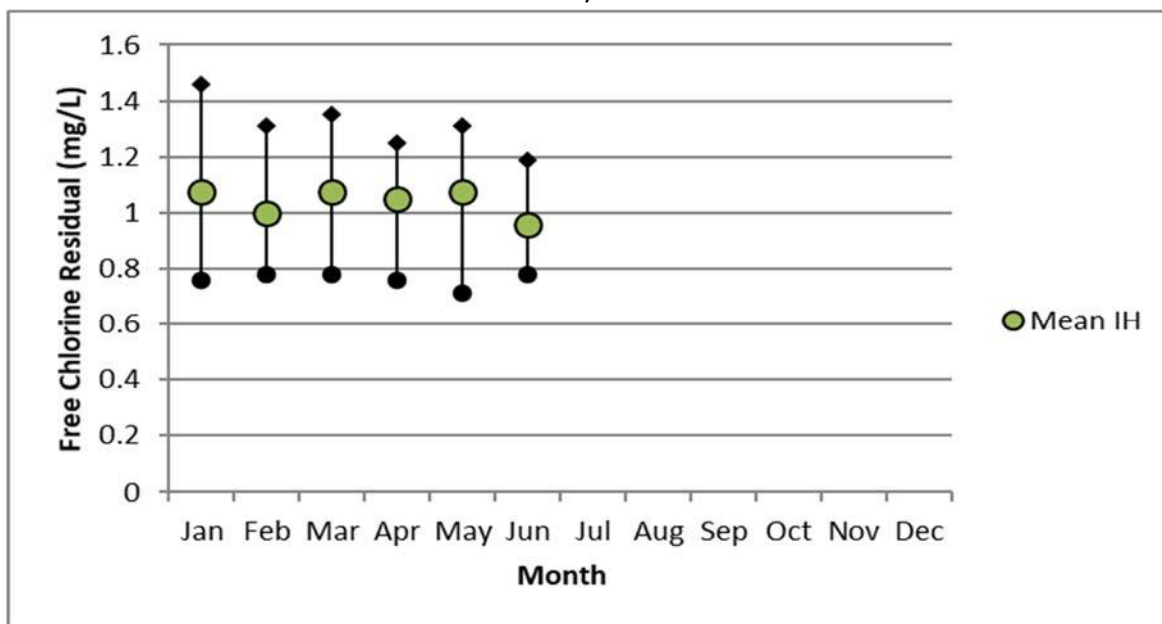
SECTION 4: PERFORMANCE ASSESSMENT REPORT

Auto Flushers are tested twice per week, the current settings are:

| # | Location | Frequency | Duration |
|---|-------------|-----------|----------|
| 1 | Iona Road | 7 days | 15min |
| 2 | Lake Line | 5 days | 15min |
| 3 | Thomas Road | 7 days | 15min |
| 4 | Bush Road | 7 days | 7min |

All residuals were adequate at the current flushing durations. Changes were made to the Bush Line auto flusher after flooding concerns in a farmer's field. Chlorine residuals are taken throughout the system to monitor the auto flusher effectiveness as well as to meet regulatory requirements. O. Reg. 170/03 requires that residuals are taken 2 times per week at least 48 hours apart with a minimum of 4 residuals on the first day and 3 residuals on the second. Chart 1 below shows the residuals for 2023 obtained so far throughout the distribution system.

Chart 1. Free chlorine residuals in the distribution system.



All sampling and testing in the distribution system met requirements with the current Municipal Drinking Water License and regulations during this quarter. Microbiological samples are taken at five locations throughout the distribution system each week (it is required to take 8 samples per month plus one sample for every 1000 people, therefore a minimum of 11 samples per month). E. coli and total coliform have a regulatory limit of 0 cfu/100mL and there is no regulatory limit for HPC. HPC concentrations are used to indicate a potential problem area; if results from a particular sample location are consistently showing elevated levels then flushing or other action is required to reduce the value. Table 1 shows the distribution system sampling results for 2023.

Table 1: Distribution system sampling results for 2023.

| | # Samples | Total Coliform Range (cfu/100mL) | E. coli Range (cfu/100mL) | # Samples | HPC (cfu/100mL) |
|----------|-----------|----------------------------------|---------------------------|-----------|-----------------|
| January | 25 | 0 – 0 | 0 – 0 | 10 | <10 - <10 |
| February | 23 | 0 – 0 | 0 – 0 | 11 | <10 - <10 |
| March | 20 | 0 – 0 | 0 – 0 | 8 | <10 - <10 |
| April | 20 | 0 – 0 | 0 – 0 | 8 | <10 - <2000 |
| May | 25 | 0 – 0 | 0 – 0 | 10 | <10 - <50 |
| June | 20 | 0 – 0 | 0 – 0 | 8 | <10 - <10 |

Trihalomethanes are sampled on a quarterly basis. Table 2 below shows the current running average along with the 2022-2023 results. The current running average is below the regulated limit of 100µg/L. When compared to the second quarter of 2022, this is a decrease of 21.7%.

Table 2: Trihalomethane sample results.

| | Limit (µg/L) | THM Result (µg/L) |
|-----------------|-----------------|----------------------|
| July 2022 | | 26 |
| October 2022 | | 43 |
| January 2023 | | 29 |
| April 2023 | | 25 |
| Running Average | 100 | 30.75 |

Haloacetic Acids (HAAs) are sampled on a quarterly basis. Table 3 below shows the running average along with the 2022-2023 results. The current running average is below the regulated limit of 80µg/L. When compared to the second quarter of 2022, this is a decrease of 22.7%.

Table 3: Haloacetic acid sample results.

| | Limit (µg/L) | HAA Result (µg/L) |
|-----------------|-----------------|----------------------|
| July 2022 | | 17.0 |
| October 2022 | | 19.3 |
| January 2023 | | 17.6 |
| April 2023 | | 14.8 |
| Running Average | 80 | 17.18 |

Schedule 15.1 in O. Reg. 170/03 requires sampling for lead, alkalinity and pH. This is required twice per year. The Southwold Distribution System is currently in reduced sampling which requires distribution sampling only and lead sampling only every third year. Table 5 shows the results for 2023. Lead is required in 2023.

Table 4: Schedule 15.1 sampling results.

| | # Samples | pH | Alkalinity (mg/L) | Lead (µg/L) |
|---------------|-----------|-------------|----------------------|----------------|
| February 2023 | 3 | 7.30 – 7.37 | 97.3 | 0.48 |
| July 2023 | - | - | - | - |

SECTION 5: OCCUPATIONAL HEALTH & SAFETY

FIRST QUARTER:

There were no additional Health & Safety issues identified during the first quarter.

SECOND QUARTER:

There were no additional Health & Safety issues identified during the second quarter.

SECTION 6: GENERAL MAINTENANCE

FIRST QUARTER:

JANUARY

24: Operator worked overnight to monitor pressure in Southwold distribution system during St. Thomas repair in their system.

FEBRUARY

10: Gerber Electric at Shedden Re-Chlorination Facility to set up temporary phone line to auto-dialer.

MARCH

03: SCG Flowmetrix onsite for annual flow meter calibration at re-chlor.

SECOND QUARTER:

APRIL

20: Gerber replaced phone line to Rechlor autodialer.

MAY

02: Dielco onsite to inspect PRV valve in Union and McDiarmid PRV chamber. They changed the outlet pressure gauge.

04: Dielco onsite to further inspect/troubleshoot PRV valves in Union and McDiarmid PRV chamber and John Wise and Fingal Line PRV chamber. They changed the outlet pressure gauge in the John Wise and Fingal Line PRV chamber.

09: Onsite with Elvis from Hawkins at the John Wise and Fingal Line PRV chamber to look into power issue.

11: Dielco and Syntec onsite to cleanout pilot systems and set operating pressure setpoints on PRV valves in Union and McDiarmid PRV chamber and John Wise and Fingal Line PRV chamber.

17: Changed ¼" leaking compression fitting on CI board in Rechlor, used new spare.

24: Hawkins repaired electrical to John Wise and Fingal Line PRV chamber. New sump pump was also installed.

JUNE

01: New service tap installed by MEMME for house on Clinton line for remainder of water main shut down.

08: Aquafix onsite to repair hydrants at 39735 Shady Lane Cres and 9859 Ford Road.

09: Aquafix replaced hydrant at 10545 Sunset Drive.

14: Replaced membrane cap on inlet CI analyzer.

SECTION 7: ALARM SUMMARY

FIRST QUARTER:

JANUARY

No alarms reported for this month.

FEBRUARY

09: Received call from SOM to go investigate a leak at 5519 Jones Rd. Customer water line had come loose from curbstop valve. Kevin Goodhue assisted with repair and Streib excavated.

09: Responded to watermain leak at 12343 William Street. Kevin Goodhue onsite for repair and Streib excavating. Repair was made to "T" off watermain for community center service line.

- 18: Received call from Paul with Southwold to shut off water at 39914 Shady Lane Crescent. Curbstop barrel was bent and could not shut off water. Kevin Goodhue repaired after weekend.
- 23: Received alarm for power outage at rechlor facility, arrived on-site, took free chlorine residuals. Utility power was restored 2 hours later.

MARCH

- 23: Received call from spectrums for high cl alarm now normal. Alarm is now normal and will check on site first thing in the morning. Operator reduced stroke on chlorine pump.

SECOND QUARTER:

APRIL

No alarms this month.

MAY

- 28: Alarm for power outage at Rechlor. Hydro One was called and repaired hydro equipment on pole out front.

JUNE

- 10: Alarm for inlet Cl low now normal. Operator performed site check. Due to possible power flicker.
- 13: Alarm for inlet Cl low now normal. Operator performed site check. Due to possible power flicker.

SECTION 8: COMMUNITY COMPLAINTS & CONCERNS

FIRST QUARTER:

On March 17th a resident complained of low pressure. The pressure was monitored upstream and downstream by the operator with no fluctuations observed. It was determined that a pressure reducing valve inside the resident's house was the cause and it was replaced. No further inquiry required.

SECOND QUARTER:

On May 3rd a resident complained of a blown hot water tank due to high pressure in the system. The pressure reducing valve inside the resident's house was replaced. No further inquiry required.



Ontario Clean Water Agency
Agence Ontarienne Des Eaux

Talbotville Wastewater Treatment Plant

Operations Report

Second Quarter 2023

Ontario Clean Water Agency, Southwest Region
Mark Harris, Sr. Operations Manager, Aylmer Cluster
Date: August 4, 2023

Facility Description

Facility Name: Talbotville Wastewater Treatment Plant
Regional Manager: Dale LeBritton - (519) 476-5898
Senior Operations Manager: Mark Harris - (226) 545-0414 / Vitaliy Talashok - (226-378-8986)
Business Development Manager: Robin Trepanier - (519) 791-2922
Facility Type: Municipal
Classification: Class 3

Service Information

Population Served: 125

Capacity Information

Total Design Capacity: 500 m³/day

| | Design Values | 2021 Flow Data | 2022 Flow Data | 2023 Flow Data |
|---|---------------|----------------|----------------|----------------|
| Average Daily Flow (m³/d) | 500 | 84.6 | 152.1 | 189.9 |
| % of Average Daily Design Flow | - | 16.9 | 30.4 | 38.0 |
| Peak Flow (m³/d) | 1000 | 319.0 | 432.4 | 399.0 |
| % of Peak Design Flow | - | 31.9 | 43.2 | 39.9 |

| | Design Flow (m ³ /d) | 2023 Average Daily Flow (m ³ /d) | 2023 % Capacity | Design Peak Flow (m ³ /d) | 2023 Maximum Daily Flow (m ³ /d) | 2023 % Peak Flow |
|-----------------------|---------------------------------|---|-----------------|--------------------------------------|---|------------------|
| January | 500 | 181.2 | 36.2 | 1000 | 270.0 | 27.0 |
| February | 500 | 166.2 | 33.2 | 1000 | 291.8 | 29.2 |
| March | 500 | 230.9 | 46.2 | 1000 | 360.0 | 36.0 |
| April | 500 | 235.6 | 47.1 | 1000 | 399.0 | 39.9 |
| May | 500 | 194.0 | 38.8 | 1000 | 242.0 | 24.2 |
| June | 500 | 131.3 | 26.3 | 1000 | 150.5 | 15.1 |
| Annual Average | - | 189.9 | 38.0 | - | - | - |

Operational Description:

The wastewater is screened through a mechanically cleaned fine screen and discharged to the aeration tanks which operate in series. From the aeration tanks, the wastewater flows to the MBR tank(s) which operate in parallel. Supplementary treatment is provided for phosphorus removal and pH adjustment. Alum is utilized for phosphorus removal and Sodium Hydroxide is used for pH adjustment. The final effluent from the MBR tanks is discharged to the ultraviolet (UV) disinfection system. The final effluent flows from the UV disinfection system to Dodds Creek.

CLIENT CONNECTION MONTHLY CLIENT REPORT

Facility Name: Talbotville Wastewater Treatment Plant
ORG#: 1536

SECTION 1: COMPLIANCE SUMMARY

FIRST QUARTER:

There were no compliance issues to report during the first quarter.

SECOND QUARTER:

There were no compliance issues to report during the second quarter.

SECTION 2: INSPECTIONS

FIRST QUARTER:

There were no MOL or MECP inspections conducted during the first quarter.

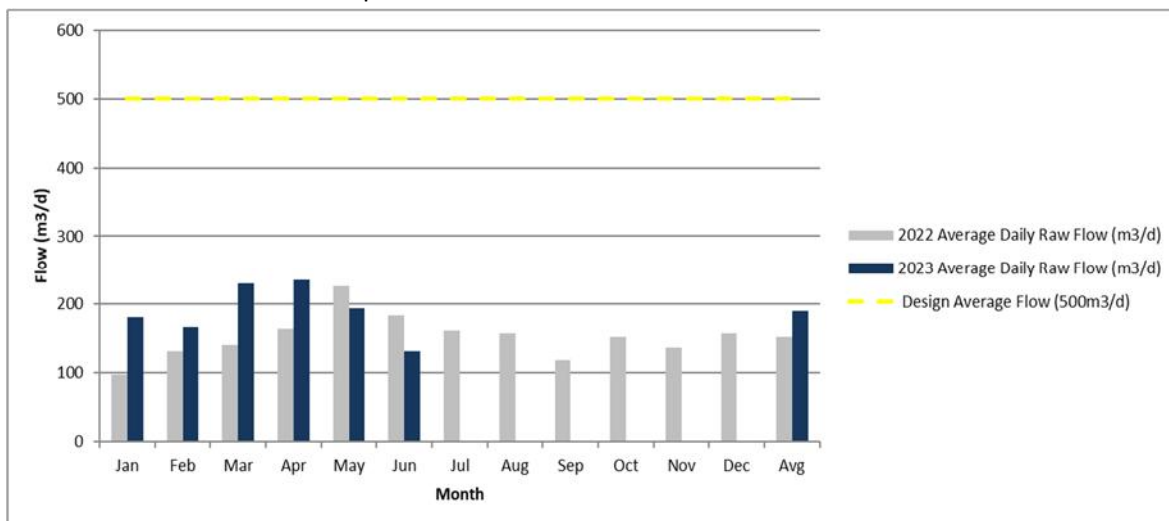
SECOND QUARTER:

There were no MOL or MECP inspections conducted during the second quarter.

SECTION 3: PERFORMANCE ASSESSMENT REPORT

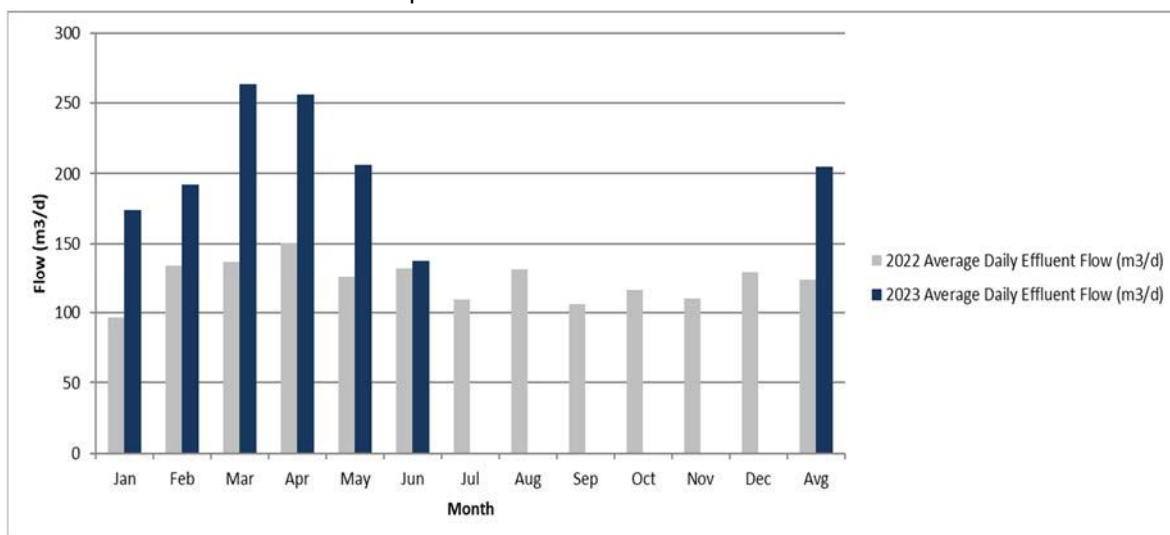
The average daily raw flow in 2023 so far is 189.9 m³/d. This is a 24.8% increase when compared to the average daily flow in 2022. The chart below shows the monthly average flows so far for 2023, compared to the 2022 average daily flows (Chart 1).

Chart 1. Raw flows for 2023 compared to 2022



The average daily effluent flow so far in 2023 is 205.0m³/d. This is a 66.2% increase when compared to the average daily flow in 2022. The chart below shows the monthly average flows for 2023 compared to average daily flows in 2022 (Chart 2).

Chart 2. Effluent flows for 2023 compared to 2022



Raw samples are taken on a monthly basis following the ECA requirements. The table (Table 1) below shows the raw sample results compared to the design objectives. Design objective exceedances are highlighted red in the table below (Table 1).

Table 1. Raw water sample results for 2023

| | BOD5 (mg/L) | TKN (mg/L) | TP (mg/L) | TSS (mg/L) |
|------------------------------|----------------|---------------|--------------|---------------|
| January Results | 109 | 38.4 | 3.40 | 162 |
| February Results | 165 | 40 | 3.87 | 71 |
| March Results | 56 | 24.9 | 2.33 | 48 |
| April Results | 1270 | 88.3 | 17.0 | 788 |
| May Results | 467 | 40.4 | 5.66 | 376 |
| June Results | 379 | 60.7 | 7.28 | 86 |
| Design Objective | 250 | 40 | 7 | 250 |
| # Months Above Design | 3/12 | 3/12 | 2/12 | 2/12 |

The effluent is sampled on a weekly basis following the requirements of the ECA. The table (Table 2) below summarizes the monthly average results compared against the objectives and limits identified in the ECA.

Table 2. Effluent average sample results

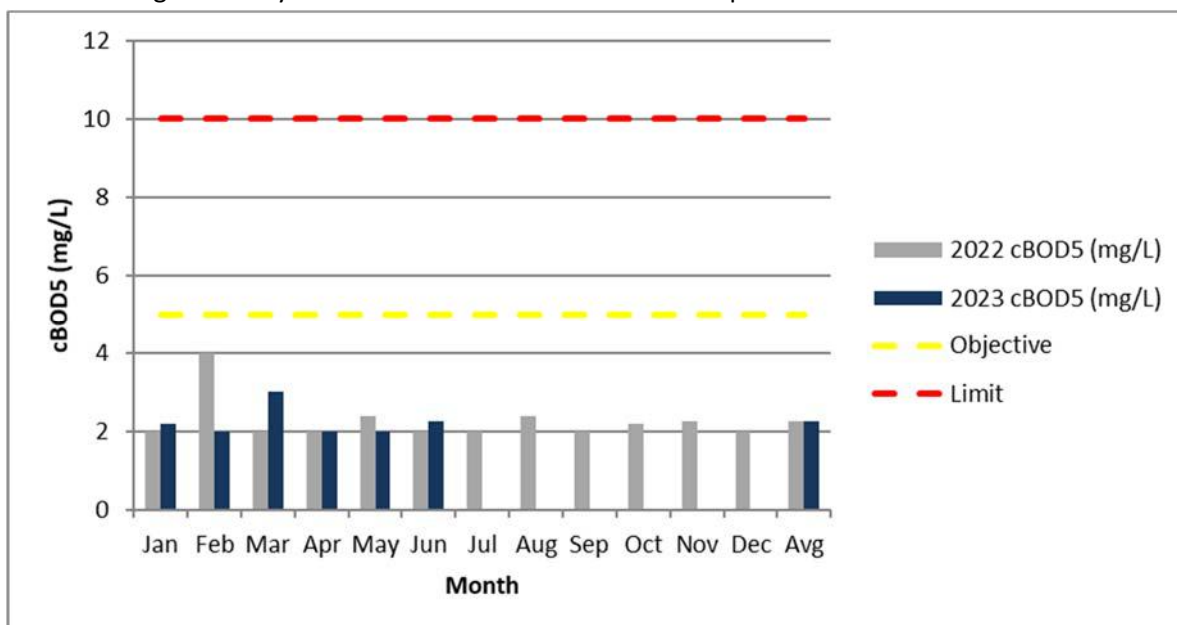
| | cBOD5 (mg/L) | TSS (mg/L) | TP (mg/L) | TAN (mg/L) | E. coli (cfu/100mL)* | pH |
|---------------------------|-----------------|---------------|--------------|------------------|-------------------------|--------------------|
| January | 2.2 | 2.0 | 0.22 | 0.12 | 1.97 | 6.89 – 8.70 |
| February | 2.0 | 2.0 | 0.08 | 0.13 | 1.00 | 6.51 – 7.68 |
| March | 3.0 | 2.5 | 0.17 | 0.10 | 5.45 | 7.28 – 7.77 |
| April | 2.0 | 2.0 | 0.18 | 0.10 | 1.00 | 7.71 – 7.96 |
| May | 2.0 | 2.2 | 0.20 | 0.10 | 1.43 | 7.72 – 7.73 |
| June | 2.3 | 3.3 | 0.09 | 0.10 | 1.00 | 6.95 – 7.95 |
| Annual Average | 2.2 | 2.3 | 0.16 | 0.11 | 1.58 | 6.51 – 8.70 |
| ECA Objective | 5 | 5 | 0.2 | 1.0** 3.0 | 100 | 6.5-8.5 |
| ECA Limit | 10 | 10 | 0.3 | 1.5** 4.0 | 150 | 6.0-9.5 |

*expressed as geometric mean

**based on May 1 to November 30 and December 1 to April 30

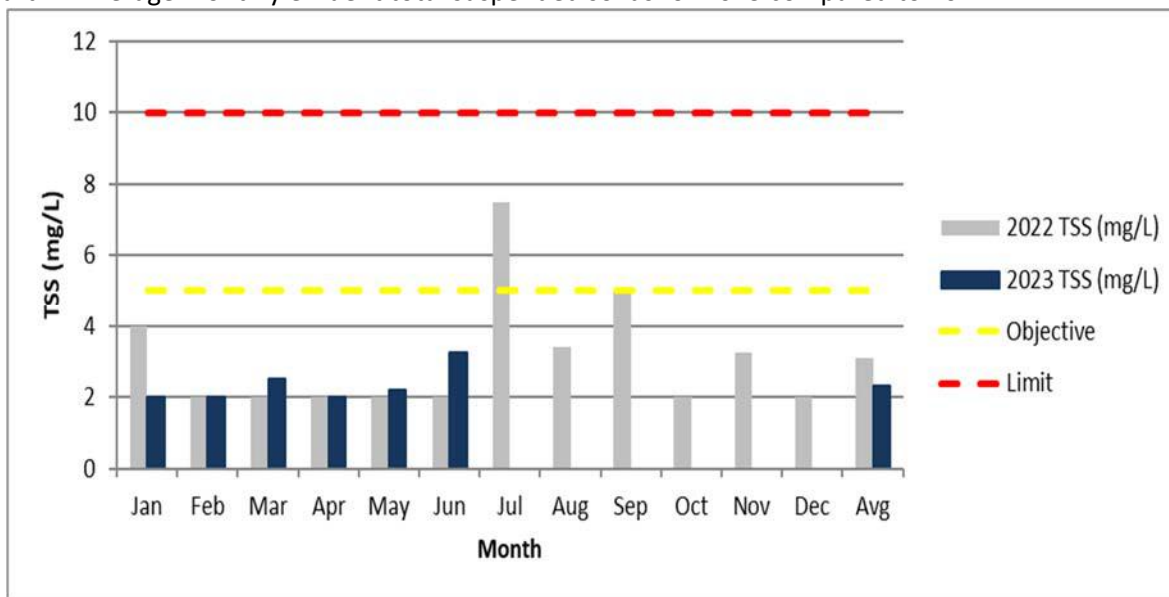
Effluent average cBOD5 so far in 2023 is 2.24mg/L. This is a decrease of 1.3% when compared to the 2022 annual average. All results so far have met the effluent objectives and limits identified in the ECA. Refer to Chart 3 for the average monthly effluent cBOD5 results.

Chart 3. Average Monthly Effluent cBOD5 results for 2023 compared to 2022



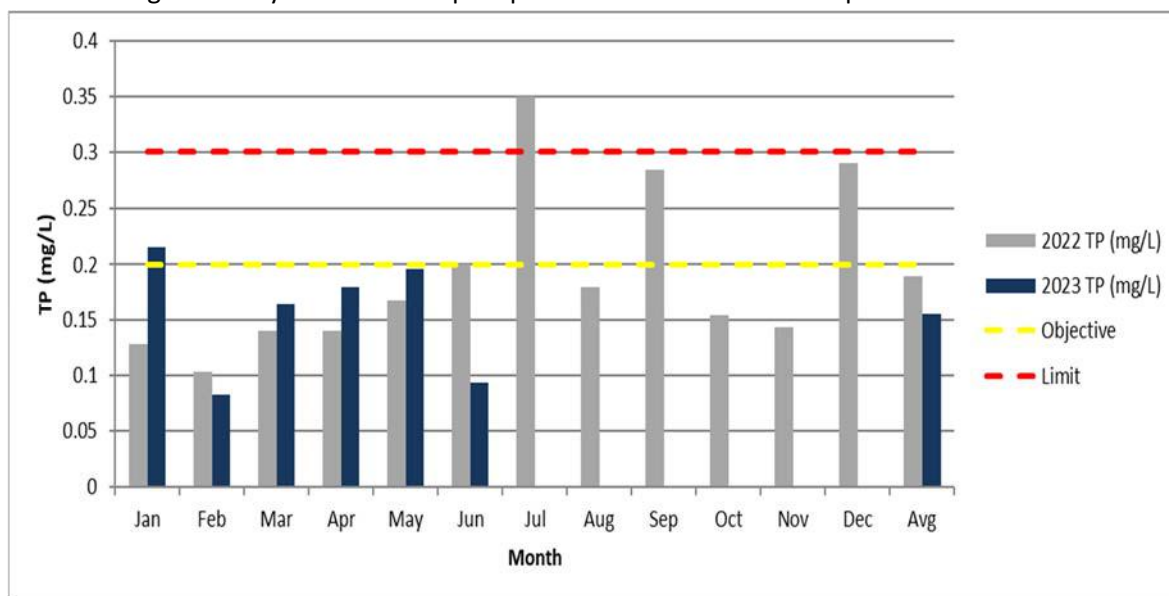
Effluent average TSS so far in 2023 is 2.33mg/L. This is a decrease of 24.9% when compared to the 2022 annual average. All results so far have met the effluent limits identified in the ECA. Refer to Chart 4 for the average monthly effluent TSS results.

Chart 4. Average monthly effluent total suspended solids for 2023 compared to 2022



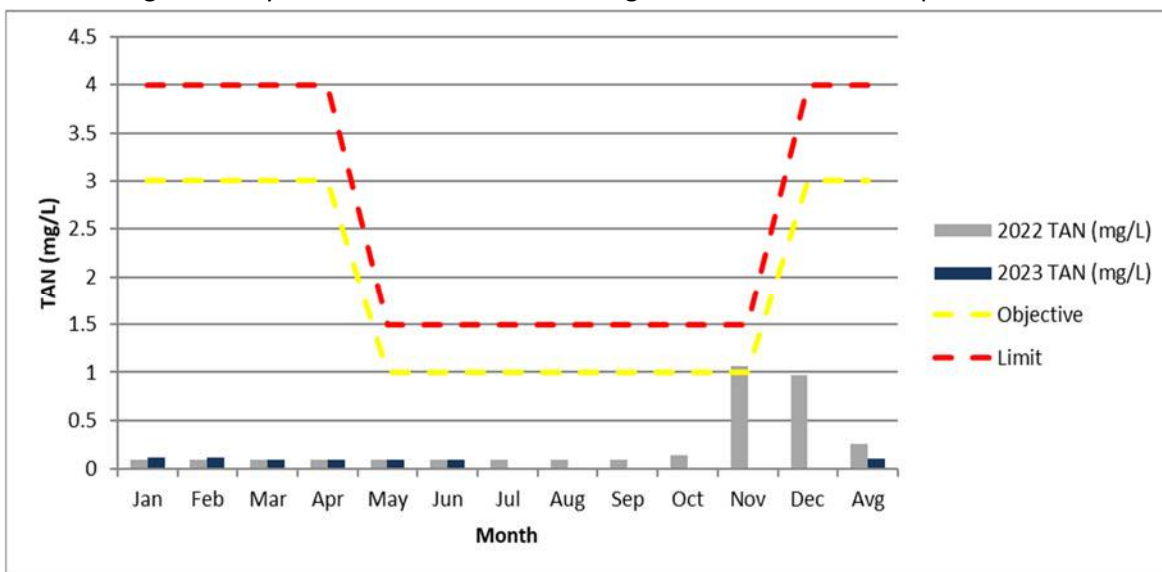
Effluent average TP so far in 2023 is 0.16mg/L. This is an 18.3% decrease when compared to the 2022 annual average. All results so far have met the effluent limits identified in the ECA. Refer to Chart 5 for the average monthly effluent total phosphorous results.

Chart 5. Average monthly effluent total phosphorus results for 2023 compared to 2022



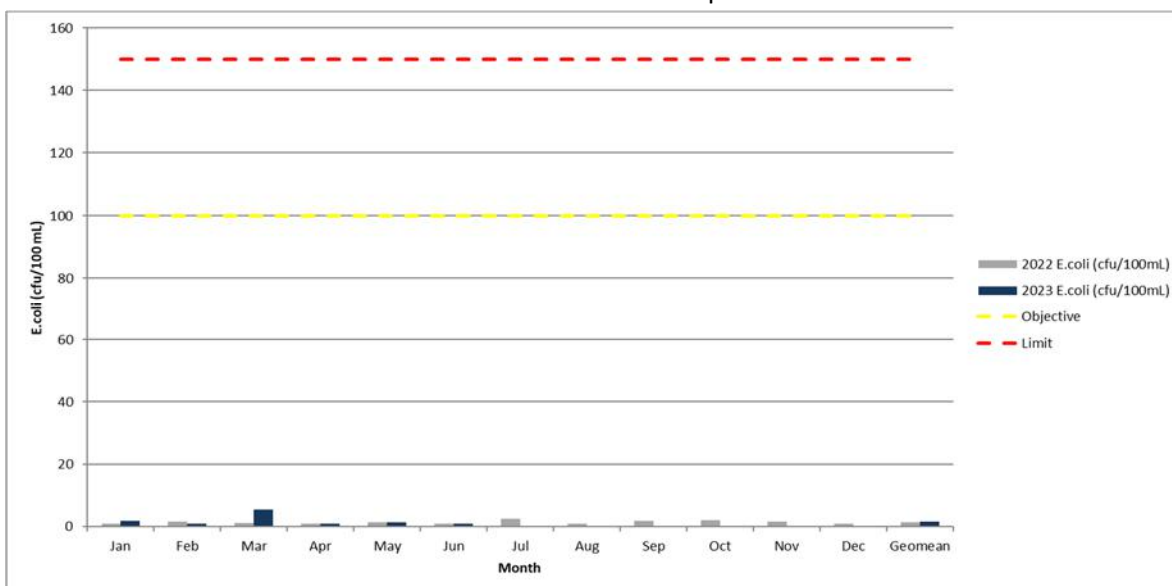
Effluent average TAN so far in 2023 is 0.11mg/L. This is a 58.1% decrease when compared to the 2022 annual average. All results so far have met the effluent objectives and limits identified in the ECA. Refer to Chart 6 for the average monthly TAN results.

Chart 6. Average monthly effluent total ammonia nitrogen results for 2023 compared to 2022



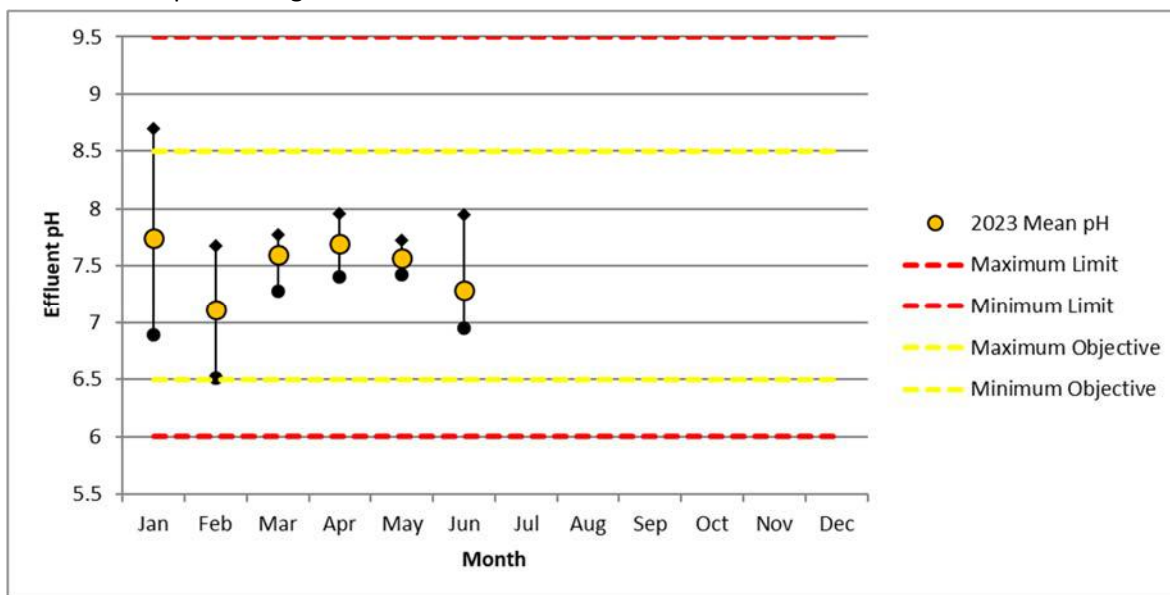
The average effluent geometric mean for E. coli so far in 2023 is 1.58 cfu/100mL. This is a 12.5% increase when compared to the 2022 annual average. All results so far have met the effluent objectives and limits identified in the ECA. Refer to Chart 7 for the monthly geometric mean results for E.coli.

Chart 7. Geometric mean effluent E. coli results for 2023 compared to 2022



The effluent pH is monitored twice weekly at a minimum at the Talbotville WWTP in accordance with the ECA. The pH is required to be maintained between 6.0-9.5 at all times. Refer to Chart 8 for the monthly minimum, maximum, average pH readings in 2023.

Chart 8. Effluent pH readings for 2023



SECTION 4: OCCUPATIONAL HEALTH & SAFETY

FIRST QUARTER:

There were no Health & Safety issues identified during the first quarter.

SECOND QUARTER:

There were no Health & Safety issues identified during the second quarter.

SECTION 5: GENERAL MAINTENANCE

FIRST QUARTER:

Routine checks, readings and sampling were all conducted as required during the first quarter of 2023.

JANUARY

- 04: Sanitary sewer onsite to take sludge haul
- 10: Sanitary Sewer Cleaning removed 1 load
- 11: Sanitary Sewer on-site and removed one load
- 16: Talbotville HMI Screen locked up. Contacted Newterra and Firmware upgrade may be required.
Reset E-won to restore screen. Newterra to provide update on next steps for firmware upgrade.
Newterra connected remotely and upgraded firmware. The firmware upgrade will send out an alarm if PLC and HMI stop communicating. HMI will reboot at 1am automatically which should remove the need for manual HMI reboot.
- 18: Sanitary Sewer Cleaning removed 2 loads
- 20: Apex onsite to deliver chemicals
- 24: Sanitary Sewer Cleaning removed 2 loads

FEBRUARY

- 01: Farmington on site as they will be checking the check valves on EQ pump lines
- 02: Sanitary sewer onsite for sludge haul
Farmington onsite to look at EQ pump check valves due to low flow issue
- 03: Farmington pulled pump 302 and cleaned rags out of bottom of pump. When trying to pull 303 the railings for the pump twisted making it not possible to pull the pump. Will have to drain tank so they can go inside and fix the rails.
Found leak on air pressure valve on pump 701, valve had failed. Farmington took it off and placed cap on so it would stop leaking and they will order a new valve to replace it.
Farmington noticed unusual sound coming from b-201 after taking the cover off and investigating found that the bearings had gone. He will order new part for replacement.
- 04: Arrived to site to reset PLC due to alarms and daily report not coming out, as requested by ORO.
Reset PLC and connection was restored.
- 06: Hawkins Electric onsite to replace level transmitter for tank 301.
- 07: Hetek onsite to service H2S sensor.
Farmington onsite to pull and clean pump 302.
- 08: Farmington onsite for tank 302 clean, pump 301 clean and repair of pump 303 rails
AA sanitation onsite for first haul from tank 302
Alpine onsite for chemical delivery
Hawkins onsite Found a damaged wire on the line for pump 303, most likely the reason for the leak detection and heat alarms. Hawkins will disconnect pump so we can send pump away to get repaired.
Hawkins disconnected blower 201 for Farmington to take for repairs tomorrow as bearings are gone in it
- 09: Sanitary Sewer Cleaning on-site to remove 1 load
Hurricane on-site to suck down and clean tank 302
Sanitary Sewer Cleaning on-site to take one load
Sanitary sewer on-site to take one load
Farmington on-site, pulled pump 301 and reseated it
- 10: Hurricane onsite taking hauls from EQ all night
- 11: Hurricane took loads until 13:00
Badger now onsite taking loads until 23:00
- 12: Hurricane back onsite to start taking loads again
- 13: Hurricane on-site to start hauling from EQ tank all night
- 14: Hurricane continuing to haul raw EQ all day.
- 15: Hawkins onsite to troubleshoot issue with B-601 VFD having no power. Found there are three fuses within the B-601 VFD body that are blown. Cannot find spares available but will order some.
Farmington pulled and cleaned raw EQ P-302. Farmington to pull and clean P-301 Farmington cleaned P-301 and found a plumbers' inspection plug clogging the pump.
- 16: Sanitary Sewer Cleaning on-site to remove 2 loads
- 24: Sanitary Sewer on-site for two loads
- 28: Received chemical delivery from Apex

MARCH

- 01: Sanitary sewer on-site for 2 loads
- 06: Hawkins Electric onsite to replace GFI on outside auto sampler outlet
ABC sanitation on-site for 3 loads from EQ tank
- 13: GFS was arranged by SOM to take 5 loads from raw EQ today.
- 14: Hawkins onsite to hook up blower in screen room. Hawkins hooked up blower 201 in screener room but sounds like bearings are still out. Left power off
GFS onsite to take two loads from raw EQ

- 23: Farmington onsite for them put Pump 303 back into EQ
Sanitary Sewer took 3 loads
- 24: Alpine delivered alum and caustic.
- 28: HB material handling on site for inspection of lifting hoist inside MBR room.
- 31: Sanitary Sewer Cleaning on-site and took 1 load

SECOND QUARTER:

APRIL

- 03: At the direction of Newterra, replaced USB stick in HMI as it was felt the existing USB stick may be full and the potential cause of the PLC locking up.
- 04: SCG Flowmetrix onsite for annual flowmeter calibrations.
- 06: Sanitary Sewer hauled 2 loads of sludge.
- 06: Changed UV Quartz sleeve on UV-753.
- 14: K&K locksmiths repaired sink room door/lock.
- 14: Sanitary Sewer hauled 2 loads of sludge.
- 17: Alpine chemical onsite to deliver chemicals.
- 20: Sanitary Sewer hauled 2 loads of sludge.
- 24: Installed USB in HMI and firmware upgrade was completed.
- 27: Sanitary Sewer hauled 2 loads of sludge.

MAY

- 05: Sanitary sewer took 1 load of sludge from MBR 2.
- 09: Hawkins onsite to change out HMI module and look at raw EQ 301 milltronics transducer.
- 11: Sanitary sewer took 1 load from each MBR.
- 18: Replaced previously broken quart sleeve in UV-754 with a new spare.
- 18: Changed the wet end valves on the Alum standby pump with new spares.
- 18: Changed out the wet end valves on the duty caustic pump with new spares.
- 25: Sanitary sewer took 1 load from each MBR, and 1 load from aeration tank.
- 29: Alpine delivered alum and caustic.

JUNE

- 01: Sanitary Sewer Cleaning onsite to haul 1 load from each MBR and 1 from aeration (3 loads).
- 01: JUTZI onsite to deliver 20 alum totes and 20 caustic totes
- 07: Took chemicals totes to St. Thomas recycling center.
- 09: Sanitary Sewer Cleaning onsite to haul 1 load from each MBR (2 loads).
- 15: Sanitary Sewer Cleaning onsite to haul 1 load from each MBR (2 loads).
- 21: Sanitary Sewer Cleaning onsite to haul 1 load from each MBR (2 loads).
- 22: Received chemical delivery from Jutzi
- 28: Farmington onsite to install screener room blower
- 29: Sanitary Sewer Cleaning onsite to haul 1 load from each MBR (2 loads).

SECTION 6: ALARMS

FIRST QUARTER:

JANUARY

- 22: Spoke with ORO about not receiving alarms. Discussed to make a site visit to make sure everything's running as usual and HMI is still running normally.
- 30: Received alarm text for PLC fault. Arrived to site. PLC fault had already cleared. Acknowledged and reset alarm.

FEBRUARY

- 02: Received alarm text for Low raw flow FT-201. will contact Farmington now to try and get them here tomorrow to pull raw EQ pumps 302 and 303 to check for blockages
- 07: Received alarm for FIT-201 low flow. Put 302 into hand and had flow of 700 LPM placed pump back into auto.

MARCH

- 04: Arrived to site due to high VAC pressure alarms on both MBRs coming out after ever run cycle. Decreased MBR1 effluent flow down from 210 to 175LPM. Decreased MBR2 effluent flow down from 120 to 95LPM.
- 07: Received alarm Arrived on-site, EQ level was 95 said vac trucks will be on site soon
- 11: Contacted by ORO to check PLC, have not been receiving alarms Arrived on-site, reset PLC, waited for it to turn back on than acknowledged and cleared alarms,
- 18: Arrived to site due to MBR2 high VAC alarms.
- 26: Arrived onsite to reset PLC as we have not received a text since 02:50 Saturday morning. As per OROs request

SECOND QUARTER:

APRIL

- 01: Attended site to reset PLC due to suspected lost PLC connection as no alarms texts were coming in.
- 01: Alarm for raw EQ high level. Attended site and increasing MBR pull times and effluent flow.
- 02: Attended site to reset PLC due to suspected lost PLC connection as no alarms texts were coming in.
- 15: Alarm text for PLC lost connection.
- 16: Alarm text for PLC lost connection.
- 23: Alarm text for PLC lost connection.

MAY

- 07: Alarm for PLC lost connection.
- 20: Alarm for PLC lost connection.
- 28: Alarm for PLC lost connection.

JUNE

No alarms this month.

SECTION 7: COMMUNITY COMPLAINTS & CONCERNS

FIRST QUARTER:

There were no complaints or concerns during the first quarter.

SECOND QUARTER:

There were no complaints or concerns during the second quarter.



TOWNSHIP OF SOUTHWOLD

Report to Council

MEETING DATE: September 25, 2023

PREPARED BY: Josh Mueller MCIP, Planner

REPORT NO: PLA 2023-29

SUBJECT MATTER: Information Pertaining to Proposed Provincial Planning Statement- New Definitions for Natural Heritage Policies

Recommendation(s):

None – for Council Information.

Purpose:

The purpose of this report is to inform Council of the new definitions related to natural heritage policies of the proposed Provincial Planning Statement and how it will affect land use planning in the Township of Southwold.

Background:

Planning Authorities derive their jurisdiction from the Planning Act and are required to make decisions that are consistent with and conform with Policy Statements issued by the Provincial government.

The current Provincial Policy Statement provides policy direction on matters of provincial interest related to land use planning and development. As a key part of Ontario's policy-led planning system, the Provincial Policy Statement sets the policy foundation for regulating the development and use of land. It also supports the provincial goal to enhance the quality of life for all Ontarians.

On April 6, 2023 the Provincial Government initiated a consultation period through the Environmental Registry of Ontario on a proposed "Provincial Planning Statement" to bring together the Provincial Policy Statement and the Places to Grow Plan into an integrated land use planning document. The proposal did not, at the time, include natural heritage policies, noting that these remained under review by the government and would be proposed, with an associated consultation period, at a later date.

A previous report outlined the Natural Heritage policies of the proposed Provincial Planning Statement. The proposed Planning Statement would also contain several new definitions.

Staff prepared comments for review by Township Council and submitted them to the province through the Environmental Registry.

On May 30, 2023 the Province extended the commenting period for the posting to August 4, 2023 and announced that it would not be proceeding with agricultural consent policies.

On June 16, 2023 the province updated the Environmental Registry of Ontario posting 019-6813 to include Natural Heritage policies.

Staff has compared the Natural Heritage policies in the proposed Provincial Planning Statement, 2023 alongside the current Provincial Policy Statement (2020). The proposed policies are very similar to the current policies, with two exceptions:

1. The definition of “Natural Features and Areas” no longer includes “habitat of endangered species and threatened species.”

“Natural Features and Areas” are directed to be protected *for the long term* however other provincial legislation applies to protect the habitats of these species, and includes permitting processes where impact to habitat may be permitted subject to conditions. As such, requiring that habitat of endangered species and threatened species be protected for the long term under the Provincial Planning Statement creates a potential conflict with other legislation.

“Natural Heritage Features and Areas” are also listed as a component of natural heritage systems, which the Township of Southwold and local area municipalities are required to identify.

Habitats that occur in natural areas may derive policy protections as significant wetlands, significant coastal wetlands, other coastal wetlands, fish habitat, significant woodlands and significant valley lands, significant wildlife habitat, and significant areas of natural and scientific interest, which are important for their environmental and social values as a legacy of the natural landscapes of an area.

Overall, the revised definition of Natural Heritage Features and Areas would enable the natural heritage system to be more fully mapped in accordance with provincial direction, and habitat of endangered and threatened species will continue to be addressed through other provincial legislation, with referral of proponents to the province when such habitats are identified through the planning process.

2. The definition of 'significant' is revised, in relation to *wetlands, coastal wetlands, and areas of natural and scientific interest*, to remove reference to the role of the Ontario Ministry of Natural Resources and Forestry in determining significance.

The revised definition includes these as an area identified as provincially significant using evaluation criteria and procedures established by the Province, as amended from time to time. This change reflects a decision by the Province in December 2022 to change the Ontario Wetland Evaluation System Manual to remove a ministry role in the identification and approval of wetland boundaries (see ERO Posting 019-6160) and sets up the possibility for revisions to the process and responsibility for identifying and delineating areas of natural and scientific interest.

Additional definitions are examined in Appendix 1 attached to this report.

Financial Implications:

None. This is an information report only.

Strategic Plan Goals:

The above recommendation helps the Township meet the Strategic Plan Goal of:

- ☒ Promoting residential, agricultural, commercial, and industrial development by ensuring policies and services are in place to support growth in The Township of Southwold.
- ☐ Promoting a healthy, naturally beautiful, and community-oriented municipality by encouraging and supporting involvement of volunteer organizations wishing to provide cultural and recreational activities in the Township of Southwold.
- ☐ Providing improved transportation and a strong commitment to asset management with a goal of maintaining the Township's infrastructure in the promotion of public safety
- ☐ Exercising good financial stewardship in the management of Township expenditures and revenues.
- ☒ Promoting public engagement, transparent government, and strong communications with all members of the community across various mediums for the strengthening of civic participation.

Summary/Conclusion:

Therefore, it is Planning Staff's opinion THAT Council of the Township of Southwold receive Report PLA 2023-29 regarding the Natural Heritage policies definitions in the proposed Provincial Planning Statement.

Respectfully submitted by:
Josh Mueller, MCIP,
Planner
"Submitted Electronically"

Approved for submission by:
Lisa Higgs
CAO/Clerk
"Approved Electronically"

Appendix 1:

The new definitions of the proposed Provincial Planning Statement from a Township perspective will be discussed below.

Proposed Definitions

Adjacent Lands

- a) for the purposes of policy 3.3.3, those lands contiguous to existing or *planned corridors* and transportation facilities where *development* would have a negative impact on the corridor or facility. The extent of the *adjacent lands* may be recommended in provincial guidance or based on municipal approaches that achieve the same objectives;

Policy 3.3.3. New *development* proposed on *adjacent lands* to existing or *planned corridors* and transportation facilities should be compatible with, and supportive of, the long-term purposes of the corridor and should be designed to avoid, or where avoidance is not possible, minimize and mitigate negative impacts on and from the corridor and transportation facilities.

The Township of Southwold has rail and hydro corridors. Policies are in place to ensure compatibility of development adjacent to these corridors.

- b) for the purposes of policy 4.1.8, those lands contiguous to a specific *natural heritage feature or area* where it is likely that *development* or *site alteration* would have a *negative impact* on the feature or area. The extent of the *adjacent lands* may be recommended by the Province or based on municipal approaches which achieve the same objectives;

Policy 4.1.8 *Development* and *site alteration* shall not be permitted on *adjacent lands* to the *natural heritage features and areas* identified in policies 4.1.4, 4.1.5, and 4.1.6 unless the *ecological function* of the *adjacent lands* has been evaluated and it has been demonstrated that there will be no *negative impacts* on the natural features or on their *ecological functions*.

The Township's Zoning Bylaw includes policies governing site alteration of lands adjacent to heritage features.

- c) for the purposes of policies 4.4.2.2 and 4.5.2.5, those lands contiguous to lands on the surface of known *petroleum resources*, *mineral deposits*, or *deposits of mineral aggregate resources* where it is likely that *development* would constrain future access to the resources. The extent of the *adjacent lands* may be recommended by the Province; and

The petroleum and mineral resources in the Township are regulated by the province.

- d) for the purposes of policy 4.6.3, those lands contiguous to a *protected heritage property*

The Township does not have any protected heritage properties.

Areas of Natural and Scientific Interest

Areas of natural and scientific interest: means areas of land and water containing natural landscapes or features that have been identified as having life science or earth science values related to protection, scientific study or education.

The Township of Southwold Zoning Bylaw has policies in place applicable to development in the vicinity of significant land and water features.

Coastal Wetland

Coastal wetland: means

- a) any *wetland* that is located on one of the Great Lakes or their connecting channels (Lake St. Clair, St. Marys, St. Clair, Detroit, Niagara and St. Lawrence Rivers); or
- b) any other *wetland* that is on a tributary to any of the above-specified water bodies and lies, either wholly or in part, downstream of a line located 2 kilometres upstream of the 1:100 year floodline (plus wave run-up) of the large water body to which the tributary is connected.

A small portion of the Township of South borders Lake Erie. Policies are in place to protect the shore line and regulate development in this area.

Development

Development: means the creation of a new lot, a change in land use, or the construction of buildings and structures requiring approval under the *Planning Act*, but does not include:

- c) for the purposes of policy 4.1.4(a), underground or surface mining of *minerals* or advanced exploration on mining lands *insignificant areas of mineral potential* in Ecoregion 5E, where advanced exploration has the same meaning as under the *Mining Act*. Instead, those matters shall be subject to policy 4.1.5(a).

Areas of mineral and mining potential in Southwold Township are regulated by the province.

Ecological Function

Ecological function: means the natural processes, products or services that living and non-living environments provide or perform within or between species, ecosystems and landscapes. These may include biological, physical and socio-economic interactions.

The Township of Southwold has policies in its Zoning Bylaw to protect plants and animals that provide ecological function. Often studies to determine the significance of plant or animal life are required before development can commence.

Endangered Species

Endangered species: means a species that is classified as "Endangered Species" on the Species at Risk in Ontario List, as updated and amended from time to time.

All development in the Township of Southwold must ensure that no harm is done to endangered species.

Fish

Fish: means fish, which as defined in the *Fisheries Act*, includes fish, shellfish, crustaceans, and marine animals, at all stages of their life cycles.

There are several species of fish in Lake Erie and in the creeks in Southwold Township.

Fish Habitat

Fish habitat: as defined in the *Fisheries Act*, means spawning grounds and any other

areas, including nursery, rearing, food supply, and migration areas on which *fish* depend directly or indirectly in order to carry out their life processes.

The Township of Southwold has setbacks in place for development adjacent to watercourses.

Habitat of Endangered Species and Threatened Species

Habitat of endangered species and threatened species: means habitat within the meaning of Section 2 of the *Endangered Species Act, 2007*.

The Township of Southwold Zoning Bylaw has policies in place to protect threatened and endangered species.

Natural Heritage Features and Areas

Natural heritage features and areas: means features and areas, including *significant wetlands, significant coastal wetlands, other coastal wetlands* in Ecoregions 5E, 6E and 7E, *fish habitat, significant woodlands* and *significant valleylands* in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River), *significant wildlife habitat*, and *significant areas of natural and scientific interest*, which are important for their environmental and social values as a legacy of the natural landscapes of an area.

There are setback distances that must be maintained when development is proposed adjacent to natural heritage features and areas.

Natural Heritage System

Natural heritage system: means a system made up of *natural heritage features and areas*, and linkages intended to provide connectivity (at the regional or site level) and support natural processes which are necessary to maintain biological and geological diversity, natural functions, viable populations of indigenous species, and ecosystems. These systems can include *natural heritage features and areas*, federal and provincial parks and conservation reserves, other natural heritage features, lands that have been restored or have the potential to be restored to a natural state, areas that support hydrologic functions, and working landscapes that enable ecological functions to continue. The Province has a recommended approach for identifying *natural heritage systems*, but municipal approaches that achieve or exceed the same objective may also be used.

There are natural heritage systems within the Township of Southwold.

Negative Impacts

b) in regard to *fish habitat*, any permanent alteration to, or destruction of *fish habitat*, except where, in conjunction with the appropriate authorities, it has been authorized under the *Fisheries Act*;

c) in regard to other *natural heritage feature and areas*, degradation that threatens the health and integrity of the natural features or *ecological functions* for which an area is identified due to single, multiple or successive *development or site alteration* activities.

Policies are in place to prevent negative impacts on fish habitat, and natural heritage areas.

Provincial and Federal Requirements

Provincial and federal requirements: means:

a) in regard to policy 4.1.6, legislation and policies administered by the federal or provincial governments for the purpose of fisheries protection (including *fish* and *fish habitat*), and related, scientifically established standards such as water quality criteria for protecting lake trout populations; and

b) in regard to policy 4.1.7, legislation and policies administered by the provincial government or federal government, where applicable, for the purpose of protecting species at risk and their habitat.

Township policies must take into account any provincial and federal regulations.

Significant

Significant: means:

a) in regard to *wetlands, coastal wetlands and areas of natural and scientific interest*, area identified as provincially significant using evaluation criteria and procedures established by the Province, as amended from time to time;

b) in regard to *woodlands*, an area which is ecologically important in terms of features such as species composition, age of trees and stand history; functionally important due to its contribution to the broader landscape because of its location, size or due to the amount of forest cover in the planning area; or

economically important due to site quality, species composition, or past management history. These are to be identified using criteria and procedures established by the Province;

- c) in regard to other features and areas in policy 4.1, ecologically important in terms of features, functions, representation or amount, and contributing to the quality and diversity of an identifiable geographic area or *natural heritage system*.

The Official Plan and Zoning Bylaw of the Township of Southwold contain policies that set distance requirements from significant natural features.

Site Alteration

Site alteration: means activities, such as grading, excavation and the placement of fill that would change the landform and natural vegetative characteristics of a site.

Site alteration policies are in place in the Zoning Bylaw.

Threatened Species

Threatened species: means a species that is classified as "Threatened Species" on the Species at Risk in Ontario List, as updated and amended from time to time.

Development policies exist to protect threatened species.

Valleylands: means a natural area that occurs in a valley or other landform depression that has water flowing through or standing for some period of the year.

Due to the varying topography of the Township of Southwold especially in proximity to Lake Erie there are several areas of Valleylands in the Township.

Wetlands

Wetlands: means lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic plants or water tolerant plants. The four major types of wetlands are swamps, marshes, bogs and fens.

Policies are in place to protect the wetlands in the Township.

Wildlife Habitat

Wildlife habitat: means areas where plants, animals and other organisms live, and find adequate amounts of food, water, shelter and space needed to sustain their populations. Specific wildlife habitats of concern may include areas where species concentrate at a vulnerable point in their annual or life cycle; and areas which are important to migratory or non-migratory species.

Wildlife habitat must be protected, most development proposals in the Township require an Environmental assessment to ensure that there will be no adverse affects on wildlife habitat.

Woodlands

Woodlands: means treed areas that provide environmental and economic benefits to both the private landowner and the general public, such as erosion prevention, hydrological and nutrient cycling, provision of clean air and the long-term storage of carbon, provision of wildlife habitat, outdoor recreational opportunities, and the sustainable harvest of a wide range of woodland products. *Woodlands* include treed areas, woodlots or forested areas and vary in their level of significance at the local, regional and provincial levels. *Woodlands* may be delineated according to the Forestry Act definition or the Province's Ecological Land Classification system definition for "forest".

The County of Elgin has tree preservation policies, also there are setback distances from woodlots to ensure that they are protected.



TOWNSHIP OF SOUTHWOLD

Report to Council

MEETING DATE: September 25, 2023

PREPARED BY: Aaron Van Oorspronk, Director of Infrastructure and Development Services

REPORT NO: ENG 2023-47

SUBJECT MATTER: County Road Maintenance Agreement

Recommendation(s):

THAT Council receive report 2023-47 County Road Maintenance for information and,
THAT Council give consideration to By-Law 2023-52 County Road Maintenance.

Purpose:

This report seeks Council's official endorsement of the new County Road Maintenance Agreement.

Background:

At its meeting on May 23, 2023, Council approved the draft County Road Maintenance Agreement in principle and requested the County to prepare the finalized version of the agreement for formal adoption. County Staff discussed comments within the submitted draft agreement, and the County subsequently provided responses to the Local Municipalities regarding the suggested changes. While many of the suggested changes were minor details with insignificant impacts on Township operations, they could limit the County's operational flexibility in some instances. Staff believes the intent of the agreement remains consistent with prior agreements, with improved content to reflect changes in the operation and maintenance of County infrastructure.

Financial Implications:

Financial reimbursement from the County will continue to align with the previous agreement, subject to yearly CPI increases.

Conclusion:

Staff recommends Council's approval of the County Road Maintenance Agreement. This collaborative effort between the local municipalities and the County will ensure efficient service delivery and foster transparency in road maintenance operations, benefiting our local and broader community.

Strategic Plan Goals:

The above recommendation helps the Township meet the Strategic Plan Goal of:

- ☒ Promoting residential, agricultural, commercial, and industrial development by ensuring policies and services are in place to support growth in The Township of Southwold.
- ☐ Promoting a healthy, naturally beautiful, and community-oriented municipality by encouraging and supporting involvement of volunteer organizations wishing to provide cultural and recreational activities in the Township of Southwold.
- ☒ Providing improved transportation and a strong commitment to asset management with a goal of maintaining the Township's infrastructure in the promotion of public safety
- ☒ Exercising good financial stewardship in the management of Township expenditures and revenues.
- ☒ Promoting public engagement, transparent government, and strong communications with all members of the community across various mediums for the strengthening of civic participation.

Respectfully Submitted by:
Aaron VanOorspronk, CET.
Director of Infrastructure and
Development Services
"Submitted electronically"

Approved by:
Lisa Higgs, CAO/Clerk
"Approved electronically"



TOWNSHIP OF SOUTHWOLD

MEETING DATE: September 25, 2023

PREPARED BY: Lisa Higgs, CAO/Clerk

REPORT NO: CAO 2023-47

SUBJECT MATTER: Responding to the Housing Affordability Task Force's Recommendations

Recommendation(s):

THAT the Council of the Township of Southwold direct Mayor Jones to submit the recommendations attached as Schedule C to this report to the Ministry of Municipal Affairs and Housing in advance of the October 16th 2023 deadline.

Purpose:

This report provides a discussion of the Housing Affordability Task Force's recommendations and seeks direction for Mayor Jones to respond to the Ministry on behalf of Council.

Background:

On September 15th, 2023 Mayor Jones received the communication attached as Schedule A to this report from Minister of Municipal Affairs and Housing Paul Calandra. Mr. Calandra's communication details the work of the Housing Affordability Task Force which was completed in February of 2022. The report, attached as Schedule B, contained 74 recommendations, with 23 having been implemented to date. Minister Calandra is requesting that each head of council identify their top five priority recommendations coming from the government's Housing Affordability Task Force to help guide future action, out of the remaining recommendations. Mayor Jones circulated Minister Calandra's communication to staff, who have drafted the following report with a recommended top five priorities to pass on to the Ministry. Communication from AMO states that "municipalities whose heads of council do not submit responses by October 16th will no longer be eligible to receive provincial funding under the recently announced Building Faster Fund to support housing-related infrastructure". AMO's Board will consider a recommended sector-wide approach at its upcoming meeting on September 29th. The AMO response will be made available for all municipalities as they consider this request, which will subsequently be circulated to Council.

Staff have noted that Minister Calandra's communication states, "For these top five priorities, this could include your advice to revisit the way a recommendation has been implemented up to this point, as well as how some of the recommendations could or should be implemented with amendments." Given that the province is seeking "advice", staff is recommending that the commentary included in the top five chart included as Schedule 'C' be submitted as well.

Comment:

Acknowledging staff's administrative role in evaluating the various recommendations, staff admits that the commentary offered in this report may trend towards a political statement, however given that the Minister has requested comments from the Head of Council, staff feels it's appropriate that Mayor Jones offer a weighted message.

Put succinctly, staff found it difficult to select five recommendations from the list offered in the report that applied to housing in a rural context or, that would not jeopardize Southwold's financial security by encouraging unsustainable development.

The task force, consisting primarily of representatives from the real estate and development industry, and big investment firms or banks, provides a series of recommendations that, while acknowledging the housing affordability crisis is multifaceted, seem to suggest that municipal policies and fees are the primary mechanism for increasing building supply (and therefore, implicitly suggesting that it is municipal failures that are responsible for housing supply issues).

Staff's review of many of the recommendations in the report is that they are targeting big city policies; the provincial government has indicated that the majority of housing growth will be manifested in the urban centres, so the recommendations of the task force will have more resonance in the big cities. For example, the report references growth in places where there is "excess school capacity" (which does not seem to exist in Elgin County); the report makes many mentions of options for development adjacent to "major transit stations" (again, absent in Elgin County); many recommendations offer suggestions to build multi-storey housing (beyond twelve storeys) as of right, which is problematic for small municipalities that lack appropriate Fire Apparatus.

Under the first subheading of the report, "Focus on getting more homes built", staff is of the opinion that many of the recommendations for reduction of exclusionary zoning practices and a push for "as of right" approaches are already permitted in Southwold's Zoning By-law, or are so rarely requested by developers that they are not the highest priority for our municipality. As noted above, staff is opposed to unlimited height and unlimited density permissions without Provincial financial support to improve Fire response to these types of buildings. Recommendations to create a more permissive land use planning approval system and notions that the province override municipal policies, mandate province wide zoning standards, or reduce the availability of

additional public consultations are not supported by staff since local input into planning decisions has generally resulted in better development in our community and big city standards are not generally compatible with our more rural base. Staff is agreeable the delegated authority for Site Plan approvals or Minor Variances could be an appropriate recommendation and is already in place in Southwold for Site Plan Agreements. Staff also agrees that requiring digital participation options is also a good way to engage with the public. That being said, staff does not see these as our top five priorities for increasing housing.

The second subheading, titled, “Cut the Red Tape so we can build faster and reduce costs” includes suggestions to legislate timelines, create approval facilitators, require pre-consultations with binding lists, simplify planning legislation, create province-wide standards and agreements, and alter letter of credit formats. Staff does not recommend highlighting these since it is our experience that: development timelines are appropriate; we already conduct adequate pre-consultation meetings; we offer an approachable planner and director with high service levels; and we have had negative experiences in the past with inadequate financial security submissions from developers. In staff’s experience with various residential developers, the municipality provides prompt replies to inquiries, and responses from the developer are not received for many weeks. Further, recommendations in this section relate to process improvements at the OLT, which have not historically been a concern for Southwold developers or the Township.

A third subsection focused on ways to “Reduce the costs to build, buy and rent” contains many provisions that staff find especially problematic. Recommendations to waive development charges, prohibit interest rates on development charges, and limit cash-in-lieu payments could create tremendous financial challenges for the municipality in the future. Southwold has adopted the principle that growth should pay for growth; provincial intervention overriding this decision would mean that developer profitability is placed ahead of the existing resident’s interests. Despite these concerns, staff is more supportive of recommendations in the section to reduce tax disincentives, call on the federal government to implement housing strategies, fund pilot programs and provide loan guarantees. Some of these recommendations and the rationale for supporting them are featured in the attached Schedule C.

The final section of recommendations, under the “Support and incentivize scaling up housing supply” contain the recommendations that most closely align with Southwold’s experience in supporting new growth and new housing. Noting that “investing in municipal infrastructure” is key, sections on implementing a municipal services corporation model for water and wastewater could be beneficial, having the ability to withdraw infrastructure allocations provides flexibility, and recommendations for expanding the labour force are all suggestions that Southwold supports.

While not solicited, Southwold staff have compiled the following write-in suggestions. As Council can see, staff has creatively inserted these write-in options into our commentary for our top five supported recommendations.

Write-in suggestions:

- Provide funding to municipalities to invest in sanitary, water, roads or other infrastructure to make sites "shovel ready"
- Provide requirements that builders and purchasers receive full disclosure from developers as to the costs and profits generated from the development. Municipal fees, development charges, land costs, and servicing costs often pale in comparison to profit margins.
- Improve assessment timelines to allow municipalities to capture revenue sooner from new growth and appropriately finance the costs of development in the shorter time frame
- Require utilities (Hydro, Natural Gas, Telecom, Railways) to provide comments to municipalities and developers on planning applications within more restrictive timelines
- Require that developers and builders provide responses to municipal communication within prescribed timelines
- Develop improved legal mechanisms that would allow municipalities to dispose of surplus land for the purpose of housing and mechanisms to ensure the houses built remain affordable

Financial Implications:

None.

Strategic Plan Goals:

The above recommendation helps the Township meet the Strategic Plan Goal of:

- ☒ Promoting residential, agricultural, commercial, and industrial development by ensuring policies and services are in place to support growth in The Township of Southwold.
- ☐ Promoting a healthy, naturally beautiful, and community-oriented municipality by encouraging and supporting involvement of volunteer organizations wishing to provide cultural and recreational activities in the Township of Southwold.
- ☐ Providing improved transportation and a strong commitment to asset management with a goal of maintaining the Township's infrastructure in the promotion of public safety

☐ Exercising good financial stewardship in the management of Township expenditures and revenues.

☒ Promoting public engagement, transparent government, and strong communications with all members of the community across various mediums for the strengthening of civic participation.

Respectfully Submitted by:
Lisa Higgs, CAO/Clerk
"Submitted electronically"

Attachments:

Schedule 'A' – Correspondence from Minister Calandra, dated September 15, 2023

Schedule 'B' – Housing Affordability Task Force (HATF) Report

Schedule 'C' – Southwold Top Five HATF Recommendations



234-2023-4597

September 15, 2023

Dear Head of Council,

**Subject: Responding to the Housing Affordability Task Force's
Recommendations**

As you know, in February 2022, the Housing Affordability Task Force delivered [its final report](#) with recommendations to help Ontario tackle the housing supply crisis and build at least 1.5 million homes by 2031. Including sub-items and appendices, the Task Force made 74 unique recommendations, some of which apply to all communities in Ontario, with others more specific to large and urban municipalities. While Ontario has made progress in acting on these recommendations — with 23 implemented to date helping to achieve the highest level of housing starts in over three decades — as the province grows at incredible speed, all levels of government need to do more.

To bring the dream of home ownership into reach for more people, I have asked my ministry to renew its efforts to review and, where possible, implement the Task Force's remaining recommendations with minimal delay. As part of that review, I am asking for you, as head of council, to prioritize your top five recommendations for future consideration. For these top five priorities, this could include your advice to revisit the way a recommendation has been implemented up to this point, as well as how some of the recommendations could or should be implemented with amendments.

Accompanying this letter, you will find a chart with space to rank the top five Task Force recommendations. While I know that some of the recommendations may not be applicable to all small, rural, and Northern communities, I ask that you rank those recommendations that you feel would be, or have been, the most useful in increasing housing supply in your community.

As we look to do more to solve the housing supply and affordability crisis together, it's important for the province to have a full understanding of our municipal partners' positions on these recommendations as quickly as possible. I ask that you **please return the completed chart to housingsupply@ontario.ca no later than October 16, 2023.**

I look forward to continuing our work together to ensure that more people can afford a place to call home.

Sincerely,

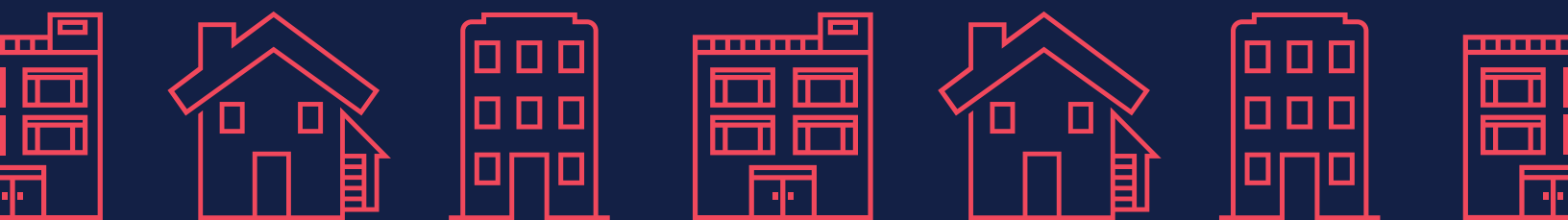
A handwritten signature in blue ink, appearing to read 'Paul Calandra', with a large, stylized initial 'P' and 'C'.

The Hon. Paul Calandra
Minister of Municipal Affairs and Housing

c: Hon. Rob Flack, Associate Minister of Housing
Kirstin Jensen, Interim Chief of Staff, Minister's Office
Martha Greenberg, Deputy Minister
Joshua Paul, Assistant Deputy Minister, Market Housing Division
Sean Fraser, Assistant Deputy Minister, Planning and Growth Division
Caspar Hall, Assistant Deputy Minister, Local Government Division

Attachment:

Top Five Housing Affordability Task Force (HATF) Recommendations for Response



Report of the
**Ontario Housing
Affordability Task Force**

February 8, 2022



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Letter to Minister Clark

Dear Minister Clark,

Hard-working Ontarians are facing a housing crisis. For many years, the province has not built enough housing to meet the needs of our growing population. While the affordability crisis began in our large cities, it has now spread to smaller towns and rural communities.

Efforts to cool the housing market have only provided temporary relief to home buyers. The long-term trend is clear: house prices are increasing much faster than Ontarian's incomes. The time for action is now.

When striking the Housing Affordability Task Force, you and Premier Ford were clear: you wanted actionable, concrete solutions to help Ontarians and there was no time to waste. You asked us to be bold and gave us the freedom and independence to develop our recommendations.

In the past two months, we have met municipal leaders, planners, unions, developers and builders, the financial sector, academics, think tanks and housing advocates. Time was short, but solutions emerged consistently around these themes:

- More housing density across the province
- End exclusionary municipal rules that block or delay new housing
- Depoliticize the housing approvals process
- Prevent abuse of the housing appeals system
- Financial support to municipalities that build more housing

We present this report to you not as an "all or nothing" proposal, but rather as a list of options that the government has at its disposal to help address housing affordability for Ontarians and get more homes built. We propose an ambitious but achievable target: 1.5 million new homes built in the next ten years.

Parents and grandparents are worried that their children will not be able to afford a home when they start working or decide to start a family. Too many Ontarians are unable to live in their preferred city or town because they cannot afford to buy or rent.

The way housing is approved and built was designed for a different era when the province was less constrained by space and had fewer people. But it no longer meets the needs of Ontarians. The balance has swung too far in favour of lengthy consultations, bureaucratic red tape, and costly appeals. It is too easy to oppose new housing and too costly to build. We are in a housing crisis and that demands immediate and sweeping reforms.

It has been an honour to serve as Chair, and I am proud to submit this report on behalf of the entire Task Force.



A stylized, handwritten signature in black ink, appearing to read 'Jake Lawrence'.

Jake Lawrence

Chair, Housing Affordability Task Force

Chief Executive Officer and Group Head, Global Banking and Markets, Scotiabank

Executive summary and recommendations

House prices in Ontario have almost tripled in the past 10 years, growing much faster than incomes. This has home ownership beyond the reach of most first-time buyers across the province, even those with well-paying jobs. Housing has become too expensive for rental units and it has become too expensive in rural communities and small towns. The system is not working as it should.

For too long, we have focused on solutions to “cool” the housing market. It is now clear that we do not have enough homes to meet the needs of Ontarians today, and we are not building enough to meet the needs of our growing population. If this problem is not fixed – by creating more housing to meet the growing demand – housing prices will continue to rise. We need to build more housing in Ontario.

This report sets out recommendations that would set a bold goal and clear direction for the province, increase density, remove exclusionary rules that prevent housing growth, prevent abuse of the appeals process, and make sure municipalities are treated as partners in this process by incentivizing success.

Setting bold targets and making new housing the planning priority

Recommendations 1 and 2 urge Ontario to set a bold goal of adding 1.5 million homes over the next 10 years and update planning guidance to make this a priority.

The task force then recommends actions in five main areas to increase supply:

Require greater density

Land is not being used efficiently across Ontario. In too many neighbourhoods, municipal rules only allow single-family homes – not even a granny suite. Taxpayers have invested heavily in subway, light rail, bus and rail lines and highways, and the streets nearby are ideally suited for more mid- and high-rise housing. Underused or redundant commercial and industrial buildings are ripe to be redeveloped into housing or mixed commercial and residential use. New housing on undeveloped land should also be higher density than traditional suburbs, especially close to highways.

Adding density in all these locations makes better use of infrastructure and helps to save land outside urban boundaries. Implementing these recommendations will provide Ontarians with many more options for housing.

Recommendations 3 through 11 address how Ontario can quickly create more housing supply by allowing more housing in more locations “as of right” (without the need for municipal approval) and make better use of transportation investments.

Reduce and streamline urban design rules

Municipalities require numerous studies and set all kinds of rules for adding housing, many of which go well beyond the requirements of the provincial Planning Act. While some of this guidance has value for urban design, some rules appear to be arbitrary and not supported by evidence – for example, requiring condo buildings to include costly parking stalls even though many go unsold. These rules and requirements result in delays and extra costs that make housing either impossible to build or very expensive for the eventual home buyer or renter.

Recommendation 12 would set uniform provincial standards for urban design, including building shadows and setbacks, do away with rules that prioritize preservation of neighbourhood physical character over new housing, no longer require municipal approval of design matters like a building’s colour, texture, type of material or window details, and remove or reduce parking requirements.

Depoliticize the process and cut red tape

NIMBYism (not in my backyard) is a major obstacle to building housing. It drags out the approval process, pushes up costs, and keeps out new residents. Because local councillors depend on the votes of residents who want to keep the status quo, the planning process has become politicized. Municipalities allow far more public consultation than is required, often using formats that make it hard for working people and families with young children to take part. Too few technical decisions are delegated to municipal staff. Pressure to designate buildings with little or no heritage value as “heritage” if development is proposed and bulk listings of properties with “heritage potential” are also standing in the way of getting homes built. Dysfunction throughout the system, risk aversion and needless bureaucracy have resulted in a situation where Ontario lags the rest of Canada and the developed world in approval times. Ontarians have waited long enough.

Recommendations 13 through 25 would require municipalities to limit consultations to the legislated maximum, ensure people can take part digitally, mandate the delegation of technical decisions, prevent abuse of the heritage process and see property owners compensated for financial loss resulting from designation, restore the right of developers to appeal Official Plans and Municipal Comprehensive Reviews, legislate timelines for approvals and enact several other common sense changes that would allow housing to be built more quickly and affordably.

Fix the Ontario Land Tribunal

Largely because of the politicization of the planning process, many proponents look to the Tribunal, a quasi-judicial body, to give the go-ahead to projects that should have been approved by the municipality. Even when there is municipal approval, however, opponents appeal to the Tribunal – paying only a \$400 fee – knowing that this may well succeed in delaying a project to the point where it might no longer make economic sense. As a result, the Tribunal faces a backlog of more than 1,000 cases and is seriously under-resourced.

Recommendations 26 through 31 seek to weed out or prevent appeals aimed purely at delaying projects, allow adjudicators to award costs to proponents in more cases, including instances where a municipality has refused an approval to avoid missing a legislated deadline, reduce the time to issue decisions, increase funding, and encourage the Tribunal to prioritize cases that would increase housing supply quickly as it tackles the backlog.

Support municipalities that commit to transforming the system

Fixing the housing crisis needs everyone working together. Delivering 1.5 million homes will require the provincial and federal governments to invest in change. Municipalities that make the difficult but necessary choices to grow housing supply should be rewarded, and those that resist new housing should see funding reductions.

Recommendations 49 and 50 call for Ontario government to create a large “Ontario Housing Delivery Fund” and encourage the federal government to match funding, and suggest how the province should reward municipalities that support change and reduce funding for municipalities that do not.

This executive summary focuses on the actions that will get the most housing units approved and built in the shortest time. Other recommendations in the report deal with issues that are important but may take more time to resolve or may not directly increase supply (recommendation numbers are indicated in brackets): improving tax and municipal financing (**32-37, 39, 42-44**); encouraging new pathways to home ownership (**38, 40, 41**); and addressing labour shortages in the construction industry (**45-47**).

This is not the first attempt to “fix the housing system”. There have been efforts for years to tackle increasing housing prices and find solutions. This time must be different. **Recommendations 50-55** set out ways of helping to ensure real and concrete progress on providing the homes Ontarians need.

Introduction

Ontario is in a housing crisis. Prices are skyrocketing: the average price for a house across Ontario was \$923,000 at the end of 2021.^[1] Ten years ago, the average price was \$329,000.^[2] Over that period, average house prices have climbed 180% while average incomes have grown roughly 38%.^{[3][4]}

Not long ago, hard-working Ontarians – teachers, construction workers, small business owners – could afford the home they wanted. In small towns, it was reasonable to expect that you could afford a home in the neighbourhood you grew up in. Today, home ownership or finding a quality rental is now out of reach for too many Ontarians. The system is not working as it should be.

Housing has become too expensive for rental units and it has become too expensive in rural communities and small towns.

While people who were able to buy a home a decade or more ago have built considerable personal equity, the benefits of having a home aren't just financial. Having a place to call home connects people to their community, creates a gathering place for friends and family, and becomes a source of pride.

Today, the reality for an ever-increasing number of Ontarians is quite different. Everyone in Ontario knows people who are living with the personal and financial stress of not being able to find housing they can afford. The young family who can't buy a house within two hours of where they work. The tenant with a good job who worries about

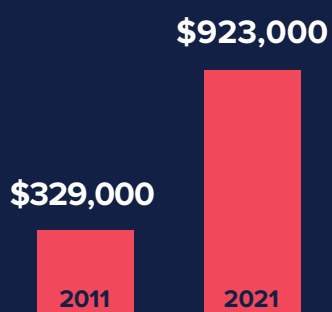
where she'll find a new apartment she can afford if the owner decides to sell. The recent graduate who will have to stay at home for a few more years before he can afford to rent or buy.

While the crisis is widespread, it weighs more heavily on some groups than on others. Young people starting a family who need a larger home find themselves priced out of the market. Black, Indigenous and marginalized people face even greater challenges. As Ontarians, we have only recently begun to understand and address the reality of decades of systemic racism that has resulted in lower household incomes, making the housing affordability gap wider than average.

The high cost of housing has pushed minorities and lower income Ontarians further and further away from job markets. Black and Indigenous homeownership rates are less than half of the provincial average.^[5] And homelessness rates among Indigenous Peoples are 11 times the national average. When housing prevents an individual from reaching their full potential, this represents a loss to every Ontarian: lost creativity, productivity, and revenue. Lost prosperity for individuals and for the entire Ontario economy.



Average price for a house across Ontario



Over 10 Years



average house prices have climbed

+180%



while average incomes have grown

+38%

As much as we read about housing affordability being a challenge in major cities around the world, the depth of the challenge has become greater in Ontario and Canada than almost anywhere in the developed world.



Canada has the lowest amount of housing per population of any G7 country.

How did we get here? Why do we have this problem?

A major factor is that there just isn't enough housing. A 2021 Scotiabank study showed that Canada has the fewest housing units per population of any G7 country – and, our per capita housing supply has *dropped* in the past five years.^[6] An update to that study released in January 2022 found that two thirds of Canada's housing shortage is in Ontario.^[7] Today, Ontario is 1.2 million homes – rental or owned – short of the G7 average. With projected population growth, that huge gap is widening, and bridging it will take immediate, bold and purposeful effort. And to support population growth in the next decade, we will need one million more homes.

While governments across Canada have taken steps to “cool down” the housing market or provide help to first-time buyers, these demand-side solutions only work if there is enough supply. Shortages of supply in any market have a direct impact on affordability. Scarcity breeds price increases. Simply put, if we want more Ontarians to have housing, we need to build more housing in Ontario.

Ontario must build 1.5 million homes over the next 10 years to address the supply shortage

The housing crisis impacts all Ontarians. The ripple effect of the crisis also holds back Ontario reaching its full potential.

Economy

Businesses of all sizes are facing problems finding and retaining workers. Even high-paying jobs in technology and manufacturing are hard to fill because there's not enough housing nearby. This doesn't just dampen the economic growth of cities, it makes them less vibrant, diverse, and creative, and strains their ability to provide essential services.

Public services

Hospitals, school boards and other public service providers across Ontario report challenges attracting and retaining staff because of housing costs. One town told us that it

could no longer maintain a volunteer fire department, because volunteers couldn't afford to live within 10 minutes drive of the firehall.

Environment

Long commutes contribute to air pollution and carbon emissions. An international survey of 74 cities in 16 countries found that Toronto, at 96 minutes both ways, had the longest commute times in North America and was essentially tied with Bogota, Colombia, for the longest commute time worldwide.^[8] Increasing density in our cities and around major transit hubs helps reduce emissions to the benefit of everyone.

Ontario must build

1.5M

homes over the next 10 years
to address the supply shortage.



Our mandate and approach

Ontario's Minister of Municipal Affairs and Housing tasked us with recommending ways to accelerate our progress in closing the housing supply gap to improve housing affordability.

Time is of the essence. Building housing now is exactly what our post-pandemic economy needs. Housing construction creates good-paying jobs that cannot be outsourced to other countries. Moreover, the pandemic gave rise to unprecedented levels of available capital that can be invested in housing – if we can just put it to work.

We represent a wide range of experience and perspectives that includes developing, financing and building homes, delivering affordable housing, and researching housing market trends, challenges and solutions. Our detailed biographies appear as [Appendix A](#).



We acknowledge that every house in Ontario is built on the traditional territory of Indigenous Peoples.



People in households that spend 30% or more of total household income on shelter expenses are defined as having a “housing affordability” problem. Shelter expenses include electricity, oil, gas, coal, wood or other fuels, water and other municipal services, monthly mortgage payments, property taxes, condominium fees, and rent.

Our mandate was to focus on how to increase market housing supply and affordability. By market housing, we are referring to homes that can be purchased or rented without government support.

Affordable housing (units provided at below-market rates with government support) was not part of our mandate.

The Minister and his cabinet colleagues are working on that issue. Nonetheless, almost every stakeholder we spoke with had ideas that will help deliver market housing and also make it easier to deliver affordable housing. However, affordable housing is a societal responsibility and will require intentional investments and strategies to bridge the significant affordable housing gap in this province. We have included a number of recommendations aimed at affordable housing in the body of this report, but have also included further thoughts in [Appendix B](#).

We note that government-owned land was also outside our mandate. Many stakeholders, however, stressed the value of surplus or underused public land and land associated with major transit investments in finding housing solutions. We agree and have set out some thoughts on that issue in [Appendix C](#).

How we did our work

Our Task Force was struck in December 2021 and mandated to deliver a final report to the Minister by the end of January 2022. We were able to work to that tight timeline because, in almost all cases, viewpoints and feasible solutions are well known. In addition, we benefited from insights gleaned from recent work to solve the problem in other jurisdictions.

During our deliberations, we met with and talked to over 140 organizations and individuals, including industry associations representing builders and developers, planners, architects, realtors and others; labour unions; social justice advocates; elected officials at the municipal level; academics and research groups; and municipal planners. We also received written submissions from many of these participants. In addition, we drew on the myriad public reports and papers listed in the [References](#).

We thank everyone who took part in sessions that were uniformly helpful in giving us a deeper understanding of the housing crisis and the way out of it. We also thank the staff of the Ministry of Municipal Affairs and Housing who provided logistical and other support, including technical briefings and background.

The way forward

The single unifying theme across all participants over the course of the Task Force’s work has been the urgency to take decisive action. Today’s housing challenges are incredibly complex. Moreover, developing land, obtaining approvals, and building homes takes years.

Some recommendations will produce immediate benefits, others will take years for the full impact.

This is why there is no time to waste. We urge the Minister of Municipal Affairs and Housing and his cabinet colleagues to continue measures they have already taken to accelerate housing supply and to move quickly in turning the recommendations in this report into decisive new actions.

The province must set an ambitious and bold goal to build 1.5 million homes over the next 10 years. If we build 1.5 million new homes over the next ten years, Ontario can fill the housing gap with more affordable choices, catch up to the rest of Canada and keep up with population growth.

By working together, we can resolve Ontario’s housing crisis. In so doing, we can build a more prosperous future for everyone.

The balance of this report lays out our recommendations.

Focus on getting more homes built

Resolving a crisis requires intense focus and a clear goal. The province is responsible for the legislation and policy that establishes the planning, land use, and home building goals, which guide municipalities, land tribunals, and courts. Municipalities are then responsible for implementing provincial policy in a way that works for their communities. The province is uniquely positioned to lead by shining a spotlight on this issue, setting the tone, and creating a single, galvanizing goal around which federal support, provincial legislation, municipal policy, and the housing market can be aligned.

In 2020, Ontario built about 75,000 housing units.^[9] For this report, we define a housing unit (home) as a single dwelling (detached, semi-detached, or attached), apartment, suite, condominium or mobile home. Since 2018, housing completions have grown every year as a result of positive measures that the province and some municipalities have implemented to encourage more home building. But we are still 1.2 million homes short when compared to other G7 countries and our population is growing. The goal of 1.5 million homes feels daunting – but reflects both the need and what is possible. In fact, throughout the 1970s Ontario built more housing units each year than we do today.^[10]

The second recommendation is designed to address the growing complexity and volume of rules in the legislation, policy, plans and by-laws, and their competing priorities, by providing clear direction to provincial agencies, municipalities, tribunals, and courts on the overriding priorities for housing.

- 1. Set a goal of building 1.5 million new homes in ten years.**
- 2. Amend the Planning Act, Provincial Policy Statement, and Growth Plans to set “growth in the full spectrum of housing supply” and “intensification within existing built-up areas” of municipalities as the most important residential housing priorities in the mandate and purpose.**



The “missing middle” is often cited as an important part of the housing solution. We define the missing middle as mid-rise condo or rental housing, smaller houses on subdivided lots or in laneways and other additional units in existing houses.

Making land available to build

The Greater Toronto Area is bordered on one side by Lake Ontario and on the other by the protected Greenbelt. Similarly, the Ottawa River and another Greenbelt constrain land supply in Ottawa, the province's second-largest city.

But a shortage of land isn't the cause of the problem. Land is available, both inside the existing built-up areas and on undeveloped land outside greenbelts.

We need to make better use of land. Zoning defines what we can build and where we can build. If we want to make better use of land to create more housing, then we need to modernize our zoning rules. We heard from planners, municipal councillors, and developers that "as of right" zoning – the ability to by-pass long, drawn out consultations and zoning by-law amendments – is the most effective tool in the provincial toolkit. We agree.

Stop using exclusionary zoning that restricts more housing

Too much land inside cities is tied up by outdated rules. For example, it's estimated that 70% of land zoned for housing in Toronto is restricted to single-detached or semi-detached homes.^[11] This type of zoning prevents homeowners from adding additional suites to create housing for Ontarians and income for themselves. As one person said, "my neighbour can tear down what was there to build a monster home, but I'm not allowed to add a basement suite to my home."

It's estimated that
70%

of land zoned for housing in Toronto is restricted to **single-detached** or **semi-detached** homes.



While less analysis has been done in other Ontario communities, it's estimated that about half of all residential land in Ottawa is zoned for single-detached housing, meaning nothing else may be built on a lot without public consultation and an amendment to the zoning by-law. In some suburbs around Toronto, single unit zoning dominates residential land use, even close to GO Transit stations and major highways.

One result is that more growth is pushing past urban boundaries and turning farmland into housing. Undeveloped land inside and outside existing municipal boundaries must be part of the solution, particularly in northern and rural communities, but isn't nearly enough on its own. Most of the solution must come from densification. Greenbelts and other environmentally sensitive areas must be protected, and farms provide food and food security. Relying too heavily on undeveloped land would whittle away too much of the already small share of land devoted to agriculture.

Modernizing zoning would also open the door to more rental housing, which in turn would make communities more inclusive.

Allowing more gentle density also makes better use of roads, water and wastewater systems, transit and other public services that are already in place and have capacity, instead of having to be built in new areas.

The Ontario government took a positive step by allowing secondary suites (e.g., basement apartments) across the province in 2019. However, too many municipalities still place too many restrictions on implementation. For the last three years, the total number of secondary suites in Toronto has actually declined each year, as few units get permitted and owners convert two units into one.^[12]

These are the types of renovations and home construction performed by small businesses and local trades, providing them with a boost.

Underused and vacant commercial and industrial properties are another potential source of land for housing. It was suggested to us that one area ripe for redevelopment into a mix of commercial and residential uses is the strip mall, a leftover from the 1950s that runs along major suburban streets in most large Ontario cities.

“As of right” zoning allows more kinds of housing that are accessible to more kinds of people. It makes neighbourhoods stronger, richer, and fairer. And it will get more housing built in existing neighbourhoods more quickly than any other measure.

3. Limit exclusionary zoning in municipalities through binding provincial action:

- a) Allow “as of right” residential housing up to four units and up to four storeys on a single residential lot.
 - b) Modernize the Building Code and other policies to remove any barriers to affordable construction and to ensure meaningful implementation (e.g., allow single-staircase construction for up to four storeys, allow single egress, etc.).
- 4.** Permit “as of right” conversion of underutilized or redundant commercial properties to residential or mixed residential and commercial use.
- 5.** Permit “as of right” secondary suites, garden suites, and laneway houses province-wide.
- 6.** Permit “as of right” multi-tenant housing (renting rooms within a dwelling) province-wide.
- 7.** Encourage and incentivize municipalities to increase density in areas with excess school capacity to benefit families with children.

Align investments in roads and transit with growth

Governments have invested billions of dollars in highways, light rail, buses, subways and trains in Ontario. But without ensuring more people can live close to those transit routes, we’re not getting the best return on those infrastructure investments.

Access to transit is linked to making housing more affordable: when reliable transit options are nearby, people can get to work more easily. They can live further from the centre of the city in less expensive areas without the added cost of car ownership.

The impacts of expanding public transit go far beyond serving riders. These investments also spur economic growth and reduce traffic congestion and emissions. We all pay for the cost of transit spending, and we should all share in the benefits.

If municipalities achieve the right development near transit – a mix of housing at high- and medium-density, office space and retail – this would open the door to better ways of funding the costs. Other cities, like London, UK and Hong Kong, have captured the impacts of increased land value and business activity along new transit routes to help with their financing.

Ontario recently created requirements (residents/hectare) for municipalities to zone for higher density in transit corridors and “major transit station areas”.^{[13a] [13b]} These are areas surrounding subway and other rapid transit stations and hubs. However, we heard troubling reports that local opposition is blocking access to these neighbourhoods and to critical public transit stations. City staff, councillors, and the province need to stand up to these tactics and speak up for the Ontarians who need housing.

The Province is also building new highways in the Greater Golden Horseshoe, and it’s important to plan thoughtfully for the communities that will follow from these investments, to make sure they are compact and liveable.

8. Allow “as of right” zoning up to unlimited height and unlimited density in the immediate proximity of individual major transit stations within two years if municipal zoning remains insufficient to meet provincial density targets.
9. Allow “as of right” zoning of six to 11 storeys with no minimum parking requirements on any streets utilized by public transit (including streets on bus and streetcar routes).
10. Designate or rezone as mixed commercial and residential use all land along transit corridors and redesignate all Residential Apartment to mixed commercial and residential zoning in Toronto.
11. Support responsible housing growth on undeveloped land, including outside existing municipal boundaries, by building necessary infrastructure to support higher density housing and complete communities and applying the recommendations of this report to all undeveloped land.

Start saying “yes in my backyard”

Even where higher density is allowed in theory, the official plans of most cities in Ontario contain conflicting goals like maintaining “prevailing neighbourhood character”. This bias is reinforced by detailed guidance that often follows from the official plan. Although requirements are presented as “guidelines”, they are often treated as rules.

Examples include:

- Angular plane rules that require successively higher floors to be stepped further back, cutting the number of units that can be built by up to half and making many projects uneconomic
- Detailed rules around the shadows a building casts
- Guidelines around finishes, colours and other design details

One resident’s desire to prevent a shadow being cast in their backyard or a local park frequently prevails over concrete proposals to build more housing for multiple families. By-laws and guidelines that preserve “neighbourhood character” often prevent simple renovations to add new suites to existing homes. The people who suffer are mostly young, visible minorities, and marginalized people. It is the perfect

example of a policy that appears neutral on its surface but is discriminatory in its application.^[14]

Far too much time and money are spent reviewing and holding consultations for large projects which conform with the official plan or zoning by-law and small projects which would cause minimal disruption. The cost of needless delays is passed on to new home buyers and tenants.

Minimum parking requirements for each new unit are another example of outdated municipal requirements that increase the cost of housing and are increasingly less relevant with public transit and ride share services. Minimum parking requirements add as much as \$165,000 to the cost of a new housing unit, even as demand for parking spaces is falling: data from the Residential Construction Council of Ontario shows that in new condo projects, one in three parking stalls goes unsold. We applaud the recent vote by Toronto City Council to scrap most minimum parking requirements. We believe other cities should follow suit.

While true heritage sites are important, heritage preservation has also become a tool to block more housing. For example, some municipalities add thousands of properties at a time to a heritage register because they have “potential” heritage value. Even where a building isn’t heritage designated or registered, neighbours increasingly demand it be as soon as a development is proposed.

This brings us to the role of the “not in my backyard” or NIMBY sentiment in delaying or stopping more homes from being built.



New housing is often the last priority

A proposed building with market and affordable housing units would have increased the midday shadow by 6.5% on a nearby park at the fall and spring equinox, with no impact during the summer months. To conform to a policy that does not permit “new net shadow on specific parks”, seven floors of housing, including 26 affordable housing units, were sacrificed.

Multiple dry cleaners along a transit route were designated as heritage sites to prevent new housing being built. It is hard not to feel outrage when our laws are being used to prevent families from moving into neighbourhoods and into homes they can afford along transit routes.

NIMBY versus YIMBY

NIMBYism (not in my backyard) is a large and constant obstacle to providing housing everywhere. Neighbourhood pushback drags out the approval process, pushes up costs and discourages investment in housing. It also keeps out new residents. While building housing is very costly, opposing new housing costs almost nothing.

Unfortunately, there is a strong incentive for individual municipal councillors to fall in behind community opposition – it's existing residents who elect them, not future ones. The outcry of even a handful of constituents (helped by the rise of social media) has been enough, in far too many cases, to persuade their local councillor to vote against development even while admitting its merits in private. There is a sense among some that it's better to let the Ontario Land Tribunal approve the development on appeal, even if it causes long delays and large cost increases, then to take the political heat.

Mayors and councillors across the province are fed up and many have called for limits on public consultations and more “as of right” zoning. In fact, some have created a new term for NIMBYism: BANANAs – Build Absolutely Nothing Anywhere Near Anything, causing one mayor to comment “NIMBYism has gone BANANAs”. We agree. In a growing, thriving society, that approach is not just bad policy, it is exclusionary and wrong.

As a result, technical planning decisions have become politicized. One major city has delegated many decisions to senior staff, but an individual councillor can withdraw the delegation when there is local opposition and force a vote at Council. We heard that this situation is common across the province, creating an electoral incentive for a councillor to delay or stop a housing proposal, or forcing a councillor to pay the electoral cost of supporting it. Approvals of individual housing applications should be the role of professional staff, free from political interference.

The pressure to stop any development is now so intense that it has given rise to a counter-movement – YIMBYism, or “yes in my backyard,” led by millennials who recognize entrenched opposition to change as a huge obstacle to finding a home. They provide a voice at public consultations for young people, new immigrants and refugees, minority groups, and Ontarians struggling to access housing by connecting our ideals to the reality of housing. People who welcome immigrants to Canada should welcome them to the neighbourhood, fighting climate change means supporting higher-density housing, and “keeping the neighbourhood the way it is” means keeping it off-limits. While anti-housing voices can be loud,

a member of More Neighbours Toronto, a YIMBY group that regularly attends public consultations, has said that the most vocal opponents usually don't represent the majority in a neighbourhood. Survey data from the Ontario Real Estate Association backs that up, with almost 80% of Ontarians saying they are in favour of zoning in urban areas that would encourage more homes.

Ontarians want a solution to the housing crisis. We cannot allow opposition and politicization of individual housing projects to prevent us from meeting the needs of all Ontarians.

12. Create a more permissive land use, planning, and approvals system:

- a) Repeal or override municipal policies, zoning, or plans that prioritize the preservation of physical character of neighbourhood
- b) Exempt from site plan approval and public consultation all projects of 10 units or less that conform to the Official Plan and require only minor variances
- c) Establish province-wide zoning standards, or prohibitions, for minimum lot sizes, maximum building setbacks, minimum heights, angular planes, shadow rules, front doors, building depth, landscaping, floor space index, and heritage view cones, and planes; restore pre-2006 site plan exclusions (colour, texture, and type of materials, window details, etc.) to the Planning Act and reduce or eliminate minimum parking requirements; and
- d) Remove any floorplate restrictions to allow larger, more efficient high-density towers.

13. Limit municipalities from requesting or hosting additional public meetings beyond those that are required under the Planning Act.

14. Require that public consultations provide digital participation options.

15. Require mandatory delegation of site plan approvals and minor variances to staff or pre-approved qualified third-party technical consultants through a simplified review and approval process, without the ability to withdraw Council's delegation.

- 16.** Prevent abuse of the heritage preservation and designation process by:
 - a) Prohibiting the use of bulk listing on municipal heritage registers
 - b) Prohibiting reactive heritage designations after a Planning Act development application has been filed
- 17.** Requiring municipalities to compensate property owners for loss of property value as a result of heritage designations, based on the principle of best economic use of land.
- 18.** Restore the right of developers to appeal Official Plans and Municipal Comprehensive Reviews.

We have heard mixed feedback on Committees of Adjustment. While they are seen to be working well in some cities, in others they are seen to simply add another lengthy step in the process. We would urge the government to first implement our recommendation to delegate minor variances and site plan approvals to municipal staff and then assess whether Committees of Adjustment are necessary and an improvement over staff-level decision making.

Cut the red tape so we can build faster and reduce costs

One of the strongest signs that our approval process is not working: of 35 OECD countries, only the Slovak Republic takes longer than Canada to approve a building project. The UK and the US approve projects three times faster without sacrificing quality or safety. And they save home buyers and tenants money as a result, making housing more affordable.^[15]

A 2020 survey of development approval times in 23 Canadian cities shows Ontario seriously lagging: Hamilton (15th), Toronto (17th), Ottawa (21st) with approval times averaging between 20-24 months. These timelines do not include building permits, which take about two years for an apartment building in Toronto. Nor did they count the time it takes for undeveloped land to be designated for housing, which the study notes can take five to ten years.^[16]

Despite the good intentions of many people involved in the approvals and home-building process, decades of dysfunction in the system and needless bureaucracy have made it too difficult for housing approvals to keep up with the needs of Ontarians. There appear to be numerous reasons why Ontario performs so poorly against other Canadian cities and the rest of the developed world. We believe that the major problems can be summed up as:

- Too much complexity in the planning process, with the page count in legislation, regulation, policies, plans, and by-laws growing every year
- Too many studies, guidelines, meetings and other requirements of the type we outlined in the previous section, including many that go well beyond the scope of Ontario's Planning Act
- Reviews within municipalities and with outside agencies that are piecemeal, duplicative (although often with conflicting outcomes) and poorly coordinated
- Process flaws that include reliance on paper
- Some provincial policies that are more relevant to urban development but result in burdensome, irrelevant requirements when applied in some rural and northern communities.



All of this has contributed to widespread failure on the part of municipalities to meet required timelines. The provincial Planning Act sets out deadlines of 90 days for decisions on zoning by-law amendments, 120 days for plans of subdivision, and 30 days for site plan approval, but municipalities routinely miss these without penalty. For other processes, like site plan approval or provincial approvals, there are no timelines and delays drag on. The cost of delay falls on the ultimate homeowner or tenant.

The consequences for homeowners and renters are enormous. Ultimately, whatever cost a builder pays gets passed on to the buyer or renter. As one person said: "Process is the biggest project killer in Toronto because developers have to carry timeline risk."

Site plan control was often brought up as a frustration. Under the Planning Act, this is meant to be a technical review of the external features of a building. In practice, municipalities often expand on what is required and take too long to respond.

Then: In 1966, a draft plan of subdivision in a town in southwestern Ontario to provide 529 low-rise and mid-rise housing units, a school site, a shopping centre and parks was approved by way of a two-page letter setting out 10 conditions. It took seven months to clear conditions for final approval.

And now: In 2013, a builder started the approval process to build on a piece of serviced residential land in a seasonal resort town. Over the next seven years, 18 professional consultant reports were required, culminating in draft plan approval containing 50 clearance conditions. The second approval, issued by the Local Planning Appeals Board in 2020, ran to 23 pages. The developer estimates it will be almost 10 years before final approval is received.

An Ontario Association of Architects study calculating the cost of delays between site plan application and approval concluded that for a 100-unit condominium apartment building, each additional month of delay costs the applicant an estimated \$193,000, or \$1,930 a month for each unit.^[17]

A 2020 study done for the Building Industry and Land Development Association (BILD) looked at impacts of delay on low-rise construction, including single-detached homes. It estimated that every month an approval is delayed adds, on average, \$1.46 per square foot to the cost of a single home. A two-year delay, which is not unusual for this housing type, adds more than \$70,000 to the cost of a 2,000-square-foot house in the GTA.^[16]

Getting rid of so much unnecessary and unproductive additional work would significantly reduce the burden on staff.^[16b] It would help address the widespread shortages of planners and building officials. It would also bring a stronger sense among municipal staff that they are part of the housing solution and can take pride in helping cut approval times and lower the costs of delivering homes.

Adopt common sense approaches that save construction costs

Wood using “mass timber” – an engineer compressed wood, made for strength and weight-bearing – can provide a lower-cost alternative to reinforced concrete in many mid-rise projects, but Ontario’s Building Code is hampering its use. Building taller with wood offers advantages beyond cost:

- Wood is a renewable resource that naturally sequesters carbon, helping us reach our climate change goals

- Using wood supports Ontario’s forestry sector and creates jobs, including for Indigenous people

British Columbia’s and Quebec’s building codes allow woodframe construction up to 12 storeys, but Ontario limits it to six. By amending the Building Code to allow 12-storey woodframe construction, Ontario would encourage increased use of forestry products and reduce building costs.

Finally, we were told that a shift in how builders are required to guarantee their performance would free up billions of dollars to build more housing. Pay on demand surety bonds are a much less onerous option than letters of credit, and are already accepted in Hamilton, Pickering, Innisfil, Whitchurch-Stouffville and other Ontario municipalities. We outline the technical details in [Appendix D](#).

19. Legislate timelines at each stage of the provincial and municipal review process, including site plan, minor variance, and provincial reviews, and deem an application approved if the legislated response time is exceeded.
20. Fund the creation of “approvals facilitators” with the authority to quickly resolve conflicts among municipal and/or provincial authorities and ensure timelines are met.
21. Require a pre-consultation with all relevant parties at which the municipality sets out a binding list that defines what constitutes a complete application; confirms the number of consultations established in the previous recommendations; and clarifies that if a member of a regulated profession such as a professional engineer has stamped an application, the municipality has no liability and no additional stamp is needed.
22. Simplify planning legislation and policy documents.
23. Create a common, province-wide definition of plan of subdivision and standard set of conditions which clarify which may be included; require the use of standard province-wide legal agreements and, where feasible, plans of subdivision.
24. Allow wood construction of up to 12 storeys.
25. Require municipalities to provide the option of pay on demand surety bonds and letters of credit.

Prevent abuse of the appeal process

Part of the challenge with housing approvals is that, by the time a project has been appealed to the Ontario Land Tribunal (the Tribunal), it has usually already faced delay and compromises have been made to reduce the size and scope of the proposal. When an approved project is appealed, the appellant – which could just be a single individual – may pay \$400 and tie up new housing for years.

The most recent published report showed 1,300 unresolved cases.^[18] While under-resourcing does contribute to delays, this caseload also reflects the low barrier to launching an appeal and the minimal risks if an appeal is unsuccessful:

- After a builder has spent time and money to ensure a proposal conforms with a municipality's requirements, the municipal council can still reject it – even if its own planning staff has given its support. Very often this is to appease local opponents.
- Unlike a court, costs are not automatically awarded to the successful party at the Tribunal. The winning side must bring a motion and prove that the party bringing the appeal was unreasonable, clearly trying to delay the project, and/or being vexatious or frivolous. Because the bar is set so high, the winning side seldom asks for costs in residential cases.

This has resulted in abuse of the Tribunal to delay new housing. Throughout our consultations, we heard from municipalities, not-for-profits, and developers that affordable housing was a particular target for appeals which, even if unsuccessful, can make projects too costly to build.

Clearly the Tribunal needs more resources to clear its backlog. But the bigger issue is the need for so many appeals: we believe it would better to have well-defined goals and rules for municipalities and builders to avoid this costly and time-consuming quasi-judicial process. Those who bring appeals aimed at stopping development that meets established criteria should pay the legal costs of the successful party and face the risk of a larger project being approved.

The solution is not more appeals, it's fixing the system. We have proposed a series of reforms that would ensure only meritorious appeals proceeded, that every participant faces some risk and cost of losing, and that abuse of the Tribunal will be penalized. We believe that if Ontario accepts our recommendations, the Tribunal will not face the same volume of appeals. But getting to that point will take time, and the Tribunal needs more resources and better tools now.

Recommendation 1 will provide legislative direction to adjudicators that they must prioritize housing growth and intensification over competing priorities contained in provincial and municipal policies. We further recommend the following:

- 26.** Require appellants to promptly seek permission ("leave to appeal") of the Tribunal and demonstrate that an appeal has merit, relying on evidence and expert reports, before it is accepted.
- 27.** Prevent abuse of process:
 - a) Remove right of appeal for projects with at least 30% affordable housing in which units are guaranteed affordable for at least 40 years.
 - b) Require a \$10,000 filing fee for third-party appeals.
 - c) Provide discretion to adjudicators to award full costs to the successful party in any appeal brought by a third party or by a municipality where its council has overridden a recommended staff approval.
- 28.** Encourage greater use of oral decisions issued the day of the hearing, with written reasons to follow, and allow those decisions to become binding the day that they are issued.
- 29.** Where it is found that a municipality has refused an application simply to avoid a deemed approval for lack of decision, allow the Tribunal to award punitive damages.
- 30.** Provide funding to increase staffing (adjudicators and case managers), provide market-competitive salaries, outsource more matters to mediators, and set shorter time targets.
- 31.** In clearing the existing backlog, encourage the Tribunal to prioritize projects close to the finish line that will support housing growth and intensification, as well as regional water or utility infrastructure decisions that will unlock significant housing capacity.

Reduce the costs to build, buy and rent

The price you pay to buy or rent a home is driven directly by how much it costs to build a home. In Ontario, costs to build homes have dramatically increased at an unprecedented pace over the past decade. In most of our cities and towns, materials and labour only account for about half of the costs. The rest comes from land, which we have addressed in the previous section, and government fees.

A careful balance is required on government fees because, as much as we would like to see them lowered, governments need revenues from fees and taxes to build critically needed infrastructure and pay for all the other services that make Ontario work. So, it is a question of balance and of ensuring that our approach to government fees encourages rather than discourages developers to build the full range of housing we need in our Ontario communities.

Align government fees and charges with the goal of building more housing

Improve the municipal funding model

Housing requires more than just the land it is built on. It requires roads, sewers, parks, utilities and other infrastructure. The provincial government provides municipalities with a way to secure funding for this infrastructure through development charges, community benefit charges and parkland dedication (providing 5% of land for public parks or the cash equivalent).

These charges are founded on the belief that growth – not current taxpayers – should pay for growth. As a concept, it is compelling. In practice, it means that new home buyers pay the entire cost of sewers, parks, affordable housing, or colleges that will be around for generations and may not be located in their neighbourhood. And, although building

affordable housing is a societal responsibility, because affordable units pay all the same charges as a market unit, the cost is passed to new home buyers in the same building or the not-for-profit organization supporting the project. We do not believe that government fees should create a disincentive to affordable housing.

If you ask any developer of homes – whether they are for-profit or non-profit – they will tell you that development charges are a special pain point. In Ontario, they can be as much as \$135,000 per home. In some municipalities, development charges have increased as much as 900% in less than 20 years.^[20] As development charges go up, the prices of homes go up. And development charges on a modest semi-detached home are the same as on a luxury 6,000 square foot home, resulting in a disincentive to build housing that is more affordable. Timing is also a challenge as development charges have to be paid up front, before a shovel even goes into the ground.

To help relieve the pressure, the Ontario government passed recent legislation allowing builders to determine development charges earlier in the building process. But they must pay interest on the assessed development charge to the municipality until a building permit is issued, and there is no cap on the rate, which in one major city is 13% annually.

Cash payments to satisfy parkland dedication also significantly boost the costs of higher-density projects, adding on average \$17,000 to the cost of a high-rise condo across the GTA.^[21] We heard concerns not just about the amount of cash collected, but also about the money not being spent in the neighbourhood or possibly not being spent on parks at all. As an example, in 2019 the City of Toronto held \$644 million in parkland cash-in-lieu payments.^[22] Everyone can agree that we need to invest in parks as our communities grow, but if the funds are not being spent, perhaps it means that more money is being collected for parklands than is needed and we could lower the cost of housing if we adjusted these parkland fees.



A 2019 study carried out for BILD showed that in the Greater Toronto Area, development charges for low-rise housing are on average more than three times higher per unit than in six comparable US metropolitan areas, and roughly 1.75-times higher than in the other Canadian cities.

For high-rise developments the average per unit charges in the GTA are roughly 50% higher than in the US areas, and roughly 30% higher than in the other Canadian urban areas.^[19]

Modernizing HST Thresholds

Harmonized sales tax (HST) applies to all new housing – including purpose-built rental. Today, the federal component is 5% and provincial component is 8%. The federal and provincial government provide a partial HST rebate. Two decades ago, the maximum home price eligible for a rebate was set at \$450,000 federally and \$400,000 provincially, resulting in a maximum rebate of \$6,300 federally and \$24,000 provincially, less than half of today's average home price. Buyers of new homes above this ceiling face a significant clawback. Indexing the rebate would immediately reduce the cost of building new homes, savings that can be passed on to Ontarians. When both levels of government agree that we are facing a housing crisis, they should not be adding over 10% to the cost of almost all new homes.

- 32.** Waive development charges and parkland cash-in-lieu and charge only modest connection fees for all infill residential projects up to 10 units or for any development where no new material infrastructure will be required.
- 33.** Waive development charges on all forms of affordable housing guaranteed to be affordable for 40 years.
- 34.** Prohibit interest rates on development charges higher than a municipality's borrowing rate.
- 35.** Regarding cash in lieu of parkland, s.37, Community Benefit Charges, and development charges:
 - a) Provincial review of reserve levels, collections and drawdowns annually to ensure funds are being used in a timely fashion and for the intended purpose, and, where review points to a significant concern, do not allow further collection until the situation has been corrected.
 - b) Except where allocated towards municipality-wide infrastructure projects, require municipalities to spend funds in the neighbourhoods where they were collected. However, where there's a significant community need in a priority area of the City, allow for specific ward-to-ward allocation of unspent and unallocated reserves.
- 36.** Recommend that the federal government and provincial governments update HST rebate to reflect current home prices and begin indexing the thresholds to housing prices, and that the federal government match the provincial 75% rebate and remove any clawback.

Government charges on a new single-detached home averaged roughly \$186,300, or almost 22% of the price, across six municipalities in southcentral Ontario. For a new condominium apartment, the average was almost \$123,000, or roughly 24% of a unit's price.

Make it easier to build rental

In cities and towns across Ontario, it is increasingly hard to find a vacant rental unit, let alone a vacant rental unit at an affordable price. Today, 66% of all purpose-built rental units in the City of Toronto were built between 1960 and 1979. Less than 15% of Toronto's purpose-built rentals were constructed over the ensuing 40 years in spite of the significant population growth during that time. In fact, between 2006 and 2016, growth in condo apartments increased by 186% while purpose-built rental only grew by 0.6%.^[12] In 2018, the Ontario government introduced positive changes that have created growth in purpose-built rental units – with last year seeing 18,000 units under construction and 93,000 proposed against a 5-year average prior to 2020 of 3,400 annually.^[23]

Long-term renters often now feel trapped in apartments that don't make sense for them as their needs change. And because they can't or don't want to move up the housing ladder, many of the people coming up behind them who would gladly take those apartments are instead living in crowded spaces with family members or roommates. Others feel forced to commit to rental units at prices way beyond what they can afford. Others are trying their luck in getting on the wait list for an affordable unit or housing co-op – wait lists that are years long. Others are leaving Ontario altogether.

66%

of all purpose-built rental units
in the City of Toronto were
built between **1960** and **1979**.



A pattern in every community, and particularly large cities, is that the apartments and rented rooms that we do have are disappearing. Apartment buildings are being converted to condos or upgraded to much more expensive rental units. Duplexes get purchased and turned into larger single-family homes.

A major challenge in bridging the gap of rental supply is that, more often than not, purpose-built rental projects don't make economic sense for builders and investors. Ironically, there is no shortage of Canadian investor capital seeking housing investments, particularly large pension funds – but the economics of investing in purpose-built rental in Ontario just don't make sense. So, investments get made in apartment projects in other provinces or countries, or in condo projects that have a better and safer return-on-investment. What can governments do to get that investor capital pointed in the right direction so we can create jobs and get more of the housing we need built?

Some of our earlier recommendations will help, particularly indexing the HST rebate. So will actions by government to require purpose-built rental on surplus government land that is made available for sale. ([Appendix C](#))

Municipal property taxes on purpose-built rental can be as much as 2.5 times greater than property taxes for condominium or other ownership housing.^[24]

The Task Force recommends:

37. Align property taxes for purpose-built rental with those of condos and low-rise homes.

Make homeownership possible for hardworking Ontarians who want it

Home ownership has always been part of the Canadian dream. You don't have to look far back to find a time when the housing landscape was very different. The norm was for young people to rent an apartment in their twenties, work hard and save for a down payment, then buy their first home in their late twenties or early thirties. It was the same for many new Canadians: arrive, rent, work hard and buy. The house might be modest, but it brought a sense of ownership, stability and security. And after that first step onto the ownership ladder, there was always the possibility of selling and moving up. Home ownership felt like a real possibility for anyone who wanted it.

That's not how it works now. Too many young people who would like their own place are living with one or both parents well into adulthood.

The escalation of housing prices over the last decade has put the dream of homeownership out of reach of a growing number of aspiring first-time home buyers. While 73% of Canadians are homeowners, that drops to 48% for Black people, 47% for LGBTQ people^[5] (StatsCan is studying rates for other populations, including Indigenous People who are severely underhoused). This is also an issue for younger adults: a 2021 study showed only 24% of Torontonians aged 30 to 39 are homeowners.^[25]

In Canada, responsibility for Indigenous housing programs has historically been a shared between the federal and provincial governments. The federal government works closely with its provincial and territorial counterparts to improve access to housing for Indigenous peoples both on and off reserve. More than 85% of Indigenous people live in urban and rural areas, are 11 times more likely to experience homelessness and have incidence of housing need that is 52% greater than all Canadians. The Murdered and Missing Indigenous Women and Girls report mentions housing 299 times – the lack of which being a significant, contributing cause to violence and the provision of which as a significant, contributing solution. The Province of Ontario has made significant investments in Urban Indigenous Housing, but we need the Federal Government to re-engage as an active partner.

While measures to address supply will have an impact on housing prices, many aspiring homeowners will continue to face a gap that is simply too great to bridge through traditional methods.

The Task Force recognizes the need for caution about measures that would spur demand for housing before the supply bottleneck is fixed. At the same time, a growing number of organizations – both non-profit and for-profit are proposing a range of unique home equity models. Some of these organizations are aiming at households who have sufficient income to pay the mortgage but lack a sufficient down payment. Others are aiming at households who fall short in both income and down payment requirements for current market housing.

The Task Force heard about a range of models to help aspiring first-time home buyers, including:

- Shared equity models with a government, non-profit or for-profit lender holding a second “shared equity mortgage” payable at time of sale of the home
- Land lease models that allow residents to own their home but lease the land, reducing costs
- Rent-to-own approaches in which a portion of an occupant's rent is used to build equity, which can be used as a down payment on their current unit or another market unit in the future
- Models where the equity gain is shared between the homeowner and the non-profit provider, such that the non-profit will always be able to buy the home back and sell it to another qualified buyer, thus retaining the home's affordability from one homeowner to the next.

Proponents of these models identified barriers that thwart progress in implementing new solutions.

- The Planning Act limits land leases to a maximum of 21 years. This provision prevents home buyers from accessing the same type of mortgages from a bank or credit union that are available to them when they buy through traditional homeownership.
- The Perpetuities Act has a similar 21-year limit on any options placed on land. This limits innovative non-profit models from using equity formulas for re-sale and repurchase of homes.
- Land Transfer Tax (LTT) is charged each time a home is sold and is collected by the province; and in Toronto, this tax is also collected by the City. This creates a double-tax in rent-to-own/equity building models where LTT ends up being paid first by the home equity organization and then by the occupant when they are able to buy the unit.
- HST is charged based on the market value of the home. In shared equity models where the homeowner neither owns nor gains from the shared equity portion of their home, HST on the shared equity portion of the home simply reduces affordability.
- Residential mortgages are highly regulated by the federal government and reflective of traditional homeownership. Modifications in regulations may be required to adapt to new co-ownership and other models.

The Task Force encourages the Ontario government to devote further attention to avenues to support new homeownership options. As a starting point, the Task Force offers the following recommendations:

- 38.** Amend the Planning Act and Perpetuities Act to extend the maximum period for land leases and restrictive covenants on land to 40 or more years.
- 39.** Eliminate or reduce tax disincentives to housing growth.
- 40.** Call on the Federal Government to implement an Urban, Rural and Northern Indigenous Housing Strategy.
- 41.** Funding for pilot projects that create innovative pathways to homeownership, for Black, Indigenous, and marginalized people and first-generation homeowners.
- 42.** Provide provincial and federal loan guarantees for purpose-built rental, affordable rental and affordable ownership projects.

Support and incentivize scaling up housing supply

Our goal of building 1.5 million homes in ten years means doubling how many homes Ontario creates each year. As much as the Task Force’s recommendations will remove barriers to realizing this ambitious goal, we also need to ensure we have the capacity across Ontario’s communities to deliver this new housing supply. This includes capacity of our housing infrastructure, capacity within our municipal planning teams, and boots on the ground with the skills to build new homes.

There is much to be done and the price of failure for the people of Ontario is high. This is why the provincial government must make an unwavering commitment to keeping the spotlight on housing supply. This is also why the province must be dogged in its determination to galvanize and align efforts and incentives across all levels of government so that working together, we all can get the job done.

Our final set of recommendations turns to these issues of capacity to deliver, and the role the provincial government can play in putting the incentives and alignment in place to achieve the 1.5 million home goal.

Invest in municipal infrastructure

Housing can’t get built without water, sewage, and other infrastructure

When the Task Force met with municipal leaders, they emphasized how much future housing supply relies on having the water, storm water and wastewater systems, roads, sidewalks, fire stations, and all the other parts of community infrastructure to support new homes and new residents.

Infrastructure is essential where housing is being built for the first time. And, it can be a factor in intensification when added density exceeds the capacity of existing infrastructure, one of the reasons we urge new infrastructure in new developments to be designed for future capacity. In Ontario, there are multiple municipalities where the number one barrier to approving new housing projects is a lack of infrastructure to support them.

Municipalities face a myriad of challenges in getting this infrastructure in place. Often, infrastructure investments are required long before new projects are approved and funding must be secured. Notwithstanding the burden development charges place on the price of new housing, most municipalities report that development charges are still not enough to fully cover the costs of building new infrastructure and retrofitting existing infrastructure in neighbourhoods that are intensifying. Often infrastructure crosses municipal boundaries creating complicated and time-consuming “who pays?” questions. Municipal leaders also shared their frustrations with situations where new housing projects are approved and water, sewage and other infrastructure capacity is allocated to the project – only to have the developer land bank the project and put off building. Environmental considerations with new infrastructure add further cost and complexity. The Task Force recommends:

- 43.** Enable municipalities, subject to adverse external economic events, to withdraw infrastructure allocations from any permitted projects where construction has not been initiated within three years of build permits being issued.

44. Work with municipalities to develop and implement a municipal services corporation utility model for water and wastewater under which the municipal corporation would borrow and amortize costs among customers instead of using development charges.

Create the Labour Force to meet the housing supply need

The labour force is shrinking in many segments of the market

You can't start to build housing without infrastructure. You can't build it without people – skilled trades people in every community who can build the homes we need.

The concern that we are already facing a shortage in skilled trades came through loud and clear in our consultations. We heard from many sources that our education system funnels young people to university rather than colleges or apprenticeships and creates the perception that careers in the skilled trades are of less value. Unions and builders are working to fill the pipeline domestically and recruit internationally, but mass retirements are making it challenging to maintain the workforce at its current level, let alone increase it.

Increased economic immigration could ease this bottleneck, but it appears difficult for a skilled labourer with no Canadian work experience to qualify under Ontario's rules. Moreover, Canada's immigration policies also favour university education over skills our economy and society desperately need. We ought to be welcoming immigrants with the skills needed to build roads and houses that will accommodate our growing population.

The shortage may be less acute, however, among smaller developers and contractors that could renovate and build new "missing middle" homes arising from the changes in neighbourhood zoning described earlier. These smaller companies tap into a different workforce from the one needed to build high rises and new subdivisions. Nonetheless, 1.5 million more homes will require a major investment in attracting and developing the skilled trades workforce to deliver this critically needed housing supply. We recommend:

- 45.** Improve funding for colleges, trade schools, and apprenticeships; encourage and incentivize municipalities, unions and employers to provide more on-the-job training.
- 46.** Undertake multi-stakeholder education program to promote skilled trades.
- 47.** Recommend that the federal and provincial government prioritize skilled trades and adjust the immigration points system to strongly favour needed trades and expedite immigration status for these workers, and encourage the federal government to increase from 9,000 to 20,000 the number of immigrants admitted through Ontario's program.

Create a large Ontario Housing Delivery Fund to align efforts and incent new housing supply

Build alignment between governments to enable builders to deliver more homes than ever before

All levels of government play a role in housing.

The federal government sets immigration policy, which has a major impact on population growth and many tax policies. The province sets the framework for planning, approvals, and growth that municipalities rely upon, and is responsible for many other areas that touch on housing supply, like investing in highways and transit, training workers, the building code and protecting the environment. Municipalities are on the front lines, expected to translate the impacts of federal immigration policy, provincial guidance and other factors, some very localized, into official plans and the overall process through which homes are approved to be built.

The efficiency with which home builders can build, whether for-profit or non-profit, is influenced by policies and decisions at every level of government. In turn, how many home developers can deliver, and at what cost, translates directly into the availability of homes that Ontarians can afford.

Collectively, governments have not been sufficiently aligned in their efforts to provide the frameworks and incentives that meet the broad spectrum of housing needs in Ontario. Much action, though, has been taken in recent years.

- The Ontario government has taken several steps to make it easier to build additional suites in your own home: reduced disincentives to building rental housing, improved the appeal process, focused on density around transit stations, made upfront development charges more predictable, and provided options for municipalities to create community benefits through development.
- The federal government has launched the National Housing Strategy and committed over \$70 billion in funding.^[26] Most recently, it has announced a \$4 billion Housing Accelerator Fund aimed at helping municipalities remove barriers to building housing more quickly.^[27]
- Municipalities have been looking at ways to change outdated processes, rules, and ways of thinking that create delays and increases costs of delivering homes. Several municipalities have taken initial steps towards eliminating exclusionary zoning and addressing other barriers described in this report.

All governments agree that we are facing a housing crisis. Now we must turn the sense of urgency into action and alignment across governments.

Mirror policy changes with financial incentives aligned across governments

The policy recommendations in this report will go a long way to align efforts and position builders to deliver more homes.

Having the capacity in our communities to build these homes will take more than policy. It will take money. Rewarding municipalities that meet housing growth and approval timelines will help them to invest in system upgrades, hire additional staff, and invest in their communities. Similarly, municipalities that resist new housing, succumb to NIMBY pressure, and close off their neighbourhoods should see funding reductions. Fixing the housing crisis is a societal responsibility, and our limited tax dollars should be directed to those municipalities making the difficult but necessary choices to grow housing supply.

In late January 2022, the provincial government announced \$45 million for a new *Streamline Development Approval Fund* to “unlock housing supply by cutting red tape and improving processes for residential and industrial developments”.^[28] This is encouraging. More is needed.

Ontario should also receive its fair share of federal funding but today faces a shortfall of almost \$500 million,^[29] despite two thirds of the Canadian housing shortage being in Ontario. We call on the federal government to address this funding gap.

48. The Ontario government should establish a large “Ontario Housing Delivery Fund” and encourage the federal government to match funding. This fund should reward:

- a) Annual housing growth that meets or exceeds provincial targets
- b) Reductions in total approval times for new housing
- c) The speedy removal of exclusionary zoning practices

49. Reductions in funding to municipalities that fail to meet provincial housing growth and approval timeline targets.

We believe that the province should consider partial grants to subsidize municipalities that waive development charges for affordable housing and for purpose-built rental.

Sustain focus, measure, monitor, improve

Digitize and modernize the approvals and planning process

Some large municipalities have moved to electronic tracking of development applications and/or electronic building permits (“e-permits”) and report promising results, but there is no consistency and many smaller places don’t have the capacity to make the change.

Municipalities, the provincial government and agencies use different systems to collect data and information relevant to housing approvals, which slows down processes and leaves much of the “big picture” blank. This could be addressed by ensuring uniform data architecture standards.

Improve the quality of our housing data to inform decision making

Having accurate data is key to understanding any challenge and making the best decisions in response. The Task Force heard from multiple housing experts that we are not always using the best data, and we do not always have the data we need.

Having good population forecasts is essential in each municipality as they develop plans to meet future land and housing needs. Yet, we heard many concerns about inconsistent approaches to population forecasts. In the Greater Golden Horseshoe, the forecast provided to municipalities by the province is updated only when the Growth Plan is updated, generally every seven years; but federal immigration policy, which is a key driver of growth, changes much more frequently. The provincial Ministry of Finance produces a population forecast on a more regular basis than the Growth Plan, but these are not used consistently across municipalities or even by other provincial ministries.

Population forecasts get translated into housing need in different ways across the province, and there is a lack of data about how (or whether) the need will be met. Others pointed to the inconsistent availability of land inventories. Another challenge is the lack of information on how much land is permitted and how much housing is actually getting built once permitted, and how fast. The Task Force also heard that, although the Provincial Policy Statement requires municipalities to maintain a three-year supply of short-term (build-ready) land and report it each year to the province, many municipalities are not meeting that requirement.^[30]

At a provincial and municipal level, we need better data on the housing we have today, housing needed to close the gap, consistent projections of what we need in the future, and data on how we are doing at keeping up. Improved data will help anticipate local and provincial supply bottlenecks and constraints, making it easier to determine the appropriate level and degree of response.

It will also be important to have better data to assess how much new housing stock is becoming available to groups that have been disproportionately excluded from home ownership and rental housing.

Put eyes on the crisis and change the conversation around housing

Ours is not the first attempt to “fix the housing system”. There have been efforts for years to tackle increasing housing prices and find solutions so everyone in Ontario can find and afford the housing they need. This time must be different.

The recommendations in this report must receive sustained attention, results must be monitored, significant financial investment by all levels of government must be made. And, the people of Ontario must embrace a housing landscape in which the housing needs of tomorrow’s citizens and those who have been left behind are given equal weight to the housing advantages of those who are already well established in homes that they own.

- 50. Fund the adoption of consistent municipal e-permitting systems and encourage the federal government to match funding. Fund the development of common data architecture standards across municipalities and provincial agencies and require municipalities to provide their zoning bylaws with open data standards. Set an implementation goal of 2025 and make funding conditional on established targets.**
- 51. Require municipalities and the provincial government to use the Ministry of Finance population projections as the basis for housing need analysis and related land use requirements.**
- 52. Resume reporting on housing data and require consistent municipal reporting, enforcing compliance as a requirement for accessing programs under the Ontario Housing Delivery Fund.**
- 53. Report each year at the municipal and provincial level on any gap between demand and supply by housing type and location, and make underlying data freely available to the public.**
- 54. Empower the Deputy Minister of Municipal Affairs and Housing to lead an all-of-government committee, including key provincial ministries and agencies, that meets weekly to ensure our remaining recommendations and any other productive ideas are implemented.**
- 55. Commit to evaluate these recommendations for the next three years with public reporting on progress.**

Conclusion

We have set a bold goal for Ontario: building 1.5 million homes in the next 10 years.

We believe this can be done. What struck us was that everyone we talked to – builders, housing advocates, elected officials, planners – understands the need to act now. As one long-time industry participant said, “for the first time in memory, everyone is aligned, and we need to take advantage of that.”

Such unity of purpose is rare, but powerful.

To leverage that power, we offer solutions that are bold but workable, backed by evidence, and that position Ontario for the future.

Our recommendations focus on ramping up the supply of housing. Measures are already in place to try to cool demand, but they will not fill Ontario’s housing need. More supply is key. Building more homes will reduce the competition for our scarce supply of homes and will give Ontarians more housing choices. It will improve housing affordability across the board.

Everyone wants more Ontarians to have housing. So let’s get to work to build more housing in Ontario.

APPENDIX A:

Biographies of Task Force Members

Lalit Aggarwal is President of Manor Park Holdings, a real estate development and operating company active in Eastern Ontario. Previously, Lalit was an investor for institutional fund management firms, such as H.I.G. European Capital Partners, Soros Fund Management, and Goldman Sachs. He is a past fellow of the C.D. Howe Institute and a former Director of both Bridgepoint Health and the Centre for the Commercialization of Regenerative Medicine. Lalit holds degrees from the University of Oxford and the University of Pennsylvania. He is also a current Director of the Hospital for Sick Children Foundation, the Sterling Hall School and the Chair of the Alcohol & Gaming Commission of Ontario.

David Amborski is a professional Urban Planner, Professor at Ryerson University's School of Urban and Regional Planning and the founding Director of the Centre for Urban Research and Land Development (CUR). His research and consulting work explore topics where urban planning interfaces with economics, including land and housing markets. He is an academic advisor to the National Executive Forum on Public Property, and he is a member of Lambda Alpha (Honorary Land Economics Society). He has undertaken consulting for the Federal, Provincial and a range of municipal governments. Internationally, he has undertaken work for the Canadian International Development Agency (CIDA), the World Bank, the Inter-American Development Bank, the Lincoln Institute of Land Policy, and several other organizations in Eastern Europe, Latin America, South Africa, and Asia. He also serves on the editorial boards of several international academic journals.

Andrew Garrett is a real estate executive responsible for growing IMCO's \$11+ Billion Global Real Estate portfolio to secure public pensions and insurance for Ontario families. IMCO is the only Ontario fund manager purpose built to onboard public clients such as pensions, insurance, municipal reserve funds, and endowments. Andrew has significant non-profit sector experience founding a B Corp certified social enterprise called WeBuild to help incubate social purpose real estate projects. He currently volunteers on non-profit boards supporting social purpose real estate projects, youth programs and the visual arts at Art Gallery

of Ontario. Andrew sits on board advisory committees for private equity firms and holds a Global Executive MBA from Kellogg School Management and a Real Estate Development Certification from MIT Centre for Real Estate.

Tim Hudak is the CEO of the Ontario Real Estate Association (OREA). With a passion and voice for championing the dream of home ownership, Tim came to OREA following a distinguished 21-year career in politics, including five years as Leader of the Progressive Conservative Party of Ontario.

In his role, Tim has focused on transforming OREA into Ontario's most cutting-edge professional association at the forefront of advocacy on behalf of REALTORS® and consumers, and providing world-class conferences, standard forms, leadership training and professional guidance to its Members. As part of his work at OREA, Tim was named one of the most powerful people in North American residential real estate by Swanepoel Power 200 for the last five years. Tim is married to Deb Hutton, and together they have two daughters, Miller and Maitland. In his spare time, Tim enjoys trails less taken on his mountain bike or hiking shoes as well as grilling outdoors.

Jake Lawrence was appointed Chief Executive Officer and Group Head, Global Banking and Markets in January 2021. In this role, Jake is responsible for the Bank's Global Banking and Markets business line and strategy across its global footprint. Jake joined Scotiabank in 2002 and has held progressively senior roles in Finance, Group Treasury and Global Banking and Markets. From December 2018 to January 2021, Jake was Co-Group Head of Global Banking and Markets with specific responsibility for its Capital Markets businesses, focused on building alignment across product groups and priority markets to best serve our clients throughout our global footprint. Previously, Jake was Executive Vice President and Head of Global Banking and Markets in the U.S., providing overall strategic direction and execution of Scotiabank's U.S. businesses. Prior to moving into GBM, Jake served as Senior Vice President and Deputy Treasurer, responsible for Scotiabank's wholesale funding activities and liquidity management as well as Senior Vice President, Investor Relations.

Julie Di Lorenzo (GPLLM, University of Toronto 2020), is self-employed since 1982, operates one of the largest female-run Real Estate Development Companies in North America. She was instrumental in the Daniel Burnham award-winning Ontario Growth Management Plan (2004) as President of BILD. Julie served as the first female-owner President of GTHBA (BILD) and on the boards of the Ontario Science Centre, Harbourfront Toronto, Tarion (ONHWP), St. Michael's Hospital, NEXT36, Waterfront Toronto, Chair of IREC Committee WT, Havergal College (Co-Chair of Facilities), York School (interim Vice-Chair), and Canadian Civil Liberties Association Board. Julie has served various governments in advisory capacity on Women's issues, Economic Development, Innovation and Entrepreneurship. Awards include Lifetime Achievement BILD 2017, ICCO Business Excellence 2005 & ICCO Businesswoman of the Year 2021.

Justin Marchand (CIHCM, CPA, CMA, BComm) is Métis and was appointed Chief Executive Officer of Ontario Aboriginal Housing Services (OAHS) in 2018. Justin has over 20 years of progressive experience in a broad range of sectors, including two publicly listed corporations, a large accounting and consulting firm, and a major crown corporation, and holds numerous designations across financial, operations, and housing disciplines. He was most recently selected as Chair of the Canadian Housing and Renewal Association's (CHRA's) Indigenous Caucus Working Group and is also board member for CHRA. Justin is also an active board member for both the Coalition of Hamilton Indigenous Leadership (CHIL) as well as Shingwauk Kinoomaage Gamig, located in Bawaating. Justin believes that Housing is a fundamental human right and that when Indigenous people have access to safe, affordable, and culture-based Housing this provides the opportunity to improve other areas of their lives.

Ene Underwood is CEO of Habitat for Humanity Greater Toronto Area), a non-profit housing developer that helps working, lower income families build strength, stability and self-reliance through affordable homeownership. Homes are delivered through a combination of volunteer builds, contractor builds, and partnerships with non-profit and for-profit developers. Ene's career began in the private sector as a strategy consultant with McKinsey & Company before transitioning to not-for-profit sector leadership. Ene holds a Bachelor of Arts (Honours) from the University of Waterloo and a Master of Business Administration from Ivey Business School.

Dave Wilkes is the President and CEO of the Building Industry and Land Development Association of the GTA (BILD). The Association has 1,300 members and proudly represents builders, developers, professional renovators and those who support the industry.

Dave is committed to supporting volunteer boards and organizations. He has previously served on the George Brown College Board of Directors, Ontario Curling Association, and is currently engaged with Black North Initiative (Housing Committee) and R-Labs I+T Council.

Dave received his Bachelor of Arts (Applied Geography) from Ryerson.

APPENDIX B:

Affordable Housing

Ontario's affordable housing shortfall was raised in almost every conversation. With rapidly rising prices, more lower-priced market rental units are being converted into housing far out of reach of lower-income households. In parallel, higher costs to deliver housing and limited government funding have resulted in a net decrease in the number of affordable housing units run by non-profits. The result is untenable: more people need affordable housing after being displaced from the market at the very time that affordable supply is shrinking.

Throughout our consultations, we were reminded of the housing inequities experienced by Black, Indigenous and marginalized people. We also received submissions describing the unique challenges faced by off-reserve Indigenous Peoples both in the province's urban centres and in the north.

While many of the changes that will help deliver market housing will also help make it easier to deliver affordable housing, affordable housing is a societal responsibility. We cannot rely exclusively on for-profit developers nor on increases in the supply of market housing to fully solve the problem.

The non-profit housing sector faces all the same barriers, fees, risks and complexities outlined in this report as for-profit builders. Several participants from the non-profit sector referred to current or future partnerships with for-profit developers that tap into the development and construction expertise and efficiencies of the private sector. Successful examples of leveraging such partnerships were cited with Indigenous housing, supportive housing, and affordable homeownership.

We were also reminded by program participants that, while partnerships with for-profit developers can be very impactful, non-profit providers have unique competencies in the actual delivery of affordable housing. This includes confirming eligibility of affordable housing applicants, supporting independence of occupants of affordable housing, and ensuring affordable housing units remain affordable from one occupant to the next.

One avenue for delivering more affordable housing that has received much recent attention is inclusionary zoning. In simple terms, inclusionary zoning (IZ) requires developers to deliver a share of affordable units in new

housing developments in prescribed areas. The previous Ontario government passed legislation in April 2018 providing a framework within which municipalities could enact Inclusionary Zoning bylaws.

Ontario's first inclusionary zoning policy was introduced in fall 2021 by the City of Toronto and applies to major transit station areas. Internationally, inclusionary zoning has been used successfully to incentivize developers to create new affordable housing by providing density bonuses (more units than they would normally be allowed, if some are affordable) or reductions in government fees. Unfortunately, the City's approach did not include any incentives or bonuses. Instead, Toronto requires market-rate fees and charges for below-market affordable units. This absence of incentives together with lack of clarity on the overall density that will be approved for projects has led developers and some housing advocates to claim that these projects may be uneconomic and thus will not get financed or built. Municipalities shared with us their concerns regarding the restriction in the provincial IZ legislation that prohibits "cash in lieu" payments. Municipalities advised that having the option of accepting the equivalent value of IZ units in cash from the developer would enable even greater impact in some circumstances (for example, a luxury building in an expensive neighbourhood, where the cost of living is too high for a low-income resident).

Funding for affordable housing is the responsibility of all levels of government. The federal government has committed to large funding transfers to the provinces to support affordable housing. The Task Force heard, however, that Ontario's share of this funding does not reflect our proportionate affordable housing needs. This, in turn, creates further financial pressure on both the province and municipalities, which further exacerbates the affordable housing shortages in Ontario's communities.

Finally, many participants in Task Force consultations pointed to surplus government lands as an avenue for building more affordable housing and this is discussed in [Appendix C](#).

We have made recommendations throughout the report intended to have a positive impact on new affordable housing supply. We offer these additional recommendations specific to affordable housing:

- Call upon the federal government to provide equitable affordable housing funding to Ontario.
 - Develop and legislate a clear, province-wide definition of “affordable housing” to create certainty and predictability.
 - Create an Affordable Housing Trust from a portion of Land Transfer Tax Revenue (i.e., the windfall resulting from property price appreciation) to be used in partnership with developers, non-profits, and municipalities in the creation of more affordable housing units. This Trust should create incentives for projects serving and brought forward by Black- and Indigenous-led developers and marginalized groups.
- Amend legislation to:
 - Allow cash-in-lieu payments for Inclusive Zoning units at the discretion of the municipality.
 - Require that municipalities utilize density bonusing or other incentives in all Inclusionary Zoning and Affordable Housing policies that apply to market housing.
 - Permit municipalities that have not passed Inclusionary Zoning policies to offer incentives and bonuses for affordable housing units.
 - Encourage government to closely monitor the effectiveness of Inclusionary Zoning policy in creating new affordable housing and to explore alternative funding methods that are predictable, consistent and transparent as a more viable alternative option to Inclusionary Zoning policies in the provision of affordable housing.
 - Rebate MPAC market rate property tax assessment on below-market affordable homes.

APPENDIX C:

Government Surplus Land

Surplus government lands fell outside the mandate of the Task Force. However, this question came up repeatedly as a solution to housing supply. While we take no view on the disposition of specific parcels of land, several stakeholders raised issues that we believe merit consideration:

- Review surplus lands and accelerate the sale and development through RFP of surplus government land and surrounding land by provincially pre-zoning for density, affordable housing, and mixed or residential use.
- All future government land sales, whether commercial or residential, should have an affordable housing component of at least 20%.
- Purposefully upzone underdeveloped or underutilized Crown property (e.g., LCBO).
- Sell Crown land and reoccupy as a tenant in a higher density building or relocate services outside of major population centres where land is considerably less expensive.
- The policy priority of adding to the housing supply, including affordable units, should be reflected in the way surplus land is offered for sale, allowing bidders to structure their proposals accordingly.

APPENDIX D:

Surety Bonds

Moving to surety bonds would free up billions of dollars for building

When a development proposal goes ahead, the developer typically needs to make site improvements, such as installing common services. The development agreement details how the developer must perform to the municipality's satisfaction.

Up until the 1980s, it was common practice for Ontario municipalities to accept bonds as financial security for subdivision agreements and site plans. Today, however, they almost exclusively require letters of credit from a chartered bank. The problem with letters of credit is that developers are often required to collateralize the letter of credit dollar-for-dollar against the value of the municipal works they are performing.

Often this means developers can only afford to finance one or two housing projects at a time, constraining housing supply. The Ontario Home Builders' Association estimates that across Ontario, billions of dollars are tied up in collateral or borrowing capacity that could be used to advance more projects.

Modern "pay on demand surety bonds" are proven to provide the same benefits and security as a letter of credit, while not tying up private capital the way letters of credit do. Moving to this option would give municipalities across Ontario access to all the features of a letter of credit with the added benefit of professional underwriting, carried out by licensed bonding companies, ensuring that the developer is qualified to fulfill its obligations under the municipal agreement.

Most important from a municipal perspective, the financial obligation is secured. If a problem arises, the secure bond is fully payable by the bond company on demand. Surety companies, similar to banks, are regulated by Ontario's Office of the Superintendent of Financial Institutions to ensure they have sufficient funds in place to pay out bond claims.

More widespread use of this instrument could unlock billions of dollars of private sector financial liquidity that could be used to build new infrastructure and housing projects, provide for more units in each development and accelerate the delivery of housing of all types.

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SCHEDULE 'C'

Attachment: Top Five Housing Affordability Task Force (HATF) Recommendations for Response

| Please identify the top 5 HATF recommendations that you support, and rationale / comments | |
|---|---|
| 1. | <p># 44: Work with municipalities to develop and implement a municipal services corporation utility model for water and wastewater under which the municipal corporation would borrow and amortize costs among customers instead of using development charges.</p> <p>A municipal services corporation for utilities should be supported with funding to expand necessary infrastructure or, at the very least, no interest loans from the province to allow for reduced borrowing costs and lower costs to the eventual users (new homeowners), who end up paying user rates that are too often used to service debt.</p> <p>A municipal services corporation for water and wastewater should include a governance model that allows all municipalities to maintain autonomy and control of their own development ambitions and interests. Municipal services corporations, whether operating with single or multiple partner municipalities must endeavour to allow each respective municipality to maintain control and have input/autonomy of its own destiny in the operation and expansion of sanitary & water services. Municipal utility corporations must include, at the least, proportionate representation and should allow for all parties in the corporation to have: expansion of capacity options; ensure that all types of uses (commercial, industrial, residential) effluent will be accepted; should not be tied to a specific geographical area; should have sufficient notice clauses; should allow for rights of first refusal for future investment, etc. All potential partnerships and utilities models should provide full transparency and fiscal accountability.</p> |
| 2. | <p># 40: Call on the Federal Government to implement an Urban, Rural and Northern Indigenous Housing Strategy.</p> <p>A rural housing strategy should also include funding for servicing and provide opportunities for public entities to better participate in housing construction.</p> <p>The Township of Southwold also suggests that there should be a call on the CMHC to, instead of, funding private builds of low income, offer a no profit build by the CMHC directly to show the difference in costs, or allow municipalities to act as a developer for a certain percentage of its growth boundary. The municipalities who complete low-cost builds or act as developers should be exempt for bonusing claims or criticisms.</p> <p>-Southwold would also encourage the province to develop improved legal mechanisms that would allow municipalities to dispose of surplus land for the purpose of housing and improved mechanisms and options to ensure the houses built remain affordable over the long-term.</p> <p>Southwold also would encourage the province to call on MPAC to improve assessment timelines to allow municipalities to capture revenue sooner from new growth and appropriately finance the costs of development in the shorter time frame</p> |

| | |
|----|---|
| 3. | <p>#21. Require a pre-consultation with all relevant parties at which the municipality sets out a binding list that defines what constitutes a complete application; confirms the number of consultations established in the previous recommendations; and clarifies that if a member of a regulated profession such as a professional engineer has stamped an application, the municipality has no liability and no additional stamp is needed.</p> <p>The Township has found that pre-consultation for plans of subdivision and site plans can be very productive and allow for expedited development. Pre-consultation allows all parties to establish the process and particulars for the proposed development, however staff are cautious about a 'binding list' when there can be instead productive discussions about potential options and casually offer creative solutions without an obligation to act on all ideas. The Township of Southwold wants to make sure that a fear of binding obligations does not prevent staff from providing good service to potential builders and developers. For a professional engineer to accept all liability, the Township suggests that this needs to be better legislated, that no limitation of liability can be added to their work. Engineers who stamp are completely liable for the correct installation of the infrastructure and must guarantee it will meet the needs of its intended design for the lifetime of the asset. Any failure not caused by force majeure is to be paid by the engineer's insurer.</p> <p>Southwold would also suggest that the province require that developers and builders provide responses to municipal communication within prescribed timelines. The municipality recommends that the province also require utilities (Hydro, Natural Gas, Telecom, Railways) to provide comments to municipalities and developers on planning applications within more restrictive timelines, or risk paying penalties.</p> |
| 4. | <p>#45: Improve funding for colleges, trade schools, and apprenticeships; encourage and incentivize municipalities, unions and employers to provide more on-the-job training.</p> <p>Based on feedback from our building officials in the field, the builders are struggling to find qualified labourers. As the population ages, there are significant number of carpenters, plumbers, electricians, etc. moving into retirement leaving a large gap. The Township of Southwold suggests that offering tuition credits (similar to those offered to nursing students) may help to incentivize entering the trades.</p> |
| 5. | <p># 52. Resume reporting on housing data and require consistent municipal reporting, enforcing compliance as a requirement for accessing programs under the Ontario Housing Delivery Fund.</p> <p>Southwold is agreeable to this option, but would extend it to developers and builders as well to disclose the profit margins on homes, as well as disclose government imposed costs, to inform the public on the true reasons for increased home costs, keep both sides honest. The province should mandate requirements that builders and purchasers receive full disclosure from developers as to the costs and profits generated from the development. Municipal fees, development charges, land costs, and servicing costs often pale in comparison to profit margins which are ultimately driving up housing costs.</p> |

Other recommendations that Council could maybe consider as a priority:

#14. Require that public consultations provide digital participation options.

#22. Simplify planning legislation and policy documents

#41. Funding for pilot projects that create innovative pathways to homeownership, for Black, Indigenous, and marginalized people and first-generation homeowners.

#42. Provide provincial and federal loan guarantees for purpose-built rental, affordable rental and affordable ownership projects.

#43: Enable municipalities, subject to adverse external economic events, to withdraw infrastructure allocations from any permitted projects where construction has not been initiated within three years of build permits being issued.

#46: Undertake multi-stakeholder education program to promote skilled trades

#50. Fund the adoption of consistent municipal e-permitting systems and encourage the federal government to match funding. Fund the development of common data architecture standards across municipalities and provincial agencies and require municipalities to provide their zoning bylaws with open data standards. Set an implementation goal of 2025 and make funding conditional on established targets.

#51. Require municipalities and the provincial government to use the Ministry of Finance population projections as the basis for housing need analysis and related land use requirements

#53. Report each year at the municipal and provincial level on any gap between demand and supply by housing type and location, and make underlying data freely available to the public.



TOWNSHIP OF SOUTHWOLD

MEETING DATE: September 25, 2023

PREPARED BY: Lisa Higgs, CAO/Clerk

REPORT NO: CAO 2023-48

SUBJECT MATTER: Council Meetings in October

Recommendation(s):

THAT the Council of the Township of Southwold alters the schedule and the location for the regular meetings of Council in October as follows:

First meeting of October to take place on Wednesday October 11th at 7:00 pm at the Keystone Complex in Shedden

Second meeting of October to take place on Monday October 23rd at 7:00 pm at the Keystone Complex in Shedden.

Purpose:

This report provides a resolution from Council to alter the time, day and place of two Council meetings in the month of October.

Background:

Section 3.2 of the Township's procedural by-Law (No. 2018-23) states that Regular meetings of Council are to be the second and fourth Monday of each month commencing at 7:00 pm in the Council Chambers. In the same section, it indicates that if a meeting falls on a public holiday, council shall meet at an alternative time and day for an alternate meeting. Section 4.1 of the By-Law indicates that "Council may, by resolution, alter the time, day or place of any council and/or committee meeting."

Comment:

The Council Chambers are still under construction and likely will not be completed until the end of October. The meeting originally planned for Monday, October 9th takes place on the Thanksgiving holiday, so the normal action would be to schedule the meeting for Tuesday the 10th of October. Unfortunately, the Keystone is booked on Tuesday, so staff are recommending that Council meet on Wednesday evening, October 11th. The second meeting of October is scheduled to take place on October

23rd, which complies with the By-Law, however a location change is warranted to the Keystone Complex.

Financial Implications:

None.

Strategic Plan Goals:

The above recommendation helps the Township meet the Strategic Plan Goal of:

- ☐ Promoting residential, agricultural, commercial, and industrial development by ensuring policies and services are in place to support growth in The Township of Southwold.
- ☐ Promoting a healthy, naturally beautiful, and community-oriented municipality by encouraging and supporting involvement of volunteer organizations wishing to provide cultural and recreational activities in the Township of Southwold.
- ☐ Providing improved transportation and a strong commitment to asset management with a goal of maintaining the Township's infrastructure in the promotion of public safety
- ☐ Exercising good financial stewardship in the management of Township expenditures and revenues.
- ☒ Promoting public engagement, transparent government, and strong communications with all members of the community across various mediums for the strengthening of civic participation.

Respectfully Submitted by:
Lisa Higgs, CAO/Clerk
"Submitted electronically"

COUNCIL HIGHLIGHTS

TUESDAY,
SEPTEMBER 12, 2023

IN THIS ISSUE:

Raising Hope: A Flag of Awareness
for Childhood Cancer

Preserving Care and Nourishment:
Updates in Elgin County Homes'
Service Agreements

Prescribing Hope: Elgin County's
Collaborative Solution to Physician
Shortage

Revamping Highway 3 & 4: Paving
the Path to Progress -
A Peek into The MTO's Vision

December 2023 Council Meeting
Schedule Amendment

Clearing the Dust: Terrace Lodge's
Asbestos Abatement
and Policy Renewal

Shaping Tomorrow's Landscape:
Council Decisions on Planning
Amendments and Redline
Revisions in Elgin County



RAISING HOPE: A FLAG OF AWARENESS FOR CHILDHOOD CANCER

On Tuesday, September 12th, Warden Ed Ketchabaw, alongside representatives from Childcan, an organization that supports families dealing with childhood cancer, raised the Childhood Cancer Awareness flag in front of the Heritage Centre. Dave Jenkins, a member of the Childcan organization, is a community member who lost his daughter Maggie to cancer. Dave works tirelessly to increase awareness about childhood cancer.

Warden Ketchabaw proclaimed September as Childhood Cancer Awareness Month, honouring families like the Jenkins and others who have lost a child, as well as children who survived the disease.

By raising this flag, the County hopes to provide awareness about an organization that helps families and children with childhood cancer deal with this disease's emotional and financial tolls.



Pictured (L-R): Childcan representative, MP Karen Vecchio, Warden Ketchabaw, Dave Jenkins and a local cancer survivor, Ben.

PRESERVING CARE AND NOURISHMENT: UPDATES IN ELGIN COUNTY HOMES' SERVICE AGREEMENTS

The County of Elgin Homes (Bobier Villa, Elgin Manor and Terrace Lodge) have an agreement with CareRx Pharmacy for the provision of pharmacy services, with an end date of September 30, 2023.

A request for proposal (RFP) was issued on June 12, 2023, and the evaluation process is being followed and is anticipated to be completed in September 2023. Elgin County Council approved extending the current service agreement with CareRx Pharmacy to January 29, 2024, to support the completion of the RFP process.

The County of Elgin Homes (Elgin Manor and Terrace Lodge) currently prepare meals for the VON Meals on Wheels program. This program has an agreement with an end date of September 30, 2023.

Elgin County Council approved a new Meal Supply Agreement from October 1, 2023, to September 30, 2025. This new agreement will see a minimal increase year over year based on current and forecasted labour, food and packaging costs.

PRESCRIBING HOPE: ELGIN COUNTY'S COLLABORATIVE SOLUTION TO PHYSICIAN SHORTAGE

As a member of the South West Ontario Health Team (SW OHT), Elgin County has been invited to work together with neighbouring Ontario Health Teams on a proposal to recruit international physicians. Many Elgin County residents struggle to secure a family physician.

Elgin County Council approved a cost-effective proposal to increase the pool of physicians available to address the need.



REVAMPING HIGHWAY 3 & 4: PAVING THE PATH TO PROGRESS - A PEEK INTO THE MTO'S VISION

Stantec Consulting Ltd. was hired by the Ontario Ministry of Transportation (MTO) to improve Highway 3 from Highway 4 to Centennial Avenue in St. Thomas. This project aims to enhance the highway corridor, which affects County roads and nearby communities.

A Study Design Report (SDR) was presented during a Public Information Centre (PIC) on August 17th, 2023, and is open for public review and comment until September 15th.

Peter Dutchak, Acting Director of Engineering Services, provided Council with an overview of the SDR and staff's comments on preliminary design options for Council's review and input.

He noted that County staff, along with representatives from the Township of Southwold and the Municipality of Central Elgin, have unanimously agreed on their response to the MTO, which can be found in the "Environmental Assessment - Highway 3 and 4 Widening and Talbotville Bypass" Council Report.

| Problems | Opportunities |
|---|--|
| <ul style="list-style-type: none">• Traffic on Highway 3 and Highway 4 through Talbotville will continue to increase as recent and future industrial, commercial and residential growth occurs, which will impact safety in the community.• Highway 3 is a two-lane undivided highway with at-grade intersections, which is not suitable for the anticipated increase in traffic generated by the recent and future industrial, commercial and residential growth. | <ul style="list-style-type: none">• Highway 3 improvements and Talbotville Bypass are being planned as a provincial project to support future industrial, commercial and residential growth in the County of Elgin and St. Thomas areas. It will aim to address projected travel demand and aid in network connectivity in the area.• Provide a four-lane divided Highway 3 between Centennial Avenue and Highway 4 to enhance safety and operations.• Replace existing at-grade intersections with interchanges to promote free-flow movement along Highway 3 through the majority of the study area. |

This image outlines the identified "Problem" and "Opportunities" statement as identified by the MTO.

DECEMBER 2023 COUNCIL MEETING SCHEDULE AMENDMENT

The meeting scheduled for November 28, 2023, marks the end of the one-year term for the position of Warden. The Annual Warden's Election will be held on Tuesday, December 5, 2023, at 7:00 p.m. The meeting will resume on Wednesday, December 6, 2023, at 9:00 a.m.

CLEARING THE DUST: TERRACE LODGE'S ASBESTOS ABATEMENT AND POLICY RENEWAL

The Terrace Lodge Redevelopment Project is currently in Phase 2. During this phase, residual dust of Amosite, a friable dust, has been discovered throughout the facility on the suspended ceiling tile grids. Schouten Environmental Inc. has been chosen to carry out the Terrace Lodge Asbestos abatement at a total cost of \$113,350.00, excluding H.S.T.

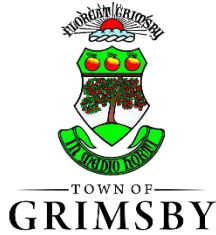
Following the Ministry of Labour Orders received in relation to Asbestos-related work at Terrace Lodge, HR Policy 8.60 'Asbestos in Buildings' was recently reviewed. The Ministry found the policy to be insufficient. Therefore, extensive training has been scheduled for all maintenance staff, management team members within the facilities, and JHSC members associated with the Lodge.

SHAPING TOMORROW'S LANDSCAPE: COUNCIL DECISIONS ON PLANNING AMENDMENTS AND REDLINE REVISIONS IN ELGIN COUNTY

In accordance with Section 17 of the Planning Act, the Council of the County of Elgin, as "Approval Authority," is required to make a decision on the adopted amendments and redline revisions in which Council may approve, modify or refuse to approve. County Council approved the following planning matters:

- The Council of the Town of Aylmer has adopted an amendment to their official plan, called Official Plan Amendment Number 24 (OPA No. 24), which alters the land use designation of certain lands. The amendment changes the designation from 'Low-Density Residential' to 'Medium Density Residential' to allow the use of the lands for multi-family homes, specifically townhouses.
- The Creek's Edge Subdivision located in the Municipality of West Elgin has proposed a modification to their draft plan of subdivision. The proposed redline revision will involve altering the size of the stormwater management block and making minor adjustments to road locations and lot sizing. The number of lots will remain unchanged, and the revisions will uphold the original two (2) subdivision concepts.

For the complete September 12, 2023, County Council Agenda Package, please visit the Elgin County [website](#).



**The Corporation of the Town of Grimsby
Administration**

Office of the Town Clerk

160 Livingston Avenue, Grimsby, ON L3M 0J5

Phone: 905-945-9634 Ext. 2171 | **Fax:** 905-945-5010

Email: bdunk@grimsby.ca

September 8, 2023

SENT VIA E-MAIL

Office of the Prime Minister
80 Wellington St.
Ottawa, ON, K1A

Attention: The Right Honourable Justin Trudeau

RE: Establishing a Guaranteed Livable Income

Please be advised that the Council of the Corporation of the Town of Grimsby at its meeting held on September 5, 2023 passed the following resolution:

Moved by: Councillor Korstanje

Seconded by: Councillor Freake

Whereas the Canadian livable wage for Niagara Region, two years ago was determined to be \$19.80. This was \$6000 below the annual income of a minimum wage employee; and

Whereas our residents on programs such as Ontario Works, receive targeted fixed monthly incomes of \$733, and ODSP recipients receive \$1376; and

Whereas at the current Ontario minimum wage rate, a person working 37.5 hours per week will earn approximately \$2,500 monthly (before tax); and

Whereas the median rent for one bedroom in Grimsby as of August 2023 is now \$2000 a month; and

Whereas rent is considered affordable, when it is less than 30% of income. In Niagara west, rent is approximately 272% of Ontario Works, 145% of Ontario Disability Support Services, 75% of minimum wage full-time, and 150% of minimum wage part time; and

Whereas an annual 2.5% allowable rent increase can be combined with an additional 3-6.5% capital investment increase, raising the cost of rental housing another minimum of \$110 monthly; and

Whereas there are no housing units under Niagara Regional Housing for single adults or families with dependents, including 2,3,4 or five bedrooms in our community; and

Whereas the Grimsby Benevolent Fund reported that in 2022:

- 70+ households received monthly rental supplement totaling \$237,744
- \$79,500 was invested into one time emergency housing support as of June 7, 2023
- 78 households are receiving monthly financial benefits to make rental housing more affordable; and

Whereas food inflation was 8.3% and groceries rose by 9.1%; and

Whereas the Grimsby Food Bank numbers from June 2023 reported:

- 19 new households
- 447 served households
- 1055 served individuals
- 7 emergency visits; and

Whereas the Grimsby Economic Strategic Plan identified the general high cost of living and housing affordability as primary obstacles in our workforce attraction.

Therefore be it resolved that The Corporation of the Town of Grimsby circulate correspondence to Ontario municipalities encouraging them not only to collect data of their housing and poverty statistics, but also to examine their pending economic vulnerability as a result.

Be it further resolved that The Corporation of the Town of Grimsby encourage these same municipalities to join us in advocating on behalf of our communities with this data, and by writing a letter to the Prime Minister, Premier, and local politicians calling for a united effort in establishing a Guaranteed Livable Income program.

Be it further resolved the Town of Grimsby Clerks Department circulates this resolution to Niagara West MP Dean Allison and Niagara West MPP Sam Oosterhoff, requesting a response on this matter within 30 days of receipt.

Be it further resolved that The Corporation of the Town of Grimsby, through its Finance and Human Resources departments, undertake a comprehensive assessment to explore the feasibility and implementation of a living wage policy for all Town of Grimsby employees, with the aim of ensuring that all municipal workers receive fair compensation that aligns with the principles of a living wage and that staff be directed to explore becoming a living wage employer.

If you require any additional information, please let me know.

Regards,

A handwritten signature in dark ink, appearing to read 'Bonnie Nistico-Dunk', written in a cursive style.

Bonnie Nistico-Dunk
Town Clerk

cc. Hon. Doug Ford, Premier of Ontario
Ontario Municipalities
Dean Allison, MP Niagara West
Sam Oosterhoff, MPP Niagara West



THE CORPORATION OF THE TOWNSHIP OF SOUTHWOLD

BY-LAW NO. 2023-52

Being a By-Law to authorize the execution of an agreement between the County of Elgin and the Corporation of the Township of Southwold to provide road maintenance.

WHEREAS Section 20 (1) of the *Municipal Act*, states that a municipality may enter into an agreement with one or more municipalities or local bodies, as defined in Section 19, or a combination of both to jointly provided, for joint benefit, any matter which all of them have the power to provide within their own boundaries.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF SOUTHWOLD ENACTS AS FOLLOWS:

1. THAT Schedule "A" attached hereto and forming part of this By-law, being an agreement with the County of Elgin for road maintenance and the Mayor and CAO/Clerk be authorized to sign on behalf of the Township;
2. THAT this By-law shall come into force and effect upon the final passing thereof.

READ A FIRST AND SECOND TIME, CONSIDERED READ A THIRD TIME AND FINALLY PASSED THIS 25TH DAY OF SEPTEMBER, 2023.

Mayor
Grant Jones

CAO/Clerk
Lisa Higgs

COUNTY ROADS MAINTENANCE AGREEMENT

THIS AGREEMENT made effective, in quadruplicate, as of the 1st day of January, 2023.

B e t w e e n:

CORPORATION OF THE COUNTY OF ELGIN
(hereinafter called the "County")

OF THE FIRST PART

- and -

THE CORPORATION OF THE TOWNSHIP OF SOUTHWOLD
(hereinafter called the "Municipality")

OF THE SECOND PART

WHEREAS:

- a) The County has, by by-law, established certain roads or public highways located within its boundaries and, further thereto, incorporated such roads, highways, and related bridge facilities into its arterial road system;
- b) The Municipal Act, 2001, S.O. 2001, c. 25, as amended (hereinafter the "Municipal Act"), permits a municipality to enter into agreements for the joint management and operation of, among other things, a road system;
- c) By Order made by Allan Leach, Minister of Municipal Affairs and Housing on May 15, 1997 and effective January 1, 1998, the responsibility for among other things, maintenance of the County road system was transferred from the County to lower-tier municipalities;
- d) The County and the Municipality as identified above have reached agreement as to the terms by which the Municipality shall undertake such maintenance responsibilities in respect of roads, highways, and related bridge, culvert, and drainage facilities incorporated in the County road system and which are located within the boundaries of the Municipality;

NOW THEREFORE this Agreement witnesseth that, in consideration of the mutual covenants herein contained and upon the terms and conditions expressed herein, the parties hereto agree with each other and their respective administrators, successors, and assigns as follows:

1.0 General

Guiding Principles

- 1.1** For purposes of interpretation and implementation of the provisions of this Agreement, the parties hereto agree that the guiding principles of such provisions include but are not necessarily limited to the following:
 - (i) The Municipality shall deliver the Services contemplated by this Agreement to the standards outlined herein, including, when and where applicable, to the then current minimum maintenance standards as established by the Province of Ontario, currently as prescribed in O.Reg. 239/02, as amended, entitled "Minimum Maintenance Standards for Municipal Highways" as may be further amended, updated, and/or replaced.

- (ii) The Municipality shall deliver the Services contemplated by this Agreement to the applicable standards as outlined herein, irrespective of annual operating cost fluctuations.
- (iii) The Municipality shall have the discretion and flexibility to perform the Services contemplated by this Agreement utilizing any service delivery method or methods it chooses, so long as the standards outlined herein are satisfied.
- (iv) The annual compensation payable to the Municipality as contemplated by this Agreement is intended to provide fair, reasonable, and sufficient payment for the anticipated average costs of road maintenance and repair Services to be delivered by the Municipality during an average calendar year.
- (v) The Municipality will be entitled to receive the full amount of annual compensation as contemplated by this Agreement, irrespective of annual operating cost fluctuations.
- (vi) In its discretion, the Municipality shall have and exercise financial control over annual compensation contemplated by and received under this Agreement, including the ability to appropriate all or any part of such compensation to municipal operations and/or resources as it chooses or deems reasonable.

Schedules

1.2 The following schedules are attached to and shall form part of this Agreement:

- (i) Schedule "A" referred to as a detailed description of roads and bridge/culvert/drainage facilities for which maintenance/repair services are required in the Municipality;
- (ii) Schedule "B" referred to as a sketch identifying location of relevant County roads and bridge/culvert/drainage facilities in the Municipality;
- (iii) Schedule "C", referred to as Scope of Services;
- (iv) Schedule "D" referred to as Monthly Invoice Format;
- (v) Schedule "E" referred to as Payment Schedule;
- (vi) Schedule "F" referred to as Quarterly Road Works Report (Municipality to County) Format;
- (vii) Schedule "G" referred to as Year-End Financial Statement (Municipality to County) Format;
- (viii) Schedule "H" referred to as the Winter Road Salt Use and Winter Control Operations Questionnaire Format;
- (ix) Schedule "I" referred to as Quarterly Inspection Report (County to Municipality) Format;
- (x) Schedule "J-1" referred to as Terms of Reference - Operations Committee; and,
- (xi) Schedule "J-2" referred to as Terms of Reference - Governance Committee.

For purposes of clarity and with respect to Schedule "C" (including the appendix thereto) above, it is agreed and acknowledged that the obligations, duties, requirements, and standards hereunder must be read and interpreted in conjunction with the complete text of this Agreement, including but not limited to s. 1.1 above as well as established principles of contract interpretation.

2.0 Definitions

2.1 For purposes of this Agreement,

- 2.1.1 "Road", "County Road", or "Road Allowance" shall have identical meaning and shall include that area of land comprising and recognized as a public road allowance at law, including but not limited to the travelled and untravelled portions of any road, highway, street or public right-of-way.
- 2.1.2 "County Superintendent" shall mean the Director of Engineering Services for the County of Elgin or his or her designate or designates.
- 2.1.3 "Municipal Superintendent" shall mean the Public Works Superintendent for the Municipality or his or her designate or designates.

3.0 Term

- 3.1 The parties agree that this Agreement shall come into effect as of the 1st day of January, 2023, which date shall hereinafter be referred to as the "Commencement Date".
- 3.2 This Agreement shall commence on the Commencement Date and shall continue until the 31st day of December, 2027 (the "Term") at which time it shall terminate; provided that the parties, by written Agreement executed prior to December 31, 2027, may extend the Term hereof for a further five (5) year period, commencing on the 1st day of January, 2028, and ending on the 31st day of December, 2032.

4.0 Maintenance/Repair Services

- 4.1 The Municipality hereby agrees to maintain and keep in repair those Road Allowances and bridge/culvert/drainage facilities, as identified on Schedule "A" and "B" hereto.
- 4.2 For purposes of clarity, attached as Schedule "B" to this Agreement is a sketch generally identifying the Roads and bridge/culvert/drainage facilities which are the subject of this Agreement and the maintenance and repair obligations set forth in clause 4.1 above. In the event of a conflict between the provisions of Schedules "A" and "B" hereto, the provisions of Schedule "A" shall prevail.
- 4.3 For purposes of clarity,
 - 4.3.1 where a County Road intersects a road owned by or otherwise under the jurisdiction of the Municipality, the continuation of the County Road to its full width across the road so intersected is considered part of the County Road.
 - 4.3.2 where a County Road intersects a Provincial Highway owned or otherwise under the jurisdiction of the Province of Ontario and/or the Ministry of Transportation - Ontario, the continuation of the said Provincial Highway to its full width across the County Road so intersected is deemed to be part of the Provincial Highway and not part of the County Road and, as such, is not subject to the obligations set forth in this Agreement.
- 4.4 Subject to s. 4.10 below, the Municipality covenants to perform maintenance/repair services upon those Road Allowances and bridge/culvert/drainage facilities identified in Schedules "A" and "B" hereto, at all times utilizing competent supervisors and workers properly trained in the delivery of road maintenance and repair services as contemplated by this Agreement. The maintenance/repair services to be provided by the Municipality and the standards to which such Services are to be provided are as identified and/or contemplated by the Scope of Services as attached as

as identified and/or contemplated by the Scope of Services as attached as Schedule "C" hereto, which Schedule further includes photocopies of relevant Elgin County maintenance/repair policies as reflecting upon performance of those Services.

- 4.5** Road maintenance/repair services in addition to the Scope of Services identified in Schedule "C" may be performed by the Municipality by mutual agreement between the Municipal Superintendent and the County Superintendent. In the event that additional services beyond those provided for in Schedule "C" to this Agreement or otherwise at law, are required by the County, the County Superintendent may, but is not required to, identify such services to the Municipal Superintendent and the Municipality, through the Municipal Superintendent, and the Municipality, through the Municipal Superintendent, shall have the option of either seeking to perform such work or declining to perform such work. In the event that the Municipality seeks to perform such work and save and except in the case of an emergency as determined by the County Superintendent in his unfettered discretion, the County Superintendent, or his designate, shall deliver a written scope of intended additional services to the Municipality by the Municipal Superintendent. If the Municipality thereafter seeks to perform such services, the Municipal Superintendent shall prepare and deliver a written cost estimate to the County Superintendent, who shall have the option of either accepting the said cost estimate or rejecting such estimate, in which former case, the accepted estimate shall constitute the mutual agreement for such additional services between the parties as referred to above. In the event that the Municipality, in the first instance, rejects the opportunity to seek to perform such additional services or the County, in the second instance, rejects the written estimate prepared and delivered by the Municipal Superintendent, then in either such instances, the County shall be at liberty to arrange for the additional services to be performed by a third party contractor other than the Municipality.

Without limiting the generality of the foregoing, in the case of an emergency as determined by the County Superintendent and without restricting the authority of the County Superintendent to retain a third party contractor to perform the required work, the requirement for delivery of a written scope of intended additional services is waived and the County Superintendent and the Municipal Superintendent may agree that the Municipality shall perform such additional services as is required to address the said emergency, under which agreement the said additional services may be costed and invoiced by the Municipality to the County on a time and materials basis, with administrative surcharge(s) not exceeding five percent (5%) of the cost of such services prior to accrual of taxes; provided at all times that, prior to performance of any such additional services, the terms of such arrangement, including but not limited to costing and invoicing on a time and materials basis, must be confirmed in writing, including by exchange of email, between the County Superintendent and Municipal Superintendent.

In those circumstances in which additional maintenance/repair services are completed by a third party contractor, the County shall take all reasonable steps to ensure that such Works are at all times rendered by workers properly trained in the delivery of road maintenance and repair services as contemplated by this Agreement and otherwise overseen by competent supervisors and, furthermore and at all times, that such Works shall satisfy any and all applicable provincial and/or Municipality standards, whichever is higher.

In those circumstances in which such additional maintenance/repair services are completed by the Municipality and the Municipal Superintendent is of the opinion that certain road maintenance/repairs are of an emergency nature and that such notice to the County Superintendent is not practical and, as such, the Municipal Superintendent shall have the right to arrange for and complete those emergency services and shall thereafter notify the County Superintendent within the next working day of the services so provided.

The Municipality shall prepare and deliver an invoice to the County for such additional maintenance/repair services, including any such emergency services, in accordance with paragraph 5.2 below and the County shall pay such invoice in accordance with paragraph 5.3 below.

4.6 With respect to standards to which the Scope of Services set forth in Schedule “C” to this Agreement are to be performed, the parties hereto acknowledge and/or agree as follows:

4.6.1 As and where applicable and unless otherwise indicated, the parties agree to the application of the regulatory standard to the associated maintenance or repair Service as specified within the then current Minimum Maintenance Standards established by the Province of Ontario by Regulation passed pursuant to the Municipal Act. In the event of any change to an applicable regulatory standard(s) by the Province of Ontario, the County Superintendent and Municipal Superintendent shall review such revised standard(s) in relation to the Scope of Services to determine whether the said standards as revised by the Province of Ontario are greater than or less than any applicable requirement(s) of the Scope of Services. In this regard and in the event that the Province of Ontario has revised a standard(s) that is(are) higher than that applicable to or contemplated by the associated maintenance or repair Service(s), then the parties shall adopt those higher performance standards and, if necessary, present to County Council and Municipal Council any amendments required to this Agreement.

4.6.2 The standards for maintenance and/or repair Service(s) not specified within the Minimum Maintenance Standards are to be performed to the standard referenced in Schedule “C” hereto, including but not necessarily limited to an associated policy referenced and/or attached thereto. Any change in such standard requires the consent of both parties hereto and a formal written amendment hereto pursuant to s.15.3 herein.

4.7 The County Superintendent and the Municipal Superintendent shall each advise the other of repair and construction works that are scheduled along both County Roads and intersecting Municipal Roads on an annual basis to permit the Municipality the opportunity to arrange its work schedule in anticipation of those works upon any County Road. The County Superintendent shall also provide to the Municipality, for information purposes only and immediately upon granting of such permits or approvals, copies of any written permits or approvals which are granted to third parties by the County Superintendent in respect of work upon or use of any County Road Allowance.

4.8 Without limiting the maintenance obligation of the Municipality as set forth above or herein, the parties acknowledge and agree that the Municipality shall not be called upon to maintain and/or repair a County Road, bridge/culvert/drainage facility or highway bridge/overpass pursuant to this Agreement where such County Road, bridge/culvert/drainage facility or highway bridge/overpass has been constructed and/or reconstructed by the County or a subcontractor retained by the County to a condition which would fail to meet established County standards for such County Road, bridge/culvert/drainage facility or highway bridge/overpass or contract requirements for such construction and/or reconstruction; provided that the Municipality shall be obliged to so maintain and/or repair any such County Road, bridge/culvert/drainage facility or highway bridge/overpass pursuant to this Agreement at all times after such infrastructure has been remediated to a condition to meet established County standards for such County Road, bridge/culvert/drainage facility or highway bridge/overpass or contract requirements for such initial construction and/or reconstruction.

4.9 Further to those maintenance obligations referred to above, the Municipality also agrees to provide routine winter maintenance, including but not

necessarily limited to snow removal and sanding, of highway bridges and overpasses not owned by the County but connecting at least to portions of County Roads. The parties acknowledge that such highway bridges and overpasses are identified in Schedules "A" and "B" to this Agreement and that such facility shall be maintained in accordance with the Scope of Services for Elgin Road System attached as Schedule "C" to this Agreement.

4.10 Notwithstanding that set forth in s.4.4 above but at all times subject to the dispute resolution process detailed in s. 12 below, the parties further agree that in the event of a dispute as to the interpretation of the Scope of Services prescribed by the County for the Elgin Road System, the decision of the County Superintendent, acting reasonably, shall prevail.

4.11 The County and the Municipality, as the case may be and in respect of the various obligations, acknowledgements, and agreements set forth in this s. 4 above, further acknowledge and agree as follows:

4.11.1 Without limiting the generality of that set forth above but subject to the review and adoption process provided for in s. 4.6 above, the Municipality hereby specifically acknowledges and agrees that, unless otherwise indicated, the maintenance and/or repair works undertaken upon County Roads, bridge/culvert/drainage facilities and/or highway bridge/overpass pursuant to this Agreement shall at all times and in all ways satisfy the then current standards established by the Province of Ontario pursuant to the Municipal Act, and/or any Regulations passed thereunder, including but not limited to those standards established and known municipally as Minimum Maintenance Standards. The Municipality hereby further acknowledges and agrees that its road maintenance/repair practices are of a nature and of a quality to satisfy all applicable statutory and/or regulatory obligations or standards for maintenance or repair a highway or associated facilities.

4.11.2 The County hereby specifically acknowledges and agrees that, in arranging for completion of works upon any County Road, bridge/culvert facility, and/or highway bridge/overpass, including the construction or reconstruction thereof, by a third-party contractor,

- (a) it shall use its best efforts to ensure that such works, by design and upon completion and acceptance, shall satisfy all applicable provincial and/or municipal standards for such construction and/or reconstruction;
- (b) it shall utilize appropriate contract documents to satisfy the commitment set forth in subsection (a) above;
- (c) it shall use its best efforts to provide timely notification to the Municipality, by the Municipal Superintendent, of the anticipated timing and detail of such works to be performed by a third party contractor upon any County Road, bridge / culvert facility, and/or highway bridge/overpass to which this Agreement applies;
- (d) in circumstances in which deficiencies in the said works are discovered, it shall use its best efforts to seek correction of such deficiencies by the involved contractor, including through reliance upon any warranty provided by such contractor; provided that the County shall at all times have the discretion to choose not to seek correction of such deficiencies by such contractor or in reliance upon such warranty but to seek correction by any other contractor or through any other arrangement.
- (e) during any period of time to which a specific warranty from a third-party contractor who completed Works upon any County Road, bridge/culvert/drainage facility, and/or highway bridge/overpass

maintenance/repair services as contemplated by this Agreement to improve the condition of such Works to meet any applicable provincial and/or municipal standard prior to such Works being accepted by the County; provided that it is otherwise understood that the Municipality may be required to perform maintenance/repair services in relation to such Works as contemplated by this Agreement in circumstances in which the applicable standard had been previously achieved as of the date of acceptance of the Works by the County but that, by use or otherwise, such maintenance/repair services are then required to again achieve such standard;

- (f) it shall use its best efforts to provide timely notification to the Municipality, by the Municipal Superintendent, of both satisfactory performance and completion of works by such third party contractor and/or, in the case of repair or remediation of any defect or deficiency caused by or attributed to the said or any other contractor, whether pursuant to a warranty or not, satisfactory repair or remediation of such defect or deficiency as well as the resultant commencement or re-commencement of the Municipality's maintenance and repair obligations as provided for herein in respect of the said County Road and/or bridge/culvert/drainage facility; and,
- (g) upon reasonable demand by the Municipality, the County shall produce to the Municipality any records relating to inspection, deficiency correction, and/or acceptance of such works by or as between the County and any involved third-party contractor.

5.0 Payment to the Municipality

5.1 For maintenance/repair services as contemplated by the Scope of Services attached as Schedule "E" hereto, the Municipality shall receive the annual base payment of \$567,255.88 for services rendered during each calendar year of the Term of this Agreement, provided that the said annual base payment shall be adjusted on an annual basis, effective January 1 of each calendar year of the term of this Agreement, commencing January 1, 2024, in accordance with the Consumer Price Index (CPI) for Ontario (All Goods) for the month of October of each year, commencing October, 2023. The Municipality shall submit a summary invoice in accordance with the sample attached as Schedule "D" hereto to the County on or before the 10th day of each month, commencing February 10, 2023, and continuing through and including January 10, 2028 and in accordance with the corresponding monthly percentage of annual base payment as set out in Schedule "E" attached, for such services rendered within the previous calendar month, such invoices to provide and, as required, be accompanied by the following reports:

5.1.1 within each such monthly invoice, the Municipality shall confirm the details of at least one (1) inspection of County Roads and bridge/culvert/drainage facilities as contemplated by this Agreement and completed within the previous month period to which the invoice applies, including the date and time of the inspection and the name of the person completing that inspection;

5.1.2 on or before the 10th day of April, July, October, and January of the Term of this Agreement but furthermore including January 10, 2028, and commencing April 10, 2023, a Quarterly Road Work Report detailing the Services contemplated by this Agreement and as performed by or on behalf of the Municipality during the previous three (3) full months' time period, such Report to be prepared and delivered in the format set forth in Schedule "F" hereto;

5.1.3 by February 15th of each calendar year, commencing February 15,

- 5.1.3 by February 15th of each calendar year, commencing February 15, 2024, and continuing to and including February 15, 2028, and in accordance with the format set forth in Schedule "G" hereto, Year-End Financial Statements detailing total repair/maintenance costs in respect of County Roads, for the previous full calendar year, including but not limited to line items for labour, equipment, material/contracts, administration and other costs for each Service item as identified in Schedule "C" hereto; and,
- 5.1.4 by May 10th of each calendar year, commencing May 10, 2023, a complete Winter Road Salt Use and Winter Control Operations Questionnaire for the previous twelve (12) month period ending April 30th of each such calendar year and in the format set forth in Schedule "H" hereto.
- 5.2** For additional maintenance/repair services, including emergency services, as provided for herein and at all times within 60 days of completion of such Services, the Municipality shall, within a monthly invoice prepared and delivered in accordance with ss. 4.5 and 5.1 above, charge the County for the agreed cost of such Services, provided that the details of such work and cost calculation thereof, including photocopies of any third party charges, are set forth within such invoice and otherwise accounted for within the applicable Quarterly Report as contemplated in s. 5.1 above.
- 5.3** The County shall forthwith pay the monthly invoice submitted by the Municipality in compliance with the requirements set forth in paragraph 5.1 and 5.2 above, provided that the County shall not be required to pay any such invoice submitted by the Municipality which is not in compliance with those requirements and/or in respect of any invoice item which is disputed by the County. In addition and for purposes of clarity, in the event that the Municipality has failed to deliver a report or reports as contemplated by either paragraph 5.1 above or otherwise failed to comply with its obligations pursuant to paragraphs 5.2 above or 8 or 9 below, the County may withhold ten per cent (10 %) of the value of any then current invoice and all subsequent invoices as rendered to it by the Municipality until the Municipality has corrected such deficiency and brought itself into compliance with its obligations pursuant to this section and this Agreement.
- 5.4** As guidance to the preparation of invoices and/or reports as set forth in this s. 5.0, the following principles shall apply:
- 5.4.1 Labour costs should be reported as actual costs of applicable salary and benefits paid.
- 5.4.2 Equipment costs should be reported as applicable machine hours, utilizing OPSS-127 rates most recently published by the Ministry of Transportation Ontario.
- 5.4.3 Material and Contract costs should be reported as invoiced to the Municipality by an applicable vendor.
- 5.4.4 An annual flat fee of up to 5% of the total annual County Road Maintenance Allocation may be reported by the Municipality as administrative charges within its Year-End Financial Statement.
- 5.5** All other applicable road maintenance/repair expenses related to County Roads and facilities as contemplated in this Agreement should be reported as "Other" within the Year-End Financial Statement submitted by the Municipality and which Statement should be accompanied by documentation supporting such expenses.
- 5.6** For purposes of further clarity, the parties hereto acknowledge that payments made and invoices rendered hereunder do not affect assessments applicable

to or charged in respect of Municipal drains established pursuant to the Drainage Act, R.S.O. 1990, c. D.17, as amended.

6.0 Insurance

- 6.1** The Municipality shall, during the term of this entire Agreement, obtain and maintain for the benefit of the County, a comprehensive general liability insurance policy in the amount of not less than ten million (\$10,000,000.00) dollars per incident, such policy providing insurance coverage for and including bodily injury, death, or property damage as sustained in connection with the performance of services and/or obligations that are undertaken pursuant to this Agreement; for purposes of clarity, the aforementioned policy shall name the County as an additional insured.
- 6.2** The Municipality shall upon request provide the County with copies of the Certificate of Insurance issued in respect of such policy and the Municipality shall maintain such policy in full force and effect during the entire Term of this Agreement.
- 6.3** Effective as of the date of this Agreement, the Municipality shall require that contractors and third parties which perform maintenance and/or repair works upon any County Road, bridge/culvert, highway or overpass or traffic control signal or beacon in accordance with this Agreement shall maintain a comprehensive general liability insurance policy in the amount not less than five million (\$5,000,000.00) dollars per incident, such policy to provide insurance coverage for and including bodily injury, death, or property damage as sustained in connection with the performance of maintenance/repair services undertaken pursuant to this Agreement. The County and the Municipality shall each be named as additional insureds under the terms of this insurance policy.

7.0 Traffic/Beacon Signals

- 7.1** The Municipality shall monitor traffic control/beacon signals or devices located on County Roads in accordance with and as may be indicated in the Scope of Services attached as Schedule "C" hereto.
- 7.2** In the event that the Municipality shall observe any deficiency in the installation, erection, or operation of any traffic control/beacon signals, it shall immediately notify both the County Superintendent or his or her designate and the Electrical Contractor for the County as to the details of such deficiency; provided that the County shall at all times inform the Municipality of the identity of the current Electrical Contractor.

8.0 Inspection

County – Quarterly Inspections – Maintenance and Repair of Deficiencies by Municipality

- 8.1** Without limiting the right of the County to do so at any time but at least once during each three month period of the term of this Agreement and on at least one such occasion to be accompanied by the Municipal Superintendent, the County shall inspect the condition of the roads, bridges/culverts/drainage facilities, highway bridges/overpasses, and traffic signals and beacons which are the subject of this Agreement and in relation to the Scope of Services for Elgin Road System attached as Schedule "C" to this Agreement. The County representative shall thereafter record the results of the said inspection on an Inspection Report in the format contained in Schedule "I" hereto, a copy of which shall then be delivered to the Municipal Superintendent along with written direction from the County Superintendent directing the repairs and/or maintenance works to be completed.
- 8.2** Unless postponed upon the written approval of the County and at all times within sixty (60) days of receipt of such Inspection Report, the Municipality,

within a time period reasonably commensurate with the extent and nature of such works and any consequential risk to public users, shall undertake and complete all required repairs and/or maintenance works for which it receives direction pursuant to s. 8.1 above and shall report the details of such work to the County within the Quarterly Report next delivered pursuant to s. 5.1 above.

- 8.3** The Municipality acknowledges and agrees that the performance of inspections by and the communication of direction for required repair and/or maintenance from the County pursuant to paragraph 8.1 above does not relieve the Municipality of its obligations to otherwise perform repairs and/or maintenance works to County roads, bridges/culverts/drainage facilities, highway bridges/overpasses, and traffic control/beacon devices as set forth in this Agreement.

By the Municipality – Monthly Inspections – Inspection Notes – Maintenance and Repair of Deficiencies of Municipality

- 8.4** At least once during the course of each calendar month during the Term of this Agreement, the Municipality, by its Municipal Superintendent or any authorized designate thereof, shall inspect the roads, bridges/culverts/drainage facilities, highway bridges/overpasses, and traffic signals which are the subject matter of this Agreement and in relation to which the Scope of Services attached as Schedule “C” hereto apply. The involved Municipal representative shall prepare written records/notes of the results of each such inspection, including but not limited to the particulars of any relevant MMS standards findings, noted deficiencies, corrective actions undertaken, and/or planned, but not yet completed, works, which results, along with details of completed remedial maintenance and/or repair work, shall be incorporated within the next delivered Quarterly Roads Works Report (Municipality to County) prepared in the format outlined in Schedule “F” hereto. Thereafter, the said records/notes shall be held and maintained by the Municipality in accordance with and pursuant to the obligations set forth in s. 9.0 hereof.
- 8.5** Without limiting the generality of the foregoing and unless extended by the written approval of the County but at all times within a time period reasonably commensurate with the nature and extent of such works and any consequential risk to public users, the Municipality shall undertake and complete all required maintenance and/or repair works in respect of deficiencies noted and recorded during any one or more monthly inspections as prescribed in s. 8.4 above and report the details of such deficiency and work to the County within the Quarterly Road Works Report next delivered.

9.0 Records

- 9.1** The Municipality shall maintain accurate records of works performed pursuant to this Agreement, including but not limited to works performed pursuant to any direction received pursuant to paragraph 8.1 above, the records/notes required by s. 8.4 above, and as incorporated within the Quarterly Roads Works Reports as referenced above.
- 9.2** The Municipality shall maintain records of its activities undertaken pursuant to this Agreement in accordance with the timeframes established in its municipal records retention bylaw, approved in accordance with the Municipal Act, and, further thereto, shall allow access to such records to the County Superintendent or his or her delegate, limited only by the provisions of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56, as amended (hereinafter “MFIPPA”).
- 9.3** The County shall maintain records of its activities undertaken pursuant to this Agreement in accordance with the timeframes established in its municipal records retention bylaw, approved in accordance with the Municipal Act and, shall allow access to such records to the Municipal Superintendent or his or her delegate, limited only by the provisions of MFIPPA.

10.0 Indemnity

- 10.1** The Municipality hereby indemnifies and saves harmless the County, its employees, agents, and councillors, from any and all claims, demands, losses, costs, damages, actions, lawsuits or other proceedings by whomsoever made, sustained, or prosecuted which may arise either directly or indirectly by any act, neglect or refusal of the Municipality, its servants, employees, agents, invitees or contractors to maintain and/or repair any County Road and/or bridge/culvert/drainage facilities in accordance with the terms of this Agreement.
- 10.2** The County hereby indemnifies and saves harmless the Municipality, its employees, agents, and councillors, from any and all claims, demands, losses, costs, damages, actions, lawsuits or other proceedings by whomsoever made, sustained, or prosecuted which may arise either directly or indirectly by any act, neglect, failure or refusal to perform or otherwise satisfy any obligation or covenant provided for in this Agreement.
- 10.3** In the event that the Scope of Services for the Elgin Road System as contemplated by this Agreement are found by a Court of competent jurisdiction to have been completed without fault or negligence by the Municipality, or, in the alternative, the County has acknowledged that such services have been completed without fault or negligence by the Municipality, in both cases including its employees or agents, then the County hereby agrees to indemnify and save harmless the Municipality, its employees, agents, and councillors, from any and all claims, demands, losses, or other proceedings that may be advanced against the County or the Municipality arising from the works performed by the Municipality upon the relevant County Roads and/or bridge/culvert/drainage facilities.
- 10.4** In the event of a claim to damages as against either and/or both the County and the Municipality in respect of an alleged failure to repair and/or maintain a County Road and/or bridge/culvert/drainage facilities, the parties shall cooperate in the administration of and/or response to such claim to damages, including but not limited to provision of photocopies of correspondence and/or communication with its respective insurer, subject at all times to any conflict of interest as identified by either party hereto or its insurer.
- 10.5** In addition to the contents of Section 10.3 above, in the event that a proceeding against the Municipality in respect of conduct relating to the performance of maintenance/repair Services undertaken pursuant to this Agreement is dismissed at Trial, then the County shall reimburse the Municipality for one-half of its insurance deductible to a maximum amount equal to one-half of the deductible payable by the County under its general liability insurance policy in effect at the date of the loss/incident upon which such proceeding was based.
- 10.6** All indemnities that arise from this Agreement extend beyond the term of this Agreement.

11.0 Assignment and Sub-Contractors

- 11.1** The Municipality agrees that the County Superintendent reserves the right to approve, acting reasonably, sub-contractors the Municipality retains to undertake the Scope of Services contemplated by this Agreement.
- 11.2** In the event the Municipality assigns or sub-contracts its responsibilities under this Agreement or otherwise employs sub-contractors, the Municipality shall be responsible for all payment requirements or other obligations of an owner pursuant to the Construction Lien Act (Ontario). Without limiting the foregoing, the Municipality shall be responsible to quantify the value of work performed and materials supplied and prepare progress certificates to show the amount of statutory holdbacks and liens as may apply. If required by the County, a copy of each progress payment certificate shall be directed to the County

Superintendent. The Municipality shall be responsible for obligations to a sub-contractor to certify the completion of the works as required. The County Superintendent shall receive a copy of the certificate of substantial performance as issued by the Municipality and the Municipality shall comply with all notice requirements as set out in the Construction Lien Act (Ontario) for the said certificate.

12.0 Dispute Resolution

12.1 The parties further agree that in the event of a dispute between the parties as to any matter arising from this Agreement with financial implication to either or both parties of at least twenty-five thousand (\$25,000.00) dollars, then the resolution of such a dispute shall be determined by a private arbitrator, and that decision of the private arbitrator shall be final and binding. The arbitrator selected shall have significant experience in road construction and maintenance and repair and other municipal matters and may be selected upon the recommendation of the Director of the Ontario Good Roads Association. The parties agree that in order to apply for arbitration pursuant to this paragraph, the party making the application must provide notice of the dispute and its intention to proceed to private arbitration within thirty (30) days of becoming aware of the subject matter in the dispute.

12.2 In the event that the parties proceed to arbitration, then the arbitrator shall be selected upon mutual agreement of both parties within ninety (90) days of receipt of the notice of arbitration, failing which each party shall select their own representative, who in turn shall select a third arbitrator with the qualifications as noted above, and the selection of that third arbitrator shall be final and binding.

12.3 The provisions of the Statutory Powers and Procedures Act, R.S.O. 1990, c. S.22, as amended, and the Arbitrations Act, R.S.O. 1990, c. A.24, as amended, shall apply through the arbitration process.

12.4 The parties hereto further agree that:

- a) The arbitrator shall have the unfettered discretion to decide upon and direct resolution of any dispute arising in relation to this Agreement;
- b) Any award or decision made by the arbitrator is binding upon the parties and may be enforced in the same manner as a Judgment or Order of the Ontario Superior Court of Justice to the same effect;
- c) Either party may obtain an Order pursuant to the Arbitration Act, 1991, S.O. 1991, Chapter 17, as amended, staying any legal proceeding relating to the dispute presented to the Arbitrator pursuant to this Agreement; and
- d) Neither party shall have the right to appeal the award or decision of the arbitrator to a Court or apply to set aside the award or decision of the arbitrator.

12.5 Unless otherwise agreed by the parties, the cost of the arbitration shall be determined by the arbitrator, who has the authority to award costs payable against an unsuccessful party in his or her discretion at the conclusion of the arbitration.

12.6 In the event of a dispute between the parties as to completion of maintenance or repair works as required by this Agreement or as otherwise directed by the County Superintendent, then any arbitration hearing shall not be scheduled or be commenced until after the repair or maintenance services are completed to the satisfaction of the County Superintendent.

13.0 Oversight / Administration

General

13.1 To assist in oversight and administration of Road Maintenance Agreements between the County and its constituent lower tier municipalities, including the within Agreement, and with the goal and purpose of achievement of reasonable maintenance and repair of County Roads and associated bridge/culvert/drainage facilities in return for fair and equitable payment to the involved Municipality, the parties hereto agree to participate in establishment and subsequent consultative meetings of the following committees:

13.1.1 Operations Committee; and,

13.1.2 Governance Committee.

Operations Committee

13.2 The parties hereto agree that the Terms of Reference for the Operations Committee, including as to intended compensation, mandate, meeting schedule, and meeting procedures, are as set forth in Schedule “J-1” hereto.

Governance Committee

13.3 The parties hereto agree that the Terms of Reference for the Governance Committee, including as to intended composition, mandate, meeting schedule, and meeting procedures, are as set forth in Schedule “J-2” hereto.

Annual Compliance Report – County to Governance Committee

13.4 As referenced in Schedule J-2 as Terms of Reference for the Governance Committee and on or before March 31st of each year of the Term of this Agreement, commencing March 31, 2024, but extended to and including March 31, 2028, the County shall prepare and submit to the Governance Committee an Annual Compliance Report detailing and providing analysis and comment upon the performance of the Municipality in relation to its duties and obligations set forth in this Agreement, including but not limited to the following matters:

13.4.1. Individual and summary results of remedial works required by Quarterly Inspection Reports delivered by the County delivered by the County to the Municipality;

13.4.2. Overall response of the Municipality to deficiencies noted within monthly inspections by the Municipality and Quarterly Inspection Reports submitted by the County to the Municipality;

13.4.3. Summary of compliance of Municipality with duties and obligations created by the Road Maintenance Agreement, including but not limited to reporting requirements and deadlines; and,

13.4.4. Engagement between the County and the Municipality within the Operations Committee and its meetings.

14.0 NOTICE

Any notice required pursuant to this Agreement shall be delivered to the Chief Administrative Officer of the respective parties hereto and at the addresses set forth below:

For the County:

450 Sunset Drive
St. Thomas, Ontario, N5R 5V1
Facsimile Transmission: 519-633-7661
Email: engineering@elgin.ca

For the Municipality:

35663 Fingal Line
Fingal, Ontario N0L 1K0
Facsimile Transmission: 519-769-2837
Email: roads@southwold.ca and development@southwold.ca

- 14.1** Any written notice between the parties hereto, which specifically excludes any invoice rendered in accordance with section 5.0 hereof, shall be delivered or sent by prepaid registered mail addressed to the parties at their respective addresses listed above, or their respective facsimile numbers as noted above.
- 14.2** In the event that either party hereto shall change its address within the term of this Agreement, such party shall provide the other party hereto with written notification of such change of address within thirty (30) days of the effective date of such change, upon which date of notification the said new address shall be considered the address for service of any notice hereto pursuant to Section 14.1 above.
- 14.3** Notice shall be deemed to have been received on the date on which notice was delivered to the address as designated or, in the case of mailing, on the fifth day after the date of mailing or, in the case of facsimile, the day after the facsimile has been sent or, in the case of email, on the next business day following the receipt of such email.

15.0 Miscellaneous

Waiver

- 15.1** Any provision of this Agreement may be waived in whole or in part by a party without prejudice any other right of that party as arising from the breach of any other provision hereof. A waiver shall be binding upon the waiving party only if it is in writing. The waiver by a party of any breach of any provision hereof shall not be taken or held to be a waiver of any further breach of the same provision.

Severability

- 15.2** All paragraphs, terms and conditions of this Agreement are severable and the invalidity, illegality or unenforceability of any such paragraph, term or condition shall be deemed not to affect the validity, legality, or enforceability of the remaining paragraphs, terms and conditions.

Amendment

- 15.3** No amendment, variation, or change to this Agreement shall be binding unless same shall be in writing and signed by the parties.

Schedules

- 15.4** This Agreement includes the Schedules set out as Schedule "A" to "J-2" inclusive, and constitutes the entire agreement between the parties and supersedes all prior agreements, negotiations and discussions, whether oral or written, with respect to the subject matter of road maintenance for those roads as set out in this Agreement.

Signatures in Counterparts

15.5 This Agreement, including any associated agreements or documents required in connection herewith, may be executed in counterparts, each of which shall be deemed to be an original and both of which together shall constitute one and the same Agreement.

Enurement

15.6 This Agreement shall enure to the benefit of and be binding upon the parties hereto and their respective successors and permitted assigns. The parties hereto agree for themselves and on behalf of the foregoing persons to undertake such further acts and execute such further documents as may be necessary or expedient in order to carry out the purpose and intent of this Agreement.

IN WITNESS WHEREOF the parties hereto have caused this Agreement to be executed by their respective officers which are duly authorized as of the date first written above.

SIGNED, SEALED & DELIVERED

in the presence of

Corporation of the County of Elgin

per:

Name: Ed Ketchebaw

Position: Warden

per:

Name: Don Shropshire

Position: Chief Administrative Officer

We have authority to bind the Corporation

The Corporation of the Township of Southwold

per:

Name: Grant Jones

Position: Mayor

per:

Name: Lisa Higgs

Position: Chief Administrative Officer / Clerk

We have authority to bind the Corporation

SCHEDULE “A”

(Detailed description of roads and bridge/culvert/drainage facilities
for which maintenance/repair Services provided)

SCHEDULE “A”

(Detailed description of roads and bridge/culvert/drainage facilities
for which maintenance/repair Services provided)

| Road No. | Section No. | | FROM | TO | Length (km) | Posted Speed | 2022 ADT | MMS Classification |
|----------|-------------|--------------|---|---|-------------|--------------|----------|--------------------|
| | | | | | | | | |
| 3 | 80 | Talbot Line | Road 14 EPL | Start of 60km/h zone Shedden (west limits) | 5.814 | 80 | 3,700 | 3 |
| | 90 | | Start of 60km/h zone Shedden (west limits) | End of 60km/h zone Shedden (east limits) | 1.058 | 60 | 3,700 | 3 |
| | 100 | | End of 60km/h zone Shedden (east limits) | Start of 50km zone Talbotville (west limits) | 9.619 | 80 | 4,500 | 3 |
| | 110 | | Start of 50km zone Talbotville (west limits) | Hwy 4 WPL | 0.432 | 50 | 4,500 | 4 |
| | | | | | | | | |
| 4 | 70 | Sunset Road | St. Thomas City Limits | Start of 60km/h zone Talbotville (south limits) | 1.833 | 80 | 9,500 | 2 |
| | | | Start of 60km/h zone Talbotville (south limits) | Hwy 3 SPL | 0.400 | 60 | 9,500 | 3 |
| | | | | | | | | |
| 11 | 10 | Clinton Line | Hwy #4 EPL | Bostwick Rd WPL | 1.975 | 80 | 750 | 4 |
| | | | | | | | | |
| 16 | 20 | Fingal Line | Road #14 EPL | Start of 50km/h zone Fingal (west limits) | 5.747 | 80 | 1,300 | 3 |
| | 30 | | Start of 50km/h zone Fingal (west limits) | End of 50km/h zone Fingal (east limits) | 0.425 | 50 | 1,500 | 4 |
| | 40 | | End of 50km/h zone Fingal (east limits) | Start of 50km/h school zone (64m east of Lyle Road) | 8.020 | 80 | 1,850 | 3 |
| | 50 | | Start of 50km/h school zone (64m east of Lyle Road) | End of 50km/h school zone (716m east of Lyle Road) | 0.652 | 50 | 2,000 | 4 |
| | 60 | | End of 50km/h school zone (716m east of Lyle Road) | St. Thomas City Limits | 0.990 | 80 | 2,000 | 3 |
| | | | | | | | | |
| 18 | 10 | Third Line | Road #14 EPL | Start of 50km/h zone Lawrence (west limits) | 3.235 | 80 | 600 | 4 |
| | 20 | | Start of 50km/h zone Lawrence (west limits) | End of 50km/h zone Lawrence (east limits) | 0.427 | 50 | 600 | 5 |
| | 30 | | End of 50km/h zone Lawrence (east limits) | Mill Road WPL | 6.612 | 80 | 900 | 4 |
| | 40 | | Mill Road EPL | start of 60km/h zone Green Lane (west limits) | 1.485 | 80 | 400 | 4 |

| | | | | | | | | |
|----|----|-----------------|---|---|-------|----|--------|---|
| | 50 | | start of 60km/h zone Green Lane (west limits) | End of 60km/h zone Green Lane (east limits) | 2.155 | 60 | 1,400 | 4 |
| | 60 | | End of 60km/h zone Green Lane (east limits) | Hwy #4 WPL | 4.550 | 80 | 1,400 | 3 |
| | | | | | | | | |
| 20 | 20 | Union Road | Road #21 NPL | Start of 50km/h zone Fingal (south limits) | 9.844 | 80 | 1,700 | 3 |
| | 30 | | Start of 50km/h zone Fingal (south limits) | Road #16 SPL | 0.370 | 50 | 1,700 | 5 |
| | 40 | | Road #16 NPL | End of 50km/h zone Fingal (north limits) | 0.775 | 50 | 2,000 | 5 |
| | 50 | | End of 50km/h zone Fingal (north limits) | Start of 50km/h zone Shedden (south limits) | 2.375 | 80 | 2,000 | 3 |
| | 60 | | Start of 50km/h zone Shedden (south limits) | Road #3 SPL | 0.890 | 50 | 2,000 | 5 |
| | 70 | | Road #3 NPL | End of 50km/h zone Shedden (north limits) | 0.933 | 50 | 1,650 | 5 |
| | 80 | | End of 50km/h zone Shedden (north limits) | Highway #401 NPL | 4.124 | 80 | 1,650 | 3 |
| | 90 | | Highway #401 NPL | Road #18 SPL | 0.350 | 80 | 850 | 4 |
| | | | | | | | | |
| 25 | 10 | Wellington Road | St. Thomas City Limits | Hwy #3 SPL | 1.400 | 50 | 8,500 | 3 |
| | 20 | | Hwy #3 NPL | London City Limits | 4.807 | 80 | 12,000 | 2 |
| | | | | | | | | |
| 27 | 10 | Sparta Line | Road #20 EPL | Meeks Bridge | 0.251 | 80 | 500 | 4 |
| | | | | | | | | |
| 29 | 10 | Wonderland | Road #52 NPL | 950m north of Road #52 NPL | 0.950 | 40 | 5,800 | 5 |
| | 20 | | 950m north of Road #52 NPL | Southminster Bourne NPL | 2.378 | 60 | 5,800 | 4 |
| | | | | | | | | |
| 45 | 10 | John Wise Line | Road #3 SPL | Road #16 NPL | 4.044 | 80 | 1,800 | 3 |
| | 20 | | Road #16 SPL | Start of 60km/h zone, 637m west of Road #4 | 6.074 | 80 | 2,500 | 3 |
| | 30 | | Start of 60km/h zone, 637m west of Road #4 | Road #4 WPL | 0.637 | 60 | 2,500 | 4 |
| | | | | | | | | |
| 48 | 10 | Ferguson Line | Wonderland Rd EPL | Start of 60km/h zone, 601m west of Road #25 | 2.068 | 80 | 2,000 | 3 |
| | 20 | | Start of 60km/h zone, 601m west of Road #25 | Road #25 WPL | 0.601 | 60 | 2,000 | 3 |
| | | | | | | | | |

| | | | | | | | | |
|----|----|-----------------------|------------|--------------|-------|----|-------|---|
| 52 | 10 | Ron McNeil Line | Hwy #3 NPL | Road #25 EPL | 1.640 | 80 | 4,900 | 3 |
| | | | | | | | | |

Schedule "A1" - List of Bridges and Culverts Greater than 3m Span

| Bridge No. | Other ID | Road No. | Municipality | Bridge Name | Structure Type | Location |
|-------------|----------|----------|--------------|-------------------------------|------------------------------------|--------------------------------|
| B16 | 99016 | T/L | Southwold | Lings | Rigid Frame - Concrete | 0.2km E. of Hwy #4 |
| B23 | 99023 | T/L | Southwold | Fulton | Steel Truss | 2.00km S. of John Wise Line |
| B24 | 27024 | T/L | Southwold | Meeks | Steel Truss | 0.25 km N. of Union Road |
| B60 | 18060 | 18 | Southwold | Dodds Creek | Rigid Frame - Concrete | 3.70km W. of Hwy # 4 |
| B92 | 16092 | 16 | Southwold | Kimble | Rigid Frame - Concrete | 3.87km E. of Union Road |
| Culvert No. | Other ID | Road No. | Municipality | Culvert Name | Structure Type | Location |
| C07 | 45007 | 45 | Southwold | Shaw Culvert | CPS - Pipe Arch with Buttress | 1.74 km W. of Sunset Road |
| C16 | 18016 | 18 | Southwold | Government Drain No.3 Culvert | Concrete Box | 4.33 km W. of Hwy # 4 |
| C19 | 18019 | 18 | Southwold | Government Drain No.1 Culvert | Concrete Box | 2.87 km W. of Hwy # 4 |
| C33 | 20033 | 20 | Southwold | Bell Mill Culvert | Concrete Rigid Frame | 0.30 km N. of Warren Street |
| C36 | 25036 | 25 | Southwold | McBain Culvert | Precast Concrete Box | 0.58 km S. of Highway #3 |
| C37 | 25037 | 25 | Southwold | Lynhurst Culvert | Precast Concrete | 0.23km S. of Hwy. #3 |
| C41 | 16041 | 16 | Southwold | Fowler East | Precast Concrete Box | 0.99 km E. of Union Road |
| C43 | 18043 | 18 | Southwold | Gold Seal Culvert | Concrete Rigid Frame | 0.69 km W. of Sunset Rd |
| C47 | 25047 | 30 | Southwold | Aarts Culvert | Precast Concrete Box | 0.41 km N. of Hwy # 3 |
| C48 | 20048 | 20 | Southwold | Talbot Creek Culvert | Concrete Rigid Frame | 1.22 km S. of Talbot Line |
| C54 | 18054 | 18 | Southwold | Baird Drain Culvert | Pour in Place | 2.67 km W. of Mill Road |
| C55 | 18055 | 18 | Southwold | Lewis Culvert | Concrete Box - Cast in Place | 1.24 km W. of Mill Road |
| C68 | 3068 | 3 | Southwold | Talbotville Culvert | Concrete Box | 0.3 km. W. of Sunset Road |
| C77 | 3077 | 3 | Southwold | Houghton Culvert | Concrete Rigid Frame | 0.40 km W. of Houghton Road |
| C78 | 3078 | 3 | Southwold | Carter Culvert | Concrete Rigid Frame | 0.98 km W. of Onedia Road |
| C79 | 3079 | 3 | Southwold | Smoke Culvert | Pour in Place Concrete Rigid Frame | 0.12 km E. of John Wise Line |
| C80 | 3080 | 3 | Southwold | Paynes Mills Culvert | Pour in Place Concrete Arch | 0.15 km E. of Paynes Mills Rd. |

SCHEDULE “B”

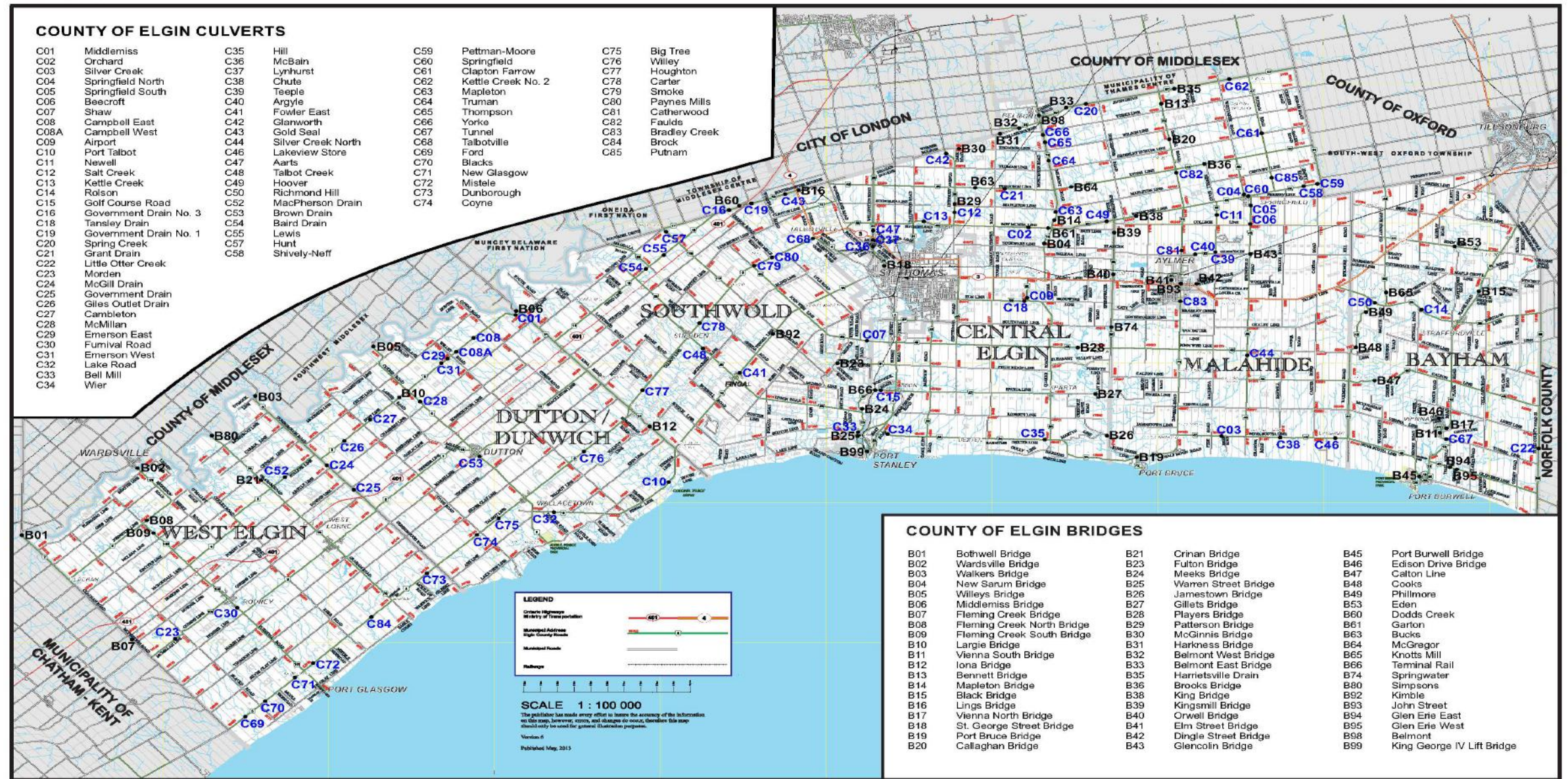
(Sketch depicting roads and bridge/culvert/drainage facilities for
which maintenance/repair Services provided)

Schedule 'B'

LOCATION OF ELGIN COUNTY BRIDGES AND CULVERTS

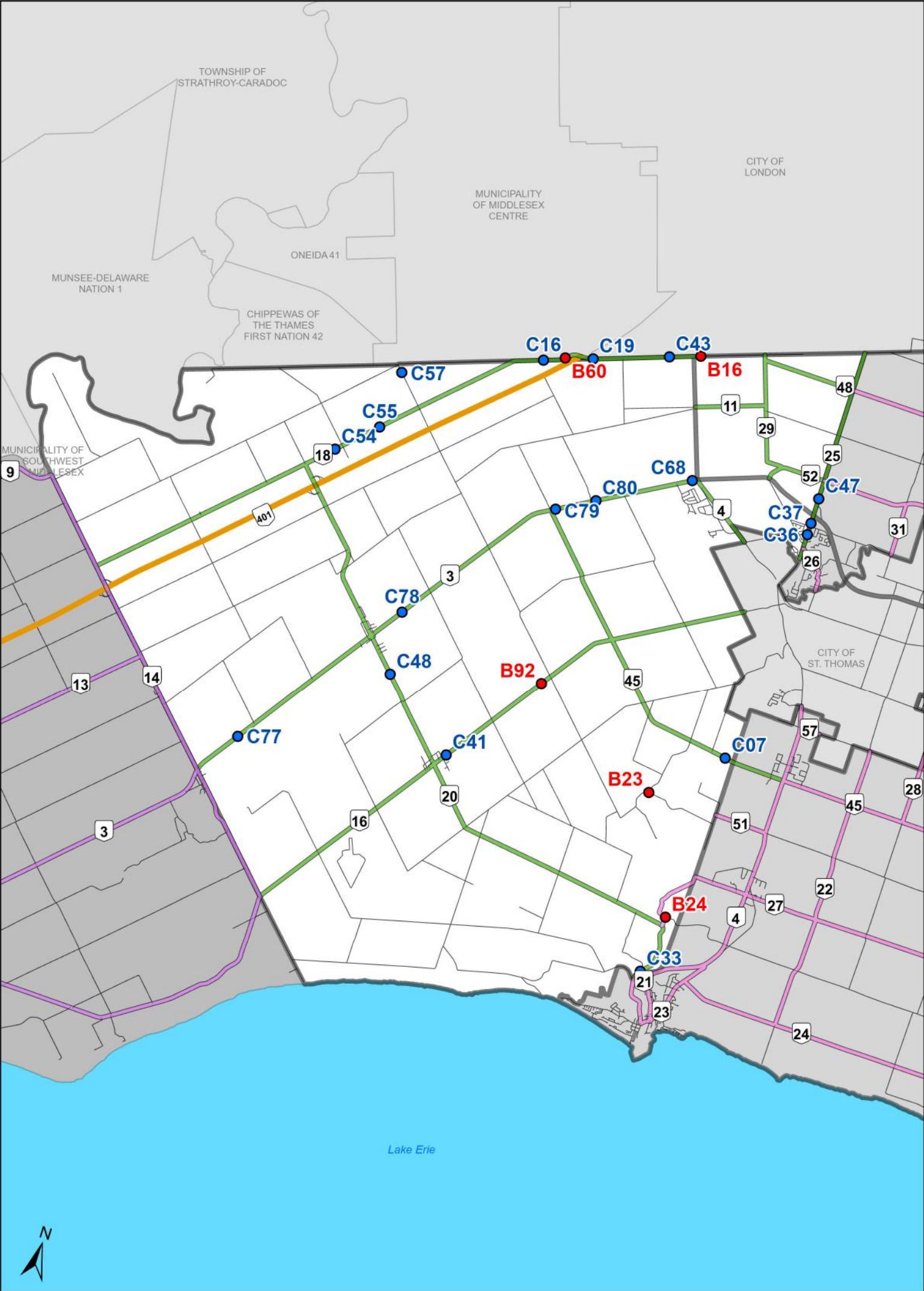
COUNTY OF ELGIN CULVERTS

| | | | | | | | |
|------|------------------------|-----|--------------------|-----|--------------------|-----|---------------|
| C01 | Middlemiss | C35 | Hill | C59 | Pettman-Moore | C75 | Big Tree |
| C02 | Orchard | C36 | McBain | C60 | Springfield | C76 | Willey |
| C03 | Silver Creek | C37 | Lynhurst | C61 | Clapton Farrow | C77 | Houghton |
| C04 | Springfield North | C38 | Chute | C62 | Kettle Creek No. 2 | C78 | Carter |
| C05 | Springfield South | C39 | Teepie | C63 | Mapleton | C79 | Smoke |
| C06 | Beecroft | C40 | Argyle | C64 | Truman | C80 | Paymes Mills |
| C07 | Shaw | C41 | Fowler East | C65 | Thompson | C81 | Catherwood |
| C08 | Campbell East | C42 | Glanworth | C66 | Yorke | C82 | Faulds |
| C08A | Campbell West | C43 | Gold Seal | C67 | Tunnel | C83 | Bradley Creek |
| C09 | Airport | C44 | Silver Creek North | C68 | Talbotville | C84 | Brock |
| C10 | Port Talbot | C46 | Lakeview Store | C69 | Ford | C85 | Putnam |
| C11 | Newell | C47 | Aarts | C70 | Blacks | | |
| C12 | Salt Creek | C48 | Talbot Creek | C71 | New Glasgow | | |
| C13 | Kettle Creek | C49 | Hoover | C72 | Mistele | | |
| C14 | Rolson | C50 | Richmond Hill | C73 | Dunborough | | |
| C15 | Golf Course Road | C52 | MacPherson Drain | C74 | Coyne | | |
| C16 | Government Drain No. 3 | C53 | Brown Drain | | | | |
| C18 | Tansley Drain | C54 | Baird Drain | | | | |
| C19 | Government Drain No. 1 | C55 | Lewis | | | | |
| C20 | Spring Creek | C57 | Hunt | | | | |
| C21 | Grant Drain | C58 | Shively-Neff | | | | |
| C22 | Little Otter Creek | | | | | | |
| C23 | Morden | | | | | | |
| C24 | McGill Drain | | | | | | |
| C25 | Government Drain | | | | | | |
| C26 | Giles Outlet Drain | | | | | | |
| C27 | Cambleton | | | | | | |
| C28 | McMillan | | | | | | |
| C29 | Emerson East | | | | | | |
| C30 | Fumival Road | | | | | | |
| C31 | Emerson West | | | | | | |
| C32 | Lake Road | | | | | | |
| C33 | Bell Mill | | | | | | |
| C34 | Wier | | | | | | |



COUNTY OF ELGIN BRIDGES

| | | | | | |
|-----|----------------------------|-----|----------------------|-----|----------------------------|
| B01 | Bothwell Bridge | B21 | Crinan Bridge | B45 | Port Burwell Bridge |
| B02 | Wardsville Bridge | B23 | Fulton Bridge | B46 | Edison Drive Bridge |
| B03 | Walkers Bridge | B24 | Meeks Bridge | B47 | Calton Line |
| B04 | New Sarum Bridge | B25 | Warren Street Bridge | B48 | Cooks |
| B05 | Willey's Bridge | B26 | Jamestown Bridge | B49 | Phillmore |
| B06 | Middlemiss Bridge | B27 | Gillets Bridge | B53 | Eden |
| B07 | Fleming Creek Bridge | B28 | Players Bridge | B60 | Dodds Creek |
| B08 | Fleming Creek North Bridge | B29 | Patterson Bridge | B61 | Garton |
| B09 | Fleming Creek South Bridge | B30 | McGinnis Bridge | B63 | Bucks |
| B10 | Largie Bridge | B31 | Harkness Bridge | B64 | McGregor |
| B11 | Vienna South Bridge | B32 | Belmont West Bridge | B65 | Knotts Mill |
| B12 | Iona Bridge | B33 | Belmont East Bridge | B66 | Terminal Rail |
| B13 | Bennett Bridge | B35 | Harrietsville Drain | B74 | Springwater |
| B14 | Mapleton Bridge | B36 | Brooks Bridge | B80 | Simpsons |
| B15 | Black Bridge | B38 | King Bridge | B92 | Kimble |
| B16 | Lings Bridge | B39 | Kingsmill Bridge | B93 | John Street |
| B17 | Vienna North Bridge | B40 | Orwell Bridge | B94 | Glen Erie East |
| B18 | St. George Street Bridge | B41 | Elm Street Bridge | B95 | Glen Erie West |
| B19 | Port Bruce Bridge | B42 | Dingle Street Bridge | B98 | Belmont |
| B20 | Callaghan Bridge | B43 | Glencolin Bridge | B99 | King George IV Lift Bridge |



Schedule 'B' - Location of Elgin County Bridges and Culverts in Southwold

Elgin Bridges

- B92 Kimble Bridge
- B23 Fulton Bridge
- B16 Lings Bridge
- B60 Dodds Creek Bridge
- B24 Meeks Bridge

Elgin Culverts

- C77 Houghton Culvert
- C48 Talbot Creek Culvert
- C78 Carter Culvert
- C41 Fowler East
- C07 Shaw Culvert
- C79 Smoke Culvert
- C80 Paynes Mills Culvert
- C68 Talbotville Culvert
- C43 Gold Seal Culvert
- C19 Government Drain No.1 Culvert
- C16 Government Drain No.3 Culvert
- C57 Hunt Culvert
- C55 Lewis Culvert
- C54 Baird Drain Culvert
- C36 McBain Culvert
- C37 Lynhurst Culvert
- C47 Aarts Culvert
- C33 Bell Mill Culvert



SCHEDULE “C”

SCOPE OF SERVICES

SCHEDULE “C”

SCOPE OF SERVICES

1.0. Inspection

1.1. Routine Inspections

Service Description: Routine inspection of roads for defects, safety concerns, and road conditions.

Service Details:

- Frequency of routine inspections to comply with standard for frequency of patrolling of highways provided for in then current Minimum Maintenance Standards.
- As part of routine road inspections, the Municipality shall report any concerns with flashing beacons, traffic signals, or pedestrian crossings to the County Superintendent and the County’s Electrical Services Contractor upon becoming aware of any underlying defect.

2.0. Road Surface Maintenance

2.1. Maintaining Asphalt Pavement and Treated Surfaces

Service Description: Identification and repair of road surface defects, including but not limited to potholes, cracks, and edge drop-offs.

Service Details:

- All repairs and remedial works to be completed by Municipality in compliance with the then current Minimum Maintenance Standards.
- For asphalt pavement surfaces, as constructed width, minus 0.1 m., shall be maintained.
- For surface treated surfaces, as constructed width, minus 0.2 m., shall be maintained.
- Required total linear repair and remedial works at any single location limited to 50m. per lane km. annually.
- In the event that the Municipality, acting reasonably, determines that the total linear repair and remediation works necessary to comply with the then current Minimum Maintenance Standards at any single location exceeds 50 m. per lane km. annually, then, conditional upon timely notice to the County Superintendent, those works exceeding such annual threshold of 50 m. per lane km. shall be deemed additional work to which ss. 4.5 and 5.2 of the Road Maintenance Agreement shall apply.

2.1.1. Bicycle Facilities Maintenance

Service Description: Identification and repair of surface defects within designated bicycle lanes / facilities.

Service Details:

- Designated bicycle lanes / facilities shall be inspected and maintained in a manner to account for and accommodate the intended user of those lanes / facilities. Without limiting the generality of the foregoing, all maintenance as required by this section 2.1.1 shall be completed by the Municipality in accordance with the then current Minimum Maintenance Standards and/or

Ontario Traffic Manual Book 18, whichever standard is greater.

- Identification / placement of appropriate warning equipment, including but not necessarily limited to signage or placement of traffic barrel(s), shall occur as soon as practicable after discovery of any defect and/or unsafe condition within any bicycle lane or facility and thereafter maintained until requisite repair completed.

2.2. Maintaining Gravel Shoulders

Service Description: Identification and repair of defects along gravel shoulder of roads, including but not limited to potholes, cracks, and edge maintenance.

Service Details:

- All maintenance and repair works shall be completed by Municipality in compliance with then current Minimum Maintenance Standards.
- As constructed width, minus 0.3 m., shall be graded as required and at all times at least two (2) times per year.
- Where partially or fully paved shoulders exist, the shoulder width referenced immediately above shall be measured from the nearest edge of the driving lane (white line).
- Isolated or spot shoulder gravelling, including supply and installation of Granular “A” material to a maximum of ten (10) tonnes and not exceeding twenty (20) m. in length at any single location, shall be completed as required to works eliminate edge of pavement drop-offs, standing water, or depressions, which works may require berm removal to promote positive sheet flow.
- In the event that the Municipality, acting reasonably, determines that isolated or spot shoulder graveling works as referenced immediately above requires the supply and installation of in excess of ten (10) tonnes of Granular “A” material and/or over a length in excess of twenty (20) m. at any single location to comply with the then current Minimum Maintenance Standards, then, conditional upon timely notice to the County Superintendent, those works in excess of such threshold(s) shall be deemed additional works to which ss. 4.5 and 5.2 of the Road Maintenance Agreement shall apply.

2.3. Sweeping

Service Description: Sweeping of County Roads. Service Details:

- Sweeping of County roads shall be completed two (2) times during each calendar year in Settlement Areas and as required in Agricultural Areas, both of which Areas are as identified in the County of Elgin Official Plan (Schedule “A” – Land Use).

2.3.1. Sweeping of Designated Bicycle Lanes / Facilities

Service Description: Sweeping of Designated bicycle lanes / facilities. Service Details:

- Designated bicycle lanes / facilities shall be swept as required to account for and accommodate the intended user of such lanes / facilities and which must occur at least once during the months of May, June, July, August, and September of each calendar year.
- Sweeping of designated bicycle lanes / facilities as specified immediately above shall be deemed to be additional works to which s. 5.2 of the Road Maintenance Agreement shall apply.

3.0. Roadside Maintenance

3.1 Debris Control

Service Description: Removal of material deposited on the travelled portion of the road or shoulder, either intentionally or unintentionally and including but not limited to mud, rocks, dead animals, trash, and other debris.

Service Detail:

- Debris should be removed from the travelled portion of the road or shoulder as soon as practicable after discovery

3.2. Vegetation Control

Service Description: Cutting of overgrown or unwanted vegetation along roads, at intersections, and under and around bridges, culverts, and safety systems.

Service Details:

- Cutting of vegetation along roads shall be completed two (2) times during each calendar year, once in the spring season and once in the fall season, to a minimum width of 3.6 m. from the exterior edge of the closest shoulder in spring and a minimum width of 1.8 m. from the exterior edge of the closest shoulder in the fall.
- Vegetation shall be cut or sprayed, subject to the County No Spray Policy, from around guide rail posts and, where practicable, to a minimum width of 1.8 m. behind any guide rail.
- Vegetation shall be cut from road allowances at intersections to achieve a clear sight distance of at least 200 m. in all directions from such intersections. The vegetation shall be cut to a height no greater than 0.3 m.
- With respect to culverts, bridges, and safety systems, including but not limited to guide rails, vegetation shall be cut at least once during each calendar year and, at that time, removed from beneath and within 3 m. of such culverts, bridges, and safety systems.
- The Municipality shall ensure that the full width of the County road allowance is free of invasive and noxious weeds and / or larger brush and vegetation that impedes sightlines and / or drainage facilities. Any such larger vegetation should be removed as soon as practicable by the Municipality and at all times before the canopy of any such vegetation begins to encroach upon the road allowance.
- The Municipality shall perform routine vegetation maintenance, including but not as a limited to weed trimming, around any Elgin County "Gateway" signs within the territorial limits of the Municipality.

3.3. Tree Maintenance / Removal

Service Description: Identification and removal of dead trees and hazardous

limbs. Service Details:

- Tree limbs that pose a safety hazard to the public users of a County road shall be removed as soon as practicable after discovery and identification.
- Dead trees that pose a safety hazard to the public users of a County road shall be removed within one (1) year of discovery and identification.

- Stumps of removed trees in non-landscaped areas shall be ground down to be level with surrounding terrain while stumps within landscaped areas shall be further restored with topsoil and seed to match the surrounding terrain.

3.4. Noxious Weed Control

Service Description: Cutting and spraying of noxious weeds and invasive species. Service Details:

- Use of herbicide(s) to control unwanted vegetation, including but not limited to noxious weeds and other invasive species, shall conform to the Elgin (County) *"No Spray Policy"*, a copy of which policy is appended to this Schedule "C".

4.0. Drainage Facilities Maintenance

4.1. Cleaning of Drainage Facilities

Service Description: Cleaning and removal of obstructions from drainage facilities within County road allowances or otherwise servicing County roads, including but not limited to all outlets, subdrains, storm sewers, curbs and gutters, and catch basins.

Service Details:

- Storm drainage facilities shall be cleaned when identified as experiencing restricted flows (i.e. gutter outlets/swales). This work may require video investigations, flushing, removal of obstructions, including but not limited to roots, and other steps to reestablish unrestricted flows.
- Catch basins shall be cleaned as required if debris has filled sumps but in all cases at least one time during each two (2) calendar year period.
- In addition to the drainage facilities identified in Schedule "A" hereto and as such facilities are identified, the County agrees to provide the Municipality with periodic updates identifying additional drainage facilities to be cleaned pursuant to this Road Maintenance Agreement.

4.2 Repairs to Drainage Facilities

Service Description: Identification of defects and deficiencies in and repair of drainage facilities within County road allowances or otherwise servicing County roads.

Service Details:

- Grate replacement, riser repairs, and patching around catch basins will be completed under and as routine maintenance and repair operations as contemplated by this Road Maintenance Agreement.
- All other defects and deficiencies in drainage facilities will be reported by the Municipality to the County Superintendent and any remedial repairs will be completed under arrangements made by the County, if by the Municipality as additional works to which ss. 4.5 and 5.2 of the Road Maintenance Agreement will apply.
- In addition to the drainage facilities identified in Schedule "A" hereto and as such facilities are identified, the County agrees to provide the Municipality with periodic updates identifying additional drainage facilities to be repaired pursuant to this Road Maintenance Agreement.

4.3. Ditch Maintenance

Service Description: Ditches within County road allowances to be kept in a condition maintaining positive water flow and eliminating standing water.

Service Details:

- Required ditch maintenance limited to fifty (50) m. in length at any single location.
- In the event that the Municipality, acting reasonably, determines that ditch maintenance in excess of fifty (50) m. in length is required at any single location in order to maintain positive water flow and eliminate standing water or to otherwise conform to any requirement provided for in the then current Minimum Maintenance Standards, then, conditional upon timely notice to the County Superintendent, those works in excess of such threshold shall be deemed additional work to which ss. 4.5 and 5.2 of the Road Maintenance Agreement shall apply.

5.0. Bridges and Culverts

5.1. Structure Cleaning

Service Description: Cleaning of all bridges and culverts on, above, or under County roads.

Service Details:

- Municipality shall clean all bridges and culverts on, above, or under County road once during a calendar year and in accordance with the current guidelines provided in the Bridge and Culvert Management Course offered by the Ontario Good Roads Association.
- All culverts shall be cleaned using water jets for flushing or other effective means to re-establish water flow that has been restricted by, amongst other things, material and debris.
- Any and all defects and deficiencies, or observation or evidence thereof, in the structure, condition, or operation of any bridge or culvert shall be reported, immediately upon discovery and in writing, to the County Superintendent.

5.2. Erosion Control

Service Description: Installation of stone or similar material to prevent erosion around bridges and culverts, including but not limited to structural elements thereof.

Service Details:

- Municipality shall be responsible for the cost of supplying and installing up to ten (10) tonnes of quarry stone or similar repair material at any bridge or culvert location to prevent erosion around any such bridge or culvert, including but not limited to structural elements thereof.
- In the event that the Municipality, acting reasonably, determines that the erosion control works as referenced immediately above requires the supply and installation of in excess of ten (10) tonnes of quarry stone or similar repair material at any bridge or culvert location, then, conditional upon timely notice to the County Superintendent, those works in excess of such threshold shall be deemed additional works to which ss. 4.5 and 5.2 of the Road Maintenance Agreement shall apply.

6.0. Safety Devices

6.1. Road Markings

Service Description: Painting of road markings upon travelled portion of County roads, including but not limited to centreline markings, edge of lane markings, stop blocks, turn arrows, and lines / symbols denoting Designated Bicycle Lanes / Facilities.

Service Details:

- Municipality to paint (or re-paint) all Road markings on County Roads once during each calendar year and in accordance with the Ontario Traffic Manual – Book 11.
- As further guidance, the County notes that the white, edge of lane markings requiring annual painting (or re-painting) are generally located at road crests and sags, curves, narrow structures, Class 1 roads, and roads with partially or fully paved shoulders. Furthermore, most County Road intersections also incorporate the merging lanes, turning tapers, and radii that also require annual painting. In all such circumstances and with particular respect to the afore-noted road design and markings, the Municipality shall conform strictly to the requirements of the said Ontario Traffic Manual – Book 11.
- Where the County has designed and constructed paved shoulders designated as a bicycle lane / facility and on an annual basis, the Municipality shall paint (or re- paint) two (2) solid white edge lines to create a buffer zone in relation to such Designated Bicycle Lane / Facility. The painting of such second edge line shall be deemed to be additional services pursuant to s. 4.5 of this Agreement and to which s. 5.2 herein shall apply.
- On or before January 31 of each calendar year, the County shall advise the Municipality of resurfacing projects planned for County roads during the course of such calendar year and the anticipated timing of same and the Municipality, in consultation with and notice to the County Superintendent, the Municipality may exercise its discretion to defer road marking of such County Roads until the following calendar year. In this regard, the County acknowledges that it shall be responsible for arranging and paying for painting (or re-painting) of road markings necessitated solely by such resurfacing projects or other capital works on County roads.

6.2. Road Signs

Service Description: Maintenance of all existing regulatory, warning, and information road signs and beacons, re-installation of damaged or stolen road signs and beacons, and removal of unauthorized signs.

Service Details:

- Municipality to install and maintain all road signs and beacons in accordance with the then current Minimum Maintenance Standards and the Ontario Traffic Manual.
- Municipality is responsible for all costs to supply signs and materials to re-install damaged or stolen road signs and battery-operated beacons.
- The County shall be responsible for reimbursement of the Municipality for all labour and/or material costs incurred by the Municipality in the replacement and reinstallation of road signs that fail a reflectivity inspection conducted as part of routine testing, provided that the Municipality prepare and deliver an invoice to the County in respect of such costs in accordance with ss. 4.5 and. 5.2 of the Road Maintenance Agreement.
- The Municipality shall immediately remove any and all unauthorized signage attached to County infrastructure, including but not limited to road signs and beacons. The County shall provide the Municipality with copies of any sign permits issued for County Roads to assist the Municipality in determining which signs are authorized.
- The Municipality shall report to the County any and all signage it considers to be a potential safety concern due to the sight line or drainage obstruction or is otherwise found to be in an unsafe condition or position that poses a potential safety risk to the public users of a County road so that the County may determine whether such sign should be removed.

- Signage to warn motorists of areas identified to have high numbers of collisions between deer and motor vehicles will be installed with operating beacons on or before October 1 of each calendar year and thereafter remain in place, in good operating condition, until January 1 of the following calendar year; provided that, at all the times, such beacons shall be removed and alternative approved signage installed.
- At the request of and as supplied by the County, the Municipality shall install Elgin County roadway directional/information signs and Elgin County Tourism signs. Municipal works undertaken to install and/or re-install such roadway directional/information signs are required works contemplated by the within Road Maintenance Agreement and do not constitute additional works thereunder. Municipal works undertaken to install and/or re-install Elgin Tourism signs are not required works contemplated by the within Road Maintenance Agreement and will constitute additional works thereunder and the cost thereof shall be invoiced to the County pursuant to ss. 4.5 and 5.2 of the said Agreement.
- Municipality is and shall be solely responsible for supply and installation (or re-installation) of Hamlet / Community Identification signage and, if necessary, the Municipality shall obtain a permit authorizing such installation from the County. For clarification, it is acknowledged that a permit for such Hamlet/Community Identification Sign is not required if, without alteration in detail or design, a pre-existing Sign is being re-installed at the same location while a permit is required if a new or altered Sign is being installed or re-installed, whether at a new or existing location.
- All signs as contemplated by this sub-section shall be installed on wooden 4" x 4" posts, save and except for signs with dimensions of 90 cm x 90 cm (or larger) and which signs shall be installed on 6" x 6" wooden posts with a 2' x 4' bracing.

6.3. Guide Rail and Traffic Barrier Systems

Service Description: Maintenance and repair of all existing road safety systems, including but not limited cable guide rails, steel beam guide rails, and end treatments.

Service Details:

- Municipality to maintain and repair all existing road safety systems to the then current Ontario Provincial Standard Specifications.
- In the event that an existing road safety system is damaged as the result of a motor vehicle collision, the Municipality shall forthwith notify the County Superintendent and thereafter effect any required repairs to the said road safety system as soon as practicable following such notification.
- Until the annual deductible as referenced below is surpassed, the Municipality shall arrange and pay for repair and/or maintenance of any such damaged road safety system.
- Municipality is responsible financially for the first \$10,000.00 spent annually to complete repairs to or otherwise maintain all road safety systems to which this Road Maintenance Agreement applies (hereinafter "annual deductible"). The Municipality shall inform the County Superintendent upon the annual deductible being surpassed and thereafter forward to the County Superintendent evidence confirming same.
- After the annual deductible is surpassed, the County shall be responsible for paying for repair and/or maintenance of all road safety systems to which the within Road Maintenance Agreement applies; provided that Municipality shall perform or otherwise arrange performance of such repair and maintenance works as additional works to which ss. 4.5 and 5.2 of the Road Maintenance Agreement shall apply.

- In the event that the County makes recovery of repair costs from any responsible third party and those costs, either in whole or in part, were paid in the first instance by the Municipality within the annual deductible referenced above, then Elgin, within the calendar year within which such recovery was made from that responsible third party, shall calculate, reconcile, and make appropriate adjustment and/or payment to the Municipality for the amount of such recovery, or portion thereof, which is or was attributable to the costs paid for by the Municipality within the said annual deductible.
- The cost of repair and maintenance of any road safety system as caused or contributed to by the operations of the Municipality, including but not limited to any failure to perform the within Scope of Services, shall not be taken into account in any calculation to determine if the annual deductible has been surpassed.

6.4. Road Closures

Service Description: Management and co-ordination of and participation in closures and detours of County roads.

Service Details:

- Municipality shall co-operate and participate in all emergency closure and emergency detour events on any County road to which this Road Maintenance Agreement applies.
- All works provided by the Municipality in managing, supervising, or facilitating any road closure or detour event are required services under this Road Maintenance Agreement and do not constitute additional works thereunder to which ss.4.5 and 5.2 thereunder applies; provided that, when and where the Municipality provides road closure and/or detour services associated with or related to a planned capital project on a County Road and/or bridge/culvert/drainage facility, those road closure and/or detour services shall be considered and deemed as additional services pursuant to s. 4.5 herein and the Municipality shall thereafter invoice and the County shall pay the cost of those services pursuant to s. 5.2 herein.
- Municipality shall manage, supervise, and participate in the closure and detour of any County road as requested by the Municipality or the public, and approved by the County, to accommodate an approved local event, including but not limited to a parade, cultural festival, or cycling, running or other athletic competition, and such services do not constitute additional works under the within Road Maintenance Agreement to which ss. 4.5 and 5.2 applies.

7.0. Winter Control

Service Description: Winter road and bridge maintenance of County roads, including but not limited to winter weather, snowfall, and ice prevention monitoring, salting / sanding, snowplowing, ice blading, and standby patrols.

Service Details:

- Municipality to perform all winter control services on County Road and bridges to which Road Maintenance Agreement applies to conform to then current Minimum Maintenance Standards.
- Municipality will also perform winter control services on highway bridges and overpasses not owned by or under jurisdiction of County but otherwise connecting to at least parts of County roads.
- Where and when applicable, the Municipality shall follow the “*Canadian Code of Practice for the Environmental Management of Road Salts*” and the County of Elgin’s “*Road Salt Management Plan*”, a copy of which latter document is included in the appendix to this Schedule.

8.0. Appendix

8.1. The attached Appendix of relevant Elgin County Policies / Plans reflecting upon or related to this Scope of Services forms part of this Schedule “C”.

8.2. As of January 1, 2023, the attached Appendix includes photocopies of the following Elgin County Policies / Plans

- No Spray Policy
- Deer Warning Signage Policy
- Road Salt Management

Plan Effective: January 1, 2023

APPENDIX



NO SPRAY POLICY

ADDITIONAL RESOURCES

- MTO Maintenance Manual – Environmental Protection
- MTO Maintenance Manual – Occupational Health and Safety Hazards

NO SPRAY POLICY

The "blanket" spraying of herbicides to proactively destroy unwanted vegetation is not permitted by the County of Elgin. Spraying herbicides strictly for cosmetic purposes is also not permitted.

Road side spraying is not permitted unless, in the opinion of the Road Supervisor, one or more of the following criteria presents itself:

EXCEPTIONS:

- 1) **Inaccessible areas**- some road properties cannot be accessed by mechanical equipment or workers due to unsafe working conditions. For example, this would include steep slopes and farm entranceways where safety is a concern.
- 2) **Public safety concerns**- road properties that contain overgrown and invasive species as well as noxious weeds that have the potential to create unsafe conditions along the roadway. Sight line obstructions at intersections and around fixed hazards close to the travelled portion of the road must be addressed.
- 3) **Noxious weeds**- densely populated areas of invasive species and noxious weeds (as identified by the Weed Control Act) shall be removed in a manner that prohibits their return or spread to an adjacent area.
- 4) **Previous Mechanical Removal Attempts Were Unsuccessful** - when previous attempts of removing unwanted vegetation have not been successful, these previous attempts shall be documented.

If and when herbicides are used, they must be applied in strict accordance with Provincial regulations and manufacturer's directions. This includes and is not limited to public notices, climate restrictions and avoiding environmentally sensitive areas. The County of Elgin's Salt Management Plan identifies sensitive areas adjacent to county roads and should be used as a minimum baseline guide identifying sensitive areas not to use herbicides. Herbicides shall be selected to target specific unwanted species and be approved for use by Health Canada.



REPORT TO COUNTY COUNCIL

FROM: Brian Lima, Director of Engineering Services

Peter Dutchak, Deputy Director of Engineering Services

DATE: August 5, 2020

SUBJECT: Deer Crossing Warning Signs Evaluation

RECOMMENDATION:

THAT additional deer crossing warning signs be installed on County roads as detailed in the report titled “Deer Crossing Warning Signs Evaluation”, and;

THAT the project’s estimated cost of \$22,000 be funded by the Road Sign Replacement project (60902003), and;

THAT the County post the OPP’s public awareness campaign regarding deer collisions in the fall annually on the County’s website and social media pages.


INTRODUCTION:

The Elgin Group Police Services Board has requested that an evaluation of existing deer crossing warning signs be undertaken by the County’s Engineering Services Department in cooperation with Elgin OPP. This report shall discuss existing deer crossing warning signage along County roads and recommend updated signage based upon recent collision data.

DISCUSSION:

County Council has directed staff to evaluate existing deer crossing warning signage along County roads in cooperation with Elgin OPP. The guidelines for Deer crossing warning signage are outlined in the Ontario Traffic Manual – Book 6, Warning Signs and qualifying roads sections require at least one collision annually for at least five consecutive years in road sections between 1.5km and 8km in length. Road sections less than 1.5km require a minimum of 4 collisions annually.

In order to determine suitable placement of warning signage, a deer collision heat map for the previous five years (2015-2020 up to the month of May) has been created and is attached to this report for Council’s reference. Also depicted on the map are existing



deer crossing warning signage (54 in total shown in yellow) and enhanced deer crossing warning signage (11 locations in total shown in red).

A review of the recent five-year deer collision experience and existing signage has determined that additional deer warning signage (OTM code Wc-111) is required at 47 locations in order to capture qualifying areas along County roads. The second attached map titled, “Proposed Deer Signage Locations”, depicts the locations of the additional recommended warning signs to be installed.

Enhanced Signage Locations

In 2003 a working group comprised of the OPP, Ministry of Natural Resources, County staff and a local community group met to find creative solutions to increase the awareness of deer collisions on County roads. As a result, County Council endorsed a plan to install enhanced warning signage in 11 areas along County roads that had experienced the greatest number of deer collisions in the previous five years (1998 – 2002). In these locations, custom deer warning signs are installed with flashing amber beacons annually during the months of October to January to warn motorists when deer are most active in an attempt to reduce collisions. Local municipalities assist with the installation and removal of the signage annually and this activity is explicitly identified in the Road Maintenance Agreement.

A review of the most recent five-year deer collision experience on County roads confirms many of these highest collision areas continue to exist in similar locations, however some of the locations could be removed and some should be added to more accurately identify the current high collision prone areas. Collision data obtained through the MTO’s Authorized Requester Information System (ARIS) today provides an accurate geographical referenced location of the collision whereas previous reporting relied upon a written description on the collision report. The locations along County roads with the highest density of collisions between 2015 and 2020, are shown on the attached map titled, “Proposed Deer Signage Locations”, and listed in the following table:



Enhanced Deer Crossing Warning Sign Locations

| Location | County Road | From | To |
|----------|-------------------------|--------------------------|--------------------------|
| 1 | Talbot Line (CR 3) | West of Furnvial Road | East of Dunborough Road |
| 2 | Pioneer Line (CR 2) | West of Dunborough Road | East of Coyne Road |
| 3 | Fingal Line (CR 16) | West of Iona Road | East of Lakeview Line |
| 4 | Talbot Line (CR 3) | East of Willey Road | East of Houghton Road |
| 5 | John Wise Line (CR 45) | South of Fingal Line | West of Centennial Road |
| 6 | Sunset Drive (CR 4) | North of Warren Street | North of John Wise Line |
| 7 | Ron McNeil Line (CR 52) | East of Wellington Road | West of Highbury Avenue |
| 8 | Highbury Avenue (CR 30) | North of Ron McNeil Line | South of Carr Road |
| 9 | Belmont Road (CR 74) | South of Borden Avenue | North of Talbot Line |
| 10 | John Wise Line (CR 45) | East of Quaker Road | East of Springwater Road |
| 11 | Heritage Line (CR 38) | East of Talbot Line | West of Sandytown Road |

It is proposed that each of these identified 11 locations receive a larger, 120cm x 120cm Wc-1110 sign (a 90cm x 90cm sign is the largest standard sign) at the limits identified in the table above and be in place permanently, not only during the months of October to January as previously done, since deer collisions can occur at any time of year.

Additionally, during the months of October to January, a yellow battery operated LED beacon shall be installed on these signs in order to increase their awareness to motorists when deer are typically most active.

Cooperation with Elgin OPP and Public Communication

Staff has discussed deer collisions, signage and public communication strategies with Elgin OPP. Collision data provided by the OPP is consistent with collision data obtained from ARIS and used by the County. The OPP is supportive of additional and enhanced signage and also noted the importance of public awareness. In this regard, the OPP normally issues a fall press release with respect to deer collisions and County staff have proposed to post this messaging on the County's website and through social media at the same time in a collaboration intended to increase public awareness.

FINANCIAL IMPLICATIONS:

The supply and installation of 22 (11 locations) enhanced deer crossing warning signs is estimated to cost \$9,000. The supply and installation of 47 deer crossing warning signs is estimated to cost \$13,000. The total project cost of \$22,000 can be funded by the Road Sign Replacement project (60902003).

ALIGNMENT WITH STRATEGIC PRIORITIES:

| Serving Elgin | Growing Elgin | Investing in Elgin |
|---|---|---|
| <input checked="" type="checkbox"/> Ensuring alignment of current programs and services with community need. <input checked="" type="checkbox"/> Exploring different ways of addressing community need. <input checked="" type="checkbox"/> Engaging with our community and other stakeholders. | <input type="checkbox"/> Planning for and facilitating commercial, industrial, residential, and agricultural growth. <input type="checkbox"/> Fostering a healthy environment. <input type="checkbox"/> Enhancing quality of place. | <input type="checkbox"/> Ensuring we have the necessary tools, resources, and infrastructure to deliver programs and services now and in the future. <input type="checkbox"/> Delivering mandated programs and services efficiently and effectively. |

LOCAL MUNICIPAL PARTNER IMPACT:


Enhanced deer crossing warning sign locations will require a battery-operated beacon be installed at the beginning of October and removed at the end of January annually. The existing Road Maintenance Agreement requires the LMPs to remove enhanced deer warning signage and beacons and install general messaging signs annually. The proposed enhanced signage will be permanent with exception of the beacons.

COMMUNICATION REQUIREMENTS:

In partnership with Elgin OPP, the County will mirror press release messaging related to deer collisions in the fall, on the County's website and social media pages.

CONCLUSION:

Staff have completed an evaluation of existing deer crossing warning signage on County roads and have had discussions with Elgin OPP. A deer collision heat map has been created for the last five years to identify collision density areas to determine appropriate warning signage placement per the Ontario Traffic Manual guidelines. In addition to regular deer crossing warning signs, eleven locations have been identified with the highest deer collision density over the past five years. It is proposed that these locations receive larger deer crossing warning signage and that during the months of October to January annually a yellow flashing LED beacon be installed on the sign post to enhance warning messaging to motorists during the time when deer are typically



most active. The cost of the installed signage is estimated at \$22,000 and can be funded by the Road Sign Replacement project (60902003). It is also proposed that County staff support the OPP's fall press release campaign regarding deer collisions by posting on the County's website and media pages to increase public awareness.

All of which is Respectfully Submitted

Approved for Submission

Brian Lima


Julie Gonyou

Chief Administrative Officer

Director of Engineering Services

Peter Dutchak

Deputy Director of Engineering Services





SALT MANAGEMENT PLAN

September 2020

1.0 INTRODUCTION

1.1 Overview

The County of Elgin has approximately 700km of roads within the Corporation's jurisdiction. The County outsources road maintenance activities, including winter maintenance, to its seven local municipal partners under formal agreement. In part, the agreement requires that Provincial Minimum Maintenance Standards (Ontario Regulation 239/02 and as amended by 366/18) are the standard to be met and each municipality has the flexibility to meet the standards as they deem best. The following local municipal partners (LMPs) are therefore responsible for winter maintenance on County of Elgin roads within their respective municipal boundaries:

Municipality of West Elgin

Municipality of Dutton/Dunwich

Township of Southwold

Municipality of Central Elgin

Town of Aylmer

Township of Malahide

Municipality of Bayham

Snow and ice control is a key part in keeping roads safe. Road salt (particularly sodium chloride) is the preferred de-icing / anti-icing chemical for maintaining winter roadway safety due to its cost, effectiveness, and ease of handling. The County of Elgin, like other road authorities utilizes road salt in order to fulfill its obligations under the Municipal Act and to maintain safe roads for the travelling public during the winter season.

In 2001, Environment Canada released an assessment report indicating that road salts are entering the environment in large amounts and posing a risk to plants, animals, birds, fish, lake and stream ecosystems and groundwater. The report recommended that salt be designated toxic under the Canadian Environment Protection Act (CEPA). Environment Canada has not banned the use of road salts, but have rather encouraged users to develop management strategies. It should be noted that Health Canada has stated that road salts are not harmful to humans.

In recognition of the adverse effects that excessive use of roads salt can have on the environment, this Salt Management Plan has been created with the goal of minimizing the amount of road salt entering the environment.

1.2 Purpose of the Salt Management Plan (SMP)

The SMP is intended to demonstrate the commitment of the seven local road authorities to reduce potential negative environmental effects by managing their road salt usage and to remain consistent with Environment Canada's stated objectives.

Road safety is of the utmost importance to the road authorities across Elgin County. Modifications to winter maintenance activities will be implemented in such a manner that balances the use of road salts while maintaining safety for road users and complying with the requirements of the Provincial Minimum Maintenance Standards.

The SMP is intended to be a living document to incorporate new approaches and technologies while meeting fiscal demands and keeping road safety as the first priority. The SMP will be reviewed annually in this context and updated every five years with endorsement from Elgin County Council.

1.3 Responsibility

It is the responsibility of every road authority involved in winter maintenance activities on Elgin County roads to effectively manage the road salt used.

It is the responsibility of the County of Elgin to ensure that the SMP is developed, maintained, updated and implemented throughout the County of Elgin.

The LMPs are responsible to ensure winter maintenance equipment operators and patrol persons receive appropriate training, and that equipment is calibrated annually. All personnel are to be familiar with the Code of Practice for the Environmental Management of Road Salts.

It is the responsibility of all local Road Supervisors involved in winter maintenance to ensure that the SMP is maintained, and implemented within their jurisdiction.

2.0 SALT MANAGEMENT POLICY

The LMPs are each responsible for maintaining their own Municipal Roads and for providing road maintenance services to the County of Elgin under formal agreement to maintain the County's roads within their jurisdiction.

The County of Elgin adheres to the Municipal Act, 2001 Provincial Ontario Regulation 239/02 - "Minimum Maintenance Standards for Municipal Highways" and as amended by Ontario Regulation 366/18.

Applicable excerpts from the Ontario Regulations are included below.

Patrolling

3. (1) The standard for the frequency of patrolling of highways to check for conditions described in this Regulation is set out in the Table to this section. O. Reg. 23/10, s. 3 (1); O. Reg. 366/18, s. 3 (2).

(2) If it is determined by the municipality that the weather monitoring referred to in section 3.1 indicates that there is a substantial probability of snow accumulation on roadways, ice formation on roadways or icy roadways, the standard for patrolling highways is, in addition to that set out in subsection (1), to patrol highways that the municipality selects as representative of its highways, at intervals deemed necessary by the municipality, to check for such conditions. O. Reg. 47/13, s. 2; O. Reg. 366/18, s. 3 (2).

(3) Patrolling a highway consists of observing the highway, either by driving on or by electronically monitoring the highway, and may be performed by persons responsible for patrolling highways or by persons responsible for or performing highway maintenance activities. O. Reg. 23/10, s. 3 (1).

(4) This section does not apply in respect of the conditions described in section 10, subsections 11 (0.1) and 12 (1) and section 16.1, 16.2, 16.3 or 16.4. O. Reg. 23/10, s. 3 (1); O. Reg. 366/18, s. 3 (3).

TABLE
PATROLLING FREQUENCY

| Class of Highway | Patrolling Frequency |
|------------------|----------------------|
| 1 | 3 times every 7 days |
| 2 | 2 times every 7 days |
| 3 | once every 7 days |
| 4 | once every 14 days |
| 5 | once every 30 days |

O. Reg. 239/02, s. 3, Table; O. Reg. 23/10, s. 3 (2).

Weather monitoring

3.1 (1) From October 1 to April 30, the standard is to monitor the weather, both current and forecast to occur in the next 24 hours, once every shift or three times per calendar day, whichever is more frequent, at intervals determined by the municipality. O. Reg. 47/13, s. 3; O. Reg. 366/18, s. 4.

(2) From May 1 to September 30, the standard is to monitor the weather, both current and forecast to occur in the next 24 hours, once per calendar day. O. Reg. 47/13, s. 3; O. Reg. 366/18, s. 4.

Snow accumulation, roadways

4. (1) Subject to section 4.1, the standard for addressing snow accumulation on roadways 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; O. Reg. 366/18, s. 5 (1).

(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 clause (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:

1. Patrolling highways.

2. Performing highway maintenance activities.

3. Supervising staff who perform activities described in paragraph 1 or 2. O. Reg. 47/13, s. 4; O. Reg. 366/18, s. 5 (2).

(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; O. Reg. 366/18, s. 5 (3).

(5) For the purposes of this section, addressing snow accumulation on a roadway includes,

(a) plowing the roadway;

(b) salting the roadway;

(c) applying abrasive materials to the roadway;

(d) applying other chemical or organic agents to the roadway;

(e) any combination of the methods described in clauses (a) to (d). O. Reg. 366/18, s. 5 (4).

(6) This section does not apply to that portion of the roadway,

(a) designated for parking;

(b) consisting of a bicycle lane or other bicycle facility; or

(d) used by a municipality for snow storage. O. Reg. 366/18, s. 5 (4).

TABLE
SNOW ACCUMULATION - ROADWAYS

| Class of Highway | Depth | Time |
|------------------|--------|----------|
| 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 |

O. Reg. 47/13, s. 4; O. Reg. 366/18, s. 5 (5).

Ice formation on roadways and icy roadways

5. (1) The standard for 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:

1. Monitor the weather in accordance with section 3.1.

2. Patrol in accordance with section 3.

3. 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, if practicable, to prevent ice formation within the time set out in Table 1 to this section, starting from the time that the municipality determines is the appropriate time to deploy resources for that purpose. O. Reg. 366/18, s. 8.

(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 applicable time set out in Table 2 to this section expires after the municipality becomes aware of the fact that the roadway is icy. O. Reg. 366/18, s. 8.

(3) Subject to section 5.1, the standard for treating icy roadways is to treat the icy roadway within the time set out in Table 2 to this section, and an icy roadway is deemed to be in a state of repair until the applicable time set out in Table 2 to this section expires after the municipality becomes aware of the fact that a roadway is icy. O. Reg. 366/18, s. 8.

(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. 366/18, s. 8.

(5) For greater certainty, this section applies in respect of ice formation on bicycle lanes on a roadway, but does not apply to other types of bicycle facilities. O. Reg. 366/18, s. 8.

TABLE 1
Ice Formation Prevention

| Class of Highway | Time |
|------------------|----------|
| 1 | 6 hours |
| 2 | 8 hours |
| 3 | 16 hours |
| 4 | 24 hours |
| 5 | 24 hours |

O. Reg. 366/18, s. 8.

TABLE 2
Treatment of ICY ROADWAYS

| Class of Highway | Time |
|------------------|----------|
| 1 | 3 hours |
| 2 | 4 hours |
| 3 | 8 hours |
| 4 | 12 hours |
| 5 | 16 hours |

O. Reg. 366/18, s. 8.

3.0 Best Management Practices

The Canadian Code of Practice for the Environmental Management of Road Salts and the TAC Syntheses of Best Practices has identified Best Management Practices for the handling, storage and use of road salts. Code of Practice objectives have been defined in the following categories: Annual Reports, Salt Management Plans, Salt Storage, Salt Application, Snow Disposal, Training and Salt Vulnerable Areas. A list of the Code of Practice Objectives along with corresponding Performance Indicators is provided in Table '1'.

Table 1 Code of Practice Objectives and Performance Indicators

| CODE OF PRACTICE OBJECTIVES | | PERFORMANCE INDICATORS | |
|--|--|--|--|
| Annual Reports | | | |
| <ul style="list-style-type: none"> • Submit annual reports by June 30. | | <ul style="list-style-type: none"> • Submission of annual reports. | |
| Salt Management Plans | | | |
| <ul style="list-style-type: none"> • Develop and implement salt management plans that meet the contents in Section 9 of the Code. | | <ul style="list-style-type: none"> • Preparation and implementation of salt management plans. | |
| Salt Storage | | | |
| <ul style="list-style-type: none"> • Store road salts under a permanent roof and on an impermeable surface. • Cover blended sand/salt piles. • Implement handling practices that avoid uncontrolled releases (good housekeeping practices). • Manage drainage to control the release of contaminants, including from wastewater from equipment washing and facility. | | <ul style="list-style-type: none"> • Salt stored under cover and on impermeable pads. • Blended sand/salt piles covered. • Implementation of good housekeeping practices. • Presence of runoff collection systems or management of salt impacted drainage. | |
| Salt Application | | | |
| <ul style="list-style-type: none"> • Use advancements in winter maintenance materials, equipment and decision support systems, such as road weather information systems. | | <ul style="list-style-type: none"> • Use of electronic spreader controls. • Use of pre-wetting. • Use of direct liquid application. • Presence of an equipment calibration and re-calibration program. • Use of road weather information systems. • Use of pavement temperatures when making salt application decisions. | |
| Snow Disposal | | | |
| <ul style="list-style-type: none"> • Implement handling practices that avoid uncontrolled releases. • Manage drainage to control the release of contaminants. | | <ul style="list-style-type: none"> • Implementation of good housekeeping practices. • Engineered sites with collection of runoff and meltwater. • Presence of meltwater collection ponds. | |
| Training | | | |
| <ul style="list-style-type: none"> • Train staff in best management practices and provide periodic training in salt management. | | <ul style="list-style-type: none"> • Implementation of training programs in best management practices. | |
| Salt Vulnerable Areas | | | |
| <ul style="list-style-type: none"> • Identify salt vulnerable areas. • Manage salt use in salt vulnerable areas to minimize impacts. | | <ul style="list-style-type: none"> • Inventories of salt vulnerable areas. • Implementation of best practices to reduce impacts. | |

3.1 Annual Reports

The County of Elgin is responsible to report various road salt management metrics to Environment Canada annually and before June 30th. In advance of the reporting deadline, LMPs will submit applicable information to the County by May 1st each calendar year, with respect to their road salt use and management over the previous winter season.

3.2 Salt Management Plans

The County of Elgin is responsible for developing a Salt Management Plan that satisfies the objectives of the Canadian Code of Practice for the Environmental Management of Road Salts. This plan is updated and approved by County Council once every 5 years.

3.3 Salt Storage Sites

The objective for salt storage sites is the prevention or control of releases from existing and new sites. In pursuing this objective, the following practices should be considered:

- Coverage of salt piles and blended salt-sand piles
- Handling practices that avoid uncontrolled releases
- Drainage management
- Wash water collection and treatment
- Training of personnel, and
- Monitoring the effectiveness of the facility

Currently, every LMP stores salt materials under cover and on impermeable surfaces. Forty-three (43%) of the LMPs have the ability to load salt indoors while every LMP loads salt on impermeable surfaces and continually cleans up any spilled materials as good housekeeping practices.

3.4 Salt Application

The objective for salt application is the reduction of the negative impacts of road salts by delivering the right amount of road salts in the right place at the right time. In pursuing this objective, consideration should be given to using the most recent advancements in the application of winter maintenance anti-icing and de-icing materials, winter maintenance equipment and road weather information and other decision support systems. As well, the training of personnel and the monitoring of the effectiveness of road salt application techniques should be considered.

Currently, every LMP utilizes ground spreading controls and has automated vehicle location systems on their entire fleet dedicated to winter control. Most LMPs either pre-wet salt before it is applied or use pre-treated salt.

3.5 Snow Disposal

The objective for snow disposal is the control of releases from existing and new sites. In pursuing this objective, the following practices should be considered:

- Location and construction of the sites considering operational and environmental factors
- Drainage management
- Training of personnel
- Monitoring of the effectiveness of the facility

Currently, forty-three (43%) of the LMPs have seasonal snow disposal sites (3 across Elgin County).

3.6 Training

Plans and policies are normally created by managers and supervisors in an organization. The successful implementation of the Salt Management Plan is contingent upon front line staff and operators being familiar about the plan and how best to achieve its objectives. In order to be most effective, staff at all levels should be aware of this plan and trained on a routine basis with respect to road salt management best practices.

Currently every LMP either follows a local schedule or is in the midst to developing a local schedule to ensure managers, supervisors and operators receive up to date training regularly.

3.7 Salt Vulnerable Areas

A “salt vulnerable area” means an area particularly sensitive to road salts where additional salt management measures may be necessary to mitigate the environmental effects of road salts in that area. Organizations should identify areas that may be particularly sensitive to road salts. Once a vulnerable area has been identified, organizations may then determine the level of vulnerability and the need to implement additional salt management measures. Additional salt management measures in salt vulnerable areas may include:

- Using technologies that further optimize the use of road salts
- Using environmentally, technically and economically feasible alternatives to road salts
- Increasing monitoring and measuring of chlorides and/or their impacts
- Locating patrol yards and snow disposal sites outside vulnerable areas
- Considering location and protection of vulnerable areas in the design of new roads and/or upgrading of existing roads.

It is important to note, when identifying vulnerable areas, that an area may be vulnerable either to infrequent but heavy addition of road salts or to light but frequent addition of road salts.

Organizations may consider consulting with other agencies such as conservation authorities and source water protection boards who may have information regarding potential road salt vulnerable areas within common jurisdictions.

Currently only one salt vulnerable site has been identified (Hamlet of Richmond) as a local source water protection area.

4.0 Current Practices and Goals

An inventory of the current road salt use practices has been undertaken to form a benchmark against which progress can be measured. Elgin County's local municipal partners have provided information with respect to their current practices within each of the Best Management Practices categories: Spreading Materials and Equipment, Salt Vulnerable Areas, Salt Storage Sites, Snow Disposal and Training. The summary of current practices by municipality is provided in Table '3'.

Each respective municipality manages their own staff and resources as they deem best suited to meet the Provincial Minimum Maintenance Standards for winter control activities. As it pertains to road salt management, it is envisioned that the best management practices outlined in this plan be adopted as goals by Elgin's local municipal partners (LMPs) and be implemented as opportunities present themselves (i.e. equipment replacement) and as financial planning and competing budgets permit.

TABLE 3 – CURRENT ROAD SALT MANAGEMENT PRACTICES BY MUNICIPALITY

| SALT MANAGEMENT PLAN | | | | | | | |
|---|------------------------------------|-----------------------------------|--------------------------|----------------------------------|-------------------------------|------------------------------|--------------------------------|
| CURRENT PRACTICES (2020) BY MUNICIPALITY | | | | | | | |
| | Municipality of West Elgin | Municipality of Dutton/Dunwich | Township of Southwold | Municipality of Central Elgin | Township of Malahide | Town of Aylmer | Municipality of Bayham |
| Total km of County Road maintained | 99.533 | 96.693 | 101.275 | 140.369 | 146.191 | 4.124 | 91.247 |
| Total tonne of Salt Used in previous winter season (2019/20) | 569 | 903 | 688 | 1579 | 1221 | 75 | 1197 |
| Total Salt/Sand mix used on County roads | 276 | 852 | 98 | 323 | 582 | | 605 |
| Percentage of Salt in Salt/Sand Mix | 5% | 33% | 10% | 5% | 10% | 40% | 15% |
| Quantity (Litres) of liquid applied | | | | | | | |
| Brine | 500 | | | | | | |
| Beet Juice | | 15906 | | | 9867 | | 15900 |
| Other | | | | 54258 | | | |
| Amount of Liquid used for pre-wetting salt material (Litres) | | 11000 | pre-treated | 53549 | 5555 | | 2100 |
| Amount of Liquid used for anti-icing (Litres) | 500 | 4906 | | 709.66 | 4312 | | 4100 |
| SPREADING MATERIALS AND EQUIPMENT | | | | | | | |
| Salt Application Rate (kg/km) | 130 (general), 170 (freezing rain) | 75, 100, 130, 150, 170 | 75, 100, 150 | 130 | 70, 90, 110, 130 | 200 | 100 (120 on hills) |
| Sand Application Rate (kg/km) | 285 (general), 570 (packed) | 200, 250, 300, 350, 400, 450, 570 | 325, 570 | 570 | 350, 450, 550 | 550 | |
| Sand / Salt Mix Application Rate (kg/km) | | | | | | 490 | 300 |
| Number of Vehicles Assigned to salt application | 3 | 5 | 7 | 9 | 8 | 2 | 4 |
| Number of vehicles with ground sensor controls | 3 | 5 | 7 | 9 | 8 | 1 | 4 |
| Number of vehicles equipped with pre-wetting | 0 | 3 | 0 | 7 | 8 | 0 | 3 |
| Number of vehicles designed for direct liquid | 1 | 1 | 2 | 1 | 1 | 0 | 1 |
| Percentage of Fleet that records salt application rates | 100 | 100 | 100 | 100 | 100 | 0 | 100 |
| Percentage of Fleet that has automated vehicle location | 100 | 100 | 100 | 100 | 100 | 100 | 100 |
| Use of alternate freeze point depressants | Brine, 500L annually | Beet Juice - 20,000L annually | Pretreated salt | Mastermelt - 54,258L annually | none | none | Beet Juice - 15,900L annually |
| Number of surface temperature measuring devices | 4 | 10 | every truck | 6 | 5 | 2 | 7 |
| Use of dedicated pavement and/or atmospheric forecasting systems | Provincial RWIS | MESH | none | OGRA Weather Tracker App | OGRA Weather Tracker App | none | none |
| SALT VULNERABLE AREAS | | | | | | | |
| Locations of salt vulnerable areas (i.e. wetlands, source water protection areas) | none | none | none | none | none | Not identified | Hamlet of Richmond |
| Description of winter maintenance practices in the vicinity of salt vulnerable areas (i.e. alternate treatment) | n/a | n/a | n/a | n/a | n/a | none | Sand/salt or 70kg/km salt rate |
| SAND AND SALT STORAGE SITES | | | | | | | |
| Number and capacity (tonne) of storage sites | 22413 Hoskins Line | 136 Currie Road | 35663 Fingal Line | 42434 Fruitridge Line | 49458 John Wise Line - 1,300t | 32 Chipchase Court | 8354 Plank Road (2 buildings) |
| | 500t salt, 1,500t sand | 400t salt | 4,000t | 2,000t salt, 1,000t sand | 13272 Imperial Road - 1,000t | 570t salt | 3000t |
| Percentage of salt/sand stored under cover on impermeable pads | 100 | 100 | 100 | 100 | 100 | 100 | 100 |
| Percentage of facilities with indoor loading | 0 | 0 | 100 | 100 | 0 | 0 | 100 |
| Percentage of sites with management of salt impacted drainage | 0 | 0 | 0 | 100 | 0 | 100 | 0 |
| Number of salt storage sites that have collection systems | 1 | 0 | 0 | 1 | 0 | 1 | 1 |
| Where is runoff diverted to? | municipal drain | na | na | municipal drain | na | pond | municipal drain |
| Levels of environmental indicators (i.e. chloride levels) | none | none | none | none | none | none | none |
| Percentage of salt in winter sand | 5 | 5 | 10 | 5 | 10 | 40 | 15 |
| Good Housekeeping Practices | yes | no | yes | yes | no | yes, not formalized | material mixing done on pad |
| Materials handled on impermeable surfaces? | yes | yes | yes | yes | yes | yes | yes |
| Equipment used to prevent truck overloading? | no | yes | no | yes | no | yes | no |
| System for collection/treatment of wastewater? | no | yes | no | yes | no | yes | no |
| control of external waters not impacted by salt? | yes | yes | no | yes | no | yes | no |
| Ongoing cleanup of sites and spilled materials? | yes | yes | yes | yes | yes | yes | yes |
| Risk Management and emergency plans in place? | yes | yes | yes | yes | yes | yes | no |
| SNOW DISPOSAL SITES | | | | | | | |
| Number and capacity of snow disposal sites (permanent/seasonal) | Rodney and West Lorne | very large capacity | none | none | none | 6,250m3 capacity | none |
| | Seasonal | seasonal | | | | Seasonal | |
| Levels of Environmental Indicators | no | no | n/a | n/a | n/a | no | n/a |
| Percentage of disposal sites with water management systems | none | none | n/a | n/a | n/a | none | n/a |
| Conformance with existing environmental standards | n/a | n/a | n/a | n/a | n/a | yes | n/a |
| Existence of a good housekeeping policy | n/a | n/a | yes | n/a | n/a | n/a | n/a |
| Disposed upon low permeability surface? | n/a | n/a | n/a | n/a | n/a | n/a | n/a |
| Meltwater directed to retention pond before discharged? | n/a | n/a | n/a | n/a | n/a | n/a | n/a |
| Meltwater discharged to municipal sewer? | n/a | n/a | n/a | n/a | n/a | n/a | n/a |
| Meltwater dischared into watercourse? | n/a | n/a | n/a | n/a | n/a | ditch | n/a |
| TRAINING | | | | | | | |
| Percentage and frequency of staff receiving trailing in Best Salt Management Practices | | | | | | | |
| - Managers | 100% annually | 50% | pending | 100% annually | 100% annually | Review local policy annually | 100% annually |
| - Supervisors | 100% every 2-3 years | pending | pending | 100% annually | 100% annually | Review local policy annually | 100% annually |
| - Operators | 100% annually in-house | pending | pending | 100% annually | 100% annually | Review local policy annually | 100% annually |

5.0 Conclusion

The County of Elgin in collaboration with its local municipal partners are committed to maintaining roads during the winter season in accordance with Provincial regulations. Winter control activities utilizing road salt is necessary to achieve this goal. Excessive use of road salt can have environmental impacts and the road authorities across Elgin County recognize this responsibility.

The Salt Management Plan has been created as a resource and guide for road authorities across Elgin County to determine the most effective methods to maintain safety for road users while managing the effects of road salt on the environment.

SCHEDULE “D”
MONTHLY INVOICE FORMAT

SCHEDULE “D”
MONTHLY INVOICE FORMAT

| | | |
|---|--|---------------|
| Date: | | |
| Invoice No. | | |
| (NAME OF MUNICIPALITY) Invoice for County Road Maintenance Activities completed for the month of | | |
| Item | Description | Amount |
| 1 | Monthly Road Maintenance Payment (Schedule E) | \$ |
| 2 | Additional Services - Attach a calculation and all relevant documentation | \$ |
| TOTAL DUE | | \$ |
| Monthly Inspection Confirmation | | |
| Date of Monthly Inspection: | | |
| Name of Inspector: | | |
| Documentation Included with this invoice | | |
| (i) | Quarterly Road Work Report | |
| (ii) | Annual Financial Report | |

SCHEDULE “E”
PAYMENT SCHEDULE

SCHEDULE “E”

PAYMENT SCHEDULE

Name of Municipality: Southwold

Total Payment (2023): \$567,255.88

Payment Schedule (By Month):

| | | |
|---------------------------|-------------|---------------|
| January , 2023 | \$85,088.38 | (15%) |
| February , 2023 | \$85,088.38 | (15%) |
| March , 2023 | \$28,362.79 | (5%) |
| April , 2023 | \$28,362.79 | (5%) |
| May , 2023 | \$28,362.79 | (5%) |
| June , 2023 | \$28,362.79 | (5%) |
| July , 2023 | \$28,362.79 | (5%) |
| August, 2023 | \$28,362.79 | (5%) |
| September , 2023 | \$28,362.79 | (5%) |
| October , 2023 | \$28,362.79 | (5%) |
| November , 2023 | \$85,088.38 | (15%) |
| December , 2023 | \$85,088.38 | (15%) |
| Total \$567,255.88 | | (100%) |

SCHEDULE “F”

QUARTERLY ROAD WORKS REPORT (MUNICIPALITY TO COUNTY)

SCHEDULE "F"

QUARTERLY ROAD WORKS REPORT (MUNICIPALITY TO COUNTY)

Date:

Municipality:

[illegible]

SCHEDULE “G”

YEAR-END FINANCIAL STATEMENT (MUNICIPALITY TO COUNTY)

SCHEDULE “G”

YEAR-END FINANCIAL STATEMENT (MUNICIPALITY TO COUNTY)

| | Labour | Equipment | Materials/ Contracts | Admin | Other | Totals |
|-------------------|--------|-----------|-------------------------|-------|-------|--------|
| Inspection/Patrol | \$ | \$ | \$ | \$ | \$ | \$ |
| Road Surfaces | \$ | \$ | \$ | \$ | \$ | \$ |
| Roadside | \$ | \$ | \$ | \$ | \$ | \$ |
| Drainage Systems | \$ | \$ | \$ | \$ | \$ | \$ |
| Bridges/ Culverts | \$ | \$ | \$ | \$ | \$ | \$ |
| Safety Devises | \$ | \$ | \$ | \$ | \$ | \$ |
| Winter Control | \$ | \$ | \$ | \$ | \$ | \$ |
| Totals | \$ | \$ | \$ | \$ | \$ | \$ |

SCHEDULE “H”

**WINTER ROAD SALT USE AND WINTER CONTROL OPERATIONS
QUESTIONNAIRE FORMAT**

SCHEDULE "H"

WINTER ROAD SALT USE AND WINTER CONTROL OPERATIONS
QUESTIONNAIRE FORMAT

Municipality / Township / Town of

Training - Was Training taken?

Manager(s)
Supervisor(s)
Operator(s)
Mechanic(s)
Patroller(s)

| Yes / No |
|----------|
| |
| |
| |
| |
| |

Improvements made to...

Material Storage Facilites
Salt Application Equipment
Snow Disposal Areas
Vulnerable Areas

| Number Identified | Number Achieved |
|-------------------|-----------------|
| | |
| | |
| | |

Winter Conditions - Number of days requiring Salt Application

 days

Material Used

De-icers (solids)

Sodium Chloride (NaCl)
Magnesium Chloride (MgCl2)
Calcium Chloride (CaCl2)

| | |
|--|-------|
| | tonne |
| | tonne |
| | tonne |

Pre-treated Salt

 %

Treated Abrasives

Quantity of abrasives (sand) before mixing (tonnes)
Quantity of solid salts mixed with abrasives (tonnes)
If exact quantity of salt mixed with abrasives is not reported
separately above, indicate the % of salt mixed with abrasives:

| | |
|--|-------|
| | tonne |
| | tonne |
| | % |

Liquids

Provide the quantity of ALL liquids used for pre-wetting, pre-treatment and
direct liquid application (anti-icing) of ALL types (NaCl, MgCl2, CaCl2)

 Litres

Salt Storage

How many salt storage sites are managed and/or controlled
by your Organization

Road Salts

Percentage of sites covered by a permanent roof
Percentage of sites covered only with a tarp

| | |
|--|---|
| | % |
| | % |

Salt Treated Abrasives

Percentage of sites covered by a permanent roof
Percentage of sites covered only with a tarp

| | |
|--|---|
| | % |
| | % |

Storage Surface - Materials stored on an impermeable surface

Road Salts
Treated Abrasive

| | |
|--|---|
| | % |
| | % |

Good Housekeeping Practices

All materials are handled in a designated impermeable surface area
Equipment to prevent overloading of trucks
System for collecting/treating wastewater from cleaning trucks
Control and diversion of external waters (not impacted by salt)
Ongoing cleanup of the site surfaces and spilled material is swept quickly
Risk Management and emergency measure plans are in place

| Yes / No |
|----------|
| |
| |
| |
| |
| |
| |

Drainage

Number of sites that have drainage and collection system for runoff
of salt contaminated waters

Does your organization monitor the chloride concentration in the runoff?

Specify discharge pont into:

a municipal sewer system
a containment system for removal
a watercourse
other(s)

| Yes / No |
|----------|
| |
| |
| |
| |

Salt Application

Management of Equipment

Total number of vehicles assigned to solid salt application
Total number of vehicles with conveyors and ground speed sensors
Total number of vehicles equipped with pre-wetting equipment
Total number of vehicles desinged for direct liquid application (DLA)

Is spreading equipment regularly calibrated?

Frequency of calibration (times per year)

Weather Monitoring

Infrared thermometer
Meterological service
Fixed Road Weather Information System (RWIS) stations
Vehicle-mounted mobile RWIS

| Yes / No | Number |
|----------|--------|
| | |
| | |
| | |

Maintenance Decision Support

Record of salt application rates
Automated vehicle location (AVL)
Use of a chart for application rates adapted to raod/weather conditions
Testing of Maintenance Decision Support System (MDSS)

| Yes / No | % of Fleet |
|----------|------------|
| | |
| | |
| | |

Snow Disposal

Management of Snow

Does your organization perform snow disposal at a designated site?
Total number of sites
Total design capacity of all snow disposal sites (in cubic metres)
Does your organization use snow melters?
Percentage of disposed snow with snow melters
Is the meltwater from snow melters discharged through storm sewers?

Design of Snow Disposal Sites

Snow is disposed of entirely on a low permeability surface
All meltwater is directed to a retention pond before its discharge
All meltwater is collected and discharged into a municipal sewer system
All meltwater is collectred and discharged into a watercourse

| % of snow disposed | Number of sites |
|--------------------|-----------------|
| | |
| | |
| | |

Management of Salt Vulnerable Areas

Inventory - Identification fo Salt Vulnerable Areas

Has your road organization completed an inventory of salt vulnerable
areas within your territory?

Yes/No/Partially

Salt vulnerable areas within territory - Identification of Salt Vulnerable Areas

Do you have salt vulnerable area(s) within your territory?

Yes/No/Partially

Action Plan - Identification of Salt Vulnerable Areas

Has your organization prepared an acion plan to prioritize
areas where measures will be put in place?

Yes/No/Partially

Supplementary Protection or Mitigation Measures

Did your organization implement supplementary and specific
protection or mitigation measures to eliminate or reduce
road salt impacts on vulnerable areas?

Yes/No/Partially

Environmental Monitoring

Does your organization conduct environmental monitoring to measure
impacts of road salts on vulnerable areas?

Yes/No/Partially

Types of Vulnerable Areas

Type of Vulnerability

Drinking water (surface or groundwater)
Aquatic Life (lake and watercourse)
Wetlands (and associated aquatic life)
Delimited areas with terrestrial fauna or flora
Valued lands

| # of areas identified | # of areas with protection measures in place | # of areas with chiroide monitoring |
|-----------------------|--|-------------------------------------|
| | | |
| | | |
| | | |
| | | |
| | | |

SCHEDULE “I”

**QUARTERLY INSPECTION REPORT (COUNTY TO MUNICIPALITY)
FORMAT**

SCHEDULE “I”

QUARTERLY INSPECTION REPORT (COUNTY TO MUNICIPALITY)

Date:**Municipality:**[illegible]

SCHEDULE “J-1”

TERMS OF REFERENCE – OPERATIONS COMMITTEE

SCHEDULE “J-1”

TERMS OF REFERENCE – OPERATIONS COMMITTEE

Mandate:

1. Identification and details of upcoming repair/maintenance projects relevant to Road Maintenance Agreement.
2. Identification and details of upcoming capital projects relevant to Road Maintenance Agreement.
3. Identification, discussion, and resolution of operational issues related to Road Maintenance Agreement.
4. Referral of unresolved issues related to Road Maintenance Agreement to Governance Committee.
5. Identification and discussion of potential shared procurement opportunities for County and Local Municipal Partners as relevant to Road Maintenance Agreement.
6. Coordination of shared Service delivery relevant to Road Maintenance Agreement.

Composition:

County Engineer (or designate); and
Local Municipal Roads Superintendents (or designates).

Quorum:

County Engineer (or designate) plus majority of Local Municipal Roads Superintendents (or designates).

Chair:

County Engineer (or designate).

Recorder:

Arranged and provided by County Engineer.

Meeting Schedule:

At least one (1) meeting per quarter calendar year upon dates and at times established by Committee Members at first meeting of Committee each calendar year.

Agenda

1. To be prepared and circulated by County representative at least ten (10) days prior to next scheduled meeting.
2. Specific agenda item requests, including relevant documentation, to be delivered to County representative at least seven (7) days prior to Agenda circulation date.

SCHEDULE “J-2”

TERMS OF REFERENCE – GOVERNANCE COMMITTEE

SCHEDULE “J-2”

TERMS OF REFERENCE – GOVERNANCE COMMITTEE

Mandate:

1. Receive and consider the Annual Compliance Report prepared and delivered by the County.
2. Identify, consider, and provide direction/guidance in relation to organizational and/or systemic concerns relating to Road Maintenance Agreement, including but not limited to matters identified within the Annual Compliance Report prepared and delivered by the County.
3. Consider and discuss unresolved operational issues referred from Operations Committee.
4. Identify consensual draft amendments to Road Maintenance Agreement for presentation to Elgin County Council and Local Municipal Councils, such amendments to include but not to be limited to subject matter of any resolution of operational issues referred from Operations Committee.
5. Consider and promote general compliance with provisions of Road Maintenance Agreement.

Composition:

Chief Administrative Officer – Elgin (County) (or designate); and,
Chief Administrative Officers - Local Municipal Partners (or designates).

Meeting Schedule:

As required but at least semi-annually, including as convened and held in conjunction with any regular meeting of Chief Administrative Officers of both Elgin (County) and all constituent Local Municipal Partners within the territorial limits of Elgin County.

Agenda

1. To be prepared and circulated by Elgin (County) Chief Administrative Officer at least seven (7) days prior to next scheduled meeting.
2. Specific agenda item requests, including relevant documentation, to be delivered to Elgin (County) Chief Administrative Officer at least seven (7) days prior to Agenda circulation date.

EFFECTIVE as of the 1st day of January, 2023.

B E T W E E N :

CORPORATION OF THE
COUNTY OF ELGIN

- and -

THE CORPORATION OF THE TOWNSHIP OF SOUTHWOLD

COUNTY ROADS MAINTENANCE AGREEMENT



THE CORPORATION OF THE TOWNSHIP OF SOUTHWOLD

BY- LAW NO. 2023-53

Being a by-law to confirm the resolutions and motions of the Council of the Township of Southwold, which were adopted on September 25, 2023.

WHEREAS Section 5(3) of the Municipal Act, 2001, Chapter 25, provides that a municipal power, including a municipality's capacity, rights, powers and privileges under section 8, shall be exercised by by-law unless the municipality is specifically authorized to do otherwise;

AND WHEREAS it has been expedient that from time to time, the Council of the Corporation of the Township of Southwold should enact by resolution or motion of Council;

AND WHEREAS it is deemed advisable that all such actions that have been adopted by a resolution or motion of Council only should be authorized by By-law;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF SOUTHWOLD ENACTS AS FOLLOWS:

1. That the actions of the Council of the Township of Southwold at the Regular Meeting of Council held on September 25, 2023; in respect to each report, motion, resolution or other action passed and taken by the Council at its meetings, is hereby adopted, ratified and confirmed, as if each resolution or other action was adopted, ratified and confirmed by its separate by-law.
2. That the Mayor and the proper officers of the Corporation are hereby authorized and directed to do all things necessary to give effect to the said action, or 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 of Southwold to all such documents.

**READ A FIRST AND SECOND TIME, CONSIDERED READ A THIRD TIME, AND
FINALLY PASSED THIS 25th DAY OF SEPTEMBER, 2023.**

Mayor
Grant Jones

CAO/Clerk
Lisa Higgs