



**Corporation of the Municipality of South Huron  
Agenda - Regular Council Meeting**

**Monday, July 13, 2020, 6:00 p.m.**

**Remote Electronic Meeting South Huron Council Chambers**

**Live Video Feed - <https://www.southhuron.ca/en/government/agendas-and-minutes.aspx>**

**Notice of Electronic Meeting:**

The following meeting will be held electronically using the Zoom Video Conferencing Application. Residents will be able to watch a livestream of the meeting by going to the South Huron Agendas and Minutes webpage at <https://www.southhuron.ca/en/government/agendas-and-minutes.aspx>

**Accessibility of Documents:**

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**Pages**

1. Meeting Called To Order  
Welcome & O Canada
2. Public Meeting
3. Amendments to the Agenda, as Distributed and Approved by Council

**Recommendation:**

**That South Huron Council approves the Agenda as presented.**

4. Disclosure of Pecuniary Interest and the General Nature Thereof
5. Delegations

- 5.1 Exotic Animal By-Law and Concerns About the Potential Exemption for the Keeping of Two Lions in the Municipality of South Huron - World Animal Protection & Zoocheck Inc.

1

**Recommendation:**

**That South Huron Council receives the delegation on the Exotic Animal By-Law and Concerns About the Potential Exemption for the Keeping of Two Lions in the Municipality of South Huron as presented by Michele Hamers on behalf of World Animal Protection and Zoocheck Inc.**

- 5.2 Zoning By-Law Amendment and Plan of Subdivision Huron Green Inc. - Ruth Victor & Associates 9

**Recommendation:**

**That South Huron Council receives the delegation on Zoning By-Law Amendment and Plan of Subdivision Huron Green Inc. as presented by Ruth Victor of Ruth Victor & Associates**

**6. Minutes**

- 6.1 Minutes of the Regular Council Meeting of June 15, 2020 16

- 6.2 Minutes of Public Meeting of June 15, 2020 35

**Recommendation:**

**That South Huron Council adopts the minutes of the Regular and Public Meeting of June 15, 2020, as printed and circulated.**

- 6.3 Minutes of Special Meeting of June 22, 2020 39

**Recommendation:**

**That South Huron Council adopts the minutes of the Special Meeting of June 22, 2020, as printed and circulated.**

**Recommendation:**

**That the capital cost recovery for the Grand Bend Truck Sanitary Sewer Phase One Project be as follows;**

- \$322,000 from Development Charges
- \$1,319,000 from Water Reserves; and

**That the \$1,319,000 borrowed from the water reserves will be repaid with interest as follows;**

- \$876,000 to be repaid from future Development Charges Revenues;
- \$443,000 to be repaid from future wastewater rate revenues; and

**That the internal borrowing will be repaid using the Corporation's interest payment rate applicable on the date the financing of the project was approved(June 22, 2020) the Corporation's interest payment rate is prime (2.45%) less 1.65% = .80%.**

## 7. Councillor Board and Committee Reports

- 7.1 Upper Thames River Conservation Authority - May 26, 2020 UTRCA Board of Directors Meeting Minutes & June 23, 2020 Board Meeting Video

Link to [website](#)

Link to [Youtube](#)

**Recommendation:**

**That the minutes of the Upper Thames River Conservation Authority of May 26, 2020 Board Directors Meeting be received as presented to Council:**

## 8. Staff Reports

- 8.1 Planning

- 8.2 Community Services

- 8.3 Operations, Infrastructure and Development

- 8.3.1 S. Timmermans, Supervisor of Operations and Transportation - Snow Disposal Site

46

**Recommendation:**

**That South Huron Council receives the report of S. Timmermans Supervisor of Operations re: New Snow Dump location and;**

**That Council approves the proposed budget for construction of the site and;**

**That an upset limit of \$35,000 be taken from the proceeds of the sale of property PLAN 376 W PT LOT 905 AS; 22R2386 PART 1 PART 2 to construct a new snow disposal site.**

- 8.3.2 S. Timmermans, Supervisory of Operations and Transportation & M. Goss, Manager of Public Works - Radar Signs

50

**Recommendation:**

**That South Huron Council receives the report of S. Timmermans & M. Goss regarding radar signs for information.**

- 8.3.3 M. Goss, Manager of Public Works - Tennis Court Replacement 53

**Recommendation:**

**That South Huron Council receives the report of M. Goss regarding the replacement of the tennis courts located at the South Huron Recreation Centre.**

8.4 General Government Services

- 8.4.1 J. Roberts, Deputy Treasurer - Financial Implications of Becoming a Certified Living Wage Employer 56

**Recommendation:**

**That South Huron Council receives report from J. Roberts, Deputy Treasurer re: Financial Implications of Becoming a Certified Living Wage Employer.**

- 8.4.2 J. Finkbeiner, Administrative Assistant - Request for Services, Complaints and By-Law Infractions - 2nd Quarter 2020 Report 62

**Recommendation:**

**That South Huron Council receives the report from J. Finkbeiner, Administrative Assistant re: Request for Service, Complaints and By-Law Infractions 2020 – 2<sup>nd</sup> Quarter Report, for information purposes.**

9. Deferred Business

9.1 Delegations from June 15, 2020 Meeting

1. Service Line Warranty Program - Service Line Warranties of Canada
2. Request for Exotic Animal Bylaw Exemption - Brandon Vanderwel & Destiny Duncan  
(Link to Animal Control [Bylaw](#))

10. Notices of Motion

11. Mayor & Councillor Comments and Announcements

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## 12.28 City of Sarnia - Resolution - Long Term Care Home Improvements

336

**Recommendation:**

**That South Huron Council receive communication items not otherwise dealt with.**

13. Closed Session14. Report From Closed Session15. By-Laws

## 15.1 By-Law No. 39-2020 - Appoint Tile Drainage Inspector - Shane Timmermans

338

**Recommendation:**

**That the South Huron Council gives first, second and third and final reading to By-Law #39-2020, being a by-law to appoint a Tile Drainage Inspector.**

16. Confirming By-Law

## 16.1 By-Law No. 40-2020 – Confirming By-Law

339

**Recommendation:**

**That the South Huron Council gives first, second and third and final reading to By-Law #40-2020, being a by-law to confirm matters addressed at the July 13, 2020 Public and Regular Council meeting.**

17. Adjournment**Recommendation:**

**That South Huron Council hereby adjourns at \_\_\_\_\_ p.m., to meet again on August 10, 2020 at 6:00 p.m. or at the Call of the Chair.**



July 6, 2020

Mayor and Members of Council  
Municipality of South Huron  
322 Main Street South  
PO Box 759  
Exeter, Ontario N0M 1S6

**Re: June 15, 2020 – Delegation regarding Exotic Animal Bylaw Exemption**

Dear Mayor and Members of Council:

Zoocheck Inc, is an international wildlife protection charity established in 1984 to promote and protect the interests and well-being of wild animals. We have conducted hundreds of zoo reviews and assessments in numerous countries, worked on developing and promoting wildlife in captivity legislation and regulations across Canada, conducted wildlife in captivity training workshops for policy-makers, enforcement personnel and NGOs, been involved in numerous legal actions and organized or participated in a number of animal rescues, involving primates, big cats, elephants and other animals. We are familiar with the state of wildlife in captivity in Ontario, current laws and regulations and the situation with big cats in Grand Bend.

World Animal Protection is the largest international animal welfare organization with an office in Canada with more than 160,000 supporters in Ontario. For more than 55 years, we have been working to protect animals from cruelty through practical and sustainable solutions that help people and animals alike. We work with local partners, governments and businesses to find practical ways to prevent animal suffering worldwide. We are an evidence-based organisation and in Canada are focussing on farming and wildlife issues, in particular the use of wildlife in entertainment and as pets.

We recently learned that a delegation was made by Mr. Brandon Vanderwel and Ms. Destiny Duncan (the proponents) at your June 15, 2020 Council meeting requesting an exemption to Bylaw #29-2014 for the keeping of two African lions as personal pets at 70114B Grand Bend Line in South Huron. We have read the submission documents and other materials provided in support of this request and we have viewed the online delegation made by Mr. Vanderwel and Ms. Duncan. We have also read several media articles about this issue, which include quotes sourced from the proponents. This letter contains a response commentary to a number of the points they raised.

We would like to state up front that Zoocheck and World Animal Protection are both opposed to the granting of an exemption to Bylaw #29-2014 that would allow the keeping of two African lions on Grand Bend Line, South Huron for the following main reasons:



1. The keeping of two lions as personal pets is contrary to the public interest as it will create an unnecessary risk to public safety (including, potentially, the safety of first responders) and, due to the lack of provincial oversight and regulation, increased burden on municipal finances and resources.
2. We have serious concerns about the welfare of the lions due to the close proximity of the Grand Bend Motorplex and the excessive sound levels produced by its various drag and speedway races and other events. We find it difficult to believe the cats would ever become habituated to the sound or that it would not be a substantial stressor on them. In addition, due to the danger the multitude of challenges associated with housing and managing big cats, including the need for large spaces, specialized care and the danger they pose, we agree with the major professional zoo and sanctuary associations and other professional groups that big cats are not suitable for keeping as pets by private individuals.
3. We are concerned at the lack of detailed plans and information regarding housing design and construction, husbandry practices, veterinary care, staffing, safety and security, and other issues.

We have provided opinion commentary on a range of our concerns in more detail below.

### **Lack of Provincial Regulation of Exotic Animals**

Ontario does not currently regulate the keeping of exotic (non-native) animals in captivity. At the present time, any person can acquire exotic animals and keep them in a manner of their choosing as there are no comprehensive laws or regulations mandating specific animal welfare or human health and safety standards. In addition, the province does not require custodians of exotic animals, even dangerous species, to have any relevant formal education, employment experience or professional training.

Since there is no provincial licensing, oversight or other meaningful controls regarding exotic animals in captivity, individual municipalities in Ontario are saddled with the task of addressing local exotic animal issues and concerns on their own. It is their responsibility to provide oversight, ensure accountability and to assess each facility's animal containment and management practices to determine whether they pose a risk to public safety. This is challenging for most municipalities as few, if any, have the requisite expertise in exotic wild animal housing, husbandry, management and safety that would allow them to provide any degree of consistent, meaningful oversight.

### **Increased Municipal Costs**

Allowing exotic wild animals to be kept as pets by private citizens or in unregulated menageries and roadside zoos can create risks to public safety, as well as generate complaints about noise, odours and disposal of animal waste, to name a few. Responding to these issues can result in increased expenditures of municipal staff time and resources. In the event of an animal escape, especially if potentially dangerous animals are involved, such as big cats, those costs may escalate. Ontario has experienced a number of dangerous exotic animal escapes, ranging from venomous snakes to tigers that have required police, fire, ambulance and animal control staff presence, often for many days.

Municipal costs can also escalate when dealing with problems after animals have been brought into a jurisdiction. Some municipalities in Ontario have in the past engaged in costly court battles and other actions, at considerable cost to taxpayers, as they attempt to have animals removed from within their boundaries.

### Escalation and Expansion

The easy availability of exotic animals, largely due to the lack of provincial regulation, allows private exotic pet owners, menagerie operators and roadside zoo managers to rapidly expand the size and diversity of their live collections. In past years, tigers have been sold for as little as two or three hundred dollars or, in some cases, they have even been available for free, from owners who are desperate to get rid of them. Ontario does not regulate the keeping of exotic wild animals in captivity, so almost any kind of exotic animal can be obtained through private sellers and businesses, often quickly and at low cost.

When exemptions to local animal control/exotic animal bylaws are granted for specific locations, businesses or people, it can open the door to the acquisition of additional animals. An exemption may also bolster an applicant's case at the LPAT (Local Planning Appeal Tribunal) for a zoning bylaw change that would pave the way for a private menagerie or roadside zoo that allows public visitation. If that happens, the ability of a municipality to exercise control or to address problems and concerns will be substantially diminished or eliminated.

### Commentary on several specific points

In their proposal, below an aerial image of the Grand Bend Line property, the proponents say, **"The image above is meant to serve as an example for what phase ones and two for what the enclosure layout could look like and how they would be set up."**

The cage outlines, superimposed over the aerial photo of the property, clearly one large cage and two, separate, smaller cages as Phase one, while Phase two is comprised of one large L-shaped cage divided into two sections. If the proponents intend on maintaining only two African lions, there is no need for the construction of three cages in Phase one and additional caging in Phase two.

During the proponent's June 15<sup>th</sup> Council delegation, they were asked if they had plans to increase their big cat collection by adoption or any other means. Mr. Vanderwel responded, **"We're not really planning on it. I mean, we've always wanted the approach of blessings and trust and faith. It's my number one priority right now, there's no question of that. If in the future that there is some situation where adoption is warranted in the community or elsewhere, I mean, I could go on for all kinds of different stories on why they need to be but I would definitely want to earn your trust at Council and Deputy Mayor at all of this stuff to make sure that everybody in the community, neighbours, feel comfortable but, as of right now, all we are seeking is just the two."** In a June 24, 2020 online Lakeshore Advance article and a June 28, 2020 CBC News article, Mr. Vanderwel is also quoted, "As of right now, all we're seeking is just the two (animals)."

The abovementioned statements suggest that the proponents intend to acquire additional animals in the future. We are not aware that they have made a request to the Municipality of South Huron that an exemption be restricted to only two cats. Nor are we aware of any promise or commitment that no additional animals would be acquired or that the two lions would be sterilized so they can't breed with each other (inbreeding of closely

related individuals is common in the pet trade) or with other cats that might be introduced at a later date, either temporarily or permanently.

### **Public safety - barrier heights**

In their submission the proponents state **“We have based our decisions on fencing solely with the lion’s best interest at heart...we have taken the time to review several different inspection reports from CAZA and other organizations, letters and even common questions and concerns [sited] by a normal zoo or sanctuary guest.”** They say, **“The primary enclosures...will be 10 ft [3 m] tall...and will also include an inward angled overhang at roughly 45 degrees.”**

When decisions are made about the containment of potentially deadly wild animals, the first concern to address is whether or not the proposed caging and barriers can actually contain the animals, even in exceptional circumstances, and will human safety, including the safety of caretakers, bystanders, visitors, neighbours and community members, be ensured.

A quick review of available husbandry standards shows that the proposed 10 ft (3 m) height for the containment of African lions in South Huron is below what professional zoo organizations and experts recommend as minimum heights for keeping these animals.

The Association of Zoos and Aquariums (AZA), the leading zoo industry organization in the United States, produces the AZA Lion Care Manual (2012) for its professional member institutions. It says:

*The jumping ability of lions should not be underestimated, and vertical jump walls (dry moats or exterior walls) in enclosures lacking a top should be tall enough to prevent jumping or climbing out. Current practice for new exhibits in AZA institutions has been a minimum 4.5 m (15 ft) height with a turnback/overhang.*

The Australian NSW Department of Primary Industries’ *Standards for Exhibiting Carnivores in New South Wales* (2016) also places the minimum height requirement for lion fencing at a minimum of 4.5 m (15 ft).

The Zoological Association of America’s *Animal Care and Enclosure Standards and Related Policies* (2016) require even higher barriers for lions,

*Outdoor exhibits (uncovered) shall have vertical jump walls at least 14 feet high, **plus a 2-foot**, 45-degree, inward angle overhang with a hot wire, or a 36” overhang without hotwire or vertical jump walls at least 16 feet high, without an overhang.” Like other professional zoo associations, the “ZAA does not support the keeping of Class I wildlife [including lions] as pets. Class I wildlife are to be maintained solely in breeding or exhibition facilities.*

*Barrier Designs for Zoos* (2008), a publication of India’s Central Zoo Authority, recommends chain-link fences 5 m (16.4 ft) high with 1.5 m (5 ft) overhangs at a 60-degree angle for the housing of Asiatic lions.

The world’s premier sanctuary accreditation organization, the Global Federation of Animal Sanctuaries, publishes numerous husbandry standards including *Standards for Felid Sanctuaries* (2018). For lions and



tigers, they require a fence height of 4.9m (16 ft). It should be noted that many sanctuaries, such as PAWS ARK 2000, use 5.5 m (18 ft) fences for the containment of big cats.

When determining barrier construction and height, it should be noted that lions (and tigers) are capable of jumping a vertical distance exceeding 3 m (10 ft) and a horizontal distance of more than 10 m (32 ft). Besides being able to jump substantial distances, agile lions and tigers are also known to climb, a fact that needs to be taken into consideration when determining barrier safety.

Electric barriers (hot wires) can be used as a complementary feature of barriers containing big cats. They are most often run along the top interior side of the barrier to discourage climbing over the top. Electric wires are not meant to compensate for excessively low or poorly constructed barriers, and they are not a foolproof deterrent. They are generally considered to be more of a psychological barrier than a real barrier.

### Escapes

In their submission, the proponents address the issue of escapes by saying, **“Based on our research of the potential escapes, or “free roaming” large cats most have been almost solely from human error, and lack of proper security measures, protocols and training in place.”** They also say that lions can jump, but **“they rarely feel the need or desire to exert that much energy”** and they erroneously suggest that if lions are kept in good conditions, they won’t try to escape, **“In most cases where something like this has happened it has been because of lack of the mental health and enrichment support provided to them.”** They go on to say, **“Do you think you would want to leave? The point of the analogy above is for you to understand that a well cared-for lion – is a happy lion.”**

Big cats can be motivated to escape by curiosity, fear, aggression, excitement, unfamiliar people, close proximity of potential prey animals (such as deer), excessive reaction to novel stimuli (sights, sounds, odours) or other reasons. Escapes can involve bolting through open or partially open doors or gates, escaping or getting loose when being handled or in transport (human error), jumping over or digging under fences, capitalizing on escape opportunities created by poor cage design, construction, wear and tear on barriers and gates, or openings created by human vandals and unforeseen natural occurrences (e.g., fire, severe weather), to name just a few potential ways.

The suggestion that big cats that are well treated will not try to escape is not supported by evidence. Even when housing is excellent and high-quality husbandry routines are delivered by professional staff, big cats may and have escaped, if given the opportunity. That is why professional zoos and sanctuaries incorporate safety features, formal protocols, hands-off husbandry policies (in which they only deal with big cats through safe, specially designed barriers) and emergency procedures (which are regularly rehearsed) to mitigate the risk of escape or other mishaps as much as possible. Common institutional policies aimed at minimizing risk at professional facilities include:

- Keepers working in pairs or teams, so they can watch out for each other and call for help in the event of an accident.
- Mandatory keeper training on how to respond in emergency situations and annual training in the use of relevant emergency equipment such as jab poles, fire hoses and extinguishers, firearms, etc.

- Establishment of institution-wide emergency protocols with easy to understand terms that identify the threat level (e.g., Code Red or Code 1 for the highest level of danger, such as big cat escapes).

The suggestion that lions only rarely jump out of cages because “...**they rarely feel the need or desire to exert that much energy. In most cases where something like this has happened it has been because of lack of the mental health and enrichment support.**” Is not based on any evidence. As stated previously, lions have escaped from a range of different facilities, both good and bad, for a variety of reasons. The fact that lions can easily kill a human being and do occasionally escape, even from facilities with the highest standards of care, by jumping or climbing over fences, digging underneath barriers or bolting through doors is exactly why all containment safety features and management protocols need to be in place.

Custodians of these animals have to err on the side of caution and plan for the unexpected. The reality is that a big cat may seem to be safely contained in a cage for months or years, and then one day that same animal may unexpectedly jump or climb over its barrier. Cage and barrier design and animal management protocols must take into account the capabilities of the animals, even in exceptional circumstances, and the risk they can pose. In Ontario, some private keepers who thought their cats were securely contained have experienced escapes, while others who interacted with their big cats for months or years were eventually injured or killed by them.

### **Lack of education and professional training**

In their written submission to Council the proponents do not state that they have any formal education, training or experience obtained in a professional zoo or sanctuary. With the exception of volunteering at a private menagerie in Grand Bend and doing a modest amount of internet research, we are not aware of them having any relevant experience or expertise.

While the efforts the proponents have made to educate themselves are laudable, in no way does it circumvent the need to acquire formal education, experience and/or professional training. Today there are numerous opportunities for professional development, including wildlife husbandry and zookeeping courses (some connected with major colleges and universities), short-term zoo schools operated by the Association of Zoos and Aquariums (and other zoo organizations), volunteer programs in reputable zoos and sanctuaries, professional mentoring programs, as well as numerous industry conferences and workshops.

During the proponent’s delegation to Council on June 15, 2020, in response to a question about who would be on the property when the lions were there, Mr. Vanderwel responded, “**I gotta be real. We don’t have employees and stuff like that. There will always be one person there, you know, that is more than capable of dealing with an emergency situation...it can be managed by one person, now in saying that Destiny and I do spend a lot of time, like doing different things with them, there are always two people at that time.**”

Ms. Duncan said, “**It’s not going to be a business, there won’t be employees looking after them...It’s not going to be a zoo in any shape or form, myself and Brandon will be present or one of the other volunteers that we’ve built a relationship with the cats would be present if we weren’t able to be.**”

We have concerns about the lack of staff and the fact that, at times, only one person, possibly a volunteer as indicated by Ms. Duncan, will be on the property. What level of knowledge, experience, expertise or professional

training will volunteers or others who attend the property have? What safeguards will be in place to protect them? Will they be engaged in the regular husbandry routine and, if so, what if something goes wrong, such as an attack, while they were there alone? These and many other questions should be answered in advance.

### **Dangerous contact and unsafe interactions?**

In their submission, the proponents included numerous photos of them interacting with captive juvenile lions, presumably the two that they intend to bring to Grand Bend Line. We find these images disturbing and have concerns that this kind of free contact will continue as the lions mature into full adulthood. Some big cat owners in Ontario who claimed that it was safe to physically interact with their animals or who entered their enclosures were eventually injured or killed by their animals. Examples here in Ontario include Norman Buwaldha in Southwest Middlesex and Graydon Edwards in Hanover who were both killed after entering cages housing big cats.

There are numerous other cases in Ontario and elsewhere in Canada that illustrate just how dangerous big cats can be including a young woman working at the Dornoch Zoo who was mauled through a barrier by a lion and a young boy who was attacked by a lion through a barrier, and lost his arm as a result, at the now defunct 1000 Islands Wild Kingdom in Gananoque. There have also been numerous incidents involving other big cats, including through barriers, such as the death of a young women in British Columbia by her boyfriend's pet tiger when it grabbed her through the fence separating them.

Even the best professional trainers can't always read their animals and the dangers they pose. For example, some years ago during a performance at Canada's Wonderland, a world-renowned, Ontario-based, big cat trainer was attacked by a lion he had worked with for years. In recent months and years, throughout the world, there are numerous documented accounts of lion attacks on highly trained and professional keepers resulting in human injuries and deaths.

Professional zoo and sanctuary operators and their respective associations consider big cats (particularly lions and tigers) to be among the most dangerous animals kept in captivity. Most professional facilities have strict no contact rules for these animals and, to prevent human injury or death and a range of other safety precautions are taken when dealing with them.

According to the *Husbandry Guidelines for African Lions* (Australia, 2009),

*"All lions are a **DANGEROUS/ HIGH RISK** and have the potential of fatally injuring a person. Precautions must be followed when working with lions."*

According to the AZA Lion Care Manual (AZA Lion Species Survival Plan®, 2012),

*"Free contact with adult lions is very dangerous and is not recommended under any circumstances." It also states that lions "can easily cause injury or death to other animals and humans. Even young animals are capable of injuring animal caretakers, and staff should not enter cages of juvenile or adult individuals no matter how tame they were as cubs."*

Even direct touching through a barrier can be hazardous,

*"Lions are very strong and quick, so [trained professional] keepers that scratch or touch a cat directly through the mesh are at risk of being bitten, scratched, or having their fingers smashed."*

A lack of standard safety features and professional management practices pose a substantive risk to public safety. Many private big cat owners downplay, overlook, ignore or seem to be unaware of the dangers posed by their animals. They may choose to accept the risk of interacting with them, but visitors, volunteers, bystanders, neighbours and community members usually have not, and they should not be put at risk. Lions, tigers and other big cats are considered to be among the most dangerous animals kept in captivity and they should be treated as such.

### **First responder risks**

Local police, fire, ambulance, rescue and animal control services personnel are not typically trained or equipped to deal with dangerous wild animals. If a keeper were to be attacked while in a cage or through an encounter with an escaped animal elsewhere, there is little first responders could do, except to kill the cat. The option of darting an animal, rendering it unconscious and then returning it to its cage is often not feasible, especially at night. Several cases of big cats escaping and being on the loose for many hours or days have occurred in Ontario, requiring fulltime attendance by police and other first responders. Additionally, while addressing emergency situations involving dangerous animals, first responders may also be putting themselves at risk, particularly if they are in close proximity to animals that are confused, anxious and fearful.

In conclusion, for the reasons stated in this letter we reiterate our opposition to the granting of an exemption to Bylaw #29-2014 that would allow the keeping of two African lions on Grand Bend Line, South Huron. We are happy to provide additional information or to answer any questions you may have. Thank you for considering this communication.

Sincerely,



Rob Laidlaw  
CBiol MRSB  
Executive Director  
Zoocheck  
[www.zoocheck.com](http://www.zoocheck.com)




Michele Hamers  
MSc, MRSB, EurProBiol  
Wildlife Campaign Manager  
World Animal Protection  
[www.worldanimalprotection.ca](http://www.worldanimalprotection.ca)



# Huron Green Inc.

Two Planning Applications :

- Plan of Subdivision
- Zoning By-law Amendment

No Official Plan Amendment is required

## **Purpose of Subdivision Application:**

- Create 374 lots
  - 202 existing single detached dwellings
  - 3 vacant single detached lots
  - 1 new single detached lot
  - 158 existing semi detached units
  - 10 new semi detached units

## **Purpose of Zoning By-law Amendment:**

- Permit the lot layout as per the Draft Plan of Subdivision.
- Create lots based on the existing dwelling pattern
- Retain majority of open space amenity areas to provide recreational space
- Permit minor infill lot creation within the existing development fabric.
- Zone the former school lands as a future development block.



## Public Consultation:

Met with residents on November 26, 2018.

### *Main issues raised by the Public & Residents:*

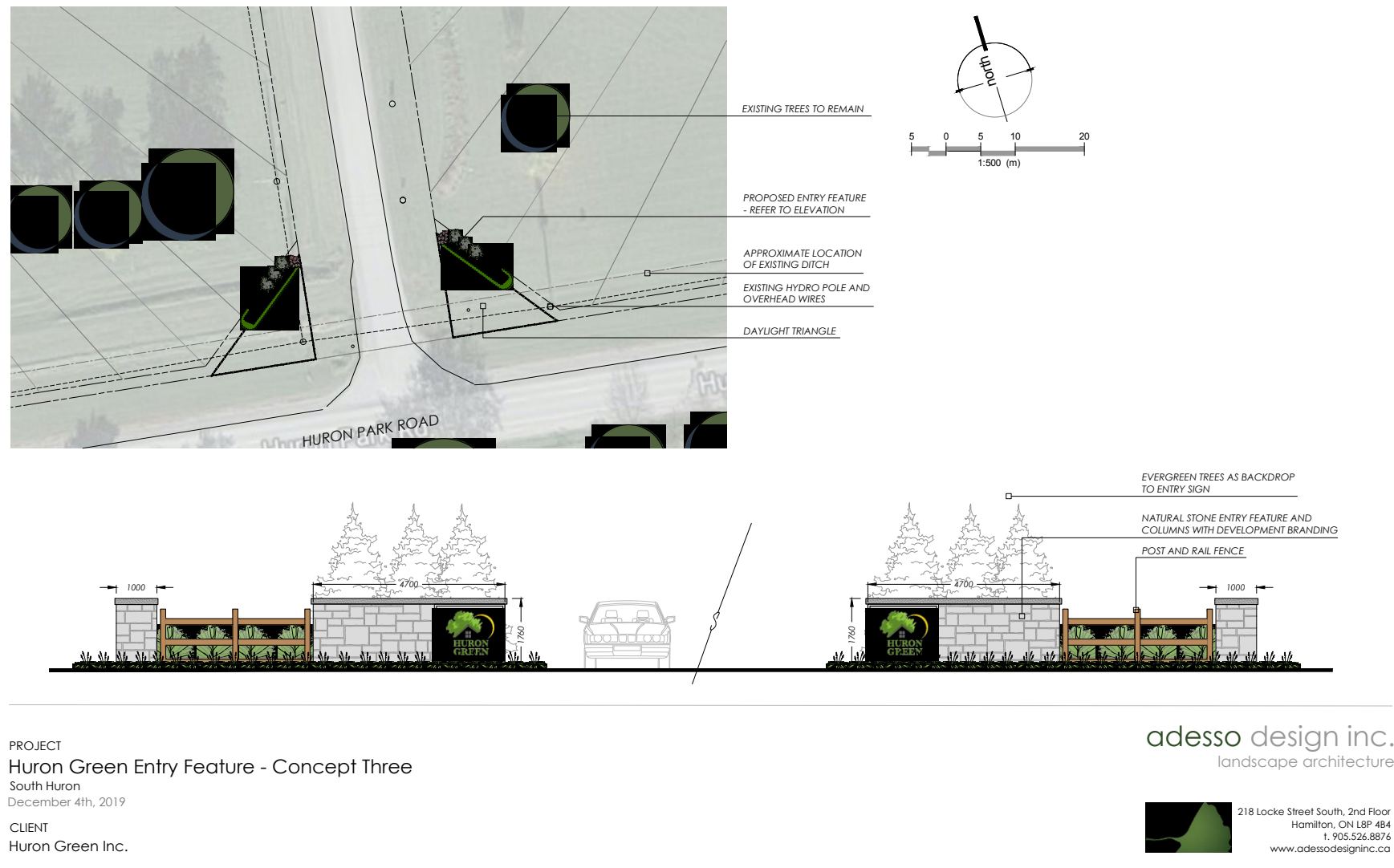
- 1) Maintenance of Units and vacant homes
- 2) What will happen with current leases, are they transferable?
- 3) Can I buy the house I am renting?
- 4) Will the future development increase traffic?
- 5) Is there enough parking?

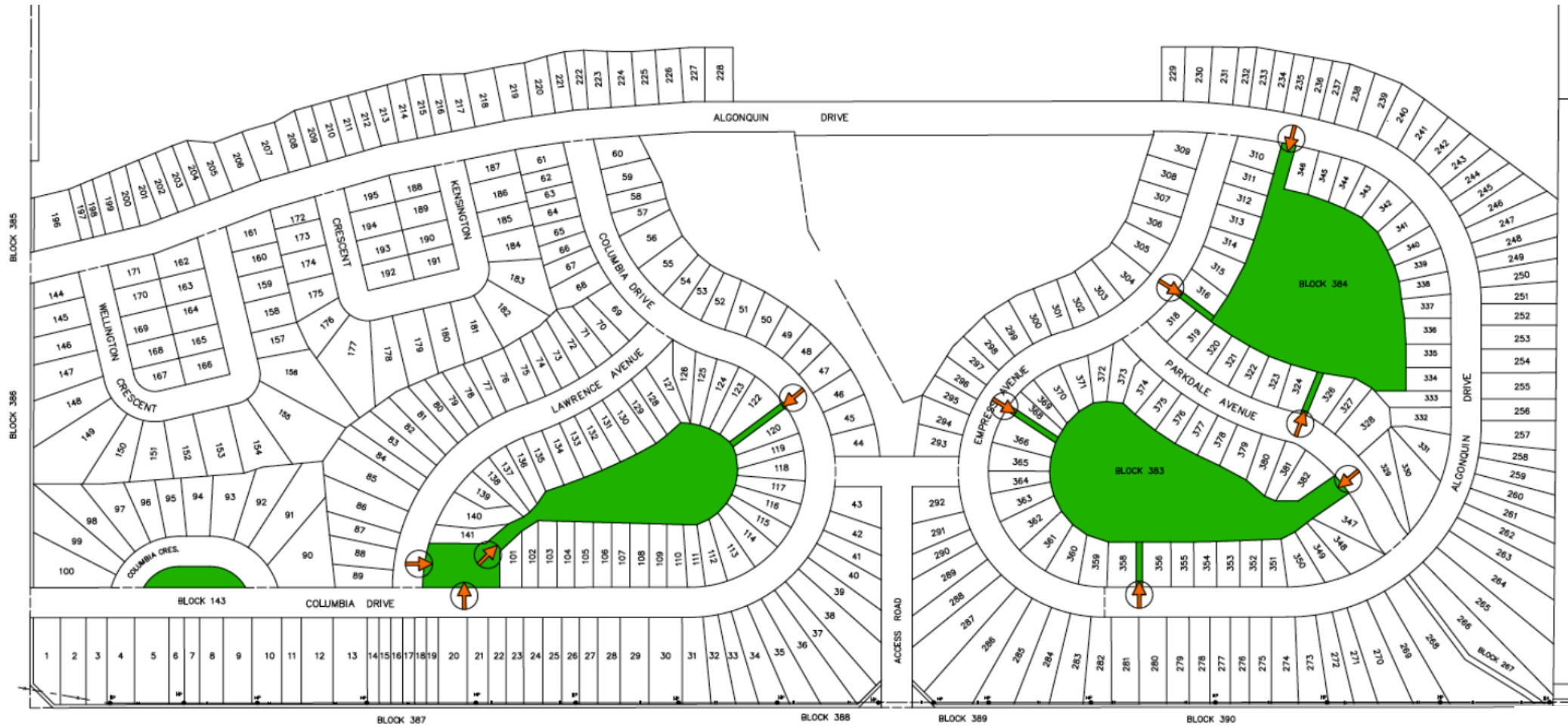


# Proposed Community Improvements

- Subdivision Entry Feature
- Dedication of existing walking paths, parks and open spaces
- Dedication of approximately 1.3 kilometer graded gravel trail along Huron Park

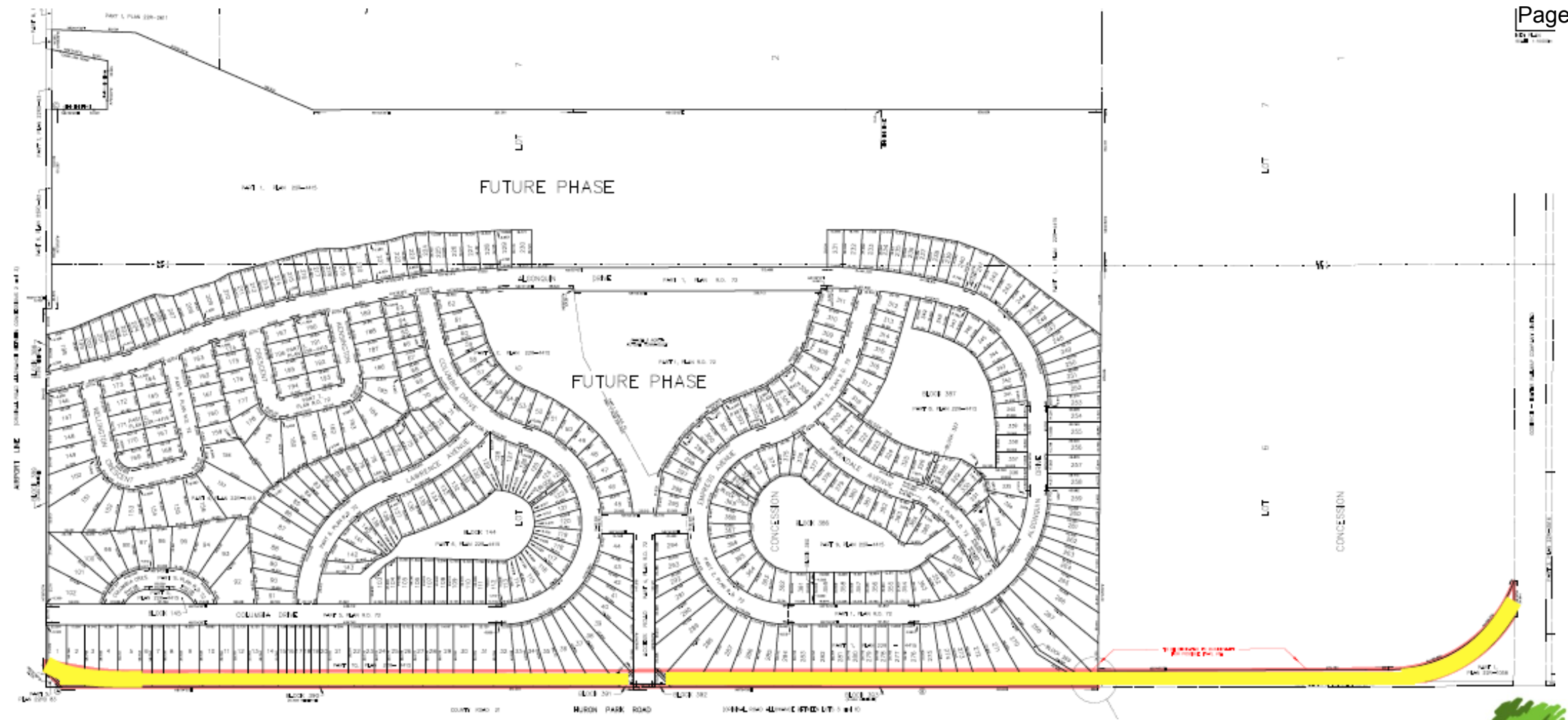






■ PROPOSED GREEN SPACE  
➔ ACCESS POINTS





Lands to be dedicated as Trail  
(Shown in Yellow)



## Corporation of the Municipality of South Huron

### Minutes for the Regular Council Meeting

**Monday, June 15, 2020, 6:00 p.m.**

**Remote Electronic Meeting South Huron Council Chambers**

**Live Video Feed - <https://www.facebook.com/SouthHuron/>**

**Members Present:**

George Finch, Mayor  
Jim Dietrich, Deputy Mayor  
Dianne Faubert, Councillor - Ward 1  
Marissa Vaughan, Councillor - Ward 1  
Aaron Neeb, Councillor - Ward 2  
Barb Willard, Councillor - Ward 2  
Ted Oke - Councillor - Ward 3

Dan Best, Chief Administrative Officer/Deputy Clerk  
Sandy Becker, Director of Financial Services  
Don Giberson, Director of Infrastructure and Development  
Megan Goss, Public Works Manager  
Rachel Anstett, Human Resources Coordinator  
Alex Wolfe, Deputy Clerk  
Justin Finkbeiner, Administrative Assistant  
Rebekah Msuya-Collison, Director of Legislative Services/Clerk

**Others Present:**

Craig Metzger, Senior Planner  
Elise Dostal, Delegate  
Brandon Vanderwel and Destiny Duncan, Delegates

**1. Meeting Called To Order**

Mayor Finch called the meeting to order at 6:00 p.m.

6:03 p.m. Councillor Neeb's camera turned on.

**2. Public Meeting**

**Motion:** 230-2020

**Moved:** D. Faubert

**Seconded:** B. Willard



**That South Huron Council adjourn at 6:03 p.m. for the purpose of a Public Meeting pursuant to the Planning Act for a proposed zoning amendments.**

**Disposition: Carried (7 to 0)**

6:16 p.m. Public Meeting closed and Regular Council Meeting resumed.

6:17 p.m. Planner Metzger left the meeting.

3. Amendments to the Agenda, as Distributed and Approved by Council

**Motion:** 231-2020

**Moved:** T. Oke

**Seconded:** M. Vaughan

**That South Huron Council approves the Agenda as amended.**

**Disposition: Carried (7-0)**

4. Disclosure of Pecuniary Interest and the General Nature Thereof

None.

6:18 pm Ms. Dostal joined the meeting.

5. Delegations

5.1 Service Line Warranty Program - Service Line Warranties of Canada

Ms. Dostal presented Council an overview of the Service Line Warranty Program. She noted that homeowners are responsible for the repair or replacement of their utility service lines however most people are unaware of this responsibility that may not be covered under standard homeowner's insurance policy. Ms. Dostal noted that Service Line Warranties of Canada has partnered with North Huron and Central Huron with this program. M. Dostal noted this program is not insurance and is a warranty service plan.

Council noted that this item will be brought forward at next meeting.

**Motion:** 232-2020

**Moved:** B. Willard

**Seconded:** A. Neeb

**That South Huron Council receives the delegation on the Service Line Warranty Program as presented by Elise Dostal of Service Line Warranties of Canada.**

**Disposition: Carried (7-0)**

6:33 p.m. Ms. Dostal left the meeting.

6:33 p.m. Ms. Duncan and Mr. Vanderwel joined the meeting

**5.2 Request for Exotic Animal Bylaw Exemption - Brandon Vanderwel & Destiny Duncan**

Ms. Duncan noted as part of their delegation they submitted a large amount of information for Council review. Council asked whether the cats would react to being next door to the racetrack and whether there was a residence at the site. Ms. Duncan responded that they may consider putting the cats inside the enclosure certain times during louder events and that to their understanding there is a home but that due to COVID restrictions they haven't been able to have access.

Council asked if there was any intention to expand, whether there would be breeding and safety measures for those on site. Mr. Vanderwel noted that they are not planning on increasing cat population by adoption or any other means at this time but that may change. Mr. Vanderwel noted that there will be no employees, only volunteers and their intention is that a sole individual will be on site at all times as well as themselves when they are able. Ms. Duncan added that they are not interested in business or profit but just for place to safely house the cats. Mr. Vanderwel outlined proposed emergency measures and noted that they have an offer to purchase on the proposed location.

**Motion: 233-2020**

**Moved: B. Willard**

**Seconded: A. Neeb**

**That South Huron Council receives the delegation on Request for an Exotic Animal Bylaw Exemption as presented by Brandon Vanderwel & Destiny Duncan.**

**Disposition: Carried (7-0)**

6:50 p.m. Ms. Duncan and Mr. Vanderwel left the meeting.

6. Minutes

6.1 Minutes of the Regular Council Meeting of Monday, June 01, 2020

**Motion:** 234-2020

**Moved:** D. Faubert

**Seconded:** T. Oke

**That South Huron Council adopts the minutes of the Regular Council Meeting of Monday, June 01, 2020, as printed and circulated.**

**Disposition: Carried (7-0)**

7. Councillor Board and Committee Reports

7.1 Dashwood Community Advisory Committee - Meeting Status Update

7.2 South Huron Police Services Board - March 10, 2020 Minutes

Deputy Mayor Dietrich noted that the Police Services Board did meet electronically in June and will continue to meet regularly moving forward.

**Motion:** 235-2020

**Moved:** D. Faubert

**Seconded:** A. Neeb

**That the reports and minutes of the following committees and/or boards be received as presented to Council:**

- **Dashwood Community Advisory Committee - Meeting Status Update**
- **Minutes of the South Huron Police Services Board of March 10, 2020**

**Disposition: Carried (7-0)**

7.3 Exeter Rodeo Committee - June 02, 2020 draft Minutes

Council discussed the South Huron Rodeo reserve and noted Council could consider enhancements for 25th anniversary during budget as they will have more information at that time. Director Becker noted that revenues are based on admission and sponsors and with no revenue

coming in, the funds will remain in reserves. Deputy Mayor Dietrich noted there may be small events this year but nothing has been finalized.

Mayor Finch noted that staff was preparing a media release with respect to the 2020/2021 Rodeo with Deputy Mayor Dietrich.

**Motion:** 236-2020

**Moved:** J. Dietrich

**Seconded:** A. Neeb

**That the draft minutes of the Exeter Rodeo Committee of June 2, 2020 be received as presented to Council; and**

**That South Huron Council accept the recommendation of the Exeter Rodeo Committee to cancel the Exeter Ram Rodeo 2020 due to the COVID19 pandemic and to begin planning for the 25th Anniversary Rodeo in 2021.**

**Disposition: Carried (7-0)**

8. Staff Reports

8.1 Planning

8.2 Community Services

8.3 Operations, Infrastructure and Development

8.3.1 D. Giberson, Director of Infrastructure & Development - SCADA Integration Procurement Authorization

Director Becker noted that the actual project cost cannot legally be divulged however it was within the procurement threshold of \$25,000 to \$50,000.

**Motion:** 237-2020

**Moved:** A. Neeb

**Seconded:** M. Vaughan

**That South Huron Council receive the report from D. Giberson, Director of Infrastructure & Development RE: SCADA Integration Procurement Authorization; and**

**That South Huron Council approve the single source purchasing procurement method for SCADA integration; and**



**That South Huron Council authorize Staff to enter into a contract with Eramosa to perform the SCADA integration at the Snider Crescent Sewage Pumping Station, as accommodated in the 2020 Capital Budget for that project.**

**Disposition: Carried (7-0)**

**8.3.2 M. Goss, Public Works Manager - Tennis Courts**

CAO Best noted that staff will have process mapped out and ready to be presented to Council at the July meeting in the event Council decides to proceed a multi-use facility.

**Motion:** 238-2020

**Moved:** A. Neeb

**Seconded:** M. Vaughan

**That South Huron Council receives the report of M. Goss regarding the South Huron tennis courts in Exeter and;**

**That South Huron Council close the tennis courts and;**

**That South Huron Council authorize staff to dismantle the courts.**

**Disposition: Carried (7-0)**

**Motion:** 239-2020

**Moved:** B. Willard

**Seconded:** T. Oke

**That South Huron Council direct a staff report back to the July 13<sup>th</sup> Council meeting with potential options to move forward with a multi-use facility that outlines facility assessment done last year.**

**Disposition: Carried (7-0)**

**8.4 General Government Services**

**8.4.1 R. Anstett, Human Resources Coordinator - Annual Policy Review: Violence and Harassment in the Workplace Policy and the Corporate Health and Safety Policy**

**Motion:** 240-2020

**Moved:** A. Neeb

**Seconded:** T. Oke

**That South Huron Council receives the report from Rachel Anstett, Human Resources Coordinator regarding the annual review of the Violence and Harassment in the Workplace Policy statement and the Corporate Health and Safety Policy statement; and**

**That South Huron Council adopts the Violence and Harassment in the Workplace Policy and the Corporate Health and Safety Policy statement.**

**Disposition: Carried (7-0)**

7:14 p.m. Human Resources Coordinator Anstett left the meeting

- 8.4.2 R. Msuya-Collison, Director of Legislative Services/Clerk - Appoint Court of Revision - McDougall Municipal Drain 2020

**Motion:** 241-2020

**Moved:** A. Neeb

**Seconded:** D. Faubert

**That South Huron Council receives the report re: Appoint Court of Revision – McDougall Municipal Drain 2020; and**

**That South Huron Council hereby appoints the following two members Councillor Oke and Deputy Mayor Dietrich to the Court of Revision for the above Municipal Drain to be held on July 13, 2020 at 5:00 p.m.**

**Disposition: Carried (7-0)**

- 8.4.3 R. Msuya-Collison, Director of Legislative Services/Clerk - Plain Language Summary - Enbridge Gas Inc. - Notice and Application

Council asked for clarification on surcharge for subdivisions and commercial properties. The Clerk noted that the surcharge is meant for main extension projects where otherwise all who wished to be a part of the project would have to pay or split costs up front. This could include projects where an industry is not on the natural gas system currently (is on propane or another source) and wanted

to connect and depends on the size of the industry though as a very large customer there may need to be a contract signed to commit to service. The Temporary Connection Surcharge is meant to ease the connection costs up front that sometimes make residents and industries unable to connect due to the size of the upfront cost.

**Motion:** 242-2020

**Moved:** J. Dietrich

**Seconded:** B. Willard

**That the memo of R. Msuya-Collison, Director of Legislative Services/Clerk dated June 15, 2020 regarding plain language summary of Enbridge Gas Inc. application be received.**

**Disposition: Carried (7-0)**

8.4.4 R. Msuya-Collison, Director of Legislative Services/Clerk -  
Temporary Extension of Outdoor Patio Spaces

CAO Best noted that this extension applies to all liquor sales licensees such as licensed bars and restaurants.

**Motion:** 243-2020

**Moved:** A. Neeb

**Seconded:** J. Dietrich

**That South Huron Council receives the report with respect to the Temporary Extension of Outdoor Patio Spaces during COVID-19; and**

**That the Clerk or designate is delegated authority to provide a letter of no objection to the applicant on behalf of the municipality during COVID-19 temporary extension period for requests to comply with applicable laws and municipal standards.**

**Disposition: Carried (7-0)**

8.4.5 D. Best, Chief Administrative Officer/Deputy Clerk - Community  
Recovery Task Force Workplan

**Motion:** 244-2020

**Moved:** B. Willard

**Seconded:** D. Faubert

**That the memo of D. Best, Chief Administrative Officer dated June 15, 2020 regarding the Community Recovery Task force be received; and**

**That Council receives and adopts the Summary Report and Workplan as presented; and**

**That Council acknowledges that the Workplan is a green document; and**

**That Staff will provide a regular update to Council including any amendments that may occur as a result of fluid environment related to COVID 19; and**

**That the contribution of the Task Force members is formally recognized by Council.**

**Disposition: Carried (7-0)**

**8.4.6 D. Best, Chief Administrative Officer/Deputy Clerk - Business and Economic Recovery Task Force**

**Motion:** 245-2020

**Moved:** A. Neeb

**Seconded:** M. Vaughan

**That the memo of D. Best, Chief Administrative Officer dated June 15, 2020 regarding the business and Economic Recovery Task force be received; and**

**That Council receives and adopts the Summary Report and Workplan as presented; and**

**That Council acknowledges that the Workplan is a green document; and**

**That Staff will provide a regular update to Council including any amendments that may occur as a result of the fluid environment related to COVID 19; and**

**That the contribution of the Task Force members is formally recognized by Council.**

**Disposition: Carried (7-0)****8.4.7 D. Best, Chief Administrative Officer/Deputy Clerk - Whalen Line Update**

CAO Best provided an overview of the boundary agreement and advised Council that municipal staff have been in discussions with Huron County. He noted next steps include discussions between both lower and upper tiers and that at the present time the original agreement with Lucan-Biddulph remains in force. Staff will bring back a report with recommendations.

**Motion:** 246-2020

**Moved:** A. Neeb

**Seconded:** B. Willard

**That the report of D. Best, Chief Administrative Officer dated June 15, 2020 regarding the Whalen Line Update be received.**

**Disposition: Carried (7-0)****8.4.8 D. Best, Chief Administrative Office/Deputy Clerk - Centralia Hall**

**Motion:** 247-2020

**Moved:** B. Willard

**Seconded:** A. Neeb

**That the memo of D. Best, Chief Administrative Officer dated June 15, 2020 regarding the Centralia Hall be received; and**

**That Staff be authorized to move forward with the tender call for the demolition of Centralia Hall; and**

**That the bell and and brick be salvaged (as much as possible) for the purposes of developing a monument on-site that commemorates the history of the building; and**

**That Council consider the method of determining the process to develop such a monument at a future Committee of the Whole meeting.**

**Disposition: Carried (7-0)**

7:30 p.m. Manager Goss joined the meeting by audio only and left the meeting at 7:31 p.m.

8.4.9 S. Becker, Director of Financial Services/Treasurer - Capital Progress Report – May 2020

Manager Goss noted that the intent is to have surfacing tender out next week.

**Motion:** 248-2020

**Moved:** T. Oke

**Seconded:** M. Vaughan

**That South Huron Council receives the report from S. Becker, Director of Financial Services re: 2020 Capital Progress Report – May 2020 for information.**

**Disposition: Carried (7-0)**

8.4.10 R. Msuya-Collison, Director of Legislative Services/Clerk - Amendment to Taylor Subdivision - Owner's Final Grading Certificate - Occupancy Permit

**Motion:** 249-2020

**Moved:** A. Neeb

**Seconded:** M. Vaughan

**That South Huron Council receive the memo from R. Msuya-Collison, Director of Legislative Services/Clerk re: Amendment to Subdivision Agreement for Stoneyridge Subdivision; and**

**That Council delete certain clauses in Section 6.4 (c) and delete clause 8.11 (e) that requires an Owner's Final Grading Certificate filed with the Municipal Chief Building Official prior to occupancy.**

**Disposition: Carried (7-0)**

8.4.11 D. Best, Chief Administrative Officer/Deputy Clerk - South Huron Service Re-Design Strategy

Council discussed a subsequent meeting to provide input and hear specifics for town hall and facilities moving forward and this

discussion to be added to Special Council meeting set for June 22, 2020.

**Motion:** 250-2020

**Moved:** D. Faubert

**Seconded:** A. Neeb

**That the memo of D. Best, Chief Administrative Officer dated June 15, 2020 outlining the South Huron Service Re-Design Strategy be received.**

**Disposition: Carried (7-0)**

9. Deferred Business

10. Notices of Motion

10.1 Notice of Motion - Moved by: A. Neeb

Mayor Finch asked Councillor Neeb to confirm his motion as read. Councillor Neeb asked for an administrative amendment to delete the reference to the 2020 interim tax rate by-law and insert the current 2020 tax rate by-law with respect to the outstanding property tax accounts.

**Motion:** 220-2020 (as amended)

**Moved:** A. Neeb

**Seconded:** M. Vaughan

**Whereas the Municipality of South Huron Council passed Resolution 142-2020 at the April 6, 2020 Council Meeting; and**

**Whereas the Resolution authorized the Treasurer to waive penalty charges, as specified in section 4 of the By-Law 6-2020, on outstanding property tax accounts, to June 5th, 2020; and waive penalty charges, as specified in section 3.4 of By-Law #66-2019, on outstanding utility accounts to June 5th, 2020.**

**Now Be It Resolved That the Municipality of South Huron Council authorizes the Treasurer to waive the following penalty charges as follows:**

- **Penalty charges as specified in section 4 of the 2020 Tax Rate By-Law on outstanding property tax accounts, to September 30, 2020; and**

- **Penalty charges, as specified in section 3.4 of By-Law #66-2019, on outstanding utility accounts to September 30, 2020.**

**Disposition: Carried (7-0)**

10.2 Notice of Motion - Moved by: T. Oke

Mayor Finch asked Councillor Oke to confirm his motion as read and Councillor Oke confirmed.

**Motion:** 221-2020

**Moved:** T. Oke

**Seconded:** M. Vaughan

**Whereas the County of Huron is the Consolidated Municipal Service Manager (CMSM) for all of Huron County; and**

**Whereas the County of Huron has sole jurisdiction respecting Social Services (Ontario Works, Housing, Children's Services ) as the Consolidated Municipal Service Manager; and**

**Whereas the Municipality of South Huron wishes to promote a continuum of housing options in South Huron to promote a "housing in place strategy"; and**

**Whereas Developers are willing to work with the Municipality of South Huron to provide a continuum of housing options if funding support is available; and**

**Whereas housing funding would need to be accessed through the County of Huron;**

**Now Be It Resolved That the Municipality of South Huron Council authorizes Staff to request County Housing Staff to attend a South Huron Council meeting; and**

**That County Housing Staff advise of what funding would be available to developers to assist the Municipality of South Huron to provide a continuum of housing options in South Huron and how the County Staff will support the same.**

**Disposition: Carried (7-0)**

7:37 p.m. Director Giberson left the meeting.

7:38 p.m. Mayor Finch left the chair and Deputy Mayor Dietrich took the chair.



10.3 Notice of Motion - Moved by: G. Finch

Deputy Mayor Dietrich asked Mayor to confirm his motion as read and Mayor Finch concurred.

Council discussed whether this was an early adoption for budget item for 2021 as replacement is in budget for 2021/2022 as future budget item. CAO Best advised that it is not an early adoption but is providing the groundwork to see whether the project will be viable for 2021 and future years if needed. Council discussed legal obligations and early discussions with Municipality of Bluewater and Municipality of Lambton Shores.

Mayor Finch and Councillor Faubert agreed to amend the motion to include Municipality of Lambton Shores.

**Motion:** 222-2020 (as amended)

**Moved:** G. Finch

**Seconded:** D. Faubert

**Whereas the Municipality of South Huron currently has a Fire Station located in Dashwood; and**

**Whereas the Dashwood Fire Station has no capacity for growth and has exceeded its lifecycle; and**

**Whereas the Municipality of South Huron has a responsibility to ensure the safety of its residents;**

**Now Be It Resolved That the Municipality of South Huron Council authorizes Staff to develop a plan to build a new Fire Station in Dashwood; and**

**That Staff also review the current Fire Agreement with Bluewater and Lambton Shores and report back with the best option for South Huron; and**

**That Staff report back to Council no later than September 30, 2020.**

**Disposition: Carried (7-0)**

7:45 Mayor Finch resumed the chair.

## 11. Mayor & Councillor Comments and Announcements

Councillor Willard updated Council on most recent Lake Huron and Elgin Area Water Supply Board meeting in London and noted that they are moving on with repairs and updates of the facility.

Councillor Oke asked whether there was going to be any further announcements this week with respect to Phase 2 re-opening. CAO Best noted that there will be nothing new this week from a staff perspective and added that as Lambton Shores moves towards Phase 2 there will be an opportunity for staff to coordinate with Lambton Shores and OPP with respect to Port Blake. CAO Best noted that Elliott Park opened last Friday and repairs have been undertaken at the splash pad. He added that staff is exploring two port-a-potties and noted that town hall continues social distancing measures, rotation of staff and remote work.

Mayor Finch noted closure of OPP satellite office in Exeter as of June 29th and expressed need for OPP presence in Exeter and hopes something will happen with respect to an Extended Service Office (ESO).

## 12. Communications

Council requested the following Communication Items pulled: 12.7, 12.8, 12.10, 12.17.

12.1 Ministry of Municipal Affairs and Housing, Honourable Steve Clark - Reliable Broadband Access

12.2 Ministry of the Attorney General - Patio Extension Regulatory Change

12.3 Ontario Provincial Police - Recent Protest Activity

12.4 Ontario Provincial Police - Change in Security Check and Revenue Distribution Processes

12.5 Huron Manufacturing Association - Request for Input

12.6 Lambton Shores - Notice of Public Meeting

12.7 Eddington's of Exeter - Request - Temporary Patio Extension

CAO Best noted that the delegated responsibility will go through the Clerk.

12.8 Crabby Joe's - Request - Temporary Patio Extension and Event Fencing

CAO Best noted that the municipality may have need of the event fencing for re-opening.

12.9 M. McCarter - 66 Unit Residential and Commercial Building

12.10 D. Van Amerongen - Thank you - Liberation of the Netherlands

Mayor Finch thanked Ms. Van Amerongen for bringing this initiative to the attention of Council.

12.11 Town of Oakville - Resolution - AGCO and Patio Expansion for Restaurants

12.12 City of Brantford - Essentials Workers Day

12.13 Town of Fort Erie - Resolution - Essential Workers Day

12.14 Tay Township - Resolution - Great Lakes Water Level

12.15 Town of Puslinch - Resolution - Support for the Conservation Authorities

12.16 Township of Puslinch - Resolution - Farm Property Class Tax Rate Programme

12.17 C. Rudderham - Concerned About the Silence

**Motion:** 251-2020

**Moved:** J. Dietrich

**Seconded:** A. Neeb

**That South Huron Council refer the correspondence item 12.17 to the Police Services Board for discussion and comment.**

**Disposition: Carried (7-0)**

**Motion:** 252-2020

**Moved:** A. Neeb

**Seconded:** D. Faubert

**That South Huron Council receive communication items not otherwise dealt with.**

**Disposition: Carried (7-0)**

13. Closed Session

14. Report From Closed Session

15. By-Laws

15.1 By-Law No. 33-2020 - Zoning By-Law Amendment - Eisenschink Z03-2020

**Motion:** 253-2020

**Moved:** A. Neeb

**Seconded:** T. Oke

**That the South Huron Council gives first, second and third and final reading to By-Law #33-2020, being a by-law to amend By-Law #69-2018, being the Zoning By-Law for the Municipality of South Huron for lands known as Plan 376 Pt Lots 317 to 320 RP 22R151 Part 2, Exeter Ward, Municipality of South Huron.**

**Disposition: Carried (7-0)**

- 15.2 By-Law No. 34-2020 - Zoning By-Law Amendment - Cabral & Baskin Z05-2020

**Motion:** 254-2020

**Moved:** M. Vaughan

**Seconded:** J. Dietrich

**That the South Huron Council gives first, second and third and final reading to By-Law #34-2020, being a by-law to amend By-Law # 69-2018 of the Municipality of South Huron for lands known as Part Lot 40, South Boundary Concession, Stephen Ward, Municipality of South Huron.**

**Disposition: Carried (7-0)**

- 15.3 By-Law No. 35-2020 - Approve Execution of Acknowledgement and Direction re Kirkton Landfill Compliance Certificate

**Motion:** 255-2020

**Moved:** T. Oke

**Seconded:** A. Neeb

**That the South Huron Council gives first, second and third and final reading to By-Law #35-2020, being a by-law to authorize the Mayor and the Clerk to execute an Acknowledgement and Direction to register a Certificate of Requirement on title to the property known as the Kirkton Landfill (closed).**

**Disposition: Carried (7-0)**

- 15.4 By-Law No. 36-2020 - Tax Rate By-Law

**Motion:** 256-2020

**Moved:** A. Neeb

**Seconded:** M. Vaughan

**That the South Huron Council gives first, second and third and final reading to By-Law #36-2020, being a by-law to provide for the adoption of the 2020 tax rates and to further provide for penalty and interest in default of payment thereof.**

**Disposition: Carried (7-0)**

8:06 p.m. Director Becker left the meeting.

15.5 By-Law No. 37-2020 - Amendment Stoneyridge Agreement (Occupancy)

**Motion:** 257-2020

**Moved:** J. Dietrich

**Seconded:** T. Oke

**That the South Huron Council gives first, second and third and final reading to By-Law #37-2020, being a by-law to amend Subdivision Agreement between the Municipality of South Huron and 1068775 Ontario Limited (Taylor).**

**Disposition: Carried (7-0)**

16. Confirming By-Law

16.1 By-Law No. 38-2020 – Confirming By-Law

**Motion:** 258-2020

**Moved:** M. Vaughan

**Seconded:** A. Neeb

**That the South Huron Council gives first, second and third and final reading to By-Law #38-2020, being a by-law to confirm matters addressed at the June 15, 2020 Council meeting.**

**Disposition: Carried (7-0)**

17. Adjournment

**Motion:** 259-2020

**Moved:** J. Dietrich

**Seconded:** D. Faubert

**That South Huron Council hereby adjourns at 8:07 p.m., to meet again on July 13, 2020 at 6:00 p.m. or at the Call of the Chair.**

**Disposition: Carried (7-0)**

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George Finch, Mayor

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Rebekah Msuya-Collison, Clerk



## Corporation of the Municipality of South Huron

### Minutes-Public Meeting

**Monday, June 15, 2020, 6:00 p.m.**

**Remote Electronic Meeting South Huron Council Chambers**

**Live Video Feed - <https://www.facebook.com/SouthHuron/>**

**Members Present:**

George Finch, Mayor  
Jim Dietrich, Deputy Mayor  
Dianne Faubert, Councillor - Ward 1  
Marissa Vaughan, Councillor - Ward 1  
Aaron Neeb, Councillor - Ward 2  
Barb Willard, Councillor - Ward 2  
Ted Oke - Councillor - Ward 3  
  
Dan Best, Chief Administrative Officer/Deputy Clerk  
Sandy Becker, Director of Financial Services  
Don Giberson, Director of Infrastructure and Development  
Megan Goss, Acting Manager  
Rachel Anstett, HR Coordinator  
Justin Finkbeiner, Administrative Assistant  
Alex Wolfe, Deputy Clerk  
Rebekah Msuya-Collison, Director of Legislative Services/Clerk  
Craig Metzger, County Planner

**Others Present:**

Joanna Van Mierlo, Resident, Nancy Eisenschink, Owner, José Cabral and Kimberley Baskin, Owners

**1. Call to Order**

The meeting was called to order at 6:03 p.m.

**2. Disclosure of Pecuniary Interest**

None.

**3. Purpose of Public Meeting**

The Clerk read the purpose of this Public Meeting of the Council of the Corporation of the Municipality of South Huron is to consider and review the proposed Zoning By-Law amendments to By-Law #69-2018 under section 34 of the Planning Act. The meeting is also to allow interested members of the public

the opportunity to ask questions or offer comments with regard to the applications.

She advised that Council would not make a decision on the proposed amendment at this Public Meeting but that based on the recommendations and information received at this Public Meeting, the proposed amendment will be presented for approval at a regular Council meeting. The Clerk added that during COVID-19 some limitations or timelines set out in the Planning Act may be temporarily suspended for the duration of the emergency.

The Clerk noted that if any member of the public would like to be notified in writing of the decision on either application they are to provide their name and mailing address to her directly to be added to the appropriate registry. She added that a person or public body may appeal the decision if they have made an oral submission at this public meeting or a written submission to Council prior to the passing of the By-law.

6:05 p.m. Planner Metzger turned camera on to go over the report.

4. Application for D14-Z03-2020 Eisenschink

4.1 C. Metzger, Huron County Planner - Report

Planner Metzger presented Council with a review of the application and noted that the rezoning is a condition of a consent application approval, file # C81-19, which severs a building lot off the north portion of this parcel. The applicant is seeking a zone change to recognize and permit a reduction in the minimum lot depth from 30 metres to 25.7 metres. Planner Metzger noted that municipal staff did not identify any objections to the proposed rezoning and all comments had already been considered as part of the severance approval. He noted that the requested zoning by-law amendment is consistent with the Provincial Policy Statement, 2020 and conforms to both the Huron County and South Huron Official Plans.

Planner Metzger recommended approval of the zoning by-law amendment.

**Motion:** PL#007-2020

**Moved:** T. Oke

**Seconded:** J. Dietrich

**That South Huron Council receives the report from C. Metzger, Huron County Planner re Zoning By-Law Amendment D14-Z03-2020 Eisenschink.**



**Disposition: Carried (7-0)**

4.2 Written Comments Received

There were no written comments received.

4.3 Comments-Council; Public in Attendance

There were no comments from members of Council or Public in attendance.

6:12 p.m. resident Joanna Van Meirlo and owner Nancy Eisenschink left the meeting.

5. Application for D14-Z05-2020 Cabral & Baskin

5.1 C. Metzger, Huron County Planner - Report

Planner Metzger presented Council with a review of the application and noted that this zoning by-law amendment application is to amend the subject lands from CF (Community Facility) to R1 (Residential - Low Density) to facilitate the conversion of this former church to a residential use. He noted two structures on the property: the former church and a large concrete building and added that the concrete building has an existing legal non-complying status due to its construction prior to the zoning by-law being passed. He noted that there were no comments received from neighbours or members of the public on this application and municipal staff did not identify any objections to, or issues with, the proposed rezoning. Planner Metzger noted that the application is consistent with the Provincial Policy Statement, 2020 and conforms to both the Huron County and South Huron Official Plans.

Planner Metzger recommended approval of the zoning by-law amendment.

**Motion:** PL#008-2020

**Moved:** A. Neeb

**Seconded:** J. Dietrich

**That South Huron Council receives the report from C. Metzger, Huron County Planner re Zoning By-Law Amendment D14-Z05-2020 Cabral & Baskin.**

**Disposition: Carried (7-0)**

5.2 Written Comments Received

There were no written comments received.

5.3 Comments - Council; Public in Attendance

Councillor Faubert asked whether this property was to be converted for single family home or multi residential. Planner Metzger responded that the applicant's intention is for a single family residence.

Deputy Mayor Dietrich noted that this is a great use for the property and it is good to see this development.

There were no comments from members of the public in attendance.

6:15 p.m. Planner Metzger turned off his camera and owners José Cabral and Kimberley Baskin left the meeting.

6. Close Public Meeting

**Motion:** PL#009-2020

**Moved:** B. Willard

**Seconded:** D. Faubert

**That South Huron Council now closes this Public Meeting at 6:16 p.m. and reconvenes the Regular Council meeting.**

**Disposition: Carried (7-0)**

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George Finch, Mayor

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Rebekah Msuya-Collison, Clerk



## Corporation of the Municipality of South Huron

### Minutes for the Special Meeting

**Monday, June 22, 2020, 4:00 p.m.**

**Remote Electronic Meeting South Huron Council Chambers**

**Live Video Feed - <https://www.facebook.com/SouthHuron/>**

- Members Present: George Finch, Mayor  
Jim Dietrich, Deputy Mayor  
Dianne Faubert, Councillor - Ward 1  
Marissa Vaughan, Councillor - Ward 1  
Aaron Neeb, Councillor - Ward 2  
Barb Willard, Councillor - Ward 2  
Ted Oke, Councillor - Ward 3
- Staff Present: Dan Best, Chief Administrative Officer/Deputy Clerk  
Sandy Becker, Director of Financial Services  
Don Giberson, Director of Infrastructure and Development  
Scott Currie, Community Services Manager  
Alex Wolfe, Deputy Clerk  
Shawn Young, Environmental Services Manager  
Justin Finkbeiner, Administrative Assistant
- Others Present: Andrew Grunda, Watson & Associates

1. \*\*Amendment to Budget\*\*
2. Meeting Called To Order  
Mayor Finch called the Special Meeting to order at 4:15 p.m.
3. Amendments to the Agenda, as Distributed and Approved by Council

**Motion:** 260-2020

**Moved:** B. Willard

**Seconded:** A. Neeb

**That South Huron Council approves the Agenda as presented.**

**Disposition: Carried (6-0)**

4. Disclosure of Pecuniary Interest and the General Nature Thereof

None.

5. Business

5.1 Grand Bend Trunk Line Sewer Project

5.1.1 Grand Bend Trunk Sewer Rate Assessment - Watson and Associates

Andrew Grunda of Watson and Associates presented his report. He noted that calculations for 2019 rate study did not include the trunk sewer for Phase 1 or 2.

Discussion was had regarding the cost of the trunk sewer, financial allocation to cover costs, possibility of Development Charges being paid up front by Developers. It was confirmed that Bluewater is not participating in the project, and will not have the opportunity of any capacity in the trunk line in the future.

Mr. Grunda advised that the municipality could borrow from the water reserves and pay that back with interest through to 2022 rather than incur further outside debt. Of the \$1.6 million for Phase 1, \$1.2 million would be funded through DC charges with \$400,000.00 from the tax base. He noted that potential risks of having a larger portion funded by DC charges includes the amount and rate that development occurs. Based on calculations, an increase of approximately \$10 per month for rate payers on their sewage bill from 2020 through 2025.

Director Giberson confirmed that the change in the ECA takes some pressure off the sand filters at the Exeter Lagoon, which allows for replacement of the filters to be deferred to a later date. This has allowed for more availability in the budget to consider the Grand Bend Trunk Sewer.

There was a discussion regarding the implications and cost of joining into the Trunk Line at a later date.

CAO Best advised that there will be a webpage dedicated to the Grand Bend Trunk Line Sewer project which can provide a chronology of events.

**Motion:** 261-2020

**Moved:** B. Willard

**Seconded:** A. Neeb

**That South Huron Council receive the Grand Bend Trunk Sewer Rate Assessment presented by Andrew Grunda of Watson and Associates.**

**Disposition: Carried (7-0)**

**5.1.2 D. Giberson, Director of Infrastructure and Development - Trunk Sanitary Sewer - Phase 1 Update**

CAO Best suggested that the amount that is to be borrowed from the Water Reserves be added to the motion. Mr. Grunda confirmed the amount would be \$1,319,000.00 and Council agreed to the amendment.

There was discussion regarding the Lambton Shores amended budget share as well as the tender results for section 1 - which expires June 27 after two extensions and the contractor is not willing to extend a further time. Lambton Shores is looking to send out section 2 for tender in the fall.

Director Giberson clarified where capacity for the trunk sewer will be allocated, and explained that over the lifespan of the Grand Bend Sewage Plant as mechanical functions wear out and replaced, they will be up-sized in order to sustain the capacity from the new sewer trunk.

Councillor Oke called for a recorded vote.

**Motion:** 262-2020 (as amended)

**Moved:** A. Neeb

**Seconded:** D. Faubert

**That South Huron Council receives the report from D. Giberson, Director of Infrastructure and Development Re: Grand Bend Trunk Sanitary Sewer Phase One Update; and**

**That South Huron Council authorize the Mayor and Clerk to enter into the Memorandum of Understanding with the Municipality of Lambton Shores for the Grand Bend Trunk Sanitary Sewer Phase One; and**

**That South Huron Council approves an “Amendment to the Budget” to increase the capital budget for the Grand Bend**

**Trunk Sanitary Sewer Phase One from \$1,494,753 to \$1,641,379.84; and**

**That South Huron Council authorize borrowing of \$1,319,000.00 from the Water Reserves to fund the Grand Bend Trunk Sanitary Sewer Phase One project; and**

**That South Huron Council authorize the Development Charges By-law to be amended to include the change in the growth component of the Grand Bend Trunk Sewer Phase One.**

<b>Recorded</b>	<b>For</b>	<b>Against</b>	<b>Abstain</b>
G. Finch	X		
J. Dietrich	X		
D. Faubert	X		
M. Vaughan	X		
A. Neeb	X		
B. Willard	X		
T. Oke	X		
<b>Results</b>	<b>7</b>	<b>0</b>	<b>0</b>
<b>Disposition: Carried (7 to 0)</b>			

5:43 p.m. Director Giberson left the meeting.

5:48 p.m. Andrew Grunda left the meeting.

## 5.2 D. Best, Chief Administrative Officer - South Huron's Service Re-design Strategy

CAO Best outlined his report and the frame work on moving forward with Phase 2 and 3 opening town hall and municipal services. He noted that things are not going back to business as usual as it was prior to COVID-19. Outlined that town hall will be opening for particular services by appointment only and foot traffic path flows are currently being discussed.

CAO Best discussed the use of porta-potties as an interim measure until cleaning schedules are in place, noted that public washrooms will have set time availability. He mentioned that Port Blake is looking to open when Lambton Shores opens the main beach - however this will be in stages. The beach will not be open 24 hours, will need to post signage. When there are no staff at the beach the public washrooms will be unavailable

as no one around to clean. It was also mentioned that by-law enforcement will be prominent in making sure individuals are following social distancing measures. He stated that the municipality is still responsible and liable for municipal services / properties and it is the number one priority in keeping the public and staff safe.

There was discussion regarding the availability of the task forces for consultation when necessary and requests received from BIA and Chamber of Commerce and concerns of local business.

**Motion:** 263-2020

**Moved:** M. Vaughan

**Seconded:** D. Faubert

**That South Huron Council receive the South Huron Re-design Strategy as presented.**

**Disposition: Carried (7-0)**

**Motion:** 264-2020

**Moved:** T. Oke

**Seconded:** A. Neeb

**Whereas on March 17, 2020 a Declaration of Emergency was made by the Province of Ontario pursuant to section 7.0.1 of the Emergency Management and Civil Protection Act, R.S.O. 1990, c. E.9 (the “Emergency Management Act”) related to COVID-19; and**

**Whereas response and measures put in place by all levels of government continue to evolve and change daily if not hourly in some cases; and**

**Whereas many businesses in South Huron have been closed for several months and work has begun on the wellbeing of South Huron’s economic health; and**

**Whereas the Municipality of South Huron wants to swiftly provide urgent relief to people and businesses to lay a foundation for future economic recovery; and**

**Whereas it is crucial that the South Huron remain “agile” in its implementation of regulatory by-laws in order to support local businesses in their efforts to adapt to restrictions imposed by the COVID-19 crisis; and**

**Whereas the Municipality of South Huron recognizes the reopening challenges faced by businesses in achieving financial viability due to required social distancing protocols;**

**Now therefore be it resolved that the Chief Administrative Officer be provided with enhanced delegated authority during the emergency as declared under the Emergency Management and Civil Protection Act and council hereby**

- **Delegate authority to the CAO for the approval of permits for on-street patios, use of municipal property, road closures and other initiatives to assist in economic and community recovery in South Huron from June 23, 2020 to October 31, 2020; and**
- **The above delegation will be done in coordination with the Exeter BIA and South Huron Chamber of Commerce and not with individual business owners and**
- **Communication will be done through monthly reporting to Council and other communication measures (notes or memos to Council) highlighting the following:**
  - **The justification for exercising delegated authority;**
  - **An outline of the actions taken with the delegated authority; and,**
  - **Any recommendations arising from the emergency; and**

**That the Chairs of the two Recovery Task Forces act as staff liaisons for the period of June 23, 2020 – October 31, 2020 to assist in the recovery phases; and**

**That the Chairs have the authority to convene a meeting of the Task Forces if required during the period June 23, 2020 - October 31, 2020.**

**Disposition: Carried (7-0)**

6. Closed Session
7. Report From Closed Session
8. Adjournment



**Motion:** 265-2020

**Moved:** J. Dietrich

**Seconded:** D. Faubert

**That South Huron Council hereby adjourns at 6:01 p.m., to meet again on July 13, 2020 at 6:00 p.m. or at the Call of the Chair.**

**Disposition: Carried (7-0)**

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George Finch, Mayor

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Alex Wolfe, Deputy Clerk



## Staff Report

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**Report To:** Dan Best, Chief Administrative Officer

**From:** **Shane Timmermans, Supervisor of Operations, Transportation**

**Date:** July 13 2020

**Report:** PW.16.20

**Subject:** Snow Disposal Site

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### Recommendations:

**That** South Huron Council receives the report of S. Timmermans Supervisor of Operations re: New Snow Dump location and;

**That** Council approves the proposed budget for construction of the site and;

**That** an upset limit of \$35,000 be taken from the proceeds of the sale of property PLAN 376 W PT LOT 905 AS; 22R2386 PART 1 PART 2 to construct a new snow disposal site.

### Purpose:

Approval

### Background and Analysis:

In 2019, South Huron Council deemed the South Huron snow disposal site property located on Thames road as surplus land. As outlined in report [CAO 17.2019](#) a new location for the snow disposal site has been selected on the Exeter lagoon property. The site is to be on the south west corner of the lot. Following the [provincial guidelines for snow disposal sites](#), the site will be constructed by Transportation Staff. This will include; excavating to a 3 ft. depth to remove topsoil and using the soil to build a berm around site to contain any contaminants and backfilling with a B gravel base from Webber Pit to level the site. This location is also far enough from any water way that Ministry approval is not required. Staff have engaged our local Technical Support from the MOECP as a resource to review the site.



The site has been selected in review of the site selection criteria: noise, access, alternate use of site, visual considerations, drainage and sub-surface drainage.

Currently, there is an agreement in place with the land owner to the south to pasture his animals on the property and in return provide property maintenance. Discussion has been had to mitigate impact/concerns arising from this project.

### **Operational Considerations:**

Construction will be completed in house however equipment rental and material will need to be sourced as outlined below. Construction will be complete prior to the 2020 winter season.

### **South Huron's Strategic Plan:**

Section 6.2.2 of the Municipality of South Huron 2015-2019 Strategic Plan identifies key priorities and strategic directions. The following elements are supported by the actions outlined in this report:

- ✓ Transparent, Accountable and Collaborative Governance
- ✓ Dedicated Economic Development Effort
- ✓ Administrative Efficiency and Fiscal Responsibility

### **Financial Impact:**

It is the intent of staff to complete construction in house using staff from the transportation department/and existing equipment. However, staff will

require the use of an excavator, and materials/supplies related to the construction as outlined below.

Material/Equipment	Total
A-Gravel	\$ 17,000
B-Gravel	\$ 5,000
Excavator	\$ 6,500
Smooth Drum Roller	\$ 2,000
Other Construction Materials	\$ 5,000
Total	\$ 35,000

Although B gravel would be taken from our own resources, \$5,000 would be needed to replenish the stock at the pit as this project would use all existing excavated stock. Costs covered under the operating budget will include those related to fuel and labor.

### **Legal Impact:**

There are no legal implications as a result of the actions outlined in this report.

### **Staffing Impact:**

Municipal staff will be used to complete this project.

### **Communication Actions:**

There are no communication actions required as a result of the actions outlined in this report.

### **Policies/Legislation:**

- [Guidelines on Snow Disposal and De-icing Operations in Ontario](#)

### **Consultation:**

- Megan Goss, Manager of Public Works
- Don Giberson, Director of Infrastructure and Development
- Shawn Young, Manager of Environmental Services
- Hydrogeologist, Technical Support Section – Southwest Region, Ministry of the Environment, Conservation and Parks
- Regional Provincial Officer, Ministry of the Environment, Conservation and Parks

### **Related Documents:**

- [CAO 17.2019](#)

Respectfully submitted,

**Shane Timmermans, Supervisor of Operations, Transportation**



## Staff Report

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**Report To:** Dan Best, Chief Administrative Officer  
**From:** Shane Timmermans, Supervisor of Operations,  
Transportation &  
Megan Goss, Manager of Public Works  
**Date:** July 13 2020  
**Report:** PW.20.20  
**Subject:** Radar Signs

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### Recommendations:

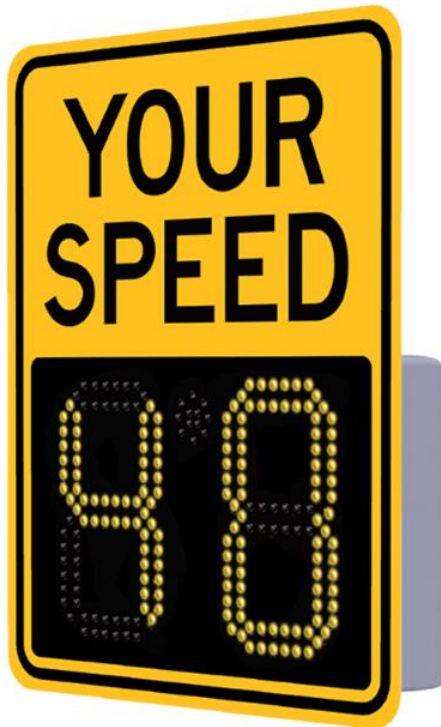
**That** South Huron Council receives the report of S. Timmermans & M. Goss regarding radar signs for information.

### Purpose:

As directed through the course of the 2020 budget deliberations, Public Works staff were to return to Council with an update on the purchase of radar signs.

### Background and Analysis:

Included in the 2020 budget is \$25,000 for the purchase of radar signs. As identified by Council, there are a number of areas on both municipal, and county roads in which residents would like to see radar signs placed to deter speeding and increase awareness. After a review of options available, Public Works staff will be moving forward with the purchase of four Safespace



#### Evolution 11 Compact Entry-Level Speed Signs.

Additionally, staff will be purchasing extra brackets to enable the signs to be moved around to different locations. A visual of the sign can be seen to the left. These signs do have traffic data tracking capabilities such as counts and speeds. They do not have a camera. They are pole mounted and can be moved to different poles. They can be battery or solar powered. Speed limits can be changed on signs for it to be used in other locations. The signs flash when vehicles are speeding.

### Operational Considerations:

South Huron Staff have consulted with Huron County Public Works staff regarding placement on county roads, and the County is willing to work with us on placement of posts so that they may be used in approved locations on County roads. Once signs are ordered they deliver in 4 weeks. It is expected that signs will be received in August.

### South Huron's Strategic Plan:

Section 6.2.2 of the Municipality of South Huron 2015-2019 Strategic Plan identifies key priorities and strategic directions. The following elements are supported by the actions outlined in this report:

- ✓ Transparent, Accountable and Collaborative Governance
- ✓ Administrative Efficiency and Fiscal Responsibility
- ✓ Increased Communications and Municipal Leadership

**Financial Impact:**

As per the procurement policy, three quotations have been obtained for four units plus additional brackets. The lowest quotation is \$12,769.60 before HST. The 2020 budget approved for this purchase is \$25,000.

**Legal Impact:**

There are no legal implications as a result of the actions outlined in this report.

**Staffing Impact:**

Municipal staff will be used to collect the data and move signs as needed.

**Policies/Legislation:**

N/A

**Consultation:**

Mike Hausser, Manager of Public Works, Huron County

**Related Documents:**

South Huron 2020 Budget

Respectfully submitted,

Shane Timmermans, Supervisor of Operations, Transportation &

Megan Goss, Manager of Public Works





## Staff Report

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**Report To:** Dan Best, Chief Administrative Officer  
**From:** **Megan Goss, Manager of Public Works**  
**Date:** July 13 2020  
**Report:** PW.21.20  
**Subject:** Tennis Court Replacement

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### Recommendations:

**That** South Huron Council receives the report of M. Goss regarding the replacement of the tennis courts located at the South Huron Recreation Centre.

### Purpose:

This report is to provide information to South Huron Council regarding the replacement of the tennis courts and a proposed budget/timelines.

### Background and Analysis:

At the June 22<sup>nd</sup>, 2020 Council meeting, Council passed the following resolution:

***"That*** South Huron Council receives the report of M. Goss regarding the South Huron tennis courts in Exeter and;

***That*** South Huron Council close the tennis courts and;

***That*** South Huron Council authorize staff to dismantle the courts and;

***That*** South Huron Council direct a staff report back to the July 13 Council meeting with potential options to move forward with a multi-use facility that outlines facility assessment done last year."

The 2019 condition assessment and master plan for community recreational facilities recommended that; "These tennis courts are in bad state of repair and require re-surfacing. The surrounding fencing also requires replacement. The current capital forecast budget has estimated 75,000 for court re-surfacing in 2020."

### **Operational Considerations:**

Staff will be required to reprioritize work should there be a desire to complete this project in 2020. Given the time of the year the earliest staff could have this project tendered would be July 22<sup>nd</sup>, 2020 which would mean the project could not be awarded until September. Most contractors are behind as a result of COVID-19 and we may not see the same number of submissions for work or as competitive pricing should Council chose to move forward with a 2020 tender. The base would require 30 days to sit prior to rubberized surface being applied. The fence cannot be installed until after the rubberized surface. This would have to be a carry forward project for 2021.

### **South Huron's Strategic Plan:**

Section 6.2.2 of the Municipality of South Huron 2015-2019 Strategic Plan identifies key priorities and strategic directions. The following elements are supported by the actions outlined in this report:

- ✓ Increased Communications and Municipal Leadership
- ✓ Transparent, Accountable and Collaborative Governance
- ✓ Administrative Efficiency and Fiscal Responsibility

### **Financial Impact:**

Based on the recommendations from the condition assessment and with the direction to make this site a multi-use court, the budget projection is \$175,000. This does not include removal of the existing which will be completed in house. This will include fill if needed, a new concrete base, fence/gates, and rubberized play surface/lines. The existing asphalt base cannot be resurfaced as it is beyond repair.

There are currently no funds set aside in the 2020 budget to complete this project and should there be a desire to complete it this year a budget amendment would be required.

### **Legal Impact:**

There are no legal implications to the actions outlined in this report.

**Staffing Impact:**

Staff will have to reprioritize work if the intent is to complete this project in 2020.

**Communication Actions:**

No communication actions were explored.

**Policies/Legislation:**

None

**Consultation:**

- Dan Best, CAO
- Dave Atthill, Facilities Coordinator

**Related Documents:**

- [PW.17.20](#)
- [Nustadia Recreation Inc. - Condition Assessment and Master Plan for Community Recreational Facilities Study](#)

Respectfully submitted,

Megan Goss, Manager of Public Works



## Staff Report

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**Report To:** Dan Best, Chief Administrative Officer  
**From:** **Julia Roberts, Deputy Treasurer**  
**Date:** July 13 2020  
**Report:** FIN.20.14  
**Subject:** Financial Implications of Becoming a Certified Living Wage Employer

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### Recommendations:

**That** South Huron Council receives report from J. Roberts, Deputy Treasurer re: Financial Implications of Becoming a Certified Living Wage Employer.

### Purpose:

Provide Council with information on the range of financial implications which may result becoming a Certified Living Wage Employer.

### Background and Analysis:

On May 4<sup>th</sup>, 2020, Council received delegation on the Huron Perth Living Wage as presented from Susanna Reid, Director Social Research & Planning Council. On May 19<sup>th</sup>, 2020, Council directed staff to report on the financial implications for the Municipality becoming a Certified Living Wage Employer.

A living wage employer pays all direct and indirect employees the living wage rate for the region(s) in which they operate. The living wage is the hourly wage a worker needs to earn to cover their basic expenses within their community. The living wage rate for Huron and Perth is \$17.55. Other employers in our region that are already certified Living Wage Employers include the Municipality of North Perth and the County of Huron.

The main financial impact on the Municipality for becoming a Certified Living Wage Employer would be increased wage rates. The magnitude of the total

wage change depends on the level of certification obtained and the method of implementation. It ranges from \$0 for certification as a Living Wage Supporter to nearly \$599,000 for certification as a Living Wage Champion in 2021. There is also a negligible annual charge which is to be paid at the time of certification. The annual charge for the Municipality would be \$200 based on an organization size of 51-250 employees.

There are three levels of certification: Supporter, Leader, and Champion. To become a Supporter all direct full-time employees need to be paid a living wage and the organization needs to be committed to begin raising pay of all direct part-time employees to living wage rate. All direct full-time employees at the Municipality already receive an hourly wage well over the living wage rate for Perth and Huron, therefore no changes to pay rates would need to be made at this time in order to obtain this level of certification.

To become a Leader all direct full-time and part-time employees need to be paid a living wage and the organization needs to be committed to including a living wage clause in service contracts for externally contracted (third party) employees that provide service on a regular basis. Based on the current 2020 pay grid, the wage rate at Grade 0 Steps 1-5 and Grade 1 Step 1 are below the living wage. In 2019 there were approximately 50 part-time staff that were receiving wages at these Grades/Steps. In order to obtain certification as a Leader, the pay grid would need to be adjusted so that these Grades/Steps are paid a wage rate of at least \$17.55.

To become a Champion all direct full-time and part-time employees need to be paid a living wage and all externally contracted staff that provide service on a regular basis are to be paid a living wage or the Municipality needs to signal intent to re-contract at the living wage rate when the contract renews. While it is possible to obtain certification at the Supporter level to begin with, the expectation is that employers will put together an implementation plan indicating how they will reach the Champion level of recognition, preferably within 3-4 years.

<b>Range of 2021 Financial Impacts</b>		
<b>Certification Level</b>	<b>Method of Implementation</b>	<b>Estimated 2021 Financial Impact</b>
Supporter	No changes required to implement	\$200

Leader or Champion	<i>No equity</i> – only pay grid grade/steps whose wage is currently below living wage are adjusted and only up to the living wage	Approx. \$21,500
	<i>Partial equity</i> – increase the lowest Grade/Step up to a living wage and make slight adjustments to other lower level grades to maintain <b>some</b> internal equity in pay grid	Approx. \$31,000
	<i>Full equity</i> – increase the lowest Grade/Step up to a living wage and adjust the rest of the pay grid to maintain current equity structure between grades/steps	Approx. \$599,000

Assuming that the Leader level of certification would be pursued in 2021 and that the implementation approach would aim to have minimal changes in the pay grid equity/structure while minimizing overall wage expense increases, the certification as Leader would likely lead to approximately \$31,000 in additional wage expense. The Recreation and Fire departments would be the most heavily impacted, representing 76% and 19% of the increase respectively, with minimal impact on other departments.

Other financial implications, which are difficult to quantify, may include cost savings from reduced turnover and, in the future, any costs necessary to obtain Champion certification. Costs associated with becoming a Living Wage Champion would result from increased subcontractors costs due to the Municipality's requirement that they pay their employees a living wage while they are subcontracted to the Municipality. Subcontracted work at the Municipality which may currently meet the criteria for a living wage requirement includes janitorial work, IT support, lawn care, and snow plow/removal.

The financial implications of becoming a certified Living Wage Employer will change in future years. The South Huron pay grid may increase as a result of cost of living increases ("COLA") adopted by Council, which would decrease the additional expense associated with paying a living wage. However, the living wage may also increase in future years, potentially more

than the COLA, necessitating further increases/amendments to the pay grid. The living wage is calculated annually or bi-annually and employers have six months from the time they are notified of the new rate to make the wage adjustments. Depending on the timing of the notification, this could impact the Municipality's adherence to the budget within a budget year. For example, the living wage could be increased in February with the rate changes requiring implementation by July yet the budget was set in the prior year using the living wage known at that time. The rate went from \$17.44 in 2018 to \$17.55 in 2019, an increase of only 11 cents (0.63%). Prior to 2018 the rate hadn't been updated since 2015 at which time it was \$16.47, therefore the rate increased by 97 cents, or 5.89%, over that three year period.

### **Operational Considerations:**

No alternatives are presented related to the proposed recommendation.

### **South Huron's Strategic Plan:**

Section 6.2.2 of the Municipality of South Huron 2015-2019 Strategic Plan identifies key priorities and strategic directions. The following elements are supported by the actions outlined in this report:

- √ Improved Recreation and Community Wellbeing
- √ Increased Communications and Municipal Leadership
- √ Dedicated Economic Development Effort

### **Financial Impact:**

There are no financial implications for the Corporation resulting from the proposed recommendation.

### **Legal Impact:**

There are no legal implications for the Corporation resulting from the proposed recommendation.

### **Staffing Impact:**

There are no financial implications for the Corporation resulting from the proposed recommendation.

### **Communication Actions:**

There are no communication actions for the Corporation resulting from the proposed recommendation.

**Policies/Legislation:**

Ontario Living Wage Network  
Social Research & Planning Council – A Living Wage 2019 Report

**Consultation:**

Sandy Becker, Director of Financial Services  
Dan Best, Chief Administrative Officer

**Related Documents:**

Positions Earning Less than Living Wage  
2021 Pay Grid Comparison – Regular vs. Living Wage  
2021 Additional Wage Expense by Department

Respectfully submitted,

**Julia Roberts, Deputy Treasurer**



**Report Approval Details**

Document Title:	FIN.20.14 Financial Implications of Becoming a Certified Living Wage Employer.docx
Attachments:	<ul style="list-style-type: none"><li>- Living Wage Financial Implications - Positions Earning Less than Living Wage.pdf</li><li>- Living Wage Financial Implications - 2021 Grid Comparison.pdf</li><li>- Living Wage Financial Implications - Additional Wage Expense by Department.pdf</li></ul>
Final Approval Date:	Jul 9, 2020

This report and all of its attachments were approved and signed as outlined below:

**Sandy Becker - Jul 2, 2020 - 12:10 PM**

**Rebekah Msuya-Collison - Jul 9, 2020 - 12:02 PM**

**Dan Best - Jul 9, 2020 - 12:31 PM**



## Staff Report

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**Report To:** Dan Best, Chief Administrative Officer  
**From:** **Justin Finkbeiner, Administrative Assistant**  
**Date:** July 13 2020  
**Report:** CL22-2020  
**Subject:** Request for Service, Complaints and By-Law  
Infractions – 2nd Quarter Report

---

### Recommendations:

**That** South Huron Council receives the report from J. Finkbeiner, Administrative Assistant re: Request for Service, Complaints and By-Law Infractions 2020 – 2<sup>nd</sup> Quarter Report, for information purposes.

### Purpose:

The complaint summary provides Council with information regarding the type and status of Request for Services, Complaints and By-Law Infractions for the 2<sup>nd</sup> Quarter of the 2020 calendar year from April 01, 2020 to June 30, 2020.

### Background and Analysis:

Procedures for managing customer general complaints, requests for services and by-law enforcement are currently in place. The policy assists the municipality in providing service to the public and contributes to continuous improvement of operations by:

- Providing a fair complaint procedure which is clear and easy to use for anyone wishing to make a complaint; and
- Providing a timely and accurate response to complaints; and
- Using complaints as an opportunity to improve program and service delivery issues

Please find attached: 2020 - 2<sup>nd</sup> Quarter Request for Service, Complaints and By-Law Infraction Summary.

### **Parking Infractions:**

In the 2<sup>nd</sup> Quarter of the 2020 calendar year through regular patrols and through information provided by South Huron residents through the SouthHuron.ca "Report It" form, 14 (fourteen) parking tickets were issued.

### **COVID 19 Considerations:**

Residents can continue to report requests by contacting the municipal office or through "Report It" on the website. Complaints and Request for Services are investigated on a case by case basis. The municipal office is currently closed to the public during COVID 19 resulting in an increase of requests taken over the phone.

By-Law Enforcement has continued its day to day activities. In light of COVID 19 response and follow-up to requests may experience some delays to ensure that By-Law Enforcement and Staff are taking the proper precautions to remain safe during COVID 19. Direction was also provided to Municipal Enforcement with respect to compliance with COVID guidelines at municipal parks as well as parking patrols on Waterworks Road.

### **Operational Considerations:**

On April 20, 2020, the Municipality of South Huron Council passed By-Law 24-2020 appointing Mike Herbert as Animal Control Officer for the Municipality of South Huron. The Animal Control Officer has responded to 2 (two) animal control concerns from the public. These concerns involved education of surrounding wildlife and transportation of a contained dog.

### **South Huron's Strategic Plan:**

Section 6.2.2 of the Municipality of South Huron 2015-2019 Strategic Plan identifies key priorities and strategic directions. The following elements are supported by the actions outlined in this report:

- Administrative Efficiency and Fiscal Responsibility
- Transparent, Accountable and Collaborative Governance

### **Financial Impact:**

Expenses relating to By-Law Enforcement fall under Protection Services.

**Legal Impact:**

No legal implications have been identified for this report.

**Staffing Impact:**

There are no further staffing impacts not outlined in this report.

**Communication Actions:**

There are no further communication actions outlined in this report.

**Policies/Legislation:**

Complaint Policy – By-Law 22-2016

**Consultation:**

Municipal Enforcement Officer and Animal Control Officer

**Related Documents:**

2<sup>nd</sup> Quarter 2020 Request for Services, Complaints and By-Law Infraction Summary.

Respectfully submitted,

**Justin Finkbeiner, Administrative Assistant**

**Report Approval Details**

Document Title:	Request for Service, Complaints, and By-Law Infractions - 2nd Quarter Report.docx
Attachments:	- 2nd Quarter 2020 Request for Service, Complaints and By-Law Infraction Summary.pdf
Final Approval Date:	Jul 9, 2020

This report and all of its attachments were approved and signed as outlined below:

**Sandy Becker - Jul 9, 2020 - 9:11 AM**

**Rebekah Msuya-Collison - Jul 9, 2020 - 12:14 PM**

**Dan Best - Jul 9, 2020 - 12:44 PM**

### By-Law Investigations April 01, 2020 to June 30, 2020

File No.	By-Law	Proposed Section of By-Law Contravention	Status
021-2020	Property Standards	General Property Standards / Yards	Monitoring
022-2020	Animal Control	Running at Large / Create a Nuisance / Owner to Take Precautions	Closed
023-2020	Animal Control	Owner to Take Precautions	Closed
024-2020	Property Standards / Deadstock	Outside of MOSH Jurisdiction	Closed
025-2020	Property Standards	Sewage and Drainage	Closed
026-2020	Property Standards	General Property Standards / Yards	Closed
027-2020	Sign	Temporary Signs	Closed
028-2020	Property Standards	General Property Standards	Monitoring
029-2020	Buring	Open Burning	Closed
030-2020	Highway Traffic Act	Outside of MOSH Jurisdiction	Closed
031-2020	Animal Control	Running at Large / Create a Nuisance	Closed
032-2020	Animal Control	Licencing	Closed
033-2020	Property Standards	General Property Standards / Yards	In Progress
034-2020	Animal Control	Number of Animals	In Progress
035-2020	Animal Control	Running at Large	Closed
036-2020	Domestic Birds, Animals & Exotic Animals	Domestic Fowl	Closed
037-2020	Property Standards	General Property Standards	In Progress
038-2020	Property Standards	General Property Standards	In Progress
039-2020	Property Standards	General Property Standards	See 037-2020
040-2020	Property Standards	General Property Standards	In Progress
041-2020	Property Standards / Noise	General Property Standards / Prohibitions by Time and Place	Closed
042-2020	Property Standards	General Property Standards	Open
043-2020	Animal Control	Running At Large	Closed
044-2020	Noise	Prohibitions by Time and Place	Closed
045-2020	Noise	Prohibitions by Time and Place	Open

**In Progress** - working towards compliance

**Monitoring** - further measures may be required

### Requests for Service and Complaints April 01, 2020 to June 30, 2020

File	Type	Details	Status
M04-22-2020	Complaint	Cemetery Maintenance	Complete
M04-23-2020	Request for Service	Storm Sewer Inquiry	Complete
M04-24-2020	Request for Service	Animal Remains Removal	Complete
M04-25-2020	Request for Service	Garbage Removal	Complete
M04-26-2020	Request for Service	Property Damage	Complete
M04-27-2020	Request for Service	Road Material Inquiry	Complete
M04-28-2020	Request for Service	By-Law Information Request	Complete
M04-29-2020	Request for Service	By-Law Information Request	Complete
M04-30-2020	Request for Service	Tree Trimming	Complete
M04-31-2020	Request for Service	By-Law Information Request	Complete
M04-32-2020	Request for Service	Garbage Removal	Complete
M04-33-2020	Request for Service	Garbage Collection	Complete
M04-34-2020	Request for Service	Drainage Information Request	Complete
M04-35-2020	Request for Service	Overhead Lines	Complete
M04-36-2020	Request for Service	Tree Trimming	Complete
M04-37-2020	Request for Service / Complaint	Spring Leaf Pickup	Complete
M04-38-2020	Request for Service	Drainage	Complete
M04-39-2020	Request for Service	Tree Removal	In Progress
M04-40-2020	Request for Service	Tree Trimming	Complete
M04-41-2020	Request for Service	Tree Trimming	In Progress
M04-42-2020	Request for Service	Tree Trimming	In Progress

**In Progress** - working towards compliance

**Monitoring** - further measures may be required

**Ministry of  
Municipal Affairs  
and Housing**

Office of the Minister

777 Bay Street, 17<sup>th</sup> Floor  
Toronto ON M7A 2J3  
Tel.: 416 585-7000

**Ministère des  
Affaires municipales  
et du Logement**

Bureau du ministre

777, rue Bay, 17<sup>e</sup> étage  
Toronto ON M7A 2J3  
Tél.: 416 585-7000



234-2020-2382

June 12, 2020

Dear Heads of Council / Clerks and CAOs:

Nothing is more important than protecting the health and well-being of Ontarians. Since first learning of COVID-19, Ontario has taken decisive action to stop the spread of this deadly virus, and we thank you for your support in our efforts.

We appreciate that the current situation for municipalities is not “business as usual”, and that all municipalities have had to make adjustments to adapt to new priorities and shifting ways of doing business.

When municipalities requested our help, we listened and acted quickly to legislate [changes to the Planning Act and make the necessary regulation to suspend decision-making timelines](#). These changes balanced the need to suspend the timelines that would allow a municipality to refocus time and resources on the COVID-19 outbreak, while allowing councils to continue to make decisions on planning matters as municipal capacity evolved.

As we move forward with our gradual approach that will allow Ontario to emerge from the COVID-19 outbreak, we know that getting shovels in the ground is key to moving forward on the path to economic recovery together. Many municipalities may be well on their way to a more normalized planning review process, and we want to ensure that the land use planning system is in step with a municipality's expanding capacity during this time. As a result, we intend to end the temporary suspension of the Planning Act timelines as of June 22<sup>nd</sup>, 2020.

We understand that the safety of your constituents must remain a priority, and that there are certain provincial restrictions in place regarding public gatherings. Therefore, we encourage you to continue to use electronic and virtual channels, as appropriate, to engage and provide the public with an opportunity to make representations on planning matters, while following the advice of Ontario's Chief Medical Officer of Health.



-2-

It is vital for our economic recovery from this outbreak that we work together to help move the planning approvals process forward. We need to continue the important job of creating housing and keeping infrastructure projects moving while also ensuring we maintain public health. Development has always played a key role in supporting growth in our communities, and it will play an especially important role on our road to economic recovery from COVID-19.

Let me assure you that our government is working to support you, our municipal partners, and will continue to work collaboratively to keep all Ontarians safe.

Sincerely,

A handwritten signature in blue ink that reads "Steve Clark". The signature is fluid and cursive, with the first name "Steve" and last name "Clark" clearly distinguishable.

Steve Clark  
Minister

c. Association of Municipalities of Ontario

**Ministry of Municipal Affairs  
and Housing**

Office of the Minister

777 Bay Street, 17th Floor  
Toronto ON M7A 2J3  
Tel.: 416 585-7000

**Ministère des Affaires municipales  
et du Logement**

Bureau du ministre

777, rue Bay, 17e étage  
Toronto ON M7A 2J3  
Tél.: 416 585-7000



234-2020-2680

July 8, 2020

Dear Head of Council:

The COVID-19 outbreak has touched everyone in the province, creating personal and financial hardship, and resulting in losses far greater than anyone could have imagined. We are making steady progress in the safe reopening of the province, and we acknowledge and celebrate those who went above and beyond through this crisis.

I am writing to inform you that on July 8, 2020, our government introduced the COVID-19 Economic Recovery Act, 2020, to help get Ontario back on track. Our proposed bill will address three critical needs Ontario faces: restarting jobs and development; strengthening communities; and creating opportunity for people.

Our government recognizes the key role that municipalities play in restarting the economy, and that their efficient functioning and economic sustainability is critical to Ontario's future success. We are also continuing to negotiate with our federal partners to ensure communities across Ontario receive the urgent financial support they need. We know that municipalities require fair and flexible investment to protect front line services and help restart the economy.

This bill includes proposals that will enable municipal councils and local boards to meet electronically on a permanent basis and allow municipal councils to decide if they wish to have proxy voting for their members. Our government also proposes to finalize the community benefits charges framework; enhance the Minister of Municipal Affairs and Housing's existing zoning order authority to provide more certainty when fast tracking the development of transit oriented communities; make it faster to update and harmonize the Building Code so that we can break down interprovincial trade barriers, and permanently establish the office of the Provincial Land and Development Facilitator to help solve complex land use issues. We are also working on optimizing provincial lands and other key provincial strategic development projects that will help facilitate economic recovery efforts.

My ministry will be hosting a technical information briefing on the proposed community benefits charges framework, including proposed changes to development charges and parkland dedication, so that municipal staff can gain a better understanding of the proposal. The technical briefing will take place in the near future and invitations from the Assistant Deputy Minister of Local Government and Planning Policy Division to municipal Chief Administrative Officers, Treasurers and Chief Planners will be forthcoming.

.../2

Head of Council  
Page 2

In addition to initiatives that I have outlined above from my ministry, there are several other proposals included in our proposed legislation that will support your communities. Changes proposed will modernize our outdated environmental assessment framework, provide more local say on future landfill sites, and ensure strong environmental oversight, while supporting faster build-out of vital transport and transit infrastructure projects to support our economy. Municipally-run courts will be able to use technology to deliver services remotely and we are also moving to fill justice of the peace vacancies faster and more transparently.

We will be extending the validity period of unused marriage licences and protecting the province's most vulnerable consumers who rely on payday loans, by proposing limits on related interest rates and fees.

Also proposed is the reduction of regulatory burdens on farming while preserving the environmental rules that will support this vital part of our economy. Businesses will be able to count on clear, focused and effective rules that do not compromise people's health, safety or the environment through our changes that continue to focus on cutting red tape. At the same time, our changes will allow health and safety standards to be updated more quickly to ensure worker safety in a changing economy.

As the province continues to reopen and the economy recovers, it's more critical than ever to position Ontario as a top-tier destination for investment, domestic growth, and job creation. A key measure to support this objective is the creation of a new investment attraction agency, Invest Ontario, that will promote the province as a key investment destination and work closely with regional partners to coordinate business development activities.

Our proposed changes will also help our communities respond in part to the challenges that this outbreak has brought to our education system. Changes proposed would allow school boards to select the best candidates for director of education for their respective communities. We will also reduce red tape that is preventing access to school for some First Nation students and by limiting unproductive suspensions for our very youngest students. Students with severe learning disabilities will have an opportunity to complete their studies in the upcoming school year and by broadening the mandates of TVO and TFO, our broadcasters will be able to support students' learning needs better during these challenging times.

Through this proposed legislation, we will take the first step towards a strong restart and recovery. More information on our proposals can be found on the Legislative Assembly of Ontario's [website](#).

Our greatest challenges lie ahead of us, and we know we cannot overcome them alone. It's time for everyone to play a role in rebuilding Ontario together. We will ensure no community or region is left behind. Every community must recover if all of Ontario is to grow and prosper again.

Head of Council  
Page 3

Municipalities are encouraged to continue to review our Government's Emergency Information webpage at: [Ontario.ca/alert](https://ontario.ca/alert). I thank you for your continued support and collaboration in these challenging times.

Sincerely,

A handwritten signature in blue ink that reads "Steve Clark". The signature is written in a cursive, flowing style.

Steve Clark  
Minister of Municipal Affairs and Housing

c: Chief Administrative Officers  
Municipal Clerks  
Kate Manson-Smith, Deputy Minister of Municipal Affairs and Housing  
Brian Rosborough, Executive Director, Association of Municipalities of Ontario



June 26, 2020

Commissioner Thomas Carrique  
Ontario Provincial Police  
General Headquarters  
Lincoln M. Alexander Building  
777 Memorial Avenue  
Orillia, ON  
L3V 7V3

Dear Commissioner Carrique,

We are the Heads of Council of the Municipalities of North Huron and South Huron who continue to have grave concern respecting the decision to close satellite locations in Wingham and Exeter in favor of one central location in Clinton.

The promise made by the OPP is "To serve our province by protecting its citizens, upholding the law and preserving public safety." According to the OPP website,

"The Ontario Provincial Police (OPP) commits to working continually to earn the confidence of the citizens of and visitors to Ontario - a confidence that will not be taken for granted. The OPP fulfills this commitment by providing the best and most professional service, possible, and by striving to build a culture of trust, and open and honest dialogue, with the communities it serves and among the people it employs. The organization commits to creating and sustaining a positive working environment in which all employees have equal opportunity to fulfill their potential within the profession".

It is our view that this promise cannot be upheld with the decision to close the two satellite locations.

Last week, CTV News reported a story about our concerns respecting the closures. The report included a video clip of Chief Superintendent John Cain, Regional Commander of West Region at the Clinton OPP Detachment



ground-breaking ceremony in 2018. At that time he committed "that the closed offices in Wingham and Exeter, would be replaced with smaller "storefront" policing offices which will provide an area for the officers to go and meet the public in that community, so that not everyone within Huron County would have to come to Clinton if they wanted to see an officer." The following is a link to the news report

<https://london.ctvnews.ca/mayors-disappointed-as-opp-close-satellite-offices-in-exeter-ingham-1.4988468>.

To date, the "storefront" offices have not been opened in either community and there's been no formal request or discussions with North Huron or South Huron about space for OPP staff and members of the public to meet. This begs the question if there was ever an intent to proceed with such a plan. It also raises the question why the existing locations couldn't continue to be utilized.

In 2018, Chief Superintendent Cain informed the public that the Wingham and Exeter OPP offices would be replaced with satellite offices. We are not aware of any discussions to enact this plan. There have also been no consultations with North Huron or South Huron about satellite offices. Moreover, it is unknown whether the satellite office costs would be borne by the OPP or would be an additional cost to our respective municipalities. In 2018 there was no indication that the additional cost would be the responsibility of North Huron or South Huron.

North Huron and South Huron desire to work collaboratively with the OPP and this requires a high level of respect between the OPP and the two municipalities. Neither of our municipalities received formal notification of the closures. The notification was initiated by the Acting Detachment Commander via contact with municipal staff and ourselves.

The OPP's actions regarding the closures and subsequent re-location to Clinton has not promoted the OPP in our communities. The actions of the OPP decision-makers are seen as short-sighted and call into question the OPP's promise "To serve our province by protecting its citizens, upholding the law and preserving public safety."



We expect that you will reach out to us to discuss options moving forward and we shall await your response.

Sincerely,

A handwritten signature in blue ink, appearing to read "DH - Finch".

Mayor George Finch  
Municipality of South Huron

A handwritten signature in blue ink, appearing to read "BA".

Reeve Bernie Bailey  
Municipality of North Huron

Cc. Hon. Doug Ford, Premier of Ontario  
Hon. Sylvia Jones, Solicitor General  
Hon. Lisa Thompson, Minister of Government and Consumer Services  
North Huron Council  
South Huron Council

*Ontario Provincial Police**Police provinciale de l'Ontario**Thomas Carrique**Commissioner**Le Commissaire*

File #: OPP-7900

July 2, 2020

His Worship George Finch  
 Mayor  
 Municipality of South Huron  
 Reeve Bernie Bailey  
 Municipality of North Huron  
 Email: gfinch@southhuron.ca; BBailey@northhuron.ca

Dear Messrs:

Thank you for your letter of June 26, 2020, expressing the concerns of Council of the Municipalities of North Huron and South Huron regarding the closure of the Ontario Provincial Police (OPP) satellite detachments in Wingham and Exeter.

I appreciate the concerns you have raised. The Huron County OPP Detachment is part of the OPP Modernization – Phase 2 project. The scope of the project was to build nine new detachments to replace 16 aging OPP facilities across the province that are at the end of their useful lifespan and no longer meet the requirements of today's police operations.

I understand that the Huron County Detachment Commander, Inspector Rob Scott, continues to support and discuss the establishment of Community Policing Offices with community stakeholders in South Huron and North Huron/Wingham.

Inspector Scott will contact you to continue dialogue as we move forward. For your reference, Inspector Scott can also be contacted directly at 519-393-6123 or by email at [Rob.W.Scott@opp.ca](mailto:Rob.W.Scott@opp.ca).

We look forward to continuing to work collaboratively with your municipalities in selecting an appropriate Community Service Office that would best serve the needs of the communities and our members.

777 Memorial Avenue  
 Orillia, Ontario  
 L3V 7V3  
 Telephone: 705 329-6199  
 Facsimile: 705 329-6195  
[opp.ca](http://opp.ca)

777 avenue Memorial  
 Orillia, Ontario  
 L3V 7V3  
 Téléphone 705 329-6199  
 Télécopieur 705 329-6195  
[opp.ca](http://opp.ca)



His Worship George Finch  
Reeve Bernie Bailey

Thank you again for writing.

Yours truly,

A handwritten signature in black ink, consisting of several loops and a final horizontal stroke.

Thomas Carrique, O.O.M.

c:     The Honourable Doug Ford, Premier  
         The Honourable Sylvia Jones, Solicitor General  
         The Honourable Lisa Thompson, Minister of Government and Consumer Services  
         Mr. Mario Di Tommaso, Deputy Solicitor General, Community Safety  
         Deputy Commissioner Chris Harkins, Provincial Commander, Field Operations  
         Chief Superintendent John Cain, Commander, West Region  
         Inspector Rob Scott, Commander, Huron County Detachment



June 26, 2020

Commissioner Thomas Carrique  
Ontario Provincial Police  
General Headquarters  
Lincoln M. Alexander Building  
777 Memorial Avenue  
Orillia, ON  
L3V 7V3

Dear Commissioner Carrique,

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The promise made by the OPP is "To serve our province by protecting its citizens, upholding the law and preserving public safety." According to the OPP website,

"The Ontario Provincial Police (OPP) commits to working continually to earn the confidence of the citizens of and visitors to Ontario - a confidence that will not be taken for granted. The OPP fulfills this commitment by providing the best and most professional service, possible, and by striving to build a culture of trust, and open and honest dialogue, with the communities it serves and among the people it employs. The organization commits to creating and sustaining a positive working environment in which all employees have equal opportunity to fulfill their potential within the profession".

It is our view that this promise cannot be upheld with the decision to close the two satellite locations.

Last week, CTV News reported a story about our concerns respecting the closures. The report included a video clip of Chief Superintendent John Cain, Regional Commander of West Region at the Clinton OPP Detachment



ground-breaking ceremony in 2018. At that time he committed "that the closed offices in Wingham and Exeter, would be replaced with smaller "storefront" policing offices which will provide an area for the officers to go and meet the public in that community, so that not everyone within Huron County would have to come to Clinton if they wanted to see an officer." The following is a link to the news report

<https://london.ctvnews.ca/mayors-disappointed-as-opp-close-satellite-offices-in-exeter-ingham-1.4988468>.

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In 2018, Chief Superintendent Cain informed the public that the Wingham and Exeter OPP offices would be replaced with satellite offices. We are not aware of any discussions to enact this plan. There have also been no consultations with North Huron or South Huron about satellite offices. Moreover, it is unknown whether the satellite office costs would be borne by the OPP or would be an additional cost to our respective municipalities. In 2018 there was no indication that the additional cost would be the responsibility of North Huron or South Huron.

North Huron and South Huron desire to work collaboratively with the OPP and this requires a high level of respect between the OPP and the two municipalities. Neither of our municipalities received formal notification of the closures. The notification was initiated by the Acting Detachment Commander via contact with municipal staff and ourselves.

The OPP's actions regarding the closures and subsequent re-location to Clinton has not promoted the OPP in our communities. The actions of the OPP decision-makers are seen as short-sighted and call into question the OPP's promise "To serve our province by protecting its citizens, upholding the law and preserving public safety."



We expect that you will reach out to us to discuss options moving forward and we shall await your response.

Sincerely,

A handwritten signature in blue ink, appearing to read "DH - Finch".

Mayor George Finch  
Municipality of South Huron

A handwritten signature in blue ink, appearing to read "BA".

Reeve Bernie Bailey  
Municipality of North Huron

Cc. Hon. Doug Ford, Premier of Ontario  
Hon. Sylvia Jones, Solicitor General  
Hon. Lisa Thompson, Minister of Government and Consumer Services  
North Huron Council  
South Huron Council

Financial Statements of

**LAKE HURON AREA  
PRIMARY WATER  
SUPPLY SYSTEM**

And Independent Auditors' Report thereon

Year ended December 31, 2019



KPMG LLP  
 140 Fullarton Street Suite 1400  
 London ON N6A 5P2  
 Canada  
 Tel 519 672-4800  
 Fax 519 672-5684

## INDEPENDENT AUDITORS' REPORT

To the Board of Directors of Lake Huron Area Primary Water Supply System

### ***Opinion***

We have audited the financial statements of Lake Huron Area Primary Water Supply System (the "Entity"), which comprise:

- the statement of financial position as at December 31, 2019
- the statement of operations and accumulated surplus for the year then ended
- the statement of changes in net financial assets for the year then ended
- the statement of cash flows for the year then ended
- and notes to the financial statements, including a summary of significant accounting policies

(Hereinafter referred to as the "financial statements").

In our opinion, the accompanying financial statements present fairly, in all material respects, the financial position of the Entity as at December 31, 2019, and its results of operations, its changes in net financial assets and its cash flows for the year then ended in accordance with Canadian public sector accounting standards.

### ***Basis for Opinion***

We conducted our audit in accordance with Canadian generally accepted auditing standards. Our responsibilities under those standards are further described in the "**Auditors' Responsibilities for the Audit of the Financial Statements**" section of our auditors' report.

We are independent of the Entity in accordance with the ethical requirements that are relevant to our audit of the financial statements in Canada and we have fulfilled our other responsibilities in accordance with these requirements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

### ***Responsibilities of Management and Those Charged with Governance for the Financial Statements***

Management is responsible for the preparation and fair presentation of the financial statements in accordance with Canadian public sector accounting standards, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.



In preparing the financial statements, management is responsible for assessing the Entity's ability to continue as a going concern, disclosing as applicable, matters related to going concern and using the going concern basis of accounting unless management either intends to liquidate the Entity or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the Entity's financial reporting process.

### ***Auditors' Responsibilities for the Audit of the Financial Statements***

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditors' report that includes our opinion.

Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists.

Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the financial statements.

As part of an audit in accordance with Canadian generally accepted auditing standards, we exercise professional judgment and maintain professional skepticism throughout the audit.

We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion.

The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.

- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Entity's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Entity's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditors' report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditors' report. However, future events or conditions may cause the Entity to cease to continue as a going concern.



- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.
- Communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

*KPMG LLP*

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Chartered Professional Accountants, Licensed Public Accountants

London, Canada

June 4, 2020



# LAKE HURON AREA PRIMARY WATER SUPPLY SYSTEM

## Statement of Financial Position

December 31, 2019, with comparative information for 2018

	2019	2018
<b>Financial assets</b>		
Due from the Corporation of the City of London (note 3)	\$ 37,632,030	\$ 29,833,381
Trade and other receivables	673,067	1,908,629
<b>Total financial assets</b>	<b>38,305,097</b>	<b>31,742,010</b>
<b>Financial liabilities</b>		
Accounts payable and accrued liabilities	1,511,085	1,912,744
Accrued interest on long-term debt	43,209	49,253
Long-term debt (note 4)	6,855,465	8,065,505
<b>Total financial liabilities</b>	<b>8,409,759</b>	<b>10,027,502</b>
<b>Net financial assets</b>	<b>29,895,338</b>	<b>21,714,508</b>
<b>Non-financial assets</b>		
Tangible capital assets (note 5)	148,540,345	153,032,700
Prepaid expenses	243,388	202,510
<b>Total non-financial assets</b>	<b>148,783,733</b>	<b>153,235,210</b>
<b>Accumulated surplus (note 6)</b>	<b>\$ 178,679,071</b>	<b>\$ 174,949,718</b>

Commitments (note 8)

Contingent liabilities (note 9)

Subsequent events (note 11)

See accompanying notes to financial statements

# LAKE HURON AREA PRIMARY WATER SUPPLY SYSTEM

## Statement of Operations and Accumulated Surplus

Year ended December 31, 2019, with comparative information for 2018

	Budget (note 10)	2019	2018
<b>Revenues</b>			
User charges	\$ 22,079,357	\$ 22,838,742	\$ 22,549,736
Investment income	22,000	832,509	506,101
Transfer payments:			
Provincial	-	-	674,777
Federal	-	-	1,077,471
Other	5,000	1,536	27,349
<b>Total revenues</b>	<b>22,106,357</b>	<b>23,672,787</b>	<b>24,835,434</b>
<b>Expenses</b>			
Salaries, wages and benefits	749,294	784,142	691,444
Materials and supplies	11,097,153	10,645,143	10,731,894
Contracted services	116,100	517,263	352,983
Rents and financial expenses	82,500	77,098	72,300
Interest on long-term debt (note 4)	162,889	162,889	181,625
Amortization of tangible capital assets (note 5)	-	7,543,440	7,425,041
Administrative charges	213,459	213,459	208,252
<b>Total expenses</b>	<b>12,421,395</b>	<b>19,943,434</b>	<b>19,663,539</b>
<b>Annual surplus</b>	<b>9,684,962</b>	<b>3,729,353</b>	<b>5,171,895</b>
<b>Accumulated surplus, beginning of year (note 6)</b>	<b>174,949,718</b>	<b>174,949,718</b>	<b>169,777,823</b>
<b>Accumulated surplus, end of year (note 6)</b>	<b>\$ 184,634,680</b>	<b>\$ 178,679,071</b>	<b>\$ 174,949,718</b>

See accompanying notes to financial statements

# LAKE HURON AREA PRIMARY WATER SUPPLY SYSTEM

## Statement of Changes in Net Financial Assets

Year ended December 31, 2019, with comparative information for 2018

	Budget (note 10)	2019	2018
Annual surplus	\$ 9,684,962	\$ 3,729,353	\$ 5,171,895
Acquisition of tangible capital assets	(15,127,000)	(3,051,085)	(2,774,993)
Amortization of tangible capital assets	-	7,543,440	7,425,041
	(5,442,038)	8,221,708	9,821,943
Change in prepaid expenses	-	(40,878)	4,154
Change in net financial assets	(5,442,038)	8,180,830	9,826,097
Net financial assets, beginning of year	21,714,508	21,714,508	11,888,411
Net financial assets, end of year	\$ 16,272,470	\$ 29,895,338	\$ 21,714,508

See accompanying notes to financial statements

# LAKE HURON AREA PRIMARY WATER SUPPLY SYSTEM

## Statement of Cash Flows

Year ended December 31, 2019, with comparative information for 2018

	2019	2018
<b>Cash provided by:</b>		
<b>Operating activities:</b>		
Annual surplus	\$ 3,729,353	\$ 5,171,895
<b>Items not involving cash:</b>		
Amortization of tangible capital assets	7,543,440	7,425,041
Amortization of debenture discount	8,200	8,200
<b>Changes in non-cash assets and liabilities:</b>		
Due from the Corporation of the City of London	(7,798,649)	(6,327,849)
Prepaid expenses	(40,878)	4,154
Trade and other receivables	1,235,562	(1,281,184)
Accounts payable and accrued liabilities	(401,659)	(348,066)
Deferred revenue	-	(674,777)
Accrued interest on long-term debt	(6,044)	(4,943)
<b>Net change in cash from operating activities</b>	<b>4,269,325</b>	<b>3,972,471</b>
<b>Capital activities:</b>		
Purchase of tangible capital assets	(3,051,085)	(2,774,993)
<b>Cash used in capital activities</b>	<b>(3,051,085)</b>	<b>(2,774,993)</b>
<b>Financing activities:</b>		
Long-term debt repayments	(1,218,240)	(1,197,478)
<b>Cash used in financing activities</b>	<b>(1,218,240)</b>	<b>(1,197,478)</b>
<b>Net change in cash flows</b>	<b>\$ -</b>	<b>\$ -</b>

See accompanying notes to financial statements

# LAKE HURON AREA PRIMARY WATER SUPPLY SYSTEM

## Notes to Financial Statements

Year ended December 31, 2019

### 1. Nature of reporting entity

The final transfer order for Lake Huron Area Primary Water Supply System (the "Entity") was effective September 15, 2000, transferring assets along with any other real property to The Corporation of the City of London (the "Corporation") in trust to act as the Administering Municipality on behalf of the participating municipalities.

Under the transfer order, the works, properties and all assets, liabilities, rights and obligations of the system are conveyed, assigned and transferred to the Corporation as Trustee. Each of the benefitting municipalities, for so long as the municipality is serviced by the works has an undivided beneficial ownership interest in the works as tenant in common with all other municipalities jointly. The proportion that each municipality's interest bears to the total of all municipalities' interests shall be in the same ratio that the quantity of water supplied from the works to the municipalities at any time and from time to time bears to the total quantity of water supplied to all municipalities at such time. At present, the benefitting municipalities are The City of London, the Municipalities of Bluewater, South Huron, Lambton Shores, North Middlesex, Lucan-Biddulph, Middlesex Centre and Strathroy-Caradoc.

The transfer order established a joint board of management to govern the management of the water supply system. The joint board of management is comprised of eleven members appointed by the respective councils of participating municipalities. The Board composition is as follows:

Municipality	Members	Votes
The City of London	4	17
Bluewater	1	1
South Huron	1	1
Lucan-Biddulph	1	1
Lambton Shores	1	1
North Middlesex	1	3
Middlesex Centre	1	1
Strathroy-Caradoc	1	3

# LAKE HURON AREA PRIMARY WATER SUPPLY SYSTEM

## Notes to Financial Statements (continued)

Year ended December 31, 2019

### 2. Significant accounting policies

The financial statements of the Entity are prepared by management, in accordance with Canadian generally accepted accounting principles as defined in the CPA Canada Public Sector Handbook – Accounting. Significant accounting policies are as follows.

#### (a) Accrual accounting

Sources of financing and expenses are reported on the accrual basis of accounting.

#### (b) Non-financial assets

Non-financial assets are not available to discharge existing liabilities and are held for use in the provision of services. They have useful lives extending beyond the current year and are not intended for sale in the ordinary course of operations.

##### i) Tangible capital assets

Tangible capital assets are recorded at cost which includes amounts that are directly attributable to acquisition, construction, development or betterment of the asset. The cost, less residual value, of the tangible capital assets, excluding land, are amortized on a straight line basis over their estimated useful lives as follows:

Asset	Useful Life - Years
Buildings and building improvements	15 – 40
Vehicles	5 – 15
Machinery and equipment	7 – 20
Water infrastructure	10 – 60
Computers	3

Annual amortization is charged in the year of acquisition and in the year of disposal using the half year rule. Assets under construction are not amortized until the asset is available for productive use.

##### ii) Interest capitalization

The interest costs associated with the acquisition or construction of a tangible capital asset are not capitalized.

#### (c) Revenue recognition

The Entity recognizes revenue when water is drawn by each customer, collection of the relevant receivable is probable, persuasive evidence of an arrangement exists and the sales price is fixed or determinable.

# LAKE HURON AREA PRIMARY WATER SUPPLY SYSTEM

## Notes to Financial Statements (continued)

Year ended December 31, 2019

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### 2. Significant accounting policies (continued)

#### (d) Government transfers

Government transfer payments to the Corporation are recognized in the financial statements in the year in which the payment is authorized and the events giving rise to the transfer occur, performance criteria are met, and a reasonable estimate of the amount can be made. Funding that is stipulated to be used for specific purposes is only recognized as revenue in the fiscal year that the related expenses are incurred or services performed. If funding is received for which the related expenses have not yet been incurred or services performed, these amounts are recorded as a liability at year end.

#### (e) Use of estimates

The preparation of financial statements in conformity with Canadian generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the year. Significant items subject to such estimates and assumptions include the valuation allowances for receivables and useful lives assigned to tangible capital assets.

Actual results could differ from those estimates.

#### (f) Budget figures

Budget figures have been provided for comparison purposes. Given differences between the budgeting model and generally accepted accounting principles established by the Public Sector Accounting Board ("PSAB"), certain budgeted amounts have been reclassified to reflect the presentation adopted under PSAB.

#### (g) Liability for contaminated sites

Under PS 3260, liability for contaminated sites are defined as the result of contamination being introduced in air, soil, water or sediment of a chemical, organic, or radioactive material or live organism that exceeds an environmental standard. This Standard relates to sites that are not in productive use and sites in productive use where an unexpected event resulted in contamination.

#### (h) Related party disclosures

The Entity adopted Public Sector Accounting Board Standard PS 2200 *Related Party Transactions* effective for fiscal periods beginning on or after April 1, 2017. The standard defines related party and provides disclosure requirements. Disclosure is only required when the transactions or events between related parties occur at a value different from what would have been recorded if they were not related and the transactions could have a material financial impact on the financial statements. The standard also requires disclosure of related party transactions that have occurred where no amounts have been recognized. The Entity adopted this standard on a prospective basis and there were no adjustments as a result of the adoption of this standard.

# LAKE HURON AREA PRIMARY WATER SUPPLY SYSTEM

## Notes to Financial Statements (continued)

Year ended December 31, 2019

### 2. Significant accounting policies (continued)

#### (i) Inter-entity transactions

The Entity adopted Public Sector Accounting Board standard PS 3420 *Inter-entity Transactions* effective for fiscal periods beginning on or after April 1, 2017. The standards specifies how to account for transactions between public sector entities within the government reporting entity.

Transactions undertaken on similar terms and conditions to those adopted if the entities were dealing at arm's length are recorded at the exchange amount. Transfers of an asset or liability at nominal or no consideration is recorded by the provider at the carrying amount and the recipient has the choice of using either the carrying amount or fair value. Cost allocations are reported using the exchange amount and revenues and expenses are reported on a gross basis. Unallocated costs for the provision of goods or services may be recorded by the recipient at the carrying amount or fair value unless otherwise dictated by policy, accountability structure or budget practice.

All other transactions are measured at the carrying amount.

The Entity adopted this standard on a prospective basis and there were no adjustments as a result of the adoption of this standard.

### 3. Due from the Corporation of the City of London

As the Administering Municipality, the Corporation manages the daily operations of the Entity. The Corporation maintains a separate general ledger on behalf of the Entity. All funds are paid and received through the Corporation's bank account and are held for use by the Entity.

### 4. Long-term debt

#### (a) Long-term debt is stated as follows:

	2019	2018
Long-term debt assumed by The Corporation of the City of London, as administering municipality, on behalf of the Lake Huron Area Primary Water Supply System, with semi-annual interest payments:		
(a) at rates ranging from 2.50% to 3.20%, maturing September 2022.	\$ 571,075	\$ 752,225
(b) at rates ranging from 2.65% to 3.80%, maturing September 2023.	647,370	798,930
(c) at rates ranging from 0.95% to 2.25%, maturing March 2025.	5,346,840	6,194,298
(d) at rates ranging from 1.15% to 2.85%, maturing March 2027.	331,212	369,285
Total long-term debt	6,896,497	8,114,738
Less: Unamortized debenture discount	(41,032)	(49,233)
Net long-term debt	\$ 6,855,465	\$ 8,065,505



# LAKE HURON AREA PRIMARY WATER SUPPLY SYSTEM

## Notes to Financial Statements (continued)

Year ended December 31, 2019

### 4. Long-term debt

(b) The long-term debt repayment schedule is as follows:

2020	\$	1,239,448
2021		1,261,262
2022		1,283,326
2023		1,106,232
2024		951,752
2025 & beyond		1,054,477

(c) Total charges for the year for long-term debt which are reported on the Statement of Operations and Accumulated Surplus are as follows:

	2019	2018
Interest	\$ 154,688	\$ 173,425
Amortization of debenture discount	8,201	8,200
	\$ 162,889	\$ 181,625

### 5. Tangible capital assets

Cost	Balance at December 31, 2018	Additions	Disposals	Balance at December 31, 2019
Land	\$ 1,843,513	\$ 545,549	\$ -	\$ 2,389,062
Buildings and building improvements	55,553,348	303,521	55,590	55,801,279
Machinery and equipment	42,888,999	1,601,662	464,883	44,025,778
Vehicles	32,425	-	20,898	11,527
Water infrastructure	118,418,737	241,541	-	118,660,278
Computers	85,620	1,217	-	86,837
Assets under construction	367,691	591,798	234,203	725,286
Total	\$ 219,190,333	\$ 3,285,288	\$ 775,574	\$ 221,700,047

Accumulated Amortization	Balance at December 31, 2018	Amortization expense	Disposals	Balance at December 31, 2019
Land	\$ -	\$ -	\$ -	\$ -
Buildings and building improvements	15,911,689	2,202,742	55,590	18,058,841
Machinery and equipment	20,925,399	3,070,999	464,883	23,531,515
Vehicles	23,369	1,646	20,898	4,117
Water infrastructure	29,282,867	2,239,309	-	31,522,176
Computers	14,309	28,744	-	43,053
Assets under construction	-	-	-	-
Total	\$ 66,157,633	\$ 7,543,440	\$ 541,371	\$ 73,159,702

# LAKE HURON AREA PRIMARY WATER SUPPLY SYSTEM

Notes to Financial Statements (continued)

Year ended December 31, 2019

## 5. Tangible capital assets (continued)

	Net book value December 31, 2018	Net book value December 31, 2019
Land	\$ 1,843,513	\$ 2,389,062
Buildings and building improvements	39,641,659	37,742,438
Machinery and equipment	21,963,600	20,494,263
Vehicles	9,056	7,410
Water infrastructure	89,135,870	87,138,102
Computers	71,311	43,784
Assets under construction	367,691	725,286
<b>Total</b>	<b>\$ 153,032,700</b>	<b>\$ 148,540,345</b>

### (a) Assets under construction

Assets under construction with a net book value of \$725,286 (2018 - \$367,691) have not been amortized. Amortization of these assets will commence when the asset is available for productive use.

### (b) Tangible capital assets disclosed at nominal values

Where an estimate of fair value could not be made, the tangible capital asset was recognized at a nominal value. Land is the only category where nominal values were assigned.

### (c) Write-down of tangible capital assets

There were no write-downs in tangible capital assets during the year (2018 – nil).

## 6. Accumulated surplus

Accumulated surplus consists of individual fund surplus and reserve funds as follows:

	2019	2018
<b>Surplus:</b>		
Invested in tangible capital assets	<b>\$139,069,937</b>	\$142,376,307
<b>Total surplus</b>	<b>139,069,937</b>	142,376,307
<b>Reserve funds set aside for specific purpose by the Board:</b>		
Infrastructure renewal - water operations	<b>39,609,134</b>	32,573,411
<b>Total reserve funds</b>	<b>39,609,134</b>	32,573,411
	<b>\$178,679,071</b>	\$174,949,718

# LAKE HURON AREA PRIMARY WATER SUPPLY SYSTEM

## Notes to Financial Statements (continued)

Year ended December 31, 2019

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### 7. Financial instruments

- (a) The carrying values of due from the Corporation of the City of London, trade and other receivables and accounts payable and accrued liabilities approximate their fair values due to the relatively short periods to maturity of the instruments.

The fair value of long-term debt approximates its carrying value as interest rates are similar to current market rates of interest available to the Entity.

- (b) Financial risks

The Entity is not exposed to any significant interest, foreign currency or credit risks arising from its financial instruments.

### 8. Commitments

#### Derivatives

The Entity has the following derivative:

- Contract with one block negotiated May 5, 2017, with a daily electricity purchase of 24 megawatt hours. Covering the period of November 1, 2018 to August 31, 2021, remaining contract cost at December 31, 2019 is \$431,587 (2018 - \$689,832 under contract expired October 31, 2019).

This derivative contract was purchased to ensure price certainty for 26% of the Entity's electricity needs over the term of the contract. The value of the contract is not reflected as an asset or liability in these financial statements.

### 9. Contingent liabilities

There are certain claims pending against the Entity as at December 31, 2019. The final outcome of these claims cannot be determined at this time, however management believes that settlement of these matters will not materially exceed amounts recorded in these financial statements.

# LAKE HURON AREA PRIMARY WATER SUPPLY SYSTEM

## Notes to Financial Statements (continued)

Year ended December 31, 2019

### 10. Budget data

Budget data presented in these consolidated financial statements are based upon 2019 operating budget approved by the joint board of management. Adjustments to budgeted values were required to provide comparative budget values based on the full accrual basis of accounting. The chart below reconciles the approved budget with the budget figures as presented in these financial statements.

	<b>Budget</b>
<b>Revenues</b>	
User charges	\$ 22,079,357
Municipal Revenues - Other	27,000
<b>Total revenues</b>	<b>22,106,357</b>
<b>Expenses</b>	
Personnel Costs	681,294
Administrative Expenses	88,000
Financial Expenses - Other	310,000
Financial Expenses - Interest and Discount on LTD	162,889
Financial Expenses - Debt Principal Repayments	1,218,241
Financial Expenses - Transfers to Reserves and Reserve Funds	8,466,721
Purchased Services	609,100
Materials and Supplies	10,321,903
Furniture and Equipment	34,750
Other Expenses	213,459
Recovered Expenses	-
<b>Total expenses</b>	<b>21,106,357</b>
<b>Net surplus as per Budget</b>	<b>\$ -</b>
<b>PSAB Reporting Requirements:</b>	
Transfers to Reserves and Reserve Funds	\$ 8,466,721
Debt principal repayments	1,218,241
<b>Net PSAB Budget surplus as per Financial Statements</b>	<b>\$ 9,684,962</b>

# LAKE HURON AREA PRIMARY WATER SUPPLY SYSTEM

## Notes to Financial Statements (continued)

Year ended December 31, 2019

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### 11. Subsequent events

Subsequent to December 31, 2019, the COVID-19 outbreak was declared a pandemic by the World Health Organization and has had a significant financial, market and social dislocating impact.

At the time of approval of these financial statements, the entity has experienced the following indicators of financial implications and undertaken the following activities in relation to the COVID-19 pandemic:

- Due to the Province of Ontario's declaration of a State of Emergency Order and the temporary closure of non-essential business and restrictions in activities, consumption within the municipalities served by the water system has moderately declined.
- Lower water demand volumes within the municipalities may result in lower expenditures
- The Regional Water Supply office has remained open but reduced their staffing compliment on premises from March 18, 2020 to the date of the auditors' report based on public health recommendations
- Implemented voluntary working from home strategy in service delivery
- Modifications to shift coverage and work-isolations to minimize risks to operating staff at the water treatment plants

At this time, these factors present uncertainty over future cash flows, may cause significant changes to the assets or liabilities and may have a significant impact on future operations. An estimate of the financial effect is not practicable at this time.

Good afternoon everyone;

On Thursday June 18, the Lake Huron and Elgin Area Water Systems hosted an information session (Workshop #2) via Zoom with stakeholders from the benefiting municipalities of the water systems regarding the options available to the municipalities in addressing the legal status of the two water systems and options available under the Municipal Act (Joint Municipal Services Board, or Municipal Services Corporation). The session was intended to provide additional information following the initial information sessions (Workshop #1) held in 2018 and, among other things, included further clarification of the legal and financial issues, provided a review of a sample Shareholders Declaration for a Municipal Services Corporation, and a general discussion on the appointment of Board Members under the optional models.

While the meeting was intended to be an open discussion and an opportunity to address preliminary questions, it appeared clear that most of the attendees were in favour (without commitment) of pursuing an option or options related to the Municipal Services Corporation with the understanding that if consensus couldn't be reached among the municipalities, that the Joint Municipal Services Board model could be implemented.

For your information and reference, I have attached the following files to this email:

- A copy of the presentation materials used during the second information session (file: Presentation\_Municipal Act\_Information Session\_June2020\_2SPP.ppx)
- A discussion paper that outlines the issue, including an overview of options available to the municipalities (file: Discussion Paper\_Restructuring Water Boards under Municipal Act\_20200618.pdf)
- A summary overview of the current and options under the Municipal Act (file: Overview\_LHEAWSS\_Corporation v JMSB\_Workshop2\_20200618.pdf)
- A sample Shareholder Declaration – for discussion purposes only (file: DRAFT\_Shareholder\_Declaration\_Workshop2\_20200618.pdf)

At the conclusion of the information session last week, I had suggested that municipal staff should take this opportunity to update their respective Municipal Council on this issue in preparation for more-detailed discussions to follow. As I also noted at the session, I'm more than happy to provide staff with assistance in this presentation, or provide a presentation to your Council if requested.

In order to pursue the Municipal Services Corporation option, a Business Case(s) must be developed and public participation meetings must be held in accordance with Ontario Regulation 599/06 (Municipal Services Corporations) of the *Municipal Act*. In addition, a Shareholders Declaration will need to be negotiated and approved by all of the municipalities. There is a significant amount of preparation required to pursue

these options and facilitate discussions across the region, and the Lake Huron and Elgin Area Water systems have offered to coordinate and facilitate these requirements on behalf of the municipalities if so requested.

In order to keep the momentum going from the second workshop, I'd like to propose the formation of a **Steering Committee** with one or two appointed members from each municipality. The group would be tasked to coordinate the activities required to pursue and finalize the options for addressing the legal status of the two regional water systems. In order to avoid duplication of efforts, I'm also proposing the formation of one Committee rather than one for each water system regardless if we're pursuing a Board or Corporation for each water system, or one for the entire region.

Our solicitor is finalizing some additional information requested and required for these discussions and I propose that the first meeting of the Committee be held starting in mid-August 2020 and on an agreed-upon frequency thereafter. By that time I'm hoping to have:

- A draft Terms of Reference for the Steering Committee, for their review and acceptance
- An outline of a business case that would be used for the consultation and formation of a Municipal Services Corporation(s)
- An updated Shareholder Declaration (for discussion and reference purposes only) if a Municipal Services Corporation(s) is being pursued
- An outline of a communications plan for coordinating information and presentations to municipal Councils and the public

Please note that although we have recommended the formation and utilization of a Municipal Services Corporation(s) to address the current issue identified, there has been NO DECISION made in that regard. The formation of a Joint Municipal Services Board(s) or Municipal Services Corporation is entirely the purview of the benefiting municipalities of the respective water system, and can only be achieved through unanimous agreement.

In addition, should the municipalities ultimately choose not to pursue the formation of a Municipal Services Corporation, please note that much of the content of the Shareholder Declaration can be repurposed and utilized in a Joint Municipal Services Board Agreement.

At your earliest possible convenience, please let me know who from your municipality will be participating on the Steering Committee and can speak on behalf of your municipality.

If you have any other questions or concerns, please feel free to contact me.

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**Andrew J. Henry, P.Eng.**

Director, Regional Water Supply

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# MUNICIPAL ACT, 2001 STAKEHOLDER INFORMATION SESSION #2

MUNICIPAL SERVICES BOARDS, MUNICIPAL SERVICES CORPORATIONS,  
AND THE LAKE HURON/ELGIN AREA WATER SUPPLY SYSTEMS

1

ANDREW J. HENRY, P.ENG.

DIRECTOR OF REGIONAL WATER  
LAKE HURON & ELGIN AREA WATER SYSTEMS

AHENRY@HURONELGINWATER.CA  
T: 519-930-3505 EXT.1355



2

**PAULA LOMBARDI**  
PARTNER AND SOLICITOR  
SISKINDS LLP



3

**WORKSHOP OBJECTIVES**

- CONFIRM THE PROBLEM AND WHAT WE HOPE TO ACHIEVE
- HIGHLIGHT OPTIONS UNDER THE MUNICIPAL ACT
- DISCUSS CURRENT RECOMMENDATION & POTENTIAL OPTIONS
- DISCUSS CONCERNS AND EXPECTATIONS OF STAKEHOLDERS
- NEXT STEPS

4

## TRANSFER ORDER - GOVERNANCE

- ESTABLISHED THE BOARD(S) OF MANAGEMENT
  - ROLE, RESPONSIBILITIES AND OBLIGATIONS
  - APPOINTMENT OF MEMBERS (NO FIXED TERM, SERVE AT THE PLEASURE OF MUNICIPALITY)
  - VOTING STRUCTURE, QUORUM
  - ADMINISTRATION (ESTABLISHMENT OF BYLAWS AND POLICIES, DELEGATION OF AUTHORITY)
  - AUTHORITY TO CHANGE ADMINISTRATION/MANAGEMENT ARRANGEMENTS
  - APPROVES OPERATING & CAPITAL BUDGET, RESERVE FUNDS, CONTRACTS, RATE
  - DISPUTE RESOLUTION PROCESS
  - “MAY HAVE A BANK ACCOUNT”, “MAY ENTER INTO CONTRACTS”

(IMPLIED ‘CORPORATE’ LEGAL STATUS)

5

## TRANSFER ORDER - ADMINISTRATION

CITY OF LONDON IDENTIFIED AS “ADMINISTERING MUNICIPALITY” TO PROVIDE SERVICES AS REQUIRED AND DIRECTED BY THE BOARD(S)

- REGIONAL WATER SUPPLY DIVISION, SECONDED AND REPORTS TO THE BOARD(S)
- PROVISION OF FINANCIAL/OTHER SUPPORT SERVICES (FEE FOR SERVICE)
- MUST ISSUE DEBT WHEN DIRECTED BY THE BOARD(S)

6

## TRANSFER ORDER - ADMINISTRATION

REGIONAL WATER SUPPLY DIVISION (SECONDED), AS THE BOARDS' ADMINISTRATION, RESPONSIBLE FOR:

- ALL MANAGEMENT AND ADMINISTRATION OF REGIONAL WATER SYSTEM
- LONG-TERM PLANNING, ENGINEERING/CONSTRUCTION, ASSET MANAGEMENT
- OPERATION, MAINTENANCE & REPAIR (CONTRACTED SERVICE)
- COMPLIANCE, RISK MANAGEMENT, SECURITY
- FINANCE PLANNING AND MANAGEMENT
- INFORMATION TECHNOLOGY, DATA MANAGEMENT
- EXTERNAL SERVICES (LEGAL, ETC.)

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## TRANSFER ORDER – MUNICIPAL RELATIONSHIP

- CITY OF LONDON DESIGNATED “BARE TRUSTEE” ON BEHALF OF THE REGIONAL WATER SYSTEMS
- EACH BENEFITING MUNICIPALITY HAS AN **UNDIVIDED BENEFICIAL INTEREST** IN THE RESPECTIVE REGIONAL WATER SYSTEM
  - “TENANT IN COMMON” WITH ALL OTHER MUNICIPALITIES
  - NO SHAREHOLDINGS
  - NO APPORTIONMENT OF TREATMENT CAPACITY/SUPPLY

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## REGIONAL WATER SYSTEM

- HAVE THEIR OWN BUDGET, RESERVE FUNDS, RATE
- HAVE THEIR OWN BYLAWS, POLICIES
- FINANCIAL PLANS
- ASSET MANAGEMENT PLANS
- MASTER WATER PLANS
- MANAGEMENT SYSTEMS (EMS, DWQMS, IMS)
- IDENTITY MANAGEMENT (LOGO, WEBSITE, STANDARDS)

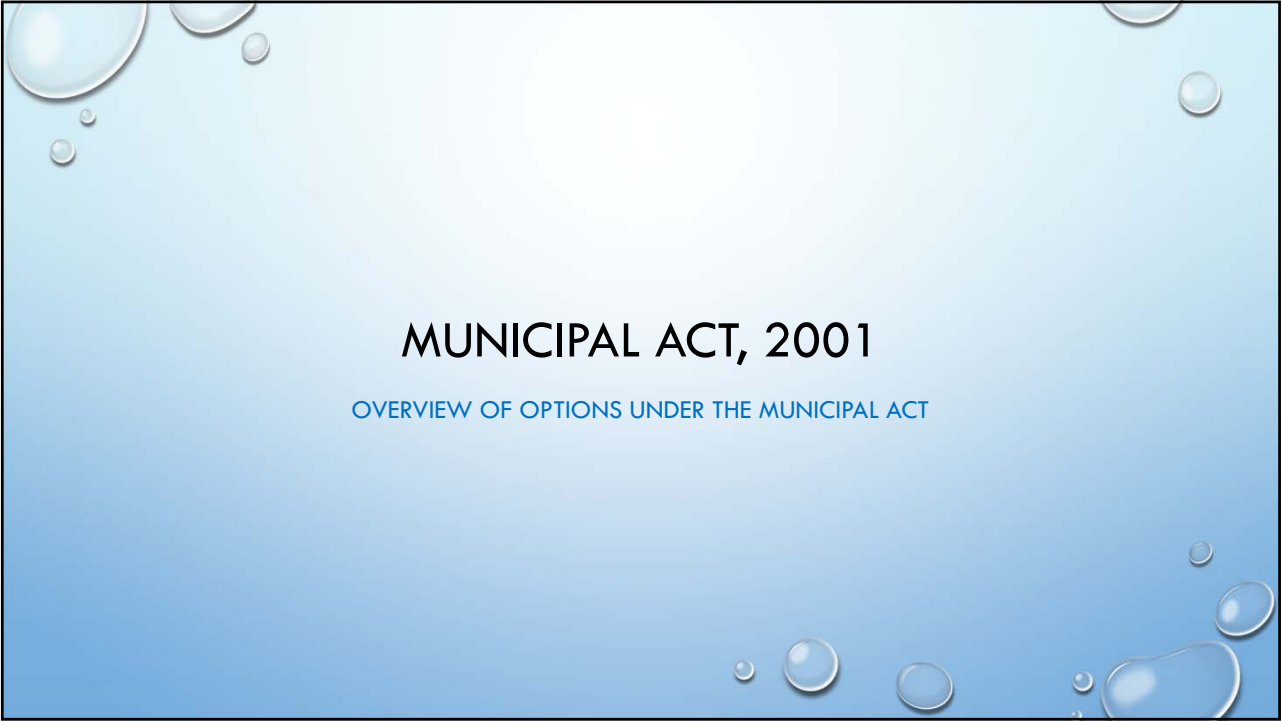
[HTTPS://HURONELGINWATER.CA](https://HURONELGINWATER.CA)

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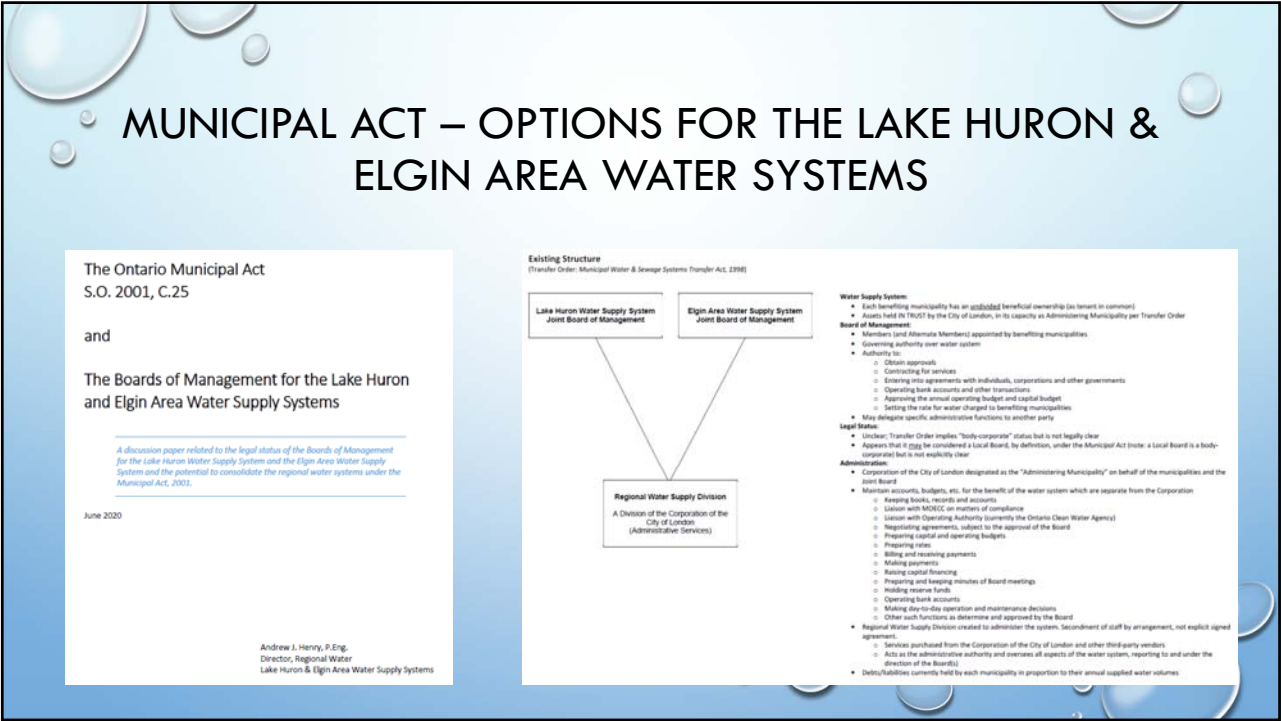
## PROBLEM STATEMENT

- TRANSFER ORDERS IMPLY 'CORPORATE' LEGAL STATUS, BUT NOT EXPLICIT
  - LINKAGE TO MUNICIPAL ACT UNCLEAR (STATUS AS A LOCAL BOARD?)
  - CAN THEY HAVE EMPLOYEES? (EMPLOYMENT STANDARDS ACT, LABOUR RELATIONS ACT, OCCUPATIONAL HEALTH AND SAFETY ACT, WORKPLACE SAFETY & INSURANCE BOARD, ETC.)
- IF A 'CORPORATE' LEGAL STATUS AND HAVE A BANK ACCOUNT: REGIONAL SYSTEM COULD HOLD DEBT?
  - MUNICIPALITIES COLLECTIVELY HOLD THE DEBT ANNUALLY IN PROPORTION TO THEIR WATER SUPPLY VOLUME
- IF A 'CORPORATE' LEGAL STATUS: IMPLICATION OF SDWA S.19 (STANDARD OF CARE) AND LIABILITY TO MUNICIPALITIES?

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### OPTION 1: “DO NOTHING”

- LEGAL STATUS CONTINUES TO BE A SIGNIFICANT QUESTION
- BOARD OF MANAGEMENT CONTINUES TO GOVERN, BOARD MEMBERS APPOINTED BY MUNICIPALITIES
- UNDIVIDED BENEFICIAL OWNERSHIP (TENANT IN COMMON)
- CITY OF LONDON BARE TRUSTEE (ASSETS HELD IN TRUST)
- MUNICIPALITIES MUST HOLD PROPORTION OF WATER SYSTEM’S DEBT
- LEGAL LIABILITY EXTENDS TO MUNICIPALITIES AND COUNCILS, INCLUDING JOINT AND SEVERAL LIABILITY

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### “DO NOTHING” (EXISTING STRUCTURE)

Lake Huron Water Supply System  
Joint Board of Management

Elgin Area Water Supply System  
Joint Board of Management

Regional Water Supply Division  
A Division of the Corporation of the City of London  
(Seconded Administrative Services)

- BOARD GOVERNING AUTHORITY
- MIGHT BE A “LOCAL BOARD” (MUN. ACT)
- ADMINISTRATIVE SERVICES VIA CITY OF LONDON
  - SECONDED STAFF (RWS DIVISION)
  - SUPPORT SERVICES (FEE FOR SERVICE)
- CONTRACTED OPERATION

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## OPTION 2: MUNICIPAL SERVICES BOARD

- LEGAL STATUS CONFIRMED “BODY CORPORATE” (S.194 - S.202, MA)
- BOARD MEMBERS APPOINTED BY MUNICIPALITIES, AND MAY BE A SKILLS-BASED BOARD
- MUNICIPALITIES MUST HOLD PROPORTION OF WATER SYSTEM’S DEBT
- LEGAL LIABILITY LIKELY EXTEND TO MUNICIPALITIES AND COUNCILS
- ABIDE BY PLANNING ACT, PROVINCIAL POLICY STATEMENTS, ETC.
- OPERATE AND PROVIDE SERVICE WITHIN MANDATE ESTABLISHED BY MUNICIPALITIES, INCLUDING REPORTING REQUIREMENTS
- MANDATORY CODE OF CONDUCT, RESTRICTIONS ON CLOSED MEETINGS, ETC. PER MUNICIPAL ACT

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## JOINT MUNICIPAL SERVICES BOARD

Lake Huron Water Supply  
Joint Municipal Services  
Board

Elgin Area Water Supply  
Joint Municipal Services  
Board

Regional Water Supply  
Administration

- BOARD GOVERNING AUTHORITY
- REGULAR REPORTING TO MUNICIPALITIES
- CONFIRMED A “LOCAL BOARD” AND “BODY-CORPORATE” (MUN. ACT)
- ADMINISTRATIVE SERVICES BY EMPLOYEES AND/OR CONTRACTED SERVICES (FEE FOR SERVICE)
  - ONE BOARD HAS EMPLOYEES, CONTRACTED BY THE OTHER BOARD

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### OPTION 3: MUNICIPAL SERVICES CORPORATION

- LEGAL STATUS CONFIRMED "CORPORATE". MUST BE PUBLICLY OWNED (S.203, MA)
- BOARD MEMBERS APPOINTED BY MUNICIPALITIES, AND MAY BE A SKILLS-BASED BOARD
- CORPORATION MAY HOLD DEBT
- INSULATION OF MUNICIPALITIES AND COUNCILS TO LEGAL LIABILITY
- ABIDE BY PLANNING ACT, PROVINCIAL POLICY STATEMENTS, ETC. PER MUNICIPAL ACT
- OPERATE AND PROVIDE SERVICE WITHIN MANDATE ESTABLISHED BY MUNICIPALITIES (SHAREHOLDERS DECLARATION), INCLUDING REPORTING REQUIREMENTS
- HOLD REAL PROPERTY AND OWN ASSETS
- NOT REQUIRED TO HOLD MEETINGS IN PUBLIC. MUST ABIDE BY MFIPPA

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### MUNICIPAL SERVICES CORPORATION

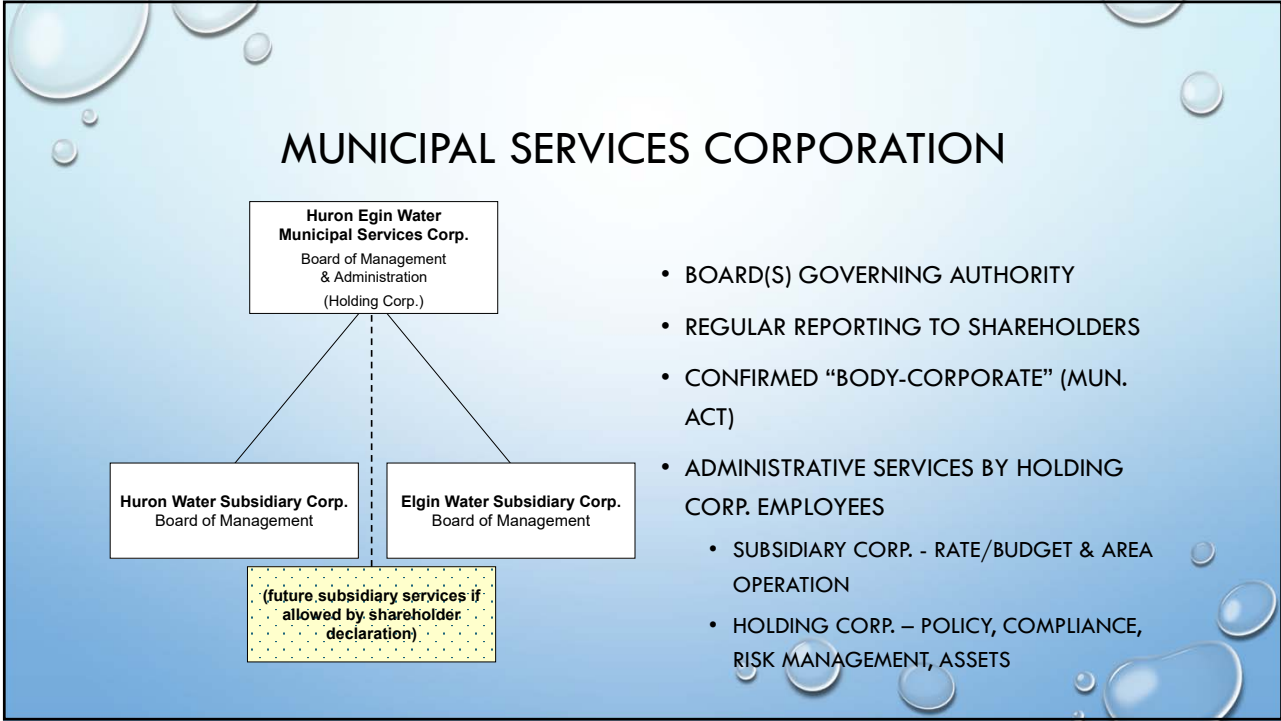
Lake Huron Water Supply  
Municipal Services Corp.

Elgin Area Water Supply  
Municipal Services Corp.

Regional Water Supply  
Administration

- BOARD GOVERNING AUTHORITY
- REGULAR REPORTING TO SHAREHOLDERS
- CONFIRMED "BODY-CORPORATE" (MUN. ACT)
- ADMINISTRATIVE SERVICES BY EMPLOYEES AND/OR CONTRACTED SERVICES (FEE FOR SERVICE)
  - ONE BOARD HAS EMPLOYEES, CONTRACTED BY SECOND BOARD

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## BOARD OF DIRECTORS

MUNICIPAL APPOINTEES:

- EACH MUNICIPAL COUNCIL APPOINTS PERSON(S) – NO SPECIFIED TERM
- MAY BE ANYONE, INCLUDING ELECTED OFFICIALS
- BOARD DIRECTOR ACTS IN THE INTEREST OF THE SYSTEM, NOT THE APPOINTING MUNICIPALITY

SKILLS-BASED BOARD:

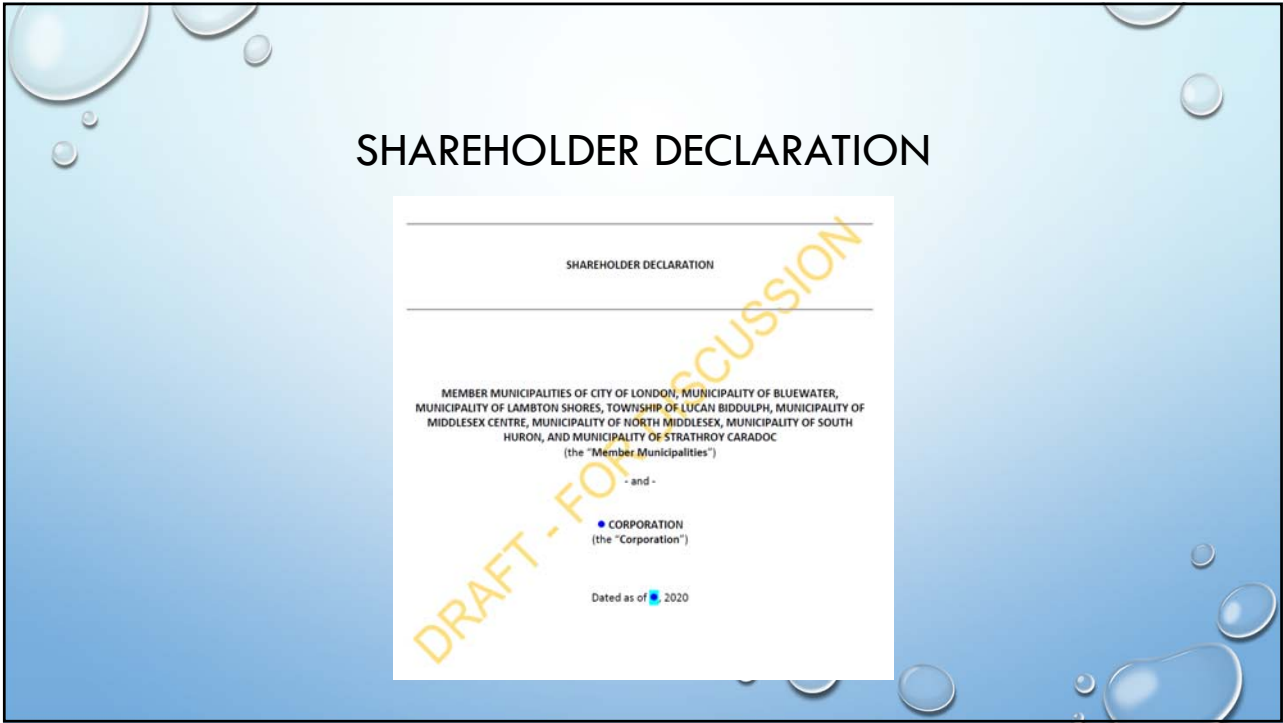
- MUNICIPALITIES ESTABLISH PROCESS TO APPOINT PERSON(S) – SPECIFIED TERM
- MAY BE COMBINATION OF ELECTED OFFICIALS AND INDIVIDUALS (SPECIFIED)
- BOARD DIRECTOR ACTS IN THE INTEREST OF THE SYSTEM, NOT THE MUNICIPALITIES

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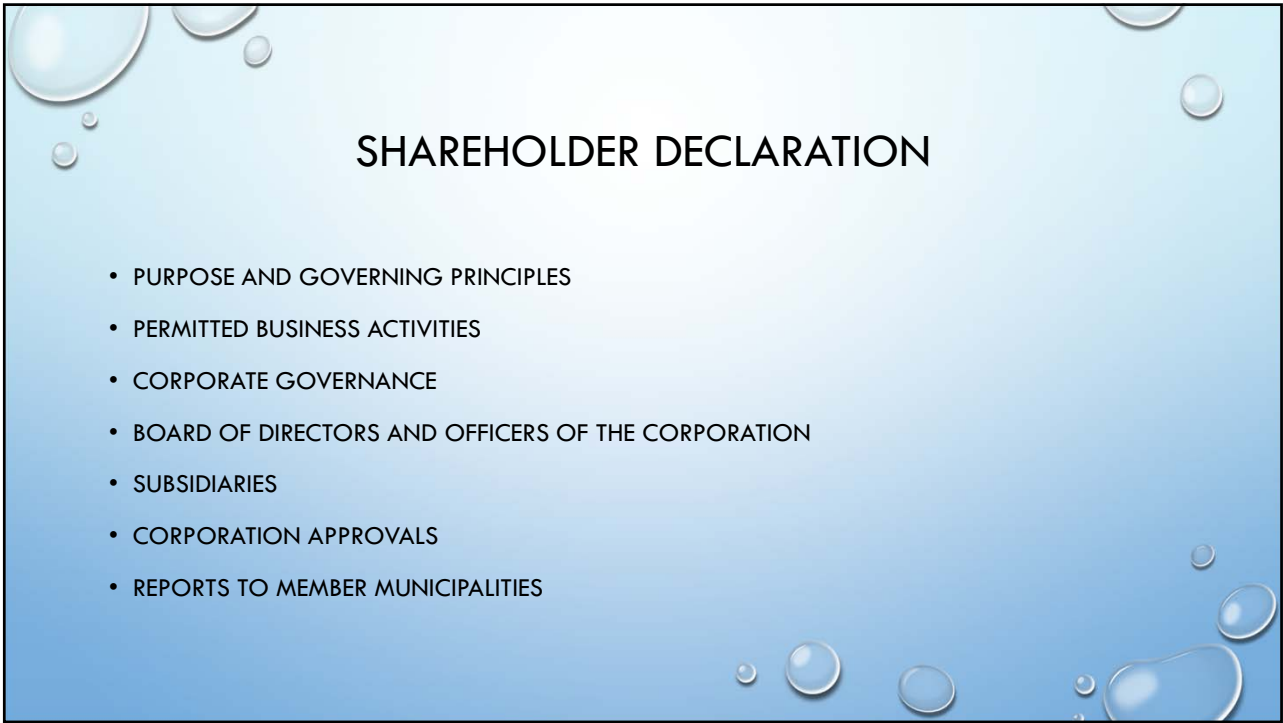
## SHAREHOLDER DECLARATION

SAMPLE OVERVIEW

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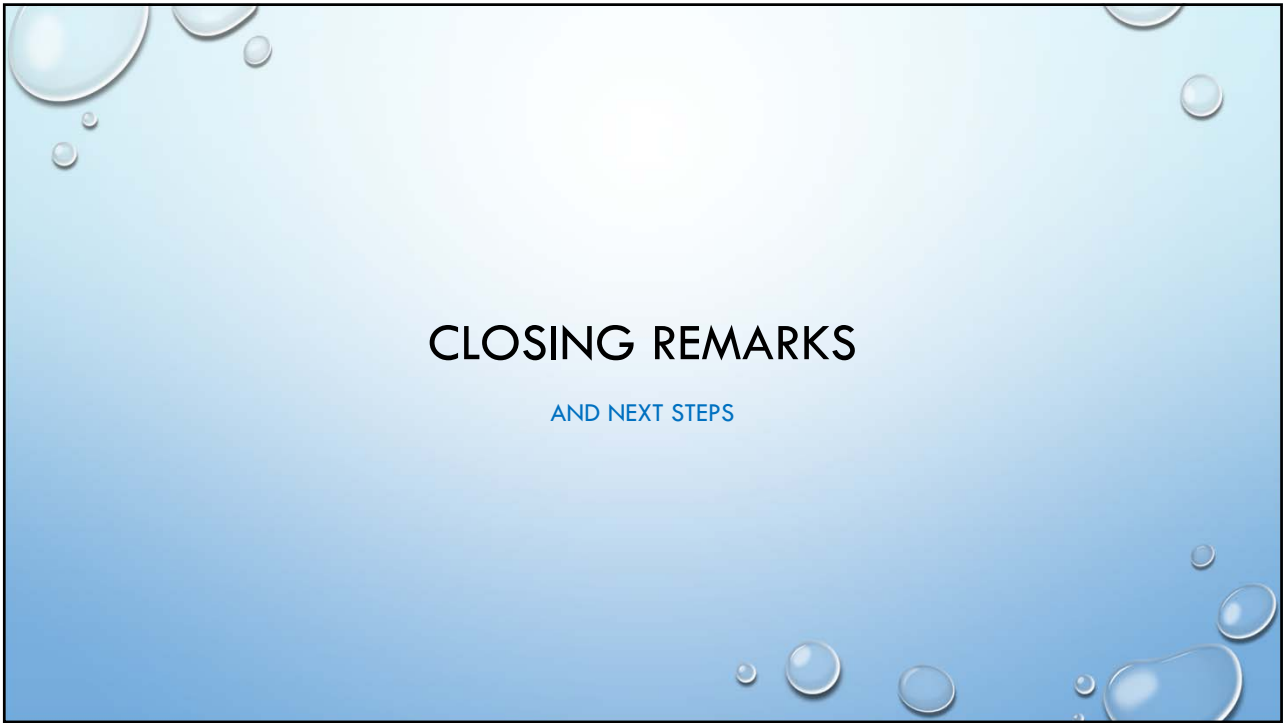
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## NEXT STEPS

- MUNICIPAL SERVICES CORPORATION(S) OR MUNICIPAL SERVICES BOARDS?
- PRESENT RECOMMENDATION TO COUNCILS
- FOR MSC:
  - DEVELOP BUSINESS CASE(S)
  - PUBLIC PARTICIPATION MEETINGS
  - SHAREHOLDER DECLARATION(S)
- FOR MSB:
  - MUNICIPAL SERVICES BOARD AGREEMENTS
- TRANSFER ASSETS AND FINANCES

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## THANK YOU!

FURTHER QUESTIONS AND COMMENTS MAY BE DIRECTED TO:

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519-930-3505 EXT. 1355

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The Ontario Municipal Act  
S.O. 2001, C.25

and

The Boards of Management for the Lake Huron  
and Elgin Area Water Supply Systems

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*A discussion paper related to the legal status of the Boards of Management for the Lake Huron Water Supply System and the Elgin Area Water Supply System and the potential to consolidate the regional water systems under the Municipal Act, 2001.*

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June 2020

Andrew J. Henry, P.Eng.  
Director, Regional Water  
Lake Huron & Elgin Area Water Supply Systems

## Disclaimer

This discussion paper should not be construed as a legal opinion. The information presented in this document is a consolidation of previous related discussions, research and documentation, and is presented as a framework for discussions with the municipalities which benefit from the Lake Huron Water Supply System and the Elgin Area Water Supply System.

Readers are encouraged to seek legal advice where warranted.

FOR DISCUSSION ONLY



## Executive Summary

The Lake Huron Water Supply System and the Elgin Area Water Supply System (collectively the Systems) were each constructed and owned by the Province of Ontario until 2000 when the Minister of the Environment, through Transfer Order issued under the *Municipal Water and Sewage Systems Transfer Act*, 1997, created a Board of Management for each of the systems and transferred ownership to the benefiting municipalities as an undivided share and tenant-in-common. While the Transfer Order implied that the Systems were a corporation (body-corporate), the Order and the enabling Act didn't explicitly state it, leaving the legal status of the Systems in question.

As the legal status of the Systems remains unclear, legal liabilities of the Systems extend directly to the benefiting municipalities and their Councils.

The benefitting municipalities currently hold the Systems' debt on an annual basis, each in proportion to the volume supplied to the respective municipality. Debt incurred by the Systems must be held by the benefiting municipalities, and runs the risk of disproportionately reducing the debt capacity of the municipalities and hindering the municipality's ability to invest in other infrastructure within their municipality.

The *Municipal Act, 2001*, establishes the authority of a municipality to create a Municipal Service Board (sections 194 - 202), or a Municipal Services Corporation (section 203) for the purpose of undertaking activities or services authorized by the municipality. In addition, two or more municipalities may enter into an agreement to create a Joint Municipal Services Board (section 202) or Municipal Services Corporation (section 203) for the purpose of undertaking activities or services collectively authorized by the municipalities. With respect to the two regional Water Systems, there are two general options under the *Municipal Act, 2001* that can be considered: the establishment of a Joint Municipal Services Board, and the establishment of a Municipal Services Corporation.

To address the legal status of the Systems, as well as limiting the financial implications and liabilities to the benefiting municipalities, it is recommended that the municipalities acting collectively consider the establishment of a Municipal Services Corporation under section 203 of the *Municipal Act* to undertake the services currently undertaken by the Systems.

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## Background

In 1997, the Province of Ontario passed the *Municipal Water and Sewage Systems Transfer Act* (“Act”) which enabled the transfer of water and wastewater systems to the benefiting municipality of the water/wastewater system. In cases where a water or wastewater system benefitted more than one municipality, the Act allowed the province to establish a Board of Management for the beneficial and legal ownership of the water or wastewater systems.

In 1998, the City of London and area municipalities were notified by the Minister of the Environment of the Province of Ontario’s intent to transfer the ownership of each of the Lake Huron Water Supply System and the Elgin Area Water Supply System (collectively the “Systems” or “System”) from the province and to establish a Board of Management for the respective regional water system. Between 1998 and 1999, discussions were largely centred on undertaking a review and assessment of the condition of Systems’ assets, and the financial accounting of each System. In 1999, the pre-existing debt of the Systems were transferred to the City of London (in trust) on behalf of the yet-to-be established Board of Management for the respective water System.

In September and November of 2000, the Minister of the Environment issued the respective Transfer Order for the Lake Huron Water Supply System and the Elgin Area Water Supply System. The Transfer Order, in part, established that each of the municipalities connected and supplied by the water System had an undivided interest in the water System, and established the respective Board of Management as the governance body of the respective system.

The Transfer Order included such directives as:

- The initial composition of the Board of Management, the appointment of members and alternate members to the Board by the benefiting municipalities, quorum, and the voting structure of the Board;
- The election of Chair and Vice-Chair of the Board;
- The authority and necessary powers of the Board including but not limited to the delegation of administrative functions, the establishment of annual budgets and system rates;
- The initial establishment of the Corporation of the City of London as the “Administering Municipality” acting on behalf of and under the direction of the Board of Management.

In the following years of operation and governance, the validity and legal status of the Boards of Management have come in question under Canadian law. , despite the *Municipal Water and Sewage Systems Transfer Act* and the Transfer Orders issued by the Province of Ontario. At the core of the discussion is the question as to the legal standing of the Board of Management and the water supply system as a “body-corporate” and its derived authorities within the laws of Ontario and Canada.

### Definition of Body-Corporate (Corporation)

For the purpose of this discussion paper, the term “body-corporate” (commonly referred to as corporation) is generally described as *“an entity (usually a business) having authority under the law to act as a single person distinct from its shareholders who own it and have rights to issue stock and exist indefinitely, a group or succession of persons established in accordance with legal rules into a legal or juristic person that has legal personality distinct from natural persons who make it up, exists indefinitely apart from them, and has the legal powers that its constitution gives it”*. The use of the term corporation in this discussion paper is used broadly and should not be construed as to solely and exclusively suggest a Corporation under the *Ontario Business Corporations Act, 1990* or the *Corporations Act, 1990*.

### Definition of Undivided Interest

For the purpose of this discussion paper, the term “undivided interest” is generally described as a *“claim of ownership of commonly-owned assets or property (as in a corporation, partnership or tenancy-in-common) where each co-owner has unrestricted claim to all the assets or the entire property, but no co-owner has exclusive claim to any single asset or part of the property. Also called undivided share”*.

### The Transfer Orders

The respective Transfer Order for each of the Lake Huron Water Supply System and the Elgin Area Water Supply System (collectively referred to as “Systems”) is the primary document setting out the owners, governance, and authority of each System.

Article 2 of the Transfer Orders issued by the Minister of the Environment states that:

2. *The Joint Board will have full authority and necessary powers, to manage on behalf of the Municipalities, the System including for the purpose of constructing, operating, repairing, and improving the System:*
  - (a) obtaining approvals;*
  - (b) contracting for services;*
  - (c) entering into agreements with individuals, corporations and other governments;*
  - (d) operating bank accounts and other transactions;*
  - (e) approving the annual Operating Budget, and the annual Capital Replacement and Rehabilitation Budget;*
  - (f) setting the System Rate; and,*
  - (g) executing conveyances of any surplus property*

In law, only a natural person or a Corporation can, among other things, enter into agreements/contracts and have a bank account. Although not explicitly stated, the Transfer Orders suggest that the Joint Boards established by the Transfer Order for each of the Systems is a corporation. Notwithstanding the implication of legal status, the vagueness in the Transfer Orders have, on occasion, called into question as to whether the Joint Boards could actually sign agreements, hire employees, hold debt, or have its own bank account rather than simply leveraging the financial capacities of the Corporation of the City of London through implied or explicit arrangement.

The Transfer Orders further establish that each of the benefiting municipalities, including future municipalities when they join the Systems, have an undivided interest in the respective System and that the Joint Board of Management (Water Board) is the governing authority of the Water System. Having an undivided interest in the Water System does not imply that a given municipality has a specified or proportionate share of the rated system capacity, but rather that the capacity of the system is available to all beneficiaries (all the municipalities) without restriction or division.

### The Municipal Act

The *Municipal Act, 2001*, establishes the authority of a municipality to create a local board or a , a Municipal Service Board (sections.194 - 202), or a Municipal Services Corporation (section 203) for the purpose of undertaking activities or services authorized by the municipality. In addition, two or more municipalities may enter into an agreement to create a joint municipal service board (section 202) for the purpose of undertaking activities or services collectively authorized by the municipalities. With respect to the two regional Water Systems, there are two general options under the *Municipal Act, 2001* that can be considered; the establishment of a joint municipal service board under section 202, and the establishment of a Municipal Services Corporation under section 203.

It is important to note that there is no organizational vehicle whereby a Municipality can completely escape ultimate liability in the event of a failure of a municipal drinking water system due to the provisions of the *Safe Drinking Water Act, 2002*. Notwithstanding, the organizational structures available under the *Municipal Act, 2001*, being a joint municipal service board or a Municipal Services Corporation in the case of each of the Lake Huron and Elgin Area Water Systems, would allow the benefiting municipalities to better manage and mitigate the assets and liabilities associated with the undivided interest each municipality has in the respective regional Water System. The use of a joint service board or a Municipal Services Corporation will also better manage the responsibilities and liabilities associated with the ownership, governance, and management of the drinking Water Systems. This includes legal liabilities for actions or inactions by the Joint Municipal Services Board or Municipal Services Corporation and insulate the benefiting municipalities from liabilities of the regional water systems.

The issues related to the goals and objectives, as well as potential advantages and disadvantages, associated with the use of the organizational structures under the *Municipal Act, 2001* are discussed later in this paper.

#### Joint Municipal Service Board (*Municipal Act, 2001* section 202)

Section 196 of the *Municipal Act* gives a municipality the power to create a **Municipal Services Board** that would be authorized to undertake and provide specified services on behalf of that municipality. The Municipal Services Board generally acts as an extension of a department or departments within the municipality. The Municipal Services Board answers directly to its board whose membership is appointed by the Council of the municipality for a specified term.

Although the Municipal Services Board has delegated authority from Council to undertake specific services, the municipal Council continues to have restrictive control over the Municipal Services Board, albeit at an arms-length, and may retain specific approval authorities.

The Municipal Services Board is a corporation that can retain employees, enter into contracts, and have a bank account, unless the Municipal Council specifically provides otherwise when establishing the Municipal Services Board.

Similar to a Municipal Services Board, section 202 of the *Municipal Act* allows two or municipalities to create a **Joint Municipal Services Board** which, similar to a Municipal Services Board has the general authority under section 196 to provide: the name composition, quorum and budgetary process of the board; the eligibility of persons to hold office as board members; the manner of selecting board members; the term of office and remuneration of board members; the number of votes of the board members; the requirement that the board follow rules, procedures and policies established by the municipality; and, the relationship between the municipality and the Board, including their financial and reporting relationship. In addition, different participating municipalities may give control and management of additional municipal services to the same Joint Municipal Services Board.

A Municipal Services Board, or Joint Municipal Services Board, is bound by what a municipality(ies) itself can and cannot do. As determined by the delegation, control and management would be the Municipal Service Board leaving a municipality(ies) limited in the control and management. However, the municipality(ies) continue to assume financial and legal responsibility for the Municipal Service Board and the service.

The enabling agreement between the participating municipalities would specifically identify the service(s) to be provided by the Joint Municipal Services Board, the appointment of members to the governing board, and the specific delegated authorities.

A Joint Municipal Services Board or Municipal Services Board is required to comply with the meeting provisions set out in section 239 of the *Municipal Act, 2001* similar to any local board established under the Act.



### Examples of Joint Municipal Services Boards in Ontario

The following are examples for Joint Municipal Services Boards in Ontario. The list is intended to demonstrate a broad range of services and should not be construed as a complete list of all Boards in Ontario.

Joint Animal Control Municipal Services Board (Town of Coburg, Municipality of Port Hope, Township of Hamilton, Township of Alnwick/Haldimand)

Holland Marsh Drainage System Joint Municipal Services Board (Town of Bradford West Gwillimbury, Township of King)

Severn Sound Environmental Association Joint Municipal Services Board (Township of Tay, Township of Severn, Township of Oro-Medonte, Town of Penetanguishene, Township of Springwater, Township of Georgian Bay, Town of Midland)

Warton Keppel International Airport Joint Municipal Services Board (Township of South Bruce Peninsula, Township of Georgian Bluffs)

### Financial Restrictions

The Order issued by the Province of Ontario allows the existing Board of Management for the respective water supply System to authorize debt, which is obtained by the City of London (in its capacity as Administering Municipality) on behalf of the Water System and its benefiting municipalities. There is no opportunity for a municipality to decline the debenture.

For a Joint Municipal Services Board, all assets and liabilities are jointly held by the participating municipalities. Similar to the current process for the regional water Systems, the assets and liabilities of the Joint Municipal Services Board would be held and reported on the participating municipalities' financial statements which, in turn, would impact their respective debt-carrying capacity.

### Municipal Corporation (*Municipal Act section 203*)

Section 203 of the *Municipal Act* gives a municipality the authority to create a **Municipal Services Corporation** that can be authorized to undertake and provide specified services on behalf of that municipality (or municipalities). Although its creation is authorized under the *Municipal Act, 2001* the Municipal Services Corporation would function in accordance with the Ontario *Business Corporations Act*, or the *Corporations Act* (depending on whether the Municipal Service Corporation is to be a "for-profit" or "not-for-profit") is a corporation, and would operate as an independent arms-length entity from the municipality or municipalities that created it.

The membership of the Board of Directors for the Municipal Services Corporation would be appointed to the Board as outlined under the Shareholders Declaration signed by the municipalities. In doing so, the municipalities would determine in advance as to how members are appointed, including whether the Board members are comprised of appointed elected officials, are skills-based appointees, or a combination thereof.

The Shareholder Declaration signed by the municipalities would specifically identify and/or limit the activities and scope of services of the Municipal Services Corporation, identify reporting requirements to the shareholders (the municipalities), and dividend payments to the shareholders (if any).

In addition to the authority to establish the Municipal Services Corporation, the municipality (or municipalities) may authorize subsidiary corporation(s) responsible for specific aspect of the authorized activities of the Municipal Services Corporation. Municipalities have the ability to further compartmentalize specific risks, assets, liabilities and/or operational activities authorized for the Municipal Services Corporation.

Section 203 of the *Municipal Act, 2001* provides municipalities with the authority to establish corporations, to nominate a person to act as an incorporator, director, officer or member of a corporation, to exercise any power as a member of a corporation, to acquire an interest in or to guarantee such securities issued by a corporation as may be prescribed. Any corporation created shall comply with all requirements as are prescribed. Regulation 599/06 (the "Regulation") also provides municipalities with a broad scope of authority within which to operate. The Regulation provides that a municipality may utilize the authority of section 203 of the *Municipal Act, 2001* only if (i) the municipality establishes the corporation and, (ii) the purpose of the corporation is to provide a system, service or thing that the municipality itself could provide or is authorized by the Regulation.

The Regulation sets out a process, including the development of a business case to support the incorporation as well as a public consultation process prior to the incorporation. Additionally, the municipality must adopt and maintain policies relating to asset transfers to the corporation.

Municipal Service Corporations have the same investment authority as municipalities and can incur debt. A Municipal Services Corporation is not a local board and is not required to have its meetings open to the public under section 239 of the *Municipal Act, 2001*. A Municipal Services Corporation generally has more flexibility in conducting its business whether under the Ontario *Business Corporations Act* or the *Corporations Act*.

A Municipal Services Corporation has the freedom to borrow money independently of the municipality. A Municipal Services Corporation becomes a commercial enterprise that enables it to borrow as any other corporation can, however a financial institution may look to the municipality or municipalities to guarantee the loan.

Councils of the municipalities would establish the criteria and competencies for the board of directors of the Municipal Services Corporation in addition to establishing the broad policies to be followed by the board through a unanimous shareholder's declaration.

Council may designate that the board membership includes one or more elected officials of the municipality(ies). The remaining members of the board could be comprised of individuals having expertise in the water system or other aspects of corporate governance.



The advantages of establishing a Municipal Services Corporation include:

- The establishment of a corporation with a separate board and management permits the Municipalities to involve senior experienced members in the provision of the service, and engage experienced senior management for the corporation, where necessary, to create significant expertise in the intended area of endeavour of the company;
- Separating the functions of a given area to a corporation permits the company to make more expeditious decisions than the Council of a municipality or municipalities;
- The municipalities, as sole shareholder of the corporation, may use a unanimous shareholder's declaration to establish overriding policy to be followed by the board of directors of the corporation and can restrict the board's scope of authority, to the extent desired by the municipalities;
- The Council of the municipalities, as shareholders, will also be responsible for appointing the Board of the corporation, providing additional overall influence on the activities of the corporation;
- A corporation provides limited liability to the Municipalities; A Municipal Service Corporation provides the balance of having, on the one hand, a separate legal entity with a separate board and management to carry out its objectives, while on the other hand, permits a structure to fulfill the Municipalities objectives while allowing for reasonable controls through the use of a unanimous shareholder's declaration.
- The municipalities may also choose to appoint one or more members of Council to the board of the corporation to "have a voice" on the board and to transmit, in an effective manner, approaches deemed appropriate by Council and its senior staff; and,
- A Municipal Services Corporation is entitled to borrow money without impacting the debt capacity of the municipalities. To the extent desired, this may be considered a benefit. The ability to borrow (or limitations on borrowing) may also be controlled by a unanimous shareholder's declaration, as discussed above.

The disadvantages of the Municipalities establishing a Municipal Services Corporation may include:

- The use of a Municipal Services Corporation is tantamount to delegation of authority of Council(s) in the stated areas of endeavour of the corporation. A Municipal Services Corporation would only be utilized where the advantages described above are appropriate in an area to be delegated to the corporation;
- Also, further to the comments above, to the extent that freedom of action is permitted to the corporation and its board, there is, of course, a corresponding reduction in the scope of approvals by Council (although this may be controlled through the use of a unanimous shareholder's declaration, as discussed, as well as the by-laws of the corporation);

- Typically when the corporation is initially established, the municipalities may be required to provide the corporation with seed capital to commence its operations, as well as any assets that it may require to fulfill its functions. In the case of the Lake Huron and Elgin Area Water Systems, there are pre-existing reserve funds established with appropriate balances to fund reasonable capital investments in the water utility.

A Municipal Services Corporation established under section 203 of the *Municipal Act, 2001*, may be incorporated under any corporate statute and becomes subject to the relevant provisions of that corporate statute and general corporate law.

Share capital corporations are generally more advantageous to use than non-share capital corporations, unless the specific attributes of a non-share capital corporation are important to the objectives to be achieved. Share capital corporations are incorporated under modern business corporation acts, such as the Ontario *Business Corporations Act*. The OBCA contains a number of updated provisions that create significant practical advantages in utilizing companies incorporated under it. The practical advantage of using a share capital corporation is that the business community and the lending community are far more familiar with share capital corporations. As a result, business transactions are conducted more easily (although, there is no legal issue in carrying on business through a non-share capital corporation).

#### Examples of Municipal Services Corporations in Ontario

The following are examples for Municipal Services Corporations in Ontario. The list is intended to demonstrate a broad range of services and should not be construed as a complete list of all Boards in Ontario:

**InnServices Utilities Inc.** – This utility was created by the Town of Innisfil in 2015 to deliver water and wastewater services to Innisfil and other municipalities. InnServices is also tasked with building new infrastructure which will generate growth, economic development, and employment to Innisfil.

**Oro-Medonte** – A Municipal Services Corporation was created in 2019 to manage water treatment and distribution, street lighting, municipal tile bed systems, stormwater management ponds, and future infrastructure including water and wastewater systems, urban stormwater, and street lighting.

**EnWin Utilities Ltd.** – A managed services company providing billing, credit, financial and customer service with help desk support on behalf of EnWin Powerlines, Windsor Utilities Commission, MaXess Networkx, and the City of Windsor.

**Windsor Utilities Commission** – Manages and controls the treatment and distribution of water to the City of Windsor and surrounding regions.

EnWin Laboratories & Water Research Centre – This is a commercial laboratory in Essex County accredited and permitted to perform regulatory testing of drinking water.

Bluewater Power Corporation – This is a holding company and parent company to Bluewater Power Distribution Corp and Sarnia Hydro Energy Services. Bluewater Power Corporation is 85% owned by Sarnia Power Corp (owned by the City of Sarnia) and 15% owned by holding companies owned by the Township of Brook-Alviston, the Village of Oils Springs, the Town of Petrolia, the Village of Point Edward, and the Township of Watford. The subsidiary, Bluewater Power Distribution Corp, provides electrical distribution and related services. The subsidiary, Sarnia Hydro Energy Services, provides a wide range of energy products and services to customers.

Horizon Utilities – This is a local electricity distributing company jointly owned by Hamilton Utilities Corp (owned by the City of Hamilton) and St. Catharines Hydro Inc (owned by the City of St. Catharines). In addition to electricity distribution, Horizon Utilities provides billing services for the City of Hamilton for water and wastewater/stormwater usage charges, with rates set by the City of Hamilton. (Note: Horizon Utilities recently merged with Enersource, Hydro One Brampton, and Powerstream and became the second largest municipally-owned electric utility in North America known as Alectra)

#### Financial Restrictions

The Shareholders Declaration, ultimately, determines the financial capacity of the Municipal Services Corporation. In accordance with the Municipal Act the Member Municipalities, as Shareholders, have the ability to determine whether the Municipal Services Corporation can:

- Acquire, hold, dispose of, guarantee and otherwise deal with bonds, debentures, promissory notes, mortgages and similar evidences of indebtedness; and,
- Acquire, hold, dispose of, guarantee and otherwise deal with securities of the corporation

Accordingly, should it be deemed so by the Shareholders Declaration, the Municipal Services Corporation may hold the assets and liabilities of the water treatment and supply system without impacting the debt-carrying capacity of the benefiting municipalities.

#### Financial Considerations

In establishing either a Municipal Services Corporation or a (Joint) Municipal Services Board, benefiting municipalities must consider the entity's ability to:

- Approve budgets and set rates;
- Acquire and hold instruments of indebtedness (bonds, debentures, etc.);
- Acquire and dispose of assets, including real property; and,
- Establish a Development Charge related to the water treatment and transmission system(s) through by-law on behalf of the benefiting municipalities.

The Transfer Order issued by the Province of Ontario established the Boards' ability to approve operating and capital budgets for the water treatment and transmission system, as well as setting the rate (cost per cubic metre of water) charged to the benefiting municipalities. The Transfer Order does not explicitly establish that the Board(s) can approve and implement any other charge, including a charge (or part thereof) under the *Development Charges Act*.

In establishing the Municipal Services Corporation or Municipal Services Board, the benefiting municipalities must be mindful of the entity's ability to reasonably function independently from the collective municipalities and its responsibility to the collective municipalities as its shareholder(s). The ability for a Municipal Services Corporation or Municipal Services Board to obtain approval for a budget and rate on an annual basis, potentially from as many as fifteen municipalities (potentially more in future), can be significantly burdensome from an administrative perspective and may require additional administrative resources and costs to manage on an annual basis. The need for municipal consent and absolute approval versus the independence of the Corporation/Board must be measured and reasonable, and may be better served through a dispute resolution process rather than overt control.

While the assets and financial liabilities can be held by each municipality in proportion to their current supply of water, affecting the financial statements and debt capacity accordingly, it appears that the overarching issue is the ability for the water supply system to significantly and detrimentally impact the financial status of the municipalities collectively with a determination to incur debt for the benefit of the region.

While the use of debt for the regional water systems has been limited to the extent possible, with the judicial use of dedicated reserves when practical, this may not always be the case given the long-term needs of the regional water systems. A unilateral decision of the water system to incur debt, without the consent of the municipalities collectively or individually, can have a lasting impact on the municipalities given their wide-ranging size and financial resource capacity potentially impacting the development and community-building capacity of the municipality.

The use of debt instruments by the regional water systems to date has largely been driven by the lack of available dedicated reserve funds, rather than the balance of fairness and equity in whether an investment is best paid by current or future consumers (rate-based reserves versus future debt payments). This has been motivated by the reluctance to negatively impact the financial standing of the benefiting municipalities and their respective debt capacity. As the need for growth-related investments increases over time, it is more than likely that this will become impossible to avoid. This is particularly true when it comes to addressing significant capacity improvements and expansions for water treatment, water transmission and regional water storage that have the potential to eclipse the debt capacities of many of the municipalities.

Additionally, a Municipal Services Corporation is deemed to be a local board for the purpose of the *Development Charges Act*. In doing so, and if authorized by the municipalities under the Shareholders Declaration, the growth-related capital investments for the regional water system can be appropriately apportioned across the region in accordance with the *Development Charges Act*, rather than solely relying on the rate charged for water consumption and debentures.

## Conceptual Organizational Models for Consideration

There are a number of factors that should be considered when determining the appropriate long-term needs of the regional water system for the benefit of the municipalities. In addressing and reconciling the legal status of the water system, municipalities should also consider the consequential financial implications to the municipalities, as well as the liability as it relates to the contractual capacity of the regional water system and the extension of liability to each of the municipalities and their Councils.

There are three basic conceptual organizational models for the consideration of the benefiting municipalities. Each of these models may, in whole or in part, address the risks and objectives outlined in this paper.

### Option 1: No Change

This option would continue the current arrangement between the benefiting municipalities for the operation of the Water Boards and water supply systems as they have since the issuance of the Transfer Orders. The legal standing of the Water Boards would remain in question and each of the benefiting municipalities would be liable for the actions and activities of the water systems, which may include joint and several liability. In addition, each of the benefiting municipalities would continue to hold a proportion of the water system(s) debt.

### Option 2: Joint Municipal Services Board

**Board Appointment:** At a minimum, the Joint Municipal Services Board would be structured and function nearly identical to the current Board structure. The Members of the Board for each of the two water systems could be appointed by each of the benefiting municipalities and roughly in proportion to their respective water taking. As is the current circumstance, Board Members are not required to be elected officials, and would serve on the Board until a new Member is appointed. This opens the opportunity for the establishment of a skills-based Board, with an established appointment application and approval process, as determined by the benefiting municipalities in the Agreement.

**Responsibilities:** The Board would be responsible for all governance activities and accountable for decisions to the benefit of the regional water system, not any one municipality.

The Joint Municipal Services Board, by definition, is a corporation and has the ability to hire employees should it so desire. The employees could be strictly for management and administration of the regional water system, or could include other functions including activities such as operations, engineering design, and/or maintenance of the water system, as well as support services like Human Resources and finance management.

**Accountability:** The Joint Municipal Services Board would be directly and collectively responsible to the benefiting municipalities of the respective water system. While the Board would be accountable for the governance of the water system and decisions made, the liability of the actions (or inactions) of the Board would extend to each of the municipalities. It is therefore necessary that the reporting requirements be adequate and appropriate to ensure that the collective municipalities can be reasonably assured that risks and liabilities are being suitably managed on behalf of the benefiting municipalities.

**Scope of Services:** The scope of services for the Board and regional water system would be restricted to the treatment and supply of drinking water to each of the benefiting municipalities of the respective water system, including the provision of any necessary support services and activities necessary for that purpose and addressing related regulatory requirements established by jurisdictions governing the operation of the water treatment and transmission system.

In addition, each municipality, at their sole discretion, can individually transfer control and management of related services within their individual jurisdictions. For example, in addition to the general scope related to treatment and supply of drinking water to all municipalities, an individual municipality may transfer the operation of a specific distribution system to the Joint Municipal Services Board, which may or may not include related services such as meter reading and billing services.

**Finances:** As is currently the case, the Board would be authorized to approve annual operating and capital budgets, authorize expenditures, and financial encumbrances including debentures that are necessary for the appropriate operation and administration of the regional water system.



The original Transfer Order for each water system issued by the Province of Ontario authorized the current Board to issue debt on behalf of the water system, without the corresponding approvals and/or consent of the benefiting municipalities. Given the size and complexity of the regional water system, this arrangement should be continued, noting that there is a necessity for restraint on behalf of the Joint Municipal Services Board because of the consequential financial implications of the debt-carrying capacity of the individual municipalities.

### Option 3: Municipal Services Corporation

**Board Appointment:** The Municipal Services Corporation would be structured and operate within the strict provisions of the Shareholder Declaration. The members of the Board of Directors for the Corporation would be appointed through a process defined by the benefiting municipalities. For example, the municipalities could establish a process whereby applicants for vacant Board of Director positions could be reviewed and approved by the benefiting municipalities acting collectively. The Board of Directors for the Corporation could be a skills-based board being comprised of individuals selected on the basis of knowledge and experience that would be beneficial to the governance of the corporation, potentially including elected officials for a select number of seats on the Board.

**Responsibilities:** The Board of Directors for the Corporation would be responsible for all governance activities and accountable for decisions to the benefit of the regional water system, not any one municipality.

The Municipal Services Corporation could hire employees should it so desire. The employees could be strictly for management and administration of the regional water system, or could also include other functions including activities such as operations, engineering design, and/or maintenance of the water system, as well as support services like Human Resources and finance management.

**Accountability:** The Municipal Services Corporation would be responsible to the benefiting municipalities of the respective water system, as the Corporation's shareholders. The Board of Directors would be directly accountable for the governance of the water system and decisions made, retaining the liability of the actions (or inactions) of the Board and acting independently of the benefiting municipalities.

Reporting requirements must be adequate and appropriate included in the Shareholders Declaration to ensure that the collective municipalities can be reasonably assured that risks and liabilities are being suitably managed within the corporation.

**Scope of Service:** The scope of services of the corporation would be strictly defined within the Shareholders Declaration, including the ability of the corporation to form subsidiaries to perform select services within the allowable scope of the Shareholders Declaration.

In addition, each municipality, at their sole discretion, can individually transfer control and management of related services within their individual jurisdictions to the corporation. For example, in addition to the general scope related to treatment and supply of drinking water to all municipalities, an individual municipality may transfer the operation of a specific distribution system to the Municipal Services Corporation, which may or may not include related services such as meter reading and billing services.

The scope of service defined in the Shareholders Declaration could, conceivably, include provisions whereby the municipalities would allow the Municipal Services Corporation to bid on and provide contracted services to municipalities both within and beyond the current service area of the water system. For example, if allowed by the Shareholders Declaration, the Municipal Services Board could respond to and bid on a request for proposals for the operation of a municipal water distribution system. It should be noted that this type of activity can impact the corporation's status as a for-profit or not-for-profit entity.

**Finance:** The Municipal Services Corporation would be authorized to approve annual operating and capital budgets, authorize expenditures, and financial encumbrances including debentures that are necessary for the appropriate operation and administration of the regional water system.

As a legal entity that is separate and distinct from the municipalities, the Municipal Services Corporation could incur debt and would not impact the debt capacity of the shareholders, the municipalities.

### Option 3a: Municipal Services Holding and Subsidiary Corporations

When considering the ongoing relationship between each of the regional water systems, there are a number of variations that could be considered, not the least of which could be the consolidation of the two systems under one Corporation and either:

- The supply of treated drinking water to area municipalities is consolidated under one Municipal Services Corporation, operating within two services area associated with each water treatment plant (Huron and Elgin); or,



- The region maintains two service areas under the control of a respective subsidiary corporation (one for each of Huron and Elgin) that is responsible for governing the operational activities and budget within the area, but the two subsidiary corporations are held by one Holding Corporation that governs and consolidates administration and region-wide coordinated policies.

For the purposes of this paper and simplified discussion, the second variation is presented in its simplest form, recognizing that there are several variants that could also be explored:

**Board Appointment:** The Municipal Services Holding Corporation and the two Subsidiary Corporations would be structured and operate within the strict provisions of the Shareholder Declaration. The members of the Board of Directors for the Subsidiary Corporations would be appointed through a process defined by the benefiting municipalities of that service area (Huron or Elgin). For example, the municipalities could establish a process whereby applicants for vacant Board of Director positions could be reviewed and approved by the benefiting municipalities acting collectively. The Board of Directors for the Subsidiary Corporation could be a skills-based board being comprised of individuals selected on the basis of knowledge and experience that would be beneficial to the governance of the corporation, potentially including elected officials for a select number of seats on the Board.

In turn, each of the Subsidiary Corporations would appoint a Board Chair and Vice-Chair from the appointed Board Members. The Board Chair and Vice-Chair of the two Subsidiary Corporations would be automatically appointed as members of the Board of Directors of the Holding Corporation. To ensure the Board of Directors has the ability to break a tie-vote, it is recommended that a fifth person be directly appointed by the municipalities to the Board of Directors of the Holding Corporation. For example, this could be an executive-level management staff of the City of London such as the City Engineer or City Treasurer.

**Responsibilities:** The Board of Directors for the Subsidiary Corporation would be responsible for all governance activities related to the operation of the water system within the service area, such as the approval of the annual budget and the provision of oversight responsibilities related to compliance with applicable legislation for the operation of the drinking water system. Additionally, the Board of Directors for the Subsidiary Corporations are accountable for decisions to the benefit of the regional water system, not any one municipality within the service area.

The Municipal Services Holding Corporation could hire employees should it so desire. The employees could be strictly for management and administration of the regional water systems as a whole, including administrative functions for the Subsidiary Corporations, and could also include other functions including activities such as operations, engineering design, and/or maintenance of the water system, as well as support services like Human Resources and finance management.

**Accountability:** The Municipal Services Subsidiary Corporations would be responsible to the benefiting municipalities of the respective water system, as the Corporation's shareholders. The Holding Corporation would be responsible to the all benefiting municipalities within the region. The Board of Directors of the corporations would be directly accountable for the governance of the water system and decisions made, retaining the liability of the actions (or inactions) of the Board and acting independently of the benefiting municipalities.

Reporting requirements must be adequate and appropriate included in the Shareholders Declaration to ensure that the collective municipalities can be reasonably assured that risks and liabilities are being suitably managed within the corporation.

**Scope of Service:** The scope of services of the corporations would be strictly defined within the Shareholders Declaration, including the ability of the Holding Corporation to form further subsidiaries to perform select services within the allowable scope of the Shareholders Declaration.

Similar to the option 3 noted above, each municipality, at their sole discretion, can individually transfer control and management of related services within their individual jurisdictions to the subsidiary or holding corporation.

**Finance:** The Subsidiary Corporations would be authorized to approve annual operating and capital budgets, with the finances consolidated to the Holding Corporation. Debt instruments would be held by the Holding Corporation, along with the consolidated assets, including debentures that are necessary for the appropriate operation and administration of the regional water systems.

As a legal entity that is separate and distinct from the municipalities, the Municipal Services Holding Corporation could incur debt and would not impact the debt capacity of the shareholders, the municipalities.

## Recommended Process

In order to fully address the legal status of the Lake Huron and Elgin Area Water Systems, as well as mitigate the financial impacts and liabilities to the benefiting municipalities, it is recommended that the municipalities consider the formation of a Municipal Services Corporation.

In order to pursue this further, the municipalities must undertake the development of a business case for the Municipal Services Corporation and hold public participation meetings to solicit comments and considerations from stakeholders. In the development of the business case municipalities should, among other things, specifically address:

- The scope of service or services that would be allowable and defined a Shareholders Declaration, including any restrictions and limitations deemed appropriate. At the very least, the scope of service should be the treatment and transmission of drinking water to benefiting municipalities of the corporation, including any necessary actions required by legislation to undertake the scope of service (e.g. source protection);
- The ability of the corporation to hire employees; and,
- The ability of the corporation to hold debt;

In addition, consideration should be given regarding the relationship between the Lake Huron Water Supply System and the Elgin Area Water Supply System. Consolidation of the two regional water systems under one corporation, maintain separate corporations for each system, or the utilization of holding and subsidiary corporations will have specific implications on the financial capacity of the water systems collectively and individually, as well as the administration and management of the systems.

The development of the business case(s) and undertaking public participation meetings could be assumed by the Lake Huron and Elgin Area Water Systems if requested by the benefiting municipalities. By undertaking and coordinating the development of business case(s) and public meetings through the regional water systems, a coordinated effort can be managed to ensure that all municipalities are fairly represented and comments and concerns addressed at a regional level.

## References

**Municipal Act, 2001**, S.O. 2001, c. 25

<https://www.ontario.ca/laws/statute/01m25>

**O. Reg. 599/06: MUNICIPAL SERVICES CORPORATIONS**

<https://www.ontario.ca/laws/regulation/060599>

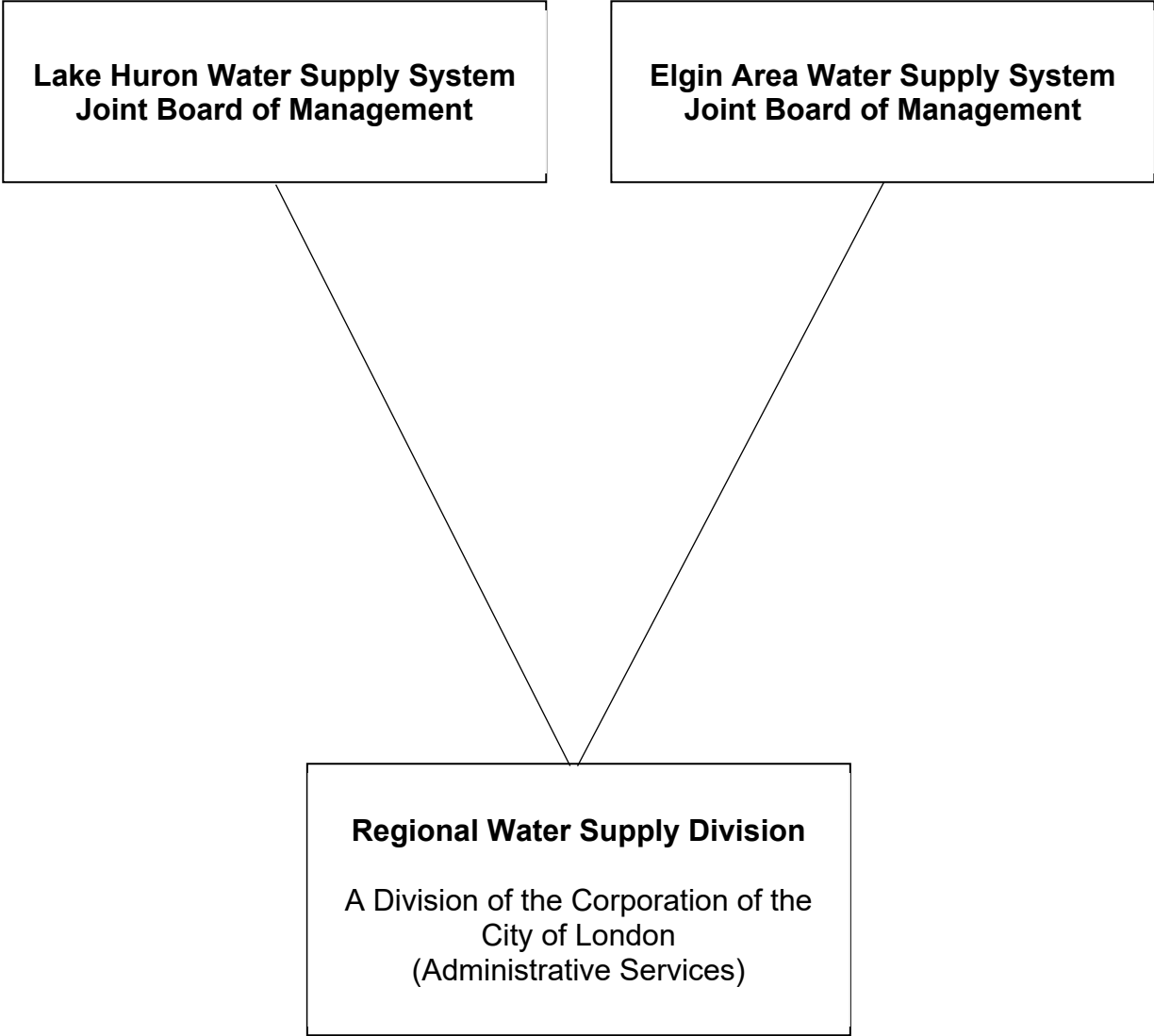
**Municipal Water and Sewage Transfer Act**, 1997, S.O. 1997, c. 6, Sched. A

<https://www.ontario.ca/laws/statute/97m06>

FOR DISCUSSION ONLY

Existing Structure

(Transfer Order: *Municipal Water & Sewage Systems Transfer Act, 1998*)



**Water Supply System:**

- Each benefiting municipality has an undivided beneficial ownership (as tenant in common)
- Assets held IN TRUST by the City of London, in its capacity as Administering Municipality per Transfer Order

**Board of Management:**

- Members (and Alternate Members) appointed by benefiting municipalities
- Governing authority over water system
- Authority to:
  - Obtain approvals
  - Contracting for services
  - Entering into agreements with individuals, corporations and other governments
  - Operating bank accounts and other transactions
  - Approving the annual operating budget and capital budget
  - Setting the rate for water charged to benefiting municipalities
- May delegate specific administrative functions to another party

**Legal Status:**

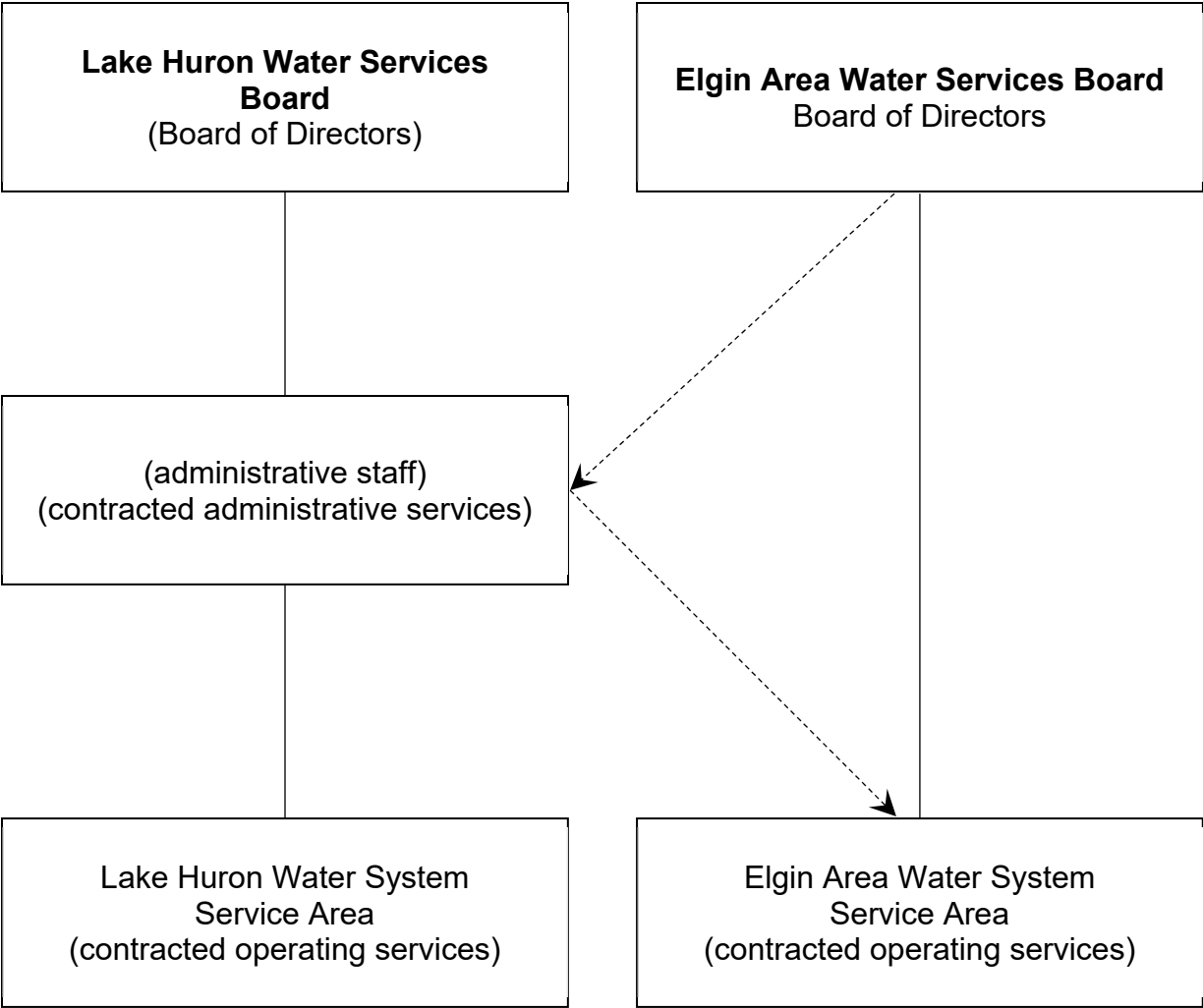
- Unclear; Transfer Order implies “body-corporate” status but is not legally clear
- Appears that it may be considered a Local Board, by definition, under the *Municipal Act* (note: a Local Board is a body-corporate) but is not explicitly clear

**Administration:**

- Corporation of the City of London designated as the “Administering Municipality” on behalf of the municipalities and the Joint Board
- Maintain accounts, budgets, etc. for the benefit of the water system which are separate from the Corporation
  - Keeping books, records and accounts
  - Liaison with MOECC on matters of compliance
  - Liaison with Operating Authority (currently the Ontario Clean Water Agency)
  - Negotiating agreements, subject to the approval of the Board
  - Preparing capital and operating budgets
  - Preparing rates
  - Billing and receiving payments
  - Making payments
  - Raising capital financing
  - Preparing and keeping minutes of Board meetings
  - Holding reserve funds
  - Operating bank accounts
  - Making day-to-day operation and maintenance decisions
  - Other such functions as determine and approved by the Board
- Regional Water Supply Division created to administer the system. Secondment of staff by arrangement, not explicit signed agreement.
  - Services purchased from the Corporation of the City of London and other third-party vendors
  - Acts as the administrative authority and oversees all aspects of the water system, reporting to and under the direction of the Board(s)
- Debts/liabilities currently held by each municipality in proportion to their annual supplied water volumes

Proposed Structure (Option #2 – Separated Services Boards by Service Area)

(Municipal Act, Sections 194-202 “Joint Municipal Services Board”)



**Water Supply System:**

- Each benefiting municipality has an undivided beneficial ownership of the respective Municipal Services Board
- Assets held by the respective Municipal Services Board or collectively by the respective municipalities
- Debts/liabilities held by the respective municipalities
- Legal and other risks insulated by the Corporation

**Board of Directors:**

- Skills-based Board of Directors appointed by (benefiting municipalities?) through established process
- Governing authority over water system
- Authority to:
  - Obtain approvals
  - Contracting for services
  - Entering into agreements with individuals, corporations and other governments
  - Operating bank accounts and other transactions
  - Approving the annual operating budget and capital budget
  - Setting the rate for water charged to benefiting municipalities for each Service Area

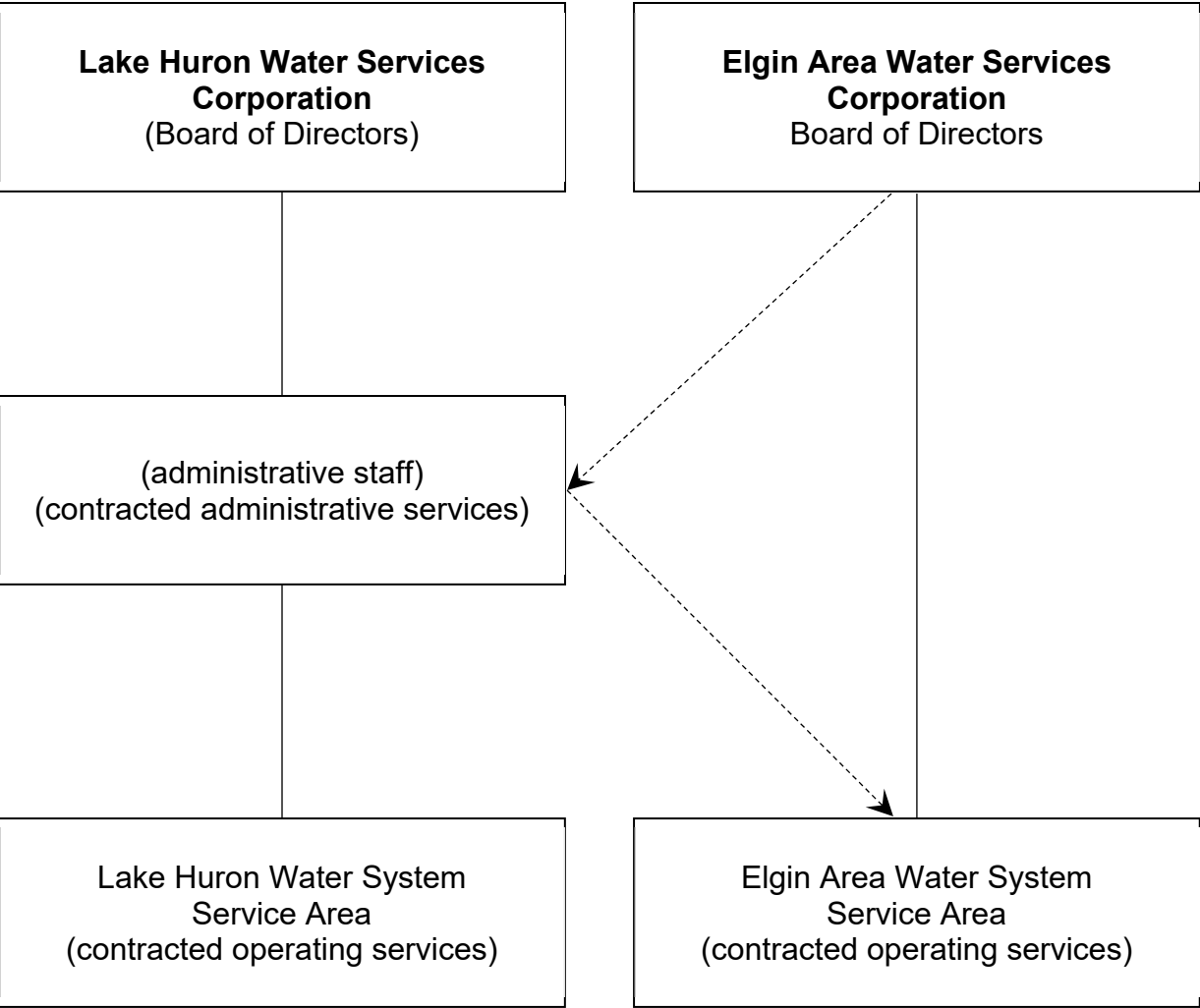
**Legal Status:**

- A “body-corporate” (corporation)

**Administration:**

- Staff of one of the Municipal Services Board, contracted to provide service to the other Municipal Services Board
  - Alternatively, staff provided by a municipality (“employer” per Employment Standards Act) but seconded and reports to both Municipal Services Boards (“employer/s” per Labour Relations Act)
- Maintain accounts, budgets, etc.
  - Keeping books, records and accounts
  - Liaison with MECP on matters of compliance
  - Liaison with Operating Authority (currently the Ontario Clean Water Agency)
  - Negotiating agreements, subject to the approval of the Board
  - Preparing capital and operating budgets
  - Preparing rates for each Service Area
  - Billing and receiving payments
  - Making payments
  - Raising capital financing
  - Preparing and keeping minutes of Board meetings
  - Holding reserve funds
  - Operating bank accounts
  - Making day-to-day operation and maintenance decisions
  - Other such functions as determine and approved by the Board

**Proposed Structure (Option #3 – Separated Corporations by Service Area)**  
(Municipal Act, Section 203 “Municipal Services Corporation”)



**Water Supply System:**

- Each benefiting municipality has an undivided beneficial ownership of the respective Municipal Services
- Assets held by the respective Municipal Services Corporation
- Debts/liabilities held by the respective Municipal Services Corporation
- Legal and other risks insulated by the Corporation

**Board of Directors:**

- Skills-based Board of Directors appointed by (benefiting municipalities?) through established process
- Governing authority over water system
- Authority to:
  - Obtain approvals
  - Contracting for services
  - Entering into agreements with individuals, corporations and other governments
  - Operating bank accounts and other transactions
  - Approving the annual operating budget and capital budget
  - Setting the rate for water charged to benefiting municipalities for each Service Area

**Legal Status:**

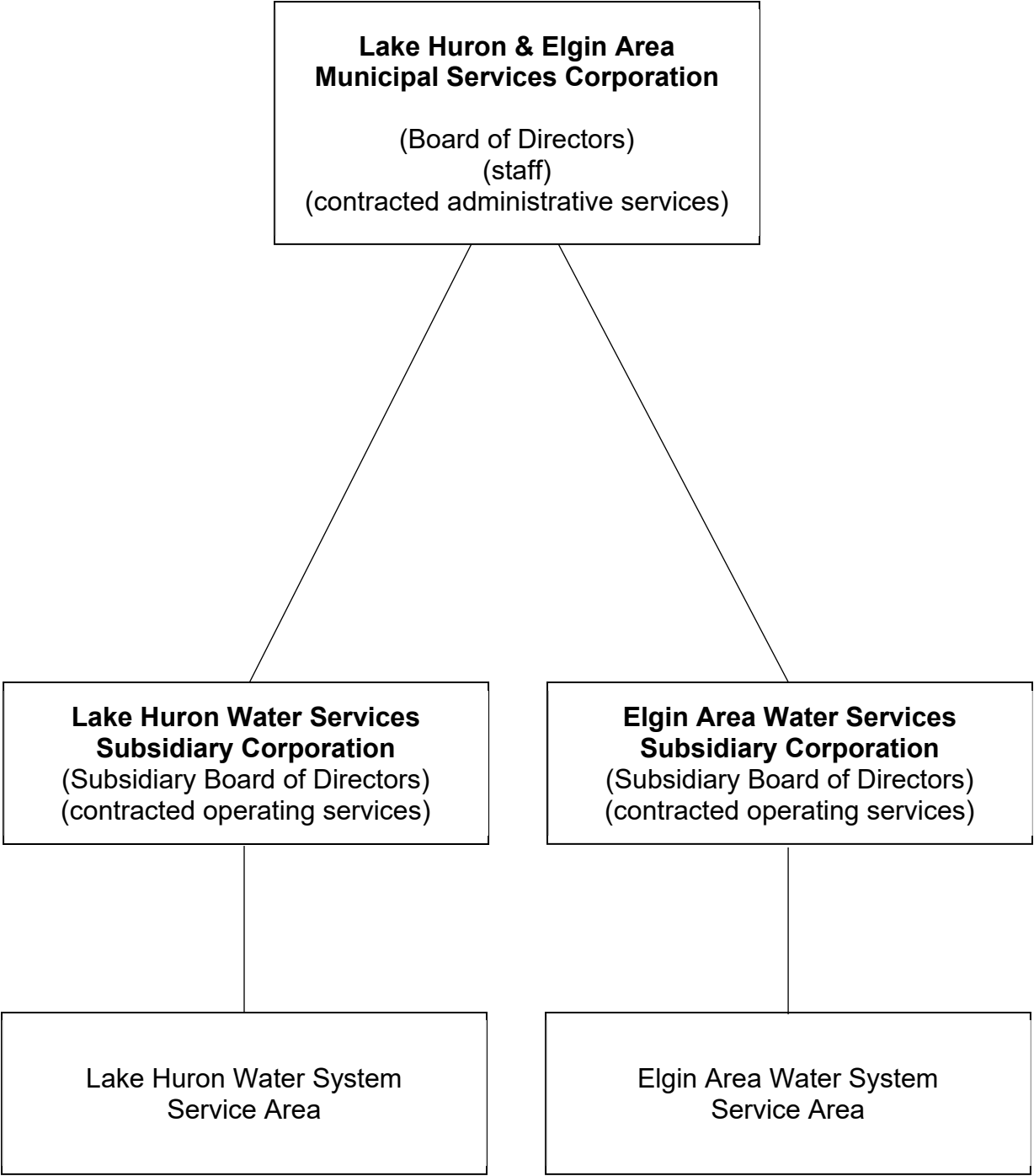
- A Corporation under the OBCA or CA

**Administration:**

- Staff of one of the Municipal Services Corporation, contracted to provide service to the other Municipal Services Corporation
- Maintain accounts, budgets, etc.
  - Keeping books, records and accounts
  - Liaison with MECP on matters of compliance
  - Liaison with Operating Authority (currently the Ontario Clean Water Agency)
  - Negotiating agreements, subject to the approval of the Board
  - Preparing capital and operating budgets
  - Preparing rates for each Service Area
  - Billing and receiving payments
  - Making payments
  - Raising capital financing
  - Preparing and keeping minutes of Board meetings
  - Holding reserve funds
  - Operating bank accounts
  - Making day-to-day operation and maintenance decisions
  - Other such functions as determine and approved by the Board

Proposed Structure (Option #3a – Consolidated “Holding Corporation” with Subsidiary Corporations)

(Municipal Act, Section 203 “Municipal Services Corporation”)



Water Supply System:

- Each benefiting municipality has an undivided beneficial ownership of the Municipal Services Corporation and the applicable Subsidiary Municipal Services Corporation
- Assets held by the Municipal Services Corporation or Subsidiary Municipal Services Corporations
- Debts/liabilities held by the Municipal Services Corporation or Subsidiary Municipal Services Corporation
- Area rates and area-specific governance by Subsidiary Board
- Legal and other risks insulated by the Corporation

Board of Directors:

- Skills-based Board of Directors appointed by (benefiting municipalities?) through established process
- Governing authority over water system
- Authority to:
  - Obtain approvals
  - Contracting for services
  - Entering into agreements with individuals, corporations and other governments
  - Operating bank accounts and other transactions
  - Approving the annual operating budget and capital budget
  - Setting the rate for water charged to benefiting municipalities for each Service Area

Legal Status:

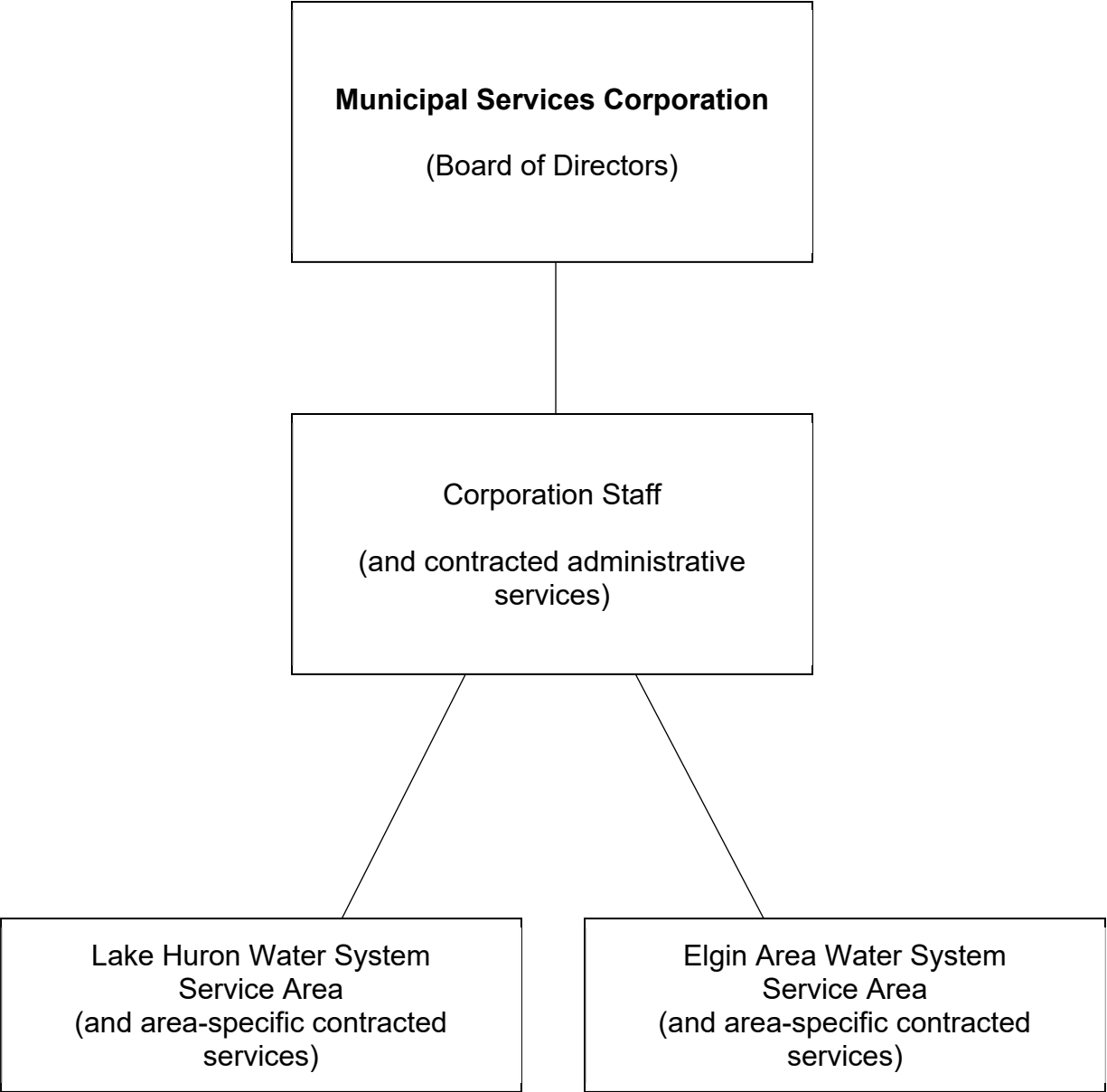
- A Corporation under the OBCA or CA

Administration:

- Staff of the Municipal Services Corporation
- Maintain accounts, budgets, etc.
  - Keeping books, records and accounts
  - Liaison with MECP on matters of compliance
  - Liaison with Operating Authority (currently the Ontario Clean Water Agency)
  - Negotiating agreements, subject to the approval of the Board
  - Preparing capital and operating budgets
  - Preparing rates for each Service Area
  - Billing and receiving payments
  - Making payments
  - Raising capital financing
  - Preparing and keeping minutes of Board meetings
  - Holding reserve funds
  - Operating bank accounts
  - Making day-to-day operation and maintenance decisions
  - Other such functions as determine and approved by the Board



**Proposed Structure (Option #3b – Consolidated Corporation)**  
(Municipal Act, Section 203 “Municipal Services Corporation”)



**Water Supply System:**

- Each benefiting municipality has an undivided beneficial ownership of the Corporation. Alternatively, a holding corp. can be established for each of Huron and Elgin areas (proportionate shared municipal ownership) which in turn owns a proportionate share of the consolidated Corporation
- Assets held by the Municipal Services Corporation
- Debts/liabilities held by the Municipal Services Corporation
- Legal and other risks insulated by the Corporation

**Board of Directors:**

- Skills-based Board of Directors appointed by (benefiting municipalities?) through established process
- Governing authority over water system
- Authority to:
  - Obtain approvals
  - Contracting for services
  - Entering into agreements with individuals, corporations and other governments
  - Operating bank accounts and other transactions
  - Approving the annual operating budget and capital budget
  - Setting the rate for water charged to benefiting municipalities for each Service Area

**Legal Status:**

- A Corporation under the OBCA or CA

**Administration:**

- Staff of the Municipal Services Corporation
- Maintain accounts, budgets, etc.
  - Keeping books, records and accounts
  - Liaison with MECP on matters of compliance
  - Liaison with Operating Authority (currently the Ontario Clean Water Agency)
  - Negotiating agreements, subject to the approval of the Board
  - Preparing capital and operating budgets
  - Preparing rates for each Service Area
  - Billing and receiving payments
  - Making payments
  - Raising capital financing
  - Preparing and keeping minutes of Board meetings
  - Holding reserve funds
  - Operating bank accounts
  - Making day-to-day operation and maintenance decisions
  - Other such functions as determine and approved by the Board

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**SHAREHOLDER DECLARATION**

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**MEMBER MUNICIPALITIES OF CITY OF LONDON, MUNICIPALITY OF BLUEWATER,  
MUNICIPALITY OF LAMBTON SHORES, TOWNSHIP OF LUCAN BIDDULPH, MUNICIPALITY OF  
MIDDLESEX CENTRE, MUNICIPALITY OF NORTH MIDDLESEX, MUNICIPALITY OF SOUTH  
HURON, AND MUNICIPALITY OF STRATHROY CARADOC**  
(the “Member Municipalities”)

- and -

● **CORPORATION**  
(the “Corporation”)

Dated as of ●, 2020

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**THE CORPORATION OF ●****SHAREHOLDER DECLARATION****RECITALS:**

1. Lake Huron Primary Water Supply System (the “LHPWSS”) is owned by a Board of Management that governs the drinking water system;
2. The Board of Management is made up of members appointed from each of the eight (8) member municipalities that are currently supplied with water from the LHPWSS;
3. The eight Member Municipalities constituting the Board of Management includes the: City of London, Municipality of Bluewater, Municipality of Lambton Shores, Township of Lucan Biddulph, Municipality of Middlesex Centre, Municipality of North Middlesex, Municipality of South Huron, and Municipality of Strathroy Caradoc;
4. The City of London acts as the Administering Municipality. The City of London provides associated administrative and management services on behalf of the Board. The Board of Management currently utilizes the services of an independent contracted Operating Authority;
5. The entry into and the exercise of powers of the Member Municipalities under this Shareholder Declaration is considered necessary to provide guidance to the Corporation Board on the Corporation’s activities and on the management and supervision of the LHPWSS;
6. The LHPWSS are wholly-owned by the Member Municipalities;
7. The LHPWSS is responsible for the treatment and transmission of drinking water to the Member Municipalities in southwestern Ontario. Approximately 375,000 persons are provided water through the LHPWSS. Water is provided in bulk wholesale to the Member Municipalities who are then responsible for distribution to its customers.
8. The assets associated with the LHPWSS includes the: water treatment plant; residuals management facility; water pumping stations; numerous in-ground storage reservoirs; several monitoring stations and approximately 151 kilometres of water transmission pipelines.
9. LHPWSS was incorporated under *insert incorporation details*;
10. This Shareholder Declaration sets out, amongst other matters, the requirements of the Member Municipalities relating to the governance and other fundamental principles and policies of the Corporation;

11. A fundamental principle of this Shareholder Declaration is that any change in the scope of activities or role of the Corporation shall not impact the business activities, role and governance structure of the Corporation.

1. **Definitions and Interpretation**

- 1.1 Wherever used in this Shareholder Declaration, the following terms shall have these respective meanings:

**“Board”** means the board of directors of a corporation;

**“Book Value”** means the book value of the applicable corporation and its direct subsidiaries on a consolidated basis as at the end of its last completed financial year as shown in its audited financial statements;

**“Business Day”** means any day other than a Saturday, Sunday or a statutory holiday in the Province of Ontario;

**“CEO”** means the chief executive officer of a corporation;

**“Chair”** means the chair of the Board of a corporation;

**“Member Municipalities”** has the meaning ascribed thereto in the Recitals;

**“Council”** means the elected Council of each of the Member Municipalities and, where appropriate, in its capa Member Municipalities as the governing body of each Member Municipalities, as shareholder of the Corporation;

**“Corporation”** has the meaning ascribed thereto in the Recitals;

**“Corporation Board”** means the Board of the Corporation;

**“Corporation Business Plan”** has the meaning ascribed thereto in Section 10;

**“Governmental Authority”** means any federal, provincial, or municipal government, parliament or legislature, or any regulatory authority, agency, tribunal, commission, board or department of any such government, parliament or legislature, or any court or other law, regulation or rule making entity, having jurisdiction in the relevant circumstances, including the Local Planning Appeal Tribunal, Environmental Review Tribunal, and any Person acting under the authority of any Governmental Authority;

**“IFRS”** when used in respect of accounting terms or accounting determinations relating to a Person, means International Financial Reporting Standards in effect from time to time in Canada, being those accounting standards set forth in the CPA Canada Handbook, published by the Chartered Professional Accountants of Canada. These standards may be amended, varied, added to or replaced and adopted or required to have been adopted by the Person.

**“Laws”** means:

- (a) applicable Canadian federal, provincial or municipal laws, orders-in council, by-laws, codes, rules, policies, regulations and statutes;
- (b) applicable orders, decisions, codes, judgments, injunctions, decrees, awards and writs of any court, tribunal, arbitrator, Governmental Authority or other Person having jurisdiction;
- (c) applicable rulings and conditions of any licence, permit, certificate, registration, authorization, consent and approval issued by a Governmental Authority; and
- (d) any requirements under or prescribed by applicable common law;

**“LHPWWS”** means the Lake Huron Primary Water Supply System that is owned by the Board of Management that consists of the eight Municipal Members.

**“MIFRS”** when used in respect of accounting terms or accounting determinations relating to a Person, means Modified International Financial Reporting Standards and is the required reporting standard for several regulated entities;

**“MFIPPA”** means the *Municipal Freedom of Information and Protection of Privacy Act* (Ontario), R.S.O. 1990, c. M-56;

**“Municipal Act”** means the *Municipal Act, 2001*, S.O. 2001, c.25 as may be amended or replaced from time to time;

**“Municipal Member”** means a member of Council of any of the Member Municipalities;

**“Net Income”** means the net income after taxes or payments in lieu of taxes as determined in accordance with IFRS, subject to any regulatory adjustments in accordance with the foregoing;

**“Nominating Committee”** means a committee established by the Corporation for the purpose set out in Section 12(a);

**“OBCA”** means the *Business Corporations Act* (Ontario), R.S.O. 1990, c. B-16;

**“Person”** means a natural person, firm, trust, partnership, limited partnership, company or corporation (with or without share capital), joint venture, sole proprietorship, governmental or regulatory authority or other entity of any kind;

**“Private Director”** means a member of a Board who is not a Municipal Member or an employee of, or consultant to, any of the Member Municipalities or any agency, board or commission of, or corporation established by any one of the Member Municipalities;

**“Shareholder”** means the Member Municipalities;

**“Shareholder Declaration”** means this shareholder declaration;

**“Shareholder Representative”** has the meaning ascribed thereto in Section 8.1;

**“Subsidiary”** means any subsidiary body corporate (as defined in the OBCA) of a Person which, for greater certainty, in respect of the Corporation, includes LHPWSS;

**“Subsidiary Board”** means the Board of any Subsidiary of the Corporation including the LHPWSS; and

**“Subsidiary Business Plan”** has the meaning ascribed thereto in Section 11.2.

- 1.2 Schedules - The following schedules form a part of this Shareholder Declaration and are incorporated by reference:

Schedule “A”	Excerpts from Canadian Securities Administrators (CSA) Corporate Governance Guidelines
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- 1.3 Headings and Table of Contents - The inclusion of headings and a table of contents in this Shareholder Declaration are for convenience of reference only and shall not affect the construction or interpretation of this Shareholder Declaration.

- 1.4 Number and Gender - In this Shareholder Declaration, unless the context otherwise requires, words importing the singular include the plural and vice versa and words importing gender include all genders.

- 1.5 Laws - All references to statutes or Laws contained in this Shareholder Declaration means those statutes or Laws in effect from time to time, and all amendments thereto or any re-enactment thereof or replacement statutes.

## 2. **Purpose and Governing Principles**

### 2.1 Purposes

- (a) This Shareholder Declaration sets out the requirements of the Member Municipalities relating to governance and other fundamental and necessary matters relating to the ownership of the Corporation and the powers necessary to acquire, hold, dispose of and otherwise deal with the shares thereof and perform other activities as permitted by applicable Laws. Except as provided in Section 17, this Shareholder Declaration is not intended to constitute a unanimous shareholder declaration under the OBCA or to formally restrict the exercise of the powers of the Corporation Board.

- 2.2 Overarching Principles - The following principles shall apply to this Shareholder Declaration:

- (a) A Shareholder Declaration should foster and reinforce a collaborative relationship and shared values among all parties and recognize that the interface between the Member Municipalities, which is governed by applicable Laws including but not limited to the OBCA and requires mutual respect, understanding and flexibility and regular communication between the Corporation and the Member Municipalities. Such communication should take place whether or not such activities would require the approval of the Corporation or the Member Municipalities pursuant to Section 17 and the activities of the Member Municipalities relating to conservation, consumption, efficiency and environmental sustainability and shall be a fundamental aspect of such relationship.
- (b) Subject to anything contained herein, decision-making authority should be assigned to the Corporation Board.
- (c) The authority of a Board as described pursuant to this Shareholder Declaration will be accompanied by clearly articulated reporting and approval requirements as set out in this Shareholder Declaration to ensure transparency, accountability and recognition of the role of Council as the sole shareholder over the Corporation.
- (d) The provisions of this Shareholder Declaration should be interpreted so as to facilitate communication between the Member Municipalities and the Corporation.
- (e) The principles of director independence and skills-based boards shall be the overriding principle in the interpretation of this Shareholder Declaration but consistent with the policies of the Member Municipalities publicly adopted and agreed upon from time to time with respect to the Corporation. The unique overlapping community interests and professional capabilities of the “family of companies” - including the Member Municipalities - are important components of an integrated and coordinated approach to excellence in asset management.
- (f) Shareholder return and benefits will be measured by several metrics, including but not limited to, dividends. In general, a long term, strategic view will be applied to the measure of shareholder return and communicated in writing to the Corporation Board.
- (g) It is recognized that the Corporation and any Subsidiaries are operated on a “for-profit” basis, operate in a competitive environment, and are required to pay taxes or payments in lieu of under applicable Laws.
- (h) The Corporation shall work towards contributing to the building of community capacities, community pride and overall community well-being, each of which should be key drivers to this Shareholder Declaration.
- (i) The values of the Corporation shall include:



- (i) Sustainable – be financially, environmentally, socially and physically sustainable;
- (ii) Inclusive – provide access to bulk drinking water for current and prospective Municipal Members in accordance with the policies of the Corporation;
- (iii) Fair and equitable – balance the interests of each individual Municipal Member with the best interests of all Municipal Members;
- (iv) Vigilant – ensure and equitable supply of safe and reasonably priced drinking water is available to all Municipal Members;
- (v) Innovative – be receptive to an supportive of new ideas and opportunities for improvement;
- (vi) Cooperative – be supportive to the needs of the LHPWSS;
- (vii) Open and transparent – conduct business in a manner that enables the Member Municipalities and the public to review and provide input into major decisions where and when appropriate; and,
- (viii) Public Ownership – retain ownership of the water system in public hands.

2.3 Carrying out of Shareholder Declaration- The Member Municipalities and the Corporation will at all times carry out and cause any corporation in respect of which they are the sole shareholder to carry out the provisions of this Shareholder Declaration. The Member Municipalities and the Corporation will be bound by the provisions of this Shareholder Declaration to the full extent that they have the capacities and power at law to do so. The Member Municipalities and the Corporation shall cause each Subsidiary to take (or to not take, as the case may be) all such actions to the extent necessary or desirable to ensure that the provisions of this Shareholder Declaration are fully complied with in all respects.

### 3. **Permitted Business Activities**

3.1 As Permitted by Laws - Subject to the restrictions in Section 13: (i) the Corporation shall serve as a holding corporation to hold the shares of corporations that are established by or on behalf of the Member Municipalities or the Corporation from time to time under applicable Laws and perform other activities as permitted by applicable Laws; and (ii) any Subsidiaries may engage in the business activities that are permitted by applicable Laws, and as the Corporation Board may determine consistent with Subsection 3.2

3.2 Specific Activities - As at the date hereof, and subject to a different intention being expressed by the Member Municipalities, the Corporation and any of its Subsidiaries may engage in any business activities as may be permitted by applicable Laws including, without limitation, the applicable legislation and the Municipal Act.

#### 4. **Corporate Governance**

- 4.1 Corporation Directors' Duties - As required by the OBCA, the Corporation Board shall supervise the management of the business and affairs of the Corporation, and, in so doing, shall act honestly and in good faith with a view to the best interests of the Corporation and shall exercise the same degree of care, diligence and skill that a reasonably prudent Person would exercise in comparable circumstances.
- 4.2 Standards of Governance - In addition to the foregoing in Section 4.1, the Corporation Board shall observe substantially the same standards of corporate governance as may be established from time to time by the Canadian Securities Administrators or any other applicable regulatory or governmental authority in Canada for publicly traded corporations with such modifications as may be necessary to reflect the fact that the Corporation and any Subsidiary are not publicly traded corporations the standards observed shall include but not be limited to the *Municipal Conflict of Interest Act*, R.S.O. 1990, c. M. 50 as may be amended or replaced from time to time. An excerpt of Canadian Securities Administrators National Policy 58-201 Corporate Governance Guidelines as currently in effect is attached to this Shareholder Declaration as Schedule "A".

#### 5. **Board of Directors and Officers of the Corporation**

- 5.1 Qualifications of Private Directors - In addition to sound judgement and personal integrity, the qualifications of candidates for the Corporation Board may include:
- (a) awareness of public policy issues related to the Corporation;
  - (b) relevant business expertise and industry knowledge;
  - (c) regulated industry knowledge including, but not limited to, knowledge of municipal water systems;
  - (d) experience on boards of significant commercial corporations;
  - (e) financial, legal, accounting and/or marketing experience;
  - (f) expertise in the operation of drinking water supply systems; and
  - (g) knowledge and experience with risk management strategy.
- 5.2 Residency - Preference may be given to qualified candidates for the Corporation Board who are residents of the Member Municipalities, however non-residents of the Member Municipalities shall not be excluded from serving as members of the Corporation Board.
- 5.3 Number and Nomination Directors - The Corporation Board shall consist **nine (9)** directors to be appointed by the Member Municipalities.

- 5.4 Composition of the Corporation Board - Unless otherwise determined by the Member Municipalities in its sole and absolute discretion, the Corporation Board shall consist of four (4) Municipal Members, and five (5) Private Directors. The chief executive officer, chief operating officer, president or general manager, as the case may be, of the Corporation shall not be eligible to serve as a director on, nor chair of, the Corporation Board or any other Subsidiary.
- 5.5 Chair of Corporation - The Chair of the Corporation Board shall be determined by a majority vote of the members of the Corporation Board.
- 5.6 Officers of Corporation - The Chief Executive Officer of the Corporation shall be the Chief Executive Officer of LHPWSS or such other Person as the Corporation Board may determine from time to time.
- 5.7 First Term of Municipal Members – the first term for each Municipal Board Member of the Corporation Board shall be concurrent with the municipal term of each Council for the remainder of the existing municipal Council term.
- 5.8 Term of Municipal Members – Subsequent to the First Term of Municipal Members as set out in section 5.7 above, the term for each member of the Corporation Board who is a representative from the Municipal Members (a “**Municipal Board Member**”) shall be concurrent with the municipal term of each Council, and each Municipal Board Member shall be appointed for such term, provided that:
- (a) following the expiry of such term of Council, each Municipal Board Member shall continue to serve until replaced by the Member Municipalities as at the effective date of the appointment of a replacement Municipal Board Member;
  - (b) notwithstanding this Section 5.7, the Member Municipalities may, in its discretion, terminate the term of a Municipal Board Member prior to the end of the municipal term of Council and appoint a replacement Municipal Board Member; and
  - (c) where a Municipal Board Member resigns or his or her term is terminated for any reason prior to the end of the municipal term of Council then in effect, the term of the replacement Municipal Board Member shall be concurrent with the balance of the municipal term of Council then in effect.
- 5.9
- 5.10 Term of Private Directors – Private Directors will be able to serve terms of up to four (4) years in length as approved by the Member Municipalities. The term for the Private Directors shall be as follows:
- (a) the term of no more than two (2) Private Directors will end in any one year on the Corporation Board; and

- (b) If a Private Director of the Corporation Board ceases to be a director for any reason, the Municipal Members will fill the vacancy created thereby as soon as reasonably possible.

5.11 Initial Term of Private Directors – the initial term of the Private Directors shall vary between one and a maximum of three years to ensure that not more than one-third of the Private Directors term ends in one year.

5.12 Successive Terms - Any member of the Corporation Board may serve for successive terms as determined by the Member Municipalities in its discretion. Private Directors should not serve more than three (3) successive terms as a matter of good board governance.

5.13 Corporation Board Committees - The Corporation Board may establish committees of the Board in the Corporation Board's discretion. These committees may include but are not limited to the following:

- (a) Audit and Finance Committee to review financial results; and
- (b) Governance Committee to address governance matters.

5.14 Compensation

- (a) Directors - No member of the Corporation Board shall receive any remuneration or other compensation of any kind, other than as expressly approved in writing by the Member Municipalities, for serving as a director on the Corporation Board or on any committee thereof, or carrying out any activities or providing services in relation thereto, provided that each member of the Corporation Board shall be entitled to incur reasonable expenses for travel and/or training in respect of the director's role on the Corporation Board, in accordance with policies established by the Corporation Board from time to time as approved by the Member Municipalities in writing.
- (b) Payments – Any and all compensation received by Municipal Board Members shall be reported annually to the Member Municipalities.

## 6. **Board of Directors and Officers of any Subsidiary**

6.1 Qualifications of Subsidiary Board - The qualification for any member of a Subsidiary Board shall be skills based with the qualifications similar to those established for Directors of the Corporation as set out in section 5.1 of this Shareholder Declaration as defined by the Board of Directors of the Corporation for the particular Subsidiary Board.

6.2 Number of Directors of Subsidiary Board – Each Subsidiary Board shall consist of a minimum of five (5) up to a maximum of seven (7) directors.

6.3 Composition of the Subsidiary Corporation Board - Unless otherwise determined by the Member Municipalities in its sole and absolute discretion, the Subsidiary Board shall

consist of a minimum of three (3) up to a maximum of five (5) Private Directors and two (2) Municipal Members that are the Municipal Members of the Corporation Board. The chief executive officer, chief operating officer, president or general manager, as the case may be, of the Subsidiary shall not be eligible to serve as a director on, nor chair of, the Subsidiary Board nor chair of the Board of the Corporation or any other Subsidiary.

- 6.4 Chair of Subsidiary Corporation - The Chair of the Subsidiary Board shall be determined by a majority vote of the members of the Subsidiary Board.
- 6.5 Officers of Subsidiary Corporation - The CEO of the Subsidiary shall be the person as the Subsidiary Board may appoint from time to time.
- 6.6 Term of Municipal Members of Subsidiary Board - The term for each member of a Subsidiary Board who is also a Municipal Member (a “**Subsidiary Municipal Board Member**”) shall be concurrent with the municipal term of each Council, and each Subsidiary Municipal Board Member shall be appointed for such term, provided that:
- (a) following the expiry of such term of Council, each Subsidiary Municipal Board Member shall continue to serve until replaced by the Member Municipalities as at the effective date of the appointment of a replacement director;
  - (b) notwithstanding this Section 6.6, the Member Municipalities may, in its discretion, terminate the term of a Subsidiary Municipal Board Member prior to the end of the municipal term of Council and appoint a replacement director; and
  - (c) where a Subsidiary Municipal Board Member resigns or his or her term is terminated for any reason prior to the end of the municipal term of Council then in effect, the term of the replacement director shall be concurrent with the balance of the municipal term of Council then in effect.
- 6.7 Term of Private Directors of Subsidiary Board – Private Directors will be able to serve terms of up to four (4) years in length as approved by the Corporation.
- 6.8 Successive Terms of Subsidiary Board - Any member of the Subsidiary Board may serve for successive terms as determined by the Corporation in its discretion. Private Directors should not serve more than three (3) successive terms as a matter of good board governance.
- 6.9 Corporation Board Committees of Subsidiary Board – The Subsidiary Board may establish committees of the Board in the Corporation Board’s discretion. These committees may include but are not limited to the following:
- (a) Audit and Finance Committee to review financial results; and
  - (b) Governance Committee to address governance matters.
- 6.10 Compensation of Subsidiary Board

- (a) Directors of Subsidiary Board - No member of the Subsidiary Board shall receive any remuneration or other compensation of any kind, other than as expressly approved in writing by the Corporation, for serving as a director on the Subsidiary Board or on any committee thereof, or carrying out any activities or providing services in relation thereto provided that each member of the Subsidiary Board shall be entitled to incur reasonable expenses for travel and/or training in respect of the director's role on the Subsidiary Board, in accordance with policies established by the Subsidiary Board from time to time as approved by the Corporation in writing.

**7. Dividend Policies, Risk Management and Strategic Objectives for the Corporation**

7.1 The Corporation Board shall establish policies addressing the following matters:

- (a) Dividends – consistent with applicable Laws and industry norms, recognizing the Member Municipalities' desire for a consistent and stable dividend payments and the Member Municipalities' goal towards the payment of an annual dividend from the Corporation;
- (b) Risk Management - to ensure that each Subsidiary has adopted appropriate risk management strategies and internal controls consistent with industry norms in order to manage all risks related to the businesses conducted by Subsidiaries; and
- (c) Strategic Objectives - to provide input to the Member Municipalities' long term strategic goals that are consistent with the maintenance of a viable, competitive business and preservation of the value of the businesses of the Corporation.

**8. Decisions of the Member Municipalities & Shareholder Representative**

8.1 Shareholder Representative - The Member Municipalities hereby designates the Chief Administrative Officer of the Member Municipalities or other individual designated by the Chief Administrative Officer of the Member Municipalities from time to time as its legal representative (the "**Shareholder Representative**") for purposes of communicating to the Corporation Board pursuant to Subsection 13, any consent or approval required by this Shareholder Declaration or by the OBCA.

8.2 Member Municipalities Approval - Approvals or decisions of the Member Municipalities required pursuant to this Shareholder Declaration or the OBCA shall require a resolution or by-law of each Member Municipalities' Council passed at a meeting of Council and shall be communicated in writing to the Corporation's Board and signed by the Shareholder Representative and/or the Mayor.

**9. Corporation Approvals**

9.1 Corporation Approval - Approvals or decisions of the Corporation required pursuant to this Shareholder Declaration shall require a resolution of the Corporation Board or, where



expressly required pursuant to this Shareholder Declaration, the approval of the Member Municipalities.

**10. Corporation Reports to Member Municipalities and Business Plan**

**10.1 Regular Reporting** – The Corporation shall, from time to time, but at a minimum no less than annually, report to Council on business developments and on any materially significant results in respect of the Corporation and its Subsidiaries and such reports may be received and considered by the Member Municipalities at an in camera meeting of Council subject to the requirements of all applicable Laws. In addition, the Member Municipalities shall be entitled to receive from the Corporation, upon reasonable notice, up-to-date financial information and other material information concerning the operations of the Corporation and its Subsidiaries from time to time, including but not limited to:

- (a) internally prepared quarterly financial statements as soon as possible following each month end and, in any event, within a reasonable time period and no later than seventy-five (75) days following such month end, which statements shall show a comparison with, and be similar in detail to, the Corporation Business Plan and all Subsidiary Business Plans, as the case may be, for that period;
- (b) any financial statements for the Corporation and its Subsidiaries reported on by the Corporation's auditors and the Subsidiaries' auditors on the earlier of (i) twenty (20) days following the receipt of same by the Corporation or the Subsidiaries, as the case may be, and (ii) on or before June 30<sup>th</sup> of the financial year to which such financial statements relate;
- (c) on or before June 30<sup>th</sup> every year, a comprehensive narrative report summarizing the Corporation's operations and results for that financial year (on a consolidated basis), including explanations of material variations with respect to actual results and items in the Corporation Business Plan and all Subsidiary Business Plans for that financial year;
- (d) reasonable direct access by the Member Municipalities throughout the year to the senior executive management of the Corporation and all Subsidiaries to provide additional information regarding the financial and business affairs of the Corporation and its Subsidiaries, as requested;
- (e) notice of any claim arising out of the business of the Corporation and each of its Subsidiaries (in an amount exceeding \$125,000.<sup>00</sup> in respect of an individual claim), promptly after receipt thereof; and
- (f) a copy of any press release or formal media announcement issued by the Corporation or its Subsidiaries promptly after such issuance.

10.2 Business Plan – The Corporation shall promptly provide the Member Municipalities with a business plan for the Corporation and its Subsidiaries on a consolidated basis (the “**Corporation Business Plan**”) and on an annual basis prior to the end of each financial year of the Corporation. The Corporation Business Plan shall include but not be limited to the following:

- (a) the strategic direction any new business objectives that the Corporation and each of its Subsidiaries will undertake;
- (b) the Corporation Business Plan shall be formally approved by the Corporation Board on an annual basis;
- (c) an operating budget for the next financial year and an operating and capital expenditure budget on a consolidated basis for the next financial year and an operating and capital expenditure projection on a consolidated basis for each of the two subsequent financial years, including the resources necessary to implement the Corporation Business Plan;
- (d) any anticipated debt financing requirements;
- (e) a summary of any current and projected business development activities for such financial year, including a statement of the spending commitment levels which management of the Corporation believes are necessary to give effect to such activities;
- (f) a summary of any anticipated changes in the regulatory and market environments and other significant business or technical issues foreseen for such fiscal year;
- (g) pro forma consolidated, including projected dividend payments minus operating costs up to a maximum of \$xxx.<sup>00</sup> to the Member Municipalities;
- (h) the projected annual revenues and profits for each financial year for the Corporation, for the following two financial years;
- (i) any material variances in the projected ability of any business activity to meet or continue to meet the financial objectives of the Member Municipalities; and
- (j) any material variances from any previous Corporation Business Plan.

10.3 Annual Report to Council of each of the Member Municipalities - Within seven (7) months after the end of each financial year of Corporation, the Corporation shall report to a public meeting of Council for each of the Member Municipalities and the Chair of the Corporation or his/her designate shall attend such meeting and provide the following information with respect to the Corporation:

- (a) audited consolidated financial statements; and



- (b) such additional information as the Member Municipalities may specify from time to time.

10.4 Confirmation of Compliance - The Corporation Board shall, in a confidential report to Council executed by the Chair of the Corporation, annually confirm by the end of each financial year that it has complied in all respects with the requirements of this Shareholder Declaration and is in compliance with all applicable Laws.

10.5 Confidentiality

- (a) Except as required by applicable Laws or any Governmental Authority and except for the annual report to Council pursuant to Section 10.3, the Member Municipalities shall treat as confidential each Corporation Business Plan and all other information provided to it in confidence pursuant to this Section 10, subject to the provisions of the *Municipal Act, 2001* and applicable Laws. The parties acknowledge that information that is in the custody or under the control of the Member Municipalities or Corporation is subject to the access provisions of the MFIPPA.
- (b) The Member Municipalities acknowledges that the Corporation shall, from time to time, supply it in confidence with confidential information, the disclosure of which could reasonably be expected to significantly prejudice the competitive position of or interfere with contractual or other negotiations of the Corporation and/or any Subsidiary or result in undue loss to the Corporation and/or any Subsidiary and the Member Municipalities shall protect such information in accordance with the exemption for third party information and any other applicable exemptions as set out in the *Municipal Freedom of Information and Protection of Privacy Act* as may be amended or replaced from time to time.
- (c) The Member Municipalities shall inform the Corporation of any request made for access to information supplied to the Member Municipalities by the Corporation, and the Corporation shall be provided an opportunity to make representations on the disclosure of such information, and the Member Municipalities shall consider any such representations prior to disclosing or permitting access to the information and shall provide the Corporation with notice of its decision concerning any such request for access to information of the Corporation.

11. **Subsidiary Reports and Business Plan**

11.1 Regular Reporting

- (a) Any Subsidiary shall, from time to time but no less than quarterly, report to the Corporation on major business developments or materially significant results in respect of a Subsidiary and, on an immediate basis, on any material event or results in respect of a Subsidiary;

(b) Upon written notice by the Corporation following a resolution to that effect passed by the Corporation Board that such access is required or appropriate due to extraordinary circumstances as determined in the reasonable belief of the Corporation Board:

(i) the CEO of the Corporation, or his/her designate, shall have unrestricted access to the books and records of any Subsidiary of the Corporation during normal business hours. Such Persons shall treat all confidential information of each Subsidiary with the same level of care and confidentiality as any confidential information of the Corporation and shall ensure that such access shall not disrupt the normal conduct of business.

11.2 Business Plan — Each Subsidiary shall promptly provide the Corporation with a business plan for each financial year as approved by the Subsidiary Board (the "**Subsidiary Business Plan**") for such Subsidiary prior to the end of each financial year of such Subsidiary. The Subsidiary Business Plan shall include but not be limited to all of the following in respect of such Subsidiary:

- (a) the strategic direction and any new business initiatives that may be undertaken;
- (b) an operating and capital expenditure budget for the next financial year and an operating and capital expenditure projection for each of the two subsequent financial years, including the resources necessary to implement the Subsidiary Business Plan and whether and how retained earnings for each year are to be allocated;
- (c) the projected annual revenues and Net Income for the following two financial years; and
- (d) any material variances from any previous Subsidiary Business Plan.

11.3 Annual Report to the Corporation — Within six (6) months after the end of each financial year, each Subsidiary shall provide the following information to the Corporation:

- (a) consolidated financial statements and unconsolidated financial statements as

at the end of such financial year;

- (b) a business performance report, including an analysis of variances to plan for the last completed financial year;
- (c) any such other additional information as the Corporation may specify from time to time for the last completed financial year.

11.4 Confirmation of Compliance — At the end of each financial year each Subsidiary Board shall confirm to the Corporation in writing executed by the Chair of such Subsidiary Board that such Subsidiary has acted in accordance in all respects with the matters set out in this Shareholder Declaration and that such Subsidiary is in compliance with all applicable Laws.

11.5 Confidentiality

- (a) Except as required by applicable Law or any Governmental Authority, the Member Municipalities and the Corporation shall treat as confidential the Subsidiary Business Plan(s) and all other information provided by the Subsidiaries in confidence pursuant to this Section 11, subject to the requirements of the *Municipal Act, 2001* and all applicable Laws. The parties acknowledge that information that is in the custody or under the control of the Member Municipalities or the Corporation is subject to the access provisions of MFIPPA.
- (b) the Corporation acknowledges that the Subsidiaries shall, from time to time, supply it in confidence with confidential information, the disclosure of which could reasonably be expected to significantly prejudice the competitive position of or interfere with contractual or other negotiations of the Subsidiaries, or result in undue loss to Subsidiaries, and the Corporation shall protect such information in accordance with the exemption for third party information and any other exemptions that may apply as set out in the MFIPPA.
- (c) the Corporation shall inform the Subsidiaries of any request made for access to information supplied to the Corporation by the Subsidiaries, permit the Subsidiaries an opportunity to make representations on the disclosure of such information, and consider any such representations prior to disclosing or permitting access to the information and shall provide the Subsidiaries with

notice of its decision concerning any such access request concerning the Subsidiaries.

## 12. **Annual Resolutions**

- (a) The Member Municipalities shall, at an in-camera meeting of Council, consider candidates for the Corporation Board as proposed by the Nominating Committee and the appointment of the auditors of the Corporation and receive the audited financial statements of the Corporation for the last completed financial year;
- (b) The Member Municipalities, by resolution in writing, shall appoint the necessary members of the Corporation Board and appoint the auditors for the Corporation and complete such other business as would normally be completed at an annual meeting of shareholders under the OBCA; and
- (c) The Corporation in writing shall appoint the necessary members of the Subsidiary Board(s), appoint the auditors for its Subsidiaries and complete such other business as would normally be completed at an annual meeting of shareholders under the OBCA and in accordance with the terms and conditions of this Shareholder Declaration.

## 13. **Matters Requiring Member Municipalities Approval**

13.1 Approvals in Respect of Corporation – The Corporation may not take any of the following actions, and will ensure that none of the Subsidiaries take any of the following actions, without the prior written approval of the Member Municipalities:

- (a) entry into one or more transactions to be acquired, whether by way of purchase or otherwise, or merge or amalgamate with, any one or more corporations;
- (b) execute of any binding document with any Person in relation to any transaction described in Paragraph 13.1(a) with respect to the Corporation, or any public announcement or disclosure in relation to such discussions or document;
- (c) change or remove any restriction on the business of the Corporation and/or Subsidiary;
- (d) create new classes of shares of the Corporation or any Subsidiary or in any other manner to amend the articles or by-laws of the Corporation or any Subsidiary;
- (e) enter into one or more mergers or amalgamations of the Corporation or any Subsidiary with any other corporation(s), other than another Subsidiary;

- (f) institute of proceedings for any winding-up, arrangement or dissolution of the Corporation or any Subsidiary;
- (g) appointment of auditors of the Corporation and/or Subsidiary. The auditors of the Subsidiary shall be the same as the auditors for the Corporation;
- (h) apply to continue the Corporation or any Subsidiary as a corporation under the laws of another jurisdiction;
- (i) issue, or enter into any agreement to issue, any shares of any class, or any securities convertible into any shares of any class of the Corporation or any Subsidiary;
- (j) redeem or purchase any outstanding shares of the Corporation or any Subsidiary;  
in any financial year, enter into one or more contract, agreement, arrangement or transaction, which individually or in the aggregate, except as provided in the Corporation Business Plan approved by the Member Municipalities, result in the disposition, lease or sale of any part of the business of the Corporation or any Subsidiary equal to or greater than Five Hundred Thousand Dollars (\$500,000.<sup>00</sup>Cnd) of the Book Value of the Corporation on a consolidated basis;
- (k) approve or make any borrowing from any bank or other third party not otherwise provided for in a Business Plan unless the prior written approval of at least seventy-five (75) percent of the directors is obtained;
- (l) amend or deviate from the Corporation Business Plan or any Subsidiary Business Plan, as the case may be, by incurring any operating expenditures or capital expenditures that substantially exceed the total budgeted operating expenditures or total budgeted capital expenditures of the amount budgeted thereof in the Corporation Business Plan or any Subsidiary Business Plan, as the case may be, for that year (save and except for expenditures approved by the Member Municipalities in writing) unless the prior written approval of at least seventy-five (75) percent of the directors is obtained;
- (m) sell, transfer or otherwise dispose of any of the shares of any Subsidiary;
- (n) provide a salary, benefit and other compensation for members of the Corporation Board of the Corporation;
- (o) engage in any business activity other than as expressly permitted under Section 6;
- (p) elect, or replace members of the Corporation Board or alter the composition of the number of members of the Corporation Board;
- (q) institute, settle or compromise any material legal proceedings (other than debt recovery proceedings in the usual and ordinary course of business); and,

- (r) incorporate a new Subsidiary or enter into any joint venture, partnership, strategic alliance or other venture, which would require a secured investment, or which is not included in the Corporation Business Plan and would require a financial equity investment greater than **Five Hundred Thousand Dollars (\$500,000.<sup>00</sup> Cnd)**.

#### 14. **Directors and Officers Insurance**

- 14.1 The Corporation at all times will ensure that adequate Directors and Officers insurance is in place and provided for all Subsidiaries, as the case may be.

#### 15. **Revisions to this Shareholder Declaration**

The Member Municipalities shall have the right, in its sole and unfettered discretion, to amend any provision of this Agreement, provided notice of any such amendment is provided to the Corporation.

- 15.1 Revisions - The Member Municipalities acknowledges that this Shareholder Declaration may be revised from time to time as circumstances may require and that the Member Municipalities will consult with the Corporation Board prior to completing any revisions and will promptly provide the Corporation Board with copies of such revisions.
- 15.2 Corporation and any Subsidiaries – The Member Municipalities require that the principles of this Shareholder Declaration will be consistent with the directions the Corporation Board may give to any Subsidiary.

#### 16. **Corporation Activities**

Member Municipalities – Corporation Services - A considerable amount of activities and business of the Corporation may be carried out pursuant to a services agreement(s) between the Corporation and the Member Municipalities or as otherwise agreed by the Corporation and the Member Municipalities.

#### 17. **Notices**

- (a) Any notice, designation, communication, request, demand or other document, required or permitted to be given or sent or delivered to or from the Member Municipalities or Corporation shall be in writing and shall be sufficiently given or sent or delivered if it is:
  - (i) delivered personally,
  - (ii) sent to the party entitled to receive it by registered mail, postage prepaid, mailed in Canada,
  - (iii) email, subject to the requirements of the OBCA, or

- (iv) sent by facsimile.
- (b) Notices shall be sent to the following addresses, email or facsimile numbers:
  - (i) In the case of the Member Municipalities,
    -
  - (ii) In the case of the Corporation,
    - CEO of the Corporation
    - Email:

or to such other address, electronic mail address or facsimile number as the party entitled to or receiving such notice, designation, communication, request, demand or other document shall, by a notice given in accordance with this Section, have communicated to the party giving or sending or delivering such notice, designation, communication, request, demand or other document.
- (c) Any notice, designation, communication, request, demand or other document given or sent or delivered as aforesaid shall:
  - (i) if delivered as aforesaid, be deemed to have been given, sent, delivered and received on the date of delivery;
  - (ii) if sent by mail as aforesaid, be deemed to have been given, sent, delivered and received (but not actually received) on the fifth (5th) Business Day following the date of mailing, unless at any time between the date of mailing and the fifth (5th) Business Day thereafter there is a discontinuance or interruption of regular postal service, whether due to strike or lockout or work slowdown, affecting postal service at the point of dispatch or delivery or any intermediate point, in which case the same shall be deemed to have been given, sent, delivered and received in the ordinary course of the mails, allowing for such discontinuance or interruption of regular postal service;
  - (iii) if sent by facsimile machine, be deemed to have been given, sent, delivered and received on the date the sender receives a response in writing confirming receipt by the recipient; and
  - (iv) if delivered by electronic mail, be deemed to have been given sent, delivered and received on the date of delivery.

#### 18. Replacement of Previous Declarations

Any prior shareholder declarations relating to the LHPWSS are hereby terminated and of no further force or effect as of the effective date of this Shareholder Declaration.

## 19. New Subsidiaries

The Corporation shall ensure that any new or additional wholly-owned Subsidiary acquired or incorporated by it from time to time shall become a party to this Shareholder Declaration and that the provisions hereof shall apply to it *mutatis mutandis*.

DATED at \_\_\_\_\_, the Province of Ontario as of the first date written above.

### CITY OF LONDON

Per: \_\_\_\_\_

Name:

Title:

*I/We have the authority to bind the Corporation.*

Per: \_\_\_\_\_

Name:

Title:

*I/We have the authority to bind the Corporation.*

### MUNICIPALITY OF BLUEWATER

Per: \_\_\_\_\_

Name:

Title:

*I/We have the authority to bind the Corporation.*

Per: \_\_\_\_\_

Name:

Title:

*I/We have the authority to bind the Corporation.*

### MUNICIPALITY OF LAMBTON SHORES

Per: \_\_\_\_\_

Name:

Title:

*I/We have the authority to bind the Corporation.*

Per: \_\_\_\_\_

Name:

Title:

*I/We have the authority to bind the Corporation.*

### TOWNSHIP OF LUCAN BIDDULPH

Per: \_\_\_\_\_



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Name:

Title:

*I/We have the authority to bind the Corporation.*

Per:

Name:

Title:

*I/We have the authority to bind the Corporation.*

#### **MUNICIPALITY OF MIDDLESEX CENTRE**

Per:

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Name:

Title:

*I/We have the authority to bind the Corporation.*

Per:

Name:

Title:

*I/We have the authority to bind the Corporation.*

#### **MUNICIPALITY OF NORTH MIDDLESEX**

Per:

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Name:

Title:

*I/We have the authority to bind the Corporation.*

Per:

Name:

Title:

*I/We have the authority to bind the Corporation.*

#### **MUNICIPALITY OF SOUTH HURON**

Per:

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Name:

Title:

*I/We have the authority to bind the Corporation.*

Per:

Name:

Title:

*I/We have the authority to bind the Corporation.*

**MUNICIPALITY OF STRATHROY CARADOC**

Per: \_\_\_\_\_

Name:

Title:

*I/We have the authority to bind the Corporation.*

Per:

Name:

Title:

*I/We have the authority to bind the Corporation.***CORPORATION**

Per: \_\_\_\_\_

Name:

Title:

*I have the authority to bind the Corporation.*

**Schedule “A”**

**Excerpts from Canadian Securities Administrators (CSA)**

**Corporate Governance Guidelines**

[to be inserted]

DRAFT - FOR DISCUSSION

**Board of Directors Meeting Highlights  
Held on June 18, 2020 at 8:30 AM  
as a Virtual Meeting**



**Serviced Municipalities with less than 5,000 Population, Public Spaces, and Schools at Risk**

We heard a lot of concern around the current Ministry proposal: that after transition producers are not required to service municipalities with less than 5,000 population, public spaces, and schools.

For members that have not yet passed a Council resolution, we have updated the resolution. It now references one additional “whereas” clause:

WHEREAS the Municipality of X is concerned about a recent proposal by the Ministry of Environment, Conservation and Parks that could jeopardize over 135 small rural, remote, and Northern community Blue Box programs across the Province as well as servicing to schools and public spaces;

And one additional “therefore be it resolved” clause:

THAT the Municipality of X strongly advocates for language to be included in the regulation that ensures municipalities under 5,000 continue to receive Blue Box servicing as was agreed as part of the Provincial government’s Blue Box mediation as well as schools and public spaces.

For those who have already passed a resolution, thank you! For those who are looking to pass a separation resolution to flag concerns to the Province about this latest proposal, feel free to use/amend the above language as you see fit.

**Looking for an Expanded Polystyrene Recycling Option?**

Second Wind Recycling, launched last year out of St. Thomas, seeks to serve sustainability minded Municipalities in South-Western Ontario with affordable recycling of scrap EPS packaging (Styrofoam).

Partnered with the Continuous Improvement Fund in modelling an innovative mobile-densification approach, Second Wind Recycling is offering a preferred rate of service to Municipalities within the service territory, which the Bluewater Recycling Association falls within.

Below is a link to an article done with the CIF that illustrates the service in action:

<https://thecif.ca/cifs-mobile-eps-densification-collection-pilot-has-officially-launched/>

The program is currently operating in five local municipalities with public drop offs at depots and landfills. Participation and diversion have both been strong from the onset. Municipalities interested in greatly improving their sustainability for a small investment can contact Second Wind Recycling for a free assessment and quote while route capacity remains available.

[www.secondwindrecycling.com](http://www.secondwindrecycling.com)      [info@secondwindrecycling.com](mailto:info@secondwindrecycling.com) Dane Rice, 519-494-4984

## Recycling Operations During COVID-19

The arrival of the novel coronavirus, COVID-19, caused many business sectors to act quickly—implementing new safety measures, making changes to operations and securing access to personal protective equipment (PPE). For the waste and recycling industry, which has been dubbed an essential service by the government, the pandemic brought a vast variety of new challenges, especially as waste industry employees continued to work on the frontlines to protect human health and the environment.

The Association has undergone a number of changes over the past few months, some of which will be temporary, and some of which will be permanent. From implementing more work from home options, to following social distancing measures, to ramping up cleaning efforts and access to PPE, to investing in advanced technologies and physical barriers, the Association continues to put into place best practices to keep both its employees and customers safe.

The shutdown took place across the Province—essentially occurring within a two-week period. This naturally resulted in significant confusion about numerous things including whether recycling was even considered essential. There was a lot of conflicting guidance early on relative to gloves, masks, how long the virus can last on surfaces, how the virus actually spreads, what was essential and what wasn't, what was being enforced ... and when you consider what our industry had to do in a very short period of time, we're proud of what we were able to accomplish.

We decided early on that we needed to manage risk, and we started with our people. We employed measures inside our physical assets to provide services within our communities, all while making sure we got materials picked up in a manner that wouldn't cause additional problems.

One of the biggest challenges of working during the pandemic is that the industry is very labour intensive, with employees often working in close proximity to each other. In an effort to maintain social distancing, the Association, staggered start times and breaks for workers, provided employees with additional PPE and more.

As the Province starts to reopen, The Association continues to follow these best practices in an effort to maintain safe working environments.

For the past few months, non-essential businesses have remained temporarily shuttered, and many shelter-in-place orders have been extended. These factors, along with others, have led to an uptick in residential waste and recycling volume, and a decrease in most commercial volume, in particular hospitality and office buildings. However, some commercial facilities experienced increased volumes including grocery stores and, as can be expected, multifamily homes.

Of this volume, the majority of materials are small cardboard from online purchases as well as aluminum, glass and polyethylene terephthalate due to some deposit systems being temporarily paused.

This increase in volume, however, has not been the easiest to manage, as 146 recycling programs were suspended due to COVID-19 concerns, worker safety, workforce limitations, hauler and facility decisions and prioritization of services. These suspensions impacted 3 million households, and approximately 6 percent of recycling tonnes.

As COVID-19 spread quickly during the start of 2020, consumers raced to stock up on disposable paper items like toilet paper, tissues, paper towels and wipes, even though the coronavirus isn't known to cause digestive issues. This "paper panic" has since slowed, as the number of confirmed COVID-19 cases continues to decrease in many areas.

Other commodities the industry has kept its eye on are aluminum, plastics, old corrugated cardboard, residential papers and news and mixed paper, all of which have experienced changes due to the impact of COVID-19.

While all commodities fluctuate with the economy, single stream is one of the most volatile, previously registering at a 50 percent annual volatility. In comparison, other commodities such as gold registered at only 14 percent volatility, increasing with coking coal, platinum, aluminum, thermal coal, copper and iron ore until reaching the second highest volatile commodity, oil, at 43 percent. This is not new with the pandemic; however, COVID-19 drove volatility further.

### Working Through An Unexpected Surge

The pulp-and-paper industry has experienced an unforeseen surge in demand this spring. In late April, the American Forest & Paper Association (AF&PA), Washington, reported that U.S. tissue mills set record-high levels of tissue production this spring. U.S. tissue mills manufactured about 700,000 tons of tissue in March alone. In February and March, AF&PA reports that its member companies delivered more than 22,000 tons of parent roll tissue per day. These increases were likely spurred by the COVID-19 pandemic.



### Outbreak at recycling facility impacts Calgary's blue bin service

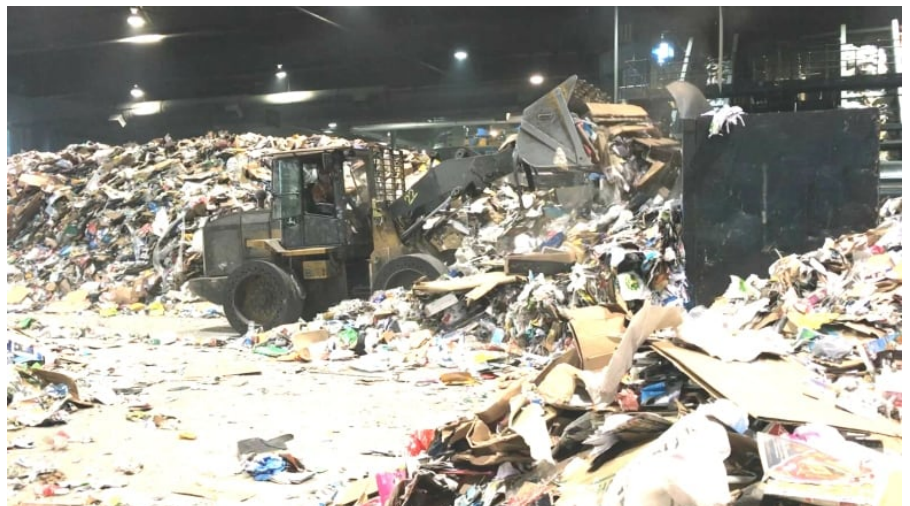
Recyclables in bins left for pickup will be taken to landfill until facility is sterilized

The Cascades Recovery+ recycling plant in southeast Calgary is about 100,000 square-feet in size, manages between 100 and 200 tonnes of recycling every two to three days, and runs continuously six days a week.

An outbreak at a facility that handles Calgary recycling means the contents of blue bins left out by residents will be taken to the landfill until the issue is resolved.

Calgary Emergency Management Agency chief Tom Sampson says the facility has had about 19 people test positive for COVID-19 and has had to shut down to sterilize.

Both he and Calgary Mayor Naheed Nenshi are asking Calgarians to store recyclables at home rather than putting out their bins.





## Blue Box Program Transition Plan Consultations

Stewardship Ontario hosted three webinar consultations focused primarily on matters affecting specific stakeholder groups during the blue box transition:

The consultation webinars were an opportunity to review and comment on how Stewardship Ontario intends to implement the Minister's direction outlined in his August 15, 2019 letter, including:

- Demonstrating transparency and meaningful consultation;
- Supporting competition and preventing conflict of interest;
- Demonstrating fairness to stewards and protecting consumers; and
- Maintaining program performance.

Other matters of interest presented included:

- The proposed process and timelines for transition and related costs;
- The proposed approach to ensure continuity of funding for municipalities;
- Anticipated changes to the method Stewardship Ontario is proposing to determine steward fees during transition; and
- How reserve funds will be applied to offset transition costs and steward fees.

## Coca-Cola and Carlsberg Will Switch to Plant-Based Bottles That Break Down Within a Year

According to the National Oceanic and Atmospheric Administration, scientists estimate that eight million metric tons of plastic—approximately the weight of 90 aircraft carriers—finds its way into the oceans every year. The Paper Bottle Company (Paboco) wants to help manufacturers and distributors reduce their single-use plastic waste by creating bottles made from degradable plant sugars rather than fossil fuels. BillerudKorsnäs, a paper packaging developer, first started this initiative in 2013, and has been joined by research companies and industry leaders like Avantium and ALPLA. The project proudly announced in October 2019 that Coca-Cola, L’Oreal, and Absolut had joined their efforts.

The historic brewery, Carlsberg, has been a long-time partner of the Paper Bottle Project and explained in a press release, “We are working on developing the world’s first ‘paper’ beer bottle made from sustainably-sourced wood fibers that is both 100% bio-based and fully recyclable.” Shortly after, the brewing company unveiled its first paper bottle for their Pilsner beer as proof of concept on their social media sites. These paper bottles, made out of a plant-based polymer called “PEF,” are



expected to be fully recyclable and to naturally degrade within a year, unlike their plastic counterparts. The sustainability company which creates these bottles hopes to have them ready for consumer use by 2023. These paper bottles could help mitigate the severe plastic pollution problem being faced by oceanic habitats, and mark a shift towards global industrial sustainability.

## ISRI to develop product recyclability protocol

The Institute of Scrap Recycling Industry (ISRI), Washington, says it is developing a recyclability protocol and certification system for paper-based packaging products entering into the recycling stream. Once developed, the protocol will be expanded to other products made from recyclables.

The protocol and certification will be phased in over the next year, ISRI says. Working with Moore & Associates, Atlanta, as a third-party consultant, ISRI is undergoing a thorough review of existing certifications and standards to aid in the integration of the protocol with applicable programs. This will be followed by a survey of material recovery facilities (MRFs) nationwide to gain an inventory of packaging that is recycled from the standpoint of materials and shape and size as well as regional variances in technology and capacity. With the data, the certification protocol, including testing methodologies and procedures, and the application process for obtaining certification will be developed, ISRI says. The process for obtaining certification by brands will be fully documented and transparent, the association adds.

“Under the current system, there is no standard to determine a product’s recyclability from beginning to end, which is an obstacle for increasing packaging recycling rates,” says ISRI President Robin Wiener. “Products are labeled recyclable that are not, consumers are confused and the residential recycling stream is weakened by excessive amounts of products and materials that do not belong. Having one, universal determination for recyclability created by the recyclers that collect and process the material, in coordination with the mills that consume it, will be an enormous step forward in the evolution of recycling.”

She adds, “Once in place, the recyclability protocol will assist packaging manufacturers in understanding what is and what is not recyclable, especially in the design stage. This will lead to a revolution in design innovation as more brands seek ways to not only use recyclable content in production but meet consumer demands for easy-to-recycle goods. As more products are developed with recycling in mind, consumers will rediscover recycling and the vast benefits it provides.”

Among the many things that will be taken into consideration are industry expertise on material supply, processing and demand challenges and needs; ISRI’s Design for Recycling initiative, which encourages manufactures to factor in a product’s recyclability in the design stage; and the role of the ISRI specifications, which are used globally to buy and sell recyclables.

ISRI says it will consult with the American Forest & Paper Association (AF&PA), the Foodservice Packaging Institute, The Recycling Partnership and other stakeholders during the development of the protocol and certification.

“This protocol is just the start of an effort that has the potential to really change the world,” Wiener says. “Additional customizable protocols can be developed for packaging made from other materials, including aluminum and other metals. When put together, we can expand the benefits of recycling and see further reduction in greenhouse gases, improved environmental conservation and an economic boost. We encourage all paper and packaging brands to join in these efforts to make it easier for all to recycle.”



## Tough recycling decision for RDCK coming up

For the past few years the Regional District of Central Kootenay (RDCK) has been attempting to turn its rural residential recycling over to Recycle BC, the agency that runs and pays for rural recycling programs in most of the province including the City of Nelson.

This would theoretically mean a big cost saving for residents of the RDCK because under the current system they are taxed about \$1 million per year for recycling collection.

Under an agreement with Recycle BC, the manufacturers of the recycled material, not RDCK residents, would pay for Recycle BC's collection and transport of rural recycled materials, as is the case now in the City of Nelson.

But how much this would reduce the RDCK's costs is an open question, according to the RDCK's Uli Wolf, because Recycle BC is unwilling to cover the entire cost of providing a full service, and the regional government would have to take up the slack.

Over the past year, the RDCK and Recycle BC have negotiated a plan, not signed yet, that would see 12 fenced and staffed depots — fencing and staffing are requirements of Recycle BC — throughout the regional district, funded by Recycle BC, with an as-yet-undetermined number of satellite depots funded and run by the RDCK, which would deliver collected material from its satellites to the 12 main depots.

Recycle BC recently announced that it will not accept any material in its new depots if it comes from industrial, commercial or institutional (ICI) sources.

This has been their rule all along: the agency is not mandated to take waste from big waste-emitters like Walmart or Celgar, who hire private contractors to take away their recycling.

The RDCK has always allowed small businesses to deposit their paper and packaging in its bins. Most notably, businesses in Nelson often deposit their recycling at the Lakeside depot and at the Grohman depot. But because Recycle BC is going to crack down on ICI, any material in the recycling that appears to be from a commercial source could be rejected and the RDCK penalized with a fine.

So the RDCK would have to set up and pay for a separate recycling stream for ICI materials, cutting further into any tax saving for residents. Considering all this, would it be financially worthwhile to sign a contract with Recycle BC at all?

Meanwhile the RDCK has voted to take a two-part resolution to the annual conference of the Union of BC Municipalities in September.

The first part asks the provincial government to include ICI materials in the Recycle BC mandate across the province. In other words, users of paper and packaging in industry, commerce, and institutions would pay Recycle BC to pick up and process their material rather than hiring their own contractors.

In the second part of the resolution, the RDCK board will ask the provincial government to require that certain products such as writing paper, toilet paper, facial tissue, paper towels, and packaging be made of recycled material. This is needed, the RDCK resolution says, because markets for recycled materials are drying up worldwide and this would create a new market for recycled packaging. The resolution goes further to ask that the province eliminate “subsidies on virgin materials such as oil to create a more level playing field, reduce the carbon footprint and revitalize the already consumed cardboard and packaging waste.”

## Regulations may boost less sustainable plastic alternatives

Plastics have become the public face of the waste pollution crisis, prompting an unprecedented consumer and regulatory backlash. Industry is responding by switching to other materials without considering their environmental impact.



Over the past couple of years plastics have become the public face of the waste pollution crisis, prompting an unprecedented consumer and regulatory backlash that shows no sign of stopping.

Industry is responding by switching to other materials without considering their environmental impact relative to plastics, or whether sufficient local waste collection systems are in place. This is the finding of a recent report, *Plastic Promises*, by independent UK-based think tank the Green Alliance.

Although its findings will come as little surprise to those involved in recycled plastics markets, and are mirrored across Europe, it once again highlights the gap in consumer understanding of the relative environmental impact of non-plastic alternatives and the unintended consequences this is having across the recycling industries.

For example, non-plastic food-packaging alternatives, on average, increase energy use by 2.2 times, carbon dioxide (CO<sub>2</sub>) emissions by 2.7 percent, and weight by 3.6 times, according to a UK parliamentary select committee report released late in 2019.

Indeed, the shift in packaging for products like bottled drinks from glass to materials such as polyethylene terephthalate (PET) that took place across recent decades was in part driven by its lower carbon usage and weight.

Coupled with this, food-contact paper and cardboard packaging typically needs to be treated with a plastic barrier, making it more difficult to recycle thus doing little to counterbalance the problem of micro-plastic ocean leakage.

For consumers, plastic is a homogenized entity rather than a series of different materials with different degrees of sustainability, recyclability or local collection rates.

PET, for example, has post-consumer collection rates of plastic bottles across Europe at 63 percent according to the ICIS 2018 study – the latest year for which data is available – but country by country collection varies from as low as 21 percent in Bulgaria, to as high as 96.2 percent in Germany.

These facts have done little to stem the tide of announcements of switches to non-plastic packaging from retailers and consumer brands, because public perception is these alternative materials are always more sustainable, leading to rising pressure to abandon single-use plastics. The same consumer pressure is not being felt to the same extent on other packaging types, despite plastics accounting for less than a quarter of packaging waste generated in Europe.

Plastics account for 19 percent of packaging waste generated in Europe, compared with cardboard and paper at 41 percent and glass at 19 percent, according to Eurostat figures collected in 2016 – the latest year for which data is available.

Because of the public focus on single-use plastics, regulatory efforts are being disproportionately focused there. This has led to a raft of upcoming regulation specifically targeted at the plastics industry, the latest of which is a plastic tax due to be introduced in Italy on July 1, 2020. This will tax plastic at €0.45/kg with the exemption of recycled plastic and bio-based plastic.

The law is clearly targeted at encouraging recycling. In recent years, a two-tier market has opened up across European recycling markets between companies that are driven by sustainability targets – typically from the packaging sector and bowing to public pressure – willing to pay above virgin values to secure material, and those purchasing for cost-saving reasons. Southern Europe has typically seen a higher percentage of cost-based packaging purchasing of recycling than other regions.

This is on top of EU legislation mandating minimum average recycled content of 25 percent in PET bottles by 2025 – on a country-by-country basis – and 30 percent across all beverage bottles by 2030.

Effectively allowing prices of recycled material to trade significantly above virgin values before cost-saving kicks in through taxation will no doubt increase buying interest in recycling from companies that had previously shown little interest, as will minimum average recycled content mandates.

Nevertheless, while these measures are targeted specifically at the plastics industry and not across environmentally harmful packaging as a whole, the regulatory framework runs the risk of giving other packaging materials an unfair competitive advantage.

Rather than helping solve the problem of packaging waste and encouraging recycling, this could drive firms to move to alternative materials that are equally, or even more, damaging to the environment – shifting the problem rather than tackling it.

The risk is doubled by ongoing consumer pressure and lack of detailed knowledge on the impact of different materials. It's further compounded by the inability of waste collection rates to meet sustainability targets.

Waste collection in Europe is predominantly controlled by municipalities. Under-funding in the wake of the global recession of 2008 has meant that collection systems have not kept pace with packaging growth or complexity.

Shortages of material for in-demand grades of recycled material – typically transparent material most attractive to the packaging industry – led natural recycled polyethylene (R-PE) pellet and natural recycled polypropylene (R-PP) pellets to trade above virgin grades for the first time in 2019, while the spread between virgin PET and recycled R-PET food-grade pellets reached a record high.

Faced with shortages of suitable recycled material, a growing consumer backlash and a hostile regulatory environment that is not mirrored in non-plastic packaging, it is no wonder that some companies are deciding to shift away from plastics.

Further encouraging this shift towards material choices that do little to improve end-of-life environmental impact would be the worst possible outcome for the planet. Regulation that encourages recycling or responsible waste disposal can only be a good thing, but narrowly focused laws that shift the problem to other sectors could intensify the damage, or at a minimum leave it unchecked.

All the while, the major challenge of increasing collection rates and infrastructure remains unsolved. If lawmakers were determined to help the recycling industry, this is where their efforts would be concentrated.

## Carton manufacturers invested big in attaining 'recyclable' status, but can they sustain it?

By funding education, technology and end markets, the Carton Council earned highly-sought federal recyclability status. Yet some MRFs and governments question if this packaging is worth the effort.



From dishing out lunchroom milks to stocking shelves with snacks and alternative dairy products, cartons have come a long way as part of daily life. In recent years, the product barely edged its way into a new category of maturity: Recyclability.

The achievement can be attributed in large part to the Carton Council, a nonprofit industry group founded in 2009 to fund and help organize higher carton recycling rates. At the time, only one mill accepted polycoated cartons. By 2012, eight more locations around the world did. Household access to carton recycling soared from 6% in 2009 to 61% as of 2019, 1% above the domestic accessibility levels required to legally call a product "recyclable" under federal guidelines.

But as new international trade policies shook recycling programs in the United States in recent years, some states and municipalities started dropping cartons from recycling lists.

This holds true for these aseptic containers, which make up a small percentage of the waste stream and can often accumulate in MRFs for months before facilities have enough for a shipment. While all recycling procedures are now further disrupted by the coronavirus, and the paper portions of cartons could help resolve changing supply chain needs, it might be too soon to tell how the pandemic will affect what does or doesn't get recycled.

Despite these changes, the council continues to fund new collection efforts, MRF processing abilities and domestic markets for cartons. The group's interventions resemble what some in the packaging sector might consider a voluntary and more appealing version of extended producer responsibility (EPR). But for carton recycling to continue growing, some solutions — like widespread adoption of an alternative roofing material or a viable use for the plastic and aluminum carton components — will have to kick in before more municipalities potentially abandon the material as a whole.

Some of the reasons why the material is no longer considered widely recyclable. If a MRF collects cartons, it has to find the space to set them aside until a large enough quantity accumulates for resale. Cartons make up 0.2% of what comes in. Part of the council's technique to ramp up national carton collection and processing is to help MRFs mitigate any obstacles that stand in the way of collecting and selling cartons. So far, the council has given millions of dollars in grants to MRFs to make this happen.

After MRF sorting comes purchasing and reuse — a final step the Carton Council bolsters as well. Right now, five paper mills in North America accept cartons for processing. One, the Quebec location of Sustana Fiber, announced the facility would be accepting cartons earlier this month. All facilities extract the fiber and turn them into paper products, but throw away the plastic or aluminum components. The Carton Council funds research into solutions for the byproduct in the U.S..



If recycled cartons don't go to these mills, then they go to a Continuous Materials location in Des Moines, Iowa. The startup turns post-consumer paper and plastic into low-slope roof coverboard for commercial buildings. Called Everboard, the sustainable replacement for traditional building supplies sits atop a Pennsylvania theater, an Atlanta office building and even a Taco Bell in Texas. Continuous produces the material in part because the company acquired ReWall, the Iowa-based start-up that pioneered an early version of this coverboard and was long supported by the Carton Council.



Whether or not the material is pervasive (or valuable) enough for all MRFs to justify accepting the carton, it's considered likely that more of this packaging will appear in coming years. Cartons hold serious appeal for manufacturers. Their linear dimensions allow for space-efficient shipping, and some versions make perishable items surprisingly shelf-stable.

As that growth happens, the suite of Carton Council actions — like funding robotic sorting and future uses of their product — could be viewed as useful steps toward complying with future EPR or product stewardship policies. This concept, which has cropped up more often in discussions about recycling, puts manufacturers physically or financially in control of how their products are handled after consumer use.

At the same time, a voluntary program also means municipalities are free to drop carton collection if they want to. New Orleans, Greensboro, North Carolina and parts of Washington state dropped the material from recycling services within the past year.

It's possible that new mills tapping into this paper source could help cartons keep their hard-won designation that only came after nearly a decade of work. Keeping that status might take even more voluntary investment from the Carton Council than the organization has already spent in the past decade.

## Michigan Moves to Overhaul its Waste Industry to Favor Recycling Over Landfills

Sending waste to landfills is more expensive than it seems, a recycling advocate told Michigan lawmakers Tuesday. It costs money to store and manage trash. It also takes valuable material like plastic and aluminum out of the supply chain and away from manufacturers who could reuse it, Michigan Recycling Coalition Executive Director Kerrin O'Brien said. "Currently, Michiganders spend over \$1 billion to landfill nearly \$600 million worth of materials every year," she said, figures shown in a 2017 state recycling council report. "That's a lot of money."

A package of bills recently introduced in the state House aims to flip that equation by rewriting Michigan's solid waste law to emphasize recycling and composting material over sending it to landfills. O'Brien, lawmakers and waste industry representatives testified Monday in front of the House Natural Resources Committee about those bills, which aim to increase the state's recycling rate, provide curbside or drop-off recycling for almost every Michigander and strengthen oversight of landfill and composting facilities.

The proposed overhaul has been years in the making, starting in 2012 as an initiative to improve Michigan's recycling rate — which hovers around 15% — under former Republican Gov. Rick Snyder. Specifically, the five-bill waste overhaul package aims to:

- Increase the recycling rate to 30% by 2025 and ultimately to 45%.
- Expand residential recycling services.
- Increase state oversight of landfills, recycling and composting facilities.
- Use some of the money in the Solid Waste Management Fund, supported by fees levied on landfills, composting and waste processing facilities, to develop the Michigan recycling market.
- Require counties to rewrite their waste management plans, with state funding help, to increase recycling and composting in their communities. Those plans would have to be approved by the state.

## World's Biggest Jewelry Firm Moves to Recycled Gold, Silver

Pandora A/S, which makes more pieces of jewelry than any other company in the world, will stop relying on newly mined gold and silver and instead use only recycled precious metals. The new policy, which takes effect in 2025, will help the Copenhagen-based company beef up its climate credentials and make it a more appealing target for investors eager to fill their portfolios with assets that meet environmental, social and governance goals.

Pandora says its shift to recycled precious metals will cut carbon emissions by two thirds for silver and more than 99% for gold. One of the key benefits to the environment is the considerable reduction in water use as a result of less mining, it said.

Annual emissions from the global gold market are equivalent to around 126 million tons of CO<sub>2</sub>, with more than a third of that coming directly from mining and smelting, according to the World Gold Council.

One of the industry's most significant emissions is cyanide, which can lead to groundwater contamination, among other threats to the environment. Concerns over the risks associated with managing mines and their waste have also mounted following a fatal disaster at a Vale SA iron ore operation in Brazil, in which a dam collapsed.

Pandora says it currently uses 71% recycled gold and silver in its production, with roughly 15% of the world's silver coming from recycled sources.

## Petroleum commentary: Irving just may have woken us all up

It's been said by people much smarter than me that "for every action there is an equal and opposite reaction".

I bubble-thought that for a moment or two, and I suggest we switch that around a bit to say that, "for every inaction there is a reaction". Inaction is a result of not reacting to something that is wrong. I call that dormancy.

Sort of like ignoring a sleeping giant.

Sleeping is the apt description for the energy sector today, which is under assault from both the demand and supply sides of the teeter totter. With less than two weeks until the start of the driving season, gasoline demand is down 39% while jet fuel is at negative 67%. This, while on the supply side combined petroleum product inventories including crude are up 10%.

These numbers are astonishing and unheard of for this time of year.

But this has been a wake-up call for one of our own sleeping giants, Irving Oil, the owner and operator of the 320,000-bpd refinery in Saint John. N.B., and the largest in the country.

In what appears to be, at first squint, an offering of an altruistic lifeline to oilsands producers in the west, Irving has requested permission from our Ottawan leadership to use foreign flagged tankers to ship western crude from B.C. to Saint John via the Panama Canal, a distance of a staggering 11,770 km away.

This is an example of action or the awakening of one giant in reaction to the inaction of another — the Canadian government and its collection of provincial siblings.

Irving has made its decision, I believe, based on the observation that through their economic crystal ball the price of Western Canadian Select (WCS) will remain well below the costs of both West Texas Intermediate (WTI) and Brent. This is especially attractive since their refinery uses the higher priced and globally benchmarked Brent as their feedstock not WTI. On the totem pole of crude oil pricing WCS sits at ground level.

Continuing with the same metaphor, it seems that Irving has decided that the pipeline game is not being played on level ground and the rules of the game are constantly changing.

Shipping by actual ship through the wide-open Panama Canal avoids the environmental confines and hazards prevalent in the political ponds in this country.

When the tankers begin to unload low-ball priced WCS in Saint John, this will not be lost on Suncor and Valero that will be observing all of this with a combined capacity in Quebec of 420,000 bpd. But to bring in WCS by tanker would mean shipping through the Gulf of St. Lawrence.

But hold on! Quebec won't allow that Western Canadian crude that originates from the oilsands to cross the Quebec border despite the fact that Saudi crude merrily unloads in Montreal without any hassles.

If Quebec won't allow WCS to unload in Quebec City or Montreal, then the financial futures of refineries in that province will be in serious doubt.

This is not the time to press the political alarm to snooze because Irving just may have woken us all up.

Good morning Ottawa!



## Daimler, Volvo venture a breakthrough for hydrogen trucks

A significant corner has been turned in the quest to bring hydrogen to the highway in heavy trucks. The deep pockets and vast engineering capabilities of Daimler Trucks AG and the Volvo Group have indeed come together, however unlikely that may seem. The two companies announced in late April a 50/50 joint venture to develop, produce, and commercialize fuel cell systems for heavy-duty vehicle applications and other uses like stationary power. Daimler will consolidate all its current fuel cell activities in the joint venture, while the Volvo Group will acquire 50% of it for about US\$650 million.



The deal is subject to regulatory approval, though that would seem to be a foregone conclusion given Europe's intense effort to create a sustainable and carbon-neutral transport system by 2050. The two companies intend to meet their Paris Agreement obligations, which include the end of internal combustion engine production by that year.

And that in itself is big news. There have been other collaborations between OEMs in the recent past as car and truck makers struggle to meet the challenge of new technologies and environmental demands on their own, then realizing that there's strength in numbers. But I can't think of a coming together on the same scale as this one between two such fierce competitors. Once again, pragmatism wins.

The German outfit has built up significant expertise through its Mercedes-Benz fuel cell unit over the last two decades and is now consolidating all those group-wide activities in a new Daimler Truck fuel cell enterprise – with Canadian content. It will be based in Nabern, Germany, with production facilities elsewhere in that country and in Vancouver. The JV will operate as an independent and autonomous entity, the companies said, the goal being to move fuel cell production to high volumes by the mid-2020s, and full-scale production about 10 years later.

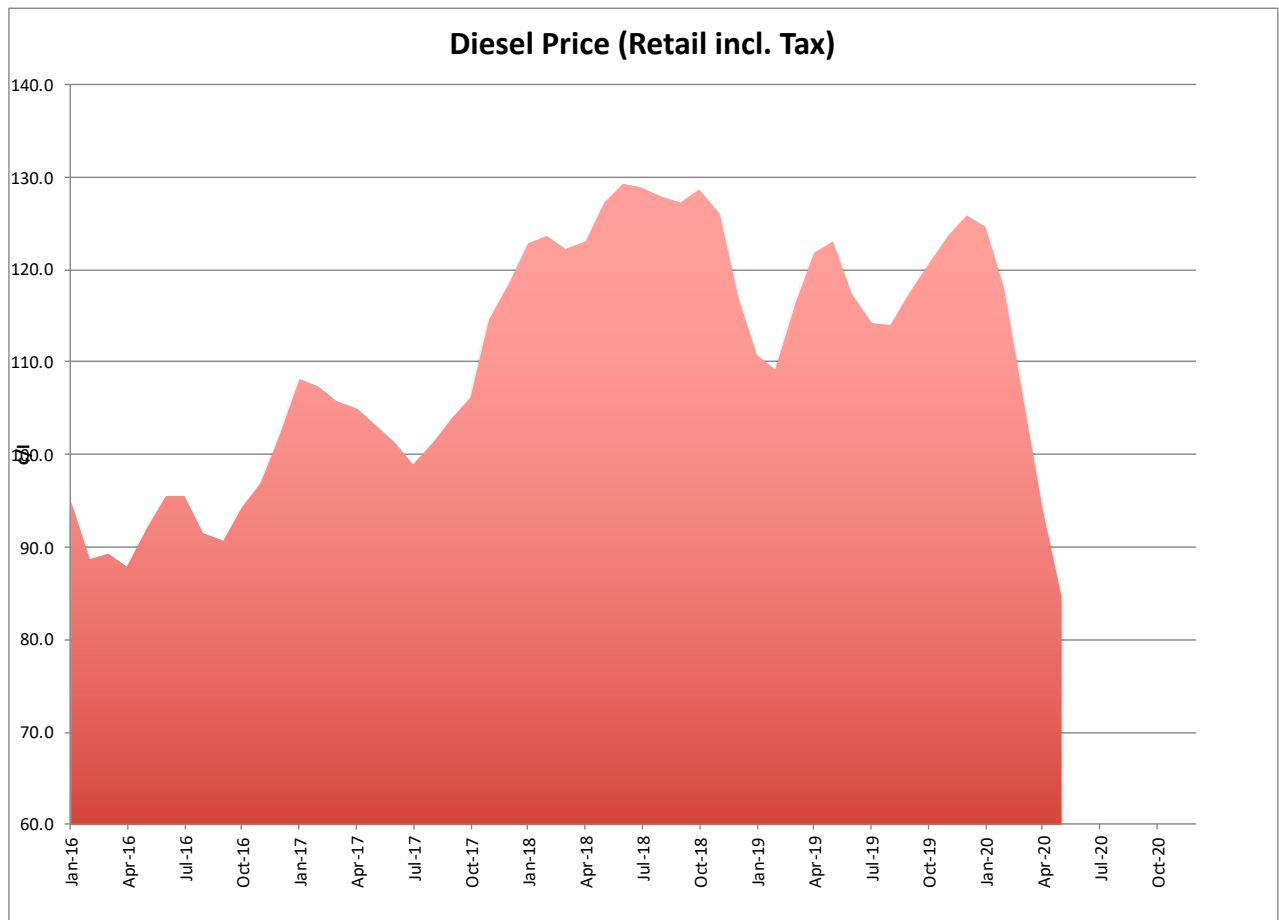
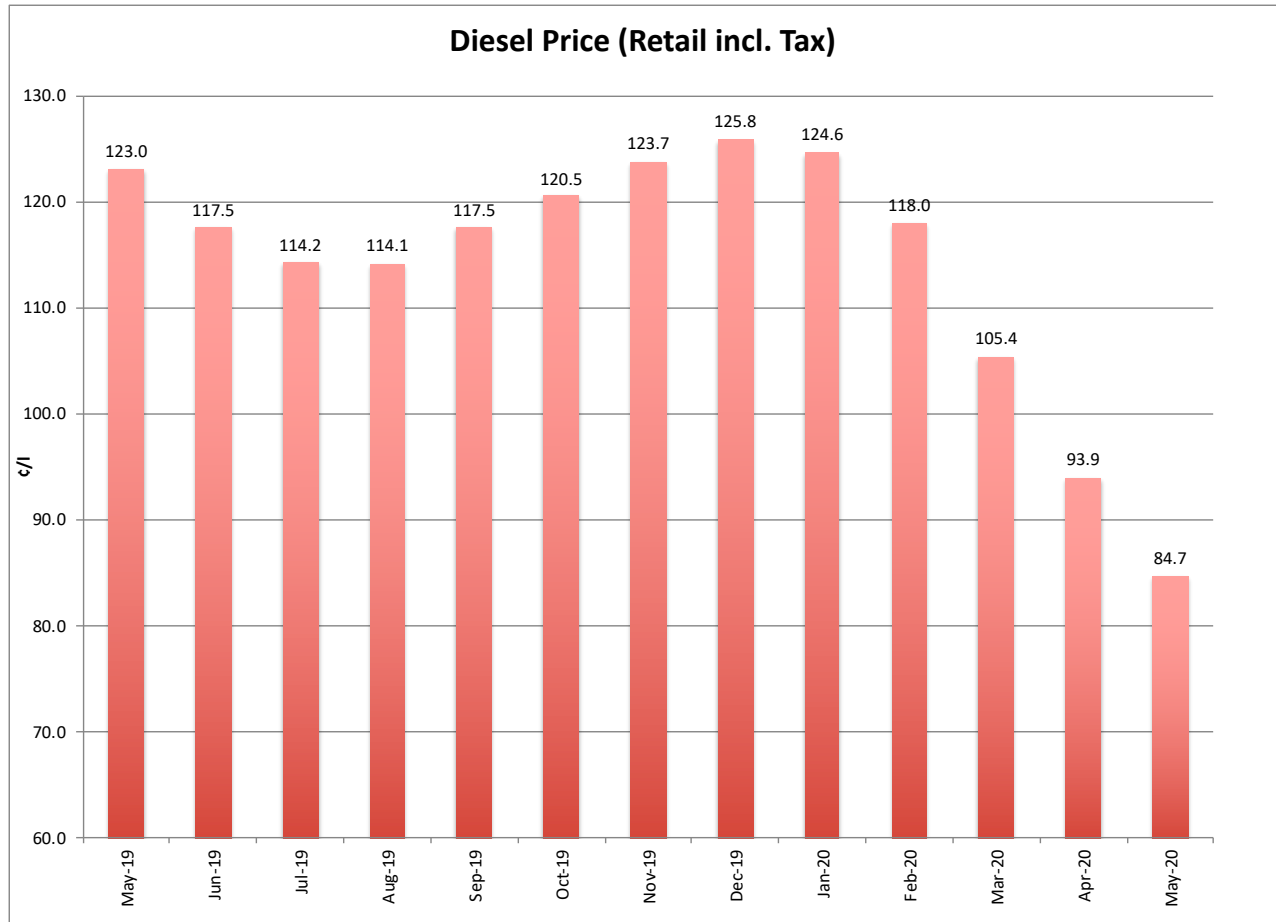
Nikola, on the other hand, says it will produce its fuel cell trucks starting in 2022, with some 14,000 orders already in the can. It plans to develop fuelling stations – essentially truckstops with stores and restaurants — along the routes served by its early-adopter customers. It's aiming to begin in the western U.S. before migrating eastward with the market, saying its Norwegian partner NEL will build about 700 stations starting in 2022.

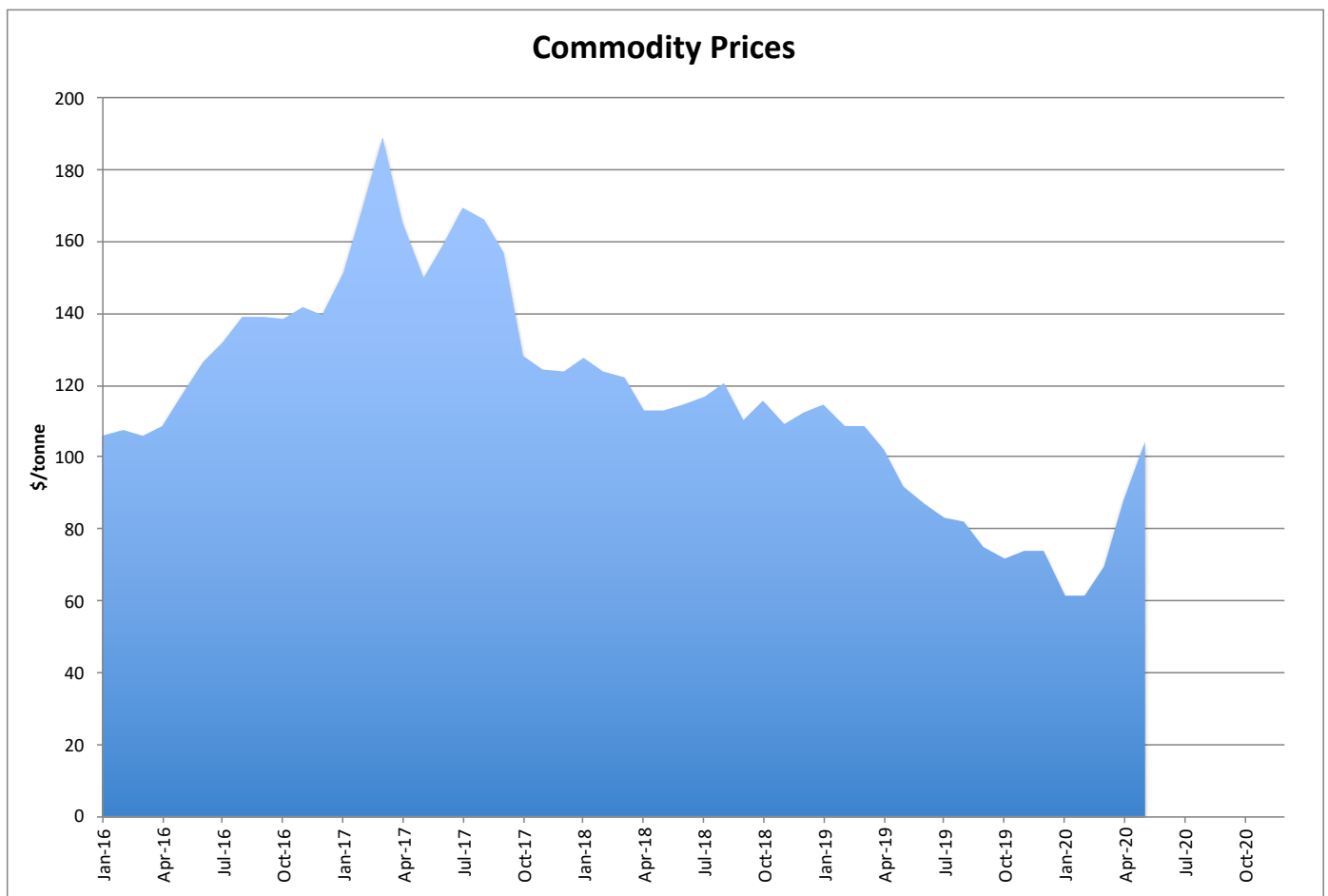
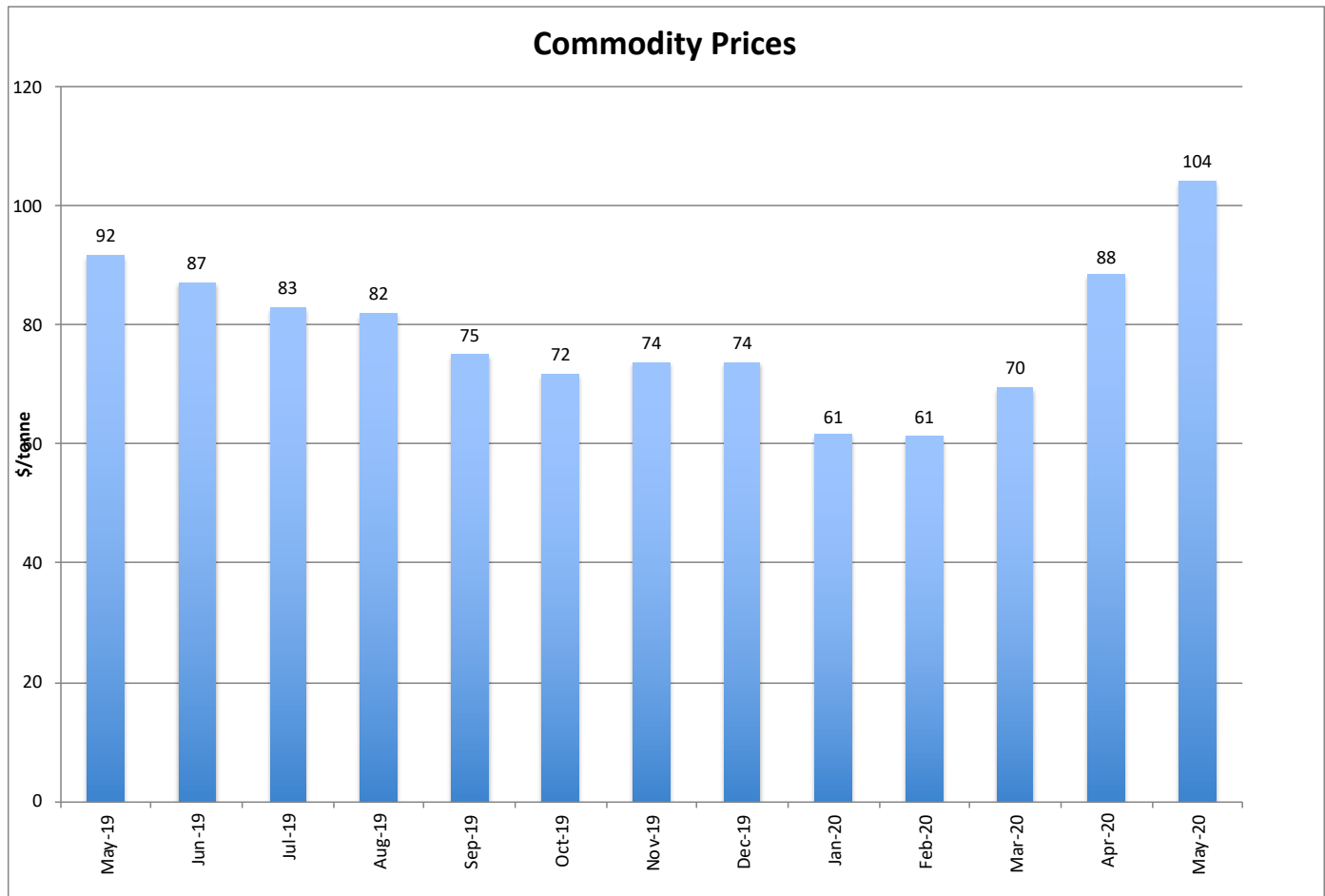
Daimler and Volvo acknowledge that such infrastructure is obviously essential and that it will need other companies to join the effort. A comprehensive fueling network doesn't yet exist in Europe, so I'll bet that NEL plays a role there, too. Its leadership in that realm is clear.

What remains to be seen is whether Nikola's infrastructure, which should be firmly in place long before Daimler/Volvo fuel cell trucks start plying North American highways, facilitates quick adoption of its new competitors' machines. Will we see another partnership? This is going to get interesting.

By the way, in case you're thinking hydrogen isn't up to the truck task, consider that it has nearly three times the energy content of gasoline – 120 megajoules per kilogram for hydrogen versus 44 MJ/kg for gasoline." Diesel fuel has 45 MJ/kg, while natural gas compressed to 3000 psi has 55 MJ/kg.







---

**From:** FRANCIS VEILLEUX [<mailto:francisveilleux@me.com>]

**Sent:** Thursday, June 18, 2020 1:56 PM

**To:** Francis Veilleux <[bluebox@bra.org](mailto:bluebox@bra.org)>

**Subject:** Serviced Municipalities with less than 5,000 Population, Public Spaces, and Schools at Risk

**Importance:** High

Hello:

We heard a lot of concern around the current Ministry proposal: that after transition producers are not required to service municipalities with less than 5,000 population, public spaces, and schools.

For members that have not yet passed a Council resolution about transition, we have updated the resolution. It now references one additional “whereas” clause:

WHEREAS the Municipality of X is concerned about a recent proposal by the Ministry of Environment, Conservation and Parks that could jeopardize over 135 small rural, remote, and Northern community Blue Box programs across the Province as well as servicing to schools and public spaces;

And one additional “therefore be it resolved” clause:

THAT the Municipality of X strongly advocates for language to be included in the regulation that ensures municipalities under 5,000 continue to receive Blue Box servicing as was agreed as part of the Provincial government’s Blue Box mediation as well as schools and public spaces.

For those who have already passed a resolution, thank you! For those who are looking to pass a separation resolution to flag concerns to the Province about this latest proposal, feel free to use/amend the above language as you see fit.

**Francis Veilleux** | President

---

**Bluewater Recycling Association**

P.O. Box 547

415 Canada Avenue

Huron Park, ON N0M 1Y0

**p.** 519.228.6678

**f.** 519.228.6656

**e.** [francis@bra.org](mailto:francis@bra.org)

[www.bra.org](http://www.bra.org)



## Head of Council and Councillors & CAO

The Rural Ontario Institute (ROI) has good news to share with you. One of the participants who has stepped forward for the Rural Change Makers program of ROI is from your municipality and we thought you should know about their intent and motivation to make their community a better place. Having engaged citizens, particularly young adults, is a huge benefit for any rural community.

We are pleased to announce that Maggie McBride has been selected for this community development leadership building journey. Attached is a short bio. You may already know this community member but we thought that becoming aware of their participation in the program would assist them since there may be times in the upcoming months that they reach out to you, or the municipal staff, to explore your knowledge, expertise or connections surrounding a particular community challenge they may be gearing up to mobilize action around.

Rural Change Makers is a pilot program that will prepare young adults to help mobilize action for their community. Eighteen, motivated young adults from across rural Ontario have been selected to join the experience. These leaders will participate in a series of developmental training webinars on community development, connect with each other on-line and hopefully come together for a face-to-face customized, experiential event later in the year. This will support them to take action on a challenge/opportunity that they have helped their community to select. Additional personalized coaching will take place, as-needed, either in-person, phone or via email.

The Rural Change Makers are being prepared to organize at least two events:

1. A “discovery session” with local stakeholders and community members focusing on an asset-based approach and linking them with allies in their mobilization efforts;
2. A “community action lab” or event oriented at producing an action plan towards a short-term concrete project that will be the focus of their initial steps in effecting the change they want to see in their community.

The aim of the new program is to:

1. Build rural youth leadership capacity
2. Catalyze impactful rural development outcomes for communities and regions
3. Broaden public engagement in rural development initiatives



RURAL ONTARIO  
INSTITUTE

7382 Wellington Road 30, R.R. #5  
Guelph, ON N1H 6J2  
Phone: 519-826-4204

info@ruralontarioinstitute.ca  
www.ruralontarioinstitute.ca

Should you be interested in learning more we will be inviting you and the rest of the community to an informational webinar so that you can hear about what's next for the Change Makers and so you can start considered whether there is a role for your municipality in supporting their initiative.

In the meantime feel free to visit our website to learn more about Rural Change Makers  
[www.ruralontarioinstitute.ca/changemakers](http://www.ruralontarioinstitute.ca/changemakers) or reach out to me directly.

Thank you.

Vicki Dickson

Project Manager

Rural Ontario Institute

519-590-1858



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Maggie is the Treasurer of the Exeter Community Food Bank where she is heavily involved in the day-to-day activities. Maggie was recently recognized at the South Huron Business and Community Excellence Awards with the Youth Excellence award for her work with the Food Bank. After completing her diploma in Business Accounting from Fanshawe College, Maggie moved back to South Huron where she has been working full-time with her local municipality since. Maggie is passionate about sharing information regarding food insecurities in rural Ontario."



**RURAL ONTARIO  
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Page 188

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[www.ruralontarioinstitute.ca/changemakers](http://www.ruralontarioinstitute.ca/changemakers) or reach out to me directly.

Thank you.

Vicki Dickson

Project Manager

Rural Ontario Institute

519-590-1858



Morgan Dykstra

*"Born and raised in Exeter Ontario, I pursued a Bachelor of Arts Degree at McGill University, majoring in Political Science and a minor in History. During the summers I worked at the Municipality of Bluewater, and the County of Perth where I learned I had a true interest in local government. Working in local government allows you to see tangible results and foster direct community building – which is very enriching. After living in Montreal, I returned to my hometown – nothing beats a small community where you say “hi” when passing by someone on the sidewalk.*

*I now work for the Town of St. Marys, where I can continue to develop skills and learn. I also volunteer for the United Way Perth-Huron, I sit on the Board of Directors, Community Impact Allocations Committee and Urgent Needs Fund Review Team. Volunteering with the United Way has been an enlightening experience, I never truly understood the need in our community until I began to review funding applications and read the impact statements from those who receive services from supported partners.*

*In my spare time I’m an avid trail walker, and book reader.*

*I look forward to learning from the Rural Ontario Institute and applying new skills.*



# Avon Maitland District School Board

**Board Meeting Highlights – June 23, 2020**

Note: Due to the COVID-19 pandemic response, this meeting was hosted online using Microsoft Teams.

## Good News

### Virtual Grads across AMDSB

Schools throughout our District have adapted their way of celebrating grade 6 and 8 graduates. A variety of 'virtual' celebrations have been hosted and Trustee Schenk acknowledged the staff of the schools for shifting to this new way of celebrating. Grade 12 celebrations have been deferred to the fall. Congratulations to all graduates!!

### Significant Student Award Winners



This June, our schools are celebrating all of our graduating students. Many of them are receiving scholarships and awards for their post-secondary pursuits. We have a few students who have been awarded \$25,000 or more and we wanted to publicly acknowledge this success. Student Trustee Emma Badley from Mitchell District High School was awarded the Guelph President's Scholarship, the Claire E. Elliott Entrance Scholarship and an Entrance Scholarship. Three students from Huron County were awarded the McCall Huron County award (Hannah Wheeler and Breelle Shaw from FE

Madill and Emma Regier from South Huron District High School). Goderich District Collegiate Institute student Emma Davison was awarded a Schulich Leader Scholarship in STEM. Congratulations and we wish you all the best!

### New! Equity and Diversity Committee

Staff from AMDSB have been invited to join a newly formed Equity and Diversity Committee. They will begin their work next school year and focus on anti-oppression and anti-racism initiatives.

## Stratford Transformation Update

The Stratford Transformation Committee (STC) met online on June 4. They finalized their recommendations to senior staff for the colours, logos and team names, which were subsequently approved. [Highlights from that meeting can be found by clicking here](#). A public release of this information was issued on June 9. The STC's next meeting is scheduled for July 9 where they will be discussing plans for memorabilia and celebrations to acknowledge the history of Stratford Central and Northwestern. Updates from the Stratford Transformation Working Committees were also provided and it was noted that construction projects at both sites are progressing as expected.

Chair Geddes extended her thanks to everyone involved for all of their work on this project.

## Chair's Update

Chair Geddes reported that the Grants for Student Needs (GSNs) were released last week and that she participated in a teleconference with Minister of Education Lecce. She also reported that a survey was sent to families to collect feedback to help planning for September.

## Senior Staff Updates

### Update on AMDSB "Learn at Home"

A video was shared with the Trustees that highlights how the "learn at home" system looks among secondary schools in AMDSB.

### Preliminary Accommodation Analysis Report

Staff provided the annual Preliminary Accommodation Analysis Report for the 2019/2020 year to Trustees. The report includes the latest long-term enrolment projections, building capacity figures and details pertaining to the Accommodation Planning Areas. The report noted that the Ministry of Education continues to ask boards to not enter into pupil accommodation reviews until the updated Pupil Accommodation Review Guideline (PARG) is released, and as such, staff recommended and Trustees agreed that an Accommodation Review process is not appropriate at this time. Superintendent Carter did discuss one planning area of the Board, the North Perth region, that staff might consider undertaking a formal boundary review in the future to address the enrolment growth in this region.

## Summer Mental Health Support for Students

The Board has received additional funding for the provision of mental health supports to students over the summer. Staff members from the Mental Health and Well-being team will be available by phone.

## IT Update

Devices that were deployed to students over the last 3 months will not be collected over the summer. This will enable students to participate in online learning should the need be to return to this format in September.

## Summer Learning Programs for Students and Staff

The Program and Learning Services teams have been working together to develop an online program for over 50 students in grades 3/4 and 9/10. The modules include Parent involvement, math and literacy instruction and includes support from Special Education Resource Teachers.

Staff are also being offered Additional Qualifications in Math and Indigenous Studies.

## Summer Support for Students with Special Education Needs

Summer Skills Development Program for students with Autism is being offered this summer, along with the Lexia online reading program. There will be Special Education support for elementary and secondary summer school with continued support from Special Education Resource Teachers and Educational Assistants.

## Student Trustee Update



Student Senators are recruiting more student followers for their social media accounts. They are offering Air Pods and gift cards as prizes. They are also sending out words of encouragement in a video campaign called "You Matter". A video will be released soon.

Our Student Trustees (Emma Badley and Kristin Vleeming) are graduating this year.

Trustee Badley will be attending the University of Guelph and has been awarded 3 scholarships totaling over \$45,000. Trustee Vleeming will be attending Conestoga College in Kitchener.

The Board thanked them for their dedication and leadership and wished them all the best!

Next year's Student Trustees will be Elizabeth Benoit (South Huron District High School) and Makenzie Hallam (Listowel District Secondary School). The Board wishes all of the Student Senators a happy and restful summer!

This year is the last year that Mr Burt will supervise the Student Senators. He has led this group for the last 5 years and the Board and senior staff thanked him for his strong leadership and guidance.

## Future Board Meetings

(Due to the COVID-19 pandemic response, meetings will be hosted online until further notice. A link to join the meetings will be posted [on the Board website](#) on the day of the meeting).

- Tuesday, August 25, 2020 (Special Board Meeting)

## Future Meetings/Events with Trustee Representation

- Special Education Advisory Committee – Wednesday, June 24, 2020
- Huron Perth Student Transportation Services – Tuesday, June 30, 2020
- Special Education Advisory Committee – Monday, August 24, 2020
- Finance Committee – Tuesday, August 25, 2020

---

**From:** Craig Metzger [mailto:cmetzger@huroncounty.ca]

**Sent:** Monday, June 22, 2020 4:05 PM

**To:** Alex Wolfe <awolfe@southhuron.ca>

**Subject:** RE: Notice of COA from Lambton Shores

Hi Alex,

I don't foresee any impact on South Huron form this application.

Craig

---

Craig Metzger, Senior Planner  
Huron County Planning & Development Department  
57 Napier Street, Goderich, ON N7A 1W2  
519-524-8394, ext. 3235  
519-524-5677 (fax)

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THE MUNICIPALITY OF

**LAMBTON SHORES**

Community Services

9575 Port Franks Road, R.R. #1

Thedford, ON N0M 2N0

T: 519-243-1400 / 1-866-943-1400

www.lambtonshores.ca

**MUNICIPALITY OF  
SOUTH HURON****COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING**

JUN 17 2020

**File Number:** A-07/2020  
**Applicant:** Jane & Brian Evans (Agent: Steve Sims, The Barnswallow Co.)  
**Property:** Lot 41 Plan 30 (GB)  
 53 Gill Road, Grand Bend

**TAKE NOTICE** that the Applicant is requesting a variance from Sections 3.19.1 and 7.2 c), g), and h) of Zoning By-law 1 of 2003 to permit a 4.1m top of bank setback rather than the 7.5m minimum, a front yard setback of 2.7m rather than the 6m minimum, a rear yard setback of 1.2m rather than the 7m minimum, and a 49.6% lot coverage rather than the 30% maximum. The applicants propose to construct a single detached dwelling of similar scale and front yard setback as neighbouring lots.

**AND FURTHER TAKE NOTICE** that the Committee of Adjustment for the Municipality of Lambton Shores has set **Wednesday, June 24, 2020 at approximately 7:05 p.m.** for the purpose of a hearing into this matter.

The Public Hearing will be held virtually. The public will be able to join in the hearing through **telephone and on-line videoconference**. For instructions on how to join the **virtual meeting**, contact the Clerk, Stephanie Troyer-Boyd no later than 4:30 p.m. on June 23, 2020 at [stroyer-boyd@lambtonshores.ca](mailto:stroyer-boyd@lambtonshores.ca), 1-877-243-1400 or (519)243-1400 ext. 8414.

No other applications are being considered at this time.

Additional information regarding the application will be available for public inspection by contacting the Deputy Secretary of the Committee of Adjustment, Jackie Mason from 8:30 a.m. to 4:30 p.m., Monday to Friday at (519)243-1400 x8510 or [jmason@lambtonshores.ca](mailto:jmason@lambtonshores.ca). Signed, written submissions regarding the application may be submitted to the attention of Jackie Mason at [jmason@lambtonshores.ca](mailto:jmason@lambtonshores.ca) or at the Municipality of Lambton Shores, 9575 Port Franks Rd., R.R. #1, Thedford, ON N0M 2N0.

You are entitled to participate in this public hearing to express your views about this application, or you may be represented by counsel for that purpose. If you do not attend at the hearing it may proceed in your absence and, except as otherwise provided by the Planning Act, you will not be entitled to any further notice in the proceedings.

If you wish to be notified of the decision of the Municipality of Lambton Shores Committee of Adjustment in respect of this application, you must submit a written request to the Municipality of Lambton Shores Committee of Adjustment.

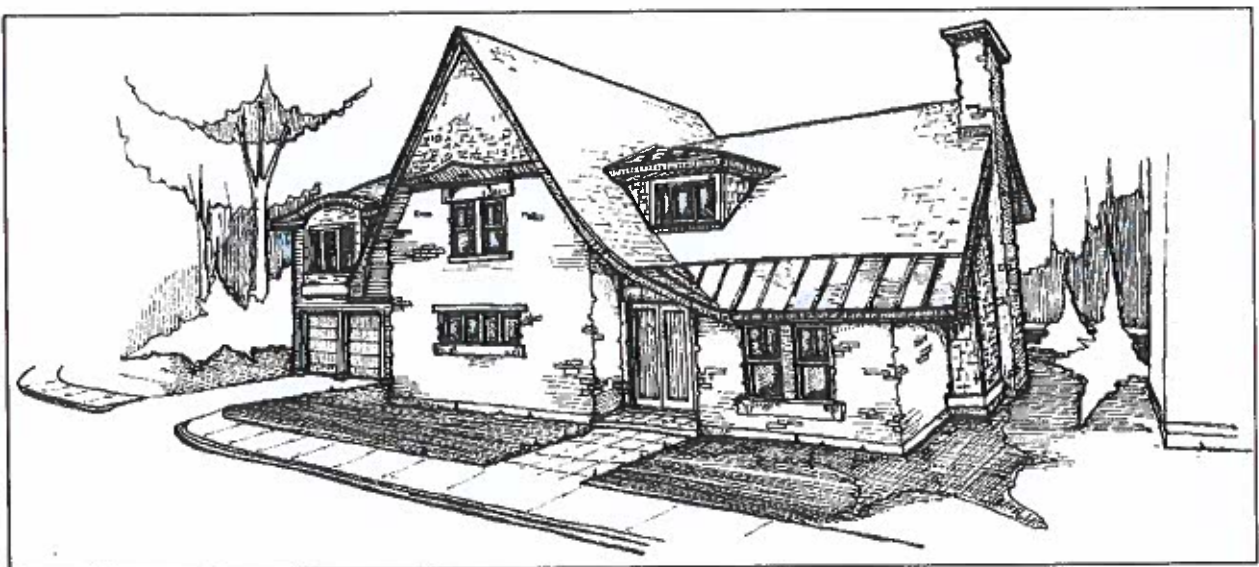
If you are the owner of lands that contain seven or more residential units, you are requested to post this notice in a location that is visible to all of the residents.

Dated this 10<sup>th</sup> day of June, 2020.

Jackie Mason, Deputy Secretary, Committee of Adjustment



**Subject Lands**









## NOTICE OF RECEIPT OF COMPLETE APPLICATION AND **REMOTE** PUBLIC MEETING CONCERNING PROPOSED ZONING BY-LAW AMENDMENT

**TAKE NOTICE** a statutory public meeting is scheduled for **July 14<sup>th</sup> 2020 at 7:00 p.m.** This meeting **will be held remotely** to discuss a proposed Amendment to the Perth South Zoning By-law affecting property located at Lot 8 and Part Lot 9, Block D, Plan 325 (Victoria Avenue, Kirkton) in the Blanshard Ward. The application, submitted by property owners Mike and Janet Farquhar, is deemed complete by the Township.

This remote public meeting is intended to replace an in-person statutory public meeting and to meet the requirements of the Ontario Planning Act, R.S.O. 1990.

The proposed amendment to the Zoning By-law will keep the property within the Hamlet Village Residential (HVR) Zone; however include provisions recognizing deficiencies created as result of an associated Application for Consent (B01/20), which created a new lot for residential purposes.

Because of the COVID-19 pandemic, the Township is electing to host public meetings through remote electronic participation in accordance with the Municipal Act, 2001, as amended by Bill 187, the Municipal Emergency Act, 2020, which amended the Emergency Management and Civil Protection Act and prohibits organized public events of more than ten people.

If you would like to be included in the videoconference meeting on July 14, 2020 please email the Clerk at [lscott@perthsouth.ca](mailto:lscott@perthsouth.ca) by Monday, July 13. More information regarding this process will be made available to those that register.

Those interested in viewing the meeting but not directly participating are asked to view the webcast via Township of Perth South Facebook page at [www.facebook.com/PerthSouthTwp/](https://www.facebook.com/PerthSouthTwp/)

We recognize that there may be circumstances that require special accommodation to attend public meetings. Residents can contact the Clerk's Department in advance to make alternative arrangements. A limited number of spaces in the public gallery may be available, should this be necessary. Residents will be subject to a screening test.

**ANY PERSON** may virtually attend the public meeting and/or make written or verbal representation either in support of or in opposition to the proposed Zoning By-law Amendment.

***Important information regarding appeal rights (please read carefully):***

If a person or public body would otherwise have an ability to appeal the decision of the Township of Perth South Council to the Local Planning Appeal Tribunal but the person or public body does not make oral submissions at a public meeting (virtual or in-person) or make written submissions (virtual or in-person) to the Township of Perth South before the by-law is passed, the person or public body is not entitled to appeal the decision.

If a person or public body does not make oral submissions (virtual or in-person) at a public meeting, or make written submissions (virtual or in-person) to the Township of Perth South before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

**ADDITIONAL INFORMATION** relating to the proposed Zoning By-law Amendment is available upon request and will be shared virtually where possible. If required, arrangements can be made to have a package prepared and available for pick up at the Township office.

**DATED AT THE TOWNSHIP OF PERTH SOUTH  
THIS 24<sup>th</sup> DAY OF JUNE 2020.**

Lizet Scott, Clerk, Township of Perth South, 3191 Road 122, St. Pauls, ON N0K 1V0,  
Telephone: 519-271-0619 x224, Email:  
[LScott@perthsouth.ca](mailto:LScott@perthsouth.ca)



**SUBJECT PROPERTY**

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**From:** Craig Metzger [mailto:cmetzger@huroncounty.ca]

**Sent:** Thursday, June 25, 2020 2:01 PM

**To:** Alex Wolfe <awolfe@southhuron.ca>

**Cc:** Rebekah Msuya-Collison <clerk@southhuron.ca>

**Subject:** RE: Notice of PM - ZBA - Farquhar

Hi Alex,

This property is on the east side of Kirkton and the proposed zoning amendment is not anticipated to have any negative land use planning impacts for South Huron.

Sincerely,

Craig

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Craig Metzger, Senior Planner  
Huron County Planning & Development Department  
57 Napier Street, Goderich, ON N7A 1W2  
519-524-8394, ext. 3235  
519-524-5677 (fax)

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**From:** Rachel Skillen [[mailto:rachel\\_skillen@hotmail.com](mailto:rachel_skillen@hotmail.com)]

**Sent:** Thursday, July 2, 2020 10:45 AM

**To:** Megan Goss <[mgoss@southhuron.ca](mailto:mgoss@southhuron.ca)>; Dan Best <[cao@southhuron.ca](mailto:cao@southhuron.ca)>; Mayor Finch <[gfinch@southhuron.ca](mailto:gfinch@southhuron.ca)>; Deputy Mayor Dietrich <[jdietrich@southhuron.ca](mailto:jdietrich@southhuron.ca)>; Councillor Vaughan <[mvaughan@southhuron.ca](mailto:mvaughan@southhuron.ca)>; Councillor Faubert <[dfaubert@southhuron.ca](mailto:dfaubert@southhuron.ca)>; Councillor Neeb <[aneeb@southhuron.ca](mailto:aneeb@southhuron.ca)>; Councillor Ferguson Willard <[bwillard@southhuron.ca](mailto:bwillard@southhuron.ca)>; Councillor Oke <[toke@southhuron.ca](mailto:toke@southhuron.ca)>

**Subject:** Tennis courts

Good morning Mayor Finch, members of council and staff,

I am writing on behalf of the South Huron Optimist Club in support of the replacement of the tennis courts in Exeter. As you know, our organization is focused on providing opportunities for youth and families in South Huron, and we feel that a recreational activity such as tennis is a great way for people of all ages to participate in a healthy activity. This is a relatively low-cost activity and can be played with a parent, caregiver, grandparent or a friend. It does not require a registration fee like most other sports and activities, so it would be accessible to many families in our community.

In May 2019 our club reached out to council to offer financial support for the refurbishment of the tennis courts with funds raised through our annual Great Community Challenge. We

would be pleased to donate \$5000 toward the replacement of the tennis courts if it was to go ahead. I have attached the original letter for your reference.

We appreciate your consideration of investing in this recreational activity in our community and look forward to hearing the results of your decision at the July 13th council meeting.

Yours in Optimism,

Rachel Skillen

President, South Huron Optimist Club



May 5 2019

Dan Best, CAO  
Municipality of South Huron

Re: Interest in donating to refurbishment of tennis courts

Dear Dan and members of South Huron Council,

The South Huron Optimist Club is hosting the 9<sup>th</sup> annual Great Community Challenge on September 14<sup>th</sup> 2019. Past tournaments have raised funds for several worthwhile community projects in South Huron, including:

- 2011 - Funds raised for Centralia playground
- 2012 - Funds raised for Crediton playground
- 2013 - Funds raised for Exeter Splash Pad
- 2014 - Funds raised for phase 2 of the splash pad project - the adjacent playground
- 2015 - Funds raised for the Huron County Food Bank commercial cooler
- 2016 - Funds raised going to support Jessica's House
- 2017 - Funds raised for accessible washrooms at Exeter Splash Pad
- 2018 - Funds raised for Huron-Perth Child and Youth Mental Health Services

All of the projects listed above have been completed and we are very proud of our contributions to this community through the funds raised at our Great Community Challenge.

In recent discussions within our club about this year's event, we identified an interest in supporting a refurbishment of the tennis courts located behind Exeter Elementary School. We feel that this area is in significant need of repair, and if completed it could become a place for youth and families to be active and spend time together.

We would be interested in donating the funds from this year's event if MOSH is moving forward with this project. We are also interested in working alongside other community groups who demonstrate a shared interest and commitment to the project in order to see it completed. Our commitment to this project would be \$5000.

We would be willing to meet with members of council and/or staff to discuss further. We also invite all members of council and staff to be part of this event by entering a team of 2 into our Holeyboard tournament! Information and registration can be found on our South Huron Optimist Club Facebook page.

Thank you so much for your time and consideration,

Rachel Skillen  
President, South Huron Optimist Club



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**From:** kathy baiger [<mailto:kbaiger@yahoo.ca>]

**Sent:** Wednesday, June 10, 2020 9:56 AM

**To:** Councillor Faubert <[dfaubert@southhuron.ca](mailto:dfaubert@southhuron.ca)>; Kathy Baiger <[kbaiger@yahoo.ca](mailto:kbaiger@yahoo.ca)>

**Subject:** Opposition to Tridon Subdivision

June 10 2020

## **Letter to Municipality of South Huron and South Huron Council**

Re: Tridon group proposal for major subdivision, currently dubbed the Oakwood Meadows Subdivision, on the east side of Highway 21 currently home to nine holes of Oakwood golf course.

A Letter of Concern regarding the Official Plan Amendment (Secondary Plan) Application Oakwood Golf Course Land.

## Introduction:

My name is Kathy Baiger. This letter is my personal view. People tell me that I am wasting my time writing this letter, but I feel compelled to write. I would be thankful to you for your feedback.

I live in the Grand Cove Adult Community in Grand Bend. My home backs directly onto the fairway of Oakwood Golf Course east side of Highway 21. I moved to Grand Cove to escape city noise, traffic and construction. I found my perfect home in a quiet, peaceful retirement community. My happiness and peace is about to come crashing down all because of the Tridon subdivision. I think of Joni Mitchell's song: Don't it always seem to go

That you don't know what you've got til its gone

They paved paradise

And put up a parking lot

## **I am not against a subdivision, BUT I am against a subdivision on the Oakwood property.**

Don de Jong, of developers Tridon Group, told council there is a need for such a development in this area. Perhaps there is, but there certainly must be a better suited property. Why destroy a beautiful conservation area/park that is home to a variety of migrating birds and wildlife, mature trees, and ponds bordered by woodland already zoned Natural Environment Zone 2, (NE2)? A subdivision closer to schools, hospital, sports arenas, and year round employment opportunities might be a preferred option.

**My concern is about how the negative impact of a 300 home multi-development subdivision will affect not only the natural environment, but also, the well being of the senior neighbours who live right there.**

In Subdivision Approval Procedures (County of Huron) under Matters to be Considered by the Approval Authority 5.c. under Section 51 (24) of the Planning Act:

- Approval authority shall have regard, among other matters, to the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality

- (b) Whether the proposed subdivision is premature or in the public interested

- (d) The suitability of the land for the purposes for which it is to be subdivided

- (h) Conservation of natural resources and flood control

## **Climate Change Adaption Plan:**

The Municipality of South Huron has received funding from the Municipalities for Climate Innovation Program (MCIP) to prepare an adaptation strategy for our region that protects our assets and ensures long-term service continuity. The Municipality of South Huron has officially launched their Climate Change Adaptation Plan project. The goal of this two-year project is to increase the Municipality's capacity to identify and respond to climate change impacts.

"Identifying risks and working to protect or extend the life of our core infrastructure is just smart business planning," said **Mayor George Finch**. **"South Huron Council has made adapting our municipality to the impacts of a changing climate a priority."**

This is currently in the action planning phase and will identify practical actions for the municipality to implement. Perhaps this strategy should be implemented before the subdivision is approved.

**Zoning:**

According to Municipality of South Huron Zoning By-law Section 17, the parcel of golf course proposed to be developed on the east side of Highway 21 is zoned RECREATIONAL COMMERCIAL RC3. The woods surrounding and also part of the course is zoned NATURAL ENVIRONMENT ZONE 2 (NE2).

I feel that there should be a Request for a Proposal with our Municipality for a Natural Environment Investigations Study to support maintaining the current zoning of RC3 Recreational commercial and prohibit the zone change to Residential R1, R2, and R3. The surrounding woods, including a parcel that is on the golf course land, is zoned Natural Environment Zone 2 (NE2).

**Par 3 Golf Course:**

Tridon states that the west side of highway 21 will be transformed into an Executive (Par 3) nine hole course. If you have golfed Oakwood then you know this side of the course has steep hills and is physically challenging. Some seniors have a difficult time walking this side and I have found the cart paths challenging. The best choice for a Par 3 course would be on the east side of Highway 21, on the flat fairways, in my opinion as a golfer.

**The Plan of Subdivision Process in Huron County states:**

Before Applying/Pre-consultation required studies must be completed prior to making formal application. Planning applications for official plan amendments are vetted through the municipality of South Huron Council however, receive FINAL approval from Huron County Council.

Right to Appeal:

Any person or public body may, not later than 20 days after the notice of decision is given, appeal the decision of the Approval Authority to the Local Planning Appeal Tribunal.

**Major Concerns:**

**There are 2 important concerns that I feel compelled to bring to attention:**

1. **Negative Environmental Impact, Wildlife Impact and Climate Impact**
2. **Negative Impact on the well being of myself and neighboring seniors**

**Environmental Concerns - A 4 Season Loss of Habitat Impact:**

- Migration and patterns of birds and wildlife
- Eco systems: 2 ponds
- Carbon Footprint (each tree consumes 21.8 kilograms of carbon each year. It takes up to 7 trees to reduce our own carbon footprint to zero)
- Loss of mature trees
- Noise pollution (during construction and post construction)
- Light (dark sky) pollution

**Impact on Senior Citizens who live beside or near the development:**

- Disruption in quality of life

- Loss of peace and quiet
- Mental health: anxiety ,confusion, worry , sadness
- Noise pollution (construction and post construction)
- Light pollution (streetlights will block dark sky)
- Air pollution. Problems for seniors with breathing problems
- Worry over devaluation of properties with premium lots that face onto the course .The monetary value of a premium greenbelt view of nature will be obliterated
- Lack of privacy
- Loss of benefits of nearby recreation and exercise suitable for seniors ( golf : flat fairways )
- Social and psychological impacts
- Loss of security, increase in crime rate
- Increase in anxiety from traffic volume and congestion

### **Communicating with Myself and Other Local Seniors, during Covid 19 precautions:**

Virtual Meetings. Any Options? Some seniors, like me, are not savvy with computers and virtual meetings. Is there another way to communicate with me? I am not Tec savvy. I am sure that other seniors like me feel the same. I have a dated computer that I gently use and I am not familiar with Skype or virtual meetings.

- What do you suggest?
- Can I communicate my concerns about the zone changing by phone during a virtual meeting?
- Can I have my email read by one of the councillors?

I tried to log into the Council Virtual Meeting on June 1. I hit the red live button and my computer locked. Sadly, I missed that meeting but I was able to watch the prior virtual meeting.

### **Ideas to Re-Purpose:**

This green belt is an established, “park like” area with environmental integrity. Maintaining the current zoning insures a natural environment, caters to the local demographics, and creates opportunities:

Employment opportunities – Hire Local

A public 9 hole golf course, or Nature Park.

A place for family experiences, young or old, tourist or local. A good alternative to the beach for family recreation and a pleasant afternoon prior to a play. (For example a “Play and Play” package.)

Hire local: Managed by local students, seniors, landscapers and community volunteers

Name it "Tridon Citizens Park" for example, and use it to attract people to the area. (Similar to RIM Park in Waterloo a few years ago).

Covid 19 De-Stress Park: Fitness paths, bike paths, Senior's paths. A place for passive recreation. Involve our local Horticultural Society, Environmental, Fitness, and Walking Groups to name a few community interest groups.

### **Questions:**

Of the 14 stages of the subdivision application, at what stage is Tridon?

Who determines what studies should be undertaken?

What is the plan for the sewage trunk line?

How will children get to school walking or riding bicycles?

Why spend money to build walking trails when fairways to walk already exist?

Will the public, members of council, local MPP and interest groups be invited to walk and experience the property so they can witness firsthand what will be destroyed before any decision is made?

Will a drone video be made available to the public so they can realize what will be lost - from tree tops to house roofs?

What is the Port Blake project?

Will a fence be constructed to separate my property from the subdivision property? Where will it go? How high?

What is the status of the trunk sewer installation on Highway 21 that south Huron council is proposing to install so that the subdivision can go ahead.

What is the benefit of this subdivision to me, my senior neighbors, and the environment?

What is the Tree Policy passed by council in 2019?

What type of house/townhouse will back onto Sandpiper Square in Grand Cove?

Have official plan and zoning bylaw amendment applications been received and approved by council?

Will studies be done by the Ministry of Natural Resources, the Ministry of the Environment, Conservation and Parks, the Ministry of Transportation?

Will a study be done by the Provincial Ministry for Seniors and Accessibility? (Helping seniors and people with disabilities stay independent, active, and socially connected. Also helping seniors stay safe and making Ontario more accessible for everyone and promoting the benefits of age-diverse, accessible workplaces and communities where everyone is able to participate.)

Will there be Social and Psychological impact studies on nearby senior citizens? How are the results of studies communicated to the public?

Is this basically a "done deal"?

## Conclusion:

Oakwood Golf Course is not a suitable location for a 300 home multi-housing subdivision.

This is a time to preserve green space and trees, not destroy them. This is a time to be conscious of climate change, not ignore it. This is a time to stop environmental disruption, to preserve wild life and birds, to appreciate the eco-sensitive lands we live on. This is not a time to purge our delicate green areas in order to fulfill the financial gains of a developer.

Grand Bend is appreciated for its friendly and intimate community; for its natural environment. Cottagers and visitors come here to escape the city and enjoy our peace and quiet.

Large developments of this kind should be built closer to towns that can provide employment all year round, schools and hospital. Tridon should build on lands that are not environmentally sensitive. Although the plan will encompass a walking trail and green space, this will not for a moment alleviate the negative impact on the environment and wildlife.

I planned for my future by investing in a home that should increase in value due to its proximity to open green space, natural environment, a beautiful view and privacy. The ramification of this development will definitely reduce the value of my home, and therefore the value of my retirement investment for my future. This is heart wrenching to me. I came here to live the rest of my life peacefully. I definitely did not want to go through this challenge.

"Rather than say I did nothing, I did something. I did what I could. "

Respectfully submitted,  
Kathy Baiger, 72 Sandpiper Sq. Grand Cove [kbaiger@yahoo.ca](mailto:kbaiger@yahoo.ca)

<https://www.lakeshoreadvance.com/news/local-news/subdivision-planned-for-east-side-of-highway-21-north-of-grand-bend>

The Lorax is a children's book written by Dr. Seuss and first published in 1971. It chronicles the plight of the environment and the Lorax is the titular character, who "speaks for the trees" and confronts the Once-ler, who causes environmental destruction.

Sent from [Mail](#) for Windows 10



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Dear Councillor,

Recently, through the HOA of Grand Cove, I was sent an email concerning the viewing of a plan of property that is to go on 9 holes of Oakwood Golf Course, a large number of dwellings, between 275 and 395. This viewing is to be placed on boards within the golf course at 70786 Blue water Highway, South Huron. If I had not been a member of HOA, I would of known nothing about this, and suspect that other people know nothing about it either. Not just residence of Grand Cove, but people in the general community of Grand Bend. I believe if the company doing this want to be transparent, then it should be placed where the general public can see it, and if not already aware of the event, then could be made aware when even driving by for some other purpose. I think this should be done, maybe of the land of the old Marine, further down from the golf course, there is plenty of land for the display and also parking. Back in the golf course area, of the current proposal does not give the opportunity of people who do not know it is going on. Something has to be done quickly as it is proposed for June 17 to June 22, which is coming up quickly.

I am opposed to this development for a variety of reasons. Not only is it a beautiful natural green area, but it is home for a variety of animals and birds who are getting pushed out of their natural environment every day, then people complain as the animals encroach on their property. I, and many other people like me, moved to this area, for the small town quietness and to be away from the hustle and bustle of big towns and cities. The smog and noise pollution put out by increased traffic, which will happen with this many residences going into this area. I know first hand, I saw this just 1/2 mile away from me in Cambridge. Besides, these things already mentioned, it will decrease the value of the property here in Grand Cove, particularly the ones bordering the golf course, who incidentally bought there in the first place for the peace and tranquility.

I am also concerned about the new sewers which will also have to be put in to serve these households. Not only the digging up of more land to bed them into, but also the cost involved, which will in turn be turned over to the residence in the area. Our water rates went up just a couple of years ago, for another water project which did not involve the residence of Grand Cove, but we, like others are having to pay for it. Can our two grocery stores and medical centre, not to mention small school handle all of these extra families. I've seen it before, the schools cannot cope and the children have to be bussed out of the area, this is not good, especially with the winters that invariably happen around here.

I believe a full environmental study should be done, before any of this starts to happen with this proposed complex, but firstly move the viewing for June 17-22 to a more visible and transparent area.

Sincerely,

Denise Mouter 519 238 2127

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**From:** Craig Metzger [mailto:cmetzger@huroncounty.ca]

**Sent:** Friday, June 26, 2020 9:55 AM

**To:** Marlan Siren <marlansiren@hotmail.com>

**Cc:** Councillor Faubert <dfaubert@southhuron.ca>; Alex Wolfe <awolfe@southhuron.ca>; Rebekah Msuya-Collison <clerk@southhuron.ca>; Mayor Finch <gfinch@southhuron.ca>; Councillor Vaughan <mvaughan@southhuron.ca>; Dan Best <cao@southhuron.ca>; Caroline Baker (caroline@bakerpg.com) <caroline@bakerpg.com>

**Subject:** RE: proposed TRIDON development in Grand Bend

Hi Marlan,

In response to your questions:

1. As Tridon's representatives have announced, Tridon has submitted an application to amend South Huron's Official Plan. However, it is in the very early stages of the process and the review to determine whether it is complete and can move forward as an official application has not yet been completed. "Complete" means the application includes all the information required by the Planning Act as well as any studies required by South Huron's Official Plan.
2. Mr. DeJong's Lakeshore project that you refer to was a severance at 5A Lakeshore Drive. The requested material was submitted and the severance was approved by Huron County Council on February 5, 2020.
3. The application consideration process is broadly laid out in a flowchart in the attached guide prepared by the County Planning & Development Department. Please note the drive-by open house and Zoom presentation by Tridon were not a requirement of the process but an effort by Tridon to reach out to the community in advance of the formal process. The formal process begins with circulating notice of the application and South Huron hosting a formal public meeting under the Planning Act once the application is determined to be complete.
4. Full municipal services are not currently available throughout the Port Blake Planning Area but will be available for the Tridon property.
5. A Secondary Plan has not been adopted for the Port Blake Planning Area. The Official Plan amendment proposed by Tridon is to function as a Secondary Plan for their property.

Thank-you for your questions and comments. They will be included as part of the file for this application.

Have a good weekend,  
Craig

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Craig Metzger, Senior Planner



Huron County Planning & Development Department  
 57 Napier Street, Goderich, ON N7A 1W2  
 519-524-8394, ext. 3235  
 519-524-5677 (fax)

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**From:** Marlan Siren <[marlansiren@hotmail.com](mailto:marlansiren@hotmail.com)>

**Sent:** June 21, 2020 6:11 PM

**To:** [gfinch@southhuron.ca](mailto:gfinch@southhuron.ca); [mvaughan@southhuron.ca](mailto:mvaughan@southhuron.ca); [dfaubert@southhuron.ca](mailto:dfaubert@southhuron.ca); Craig Metzger <[cmetzger@huroncounty.ca](mailto:cmetzger@huroncounty.ca)>; [jbest@huroncounty.ca](mailto:jbest@huroncounty.ca); [awolfe@southhuron.ca](mailto:awolfe@southhuron.ca); Rebekah Msuya-Collison <[clerk@southhuron.ca](mailto:clerk@southhuron.ca)>

**Subject:** proposed TRIDON development in Grand Bend

I hope I'm sending my questions to the right people. If not, please forward this note to relevant parties.

It is my understanding (per Caroline Baker, their PR person) that Tridon submitted their Application for an Official Plan Amendment on May 15- (yup, in the middle of a pandemic) yet I do NOT see this on your list of Active Planning Applications on your Planning and Development page, though I DO see the owner, Don DeJong, has an application dating back to June 11, 2019, (to re-zone a single-family lot on the Oakwood Park shoreline.) Your site states the status of this one is "*under review. Applicant providing additional information requested from commenting agencies per circulation.*"

### **Questions:**

-

1. Has Tridon's Application for an Official Plan Amendment for the PORT BLAKE Planning Area in fact been submitted?
2. Has DeJong come forward yet with the information requested a year ago by your Planners in order to proceed with his Lakeshore project?

I can sure understand that – like the rest of the world – Council and Staff are occupied with pandemic protocol, yet I noticed the Official Plan was last amended June 9, 2020, so I'm assuming information there is current. But I ask because we all know assuming is foolish.

3. Would you please read below and tell me if I have a correct grasp of the process:
  - Staff Planners and CAO review the application
  - SH Planner takes decision to County whose Planners make the final decision
  - CAO takes decision (to approve or not) to SH Council for a vote
  - Before that Council meeting, topic is listed on the agenda for the meeting so the public can apply to be heard as a delegation (singly or group)

I pasted this from your Official Plan (2014) document:

#### **7.10.4.1. Residential Designation The Residential policies of the Port Blake Planning**

**Area recognize the existing developments of Grand Cove Estates and Oakwood Links Condominium by designating them “Residential” on Schedule “H” on the Port Blake Planning Area Land Use Schedule. New residential developments shall not be permitted in the Port Blake Planning Area until such time as full municipal services are extended throughout the Port Blake Planning Area and a secondary plan has been adopted for this area .**

**4. Have full municipal services been extended throughout the Port Blake Planning Area?**

**5. Has a secondary plan been adopted for this area yet?**

### **Personal comments**

I moved to Grand Cove to grow old(er) and write bad poetry in a peaceful setting that accommodates my health issues. I don't want to be researching Municipal documents and floodplains. Did you know that a mature tree consumes 50 to 300 gallons of water a day and turns it into oxygen and water vapour?

The “Information” panel boards installed by Tridon are remarkably uninformative. So much missing one doesn't know where to start. Reading through the OP Port Blake pages, I was stunned by the number of studies required to even begin to vet what Tridon suggests.

I predict you will see very few Zoom participants- (authentic public, and not PR plants)- at the “public” meeting staged by Tridon on June 25. Most stakeholders don't even know about it; they're in Chicago, Toronto, etc.

**Don't you think it's odd that:** Tridon's COMMUNITY CONNECTIONS info panel identifies Grand Bend Main Beach and Grand Bend Services as the first 2 selling points? Then come Port Blake, Darkhorse, and the Playhouse.? **Don't you think it's odd that:** the Oakwood Inn Resort and the west 9 holes aren't even mentioned? Can you figure out why? These last 2 questions are rhetorical, yet they speak volumes.

**If it's easier for you to answer my questions by phone., I'm at 519-238-8309.  
I look forward to your answers. -with thanks from marlan siren**

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

From: info@esolutionsgroup.ca [<mailto:info@esolutionsgroup.ca>] On Behalf Of Kevin Wickert

Sent: Thursday, June 11, 2020 7:55 PM

To: Councillor Faubert <[dfaibert@southhuron.ca](mailto:dfaibert@southhuron.ca)>

Subject: Tridon development

I am inquiring as to when the council will be reviewing the application from Tridon to amend the zoning for the parcel of land it has purchased from the Oakwood resort.

I currently live in the Grand Cove community of Grand Bend and this land is adjacent to our community.

As this land is currently not zoned for residential there is a group of concerned citizens that are interested in the process and are opposed to the current plan Tridon has proposed for this land.

Any information you could provide would be appreciated. It would appear that this is a forgone conclusion that this zone change will be rubber stamped and we want to be heard.

My contact information is:

Kevin Wickert

[Leafsfan7027@hotmail.com](mailto:Leafsfan7027@hotmail.com)

519-272-1463

74 Sandpiper SQ

Grand Bend

Rebekah Msuya-Collison  
 Clerk – Municipality of South Huron  
 322 Main St. S  
 Exeter, ON  
 N0M 1S6

June 29, 2020

Exotic Animal Bylaw Exemption request:

First off, I would like to indicate that I am opposed to this application brought forward by Brandon Vanderwel and Destiny Duncan. I live in the Van Dongen neighbourhood in Grand Bend where the Roaring Cat Retreat is located. I am about 3 blocks away and even with the windows closed, I could hear the lions roaring. I also hear the noise from the motorplex with my windows closed and air conditioning on as the motorplex is just across the fields from where I am located. Based on this, I fully expect to be hearing these lions roaring yet again. Hearing the roaring is enough to feel the anxiety of wondering if they are secure or have gotten loose. Loud tools and machinery is no match for the noise coming from the motorplex and who knows how these lions will react. Putting them in an enclosure will not drown out the noise.

Though Coun. Dianne Faubert has indicated how friendly they are – they are cubs and cubs will be cute and friendly. However, they do grow up. The average female lion weighs 127kgs and the average male weighs 191kg. It is unfortunate that Coun. Faubert didn't spend even a day here in this neighbourhood and experience what it was like living so close to the zoo before saying she would welcome them as neighbours.

Vanderwel and Duncan have said when asked if they plan to increase their cat population and their answer was "as of right now....". To me, that leaves the door open to add increase at a later date. Mr. Drysdale also started with a one or two animals and looked what happened over time.

Vanderwel and Duncan say they will not have any association with Roaring Cat Retreat but they did volunteer there and they did buy the cubs from them. Are their cubs also at an "undisclosed location" with the animals from the Roaring Cat Retreat? They may not currently have any business association with RCR but they do have a personal association.

Opening the door to allowing an exemption to this bylaw for Vanderwel and Duncan will also then open the door for Mr. Drysdale to apply for an exemption. Based on past history, if you approve the first one and you don't approve his, he will likely sue the municipality. It will also open the door for further exemption applications from Vanderwel and Duncan for more animals and anyone else that wants to have exotic animals in your municipality.

Coreen Asselman  
 9863 Leonard St.  
 Grand Bend, ON  
 N0M 1T0  
 519-317-6646

**From:** Laura Hall [mailto:missmayhillary@gmail.com]

**Sent:** Sunday, June 28, 2020 2:31 PM

**To:** Rebekah Msuya-Collison <clerk@southhuron.ca>; Mayor Finch <gfinch@southhuron.ca>; Dan Best <cao@southhuron.ca>

**Subject:** Exotic animals

Re: Municipality of South Huron council meeting - June 15 2020, Delegation 5.2  
- Request for Exotic Animal Bylaw Exemption - Brandon Vaderwel & Destiny Duncan.

Mayor and Council,

Due to the safety of your residents, your tourists, your established business community, and the safety and well being of your neighbouring Municipalities, I ask that By-law 29-2014 maintain in force and effect across the Municipality, and

that all requests for exemption to such by-law be denied.

Pursuant to the Municipal Act, S.O. 2001, c.25 as amended, empowers councils of a local municipality to pass by-laws to regulate or prohibit the keeping of animals or any class thereof within the municipality. The Municipal Act also pursuant to Section 11 (3) of the Municipal Act, 2001, S.O. 2001, c.25, a lower tier municipality may pass By-laws respecting unnecessary the health, safety and well-being of persons, protection of persons and property, consumer protection and animals.

By-law 29 -2014 has been passed to complete these tasks and safeguard your community as outlined in the Municipal Act. Giving an exemption to such, places your constituents at an unnecessary risk. Also, allowing an extension to one property for their own personal gain is not proper, and it sets a precedence that in my view would question why South Huron would even have a by-law addressing this issue at the onset.

This request can be compared and equated to an individual asking the court for an exemption to obey speed limits, since he just acquired a car that needs to be driven fast. While all others who use the road need to obey the posted speed limits. I hope when put in such context this request sounds as absurd as it does to myself, and it shows how dangerous such an ask potentially could be.

These animals pose dangers and harm to the communities that have allowed them.

Recently, the Municipality of Lambton Shores dealt with a similar situation where lions and other exotic animals were brought to a property. Within weeks animals had escaped forcing families and children to not enjoy their properties for over a year as they lived in fear. The noise from such animals can be frightening to young children/families, and keep people up at night. The smell from feces can be horrendous from such animals with no regulations in place to minimize or remove such. This does not even account for the excess traffic that swarmed this area, and the expensive legal battle that the municipality endured and continues due to multiple different infractions of multiple by-laws at such property.

In delegation 5.2 of the June 15 2020 Council meeting there are many signs that such exemption to by-law 29-2014 will begin the path of a unregulated roadside zoo or sanctuary that follows no regulations. They indicate fencing that does not meet the heights stipulated in there supporting documentation. They admittedly state that they have no formal training with such animals. She states in her documents that she adopted this animal, however had no place to bring them which shows poor planning. As you can see from the pictures submitted, they treat these animals as pets, there are even pictures of them both in the Lions cage with the animals, something she stated during her delegation she would not do as that is a unsafe practice.

A quick search online can show that these animals even in captivity can hurt, kill and never loose their wild animal instinct. They also state in their delegation that they would like to grow tourism and expand the local economy. If this exemption was just to house their two pet lions 50 minutes away from where they live, why would they state that this venture would grow tourism and expand the local economy. The answer to that question along with seeing two different fenced in

areas on their site plan is they already have plans to expand their menagerie of animals, and use such animals for personal gain.

The risks outweigh the benefit when reviewing such request. I ask again that South Huron Council deny any exemption request from by-law 29-2014

Regards,

Hillary Black

**From:** [Gena Brumitt](#)  
**To:** [Info; Rebekah Msuya-Collison](#)  
**Cc:** [information@wildanimalsanctuary.org](mailto:information@wildanimalsanctuary.org)  
**Subject:** Lions in South Huron - article  
**Date:** June-30-20 3:35:04 PM

---

Dear South Huron Council Members:

I read the following article with interest:

<https://1fpress.com/news/local-news/lion-owners-eye-sanctuary-near-grand-bend-amid-officials-safety-fears/wcm/f2e85601-174e-41d2-acc2-d06fb42be57c/>

Vanderwel says he "owns" these lions and that he "adopted" them. How do you know any of that? Sounds like he has no receipt.

He says he has lots of experience and tells a story in his submission to you that MIGHT NOT be truthful. I'm sure you are taking that into consideration.

I think it's very important for these young cubs to be in a REAL wildlife sanctuary where they can be among their own kind. Here is one that might give them REAL happiness. This place is actually where dozens of the tigers from Tiger King "Joe Exotic" were placed, after being taken out of that guy's "care". I have been here, and the animals are cared for WONDERFULLY! These cubs don't need to be alone in Ontario.

<https://www.wildanimalsanctuary.org/>

Lions and tigers should not be kept in some guy's barn or a random Ontario property near Lake Huron. They should be with others like them - THAT is what is kind and caring.

When they get older, they are going to want to mate! And if they don't have that option in South Huron, you and Vanderwel will all have a REAL problem.

Sincerely,  
Gena



**From:** "annacarr@securenet.net" <annacarr@securenet.net>

**Date:** July 6, 2020 at 11:42:25 PM EDT

**To:** Rebekah Msuya-Collison <clerk@southhuron.ca>

**Subject: Municipality of South Huron council meeting - June 15 2020  
Delegation 5.2 - Request for Exotic Animal Bylaw Exemption - Brandon  
Vaderwel & Destiny Duncan.**

July 6, 2020.

Rebekah Msuya-Collison  
Clerk – Municipality of South Huron  
P.O Box 759  
322 Main St S.  
Exeter, ON  
N0M 1S6

Re: Municipality of South Huron council meeting - June 15 2020  
Delegation 5.2 - Request for Exotic Animal Bylaw Exemption - Brandon  
Vaderwel & Destiny Duncan.

Thank you Mayor and Council for listening to my concerns.  
Due to the safety of your residents, the tourists, your established business community, and the safety and well being of your neighbouring Municipalities, I ask that By-law 29-2014 maintain in force and effect across the Municipality, and that all requests for exemption to such by-law be strongly DENIED!

I am asking that you please not take this request for a bylaw exemption lightly, as the lions have been referred to as cats and something certain council members welcome in their neighbourhood. This bylaw was voted in on 2015 for a good reason and there has been no significant changes that would warrant council to now consider any exemption to it.

If there has been a significant change we would like to know what specifically has changed?

If an exemption is passed it will open up the flood gates to Other exotic animals being housed by the applicants Brandin and Destiny, as well as encouraging

others with similar exotic animals to setup in the area. If one exemption is given there is no reason others should not be given the same exemption and word travels amongst exotic owner groups.

When a welcoming safe haven is established like South Huron will be doing with an exemption...others will follow.

Pursuant to the Municipal Act, S.O. 2001, c.25 as amended, empowers councils of a local municipality to pass by-laws to regulate or prohibit the keeping of animals or any class thereof within the municipality. The Municipal Act also pursuant to Section 11 (3) of the Municipal Act, 2001, S.O. 2001, c.25, a lower tier municipality may pass By-laws respecting unnecessary the health, safety and well-being of persons, protection of persons and property, consumer protection and animals.

By-law 29 -2014 has been passed to complete these tasks and safeguard your community as outlined in the Municipal Act. Giving an exemption to such, places your constituents at an unnecessary risk. Also, allowing an extension to one property for their own personal gain is not proper, and it sets a precedence that in my view would question why South Huron would even have a by-law addressing this issue at the onset.

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These animals pose dangers and harm to the communities that have allowed them. Recently, the Municipality of Lambton Shores dealt with a similar situation where lions and other exotic animals were brought to a property. Within weeks animals had escaped forcing families and children to not enjoy their properties for over a year as they lived in fear. The noise from such animals can be frightening to young children/families, and keep people up at night. The smell from feces can be horrendous from such animals with no regulations in place to minimize or remove such. This does not even account for the excess traffic that swarmed this area, and the expensive legal battle that the municipality endured and continues due to multiple different infractions of multiple by-laws at such property.

Prior to the Grand Bend Zoo being established without council approval or proper bylaw changes there was a similar zoo setup in Wainfleet ON, which also became a big concern to residents safety with Exotic animals escaping and the potential spread of disease. The number of lions and other exotic animals both locations multiplied significantly, which also has the same potential of happening in South Huron if approved.

In delegation 5.2 of the June 15 2020 Council meeting there are many signs that such exemption to by-law 29-2014 will begin the path of a unregulated roadside zoo or sanctuary that follows no regulations. They indicate fencing that does not meet the heights stipulated in there supporting documentation. They admittedly state that they have no formal training with such animals. She states in her

documents that she adopted this animal, however had no place to bring them which shows poor planning. As you can see from the pictures submitted, they treat these animals as pets, there are even pictures of them both in the Lions cage with the animals, something she stated during her delegation she would not do as that is a unsafe practice. A quick search online can show that these animals even in captivity can hurt, kill and never loose their wild animal instinct. They also state in their delegation that they would like to grow tourism and expand the local economy. If this exemption was just to house their two pet lions 50 minutes away from where they live, why would they state that this venture would grow tourism and expand the local economy. The answer to that question along with seeing two different fenced in areas on their site plan is they already have plans to expand their menagerie of animals, and use such animals for personal gain.

The risks outweigh the benefit when reviewing such request. I ask again that South Huron Council deny any exemption request from by-law 29-2014

I would appreciate a reply confirming my concerns were received and will be included in the information package for councils upcoming consideration.

Regards,

Anna Carr  
7477 Clarke Drive  
Port Franks, ON  
N0M 2L0

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

From: Marianne Ducharme [<mailto:marianne Ducharme@hotmail.com>]

Sent: July 6, 2020 3:25 PM

To: Dan Best <cao@southhuron.ca>

Subject: Concern regarding recent request for amendment to exotic animal by law

Sent from my iPhone July 6, 2020

Rebekah Msuya-Collison

Clerk – Municipality of South Huron

P.O Box 759

322 Main St S.

Exeter, ON

N0M 1S6

Re: Municipality of South Huron council meeting - June 15 2020, Delegation 5.2 - Request for Exotic Animal Bylaw Exemption - Brandon Vaderwel & Destiny Duncan.

Mayor and Council,

Due to the safety of your residents, your tourists, your established business community, and the safety and well

being of your neighbouring Municipalities, I ask that By-law 29-2014 maintain in force and effect across the Municipality, and that all requests for exemption to such by-law be denied.

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Regards, Marianne Ducharme

Mayor, Clerk, and Council

Good Afternoon,

We just wanted to reach out and thank everyone for there time during the Council Meeting on June 15<sup>th</sup>, 2020 and any time they have since devoted regarding the Exotic Animal By-law exemption. We thought it was important that we communicate with both Council and everyone in the community as much as possible to help aid an informative decision. We see members of the community are starting to ask questions and we welcome this! But we do not want the brunt of this left on Council to be expected to answer and address everything. We welcome all inquires from both members of the Council and from the Community. Please feel free to both encourage the community to contact us directly and or contact us yourselves at anytime for absolutely any questions or concerns no matter how big or small they may seem. As we had said before, we are coming into this completely transparent looking for a communicative relationship where Members of Council and the Community can feel comfortable in contacting us with any questions. We would like to take the time to thank those members of the community and council that have taken the time to reach out and inquire and welcome anyone to do the same. We are providing an email address that Brandon and Myself share, and a contact phone number, so please do not hesitate to contact us or share the information with members of the community if there are any questions, concerns, suggestions, anything at all. We are here and want to help everyone understand and have whatever information they need to make an informed decision based on all the facts and correct information.

The email address we can be reached at is [pride&joysanctuary@gmail.com](mailto:pride&joysanctuary@gmail.com)

Cell to call or text 519-383-3311 (Destiny) or 519-383-3063 (Brandon)

Thank-you

Destiny Duncan

June 25 2020

Rebekah Msuya-Collison  
 Clerk – Municipality of South Huron  
 P.O Box 759  
 322 Main St S.  
 Exeter, ON  
 N0M 1S6

**Re: Municipality of South Huron council meeting - June 15 2020, Delegation 5.2 - Request for Exotic Animal Bylaw Exemption - Brandon Vanderwel & Destiny Duncan.**

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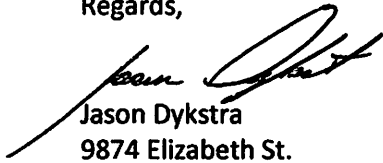
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Regards,



Jason Dykstra  
9874 Elizabeth St.  
Grand Bend, ON  
N0M 1T0



June 25 2020

Rebekah Msuya-Collison  
 Clerk – Municipality of South Huron  
 P.O Box 759  
 322 Main St S.  
 Exeter, ON  
 N0M 1S6

**Re: Municipality of South Huron council meeting - June 15 2020, Delegation 5.2 - Request for Exotic Animal Bylaw Exemption - Brandon Vanderwel & Destiny Duncan.**

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Regards,

John & Stephanie Hamilton  
70711 Corbett Line,  
Grand Bend, On.  
N0M 1T0

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

From: harpley2000@yahoo.ca [<mailto:harpley2000@yahoo.ca>]

Sent: Wednesday, June 24, 2020 3:35 PM

To: Sue Johnson <[sjohnson@southhuron.ca](mailto:sjohnson@southhuron.ca)>; Harpley2000@yahoo.ca

Subject: Lions..June 15 mtg

I am not in favour of a family keeping lions in their care at their residence at the airport. The noise from racing cars is constant....even on weekdays. Airplanes do cause loud noise also. If a lion should escape...it might/could the Conservation Area behind the airport is large. The farmed acres could also be a problem to locate a Lion.

Please give lots of thought to this matter.

Thanking you at this time.....

Brenda Love

**From:** cwsteacher60 . [mailto:cwsteacher@gmail.com]

**Sent:** Saturday, June 27, 2020 12:01 PM

**To:** Councillor Ferguson Willard <bwillard@southhuron.ca>

**Cc:** Mayor Finch <gfinch@southhuron.ca>; Councillor Neeb <aneeb@southhuron.ca>;

Deputy Mayor Dietrich <jdietrich@southhuron.ca>; Councillor Vaughan

<mvaughan@southhuron.ca>; Councillor Faubert <dfaubert@southhuron.ca>;

Councillor Oke <toke@southhuron.ca>

**Subject:** Regarding the request for exemption for African Lions in South Huron

Dear Councillor Willard and members of the South Huron Municipal Council

I wanted to take the time to respond to your request Barb for an explanation about my opposition to the proposal for allowing two lions to be kept on a property in South Huron. Brandon Vanderwel and Destiny Duncan have requested an exemption from the Exotic Animal Bylaw #29 -2014 to allow them to keep two lion cubs ("Pride" and "Joy") on a property at 70114B Grand Bend Line near the Grand Bend Motorplex.

Reviewing the information about this proposal from Mr. Vanderwel and Ms. Duncan in the article in the Lakeshore Advance, I do not think that it would be prudent to give them an exemption from the existing bylaw #29 -2014 governing exotic animals. To begin with, their request does not fit under any of the circumstances for exemption that are listed in Section 3.1 of the bylaw (ie this isn't a veterinary hospital, public compound, designated pound, research facilities,

or alternative livestock). Mr. Vanderwel and Ms. Duncan simply want to keep these lions as pets.

The animals they are talking about are African Lions. I recognize that they were obtained as cubs, but cubs grow up to become adults. According to the information posted by the Toronto Zoo, a male lion can be anywhere from 1.7 to 2.5 metres long (not including the tail), stand 123 cm tall, and weigh in at 150 - 250 kilograms. The female lion will be smaller, (1.4 to 1.8 metres long, 107 cm tall, and weighing between 120 to 182 kilograms. These are large animals. In captivity lions can live up to 20 years - meaning that Mr. Vanderwel and Ms. Duncan are taking on a long term commitment to their animals, and also to our community - which means they will need to provide complete, fail-proof security for their animals potentially until approximately 2039.

African Lions are social animals, typically living in prides ranging from four to 20 females and young, and two to four adult males. A group of only two lions may not be sufficient to meet their social needs; what would council do if a request is made to add more animals to the mix?

While Mr. Vanderwel and Ms. Duncan say they have no intention of breeding their lions (Pride and Joy are siblings) it is unclear if the lions will understand this prohibition - perhaps the owners are planning on segregating them when the female is receptive to mating. Unless the owners are willing to spay or neuter their lions, then cubs could be a distinct possibility. Given that a typical litter is two to four cubs (and can range up to six), and that lions can breed every year, we could be talking about considerably more animals in a few years.

Mr. Vanderwel and Ms. Duncan have stated that they will build enclosures and fencing for the lions. To be humane they will have to be fairly large to provide adequate space, and have very high fencing (or a top) to ensure that the animals can not escape. Apparently lions can make considerable leaps both horizontally and vertically. Regardless of their precautions, Mr. Vanderwel and Ms. Duncan will also have to be prepared to deal swiftly and decisively with any escape - which means they would have to be prepared to shoot and kill their lions with a large caliber weapon - therefore they would be discharging a rifle in our community. (Note, the use of tranquilizer darts is not a realistic option, as the drugs have a limited shelf life, would have to be dosed according to the animal, and do not act with sufficient efficacy to immediately stop a lion.) Please note that this is not just a "hypothetical"; unfortunately shooting and killing was the only option available when a male lion escaped an enclosure at the Papanack Zoo near Ottawa in 2016.

Mr. Vanderwel and Ms. Duncan have stated that the property they are proposing to house their lions on is not residential, and surrounded by forest land which will offer their animals seclusion.

This property is immediately adjacent to the Grand Bend Motorplex, which presents two problems. First, the noise of the Motorplex will probably be upsetting to the lions. Secondly, imagine the scenario of a lion escaping while the Motorplex is holding a major event - especially if this occurred at night, when potentially a few thousand people are camping on the site. I appreciate Councillor

Faubert's admiration of the animals which she met under controlled conditions, but I don't know how well they would be received by someone in a tent.

While the African lion is native to the savannah and used to hot, dry climates, the reality is they are well suited to our environment as well (remember, we had our own species of cougars which lived here prior to the large scale clearance of the forests of Southwestern Ontario). Winter poses no great obstacle to them if they were to escape. The woodlots and fields of Stephen Township would be ideal habitat until they were located; and cattle, sheep, horses etc. would be ideal prey. A lion running flat out can reach speeds of almost 80 km/h in short bursts, and as large predators they pounce on their prey and haul it down with their claws and their body weight, and kill with a bite to the neck. They can easily outpace a human running for shelter. In the wild lions may roam over a very large area - which means that an escaped lion won't necessarily stay close to its home - how would an escaped lion be regarded in Dashwood, Crediton, Huron Park, or Exeter?. African Lions are magnificent animals in their own habitat, but do we really want them here in South Huron?

There are many compelling reasons why lions were included as prohibited animals on Schedule A of the Exotic Animal Bylaw #29 -2014, and I don't think there are sufficient reasons for granting an exemption for these two animals.

Thanks for your consideration  
Dave MacLeod

--

Be proud of who you are! Be proud of what you do!

Toronto Zoo

<http://www.torontozoo.com/animals/African%20lion>

Live Science

<https://www.livescience.com/27404-lion-facts.html>

City News (report about the escaped lion which was shot)

<https://toronto.citynews.ca/2016/03/02/death-of-lion-who-escaped-zoo-enclosure-highlights-lack-of-regulationsadvocates/>

> On Jun 30, 2020, at 11:34 AM, Bree Macrow  
<[bmacrow98@gmail.com](mailto:bmacrow98@gmail.com)> wrote:

>

>

> I support Brandon Vanderwel in building a lion sanctuary for  
two lion siblings. He's going to provide safety with double

gates, video cameras and somebody always on site with the animals. I hope you both can make this happen. Thank you.



**From:** Derek McLaughlin <derekmclaughlin@yahoo.com>  
**Date:** July 6, 2020 at 10:04:02 PM EDT  
**To:** Rebekah Msuya-Collison <clerk@southhuron.ca>  
**Subject: Request for Exotic Animal Bylaw**

July 6, 2020

Rebekah Msuya-Collison

Clerk – Municipality of South Huron

P.O Box 759

322 Main St S.

Exeter, ON

NOM 1S6

**Re: Municipality of South Huron council meeting - June 15 2020,  
Delegation 5.2 - Request for Exotic Animal Bylaw Exemption - Brandon  
Vanderwel & Destiny Duncan.**

Mayor and Council,

I strongly oppose the request for an exemption to the exotic animal bylaw.

We do not need to allow predatory animals in South Huron. It is a risk to public safety. I strongly oppose it.

The risks outweigh the benefit when reviewing such request. I ask again that South Huron Council deny any exemption request from by-law 29-2014

Regards,

**D. McLaughlin**

July 6, 2020

Attention: George Finch (Mayor) and South Huron Council

I'd like to introduce you to our family. My name is Carol Ann Regier, along with my husband Bryan Regier and our 4 children we live at 70121 Grand Bend Line. Which just happens to be directly across the road from the proposed location for the lions. We moved to our "forever home" in 2004 with our first daughter and since have had 3 more girls. We have a noisy neighbour (Raceway) but we knew of this when we purchased the house. Sometimes it is louder than we imagined that it would be but my girls are safe and have lots of room to play. WE are opposed to an exemption in the exotic animal bylaw. Brandon and Destiny may not think the property is in a residential area but it is in OUR residential area. See attached map with our residence labelled as well as our neighbours. Our house is less than 500 meters away from the proposed location of the lion enclosures. Our daughters get on the bus at the end of our laneway which would be less than 300 meters away from the proposed location of the lion enclosures. 2 of my girls get on the bus in the dark for half the year. It's bad enough to come across a skunk in the dark on your way to the bus, can you imagine meeting a lion! Our laneway is 150 metres feet long and then less than 300 meters to the lions enclosures and no safe place in between if the unthinkable happens. Well, we're thinking about it and we don't want the exotic animal bylaw exemption.

My sister in law lives in the Vandongen subdivision in Grand Bend and has been dealing with the fear of these lions for the past year. They had the bus stops change so that the kids would get on at their houses rather than at the end of the streets. My kids would have no where to go for safety if the unthinkable happens. Can you imagine having to teach your children what to do in the case of a lion attack.

This is our forever home and my family deserves to feel safe and secure in our forever home and not have to worry about what to do if a lion escapes and makes the 500 metre journey to our house! My girls deserve to be able to enjoy playing outside of our forever home without the worry of the lions across the road. It's not just our kids. Another 2 km down the road is an even younger family. A few km behind the property are more families. In addition to this are businesses and other families. A video surveillance doesn't do anything when the lions could be at our house in less than 60 sec. Our children's safety matters!

If the council overturns its own bylaw and allows the lions to have a forever home here, who will be responsible for making sure that the enclosures are made to the standards outlined in the proposal, who will make sure that the lions are being treated as outlined in the proposal. We're not willing to put our kids safety at risk just because on paper the enclosures looked safe. Who will be liable if a lion gets out? If the council overturns its own bylaw and allows 2 lions at the proposed location, what will stop others from doing the same or from more than just 2 lions being housed at this proposed site.

To compare the raceway noise to that of a drill or leaf blower does not do the level of noise justice. To put the animals away during the jet nights to keep them away from the noise doesn't seem quite enough. The pictures on our walls shake when the nitro nights are on and that is at a distance of 1.5km with our doors and windows locked. I've attached a list of noise levels of common items for comparison.

Please do not allow the exemption on the exotic animal bylaw. Our kids safety matters!

The Regier family  
70121 Grand Bend Line



Excerpt from American Humane Society

<https://www.humanesociety.org/sites/default/files/docs/captive-big-cat-incidents.pdf>

Less than 400 of the estimated 5,000 to 7,000 captive tigers in the U.S. are held at facilities accredited by the Association of Zoos and Aquariums. The remaining tigers and many other big cats are primarily at unaccredited breeding facilities, poorly run roadside zoos, traveling zoos, pseudo-sanctuaries, and private menageries where the greatest risk of fatal attacks or injuries are likely to occur. Since 1990, more than 300 dangerous incidents involving big cats have occurred in 44 states. Four children lost their lives and dozens of others lost limbs or suffered

other often traumatic injuries. Sixteen adults have been killed, and scores have been mauled. Many captive tigers are kept in inhumane conditions, pose a threat to the community, create a burden for law enforcement agencies and sanctuaries, and jeopardize conservation efforts.

**WELFARE CONCERNS** Captive big cats require special diets, exercise, and opportunities to express natural behaviors. Scientists have found significantly higher stress and frustration levels in caged carnivores who, in the wild, would roam vast territories. Rampant and careless breeding has resulted in very large numbers of unwanted tigers as well as unhealthy tigers and other big cats who suffer from shrunken hearts, shortened tendons, club feet, kidney ailments, malformed backbones, deformed faces, and contorted necks.

#### Noise levels

Noise	Average decibels (dB)
Leaves rustling, soft music, whisper	30
Heavy traffic, window air conditioner, noisy restaurant, power lawn mower	80–89 ( <b>sounds above 85 dB are harmful</b> )
Boom box, ATV, motorcycle	96–100
Chainsaw, leaf blower, snowmobile	106–115
Sports crowd, rock concert, loud symphony	120–129
Stock car races	130
Gun shot, siren at 100 feet	140
Pair of nitro cars (800-foot mark)	127.5 dB
Pair of nitro cars (few feet away)	141.4 and 149.3 decibels

<https://myhealth.alberta.ca/Health/Pages/conditions.aspx?hwid=tf4173>

<https://www.dragzine.com/news/how-loud-is-a-10000-horsepower-nitro-car-exactly>

**From:** [noreply@esolutionsgroup.ca](mailto:noreply@esolutionsgroup.ca)  
**To:** [Justin Finkbeiner](#)  
**Cc:** [Info](#)  
**Subject:** New Response Completed for Report a Problem  
**Date:** June-25-20 12:59:06 PM

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Hello,

Please note the following response to Report a Problem has been submitted at Thursday June 25th 2020 12:58 PM with reference number 2020-06-25-001.

- **First Name**

Roberta

- **Last Name**

smith

- **Please describe the problem you would like to report**

hello,

I am writing concerning the south huron stance on exotic animals, with regards to the lions recently located to our municipality. What are the rules regarding housing of large exotic animals? I am sure that south huron is well aware of the problems associated with housing such a large breed. I'd like to encourage our municipality to enact an exotic ban for this area. These lions have to have a home, with trained and reaponsible individuals, and proper vetrinary care. The man selling these animals, Mr drysdale, has cost the municipality of lambton money and resources and an abundance of time and anxiety. My fear is that it will cost the tax base of south huron greatly if these animals are not properly housed or cared for! Please say NO to the lions. This issue ripped apart the community of grand bend, which-especially during these times-require strong leadership and community to move forward. They were extremely difficult to remove once they were already settled into a residential neighbourhood. Daily noise complaints, animals escaping frequently, and safety were of great concern. Please avoid this disaster before it happens!!!

Thank you for your time.

- **Would you like to provide an image of the issue?**

No

- **What is the location of the problem (nearest address or**

**intersection)?**

grand bend line

- **How would you suggest the situation be improved or complaint resolved?**

enact an exotic animal bylaw!!

- **Please select your preferred method of contact.**

E-mail

- **E-mail.**

robertaylsmith@gmail.com

[This is an automated email notification -- please do not respond]

07/07/2020

South Huron Municipality

Clerk, Mayor, Council

Thank you for taking the time to read the many pieces of correspondence regarding a bylaw exemption for Brandon Gibbons Vanderwel and Destiny Duncan. While I do have a partial bias as I am involved in the transaction of the property located at 70114B Grand Bend Line, I also have a partial bias to South Huron. When my wife and I were looking for a property in the area we specifically looked outside of Lambton Shores due to the lack of integrity within the council. We knew there were better options real close and it was a not long before we found a nice little acreage outside of residential zones with rural being a fairly accurate designation. The property is of a private nature and truthfully with the exception of some inconveniences, we have enjoyed the peacefulness and tranquility of being here. Ninety percent of the year it is very quiet around the property. Being backed off the highway there is very little highway noise and although the Motorplex is right on the other side of the property, the sound from the drag strip rarely is noticeable. We have said it numerous times over the past few years that often we have heard the cars louder out on the lake than we ever hear them on the property. That being said when the Motorplex does have big events the jets are kind of hard to escape. Fortunately or unfortunately however you look at it, this is at most four weekends out of the year. The treed lot provides great acoustical dampening and privacy. While not a big fan of social media I have read some articles in mainstream media along with the original submission to council, and do have some considerations for you.

1) I believe back in 2015 South Huron was documented one of, if not the worst for impaired driving. That as we can all agree is not a great title to hold, however you didn't ban alcohol, or vehicles, you educated and addressed the issue head on to protect the community and its citizens. Brandon and Destiny provided council and those who actually read through their plan a fairly great start to provide solace that they are one hundred percent about security and safety not only of the community and its citizens but for their cats as well. I had the opportunity to meet their cats at the property in Lambton Shores before they were moved from there. These big cats are humanized. They are big and yes, absolutely need to be respected. But they, and truthfully all of the cats that were there then are humanized. They have a bond with their "humans".

2) We live in a society where different people have different interests and hobbies. There are plenty of hunters or gun carrying farmers that possess and have the opportunity to use a gun as a weapon. They do not. They understand the risks, the safety aspect, and the respect toward the weapon and the rest of the society not to do so by becoming educated and take steps to foresee mishaps. Truthfully, I respect these animals, and I have seen the respect that the animals and the humans have with each other. The safety and security plan set forth by Brandon and Destiny I believe is more for the comfort of council and community than of need. It appears that Brandon and Destiny have sought an appropriate sized and zoned property to accommodate them in a respectful manner, one which can suit a healthy, active, protected life.



3) We had planned to build a residence better suited for a family than a couple, and keep the property as our own little get away. One where we could raise a family and have a couple dogs to go with our saved/rescued domestic cats. The property is zoned AL2 and although I question the actual appropriation of zoning in some cases in the area, this situation is actually ideal. The property does have zoning provisions for conservation and passive recreation among many other inclusions. If the protection of wildlife and ability to provide a safe habitat is not conservation, what is ? If the safety and security issues are addressed which clearly they have been, it should be afforded exclusions to the bylaw and be fully within zoning provision. With respect to the bylaw, clearly council can agree that exemptions can be made. Council has approved and hosted in collaboration with community groups a travelling road show of exotic animals and encourage family time learning about arachnids and serpents both venomous and not at local community centers. While this is not apples and apples, it does appear that the acceptance of this exemption would be far more ideal than previous accepted exemptions. The community benefits from taxes these people would be paying, not just a hall rental. The community benefits by having two more great people, expanding their existing business operations into Huron County and more specifically South Huron, and the cats benefit by having a home. A safe, secure, home.

In closing I again appreciate your time. While it has been documented that you have had a few concerned citizens corresponding, it should also be documented that there are supporters, and more so that your difficult task as politicians is to be open minded, to hear all situations individually, and to use all the information afforded to you by delegates and or staff, to make an educated decision on matters.

Did council read through and educate themselves on this matter? Did you educate yourselves on any questions or concerns using all available resources to you? Were the delegates contacted and afforded open communication to address any questions or concerns council may have had between delegation and subsequent meeting?

Justin Speake

70114B Grand Bend Line

519 671-1343

insight@hay.net

**From:** [info@esolutionsgroup.ca](mailto:info@esolutionsgroup.ca) on behalf of [Rita Leigh-Anne Stewart](#)  
**To:** [Info](#)  
**Subject:** Lions in South Huron  
**Date:** June-30-20 12:24:22 PM

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If we as a general term can not own a family dog(pitbull) because they are dangerous and unpredictable why and how is this happening twice with these lions that have somehow appeared from no-where to be left in the hands of these people. Why because "they understand these animals and have been with these animals since the start. No way. These animals deserve a proper place to rest and grow unfortunately in captivity of sorts because of someone has been selfish. I would like to know who do I make my inquiry and complaint to? We had to fight ABCA to build a garage in Corbett because we are in a "flood plan". building all the proper inclosures, fences, and such have to off set something on that property? Leigh-Anne Stewart

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 Origin: <https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.southhuron.ca%2fen%2fservices%2fanimal-control.aspx&c=E.1.G1cEkX-N1t6G9K0FdptqgLuiPH4CgEikzJel82Qi3oAzIqO7PUjetum2XgTDywWu4pXKENlhsUM080t47wWdfnsEAXCzSohDZgFK-h5i3cpUY-gGfqat&typo=1>  
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This email was sent to you by Rita Leigh-Anne Stewart<mar-leigh@hotmail.ca> through <https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.southhuron.ca%2f.&c=E.1.37uUYpCXjECIs3V6P584S2F8bJhlE7f8MDcoeJ8CIAkI7PXzqSO4B5Cp0j-JiEV0m7dW0RN4IzbmH7F-OAJ4CIN6y721206m48xun0w8L2fi&typo=1>

June 25 2020

Rebekah Msuya-Collison  
Clerk – Municipality of South Huron  
P.O Box 759  
322 Main St S.  
Exeter, ON  
NOM 1S6

MUNICIPALITY OF  
SOUTH HURON

JUL 02 2020

PER 

**Re: Municipality of South Huron council meeting - June 15 2020, Delegation 5.2 - Request for Exotic Animal Bylaw Exemption - Brandon Vanderwel & Destiny Duncan.**

Mayor and Council,

Due to the safety of your residents, your tourists, your established business community, and the safety and well being of your neighbouring Municipalities, I ask that By-law 29-2014 maintain in force and effect across the Municipality, and that all requests for exemption to such by-law be denied.

Pursuant to the Municipal Act, S.O. 2001, c.25 as amended, empowers councils of a local municipality to pass by-laws to regulate or prohibit the keeping of animals or any class thereof within the municipality. The Municipal Act also pursuant to Section 11 (3) of the Municipal Act, 2001, S.O. 2001, c.25, a lower tier municipality may pass By-laws respecting unnecessary the health, safety and well-being of persons, protection of persons and property, consumer protection and animals.

By-law 29 -2014 has been passed to complete these tasks and safeguard your community as outlined in the Municipal Act. Giving an exemption to such, places your constituents at an unnecessary risk. Also, allowing an extension to one property for their own personal gain is not proper, and it sets a precedence that in my view would question why South Huron would even have a by-law addressing this issue at the onset.

This request can be compared and equated to an individual asking the court for an exemption to obey speed limits, since he just acquired a car that needs to be driven fast. While all others who use the road need to obey the posted speed limits. I hope when put in such context this request sounds as absurd as it does to myself, and it shows how dangerous such an ask potentially could be.

These animals pose dangers and harm to the communities that have allowed them. Recently, the Municipality of Lambton Shores dealt with a similar situation where lions and other exotic animals were brought to a property. Within weeks animals had escaped forcing families and children to not enjoy their properties for over a year as they lived in fear. The noise from such animals can be frightening to young children/families, and keep people up at night. The smell from feces can be horrendous from such animals with no regulations in place to minimize or remove such. This does not even account for the excess traffic that swarmed this area, and the expensive legal battle that the municipality endured and continues due to multiple different infractions of multiple by-laws at such property.

In delegation 5.2 of the June 15 2020 Council meeting there are many signs that such exemption to by-law 29-2014 will begin the path of a unregulated roadside zoo or sanctuary that follows no regulations. They indicate fencing that does not meet the heights stipulated in there supporting documentation.

They admittedly state that they have no formal training with such animals. She states in her documents that she adopted this animal, however had no place to bring them which shows poor planning. As you can see from the pictures submitted, they treat these animals as pets, there are even pictures of them both in the Lions cage with the animals, something she stated during her delegation she would not do as that is a unsafe practice. A quick search online can show that these animals even in captivity can hurt, kill and never loose their wild animal instinct. They also state in their delegation that they would like to grow tourism and expand the local economy. If this exemption was just to house their two pet lions 50 minutes away from where they live, why would they state that this venture would grow tourism and expand the local economy. The answer to that question along with seeing two different fenced in areas on their site plan is they already have plans to expand their menagerie of animals, and use such animals for personal gain.

The risks outweigh the benefit when reviewing such request. I ask again that South Huron Council deny any exemption request from by-law 29-2014

Regards,  
Paulette Taylor  
35986 Greenway Dr

RR#3 Parkhill, N0M 2K0  
Municipality of South Huron



June 25 2020

Rebekah Msuya-Collison  
Clerk – Municipality of South Huron  
P.O Box 759  
322 Main St S.  
Exeter, ON  
N0M 1S6

**MUNICIPALITY OF  
SOUTH HURON**

JUL 02 2020

PER 

**Re: Municipality of South Huron council meeting - June 15 2020. Delegation 5.2 - Request for Exotic Animal Bylaw Exemption - Brandon Vanderwel & Destiny Duncan.**

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The risks outweigh the benefit when reviewing such request. I ask again that South Huron Council deny any exemption request from by-law 29-2014

Regards,  
Ryan Taylor



36329 Huron St

RR#1 Grand Bend, N0M 1T0

Municipality of South Huron

# MUNICIPALITY OF SOUTH HURON

JUL 02 2020

June 25 2020

Rebekah Msuya-Collison  
Clerk - Municipality of South Huron  
P.O Box 759  
322 Main St S.  
Exeter, ON  
N0M 1S6

PER 

**Re: Municipality of South Huron council meeting - June 15 2020, Delegation 5.2 - Request for Exotic Animal Bylaw Exemption - Brandon Vanderwel & Destiny Duncan.**

Mayor and Council,

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Regards, 

Susanne Taylor  
36329 Huron St, RR#1 Grand Bend, NOM 1T0  
Municipality of South Huron



**From:** Dixie Amerongen [<mailto:dixie.amerongen@gmail.com>]

**Sent:** Thursday, June 25, 2020 4:29 PM

**To:** Rebekah Msuya-Collison <[clerk@southhuron.ca](mailto:clerk@southhuron.ca)>; Mayor Finch <[gfinch@southhuron.ca](mailto:gfinch@southhuron.ca)>

**Subject:** Municipality of South Huron council meeting - June 15 2020, Delegation 5.2 - Request for Exotic Animal Bylaw Exemption - Brandon Vaderwel & Destiny Duncan.

I am attaching a letter written by a Jason Dystra outlining objections to granting an exemption to the Exotic Animal Bylaw. I totally support his position. The bylaw is there for a reason and there is no reason for these people to own a pair of lions in our municipality. My fear is that if you grant this exemption for some crazy reason, Mark Drysdale, the owner of Roaring Cat Retreat will ask for the same thing and move his large menagerie back into the region (if he hasn't already hid them in our vicinity). I don't trust these people and I strongly object to allowing any dangerous animals to be housed in our municipality.

Dixie Van Amerongen  
65 William St  
Exeter, ON  
N0M 1S2  
226-423-2077

June 25 2020

Rebekah Msuya-Collison

Clerk – Municipality of South Huron

P.O Box 759

322 Main St S.

Exeter, ON

N0M 1S6

Re: Municipality of South Huron council meeting - June 15 2020, Delegation 5.2 - Request for Exotic  
Animal Bylaw Exemption - Brandon Vaderwel & Destiny Duncan.

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The risks outweigh the benefit when reviewing such request. I ask again that South Huron Council deny any exemption request from by-law 29-2014 Regards,

---

**From:** owen vincent [mailto:owen\_vincent1990@hotmail.com]

**Sent:** Friday, June 26, 2020 7:11 AM

**To:** Rebekah Msuya-Collison <clerk@southhuron.ca>

**Cc:** Mayor Finch <gfinch@southhuron.ca>; Dan Best <cao@southhuron.ca>

**Subject:** Municipality of South Huron council meeting - June 15 2020

June 25 2020

Rebekah Msuya-Collison

Clerk – Municipality of South Huron

P.O Box 759

322 Main St S.

Exeter, ON

N0M 1S6

**Re: Municipality of South Huron council meeting - June 15 2020, Delegation 5.2 - Request for Exotic Animal Bylaw Exemption - Brandon Vaderwel & Destiny Duncan.**

Mayor and Council,

Due to the safety of your residents, your tourists, your established business community, and the safety and well being of your neighbouring Municipalities, I ask that By-law 29-2014 maintain in force and effect across the Municipality, and that all requests for exemption to such by-law be denied.

Pursuant to the Municipal Act, S.O. 2001, c.25 as amended, empowers councils of a local municipality to pass by-laws to regulate or prohibit the keeping of animals or any class thereof within the municipality. The Municipal Act also pursuant to Section 11 (3) of the Municipal Act, 2001, S.O. 2001, c.25, a lower tier municipality may pass By-laws respecting unnecessary the health, safety and well-being of persons, protection of persons and property, consumer protection and animals.

By-law 29 -2014 has been passed to complete these tasks and safeguard your community as outlined in the Municipal Act. Giving an exemption to such, places your constituents at an unnecessary risk. Also, allowing an extension to one property for their own personal gain is not proper, and it sets a precedence that in my view would question why South Huron would even have a by-law addressing this issue at the onset.

This request can be compared and equated to an individual asking the court for an exemption to obey speed limits, since he just acquired a car that needs to be driven fast. While all others who use the road need to obey the posted speed limits. I hope when put in such context this request sounds as absurd as it does to myself, and it shows how dangerous such an ask potentially could be.

These animals pose dangers and harm to the communities that have allowed them. Recently, the Municipality of Lambton Shores dealt with a similar situation where lions and other exotic animals were brought to a property. Within weeks animals had escaped forcing families and children to not enjoy their properties for over a year as they lived in fear. The noise from such animals can be frightening to young children/families, and keep people up at night. The smell from feces can be horrendous from such animals with no regulations in place to minimize or remove such. This does not even account for the excess traffic that swarmed this area, and the expensive legal battle that the municipality endured and continues due to multiple different infractions of multiple by-laws at such property.

In delegation 5.2 of the June 15 2020 Council meeting there are many signs that such exemption to by-law 29-2014 will begin the path of a unregulated roadside zoo or sanctuary that follows no regulations. They indicate fencing that does not meet the heights stipulated in their supporting documentation. They admittedly state that they have no formal training with such animals. She states in her documents that she adopted this animal, however had no place to bring them which shows poor planning. As you can see from the pictures submitted, they treat these animals as pets, there are even pictures of them both in the Lions cage with the animals, something she stated during her delegation she would not do as that is a unsafe practice. A quick search online can show that these animals even in captivity can hurt, kill and never lose their wild animal instinct. They also state in their delegation that they would like to grow tourism and expand the local economy. If this exemption was just to house their two pet lions 50 minutes away from where they live, why would they state that this venture would grow tourism and expand the local economy. The answer to that question along with seeing two different fenced in areas on their site plan is they already have plans to expand their menagerie of animals, and use such animals for personal gain.

The risks outweigh the benefit when reviewing such request. I ask again that South Huron Council deny any exemption request from by-law 29-2014

Having large predators in Lambton Shores ruined my family life for over a year. We live in fear that a lion would escape, which one eventually did in addition to other animals. It costs very large amounts of money to bring lion enclosures up to proper industry CAZA standards. This cannot be safely done and maintained without thousands and thousands of dollars. If you do some reading about Roaring Cat Retreat you will find they they also stated they will meet CAZA standards for their fencing, add perimeter fencing, and the safety of the community will be first. The truth to this was that they have had up to ten lions and tigers living in a dog run that did not meet any standards and posed a massive risk to the community. The noise from these animals is very loud and can be heard from miles away. The smell from burning faces is appalling.

Please think of the safety of your community.

Regards,  
Owen Vincent

---

**From:** Ron Wardle [<mailto:r.e.w@hay.net>]

**Sent:** Wednesday, July 1, 2020 11:14 PM

**To:** Mayor Finch <[gfinch@southhuron.ca](mailto:gfinch@southhuron.ca)>

**Cc:** Councillor Faubert <[dfaibert@southhuron.ca](mailto:dfaibert@southhuron.ca)>; Councillor Vaughan  
<[mvaughan@southhuron.ca](mailto:mvaughan@southhuron.ca)>

**Subject:** re forever home lion cubs

My wife & I would like to add our names to any list to stop this 'Forever Home' ruse before it even gets started.

There has been too many dodging of answers, unclear answers, and doubts to what this couple is really planning to do. Not to mention the environment due to noise that we feel would be a detriment to the animals well being. We also feel there is a safety concern about animals of this nature being in our area.

Please don't let this plan go ahead, as we've watched what went on in Lambton Shores over this very same thing.

Thank you for your time.

Sincerely,  
Ron & Elaine Wardle  
Shipka

**Re: Municipality of South Huron council meeting - June 15 2020, Delegation 5.2 - Request for Exotic Animal Bylaw Exemption - Brandon Vaderwel & Destiny Duncan.**

Mayor and Council,

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By-law 29 -2014 has been passed to complete these tasks and safeguard your community as outlined in the Municipal Act. Giving an exemption to such, places your constituents at an unnecessary risk. Also, allowing an extension to one property for their own personal gain is not proper, and it sets a precedence that in my view would question why South Huron would even have a by-law addressing this issue at the onset.

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These animals pose dangers and harm to the communities that have allowed them. Recently, the Municipality of Lambton Shores dealt with a similar situation where lions and other exotic animals were brought to a property. Within weeks animals had escaped forcing families and children to not enjoy their properties for over a year as they lived in fear. The noise from such animals can be frightening to young children/families, and keep people up at night. The smell from feces can be horrendous from such animals with no regulations in place to minimize or remove such. This does not even account for the excess traffic that swarmed this area, and the expensive legal battle that the municipality endured and continues due to multiple different infractions of multiple by-laws at such property.

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The risks outweigh the benefit when reviewing such request. I ask again that South Huron Council deny any exemption request from by-law 29-2014

Regards,

Steve & Janene Wells

10095 Jane St

Grand Bend Ontario

N0M 1T0

1 519 238 1175

Hi Mayor Finch – can you please add this submission to Council regarding the request to amend the South Huron By Law involving the 2 lions.

I am a retired OPP Officer and business owner residing in Lambton County at the back of the VanDongen subdivision. I am approx.. 4 blocks away from what was the “Roaring Cat Retreat”. Up until recently I have had to listen to roaring lions all day and night. This, despite my windows being closed. **The lion has the loudest roar of all the big cats. It's so loud it can reach 114 decibels (at a distance of around one metre) and can be heard from as far away as five miles.**

There is a field beyond my backyard with the Grand Bend Motorplex (South Huron) several kms in the distance. I can clearly hear the motorplex at anytime there is something going on there. I am completely opposed to any lions or tigers being allowed to be kept near the motorplex in South Huron. It is clear that the sound will easily reach my subdivision from the proposed location in South Huron. I have personally dealt with local parents in my subdivision who are terrified of the lions and their roaring. Children would run inside when the lions started to roar.

Coun. Dianne Faubert has indicated that she was impressed how “friendly they are”. They may be all cute and cuddly as cubs, but wait until they reach 420 lbs. This Coun. has also indicated that she wouldn't mind having a lion “retreat” next door. Perhaps she should have been here when we were kept awake at night and bothered during the day by roaring lions....and we weren't even living next door to them like some of our friends and neighbours.

Thanks,

Fred Wondergem

Email wonderfred@hay.net

519-318-1102

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

From: Donna Wideman [<mailto:donnaw@hay.net>]

Sent: Tuesday, June 30, 2020 3:46 PM

To: Rebekah Msuya-Collison <[clerk@southhuron.ca](mailto:clerk@southhuron.ca)>

Cc: [g.finch@southhuron.ca](mailto:g.finch@southhuron.ca)

Subject: By-law 29-2014

Re: Municipality of South Huron council meeting - June 15 2020, Delegation 5.2 - Request for Exotic Animal Bylaw Exemption - Brandon Vanderwell & Destiny Duncan.

Mayor and Council,

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These LIONS pose dangers and harm to the communities that have allowed them. Recently, the bordering Municipality of Lambton Shores dealt with a similar situation where lions and other exotic animals were brought to a property. Within weeks animals had escaped forcing families and children to not enjoy their properties for over a year as they lived in fear. The noise from such animals can be frightening to young children/families, and keep people up at night. The smell from feces can be horrendous from such animals with no regulations in place to minimize or remove such. This does not even account for the excess traffic that swarmed this area, and the expensive legal battle that the municipality endured and continuous due to multiple different infractions of multiple by-laws at such property.

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Regards

Donna Wideman

Business owner Lambton Shores

Resident Bluewater Township

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

From: Zakiya Zoubian [<mailto:kiaz89@icloud.com>]

Sent: Monday, June 29, 2020 9:38 PM

To: Councillor Vaughan <mvaughan@southhuron.ca>; Councillor Faubert <dfaibert@southhuron.ca>; Councillor Neeb <aneeb@southhuron.ca>; baillard@southhuron.ca; Councillor Oke <toke@southhuron.ca>; Mayor Finch <gfinch@southhuron.ca>; Deputy Mayor Dietrich <jdietrich@southhuron.ca>

Subject: Centralia Community Hall Lot Inquiry

Hi there this is Mr and Mrs Logan Austin,

We are a young couple looking to find a home.

We are first time home buyers and are interested in this property if possible.

We have a few questions about this property:

How big Is the lot?  
Is it insulated?  
Is it tube and knob wiring?  
Is it septic or sewer hookup?  
Is it well or lake water?  
Condition of the basement floor?  
Condition of the roof?  
Condition of the walls?  
Is it a cinderblock basement?  
Is it wet or dry basement?

Would be possible if we could come by Friday July 3rd to view this property

Please message us soon, we look forward to hearing to from you.

Sent from my iPhone

**From:** Maureen Cole [mailto:m.cole@hay.net]

**Sent:** Wednesday, June 10, 2020 8:58 AM

**To:** Mayor Finch <gfinch@southhuron.ca>; Deputy Mayor Dietrich <jdietrich@southhuron.ca>; Councillor Oke <toke@southhuron.ca>; Councillor Faubert <dfaubert@southhuron.ca>; Councillor Vaughan <mvaughan@southhuron.ca>; Councillor Neeb <aneeb@southhuron.ca>; Councillor Ferguson Willard <bwillard@southhuron.ca>

**Cc:** Rebekah Msuya-Collison <clerk@southhuron.ca>; Dan Best <cao@southhuron.ca>

**Subject:** Affordable Housing

Dear Mayor Finch and Council,

Thank you for your efforts in attracting development to our community, particularly those that can afford to spend 30% of their before tax income on housing.

With 1/2 of our local population earning less than the living wage, of approximately \$18 hourly, many of the new developments are not within the budget of 1/2 of our population.

Council has provided assistance to developers in the past, such as roadway expenses, and smaller lots, increased density, less parking, etc., but unsure if that has actually made a difference in affordability.

I have attached an article from AMO , in hopes that council would become familiar with the tools, and relationships with other levels of government that are available.

We have representatives at county council, and council members who attend conventions, and have opportunities to lead our community in building the next generation of affordable housing.

The article is a discussion paper “ Fixing the Housing Affordability Crisis”.

Respectfully submitted,

<https://www.amo.on.ca/AMO-PDFs/Reports/2019/Fixing-Housing-Affordability-Crisis-2019-08-14-RPT.aspx>

---

Maureen Cole

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**From:** Maureen Cole [mailto:m.cole@hay.net]

**Sent:** Tuesday, June 30, 2020 9:27 AM

**To:** Mayor Finch <gfinch@southhuron.ca>; Deputy Mayor Dietrich <jdietrich@southhuron.ca>;  
Councillor Vaughan <mvaughan@southhuron.ca>; Councillor Oke <toke@southhuron.ca>;  
Councillor Ferguson Willard <bwillard@southhuron.ca>; Councillor Faubert  
<dfaibert@southhuron.ca>; Councillor Neeb <aneeb@southhuron.ca>

**Cc:** Rebekah Msuya-Collison <clerk@southhuron.ca>

**Subject:** Updated HC Affordable Housing Plan

Hello Mayor Finch and Members of Council,

Understanding the complexity of homelessness, and affordable housing, I thought it would be helpful to review the Updated Huron County Plan.

<https://www.huroncounty.ca/wp-content/uploads/2020/03/Long-Term-Affordable-Housing-and-Homelessness-Plan-Update.pdf>

Shared via the [Google app](#)

Maureen Cole



> On Jul 5, 2020, at 5:23 PM, Maureen Cole <m.cole@hay.net> wrote:

>

> Dear Mayor Finch and Council

> Seems media recognizes the issue of homelessness, and offers some actions being taken by other municipalities in Huron County.

> I have attached the information, for your review.

> It is my understanding that members of the public have done research on “big cats “ housing, and hope that the research provided regarding affordable housing, transition housing, and homelessness, receive as much attention for finding safe places for our most vulnerable human beings.

>

> [https://linkprotect.cudasvc.com/url?a=https%3a%2f%2flfpress.com%2fnews%2flocal-news%2fhomelessness-grows-more-obvious-in-smaller-centres&c=E,1,T6e3d55EJ\\_56UnBIkJWyZSXw9w7glhyHyucvSuabofh7omv6sMk3cCo2JA\\_nTYS7otBFk908iH0muJdiyG7KvuVwMvN6AXVxo6HS93MailDR7iEciIY,&typo=1](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2flfpress.com%2fnews%2flocal-news%2fhomelessness-grows-more-obvious-in-smaller-centres&c=E,1,T6e3d55EJ_56UnBIkJWyZSXw9w7glhyHyucvSuabofh7omv6sMk3cCo2JA_nTYS7otBFk908iH0muJdiyG7KvuVwMvN6AXVxo6HS93MailDR7iEciIY,&typo=1)

>

> Thank you in advance for acknowledging the research provided.

> Maureen Cole



# Fixing the Housing Affordability Crisis

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## Municipal Recommendations for Housing in Ontario

14 August 2019

*The Association of Municipalities of Ontario (AMO) is a non-partisan, non-profit representing almost all of Ontario's 444 municipal governments. Working together, the municipal order of government can achieve shared goals and address common challenges.*



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## A Message from AMO President and Chair of AMO's Affordable Housing and Homelessness Task Force

Housing affordability is top of mind for people in Ontario.

Housing is in short supply. Home ownership is out of reach for many. Rents are too high relative to incomes and Ontario's homeless desperately need a roof over their heads. The lack of suitable affordable housing in Ontario is a significant problem that all orders of government must work together to address in partnership with the private, non-profit, and co-operative housing sectors.

The federal and provincial governments have recognized the severe housing challenges facing Ontario families and have come together recently with various strategies, plans, and funding programs to address the issue. While these initiatives are welcome, more must be done to meet the housing challenges faced by the people of this province. Despite recent measures, many of AMO's outstanding recommendations to address the housing supply and affordability crisis remain relevant.

Finding solutions to address the housing crisis is a priority for AMO's Board and AMO's Affordable Housing and Homelessness Task Force. The task force is comprised of municipal elected officials and senior staff involved in housing from across Ontario. The task force also includes representatives from key organizations on the front lines of housing and homelessness prevention, namely the Ontario Municipal Social Services Association (OMSSA), the Northern Ontario Service Deliverers' Association (NOSDA), the Ontario Non-Profit Housing Association (ONPHA), and the Co-operative Housing Federation of Canada - Ontario Region (CHF-ON). Advice from the Housing Services Corporation (HSC) and the Ontario Federation of Indigenous Friendship Centres (OFIFC) also informs AMO's work on housing and homelessness issues. The task force has also benefited from regular collaboration with the Ministry of Municipal Affairs and Housing (MMAH) on housing and homelessness matters. Members of AMO's Planning Task Force also worked jointly with the Housing Task Force, especially on considerations to increase private market housing supply in Ontario.

This paper consolidates the numerous recommendations developed by the housing task force and approved by AMO's Board of Directors in recent years that have yet to be taken up the provincial government. They reflect perspectives from municipal governments and District Social Service Administration Boards (DSSABs) working on Ontario's front lines. Their timely implementation would realize efficiencies in Ontario's housing system and deliver real outcomes for Ontarians. The recommendations suggest actions by all orders of government, as well as housing developers, which would both preserve existing stock and expand the supply of affordable housing options. The recommendations also address homelessness.

Solutions to address the housing crisis are, and will continue to be, an AMO priority in the years ahead. The goal of this paper is to advance a conversation beyond the existing initiatives on how to comprehensively address the housing crisis in Ontario and support healthy and prosperous local communities.



We look forward to discussions with all housing partners. We must take advantage of the current opportunity to address these housing challenges.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. McGarvey', with a long horizontal line extending to the right.

Jamie McGarvey  
AMO President  
Mayor of Parry Sound



## Executive Summary

The housing and homelessness crisis in Ontario is serious and widespread, cutting across all four corners of the province and hitting everyone from the middle class to our most vulnerable residents. At its core, it reflects a shortage of affordable housing supply right across Ontario. Both the provincial government and the federal government have taken action through Ontario's release of the Community Housing Renewal Strategy and the Housing Supply Action Plan, and the federal government's National Housing Strategy. However, more needs to be done and municipal governments have a number of outstanding recommendations to help address the housing challenges facing Ontario families.

Municipal governments are on the front lines of a multi-faceted crisis. This crisis includes a lack of affordable homeownership and rent. Municipalities use local planning and financial tools to create responsible, appropriate, and affordable housing development that contributes to strong communities. They need flexibility and provincial support to bring more housing on stream more quickly, without compromising oversight and due diligence.

As well, there is aging, underfunded, and inadequate amounts of Community Housing to meet demand. Municipal governments struggle to deliver costly community housing, crushed by a backlog in capital repairs. Ontario is the only province in Canada where community housing is a municipal responsibility. This burden was never intended to be carried by the property tax base. It is critical to have a sustainable model for funding operations and capital repairs, including permanent and predictable funding for housing supports.

Chronic homelessness persists amidst a lack of supportive housing for people with complex health needs, including mental health and addictions. Municipal governments are primary providers of shelters and services for the homeless. The pressure on these services is worsened by the crisis in community housing. Many emergency shelters are at capacity and homelessness touches municipalities of all sizes, across all of Ontario. A more focused effort to address chronic homelessness is needed.

The federal and provincial governments have recognized the need for action and it is critical that all three orders of government work together to create more affordable housing that meets Ontarians' needs. The National Housing Strategy creates a platform for the federal, provincial, and municipal governments to come together to talk about how best to improve housing outcomes for the people of Ontario. The AMO-Ontario Memorandum of Understanding (MOU) Table should continue to help facilitate municipal-provincial discussions on the housing file. An all-of-government approach is needed.

This discussion paper consolidates AMO's existing housing and homelessness prevention policy positions that have yet to be taken up by the provincial government. The paper focuses on five key municipal priorities for housing in local communities:

- 1) increasing the supply of affordable market housing for families**
- 2) creating a financially sustainable model for community housing**
- 3) expanding affordable housing options**
- 4) ending homelessness; and**
- 5) supporting people with their health care needs for successful tenancies.**



Given the municipal role in housing, municipal governments and DSSABs are well positioned to provide advice on what is needed to address the housing affordability and supply crisis that is compromising quality of life for many and putting many others at risk. While the Housing Supply Action Plan makes some important steps, more needs to be done.

Shelter is one of the most fundamental human needs. AMO looks forward to continuing to work together with the federal and provincial governments, along with private developers and housing providers, to tackle the crisis and bring about comprehensive change for Ontarians.



## Introduction

Too many people in Ontario struggle to find housing that makes sense for their needs and for their pocketbooks. Homeownership is increasingly out of reach, rental prices are skyrocketing, and our population is changing faster than the market can adapt to provide the right housing mix. This housing crisis is widespread and points to an affordable housing supply shortage across the province.

The construction of new housing infrastructure is not keeping pace with demand. This affects both people looking for housing and their communities. The access and availability of affordable stock directly relates to the ability to retain and attract workers into the labour force. As well, there is an economic return on investment, as housing development creates jobs in construction and other sectors.

Existing community (i.e. social) housing also faces significant sustainability challenges.<sup>1</sup> Many emergency shelters are at capacity and homelessness is prevalent in municipalities of all shapes, sizes, and geographies. The goal of eliminating chronic homelessness across Ontario is becoming harder to achieve.

Conditions in the private housing market make challenges in community housing and homelessness prevention even worse. Unable to find affordable housing on their own, many people turn to community housing to find shelter. What they find is a long waitlist. In some parts of the province the waitlist is growing at an unprecedented speed. Meanwhile, some community housing units sit empty because they are in a state of disrepair. Across the province, people are couch surfing and sleeping in abandoned barns and tents throughout the cold winter months. Our population is also aging with increasingly complex health needs, including mental health, addictions, and trauma-related needs. There are not enough supportive housing units to address demand and housing people in need of support with private landlords can be challenging.

The housing affordability and supply challenges facing Ontario are real and pressing. Both the federal and provincial governments recognized this with the release of recent plans and strategies. This includes the provincial Community Housing Renewal Strategy and Housing Supply Action Plan, and the National Housing Strategy. For these initiatives to succeed, all orders of government must work together to advance transformational change. An “all-of-government” approach to the housing crisis must also involve meaningful partnerships with the private and community sectors. Government cannot do it alone.

This discussion paper moves the conversation on housing solutions forward by consolidating AMO’s outstanding housing and homelessness prevention related policy positions that have yet to be taken up by other orders of government. If implemented, these recommendations can bring about meaningful change while complementing existing provincial and federal initiatives.

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<sup>1</sup> Social housing is now referred to as Community Housing by the Province of Ontario. This paper reflects this change in terminology.





The paper begins by outlining principles to guide an all-of-government response to the housing crisis. It then provides a breakdown of roles and jurisdiction in housing and finishes by proposing action items for consideration by each order of government and housing developers. The paper focuses on five key municipal priorities for housing in local communities:

- 1) increasing the supply of affordable market housing for families**
- 2) creating a financially sustainable model for community housing**
- 3) expanding affordable housing options**
- 4) ending homelessness; and**
- 5) supporting people with their health care needs for successful tenancies.**

We have a unique opportunity to collectively identify and implement affordable and community-based housing solutions for Ontarians. All three orders of government are at the table. As local front line leaders, municipal governments have their sleeves rolled up and are ready to continue the work.



## Principles to Guide an All-of-Government Approach

A principled approach is necessary to identify meaningful housing solutions that work for all Ontario families. AMO puts forward the following principles to guide an all-of-government approach to housing in Ontario:

1. All orders of government should work together to ensure that the people of Ontario have access to safe, suitable, and affordable housing options. They should dedicate adequate resources to the full range of housing, including homeless shelters, community housing, supportive housing, rental housing, and home ownership. Special attention should be paid to housing solutions for those most in need and for middle-income households.
2. All orders of government should foster 'complete communities' with a diverse range and mix of housing options, densities, and tenures developed through sound planning processes.
3. Municipal governments and District Social Service Administration Boards are closest to the people and best positioned to plan and manage housing and homelessness prevention services in their communities. Municipal autonomy is necessary to protect the public interest and meet local needs.
4. Where municipal governments are the primary funders of services in Ontario, they should be the principal policy maker, with input from local communities and housing stakeholders. Provincial legislation, regulations, and policies should give flexibility to meet local needs rather than direct how services are to be delivered. Municipal Service System Managers should be treated as equal partners to co-design housing and homelessness prevention systems in Ontario.
5. Housing and homelessness prevention programs are essentially a means for income redistribution. As such, they should not be funded primarily through property tax revenue. It is unsustainable and at odds with basic principles of good public and fiscal policy.
6. All orders of government should work in partnership with Indigenous communities to advance co-developed, Indigenous-driven housing solutions that meet the needs of Indigenous people.



## Roles and Jurisdiction in Housing

Each order of government has a role to play in addressing the housing supply and affordability crisis. Municipal governments as local planning authorities and service system managers; the Province as a steward of the land use planning and community housing systems; and, the federal government as a system enabler.

The federal and provincial governments also play a role in funding and in the development of frameworks to implement housing approaches. When it comes to strategizing and implementing solutions on the ground, the federal and provincial governments should defer to the expertise of municipal governments and service system managers on the front lines.

### Ontario's Municipal Order of Government

Housing pressures are most keenly felt as a local issue. As the order of government closest to the people, municipal governments and District Social Service Administration Boards (DSSABs) do the heavy lifting in tackling the crisis on the ground.

The municipal interest in housing can be broken down into two general categories. On one hand, municipal governments are responsible for local planning and the implementation of the Ontario Building Code. Municipal governments also pride themselves in being stewards of complete communities that provide a wide range of housing options for residents. Complete communities are places where homes, jobs, schools, community services, parks, and recreation facilities are easily accessible.<sup>1</sup> A well-designed built environment also promotes resident quality of life and population health.

On the other hand, some municipal governments administer the community housing system locally. Ontario's 47 Consolidated Municipal Service System Managers (CMSMs) and DSSABs co-fund, manage, plan, and administer community housing. They also develop affordable housing stock and deliver homelessness prevention programs. Collectively, the 47 are known as Service System Managers.<sup>2</sup> CMSMs are upper tier (i.e. county, region) and single-tier governments located in southern Ontario, except for Sudbury in the north which is also a CMSM. DSSABs perform the function of service system manager for social services in northern Ontario, including for housing and homelessness prevention services.

Ontario is the only Canadian province or territory where municipal governments are responsible for the funding and delivery of community housing. In 2017, property taxpayers contributed over \$1.77 billion towards community housing.<sup>2</sup> This significant investment by municipal governments is a result of the provincial downloading of community housing to service system managers in 2001 – 2002. This amount is just for community housing. It does

<sup>2</sup> According to Ontario's Housing Policy Statement: "Service Managers occupy a unique position as system managers and service providers in the areas of housing assistance, homelessness prevention and support services, income support programs, early learning and child care services. There are also opportunities for Service Managers to work with other related service systems - such as health, community services, children and youth, child welfare, corrections - to enable people to access the housing and supports that they need. The province is promoting coordination efforts across service systems to help maintain housing stability, prevent homelessness and improve outcomes for people."



not include the full range of spending by municipal governments for housing-related supports, homelessness prevention programs, or financial incentives that they provide to facilitate affordable housing development. Due to limitations in provincial data collection, a figure representing the full picture is challenging to pull together.

Service system managers work in partnership with co-operative, non-profit, and Indigenous community housing providers. They also consult with community members to address the housing needs of vulnerable, low-income Ontarians. The *Housing Services Act, 2011* requires service system managers to develop ten-year housing and homelessness plans. These plans are based on local needs and guide local actions to address homelessness and housing in line with provincial and local priorities. The Act also sets service level standards such as the minimum level of assistance that must be provided by service system managers. Eligibility for rent-geared-to-income (RGI) assistance is also legislated by the Act and its regulations. As well, municipal governments provide housing benefits and rent supplements.

All municipal governments, regardless of whether or not they are designated Service System Managers, play a critical role in facilitating affordable housing. They have several planning and financial tools at their disposal. For example, municipalities can implement community improvement plans, waive or defer development charges, and designate housing providers as municipal capital facilities to provide financial assistance. Many do so to the extent that fiscal circumstances allow and community priorities dictate. It works best where there is close collaboration between service system managers and other municipalities to achieve mutual goals.<sup>3</sup>

## The Government of Ontario

The Government of Ontario has a multifaceted role to play in the search for 'made in Ontario' housing solutions. More recently, it has taken a keen focus in addressing the housing crisis with the release of its Housing Supply Action Plan and related legislation.

[\*More Homes, More Choices: Ontario's Housing Supply Action Plan\*](#) aims to make it easier to build new housing, and suggests changes to planning, heritage, environmental assessments, endangered species, and conservation-related policy. As well, the Action Plan promises to help renters by making it easier to build new rental properties and to develop secondary suites in existing homes. Many of these provincial proposals have already been addressed with the royal assent of [\*Bill 108, the More Homes, More Choices Act, 2019\*](#).

On the planning front, the Province regulates the municipal planning function through legislation like the *Planning Act*. It is also responsible for numerous provincial directives including the Provincial Policy Statement (PPS), the Greenbelt Plan, and various regional growth plans. This overarching planning framework sets requirements for municipal

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<sup>3</sup> For more information on what is in the municipal toolbox, see the guide "Municipal Tools for Affordable Housing" produced by the Ministry of Municipal Affairs and Housing on their website <http://www.mah.gov.on.ca/AssetFactory.aspx%3Fdid%3D9270>



planning activities, including notifications, public meetings, consultation with third parties, and timelines.

Ontario is also responsible for numerous processes that may affect timelines in the municipal development approval process. This includes the Local Planning Appeal Tribunal (LPAT), provincial environmental assessments, Ontario's land registry, and more. The Government of Ontario also provides citizen guides to help developers and homeowners navigate the land use planning process.

When it comes to community housing, the Ontario government is the steward of the housing system, creating legislation and establishing service requirements for Service System Managers. The Province regulates community housing through the *Housing Services Act, 2011* and sets guidelines for local Housing and Homelessness Plans through the [Ontario Policy Statement: Service Manager Housing and Homelessness Plans](#) and through various housing strategies. A new [Community Housing Renewal Strategy](#) was released by the provincial government in April 2019 to sustain, repair, and grow the community housing system.

Ontario also has several funding programs to help people find homes. Municipal governments and DSSABs manage service delivery through these provincial funding programs, including the Community Homelessness Prevention Initiative (CHPI), the Strong Communities Rent Supplement, Home for Good, the Canada-Ontario Community Housing Initiative (COCHI) and the Ontario Priorities Housing Initiative (OPHI). This is the successor program to the former Investment in Affordable Housing (IAH) program. Additionally, provincial programs provide funding to: support affordable housing construction; facilitate homeownership and renovations; advance homelessness prevention; increase access to low-cost financing; and, provide rent supplements and housing allowances, amongst other objectives. Some of these programs, like the OPHI and COCHI programs, are co-funded with the federal government. They all have specific mandates and targets with time-limited funding. The provincial government is also the primary funder of supportive housing in Ontario.

For more information on Ontario's housing programs and initiatives, see the MMAH [website](#).

## The Federal Government

The federal government functions as a system enabler when it comes to housing policy and funding. Leveraging its fiscal capacity, Canada can help make community housing financially viable across the country, promote the expansion of more affordable housing options, and help prevent homelessness.

The first full federal community housing program in Ontario began in the 1950s. Many units were built under this federal leadership. From 1986 to 1992, the federal government's role in housing slowly diminished until funding for new community housing came to a complete halt in 1993. The federal government then transferred administrative responsibility for its community housing stock to the province through a 1999 agreement with Ontario. These



administrative functions were further passed on to municipal governments with the enactment of the *Social Housing Reform Act* in 2000.

In the years that followed, the federal government slowly began taking tentative steps towards reclaiming its prior role. It returned in force beginning in 2016 with consultations for a new National Housing Strategy. As part of the strategy, several remaining federal housing programs will be replaced by successor initiatives.

The National Housing Strategy announced in 2017 is a Canada-wide \$40 billion, 10-year plan. A bilateral agreement on the National Housing Strategy was signed between Canada and Ontario in 2018. Work is ongoing to finalize the design and implementation of the strategy in the Ontario context. Notably, a Trilateral Coordination Forum has been created with representatives from the federal, provincial, and municipal orders of government to advance the strategy in Ontario. Key highlights of the agreement are:

- investments of approximately \$4 billion over 9 years to protect, renew, and expand community housing — this funding will also support Ontario's priorities related to housing repair, construction, and affordability;
- a new Canada Housing Benefit in Ontario; and
- long-term, predictable funding to preserve existing community housing units beginning April 1, 2019.

Funding opportunities are also available outside of the bilateral agreement through the National Co-Investment Fund and other initiatives. Other federal housing supports include seed funding programs, funding to preserve community housing, support for innovative financing opportunities, various loan insurance programs, and other investments in affordable housing. In addition, the federal government is creating a Technical Resource Centre called the Community Housing Transformation Centre. The purpose of this Centre is to help community housing providers build capacity to become more effective and sustainable.

AMO is pleased to see federal-provincial co-operation under the National Housing Strategy and the willingness to work with service system managers. Both the provincial and municipal governments are providing significant funding to cost match the federal dollars and leverage investments in Ontario. The 2019 Ontario Budget confirmed the provincial investment in the strategy. It also indicated next steps in negotiating and co-designing the Canada-Ontario Housing Benefit with the Canada Mortgage and Housing Corporation (CMHC). This proposed housing benefit will help address housing affordability.

While the 2019 Federal Budget did not include further new investments for community housing, it did include initiatives targeting private market housing. This includes assistance for new home buyers and an increase in funding for new rental construction. The federal budget also includes funding to support urban Indigenous service providers. As well, the federal government introduced legislation that would require future governments to maintain an ongoing National Housing Strategy. This is significant. Some, nonetheless, feel the government is not going far enough to establish an enshrined right to housing.

For more information on the National Housing Strategy, see AMO's submission to the 2016 National Housing Strategy consultation process [here](#). Information on the strategy and





federal housing programs is also available from the [federal government](#) and from the [Canada Mortgage and Housing Corporation](#). The Canada-Ontario bilateral agreement can also be found on the CMHC [website](#).

## Action Plan for an All-of-Government Approach

### 1) Increasing the Supply of Affordable Market Housing for Families

The cost of market housing — both homeownership and rental — is increasingly out of reach for everyday people. According to the CMHC, the cost of the average new single-detached home in Ontario was \$1,003,516 in February 2019. The median was around \$750,000.<sup>3</sup> When resales are incorporated, the province-wide average for February 2019 was \$580,019.<sup>4</sup>

In the rental market, the average price of a three-bedroom apartment is around \$1,500.<sup>5</sup> Prices are even higher in the GTHA for both home sales and rental prices. This impacts the overall figures for Ontario. Given relatively stagnant wage growth, the cost of homeownership, and high rents, it now takes potential buyers around 12 years to save for a down payment.<sup>6</sup>

The proportion of renters and homeowners in core housing need, defined as people paying more than 30% of their income on housing, is increasing. According to the 2016 census, Ontario was the province with the highest proportion of households in core housing need. This situation is not limited to one region or municipalities of a certain size. There are many different housing markets in the province, all with their unique needs.

Another key challenge relates to low vacancy rates and the amount of new rental stock entering the housing market. Across Ontario, the vacancy rate for rental housing is at a meagre 1.8%.<sup>7</sup> This means that renters have limited options when it comes to upgrading to a new apartment or downsizing to save costs. New housing stock is also taking too long to get to market for a range of reasons, many of which are outside of municipal control. Estimates suggest that Ontario is already short 29,000 affordable rental homes. This means that 13,700 new rental homes must come online each year for the next ten years to accommodate population growth.<sup>8</sup> Meanwhile, over 100,000 new proposed housing units across Ontario are waiting for development appeal proceedings due to an under-resourced Local Planning Appeal Tribunal (LPAT).<sup>9</sup>

The factors leading to an unaffordable housing market are complex. They include a combination of low vacancy rates, inadequate supply, high commodity and investment interests, but also modest employment and labour markets. Many buyers and renters do not make enough money to truly afford housing available on the market.

While housing affordability is a challenge province-wide, some problems are unique to Ontario's north and rural areas. Given stable or declining population levels, homeownership is relatively accessible in most of Northern Ontario. Rents are also 20-30% below the province-wide average. Instead, in the north, the key challenge is the state of existing housing. A short construction season and a limited supply of skilled trade workers mean that new housing is harder and more expensive to build. This means that families have no place



to move or ability to renovate when their existing homes become older and increasingly obsolete. For this reason, much of the housing stock needs to be renovated.<sup>10</sup>

Throughout the consultation on Ontario's Housing Supply Action Plan, AMO identified actions that all orders of government and developers could take to improve Ontario's housing supply and affordability. AMO emphasized that many delays in the planning approval process were due to incomplete applications, third-party reviews and provincial processes, and due to decision timelines. AMO also emphasized that growth should continue to pay for growth.

Bill 108, the *More Homes, More Choices Act, 2019* took several actions to advance the Province's Housing Supply Action Plan, including: reforming development charges for hard services; introducing a new community benefit charge framework for soft services; and, reforming the LPAT process. Changes were also made to shorten legislated planning approval timelines.

The government effort to find solutions to the problems at hand are laudable. However, there are still some details to be worked on to achieve key goals. Bill 108 received mixed reviews from [AMO](#) and municipal governments. Ontario's municipal governments are nonetheless committed to continuing to work with the province to advance housing in local communities. While there are positive elements, there are some areas of concern such as the return to *de novo* hearings at the LPAT and the potential limiting of municipal ability to recover the costs of growth and plan effectively for the good of their communities.

At the time of writing, several regulations related to the new community benefits framework and development charge reforms are open for public consultation on the regulatory registry. It is important that the finalized regulations reflect municipal input and do not have a negative fiscal impact on municipal governments. There is also an important consultation underway on changes to the Provincial Policy Statement, including measures to support housing development.

While AMO is pleased that the government is prioritizing housing supply with the release of the Housing Supply Action Plan, more needs to be done. All orders of government and the development community must strive for continuous improvement to address the housing supply and affordability crisis. In its initial submission to the Housing Supply Action Plan, AMO made numerous recommendations for all three orders of governments and developers to help address the issue. Many of these recommendations remain relevant now that Ontario's plan has been released. AMO appreciates that the provincial government has signalled that its work to increase housing supply will continue. Therefore, the following recommendations should be considered for the future. Ontario's municipal governments are on the front line and ready to work with all government and community partners to find and implement housing solutions that make sense for Ontario families.

While addressing market housing is important, it must be said that measures to improve market housing alone will not solve the housing crisis in Ontario. Co-ops and government-funded community housing also require attention. The private market is nonetheless a critical contributor with an important role to play.





### ✓ **Streamline to Speed up the Approval Process by Addressing Implementation Challenges**

Speed is an important factor in bringing new housing supply to market. One of the key measures introduced through Bill 108 was shortening the timelines for municipal governments to make planning decisions related to official plans from 210 to 120 days and from 150 days to 90 days for zoning by-law amendments. As well, plans of subdivision applications are now sheltered from third-party appeals.

When it comes to planning, municipal governments look for good processes and due diligence to safeguard the public interest, ensure local standards are met, and to make sure that communities are designed using sound planning principles. All involved parties can make changes that would speed up the development approval process. A key challenge for many municipal governments is that developers will submit incomplete or inadequate applications that are not detailed enough, causing delays in the planning approval process. Improving the quality of applications submitted to municipal governments would speed up approvals. As well, many delays in the planning process are due to delays in agency or provincial approval processes and requirements.

It is unclear how legislative changes related to the LPAT will speed up the construction of housing. Although Ontario has committed to increasing the number of LPAT adjudicators to clear the backlog, appeal proceeding timelines will likely increase in the near future once the LPAT returns to old *de novo* hearing rules.

The *Planning Act* had previously empowered municipal councils to make the decision on planning matters based on a test of the application's conformity to the municipality's official plan, provincial plans, and the Provincial Policy Statement. With the passing of Bill 108, adjudicators will rule based on what they perceive to be the best planning outcome. The reinstated rules also allow planning applicants to introduce new evidence during the hearing process not previously shared with the municipality in the initial application. Historically, drawn out *de novo* hearings have delayed construction. This raises concerns that the return to these rules will result in further delays. AMO urges the government to monitor and evaluate the impacts of these changes.

There remain a number of implementation challenges to speeding up new housing development. All parties involved, whether it be municipal governments, the provincial government or developers, can take steps to help. AMO understands that the government will continue its efforts to increase housing supply. The following recommendations are presented for further consideration by all.

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*Recommendation #1:* That municipal governments continue to work to ensure that zoning by laws are up to date with official plans.

*Recommendation #2:* That municipal governments pursue and move towards e-permitting if they have the resources.

*Recommendation #3:* That municipal governments consider the benefit of third-party coordinating engineers as a potential option.

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*Recommendation #4:* That municipal governments explore the benefits of offering one-window 'concierge services' to fast track priority proposals.

*Recommendation #5:* That municipal governments consider whether adopting a Community Planning Permit System would meet the needs of their local communities.

*Recommendation #6:* That municipal governments consider succession management strategies to ensure that they can continue to employ well-qualified building inspectors.

*Recommendation #7:* That the provincial government modernize notice provisions.

*Recommendation #8:* That the provincial government continue to document and disseminate Best Management Practices (BMPs) and provide data support to municipal governments to foster learning, resulting in continuous improvement.

*Recommendation #9:* That the provincial government provide support to housing developers including sharing of BMPs.

*Recommendation #10:* That the provincial government provide training to help municipal governments increase the supply of building inspectors.

*Recommendation #11:* That housing developers take steps to ensure they submit complete, quality applications to reduce timelines and reduce the number of resubmissions.

*Recommendation #12:* That housing developers take good care to prepare comprehensive site plans.

*Recommendation #13:* That housing developers diligently and completely fulfill contractual Clearing Conditions in a timely manner.

*Recommendation #14:* That housing developers ensure timely building inspections to keep projects on track and on schedule.

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## ✓ **Promote a Mix of Housing and Missing Middle Housing**

AMO believes in fostering complete communities with a diverse range and mix of housing options, densities and tenures to meet needs as required by the PPS. This is essential if municipal governments are to meet affordability targets.

In many areas, there is a lack of what is known as 'missing middle' housing. This term means different things to different people. Generally, it refers to a missing range of middle density housing options. This is housing that can adapt to different lifestyles – such as



intergenerational living, new families, and seniors aging in place. This could include row houses, semi-detached homes, townhouses, or other options. For many, 'missing middle' housing can also refer to housing affordable to middle income earners.

In many cases, not enough housing for both families and seniors is being built near transit, schools, workplaces and amenities. For example, families need family-sized housing and rental accommodations. In other situations, over-housed seniors may need options to downsize their living accommodations and/or seek shared housing arrangements. Potential solutions to address these challenges require innovative thinking. Secondary suites, flex housing, and the construction of homes that can be easily outfitted with accessibility features later on should be part of the equation.

Municipal governments have a range of tools under provincial legislation to facilitate affordable housing development. One promising tool is inclusionary zoning as it requires a share of affordable housing in new developments. However, Bill 108 limits municipal governments' ability to effectively leverage this tool. Inclusionary zoning is now limited to protected major transit station and development permit system areas. This means that inclusionary zoning will not be possible in areas that lack major transit stations. There are also barriers to creating development permit systems that will limit the number of units built leveraging inclusionary zoning in these areas. Inclusionary zoning has been successful in other jurisdictions, primarily in the United States. It can help fill in the gap in 'missing middle' income housing if provincial rules allow it to be used in broader situations.

It is also important for all three orders of government to work together to increase the supply of rental units. The lack of new builds has had a negative impact on affordability in the rental market. Increasing the number of rentals will help maximize the mix of housing in Ontario's municipalities.

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*Recommendation #15:* That the provincial government provide further information and promote awareness among municipal governments of their ability to enact inclusionary zoning by-laws, including on the new rules following the Royal Assent of Bill 108.

*Recommendation #16:* That municipal governments revisit zoning to explore zero-lot-line housing, tiny homes, laneway housing, flex housing, shared housing, and other types of housing that reduce land costs and increase density.

*Recommendation #17:* That the provincial government consider financial incentives for developers to encourage missing middle-type housing for moderate-income families.

*Recommendation #18:* That the provincial government support growth of new housing supply with corresponding investments in infrastructure including schools, hospitals, transit, and transportation.

*Recommendation #19:* That the provincial government work in partnership with municipal governments to change public attitudes opposed to



intensification by making the public more aware of the negative impact of sprawl on the environment, traffic congestion, and on the costs of municipal services.

*Recommendation #20:* That the provincial government ensure there is enough flexibility and supports for municipal governments to look at underused and strategically located employment lands for mixed-uses, including housing.

*Recommendation #21:* That developers consider a menu of finishes so that more modest options are available.

*Recommendation #22:* That developers consider the potential for expandable/reducible units (i.e. time-share units often have the option of combining adjoining units for larger floor plans or closing off access for small units).

*Recommendation #23:* That developers design buildings in a way that allows for the future installation of accessible features.

## ✓ **Support the Cost of New Housing Supply Through Existing Tools**

Some have pointed to municipally imposed charges and fees as contributing to the high cost of housing. However, fees like development charges are not the root cause of the housing supply and affordability crisis nor would reducing them solve the problem. Rather it will create new ones. Municipal governments and the Province must work together to dispel myths about development charges, property taxes, and user fees by promoting how they are critical to creating livable homes and communities.

Growth must pay for itself. Development charges are not a revenue source for municipal governments. Rather, they are cost recovery for expensive but necessary infrastructure to connect new builds to existing municipal services, including water, sewage, roads, and electricity. A house cannot be occupied without access to these vital municipal services. The infrastructure cannot pay for itself nor is it fair to increase neighbours' property taxes or reduce existing municipal services to finance expensive infrastructure for new developments.

Despite the importance of development charges as a cost recovery tool for municipal governments, the Province introduced reforms as part of Bill 108 against municipal advice. Now, only select municipal 'hard' services are eligible for development charges as a matter of legislation. As well, in many cases, development charges are payable over 6 years rather than being payable to the municipality up front. This increases administrative burden and cost for municipal governments. It was however positive that the province added in new expenses into the development charges calculation including paramedic services and waste diversion.

Bill 108 also introduced a new Community Benefits charge framework to replace height and density bonusing under Section 37 of the *Planning Act*. The Community Benefits charge



framework will create a mechanism for municipal governments to finance the development of soft services now ineligible for development charges. A risk for municipal governments is that these changes will impact the ability for growth to pay for growth. By listening to municipal advice, the Province can minimize negative impact as it develops regulations.

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*Recommendation #24:* Municipal governments should continue to exercise the ability to voluntarily provide financial incentives when they are able, and at their sole discretion, to facilitate the targeted development of new affordable housing in line with local municipal objectives.

*Recommendation #25:* The provincial government should ensure development charges and community benefits charges are calculated in a way that ensures growth pays for growth.

*Recommendation #26:* The provincial government should consider allocating revenues generated from the land transfer tax and the non-resident speculation tax to affordable housing and for financial incentives to encourage housing solutions for moderate-income households.

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For more information on development charges and their importance to the fiscal health of our municipal governments, click [here](#).

## ✓ Explore Innovative Housing Solutions

We must encourage innovative solutions to address the housing supply and affordability crisis. Promising practices from other jurisdictions in Canada and abroad should be identified and considered. Any innovative housing policy options identified through this exercise must balance the needs of communities while ensuring public safety.

Not in My Back Yardism (NIMBYism) often contributes to local opposition to new housing developments. NIMBYism can lead to delays in approval timelines and slow down the construction of new builds. There is a role for the Province to play to support municipal governments in gaining public acceptance for new housing developments. Public education can change the culture around NIMBYism and facilitate new developments.

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*Recommendation #27:* That municipal governments continue to work with developers to encourage innovative housing while still conforming to the standards of the Ontario Building Code.

*Recommendation #28:* That the provincial government research and disseminate promising practices from other jurisdictions about how to facilitate innovative housing supply.

*Recommendation #29:* That the provincial and federal governments ensure that municipal governments continue to have the discretion to offer home ownership programs and renovation support programs with funding from



federal-provincial housing programs available under the National Housing Strategy.

*Recommendation #30:* That the provincial government explore and pilot new innovative home ownership programs with municipal governments for low- and moderate-income people, with a special focus on first-time homebuyers, including shared-equity schemes and rent-to-own approaches.

*Recommendation #31:* That the provincial government advocate to the federal government for more robust home ownership programs.

*Recommendation #32:* That the provincial government research and share promising practices to make better use of existing homes, buildings, and neighbourhoods to increase the supply of housing (e.g. matchmaker services that facilitate shared living arrangements between seniors in “over-housed” situations and renters, including students).

*Recommendation #33:* That the provincial government consider a “Yes in My Backyard” initiative to address NIMBYism and change public attitudes against new ‘missing middle’ and community housing developments.

## ✓ **Protecting Tenants while Balancing Landlord Rights**

Facilitating new rental housing that is safe, secure and suitable for renters requires special attention. There is a widespread shortage of rental housing in the province appropriate for low- and moderate-income people including seniors and families. Very few purpose-built rentals have been constructed in recent years. Changes in this area may benefit landlords by making it easier to create rental units and may help tenants by ensuring housing stability.

It is important to recognize that increasing the supply of rental housing will not necessarily increase affordability. Rents in new builds have been largely unaffordable for low-income households. Although there is a demand for affordable rental accommodations, there is a gap between what households can afford and the revenue that is required to support new rental development.

A balance must be struck between landlord and tenant rights and obligations to encourage new rental units and to preserve existing ones. With proper encouragement, secondary suites can also be part of the solution.

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*Recommendation #34:* The provincial government should consider input from the public, including landlord and tenant organizations, to find the appropriate balance between landlord and tenant rights and obligations.

*Recommendation #35:* The provincial government should provide more public education to both landlords and tenants on their rights and obligations.

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*Recommendation #36:* The provincial government should provide investments and incentives for purpose-built rental housing.

*Recommendation #37:* The provincial government should explore ways to speed up the landlord and tenant board process, including by addressing the adjudicator shortage.

*Recommendation #38:* The provincial government should promote awareness and provide information to municipal governments about ways to effectively facilitate legal second suites and new rentals in a manner that meets the needs of communities.

*Recommendation #39:* Municipal governments should exercise their ability under the *Planning Act* to facilitate the creation of legal second suites and new rentals in a manner that meets the needs of communities, conforms appropriately to municipal by-laws, and advances public safety.

*Recommendation #40:* The provincial government should provide low cost loans to homeowners who wish to renovate to create new legal second units in accordance with local municipal bylaws.

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## 2) Creating a Financially Sustainable Model for Community Housing

The Auditor General's recent report on "Social and Affordable Housing" found that there were 185,000 households representing almost 481,000 people on the community housing waitlist.<sup>11</sup> The 2016 census results also indicate that 15.3% of Ontario households are in core housing need. This means that people are living in unsuitable, inadequate or unaffordable housing, and do not have access to better options in their community.<sup>12</sup> About 20% of Ontario's renters rely on community housing. This is a significant proportion.

In many cases, service system managers are struggling to afford providing community housing and to keep the existing stock in a good state of capital repair. The long-term fiscal sustainability challenges facing community housing must be addressed for service system managers to continue finding homes for low-income Ontario families. There is much that can be done to improve the flow of funding and to increase flexibility to get the job done more effectively. AMO is looking forward to the solutions proposed in the provincial Community Housing Renewal Strategy, released in 2019. The strategy responds to municipal asks. It is a good foundation. Still, AMO has further recommendations and AMO will continue to work collaboratively with MMAH to strengthen the community housing sector.

For more information about the provincial strategy, see the Ministry [website](#).



## ✓ **Review and Improve Funding Arrangements to Secure Permanent, Predictable Funding for Housing Supports**

Service System Managers face funding shortfalls when it comes to community housing. A number of challenges contribute to the fiscal pressure facing the community housing system including:

- the capital repair backlog;
- the end of operating agreements;
- uncertainty around the end of mortgages;
- the cost of creating and maintaining new and existing units;
- the phasing out of time-limited programs; and
- the cost of services for people who need additional supports.

To effectively plan over the long-term, service system managers require predictable funding sources for housing programs. While the National Housing Strategy commits funding over the period of a decade, service system managers plan on longer term horizons, over 20 to 30 years out.

Of immediate concern is the growing backlog of capital repairs in the community housing portfolio. Service system managers cannot address this backlog alone. Preserving community housing is important because much of the stock is 40 to 60 years old. Despite long waiting lists, some community-housing units are unoccupied because there is no funding for major capital repairs. The federal and provincial governments have the greatest fiscal capacity to fund the significant capital needs of community housing.

These problems date back to 2000 and 2001 when community housing was first downloaded to municipal governments by Ontario. This transfer of responsibility was done without a corresponding transfer of adequate financial reserves to address both current and future forecasted capital needs. Of all the community housing units in Ontario, 70 percent are estimated to have capital reserve shortfalls, with a total capital repair backlog amounting to an estimated \$1.5 billion as of 2016.<sup>13</sup> This figure has likely risen in recent years due to an insufficient amount of dedicated federal and provincial funding. The Ontario Non-Profit Housing Association (ONPHA) estimates the figure could be as high as \$2.6 billion and that it would cost \$65 billion to fully replace all existing community housing units.<sup>14, 15</sup>

Deferred maintenance must be dealt with to ensure that community housing remains viable. Maintaining the existing community housing portfolio is the most efficient and cost-effective way to immediately provide affordable housing to those in need. It is critical that units remain in good condition. A plan with enough funding from all orders of government will help ensure a sustainable supply of safe, adequate, and well-maintained community housing units. While federal and provincial funding under the National Housing Strategy will help with the situation, the problem exceeds the funding committed to Ontario. A good next step would see the three orders of government collaborate to fully identify the magnitude of the capital repair backlog. This will help determine what is needed to address the situation.

Perhaps the most serious challenge when it comes to community housing is the looming end of operating agreements, as housing providers pay off their mortgages. The federal





subsidies associated with these agreements are gradually phasing out and ending within the next decade, with a significant decrease of funding in the next five years. The problem is twofold. As mortgages end, agreements expire and funding ceases, some housing providers may no longer be financially viable and may cease to operate unless provided additional financial assistance from service system managers.<sup>4</sup> It is promising that the federal government has committed to keeping the baseline funding from the operating agreements in the system.

In other cases, without an operating agreement or funding, existing housing providers may choose to sell their units or convert them to market rentals. This would affect the housing stability of tenants and decrease the overall supply of community housing stock. At the same time, service system managers are still obligated under provincial legislation to provide the same amount of assistance to continue to meet the Service Level Standards as prescribed under the *Housing Services Act, 2011* and regulations. If housing providers take units out of the system, service system managers will be left scrambling to replace them. They may also have to provide alternate housing benefits to affected households so they can continue to afford their housing, and to prevent possible economic evictions.

The end of operating agreements threatens to chip away at the supply and preservation of community housing. Municipal governments and other Service System Managers have been assessing the problem and finding solutions.<sup>5</sup> The government is set to issue legislation to address the matter. For a transitional period, housing providers would continue to operate with a community housing mandate, unless exempted from the *Housing Services Act* by the Minister. While a welcome move, it is a short-term solution. Ongoing discussions are necessary to find a long-term solution for this complex issue. It is promising to see the attention paid by MMAH to working with both Service System Managers and housing providers to find solutions that work for all involved, including tenants to maintain their housing stability.

Another issue affecting sustainability relates to the Ontario Works (OW) and the Ontario Disability Support Program (ODSP) and the shifting of costs to service system managers. The issue is that the provincial government has set historically low rent scales for community housing tenants living in RGI units who receive OW or ODSP as their sole source of income. These rent scales have not been adjusted for decades. Under provincial rules, tenants receiving OW or ODSP benefits receive much lower amounts for shelter if they live in community housing when compared to what they would receive if they were paying rent to landlords in private buildings. This means that community housing providers receive lower rental income and require greater subsidy from service system managers to cover their operating costs. This differential is often several hundred dollars per month per rental unit, costing service system managers millions of dollars each year in additional RGI subsidy funding.

<sup>4</sup> AMO and the Housing Services Corporation examined the issue of viability in a post-operating agreement environment. For further information see: <https://share.hscorp.ca/files/208-social-housing-end-dates-in-ontario-2012-2/>

<sup>5</sup> Housing Services Corporation has developed a resource toolkit to assist Service System Managers, see: <https://share.hscorp.ca/post-slider/evaluating-projects-reaching-expiry-the-service-manager-eoa-toolkit/>



In effect, low and inadequate rent scales result in a hidden municipal subsidy of provincial income support programs paid for with property tax dollars. There is also no clear rationale to explain why household rent and associated shelter allowance amounts paid to community housing providers for OW and ODSP households in receipt of RGI are less than what is paid to private landlords. There should be parity. Addressing this issue will place community housing on a more sustainable footing. In 2012, the Commission for the Review of Social Assistance for Ontario calculated the fiscal impact of outdated rent scales to service system managers at \$200 million annually.<sup>16</sup> These funds could be used to address capital repairs and to improve quality of life for tenants.

Another issue relates to energy efficiency. The previous provincial government introduced capital retrofit programs to reduce green house gas emissions and create more energy efficient community housing. These programs demonstrated an immediate impact reducing operating costs for buildings. Now that the provincial cap and trade initiative has wound down, there is no more dedicated provincial funding for community housing energy retrofits. These investments improved building performance and enhanced the quality of life for tenants while reducing greenhouse gas emissions. In doing so, the phased-out program filled an important need in community housing because most of Ontario's community housing buildings were built at a time when little attention was paid to energy-efficient design. Retrofits benefited vulnerable tenants by reducing the cost of their utility bills. Given the value of energy retrofit programs, Ontario's municipal governments would support the introduction of an alternative provincial funding envelope to finance energy efficiency retrofit supports in community housing.

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*Recommendation #41:* That the provincial and federal governments commit to permanent, predictable, and sustainable base funding that supports both asset management and the renewal of community housing.

*Recommendation #42:* That the provincial and federal governments provide sufficient and ongoing funding to help eliminate the current community housing capital repair backlog in Ontario to achieve and maintain a good state of repair.

*Recommendation #43:* That the provincial government work with Service System Managers to assess the impact of the end of federal operating agreements and the separate issue of end of mortgages on their community housing portfolios.

*Recommendation #44:* That the provincial government provide clarity and certainty regarding the obligations of community housing providers and Service System Managers upon the expiry of federal operating agreements and the end of mortgages to ensure that housing stability is maintained for existing tenants.

*Recommendation #45:* That the provincial government end municipal subsidy of social assistance recipients in community housing by addressing the antiquated rent scales.

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*Recommendation #46:* That the provincial and federal governments promote environmental sustainability in community housing with dedicated funding for energy efficient retrofits that bring down energy costs and improve housing provider sustainability over the long-term.

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### ✓ **Reduce Administrative Burden to Help Service System Managers Do Their Jobs**

Various measures could be taken to reduce administrative burden and costs for Service System Managers and community housing providers.

Top of mind are the complexities of the wait list system, which is costly and burdensome to administer. The provincial government has committed to reforming wait list administration as part of its Community Housing Renewal Strategy and has engaged with Service System Managers as it contemplates reforms. This is a positive step forward. A new, more flexible approach would allow for better management of community housing waitlists in a way that is effective and cost efficient.

Simplifying Rent-Geared-to-Income (RGI) will also help service system managers, housing providers and tenants. The current system is costly and burdensome to administer. It is also complex and confusing for tenants. Reform as initially proposed by the government in the Community Housing Renewal Strategy should serve to bring down cost-prohibitive administration costs while making life easier for those who live in community housing if implemented appropriately. A new system that leverages the Canada Revenue Agency's Income Tax Verification System would help streamline the process. Simplification should not make any tenant materially worse off than before, nor should it increase costs for service system managers. Addressing the rent scales issue should be viewed as a complimentary exercise to RGI simplification.

The reporting burden is another challenge for service system managers. While collecting data to gauge performance and make evidence-based decisions is critical, too many resources are being shifted away from front line services for administrative purposes because of intensive reporting requirements. Currently Service System Managers submit the Service Manager Annual Information Return (SMAIR). This is done in part by using data collected from individual housing providers' Annual Information Return (AIR). The SMAIR and the AIR are based on the reporting requirements set out in the Canada-Ontario Social Housing Agreement, 1999 (SHA). Separate reporting requirements for housing programs further add to the administrative burden. AMO acknowledges the importance of complying with federal funding transfer reporting requirements. However, as the programs are only part of the overall portfolio, statistical data collection and analysis is often done manually by many service system managers. The value of this information is often unclear when it comes to evaluation and policy development.

AMO appreciates MMAH's efforts to streamline reporting. We look forward to the results of this provincial initiative. Federal reporting requirements under the National Housing Strategy (NHS) is a live conversation. While some reporting will be necessary to monitor and evaluate NHS initiatives, the federal government should keep in line with Ontario's shift towards reducing the reporting burden. To keep administration costs down, only necessary



data should be collected. Reporting should happen at reasonable intervals and in a transparent manner.

Data that is collected on a province-wide basis should be shared with service system managers to support continuous improvement and better local service system planning. For example, it would be helpful if the Province used the 10-Year Housing and Homelessness Plans submitted by each service system manager to identify common themes, activities, beneficial practices, and proposed outcomes. This information and related data should inform the growing repository of evidence-based practices.

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*Recommendation #47: That the provincial government simplify the administration of the RGI system for Service System Managers, community housing providers, and tenants of community housing, including addressing rent and utility scales at the same time.*

*Recommendation #48: That the provincial and federal governments update community housing-related reporting requirements to better support evidence-based policy decisions while reducing administrative burden and cost. Technological innovation should be leveraged to facilitate reporting and to improve data collection and analysis as well as service delivery.*

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## ✓ **Increase Flexibility for Municipal Governments and Service System Managers**

To encourage Service System Managers to succeed and to increase the delivery of provincial and local municipal priorities, it is strongly recommended that those delivering housing services be given greater flexibility, authority, and reduced 'red tape'. In particular, Service System Managers should have maximum flexibility to identify and address local priorities based on the municipal context. It is appreciated that the federal-provincial funding programs under the National Housing Strategy reflect and afford a great deal of flexibility.

Two areas that would benefit from more flexibility is the application of subsidies and the management of the waiting list. Both are complex and administratively burdensome in their current form and AMO hopes waitlist administration will improve pending the implementation of reforms under the Community Housing Renewal Strategy.

It is challenging to implement provincial priorities ahead of local priorities. The province-wide priorities may not always speak to the greatest need locally. It might be best if provincial priorities were guidelines for service system managers to consider. No two municipal geographies in Ontario are the same, meaning that more locally flexible and less prescriptive requirements are important. 'One-size-fits all' approaches generally do not work well where local situations vary and different housing markets exist.

As it currently stands, the community housing system is designed for RGI subsidies and Portable Housing Benefits as the primary means of housing assistance. However, municipal governments are innovating with new forms of housing assistance to better match applicants with housing options and to make better use of waiting list resources. The problem is that this innovation with housing assistance is not officially recognized in the *Housing Services Act, 2011* and its regulations. As a result, some innovative housing supports do not count



towards Service System Managers' legislated Service Level Standards. Innovative approaches require a business case for the Minister to approve on case-by-case basis.

Just as the *Housing Services Act, 2011* was amended to recently allow housing benefits to be accepted as a legitimate form of housing assistance, other forms of housing support should also be recognized. For example, condominiums are sometimes purchased and rented out to tenants at below-market rents. This kind of activity should be recognized as housing assistance. A change in this area would not cost the Province anything to implement. It would also provide added flexibility to support innovation at the local level. A good start would be for the provincial government to review the outcomes of these service system manager initiatives with the goal of identifying best practices and modernizing the service level standards.

Greater flexibility is also needed for capital housing infrastructure programs. Take, for example, the 'use it or lose it' approach, which refers to the inability to carry over funds from one fiscal year to the next. This funding approach makes it prohibitive to build larger housing projects in communities and is especially problematic for smaller Service System Managers. Federal-provincial capital housing programs should operate with the same flexibility as other federal and provincial infrastructure programs that allow carry-over from one fiscal year to the next. This would allow for proper planning and implementation for the best long-term housing outcomes.

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*Recommendation #49:* The provincial government should increase local flexibility and support innovation by broadening the provincial approach to Service Level Standards to include all types of housing subsidy assistance administered by Service System Managers.

*Recommendation #50:* That the provincial government work with the federal government to make housing capital programs more effective by eliminating the 'use it or lose it' approach to funding and allow Service System Managers to carry over funding between fiscal years similar to other federal and provincial infrastructure programs.

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### 3) Expanding Affordable Housing Options

Steps should be taken to further facilitate the expansion of other affordable housing options in Ontario, including non-profit, co-operative and private sector projects. This will ease pressure on subsidized rental housing and fill in the gap where the private market fails to provide suitable housing for low- and moderate-income people.

One challenge is that an increasing share of federal-provincial funding programs under the National Housing Strategy will be going towards financing portable housing benefits instead of the construction of new units or the repair of community housing.<sup>6</sup> While these benefits

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<sup>6</sup> A Portable Housing Benefit is a form of financial assistance (i.e. cash allowance) provided to eligible low-income individuals and family units on municipal community housing waiting lists to help pay their rents. It is a portable benefit not tied to a particular building or landlord. With this benefit, individuals and families can





to help low-income families pay their rent are a longstanding municipal ask and a welcome tool in the municipal tool kit, funding for portable benefits cannot replace funding to build and maintain affordable housing units. This is especially important given current vacancy rates in some areas across the province.

Although the recipients' ability to exercise choice in deciding where they will live in the private market is beneficial, portable housing benefits only work well in places with higher vacancy rates and ample supply of affordable, purpose-built rental. They also work well to help individuals in immediate need of housing support, such as people experiencing homelessness or survivors of domestic violence and human trafficking. Federal-provincial funding programs need to strike a balance so that these initiatives can support the use of portable benefits while also contributing to the development of new housing supply. Discussion is needed to ensure that portable housing benefit-related program design provides local flexibility. Any portable housing benefit must be calculated in a way that ensures the benefit amount is enough to cover actual costs in local housing markets.

Currently, survivors of domestic violence and human trafficking receive special priority on community housing waiting lists for RGI subsidies. Over the years, the Special Priority Policy (SPP) has received mixed reviews when it comes to its' effectiveness in supporting survivors. It is not always the preferred option for women, men, and families fleeing abuse. A dedicated provincially-funded portable housing allowance program specific to these survivors is the better policy option. The existing Portable Housing Benefit – Special Priority Policy program should therefore continue and be enhanced. In addition, funding should be provided to establish and maintain much needed community supports for these households.

The Strong Communities Rent Supplement Program is an important housing option that is at risk. It enables service system managers to fund RGI rent supplement agreements in their communities. The program's 20-year funding commitment ends in 2022/23. The end of this program will take \$50 million a year from Ontario's community housing system, reducing access to affordable housing. It will also place more vulnerable households at risk. Funding for this program must continue beyond 2023. If funding is not renewed, then a transitional funding plan will be necessary to protect tenants currently using the program.

Another funding program with potential to expand housing options is the National Co-Investment Fund administered by the CMHC. AMO is pleased to see the federal government move forward with this housing infrastructure initiative. While there have been positive efforts to consult with service system managers, there are some concerns about the onerous application process and administrative and reporting burdens associated with the potential funding. The challenge, especially for smaller rural, northern and Indigenous housing providers, is that the scoring criteria reduces the chances that their projects will be approved. Many applicants have found it challenging to meet the environmental and accessibility targets while staying focused on affordability.

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exercise choice in the housing marketplace to choose their place of living, either in a non-profit, co-operative or private rental accommodation. It is considered an alternative form of housing assistance to traditional RGI units in community housing.



In addition, supporting documentation and professional opinions and studies currently required for the application can be both cost and resource prohibitive. AMO acknowledges that this is a new program and appreciates that the CMHC is actively learning through the process and making improvements as they go. It is essential that feedback through the National Housing Strategy Trilateral Coordination Forum and other mechanisms foster continuous improvement to ensure that housing projects are successfully approved and implemented as per the federal government's plan.

Affordable housing development requires stable funding with an ability to stage and plan developments over longer time periods. This allows for work with both private and non-profit developers. Municipal governments and DSSABs need to be able to engage private developers as partners in affordable development. Allowing stacking of housing funding with other government capital development programs and incentives, including through Infrastructure Ontario (IO), would help. Land is a major cost. Municipal governments provide land for affordable housing development where they can. Contributions of land from both the provincial and federal governments will also help and are needed.

Access to low-rate financing would renew and expand affordable housing infrastructure. Low-rate financing can come from a broad range of sources, including both government and the private sector. On the government side, there is financing available from the CMHC and provincially from Infrastructure Ontario (IO). However, DSSABs are not able to access financing from IO. A legislative change is needed to permit this.

Private sector financing is available and has great potential. However, private sector lenders are not always well versed with the realities of community and affordable housing. Therefore, the establishment of a dedicated housing lender is welcome. The [Housing Investment Corporation \(HIC\)](#), which raises financing from private capital markets, is a welcome value-added addition to the housing sector.

Like community housing, many affordable housing buildings that received upfront government funding but no ongoing funding face sustainability challenges of their own. This includes capital repair backlogs as the buildings age. Providing occasional assistance for these projects is worth exploring, whether it be grants or low-cost loans.

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*Recommendation #51:* That the provincial and federal governments accompany the increasing use of Portable Housing Benefits with efforts to increase the supply of rental housing including private, non-profit, and co-operative housing.

*Recommendation #52:* That the provincial government continue to address the housing affordability needs of survivors of domestic violence and human trafficking through dedicated community supports and an enhanced portable housing benefit program.

*Recommendation #53:* That the provincial government develop a strategy for the expiration of the time-limited Strong Communities Rent Supplement program to either sustain the program or manage its transition so that it doesn't cause housing instability for existing tenants.

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*Recommendation #54:* The provincial and federal government should provide surplus or under-used crown lands to municipal governments and Service System Managers contingent on building affordable and/or 'missing middle' housing solutions.

*Recommendation #55:* That the provincial and federal governments move expeditiously to develop their housing strategies in consultation with Indigenous communities and service providers and provide adequate resources for implementation.

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#### 4) Ending Homelessness

Every Ontarian deserves a place to call home. On any given night, there are approximately 9,600 Ontarians experiencing 'visible' homelessness. Around 90,000 Ontarians experience this type of homelessness a year.<sup>17</sup> On the other hand, estimates suggest that as many as 80% of Ontario's homeless population experience 'hidden homelessness.'<sup>18</sup> This means that they are couch surfing, sleeping in abandoned farmhouses, or camping in remote locations. These Ontarians are difficult to track – their experiences are not captured by homeless enumeration counts and statistics.

All Ontarians experiencing homelessness need immediate access to permanent housing alongside services and supports that will help them get back on their feet. Investing in Housing First approaches and supports will generate savings in the long run — homeless Ontarians are more frequent users of costly services such as ambulances, hospitals, and correctional facilities. According to the Homelessness Hub, a single-shelter bed costs Canadian provinces about \$1,932 a month. A provincial jail cell costs \$4,333 a month and a hospital bed costs \$10,900.<sup>19</sup> Given these costs, it is significantly cheaper to provide these Ontarians with stable housing and the supports they need to stay off the streets.

An all-of-government approach is the best way to address homelessness in Ontario. To end chronic homelessness, we must break down silos across government and leverage positive working relationships between the province and the 47 Service System Managers on the front lines. Predictable, stable, and enhanced funding streams from both the provincial and federal governments are needed to improve and expand homelessness prevention programs across the province. With this in place, Service System Managers can work on the ground to eliminate chronic homelessness by 2025.

Indigenous people are currently overrepresented in the homeless population. The reasons are complex and specific housing interventions are necessary. Indigenous communities and Indigenous service providers should be engaged to determine what is needed to address the unique housing challenges facing Indigenous people. The federal government should examine and modify existing approaches to address Indigenous homelessness.

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*Recommendation #56:* That the provincial, federal, and municipal governments use an all-of-government approach to break down silos between ministries, departments, divisions and agencies, and make





commitments beyond current programs (e.g. health, income security) to address the affordable housing and homelessness crisis.

*Recommendation #57:* That the provincial government renew a commitment to end chronic homelessness by 2025 and work with Service System Managers on a province-wide plan to accomplish this goal.

*Recommendation #58:* That the provincial government sustain and increase funding for homelessness prevention and housing programs to help achieve the goal of eliminating chronic homelessness by 2025.

*Recommendation #59:* That the federal government enhance funding for homelessness prevention programs with a goal of expanding funding to all 47 service management areas in Ontario.

*Recommendation #60:* That the federal and provincial governments accelerate development of specific housing and homelessness prevention initiatives for Indigenous people in consultation with Indigenous communities and service providers.

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## 5) Supporting People with their Health Care Needs for Successful Tenancies

Access to supportive housing promotes independent living for people with complex health needs including mental health, addictions, and trauma. It allows them to stay in their communities for as long as possible and enjoy the highest quality of life available. Supportive housing assistance typically includes services like access to personal support workers, light housekeeping, meal preparation, wellness, and health promotion. People in supportive housing may also be matched with caseworkers and receive counselling, income support and life-skills training, amongst other supports. These services are necessary given the diverse health needs of people in need of housing solutions.

Through Budget 2019, the provincial government committed to do a comprehensive review to identify opportunities to streamline the more than 20 supportive housing programs in Ontario with the goal of improving coordination. To better serve people with housing and health care needs, AMO encourages the province to move forward with the goal of creating 30,000 new supportive housing units in Ontario with rent subsidies.

Another challenge is that in many instances community housing has become 'de facto' supportive housing. This is due to the supply shortage and a lack of health service funding. Some tenants require intensive supports to maintain successful tenancies including home care, mental health, and addictions support. Community housing providers typically do not have the professional staff resources or funds to provide these critical services. Providing this type of service is not the intent of community housing. A gap results because provincially funded community services can be difficult for tenants to access.



For these reasons, we need to start conversations on how funding from the Ministry of Health can be better used to provide more support to help people maintain stable community housing. The 2019 Ontario Budget committed an investment of \$3.8 billion for mental health, addictions and housing supports over 10 years, beginning with building a mental health and addictions system. As well, a Cabinet shuffle in June 2019 created a new Associate Minister of Mental Health and Addictions dedicated to addressing mental health needs in local communities. Service System Managers are in the best position to inform how the new system can help tenants as well as those experiencing homelessness. Stronger, more collaborative relationships between the Province, health institutions, and Service System Managers will be key moving forward.

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*Recommendation #61:* That the provincial government work towards a goal of establishing and maintaining 30,000 supportive housing units in the province.

*Recommendation #62:* That the provincial government ensure systemic collaboration between the new Ontario Health Teams and Service System Managers to ensure that people in community housing and those experiencing homelessness receive the support they need to access housing, maintain stable tenancies and meet their health needs.

*Recommendation #63:* That the provincial government direct local health teams under the new health care system to provide supports to tenants residing in community housing that have health needs.

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## Conclusion — Looking Forward and Next Steps

In Ontario, the municipal role in housing and homelessness prevention cannot be understated. We are critical players on the front lines and make a meaningful difference for our communities with support from the provincial and federal governments. Given this role in housing, municipal governments and DSSABs are well-positioned to provide advice going forward on what is necessary to address the housing affordability and supply crisis negatively affecting our communities.

The recommendations in this paper should serve as the foundation for ongoing conversations with both the provincial and federal governments. In particular, the National Housing Strategy framework creates a platform for the federal, provincial, and municipal orders of government to come together to talk about how best to improve housing outcomes for the people of Ontario. The AMO-Ontario Memorandum of Understanding political table and staff working groups should continue to help facilitate municipal-provincial discussions on the housing file.

Municipal governments are on the front lines. We are ready to co-design frameworks and programs with our provincial and federal partners. Working together, we can make a meaningful difference for people in need of housing supports and fix the housing crisis.



## Appendix A: AMO Affordable Housing and Homelessness Task Force Membership (2015 to 2018)

Jamie McGarvey, **Chair**, AMO President and Mayor, Town of Parry Sound

Darryl Wolk, Manager, Policy Development & Public Affairs, Ontario Municipal Social Service Association (OMSSA)

Douglas Bartholomew-Saunders, Commissioner of Community Services, Region of Waterloo

Eddie Alton, Director of Social Services, County of Wellington

Elaine Brunn Shaw, Director of Planning, City of Cambridge

Eric Duncan, Warden, United Counties of Stormont, Dundas & Glengarry, and Chair, Eastern Ontario Warden Caucus

Helen Harris, Coordinator, Policy & Research, Ontario Non-Profit Housing Association (ONPHA)

Henry Wall, Chief Administrative Officer, Kenora District Services Board

John Taylor, Councillor, Regional Municipality of York

Mabel Watt, Manager, Policy Integration (CAO's Office), Region of Halton

Mark Taylor, Deputy Mayor, City of Ottawa

Pam Sayne, Councillor, Township of Minden Hills

Sean Gadon, Director, Affordable Housing Office, City of Toronto

Sharad Kerur, Executive Director, Ontario Non-Profit Housing Association (ONPHA)

Simone Swail, Manager, Government Relations, Ontario Region, Co-operative Housing Federation of Canada

Michael Jacek, Senior Advisor, Association of Municipalities of Ontario (AMO)

Jessica Schmidt, Policy Advisor, Association of Municipalities of Ontario (AMO)

Leslie Muñoz, Policy Advisor, Association of Municipalities of Ontario (AMO)



## Appendix B: Summary of Recommendations

### Increasing the Supply of Affordable Market Housing for Families

#### ✓ **Streamline to Speed Up the Approval Process by Addressing Implementation Challenges**

*Recommendation #1:* That municipal governments continue to work to ensure that zoning by-laws are up to date with official plans.

*Recommendation #2:* That municipal governments pursue and move towards e-permitting if they have the resources.

*Recommendation #3:* That municipal governments consider the benefit of third-party coordinating engineers as a potential option.

*Recommendation #4:* That municipal governments explore the benefits of offering one-window 'concierge services' to fast track priority proposals.

*Recommendation #5:* That municipal governments consider whether adopting a Community Planning Permit System would meet the needs of their local communities.

*Recommendation #6:* That municipal governments consider succession management strategies to ensure that they can continue to employ well-qualified building inspectors.

*Recommendation #7:* That the provincial government modernize notice provisions.

*Recommendation #8:* That the provincial government continue to document and disseminate Best Management Practices (BMPs) and provide data support to municipal governments to foster learning, resulting in continuous improvement.

*Recommendation #9:* That the provincial government provide support to housing developers including sharing of BMPs.

*Recommendation #10:* That the provincial government provide training to help municipal governments increase the supply of building inspectors.

*Recommendation #11:* That housing developers take steps to ensure they submit complete, quality applications to reduce timelines and reduce the number of resubmissions.

*Recommendation #12:* That housing developers take good care to prepare comprehensive site plans.

*Recommendation #13:* That housing developers diligently and completely fulfill contractual Clearing Conditions in a timely manner.



*Recommendation #14:* That housing developers ensure timely building inspections to keep projects on track and on schedule.

## ✓ **Promote a Mix of Housing and Missing Middle Housing**

*Recommendation #15:* That the provincial government provide further information and promote awareness among municipal governments of their ability to enact inclusionary zoning by-laws, including on the new rules following the Royal Assent of Bill 108.

*Recommendation #16:* That municipal governments revisit zoning to explore zero-lot- line housing, tiny homes, laneway housing, flex housing, shared housing and other types of housing that reduce land costs and increase density.

*Recommendation #17:* That the provincial government consider financial incentives for developers to encourage missing middle-type housing for moderate-income families.

*Recommendation #18:* That the provincial government support growth of new housing supply with corresponding investments in infrastructure including schools, hospitals, transit, and transportation.

*Recommendation #19:* That the provincial government work in partnership with municipal governments to change public attitudes opposed to intensification by making the public more aware of the negative impact of sprawl on the environment, traffic congestion, and on the costs of municipal services.

*Recommendation #20:* That the provincial government ensure there is enough flexibility and supports for municipal governments to look at underused and strategically located employment lands for mixed-uses, including housing.

*Recommendation #21:* That developers consider a menu of finishes so that more modest options are available.

*Recommendation #22:* That developers consider the potential for expandable/reducible units (i.e. time-share units often have the option of combining adjoining units for larger floor plans or closing off access for small units).

*Recommendation #23:* That developers design buildings in a way that allows for the future installation of accessible features.

## ✓ **Support the Cost of New Housing Supply through Existing Tools**

*Recommendation #24:* Municipal governments should continue to exercise the ability to voluntarily provide financial incentives when they are able, and at their sole discretion, to facilitate the targeted development of new affordable housing in line with local municipal objectives.



*Recommendation #25:* The provincial government should ensure development charges and community benefits charges are calculated in a way that ensures growth pays for growth.

*Recommendation #26:* The provincial government should consider allocating revenues generated from the land transfer tax and the non-resident speculation tax to affordable housing and for financial incentives to encourage housing solutions for moderate-income households.

## ✓ **Explore Innovative Housing Solutions**

*Recommendation #27:* That municipal governments continue to work with developers to encourage innovative housing while still conforming to the standards of the Ontario Building Code.

*Recommendation #28:* That the provincial government research and disseminate promising practices from other jurisdictions about how to facilitate innovative housing supply.

*Recommendation #29:* That the provincial and federal governments ensure that municipal governments continue to have the discretion to offer home ownership programs and renovation support programs with funding from federal-provincial housing programs available under the National Housing Strategy.

*Recommendation #30:* That the provincial government explore and pilot new innovative home ownership programs with municipal governments for low- and moderate-income people, with a special focus on first-time homebuyers, including shared-equity schemes and rent-to-own approaches.

*Recommendation #31:* That the provincial government advocate to the federal government for more robust home ownership programs.

*Recommendation #32:* That the provincial government research and share promising practices to make better use of existing homes, buildings, and neighbourhoods to increase the supply of housing (e.g. matchmaker services that facilitate shared living arrangements between seniors in “over-housed” situations and renters, including students).

*Recommendation #33:* That the provincial government consider a “Yes in My Backyard” initiative to address NIMBYism and change public attitudes against new ‘missing middle’ and community housing developments.

## ✓ **Protecting Tenants while Balancing Landlord Rights**

*Recommendation #34:* The provincial government should consider input from the public, including landlord and tenant organizations, to find the appropriate balance between landlord and tenant rights and obligations.



*Recommendation #35:* The provincial government should provide more public education to both landlords and tenants on their rights and obligations.

*Recommendation #36:* The provincial government should provide investment and incentives for purpose-built rental housing.

*Recommendation #37:* The provincial government should explore ways to speed up the landlord and tenant board process, including by addressing the adjudicator shortage.

*Recommendation #38:* The provincial government should promote awareness and provide information to municipal governments about ways to effectively facilitate legal second suites and new rentals in a manner that meets the needs of communities.

*Recommendation #39:* Municipal governments should exercise their ability under the Planning Act to facilitate the creation of legal second suites and new rentals in a manner that meets the needs of communities, conforms appropriately to municipal by-laws, and advances public safety.

*Recommendation #40:* The provincial government should provide low cost loans to homeowners who wish to renovate to create new legal second units in accordance with local municipal by-laws.

## Creating a Financially Sustainable Model for Community Housing

### ✓ **Review and Improve Funding Arrangements to Secure Permanent, Predictable Funding for Housing Supports**

*Recommendation #41:* That the provincial and federal governments commit to permanent, predictable, and sustainable base funding that supports both asset management and the renewal of community housing.

*Recommendation #42:* That the provincial and federal governments provide sufficient and ongoing funding to help eliminate the current community housing capital repair backlog in Ontario to achieve and maintain a good state of repair.

*Recommendation #43:* That the provincial government work with Service System Managers to assess the impact of the end of federal operating agreements and the separate issue of end of mortgages on their community housing portfolios.

*Recommendation #44:* That the provincial government provide clarity and certainty regarding the obligations of community housing providers and Service System Managers upon the expiry of federal operating agreements and the end of mortgages to ensure that housing stability is maintained for existing tenants.

*Recommendation #45:* That the provincial government end municipal subsidy of social assistance recipients in community housing by addressing the antiquated rent scales.





*Recommendation #46:* That the provincial and federal governments promote environmental sustainability in community housing with dedicated funding for energy efficient retrofits that bring down energy costs and improve housing provider sustainability over the long-term.

✓ **Reduce Administrative Burden to Help Service System Managers Do Their Jobs**

*Recommendation #47:* That the provincial government simplify the administration of the RGI system for Service System Managers, community housing providers, and tenants of community housing, including addressing rent and utility scales at the same time.

*Recommendation #48:* That the provincial and federal governments update community housing-related reporting requirements to better support evidence-based policy decisions while reducing administrative burden and cost. Technological innovation should be leveraged to facilitate reporting and to improve data collection and analysis as well as service delivery.

✓ **Increase Flexibility for Municipal Governments and Service System Managers**

*Recommendation #49:* The provincial government should increase local flexibility and support innovation by broadening the provincial approach to Service Level Standards to include all types of housing subsidy assistance administered by Service System Managers.

*Recommendation #50:* That the provincial government work with the federal government to make housing capital programs more effective by eliminating the 'use it or lose it' approach to funding and allow Service System Managers to carry over funding between fiscal years similar to other federal and provincial infrastructure programs.

### Expanding Affordable Housing Options

*Recommendation #51:* That the provincial and federal governments accompany the increasing use of Portable Housing Benefits with efforts to increase the supply of rental housing including private, non-profit, and co-operative housing.

*Recommendation #52:* That the provincial government continue to address the housing affordability needs of survivors of domestic violence and human trafficking through dedicated community supports and an enhanced portable housing benefit program.

*Recommendation #53:* That the provincial government develop a strategy for the expiration of the time-limited Strong Communities Rent Supplement program to either sustain the program or manage its transition so that it doesn't cause housing instability for existing tenants.



*Recommendation #54:* The provincial and federal government should provide surplus or under-used crown lands to municipal governments and Service System Managers contingent on building affordable and/or 'missing middle' housing solutions.

*Recommendation #55:* That the provincial and federal governments move expeditiously to develop their housing strategies in consultation with Indigenous communities and service providers and provide adequate resources for implementation.

## Ending Homelessness

*Recommendation #56:* That the provincial, federal, and municipal governments use an all-of-government approach to break down silos between ministries, departments, divisions and agencies, and make commitments beyond current programs (e.g. health, income security) to address the affordable housing and homelessness crisis.

*Recommendation #57:* That the provincial government renew a commitment to end chronic homelessness by 2025 and work with Service System Managers on a province-wide plan to accomplish this goal.

*Recommendation #58:* That the provincial government sustain and increase funding for homelessness prevention and housing programs to help achieve the goal of eliminating chronic homelessness by 2025.

*Recommendation #59:* That the federal government enhance funding for homelessness prevention programs with a goal of expanding funding to all 47 service management areas in Ontario.

*Recommendation #60:* That the federal and provincial governments accelerate development of specific housing and homelessness prevention initiatives for Indigenous people in consultation with Indigenous communities and service providers.

## Supporting People with their Health Care Needs for Successful Tenancies

*Recommendation #61:* That the provincial government work towards a goal of establishing and maintaining 30,000 supportive housing units in the province.

*Recommendation #62:* That the provincial government ensure systemic collaboration between the new Ontario Health Teams and Service System Managers to ensure that people in community housing and those experiencing homelessness receive the support they need to access housing, maintain stable tenancies and meet their health needs.

*Recommendation #63:* That the provincial government direct local health teams under the new health care system to provide supports to tenants residing in community housing that have health needs.



## End Notes

<sup>1</sup> Government of Ontario. Ministry of Municipal Affairs and Housing. Building Complete Communities: Supporting Quality of Life.

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<sup>2</sup> Government of Ontario. Ministry of Municipal Affairs and Housing. *Financial Information Returns Data – 2017 - Provincial Summaries by Schedule, Schedules 12, 40, and 51*. Canada: Toronto, 2018.

<sup>3</sup> Canada Mortgage and Housing Corporation. “Overview: Ontario” *Housing Market Information Portal*. Accessed January 2019. <https://www03.cmhc-schl.gc.ca/hmip-pimh/en#Profile/35/2/Ontario>

<sup>4</sup> Ontario Real Estate Association and the Canadian Real Estate Association. “Ontario Home Sales Pull Back in February.” Accessed March 2019. <http://creastats.crea.ca/orea/>.

<sup>5</sup> Ibid.,

<sup>6</sup> Paul Kershaw. “Code Red: Rethinking Canadian Housing Policy.” *Generation Squeeze*. Last modified 25 May 2016. Accessed January 2019.

[https://www.gensqueeze.ca/rethinking\\_canadian\\_housing\\_policy](https://www.gensqueeze.ca/rethinking_canadian_housing_policy).

<sup>7</sup> Canada Mortgage and Housing Corporation, “Overview Ontario.”

<sup>8</sup> Ontario Non-profit Housing Association and Co-operative Housing Federation of Canada (Ontario Region). “An Affordable Housing Plan for Ontario.” Canada: Toronto, 2018.

[http://onpha.on.ca/Content/Advocacy\\_and\\_research/Advocacy/Affordable\\_Housing\\_Plan\\_for\\_Ontario.aspx](http://onpha.on.ca/Content/Advocacy_and_research/Advocacy/Affordable_Housing_Plan_for_Ontario.aspx)

<sup>9</sup> Ontario Home Builders’ Association. “OHBA Housing Supply Action Plan Submission.” Canada: Toronto, 2019. <https://www.ohba.ca/wp-content/uploads/2019/01/ohba-housing-supply-action-plan-submission-january-25-2019.pdf>

<sup>10</sup> Greg Suttor. “Moving Forward with Affordable Housing and Homelessness in Northern Ontario.” Northern Ontario Service Deliverers’ Association and Housing Services Corporation. August 2012. <https://www.nosda.net/service-areas/housing-services-and-homelessness#reports>

<sup>11</sup> Auditor General of Ontario. “3.14: Social and Affordable Housing.” *2017 Annual Report*. Canada: Toronto, 2017.

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<sup>12</sup> Statistics Canada. “Core housing need, 2016 Census.” 15 November 2017.

<https://www12.statcan.gc.ca/census-recensement/2016/dp-pd/chn-biml/index-eng.cfm>

<sup>13</sup> Steward Pearson. Housing Services Corporation. “Financing Capital Improvements and the Renovation of Social Housing in Ontario.” Canada: Toronto, December 2010. And Housing Services Corporation. “Housing and Affordable Housing Primer.” Canada: Toronto, 2014.

[http://share.hscorp.ca/wp-content/uploads/2014/11/hscprimer\\_final\\_digital.pdf](http://share.hscorp.ca/wp-content/uploads/2014/11/hscprimer_final_digital.pdf)

<sup>14</sup> Re/Fact Consulting. Housing Services Corporation and Ontario Municipal Knowledge Network. “Social Housing End Dates in Ontario: Assessing Impacts and Promoting Good Practices.” Canada: Toronto, 2012. <https://www.hscorp.ca/wp-content/uploads/2013/03/Social-Housing-End-Dates-in-Ontario-HSC.pdf>

<sup>15</sup> Ontario Non-Profit Housing Corporation and Co-operative Housing Federation of Canada (Ontario Region), 2018.



<sup>16</sup> Frances Lankin and Munir A. Sheikh. Commission for the Review of Social Assistance in Ontario. "Brighter Prospects: Transforming Social Assistance in Ontario. A Report to the Minister of Community and Social Services" Canada: Toronto, 2012.

[https://www.mcsc.gov.on.ca/documents/en/mcsc/social/publications/social\\_assistance\\_review\\_final\\_report.pdf](https://www.mcsc.gov.on.ca/documents/en/mcsc/social/publications/social_assistance_review_final_report.pdf)

<sup>17</sup> Ontario Non-profit Housing Association and the Co-operative Housing Federation of Canada (Ontario Region), "Housing Plan."

<sup>18</sup> Government of Ontario. Ministry of Municipal Affairs. "A Place to Call Home: Report of the Expert Advisory Panel on Homelessness."

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<sup>19</sup> Stephen Gaetz. The Homelessness Hub. "The Real Cost of Homelessness: Can we Save Money by Doing the Right Thing?" Toronto: Canadian Homelessness Research Network Press, 2012.

[https://www.homelesshub.ca/sites/default/files/attachments/costofhomelessness\\_paper21092012.pdf](https://www.homelesshub.ca/sites/default/files/attachments/costofhomelessness_paper21092012.pdf)

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

From: Maureen Cole [<mailto:m.cole@hay.net>]

Sent: Sunday, June 14, 2020 5:21 PM

To: Mayor Finch <[gfinch@southhuron.ca](mailto:gfinch@southhuron.ca)>; Deputy Mayor Dietrich <[jdietrich@southhuron.ca](mailto:jdietrich@southhuron.ca)>; Councillor Oke <[toke@southhuron.ca](mailto:toke@southhuron.ca)>; Councillor Vaughan <[mvaughan@southhuron.ca](mailto:mvaughan@southhuron.ca)>; Councillor Neeb <[aneeb@southhuron.ca](mailto:aneeb@southhuron.ca)>; Councillor Faubert <[dfaibert@southhuron.ca](mailto:dfaibert@southhuron.ca)>; Councillor Ferguson Willard <[bwillard@southhuron.ca](mailto:bwillard@southhuron.ca)>

Subject: City of London allowing temporary homeless encampments during coronavirus pandemic - London | [Globalnews.ca](https://globalnews.ca)

Dear Mayor Finch and Council

We all realize homelessness is a very complex social problem, that needs to be tackled by all levels of government. Please take the time to read this article, and consider some of the options and partnerships that you could utilize to temporarily support out County to actually decrease homelessness, and consider the health and safety of everyone, which I understand is your number one priority.

City of London allowing temporary homeless encampments during coronavirus pandemic - London | <https://linkprotect.cudasvc.com/url?>

[a=https%3a%2f%2fGlobalnews.ca&c=E,1,kkNRjd656p0iGHOS4p1xigJcO8LWplwLXY08gTrEVYKPviBQKEba1a9wn\\_t77mW\\_qSGe14OGMRUYs7PguVC\\_Zw4hD42VHOnz0SBceyzoe4dS980u14-BGis&typo=1](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fGlobalnews.ca&c=E,1,kkNRjd656p0iGHOS4p1xigJcO8LWplwLXY08gTrEVYKPviBQKEba1a9wn_t77mW_qSGe14OGMRUYs7PguVC_Zw4hD42VHOnz0SBceyzoe4dS980u14-BGis&typo=1)

<https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fglobalnews.ca%2fnews%2f7064747%2fcoronavirus-london-encampments->

[homeless%2f&c=E,1,sA\\_TZl59jnbQwUCHPRQSua0qk5zOK1JCxmzR-HznAcw-ZDEfqroyEtS67gZgxmiZoMPri-bm8oObqpbTwNTyx13RJm4qN1LWZQGztavyfmmLh1vIjrsN7wK1k3U&typo=1](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fglobalnews.ca%2fnews%2f7064747%2fcoronavirus-london-encampments-homeless%2f&c=E,1,sA_TZl59jnbQwUCHPRQSua0qk5zOK1JCxmzR-HznAcw-ZDEfqroyEtS67gZgxmiZoMPri-bm8oObqpbTwNTyx13RJm4qN1LWZQGztavyfmmLh1vIjrsN7wK1k3U&typo=1)

Maureen Cole

**From:** Jim [<mailto:jimaworkie@gmail.com>]

**Sent:** Thursday, June 4, 2020 1:28 PM

**To:** Brooke Hartwick <[bhartwick@southhuron.ca](mailto:bhartwick@southhuron.ca)>

**Subject:** Re: Curb Side Collection- Leaf and Debris

Thank you for your reply Brooke.

I really have a number of issues with the yard waste pickup.

If the municipality is going to be strict and steadfast in its schedule, then I think it should be towards the end of June. This would allow for pruning of trees and shrubs after leaves show where the dead branches are located. The present schedule does not always do that. This year we had winter and then almost straight into summer, with slow growth.

I, like many other Exeter residents keep my property neat and while it is very nice to offer free disposal at the landfill, I drive a small vehicle which is not suitable, nor capable of taking the waste to the dump. This is a law which favours people who own a truck and discriminates against people like me.

I would suggest a bag pick could start in the middle of May, With a weekly pickup or a time permits, then in June, branches and remaining bags could be picked up.

Perception is important. When I drive, walk, or ride my bike around town, I see too many bags and shrubs at the curb. Obviously I am not the only delinquent. When I see empty municipal trucks driving past, I think that goodwill would go a long way. Last fall, I was very fortunate and appreciative when two works department workers went above requirements to help.

I know the workers have many various chores and I am not trying to be awkward nor unreasonable, but scheduling and flexibility would make this a more desirable place to call home, even to a long time resident like me.

I hope that my concerns/comments be passed to the highest level including council.

Sincerely

Jim Workman

Sent from my iPad

June 11, 2020

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

Honourable Christine Elliott  
 Deputy Premier and Minister of Health  
 Ministry of Health  
 5<sup>th</sup> Floor, 777 Bay Street  
 Toronto ON M7A 2J3

Honourable Merrilee Fullerton  
 Minister of Long-Term Care  
 6<sup>th</sup> Floor, 400 University Avenue  
 Toronto ON M5G 1S5

Dear Premier Ford, Minister Elliott, and Minister Fullerton:

At its meeting of June 1, 2020, Chatham-Kent Municipal Council unanimously supported a request from Councillor Clare Latimer to submit a letter to the Premier, Minister of Health, and Minister of Long-Term Care (LTC) regarding current and long-standing issues being faced by the LTC sector and to support the government's Commission on Long-Term Care.

The COVID-19 pandemic has exacerbated the human resources crisis that LTC has faced for a number of years. It has also brought homes and the residents who place trust in the system they will be well cared for into the limelight, when all along the number one priority of all levels of government and oversight should be the health, safety, and well-being of some of our most vulnerable citizens.

The LTC and Retirement Home (RH) sectors are chronically understaffed; losing the extra hands of visitors and volunteers during the pandemic, while necessary, has created an additional burden. Homes in Ontario are experiencing increasing difficulty recruiting and retaining Personal Support Workers (PSW), Registered Practical Nurses (RPN) and Registered Nurses (RN), creating long delays in the ability to fill vacant positions. Before the pandemic, many homes were indicating they no longer have a 'pool' of PSWs ready and available to fill vacant shifts. Homes are seeing more PSWs experiencing stress-related illnesses, mental and physical exhaustion, and an increase in work-related injuries. In addition to an already limited available workforce, hospitals are now hiring PSWs to fill support roles, and many RNs or RPNs accept positions in LTC only to resign when an acute care or community health position becomes available. Additional stressors directly related to the pandemic have certainly added to the staffing crisis. The provision of pandemic pay to front-line staff has helped, and while it would be a welcomed addition to the funding envelope moving forward, wage increases alone will not solve the chronic lack of people choosing long-term care as a career.

Cont'd...

Page 2  
June 11, 2020

Staffing ratios have been discussed for several years and there has been lobbying from many avenues to increase the number of direct nursing care hours for residents up to four hours of care per day in order to safely meet the complex needs of the current long-term care population. Without an influx of provincial dollars, coupled with a provincial LTC human resources strategy, homes will not be able to increase direct patient care hours; there simply are not enough human resources to go around. This is difficult for staff in long-term care and retirement homes. They are a determined, passionate bunch who want nothing more than to provide quality care to their residents who call their facilities home.

As a Municipal Council, we have watched the impact the COVID-19 pandemic has had on LTC and RHs across our province. Our municipality has not had any COVID-19 outbreaks in homes in Chatham-Kent; however, we are certainly aware of the ongoing risk and continue to do everything we can to ensure our residents and staff are safe and they have the tools and resources to manage during such a difficult time. As a Council, we support the government's LTC Commission and ask that it remain non-partisan, and be independent of owners and operators including ourselves as the owner and operator of Chatham-Kent's largest LTC home. While we are supportive of the Commission, we are asking for an impartial review of current best practices in both private and publicly operated homes. We are also requesting that the Commission be tasked with recommending best practice standards of care, and accountability protocols regarding documentation, peer reviews, and resident/family reviews.

We appreciate the work involved in any type of large-scale review with the hope the Commission is able to review the current impact of the pandemic and merge these findings with what the sector has known and has been advocating for over the last several years including staffing, governance models, physical structures of homes, and LTC regulations. A comprehensive look at past, current, and future insights will move the sector towards action and real change.

Sincerely,



Darrin Canniff, Mayor/CEO  
Municipality of Chatham-Kent

- C Rick Nicholls, MPP Chatham-Kent-Leamington  
Monte McNaughton, MPP Lambton-Kent-Middlesex  
All municipalities in Ontario



June 11, 2020

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

Honourable Christine Elliott  
Deputy Premier and Minister of Health  
Ministry of Health  
5<sup>th</sup> Floor, 777 Bay Street  
Toronto ON M7A 2J3

Honourable Merrilee Fullerton  
Minister of Long-Term Care  
6<sup>th</sup> Floor, 400 University Avenue  
Toronto ON M5G 1S5

Dear Premier Ford, Minister Elliott, and Minister Fullerton:

At its meeting of June 1, 2020, Chatham-Kent Municipal Council received a letter from eleven organizations serving Long-Term Care and Retirement Homes in Ontario. The letter spoke to the importance of psychosocial and emotional well-being of all Long-Term Care (LTC) and Retirement Home (RH) residents. Council agreed there was significant evidence presented within the letter to warrant supporting the call to action and to encourage the government to review and act on the recommendations provided.

The COVID-19 pandemic has presented a variety of challenges to the LTC and RH sectors, as well as the congregate care sector. Many of these challenges involve protecting the physical health of this extremely vulnerable population. Increased infection control requirements, eliminating non-essential visitors, active screening protocols, and restrictions on the movement of LTC and RH staff working between different homes, are a few examples of the measures taken and backed financially by the provincial government. In Chatham-Kent, early and rigorous adoption of these measures has kept COVID-19 out of our LTC and RH facilities. While this is a commendable achievement, it is important to examine the social costs to residents of such an undertaking.

People living in LTC and RHs depend completely on interactions with staff, visitors, volunteers, and other residents to fulfill their social and emotional needs. Losing any one of these groups impacts residents in ways that are difficult to measure quantitatively but qualitatively we see it in our residents' eyes each day as we strive to provide the best care possible for them. The exclusion of non-essential visitors has left a tangible hole in the lives of residents. In Chatham-Kent's municipally-run LTC home, Riverview Gardens (RVG), this order saw the exclusion of 500-600 additional visitors, volunteers, and contract support staff per week. They were cherished, familiar faces; their visits much-anticipated by residents and appreciated by staff.

Cont'd...

Page 2  
June 11, 2020

Visitors and volunteers provide more than just visiting, they help in the daily care of our residents. Conversations with other LTC and RHs throughout Chatham-Kent show the same losses and the same impacts on residents and staff. Additional stressors directly related to the pandemic have added to the staffing crisis in LTC and RHs. Supporting a strategy for homes to hire additional staff specifically trained to support the psychosocial and emotional needs of residents would alleviate some of the stress on nursing staff and may lead to better outcomes for residents.

Chatham-Kent has always been a community that comes together and rises to the challenges before us. COVID-19 and the impact this has had on our local LTC and RH sectors is no exception. Through our local United Way, volunteers are finalizing an Adopt a Grandparent program similar to pen pals of years past. This program will link teenagers and young adults with one of our LTC and/or RH residents. Young and old, both with different needs, sharing thoughts and ideas and supporting one another through the pandemic. At Riverview Gardens we have created a Resident Support Worker (RSW) position that provides emotional and social support to our residents. RSWs work on the same floor with the same residents each day where they assist residents with feeding, games, crafts, companionship, and outdoor time when the weather cooperates. RSWs also help provide such services as assisting with laundry, as well as sorting, folding, and organizing a resident's personal items. Currently, redeployed municipal staff are fulfilling these roles at RVG but as Ontario moves further with reopening, these staff will be needed back at their home base location and residents in our home will once again be faced with spending much of their day alone. The homes in Chatham-Kent are providing great care to our residents but they can only do so much. This is why the recommendations from the Long-Term Care and Retirement Home sectors are so important.

Chatham-Kent Municipal Council believes people need human interaction. It is what makes the difference between simply being alive, and living. It is time to act, and protect the psychosocial and emotional health of our LTC and RH residents. We support whole-heartedly, the recommendations presented to you from our LTC and RH partners (attached).

Sincerely,



Darrin Canniff, Mayor/CEO  
Municipality of Chatham-Kent

Attachment: Letter from Alzheimer Society et al RE: Psychosocial and Emotional Well-being of LTC Residents

- C Hon. Michael Tibollo, Associate Minister of Mental Health and Addictions
- Hon Raymond Cho, Minister of Seniors and Accessibility
- Helen Angus, Deputy Minister, Ministry of Health
- Richard Steele, Deputy Minister, Ministry of Long-Term Care
- Rick Nicholls, MPP Chatham-Kent-Leamington
- Monte McNaughton, MPP Lambton-Kent-Middlesex
- Matthew Anderson, President and CEO, Ontario Health
- All municipalities in Ontario



May 8, 2020

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

Hon. Christine Elliott  
Deputy Premier and Minister of Health  
Ministry of Health  
5th Floor, 777 Bay St.  
Toronto, ON M7A 2J3

Hon. Merrilee Fullerton  
Minister of Long-Term Care  
6th Floor, 400 University Ave  
Toronto, ON M5G 1S5

Dear Premier Ford, Minister Elliott and Minister Fullerton,

On behalf of almost 80,000 residents, their families and staff in Ontario's long-term care (LTC) homes, we are writing this letter to urgently request that the provincial government take immediate action to support the psychosocial and emotional wellbeing of residents. COVID-19 has changed every aspect of the lived experience in LTC. Despite fervent efforts and commitment from LTC team members to protect residents from the negative physical outcomes of COVID-19, the psychosocial and emotional impacts remain ignored and under-resourced.

According to a recently released study by Mental Health Research Canada, the number of Canadians expressing high-to-extreme levels of anxiety has quadrupled since the start of the COVID-19 crisis. “Mental Health in Crisis: How COVID-19 is Impacting Canadians.” *Mental Health Research Canada*, [www.mhrc.ca/our-research/](http://www.mhrc.ca/our-research/). If that is the reality of people living in the general population, what is happening to the mental health of LTC residents, many of whom are already living with compromised cognitive ability and living in isolation? ‘There is no health without mental health’ - Minister Elliott.

Thousands of residents are living cohorted and/or isolated lives away from their personal belongings and away from the important people in their lives. Many residents are eating alone, experiencing virtually no human connection aside from 2-3 brief encounters with LTC team members for personal care/meal delivery each day and 1-2 virtual visits with a family member each week, if such a program exists in their home. Team member shortages further exacerbate the sense of isolation, we have heard from residents that there is little to no program or activity to nurture social engagement opportunities during these times.

Pre-COVID-19, the realities of pervasive isolation, depression and loneliness are coined as the ‘three plagues’ of life in LTC (Dr. Bill Thomas, founder of The Eden Alternative). While person-centered practices combat these plagues, the current reality of LTC living will lead to residents left with broken spirits and the corresponding negative outcomes associated with their psychosocial, emotional health.

People need people. We are writing this letter now to ask that immediate attention and allocated resources be applied to LTC homes to support the psychosocial and emotional wellbeing of residents. The government of Alberta, in recognizing the importance of ‘quality of life’ for residents, has released substantive directives that clearly define essential visitors as those who contribute to the quality of life of residents in addition to provision of needed physical care. I urge you to follow suit, so that residents can experience the psychosocial and emotional support that has been missing for 7 weeks thus far.

Imagine the new reality when a group of team members (comprised of ‘essential visitors’ and/or dedicated staff) is incorporated into **every LTC home** to exclusively provide avenues/programs/opportunities for psychosocial and emotional support. Residents will experience **multiple** weekly virtual visits using iPads, tablets or cell phones with friends and family members, and even amongst themselves, providing peer to peer support. Residents will enjoy safe outdoor visits during the warm weather now upon us. Imagine residents being supported in a virtual resident activity, meal or conversation between other residents. Residents will feel engaged and connected to each other once again, to their families, to their environment and to their community. They will be well protected from the negative outcome of prolonged isolation.

This is what is needed:

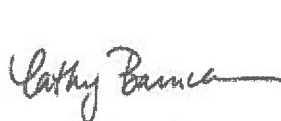
- Declare psychosocial and emotional wellbeing of residents as essential to their quality of life
- Expand the definition of ‘essential visitors’ to include people who contribute to the quality of life including psychosocial and emotional health
- Resources for homes to hire and train additional team members/staff whose primary role is to support psychosocial and emotional health via facilitating virtual and safe physical visiting
- Resources for homes to purchase technology and infrastructure required to support virtual visits amongst residents and families
- Creation of a safe plan for residents to enjoy social engagement outdoors in the coming weeks (physical distancing, wearing of masks, etc.), complete with human resources and supplies to make this a reality



We must act now. COVID-19 requires physical distancing, but in order to uphold resident's quality of life and wellbeing we must enable and support social connection.

We look forward to hearing from you soon, as we work together to provide the best care for LTC residents who are the most vulnerable group of Ontarians during this COVID-19 crisis.

Sincerely,



Cathy Barrick  
Chief Executive Officer  
Alzheimer Society of  
Ontario



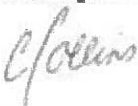
Lisa Levin  
Chief Executive Officer  
AdvantAge Ontario



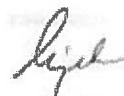
Kiran Rabheru MD, CCFP, FRCP  
Co-Chair  
Canadian Coalition for Seniors' Mental Health



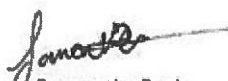
Laura Tamblyn Watts  
Chief Executive Officer  
CanAge



Carola Collins  
MD CCFP  
Medical Director



Marta Hajek  
Executive Director  
Elder Abuse Prevention Ontario



Samantha Peck  
Executive Director  
Family Councils Ontario



George Heckman, MD, FRCP(C)



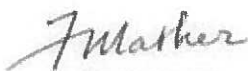
Margaret Gillis  
President  
International Longevity Centre Canada



Raza M. Mirza, PhD  
Network Manager  
National Initiative for the Care of the Elderly (NICE)



Dee Lender  
Executive Director  
Ontario Association of Residents' Councils



Fred Mather, MD  
President,  
Ontario Long Term Care Clinicians



Donna Duncan  
Chief Executive Officer  
Ontario Long Term Care Association

cc: Hon. Michael Tibollo, Associate Minister of Mental Health and Addictions  
Hon Raymond Cho, Minister of Seniors and Accessibility  
Helen Angus, Deputy Minister, Ministry of Health  
Richard Steele, Deputy Minister, Ministry of Long-Term Care  
Matthew Anderson, President and CEO, Ontario Health



**CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI MILLS**

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**VIA E-MAIL**

June 19, 2020

Hon. Doug Ford  
Premier of Ontario  
[doug.fordco@pc.ola.org](mailto:doug.fordco@pc.ola.org)

Hon. Steve Clark  
Minister of Municipal Affairs and Housing  
[minister.mah@ontario.ca](mailto:minister.mah@ontario.ca)

Hon. Vic Fedeli  
Minister of Economic Development, Job Creation and Trade  
[MEDJCT.Minister@ontario.ca](mailto:MEDJCT.Minister@ontario.ca)

Hon. Lisa MacLeod  
Minister of Heritage, Sport, Tourism and Culture Industries  
[Minister.MacLeod@ontario.ca](mailto:Minister.MacLeod@ontario.ca)

Hon. Stephen Lecce  
Minister of Education  
[minister.edu@ontario.ca](mailto:minister.edu@ontario.ca)

Hon. Laurie Scott  
Minister of Infrastructure  
[laurie.scottco@pc.ola.org](mailto:laurie.scottco@pc.ola.org)

Dear Premier and Ministers,

**RE: Support for Rural Broadband**

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On behalf of the Council of the Corporation of the Municipality of Mississippi Mills, this is to advise you that the following resolution was adopted by Council at its meeting held on June 16, 2020.

**Resolution No. 246-20**  
**Moved by Councillor Maydan**  
**Seconded by Councillor Dalgity**

**WHEREAS** in December 2016 the Canadian Radio-television and Telecommunications Commission declared broadband internet an essential service for Canadians;

**AND WHEREAS** access to internet in many rural communities in Ontario is limited or non-existent;

**AND WHEREAS** current broadband investment projects across Ontario will still leave many residents unserved;

**AND WHEREAS** the COVID-19 pandemic has underscored the digital divide leaving many rural residents unable to participate in e-commerce, online schooling, are unable to move businesses online or access healthcare and other services online;

**AND WHEREAS** communities and municipalities are developing economic recovery plans;

**AND WHEREAS** there may be potential federal and provincial funding for shovel-ready infrastructure programs to kick-start the economy;


**THEREFORE BE IT RESOLVED THAT** the Municipality of Mississippi Mills calls on the provincial and federal governments to include rural broadband investment as part of the economic recovery shovel-ready projects for municipalities;

**AND THAT** Council direct staff to circulate this resolution to the Prime Minister of Canada; the Federal Minister of Rural Economic Development; the Federal Minister of Innovation, Science and Industry; the Federal Minister of Economic Development; the Minister of Infrastructure and Communities; the Federal Minister of Health; the Premier of Ontario; the Minister of Municipal Affairs; the Minister of Economic Development, Job Creation and Trade; the Minister of Heritage, Sport, Tourism and Culture Industries; the Minister of Education; the Minister of Infrastructure; and all Ontario Municipalities; the Association of Rural Municipalities of Ontario; the Association of Municipalities of Ontario and The Federation of Canadian Municipalities.

**CARRIED**

Should you have any questions please feel free to follow up with our office directly at 613-256-2064 or [jharfield@mississippimills.ca](mailto:jharfield@mississippimills.ca)

Kind Regards,

  
Jeanne Harfield  
Clerk



Monday, June 8, 2020

The Honourable Steve Clark  
Minister of Municipal Affairs and Housing  
[minister.mah@ontario.ca](mailto:minister.mah@ontario.ca)

**Appreciation for Support of Rural Access to Broadband**

Dear Minister Clark,

On behalf of the Western Ontario Wardens' Caucus and our 15 upper and single-tier municipalities that represent over 300 communities and approximately three million residents, thank you for your letter dated June 4, 2020.

Your commitment to enhance broadband access in Ontario through the Broadband and Cellular Action Plan is appreciated. The \$315 million over five years to expand broadband and cellular infrastructure, will serve to support many of our rural and underserved residents in Southwestern Ontario.

Additional funding for rural broadband in the wake of COVID-19 is essential. As a critical component of the economic relief and stimulus measures, important investments must be made to boost the pace and scale of broadband deployment efforts.

Increased funding from both the Province of Ontario and the Government of Canada is urgently needed to address our region's large connectivity gaps, so that we can close the digital divide and restart our economies. The Western Ontario Wardens' Caucus supports the funding of existing shovel ready, municipally led models that will connect our rural economies at an accelerated pace. We support SWIFT as Southwestern Ontario's funding mechanism to advance the expansion of critical broadband infrastructure across the region. The model works, it delivers results and can be immediately leveraged to upgrade networks and coverage in our region's underserved areas.

Families and business in our rural areas have been shut out of the economy and society as a result of the pandemic. COVID -19 has underscored the need in urgency to address gaps in broadband services across our region.

Your support is greatly appreciated.

Sincerely,

Jim Ginn  
Chair, Western Ontario Wardens' Caucus



cc. The Honourable Navdeep Bains  
Minister of Innovation, Science and Industry  
[Navdeep.Bains@parl.gc.ca](mailto:Navdeep.Bains@parl.gc.ca)

The Honourable Catherine McKenna  
Minister of Infrastructure and Communities  
[Catherine.McKenna@parl.gc.ca](mailto:Catherine.McKenna@parl.gc.ca)

The Honourable Maryam Monsef  
Minister of Rural Economic Development  
Minister for Women and Gender Equality  
[Maryam.Monsef@parl.gc.ca](mailto:Maryam.Monsef@parl.gc.ca)

The Honourable Ahmed Hussen  
Minister of Families, Children and Social Development  
[Ahmed.Hussen@parl.gc.ca](mailto:Ahmed.Hussen@parl.gc.ca)

The Honourable Laurie Scott  
Minister of Infrastructure, Ontario  
[laurie.scottco@pc.ola.org](mailto:laurie.scottco@pc.ola.org)

Members of Parliament, Western Ontario  
Members of Provincial Parliament, Western Ontario  
Member Counties of Western Ontario Wardens' Caucus  
Heads of Municipal Council (Western Ontario)



## Clerk's Department

595 9<sup>th</sup> Avenue East, Owen Sound Ontario N4K 3E3  
519-372-0219 / 1-800-567-GREY / Fax: 519-376-8998

June 16, 2020

Hon. Doug Ford  
Premier  
Premier's Office  
Room 281  
Legislative Building, Queen's Park

Dear the Honourable Doug Ford:

Please be advised that at it's June 11<sup>th</sup>, 2020 meeting, Grey County Council endorsed the following resolution for your consideration:

CW93-20      Moved by: Councillor Robinson      Seconded by: Councillor Keaveney

**Whereas now more than ever in our increasingly electronic world, Grey County families and business owners have a need for reliable and affordable broadband to conduct business and stay connected both locally and beyond; and**

**Whereas broadband is a contributing social and economic driver in supporting the vitality and growth of our communities; and**

**Whereas families require internet to enable their children to complete school assignments, take online courses, maintain a human connection, or just stream movies at home; and**

**Whereas Grey County agriculture production, medical, health care, manufacturing, retail and the service industry depend on reliable high-speed connections to support and ensure business continuity and success; and**

**Whereas connectivity has been a lifeline for those businesses and sectors with access to reliable broadband during this global pandemic; and**

**Whereas reliable broadband will continue playing an essential role in the economic and social recovery of communities across Grey**

**County post-pandemic; and**

**Whereas not all areas of Grey County are within a connectivity coverage area which continues to be increasingly challenging, and amplified by the COVID-19 pandemic; and**

**Whereas Grey County has unserved areas as well as under-served areas that receive inadequate or disproportionately low levels of service; and**

**Whereas while it is important for the Provincial Government to look at both the number of people and the number of businesses that can be serviced by broadband expansion, it is essential, as well, that the Province provide broadband service to areas that have a small number of people, yet cover a vast geographical area; and**

**Whereas the need for broadband infrastructure improvement is now;**

**Now Therefore Be It Resolved that Grey County representing our Grey County residents and business owners alike, call to action Premier Ford; Minister of Infrastructure, Minister Scott; Ministry of Agriculture, Food and Rural Affairs, Minister Ernie Hardeman and Associate Minister of Energy & MPP Walker to champion the implementation of broadband in the unserved and under-served areas of Grey County; and**

**That this resolution be forwarded to all Ontario municipalities for their endorsement.**

If you require anything further, please do not hesitate to contact me.

Yours truly,

Tara Warder  
Deputy Clerk/Legislative Coordinator  
(519) 372-0219 x 1294  
[tara.warder@grey.ca](mailto:tara.warder@grey.ca)  
[www.grey.ca](http://www.grey.ca)

cc Hon. Laurie Scott, Minister of Infrastructure  
Hon. Bill Walker, Associate Minister of Energy & Bruce – Grey - Owen Sound MPP  
Hon. Ernie Hardeman, Ministry of Agriculture, Food and Rural Affairs  
All Ontario Municipalities



June 12, 2020

The Honourable Steve Clark,  
Minister of Municipal Affairs and Housing  
17th Floor, 777 Bay St.  
Toronto, ON  
M5G 2E5

Dear Minister Clark,

**RE: Town of Bracebridge Resolution regarding the establishment of a Municipal Financial Assistance Program to offset the financial impact of the COVID-19 pandemic**

At its meeting of June 4, 2020, the Council of the Corporation of the Town of Bracebridge ratified motion 20-TC-089, regarding the Town of Bracebridge support for the Federation of Canadian Municipalities (FCM) recommendations contained in their report titled "Protecting Vital Municipal Services", as follows:

"WHEREAS the Federation of Canadian Municipalities (FCM) issued a report titled ["Protecting Vital Municipal Services"](#) on April 23, 2020 which included recommendations to the federal government to provide financial assistance for municipalities across the country;

AND WHEREAS the Association of Municipalities of Ontario (AMO) recognizes that a collaborative federal-provincial effort is required to provide much needed financial assistance to municipalities and their May 14, 2020 letter (attached) to the Prime Minister and the Premier urges Canada and Ontario to extend their successful collaboration through financial support for municipalities;

NOW THEREFORE BE IT RESOLVED THAT the Town of Bracebridge supports the FCM recommendation and requests that both the Federal and Provincial Governments establish a municipal financial assistance program to offset the financial impact of the COVID-19 pandemic;

AND FURTHER THAT the Town of Bracebridge supports the Association of Municipalities of Ontario (AMO) in lobbying the Provincial Government for financial assistance to support Municipalities in offsetting the financial impact of the COVID-19 pandemic;

AND FURTHER THAT this resolution be forwarded to the Honorable Steve Clark, Minister, Municipal Affairs and Housing, local Member of Parliament (MP) and local Member of the Ontario Legislature (MPP), FCM, AMO and its member municipalities, and the Muskoka municipalities."

In accordance with Council's direction I am forwarding you a copy of the associated memorandum for you reference.

1000 Taylor Court  
Bracebridge, ON  
P1L 1R6 Canada

Please do not hesitate to contact me if I can provide any additional clarification in this regard.

Yours truly,

A handwritten signature in black ink, appearing to read 'L. McDonald'.

Lori McDonald  
Director of Corporate Services/Clerk

Copy: Scott Aitchison, MP, Parry Sound-Muskoka  
The Honourable Norm Miller, MPP, Parry Sound-Muskoka  
The Federation of Canadian Municipalities  
Association of Municipalities Ontario and member municipalities  
Muskoka Municipalities

June 18, 2020

RE: Universal Basic Income Resolution

Please be advised that the Council of the Municipality of Grey Highlands, at its meeting held June 17, 2020, passed the following resolution:

**2020-438**

**Moved by Cathy Little, Seconded by Aakash Desai**

**Whereas the World Health Organization on March 11, 2020 declared COVID-19 a pandemic, pointing to the growing number of cases of the coronavirus illness around the world and the sustained risk of further global spread; and**

**Whereas in response to the COVID-19 pandemic, the Province of Ontario and the Municipality of Grey Highlands have declared a state of emergency under the Emergency Management and Civil Protection Act; and**

**Whereas, to help reduce the financial strain on its citizens and businesses during the COVID-19 pandemic, the Municipality of Grey Highlands has approved disbursement of funds to local food banks and redirection of Community Grant Program funds to local community organizations providing relief to Grey Highlands residents in crisis; and**

**Whereas Statistics Canada has reported that the unemployment rate has risen to 13.7 per cent in Canada and 13.6 per cent in Ontario in May 2020; and that the COVID-19 pandemic has impacted the employment of 3.1 million Canadians from February to April; and that lower-wage earners, women and students are being impacted disproportionately; and**

**Whereas the Federal government has announced \$82 billion in relief funding for the COVID-19 Economic Response Plan, utilizing tax deferrals, subsidies, loans, and credits to support citizens, businesses, and industries; and**

**Whereas according to a 2018 Parliamentary Budget Office report, a Canada-wide basic income of the type previously piloted in Ontario would have an annual net cost of \$44 billion; and**

**Whereas a basic income ensures everyone an income sufficient to meet basic needs and live with dignity, regardless of work status; and**

**Whereas a basic income has the potential to improve individual physical and mental health, labour market participation, food security, housing stability, financial status and social relationships and generally raise the standard of living for vulnerable members of society; and**

**Whereas a universal basic income would likely have many positive societal effects, including reducing poverty, reducing strain on health care and social assistance systems, supporting businesses and the economy, reducing crime, as well as reducing administrative complexity and creating efficiencies for those in need of financial and economic support measures; now**

**Therefore, be it resolved that the Council of the Municipality of Grey Highlands urges the Ontario Provincial government and the Federal government to work together to investigate the feasibility of implementing a universal basic income program; and**

**That this resolution be forwarded to the Right Honourable Prime Minister of Canada; the Honourable Premier of Ontario; the Minister of Children, Community and Social Services; the Minister of Municipal Affairs and Housing; Ministry for Seniors and Accessibility; the Association of Municipalities of Ontario; local MPPs and MPs; The County of Grey; all Municipalities with the Province of Ontario; and the Federation of Canadian Municipalities.  
CARRIED.**

As per the above resolution, please accept a copy of this correspondence for your information and consideration.

Sincerely,



Jerri-Lynn Levitt  
Deputy Clerk  
Council and Legislative Services  
Municipality of Grey Highlands



T 705-635-2272  
 TF 1-877-566-0005  
 F 705-635-2132

TOWNSHIP OF LAKE OF BAYS  
 1012 Dwight Beach Rd  
 Dwight, ON P0A 1H0

June 17, 2020

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

Dear Premier Ford:

**RE: Letter of Support for High Speed Internet Connectivity in Rural Ontario**

On behalf of the Council of the Corporation of the Township of Lake of Bays, this is to advise you that the following resolution was adopted by Council at its meeting held on June 16, 2020.

**"Resolution #6(b)/06/16/20**

**BE IT RESOLVED THAT the Council of the Corporation of the Township of Lake of Bays supports the attached resolution from the Township of Armour requesting support for High Speed Internet Connectivity in Rural Ontario; and**

**FURTHER that this resolution be circulated to Scott Aitchison, MP for Parry Sound-Muskoka and Norm Miller, MPP for Parry Sound-Muskoka and all Ontario municipalities requesting their support.**

**Carried."**

For your reference, enclosed is a copy of the correspondence that was sent from the Township of Armour dated April 29, 2020.

Should you have any questions, please do not hesitate to contact our Municipal Office at 705-635-2272.

Sincerely,

Carrie Sykes, *Dipl. M.A., CMO, AOMC*,  
 Director of Corporate Services/Clerk.

Encl.  
 CS/cw

cc. Scott Aitchison, M.P for Parry Sound-Muskoka  
 Norm Miller, M.P.P for Parry Sound-Muskoka  
 Ontario Municipalities





June 24, 2020

*SENT ELECTRONICALLY*

Dr. Miriam Klassen  
Medical Officer of Health  
Huron Perth Public Health  
653 West Gore Street  
Stratford ON N5A 1L4

**RE: Town of St. Marys Council Request to Consider an Order Requiring Masks**

Dear Dr. Klassen,

During their meeting on June 23, 2020, Council for the Town of St. Marys discussed the recent Section 22 Order issued by the Medical Officer of Health for Wellington-Dufferin-Guelph Public Health effective June 12, 2020.

St. Marys Council appreciates your position of strongly recommending that residents use a face covering when it is not possible to keep two-metres' distance from individuals outside of personal social circles. However, Council is requesting that you reconsider the position outlined in your June 17, 2020 press release where you indicate that "that the current evidence on the use of masks does not allow us to meet the criteria to issue an order mandating people to wear masks in Huron Perth".

By way of this letter, Town Council wishes to communicate their support for an Order that would require residents to wear masks where physical distancing cannot be guaranteed, and that would require patrons of commercial establishments to wear masks. Town Council is requesting that you consider issuing a Section 22 Order similar to the Order issued by the Medical Officer of Health for Wellington-Dufferin-Guelph Public Health. The resolution below was passed by Council on June 23, 2020 to formalize their request:

**2020-06-23-23**

**MOVED BY: Councillor Luna**

**SECONDED BY: Councillor Winter**

**THAT** Council send correspondence to Dr. Miriam Klassen, Huron Perth Public Health Medical Officer of Health, requesting that an Order be issued under Section 22 of the Health Protection and Promotion Act requiring residents to wear masks in public settings when physical distancing of 2 metres cannot be guaranteed, including in commercial establishments; and

**THAT** staff research and report back to Council on July 28, 2020 regarding the option of passing a by-law or municipal order to mandate the use of face masks in public settings in the Town of St. Marys when physical distancing of 2 metres cannot be achieved, including in commercial establishments.

**TOWN OF ST. MARYS**  
**P.O. Box 998, St. Marys, ON. N4X 1B6**



This matter will be considered by Council again at their meeting planned for July 28, 2020. If your schedule permits, Council would appreciate a reply to this letter by July 20, 2020 so that it can be included in Council's meeting agenda.

If you have any questions, or need any further information, please do not hesitate to contact me. More importantly, thank you for all of your efforts during these exceptional times.

Best regards,

Brent Kittmer, P.Eng., MPA  
CAO/Clerk

CC: All Huron and Perth Municipalities

**TOWN OF ST. MARYS**  
**P.O. Box 998, St. Marys, ON. N4X 1B6**



## **CORPORATION OF THE TOWN OF RENFREW**

### **RESOLUTION NO. 2020 - 06 - 44**

Moved By: Reeve Emon  
Seconded By: Councillor Jamieson

**WHEREAS** the COVID-19 pandemic crisis has had a catastrophic affect on employment and small business survival rates, with over 11.3% jobless rate in Ontario in April 2020 alone with only a few signs of a change over the next several fiscal periods;

**AND WHEREAS** the Renfrew County region is already at a distinct economic disadvantage due to a shorter infrastructure construction season and the lack of essential services, like effective and available broadband across its vast and rural area that would allow for greater flexibility to work from home, or telecommute;

**AND WHEREAS** the County of Renfrew and the other 19 municipalities and first nations reserves within the geographical borders have an incredible influence on the economy through investments in infrastructure spending, with over \$70million being invested in 2020 in municipal projects, but will now have to evaluate and adjust the way they safely operate and offer community services and modes of transportation;

**AND WHEREAS** the County of Renfrew and the other 19 municipalities and first nations reserves have submitted over \$73.5 million worth of applications to the *Investing in Canada Infrastructure Program: Community, Culture and Recreation Stream*, with all considered shovel ready and shovel worthy;

**AND WHEREAS** the County of Renfrew and the other 19 municipalities and first nations reserves have submitted previously over \$25million in the *Investing in Canada Infrastructure Program: Green Stream* and *Investing in Canada Infrastructure Program: Rural & Northern Stream*;

**AND WHEREAS** both large and small infrastructure projects have the immediate effect on local small and medium businesses in our region with consideration of the multiplier ratio on every \$1million invested having the ability to create 7.6 jobs in the local marketplace, meaning that approval of these projects would create over 1,200 jobs across Renfrew County;

**NOW THEREFORE BE IT RESOLVED** that the Council of the Town of Renfrew calls upon the Governments of Ontario and Canada to fast track the review of current and previous *Investing in Canada Infrastructure Program* grant applications in order to provide much needed employment and investment into rural Ontario to provide sustainable infrastructure that will be safe and suitable in a post-pandemic setting;

**AND FURTHER THAT** a copy of this resolution be circulated to the Right Honourable Prime Minister of Canada; the Honourable Premier of Ontario; MP Cheryl Gallant, Renfrew-Nipissing-Pembroke; the Honourable John Yakabuski, MPP Renfrew-Nipissing-Pembroke; the Minister of Infrastructure; the Association of Municipalities Ontario; Rural Ontario Municipalities Association and all Municipalities within the Province of Ontario.

**- CARRIED -**

I, Jennifer Charkavi, Deputy Clerk of the Corporation of the Town of Renfrew, do hereby certify this to be a true and complete copy of Resolution No. 2020 - 06 - 44, passed by the Council of the Corporation of the Town of Renfrew at its meeting held the 23<sup>rd</sup> day of June 2020.

DATED at Renfrew, Ontario  
this 24<sup>th</sup> day of June 2020.

*Jennifer Charkavi*

\_\_\_\_\_  
Jennifer Charkavi



**THE CORPORATION OF THE CITY OF SARNIA  
City Clerk's Office**

255 Christina Street N. PO Box 3018  
Sarnia ON Canada N7T 7N2  
519 332-0330 519 332-3995 (fax)  
519 332-2664 (TTY)  
[www.sarnia.ca](http://www.sarnia.ca) [clerks@sarnia.ca](mailto:clerks@sarnia.ca)

June 24, 2020

To: All Ontario Municipalities

**Re: Long Term Care Home Improvements**

At its meeting held on June 22, 2020, Sarnia City Council adopted the following resolution submitted by Councillor Margaret Bird with respect to the conditions in Long Term Care homes exposed by the pandemic:

***That due to the deplorable conditions exposed by the pandemic in LTC homes in the province, and because this is a time for action, not just continuous streams of investigations, commissions and committees, and because the problems have been clearly identified, that Sarnia City Council direct staff to send this motion to the 444 Ontario Municipalities, asking them to urge Premier Ford to start implementing the required resolutions immediately, as follows:***

- 1. increasing hours for all part-time and casual labour***
- 2. since the government provides funding for privately-operated homes, they have an obligation to inspect these homes and see that they are being properly run, and that funds are being used for the benefit of the residents and not the huge profitability of the operators, and***
- 3. to end the neglect and unacceptable conditions being experienced, each day, by our vulnerable seniors.***

Sarnia City Council respectfully seeks your endorsement of this resolution. If your municipal council endorses this resolution, we would request that a copy of the resolution be forwarded to the following:

Doug Ford, Premier of Ontario; and

City of Sarnia, City Clerk's Office  
[clerks@sarnia.ca](mailto:clerks@sarnia.ca)

Sincerely,

A handwritten signature in blue ink that reads "Dianne Gould-Brown". The signature is written in a cursive, flowing style.

Dianne Gould-Brown  
City Clerk

cc: AMO

**The Corporation of the Municipality of South Huron**

**By-Law #39-2020**

**Being a By-Law to appoint a Tile Drainage Inspector**

Whereas the Tile Drainage Act, R.S.O. 1990, c. T.8 as amended, provides that the Council of a municipality borrowing money under such Act shall employ an inspector of drainage;

Now therefore be it resolved that the Council of the Municipality of South Huron enacts as follows:

1. That Shane Timmermans is hereby appointed Tile Drain Inspector for the Corporation of the Municipality of South Huron.
2. That this By-Law repeals By-Law #05-2001
3. That this By-Law shall take effect and come into force and effect on the date of the final passing thereof.

Read a first and second time this 13<sup>th</sup> day of July, 2020

Read a third and final time this 13<sup>th</sup> day of July, 2020

George Finch, Mayor

Rebekah Msuya-Collison, Clerk

## The Corporation of the Municipality of South Huron

### By-Law #40-2020

#### Being a by-law to adopt, confirm and ratify matters dealt with by the Council of the Corporation of the Municipality of South Huron.

Whereas Section 8 of the Municipal Act, 2001, as amended, provides that the powers of a Municipality shall be interpreted broadly to enable it to govern its affairs as it considers appropriate and to enhance the Municipality's ability to respond to municipal issues; and

Whereas Section 5(3) of the Municipal Act, 2001, as amended, provides that a municipal power, including a municipality's capacity, rights, powers and privileges under section 9, shall be exercised by by-law unless the municipality is specifically authorized to do otherwise; and

Whereas the Council of The Corporation of the Municipality of South Huron deems it expedient to adopt, confirm and ratify matters dealt with at all meetings of Council;

Now therefore be it resolved that the Council of The Corporation of the Municipality of South Huron enacts as follows:

1. That the proceedings and actions taken by Council and municipal officers of the Corporation of the Municipality of South Huron at the **Regular Council Meeting of July 13, 2020**, in respect of each report, motion, recommendation, by-law and any other business conducted are, except where the prior approval of the Local Planning Appeal Tribunal or other authority is required by law, hereby adopted, ratified and confirmed and shall have the same force and effect as if each and every one of them had been the subject matter of a separate by-law duly enacted.
2. That the Mayor and Members of Council of the Corporation of the Municipality of South Huron are hereby authorized and directed to do all things necessary to give effect to the said actions of Council of the Corporation of the Municipality of South Huron or to obtain approvals where required.
3. That on behalf of The Corporation of the Municipality of South Huron, the Mayor, or the Presiding Officer of Council, and the Clerk or the Chief Administrative Officer, where instructed to do so, are hereby authorized and directed to execute all necessary documents and to affix thereto the Corporate Seal.
4. That this By-Law shall not be amendable or debatable.

Read a first and second time this 13<sup>th</sup> day of July, 2020

Read a third time and passed this 13<sup>th</sup> day of July, 2020

George Finch, Mayor

Rebekah Msuya-Collison, Clerk