

# The Corporation of the Township of Malahide

# AGENDA

July 7, 2022 – 7:30 p.m.

# Springfield & Area Community Services Building 51221 Ron McNeil Line, Springfield

\*\* Note: Due to COVID-19 restrictions, this meeting will have limited seating capacity for Council and Municipal Staff only. The meeting will also be streamed live on YouTube.\*\*

- (A) Call Meeting to Order
- (B) Disclosure of Pecuniary Interest
- (C) Approval of Previous Minutes **RES 1 (Pages 10-26)**
- (D) Presentations/Delegations/Petitions
  - <u>Court of Revision</u> Glinski Drain relating to property at Parts Lots 23, Concession 3, in the Township of Malahide RES 2-5
  - <u>Public Meeting Zoning By-law Amendment</u> Applicant Rockx Farms Ltd. c/o Wayne Rockx (Authorized Agent: Ryan Verhoog c/o White Coad LLP.), relating to property at CON 11 E PT LOT 11, Former Township of South Dorchester, Township of Malahide, and known municipally as 49779 Lyons Line **RES 6-8 (Pages 27-40)**
  - <u>Public Meeting Zoning By-law Amendment –</u> Applicant Frank & Sheryl Berkelmans (Authorized Agent: Simona Rasanu c/o SBM Ltd.) relating to property at Part of Lot 31, Concession 9 N, Township of Malahide and known municipally as 11644 Carter Road RES 9-11 (Pages 41-98)
  - <u>Public Meeting Zoning By-law Amendment –</u> Applicant Leverton Developments Inc. (Authorized Agent: Matt Campbell c/o Zelinka

Priamo Ltd.) relating to property at Lot G, Plan 18, Township of Malahide and known municipally as 51403 Ron McNeil Line **RES 12-14 (Pages 99-147)** 

- <u>Presentation</u> Robert Foster, Auditor, of Graham, Scott Enns, Chartered Professional Accountants, for presentation of 2021 Township of Malahide Financial Statements RES 15 (Pages 148-194)
- (E) Reports of Departments
  - (i) Director of Fire & Emergency Services
  - (ii) Director of Public Works
    - Drainage Update RES 16 (Pages 195-197)
    - Imperial Road No Parking Zone Request RES 17 (Pages 198-200)
    - 2022 Operations and Capital Update RES 18 (Pages 201-205)
    - Fuel Delivery Contract Renewal RES 19 (Pages 206-209)
    - Fuel Supplier Contract Renewal RES 20 (Pages 210-213)
    - Tender Results: Guardrail Installation RES 21 (Pages 214-216)
    - RFP Results Vienna Line and Hacienda Road Culvert Replacement Design **RES 22 (Pages 217-221)**
    - Tender Award Fleet Vehicles RES 23 (Pages 222-226)
  - (iii) Director of Finance/Treasurer

- Reserve & Reserve Fund Planning & Performance **RES 24 (Pages 227-243)** 

- (iv) Clerk
- (v) Building/Planning/By-law
- (vi) CAO

- Health & Safety Policy and Occupational Health and Safety Act – Annual Update **RES 25 (Pages 244-247)** 

- (F) Reports of Committees/Outside Boards RES 26
  - (i) East Elgin Community Complex Board Minutes of June 8, 2022 (Pages 248-252)
- (G) Correspondence **RES 27** 
  - Association of Municipalities of Ontario Watch File dated June 16, 2022, June 23, 2022 and June 30, 2022. (Pages C2-9)

- 2. Municipal Engineers Association Promoting membership in the Municipal Engineers Association and the retention of professional engineers in municipalities. (Pages C10-11)
- 3. County of Elgin Council Highlights June 2022 (Pages C12-15)
- 4. County of Elgin Correspondence received from the County of Elgin regarding Malahide Official Plan Amendment No. 20 with respect to the Notice of Decision. (Page C16)
- 5. County of Elgin Response regarding the request for County Road Speed and Traffic Counts Ron McNeil Line. (Page C17)
- 6. Municipality of Shuniah Resolution supporting City of Brantford's request to support the release of all Federal and Provincial documentation related to the former Mohawk Institute Residential School. (Pages C18-22)
- 7. Municipality of Central Elgin Notice of Passing Zoning By-law Amendment relating to the following: (Page C23)
  - 43315 Roberts Line
- (H) Other Business
  - (i) Town of Aylmer EECC Ice Resurfacer **RES 28 (Page 253)**
  - (ii) Catfish Creek Conservation Authority Update Riverine Floodplain Mapping and Coastal Floodproofing Elevations funding support request **RES 29 (Pages 254-276)**
- (I) By-laws
- (J) Closed Session
- (K) Confirmatory By-law RES 30 (Page 277)
- (L) Adjournment RES 31

#### \*\*VIDEOCONFERENCE MEETING Note for Members of the Public: IMPORTANT

Please note that the Regular Council Meeting scheduled to be held on July 7, 2022 will be via videoconference only for presenters, the press and the public.

Please note that, at this time, there is not an option for the public to call in to this meeting. However, we will be livestreaming the Council Meeting via YouTube. <u>Please click here to watch the Council Meeting</u>.

Written comments regarding the Council Agenda items are welcome – please forward such to the Clerk at <u>aadams@malahide.ca.</u>

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

- 1. THAT the minutes of the regular meeting of the Council held on June 16, 2022, be adopted as printed and circulated.
- 2. THAT the Council of the Township of Malahide does hereby appoint the following members to sit on the Court of Revision for the Glinski Drain:

Mayor Dave Mennill (Chair) Deputy Mayor Dominique Giguère Councillor Rick Cerna

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

AND THAT Dave Mennill be appointed Chairman.

- 4. THAT the Court of Revision members for the Glinski Drain do hereby accept the recommendations of Drainage Engineer John Michael Spriet, Spriet Associates London Limited; and further, does hereby confirm the drainage assessments as outlined in the Report of the Drainage Engineer dated April 26, 2022.
- 5. THAT the Court of Revision relating to the Glinski Drain be adjourned and the Council Meeting reconvene at 7: p.m.
- THAT the Public Meeting concerning the Zoning By-law Amendment Application No. D14-Z08-22 of Rockx Farms Ltd. relating to the property located at Part Lot 11, Concession 11, former Geographic Township of South Dorchester, now in the Township of Malahide, and known municipally as 49779 Lyons Line; be called to order at 7:\_\_p.m
- THAT the Public Meeting concerning the Zoning By-law Amendment Application No. D14-Z08-22 of Rockx Farms Ltd. relating to the property located at Part Lot 11, Concession 11, former Geographic Township of South Dorchester, now in the Township of Malahide, and known municipally as 49779 Lyons Line; be adjourned and the Council reconvene at 7:\_\_p.m
- 8. THAT Report No. DS-22-29 entitled "Zoning By-law Amendment Application of Rockx Farms Ltd." be received;

AND THAT the Zoning By-law Amendment Application No. D14-Z08-22 of Rockx Farms Ltd. relating to the property located at Part Lot 11, Concession 11, former

Geographic Township of South Dorchester, now in the Township of Malahide, and known municipally as 49779 Lyons Line, BE APPROVED for the reasons set out in this Report;

AND THAT Council withhold the passing of By-law No. 22-46 until such time that a Notice of Decision from the County of Elgin approving the associated Consent Application No. E92-21 has been received to the satisfaction of the Township of Malahide.

- THAT the Public Meeting concerning the Zoning By-law Amendment Application No. D14-Z09-22 of Frank & Sheryl Berklemans relating to the property located at Part Lot 31, Concession 9 N; and known municipally as 11644 Carter Road; be called to order at 7:\_\_p.m
- 10. THAT the Public Meeting concerning the Zoning By-law Amendment Application No. D14-Z08-22 of Frank & Sheryl Berklemans relating to the property located at Part Lot 31, Concession 9 N; and known municipally as 11644 Carter Road; be adjourned and the Council reconvene at 7:\_\_p.m
- 11. THAT Report No. DS-22-30 entitled "Zoning By-law Amendment & Consent Application of Frank & Sheryl Berkelmans" be received;

AND THAT the Application to Sever No. D10-E49-22 of Frank & Sheryl Berklemans relating to the property located at Part Lot 31, Concession 9 N; and known municipally as 11644 Carter Road, be supported for the reasons set out in this Report;

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

AND THAT the Zoning By-law Amendment Application No. D14-Z09-22 of Frank & Sheryl Berkelmans, relating to the property located at Part Lot 31, Concession 9 N; and known municipally as 11644 Carter Road, BE APPROVED for the reasons set out in this Report.

AND THAT Council withholds the passing of By-law No. 22-47 until such time that a Notice of Decision from the County of Elgin approving the associated Consent Application has been received to the satisfaction of the Township of Malahide.

- 12. THAT the Public Meeting concerning the Zoning By-law Amendment Application No. D14-Z10-22 of Leverton Developments, relating to the property located at Lot G, Concession South of Main Street, Registered Plan No. 18; and known municipally as 51403 Ron McNeil Line; be called to order at 7:\_\_p.m
- 13. THAT the Public Meeting concerning Zoning By-law Amendment Application No. D14-Z07-22 of Leverton Developments, relating to the property located at Lot G,

Concession South of Main Street, Registered Plan No. 18; and known municipally as 51403 Ron McNeil Line; be adjourned and the Council reconvene at 7:\_\_p.m

14. THAT Report No. DS-22-33 entitled "Zoning By-law Amendment Application of Leverton Developments" be received;

AND THAT Council holds a public meeting under the Planning Act to hear comments from members of the public;

AND THAT the Zoning By-law Amendment Application No D14-Z10-22 of Leverton Developments, relating to the property located at Lot G, Concession South of Main Street, Registered Plan No. 18; and known municipally as 51403 Ron McNeil Line, BE DEFERRED to a future Council Meeting.

15. THAT the 2021 Audited Financial Statements for The Corporation of the Township of Malahide, as prepared by Graham Scott Enns, and presented by Auditor Robert Foster, be approved as submitted;

AND THAT the Mayor be authorized to sign the Audit Finding Letter, Audit Planning Letter and Engagement Letter from Graham Scott Enns on behalf of the Malahide Township Council.

- 16. THAT Report No. PW-22-42 entitled "Drainage Update Report" be received.
- 17. THAT Report No. PW-22-43 entitled "Imperial Road No Parking Zone Request" be received;

AND THAT the Township of Malahide Council requests that Elgin County Council implement a No Parking Zone on Elgin Road 73 (Imperial Road) in accordance with the enclosed Imperial Road No Parking Zone Drawing.

18. THAT Report No. PW-22-47 entitled "Operations and Capital Project Update" be received;

AND THAT Construction of the Port Bruce Pier Paving be suspended pending future budget consideration;

AND THAT the adopted \$40,000 capital budget for the Copenhagen Park construction be repurposed to accommodate a phased landscape plan for the subject area.

19. THAT Report No. PW-22-48 entitled "Contract Renewal: Fuel Delivery 2022-2024 – Davis & McCauley Fuels" be received; AND THAT the Mayor and Clerk be authorized to renew the existing agreement with Davis & McCauley Fuels for an additional term of 2 years and to execute the necessary documents for such.

20. THAT Report No. PW-22-49 entitled "Contract Renewal: Card Lock Fuel Supplier 2022-2024 – Dowler Karn / ESSO" be received;

AND THAT the Mayor and Clerk be authorized and directed to renew the existing agreement with Dowler Karn / ESSO for an additional term of 2 years and to execute the necessary documents for such.

21. THAT Report No. PW-22-50 entitled "Tender Results: Guiderail Installation" be received;

AND THAT the Guiderail Installation contract be awarded to Royal Fence Ltd. of Dorchester, Ontario;

AND THAT the Mayor and Clerk be authorized to enter into an agreement with Royal Fence Ltd. of Dorchester, Ontario for the purpose of the supply and installation of Steel Beam Guiderail.

22. THAT Report No. PW-22-40 entitled "RFP Results – Vienna Line and Hacienda Road Culvert Replacement Design" be received;

AND THAT the proposal for the Vienna Line Culvert Replacement Design be awarded to Safe Roads Engineering in the amount of \$38,736.00 (plus HST);

AND THAT the proposal for the Hacienda Road Culvert Replacement Design be awarded to Safe Roads Engineering in the amount of \$27,063.00 (plus HST);

AND THAT the Mayor and Clerk be authorized to enter into a agreements with Safe Roads Engineering for the purpose of completing the Vienna Line Culvert Replacement Design and the Hacienda Road Culvert Replacement Design.

 THAT Report No. PW-22-46 entitled "Tender Award – Fleet Vehicles" be received;

AND THAT the bid received from Eichenberg Chrysler, of Tillsonburg, Ontario, in the amount of \$52,483.00 (plus applicable taxes and licensing), for the purchase of one new 1/2 Ton Pickup Truck be accepted;

AND THAT the bid received from Elgin Chrysler, of St. Thomas, Ontario, in the amount of \$61,199.00 (plus applicable taxes and licensing), for the purchase of one new 1-Ton Cab & Chassis be accepted;

AND THAT the Mayor and Clerk be authorized to enter into an agreement with

Eichenberg Chrysler, of Tillsonburg, Ontario, for the supply of the above noted new 1/2 Ton Pickup Truck;

AND THAT the Mayor and Clerk be authorized to enter into an agreement with Elgin Chrysler, of St. Thomas, Ontario, for the supply of the above noted new 1-Ton Cab & Chassis.

24. THAT Report No. FIN 22-17 entitled "Reserve & Reserve Fund Planning & Performance" be received;

AND THAT the Director of Finance be authorized to restructure the Township's reserves to reflect the changes proposed in Appendix A – Structure Continuity.

25. THAT Report No. HS-22-01 entitled "Health and Safety Policy and Occupational Health and Safety Act – Annual Update" be received;

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

- 26. THAT the following Reports of Committees/Outside Boards be noted and filed
  - (i) East Elgin Community Complex Board Minutes of June 8, 2022
- 27.THAT the following correspondence be noted and filed:
- 1. Association of Municipalities of Ontario Watch File dated June 16, 2022, June 23, 2022 and June 30, 2022. (Pages C2-9)
- Municipal Engineers Association Promoting membership in the Municipal Engineers Association and the retention of professional engineers in municipalities. (Pages C10-11)
- 3. County of Elgin Council Highlights June 2022 (Pages C12-15)
- County of Elgin Correspondence received from the County of Elgin regarding Malahide Official Plan Amendment No. 20 with respect to the Notice of Decision. (Page C16)
- County of Elgin Response regarding the request for County Road Speed and Traffic Counts – Ron McNeil Line. (Page C17)
- Municipality of Shuniah Resolution supporting City of Brantford's request to support the release of all Federal and Provincial documentation related to the former Mohawk Institute Residential School. (Pages C18-22)

- 7. Municipality of Central Elgin Notice of Passing Zoning By-law Amendment relating to the following: (Page C23)
  - 43315 Roberts Line
- 28. THAT the correspondence received from the Town of Aylmer, dated June 22, 2022, relating to the East Elgin Community Complex board meeting resolution regarding the ECCC 2022 Capital Budget -Ice Resurfacer be received.
- 29. THAT the correspondence received from Catfish Creek Conservation Authority, dated June 22, 2022, relating to Catfish Creek Conservation Authority Port Bruce Riverine Floodplain Mapping and Coastal Floodproofing Study be received.
- 30. THAT By-law No. 22-51, being a Confirmatory By-law, be given first, second and third readings, and be properly signed and sealed.
- 31. THAT the Council adjourn its meeting at \_\_\_\_\_\_p.m. to meet again on July 21, 2022, at 7:30 p.m.

# The Corporation of the Township of Malahide

# June 16, 2022 – 7:30p.m.

# Virtual Meeting - https://youtu.be/pv6EE\_kJOFE

Due to COVID 19 and Public Health concerns, the Malahide Township Council met at the Springfield & Area Community Services Building, at 51221 Ron McNeil Line, Springfield, at 7:30p.m. in order to allow for physical distancing. No public attendance was permitted. The following were present:

**Council:** Mayor D. Mennill, Deputy Mayor D. Giguère, Councillor M. Widner, Councillor M. Moore, Councillor R. Cerna, Councillor S. Lewis, and Councillor C. Glinski.

**Staff:** Chief Administrative Officer A. Betteridge, Clerk A. Adams, Director of Public Works M. Sweetland, Director of Finance A. Boylan, Director of Fire and Emergency Services J. Spoor, and Asset Management Analyst T. Jones.

### Council via Zoom:

Staff via Zoom:

# CALL TO ORDER:

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

# **DISCLOSURE OF PECUNIARY INTEREST and the General Nature thereof:**

Councillor Widner declared a conflict of interest with respect to Council Agenda items D – Meeting to Consider – Glinski Drain and Court of Revision – Tate Drain Branch "E" 2021. The nature of the conflict being that a Junior Partner at Spriet Associates is an immediate relative of his.

Councillor Glinski declared a conflict of interest with respect to Council Agenda items D -Meeting to Consider – Glinski Drain and Court of Revision – Tate Drain Branch "E" 2021. The nature of the conflict being he owns property affected by both of these drains. **MINUTES:** 

No. 22–241 Moved By: Max Moore Seconded By: Rick Cerna

THAT the minutes of the regular meeting of the Council held on June 2, 2022, be adopted as printed and circulated.

Carried

# PRESENTATIONS/DELEGATIONS/PETITIONS:

- <u>Meeting to Consider</u> – Glinski Drain relating to property at Parts Lots 23, Concession 3, in the Township of Malahide

Councillor Widner declared a conflict of interest with respect to Council Agenda item D – Meeting to Consider – Glinski Drain. He retired from the meeting and abstained from all discussions and voting on the matter.

Councillor Glinski declared a conflict of interest with respect to Council Agenda item D - Meeting to Consider – Glinski Drain. He retired from the meeting and abstained from all discussions and voting on the matter.

Drainage Engineer, George Vereyken, of Spriet Associates, appeared before the Council to present the Drainage Engineer's Report, dated April 26, 2022, regarding the Glinski Drain and outlined the nature of the proposed work.

Mayor Mennill inquired if any persons were in attendance that wished to comment or ask questions concerning the Drainage Report and there were none.

Mayor Mennill inquired if any members of Council had any questions concerning the Drainage Report and there were none.

No. 22-242 Moved By: Scott Lewis Seconded By: Rick Cerna

THAT the Engineer's Report for the Glinski Drain, as prepared by Spriet Associates London Limited and dated April 26, 2022, be accepted;

AND THAT By-law No. 22-44 being a by-law to provide for the Glinski Drain drainage works be read a first and second time and provisionally adopted.

Carried

No. 22-243 Moved By: Dominique Giguère Seconded By: Scott Lewis

THAT the Court of Revision for the Glinski Drain be scheduled to be held on July 7, 2022, at 7:30 p.m.

#### Carried

<u>Court of Revision</u> – Tate Drain Branch "E" 2021 relating to property at Lots 24 to 26, Concession 2, Geographic Township of Malahide

Councillor Widner declared a conflict of interest with respect to Council Agenda item D – Meeting to Consider – Court of Revision – Tate Drain Branch "E" 2021. He retired from the meeting and abstained from all discussions and voting on the matter.

Councillor Glinski declared a conflict of interest with respect to Council Agenda item D - Meeting to Consider – Court of Revision – Tate Drain Branch "E" 2021. He retired from the meeting and abstained from all discussions and voting on the matter.

No. 22-244 Moved By: Rick Cerna Seconded By: Max Moore

THAT the Council of the Township of Malahide does hereby appoint the following members to sit on the Court of Revision for the Tate Drain Branch 'E' 2021:

Mayor Dave Mennill (Chair) Deputy Mayor Dominique Giguère Councillor Scott Lewis

Carried

No. 22-245 Moved By: Dominique Giguère Seconded By: Scott Lewis

THAT the Court of Revision for the Tate Drain Branch 'E' 2021 be called to order at 7:35p.m.

AND THAT Dave Mennill be appointed Chairman.

Carried

The Drainage Engineer, George Vereyken, of Spriet Associates, briefly outlined the Court of Revision process and what is to be discussed relates to the distribution of costs and no other matters. The total cost of the project can't be reduced overall. The costs can only be moved from one landowner to another. There have been no written appeals submitted but if there are any verbal appeals to be submitted, the landowner needs to present an explanation of why these assessments are not fair and where they believe this cost should be distributed to. The Court of Revision members are the only members who can ask questions and other members of Council should not participate in the conversation. Since there have been no written appeals, if the Court is willing to hear verbal appeals, now is when these would be submitted.

Chair Mennill inquired if any written comments/objections had been received and was advised that there were none.

Chair Mennill inquired if anyone wished to make comment regarding their assessment.

Mr.Dohner stated that he believes prior to discussing costs the project details need to be figured out. Chair Mennill asked if he was appealing the cost. Mr. Dohner stated that the entire project is too expensive and is wrong. Chair Mennill inquired if Mr. Dohner was making a verbal appeal and if he was he had to state this to the members of the Court. Mr. Dohner stated that yes, he was submitting a verbal appeal.

Chair Mennill inquired if anyone else wished to make comment that was in attendance. Mr. Passmore inquired if the cost allocation being discussed tonight is based on the report as it's currently written. Chair Mennill confirmed this understanding to be accurate. Mr. Passmore stated that based on the report as currently written, he has no objection to the cost allocation. Mr. Passmore noted that there is an appeal process going through the tribunal and his concerns will be addressed through that process.

Richard Jones a landowner assessed on the drain was also present for the discussion but had no comment.

Mr. Vereyken provided the nature of the proposed drainage works and the related Assessment Schedule.

Chair Mennill asked if any of the Court of Revision Members had any questions or comments for the Engineer and there were none.

The Court of Revision members exited the room to deliberate the information they had been presented and the verbal appeal that was presented.

The members after a brief absence, returned to the table with a decision.

No. 22-246 Moved By: Scott Lewis Seconded By: Dominique Giguère

THAT the Court of Revision members for the Tate Drain Branch 'E' 2021 do hereby accept the recommendations of Drainage Engineer Mike DeVos, Spriet Associates London Limited; and further, does hereby confirm the drainage assessments as outlined in the Report of the Drainage Engineer dated April 23, 2021.

Carried

No.22-247 Moved By: Dominique Giguère Seconded By: Scott Lewis

# THAT the Court of Revision relating to the Tate Drain Branch 'E' 2021 be adjourned and the Council Meeting reconvene at 7:48p.m.

# Carried

Mayor Mennill asked the Clerk to explain the next steps for the landowners. Clerk Adams stated that if dissatisfied with the decisions of the Court of Revision which were pronounced the 16<sup>th</sup> day of June, 2022, landowners may appeal this decision to the Agriculture, Food and Rural Affairs Appeal Tribunal by filing a notice of appeal with the Clerk of the Township within 21 days of the date of this decision. If any appeals are submitted, a tribunal will be scheduled to review these appeals. The Tribunal has the power to fix costs of the hearing and award them against a party to the hearing. Where decisions of the Tribunal may be appealed, the appeal is heard by the Drainage Referee.

The Mayor asked Mr. Vereyken to provide an overview of the tribunal process. Mr. Vereyken although doesn't speak on behalf of the tribunal but rather from what he has experienced is that all appeals submitted at both the Meeting of Consideration and the Court of Revision are compiled and a decision will be made at how to best address the appeals.

The Mayor thanked the landowners in attendance as well as Mr. Vereyken and they retired from the meeting.

Councillor Widner & Councillor Glinski returned to his seat at the Council table.

- <u>Public Meeting – Zoning By-law Amendment</u> – Applicant G&M Howe & Sons Ltd (Authorized Agent: David Roe c/o Civic Planning Solutions Inc.), relating to property at Part of Lot 5, Concession 5, Township of Malahide, and known municipally as 7077 and 7841 Rogers Road

# No. 22-248 Moved By: Mark Widner Seconded By: Rick Cerna

THAT the Public Meeting concerning the Zoning By-law Amendment Application No. D14-Z06-22 of G & M Howe & Sons Ltd, relating to the property located at Part of Lot 5, Concession 5, Township of Malahide, and known municipally as 7077 and 7841 Rogers Road; be called to order at 7:53p.m

# Carried

Mayor Mennill advised that the purpose of this Public Meeting is to consider an application to amend the zoning of the subject property 7077 and 7841 Rogers Road.

Mayor Mennill asked the Clerk to advise and confirm on the method and date of notice given for this meeting. The Clerk advised that this public meeting was advertised in the Aylmer Express for two consecutive weeks. In addition, affected property owners within 120 meters were sent a notice by prepaid first-class mail that was posted at least twenty days prior to this meeting.

Mayor Mennill requested that CAO Betteridge provide an overview of the application. CAO Betteridge provided an overview of the zoning application and specified that the change in zoning is to address the reduced lot area.

Mayor Mennill asked if any Council Members wished to make any comments regarding the application and there were none.

### No. 22-249 Moved By: Scott Lewis Seconded By: Chester Glinski

THAT the Public Meeting concerning the Zoning By-law Amendment Application No. D14-Z06-22 of G & M Howe & Sons Ltd, relating to the property located at Part of Lot 5, Concession 5, Township of Malahide, and known municipally as 7077 and 7841 Rogers Road; be adjourned and the Council reconvene at 7:55p.m

Carried

No.22-250 Moved By: Max Moore Seconded By: Mark Widner

THAT Report No. DS-22-27 entitled "Zoning By-law Amendment Application of G & M Howe & Sons Ltd" be received;

AND THAT the Zoning By-law Amendment Application No. D14-Z06-22 of G & M Howe & Sons Ltd (Authorized Agent: David Roe c/o Civic Planning Solutions Inc.), relating to the property located at Part of Lot 5, Concession 5, Township of Malahide, and known municipally as 7077 and 7841 Rogers Road, BE APPROVED for the reasons set out in this Report.

Carried

No. 22–251 Moved By: Rick Cerna Seconded By: Chester Glinski

THAT By-law No. 22-42 being a By-law to amend Zoning By-law No. 18-22 insofar as it relates to the properties owned by G & M Howe & Sons Ltd., located at Part of Lot 5, Concession 5, Township of Malahide, be given first, second and third readings, and properly signed and sealed.

# Carried

- <u>Public Meeting – Zoning By-law Amendment –</u> Applicant Scott Hayhoe Farms Inc. (Authorized Agent: David Roe c/o Civic Planning Solutions Inc.) relating to property at Part of Lot 32, Concession 3, Township of Malahide and known municipally as 52947 and 52887 Calton Line

No. 22-252 Moved By: Dominique Giguère Seconded By: Mark Widner

THAT the Public Meeting concerning the Zoning By-law Amendment Application No. D14-Z07-22 of Scott Hayhoe Farms Inc, relating to the property located at Part of Lot 32, Concession 3, Township of Malahide and known municipally as 52947 and 52887 Calton Line; be called to order at 7:57p.m

Carried

Mayor Mennill advised that the purpose of this Public Meeting is to consider an application to amend the zoning of the subject property 52947 and 52887 Calton Line.

Mayor Mennill asked the Clerk to advise and confirm on the method and date of notice given for this meeting. The Clerk advised that this public meeting was advertised in the Aylmer Express for two consecutive weeks. In addition, affected property owners within 120 meters were sent a notice by prepaid first-class mail that was posted at least twenty days prior to this meeting.

Mayor Mennill requested that CAO Betteridge provide an overview of the application. CAO Betteridge provided an overview of the zoning application noting it is a condition of a surplus farm house severance. The properties are being placed in these zones to prohibit any further dwellings to be built. The only difference of this application from other surplus farm house severance's is that there are two houses being deemed surplus from the subject property.

Mayor Mennill asked if any Council Members wished to make any comments regarding the application and there were none.

No. 22-253 Moved By: Scott Lewis Seconded By: Chester Glinski

THAT the Public Meeting concerning Zoning By-law Amendment Application No. D14-Z07-22 of Scott Hayhoe Farms Inc, relating to the property located at Part of Lot 32, Concession 3, Township of Malahide and known municipally as 52947 and 52887 Calton Line; be adjourned and the Council reconvene at 8:00p.m

Carried

No.22-254 Moved By: Dominique Giguère Seconded By: Scott Lewis

THAT Report No. DS-22-28 entitled "Zoning By-law Amendment Application of Scott Hayhoe Farms Inc." be received;

AND THAT the Zoning By-law Amendment Application No. D14-Z07-22 of Scott Hayhoe Farms Inc, relating to the property located at Part of Lot 32, Concession 3, Township of Malahide and known municipally as 52947 and 52887 Calton Line, BE APPROVED for the reasons set out in this Report.

Carried

No. 22–255 Moved By: Chester Glinski Seconded By: Mark Widner THAT By-law No. 22-43 being a By-law to amend Zoning By-law No. 18-22 insofar as it relates to the properties owned by Scott Hayhoe Farms Inc, located at Part of Lot 32, Concession 3, Township of Malahide, be given first, second and third readings, and properly signed and sealed.

Carried

# **REPORTS:**

# Director of Fire & Emergency Services

- Emergency Services Activity Report – May

Director of Fire & Emergency Services provided an overview of the community events that they have been able to volunteer with since COVID restrictions have been lifting.

No. 22-256 Moved By: Max Moore Seconded By: Rick Cerna

THAT Report No. F-22-09 entitled "Emergency Services Activity Report – May" be received

Carried

# Director of Public Works

- Asset Management Plan Update

Asset Management Analyst Jones provided an overview of the presentation prepared in regards to asset management planning for the Township. Asset Management Analyst Jones stated that core assets are required to be completed by July 1, 2022 and that the full plan will be provided before the 2023 budgetary process. Ms. Jones provided an overview of asset inventory and current level of service in regards to roads, bridges and culverts, water, and wastewater. Director of Public Works Sweetland provided an overview of the lifecycle activities of the previously mentioned services. Director of Finance Boylan provided a funding forecast overview for this plan.

Asset Management Analyst Jones stated that although this update was triggered by a legislative requirement, the intent is to make the asset management plan a live document, in order to provide council, staff, and the public with the most current information. Continuously pursuing opportunities for improvement, such as including previously omitted assets, will allow this document to be used as a tool during the annual budgetary process and for future grant opportunities. Annual status reviews with

Council will also illustrate the progress being made. The next steps include submission of the updated core-asset plan to the province, updating the plan for all other assets, and presenting the budget committee with the full plan for the 2023 budgetary decision making process.

Deputy Mayor Giguère provided her appreciation for this presentation as it provides a strong rationale as to the inventory, analysis and targets. She also referenced that with this type of information the Township has a case that's evidence driven to do certain things as you can't change a plan if you don't have a plan.

# No. 22-257 Moved By: Dominique Giguère Seconded By: Rick Cerna

THAT Report No. PW-22-32 entitled "Asset Management Plan Update" be received;

AND THAT pursuant to Section 5 of Ontario Regulation 588/17, the Asset Management Plan, dated May 6, 2022, be approved; it being pointed out that the Director of Finance, as the executive lead of the municipality, has endorsed the Asset Management Plan as presented;

AND THAT consideration of this Asset Management Plan be made a part of the annual budgeting process to ensure that sufficient capital funds are available to fund the Asset Management Plan;

AND THAT this Asset Management Plan be updated, as needed, to reflect the current priorities of the Township.

Carried

- Contract Extension: Ontario Clean Water Agency – Malahide Wastewater Collection Sewer System

No. 22-258 Moved By: Mark Widner Seconded By: Rick Cerna

THAT Report No. PW-22-38 entitled "Contract Extension: Ontario Clean Water Agency" be received;

AND THAT the Township enter into the agreement with the Ontario Clean Water Agency for a 5-year period for the purposes of the operation and maintenance of the Malahide Wastewater Collection Sewer System.

### Carried

- Contract Extension: Ontario Clean Water Agency – Malahide Water System

No. 22-259 Moved By: Chester Glinski Seconded By: Scott Lewis

THAT Report No. PW-22-39 entitled "Contract Extension: Ontario Clean Water Agency" be received;

AND THAT the Township enter into the agreement with the Ontario Clean Water Agency for a 5-year period for the purposes of the operation and maintenance of the Malahide Water System,

AND THAT the Township, on behalf of the PBASWSS and AASWSS Joint Boards of Management, enter into the agreement with the Ontario Clean Water Agency for a 5-year period for the purposes of the operation and maintenance of the Area Secondary Water Supply System, and the Port Burwell Area Secondary Water Supply System

### Carried

Councillor Widner inquired about the theft of signs occurring on Wilson Line and what is the timeline for replacement. Director Sweetland stated there has been quite a few speed warning and speed sign thefts. The signs have been ordered but there is a disruption in the supply chain for these signs and the timeline when they are back in stock is still unknown. When these signs are obtained they will go back up and Staff will look into deterrent measures in these prone areas.

#### <u>Clerk</u>

- Integrity Commissioner/Closed Meeting Investigator/Ombudsman Services

No. 22-260 Moved By: Max Moore Seconded By: Chester Glinski

THAT Report No. CLERK-22-08 entitled "Appointment of Integrity Commissioner/Closed Meeting Investigator/Ombudsman Services" be received;

AND THAT the Township partner in a joint RFP with the County of Elgin and interested Local Municipal Partners to secure a new service provider to fulfill the transparency and accountability roles of Integrity Commissioner, Closed Meeting Investigator and Municipal Ombudsman. <u>CAO</u>

- Springfield Water Study

CAO Betteridge provided an overview of the report and introduced Jamie Witherspoon of WT Infrastructure Solutions Inc. who would provide a presentation to Council. Mr. Witherspoon provided an overview of the project and how they came to their assessment. He stated that funding is likely the paramount question to this proposal.

Councillor Glinski inquired if any consideration for a public meeting on this topic has been considered prior to continuing. CAO Betteridge acknowledged that public consultation is a crucial component on this proposal. CAO Betteridge stated that that as Jamie mentioned this public consultation could occur through an EA phase or could be initialized sooner.

Councillor Moore commented that he had received numerous phone calls from residents in the Village after viewing this report on the agenda and there is a lot of concern without more information to costing for individual households. Councillor Moore reiterated the need to have public consultation so the residents can attend a meeting and have the information provided and explained to them first hand.

No. 22-261 Moved By: Max Moore Seconded By: Rick Cerna

THAT Report No. CAO-22-09, and the presentation of WT Infrastructure Solutions Inc., both entitled "Feasibility Analysis for Potable Water Distribution to the Village of Springfield" be received;

AND THAT the Final Report of WT Infrastructure Solutions Inc. entitled "Village of Springfield - Feasibility Study and Action Plan for Potable Water Distribution" and dated May 13, 2022 be received;

AND THAT Administration be directed to proceed accordingly with the "Next Steps" of the Final Report;

AND THAT Administration follow-up with a report to Council with regards to proceeding with a Class EA process for servicing the Village of Springfield.

# Carried

The Mayor thanked Mr. Witherspoon for his presentation and he retired from the meeting.

# **REPORTS OF COMMITTEES/OUTSIDE BOARDS:**

No. 22-262 Moved By: Mark Widner Seconded By: Chester Glinski

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

(i) Long Point Region Conservation Authority Board of Directors – Minutes of June 1, 2022

Carried

# CORRESPONDENCE:

No. 22-262 Moved By: Dominique Giguère Seconded By: Scott Lewis

# THAT the following correspondence be noted and filed:

- 1. Association of Municipalities of Ontario Watch File dated June 2, 2022. (Pages C3-5)
- 2. District of Muskoka Resolution seeking an amendment to Ontario Regulation 380/04 under the Emergency Management and Civil Protection Act to permit exemptions for municipalities that have responded to an actual emergency during the respective calendar year. (Pages C6-9)
- 3. County of Elgin Council Highlights May 2022 (Pages C10-14)
- 4. County of Elgin Response regarding the request for Installation of Signs Prohibiting Engine Brakes in Village of Springfield and Hamlet of Lyons. (Pages C15-20)
- 5. City of Kitchener Resolution requesting the Province of Ontario adopt energy performance tiers and timelines. (Pages C21-22)
- Town of Aurora Private Member's Bill C-233 "Keira's Law Resolution that Aurora Town Council calls upon the House of Commons to support Member of Parliament Anju Dhillon's Private Member's Bill C-233, that will raise the level of education on domestic violence and coercive control for federally appointed Judges. (Pages C23-25)
- 7. Municipality of Chatham-Kent Resolution requesting the Ontario Government for additional support for Retirement Homes. (Pages C26-27)

- 8. Town of Aylmer Letter of Appreciation letter of support in principle towards Aylmer's Water Tower Replacement. (Page C28)
- 9. The Corporation of the Town of Fort Erie Resolution requesting the Federal & Provincial Governments enact legislation that prevents both open and closed bidding on both rental units and residential sales and prohibit sales beyond the list price. (Pages C29-30)
- 10. The Corporation of the Town of Fort Erie Resolution requesting the Federal Government to review the proposed exemption framework for seasonal vacation properties to better reflect the reality of where these properties are located and how they are used. (Pages C31-32)
- 11. Federal Funding for Rural Communities Request to forward issues impacting your economic development challenges as a rural community for an upcoming community forum. (Page C33)
- 12. Municipality of Thames Centre Information Report on School Enrollment and Planning Implications within Thames Centre jurisdiction. (Pages C34-53)
- 13. Town of Blue Mountains Voter's List Information to Candidates. (Page C54).

### Carried

# **OTHER BUSINESS:**

Councillor Widner noted the continuous accidents at Ron McNeil Line and Imperial Road. He wonders when the County is going to do something in respect to this intersection as it's been redesigned before and noted that likely the only thing that will help now is a roundabout.

Deputy Mayor Giguère congratulated CAO Betteridge on his one-year anniversary date as CAO at Malahide. She recognized the challenges and changes that can occur in one year's time and commended him on a job well done.

- Port Bruce Provincial Park Beach Clean-up

Mayor Mennill stated that Port Bruce Provincial Park Beach clean-up has been always been a project he has worked closely with. There has always been push back about cleaning up the beach but an agreement for keeping the area 1/3 recreational and 2/3 natural was established. However, this year the volunteers were told that no cleanup at all could be done as don't want to take a chance that it will erode the beach. Mayor Mennill in the past acquired volunteers and staff to clean up debris but this year will require an endorsement from all of Council to continue this project.

No. 22-263 Moved By: Mark Widner Seconded By: Rick Cerna

That Staff be directed to request Parks Ontario to allow the clearing and disposal of driftwood which has washed upon the Port Bruce Provincial Park Beach south of Imperial Road.

Carried

**BY-LAWS**:

No. 22-264 Moved By: Chester Glinski Seconded By: Scott Lewis

THAT By-law No. 22-40, being a By-law to authorize the execution of an Amending Agreement with the Ontario Clean Water Agency for the provision of operations and maintenance services for water facilities, be given first, second and third readings, and be properly signed and sealed.

Carried

No. 22-265 Moved By: Dominique Giguère Seconded By: Mark Widner

THAT By-law No. 22-41, being a By-law to authorize the execution of an Amending Agreement with the Ontario Clean Water Agency for the provision of operations and maintenance services for Malahide Wastewater Collection System, be given first, second and third readings, and be properly signed and sealed.

Carried

No. 22-266 Moved By: Rick Cerna Seconded By: Scott Lewis

THAT By-law No. 22-18 being a By-law to incorporate various parcels into road system, be given first, second and third readings, and be properly signed and sealed.

Carried

CLOSED SESSION:

No. 22-267 Moved By: Max Moore Seconded By: Mark Widner

THAT Council move into Closed Session at 9:16p.m., pursuant to Section 239(2) of the Municipal Act, 2001, as amended, to discuss the following

(i) Labour Relations or Employee Negotiations Matter relating to a staff recruitment matter relating to the Development Services department.

Carried

No. 22-268 Moved By: Max Moore Seconded By: Dominique Giguère

# THAT Council move out of Closed Session and reconvene at 10:11 p.m. in order to continue with its deliberations.

### Carried

The Mayor advised that during the Closed Session, Council provided direction to Municipal Staff regarding labour relations or employee negotiations relating to a staff recruitment matter relating to Development Services. There is nothing further to report.

#### **CONFIRMATORY:**

No. 22-269 Moved By: Rick Cerna Seconded By: Scott Lewis

THAT By-law No. 22-49, being a Confirmatory By-law, be given first, second and third readings, and be properly signed and sealed.

Carried

ADJOURNMENT:

No. 22-270 Moved By: Mark Widner Seconded By: Chester Glinski

THAT the Council adjourn its meeting at 10:12p.m. to meet again on July 7, 2022, at 7:30p.m.

Carried

Mayor – D. Mennill

Clerk – A. Adams



# **Report to Council**

| <b>REPORT NO.:</b> | DS-22-29  |
|--------------------|---|
| DATE:              | July 7, 2022  |
| ATTACHMENT:        | Report Photo, Severance Sketch, Application, Draft By-law   |
| SUBJECT:           | ZONING BY-LAW AMENDMENT APPLICATION OF ROCKX<br>FARMS LTD." (AUTHORIZED AGENT: RYAN VERHOOG C/O<br>WHITE COAD LLP)              |
| LOCATION:          | Part Lot 11, Concession 11, Former Geographic Township of South Dorchester, (now in the Township of Malahide, 49779 Lyons Line) |

### **Recommendation:**

THAT Report No. DS-22-29 entitled "Zoning By-law Amendment Application of Rockx Farms Ltd." be received;

AND THAT the Zoning By-law Amendment Application No. D14-Z08-22 of Rockx Farms Ltd. relating to the property located at Part Lot 11, Concession 11, former Geographic Township of South Dorchester, now in the Township of Malahide, and known municipally as 49779 Lyons Line, BE APPROVED for the reasons set out in this Report;

AND THAT Council withhold the passing of By-law No. 22-46 until such time that a Notice of Decision from the County of Elgin approving the associated Consent Application No. E92-21 has been received to the satisfaction of the Township of Malahide.

# **Background:**

The subject Zoning By-law Amendment Application (the "Application") has been submitted by Ryan Verhoog c/o White Coad LLP, on behalf of Rockx Farms Ltd. in order to implement the necessary zoning provisions required for a surplus farm dwelling severance.

The Application relates to the property located at Part Lot 11, Concession 11, former Geographic Township of South Dorchester, Township of Malahide, and known municipally as 49779 Lyons Line.

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

Township Council considered the associated severance application on December 2, 2021 (Report No. DS-21-61) and supported the severance. Since that time, it has been determined by the Applicant's surveyor that the consent granted in 2021 requires some adjustments, and such required re-consideration of the LDC.

Notwithstanding this severance needs to be reconsidered for technical reasons, the previous analysis of the associated severance/consent application (Application E92-21) by the County Planning Department and Land Division Committee ("LDC") determined that the severance met all applicable policy (Provincial Policy Statement and Official Plan).

# **Comments/Analysis:**

The changes requiring LDC reconsideration appear to be minor in nature, however the LDC will not be considering the change until July 27th, 2022. Given this, it is recommended that this Application be approved, but that the implementing by-law not be passed until after the LDC approves the severance, as it will need to be confirmed that the LDC's approved severance matches what is proposed with this Application.

The drafted by-law places the severed surplus farm dwelling parcel and the retained farm parcel into the necessary zones of the Malahide Zoning By-law: the "Rural Residential (RR) Zone" for the severed parcel; and, "Large Lot Agricultural (A2-11) Zone" for the retained farmland parcel to recognize the smaller lot frontage.

Notice of the subject Zoning By-law Amendment Application has been circulated to agencies and registered property owners as prescribed and required. As of the date of writing this report, there have been no comments received in response to the Notice of Public Meeting. Any comments submitted will be summarized and provided for the information of the Council/Public at the Public Meeting.

# **Financial Implications to Budget:**

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

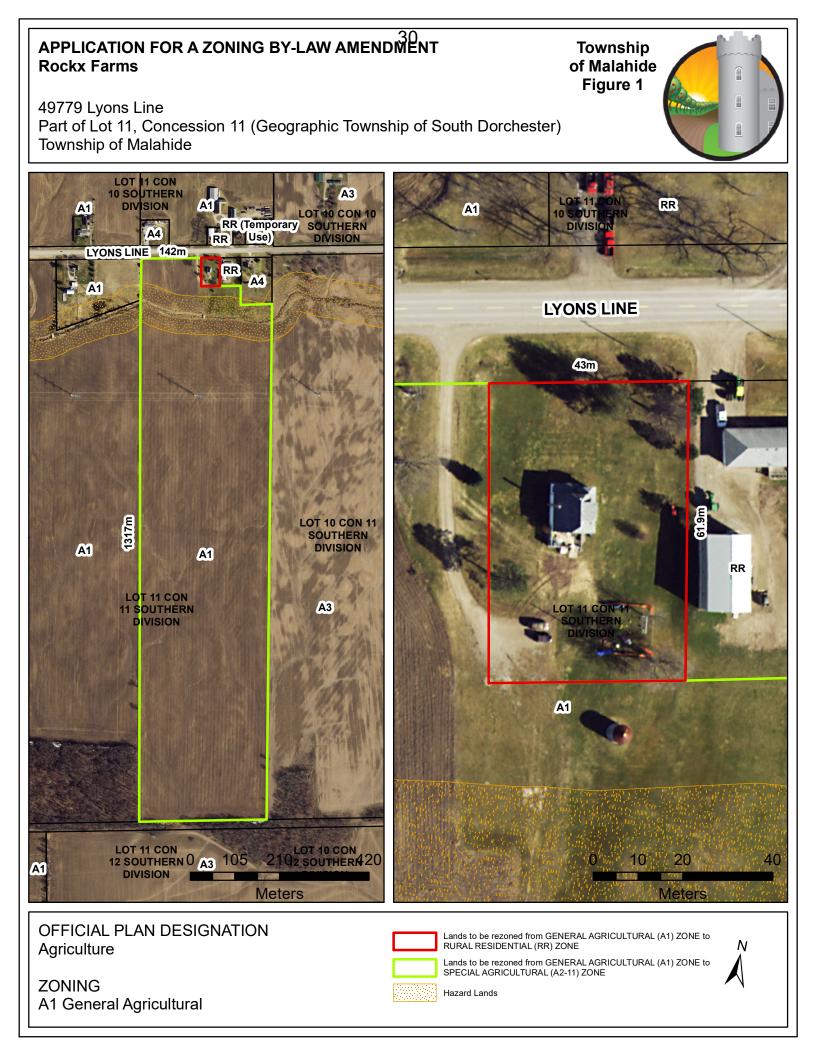
# **Relationship to Cultivating Malahide:**

The Cultivating Malahide Integrated Community Sustainability Plan (ICSP) is based upon four pillars of sustainability: Our Land, Our Economy, Our Community, and Our Government.

The importance of sustainable planning includes promoting for the protection of agricultural lands. As such, one of the goals that support the "Our Land" Strategic Pillar relates to "Respect the agricultural land base through the land use planning process".

New non-farm lot creation is permitted in very limited circumstances, including surplus farm dwelling severances. As such, the recommendation of this report supports the ICSP.

| Submitted by:   | Approved by:   |
|---|--|
| Christine Strupat, HBA, CPT<br>Development Services<br>Technician/Assistant Planner | Adam Betteridge, MCIP, RPP<br>Chief Administrative Officer |



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Township of Malahide Zoning By-law Amendment Application

| 1. | Registered Owner's         Name:       Rockx Farms Ltd. c/o Wayne Rockx  |  |  |  |  |  |
|----|--|--|--|--|--|--|
|    | Address: 163663 Brownsville Road, Brownsville, Ontario, N0L 1C0  |  |  |  |  |  |
|    | Phone No.         Business:           (Home):         519-983-2764   |  |  |  |  |  |
|    | Fax: Email: wrockx@hotmail.com   |  |  |  |  |  |
|    | Lot and Concession (if applicable):  |  |  |  |  |  |
|    | Are there any other holders of mortgages, charges or other encumbrances of the Subject Lands? If so provide the names and addresses of such persons. |  |  |  |  |  |
| 2. | Applicant / Authorized       Agent:     Ryan Verhoog, White Coad LLP   |  |  |  |  |  |
|    | Address: 408 Dundas Street, Woodstock, Ontario, N4S 1B9  |  |  |  |  |  |
|    | Telephone No.: 519-421-1500 Fax: 519-539-6926  |  |  |  |  |  |
|    | Please specify to whom all communications should be sent:  |  |  |  |  |  |
|    | Registered Owner (X) Applicant / Authorized Agent (X)  |  |  |  |  |  |
| 3. | Legal Description of the land for which the amendment is requested:  |  |  |  |  |  |
|    | Concession: 11 Lot:  |  |  |  |  |  |
|    | Reference Plan No: Part Lot: 11  |  |  |  |  |  |
|    | Street and Municipal Address No.: 49779 Lyons Line, Springfield, Ontario, N0L 2J0  |  |  |  |  |  |
|    | What is the size of property which is subject to this Application?   |  |  |  |  |  |
|    | Area: <u>2665.957 m</u> Frontage: <u>43 m</u> Depth: <u>61.999 m</u>   |  |  |  |  |  |
|    | When were the subject lands acquired by the current owner? 1999  |  |  |  |  |  |
| 4. | Existing Official Plan Designation: Agricultural   |  |  |  |  |  |

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Township of Malahide Zoning By-law Amendment Application

How does the application conform to the Official Plan?

The application is consistent with Sections 2.1.2.2 - Land Use and 2.1.7 - Farm Consolidation and Severance of Surplus Farm Dwellings of the Malahide Official Plan.

5. Existing Zoning By-law Classification:

Agricultural

What are the current uses of the subject lands?

Surplus farm dwelling, rural residential

If known, provide the length of time these uses have continued on this property.

If there are any existing buildings or structures on the subject lands provide the following information:

| Туре  | Front Lot<br>Line<br>Setback | Side Lot<br>Line<br>Setbacks | Rear Lot<br>Line Setback | Height  | Dimension<br>s    |
|-------|------------------------------|------------------------------|--------------------------|---------|-------------------|
| House | 71 feet                      | 45 feet                      | 85 feet                  | 22 feet | 29 feet x 31 feet |
|       |                              |                              |                          |         |                   |
|       |                              |                              |                          |         |                   |
|       |                              |                              |                          |         |                   |
|       |                              |                              |                          |         |                   |

If known, provide the dates in which each of these buildings were constructed.

1950

#### 6. What is the Nature and Extent of the Rezoning?

It is being requested that the subject lands (lot to be severed) be rezoned from Agriculture to Rural Residential.

7. Why is the rezoning being requested?

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This rezoning is being requested as a condition on a severance of a dwelling surplus to a farming operation, as a result of farm consolidation.

# 8. Does the proposed Zoning By-law amendment implement a growth boundary adjustment of a settlement area?

If so, attach separately justification or information for the request based on the current Official Plan policies or associated Official Plan amendment.

# 9. Does the proposed amendment remove land from an area of employment? <u>No.</u>

If so, attach separately justification or information for the request based on the current Official Plan policies or associated Official Plan amendment.

# 10. Description of proposed development for which this amendment is requested (i.e. permitted uses, buildings or structures to be erected. (Be Specific)

No proposed development.

# For any proposed buildings or structures on the subject lands provide the following information:

| Туре | Front Lot<br>Line<br>Setback | Side Lot<br>Line<br>Setbacks | Rear Lot<br>Line Setback | Height | Dimensions |
|------|------------------------------|------------------------------|--------------------------|--------|------------|
|      |                              |                              |                          |        |            |
|      |                              |                              |                          |        |            |
|      |                              |                              |                          |        |            |

11. Services existing or proposed for the subject lands: Please indicate with a  $\checkmark$ 

Water Supply

Existing

Proposed

Page 6

12.

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Township of Malahide Zoning By-law Amendment Application

| Municipal Piped Water Supply | ( )   | ( | )  |
|------------------------------|-------|---|----|
| Private Drilled Well         | ( 🗸 ) | ( | )  |
| Privata Dug Wall             | ( )   | ( | `` |

| Private Dug Well                 | ( | ) | ( | ) |  |
|----------------------------------|---|---|---|---|--|
| Communal Well                    | ( | ) | ( | ) |  |
| Lake or other Surface Water Body | ( | ) | ( | ) |  |
| Other                            | ( | ) | ( | ) |  |

| Sewage Disposal           | Existing | Proposed |  |  |
|---------------------------|----------|----------|--|--|
| Municipal Sanitary Sewers | ( )      | ( )      |  |  |
| Individual Septic System  | ( 🗸 )    | ( )      |  |  |
| Communal System           | ( )      | ( )      |  |  |
| Privy                     | ( )      | ( )      |  |  |
| Other                     | ( )      | ( )      |  |  |

Note: If the proposed development is on a private or communal system and generate more than 4500 litres of effluent per day, the applicant must include a servicing options report and a hydrogeological report.

| Are these reports attached?      |           |
|----------------------------------|-----------|
| If not, where can they be found? |           |
|                                  |           |
| Storm Drainage                   |           |
| Provisions:                      |           |
| Proposed Outlet:                 |           |
|                                  |           |
| How will the property be         | accessed? |

| Provincial Highway (  | )       | County Road  | ( ) | Municipal Ro   | ad – | maintained | all year (🗸) |
|-----------------------|---------|--------------|-----|----------------|------|------------|--------------|
| Municipal Road – seas | sonally | maintained ( | )   | Right-of-way ( | )    | Water (    | )            |

If access is by water, do the parking and docking facilities exist, and what is the nearest public road?

#### 13. Has the subject land ever been the subject of an application under the Planning Act for:

Plan of Subdivision () Consent ()

Zoning By-law Amendment ( ) Ministers Zoning Order ( )

If yes to any of the above, indicate the file number and status of the application.

#### 14. How is the proposed amendment consistent with the Provincial Policy Statement 2005?

The proposed zoning amendment is consistent with Section 2.3.4.1(c), regarding lot creation in prime agricultural areas where the residence is surplus to a farming operation as a result of farm consolidation. Additionally, the lot is of minimal size sufficient for sewage and water needs.

# 15. Are the subject lands within area designated under any Provincial Plan(s)? If the answer is yes, does the proposed amendment conform to the Provincial Plan(s)?

The subject lands are not designated under any Provincial Plans.

# 17. The Owner is required to attach the following information with the application and it will form part of the application. Applications will not be accepted without the following.

- (a) A sketch based on an Ontario Land Surveyor description of the subject lands showing
  - the boundaries and dimension of the subject lands;
  - the location, size and type of all existing and proposed buildings and structures, indicating their setbacks from all lot lines, the location of driveways, parking or loading spaces, landscaping areas, planting strips, and other uses;

- the current uses of the land that is adjacent to the subject land;
- the location, width, and name of any roads within or abutting the subject land, indicating where it is an unopened road allowance, a public traveled road, a private road, or a right-of-way;
- the location of the parking and docking facilities to be used (if access will be by water only);
- the location and nature of any easement affecting the subject land.
- (b) Written comments from the Elgin St. Thomas Health Unit, Long Point Region Conservation Authority and Ministry of Transportation (if applicable).
- (c) If a private sewage system is necessary, pre-consultation with the Chief Building Official is required about the approval process
- 18. If this application is signed by an agent or solicitor on behalf of an applicant(s), the owner's written authorization must accompany the application. If the applicant is a corporation acting without an agent or solicitor the application must be signed by an officer of the corporation and the seal if any must be affixed.

#### 19. Additional Information as required by Council

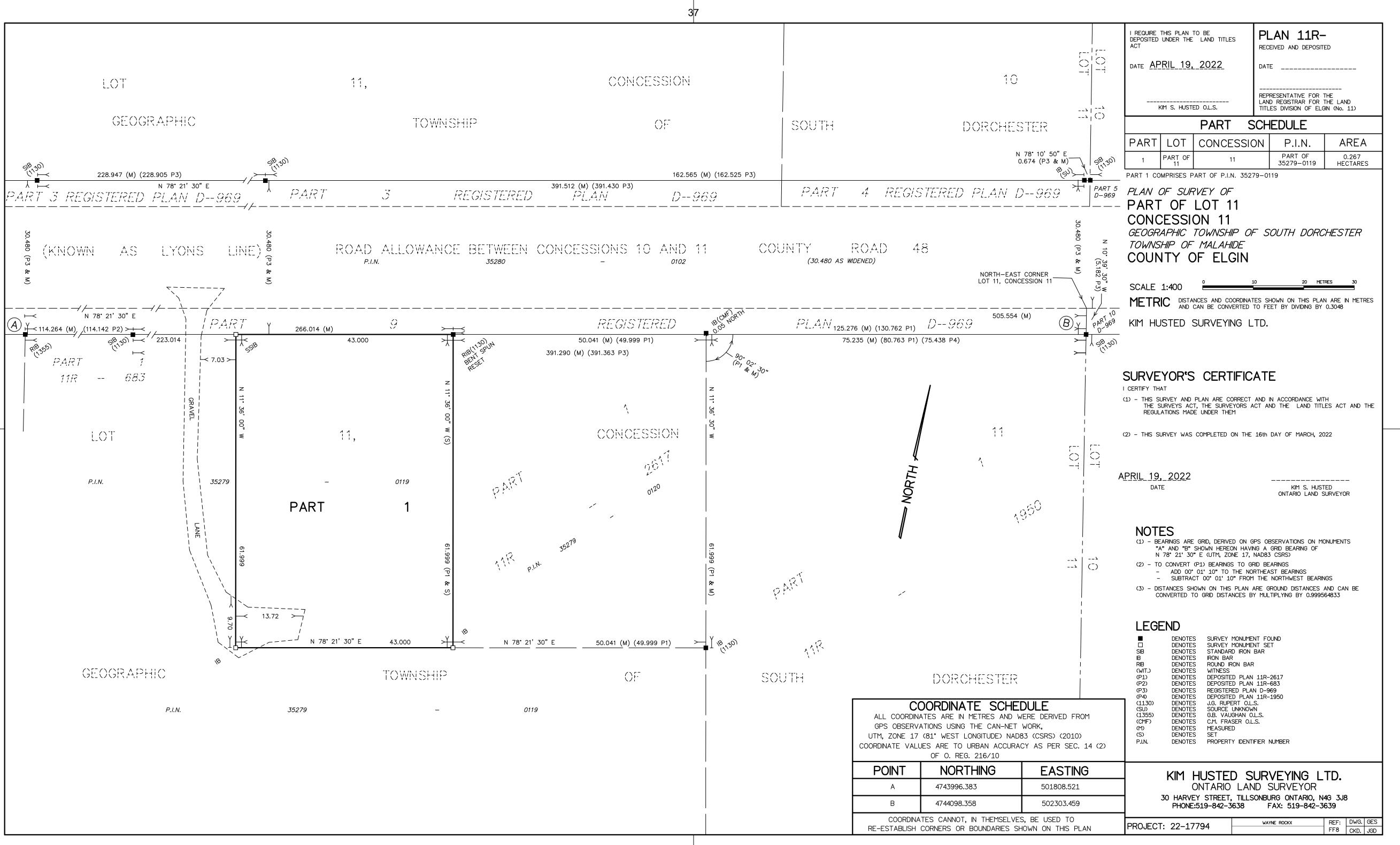
# 20. If this application is to accommodate the consent of a surplus farm dwelling, please provide the following information:

Date surplus farm dwelling was erected:

1950

Please provide the assessment roll number, location, and zoning of the farm parcel with which the subject lands is being consolidated.

163663 Brownsville Road, Brownsville, ON, NOL 1C0, Roll: 321101006004400, Zoning: A2 General Agricultural



E:\OSOFT141\Wayne\Greg's Dwg's\22-17794.dwg

### THE CORPORATION OF THE TOWNSHIP OF MALAHIDE BY-LAW NO. 22-46

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

# Rockx Farms Ltd. c/o Wayne Rockx / Ryan Verhoog c/o White Coad LLP

## 49779 Lyons Line

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

**AND WHEREAS** authority is granted under Section 34 of the <u>Planning Act</u>, as amended, to pass a Bylaw;

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

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

- THAT the area shown in hatching on the attached map, Schedule "A", and described as Part Lot 11, Concession 11, Former Geographic Township of South Dorchester, now in the Township of Malahide, shall be removed from the "General Agricultural (A1) Zone" of By-law No. 18-22 and placed within the "Rural Residential (RR) Zone" of By-law No. 18-22 as set forth in this By-law. The zoning of this land shall be shown as "RR" on Key Map 21 of Schedule "A" to By-law No. 18-22, as amended.
- 2. THAT the area shown in bold on the attached map, Schedule "A", and described as Part Lot 11, Concession 11, Former Geographic Township of South Dorchester, now in the Township of Malahide, shall be removed from the "General Agricultural (A1) Zone" of By-law No. 18-22 and placed within the "Site Specific Special Agricultural (A2-11) Zone" of By-law No. 18-22 as set forth in this By-law. The zoning of this land shall be shown as "A2-11" on Key Map 21 of Schedule "A" to By-law No. 18-22, as amended.

3. **THAT** By-law No. 18-22, as amended, is hereby further amended by amending Section 5.5 SPECIAL AGRICULTURAL (A2) ZONE – 'SITE-SPECIFIC' ZONES, by adding the following new subsection:

## "5.5.11 a) <u>Defined Area</u>

A2-11 as shown on Schedule 'A', Map No. 21.

b) <u>Minimum lot frontage</u> 142 m

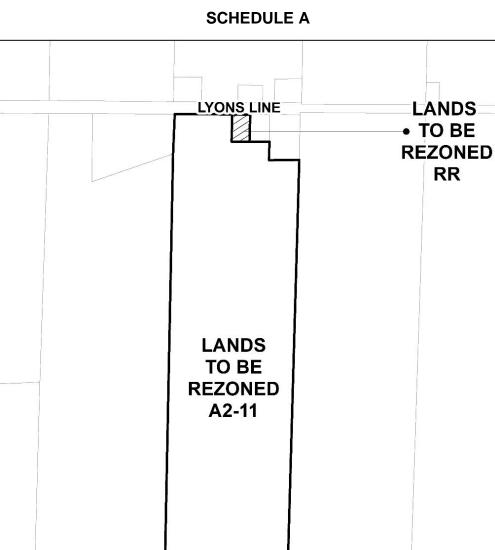
- 4. **THAT** this By-law shall come into force:
  - a) Where no notice of objection has been filed with the Township's Clerk within the time prescribed by the <u>Planning Act</u> and regulations pursuant thereto, upon the expiration of the prescribed time; or,
  - b) Where notice of objection has been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

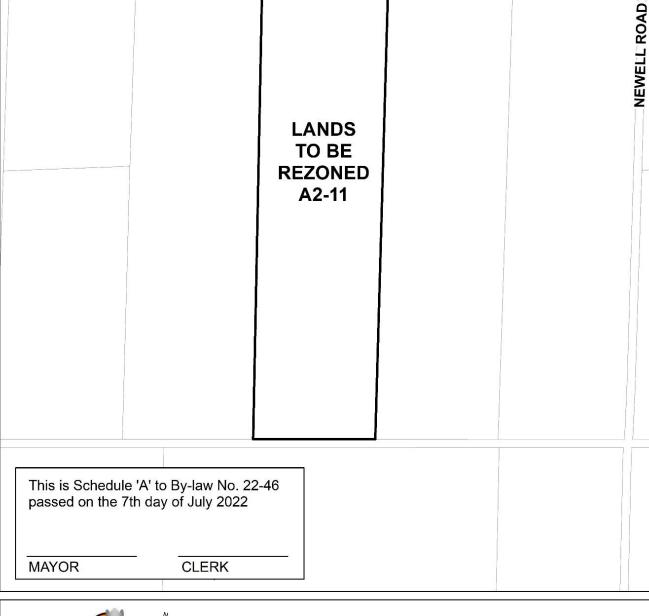
**READ** a **FIRST** and **SECOND** time this \_\_\_\_\_ day of \_\_\_\_\_ 2022.

**READ** a **THIRD** time and **FINALLY PASSED** this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

Mayor – D. Mennill

Clerk – A. Adams





Township of Malahide Comprehensive Zoning By-law No.18-22. SCHEDULE 'A'

Map 21

TOWNSHIP

Г 0 50 100 Metres

200



# **Report to Council**

| DS-22-30  |
|---|
| July 7, 2022  |
| (Report submitted June 29, 2022)  |
| Report Photo, Applications, Draft By-law  |
| ZONING BY-LAW AMENDMENT & CONSENT APPLICATION OF<br>FRANK & SHERYL BERKELMAN (AUTHORIZED AGENT:<br>SIMONA RASANU C/O SBM LIMITED) |
| Part Lot 31, Concession 9 N (11644 Carter Road)   |
|   |

### **Recommendation:**

THAT Report No. DS-22-30 entitled "Zoning By-law Amendment & Consent Application of Frank & Sheryl Berkelmans" be received;

AND THAT the Application to Sever No. D10-E49-22 of Frank & Sheryl Berklemans relating to the property located at Part Lot 31, Concession 9 N; and known municipally as 11644 Carter Road, be supported for the reasons set out in this Report;

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

AND THAT the Zoning By-law Amendment Application No. D14-Z09-22 of Frank & Sheryl Berkelmans, relating to the property located at Part Lot 31, Concession 9 N; and known municipally as 11644 Carter Road, BE APPROVED for the reasons set out in this Report.

AND THAT Council withholds the passing of By-law No. 22-47 until such time that a Notice of Decision from the County of Elgin approving the associated Consent Application has been received to the satisfaction of the Township of Malahide.

## **Background:**

The Subject Zoning By-law Amendment Application and concurrent Consent Application have been submitted by SBM Limited, on behalf of Frank & Sheryl Berkelman, in order to sever a surplus farm dwelling from an agricultural parcel. The Zoning Amendment proposes to apply the necessary zoning required and would include site-specific provisions to recognize the existing height and floor area of the accessory buildings.

The Application relates to the property located at Part Lot 31, Concession 9 N, and known municipally as 11644 Carter Road.

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

The County Land Division Committee has scheduled a Public Hearing for this application to be considered on July 27<sup>th</sup>, 2022.

## **Comments/Analysis:**

The subject property is approximately 20.8 hectares in area, has approximately 511 metres of frontage on Carter Road, and a depth of approximately 408 metres. The subject lands currently contain a single detached dwelling, detached garage, vacant barn, and three accessory sheds. The subject lands are bounded to the west by Carter Road and by agricultural land to the north, east, and south.

Based on the information provided by the owner's agent SBM Limited, the owners own and reside on a separate farm two kilometres from the subject lands. As they reside on a separate property, the existing dwelling on the subject property is surplus to their needs and the owners are proposing to sever the dwelling and accessory buildings from the surrounding farmland.

The proposed Zoning Amendment would satisfy a condition anticipated to be imposed by the Elgin County Land Division Committee relating to the associated consent application to sever the surplus farm dwelling. As a public meeting has yet to be held by the Land Division Committee, it is recommended that the Zoning By-law Amendment application be approved; however, it is recommended that Council defer the adoption of the By-law until such time that the Township has received a Notice of Decision from the County of Elgin that the severance application has been provisionally approved to the satisfaction of the Township of Malahide.

## **Provincial Policy Statement (PPS)**

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

The proposed severed lot would not include land that is currently in agricultural production. The proposed Zoning Amendment would rezone the proposed retained farmland to 'Special Agriculture Zone (A2)' that would prohibit the construction of a dwelling.

## **County of Elgin Official Plan**

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

The proposed Zoning Amendment would fulfill this requirement by rezoning the proposed retained farmland to 'Special Agriculture Zone (A2)' that would prohibit the construction of a dwelling.

## **Malahide Official Plan**

The subject property is designated 'Agricultural' on Schedule 'A1' (Land Use Plan). The Malahide Official Plan permits secondary uses including surplus farm dwellings on separate lots (Section 2.1.2.2).

Section 2.1.7 of the Official Plan permits lot creation for the severance of a surplus farm dwelling provided certain criteria are met, including that the existing dwelling be occupied for a minimum of ten years and a land use conflict is not created with agricultural operations in the surrounding areas (Section 2.1.7.1). The existing dwelling has been in existence for more than 10 years and is not anticipated to create a land use conflict with surrounding agricultural operations. Surplus farm dwelling severances are exempt from Minimum Distance Separation under Section 2.1.3 of the Official Plan.

The Official Plan requires that the severed parcel is able to be serviced by private sanitary waste disposal system and a potable water supply that is situated within the severed lot, is located within 100 metres of an opened travelled road, and the severed parcel be rezoned to a Special Agricultural zone that permits surplus farm dwellings (Section 2.1.7.2). The proposed severed lot meets the minimum lot area requirements of the Zoning By-law and the existing septic system and well are located within the lot boundaries. The proposed lot and existing dwelling are located within 100 metres of a public road. The Zoning Amendment proposes to rezone the severed lot to the 'Small Lot Agricultural (A4)' Zone, which is applied to lots created by consent to dispose of a surplus farm dwelling.

The proposed severed lot currently contains several existing accessory structures, including a small, vacant barn. The Official Plan permits accessory buildings and structures to remain if in the opinion of Council a land use conflict will not be created (Section 2.1.7.3). The Applicant is proposing to retain the existing barn as the future owners of the severed parcel are considering using the accessory structure for small-scale agricultural uses, such as raising a few chickens for personal consumption. This would be permitted as a restricted agricultural use under the A4 Zone.

The Official Plan also requires that the proposed retained farm parcel be of suitable size to support agricultural uses, meet the provisions of the 'Special Agriculture (A2) Zone', and be rezoned to prohibit the establishment of a dwelling (Section 2.1.7.4a, 2.1.7.4b, 2.1.7.4c). The proposed retained parcel meets the minimum lot area and frontage requirements of the By-law and the Zoning Amendment would rezone the retained farm parcel to the 'Special Agricultural (A2) Zone' to prohibit the construction of a dwelling.

## Malahide Zoning By-law No. 22-18

The subject property is zoned 'General Agricultural (A1)' on Schedule 'A', Map No. 31 of the Township of Malahide Zoning By-law No. 22-18. The Zoning Amendment proposes to rezone the retained parcel to 'Special Agriculture (A2)' to prohibit the construction of a dwelling on the farm parcel and the proposed lot would meet the minimum lot area and frontage requirements of the Zoning By-law.

This application also proposes to rezone the severed parcel to 'Small Lot Agriculture Special (A4-24)'. This zone is intended to be applied to lots that created as a result of a surplus farm dwelling severance to reflect the primary use of the lot being for residential purposes. The proposed Zoning Amendment would also include a site-specific provision to recognize the existing floor area of the detached garage of 318 m<sup>2</sup>, where the By-law requires a maximum floor area of 200 m<sup>2</sup>; recognize the existing height of the detached garage of 6.37 metres, where the Zoning By-law requires a maximum height of 6 metres; and recognize the existing height of the vacant barn of 7.53 metres where the Zoning By-law requires a maximum height of 6 metres.

## **Public/Agency Comments Received**

Notice of Public Meeting was given in accordance with <u>Planning Act</u> regulations. As of the date of writing this report, no comments from the general public or agencies have been received. Any comments submitted will be summarized and provided for the information of the Council/Public at the Public Meeting.

## **Financial Implications to Budget:**

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

## **Relationship to Cultivating Malahide:**

The Cultivating Malahide Integrated Community Sustainability Plan (ICSP) is based upon four pillars of sustainability: Our Land, Our Economy, Our Community, and Our Government.

One of the goals that support the "Our Land" Strategic Pillar is "Protect & Enhance Malahide's Agricultural Character". By respecting the agricultural land base through the land use planning process, the Council is achieving this goal.

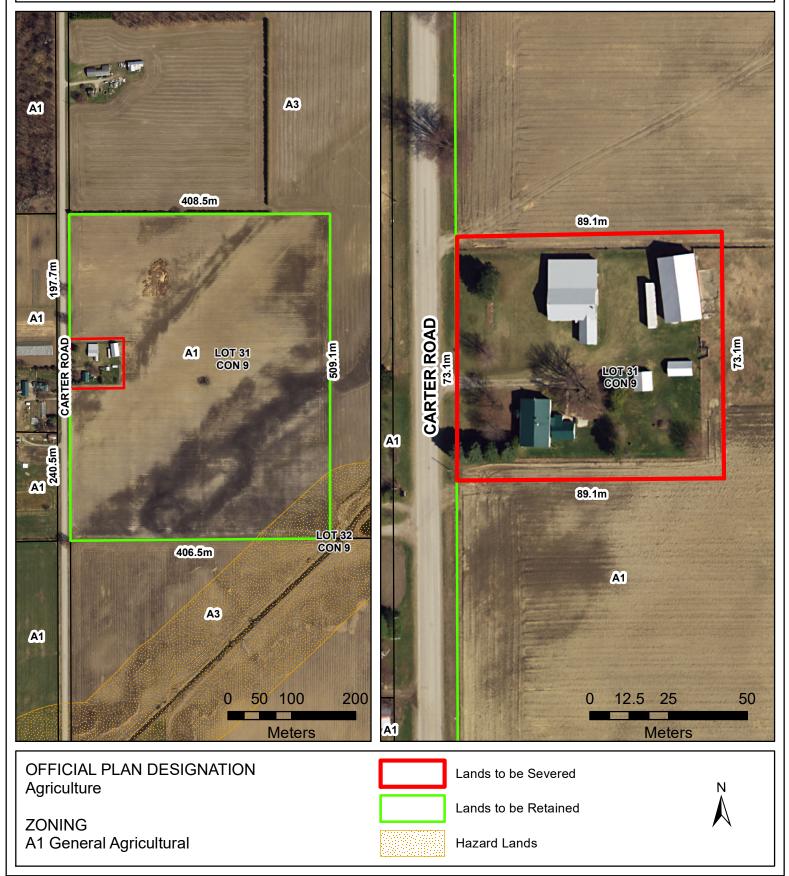
|  | 45   |
|--|--|
| Submitted by:  | Reviewed by:   |
| Eric Steele, BES<br>Monteith Brown Planning Consultants,<br><u>Consulting Planner for the Township</u> | Jay McGuffin, MCIP, RPP<br>Monteith Brown Planning Consultants |

Approved by:

Adam Betteridge, Chief Administrative Officer APPLICATION FOR A CONSENT TO SEVER Frank and Sheryl Berkelmans (Agent: Simona Rasanu c/o SBM Ltd.)

11644 Carter Road Part of Lot 31, Concession 9 Township of Malahide Township of Malahide Figure 1





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LONDON LOCATION 1599 Adelaide St. N., Units 301 & 203 London, ON N5X 4E8 P: 519-471-6667 KITCHENER LOCATION 1415 Huron Rd., Unit 225

1415 Huron Rd., Unit 225 Kitchener, ON N2R 0L3 P: 519-725-8093

www.sbmltd.ca

sbm@sbmltd.ca

May 25, 2022

SBM-22-0354

Christine Strupat, Development Services Technician/Assistant Planner 87 John Street South Aylmer, ON N5H 2C3

# RE: Zoning By-law Amendment application – submitted by SBM Ltd. on behalf of Kelsey Berkelmans to facilitate a surplus farm dwelling severance at 11644 Carter Road, Malahide

Please accept this cover letter and associated materials for the subject Zoning By-law Amendment (ZBA) application. This is a digital submission only. Please note that the consent application is being submitted concurrently to the County of Elgin Land Division Committee. The consent to sever application is triggering the requirement for the subject application.

In addition to this cover letter, the following documents are being submitted digitally:

- 1) ZBA application form, including a signed authorization letter submitted by the subject property owners
- 2) Planning Justification Report, including Appendix C (Surplus Farm Severance Sketch) & Appendix D (Pre-Application Consultation Meeting Communication with Christine Strupat – email received March 22/22)

The required \$4,000 ZBA application fee/deposit will be paid by the Applicant (Kelsey Berkelmans) by the end of Friday, May 27.

Strik, Baldinelli, Moniz Ltd.

Please contact Simona Rasanu at <a href="mailto:srasanu@sbmltd.ca">srasanu@sbmltd.ca</a> or 519-471-6667 x 146 if you have any questions.

Respectfully submitted,

## Strik, Baldinelli, Moniz Ltd.

Planning • Civil • Structural • Mechanical • Electrical

Simona Rasanu, RPP, MCIP Planner

| 1. | Registered Owner's<br>Name:          | Frank and Sheryl Berkelmans                        |                             |                                   |  |
|----|--------------------------------------|--|-----------------------------|-----------------------------------|--|
|    | Address: 52900 Co                    | ollege Line, Aylmer, ON                            | ge Line, Aylmer, ON N5H 2R3 |                                   |  |
|    | Phone No.<br>(Home):                 | 519-617-0403<br>226-678-7444                       | Business:                   |                                   |  |
|    | Fax:                                 | Email:   | berksherfarms               | @gmail.com                        |  |
|    | Lot and Concession (<br>applicable): | (if  |                             |                                   |  |
|    |                                      | holders of mortgages, c<br>le the names and addres |                             | ncumbrances of the Subject<br>ns. |  |
| 2. | Applicant / Authoriz<br>Agent:       |  | o Simona Rasanu             | ,<br>                             |  |
|    | Address: 1599                        | Adelaide St N Unit 301                             | , London, ON N5>            | < 4E8                             |  |
|    | Telephone No.: 51                    | 9-471-6667 x 146                                   | Email                       | srasanu@sbmltd.ca                 |  |
|    | Please specify to w                  | hom all communications                             | should be sent:             |                                   |  |
|    | Registered Owner (                   | ) Applicant / Autho                                | rized Agent ( 🗸             |                                   |  |
| 3. | Legal Description o                  | f the land for which the a                         | amendment is requ           | uested:                           |  |
|    | Concession:                          | 9 N Lo   | t: Part                     | Lot 31                            |  |
|    | Reference Plan No:                   |  | Part Lot:                   |                                   |  |
|    | Street and Municipal                 | 110110   | arter Road                  |                                   |  |
|    | What is the size of r                | property which is subjec                           | t to this Applicatio        | n?                                |  |
|    | -                                    | <sup>2 (20.8 ha)</sup> Frontage:                   | 511 4                       | Depth: 408.5 (longest) m          |  |
|    | When were the subj<br>owner?         | ect lands acquired by th                           | e current                   | January 26, 2022                  |  |
|    |                                      |  |                             |                                   |  |

4. Existing Official Plan Elgin Official Plan: Agricultural Area; Malahide Official Plan: Agriculture Designation:

## How does the application conform to the Official Plan? Please see attached Planning Justification Report

#### 5. Existing Zoning By-law Classification:

General Agriculture (A1) Zone

### What are the current uses of the subject lands?

Agricultural in the form of cash crop farming (i.e., alfalfa, soybeans, wheat, and corn).

If known, provide the length of time these uses have continued on this property. Approximately 30 years

If there are any existing buildings or structures on the subject lands provide the following information:

| Please see<br>Severance<br>Sketch<br>attached to t | Type<br>the | Front Lot<br>Line<br>Setback | Side Lot<br>Line<br>Setbacks | Rear Lot<br>Line Setback | Height | Dimension<br>s |
|--|-------------|------------------------------|------------------------------|--------------------------|--------|----------------|
| Planning<br>Justification<br>Report                |             |                              |                              |                          |        |                |
|  |             |                              |                              |                          |        |                |
|  |             |                              |                              |                          |        | (              |

If known, provide the dates in which each of these buildings were constructed.

#### 6. What is the Nature and Extent of the Rezoning?

The existing zone is A1. The proposed severed parcel would be changed to the A4 Zone & the remaining farmland (i.e., retained parcel) would be changed to the A2 Zone to prohibit future residential buildings.

7. Why is the rezoning being requested?

The rezoning is required because of the proposed surplus farm dwelling severance.

| 8.   |                             | osed Zoning By-la<br>a settlement area        |   | nplement a growth   | boundary      | No              |
|--|-----------------------------|---|---|---|---------------|-----------------|
|  |                             | arately justification<br>ciated Official Plan |   | r the request based o   | on the currer | t Official Plan |
| 9.   | Doos the prope              | and amondmont                                 | romovo land from                              | n an area of emplo  | vmont?        | No              |
|  | If so, attach sepa          |   | or information for                            | the request based of  | -             | t Official Plan |
| 10.  | permitted uses<br>Land seve | , buildings or stru                           | <b>ictures to be ere</b><br>ew buildings or o | <b>this amendment is<br/>cted. (Be Specific)</b><br>changes to existing |               | i.e.            |
|  | For any propos information: | ed buildings or s                             | tructures on the                              | subject lands prov  | ide the follo | owing           |
| ease see<br>everance<br><etch< td=""><td>Туре</td><td>Front Lot<br/>Line<br/>Setback</td><td>Side Lot<br/>Line<br/>Setbacks</td><td>Rear Lot<br/>Line Setback</td><td>Height</td><td>Dimensions</td></etch<> | Туре                        | Front Lot<br>Line<br>Setback                  | Side Lot<br>Line<br>Setbacks                  | Rear Lot<br>Line Setback  | Height        | Dimensions      |
| tached to th<br>anning   | le                          |   |   |   |               |                 |

11. Services existing or proposed for the subject lands: Please indicate with a  $\checkmark$ 

Water Supply

Justification Report

Existing

Proposed

| Municipal Piped Water Supply     | (   | ) | ( | ) |
|----------------------------------|-----|---|---|---|
| Private Drilled Well             | ( 🗸 | ) | ( | ) |
| Private Dug Well                 | (   | ) | ( | ) |
| Communal Well                    | (   | ) | ( | ) |
| Lake or other Surface Water Body | (   | ) | ( | ) |
| Other                            | (   | ) | ( | ) |
|                                  |     |   |   |   |

| Sewage Disposal           | Existing | Pro | posed |
|---------------------------|----------|-----|-------|
| Municipal Sanitary Sewers | ( )      | (   | )     |
| Individual Septic System  | ( 🗸 )    | (   | )     |
| Communal System           | ( )      | (   | )     |
| Privy                     | ( )      | (   | )     |
| Other                     | ( )      | (   | )     |

Note: If the proposed development is on a private or communal system and generate more than 4500 litres of effluent per day, the applicant must include a servicing options report and a hydrogeological report.

| Are these reports attached?     | Not Applicable |
|---------------------------------|----------------|
| If not, where can they b found? | e              |
| Storm Drainage                  |                |
| Provisions:                     |                |

Proposed Outlet:

## 12. How will the property be accessed?

| Provincial Highway ( | ) | County Road ( | ) | Municipal Road – maintained all year 🗸 | ) |
|----------------------|---|---------------|---|--|---|
| Mathematic           |   |               |   |  |   |

Municipal Road – seasonally maintained ( ) Right-of-way ( ) Water ( )

If access is by water, do the parking and docking facilities exist, and what is the nearest public road?

#### 13. Has the subject land ever been the subject of an application under the Planning Act for:

Plan of Subdivision ( ) Consent

Zoning By-law Amendment () Ministers Zoning Order ()

If yes to any of the above, indicate the file number and status of the application.

Concurrent consent application is submitted.

**14.** How is the proposed amendment consistent with the Provincial Policy Statement 2005? Please see attached Planning Justification Report.

15. Are the subject lands within area designated under any Provincial Plan(s)? If the answer is yes, does the proposed amendment conform to the Provincial Plan(s)?

No

- 17. The Owner is required to attach the following information with the application and it will form part of the application. Applications will not be accepted without the following.
  - (a) A sketch based on an Ontario Land Surveyor description of the subject lands showing
    - the boundaries and dimension of the subject lands;
    - the location, size and type of all existing and proposed buildings and structures, indicating their setbacks from all lot lines, the location of driveways, parking or loading spaces, landscaping areas, planting strips, and other uses;

- the approximate location of all natural and artificial features (buildings, railways, roads, watercourses, drainage ditches, banks of rivers or streams, wetlands, wooded areas, wells and septic tanks) that are on the subject lands, adjacent to the subject lands, or in the opinion of the applicant may affect the application;
- the current uses of the land that is adjacent to the subject land;
- the location, width, and name of any roads within or abutting the subject land, indicating where it is an unopened road allowance, a public traveled road, a private road, or a right-of-way;
- the location of the parking and docking facilities to be used (if access will be by water only);
- the location and nature of any easement affecting the subject land.
- (b) Written comments from the Elgin St. Thomas Health Unit, Long Point Region Conservation Authority and Ministry of Transportation (if applicable).
- (c) If a private sewage system is necessary, pre-consultation with the Chief Building Official is required about the approval process
- 18. If this application is signed by an agent or solicitor on behalf of an applicant(s), the owner's written authorization must accompany the application. If the applicant is a corporation acting without an agent or solicitor the application must be signed by an officer of the corporation and the seal if any must be affixed.

Please see attached.

#### 19. Additional Information as required by Council

# 20. If this application is to accommodate the consent of a surplus farm dwelling, please provide the following information:

Date surplus farm dwelling was erected:

1975 (estimate)

Please provide the assessment roll number, location, and zoning of the farm parcel with which the subject lands is being consolidated.

52900 College Line (Malahide); 340800005021300; A3 Zone

## Municipal Freedom of Information Declaration

In accordance with the provisions of the <u>Planning Act</u>, it is the policy of the Township Planning Department to provide public access to all development applications and supporting documentation.

Personal information contained on this form is collected pursuant to the Planning Act, R.S.O. 1990, O.Reg 200/96 as amended and will be used for the purpose of determining permission for re-zoning. The personal information collected will be maintained in accordance with the provisions of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56, as amended.

In submitting this development application and supporting documentation, I Francis (Frank) Berkelmans / Sherry ( CSherry) Berkelman

the owner/authorized applicant, hereby acknowledge the above-noted policy and provide my consent, in accordance with the provisions of the Municipal Freedom of Information and Protection of Privacy Act, that the information on this application and any supporting documentation provided by myself, my agents, consultants and solicitors, will be part of the public record and will also be available to the general public.

I hereby authorize the Township of Malahide to post a Change of Use sign and municipal staff to have access to the subject site for purposes of evaluation of the subject application.

05 23 2022 Signature Day Month Year

| 11 We, Francis Berk                     | elmans, of the        | Springfiel LI Aylmer<br>Town/Township/City/Village etc. |
|---|-----------------------|---|
| of <u>malahide</u><br>Municipality Name | , in the county<br>of | , do solemnly declare:                                  |

- (i) that I / We am / are the owner(s) of the lands described above
- (ii) that to the best of my / our knowledge and belief, all of the information and statements given in this application and in all exhibits transmitted are true.
- (iii) SBM Ltd. (c/o Simona Rasanu) to act as an Agent on my/our behalf in all aspects of this application.

And I / We make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath, and by virtue of the *"Canada Evidence Act"*.

| DECLARED BEFORE M               | E at the:   | Staran        |
|---------------------------------|---|---------------|
| City                            | of London   | Owner / Agent |
| ہ<br>in the County/Region<br>of | Middlesex this 25   | th            |
| day of                          | 20 22.  |               |
| F                               |   | Owner / Agent |
| and                             | AARON CORNELIS AUGUSTUS STRIK,<br>a Commissioner, etc., Province of Ontario,<br>for Strik, Baldinelli, Moniz Ltd. |               |
| A Commissioner, etc.            | and SBM Geomatics Ltd.<br>Expires November 30, 2023.  |               |

TOWNSHIP OF MALAHIDE 87 John St. S. Aylmer, ON N5H 2C3

Attention: Development Services

#### Re: Application for Consent to Sever and Zoning By-law Amendment 11644 Carter Road, Township of Malahide

We are the registered owners of the lands which are the subject of the above-described applications. Please consider this correspondence as my authorization for **Strik**, **Baldinelli**, **Moniz Ltd. (SBM) (c/o Simona Rasanu)** to act on all matters with respect to the accompanying applications as well as any related planning applications.

Yours truly,

Francis Berkelmans

Signature

Date 05/23/2022

Sheryl Berkelmans

Sullefm Signature

Date 05/23/2022



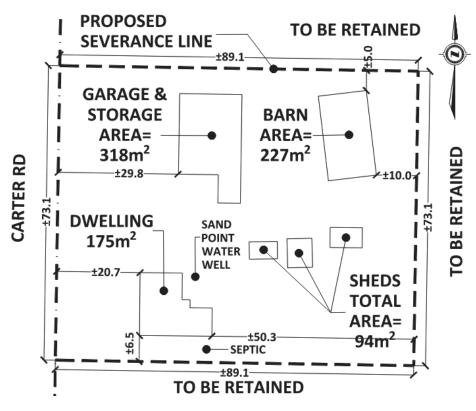
# PLANNING JUSTIFICATION REPORT 11644 CARTER ROAD, MALAHIDE

PROPOSED ZONING BY-LAW AMENDMENT AND CONSENT TO SEVER DEVELOPMENT APPLICATIONS TO PERMIT A SURPLUS FARM DWELLING SEVERANCE

Prepared for: Kelsey Berkelmans 52900 College Line Aylmer, ON N5H 2R3 Prepared by: Strik, Baldinelli, Moniz Ltd. #301, 1599 Adelaide Street North London, ON N6B 2H8

SBM-22-0354

May 2022





### LONDON LOCATION

58

1599 Adelaide Street N. Unit 301 London, Ont, N5X 4E8 P: 519.471.6667

#### KITCHENER LOCATION

1415 Huron Rd. Unit 225 Kitchener, Ont, N2R 0L3 P: 519.725.8093

www.sbmltd.ca

sbm@sbmltd.ca

25 May 2022 SBM-22-0354

Attn: Christine Strupat, Development Services Technician/Assistant Planner Township of Malahide 87 John Street South Aylmer, ON N5H 2C3

## RE: Planning Justification Report – 11644 Carter Road, Malahide, Elgin County

Strik, Baldinelli, Moniz Ltd. has been retained by Kelsey Berkelmans (the "Applicant") to prepare and submit Zoning By-law Amendment and Consent to Sever applications for the property municipally known as 11644 Carter Road located in northeast Malahide to permit a surplus farm dwelling severance.

This report provides a review and analysis of the applicable relevant policies in support of the proposed Zoning By-law Amendment and consent applications, which are being submitted concurrently. The consent application will be submitted to Elgin County, as required. Should you have any questions or require additional information, please do not hesitate to contact the undersigned.

Respectfully submitted,

## Strik, Baldinelli, Moniz Ltd.

Planning • Civil • Structural • Mechanical • Electrical

Laverne Kirkness, BES, RPP, MCIP Principal Planner, Planning Division Manager

Simona Rasanu, RPP, MCIP Planner

Planning Justification Report – 11644 Carter Road, Malahide, Elgin County

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## 1 INTRODUCTION

The purpose of the following land use Planning Justification Report is to evaluate a proposed Zoning By-Law Amendment and Consent to Sever applications within the context of existing land use policies and regulations, including the *Planning Act*, Provincial Policy Statement, County of Elgin Official Plan, the Malahide Official Plan, and the Malahide Zoning By-law.

The report demonstrates that the applications are in keeping with Provincial, County and Municipal land use planning policies, are suitable for the subject lands, and would be compatible with neighbouring land uses. This report and associated appendices are intended to comprise a "Complete" Application and are reflective of the discussions and correspondence that have been held prior to this formal submission. Although a pre-application consultation meeting was requested with Township of Malahide staff, or their delegates, it was not deemed necessary by staff. Email correspondence between the agent and Malahide staff (i.e., Christine Strupat) dated March 22/22 is attached as Appendix D.

## 2 SITE DESCRIPTION

The Subject Property is a rural farm property in northeast Malahide, Elgin County, located on the east side of Carter Road between Pressey Line to the north and College Line to the south (see **Figure 1** in Appendix A). It is a regularly shaped parcel with an area of 20.8 hectares and a lot frontage of 511.4 metres.

A site visit of the Subject Property was conducted on January 31, 2022, and the photos in Appendix B were taken. The central portion is improved with the main farm dwelling, which is estimated to be constructed in 1975 (see **photo no.2**) and five (5) accessory structures. The accessory structures are the following: garage & storage building (see **photo no.3**), barn (see **photo no.4**, which also shows a temporary trailer) and three sheds (see **photo no.5**). The areas of each of these structures are identified on the Surplus Farm Severance Sketch in Appendix C (the "Severance Sketch"). Additional information about the accessory structures is provided in Section 4 below.

The Subject Property was purchased in January 2022 by the parents of the Applicant and is being actively used for cash crop farming (i.e., alfalfa, soybeans, wheat, and corn). These agricultural uses have been ongoing for approximately 30 years. The Subject Property is accessed from Carter Road. It is serviced by one septic system and one water well – locations are shown on the Severance Sketch.

Elgin County aerial mapping identifies a municipal drain (G.A. Moore Drain No. 2) crossing the southeast portion of the Subject Property – the southeast corner is also identified as subject to Catfish Creek Conservation Authority Regulation Limits (see **Figure 2** in Appendix A).

## 3 SURROUNDING CONTEXT

The surrounding land uses are rural and agricultural interspersed with forested/woodland areas, particularly to the west and north of the Subject Property. Aerial mapping shows a variety of parcel shapes and sizes. According to the Applicant, the property across the street from the Subject Property – 11631 Carter Road – has livestock

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facilities that house a variety of animals (e.g., horses, goats, sheep, and chickens). This fact will be addressed below in Section 5 of this report.

#### 4 DEVELOPMENT PROPOSAL

A surplus farm dwelling severance is proposed whereby the lands improved with the existing buildings on the Subject Property, including the dwelling, will be severed to create the severed parcel, while the agricultural land portion of the Subject Property will remain as is to form the retained parcel. As shown on the Severance Sketch, the severed parcel is proposed to have an area of 6,515.9 square metres while the retained parcel would have an area of 20.1 hectares (the "Severance Proposal"). Both parcels would have street access from Carter Road, a local road.

The severed parcel is surplus to the Subject Property because its owners currently farm the agricultural portion of the land, which they previously leased for approximately 25 years, but live at their home farm located 2 kilometres east of the Subject Property. As a result of this farm consolidation, the owners have no use for the dwelling and the accessory structures associated with the Subject Property. The Applicant is the daughter of the current owners and the severed parcel, if approved, *may* be transferred to her in the future.

The Severance Sketch illustrates the existing buildings identified in Section 2 of this report, namely the dwelling (i.e., one-storey bungalow), the garage/storage building, the barn and three small sheds. The bungalow is a habitable residential building currently occupied by a tenant. The rear barn is currently vacant/empty – the Applicant plans to use it for storage in the immediate future. The garage/storage building would be used for the storage of vehicles, as well as for yard and recreational equipment such as lawn mowers, snowmobile, and trailers. The three small sheds were previously used for storage but are currently vacant. The Applicant has advised that one or two of these sheds may be removed in the future. The Applicant has also advised that there are no immediate plans to build new structures, and that no new land uses are proposed.

#### 5 PLANNING FRAMEWORK

#### 5.1 Existing Planning Framework

The existing planning framework includes the *Planning Act, 1990*, the Provincial Policy Statement (2020); the County of Elgin Official Plan (2015); the Malahide Official Plan (2013), and the Malahide Zoning By-law (2021).

#### 5.2 Required Planning Applications

A Consent to Sever application is required to facilitate the Severance Proposal, which triggers a Zoning By-law Amendment application to rezone the severed lands with the surplus dwelling and accessory structures from the existing General Agricultural (A1) Zone to the Small Lot Agricultural Zone (A4) Zone. Moreover, as required by the PPS, the County Official Plan and the Malahide Official Plan, the retained lands would be rezoned from the A1 Zone to the Special Agriculture (A2) Zone to reflect the prohibition against new residential dwellings on the retained agricultural lands. Further details will be provided below in the zoning analysis of this report.

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#### 5.3 Planning Act

The *Planning Act, 1990*, as amended, is the provincial legislation that outlines how land use planning can be practiced in Ontario – it sets out rules and regulations which describe requirements for planning processes, how land uses may be controlled and by whom. Section 51(24) of the *Planning Act* outlines the criteria that need to be considered when evaluating consent applications, including the effect of the proposed subdivision on matters of provincial interest; the dimensions and shapes of the proposed lots; the suitability of the land for the purposes for which it is subdivided; and whether the plan conforms to the official plan and any adjacent plans of subdivision.

The Severance Proposal is a surplus farm dwelling consent to dispose of the farm dwelling and existing associated accessory structures that are not required by the owners to support the agricultural use as they own and live at a nearby farm. The lot size of the retained parcel would be 20.1 hectares, which complies with the minimum lot size of 20 hectares required by the A2 Zone, and the lot frontage would be 438.2 metres, or almost three times the required lot frontage of 150 metres. No variances have been identified for the retained parcel. The proposed severance would have no impact on the agricultural viability of the retained parcel and it would continue to be used for agricultural purposes. The proposed severed parcel is suitable for its proposed residential use – it has a habitable dwelling and a private water well and septic tank identified on the Severance Sketch in satisfactory condition. As Section 5.5 and 5.6 of this report will indicate, the Severance Proposal conforms to the County and Municipal Official Plan. In summary, the Severance Proposal conforms to 51(24) of the *Planning Act*.

#### 5.4 Provincial Policy Statement (2020)

Any land use planning decision shall be consistent with the Provincial Policy Statement (PPS). The PPS provides direction for municipalities to promote efficient development and land use patterns, including intensification, and a wide array of residential types (Policy 1.1.1). It also directs municipalities to focus new growth and development to settlement areas to best utilize infrastructure, minimize impacts of climate change, and efficiently use land and resources (Section 1.1.3). When development in rural settlement areas is proposed, consideration must be given to the rural characteristics, scale of development and the availability of appropriate services (Policy 1.1.4.3).

The Subject Property is an existing farm in the Township of Malahide located in what the PPS defines as "prime agricultural areas". Section 2.3.4 has policies respecting lot creation in these areas. Section 2.3.4.1 states the following:

# Lot creation in prime agricultural areas is discouraged and may only be permitted for:

a) agricultural uses, provided that the lots are of a size appropriate for the type of agricultural use(s) common in the area and are sufficiently large to maintain flexibility for future changes in the type or size of agricultural operations;
b) agriculture-related uses, provided that any new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services;

*c*) a residence surplus to a farming operation as a result of farm consolidation, provided that:

1. the new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services; and

2. the planning authority ensures that new residential dwellings are prohibited on any remnant parcel of farmland created by the severance. The approach used to ensure that no new residential dwellings are permitted on the remnant parcel may be recommended by the Province, or based on municipal approaches which achieve the same objective; and

*d) infrastructure, where the facility or corridor cannot be accommodated through the use of easements or rights-of-way.* 

As noted above, Section 2.3.4.1c) specifically addresses surplus farm dwelling severances. The dwelling associated with the Severance Proposal meets the definition of a "residence surplus to a farming operation", which is defined as follows: "means an existing habitable farm residence that is rendered surplus as a result of farm consolidation (the acquisition of additional farm parcels to be operated as one farm operation)."

The severed parcel (i.e., new lot) would have a lot area of 6,515.9 square metres, which exceeds the minimum lot size of 2,000 square metres for the proposed new zone (i.e., A4). This size is sufficient to accommodate the private water and sewage services identified on the Severance Sketch. The retained parcel does not have existing buildings, is not proposed to have any new residential buildings, and will be rezoned to reflect this in accordance with PPS Section 2.4.4.4c)2. In summary, the Severance Proposal is consistent with the PPS.

### 5.5 County of Elgin Official Plan

The Township of Malahide is one of seven municipalities within Elgin County. The County Official Plan (Schedule 'A' Land Use) designates the Subject Property as Agricultural Area (see **Figure 3** in Appendix A). These lands are characterized as the County's "*prime agricultural area*", unless otherwise provided for in lower tier Official Plans (Section C2.2). Permitted uses include a) agricultural uses; b) a single detached dwelling in conjunction with an agricultural use; c) a single detached dwelling on an existing vacant lot, subject to the policies of the lower tier Official Plan; d) accessory accommodation subject to Section C2.5; e) agriculture-related uses subject to Section C2.6; f) secondary uses subject to Section C2.7, among others (Section C2.3). Section E1.2.3 outlines policies respecting the creation of new lots on lands designated Agricultural Area.

Section E1.2.3.1 outlines general criteria for consent applications. The criteria will be outlined, and responses provided:

a) fronts on and will be directly accessed by a public road that is maintained on a year-round basis;

Response: The Subject Property has access onto Carter Road, which is classified as a local road on Schedule 'B' of the Elgin Official Plan. The proposed severed and retained parcel would continue to have access onto this road.

b) does not have direct access to a Provincial Highway or County Road, unless the Province or the County permits a request for access;

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Response: As noted above, the proposed severed and retained parcels would have access via Carter Road, a local road.

c) will not cause a traffic hazard;

Response: The severed parcel would continue to use the existing gravel access to enter the property. If necessary, a separate access for farm machinery can be created for the retained parcel from Carter Road. There is no reason to believe that the Severance proposal would cause a traffic hazard.

d) has adequate size and frontage for the proposed use in accordance with the local municipal Zoning Bylaw;

Response: The lot areas/size and lot frontage of the two proposed parcels are shown on the Severance Sketch. Both metrics comply with the Malahide Zoning By-law standards.

*e)* notwithstanding *d*) above, where a zoning by-law amendment or minor variance is required, approval of such amendment or variance shall be included as a condition of the approval of the consent;

Response: A Zoning By-law Amendment application is required and will be submitted concurrently to ensure the zoning for the severed parcel is appropriate for its new non-agricultural use.

f) can be serviced with an appropriate water supply and means of sewage disposal, provided there is confirmation of sufficient reserve sewage system capacity and reserve water system capacity within municipal sewage services and municipal water services;

Response: The Severance Sketch identifies the existing private septic tank and water well, which would be located entirely within the severed parcel boundaries. The Elgin County consent form requires documentation confirming that the private services are in satisfactory condition and these documents are included in the submission package.

g) will not have a negative impact on the drainage patterns in the area;

Response: The Severance Proposal would have no impact on the area drainage patterns.

*h)* will not restrict the development of the retained lands or other parcels of land, particularly as it relates to the provision of access, if they are designated for development by this Plan;

Response: The Severance Proposal conforms to this criterion.

*i)* will not have a negative impact on the significant features and functions of any natural heritage feature; in this regard, lots should be restricted in size in order to conserve other lands in larger blocks for natural heritage purposes; Response: The Subject Property does not appear to be subject to any natural heritage designations as per Appendix #1 Natural Heritage Features and Areas of the County Official Plan. As such, the Severance Proposal would not have any negative impacts on natural heritage features or functions.

*j)* will not have a negative impact on the quality and quantity of groundwater available for other uses in the area;

Response: The Severance Proposal would have no impact on the quantity and quality of area groundwater.

*k)* will not have an adverse effect on natural hazard processes such as flooding and erosion;

Response: The Severance Proposal would have no negative impacts on natural hazard processes.

I) conform with the local Official Plan; and,

Response: Section 5.6 of this report will undertake an analysis of the relevant Malahide Official Plan policies and outline how the Severance Proposal would conform.

m) will conform to Section 51 (24) of the Planning Act, as amended.

Response: As noted in Section 5.3 of this report, the Severance Proposal would conform to Section 51(24) of the *Planning Act*.

Section E1.2.3.4 of the County Official Plan addresses lot creation on lands in the Agriculture Area designation. Policy E1.2.3.4.a) is not relevant as the severed parcel would not be a new farm lot. Policy E1.2.3.4.c) is also not relevant as the new lot is not required for an "agriculture-related use" as outlined in Section C2.6 of the Official Plan. Policy E1.2.3.4b) is relevant and seems to be the only County policy referencing surplus farm dwelling severances:

In accordance with the intent of this Plan to maintain and protect the agricultural resource of the County and direct the majority of new residential growth to settlement areas or existing vacant building lots, new lots may be permitted if the local Official Plan supports their creation and if:

b) the lot is to be created to accommodate a habitable residence that has become surplus to a farming operation as a result of a farm consolidation provided that the development of a new residential use is prohibited on any retained parcel of farmland created by the consent to sever, unless the retained parcel is the product of the merging in title of two adjacent agricultural parcels in which case a dwelling unit would be permitted as part of the operation;

The proposed severed parcel has a habitable dwelling/residence that is surplus to the farming operations of the owners. The owners only require the retained parcel to continue farming the lands and a new residential building on the retained parcel is not proposed. Furthermore, as part of the Zoning By-law Amendment process, the zoning

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of the retained parcel can be changed from the existing General Agriculture (A1) Zone to a Special Agriculture (A2) Zone) to reflect the prohibition against new dwellings on the remaining agricultural lands. In summary, the Severance Proposal conforms to the Elgin County Official Plan.

#### 5.6 Malahide Official Plan

The Subject Property is designated Agriculture in the Malahide Official Plan (Schedule 'A1' Land Use) (see **Figure 4** in Appendix A). These lands are classified as "*prime agricultural areas*" (Policy 2.1.2.1) – uses include may include surplus farm dwellings on separate lots. Section 2.1.7 outlines policies respecting farm consolidation and the severance of surplus farm dwellings. The policies will be individually identified and addressed with a response.

Policy 2.1.7.1 (amended by OPA Nos. 10 & 17) states the following:

In accordance with the Provincial Policy Statement, farm consolidation shall mean the acquisition of additional farm parcels to be operated as one farm operation. Farm consolidation may result in the identification of existing farm dwellings which are rendered surplus to the consolidated farm operation. Consents to sever and convey existing farm dwellings which were built and occupied for a minimum of ten years, and which are surplus to a consolidated farm operation, may be permitted within the Agriculture designation in accordance with the following policies:

a) In the opinion of Council, a land use conflict shall not be created with agricultural operations or other existing land uses in the immediate area of the subject lands;

Response: The existing residential dwelling has been located on the same lot as the agricultural operations to the rear without any apparent existing conflicts for more than 10 years and there is no reason to believe that the Severance Proposal would create any new land use conflicts.

Policy 2.1.7.2 states the following:

The severed lot with the surplus farm dwelling <u>shall (original underlined)</u>: a) Be large enough to support a private sanitary sewage treatment and disposal system as determined by the appropriate approval authority, and be serviced by a potable water supply; b) Be situated within approximately 100 metres of an opened travelled road and should not be positioned so as to require cultivatable farmland as part of the severed lot. c) Meet the provisions of the applicable Minimum Distance Separation formula of OMAFRA; d) Be rezoned in a Special Agricultural Zone in the Zoning By-law.

#### Responses:

- a) As previously noted, the severed parcel would be supplied with potable water from the existing private water well and serviced by a private septic system documents confirming the functionality of these services are included with the consent application submission package, as required by Elgin County.
- b) The proposed severed lot fronts onto an opened travelled road (i.e., Carter Road) and does not include cultivatable farmland as part of the severed lot.
- c) The Severance Proposal is exempt from MDS 1 for the following reasons:

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- The Elgin County consent application form requires an MDS calculation if there are livestock barns
  within 750 metres of the <u>dwelling on the retained lands</u> pursuant to OMAFRA *The Minimum Distance Separation (MDS) Document Formulae and Guidelines for Livestock Facility and Anaerobic* (the "MDS
  Document") Implementation Guideline #6. However, the existing dwelling is on the <u>severed lands</u>, not
  on the retained lands.
- The MDS Document Implementation #9 should apply and supersede Implementation Guideline 6 in the case of a surplus farm dwelling severance. As mentioned in Section 3 of this report, a property located across the road from the Subject Property (i.e., 11631 Carter Road) has livestock facilities that house a variety of animals. Implementation #9 says the following:

Where the existing dwelling to be severed and the nearby livestock facility or anaerobic digester are located on separate lots prior to the consent, an MDS I setback is not required for the consent application (or associated rezoning) unless otherwise required by a municipal official plan policy. This is because a potential odour conflict may already exist between those surrounding livestock facilities or anaerobic digesters and the existing dwelling.

• Policy 2.1.3.2 of the Malahide Official Plan seems to exempt surplus farm dwelling severances from the MDS Formulae.

Finally, in response to Policy 2.1.7.2d), the severed parcel is proposed to be rezoned to Small Lot Agricultural Zone (A4) Zone. Further details are provided in Section 5.7 of this report.

Policy 2.1.7.3 states the following:

The severed lot with the surplus farm dwelling <u>may</u> (original underlined): a) Include accessory buildings and structures if in the opinion of Township Council a land use conflict will not be created. Farm buildings which may be incompatible with the existing dwelling on the lot proposed to be severed may be required to be removed as a condition of the severance. Their location on the farm and the structural condition of such farm buildings will be evaluated as part of the planning process.

Response: As noted in Section 4 of this report and identified on the Severance Sketch, there are currently five accessory structures on the Subject Property that are proposed to be incorporated into the boundaries of the severed parcel. Although some of these structures may be removed in the future, the Applicant prefers to keep the existing structures on the severed parcel to have the flexibility to potentially engage in small-scale agricultural uses such as raising a few chickens for personal consumption that would be permissible under the proposed Small Lot Agricultural (A4) Zone.

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#### Policy 2.1.7.4 states the following:

The parcel of property constituting the retained agricultural lands shall:

a) Comprise a size appropriate for the type of agricultural use(s) common in the area and be sufficiently large to maintain flexibility for future changes in the type or size of agricultural operation;

*b)* Meet the provisions of the Agricultural (A1) or Special Agricultural (A2) Zone regulations of the Zoning By-law;

c) Be rezoned to prohibit the placement, development, or establishment of any additional type or form of residential dwelling units thereon, regardless of changes in property boundary or ownership.

#### Responses:

- a) The lands associated with the retained parcel are the same lands currently under cultivation so the Severance Proposal would have no effect on the agricultural operations. The severed parcel complies with the proposed A2 Zone minimum lot area of 20 hectares, which is the same minimum lot area as the existing A1 Zone.
- b) As shown on the Severance Sketch, the retained parcel would comply with the A2 Zone regulations of the Malahide Zoning By-law.
- c) As noted above, the retained parcel would be rezoned from the existing A1 Zone to the A2 Zone to conform to this policy.

Based on the foregoing arguments, the Severance Proposal would conform to the Malahide Official Plan.

#### 5.7 Zoning Analysis and Proposed Zoning By-law Amendment

The Malahide Zoning By-law has four agricultural zones: General Agriculture (A1) Zone, Special Agricultural (A2) Zone, Large Lot Agricultural (A3) Zone, and the Small Lot Agricultural (A4) Zone. The Subject Property is currently zoned A1 (see **Figure 5** in Appendix A).

The surplus farm dwelling severance triggers a Zoning By-law Amendment application to change the zone of the severed parcel from A1 to a zone with a primary residential use – the two options are the Rural Residential (RR) Zone and the A4 Zone. The A4 Zone is proposed for several reasons, as identified below:

- a) As per the Malahide Zoning By-law, lots within the RR Zone are generally under 4,000 square metres and the severed parcel would be 6,515.9 square metres.
- b) As shown on the Severance Sketch, there are several existing accessory structures on the proposed severed parcel the Applicant would like to retain;

c) The Applicant has indicated a desire to potentially raise livestock such as chickens for personal consumption (i.e., backyard chicken farming) and this use would be prohibited in the RR Zone but permissible in the A4 Zone.

Moreover, to conform to surplus farm dwelling policies that require the retained farm parcel to prohibit subsequent residential dwellings, it is proposed that the zoning of the retained agricultural lands be changed from the existing A1 Zone to the A2 Zone. The alternative is to retain the existing A1 Zone and add a special provision prohibiting any future residential buildings on the retained parcel. However, since the A2 Zone exists and contemplates a surplus farm dwelling severance, the proposed zone change is likely the preferred option.

The Severance Sketch provides zoning data charts for each of the severed and retained parcels to assist with the Zoning By-law Amendment analysis. No variances are identified for the retained parcel. The severed parcel identifies variances for the accessory structures – floor area (i.e., 318 square metres is provided whereas the maximum is 200 square metres) and height. The height of the garage/storage building and the barn are both over 6 metres when measured to the roof peak and likely over 6 metres if measured as per the Zoning By-law. These variances are existing conditions. If they cannot be deemed "legally not conforming" due to the proposed severance, then special provisions will be required to legitimize them.

A Zoning By-law Amendment applicant would be submitted at the same time as the consent application, and it is acknowledged that any consent approval would be conditional upon a successful rezoning of the Subject Property.

#### 6 <u>CLOSING</u>

Based on a review of the relevant policies and regulatory framework for the Subject Property, the proposed Consent to Sever and Zoning By-law Amendment applications are justified for the following reasons:

- The Severance Proposal is a surplus farm dwelling severance where the owners of the Subject Property own multiple farm properties, including a nearby home farm, and seek to dispose of the existing residence and associated structures on the Subject Property that not required for their farm operations by the new lot (i.e., the severed parcel). The retained parcel would continue to be used for farming activities, as it has been for decades. The severed parcel would not include any cultivated lands.
- The Severance Proposal is consistent with the PPS and conforms with the *Planning Act*, Elgin County Official Plan and the Malahide Official Plan.

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For the reasons noted above and throughout this report, the proposed Consent to Sever and Zoning By-law Amendment applications represent sound land use planning practice.

### Strik, Baldinelli, Moniz Ltd.

Planning • Civil • Structural • Mechanical • Electrical

asan

Simona Rasanu, RPP, MCIP Planner

## Appendix A: Figures 1-5

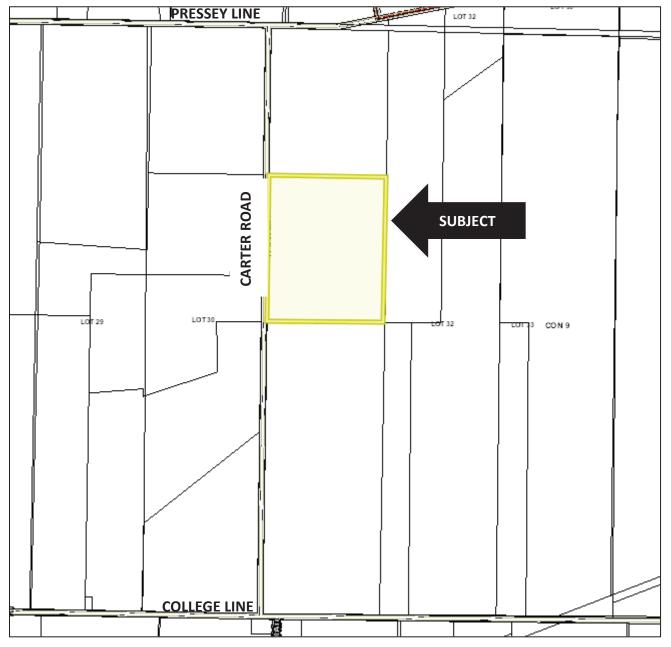


Figure 1. Subject Property (Source: Elgin Mapping)

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**Figure 2**. Aerial view of Subject Property showing municipal drain and Catfish Creek Conservation Authority regulation limits (Source: Elgin Mapping)

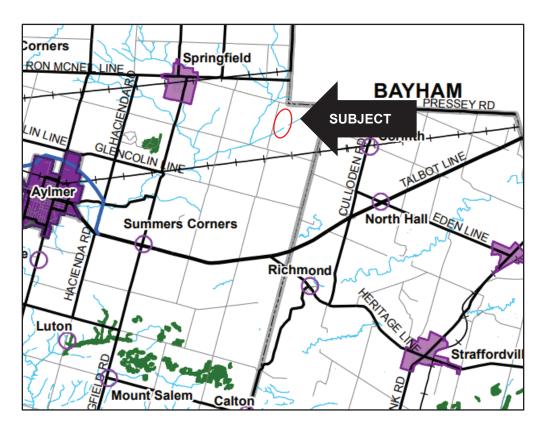


Figure 3. Elgin County Official Plan land use designation – Agricultural Area (Source: Schedule 'A' Land Use).



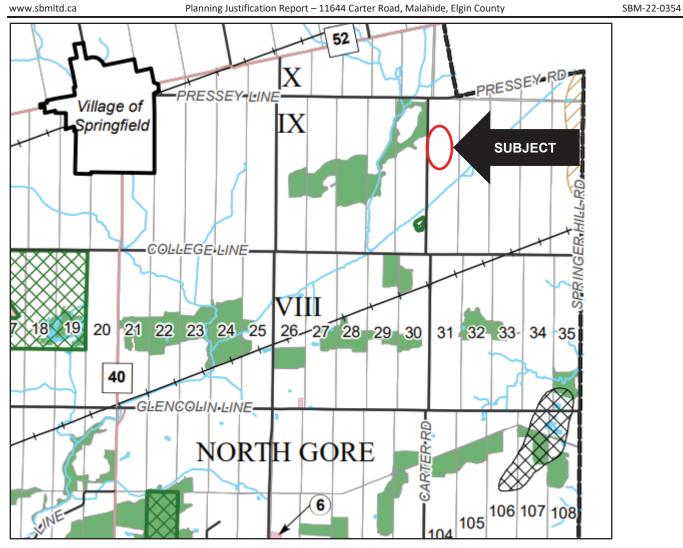
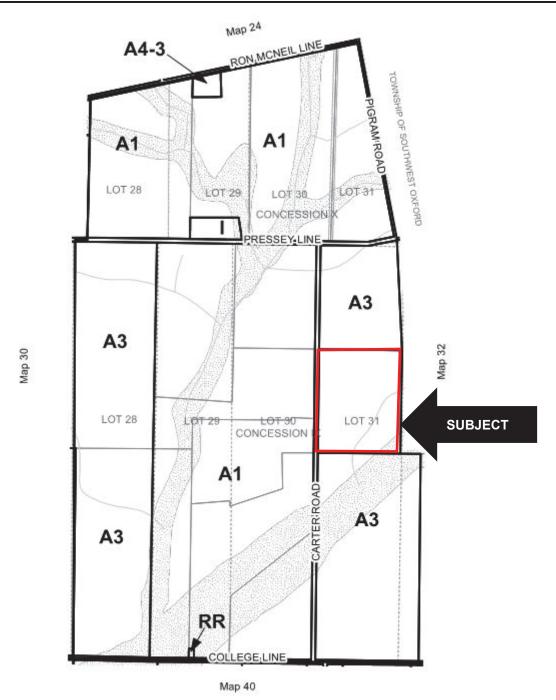
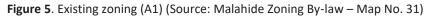


Figure 4. Malahide Official Plan land use designation – Agriculture (Source: Schedule 'A1' Land Use).





#### Appendix B -Photos Nos. 1-6



Photo No. 1 – Entrance to Subject Property looking east across Carter Road



Photo No. 2 – Subject Property Dwelling.



Photo No. 3 – Garage/storage building (accessory structure)



Photo No. 4 – Trailer and barn (accessory structure)



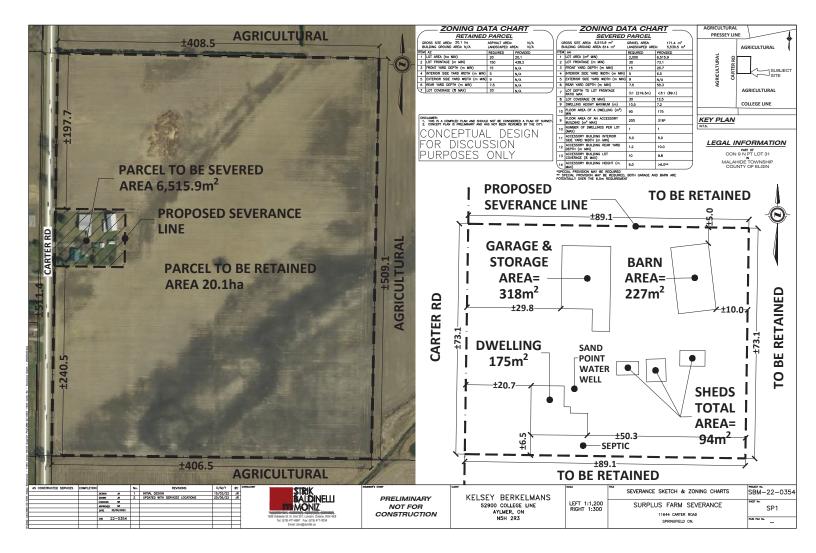
Photo No. 5 – Three sheds (accessory structures)



**Photo No. 6** – Rear of proposed severed parcel looking at the retained parcel to the east (i.e., farmland). Southern portion of the barn is also shown in the photo.

Appendix C – Surplus Farm Severance Sketch

Appendix D – Pre-Application Consultation Meeting Communication with Christine Strupat (email received March 22/22)



|    | ElginCo               | unty                                   | Kelsey B         | <b>E 49-</b><br>erkelmans (Frank<br>43841 Talb | & Sheryl Berkelmans)      |
|----|-----------------------|--|------------------|--|---------------------------|
|    |                       | APPLICATIO                             | ON FOR CON       | SENT   |                           |
| 1. | Name of Approval Aut  | thorityELGIN COUN                      | TY LAND DIVI     | SION COMMITTE                                  | E                         |
| 2. | (a) Name of Owner     | Frank and Sheryl B                     | erkelmans        |  |                           |
|    | Address               | 52900 College Line                     | e, Aylmer, O     | N N5H 2R3                                      |                           |
|    | Telephone Number      | 519-617-0403                           | Email            |  | ns@gmail.com              |
| 2. | (b) Name of owner's   | solicitor or authorized ac             | gent_SBM Lt      | d. (c/o Simona                                 | a Rasanu)                 |
|    | Address               | 1599 Adelaide St N U                   | nit 301, Londo   | n, ON N5X 4E8                                  |                           |
|    | Telephone Number      | 519-471-6667 x 146                     | Email            | srasanu@sbml                                   | td.ca                     |
| 2. | (c) Name of Applican  | t Kelsey Berkelmans                    | 3                |  |                           |
|    | Address               | 52900 College Line, A                  | ylmer, ON N5     | H 2R3  |                           |
|    | Telephone Number      | 519-495-8924                           | Email            | kelsey_berkelm                                 | ans@hotmail.com           |
|    | Relationship to Owne  | er: Purchasing Farmer (                | ]) Other ( 🗹 ) p | lease specify D                                | aughter of owners         |
|    | Please specify to who | m all communications shou              | Ild be sent:     |  |                           |
|    | Owner(s) (            | Solicitor (                            | gent (🗹)         | Applicant                                      | ( )                       |
|    | AUTHORIZATION TO      | APPOINT AN AGENT n<br>behalf of the la | •                | -  | or solicitor is acting or |
| 3. | (a) Type and purpose  | e of proposed transaction:             | (check appropr   | iate space)                                    |                           |
|    | Transfer:             | creation of a new                      | lot Other        | r:   | mortgage/charge           |
|    |                       | addition to a lot                      |                  |  | lease                     |
|    |                       | surplus farm dwe                       | elling**         |  | easement/R.O.W.           |
|    |                       | technical several                      | nce              |  | correction of title       |
|    |                       | other (specify)                        |                  |  |                           |

\*\* If the application involves the severance of a surplus farmhouse (through farm consolidation), please complete and submit attached Appendix "B" – "Surplus Farm Dwelling Information Form."

- (b) Name of person(s), if known, to whom land or interest in land is to be transferred, leased or charged:
- (c) If a lot addition, identify the assessment roll number and property owner of the lands to which the parcel will be added:

5

| 4. | (a)        | Location of la Municipality  |   |                  | Concession No. 9 N                             |           |                        |
|----|------------|------------------------------|---|------------------|--|-----------|------------------------|
|    |            |                              | Part Lot 31   |                  | Registered Plan No                             |           |                        |
|    |            |                              | eet Carter Road   |                  | Street No. and/or 911 No                       | 1164      | 4                      |
|    |            |                              | Roll No. 340800005021                                   | 100              |  |           |                        |
|    | (b)        |                              | y easements or restrictive                              |                  | nts affecting the subject la                   | and?      |                        |
|    |            | Yes (D)<br>Unknown           | No ( ) If Yes, de                                       | escribe t        | he easement or covenant                        | and its   | s effect:              |
| 5. | Des        |                              | nd intended <b>to be severed</b><br>73.1 m              | : (Accu<br>Depth | 00.4   |           | 6,515.9 m2             |
|    |            | Frontage<br>Existing Use     | Decidential   | Depth            | Proposed Use Reside                            |           |                        |
|    |            |                              | use of buildings and struc<br>Surplus Farm Severance SI |                  |  | ification | Report                 |
|    |            | Proposed No                  | changes in the short term.                              |                  |  |           |                        |
| 6. | Des        | scription of lan<br>Frontage | id intended <b>to be retained</b><br>438.2 m            | : (Accu<br>Depth | 100 5 (1                                       |           | 20.1 ha                |
|    |            | Existing Use                 | Agriculture   |                  | Proposed Use Agricult                          |           |                        |
|    |            | Number and<br>Existing Non   | use of buildings and struc<br>e                         | tures or         | the land to be retained:                       |           |                        |
|    |            | Proposed_No                  |   |                  |  |           |                        |
| 7. | Nu         |                              | ots proposed (including r                               | etained          | lots) <u>2</u>                                 | _         |                        |
| 8. | Тур<br>ТҮІ |                              | or proposed and retained                                | lot: (           | check appropriate space<br><u>PROPOSED LOT</u> | e)        | RETAINED LOT           |
|    | Pro        | vincial Highw                | yay   |                  | (□)  |           | (□)                    |
|    | Mu         | nicipal road, r              | maintained all year                                     |                  | (🗹)  |           | (🖃)                    |
|    | Mu         | nicipal road, s              | seasonally maintained                                   |                  | (□)  |           | (□)                    |
|    | Oth        | ner public road              | d   |                  | (□)  |           | (□)                    |
|    | Rig        | ht Of Way                    |   |                  | (□)  |           | ( )                    |
|    | Wa         | ter access                   |   |                  | (□)  |           | ()                     |
|    |            | roposed acce<br>ecify)       | ss is by water, what boat                               | docking          | g and parking facilities a                     | re ava    | ilable on the mainland |

9.

| (a) What type of water supply is proposed: (che | ck appropriate space)                 |          |      |
|---|---------------------------------------|----------|------|
| TYPE  | PROPOSED LOT                          | RETAINED | LOT  |
| Publicly owned and operated piped water system  | (□)                                   | (□)      | None |
| Privately owned and operated individual well ** | ( 🗹 )                                 | (□)      |      |
| Privately owned and operated communal well **   | (□)                                   | (□)      |      |
| Lake or other water body                        | (□)                                   | (□)      |      |
| Other means (specify)                           | · · · · · · · · · · · · · · · · · · · |          |      |

(b) \*\* If existing water supply is provided from a privately owned and operated individual/ communal well, the owner shall be required to provide written confirmation from a licensed well installer that the private well provides the quality and quantity of potable water required by Provincial standards. (Written confirmation to be attached to the Application); AND

(c) \*\* A water quality test by the applicable public health unit is required (Written confirmation to be attached to the Application)

| 10. | (a) What type of sewage disposal is proposed:  | (check appropriate space) |            |      |
|-----|--|---------------------------|------------|------|
|     | TYPE   | PROPOSED LOT              | RETAINED   | LOT  |
|     | Publicly owned and operated sanitary sewage<br>system<br>Privately owned and operated individual septic<br>Tank ** | (□)<br>(ご)                | (□)<br>(□) | None |
|     | Privately owned and operated communal septic<br>System **  | (□)                       | ( )        |      |
|     | Other means (specify)  |                           |            |      |

(b) \*\*If existing sewage disposal is privately owned, the owner shall be required to provide written confirmation from a licensed septic installer that the system is in satisfactory operating condition. (Written confirmation to be attached to the Application)

**NOTE:** If 9(b), 9(c) and 10(b) are not provided, the application is not considered complete and the application will not be accepted until such time as the outstanding items have been provided and it is deemed complete.

- When will water supply and sewage disposal services be available? Both water supply and sewage disposal for the proposed new lot are existing.
- 12. What is the existing Official Plan designation(s) of the subject land? Elgin Official Plan: Agricultural Area; Malahide Official Plan: Agriculture
- What is the existing Zoning designation(s) of the subject land? General Agriculture (A1) Zone

|            | 85  |
|------------|---|
|            | the subject land ever been the subject of an application for approval of a plan of subdivision<br>er the Planning Act? Yes ( No ( ) Unknown ( )   |
| lf Y       | es, and known, provide the application file number and the decision made on the application   |
|            | nis application is a re-submission of a previous consent application, describe how it has been anged from the original application  |
| . (a)      | Has there been any previous severances of land from this holding?   |
|            | Yes ( ) No ( ) Unknown  |
| (b)        | If the answer to (a) is Yes, please indicate previous severances on the required sketch and supply the following information for each lot severed:  |
|            | Who the severance was granted to  |
|            | Use of parcel   |
|            | Date parcel created (Year)  |
| pre<br>Yes | his application is for a lot addition, has the lot to be enlarged ever been the subject of a vious severance?<br>() No ()<br>Yes, provide the previous severance File No.   |
|            |   |
| . (a)      | Are there any barns within 750 metres of the proposed severed lands?<br>Please see Planning Justification Report for why  |
|            | Yes (I) No (I) MDS 1 calculation is not required.   |
|            | <ul> <li>i) Now used for livestock?</li> <li>ii) Capable of being used for livestock?</li> <li>Yes (☑) No (□)</li> </ul>  |
| (b)        | If there are livestock barns located within 750 metres of the dwelling on the retained lands a MDS 1 calculation is required to be submitted with this application for consent pursuant to Minimum Distance Separation (MDS) document -Implementation Guideline #6. |
|            | he owner, solicitor, or agent applying for additional consents on this holding simultaneously<br>In this application, or considering applying for additional consents in the future?  |
|            | Yes () No ([7])   |

| Yes  |                         | No (🗾)   |             |
|--|-------------------------|--|-------------|
| lf Yes, and  | known, specify          | the Ministry file number and status of the application   |             |
| and the second sec |                         | ly the subject of an application for a zoning by-law amendme<br>nendment, minor variance, or approval of a plan of subdivision |             |
| Yes  |                         | No ()  |             |
|  |                         | the appropriate file number and status of the application being submitted concurrently.  | _           |
| · ·  |                         | sistent with the Provincial Policy Statement 2020 issued und<br>Planning Act?  | ler         |
| Yes  |                         | No ()  |             |
| for cor  | isent                   | s from the Provincial Policy Statement 2020 to support this a  | application |
| Please see   | attached Plann          | ing Justification Report.  | -           |
| and the second se  | ct land within a<br>(□) | n area designated under any provincial plan or plans?<br>No (I)  |             |
| f Yes, does  | the application         | n conform to or conflict with the applicable provincial plan or  | plans       |
| Did pre-cor<br>Yes   | isultation occur<br>(ビ) | r with the local Municipality and/or other agencies?<br>No (□)   |             |
|  |                         | and contact person<br>p of Malahide); March 22/22  |             |
|  |                         |  | 1000        |

26. The Owner/Applicant/Agent hereby consents to disclosure of the information contained in this Application pursuant to Section 32(b) of Bill 49, Chapter 63, S.O. 1989, being an Act to provide for Freedom of Information and Protection of Individual Privacy in Municipalities and Local Boards.

#### 27. DETAILED SKETCH:

The application shall be accompanied by a detailed sketch showing the following:

- the boundaries and dimensions of the subject land, the part that is to be severed and the part that is to be retained;
- the boundaries and dimensions of any land owned by the owner of the subject land and

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that abuts the subject land;

- the distance between the subject land and the nearest municipal lot line or landmark, such as a railway crossing or bridge;
- the location of all land previously severed from the parcel originally acquired by the current owner of the subject land;
- the approximate location of all natural and artificial features on the subject land and adjacent lands that in the opinion of the applicant may affect the application, such as buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas;
- the location of private wells and septic system must be located entirely within the boundaries of the lot to be created and shall comply with the Zoning By-Law setbacks;
- the location of private wells and septic system must be located entirely within the boundaries of the lot to be retained and shall comply with the Zoning By-Law setbacks;
- the existing use(s) on adjacent lands;
- the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right of way;
- if access to the subject land is by water only, the location of the parking and boat docking facilities to be used;
- the location and nature of any easement affecting the subject land.

| Dated at the | Coth            | 1              | of  | Londor                | 1      |
|--------------|-----------------|----------------|-----|-----------------------|--------|
|              | (Municipality/T | pwnship/City/e |     | (Name of Municipality |        |
| this         | 25th            | day of         | May | 20                    | 22_    |
|              | (day)           |                | (mo | nth)                  | (year) |
|              | 1               |                |     |                       |        |

SIGNATURE OF APPLICANT(S), SOLICITOR OR AUTHORIZED AGENT

AFFIDAVIT OR SWORN DECLARATION of the I/We (Municipality/Township/City/etc. (Applicant/Agent Name) in the County of of Municipality/Township/City/etc. (Name of solemnly declare that all the information contained in this application is true, and I/We make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under Oath and by virtue of the CANADA EVIDENCE ACT. DECLARED before me in the of (Name of Municipality/Township/City/etc.) (Municipality/Township/City/etc.) 25th day of \_\_\_\_\_\_a this in the (County/Region if applicable) Signature Signature AARON CORNELIS AUGUSTUS STRIK. a Commissioner, etc., Province of Ontario, for Strik, Baldinelli, Moniz Ltd. and SBM Geomatics Ltd. Expires November 30, 2023.

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A Commissioner, etc.

If this application is signed by an agent or solicitor on behalf of an applicant(s), the owner's authorization must accompany the application. If the applicant is a corporation acting without agent or solicitor, the application must be signed by an officer of the corporation and the seal, if any, must be affixed.

It is required that one copy of this application be filed, together with one copy of the detailed sketch described, with the responsible person, accompanied by a fee of – \$1,250.00 in cash or by cheque made payable to TREASURER, COUNTY OF ELGIN.

An additional fee of \$300.00 will be charged for affixing the consent stamp.

#### AUTHORIZATION TO APPOINT AN AGENT

**NOTE:** This form is only to be used for applications, which are to be signed by someone other than the owner(s).

To: Secretary-Treasurer Land Division Committee Corporation of the County of Elgin

Description and Address of Subject Lands:

#### 11644 Carter Road

#### 11644 Carter Road

I/We, the undersigned, being the registered owner(s) of the above lands hereby authorize

### SBM Ltd. (c/o Simona Rasanu) of London

(Agents Name/Names)

(Agents City/Town of Residence)

\_to:

- (1) make an application on my behalf to the County of Elgin Land Division Committee;
- (2) appear on my behalf at any hearing(s) of the application; and
- (3) provide any information or material required by the Land Division Committee relevant to the application.

Please Print Names in Block Letters Below Signatures

Dated at the <u>Malan, de</u> Taunship (Municipality/Township/City/etc.) of (Name of Municipality/Township/City/etc.) (Month) **Ihis** day of Year) (Frank) Name of Owner Signature of Owner Signature of Owner Jame of Owner NIA NIA Name of Owner Signature of Owner Signature of Witness

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### APPENDIX "B"

# Surplus Farm Dwelling Information Form in Support of an Application for Consent under the *Planning Act, R.S.O. 1990 c. P.13, as amended*

| 1. Details of Subje                                  | ect Lands   |   | 1.1.1   | 150000                   |                  |
|--|---|---|---|--------------------------|------------------|
| Municipal Address<br>11644 Carter Road, R            | R2, Springfield, ON                                     |   |   |                          |                  |
| Legal Description<br>PT N PT LT 31 CON 9             | 9 MALAHIDE AS IN E422                                   | 2936; MALAHIDE                          |   |                          |                  |
| Lot Area (metric):<br>20.8 ha                        | Lot Frontage (metric):<br>511.4 m                       | Lot Depth (metric):<br>408.5 m          | Year the su constructed   | rplus dwelling v<br>1975 | was              |
|  | that the surplus dwelling<br>g currently has one        |   |   |                          | n help house:    |
| Is the proposed Sur                                  | plus Farm Dwelling a re                                 | esult of farm consolidat                | tion?   | A Yes                    | 🗆 No             |
| 2. Proposed Trans                                    | action  |   |   |                          |                  |
|  | transaction (i.e. the prop<br>sold or conveyed to? Plea |   |   |                          | tained           |
|  | ill likely be sold to daug<br>I be farmed as it has be  |   | and the second se | r Mark Tracey            | /.               |
| Identify how/why the                                 | dwelling is surplus to the                              | needs of the owner due                  | to farm consoli   | idation                  |                  |
|  | is not required as own ce and have other prop           |   |   | their                    |                  |
| 3. Details of the La                                 | ands Farmed by the Pe                                   | erson to whom the D                     | welling is Su   | irplus                   | and the second   |
| To whom is the dwe                                   | lling surplus?  | Owner                                   |   | Purchasing F             | armer            |
| Total area of land farm                              | med (metric):   | Total area of f                         | farm land owne  | ed (metric):             |                  |
| 187.88 ha  |   | 209.94 h                                | na  |                          |                  |
| Identify the locations                               | of all lands farmed by the                              | owner:                                  |   |                          |                  |
| 53048 College L<br>52464 College L<br>52900-52904 Co |   | 51222 College Line<br>143210 Hawkins Ro |   |                          |                  |
| 4. Farm Business                                     | Status  |   |   |                          |                  |
| Is the farm property o<br>Program?                   | n which the surplus farm                                | dwelling located eligible               | for the Farm F  | Property Class           | Tax Rate<br>□ No |
| Does the property ow                                 | mer have a valid Farm Bu                                | siness Registration Nur                 | nber?   | I Yes                    | D No             |
| If yes, please provide                               | the Farm Business Regi                                  | stration Number:                        |   |                          |                  |
| 654210   |   |   |   |                          |                  |
|  | farmer have a valid Farm<br>the Farm Business Regi      |   | Number?   | □ Yes                    | □ No             |

| 5. Principal Residence of the Owner   |                   |                            |
|---|-------------------|----------------------------|
| Identify the location of the owner's principal residence:                           |                   |                            |
| 52900 College Line, RR4 Aylmer ON N5H 2R3 Malahid                                   | е                 |                            |
| Does the owner own or rent their principal residence?                               | S Own             | □ Rent                     |
| Does the owner own any other dwellings?   | A Yes             | 🗆 No                       |
| If yes, identify the location of all other dwellings owned by the                   | owner:            |                            |
| 53048 College Line, Malahide; 52464 College Line, Mala<br>143210 Hawkins Rd, Bayham | ahide; 52900-5290 | 04 College Line, Malahide; |

#### PLEASE NOTE:

If the purchasing farmer or owner cannot provide sufficient evidence as to their farm business status/status as a farmer, the application may be refused and/or not accepted by the Secretary-Treasurer of the Land Division Committee. Additionally, if the surplus farm dwelling criteria contained in the Official Plans of both Elgin County and the local municipality cannot be met, the application may be refused and/or not accepted by the Secretary-Treasurer of the Land Division committee.



VanGorp Drainage & Excavating Inc. 12709 Imperial Road, R.R. # 2 Springfield, Ontario N0L 2J0 (519)765-4445 FAX (519)765-4730 Cell 519-521-9086

To Whom it may concern,

After inspecting the location of Francis and Sheryl Berkelmans, 11644 Carter Road.

The existing septic system and tank are in good condition and meets the requirements within the boundaries of the severance. Please contact me for further information if needed. Our company BCIN number is 17382. Please note, we are not responsible for any issues with the weeping bed after the inspection'is done.

Regards

Jason Van Gorp

#### L.S. PUTNAM & SON PLUMBING & ELECTRICAL 13405 IMPERIAL RD. SPRINGFIELD ON NOL 2J0 Phone: 519-765-4444 Well Technician Licence #T1929

March 20, 2022

To whom it may concern,

On March 15, 2022, I checked the well for Frank Berkelmans at 1164 Carter Rd., Malahide Township. This was found to be a sand point well, approximately 20ft deep. This well produces 4 gallons per minute of fresh water which exceeds provincial standards for a privately owned individual well.

Yours truly,

Stan Putnem

Stan Putnam

| PUDUC   |   | Public Health Laboratory - London  |
|---|---|--|
| Public<br>Health  | Santé   | 102-1200 Commissioners Road East   |
| Ontario   | publique<br>Ontario   | LONDON, ON N5Z 4R3   |
| cteriological Analys  | is of Drinking Water for Private Citizen, Single H  | lousehold Only   |
|   | ue de l'eau potable - Particuliers, Ménages unifa   |  |
|   | 's Name and Mailing Address /   | Location of Water Source /   |
|   | iresse postale de l'auteur de la demande d'analyse<br>a. Last Name / Primom, Nom de familie   | Emplacement de la source d'eau Lot. Concession / otiliot. concession Emergency Locator # / B11#  |
|   | BERKELMANS  | 11644  |
|   | fress / Adresse municipale  | Street address / Adresse municipale  |
| 11812 S   | UPERIOR ST  | 11644 CARTER RD  |
| PO BO   | 334   | MALAHIDE ON NOL2JO   |
| SPRING  | FIELD, ON NOL 2JO   |  |
|   |   | County / Comté: ELGIN  |
|   |   | Health Unit # / # du bureau de santé 4913  |
| pecimen details / D   | étails sur l'échantillon:   |  |
|   |   |  |
| hone # / # tél.: 519 495  | barres: 011816430<br>8924   | Purification system used (e.g. UV, filtration, etc.)? / No / Non<br>Système d'épuration utilisé (p. ex. rayons UV, filtration, etc.)?<br>Authorized by / Autorisé par  |
| hone # / # tél.: 519 495<br>ata/Time Collected / Del  | barres: 011816430   | Système d'épuration utilisé (p. ex. rayons UV, filtration, etc.)?  |
| hone # / # tél.: 519 495<br>ata/Time Collected / Del<br>ata/Time Received / Det<br>pecimen Note / Not<br>his specimen was rec<br>u moment de la récep   | barres: 011816430<br>8924<br>«/heure du prélèvement: 2022-03-14 13:30:00<br>«/heure Reçu le*: 2022-03-15 16:18:00<br>e sur l'échantillon:<br>eived in good condition unless otherwise stated./À m   | Système d'épuration utilisé (p. ex. rayons UV, filtration, etc.)?<br>Authorized by / Autorisé par  |
| tone # / # tél: 519 495<br>ta/Time Collected / Def<br>ta/Time Received / Def<br>pecimen Note / Not<br>his specimen was rec<br>u moment de la récep<br>additional source in  | barres: 011816430<br>8924<br>«/heure du prélèvement: 2022-03-14 13:30:00<br>«/heure Reçu le*: 2022-03-15 16:18:00<br>e sur l'échantillon:<br>eived in good condition unless otherwise stated./À m<br>tion.<br>hformation provided: SPRINGFIELD  | Système d'épuration utilisé (p. ex. rayons UV, filtration, etc.)?<br>Authorized by / Autorisé par<br>Chief, Medical Microbiology or Designate  |
| none # / # tél.: 519 495<br>ta/Time Collected / Dat<br>ta/Time Received / Dat<br>becimen Note / Not<br>his specimen was rec<br>u moment de la récep<br>dditional source in<br>at results / Résultat                                 | barres: 011816430<br>8924<br>«/heure du prélèvement: 2022-03-14 13:30:00<br>«/heure Reçu le*: 2022-03-15 16:18:00<br>e sur l'échantillon:<br>eived in good condition unless otherwise stated./À m<br>tion.<br>hformation provided: SPRINGFIELD  | Système d'épuration utilisé (p. ex. rayons UV, filtration, etc.)?<br>Authorized by / Autorisé par<br>Chief, Medical Microbiology or Designate<br>oins d'avis contraire, l'échantillon était en bonne condition |
| hone # / # tél: 519 495<br>http://ime Collected / Date<br>http://ime Received / Date<br>pecimen Note / Not<br>his specimen was rec<br>u moment de la récep<br>additional source in<br>st results / Résultat<br>Total Colife         | barres: 011816430<br>8924<br>«/heure du prélèvement: 2022-03-14 13:30:00<br>«/heure Reçu let: 2022-03-15 16:18:00<br>e sur l'échantillon:<br>eived in good condition unless otherwise stated./À m<br>tion.<br>nformation provided: SPRINGFIELD<br>s d'analyse:  | Système d'épuration utilisé (p. ex. rayons UV, filtration, etc.)?<br>Authorized by / Autorisé par<br>Chief, Medical Microbiology or Designate<br>oins d'avis contraire, l'échantillon était en bonne condition |
| hone # / # tél: 519 495<br>ata/Time Collected / Def<br>ata/Time Received / Def<br>pecimen Note / Not<br>his specimen was rec<br>u moment de la récep<br>additional source in<br>st results / Résultat<br>Total Colife<br>E.coll CFU | barres: 011816430<br>8924<br>«/heure du prélèvement": 2022-03-14 13:30:00<br>«/heure Reçu le": 2022-03-15 16:18:00<br>e sur l'échantillon:<br>eived in good condition unless otherwise stated./À m<br>tion.<br>nformation provided: SPRINGFIELD<br>s d'analyse:<br>prm CFU/100 mL / Coliformes totaux UFC/100 m | Système d'épuration utilisé (p. ex. rayons UV, filtration, etc.)?<br>Authortzed by / Autorisé par<br>Chief, Medical Microbiology or Designate<br>oins d'avis contraire, l'échantillon était en bonne condition |

These results relate only to the sample tested. / Le résultat obtenu se rapporte seulement à cet échantillon d'eau analysé. Note : This water sample was only tested for the presence of both Total Coliforms and E. coli (ISO/IEC 17025 accredited tests) bacterial indicators of contamination by Membrane Filtration. The sample was not tested for other contaminants, including chemical contaminants, and therefore may be unsafe to drink even when there is no significant evidence of bactarial contamination. Contact your local public health unit for Information on testing for other contaminants./ Remarque: Cet é

chantilion d'eau n'a été analysé que pour déceler (par un laboratoire accrédité conformément à la norme ISO/IEC 17025) la présence des coliformes totaux et des tactéries collibacillaires, Indicateurs de contamination par filtration sur membrane. L'échantillon n'a pas été testé pour d'autres contaminants, y compris les contaminants chimiques et, par conséquent, l'eau peut être impropre à la consommation même lorsqu'il n'y a aucune preuve significative de contamination bacté nerne. Veuillez communiquer avec le bureau de santé publique de votre localité pour vous renseigner au sujet de l'analyse visant à détecter la présence d'autres

If the reported client information does not match the information you supplied on the form please contact the PHO Customer Service Centre. Telephone: 1-877-604-4567 or 416-235-6556 or E-mail; customerservicecentre@oahpp.ca. For operating hours see our website www.publichealthontario.ca/labs. / Si les informations sur le client indiquées ne correspondent pas aux informations que vous avez fournles sur le formulaire, veuillez communiquer avec le Service à la clientèle de SPO par télé phone au 1-877-604-4567 ou 416-235-6556, ou par courriel au customerservicecentre@oahpp.ca. Pour connaître les heures d'ouverture, veuillez consulter notre site Web à www.publichealthontario.ca/labs.

End of report / Fin du rapport

Page 1 of 1

\*All time values are EST /EDT/Toutes les houres sont exprimées en HNE ou en HAE.

Print Date / Date d'impression\*: 2022-03-16

Date Reported / Date du rapport\*: 2022-03-16 15 55:10

#### LIMS Report #: 44841946 Pontario T\_SingleSampleOPHL\_WATPRIVATE.rpt



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#### E49/22

- That the applicant initiate and assume, if required, all engineering costs associated with the preparation of a revised assessment schedule in accordance with the Drainage Act, RSO 1990, as amended, with a deposit to be paid in full to the township prior to the condition being deemed fulfilled. If the deposit does not cover the costs of the revised assessment schedule, the applicant will be billed for any additional costs incurred.
- 2. That all outstanding work orders or by-law enforcement issues be resolved to the satisfaction of the Chief Building Official prior to the condition being deemed fulfilled.
- 3. That the applicants initiate and assume all planning costs associated with the required Zoning By-law Amendment as required in accordance with the Ontario Planning Act, RSO 1990, with such cost to be paid in full to the Township and that the required process be successfully completed prior to the condition being deemed fulfilled.
- 4. Confirmation that private sewage system be confined entirely within the boundaries of the newly created parcel. That system be in conformance with all required setbacks from lot lines prior to the condition being deemed fulfilled.
- 5. That the necessary deeds, transfers and charges for certificates and/or instruments necessary for registration be submitted in triplicate prior to certification all of which are to be fully executed.
- 6. That all applicable property taxes, municipal fees and charges be paid to the Municipality prior to the stamping of the deeds.
- 7. That an electronic version of the reference plan be submitted to the satisfaction of the Municipality.
- 8. That the applicant is responsible to apply and pay all fees to the Township with respect to Civic Addressing Numbers/Signage for the severed and retained portions of property prior to the condition being deemed fulfilled.

#### THE CORPORATION OF THE TOWNSHIP OF MALAHIDE BY-LAW NO. 22-47

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

#### Frank and Sheryl Berkelmans / Simona Rasanu c/o SBM Ltd. 11644 Carter Road

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

**AND WHEREAS** authority is granted under Section 34 of the <u>Planning Act</u>, as amended, to pass a Bylaw;

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

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

- THAT the area shown in bold on the attached map, Schedule "A", and described as Part of Lot 31, Concession 9 in the Township of Malahide, shall be removed from the "General Agricultural (A1) Zone" of By-law No. 18-22 and placed within the "Special Agricultural (A2) Zone" of By-law No. 18-22 as set forth in this By-law. The zoning of this land shall be shown as "A2" on Key Map 31 of Schedule "A" to By-law No. 18-22, as amended.
- 2. THAT the area shown in hatching on the attached map, Schedule "A", and described as Part of Lot 31, Concession 9, in the Township of Malahide, shall be removed from the "General Agricultural (A1) Zone" of By-law No. 18-22 and placed within the "Small Lot Agricultural (A4) Zone" of By-law No. 18-22 as set forth in this By-law. The zoning of this land shall be shown as "A4-24" on Key Map 31 of Schedule "A" to By-law No. 18-22, as amended.
- 3. **THAT** By-law No. 18-22, as amended, is hereby further amended by amending Section 5.7 SMALL LOT AGRICULTURAL (A4) ZONE 'SITE-SPECIFIC' ZONES, by adding the following new subsection.

#### "5.7.24 a) <u>Defined Area</u>

A4-24 as shown on Schedule 'A', Map No. 31.

b) <u>Maximum Floor Area of an Accessory Building</u>

Existing detached garage 318 m<sup>2</sup>

c) <u>Maximum Building Height of an Accessory Building</u>

| Existing detached garage | 6.37 m |
|--------------------------|--------|
| Existing barn            | 7.53 m |

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

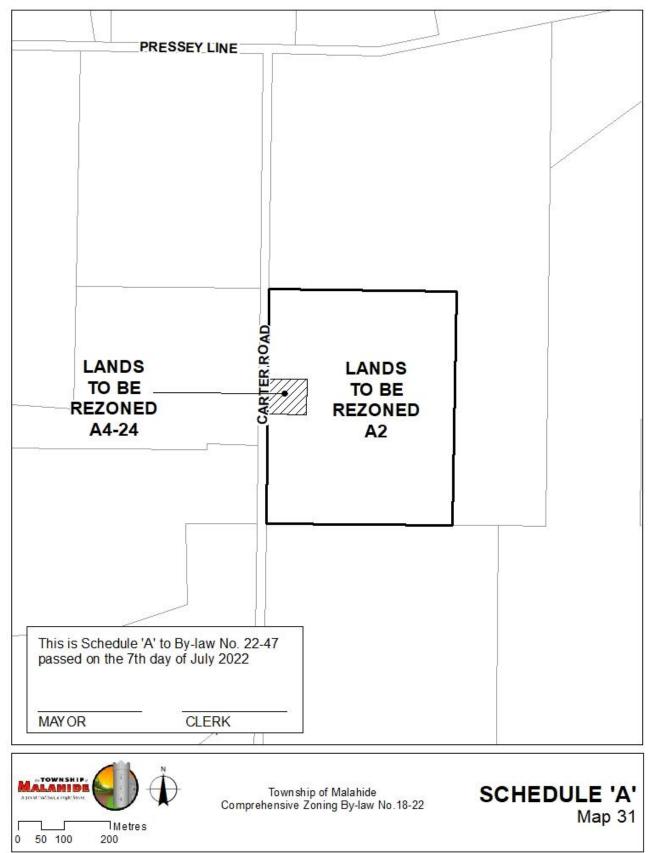
**READ** a **FIRST** and **SECOND** time this \_\_\_\_\_day of \_\_\_\_\_, 2022.

**READ** a **THIRD** time and **FINALLY PASSED** this \_\_\_\_\_day of \_\_\_\_\_, 2022.

Mayor – D. Mennill

Clerk – A. Adams







### **Report to Council**

| <b>REPORT NO.:</b> | DS-22-33  |
|--------------------|---|
| DATE:              | July 7, 2022  |
|                    | (Report submitted June 29, 2022)  |
| ATTACHMENT:        | Application, Draft By-law   |
| SUBJECT:           | ZONING BY-LAW AMENDMENT APPLICATION OF LEVERTON                               |
|                    | DEVELOPMENTS, (AUTHORIZED AGENT: MATT CAMPBELL<br>C/O ZELINKA PRIAMO LIMITED) |

#### **Recommendation:**

THAT Report No. DS-22-33 entitled "Zoning By-law Amendment Application of Leverton Developments" be received;

AND THAT Council holds a public meeting under the <u>Planning Act</u> to hear comments from members of the public;

AND THAT the Zoning By-law Amendment Application No D14-Z10-22 of Leverton Developments, relating to the property located at Lot G, Concession South of Main Street, Registered Plan No. 18; and known municipally as 51403 Ron McNeil Line, BE DEFERRED to a future Council Meeting.

#### Background:

The Subject Zoning By-law Amendment Application ("the Application") has been submitted by Zelinka Priamo Limited, on behalf of Leverton Developments, to apply the necessary zoning provisions required to permit a three-storey, six-unit rental apartment building on the above noted lands. The application proposes site-specific provisions for a reduced front yard setback of 1.0 metre where 6 metres is required and a maximum building height of 13 metres where 10.5 metres is currently permitted.

The Application relates to the property located at Lot G, Concession South of Main

Street, Registered Plan No. 18, and known municipally as 51403 Ron McNeil Line.

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

#### Comments/Analysis:

The subject property is approximately 1,012 square metres in size, has approximately 24.7 metres of frontage on Ron McNeil Line, and a depth of approximately 41.6 metres. The subject lands currently contain a one-storey, single detached dwelling, a detached garage, and an accessory storage shed. The subject lands are bounded to the north by Ron McNeil Line, a laneway that provides access to Ron McNeil Line to the east, and one-storey, single detached dwellings to the south and west.

Based on the information provided with the application, the owner of the property is proposing to remove the existing dwelling and accessory buildings and construct a three-storey, six-unit apartment building in its place. The proposal includes 12 parking spaces in the rear yard that would be accessible from the abutting laneway to the east for access to Ron McNeil Line. An accessory gazebo and garden area are also proposed as amenity space in the rear yard. The proposed development would be serviced by municipal sewer and a private well.

The Applicant proposes to rezone the property from 'Village Residential 1 (VR1)' to 'Village Residential 1 Special (VR1-##)', which proposes site-specific provisions for a reduced front yard setback of 1.0 metre where the Zoning By-law requires 6 metres, and a maximum building height of 13 metres where the Zoning By-law requires a maximum height of 10.5 metres.

The purpose of the public meeting is to provide the opportunity for Council to hear comments from members of the public on the proposed development. This will allow Council and staff to gather public input prior to bringing forwarding any recommendations on the Application. Once comments have been reviewed, staff will bring forward a recommendation to Council on the Application at a future Council Meeting.

#### **Public/Agency Comments Received**

Notice of Public Meeting was given in accordance with <u>Planning Act</u> regulations. As of the date of writing this report, no comments from the general public or agencies have been received. Any comments submitted will be summarized and provided for the information of the Council/Public at the Public Meeting.

#### Financial Implications to Budget:

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

#### Relationship to Cultivating Malahide:

The Cultivating Malahide Integrated Community Sustainability Plan (ICSP) is based upon four pillars of sustainability: Our Land, Our Economy, Our Community, and Our Government.

| Submitted by:  | Reviewed by:   |
|--|--|
| Eric Steele, BES<br>Monteith Brown Planning Consultants,<br><u>Consulting Planner for the Township</u> | Jay McGuffin, MCIP, RPP<br>Monteith Brown Planning Consultants |

| Approved by:                                     |
|--|
| Adam Betteridge,<br>Chief Administrative Officer |

| 1. | Registered Owner's Name: Leverton Dev  | velopments Inc.              |  |  |  |  |  |  |
|----|--|------------------------------|--|--|--|--|--|--|
|    | Address: 12 Chester St. St. Thoma  | is, ON., N5R 1T8             |  |  |  |  |  |  |
|    | Phone No.<br>(Home):   | Business: 519-878-8166       |  |  |  |  |  |  |
|    | Fax: Ema   | il: levysreno@sympatico.ca   |  |  |  |  |  |  |
|    | Lot and Concession (if applicable):  |                              |  |  |  |  |  |  |
|    | Are there any other holders of mortgages, charges or other encumbrances of the Subject Lands? If so provide the names and addresses of such persons. |                              |  |  |  |  |  |  |
|    | <u>N/A</u>   |                              |  |  |  |  |  |  |
|    |  |                              |  |  |  |  |  |  |
| 2. | Applicant / Authorized<br>Agent: Zelinka P   | riamo Ltd. c/o Matt Campbell |  |  |  |  |  |  |
|    | Address: 318 Wellington Road, Lo   | ondon, ON., N6C 4P4          |  |  |  |  |  |  |
|    | Telephone No.: 519-474-7137  | Fax:                         |  |  |  |  |  |  |
|    | Please specify to whom all communications should be sent:  |                              |  |  |  |  |  |  |
|    | Registered Owner () Applicant / Aut  | horized Agent (X)            |  |  |  |  |  |  |
| 3. | Legal Description of the land for which th<br>Concession: South of Main Street   | ·                            |  |  |  |  |  |  |
|    | Reference Plan No: RP No. 18   | Part Lot:                    |  |  |  |  |  |  |
|    | Street and Municipal Address No.: 51403  | 3 Ron McNeil line            |  |  |  |  |  |  |
|    | What is the size of property which is subj   | ect to this Application?     |  |  |  |  |  |  |
|    | Area: 1,012 m Frontage:  | 24.7 m Depth: ~40 m          |  |  |  |  |  |  |
|    | When were the subject lands acquired by owner?   | the currentN/a               |  |  |  |  |  |  |
| 4. | Existing Official Plan Designation: Resignation  | dential                      |  |  |  |  |  |  |

How does the application conform to the Official Plan?

Walk-up apartments are permitted in the Residential designation

5. Existing Zoning By-law Classification:

Village Residential 1

#### What are the current uses of the subject lands?

Vacant dwelling

If known, provide the length of time these uses have continued on this property.  $N\!/\!A$ 

If there are any existing buildings or structures on the subject lands provide the following information:

| Туре            | Front Lot<br>Line<br>Setback | Side Lot<br>Line<br>Setbacks | Rear Lot<br>Line Setback | Height | Dimension<br>s |
|-----------------|------------------------------|------------------------------|--------------------------|--------|----------------|
| See attached su | urvey                        |                              |                          |        |                |
|                 |                              |                              |                          |        |                |
|                 |                              |                              |                          |        |                |
|                 |                              |                              |                          |        |                |
|                 |                              |                              |                          |        |                |
|                 |                              |                              |                          |        |                |

If known, provide the dates in which each of these buildings were constructed.

N/A

6. What is the Nature and Extent of the Rezoning?

To permit a 6-unit apartment building. See attached Planning Justification

Report for detailed information.

7. Why is the rezoning being requested?

| To permit the r | edevelopment of | f the subject lands |
|-----------------|-----------------|---------------------|
|                 |                 |                     |

### 8. Does the proposed Zoning By-law amendment implement a growth boundary adjustment of a settlement area?

If so, attach separately justification or information for the request based on the current Official Plan policies or associated Official Plan amendment.

#### 9. Does the proposed amendment remove land from an area of employment? NO

If so, attach separately justification or information for the request based on the current Official Plan policies or associated Official Plan amendment.

### 10. Description of proposed development for which this amendment is requested (i.e. permitted uses, buildings or structures to be erected. (Be Specific)

Permit a 6-unit apartment building

Minimum Front Yard Setback: 1.0m

Maximum Building Height: 13.0m See attached Planning Justification Report

For any proposed buildings or structures on the subject lands provide the following information:

| Туре      | Front Lot<br>Line<br>Setback | Side Lot<br>Line<br>Setbacks | Rear Lot<br>Line Setback | Height | Dimensions |
|-----------|------------------------------|------------------------------|--------------------------|--------|------------|
| Apartment | 1.0m                         | 2.0m                         | 24.6m                    | 13m    | 20.8x13.6  |
|           |                              |                              |                          |        |            |
|           |                              |                              |                          |        |            |
|           |                              |                              |                          |        |            |
|           |                              |                              |                          |        |            |

11. Services existing or proposed for the subject lands: Please indicate with a  $\checkmark$ 

Water Supply

Existing

Proposed

No

| Sewage Disposal                  |     | istina | Propose |   |
|----------------------------------|-----|--------|---------|---|
| Other                            | (   | )      | (       | ) |
| Lake or other Surface Water Body | (   | )      | (       | ) |
| Communal Well                    | (   | )      | (       | ) |
| Private Dug Well                 | (   | )      | (       | ) |
| Private Drilled Well             | ( ) | ()     | ( X     | ) |
| Municipal Piped Water Supply     | (   | )      | (       | ) |

| Sewage Disposal           | Existing | Proposed |  |
|---------------------------|----------|----------|--|
| Municipal Sanitary Sewers | (X)      | (X)      |  |
| Individual Septic System  | ( )      | ( )      |  |
| Communal System           | ( )      | ( )      |  |
| Privy                     | ( )      | ( )      |  |
| Other                     | ( )      | ( )      |  |

Note: If the proposed development is on a private or communal system and generate more than 4500 litres of effluent per day, the applicant must include a servicing options report and a hydrogeological report.

Are these reports attached? If not, where can they be found?

#### **Storm Drainage**

| Provisions: | See Conceptual Servicing Report |  |  |
|-------------|---------------------------------|--|--|
|             |                                 |  |  |

Proposed Outlet:

#### 12. How will the property be accessed?

Provincial Highway ( ) County Road ( ) Municipal Road – maintained all year ( )

Municipal Road – seasonally maintained (X) Right-of-way () Water ()

If access is by water, do the parking and docking facilities exist, and what is the nearest public road?

13. Has the subject land ever been the subject of an application under the Planning Act for:

Plan of Subdivision ( ) Consent ( )

Zoning By-law Amendment () Ministers Zoning Order ()

If yes to any of the above, indicate the file number and status of the application.

How is the proposed amendment consistent with the Provincial Policy Statement 2005?See attached Planning Justification Report

15. Are the subject lands within area designated under any Provincial Plan(s)? If the answer is yes, does the proposed amendment conform to the Provincial Plan(s)?

No provincial plans applicable

## 17. The Owner is required to attach the following information with the application and it will form part of the application. Applications will not be accepted without the following.

- (a) A sketch based on an Ontario Land Surveyor description of the subject lands showing
  - the boundaries and dimension of the subject lands;
  - the location, size and type of all existing and proposed buildings and structures, indicating their setbacks from all lot lines, the location of driveways, parking or loading spaces, landscaping areas, planting strips, and other uses;

- the approximate location of all natural and artificial features (buildings, railways, roads, watercourses, drainage ditches, banks of rivers or streams, wetlands, wooded areas, wells and septic tanks) that are on the subject lands, adjacent to the subject lands, or in the opinion of the applicant may affect the application;
- the current uses of the land that is adjacent to the subject land;
- the location, width, and name of any roads within or abutting the subject land, indicating where it is an unopened road allowance, a public traveled road, a private road, or a right-of-way;
- the location of the parking and docking facilities to be used (if access will be by water only);
- the location and nature of any easement affecting the subject land.
- (b) Written comments from the Elgin St. Thomas Health Unit, Long Point Region Conservation Authority and Ministry of Transportation (if applicable).
- (c) If a private sewage system is necessary, pre-consultation with the Chief Building Official is required about the approval process
- 18. If this application is signed by an agent or solicitor on behalf of an applicant(s), the owner's written authorization must accompany the application. If the applicant is a corporation acting without an agent or solicitor the application must be signed by an officer of the corporation and the seal if any must be affixed.

#### 19. Additional Information as required by Council

### 20. If this application is to accommodate the consent of a surplus farm dwelling, please provide the following information:

Date surplus farm dwelling was erected:

Please provide the assessment roll number, location, and zoning of the farm parcel with which the subject lands is being consolidated.

#### Municipal Freedom of Information Declaration

In accordance with the provisions of the <u>Planning Act</u>, it is the policy of the Township Planning Department to provide public access to all development applications and supporting documentation.

Personal information contained on this form is collected pursuant to the Planning Act, R.S.O. 1990, O.Reg 200/96 as amended and will be used for the purpose of determining permission for re-zoning. The personal information collected will be maintained in accordance with the provisions of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56, as amended.

In submitting this development application and supporting documentation, I \_\_\_\_\_\_

the owner/authorized applicant, hereby acknowledge the above-noted policy and provide my consent, in accordance with the provisions of the Municipal Freedom of Information and Protection of Privacy Act, that the information on this application and any supporting documentation provided by myself, my agents, consultants and solicitors, will be part of the public record and will also be available to the general public.

I hereby authorize the Township of Malahide to post a Change of Use sign and municipal staff to have access to the subject site for purposes of evaluation of the subject application.

May ZoZZ Month Year Signature

#### SEE ATTACHED AUTHORIZATION FORM

of

I / We, , of the of , in the county , do solemnly declare:

| Township of Malahide Zoning By-law Amendment Application |   |                                       |                          |                    | Page 11                        |  |
|--|---|---------------------------------------|--------------------------|--------------------|--------------------------------|--|
| (i)  | that I / We am / are the owner(s) of the lands described above          |                                       |                          |                    |                                |  |
| (ii)   | that to the bes<br>given in this a <sub>l</sub>                         | t of my / our kn<br>oplication and i  | owledge a<br>n all exhil | and be<br>bits tra | lief, all of th<br>Insmitted a | ne information and statements<br>re true.                                |
| (iii)  | that I /we hereby appoint<br>behalf in all aspects of this application. |                                       |                          |                    |                                | to act as an Agent on my/our   |
| And I / V<br>it is of ti<br><i>Act".</i>                 | Ve make this so<br>he same force a                                      | lemn declaration<br>nd effect as if n | on conscio<br>nade undo  | entiou<br>er oath  | sly believin<br>1, and by vii  | g it to be true, and knowing that<br>rtue of the <i>"Canada Evidence</i> |
| DECLA  | RED BEFORE M  | E at the:                             |                          |                    |                                | W.M.   |
|  | City  | of                                    | Londe                    | on                 |                                | Matt Campbell<br>Owner / Agent   |
| in the Co<br>of  | ounty/Region  | Middlesex                             |                          | this               | 17                             |  |
| day of   | May   | 20                                    | 22.                      |                    |                                | -  |
| K  | 1   |                                       |                          |                    |                                | Owner / Agent  |

A Commissioner, etc. DAVID JOHN HANNAM, a Commissioner, etc., Province of Ontario, for Zelinka Priamo Ltd. Expires September 21, 2024.

# **Planning Justification Report**

51403 Ron McNeil Line Leverton Developments Inc.



May 16, 2022



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## 1.0 INTRODUCTION

Leverton Developments Inc. has made an application to the Township of Malahide to amend its Zoning By-Law to permit the redevelopment of the lands at 51403 Ron McNeil Line (the "subject lands) for a 3 storey, 6-unit apartment building. The required pre-application consultation meeting was held on December 6, 2021.

The purpose of the following Planning Justification Report is to provide design details and evaluate the proposed Zoning By-Law Amendment within the context of existing land use policies and regulations, including:

- 2020 Provincial Policy Statement;
- 2013 Township of Malahide Official Plan; and,
- Township of Malahide Zoning By-Law No. 18-22.

This report concludes that the proposed Zoning By-Law Amendment (ZBA) is appropriate for the following key reasons:

- The proposed development is generally consistent with the intent and policies of the 2020 Provincial Policy Statement, and conforms to the intent and policies of the 2013 Township of Malahide Official Plan;
- The proposed development maintains a low-rise residential form and character that is appropriate for the subject lands and compatible with adjacent land uses;
- The proposed development can be appropriately serviced by municipal sanitary services and private water service (well); and,
- The proposed development will introduce a new form of development in the area which has the ability to add to the range of housing affordability and tenure options in Springfield.

## 2.0 SUBJECT LANDS

The subject lands consist of a single, generally rectangular-shaped parcel of land located on the south side of Ron McNeil Line, east of Springfield Road in the Village of Springfield (see Figure 1).



The lands have a lot frontage of approximately 24.7 m (81 ft) along Ron McNeil Line; a lot depth of 38.8 m (127ft); and, a lot area of approximately 0.1ha (0.10 ac) (Figures 2-3). Lands abutting to the east of the subject lands are owned by the Township of Malahide and are understood to be a laneway, providing access to Ron McNeil Line. The vacant single detached dwelling on the subject lands is serviced by municipal sanitary services and a private water well. Surrounding land uses include low-density residential uses in all directions within the Springfield settlement

area. The Springfield Public School is located to the west, and cultivated fields are located to the northeast, outside of the settlement area.

Public sidewalks are available on the south side of Ron McNeil Line, abutting the subject lands. The subject lands are generally flat in topography.

Figure 2: Existing Single Detached Dwelling (Looking South-east from Ron McNeil Line)



Figure 3: Existing Single Detached Dwelling (Looking southwest from Ron McNeil Line)



The subject lands are within the "*Tier 1 Settlement Area*" as per Schedule 'A' – Land Use in the County of Elgin Official Plan; are designated "*Residential*" as per "Schedule 'B' – Land Use and Constraints" in the Township of Malahide Official Plan; and are within the "*Village Residential One (VR1) Zone*" in the Township of Malahide Zoning By-law No. 18-22.

## 3.0 SPATIAL ANALYSIS

Figure 4 illustrates the surrounding land uses as well as significant landmarks, within 400m and 800 m buffer radius in relation to the subject lands. These buffers represent the straight-line walking distances of approximately five minutes (400 meters) and ten minutes (800 m). However, given the existing configuration of sidewalk networks and other pedestrian barriers, these buffers may not represent true walking times.



Figure 4: Spatial Analysis

The neighboring lands abutting the subject lands are comprised of single detached dwellings in all directions, save and except for cultivated fields to the northeast. As Springfield is largely a low-density settlement area, the majority of dwellings are located on large lots with ample landscaped area. Dwellings are generally well spaced apart.

Notable features within 400m and 800m labelled in the Figure 4 are as follows:

- A range of low-density residential uses in all directions, being the dominant land use in Springfield, in the form of single detached dwellings, semi-detached dwellings and converted dwellings;
- 2. Springfield Public school (also shown in Figure 7, following page) approximately 180m to the west of the subject lands;
- 3. Commercial services (Rona) to the west near the intersection of Springfield Road and Ron McNeil Line;
- 4. Malahide fire services to the west (Figure 8), located at the corner of the intersection of Detroit Street and Ron McNeil Line.
- 5. Malahide Community Place to the North along the Whittatker Road.
- 6. Agricultural lands further to the north, east and south, outside of the settlement area

The village centre of Springfield is located west of the subject lands along Ron McNeil Line.

Figure 5: Existing Single Detached Dwelling Adjacent Subject Lands to the west (51391 Ron McNeil Line)



Figure 6: Existing dwelling across the road to the North of the subject lands (51394 & 51400 Ron McNeil Line



Figure 7: Springfield Public School (180 m from Subject lands towards west)



Figure 8: Malahide Fire Services (450 m from Subject lands towards west)



## 4.0 DESIGN GOALS AND OBJECTIVES

Given the physical characteristics of the subject lands and their location along Ron McNeil Line, the main goal of the proposed development is to redevelop the subject lands for an increased number of dwelling units in a manner that is appropriate for the site and compatible with adjacent uses. The design goal of the development proposal is to construct an appropriately scaled multi-unit building that enhances the existing streetscape along the Ron McNeil Line. In order to effectively achieve this goal for the subject lands, the following design objectives have been identified:

- Make efficient use of the subject lands to provide an opportunity for desirable intensification on lot that is large enough to accommodate a higher density form of housing;
- Provide a building design that provides a built edge along Ron McNeil Line with the principal entrance facing the street and all parking to the rear of the building, screened from public view;
- Ensure built form maintains a low-rise profile and built form that generally reflects the established characteristics of the low-density neighbourhood, including a sloped roof; and,
- Provide a built form and site design that is consistent with the Site Design Policies for Multiple Unit Residential Development.

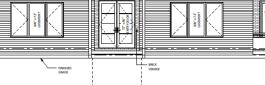
## 5.0 PROPOSED DEVELOPMENT

The subject lands are proposed to be redeveloped for a three-storey, six-unit apartment building (Figure 9-17). The building is positioned close to the Ron McNeil Road frontage, generally in line with the existing building line as established by buildings to the east and west. Pedestrian access to the building is facilitated by two entrances: one on the front of the building facing Ron McNeil line; and, another facing towards the rear parking area. Vehicular access is provided via the abutting laneway leading to a 12-space surface parking area. At this time, the conceptual development plan includes a garden and gazebo at the rear of the proposed building. Landscaping and other design details will be identified and refined through the Site Plan Approval process.



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PREFIN. ROOF

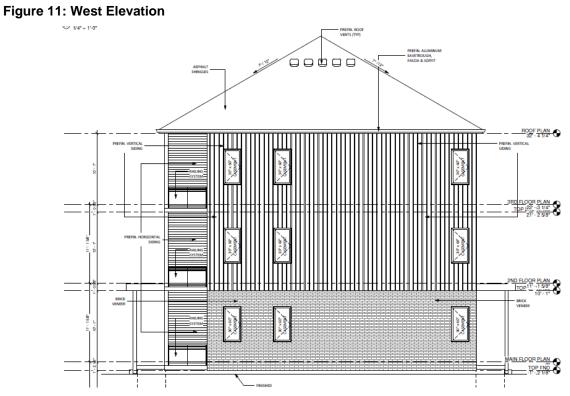
CONCRETE FOOTING

BASEMENT O

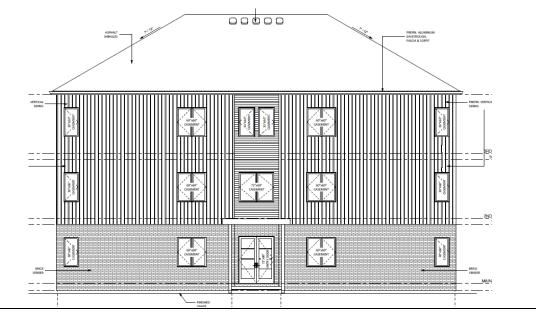
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CONCRETE

FRONT 1/4" - 1'-0"







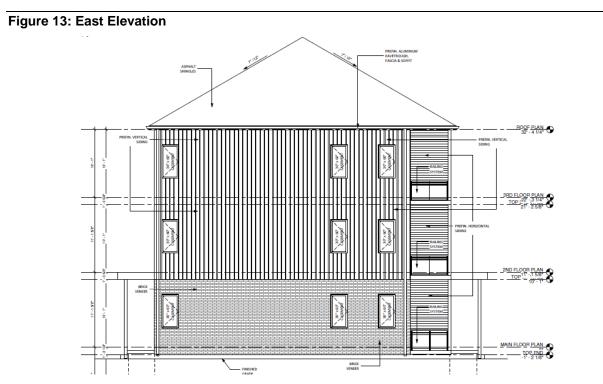


Figure 14: Conceptual 3D View (looking southwest)





Figure 15: Conceptual 3D View (looking northeast)

Figure 16: Conceptual 3D View (looking northwest)



#### 5.1 BUILT FORM

The built form of the proposed development is a contemporary 3-storey, low-rise, rectangular shaped apartment building with principal entrance facing the street, a peaked roof, and recessed, street-facing balconies. The building is oriented close to, and parallel with, Ron McNeil Line to optimize the efficient use of the subject lands and to provide a parking area largely screened from public view. The conceptual cladding materials shown in the figures above display a contemporary cladding palette that draws from the range of cladding materials in the neighbourhood, including brick and siding. The use of different colours and textures break-up of the massing of the building into smaller sections, both vertically and horizontally, reducing the apparent massing of the building and enhancing the streetscape. More refined details regarding the architecture of the proposed building will be reviewed during the Site Plan Approval stage.

#### 5.2 ACCESS & SERVICING

Vehicular access is proposed to use an existing laneway abutting to the east of the subject lands. A new driveway connection will link the laneway (and any required upgrades to the laneway) to an asphalt parking area to the rear of the building. The building will make use of municipal stormwater, and sanitary services, while water service will be from a private well, as outlined in the attached servicing report.

## 6.0 PROPOSED ZONING BY-LAW AMENDMENT APPLICATION

While an apartment building is permitted within the existing "Village Residential (VR1) Zone", only one (1) unit is permitted. Therefore, a Zoning By-Law Amendment ("ZBA") application is required to re-zone the subject lands from the current "Village Residential (VR1) Zone" to a site specific, special regulation "Village Residential (VR1(\_)) Zone" zone in order to permit the proposed development.

The site specific, special regulations sought for the "Village Residential (VR1(\_))" zone are as follows

- Additional permitted use: Apartment Building containing up to 6 units
- Minimum Front Yard Depth: 1.0 m
- Maximum Building Height: 13 m

A site statistics table is provided on the following page, showing the zoning statistics for the proposed development. While the actual building height is measured at 12.6m, 13m is requested in order to account for any grading considerations or changes to roof construction during Site Plan Approval.

The table below provides an overview of all zoning statistics applicable to the proposed development. Rows marked with **bold text and an asterisk (\*)** denote a site-specific regulation proposed through the aforementioned Zoning By-Law Amendment.

| Zoning Table Village Residential (VR1)-Apartment Dwelling |                        |                        |  |  |  |  |
|---|------------------------|------------------------|--|--|--|--|
|   |                        |                        |  |  |  |  |
| Minimum Lot Area (m <sup>2</sup> )                        | 800                    | 1012                   |  |  |  |  |
| Minimum Lot Frontage (m)                                  | 20                     | 24.7                   |  |  |  |  |
| Minimum Setback (m)                                       | N/A                    | N/A                    |  |  |  |  |
| Front yard Depth(m)*                                      | 6.0                    | 1.0*                   |  |  |  |  |
| Side Yard Width - Interior(m)                             | 2.0                    | 2.0                    |  |  |  |  |
| Side Yard Width – Exterior(m)                             | 6.0                    | N/A                    |  |  |  |  |
| Rear Yard Depth   | 7.5                    | 24.6                   |  |  |  |  |
| Maximum Lot Depth to Lot Frontage Ratio                   | N/A                    | 1.57                   |  |  |  |  |
| Maximum/Minimum Density (UPH)                             | N/A                    | 60                     |  |  |  |  |
| Maximum Lot Coverage (%)                                  | 30                     | 28                     |  |  |  |  |
| Maximum Height (m)*                                       | 10.5                   | 12.6                   |  |  |  |  |
| Minimum Floor Area (m) of a Dwelling                      | 90                     | 90                     |  |  |  |  |
| Maximum Floor Area (m) of an Accessory Building           | 120                    | N/A                    |  |  |  |  |
| Minimum Landscaped Open Space (%)                         | 30                     | 34%                    |  |  |  |  |
| Maximum Number of Dwellings per Lot*                      | 1                      | 6                      |  |  |  |  |
| Minimum Distance from a Dwelling to a Railway (m)         | 30                     | N/A                    |  |  |  |  |
| 4.24 Parking Regulation                                   |                        |                        |  |  |  |  |
| Apartment Dwelling  | 1.25 per dwelling unit | 2 per dwelling<br>unit |  |  |  |  |

A detailed description of the requested special regulations, as well as justification for each, is provided later in this report.

## 7.0 PLANNING POLICY ANALYSIS

The following section of this Planning Justification Report provides analysis evaluating the proposed Zoning By-Law Amendment through applicable land use policies and regulations, including the following:

- 2020 Provincial Policy Statement (PPS);
- County of Elgin Official Plan;
- Township of Malahide Official Plan; and,
- Township of Malahide Zoning By-Law.

#### 7.1 2020 PROVINCIAL POLICY STATEMENT

The Provincial Policy Statement (PPS), issued under the authority of Section 3 of the Planning Act *"provides policy direction on matters of provincial interest related to land use planning"* in order to ensure efficient development and the protection of resources. All planning applications, including Zoning By-law Amendment applications are required to be consistent with these policies. The proposed application and associated development are generally consistent with the policies of the 2020 PPS for the following reasons:

- The proposed development is an efficient and, as discussed later in this report, appropriate form of development for the subject lands. It adds to the range and mix of housing types to help meet the long-term housing needs for a variety of demographics. Given that the proposed development is a compact, cost-effective form of development that will make full use of municipal services within an existing built-up area of Springfield, land consumption and servicing costs are minimized. (1.1.1)
- The subject lands are located within a settlement area. The proposed development promotes vitality and regeneration of the subject lands, as it is an efficient form of development on an underutilized parcel of land that is connected to existing municipal sanitary services (1.1.3.1, 1.1.3.2).
- The proposed form of housing (apartment dwelling) is inherently more efficient than the existing single detached dwelling; is appropriate for the underutilized subject lands; and, is well-suited to support a new form of housing with increased density (1.1.3.2.a). The proposed development broadens the range of residential forms and intensities in the area, making efficient use of existing land, resources, infrastructure, and transportation networks, including existing municipal services available along Ron McNeil Line (1.1.3.2.b). A range of commercial uses, amenities and recreational resources are located within easy walking and cycling distance from the subject lands, which are accessible via public pedestrian sidewalks, thus encouraging active transportation (1.1.3.2.e).
- The proposed development is considered to be intensification as it adds more dwelling units than what currently exists. The subject lands are an appropriate location for multifamily housing due to its proximity to commercial area of Springfield; walking distance to parks, amenity features, schools; and, location along a major road. The lands are sufficiently sized to accommodate the necessary components associated with the

proposed development, including parking, amenity space, and appropriate vehicular and pedestrian circulation (1.1.3.3).

- The proposed development seeks to implement appropriate development standards which facilitate intensification, redevelopment, and compact form, while avoiding risks to public health and safety. Notably, the built form proposed, being an apartment building, is already permitted on the subject lands (1.1.3.4).
- The proposed development, considered to be infilling within a settlement area, will make use of partial services, being municipal sanitary services and private water service. This servicing solution, commonly found in Springfield, is permitted by the PPS (1.6.6.5).

#### 7.2 COUNTY OF ELGIN OFFICIAL PLAN

The subject lands are within the "*Tier 1 Settlement Area*" as per Schedule 'A' – Land Use in the County of Elgin Official Plan, which contemplates the proposed development (Figure 19).

Section B2.6 provides policies regarding new development in existing settlement areas, in that new development shall be a logical extension to the existing built-up area; be compact and minimize land consumption; and, that adequate services are provided. Policies regarding settlement areas are found in Section C.1, which generally provides those residential areas

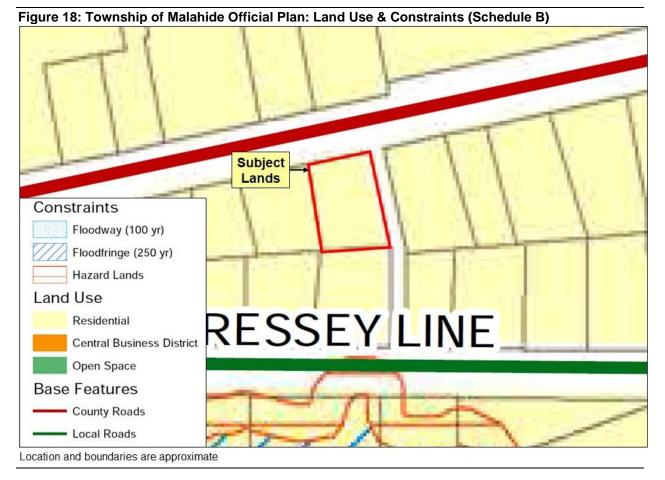
should maximize the use of infrastructure and minimize the amount of land for new development, and ensure compatibility between land uses.

The County of Elgin Official Plan generally defers to the lower-tier municipal Official Plans, in this case being the Township of Malahide, for more detailed land use policies.

Based on the above, the proposed Zoning By-Law Amendment is generally consistent with the policies of the County of Elgin Official Plan.

#### 7.3 TOWNSHIP OF MALAHIDE OFFICIAL PLAN

The subject lands are designated "Residential" as per "Schedule 'B' – Land Use and Constraints" in the Township of Malahide Official Plan (Figure 20).



The "Residential" designation encourages residential development and contemplates a wide range of residential dwelling types, including multiple unit dwellings (e.g. townhouses, stacked townhouses, and apartment buildings), to meet the needs of the community.

Section 3.3.2 of the Official Plan provides policies for multi-unit residential development. The proposed zoning by-law is consistent with this section as follows:

- The proposal is for a low-rise, walk-up apartment (subsection a));
- The building is located close to the street with an aesthetically pleasing design utilizing contemporary cladding materials and street-facing balconies to enhance the quality of the area and associated streetscape (subsection b));
- Adequate off-street parking is provided (subsection c));
- The location and massing of the building relative to adjacent properties is appropriate (subsection d)); and,
- The building will be connected to municipal sanitary services (subsection e)).

The subject lands are considered an appropriate site for the six-unit apartment (multiple unit dwellings) for the following reasons:

- Municipal sanitary services are to be used to service the subject lands along with private water service. Based on the Functional Servicing Report, it is anticipated that adequate sewage capacity is available for the proposed six-unit building. As a water well is currently used on the subject lands, it is anticipated that there is sufficient serviceability from either the existing well or a new well. (Section 4.4.2.1)
- The proposed development has a residential density of 60 units per hectare (UPH) which is slightly below the density target of 75 UPH for apartments, and is an appropriate form and intensity for the context of the site. (Section 4.4.2.7(b))

The massing and built form of the 3-storey apartment building is contemplated in the Official Plan. The development of the underutilized subject lands appropriately provides an efficient and cost-effective residential development which may contribute to housing affordability. Notably, the scale and massing of the building is in keeping with the character of Springfield and is considered appropriate for the site and compatible with adjacent uses.

Therefore, the proposed development is generally consistent with the policies of the Malahide Official Plan as it provides diverse housing to meet the needs the community, and is contemplated by the Township of Malahide Official Plan.

#### 7.4 TOWNSHIP OF MALAHIDE ZONING BY-LAW NO. 18-22, AS AMENDED

The subject lands are currently zoned *"Village Residential One (VR1) Zone"* in the Township of Malahide Zoning By-Law No. 18-22, as amended (Figure 21).

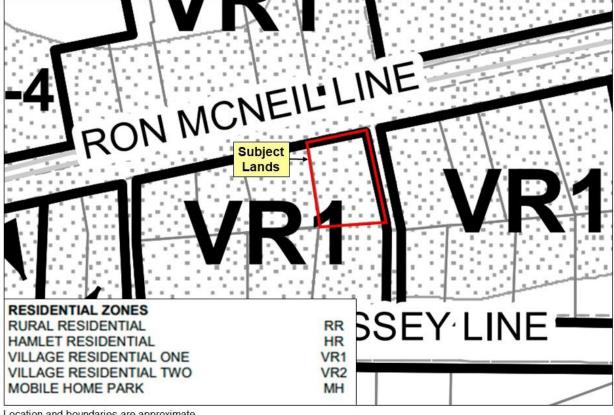


Figure 19: Township of Malahide Zoning By-Law

The VR1 zone permits a wide range of residential dwelling types, including apartment buildings. However, only one (1) apartment unit is permitted in an apartment building, and therefore the practicality of the development of an apartment building is undermined by the standard zone regulation. It is unclear why the VR1 zone specifically permits an apartment building but restricts the number of units to only one. In reality, a one-unit apartment building is a single detached dwelling.

A Zoning By-Law Amendment ("ZBA") application is required to re-zone the subject lands from the current *VR1* zone to a site specific, special regulation "*Village Residential* (*VR1(\_)*)" zone.

The site specific, special regulations sought for the "Village Residential (VR1(\_))" zone are as follows

- to permit 6 units in an apartment building; and,
- A minimum front yard depth of 1.0m;
- A maximum height of 13m

Location and boundaries are approximate

Analysis on the specific special regulations required to permit the proposed development is provided below:

#### Six-Unit Apartment Building

As noted above, the *VR1* zone already permits an apartment building, and therefore the built form of the proposed development, including scale, massing, and general layout, is already permitted; it is the intensity of the development that is not recognized in the Zoning By-Law. As noted in the previous section of this report however, the intensity proposed is actually less than the target density in the Official Plan for apartment buildings.

In determining the appropriate number of units for any development, whether greenfield or intensification/infill, it is vital to consider the requisite components of proper site design and function to gauge whether the number of units is appropriate. Those key components generally consist of building size and setbacks, vehicular parking, on-site amenity space for residents, and landscaped space.

As the built form and location of the building is already permitted, save and except for the front yard setback and height (discussed in the next section), the physical form of the building is considered to be appropriate, including the side yard setbacks separating the building with abutting lot lines. In general practice, a 2m setback for a 3-storey building, as is the current standard Springfield, is appropriate.

Ample vehicular parking of 12 spaces for 6 units, equating to 2 spaces per unit, is provided.

On-site amenity space is provided to the rear of the building, and may include a formal seating area in a gazebo, and garden for residents.

Landscaped space is provided around the building. While a landscape plan is not available at this time, it is expected that a detailed landscape plan will be provided through the Site Plan Approval process. Landscaping may also be used to assist with providing stormwater management.

Given that the built form of the proposed apartment building is already permitted, and that the site provides the necessary components of a well-functioning multi-family residential property, the proposed number of units is appropriate for the subject lands.

In addition to the above, it is important to note that the proposed development is a compact form of multi-unit housing type and is an efficient use of land. This form of housing will provide opportunities to increase density without creating undue adverse impacts on the neighbourhood or municipal infrastructure. The form of housing proposed is inherently more efficient than other forms of housing in the area, and allows housing to be provided at a lower cost, therefore contributing to housing affordability.

#### 1.0m Front Yard Depth

The minimum front yard depth is proposed to be 1.0 m. There are three key reasons for this proposed setback: to maximize the available area to the rear of the building; to ensure a strong street presence along Ron McNeil Line; and, to keep the building generally in line with the established front yard setback / street line along Ron McNeil Line.

Locating the building close to the street allows for more area to the rear of the building to be used for parking and amenity space. As ample parking and amenity space is provided, locating the building close to the street assists in providing a well-functioning site.

Positioning the building close to the street also increases the street presence, or visibility, of the building when viewed from Ron McNeil Line. This aspect of the development will have a positive impact on the Ron McNeil streetscape.

Existing buildings on either side of the subject lands are located approximate 0.9m from the Ron McNeil road allowance. The proposed 1.0m setback is therefore in keeping with the established setback.

#### 13.0m Maximum Building Height

The maximum building height is proposed to be 13.0m. As previously noted, the requested height is slightly taller than the 12.6m shown on the elevations, allowing for a moderate degree of flexibility, accounting for items such as a change in grading or roof slope.

While a three-storey building can be constructed with the standard 10.5m building height limit, such a design would likely require a flat roof which is not in keeping with the residential character of the area. By increasing the building height, a more compatible roof structure is possible and no additional floor area is proposed. The proposed maximum building height is generally in keeping with the existing maximum height and is appropriate for the proposed development within its context.

## 8.0 OTHER CONSIDERATIONS

#### 8.1 SERVICING REPORT

A conceptual Servicing Brief, prepared by AGM dated 28th January, 2022, reviews existing and proposed conditions for sanitary, water and stormwater management. The brief concludes that the subject lands can be properly serviced utilizing municipal sanitary sewers and a private well.

### 9.0 CONCLUSION

The proposed Zoning By-Law Amendment Application seeks to permit the development of a three-storey, six-unit, residential apartment building on the subject lands. The proposal is appropriate for the subject lands for the following reasons:

- The proposed development is generally consistent with the intent and policies of the 2020 Provincial Policy Statement, and conforms to the intent and policies of the 2013 Township of Malahide Official Plan;
- The proposed development maintains a low-rise residential form and character that is appropriate for the subject lands and compatible with adjacent land uses;
- The proposed development can be appropriately serviced by municipal sanitary services and private water service (well); and,
- The proposed development will introduce a new form of development in the area which has the ability to add to the range of housing affordability and tenure options in Springfield.

51403 Ron McNeil Line

## PROPOSED 6 UNIT APARTMENT BUILDING

## CONCEPTUAL SERVICING BRIEF

Levy's Reno and Design

February 28, 2022

February 28, 2022

Levy's Reno & Design 12 Chester Street St. Thomas, ON N5R 1T8

Attention: Levy Leverton

#### Re: 51403 Ron McNeil Line Proposed 6 Unit Apartment Building Conceptual Servicing Brief

This brief has been prepared in support of the proposed 6 unit apartment building at 51403 Ron McNeil Line in the Township of Malahide. The 0.10ha site is located on the south side of Ron McNeil Line (County Road No. 52) between Alley Street and Catherine Street. The site is bordered by residential properties to the south and west as well as a laneway to the east.

The purpose of this brief is to present the conceptual servicing strategy for the proposed development. In addition to a residential building, the proposed development will introduce a parking lot at the south end as well as an amenity area – see Concept Plan by Zelinka Priamo Ltd. (Figure 1) for site layout.

#### **Existing Infrastructure**

The Ron McNeil Line right-of-way includes the following subsurface infrastructure fronting the property.

- A 200mm sanitary sewer (installed in 2000) beneath the road conveying sewage to the west. The existing dwelling was connected to the sanitary sewer with a 125mm private drain connection. Sewage is conveyed by gravity presumably to a pumping station and ultimately to the Aylmer Sewage Lagoons.
- A 250mm storm sewer with catchbasins beneath the south shoulder of the road, conveying stormwater runoff to the west. The storm design sheet and drainage area plans were not available at the time of writing this brief. It is unknown whether the subject property was accounted for in the design of the fronting storm sewer.

Ron McNeil Line is not equipped with a watermain, instead the residential properties in the area utilize private wells for domestic water. See Figure 2 for an illustration of existing infrastructure.

#### **Proposed Servicing**

The conceptual servicing strategy for the 6 unit apartment building is detailed in the following subsections.

#### **Sanitary Servicing**

The proposed development benefits from the 125mm sanitary lateral serving the existing dwelling. A connection will be made from the proposed apartment building to the existing service at property line. As shown on Figure 3, a clean out will be provided for maintenance access.

The fronting sanitary sewer serves the subject property, plus an additional 6 properties upstream equating to a theoretical population of 21 people (7 lots x 3 people/lot). The proposed apartment building will increase the theoretical population to 28 (6 lots x 3 people/lot + 1.6 people/unit x 6 units). This will result in a peak flow increase of 0.12 L/s (based on a conservative per capita flow of 350 L/person/day). Since this increase is insignificant, the fronting 200mm sanitary sewer, having a capacity of 24.5 L/s, will be able to convey the additional peak flows.

#### Water Servicing

The existing well is not in a suitable location for continued use based on the conceptual site layout. As such, a new well will be required. The proposed well will be located south of the proposed building and will service the domestic water needs for the 6 apartment units. The well design is outside of AGM's scope and will be completed by others.

#### **Stormwater Management & Servicing**

The proposed development will introduce a 2.5 storey building, parking lot and amenity area, as per Figure 1. The land use changes result in an increase in imperviousness and consequently in higher peak flows, triggering the need for stormwater management controls.

Since the subject property is relatively flat under the existing condition, it is expected that the grassed areas experience stormwater ponding during most rainfall events. Stormwater events exceeding the on site ponding spill over onto the neighbouring properties and ultimately to the south as the Ron McNeil Line sidewalk is higher than the boundary elevations at the rear (Figure 2). It is assumed that the intent of the 250mm storm sewer along Ron McNeil Line is to serve the south half of the right-of-way as well as possibly a portion of the fronting properties. During the detailed design phase, AGM will request the allowable discharge from the Township.

The proposed development will have split drainage with the front yard draining to the right-of-way, while the remaining area will drain to the parking lot at the rear. The parking lot will be equipped with a below ground stormwater system combined with natural asphalt surface storage to capture and restrict stormwater discharge. The preferred method

for underground storage is an oversized storage pipe, known as a super-pipe. The alternate method is a chamber system which will be proposed if the detailed analysis yields it to be more effective, from a cost and capacity perspective.

The restricted discharge from the underground storage will be conveyed to the Ron McNeil Line storm sewer via a proposed 200mm diameter private sewer; see Figure 3 for alignment options. Since the south boundary is lower than the fronting roadway, the parking lot overland flow route will be to the south, as per the existing condition.

The proposed stormwater management strategy will be designed to control post development peak flow to allowable levels for all required storm events.

#### Summary

The conceptual servicing strategy presented is consistent with existing infrastructure at this location. Neighbouring properties will not be adversely impacted by the servicing concept presented.

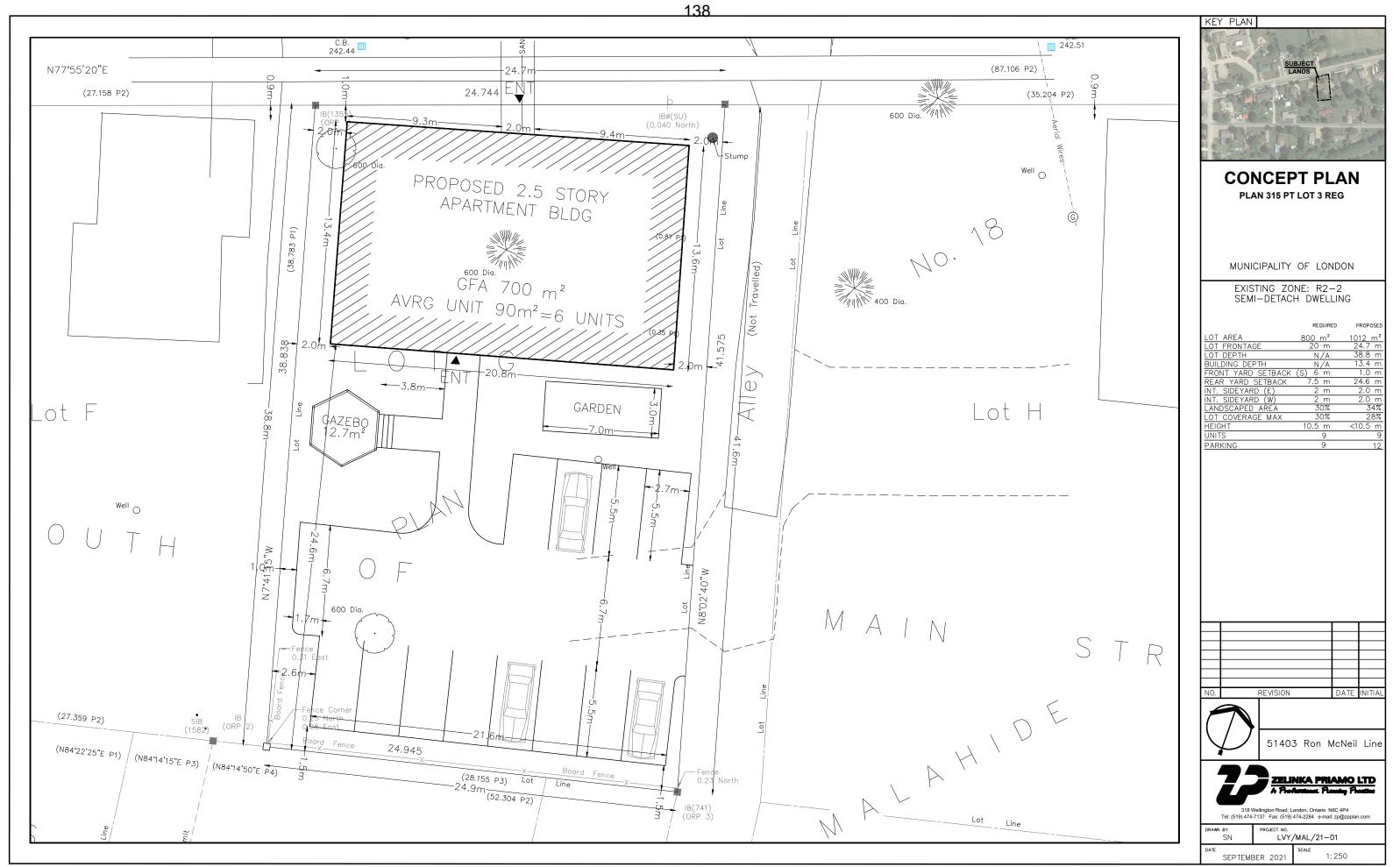
If you have any questions regarding this brief, please contact our office.

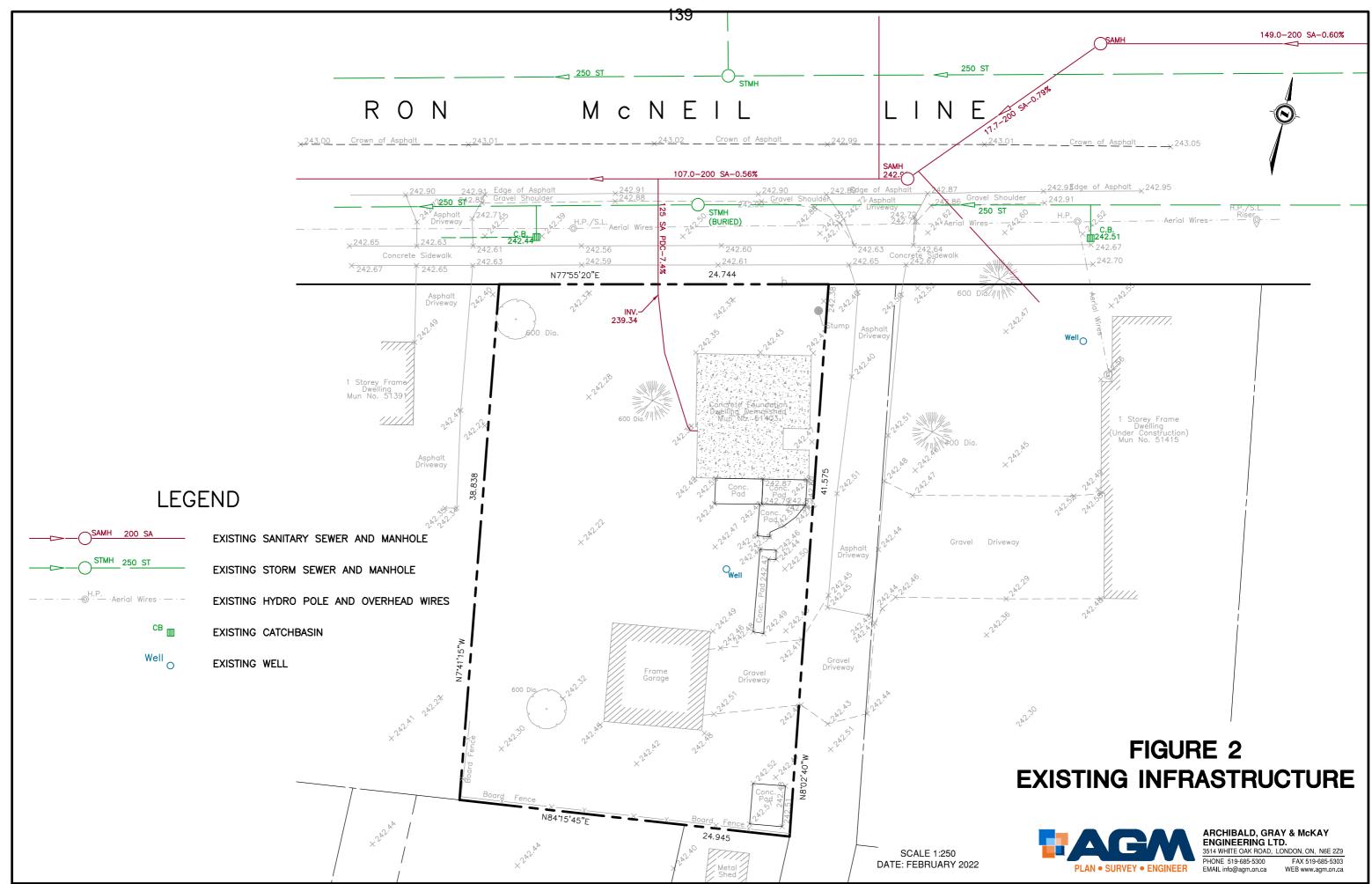
Regards,

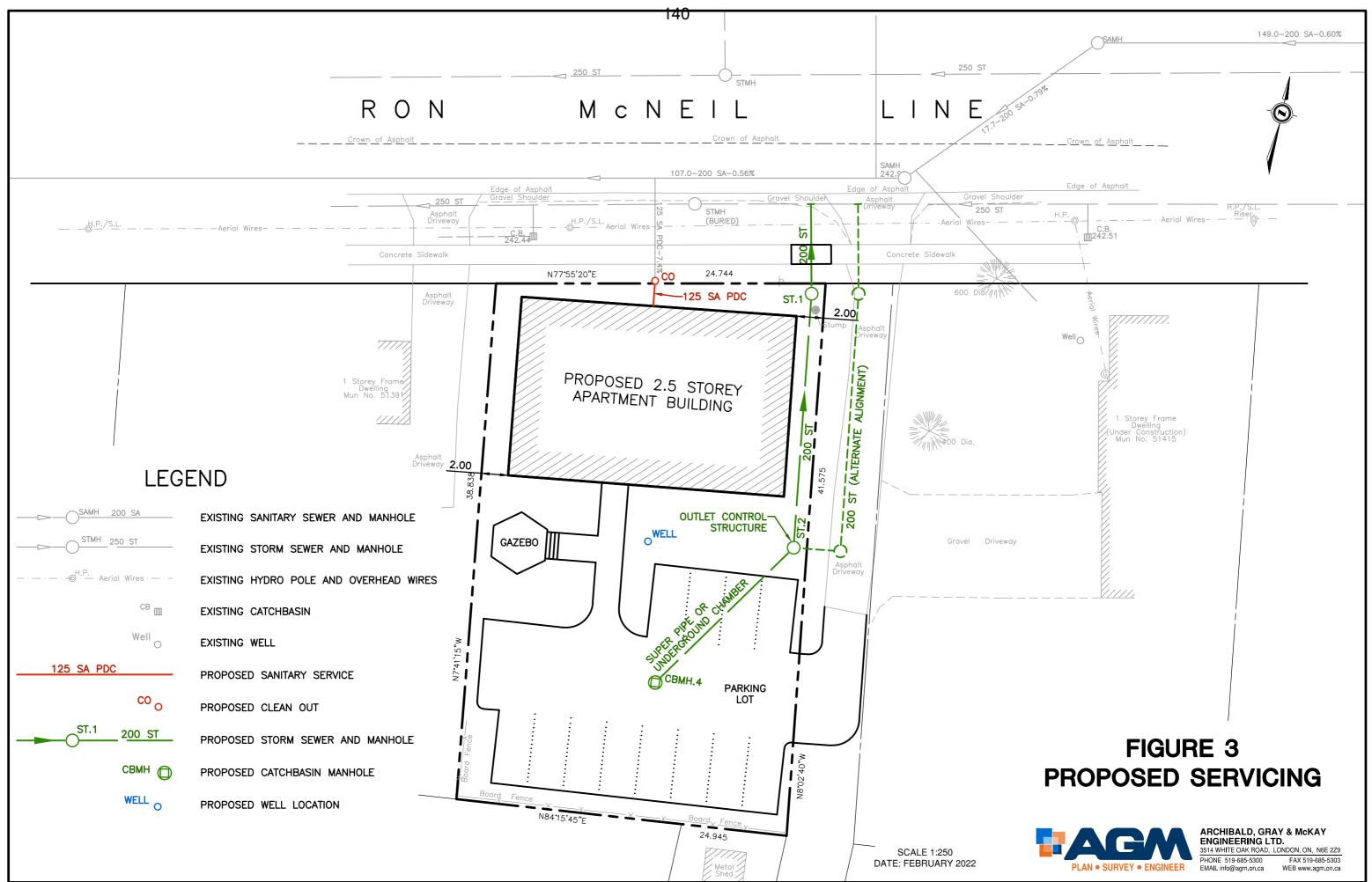
#### Archibald, Gray & McKay Engineering Ltd.



Lukas Grabowski, P.Eng. Project Engineer







#### THE CORPORATION OF THE TOWNSHIP OF MALAHIDE BY-LAW NO. 22-48

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

#### Leverton Developments Inc/ 51403 Ron McNeil Line

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

**AND WHEREAS** authority is granted under Section 34 of the <u>Planning Act</u>, as amended, to pass a Bylaw;

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

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

- THAT the area shown identified on the attached map, Schedule "A", and described as Lot G, Plan 18, in the Township of Malahide, shall remain in the "Village Residential One (VR1) Zone" of By-law No. 18-22 and shall be subject to the added provisions of Section 6.4.5 of By-law No. 18-22 as set forth in this By-law. The zoning of this land shall be shown as "A1-5" on Key Map D2 of Schedule "A" to By-law No. 18-22, as amended.
- THAT By-law No. 18-22, as amended, is hereby further amended by amending Section 6.4 VILLAGE RESIDENTIAL ONE (VR1) ZONE – 'SITE-SPECIFIC' ZONES, by adding the following new subsection:
  - **6.4.5** a) <u>Defined Area</u> VR1-5 as shown on Schedule "D", Map No. D2.
    - b) <u>Minimum Front Yard Depth</u> Apartment Dwelling 1.0 m
    - c) <u>Maximum Building Height</u> Apartment Dwelling 13 m
- 3. **THAT** this By-law shall come into force:

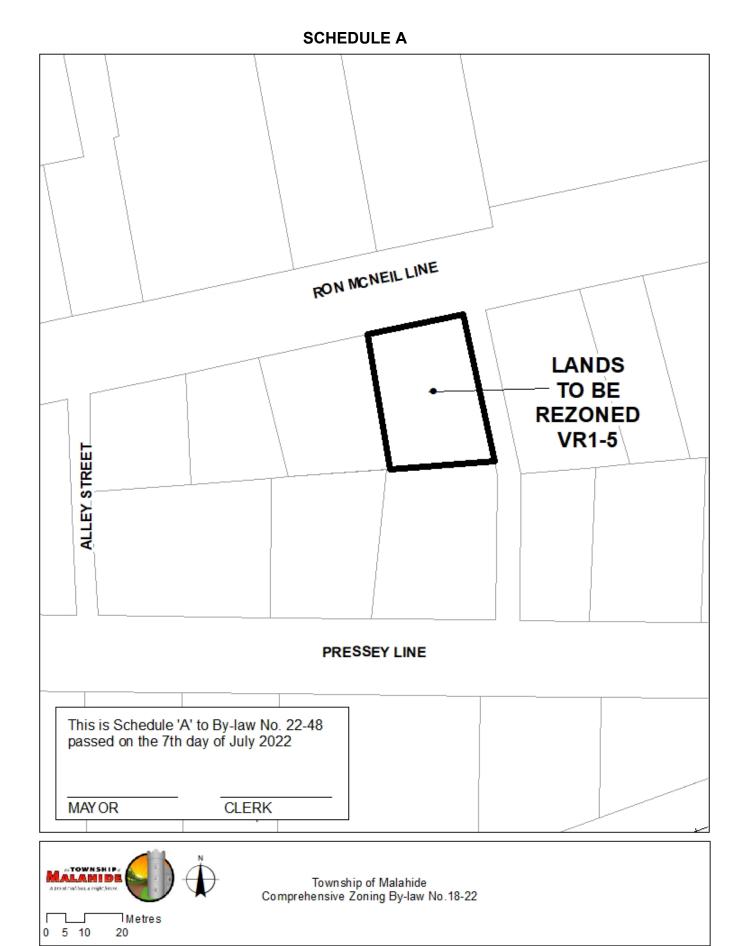
- a) Where no notice of objection has been filed with the Township's Clerk within the time prescribed by the <u>Planning Act</u> and regulations pursuant thereto, upon the expiration of the prescribed time; or,
- b) Where notice of objection has been filed with the Township's Clerk within the time prescribed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

**READ** a **FIRST** and **SECOND** time this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

**READ** a **THIRD** time and **FINALLY PASSED** this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

Mayor – D. Mennill

Clerk – A. Adams



#### File No: D14-Z10-22

#### Location: Lot G, Plan 18, Township of Malahide

To whom it may concern,

The Peters family is opposed to construction of an apartment building being built on this lot. Our home is located behind the lot that this building is being proposed. Our concerns are a large increase in trash collection as well as the local wildlife getting into the trash when it is set outside. Another concern is the wells and water supply for such a building and consumption of water for that many proposed apartments.

Other concerns are with the amount of parking in the back of the lot would be directly facing our backyard and the noise and disruption possibly all hours of the day and night. Also with such and large building being put on such a small lot. Because of the height of the building, residents of the apartment would be looking directly into our backyard and we would no longer have the privacy that Springfield has had and offered over the years.

Thank you for listening to our concerns and we hope that this plan will not be moving forward,

The Peters Family

51402 Pressey Line

Springfield, ON

Letter regarding application: D14-Z10-22

To whom it may concern:

We would like to introduce ourselves, Donald and Nancy Ross. Of 51394 Ron McNeil line Springfield. Our home is located across the road from the purposed six plex apartment building. We strongly oppose of this potential project and believe that changing zoning or making adjustments for one developer will negatively impact many long-time property owners in the area.

Here are a few of our thoughts and concerns we would like you to consider before approving this re-zoning.

- 1- No proper driveway. They are currently using a road allowance to access the property.
- 2- A six plex could potentially house 30 plus residents, this could lead to a strong possibility of not enough parking. Then we are in a situation where residents and visitors are parking along the sides of the highway.
- 3- A six plex apartment building or any other multi family structure does not fit in the current landscape of the neighbourhood. The surrounding homes are all single family detached homes. We all bought homes in the neighborhood with expectations of keeping it zoned the way it has always been with out changing setbacks and height adjustments for apartment buildings.
- 4- An apartment building will draw a tremendous amount of water in comparison to a single family home. Can anyone guarantee this will not negatively impact our water wells?
- 5- If this structure is built current property owners will most certainly see loses on there property values, and if the zoning is

changed for this apartment unit to be built in this neighborhood does that mean we are going to keep changing zoning to cater to developers and have apartments being constructed without care for any home owners in the community.

6- We should not lose financially for the gain of a developer.

Springfield is a beautiful community of large lots with affordable homes, with a wonderful school for families to raise children. This is what our community has to offer. Not urban style apartment buildings that outside developers build to squeeze every last dollar out of a small piece of land. We do recognize the need for affordable housing. That being said this is clearly not the right place for an apartment building!

Thank you for considering our concerns, our trust is with you.

Donald and Nancy Ross 51394 Ron McNeil line Springfield Ontario NOL2JO, P.O. box 383 519-521-3536 From: Wayne Zimmer Sent: Wednesday, June 29, 2022 9:29 PM To: Malahide General <<u>malahide@malahide.ca</u>> Subject: Rezoning Application File No. D14-Z10-22

Attention: Alison Adams, Manager of Legislative Services/Clerk

We received notice of the above mentioned proposed zoning by-law amendment requesting comments.

We oppose this application for the following reasons:

. currently zoned single family residential which in our opinion best suits the property and the surrounding properties .safety concerns with increased volume of traffic with parking spaces for 12 vehicles . the application reads that the parking spaces to the rear of the building will be accessed via the abutting laneway.

It is our understanding that this "abutting laneway" is a municipal right away that runs from Ron McNeil Line to Pressey Line. Currently the "abutting laneway" is not maintained by the Municipality. With the added traffic of 12 parking spaces and the existing neighbour will this matter be addressed? Whose responsibility will it be for maintaining this "abutting laneway". .will there be ample water, sewage, hydro, gas if required to support an apartment building on this size of property?

We intend to view the live stream meeting.

Wayne and Patricia Zimmer 51422 Pressey Line Springfield ON NOL 2J0

## **CORPORATION OF THE TOWNSHIP**

## **OF MALAHIDE**

**Consolidated Financial Statements** 

December 31, 2021



## **Consolidated Financial Statements**

## For The Year Ended December 31, 2021

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## **MANAGEMENT'S RESPONSIBILITY FOR FINANCIAL REPORTING**

The accompanying consolidated financial statements are the responsibility of the management of Corporation of the Township of Malahide and have been prepared in accordance with Canadian accounting standards for public sector entities.

These consolidated financial statements include:

- Independent Auditors' Report
- Consolidated Statement of Financial Position
- Consolidated Statement of Operations and Accumulated Surplus
- Consolidated Statement of Change in Net Financial Assets
- Consolidated Statement of Cash Flows
- Notes to the Consolidated Financial Statements
- Consolidated Schedule of Segment Disclosure

The Chief Administrative Officer and the Director of Finance are responsible for ensuring that management fulfills its responsibility for financial reporting and is ultimately responsible for reviewing the consolidated financial statements before they are submitted to Council for approval.

The integrity and reliability of Corporation of the Township of Malahide reporting systems are achieved through the use of formal policies and procedures, the careful selection of employees and an appropriate division of responsibilities. These systems are designed to provide reasonable assurance that the financial information is reliable and accurate.

The consolidated financial statements have been audited on behalf of the Members of Council, Inhabitants and Ratepayers of Corporation of the Township of Malahide by Graham Scott Enns LLP in accordance with Canadian generally accepted auditing standards.

Mr. Adam Betteridge Chief Administrative Officer Mr. Adam Boylan Director of Finance

Aylmer, Ontario July 7, 2022



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P. 519-773-9265 • F. 519-773-9683 25 John Street South, Aylmer, ON N5H 2C1

www.grahamscottenns.com

#### **INDEPENDENT AUDITORS' REPORT**

To the Members of Council, Inhabitants, and Rate Payers of Corporation of the Township of Malahide:

#### Opinion

We have audited the consolidated financial statements of **Corporation of the Township of Malahide**, which comprise the consolidated statement of financial position as at December 31, 2021, and the consolidated statement of operations and accumulated surplus, statement of change in net assets, consolidated statement of remeasurement gains and losses, and consolidated statement of cash flows for the year then ended, and notes to the financial statements, including a summary of significant accounting policies.

In our opinion, the Municipality's consolidated financial statements present fairly, in all material respects, the financial position of the Municipality as at December 31, 2021, and the results of its operations and its cash flows for the year then ended in accordance with Canadian accounting standards for public sector entities.

#### **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 Consolidated Financial Statements* section of our report. We are independent of the Municipality in accordance with the ethical requirements that are relevant to our audit of the financial statements in Canada, and we have fulfilled our other ethical responsibilities in accordance with these requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

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

Management is responsible for the preparation and fair presentation of the consolidated financial statements in accordance with Canadian accounting standards for public sector entities, 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 consolidated financial statements, management is responsible for assessing the Municipality'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 Municipality or to cease operations, or has no realistic alternative but to do so.

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

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

Our objectives are to obtain reasonable assurance about whether the consolidated financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these consolidated financial statements.



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#### **INDEPENDENT AUDITORS' REPORT (CONTINUED)**

#### Auditors' Responsibilities for the Audit of the Consolidated Financial Statements (Continued)

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

- Identify and assess the risks of material misstatement of the consolidated financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Municipality'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 Municipality's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the consolidated financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the Municipality to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the consolidated financial statements, including the disclosures, and whether the consolidated financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

We communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

St. Thomas, Ontario

Graham Scott Enns LLP

July 7, 2022

CHARTERED PROFESSIONAL ACCOUNTANTS Licensed Public Accountants

## **CORPORATION OF THE TOWNSHIP OF MALAHIDE**

## Consolidated Statement of Financial Position As At December 31, 2021

|   | 2021           | 2020       |
|---|----------------|------------|
|   | \$             | \$         |
| FINANCIAL ASSETS                                      |                |            |
| Cash  | 6,115,273      | 4,921,772  |
| Investments (Note 2)                                  | 4,524,248      | 4,298,428  |
| Taxes receivable (Note 4)                             | 1,536,753      | 1,549,816  |
| Accounts receivable (Note 5)                          | 2,086,522      | 1,941,644  |
| Total financial assets                                | 14,262,796     | 12,711,660 |
| FINANCIAL LIABILITIES                                 |                |            |
| Temporary advances (Note 6)                           | _              | 1,250,000  |
| Deferred revenue - obligatory reserve funds (Note 10) | 2,368,437      | 1,909,251  |
| Accounts payable and accrued liabilities              | 3,038,844      | 2,756,682  |
| Net long-term liabilities (Note 8)                    | 3,605,324      | 2,559,961  |
|   |                |            |
| Total financial liabilities                           | 9,012,605      | 8,475,894  |
| NET FINANCIAL ASSETS                                  | 5,250,191      | 4,235,766  |
| NON-FINANCIAL ASSETS                                  |                |            |
| Tangible capital assets (Note 7)                      | 46,913,648     | 46,883,790 |
| Inventories   | 139,352        | 130,362    |
| Prepaid expenses                                      | 42,319         | 35,861     |
| 1 1   | <u> </u>       |            |
| Total non-financial assets                            | 47,095,319     | 47,050,013 |
| TOTAL NET ASSETS                                      | 52,345,510     | 51,285,779 |
| NET ASSETS IS COMPRISED OF:                           |                |            |
| ACCUMULATED SURPLUS (NOTE 9)                          | 51,804,244     | 50,817,203 |
| ACCUMULATED REMEASUREMENT GAINS                       | <u>541,266</u> | 468,576    |
|   |                |            |
|   | 52,345,510     | 51,285,779 |

The accompanying notes are an integral part of these consolidated financial statements.

## **CORPORATION OF THE TOWNSHIP OF MALAHIDE**

## Consolidated Statement of Operations and Accumulated Surplus For The Year Ended December 31, 2021

|  | Budget     | Actual               | Actual     |
|--|------------|----------------------|------------|
|  | (Note 14)  | 2021                 | 2020       |
|  | <u>\$</u>  | \$                   | <u></u>    |
| REVENUES   |            |                      |            |
| Property taxation                                  | 7,591,214  | 7,545,357            | 7,260,823  |
| Taxation from other governments                    | 921,973    | 716,440              | 872,583    |
| User charges, licenses, permits                    | 1,916,842  | 2,404,145            | 1,881,723  |
| Local improvement levies and development charges   | -          | 548,217              | 310,532    |
| Government transfers:                              |            |                      |            |
| Federal  | 460,000    | 400,000              | 460,000    |
| Provincial   | 1,131,068  | 2,022,517            | 1,485,329  |
| Other municipalities                               | 1,130,313  | 1,422,625            | 1,089,903  |
| Investment income                                  | 40,500     | 171,344              | 168,126    |
| Penalties and interest on taxes                    | 188,000    | 210,715              | 109,804    |
| Other, fines and donations                         | 34,789     | 7,326                | 79,205     |
| Gain (loss) on disposal of tangible capital assets |            | <u>(51,959</u> )     | 10,753     |
| Total revenues                                     | 13,414,699 | 15,396,727           | 13,728,781 |
|  |            |                      |            |
| EXPENSES<br>Concred government                     |            |                      |            |
| General government                                 | 1,438,837  | 1,467,408            | 1,485,674  |
| Fire and police protection                         | 2,435,792  | 2,477,796            | 2,312,354  |
| Other protective services                          | 530,589    | 590,973              | 519,833    |
| Transportation services                            | 5,884,104  | 5,618,986            | 5,266,924  |
| Waterworks and sewer                               | 1,054,163  | 1,442,624            | 884,429    |
| Garbage collection and disposal                    | 595,605    | 671,367              | 575,166    |
| Health services                                    | 45,684     | 49,051               | 32,033     |
| Recreation and cultural services                   | 1,117,815  | 1,545,045            | 1,100,079  |
| Planning and zoning                                | 156,944    | 219,267              | 182,140    |
| Agriculture  | 379,087    | 327,169              | 658,014    |
| Total expenses (Note 15)                           | 13,638,620 | <u>14,409,686</u>    | 13,016,646 |
| ANNUAL SURPLUS (DEFICIT)                           | (223,921)  | 987,041              | 712,135    |
| ACCUMULATED SURPLUS, BEGINNING                     |            |                      |            |
| OF YEAR  | 50,817,203 | 50,817,203           | 50,105,068 |
|  |            | -                    |            |
| ACCUMULATED SURPLUS, END                           | 50 502 202 | <b>51</b> 00 4 3 4 4 | 50.017.000 |
| OF YEAR (NOTE 9)                                   | 50,593,282 | 51,804,244           | 50,817,203 |
|  |            |                      |            |

The accompanying notes are an integral part of these consolidated financial statements.

## Consolidated Statement of Change in Net Financial Assets For The Year Ended December 31, 2021

|   | Budget<br>(Note 14)<br>\$                         | Actual<br>2021<br><u>\$</u>  | Actual<br>2020<br>\$   |
|---|---|--|--|
| ANNUAL SURPLUS  | (223,921)   | 987,041  | 712,135  |
| Acquisition of tangible capital assets<br>Amortization of tangible capital assets<br>Proceeds on disposal of tangible capital assets<br>Contributed tangible capital assets<br>Change in inventories and prepaid expenses<br>Gain on disposal of tangible capital assets<br>Change in accumulated remeasurement gains | (2,687,359)<br>2,599,782<br>-<br>-<br>-<br>-<br>- | (2,687,359)<br>2,599,782<br>5,760<br>-<br>(15,448)<br>51,959<br>72,690 | $(3,701,931) \\ 2,591,514 \\ 10,753 \\ (63,025) \\ 8,881 \\ (10,753) \\ 148,788$ |
| CHANGE IN NET FINANCIAL ASSETS  | (311,498)   | 1,014,425  | (303,638)  |
| NET FINANCIAL ASSETS, BEGINNING OF YEAR   | 4,235,766   | 4,235,766  | 4,539,404  |
| NET FINANCIAL ASSETS, END OF YEAR   | 3,924,268   | <u>5,250,191</u>   | 4,235,766  |

The accompanying notes are an integral part of these consolidated financial statements. -6-

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## Consolidated Statement of Remeasurement Gains and Losses For The Year Ended December 31, 2021

|   | 2021<br><u>\$</u> | 2020<br> |
|---|-------------------|----------|
| ACCUMULATED REMEASUREMENT GAINS,<br>BEGINNING OF YEAR           | 468,576           | 319,788  |
| Unrealized gains attributable to investments                    | 72,690            | 148,788  |
| Change in accumulated remeasurement gains                       | 72,690            | 148,788  |
| ACCUMULATED REMEASUREMENT GAINS,<br>END OF YEAR                 | <u> </u>          | 468,576  |
| Accumulated remeasurement gains is comprised of:<br>Investments | <u> </u>          | 468,576  |
|   |                   |          |



The accompanying notes are an integral part of these consolidated financial statements. -7-

## **CORPORATION OF THE TOWNSHIP OF MALAHIDE**

## **Consolidated Statement of Cash Flows For The Year Ended December 31, 2021**

| <b>OPERATING ACTIVITIES</b><br>Annual surplus  | 2021<br><u>\$</u><br>987,041                    | 2020<br><u>\$</u><br>712,135                 |
|--|---|--|
| Add (deduct) items not involving cash:<br>Amortization of tangible capital assets<br>Contributed tangible capital assets<br>Loss (gain) on disposal of tangible capital assets | 2,599,782<br>-<br>51,959                        | 2,591,514<br>(63,025)<br>(10,753)            |
| Change in non-cash assets and liabilities related<br>to operations (Note 15 [b])   | 3,638,782<br><u>594,085</u>                     | 3,229,871<br><u>768,430</u>                  |
| INVESTING ACTIVITIES<br>Purchase of investments<br>CAPITAL ACTIVITIES<br>Acquisition of tangible capital assets  | <u>4,232,867</u><br>(153,130)<br>(2,687,359)    | <u>3,998,301</u><br>(129,278)<br>(3,701,931) |
| FINANCING ACTIVITIES<br>Short-term debt financing issued (repaid) for tangible capital assets  | (2,681,599) $(1,250,000)$                       | <u>(3,691,178)</u><br>(3,250,000             |
| Long-term debt repayment   | (1,250,000) $1,250,000$ $(204,637)$ $(204,637)$ | <u>(174,693</u> )<br><u>1,075,307</u>        |
| NET CHANGE IN CASH   | 1,193,501                                       | 1,253,152                                    |
| CASH, BEGINNING OF YEAR  | 4,921,772                                       | 3,668,620                                    |
| CASH, END OF YEAR  | 6,115,273                                       | 4,921,772                                    |

The accompanying notes are an integral part of these consolidated financial statements.

## **CORPORATION OF THE TOWNSHIP OF MALAHIDE**

## Notes to the Consolidated Financial Statements For The Year Ended December 31, 2021

The Corporation of the Township of Malahide (the "Municipality") is a municipality in the Province of Ontario. It conducts its operations guided by the provisions of provincial statutes such as the Municipal Act, Municipal Affairs Act and related legislation.

#### 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The consolidated financial statements of the Municipality are prepared by management in accordance with Canadian generally accepted accounting principles for local governments. Significant aspects of the accounting policies adopted by the Municipality are as follows:

#### **Reporting Entity**

The consolidated financial statements reflect the assets, liabilities, revenues, expenses of the reporting entity. The reporting entity is comprised of all organizations, committees and local boards accountable for the administration of their financial affairs and resources to the Municipality and which are owned or controlled by the Municipality.

#### **Consolidated Entities**

There are no organizations or local boards that are consolidated in these financial statements.

#### **Proportionate Consolidation**

The East Elgin Community Complex, a joint local board with the Town of Aylmer, is consolidated on a proportionate basis. Operation of the facility is shared equally between the two municipalities.

The Aylmer Area Secondary Water Supply System and the Port Burwell Area Secondary Water Supply System have been consolidated on a proportionate basis, based upon the water flow used by the Municipality in proportion to the total water flow provided by the joint boards.

#### **Basis of Accounting**

The consolidated financial statements are prepared using the accrual basis of accounting. Revenues are recognized as they are earned and measurable. Expenses are recognized as they are incurred and measurable as a result of receipt of goods or services and the creation of a legal obligation to pay.

## Notes to the Consolidated Financial Statements For The Year Ended December 31, 2021

#### 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

#### **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. The change in non-financial assets during the year, together with the excess of revenues over expenses, provides the Change in Net Financial Assets for the year.

#### i) Tangible capital assets

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

| Transportation infrastructure | 20 to 50 years  |
|-------------------------------|-----------------|
| Water system infrastructure   | 15 to 100 years |
| Wastewater infrastructure     | 50 to 100 years |
| Land improvements             | 10 to 50 years  |
| Buildings                     | 10 to 95 years  |
| Machinery and equipment       | 2 to 10 years   |
| Vehicles                      | 7 to 20 years   |

Amortization begins the first month of the year following the year the asset is placed in service and continues to the year of disposal. Assets under construction are not amortized until the asset is available for productive use.

ii) Contributions of tangible capital assets

Tangible capital assets received as contributions are recorded at their fair value at the date of receipt and also are recorded as revenue.

iii) Inventories

Inventories held for consumption are recorded at the lower of cost and replacement cost.

iv) Works of art and cultural and historic assets

Works of art and cultural and historic assets are not recorded as assets in these financial statements.

## Notes to the Consolidated Financial Statements For The Year Ended December 31, 2021

## 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

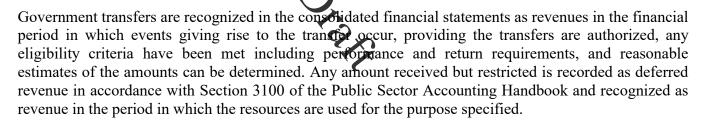
#### **Deferred Revenue**

Government transfers, contributions and other amounts are received from third parties pursuant to legislation, regulation or agreement and may only be used in the conduct of certain programs, in the completion of specific work. In addition, certain user charges and fees which have been collected but for which the related services have yet to be performed. Revenue is recognized in the period when the related expense are incurred, services preformed.

## Accounting for County and School Board Transactions

Although the Municipality collects taxation on behalf of the County of Elgin and the School Boards, the taxation, other revenues, expenses, assets and liabilities with respect to the operations of the County and the school boards are not reflected in these financial statements.

## **Government Transfers**



In addition, the Municipality periodically receives senior government capital funding in the form of infrastructure grants and receives ongoing funding from both senior levels of government as a result of an allocation of the gas tax funds.

#### **Employee Benefit Plans**

The Municipality accounts for its participation in the Ontario Municipal Employees Retirement System (OMERS), a multi-employer public sector pension fund, as a defined contribution plan. The OMERS plan specifies the retirement benefits to be received by the employees based on length of service and rates of pay. Employee benefits include post employment benefits. Post employment benefits are subject to actuarial valuations and are accrued in accordance with the projected benefit method, prorated on service and management's best estimate of salary escalation and retirement ages of employees. Any actuarial gains and losses related to past service of employees are amortized over the expected average remaining service period.

## Notes to the Consolidated Financial Statements For The Year Ended December 31, 2021

#### 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

#### **Tax Revenues**

In 2021 the Municipality received \$8,261,797 (2020 - \$8,133,406) in property tax revenues for municipal purposes. The authority to levy and collect property taxes is established under the Municipal Act 2001, the Assessment Act, the Education Act, and other legislation.

The amount of the total annual property tax levy is determined each year through Council's approval of the annual budget. Municipal tax rates are set annually by Council for each class or type of property, in accordance with legislation and Council-approved policies, in order to raise the revenue required to meet operating budget requirements. Education tax rates are established by the Province each year in order to fund costs of education on a Province-wide basis.

Taxation revenues are recorded at the time billings are issued. Additional property tax revenue can be added throughout the year, related to new properties that become occupied, or that become subject to property tax, after the return of the annual assessment roll used for billing purposes. The Municipality may receive supplementary assessment rolls wer the course of the year from MPAC that identify new or omitted assessments. Property taxes for these supplementary/omitted amounts are then billed according to the approved tax rate for the property class.

Taxation revenues in any year may also be reduced as a result of reductions in assessment value rising from assessment and/or tax appeals. Each year, an amount is identified to cover the estimated amount of revenue loss attributable to assessment appeals, tax appeals or other deficiencies in tax revenue (e.g. uncollectible amounts, write-offs, etc.).

#### **Investment Income**

Investment income consists of interest, dividends and realized gains or losses on sale of investments is recognized as revenue in the period when it is earned. Unrealized gains and losses on investments are recognized in the accumulated remeasurement gains and losses until settlement. Once realized, these gains and losses are recognized as revenue or expenses in the consolidated statement of operations. When required by funding government or related Act, investment income earned on deferred revenue is added to the investment and forms part of the deferred revenue balance.

## **CORPORATION OF THE TOWNSHIP OF MALAHIDE**

## Notes to the Consolidated Financial Statements For The Year Ended December 31, 2021

#### 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

#### Valuation of financial assets and liabilities

The Municipality's financial assets and liabilities are measured as follows:

[i] Cash at fair value

- [ii] Portfolio investments at fair value
- [iii] Accounts receivable at amortized cost
- [iv] Accounts payable and accrued liabilities at amortized cost
- [v] Debt at amortized cost

Unrealized gains and losses from changes in the fair value of financial instruments are recognized in the consolidated statement of remeasurement gains and losses. When the restricted nature of a financial instrument and any related changes in fair value create a liability, unrealized gains and losses are recognized as deferred revenue.

All financial assets are tested annually for impairment. When financial assets are impaired, impairment losses are recorded in the consolidated statement of operations.

For financial instruments measure using amortized cost, the effective interest rate method is used to determine interest revenue or expenses. Transaction costs are a component of cost for financial instruments measured using cost or amortized costs. Transaction costs are expensed for financial instruments measured at fair value. Investment management fees are expensed as incurred. The purchase and sale of cash equivalents and portfolio investments are accounted for using trade-date accounting. The Municipality does not use foreign currency contracts or any other type of derivative financial instruments of trading or speculative purposes.

#### **Environmental Provisions and Contaminated Sites**

The Municipality may be exposed to litigation or other costs of remediation due to contaminated properties in it's jurisdiction. A liability for remediation is recognized in the financial statements when an environmental standard exists, contamination exceeds the standard, the government is responsible for the remediation and a reasonable estimate of the liability can be made. As at December 31, 2021 there were no properties that the Municipality was responsible to remedy and as such no liability has been accrued.

## Notes to the Consolidated Financial Statements For The Year Ended December 31, 2021

#### **1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)**

#### **Use of Estimates**

The preparation of consolidated financial statements in conformity with Canadian accounting standards for public sector entities 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 period. In addition, the Municipality's implementation of the Public Sector Accounting Handbook PS3150 has required management to make estimates of historical cost and useful lives of tangible capital assets. These estimates and assumptions are based on the best information and judgment and may differ significantly from actual results.

2021

2020

#### 2. INVESTMENTS

Investments are comprised of the following:

|                                    | 202       | l         | 202       | 20        |
|------------------------------------|-----------|-----------|-----------|-----------|
|                                    | <u>s</u>  | \$        | \$        | \$        |
|                                    | Cot       | Market    | Cost      | Market    |
| One pooled bond securities funds   | 2,848,099 | 2,831,311 | 2,794,210 | 2,894,884 |
| One pooled equity securities funds | 1,134,889 | 1,692,937 | 1,035,638 | 1,403,544 |
|                                    | 3,982,979 | 4,524,248 | 3,829,848 | 4,298,428 |

During the year, the Municipality earned \$153,130 (2020 - \$129,278) of income in the investments and reported unrealized gain of \$72,690 (2020 - \$148,788) on the schedule of remeasurement gains and a realized gain (loss) of \$nil (2020 - \$nil) on the statement of operations.

All of the above investments are valued as Level 1 investments. The investments are valued based on the degree to which the fair value is observable, as follows:

[i] Level 1 - Fair value measurements are those derived from quoted prices (in active markets);

[ii] Level 2 - Fair value measurements are those derived from inputs other than quoted prices included within Level 1 that are observable for the assets, either directly (i.e. as prices) or indirectly (i.e. derived from prices);

[iii] Level 3 - Fair value measurements are those derived from valuation techniques that include inputs for the asset that are not based on observable data (unobservable inputs).

## Notes to the Consolidated Financial Statements For The Year Ended December 31, 2021

#### FINANCIAL INSTRUMENT RISKS 3.

#### **Risks and Concentrations**

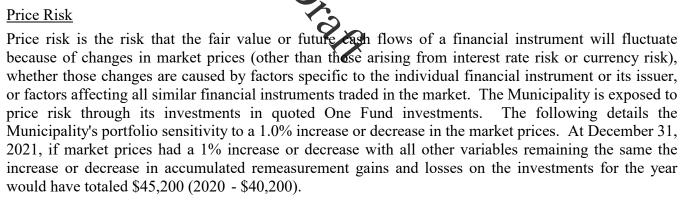
The Municipality is exposed to various risks through its financial instruments. The following analysis provides a measure of the Municipality's risk exposure and concentrations at the balance sheet date.

#### Market Risk

Market risk is the risk that the fair value or future cash flows of a financial instrument will fluctuate because of changes in market prices. Market risk comprises three types of risk: currency risk, interest rate risk and other price risk. The Municipality is mainly exposed to interest and price risk.

#### Interest Rate Risk

Interest rate risk is the risk that the fair value or future cash flows of a financial instrument will fluctuate because of changes in market interest rates. The Municipality is exposed to interest rate risk on its fixed rate long-term debt. As the interest rates are fixed the Municipality doesn't believe that interest rate risk is a significant risk.



It is management's opinion that the Municipality is not exposed to significant currency risk.

#### Liquidity Risk

Liquidity risk is the risk that a Municipality will encounter difficulty in meeting obligations associated with financial liabilities. The Municipality is exposed to this risk mainly in respect of its accounts payable, accrued liabilities and long-term debt. The Municipality doesn't believe that liquidity risk is a significant risk.

## Notes to the Consolidated Financial Statements For The Year Ended December 31, 2021

#### 3. FINANCIAL INSTRUMENT RISKS (CONTINUED)

#### Credit Risk

Credit risk is the risk that one party to a financial instrument will cause a financial loss for the other party by failing to discharge an obligation. The Municipality's main credit risks relate to its accounts receivable and taxes receivable. The Municipality manages this risk by monitoring active receivable balances and forces tax sale on properties considered unrecoverable.

At year end, the Municipality had approximately \$111,000 (2020 - \$129,000) in trade accounts receivable over 90 days of which the Municipality has deemed no allowance is necessary. The balances of taxes and utility receivables (water and sewer) are normally collectible from the property owner and the Municipality is able to force tax sale on properties to recover. In some instances the property owner may challenge property values which will in impact future recovery of taxes and potential repayments to the property owners. The Municipality actively monitors these assessment challenges and provides provisions when reasonable estimates can be made. At year end the Municipality has provided an allowance of \$nil (2020 - \$nil) for these assessment challenges and \$118,934 (2020 - \$121,452) in potential uncollectible tax assessments.



## Notes to the Consolidated Financial Statements For The Year Ended December 31, 2021

#### 4. TAXES RECEIVABLE

|                                 | 2021<br><u>\$</u>    | 2020<br>  |
|---------------------------------|----------------------|-----------|
| Current taxes receivable        | 664,356              | 1,026,941 |
| Arrears taxes receivable        | 850,731              | 544,238   |
| Penalties and interest          | 190,600              | 100,089   |
| Allowance for doubtful accounts | (168,934)            | (121,452) |
|                                 | <u>    1,536,753</u> | 1,549,816 |

The Municipality makes annual estimates and allowances for potential exposure to property tax appeals, reassessments, environmental and collection issues. Included in the taxes receivable is approximately \$600,000 (2020 - \$325,000) of taxes, penalties and interest that is due from specific gas pipeline properties that are under going various appeals and financial restructuring. The Municipality's exposure to loss on these balances is estimated to be between 25% to 30% if it is determined that nothing is recoverable from these properties. At year end, the Municipality made an assessment of the exposure based on current information and made abovences, as required, for these amounts in the financial statements.

#### 5. ACCOUNTS RECEIVABLE

|  | 2021<br><u></u> | 2020<br>  |
|--|-----------------|-----------|
| Accounts receivable - trade and other                          | 331,359         | 333,976   |
| Government grants and funding - municipal, provincial, federal | 1,282,099       | 909,516   |
| Water and sewer receivables                                    | 270,994         | 253,328   |
| Government remittances   | 202,070         | 444,824   |
|  | 2,086,522       | 1,941,644 |

#### 6. TEMPORARY ADVANCES

The Municipality has available \$3,025,000 of short-term financing, with interest at a variable rate, for specific capital asset purchases with the Royal Bank of Canada. At year end, the balance drawn on this facility was \$nil (2020 - \$nil).

In the prior year, the Municipality had available \$1,326,600 of short-term financing, with interest at a variable rate, for specific capital asset purchases with the Ontario Infrastructure and Lands Corporation. At year end 2020, the balance drawn on this facility was \$1,250,000. This temporary advance was converted into a long-term loan with an amortization period of 20 years at 2.60% (see note 8).

## **CORPORATION OF THE TOWNSHIP OF MALAHIDE**

## Notes to the Consolidated Financial Statements For The Year Ended December 31, 2021

## 7. TANGIBLE CAPITAL ASSETS

| December 31, 2021                    |                        |                      | Disposals and        |                         |
|--------------------------------------|------------------------|----------------------|----------------------|-------------------------|
| Cost                                 | Opening                | Additions            | Adjustments          | Ending                  |
| <u>Infrastructure</u>                |                        |                      |                      |                         |
| Transportation infrastructure        | 45,568,100             | 1,054,500            | (252,804)            | 46,369,796              |
| Water system infrastructure          | 5,360,039              | -                    | -                    | 5,360,039               |
| Wastewater system infrastructure     | 3,969,627              | -                    |                      | 3,969,627               |
| Infrastructure Total                 | 54,897,766             | 1,054,500            | (252,804)            | 55,699,462              |
| General                              |                        |                      |                      |                         |
| Land                                 | 747,882                | -                    | -                    | 747,882                 |
| Land improvements                    | 4,811,436              | 13,982               | (7,019)              | 4,818,399               |
| Buildings<br>Machinemy and equipment | 14,168,582             | 1,313,561<br>183,332 | - (67,105)           | 15,482,143              |
| Machinery and equipment<br>Vehicles  | 3,050,446<br>6,365,814 | 185,552              | (67,105)             | 3,166,673<br>6,490,064  |
|                                      |                        |                      | (74.124)             |                         |
| General Total<br>Work in Progress    | 29,144,160<br>238,708  | 1,635,125<br>23,749  | (74,124)<br>(26,015) | 30,705,161<br>236,442   |
| -                                    |                        |                      |                      |                         |
| Total Cost                           | 84,280,634             | 2,713,374            | (352,943)            | 86,641,065              |
| Accumulated Amortization             |                        |                      | Disposals and        |                         |
| T. C                                 | Opening                | Amortization         | Adjustments          | Ending                  |
| <u>Infrastructure</u>                |                        |                      |                      |                         |
| Transportation infrastructure        | 24,211,430             | 1,353,428            | (195,927)            | 25,368,931              |
| Water system infrastructure          | 1,624,470              | 100,223              | -                    | 1,724,693               |
| Wastewater system infrastructure     | 787,556                | 39,669               |                      | 821,225                 |
| Infrastructure Total                 | 26,617,456             | 1,493,320            | (195,927)            | 27,914,849              |
| <u>General</u>                       | 1 570 010              | 12( (00              | (7.010)              | 1 801 (18               |
| Land improvements                    | 1,572,012              | 136,622              | (7,019)              | 1,701,615               |
| Buildings<br>Machinery and equipment | 4,301,928<br>1,809,178 | 347,607<br>224,557   | (66,263)             | 4,649,535<br>1,967,472  |
| Vehicles                             | 3,096,270              | 397,676              | (00,203)             | 3,493,946               |
| General Total                        |                        |                      | (73,282)             |                         |
|                                      | 10,779,388             | 1,106,462            |                      | 11,812,568              |
| Total Accumulated Amortization       | 37,396,844             | 2,599,782            | (269,209)            | 39,727,417              |
| Net Book Value                       | Opening                |                      |                      | Ending                  |
| <u>Infrastructure</u>                | 01.056 (70)            |                      |                      | 21 000 075              |
| Transportation infrastructure        | 21,356,670             |                      |                      | 21,000,865              |
| Water system infrastructure          | 3,735,569              |                      |                      | 3,635,346               |
| Wastewater system infrastructure     | 3,188,071              |                      | _                    | 3,148,402               |
|                                      | 28,280,310             |                      |                      | 27,784,613              |
| <u>General</u>                       | 747 000                |                      |                      | 747 992                 |
| Land                                 | 747,882                |                      |                      | 747,882                 |
| Land improvements<br>Buildings       | 3,239,424<br>9,866,654 |                      |                      | 3,116,784<br>10,832,608 |
| Machinery and equipment              | 1,241,268              |                      |                      | 1,199,201               |
| Vehicles                             | 3,269,544              |                      |                      | 2,996,118               |
| , enteres                            | 18,364,772             |                      | —                    | 18,892,593              |
| Work in progress                     | 238,708                |                      |                      | 236,442                 |
|                                      |                        |                      | -                    |                         |
| Total Net Book Value                 | 46,883,790             |                      | -                    | 46,913,648              |

## **CORPORATION OF THE TOWNSHIP OF MALAHIDE**

## Notes to the Consolidated Financial Statements For The Year Ended December 31, 2021

## 7. TANGIBLE CAPITAL ASSETS (CONTINUED)

| December 31, 2020   |                      |                  | Disposals and |                      |
|---|----------------------|------------------|---------------|----------------------|
| Cost  | Opening              | Additions        | Adjustments   | Ending               |
| <u>Infrastructure</u>   |                      |                  |               |                      |
| Transportation infrastructure                                   | 44,356,147           | 1,148,928        | 63,025        | 45,568,100           |
| Water system infrastructure                                     | 5,309,338            | 50,701           | -             | 5,360,039            |
| Wastewater system infrastructure                                | 3,959,395            | 10,232           |               | 3,969,627            |
| Infrastructure Total  | 53,624,880           | 1,209,861        | 63,025        | 54,897,766           |
| <u>General</u>  | 747 992              |                  |               | 747 001              |
| Land<br>Land improvements                                       | 747,882<br>2,889,129 | -<br>1,922,307   | -             | 747,882<br>4,811,436 |
| Buildings   | 14,121,646           | 46,936           | -             | 14,168,582           |
| Machinery and equipment   | 2,968,304            | 94,517           | (12,375)      | 3,050,446            |
| Vehicles  | 6,054,217            | 410,632          | (99,035)      | 6,365,814            |
| General Total   | 26,781,178           | 2,474,392        | (111,410)     | 29,144,160           |
| Work in progress  | 220,701,170          | 17,678           | -             | 238,708              |
| Total Cost  | 80,627,088           | 3,701,931        | (48,385)      | 84,280,634           |
|   | 00,027,000           | 5,701,751        | (+0,505)      | 04,200,004           |
| Accumulated Amortization  | ,                    |                  | Disposals and |                      |
| <u>Infrastructure</u>   | Opening              | Amortization     | Adjustments   | Ending               |
|   | 22.00                | 1 410 776        |               | 24 211 420           |
| Transportation infrastructure                                   | 22,810,054           | 1,410,776        | -             | 24,211,430           |
| Water system infrastructure<br>Wastewater system infrastructure | 1,520,425            | 98,047<br>39,675 | -             | 1,624,470<br>781,550 |
| -   | /41,061              |                  |               |                      |
| Infrastructure Total<br>General                                 | 25,068,958           | 1,548,498        |               | 26,617,456           |
| Land improvements   | 1,473,626            | 98,386           | _             | 1,572,012            |
| Buildings   | 3,950,226            | 351,702          | -             | 4,301,928            |
| Machinery and equipment   | 1,584,782            | 236,771          | (12,375)      | 1,809,178            |
| Vehicles  | 2,839,148            | 356,157          | (99,035)      | 3,096,270            |
| General Total   | 9,847,782            | 1,043,016        | (111,410)     | 10,779,388           |
| Total Accumulated Amortization                                  | 34,916,740           | 2,591,514        | (111,410)     | 37,396,844           |
| Net Book Value  | Opening              |                  |               | Ending               |
| Infrastructure  | Opening              |                  |               | Linding              |
| Transportation infrastructure                                   | 21,555,493           |                  |               | 21,356,670           |
| Water system infrastructure                                     | 3,782,915            |                  |               | 3,735,569            |
| Wastewater system infrastructure                                | 3,217,514            |                  |               | 3,188,071            |
| ,<br>,  | 28,555,922           |                  | —             | 28,280,310           |
| General   | 20,000,022           |                  |               | 20,200,010           |
| Land  | 747,882              |                  |               | 747,882              |
| Land improvements   | 1,415,503            |                  |               | 3,239,424            |
| Buildings   | 10,171,420           |                  |               | 9,866,654            |
| Machinery and equipment   | 1,383,522            |                  |               | 1,241,268            |
| Vehicles  | 3,215,069            |                  | _             | 3,269,544            |
|   | 16,933,396           |                  |               | 18,364,772           |
| Work in progress  | 221,030              |                  | _             | 238,708              |
| Total Net Book Value  |                      |                  |               | 46,883,790           |

## **CORPORATION OF THE TOWNSHIP OF MALAHIDE**

## Notes to the Consolidated Financial Statements For The Year Ended December 31, 2021

#### 8. NET LONG-TERM LIABILITIES

a) The balance of net long-term liabilities reported on the Consolidated Statement of Financial Position consists of the following:

|   |          |          |                   |          | ,<br>,   | 2021                         | 2020            |
|---|----------|----------|-------------------|----------|----------|------------------------------|-----------------|
| Total long-term liabilities incurred by the Municipality and outstanding at the end of the year |          |          |                   |          | 3,617    | <u>\$</u><br>7 <b>,007</b> 2 | <br>,576,994    |
| Tile drainage loans assumed by the individual   |          |          |                   |          | (11      | .,683)                       | (17,033)        |
| Total long-term liabilities at the end of the year  |          |          |                   |          | 3,605    | 5 <b>,324</b> 2              | <u>,559,961</u> |
| b) Principal repayments are summarized as follows:  |          |          |                   |          |          |                              |                 |
| Recoverable from:   | 2022<br> | 2023<br> | 2024<br><u>\$</u> | 2025<br> | 2026<br> | Beyond                       | Total<br>\$     |
| General tax revenue<br>User charges   | 235,816  | 244,078  | 252637            | 252,817  | 152,252  | 2,467,724                    | 3,605,324       |
|   | 235,816  | 244,078  | 252,637           | 252,817  | 152,252  | 2,467,724                    | 3,605,324       |

- c) Interest rates range from 2.74% to 4.06%. Interest expense on long-term liabilities in 2021 amounted to \$106,989 (2020 \$98,621).
- d) The Municipality is contingently liable for municipal debt with respect to tile drainage loans. The total amount outstanding as at December 31, 2021 is \$11,683 (2020 \$17,033) and is not recorded on the Consolidated Statement of Financial Position.

## **CORPORATION OF THE TOWNSHIP OF MALAHIDE**

## Notes to the Consolidated Financial Statements For The Year Ended December 31, 2021

## 9. ACCUMULATED SURPLUS

The accumulated surplus consists of individual fund surplus and reserves as follows:

|  | 2021              | 2020                |
|--|-------------------|---------------------|
| SURPLUS  | <u>\$</u>         | \$                  |
| General revenue fund                                     | 223,023           | 83,632              |
| Consolidated water boards reserves                       | 658,527           | 527,317             |
| Consolidated East Elgin Community Centre Complex reserve | 67,154            | 59,296              |
| Benefiting land owners                                   | (413,045)         | (749,385)           |
| Invested in tangible capital assets                      | 46,913,648        | 46,883,790          |
| Cemetery care and maintenance                            | 7,261             | 7,261               |
| Funded (unfunded) capital projects                       | (96,327)          |                     |
| Reserves   | 8,049,327         | 7,912,508           |
|  |                   |                     |
|  | 55,409,568        | 53,377,164          |
| AMOUNTS TO BE RECOVERED                                  |                   |                     |
| Net long-term debt                                       | (3,605,324)       | <u>(2,559,961</u> ) |
| Net long-term debt       ACCUMULATED SURPLUS             | <u>51,804,244</u> | 50,817,203          |
| RESERVES   |                   |                     |
| Reserves set aside for specific purposes by council:     |                   |                     |
| Working capital  | 856,775           | 856,775             |
| Contingencies  | 32,409            | 50,506              |
| Roadway purposes   | 1,233,815         | 1,254,732           |
| Water and sewer purposes                                 | 1,079,192         | 1,619,894           |
| Asset replacement purposes                               | 3,283,731         | 2,553,852           |
| Other municipal services                                 | 1,563,405         | 1,576,749           |
| Total reserves   | 8,049,327         | 7,912,508           |

## **CORPORATION OF THE TOWNSHIP OF MALAHIDE**

## Notes to the Consolidated Financial Statements For The Year Ended December 31, 2021

#### **10. DEFERRED REVENUE - OBLIGATORY RESERVE FUNDS**

A requirement of the public sector accounting principles of the Chartered Professional Accountants of Canada, is that obligatory reserve funds be reported as deferred revenue. This requirement is in place as provincial legislation restricts how these funds may be used and under certain circumstances these funds may possibly be refunded. The balances in the obligatory reserve funds of the Municipality are summarized below:

|                                  | 2021<br>  | 2020<br>  |
|----------------------------------|-----------|-----------|
| Development charges and parkland | 652,201   | 805,278   |
| Federal gas tax                  | 725,731   | 536,149   |
| Building department funds        | 606,677   | 520,659   |
| Other                            | 383,828   | 47,165    |
|                                  | 2,368,437 | 1,909,251 |

#### **11. PENSION AGREEMENTS**

The Municipality makes contributions to the Onaro Municipal Employees Retirement Fund (OMERS), which is a multi-employer plan, on behalf of its start, The plan is a defined benefit plan which specifies the amount of the retirement benefit to be received by the employees based on the length of service and rates of pay. Each year, an independent actuary determines the funding status of OMERS Primary Pension Plan (the Plan) by comparing the actuarial value of invested assets to the estimated present value of all pension benefits the members have earned to date. The most recent actuarial valuation of the Plan was conducted December 31, 2021, and the results of this valuation disclosed actuarial liabilities of \$121 billion in respect of benefits accrued for service with actuarial assets at that date of \$118 billion leaving an actuarial deficit of \$3 billion.

Since any surpluses or deficits are a joint responsibility of all Ontario municipalities and their employees, the Municipality does not recognize any share of the OMERS Pension surplus or deficit in these consolidated financial statements.

The amount contributed to OMERS for 2021 was approximately \$245,000 (2020 - \$228,000).

## **CORPORATION OF THE TOWNSHIP OF MALAHIDE**

## Notes to the Consolidated Financial Statements For The Year Ended December 31, 2021

#### **12. OPERATIONS OF THE SCHOOL BOARDS AND COUNTY OF ELGIN**

During 2021, requisitions were made by the School Boards and the County of Elgin requiring the Municipality to collect taxes and payments in lieu of property taxes on their behalf. The amounts collected and remitted are summarized below:

|  | School<br>Boards<br> | County<br>           |
|--|----------------------|----------------------|
| Taxation<br>Share of payments in lieu of taxes | 2,092,698<br>24,447  | 7,023,544<br>423,752 |
| Amounts requisitioned                          | 2,117,145            | 7,447,296            |

#### **13. CONTINGENT LIABILITIES**

From time to time, the Municipality is subject to claims and lawsuits that arise in the ordinary course of business. These claims may be covered by the Municipality's insurance up to a maximum amount per occurrence. In the opinion of management, any trigation, if successful would not have a material impact on the financial position of the Municipality.

Estimated costs to settle claims are based on available information and projections of estimated future expenses developed based on the Municipality's historical experience. Claims are reported as an operating expense in the year of the loss, where the costs are deemed to be likely and can be reasonable determined. Claim provisions are reported as a liability in the consolidated statement of financial position.

## Notes to the Consolidated Financial Statements For The Year Ended December 31, 2021

#### **14. BUDGET FIGURES**

The operating budget approved by the council of the Municipality for 2021 is reflected on the consolidated statement of operations. Budget figures have been reclassified for the purposes of these financial statements to comply with PSAB reporting requirements. These adjustments include reserve transfers, capital expenditures, amortization and debt financing and repayment.

|   | Approved          |                     | PSAB              |
|---|-------------------|---------------------|-------------------|
|   | Budget            | Adjustments         | Budget            |
|   | \$                | \$                  |                   |
| REVENUES                                      |                   |                     |                   |
| Property taxation                             | 7,591,214         | -                   | 7,591,214         |
| Taxation from other governments               | 921,973           | -                   | 921,973           |
| User charges                                  | 1,916,842         | -                   | 1,916,842         |
| Government transfers                          |                   |                     |                   |
| Federal                                       | 460,000           | -                   | 460,000           |
| Provincial                                    | 1,131,068         | -                   | 1,131,068         |
| Other municipalities                          | 1,130,313         | -                   | 1,130,313         |
| Investment income                             | 40,500            | -                   | 40,500            |
| Penalties and interest on taxes               | 188,000           | -                   | 188,000           |
| Other   | 34,789            | -                   | 34,789            |
| Reserve transfers and long-term debt proceeds | 2,050,500         | (2,050,500)         |                   |
| Total revenues                                | <u>15,465,199</u> | (2,050,500)         | <u>13,414,699</u> |
| EXPENSES                                      |                   |                     |                   |
| General government                            | 1,647,652         | (208,815)           | 1,438,837         |
| Fire and police protection                    | 2,407,507         | 28,285              | 2,435,792         |
| Other protective services                     | 527,167           | 3,422               | 530,589           |
| Transportation services                       | 7,143,367         | (1,259,263)         | 5,884,104         |
| Waterworks and sewers                         | 1,236,245         | (182,082)           | 1,054,163         |
| Garbage collection and disposal               | 596,605           | (1,000)             | 595,605           |
| Health services                               | 49,134            | (3,450)             | 45,684            |
| Recreation and cultural services              | 1,284,121         | (166,306)           | 1,117,815         |
| Planning and zoning                           | 191,491           | (34,547)            | 156,944           |
| Agriculture                                   | 381,910           | (2,823)             | 379,087           |
| Total expenses                                | <u>15,465,199</u> | <u>(1,826,579</u> ) | 13,638,620        |
| BUDGETED ANNUAL SURPLUS                       |                   | (223,921)           | (223,921)         |

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## Notes to the Consolidated Financial Statements For The Year Ended December 31, 2021

#### **15. SUPPLEMENTARY INFORMATION:**

|  | 2021              | 2020       |
|--|-------------------|------------|
|  |                   | \$         |
| [a] Current fund expenditures by object: |                   |            |
| Contracted services                      | 4,530,048         | 4,198,243  |
| Salaries, wages and employee benefits    | 4,260,153         | 3,962,610  |
| Amortization                             | 2,599,782         | 2,591,514  |
| Materials                                | 2,752,836         | 1,987,969  |
| Transfer to others                       | 159,878           | 177,689    |
| Long-term debt interest                  | 106,989           | 98,621     |
|  | <u>14,409,686</u> | 13,016,646 |

## [b] Change in non-cash assets and liabilities related to operations:

| Taxes receivable                            | 13,063         | 743,190        |
|---|----------------|----------------|
| Accounts receivable                         | (144,878)      | (446,248)      |
| Inventories and prepaid expenses            | (15,448)       | 8,881          |
| Accounts payable and accrued liabilities    | 282,162        | 159,735        |
| Deferred revenue - obligatory reserve funds | <u>459,186</u> | <u>302,872</u> |
|   | 594,085        | 768,430        |

## Notes to the Consolidated Financial Statements For The Year Ended December 31, 2021

#### **16. SIGNIFICANT EVENT**

During and subsequent to year end, the Municipality was exposed to economic risks associated with the coronavirus pandemic. These risks are beyond the Municipality's control. The overall impact of these risks cannot be identified at this time but could impact the Municipality's operations, future net surplus, cash flows and financial condition. The Municipality has experienced the following impacts:

- In 2020, the Municipality temporarily waived interest and penalty charges on tax and utility payments due from it's residents. The Municipality is unsure of the resulting overall impact on future cash flows or on the valuation of the year end receivable balances;
- The Municipality holds investments in the ONE Investment Fund, managed by the Local Authority Services (LAS) and CHUMS Financing Corp. (a subsidiary of the Municipal Finance Officers' Association of Ontario). These investments are subject to market fluctuations. The impact of the market fluctuations and resulting gains or losses on the Municipality will only be known when these investments are disposed of. The Municipality is unsure as to the overall impact on future cash flows.

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#### **17. SEGMENTED INFORMATION**

The Municipality is a diversified municipal government institution that provides a wide range of services to its citizens, including contract police services, fire, roads, community services, water and sewer. For management reporting purposes the Municipality's operations and activities are organized and reported by Fund. Funds were created for the purpose of recording specific activities to attain certain objectives in accordance with special regulations, restrictions or limitations.

The Municipality services are provided by departments and their activities are reported in these funds. Certain departments that have been separately disclosed in the segmented information, along with the services they provided, are as follows:

#### **General government**

General government is comprised of municipal council, corporate management and program support.

#### **Protection services**

Protection services are comprised of the fire, police, conservation authority, building inspection and animal control, emergency measures and provincial offences.

## Notes to the Consolidated Financial Statements For The Year Ended December 31, 2021

#### **17. SEGMENTED INFORMATION (CONTINUED)**

#### **Transportation services**

Transportation services are comprised of roads, bridges, winter control, parking and street lighting.

#### **Environmental services**

Environmental services are comprised of the provision of safe drinking water, the collection and treatment of waste water and waste collection, disposal and recycling.

## Health services

Health services are comprised of public health services and cemeteries.

#### **Recreation and cultural services**

Recreation and cultural services are comprised of parks, recreation programs, recreation and community facilities, and cultural services.

#### Planning and development

Planning and development is comprised of planning and zoning, commercial and industrial development, economic development and tourism, and agricultural and reforestation.

For each reported segment, revenues and expenses represent both amounts that are directly attributable to the segment and amounts that are allocated on a reasonable basis. Therefore, certain allocation methodologies are employed in the preparation of segmented financial information. The General Revenue Fund reports on municipal services that are funded primarily by taxation such as property and business tax revenues. Taxation and payments-in-lieu of taxes are apportioned to General Revenue Fund services based on the Fund's net surplus. Certain government transfers, transfer from other funds, and other revenues have been apportioned based on a percentage of budgeted expenses.

The accounting policies used in these segments are consistent with those followed in the preparation of the consolidated financial statements as disclosed in Note 1. For additional information see the Consolidated Schedule of Segment Disclosure.



## **CORPORATION OF THE TOWNSHIP OF MALAHIDE**

## Consolidated Schedule of Segment Disclosure For The Year Ended December 31, 2021

|   |            |            |  |           |          |            | Planning and |                 |
|---|------------|------------|--|-----------|----------|------------|--------------|-----------------|
|   | General    | Protection | Transportation                               |           | Health   | Recreation | Development  | -               |
|   | Government | Services   | Services                                     | Services  | Services | Services   | Services     | Total           |
| REVENUES                                    | \$         | \$         | <u></u>                                      | \$        | <u></u>  | \$         | \$           | <u>\$</u>       |
| Taxation and local improvements             | 820,493    | 2,381,503  | 3,297,105                                    | 583,975   | 42,734   | 848,286    | 287,701      | 8,261,797       |
| Sales of services and regulatory fees       | 9,331      | 101,225    | 20,325                                       | 2,006,309 | -        | 224,892    |              | 2,404,145       |
| Government transfers                        | 1,055,399  | 30,694     | 2,101,462                                    | 318,660   | -        | 287,525    | 51,402       | 3,845,142       |
| Other                                       | 378,159    | 2,375      | -  | 283,795   | _        | 3,211      | 270,062      | 937,602         |
| Gain (loss) on disposal of tangible capital | 570,159    | 2,575      |  | 200,190   |          | 3,211      | 270,002      | <i>Je</i> 1,002 |
| assets                                      | -          | -          | (51,959)                                     | -         | -        | -          | -            | (51,959)        |
|   |            |            | <u>    (                                </u> |           |          |            |              |                 |
|   | 2,263,382  | 2,515,797  | 5,366,933                                    | 3,192,739 | 42,734   | 1,363,914  | 651,228      | 15,396,727      |
|   |            |            |  |           |          |            |              |                 |
| EXPENSES                                    |            |            |  |           |          |            |              |                 |
| Salaries, wages and employees benefits      | 1,136,421  | 758,702    | ★575,081                                     | 121,353   | 4,485    | 422,191    | 241,920      | 4,260,153       |
| Long-term debt interest                     | -          | 70,955     | 837  | -         | -        | 34,175     | 1,022        | 106,989         |
| Materials                                   | 145,306    | 387,372    | 1,280,439                                    | 149,139   | 25,250   | 675,391    | 89,939       | 2,752,836       |
| Contracted services, rents and financial    | 154,868    | 1,256,554  | 1,113,483                                    | 1,677,671 | 18,709   | 114,936    |              | 4,530,048       |
| External transfers                          | -          | 159,878    |  | -         | -        | -          | -            | 159,878         |
| Amortization                                | 30,813     | 435,308    | 1,649,145                                    | 165,827   | 607      | 298,352    | 19,730       | 2,599,782       |
|   | <u> </u>   |            | <u> </u>                                     | <u> </u>  |          |            | <u> </u>     | <u> </u>        |
|   | 1,467,408  | 3,068,769  | 5,618,985                                    | 2,113,990 | 49,051   | 1,545,045  | 546,438      | 14,409,686      |
|   |            | <u> </u>   |  |           |          | <u> </u>   |              | <u> </u>        |
| ANNUAL SURPLUS (DEFICIT)                    | 795,974    | (552,972)  | (252,052)                                    | 1,078,749 | (6,317)  | (181,131)  | 104,790      | 987,041         |
|   |            | (332,772)  | (252,052)                                    | 1,070,717 | (0,517)  | (101,101)  | 101,790      | 207,041         |

## **CORPORATION OF THE TOWNSHIP OF MALAHIDE**

## Consolidated Schedule of Segment Disclosure For The Year Ended December 31, 2020

|   |            |            |                |           |          |           | Planning and |            |
|---|------------|------------|----------------|-----------|----------|-----------|--------------|------------|
|   | General    | Protection | Transportation |           | Health   |           | Development  |            |
|   | Government | Services   | Services       | Services  | Services | Services  | Services     | Total      |
| REVENUES                                    | \$         |            |                |           | <u></u>  | \$        |              | <u>\$</u>  |
| Taxation and local improvements             | 692,102    | 2,381,503  | 3,297,105      | 583,975   | 42,734   | 848,286   | 287,701      | 8,133,406  |
| Sales of services and regulatory fees       | 49,918     | 59,151     | 26,022         | 1,544,555 | 57       | 176,242   | 25,778       | 1,881,723  |
| Government transfers                        | 864,439    | 34,539     | 1,948,306      | 113,207   | -        | -         | 74,741       | 3,035,232  |
| Other                                       | 333,615    | 13,090     | -              | 10,431    | -        | -         | 310,531      | 667,667    |
| Gain (loss) on disposal of tangible capital |            |            |                |           |          |           |              |            |
| assets                                      | _          |            | 10,753         | _         | _        |           | _            | 10,753     |
|   |            | <b>X</b>   |                |           |          |           |              |            |
|   | 1,940,074  | 2,488,283  | 5,282,186      | 2,252,168 | 42,791   | 1,024,528 | 698,751      | 13,728,781 |
|   |            | Un         |                |           |          |           |              |            |
| EXPENSES                                    |            |            |                |           |          |           |              |            |
| Salaries, wages and employees benefits      | 1,109,675  | 717,268    | 1,396,089      | 105,961   | 72       | 409,641   | 223,904      | 3,962,610  |
| Long-term debt interest                     | -          | 74,697     | 1,046          | -         | -        | 21,553    | 1,325        | 98,621     |
| Materials                                   | 159,519    | 286,090    | 1,021,338      | 113,001   | -        | 337,198   | 70,823       | 1,987,969  |
| Contracted services, rents and financial    | 194,527    | 1,165,831  | 1,171,211      | 1,072,475 | 6,851    | 63,455    | 523,893      | 4,198,243  |
| External transfers                          | -          | 153,189    | -              | -         | 24,500   | -         | -            | 177,689    |
| Amortization                                | 21,953     | 435,113    | 1,677,239      | 168,158   | 609      | 268,233   | 20,209       | 2,591,514  |
|   |            |            |                |           |          |           |              |            |
|   | 1,485,674  | 2,832,188  | 5,266,923      | 1,459,595 | 32,032   | 1,100,080 | 840,154      | 13,016,646 |
|   |            |            |                |           |          |           |              |            |
| ANNUAL SURPLUS (DEFICIT)                    | 454,400    | (343,905)  | 15,263         | 792,573   | 10,759   | (75,552)  | (141,403)    | 712,135    |





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July 7, 2022

Corporation of The Township of Malahide 87 John Street South Aylmer, Ontario, N5H 2C3

Dear Members of Council:

#### **Re: Audit Findings**

This letter has been prepared to assist you with your review of the financial statements of Corporation of The Township of Malahide for the year ending December 31, 2021. We look forward to meeting with you and discussing the matters outlined below.

#### Significant Matters Arising

#### Changes to Audit Plan

There were no changes to the audit plan (as previously presented to you).

#### Other Matters

We have not identified any other significant matters that we wish to bring to your attention at this time.

#### **Significant Difficulties Encountered**

There were no significant difficulties encountered during our audit.

#### **Comments on Accounting Practices**

#### **Accounting Policies**

The significant accounting policies used by the entity are outlined in Note 1 to the financial statements.

- There were no significant changes in accounting policies.
- We did not identify any alternative accounting policies that would have been more appropriate in the circumstances.
- We did not identify any significant accounting policies in controversial or emerging areas.

#### Significant Accounting Estimates

The following significant estimates/judgments are contained in the financial statements:

• Allowance for doubtful accounts

- Tax vacancies or allowances for rebates
- Legal estimates and litigation

Based on audit work performed, we are satisfied with the estimates made by management.

#### Significant Financial Statement Disclosures

We did not identify any financial statement disclosures that are particularly significant, sensitive or require significant judgments, that we believe should be specifically drawn to your attention.

#### **Uncorrected Misstatements**

We accumulated no significant uncorrected misstatements during our audit.

#### Significant Deficiencies in Internal Control

A deficiency in internal control exists when a control is designed, implemented or operated in such a way that it is unable to prevent, or detect and correct, misstatements in the financial statements on a timely basis, or when a control necessary to prevent, or detect and correct, misstatements in the financial statements in the financial statements on a timely basis is missing.

A significant deficiency in internal control is defined as a deficiency or combination of deficiencies in internal control that, in the auditor's professional judgment, is of sufficient importance to merit the attention of those charged with governance.

To identify and assess the risks of material misstatement in the financial statements, we are required to obtain an understanding of internal control relevant to the audit. This understanding is used for the limited purpose of designing appropriate audit procedures. It is not used for the purpose of expressing an opinion on the effectiveness of internal control and, as a result, we do not express any such opinion. The limited purpose also means that there can be no assurance that all significant deficiencies in internal control, or any other control deficiencies, will be identified during our audit.

We did not identify any control deficiencies that, in our judgment, would be considered significant deficiencies.

#### Written Representations

In a separate communication, as attached, we have requested a number of written representations from management in respect to their responsibility for the preparation of the financial statements in accordance with Canadian accounting standards for public sector enterprises.

#### Other Audit Matters of Governance Interest

We did not identify any other matters to bring to your attention at this time.

We would like to thank management and staff for the assistance they provided to us during the audit.

We hope the information in this audit findings letter will be useful. We would be pleased to discuss them with you and respond to any questions you may have.

This letter was prepared for the sole use of those charged with governance of Corporation of The Township of Malahide to carry out and discharge their responsibilities. The content should not be disclosed to any third party without our prior written consent, and we assume no responsibility to any other person.

Sincerely,



CHARTERED PROFESSIONAL ACCOUNTANTS

Nohit Josty

Robert B. Foster, CPA, CA Partner

## Acknowledgement of Members of Council:

We have read and reviewed the above disclosures and understand and agree with the comments therein:

Per: Corporation of The Township of Malahide

Signed: \_\_\_\_\_

Print Name:



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November 10, 2021

Corporation of The Township of Malahide 87 John Street South Aylmer, Ontario, N5H 2C3

Dear Members of Council:

### Re: Audit Planning

We are writing this letter in connection with our audit of the consolidated financial statements for the period ending December 31, 2021.

Our purpose in writing is to ensure effective two-way communication between us in our role as auditors and yourselves with the role of overseeing the financial reporting process. In this letter we will:

- a) Address our responsibilities as independent auditors and provide information about the planned scope and timing of our audit.
- b) Request a response to some audit questions and any additional information you may have that could be relevant to our audit.

### **Current Developments in the Profession**

Over the past number of years there have been significant developments in the area of financial reporting, corporate governance and auditing. The upcoming changes over the next few fiscal years for financial reporting as it relates to public sector accounting standards are described below.

### PS 3280 – Asset Retirement Obligations

This standard will apply for fiscal years beginning on or after April 1, 2022, which would be the year end December 31, 2023. This standard may impact the liabilities associated with decommissioning of certain assets of the organization. Examination and audit of the potential exposure to asset retirement obligations will determine the impact of this standard.

### PS 3400 – Revenue

This standard will apply for fiscal years beginning on or after April 1, 2023, which would be the year end December 31, 2024. This standard will impact the timing of the revenue reported by the organization. Examination and audit of the types of revenue will determine the impact of this standard.

We as auditors are not responsible for ensuring that the organization is prepared for the introduction of these standard and these standards will only be considered in so far as it affects our audit responsibilities under Canadian Auditing Standards. Management and Council are responsible for

anlayzing the impact on the organization, developing plans to mitigate the effects, and the preparation of the financial statements under these new or updated Public Sector Accounting handbook standards.

### Auditor Responsibilities

As stated in the engagement letter dated November 10, 2021, our responsibility as auditors of your organization is to express an opinion on whether the financial statements present fairly, in all material respects, the financial position, results of operations and cash flows of the organization in accordance with Canadian accounting standards for public sector entities.

An audit is performed to obtain reasonable but not absolute assurance as to whether the financial statements are free of material misstatement. Due to the inherent limitations of an audit, there is an unavoidable risk that some misstatements of the financial statements will not be detected (particularly intentional misstatements concealed through collusion), even though the audit is properly planned and performed.

Our audit includes:

- a) Assessing the risk that the financial statements may contain misstatements that, individually or in the aggregate, are material to the financial statements taken as a whole; and
- b) Examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements.

As part of our audit, we will obtain a sufficient understanding of the business and the internal control structure of Corporation of The Township of Malahide to plan the audit. This will include management's assessment of:

- a) The risk that the financial statements may be materially misstated as a result of fraud and error; and,
- b) The internal controls put in place by management to address such risks.

### Planned Scope and Timing of Our Audit

In developing our audit plan, we worked with management to understand the nature of the entity Corporation of The Township of Malahide and to identify and assess the risks of material misstatement in the consolidated financial statements, whether due to fraud or error. Our audit plan has been designed to focus on the identified areas of risk.

### Materiality

Overall materiality will be used to:

- a) plan and perform the audit; and,
- b) evaluate the effects of identified and uncorrected misstatements on the audit procedures performed as well as on the consolidated financial statements.

The materiality amount will be reassessed at period end to ensure it remains appropriate.

### Significant Changes During Period

The significant changes that we addressed in planning the audit for the current period are set out below:

a) Other

The coronavirus pandemic represents a significant economic event for most organizations.

As part of our audit, we will discuss with management the impact of this event on the organization and as to whether there are any changes to controls or other business processes as a result of this event. These discussions may impact our audit and may result in additional audit procedures or financial statement estimates or disclosures.

### Internal Control

To help identify and assess the risks of material misstatement in the consolidated financial statements, we obtain an understanding of internal control relevant to the audit. This understanding is used in the design of appropriate audit procedures. It is not used for the purpose of expressing an opinion on the effectiveness of internal control. Should we identify any significant deficiencies in the internal control and accounting systems, we will communicate them to you in our audit findings letter.

### Significant Risks

In planning our audit, we identify significant financial reporting risks that, by their nature, require special audit consideration. The significant risks we have identified and our proposed audit response is outlined below:

| Significant Risks   | Proposed Audit Response   |
|---|---|
| Revenue recognition and completeness                              | Analytical procedures<br>Substantive testing of revenues, including the consistent application of<br>accounting policies<br>Review of cut-off procedures    |
| Management override   | Inquiries of management<br>Review of journal entries<br>Review of related-party transactions  |
| Valuation of estimates related to property tax vacancies, rebates | Review analysis and discuss with management. Compare estimates with prior periods for consistency in methods and techniques for determining these estimates |
| Accounts payable - existence and completeness                     | Analytical<br>Substantive testing and tests of controls   |
| Litigation and legal estimates                                    | Discussions with council and management<br>Confirmations sent to legal council  |

If there are specific areas that warrant our particular attention during the audit or where you would like us to undertake some additional procedures, please let us know.

### **Uncorrected Misstatements**

Where we identify uncorrected misstatements during our audit, we will communicate them to management and request that they be corrected. If not corrected by management, we will then request that you correct them. If not corrected by you, we will also communicate the effect that they may have individually, or in aggregate, on our audit opinion.

### Audit Findings

At the conclusion of our audit, we will prepare an audit findings letter to assist you with your review of the consolidated financial statements. This letter will include our views and comments on matters such as:

- a) significant matters, if any, arising from the audit that were discussed with management;
- b) significant difficulties, if any, encountered during the audit;
- c) qualitative aspects of the entity's accounting practices, including accounting policies, accounting estimates and financial statement disclosures;
- d) uncorrected misstatements; and
- e) any other audit matters of governance interest.

## Audit Questions and Requests

### Fraud

To help us in identifying and responding to the risks of fraud within the entity, we would appreciate your responses to the following questions:

- a) What oversight, if any, do you provide over management's processes for identifying and responding to fraud risks? Management's processes could include policies, procedures, programs or controls that serve to prevent, detect and deter fraud.
- b) Do you have any knowledge of any actual, suspected or alleged fraud, including misappropriation of assets or manipulation of the consolidated financial statements, affecting the entity? If so, please provide details and how the fraud or allegations of fraud were addressed.

### **Other Matters**

Would you please bring to our attention any significant matters or financial reporting risks, of which you are aware, that may not have been specifically addressed in our proposed audit plan. This could include such matters as future plans, contingencies (including any liability for contaminated sites, such as abandoned gas stations), events, decisions, non-compliance with laws and regulations, potential litigation, specific transactions (such as with related parties or outside of the normal course of business) and any additional sources of audit evidence that might be available.

We recognize your significant role in the oversight of the audit and would welcome any observations on our audit plan.

This letter was prepared for the sole use of those charged with governance of Corporation of The Township of Malahide to carry out and discharge their responsibilities. The content should not be disclosed to any third party without our prior written consent, and we assume no responsibility to any other person.

Sincerely,

# **GRAHAM SCOTT ENNS LLP**

**Chartered Professional Accountants** 

plut the

Robert B. Foster, CPA, CA

Partner

Per: Corporation of The Township of Malahide

| Signed: | Date: |
|---------|-------|
|         |       |
|         |       |

Print Name:





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November 10, 2021

Corporation of The Township of Malahide 87 John Street South Aylmer, Ontario, N5H 2C3

Dear Members of Council:

### The Objective and Scope of the Audit

You have requested that we audit the consolidated financial statements of Corporation of The Township of Malahide, which comprise the statement of financial position as at December 31, 2021, and the statements of operations and accumulated surplus, changes in net assets and cash flows for the year then ended, and notes to the consolidated financial statements, including a summary of significant accounting policies.

We are pleased to confirm our acceptance and our understanding of this audit engagement by means of this letter. Our audit will be conducted with the objective of our expressing an opinion on the consolidated financial statements.

### The Responsibilities of the Auditor

We will conduct our audit in accordance with Canadian generally accepted auditing standards. Those standards require that we comply with ethical requirements. 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:

- a. Identify and assess the risks of material misstatement of the consolidated financial statements (whether due to fraud or error), design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations or the override of internal control.
- b. 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. However, we will communicate to you in writing concerning any significant deficiencies in internal control relevant to the audit of the consolidated financial statements that we have identified during the audit.
- c. Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.

- d. 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 auditor's report to the related disclosures in the consolidated financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the entity to cease to continue as a going concern.
- e. Evaluate the overall presentation, structure and content of the consolidated financial statements (including the disclosures) and whether the consolidated financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

Because of the inherent limitations of an audit, together with the inherent limitations of internal control, there is an unavoidable risk that some material misstatements may not be detected, even though the audit is properly planned and performed in accordance with Canadian generally accepted auditing standards.

### The Responsibilities of Management

Our audit will be conducted on the basis that management and those charged with governance, acknowledge and understand that they have responsibility:

- a. For the preparation and fair presentation of the consolidated financial statements in accordance with Canadian accounting standards for public sector entities
- b. For the design and implementation of such internal control as management determines is necessary to enable the preparation of consolidated financial statements that are free from material misstatement, whether due to fraud or error.
- c. To provide us with timely:
  - i. Access to all information of which management is aware that is relevant to the preparation of the consolidated financial statements (such as records, documentation and other matters);
  - ii. Information about all known or suspected fraud, any allegations of fraud or suspected fraud and any known or probable instances of noncompliance with legislative or regulatory requirements;
  - iii. Additional information that we may request from management for the purpose of the audit; and
  - iv. Unrestricted access to persons within Corporation of The Township of Malahide from whom we determine it necessary to obtain audit evidence.

As part of our audit process:

- a. We will make inquiries of management about the representations contained in the consolidated financial statements. At the conclusion of the audit, we will request from management and those charged with governance written confirmation concerning those representations. If such representations are not provided in writing, management acknowledges and understands that we would be required to disclaim an audit opinion.
- b. We will communicate any misstatements identified during the audit other than those that are clearly trivial. We request that management correct all the misstatements communicated.

### Form and Content of Audit Opinion

Unless unanticipated difficulties are encountered, our report will be substantially in the form contained below.

### **INDEPENDENT AUDITORS' REPORT**

To the Members of Council, Inhabitants, and Ratepayers of Corporation of The Township of Malahide: **Opinion** 

We have audited the consolidated financial statements of Corporation of The Township of Malahide, which comprise the balance sheet as at December 31, 2021, and the statement of operations and accumulated surplus, statement of changes in financial assets and statement of cash flows for the year then ended, and notes to the consolidated financial statements, including a summary of significant accounting policies.

In our opinion, the organization's consolidated financial statements present fairly, in all material respects, the financial position of the organization as at December 31, 2021, and the results of its operations and its cash flows for the year then ended in accordance with Canadian accounting standards for public sector entities.

### **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 report. We are independent of the organization in accordance with the ethical requirements that are relevant to our audit of the financial statements in Canada, and we have fulfilled our other ethical responsibilities in accordance with these requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

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

Management is responsible for the preparation and fair presentation of the consolidated financial statements in accordance with Canadian accounting standards for public sector entities, 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 organization'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 organization or to cease operations, or has no realistic alternative but to do so.

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

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

Our objectives are to obtain reasonable assurance about whether the consolidated financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these consolidated financial statements.

### Auditors' Responsibilities for the Audit of the Consolidated Financial Statements (Continued)

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

- Identify and assess the risks of material misstatement of the consolidated financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the organization'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 organization's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the consolidated financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the organization to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the consolidated financial statements, including the disclosures, and whether the consolidated financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

We communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

St. Thomas, Ontario

CHARTERED PROFESSIONAL ACCOUNTANTS Licensed Public Accountants

If we conclude that a modification to our opinion on the consolidated financial statements is necessary, we will discuss the reasons with you in advance.

### Confidentiality

One of the underlying principles of the profession is a duty of confidentiality with respect to client affairs. Each professional accountant must preserve the secrecy of all confidential information that becomes known during the practice of the profession. Accordingly, we will not provide any third party with confidential information concerning the affairs of unless:

- a. We have been specifically authorized with prior consent;
- b. We have been ordered or expressly authorized by law or by the Code of Professional Conduct/Code of Ethics; or
- c. The information requested is (or enters into) public domain.

### Communications

In performing our services, we will send messages and documents electronically. As such communications can be intercepted, misdirected, infected by a virus, or otherwise used or communicated by an unintended third party, we cannot guarantee or warrant that communications from us will be properly delivered only to the addressee. Therefore, we specifically disclaim, and you release us from, any liability or responsibility whatsoever for interception or unintentional disclosure of communications transmitted by us in connection with the performance of this engagement. In that regard, you agree that we shall have no liability for any loss or damage to any person or entity resulting from such communications, including any that are consequential, incidental, direct, indirect, punitive, exemplary or special damages (such as loss of data, revenues or anticipated profits). If you do not consent to our use of electronic communications, please notify us in writing.

We offer you the opportunity to communicate by a secure online portal, however if you choose to communicate by email you understand that transmitting information poses the risks noted above. You should not agree to communicate with the firm via email without understanding and accepting these risks.

### Use of Information

It is acknowledged that we will have access to all personal information in your custody that we require to complete our engagement. Our services are provided on the basis that:

- a. You represent to us that management has obtained any required consents for collection, use and disclosure to us of personal information required under applicable privacy legislation; and
- b. We will hold all personal information in compliance with our Privacy Statement.

### Use and Distribution of our Report

The examination of the consolidated financial statements and the issuance of our audit opinion are solely for the use of Corporation of The Township of Malahide and those to whom our report is specifically addressed by us. We make no representations of any kind to any third party in respect of these consolidated financial statements or our audit report, and we accept no responsibility for their use by any third party or any liability to anyone other than Corporation of The Township of Malahide.

For greater clarity, our audit will not be planned or conducted for any third party or for any specific transaction. Accordingly, items of possible interest to a third party may not be addressed and matters may exist that would be assessed differently by a third party, including, without limitation, in connection with a specific transaction. Our audit report should not be circulated (beyond Corporation of The Township of Malahide) or relied upon by any third party for any purpose, without our prior written consent.

You agree that our name may be used only with our prior written consent and that any information to which we have attached a communication be issued with that communication, unless otherwise agreed to by us in writing.

### Reproduction of Auditor's Report

If reproduction or publication of our audit report (or reference to our report) is planned in an annual report or other document, including electronic filings or posting of the report on a website, a copy of the entire document should be submitted to us in sufficient time for our review before the publication or posting process begins.

Management is responsible for the accurate reproduction of the consolidated financial statements, the auditor's report and other related information contained in an annual report or other public document (electronic or paper-based). This includes any incorporation by reference to either full or summarized consolidated financial statements that we have audited.

We are not required to read the information contained in your website or to consider the consistency of other information on the electronic site with the original document.

### Ownership

The working papers, files, other materials, reports and work created, developed or performed by us during the course of the engagement are the property of our Firm, constitute confidential information and will be retained by us in accordance with our Firm's policies and procedures.

During the course of our work, we may provide, for your own use, certain software, spreadsheets and other intellectual property to assist with the provision of our services. Such software, spreadsheets and other intellectual property must not be copied, distributed or used for any other purpose. We also do not provide any warranties in relation to these items and will not be liable for any damage or loss incurred by you in connection with your use of them.

We retain the copyright and all intellectual property rights in any original materials provided to you.

### File Inspections

In accordance with professional regulations (and by our Firm's policy), our client files may periodically be reviewed by practice inspectors and by other engagement file reviewers to ensure that we are adhering to our professional and Firm's standards. File reviewers are required to maintain confidentiality of client information.

Except as outlined in this letter, the audit engagement does not contemplate the provision of specific accounting advice or opinions or the issuance of a written report on the application of accounting standards to specific transactions and to the facts and circumstances of the entity. Such services, if requested, would be provided under a separate engagement.

### Other Services

In addition to the audit services referred to above, we will, as allowed by the Code of Professional Conduct/Code of Ethics, prepare your federal and provincial income tax returns and other special reports as required. Management will provide the information necessary to complete these returns/reports and will file them with the appropriate authorities on a timely basis.

### Governing Legislation

This engagement letter is subject to, and governed by, the laws of the Province of Ontario. The Province of Ontario will have exclusive jurisdiction in relation to any claim, dispute or difference concerning this engagement letter and any matter arising from it. Each party irrevocably waives any right it may have to object to any action being brought in those courts to claim that the action has been brought in an inappropriate forum or to claim that those courts do not have jurisdiction.

### Dispute Resolution

You agree that:

- a. Any dispute that may arise regarding the meaning, performance or enforcement of this engagement will, prior to resorting to litigation, be submitted to mediation; and
- b. You will engage in the mediation process in good faith once a written request to mediate has been given by any party to the engagement.

### Indemnity

Corporation of The Township of Malahide hereby agrees to indemnify, defend (by counsel retained and instructed by us) and hold harmless our Firm, and its partners, agents or employees, from and against any and all losses, costs (including solicitors' fees), damages, expenses, claims, demands or liabilities arising out of or in consequence of:

- (a) The breach by Corporation of The Township of Malahide, or its directors, officers, agents, or employees, of any of the covenants made by Corporation of The Township of Malahide herein, including, without restricting the generality of the foregoing, the misuse of, or the unauthorized dissemination of, our engagement report or the consolidated financial statements in reference to which the engagement report is issued, or any other work product made available to you by our Firm.
- (b) A misrepresentation by a member of your management or board of directors.

### Time Frames

We will use all reasonable efforts to complete the engagement as described in this letter within the agreed upon time frames. However, we shall not be liable for failures or delays in performance that arise from causes beyond our control, including the untimely performance by Corporation of The Township of Malahide of its obligations.

### Fees

### Fees at Regular Billing Rates

Our professional fees will be based on our regular billing rates, plus direct out-of-pocket expenses and applicable HST, and are due when rendered. Fees for any additional services will be established separately.

Fees will be rendered as work progresses and are payable on presentation.

Our fees and costs will be billed monthly and are payable upon receipt. Invoices unpaid 30 days past the billing date may be deemed delinquent and are subject to an interest charge of 1.0% per month. We reserve the right to suspend our services or to withdraw from this engagement in the event that any of our invoices are deemed delinquent. In the event that any collection action is required to collect unpaid balances due to us, you agree to reimburse us for our costs of collection, including lawyers' fees.

### Costs of Responding to Government or Legal Processes

In the event we are required to respond to a subpoena, court order, government agency or other legal process for the production of documents and/or testimony relative to information we obtained and/or prepared during the course of this engagement, you agree to compensate us at our normal hourly rates for the time we expend in connection with such response and to reimburse us for all of our out-of-pocket costs (including applicable GST/HST) incurred.

### Termination

If we elect to terminate our services for nonpayment, or for any other reason provided for in this letter, our engagement will be deemed to have been completed upon written notification of termination, even if we have not completed our report. You will be obligated to compensate us for all time expended and to reimburse us for all of our out-of-pocket costs through to the date of termination.

Management acknowledges and understands that failure to fulfill its obligations as set out in this engagement letter will result, upon written notice, in the termination of the engagement.

Either party may terminate this agreement for any reason upon providing written notice to the other party. If early termination takes place, shall be responsible for all time and expenses incurred up to the termination date.

If we are unable to complete the audit or are unable to form, or have not formed, an opinion on the financial statements, we may withdraw from the audit before issuing an auditor's report, or we may disclaim an opinion on the financial statements. If this occurs, we will communicate the reasons and provide details.

### Conclusion

This engagement letter includes the relevant terms that will govern the engagement for which it has been prepared. The terms of this letter supersede any prior oral or written representations or commitments by or between the parties. Any material changes or additions to the terms set forth in this letter will only become effective if evidenced by a written amendment to this letter, signed by all of the parties.

If you have any questions about the contents of this letter, please raise them with us. If the services outlined are in accordance with your requirements, and if the above terms are acceptable to you, please sign the copy of this letter in the space provided and return it to us.

We appreciate the opportunity of continuing to be of service to your organization.

Sincerely,

GRAHAM SCOTT ENNS

CHARTERED PROFESSIONAL ACCOUNTANTS

Nohit lotes

Robert B. Foster, CPA, CA Partner

Acknowledged and agreed on behalf of Corporation of The Township of Malahide by:

Members of Council

Corporation of The Township of Malahide



# **Report to Council**

REPORT NO.:PW-22-42DATE:July 7, 2022ATTACHMENT:NoneSUBJECT:DRAINAGE UPDATE REPORT

# **Recommendation:**

# THAT Report No. PW-22-42 entitled "Drainage Update Report" be received.

# Background:

This report provides Council with an update on the status of the various current/in progress drainage works as of June 30, 2022.

# Comments/Analysis:

| Name of Report            | Date of petition | Meetings          | Status   |
|---------------------------|------------------|-------------------|--|
| Burks Drain               | November<br>2021 | February 2022     | Preliminary design<br>meeting to be held in<br>mid-July 2022, Spriet<br>report pending |
| Candy Drain               | July 2019        | May 2021          | Construction<br>completed in spring<br>2022  |
| Cook Drain<br>(Severance) | February<br>2020 | September<br>2019 | Pending MTO<br>approval  |
| Glinski Drain             | August 2021      | October 2021      | Waiting for COR,<br>Petitioner to hire<br>contractor to install<br>drain               |
| J.A. Charlton Drain       | August 2019      | November<br>2020  | Construction<br>completed in spring<br>2022.   |

| 196                                 |                     |                  |  |  |
|-------------------------------------|---------------------|------------------|--|--|
| Name of Report                      | Date of<br>petition | Meetings         | Status   |  |
| J.L. Ferguson Drain                 | November<br>2021    | February 2022    | Preliminary design<br>pending  |  |
| Kettle Creek Drain<br>(Cleanout)    | April 2020          | November<br>2020 | Waiting for DFO site<br>visit  |  |
| Maginnis Drain                      | May 2019            | December<br>2020 | Expected completion in August 2022   |  |
| McDonald Drain                      | December<br>2021    | April 2022       | Drain installed June<br>2022, Spriet report<br>pending                                 |  |
| Norton Street Drain                 | October 2021        | June 2022        | Preliminary design<br>meeting held in June<br>2022, Spriet report<br>pending           |  |
| Pressey Line Drain                  | October 2021        | November<br>2021 | Preliminary design<br>meeting to be held in<br>mid-July 2022, Spriet<br>report pending |  |
| Priester Drain                      | January 2022        | April 2022       | Preliminary design pending   |  |
| Staley Drain                        | September<br>2019   | November<br>2020 | Construction<br>completed in spring<br>2022  |  |
| Sparta Line Drain                   | June 2021           | November<br>2021 | Preliminary design pending   |  |
| Tate Drain                          | May 2020            | April 2021       | Pending Tribunal   |  |
| Thompson Drain<br>Branches<br>D & E | November<br>2015    | April 2016       | Cyril J. Demeyere Ltd.<br>looking at alternative<br>routes for drain.                  |  |
| W. McIntyre Drain<br>(Re-location)  | June 2020           | N/A              | To be constructed in<br>August 2022<br>(Engineers report to<br>follow)                 |  |
| Woolleyville Line Drain             | November<br>2017    | July 2018        | In discussions with land owners  |  |

# Financial Implications to Budget:

N/A.

# **Relationship to Cultivating Malahide:**

The Cultivating Malahide Integrated Community Sustainability Plan (ICSP) is based upon four pillars of sustainability: Our Land, Our Economy, Our Community, and Our Government.

One of the goals that support the "Embody Financial Efficiency throughout Decision-

Making" Strategic Pillar is ensuring that the cost of maintaining municipal infrastructure is equitably borne by current and future ratepayers.

| Submitted by:             | Approved by:             | Approved for Council:        |
|---------------------------|--------------------------|------------------------------|
| Bob Lopez,                | Matt Sweetland, P.Eng.,  | Adam Betteridge,             |
| Engineering Technologist/ | Director of Public Works | Chief Administrative Officer |
| Drainage Superintendent   |                          |                              |



# **Report to Council**

REPORT NO.:PW-22-43DATE:July 7, 2022ATTACHMENT:Imperial Road No Parking Zone DrawingSUBJECT:IMPERIAL ROAD NO PARKING ZONE REQUEST

## **Recommendation:**

THAT Report No. PW-22-43 entitled "Imperial Road No Parking Zone Request" be received;

AND THAT the Township of Malahide Council requests that Elgin County Council implement a No Parking Zone on Elgin Road 73 (Imperial Road) in accordance with the enclosed Imperial Road No Parking Zone Drawing.

# Background:

At the regular Council Meeting held on May 19, 2022 Council directed by resolution No. 22-211 for Township Staff to review sight distances in favour or implementing a no parking zone on Imperial Road.

"No. 22-211 Moved by: Scott Lewis Seconded by: Dominique Giguere

That Township Council direct staff to review sight distances and no parking consideration on Imperial Road at the northbound curve west of the Port Bruce Provincial Park beach

Carried."

### **Comments/Analysis**

Staff have reviewed the area in question and have determined that, in accordance with Transportation Association of Canada guidelines, parked vehicles on the north shoulder of Imperial Road extending from station 10+400 to 10+651.39 as shown on

the attached Imperial Road No Parking Zone drawing would not allow for accommodation of the minimum stopping sight distance for the subject segment at 50km/hr on wet pavement and it is therefore recommended that Elgin County Council implement a No Parking Zone for the subject area accordingly.

# Financial Implications to Budget

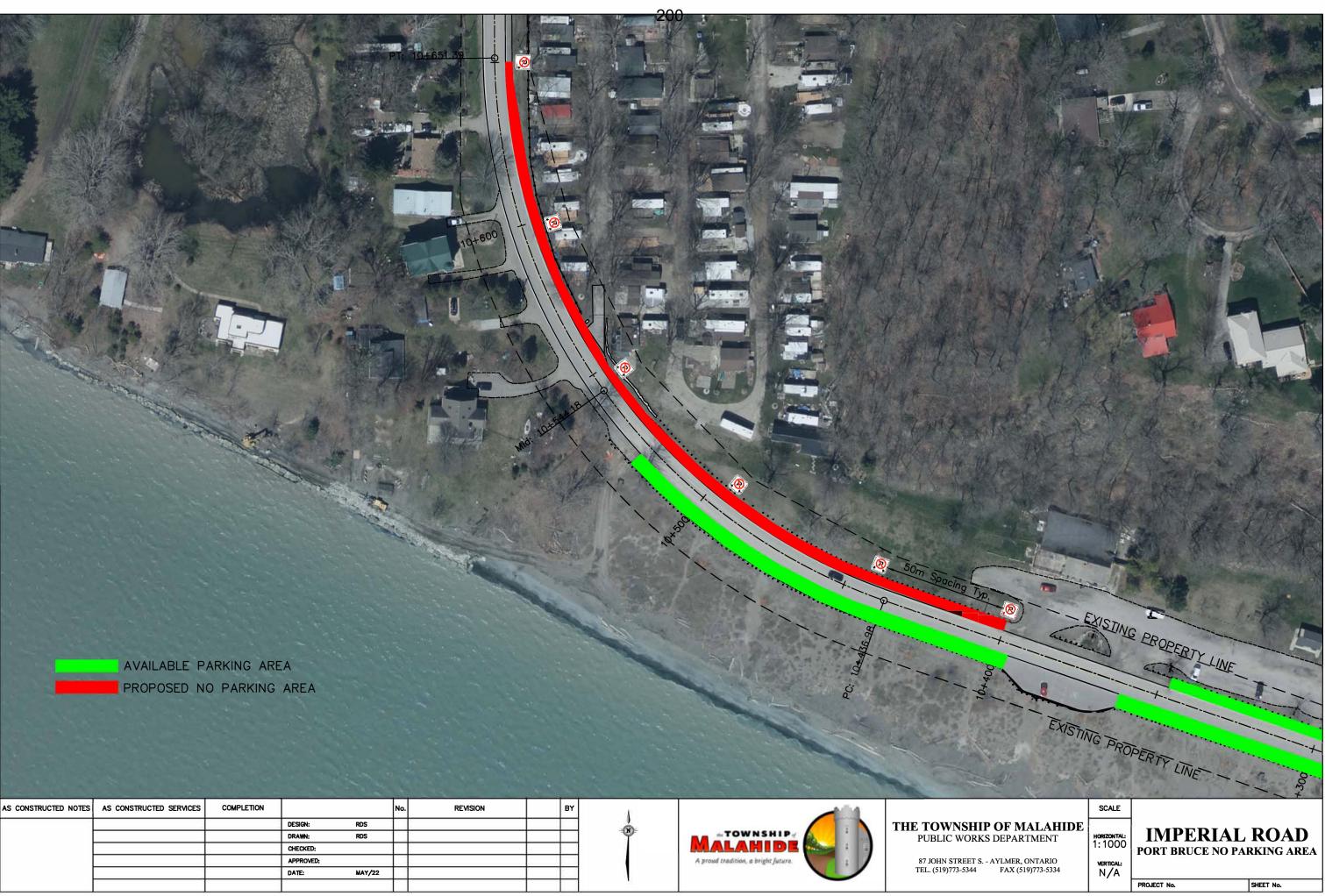
The cost to implement such no parking zone is estimated at \$1,500.00 and would be erected at the Township's expense from the roads reserve.

### **Relationship to Cultivating Malahide**

The Cultivating Malahide Integrated Community Sustainability Plan (ICSP) is based upon four pillars of sustainability: Our Land, Our Economy, Our Community, and Our Government.

One of the goals that support this project is the "Continued exploration of partnerships that will result in the efficient and effective delivery of services". By supporting this and facilitating this proposal, the Council is achieving this goal.

| Submitted by:            | Approved for Council:        |
|--------------------------|------------------------------|
| Matt Sweetland, P.Eng.,  | Adam Betteridge,             |
| Director of Public Works | Chief Administrative Officer |
|                          |                              |



| AS CONSTRUCTED NOTES | AS CONSTRUCTED SERVICES | COMPLETION |           |        | No. | REVISION |     | BY  |  |
|----------------------|-------------------------|------------|-----------|--------|-----|----------|-----|---|--|
|                      |                         |            | DESIGN:   | RDS    |     |          | i i | i i   |  |
|                      |                         |            | DRAWN:    | RDS    |     |          |     |   |  |
|                      |                         |            | CHECKED:  |        |     |          |     |   |  |
|                      |                         |            | APPROVED: |        |     |          |     | <u>()                                    </u> |  |
|                      |                         |            | DATE:     | MAY/22 |     |          | ()  | (i)   |  |
|                      |                         |            |           |        |     |          |     |   |  |





# **Report to Council**

| DATE:       | July 7, 2022                          |
|-------------|---------------------------------------|
| ATTACHMENT: | n/a                                   |
| SUBJECT:    | OPERATIONS AND CAPITAL PROJECT UPDATE |
|             |                                       |

## **Recommendation:**

THAT Report No. PW-22-47 entitled "Operations and Capital Project Update" be received;

AND THAT Construction of the Port Bruce Pier Paving be suspended pending future budget consideration;

AND THAT the adopted \$40,000 capital budget for the Copenhagen Park construction be repurposed to accommodate a phased landscape plan for the subject area.

# Background:

The intention of this staff report is to provide an update with respect to the status of Public Works Capital projects in accordance with the approved 2022 budget, and seek direction on various matters requiring attention.

# **Comments/Analysis**

The Township undertakes a wide variety of operating maintenance and capital projects throughout the calendar year which are proposed and approved by the annual budget committee and Council. Operational projects are focused to be undertaken within the calendar year, while capital projects can often span over multiple calendar years as they may be impacted by various supply markets, and subject to revision based on public input.

The below table provides a summary on the status of the current approved large operating maintenance and capital undertakings/purchasing within the operating arm of the Public Works Department.

|  | 202  |  |
|--|--|--|
| <u>Item</u>  | <u>Status</u>  |  |
| Fleet and Equipment  |  |  |
| Truck 85 replacement   | Tenders received, approval subject to Council authorization  |  |
| Truck 86 replacement   | Tenders received, approval subject to Council authorization  |  |
| Tandem #15 replacement   | Complete. Disposal of replacement fleet to be undertaken in fall 2022  |  |
| Chipper #61 refurbishment  | In progress, expected repairs summer 2022  |  |
| Parks and Facilities   |  |  |
| Copenhagen Park  | Public consultation in progress. Consultation period<br>ends July 25 after which Council will be updated<br>with comments and design change<br>recommendations |  |
| Ball Diamonds – Lighting<br>Switchover                           | Completed Spring 2022  |  |
| Ball Diamonds – Drainage<br>Improvements                         | Expected completion fall 2022  |  |
| Facilities – Floor Scrubber                                      | Completed Spring 2022  |  |
| Facilities – MCP Wood<br>Fence Replacement                       | Expected completion summer/fall 2022   |  |
| Facilities – Health and<br>Safety – AED Defibrillator<br>devices | Procurement complete in accordance with budget;<br>units on backorder due to supply chain issues   |  |
| Facilities – Dehumidifier  | Expected completion summer 2022  |  |
| Roads  |  |  |
| Bridge Washing   | Completed Spring 2022. Multi-year contract in place until end of 2023  |  |
| Dust Control   | 80% Complete, Renewable single year contracts in place until March 2027  |  |
| Line Painting / Pavement<br>Marking                              | Expected completion in August 2022. Two year contract in place ending March 2024 with option to renew for 3 additional one-year periods (March 2027)           |  |
| Surface Treatment  | Single Surface Treatment complete. Double Surface Treatment expected completion in September.  |  |
| Road Allowance Grass   | 80% Complete first cut. Second cut to be completed   |  |
| Cutting  | in September. Contract ends this year.   |  |
| Ditching   | Several spot locations to be completed in fall 2022<br>once Capital road works are complete  |  |
| Gravel Road Aggregate<br>Placement                               | Beginning week of July 4, expected to be complete with in 6 day period.  |  |
| Winter Control   | Q1 period complete   |  |
| OSIM Bridge and Culvert<br>Inspections                           | Awarded and inspections in progress. Expected completion fall 2022   |  |

| 203                                    |   |  |  |  |  |
|--|---|--|--|--|--|
| Road Safety Audit Phase 3              | Awarded by Council and inspection work in                       |  |  |  |  |
|  | progress. Expected completion fall 2022                         |  |  |  |  |
| Speed Reduction and<br>Warning Signage | Supply tenders closed and awarded. Installation fall 2022       |  |  |  |  |
| Woolleyville Line Drainage             | Design in progress, expected completion Fall 2022               |  |  |  |  |
| and Reconstruction Design              | for 2023 Construction   |  |  |  |  |
| Roadworks: Pressey Line:               | On Schedule. Completion anticipated September                   |  |  |  |  |
| Catherine to Walker                    | 2022  |  |  |  |  |
| Roadworks: Pier Parking                | Public Consultation held June 9 <sup>th</sup> . Community input |  |  |  |  |
| Lot Construction and                   | provided for revised design. Council direction                  |  |  |  |  |
| Drainage                               | required as noted herein.                                       |  |  |  |  |
| Roadworks: Colin St. One-              | Community Consultation in progress. Further                     |  |  |  |  |
| Way Conversion                         | constructability update may be required.                        |  |  |  |  |
| Hacienda Line and Vienna               | Completed and received by Council in Spring 2022                |  |  |  |  |
| Line Culvert Rehab<br>Consideration    |   |  |  |  |  |
|  | Awardad ta Vallas Engineering: Expected                         |  |  |  |  |
| Carter Rd Bridge Rehab<br>Design       | Awarded to Vallee Engineering; Expected<br>completion fall 2022 |  |  |  |  |
| Hacienda Rd Culvert                    | Proposals received, Approval subject to Council                 |  |  |  |  |
| Rehab Design                           | authorization   |  |  |  |  |
| Vienna Ln Culvert Rehab                | Proposals received, Approval subject to Council                 |  |  |  |  |
|  | authorization   |  |  |  |  |
| Community Safety:                      | Tenders received,   |  |  |  |  |
| Guiderails                             | Approval subject to Council authorization                       |  |  |  |  |
| Municipal Drainage                     |   |  |  |  |  |
| Ongoing Works                          | Refer to Report PW-22-42  |  |  |  |  |
| Norton Street                          | Engineer appointed, design in progress                          |  |  |  |  |
| Sparta Line                            | Engineer appointed, design in progress                          |  |  |  |  |
| Water and Sewer                        |   |  |  |  |  |
| Copenhagen Booster                     | Partial completion, awaiting supply of parts for full           |  |  |  |  |
| Station valve and motor                | completion, expected fall 2022                                  |  |  |  |  |
| replacements                           |   |  |  |  |  |
| PLC Replacement                        | Design and procurement completion, awaiting install             |  |  |  |  |
|  | due to global supply chain issues                               |  |  |  |  |
| Hydrant Repairs                        | None to date  |  |  |  |  |
| Sample station rebuild                 | Ordered expect completion fall 2022                             |  |  |  |  |
| Standby generator repair               | Annual maintenance complete, various                            |  |  |  |  |
|  | recommendations received all falling within budget              |  |  |  |  |
|  | allowance   |  |  |  |  |
| MCC Inspection                         | Expected fall 2022  |  |  |  |  |
| Pumping Station Wet Well               | Completed spring 2022   |  |  |  |  |
| Powervent                              |   |  |  |  |  |
| Maximo Data collection                 | Completed spring 2022   |  |  |  |  |
| and work order Creation                | Design Complete Funding surgery d. Demoit                       |  |  |  |  |
| HWY3 Watermain<br>Replacement          | Design Complete, Funding approved, Permits                      |  |  |  |  |
| l Renjacement                          | expected fall 2022 for 2023 Construction                        |  |  |  |  |

As noted in the above table, various projects that have been subject to community consultation require the input of Council in order to proceed.

# Pier Parking Lot Construction and Drainage

Council requested the issue of ponding water and surface material movement of the parking area west of the pier to be addressed in 2020, and accordingly engineering design to accommodate a paved solution was undertaken per the 2021 capital budget.

Construction of the paved solution was accommodated in the approved 2022 budget.

Prior to construction being undertaken, the hard-surface paved engineering design was presented on June 9<sup>th</sup> at a Public Information Centre held at the Port Bruce Pavilion and was well attended. Many comments were received relating to:

- the significant project cost with the intention to reduce small minor ponding areas;
- the potential negative impact to the minimally available overland flow route to allow snowmelt to drain across Colin St. to the harbor; and,
- the impact of paving to allow ice breaking activities.

Following the public meeting, further design consideration was undertaken to accommodate the community consultation concerns, and an updated cost estimate provided by the engineering consultant. The updated construction cost estimate results in an increase from the current adopted \$125,000 project cost to an estimated construction cost ranging between \$203,000 to \$280,000. Noting the cost increase, and low level of community support for such project which was voiced at the public meeting (however no written opposition received), it is staff recommendation that construction consideration of the project works be suspended.

# Copenhagen Park

The adopted 2020 Capital budget included at total of \$40,000 to be spent between 2020-2022 to undertake landscape construction, walking path, and playground equipment surrounding the stormwater management park in the Dixie Estates subdivision in Copenhagen.

Capital budget consolidation and carry-forwards accommodated a \$40,000 budget in 2022 to undertake the complete scope of work. A public consultation letter was sent to the residents of the Dixie Estates community on June 13th outlining details of the proposed work (walking trail and stationary exercise equipment). Nine written responses and a petition including 28 signatures were received, all of which indicated that equipment is not desired by the community, but rather in favour of mature trees, benches, and possibly a stone-dust walkway.

The desired landscape construction by the community suggests consultation is required from industry professionals to ensure designs meet the Canadian Landscape Standard by respecting appropriate design features and planting species that fit within the local climate. It is therefore recommended that the currently accommodated \$40,000 capital budget intended for the construction works be used to prepare a professional landscape plan to accommodate the community request, allowing for phased in approach of trees,

benches, and trail within the budget limitation and subject to future funding for any excess desire.

# Financial Implications to Budget

All capital projects are proceeding within the Council adopted budget, save an except those projects awarded by Council with minor overages where advised in those respective staff reports.

The staff recommendations noted herein have no negative affect on the approved 2022 Capital Budget.

# Relationship to Cultivating Malahide

The Cultivating Malahide Integrated Community Sustainability Plan (ICSP) is based upon four pillars of sustainability: Our Land, Our Economy, Our Community, and Our Government.

One of the goals that supports the "Our Local Government" strategic pillar is "Embody Financial Efficiency throughout Decision-Making". Ensuring that the cost of maintaining municipal infrastructure is equitably borne by current and future ratepayer's works to achieve this goal.

| Submitted by:            | Approved for Council:        |
|--------------------------|------------------------------|
| Matt Sweetland, P.Eng.,  | Adam Betteridge,             |
| Director of Public Works | Chief Administrative Officer |
|                          |                              |



# **Report to Council**

REPORT NO.:PW-22-48DATE:July 7, 2022ATTACHMENT:Renewal AgreementSUBJECT:CONTRACT RENEWAL: FUEL DELIVERY 2022-2024 – DAVIS &<br/>MCCAULEY FUELS

## **Recommendation:**

THAT Report No. PW-22-48 entitled "Contract Renewal: Fuel Delivery 2022-2024 – Davis & McCauley Fuels" be received;

AND THAT the Mayor and Clerk be authorized to renew the existing agreement with Davis & McCauley Fuels for an additional term of 2 years and to execute the necessary documents for such.

# **Background:**

The Township of Malahide currently purchases approximately 45,000L of Dyed Diesel annually. The majority of which is delivered between the North and South Shop locations, with a very small portion being delivered to our generator sites and to emergency services at off-site locations.

# Comments/Analysis:

The Township issued a tender for the 2019-2022 delivery of fuel on July 10, 2019. This tender included renewal options for two additional two year terms. This tender closed on July 24, 2019 and there were two bids received:

- 1. Davis & McCauley Fuels \$0.0600/L over the Rack Rate & No Charge for Rental Tanks
- 2. Parkland Fuel Corporation \$0.0650/L over the Rack Rate and \$250/Rental Tank per Year

The tender was awarded to Davis & McCauley Fuels and included renewal options for two additional two year terms. Township Staff have been in contact with Davis & McCauley Fuels regarding the renewal of the contract and it was deemed mutually beneficial.

Staff are satisfied with the services that have been provided by Davis & McCauley Fuels to date. The Staff are recommending that the contract to supply dyed diesel to the Township for the 2022-2024 period be renewed with Davis & McCauley Fuels, expiring on August 1<sup>st</sup>, 2024.

# Financial Implications to Budget:

The fuel delivery program is already included in the 2022 Budget and the fuel usage depends on the volume of work activity and environmental conditions which have been conservatively estimated in the Budget. As such, the approval action of this renewal will have no impact on the budget as previously adopted by the Council.

# **Relationship to Cultivating Malahide:**

The Cultivating Malahide Integrated Community Sustainability Plan (ACSP) is based upon four pillars of sustainability: Our Land, Our Economy, Our Community, and Our Government.

One of the goals that support the "Embody Financial Efficiency throughout Decision-Making" Strategic Pillar is obtaining competitive quotations from local service providers helps to ensure financial efficiencies.

| Submitted by:    | Approved by:             | Approved for Council:        |
|------------------|--------------------------|------------------------------|
| Cassandra Young, | Matt Sweetland, P.Eng.,  | Adam Betteridge              |
| Public Works     | Director of Public Works | Chief Administrative Officer |
| Coordinator      |                          |                              |

# TOWNSHIP OF MALAHIDE AGREEMENT

THIS AGREEMENT made in quadruplicate this \_\_\_\_\_th day of \_\_\_\_\_ in the year 2022.

BETWEEN:

# DAVIS & MCCAULEY FUELS herein called the "Contractor"

and

# CORPORATION OF THE TOWNSHIP OF MALAHIDE herein called the "Owner".

WITNESSETH: That the Contractor and the Owner for the consideration hereinafter indicated undertake and agree as follows:

# ARTICLE 1:

The Form of Tender documents are to be read herewith and form part of this Agreement as fully and completely to all intents and purposes as though all the stipulations thereof had been embodied therein and are referred to herein as the "Contract Documents".

# ARTICLE 2:

The Contractor undertakes and agrees:

- a) To supply all products, except as otherwise specified, and operate and administer the system outlined in the Contract Documents entitled: Tender PS-19-08, 2019-2022 FUEL DELIVERY, and;
- b) To do and fulfill everything indicated by this Agreement and the Contract Documents.

# ARTICLE 3:

The Owners undertake and agree:

a) To pay the Contractor in current funds for the duration of the Tender PS-19-08, 2019-2022 FUEL DELIVERY, for fuel supplied as specified in the contract documents, a rate of \$0.060 per litre over rack rate for Dyed Diesel.

# ARTICLE 4:

The Contractor and the Owners for themselves, their successors, executors, administrators and assigns, hereby undertake and agree to the full performance of the covenants contained herein and in the Contract Documents, and that this Agreement with the Contract Documents constitute the Contract.

ARTICLE 5:

If and whenever either party hereto desires to give notice to the other party under or in connection with this Agreement or the General Conditions of the Contract, such notice will be effectively given if sent by registered mail to the Contractor at **660 Clarke Rd, London, ON N5V 3A9** and to the Owner at **87 John St. S Aylmer, Ontario N5H 2C3** will be considered as having been so given at the time of the deposit thereof in the Post Office.

IN WITNESS WHEREOF the parties hereto have executed this Agreement the day and year first above written.

| SIGNED, SEALED AND DELIVERED<br>in the presence of | ) Corpo           | oration of the Township | of Malahide |
|--|-------------------|-------------------------|-------------|
|  | )<br>)<br>)       |                         | SEAL        |
|  | )<br>) Dowle<br>) | er Karn Limited         |             |
|  | )<br>)<br>)       |                         | SEAL        |



# **Report to Council**

| SUBJECT:    | CONTRACT RENEWAL:<br>CARD LOCK FUEL SUPPLIER 2022-2024 –<br>DOWLER KARN / ESSO |
|-------------|--|
| ATTACHMENT: | Renewal Agreement  |
| DATE:       | July 7, 2022   |
| REPORT NO.: | PW-22-49   |

# **Recommendation:**

THAT Report No. PW-22-49 entitled "Contract Renewal: Card Lock Fuel Supplier 2022-2024 – Dowler Karn / ESSO" be received;

AND THAT the Mayor and Clerk be authorized and directed to renew the existing agreement with Dowler Karn / ESSO for an additional term of 2 years and to execute the necessary documents for such.

# **Background:**

As the Council is aware, the current contract for fuel delivery through the Card Lock system through Dowler Karn / ESSO located at the Elgin Feeds site expires July 1, 2022. Approximately 185,000L of clear diesel and regular unleaded gas is purchased by all departments through the Card-Lock system.

### **Comments/Analysis:**

The Township of Malahide Staff issued a tender for the 2019-2022 supply of fuel through a card lock system on June 06, 2019. This tender closed on June 24, 2019 and there was only one bid received from Dowler Karn / ESSO. This tender includes renewal options for two additional two year terms. Dowler Karn / ESSO has quoted a rack rate price of (-)\$0.013/L for unleaded gasoline and (-)\$0.021/L for clear diesel for the supply of fuel through the Card Lock system located at the Elgin Feeds site.

Township Staff have been in contact with Dowler Karn / ESSO regarding the renewal of the contract and it was deemed mutually beneficial. The Staff are recommending that the supply of fuel through the Card Lock system to the Township for the 2022-2024 period be renewed with Dowler Karn / ESSO, expiring on July 31<sup>st</sup>, 2024.

# Financial Implications to Budget:

The fuel supply program is already included in the 2022 Budget and therefore the approval of this renewal will have no impact on the budget as previously adopted by the Council.

# **Relationship to Cultivating Malahide:**

The Cultivating Malahide Integrated Community Sustainability Plan (ACSP) is based upon four pillars of sustainability: Our Land, Our Economy, Our Community, and Our Government.

One of the goals that support the "Embody Financial Efficiency throughout Decision-Making" Strategic Pillar is obtaining competitive quotations from local service providers helps to ensure financial efficiencies.

| Submitted by:    | Approved                 | Approved for Council:        |
|------------------|--------------------------|------------------------------|
| Cassandra Young, | Matt Sweetland, P.Eng.,  | Adam Betteridge              |
| Public Works     | Director of Public Works | Chief Administrative Officer |
| Coordinator      |                          |                              |

# **TOWNSHIP OF MALAHIDE AGREEMENT**

THIS AGREEMENT made in quadruplicate this \_\_\_\_\_th day of \_\_\_\_\_ in the year 2022.

BETWEEN:

# DOWLER KARN LIMITED herein called the "Contractor"

and

# CORPORATION OF THE TOWNSHIP OF MALAHIDE herein called the "Owner".

WITNESSETH: That the Contractor and the Owner for the consideration hereinafter indicated undertake and agree as follows:

# ARTICLE 1:

The Form of Tender documents are to be read herewith and form part of this Agreement as fully and completely to all intents and purposes as though all the stipulations thereof had been embodied therein and are referred to herein as the "Contract Documents".

# ARTICLE 2:

The Contractor undertakes and agrees:

- a) To supply all products, except as otherwise specified, and operate and administer the system outlined in the Contract Documents entitled: Tender PS-19-07, 2019-2022 CARD LOCK FUEL SUPPLY, and;
- b) To do and fulfill everything indicated by this Agreement and the Contract Documents.

# ARTICLE 3:

The Owners undertake and agree:

a) To pay the Contractor in current funds for the duration of the Tender PS-19-07, 2019-2022 CARD LOCK FUEL SUPPLY, for fuel supplied through the Card Lock Fuel System as specified in the contract documents, a discount rack rate of (-)\$0.013 per litre of Unleaded Gasoline and (-)\$0.021 per litre of Clear Diesel.

# ARTICLE 4:

The Contractor and the Owners for themselves, their successors, executors, administrators and assigns, hereby undertake and agree to the full performance of the covenants contained herein and in the Contract Documents, and that this Agreement with the Contract Documents constitute the Contract.

## ARTICLE 5:

If and whenever either party hereto desires to give notice to the other party under or in connection with this Agreement or the General Conditions of the Contract, such notice will be effectively given if sent by registered mail to the Contractor at **43841 Talbot Line St. Thomas, Ontario N5P 3S7** and to the Owner at **87 John St. S Aylmer, Ontario N5H 2C3** will be considered as having been so given at the time of the deposit thereof in the Post Office.

IN WITNESS WHEREOF the parties hereto have executed this Agreement the day and year first above written.

| SIGNED, SEALED AND DELIVERED in the presence of | ) Corporation of the Township<br>) | of Malahide |
|---|------------------------------------|-------------|
|   | )<br>)<br>)                        | SEAL        |
|   | )<br>) Dowler Karn Limited<br>)    |             |
|   | )<br>)<br>)                        | SEAL        |



# **Report to Council**

| SUBJECT:    | TENDER RESULTS: GUIDERAIL INSTALLATION        |
|-------------|---|
| ATTACHMENT: | Tender Summary (Malahide Tender No. PW-22-12) |
| DATE:       | July 7, 2022                                  |
| REPORT NO.: | PW-22-50                                      |

# **Recommendation:**

THAT Report No. PW-22-50 entitled "Tender Results: Guiderail Installation" be received;

AND THAT the Guiderail Installation contract be awarded to Royal Fence Ltd. of Dorchester, Ontario;

AND THAT the Mayor and Clerk be authorized to enter into an agreement with Royal Fence Ltd. of Dorchester, Ontario for the purpose of the supply and installation of Steel Beam Guiderail.

### Background:

As the Council will recall, Phase Two of the Roadside Safety Audit identified several locations that are deficient in roadside protection. Municipal staff presented council with report "PW-22-35 – Road Safety Audit Phase 2 Implementation" in May 2022 advising of the phased approach to implementing the Road Safety Audit Phase 2 recommendations.

### **Comments/Analysis:**

Public Works Staff called tenders for the supply and installation of Steel Beam Guiderail for five locations within the Township. Tenders closed on June 24, 2022 at 11:00 am, with two (2) suppliers submitted valid bids. The lowest bid was received from Royal Fence Ltd, in the amount of \$210,690.00 (plus HST). As such, Staff recommend awarding the Guiderail Installation contract to Royal Fence Ltd. of Dorchester, Ontario.

# Financial Implications to Budget:

The proposed guiderail installation is included in the approved 2022 Roads Capital Budget with a value of \$200,000. The low bid of \$210,690 exceeds the approved 2022 capital budget allocation by 5.3%. A review of the low bid submission in comparison to other recent contracts, suggests the unit pricing is in line with market values.

# **Relationship to Cultivating Malahide:**

The Cultivating Malahide Integrated Community Sustainability Plan (ICSP) is based upon four pillars of sustainability: Our Land, Our Economy, Our Community, and Our Government.

One of the goals that support the "Local Government" Strategic Pillar relates to "Embody Financial Efficiency throughout Decision-Making". Securing service providers using a competitive procurement practice and using a purchasing co-operative typifies this goal.

| Submitted by:        | Approved by:             | Approved for Council:        |
|----------------------|--------------------------|------------------------------|
| Ryan DeSutter,       | Matt Sweetland, P.Eng.,  | Adam Betteridge,             |
| Roads & Construction | Director of Public Works | Chief Administrative Officer |
| Manager              |                          |                              |

# 216 TOWNSHIP OF MALAHIDE

# SUMMARY OF QUOTES

# PW-22-12 – Guiderail Installation

# Subject to Council's Consideration and Approval.

(Prices do not include HST)

| BIDDER  | PRICE        |
|---|--------------|
| ROYAL FENCE LTD., Dorchester Ontario          | \$210,690.00 |
| PENINSULA CONSTRUCTION LTD., Fonthill Ontario | \$228,762.00 |
|   |              |
|   |              |
|   |              |
|   |              |
|   |              |
|   |              |
|   |              |



# **Report to Council**

**DATE:** July 7, 2022

**ATTACHMENT:** RFP Results: Vienna Line Culvert Design Combined Scoring RFP Results: Hacienda Road Culvert Design Combined Scoring

SUBJECT: RFP RESULTS – VIENNA LINE AND HACIENDA ROAD CULVERT REPLACEMENT DESIGN

#### **Recommendation:**

THAT Report No. PW-22-40 entitled "RFP Results – Vienna Line and Hacienda Road Culvert Replacement Design" be received;

AND THAT the proposal for the Vienna Line Culvert Replacement Design be awarded to Safe Roads Engineering in the amount of \$38,736.00 (plus HST);

AND THAT the proposal for the Hacienda Road Culvert Replacement Design be awarded to Safe Roads Engineering in the amount of \$27,063.00 (plus HST);

AND THAT the Mayor and Clerk be authorized to enter into a agreements with Safe Roads Engineering for the purpose of completing the Vienna Line Culvert Replacement Design and the Hacienda Road Culvert Replacement Design.

#### Background:

As Council will recall, direction was given to issue Request for Proposal (RFP) documents for the replacement of the Vienna Line and Hacienda Road culverts by resolution:

"No. 22–204 Moved By: Scott Lewis Seconded By: Chester Glinski

THAT Report No. PW-22-36 entitled "Hacienda Road and Vienna Line Culvert Rehabilitation Consideration" be received;

AND THAT Staff proceed with issuance of request for proposals for the design of concrete box culverts for the replacement of the C-15 Hacienda Road Culvert and

C-17 Vienna Line Culvert in accordance with the 2022 Capital budget."

Accordingly, two RFPs for Engineering Services documents (PW-22-10 & PW-22-11) were issued on June 1, 2022 on the public Township of Malahide Bids & Tenders webpage and closed on June 24, 2022.

#### Comments/Analysis:

Ten (10) consulting firms downloaded the respective RFP documents from the Bids and Tenders website. The Township received a total of five (5) proposals for each RFP as noted on the enclosed bid summary forms.

A two-envelope system was used for both RFP's where the bidders were required to submit their Technical Proposal and Financial Proposal for the project in separate sealed envelopes. Hard copy and digital submissions were allowed, noting that digital submissions were required to be password protected and only accessible once the technical evaluation was completed and Township staff requested said password from proponents. The firms were first evaluated on their ability to perform the work (Technical Proposal) and had to achieve a minimum score of 70% on the technical merits to have their pricing envelopes opened.

The two-envelope evaluation process ensures that the Township secures the lowest priced service provider that is capable of completing the project. This process ensures that the Township receives <u>good value</u> for its money. The Technical Proposals were scored out of 60 total points based on the following criteria:

- 1. Qualifications and Relevant Experience of Project Team
- 2. Understanding of Objectives
- 3. Quality of Approach, Methodology, Value Added Services
- 4. Proposed Work Plan and Schedule

All Consulting firms achieved the minimum score of 70% on the technical merits and had their pricing envelopes opened for both RFP competitions. The price was then factored into the overall score. The proponent with the lowest priced alternative received 100% of the available 40 total financial points. The remaining bid then received points based on the cost difference between their bid and the lowest bidder based on a stated formula allowing points up to the doubling factor of the lowest bid. Financial scores exceeding double that of lowest bid result in 0 financial points.

Being similar projects in nature, proposals received from all firms closely matched technical guidance with few differences.

Safe Roads Engineering is the firm that achieved the highest overall score on both RFP competitions as a result of having a technical ranking score of 82% on each proposal, and additionally submitting the lowest priced proposals. Safe Roads Engineering has considerable experience in the scope of work required for design replacement of these two deep excavation culverts and additionally have proposed beneficial value-added services to allow various market dependent opportunities on the construction of the replacement works.

It is anticipated that the Design of both projects will be completed mid-December 2022, allowing for construction undertaking of the priority Vienna Line culvert to occur by May 2023 providing utility locating can be completed within that timeframe. The design will address any matters related to the archaeology, water and other environmental aspects overseen by various Ministries. It will also include the various construction alternatives, with cost estimates, which the Staff will be able to use as the project moves forward.

#### Financial Implications to Budget:

The approved 2022 Budget includes a combined \$90,000 for the design of the Vienna Line and Hacienda Road structures. The proposals from Safe Roads Engineering which have been factored into the combined scoring calculation are \$30,070.00 for the Hacienda Rd culvert design and \$43,040.00 for the Vienna Line culvert design.

Safe Roads proposal includes a value added service of reducing the fee of each project by 10% if awarded both projects. As Safe Roads is the recommended consultant based on the terms of the RFP, the discounted rate of the combined project is a total cost of \$65,799.00+HST which is below the budgeted amount for the work and therefore has no negative impact on the 2022 capital budget.

#### **Relationship to Cultivating Malahide:**

The Cultivating Malahide Integrated Community Sustainability Plan (ICSP) is based upon four pillars of sustainability: Our Land, Our Economy, Our Community, and Our Government.

One of the goals that supports the "Our Local Government" strategic pillar is "Embody Financial Efficiency throughout Decision-Making". Ensuring that the cost of maintaining municipal infrastructure is equitably borne by current and future ratepayer's works to achieve this goal.

| Approved by:             | Approved for Council:        |
|--------------------------|------------------------------|
| Matt Sweetland, P.Eng.,  | Adam Betteridge,             |
| Director of Public Works | Chief Administrative Officer |
|                          |                              |

#### 2022 Hacienda Road Culvert Design

#### **Rating of Proposals**

| Criteria        | VALLEE<br>ENGINEERS | PML<br>CONSULTANTS<br>LTD. | SPRIET<br>ASSOCIATES | SAFEROADS<br>ENGINEERING | CENTEX<br>ENGINEERING |
|-----------------|---------------------|----------------------------|----------------------|--------------------------|-----------------------|
| Technical Score | 59                  | 55                         | 48                   | 49                       | 46                    |
|                 |                     |                            |                      |                          |                       |
| Financial Score | 0                   | 0                          | 0                    | 40                       | 0                     |
| Total Score     | 59                  | 55                         | 48                   | 89                       | 46                    |
| RANK:           | 2                   | 3                          | 4                    | 1                        | 5                     |

#### 2022 Vienna Line Culvert Design

**Rating of Proposals** 

| Criteria        | SPRIET<br>ASSOCIATES | PML<br>CONSULTANTS<br>LTD. | VALLEE ENGINEERS | SAFEROADS<br>ENGINEERING | CENTEX ENGINEERING |
|-----------------|----------------------|----------------------------|------------------|--------------------------|--------------------|
| Technical Score | 48                   | 55                         | 59               | 49                       | 47                 |
|                 |                      |                            |                  |                          |                    |
| Financial Score | 0                    | 0                          | 20               | 40                       | 0                  |
| Total Score     | 48                   | 55                         | 79               | 89                       | 47                 |
| RANK:           | 4                    | 3                          | 2                | 1                        | 5                  |

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# **Report to Council**

| REPORT NO.: | PW-22-46                                     |
|-------------|--|
| DATE:       | June 28, 2022                                |
| ATTACHMENT: | 1/2-Ton Tender Summary, 1-Ton Tender Summary |
| SUBJECT:    | TENDER AWARD – FLEET VEHICLES                |

#### **Recommendation:**

THAT Report No. PW-22-46 entitled "Tender Award – Fleet Vehicles" be received;

AND THAT the bid received from Eichenberg Chrysler, of Tillsonburg, Ontario, in the amount of \$52,483.00 (plus applicable taxes and licensing), for the purchase of one new 1/2 Ton Pickup Truck be accepted;

AND THAT the bid received from Elgin Chrysler, of St. Thomas, Ontario, in the amount of \$61,199.00 (plus applicable taxes and licensing), for the purchase of one new 1-Ton Cab & Chassis be accepted;

AND THAT the Mayor and Clerk be authorized to enter into an agreement with Eichenberg Chrysler, of Tillsonburg, Ontario, for the supply of the above noted new 1/2 Ton Pickup Truck;

AND THAT the Mayor and Clerk be authorized to enter into an agreement with Elgin Chrysler, of St. Thomas, Ontario, for the supply of the above noted new 1-Ton Cab & Chassis.

#### Background:

The Roads Department fleet replacement schedule identified the replacement of two trucks in 2022. The trucks being replaced are:

- Truck 86: 2015 <sup>3</sup>/<sub>4</sub> Ton Chevrolet (440,000km) used in the Parks/Facilities department
- Truck 85: 2010 1 Ton Ford F350 (137,600km) used in the Roads department

Replacement of these vehicles allows the adopted fleet replacement/reorganization schedule to be maintained, allowing the suitability of each truck to match the use.

The Municipal Staff issued a call for tenders for one (1) new ½ ton pickup truck on May 12, 2022 and the document was distributed to 44 local vehicle suppliers.

Tender bids were received on June 3, 2022 from 2 suppliers. The low bid was submitted by Eichenberg Chrysler of Tillsonburg, Ontario for a total of \$52,483.00 (plus applicable taxes and licensing).

The Municipal Staff issued a further call for tenders for one (1) new 1-ton truck with dump body on May 31, 2022 and the document was distributed to 44 local vehicle suppliers.

Tender bids were received on June 24, 2022 from 2 suppliers. A third bid was received via courier after the closing time and was not opened. The low bid was submitted by Elgin Chrysler of St. Thomas, Ontario for a total of \$61,199.00 (plus applicable taxes and licensing). It should be noted, that the Elgin Chrysler bid was for a cab & chassis only. The dump box would be purchased separately through the appropriate procurement process.

#### **Comments/Analysis:**

Although there were some minor non-conformances, the Staff are satisfied that each bid generally met the qualifications and that nothing became evident in accordance with the tender document which would warrant disqualification.

Based on a thorough review, Staff are recommending that Council accept the low bid as submitted by Eichenburg Chrysler, of Tillsonburg, Ontario, for the supply of one (1) Ram 1500, regular cab, long box, 4x4 pickup truck.

The Staff also recommends that the Council accept the low bid from Elgin Chrysler, of St. Thomas, Ontario, for the supply of one (1) Ram 3500, 4x4, Cab & Chassis.

#### **Financial Implications to Budget:**

The recommended bid received from Eichenberg Chrysler for one (1) Ram 1500 4x4 Pickup Truck is \$52,483.00 (plus applicable taxes and licensing) and the recommended bid received from Elgin Chrysler for one (1) Ram 3500 Cab & Chassis is \$61,199.00 (plus applicable taxes and licensing).

The total of the above 2022 Fleet Replacement in accordance with the adopted fleet replacement plan is \$113,682.00 which is reflected against the 2022 adopted Capital Budget of \$120,000.00 noting a positive variance of \$6,318.00.

There will be additional expenses incurred to supply and install the dump body and to ready the vehicles for municipal service. These expenses are likely to be realized in 2023 due to the noted delivery times of the recommended awards. These expenses are proposed to be funded through the Capital Equipment Reserve. Once the vehicles are

received, they will be equipped with working/emergency lighting, radio equipment, and other essentials.

### Relationship to Cultivating Malahide:

The Cultivating Malahide Integrated Community Sustainability Plan (ACSP) is based upon four pillars of sustainability: Our Land, Our Economy, Our Community, and Our Government.

One of the goals that support the "Embody Financial Efficiency throughout Decision-Making" Strategic Pillar is ensuring that the cost of maintaining municipal infrastructure is equitably borne by current and future ratepayers.

| Submitted by:                                     | Approved by:  | Approved for Council:                            |
|---|---|--|
| Ryan DeSutter,<br>Roads & Construction<br>Manager | Matt Sweetland, P.Eng.,<br>Director of Public Works | Adam Betteridge,<br>Chief Administrative Officer |

#### 225 TOWNSHIP OF MALAHIDE

#### SUMMARY OF TENDERS

#### PW-22-05 – One Ton Truck Tender

#### Subject to Council's Consideration and Approval.

(Prices do not include HST)

2022 Truck

| BIDDER                 | VEHICLE                                 | DELIVERY            | PRICE        |
|------------------------|---|---------------------|--------------|
| ELGIN CHRYSLER         | RAM 3500                                | TBD (POSSIBLY 2023) | \$61,199.00* |
| CARRIER TRUCK CENTRES  | INTERNATIONAL CV515                     | AUGUST 2023         | \$124,943.00 |
| BLUE MOUNTAIN CHRYSLER | LATE SUBMISSION – BID RETURNED UNOPENED |                     |              |

\* Elgin Chrysler bid only includes cab & chassis. Dump box supply and installation extra.

#### 226 TOWNSHIP OF MALAHIDE

#### SUMMARY OF TENDERS

### PW-22-06 - Pickup Truck Tender

### Subject to Council's Consideration and Approval.

(Prices do not include HST)

2022 Truck

| BIDDER               | VEHICLE   | DELIVERY            | PRICE       |
|----------------------|-----------|---------------------|-------------|
| EICHENBERG CHRYSLER  | RAM 1500  | 4 – 6 MONTHS        | \$52,483.00 |
| STAUFFER MOTORS LTD. | FORD F150 | TBD (POSSIBLY 2023) | \$52,759.96 |



# **Report to Council**

REPORT NO.:FIN-22-17DATE:July 7, 2022ATTACHMENT:Reserves Planning ReviewSUBJECT:RESERVE & RESERVE FUND PLANNING & PERFORMANCE

#### **Recommendation:**

THAT Report No. FIN 22-17 entitled "Reserve & Reserve Fund Planning & Performance" be received;

AND THAT the Director of Finance be authorized to restructure the Township's reserves to reflect the changes proposed in Appendix A – Structure Continuity.

#### **Background:**

A reserve or reserve fund is money set aside by municipalities for a specific purpose or use. While Ontario legislation requires municipalities to establish certain reserve funds in certain circumstances, municipal councils have the discretion to establish reserves and reserve funds for any purpose for which they have the authority to spend money. Such reserves and reserve funds are intended to smooth levy requirements for large and/or one-time purchases, mitigate credit market risk by saving for future capital needs and reducing dependency on debt, as well as provide self-insurance for uncertainties.

Their use has long been central to the Township's overall financial strategy though not much of this planning has been formalized for Council and the public's consumption. During the 2022 Budget deliberations, it was noted a full review of the Township's reserves could be provided prior to 2023's Budget. It is the expectation that the "Reserves Planning Review" document attached to this report will serve that purpose and be updated each year as part of the Township's annual budget.

#### **Comments/Analysis:**

The Reserves Planning Review document attached provides a proposed structure for the Township's reserves. The proposed structure consists of 18 reserves, reduced from

the Township's 35 reserve structure at the beginning of the year. The elements of the review include:

| Page    | Review Section                | Purpose   |
|---------|-------------------------------|---|
| 1       | Proposed Structure            | Summarizes the new reserve structure and        |
|         |                               | categorizes reserves based on how they are      |
|         |                               | established and used                            |
| 2 - 4   | Sources, Uses & Restrictions  | Explains each reserve's funding source,         |
|         |                               | eligible uses and restrictions                  |
| 5 - 8   | Balances & Targets            | Set target levels for each reserve and provides |
|         |                               | commentary on how these targets were set        |
| 9 -10   | Contingencies & Risk          | Explains the target setting process for the     |
|         | Management                    | Township's contingency reserve                  |
| 11 - 14 | Infrastructure Financing      | Explains reserve management in the context of   |
|         |                               | future capital financing                        |
| App. A  | Comparison to Prior Structure | Shows the before and after of the Township's    |
|         |                               | reserve structure                               |

#### **Review Outcomes:**

It is recommended Council support the proposed reserve structure to attain the following benefits:

- Greater optimization of the Township's current financial resources through the redistribution of dormant funds
- Improved transparency and accountability of funds held by the Township
- Formal codification of reserve planning strategies for the use of future staff and Councils to build upon
- Demonstrated integration of reserve management strategies with the Township's Asset Management Plan to improve financial sustainability of future infrastructure
- Empowerment of Council's decision-making ability over complex financial matters
- Provides a means for Council and the public to evaluate the Township's financial position and risk levels
- Reduces the threat that the Township unnecessarily retains funds

| Approved by:        | Approved by:                 |
|---------------------|------------------------------|
| Adam Boylan         | Adam Betteridge              |
| Director of Finance | Chief Administrative Officer |
|                     |                              |

### **Proposed Structure**

|   |   | Rese | rve                                   |
|---|---|------|---------------------------------------|
|   |   | 1    | Building Stabilization Fund           |
|   | Obligatory reserve funds are established by Council through by-   | 2    | Development Charges                   |
|   | laws, often through approval of funding agreements, or by upper levels of government through legislation. Each reserve  | 3    | Canada Community Building Fund        |
|   | fund must be used in accordance with its related source of by-  | 4    | Ontario Community Infrastructure Fund |
| Obligatory Reserve Funds                | law or agreement.   | 5    | Cash in Lieu of Parkland              |
|   | Council has the ability to allocate funds as preferred as long as   | 6    | Ontario Cannabis Legalization Fund    |
|   | uses are within the scope of each fund's restrictions. The assistance of the Treasurer is recommended to ensure   | 7    | Restricted Grants & Donations         |
|   | compliance with fund restrictions.  |      | Safe Restart Fund                     |
|   |   |      | County Roads                          |
|   |   | I    |                                       |
|   | User fees and special area rates are being charged to different<br>subsets of user groups within the Township. Excess funds are<br>kept in these reserves to be used for the future benefit of those<br>who are paying these fees and levies. |      | Water Reserve                         |
| Restricted Fees & Levies                |   |      | Sewer Reserve                         |
|   |   |      | Springfield Streetlights              |
|   |   |      | Avon Streetlights                     |
|   |   |      |                                       |
|   | These funds are set aside for uncontrollable but often  | 14   | Contingency Reserve                   |
| Contingency &<br>Stabilization Reserves | predictable event like floods and uncollectible taxes. They are<br>used to insulate ratepayers against unfavourable events and<br>conditions and help spread the cost of single-year events over<br>multiple budgets.                         |      | Municipal Elections                   |
|   |   |      | Planning & Development                |
|   |   |      |                                       |
| Conital Deserves                        | Are established to set aside funds for the Township's long-term   | 17   | Infrastructure Reserve                |
| Capital Reserves                        | projects and initiatives.   |      | Modernization Funds                   |



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## Sources, Uses & Restrictions

|   | Reserve Name   | Source of Funding  | Uses & Restrictions  |
|---|--|--|--|
| 1 | Building StabilizationBuilding permit surplusReserve Fundrevenue   |  | Uses are restricted under the Building Code Act to offset the cost of administration<br>and enforcement of the Building Code Act when fee revenues are less than costs for<br>delivering building services, to implement service enhancements, and to purchase<br>capital items required for the building department |
| 2 | Development Charges<br>Reserve Fund  | Development charges                                      | Growth-related projects in accordance with the Development Charges Act and contemplated as part of the Township's Development Charges Background Study   |
| 3 | Canada Community<br>Building Fund  | Annual grants provided<br>by the Government of<br>Canada | Local infrastructure priorities that adhere to the eligibility criteria contained in the<br>Township's funding agreement with the Government of Canada   |
| 4 | Ontario Community<br>Infrastructure Fund   | Annual funding provided<br>by the Province of<br>Ontario | Local infrastructure priorities that adhere to the eligibility criteria contained in the<br>Township's funding agreement with the Province of Ontario  |
| 5 | Reserve Fund being conveyed to the parkland and/or to support the upgrading of existing park facilities prov |  | Use is restricted under the Planning Act for the purchase and development of parkland and/or to support the upgrading of existing park facilities provided the need to upgrade is due to intensification of the surrounding neighbourhood  |
| 6 | Ontario Cannabis<br>Legalization Fund  | One-time grants from the Province of Ontario             | Restricted to expenses incurred as a result of cannabis legalization including legal and planning matters  |
| 7 | Restricted Grants &<br>Donations Reserve Fund  | One-time grants or<br>donations from varying<br>sources  | Restricted to the purpose for which the funds have been received – either through a grant or donation agreement (example: ICIP watermain grant)<br>This fund serves as a temporary holding account for tracking purposes so restricted external funds aren't mixed with internal unrestricted funds                  |



### **Sources, Uses & Restrictions**

|    | Reserve Name             | Source of Funding  | Uses & Restrictions  |
|----|--------------------------|--|--|
| 8  | Safe Restart Fund        | One-time grants<br>provided by the Province<br>of Ontario          | Restricted to COVID-19 pandemic expenses or revenues shortfalls as a result of COVID-19  |
| 9  | County Roads Reserve     | Funding allocation<br>surpluses from the Elgin<br>County           | The Township may only apply these funds against activities relating to the maintenance of County infrastructure as defined in the Township's Roads Maintenance Agreement   |
| 10 | Water Reserve            | Budgeted water user fee<br>transfers and surplus<br>allocations    | Restricted for the use of water system infrastructure projects and unforeseen water operating costs  |
| 11 | Sewer Reserve            | Budgeted sewer fee<br>transfers and surplus<br>allocations         | Restricted for the use of sewer system infrastructure projects and unforeseen sewer operating costs  |
| 12 | Springfield Streetlights | Budgeted special area<br>rate transfers and<br>surplus allocations | Part of the special area levy charged to Springfield residents is retained in this reserve for the future replacement of Springfield streetlight infrastructure. These funds should only be applied against such costs |
| 13 | Avon Streetlights        | Budgeted special area<br>rate transfers and<br>surplus allocations | Part of the special area levy charged to Avon street residents is retained in this reserve for the future replacement of Avon street streetlight infrastructure. These funds should only be applied against such costs |
| 14 | Contingency Reserve      | Budgeted property tax<br>transfers and surplus<br>allocations      | Used to mitigate fluctuations to the tax property tax rate as a result of unforeseen costs. The amount retained in this reserve and its uses are ultimately subject to the discretion of Council                       |



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### **Sources, Uses & Restrictions**

|    | Reserve Name  | Source of Funding                                 | Uses & Restrictions  |
|----|---|---|--|
| 15 | Municipal Elections   | Budgeted property tax<br>transfers                | Used to spread the cost of municipal elections equally over each term of Council rather than raise all required funds in an election year  |
| 16 | Planning & Development  | Budget allocations from<br>time to time as needed | To be applied against costs relating to planning and development initiatives. Mostly commonly, the non-growth-related portion of Official Plan updates and zoning by-law amendments<br>There are no restrictions that prevent Council from managing this fund at their discretion  |
| 17 | Infrastructure Reserve Budgeted property tax<br>transfers and surplus<br>allocations                      |   | Used to fund the replacement and rehabilitation of the Township's property tax<br>funded infrastructure. Serves as a primary funding source for the Township's annual<br>capital budget and savings account for high-cost future capital projects as informed<br>by the Township's Asset Management Plan<br>There are no legislative restrictions that prevent Council from allocating these funds<br>as desired |
| 18 | Modernization Funds<br>A one-time grant of<br>\$558,587 provided by<br>the Province of Ontario<br>in 2019 |   | Provide by the Province as a means to modernize and improve the way the<br>Township provides services<br>There are no hard restrictions on the use of this funding though it is encouraged the<br>Township utilize the funds in a way that aligns with the desired objectives of the<br>program  |



|   | Reserve Name                             | Available<br>Balance | Target<br>Balance | Recommendation  | Notes & Commentary   |   |
|---|--|----------------------|-------------------|---|--|---|
| 1 | Building Stabilization<br>Reserve Fund   | \$651,045            | \$443,700         | Review service<br>delivery and<br>potentially reduce<br>permit fees   | It is recommended the fund should maintain a minimum<br>balance of 24 months of projected operating expenses to<br>mitigate any potential impacts from an economic downturn<br>resulting in reduced building activity. This target was selected<br>based on a survey of local municipal reserve fund policies as<br>well as estimates based on past recession data.  |   |
| 2 | Development Charges<br>Reserve Fund      | \$716,629            | N/A               | Seek opportunities<br>to apply against<br>eligible costs              | Many growth-related costs are incurred prior to development<br>(and revenue collection) occurring so setting targets for reserve<br>fund balances isn't effective or realistic. Instead, the set of<br>growth-related projects contemplated in the background study<br>should be fully integrated into a long-term capital plan which<br>assesses the ability of Township charges to recover growth-<br>related costs. |   |
| 3 | Canada Community<br>Building Fund        | \$970,428            | NI/A              | N/A   | Continue to monitor  | The Township should generally seek to draw these reserves<br>down to nil each year when possible. It is preferred to use this<br>Federal and Provincial grant funding prior to allocating local tax |
| 4 | Ontario Community<br>Infrastructure Fund | \$212,177            | N/A               | compliance with funding agreements                                    | dollars as any unused funds must accumulate interest. Interest<br>earned on unused funds are restricted to the uses contained in<br>the Township's funding agreements.   |   |
| 5 | Cash In Lieu of<br>Parkland Reserve Fund | \$20,532             | N/A               | Conduct further<br>review   | Administration should review current cash in lieu of parkland processes and fees in context of future growth plans.  |   |
| 6 | Ontario Cannabis<br>Legalization Fund    | \$20,000             | N/A               | Seek strategic<br>opportunities to<br>apply against eligible<br>costs | The Township should seek to apply these funds against eligible<br>costs that would otherwise be borne by taxpayers. Legal and<br>by-law enforcement related costs, such as those incurred<br>during 2022, are considered eligible under funding guidelines.  |   |



|    | Reserve Name                                     | Available<br>Balance | Target<br>Balance | Recommendation   | Notes & Commentary  |
|----|--|----------------------|-------------------|--|---|
| 7  | Restricted Grants &<br>Donations Reserve<br>Fund | \$0                  | \$0               | No action recommended  | This fund will always eventually return to nil once funds are spent for their intended purposes.  |
| 8  | Safe Restart Fund                                | \$39,199             | \$0               | Fully allocate and close out account                                   | COVID-19 grant funding through the Safe Restart Fund has<br>almost been fully utilized. It is expected that the remainder will<br>be used to fund Provincial Offences Act revenue shortfalls after<br>which this account will be closed and no longer reported on.  |
| 9  | County Roads Reserve                             | \$35,419             | N/A               | Retain unused<br>funding when<br>possible for County<br>winter control | The balance of this reserve is largely dependent on annual<br>service costs which can't always be controlled. As the Township<br>doesn't control the amount of funding received, no financial<br>target has been established though it is generally favorable<br>have some funding retained for potential future cost overruns<br>– particularly for volatile costs like winter control   |
| 10 | Water Reserve                                    | \$95,424             | Based on<br>AMP   | Rebuild balance for 2027 capital costs                                 | Recommended infrastructure reserve balances and contributions are discussed in greater detail on page 13  |
| 11 | Sewer Reserve                                    | \$833,255            | Based on<br>AMP   | Slowly build balance<br>to help fund 2030 –<br>2041 project set        | Recommended infrastructure reserve balances and contributions are discussed in greater detail on page 14  |
| 12 | Springfield Streetlights                         | \$44,376             | \$197,000         | Slowly build balance<br>to fund future<br>streetlight<br>replacements  | The Township's 2022 Asset Management estimates \$197,000 in<br>future capital costs to fund the replacement of Springfield's<br>134 streetlights. Many of the lights are in good condition and<br>aren't expected to require funding for 10 to 15 years. Based on<br>this projection, the Township will fall short of its funding<br>requirements. Modest budget adjustments will be<br>recommended over the next decade to slowly build this<br>reserve. |



|    | Reserve Name              | Available<br>Balance | Target<br>Balance   | Recommendation   | Notes & Commentary  |
|----|---------------------------|----------------------|---------------------|--|---|
| 13 | Avon Streetlights         | \$1,776              | \$8,200             | Slowly build balance<br>to fund future<br>streetlight<br>replacements  | The Township's 2022 Asset Management estimates \$8,200 in<br>future capital costs to fund the replacement of Avon Street's 6<br>streetlights. Many of the lights are in good condition and aren't<br>expected to require funding for 10 to 15 years. Based on this<br>projection, the Township will fall short of its funding<br>requirements. Modest budget adjustments will be<br>recommended over the next decade to slowly build this<br>reserve. |
| 14 | Contingency Reserve       | \$1,300,844          | \$1,275,000         | Forecasted<br>expenditures will<br>drawn down<br>available balance<br>below target, should<br>be rebuilt through<br>future budgets | Refer to pages 9 & 10 for detailed analysis   |
| 15 | Municipal Elections       | \$8,000              | \$32,000            | Review adequacy of<br>allocations after<br>2022 election costs<br>finalized  | The cost of a Township election is estimated at \$32,000. The<br>budget provides an annual allocation of \$8,000/year to spread<br>this cost over the term of Council. This reserve is believed to be<br>adequately funded.   |
| 16 | Planning &<br>Development | \$259,280            | To Be<br>Determined | Review future<br>requirement of<br>funds, reallocate as<br>required  | It is recommended the Township hold off on planning for this<br>reserve until a shared-service agreement is in place with<br>Bayham and program objectives and costs can be more<br>accurately determined.  |



|    | Reserve Name           | Available<br>Balance | Target<br>Balance | Recommendation   | Notes & Commentary  |
|----|------------------------|----------------------|-------------------|--|---|
| 17 | Infrastructure Reserve | \$4,705,675          | Based on<br>AMP   | Expect draws to<br>fund 10-year capital<br>plan while building<br>annual allocations<br>for sustainability | Recommended infrastructure reserve balances and contributions are discussed in greater detail on page 12  |
| 18 | Modernization Funds    | \$456,618            | \$0               | Seek strategic<br>opportunities to<br>apply against eligible<br>costs                                      | The Township should seek opportunities to utilize these funds in ways that align with funding objectives. |



#### **Planning for Contingencies**

It is a common and prudent practice for Canadian municipalities to hold funds for the purpose of insulating budgets and rates from unexpected fiscal disruptions. There's no single prescribed approach for municipalities to follow in this regard. Instead, municipalities must put in the work to develop their own set of unique financial strategies based on assessments potential financial risks. The Township seeks to make this planning process as transparent as possible by providing these assessments and outlining how they're being addressed through its reserve management strategies.

#### **Natural Disasters**

The non-insurable cost of natural disasters is difficult to predict. For financial planning purposes, it is recommended the Township set aside funds which would be adequate to cover \$5,000,000 in non-insurable costs.

How a natural disaster is funded differs depending on the magnitude of the event. Disasters that cost less than 3% of the Township taxation levy are fully funded through property taxes. When costs exceed 3%, the Township can apply for the Municipal Disaster Recovery Assistance grant with the Province.

The Township's 2022 taxation levy is \$7,915,001. This means Provincial funding is only unlocked after incurring \$237,450 in noninsured expenses. If this threshold is met, the Province funds 75% of the costs up to 3% of the Township's levy and 95% of costs thereafter. Therefore a \$5,000,000 natural disaster requires approximately <u>\$300,000</u> in Township funding.

#### **Property Tax Adjustments**

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Property tax rates are based on the Township's budget and its' assessment roll at the start of the year. As the year goes on, property taxes on some properties become uncollectible either through assessment appeals or changes in use of properties or some combination thereof. When this happens, the Township does not receive the funding it thought it would when setting rates which can be disruptive to financial operations. To combat this, an annual budget (\$102,500 in 2022) is set to fund a baseline level of annual uncollectible accounts.

In some circumstances, the magnitude of property tax adjustments is as such that it would be impractical to implement a one-time tax rate hike through the Township's budget to fund them. Instead, it is recommended funds are set aside in the Contingency Reserve for such instances.

Property tax adjustments are one of the Township's highest financial risk areas. Costs as a result of assessment appeals can and have been in the hundreds of thousands of dollars. It is recommended the Township set a base line level of funding at 5% of the Township's tax levy. For 2022, this equates to approximately <u>\$400,000</u>.

#### **Insurance Claims**

It is recommended that the Township strive to maintain an amount in its Contingency Reserve to fund insurance claim deductibles. The Township's prior 10-year insurance history was reviewed to establish a suitable balance. A summary of these findings has been provided for review.



| Claim Type        | Number<br>of Claims | Amount of<br>Claim | Paid<br>Deductibles |
|-------------------|---------------------|--------------------|---------------------|
| General Liability | 17                  | \$194,420          | \$81,501            |
| Property          | 1                   | 1,490              | 1,490               |
| Auto              | 2                   | 9,287              | 9,287               |
| Total             | 20                  | \$205,197          | \$92 <i>,</i> 278   |

To effectively insulate taxpayers from rate increases due to paid insurance claims, it is recommended the Township set aside an amount equal to 1.5 times its highest-cost year. Based on the Township's 2012 to 2022 claims history, this would equate to a balance of approximately <u>\$50,000</u>.

#### **Budget Variances**

Each year the Township develops its annual budget that plans for how services, programs and priorities are funded. Regardless of the sophistication of processes uses to develop the budget, uncontrollable events often have unpredictable impacts on the financial position of the Township. Whether it be in-year price increases, heavy winters, staff turnover, or emergent priorities, a properly funded contingency reserve can help the Township deal with issues as they arise.

Unfortunately, a common practice in municipal finance circles is to attempt to protect the municipality's financial position by overbudgeting expenditures. This is not a transparent approach to budgeting and tends to backfire as it encourages department heads to spend-up to budgets. Instead, the Township sets a budget variance risk level as part of its Contingency Reserve balance. It is recommended approximately 5% of the Township's general operating funds (tax and non-restricted user fees) be retained in the Contingency Reserve. For 2022, this amounts to approximately <u>\$525,000</u>.

#### **Target Summary**

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| Financial Risk           | Target Basis                                   | Target<br>Funding |
|--------------------------|--|-------------------|
| Natural Disasters        | Township portion of<br>\$5,000,000 disaster    | \$300,000         |
| Property Tax Adjustments | 5% of property tax levy                        | 400,000           |
| Insurance Claims         | 1.5 times highest claim<br>year in past decade | 50,000            |
| Budget Variances         | 5% of gross operating costs                    | 525,000           |
| Recommended Baseline Co  | \$1,275,000                                    |                   |

#### **Special Considerations**

It is important to note that there will be circumstances where holding an amount greater than the Township's baseline contingency funding will be recommended. The Township's Treasurer will request such provisions specifically through reports to Council. Common situations that may occur include:

- Abnormally high assessment at risk through ongoing appeals
- Abnormally high open insurance claims
- Ongoing legal disputes
- Significantly challenging economic conditions



#### **Capital Funding Strategies**

The Township's Infrastructure and other capital related reserves are effective tools which can be used to support municipal asset management planning. These reserves allow for funds to be set aside to manage assets throughout their lifecycle. Due to the varying annual needs of the Township's capital budget, reserves can be used to top-up high-cost capital budgets without the use of rate spikes. Though reserves are an important part of the Township's current capital financing strategy, they are only a single element of a fulsome plan.

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The Township has the option of gradually building up funding for significant future costs (reserves), using revenue collections immediately to fund the annual capital budget (pay-as-you-go) or deferring the collection of funding for the current capital budget items to future years (debt). The Township has always used a combination of these to fund its capital plans. How this combination will be used in the future as well as the timing and magnitude of future capital budgets determines how reserve funding targets are set.

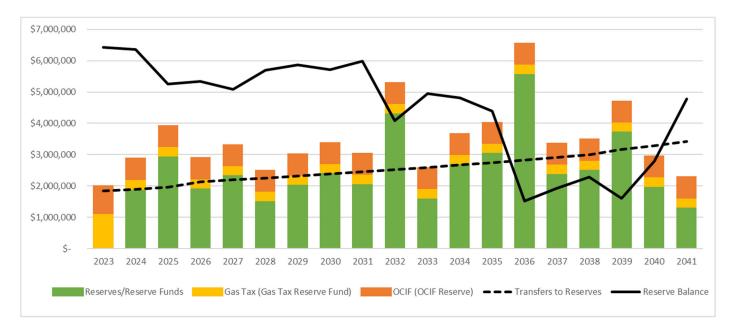
| <b>Financing Strategy</b>                           | Considerations   |
|---|--|
| <b>Reserves</b><br>"Save now, build when<br>needed" | <ul> <li>+ Lowest overall cost and long-term impact on rates</li> <li>+ High degree of financial flexibility and responsiveness to demand when reserves are well-funded</li> <li>- Dependent on effectiveness of investment strategy and economic climate</li> <li>- Potentially negative public perception and challenges with accountability and transparency</li> <li>- Lack of connection between those who pay for and those who receive the benefit of capital works</li> <li>- Can result in pre-commitments when there's a lack of continuity between Councils and/or Administrations</li> </ul> |
| <b>Pay-As-You-Go</b><br>"Build now, pay now"        | <ul> <li>Minimizes pre-commitment of funds for projects that may not come to fruition</li> <li>Encourages municipalities to "live within their income"</li> <li>Most easily explained and transparent form of financing</li> <li>Needs to be paired with other financing strategies to account for the variability of capital financing requirements from year to year</li> <li>Can encourage inappropriate capital project deferrals in high-cost capital budget years</li> </ul>   |
| <b>Debt</b><br>"Build now, pay later"               | <ul> <li>+ Lowest impact on short-term rates</li> <li>+ Generally strong connection between those who pay for and those who receive the benefit of capital works</li> <li>- Highest overall cost and long-term impact on rates</li> <li>- Effectiveness can be reliant on interest rates</li> <li>- Potentially negative public perception</li> <li>- Diminishes long-term financial flexibility</li> </ul>  |



#### Infrastructure Reserve

Based on the 2022 Asset Management Plan, the Township's annual tax funded infrastructure requirements amount to \$3.3 million per year with the latter decade of the plan around \$3.6 million per year. With current transfers to reserves (represented by the black line below) less than \$1.85 million, progress must be made to ensure future infrastructure can be adequately funded. Annual contributions to the Infrastructure Reserve are required to increase to a target level of \$3.41 million by 2041. Part of this is expected to be funded through the diversion of funds from paid off debt with the remainder through property tax contribution increases of \$55,000 to \$65,000 (3%) each year. It is recommended that at no time the Infrastructure Reserve fall below a minimum balance of \$1 million to account for project variances (these are not calculated as part of the Contingency Reserve).

By the end of this financial plan, the Township will have transitioned to a primarily pay-as-you-go focused funding strategy. Reserves will still be the desired choice to fund high-cost annual budgets (ones that exceed our target annual funding level of \$3.41 million) while debt can be considered if increasing operating costs push tax rates to undesired levels during the execution of the plan. The Township will continue to update its Asset Management Plan and financial model for reserve target setting purposes as new information becomes available.

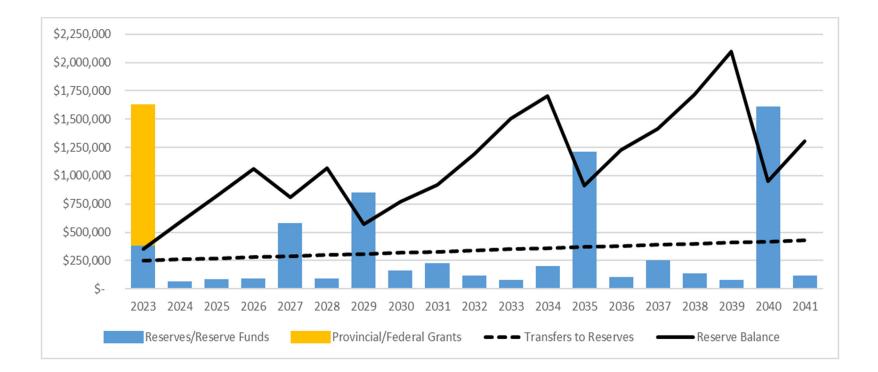


Further details are provided in the Township's 2022 Asset Management Plan



#### Water Funded Infrastructure

The Water Reserve serves as both a capital funding source as well as contingency account for water operations. The Township is currently in somewhat of a vulnerable financial position as its Water Reserve is below what is recommended to be retained for contingency events. Luckily, after 2022, there's no significant capital projects until 2027 and Provincial grants have helped the Township replace costly, crucial infrastructure on-time. A primarily reserve focused financing strategy has been contemplated to fund high-cost capital years (2027, 2029, 2035 & 2041). It is recommended that current Water Reserve contributions increase by 3% execute this strategy. Future updates to this plan will be provided by Watson & Associates' 2022 Water Rate Study.



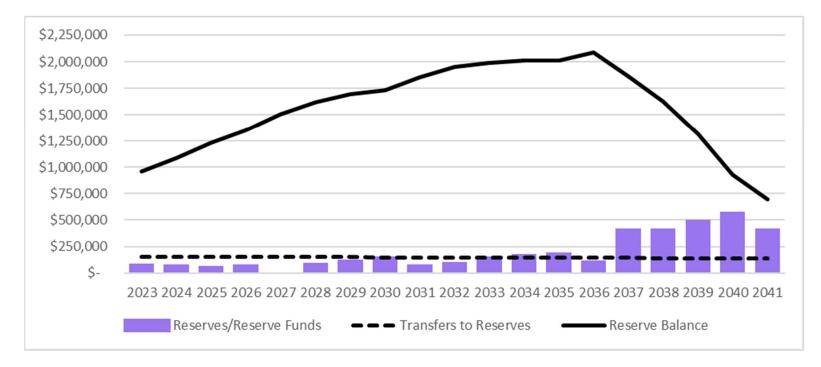
Further details are provided in the Township's 2022 Asset Management Plan



#### Sewer Funded Infrastructure

The Township's sewer system is still relatively new and doesn't require significant changes to its current funding structure. The financial challenge of the Township's sewer system will likely be in the distant future when sewer infrastructure begins to fail and require more significant capital investment though this is not identified within the scope of the Township's current Asset Management Plan. Future updates to this plan will be provided by Watson & Associates' 2022 Water Rate Study.

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Further details are provided in the Township's 2022 Asset Management Plan



### Appendix A – Structure Continuity

| Current Structure                     |            |            |  |  |  |
|---------------------------------------|------------|------------|--|--|--|
| Reserve Name                          | Balance    | Reserv     |  |  |  |
| Building & Development                | 651,045    | Building   |  |  |  |
| Development Charges Reserve Fund      | 716,629    | Develop    |  |  |  |
| Canada Community Building Fund        | 970,428    | Canada     |  |  |  |
| Ontario Community Infrastructure Fund | 212,177    | Ontario    |  |  |  |
| Cash in Lieu of Parkland              | 20,532     | Cash in    |  |  |  |
| Ontario Cannabis Legalization         | 20,000     | Ontario    |  |  |  |
| Implementation Fund                   |            | Implem     |  |  |  |
| Restricted Grants Reserve             | 0          | Restrict   |  |  |  |
| Safe Restart Fund                     | 39,199     | Safe Re    |  |  |  |
| County Roads Reserve                  | 35,419     | County     |  |  |  |
| Water Operations                      | 306,001    |            |  |  |  |
| Water Stub                            | (14,479)   |            |  |  |  |
| Water Audit                           | 4,922      | Water F    |  |  |  |
| Water Booster Station                 | (50,992)   |            |  |  |  |
| Water – Imperial Road                 | (150,028)  |            |  |  |  |
| Sewer Lifecycle                       | 626,503    |            |  |  |  |
| Sewer Capacity                        | 92,408     | Sewer F    |  |  |  |
| Sewer Insurance                       | 114,344    |            |  |  |  |
| Springfield Streetlights Reserve      | 44,376     | Springf    |  |  |  |
| Avon Streetlights                     | 1,776      | Avon S     |  |  |  |
| Working Capital/Contingency Reserve   | 890,975    |            |  |  |  |
| Administration Reserve                | 248,411    | Conting    |  |  |  |
| Fire Reserve                          | 161,458    | C          |  |  |  |
| Municipal Elections Reserve           | 8,000      | Munici     |  |  |  |
| Planning & Development Reserve        | 259,280    | Plannin    |  |  |  |
| Land Reserve                          | 26,172     |            |  |  |  |
| Land Improvements Reserve             | 543,620    |            |  |  |  |
| Buildings Reserve                     | 782,778    |            |  |  |  |
| Vehicles Reserve                      | 1,070,880  |            |  |  |  |
| Roads Reserve                         | 1,092,283  | <b>T</b> 0 |  |  |  |
| Community Service Reserve             | 60,441     | Infrastru  |  |  |  |
| Sidewalks Reserve                     | (13,792)   |            |  |  |  |
| Equipment & Furniture Reserve         | 1,023,783  |            |  |  |  |
| Cemetery Reserve                      |            | 84,510     |  |  |  |
| Plans & Studies Reserve               | 35,000     |            |  |  |  |
| Modernization Funds                   | 456,618    | Modern     |  |  |  |
| Total                                 | 10,370,677 | Total      |  |  |  |

| Proposed Structure                    |            |  |  |  |
|---------------------------------------|------------|--|--|--|
| Reserve Name                          | Balance    |  |  |  |
| Building Stabilization Reserve Fund   | 651,045    |  |  |  |
| Development Charges Reserve Fund      | 716,629    |  |  |  |
| Canada Community Building Fund        | 970,428    |  |  |  |
| Ontario Community Infrastructure Fund | 212,177    |  |  |  |
| Cash in Lieu of Parkland              | 20,532     |  |  |  |
| Ontario Cannabis Legalization         | 20,000     |  |  |  |
| Implementation Fund                   |            |  |  |  |
| Restricted Grants Reserve             | 0          |  |  |  |
| Safe Restart Fund                     | 39,199     |  |  |  |
| County Roads Reserve                  | 35,419     |  |  |  |
| Water Reserve                         | 95,424     |  |  |  |
| Sewer Reserve                         | 833,255    |  |  |  |
| Springfield Streetlights Reserve      | 44,376     |  |  |  |
| Avon Streetlights                     | 1,776      |  |  |  |
| Contingency Reserve                   | 1,300,844  |  |  |  |
| Municipal Elections Reserve           | 8,000      |  |  |  |
| Planning & Development Reserve        | 259,280    |  |  |  |
| Infrastructure Reserve                | 4,705,675  |  |  |  |
| Modernization Funds                   | 456,618    |  |  |  |
| Total                                 | 10,370,677 |  |  |  |



# **Report to Council**

REPORT NO.: HS-22-01

**DATE:** July 7, 2022

ATTACHMENT: Health & Safety Policy

SUBJECT: HEALTH & SAFETY POLICY AND OCCUPATIONAL HEALTH AND SAFETY ACT – ANNUAL UPDATE

#### Recommendation:

THAT Report No. HS-22-01 entitled "Health and Safety Policy and Occupational Health and Safety Act – Annual Update" be received;

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

#### Background:

On August 12, 2021, Council adopted its Health & Safety Policy. The *Occupational Health and Safety Act* indicates that the Employer must **annually** review this policy, update it, post it, and maintain a program to ensure all employees are trained and provided refresher training as required.

Council has also requested an annual update specifically of the inquiries and complaints which have been received under the *Occupational Health and Safety Act*, particularly related Bill 132 and Bill 168 (Violence and Harassment).

#### Comments/Analysis:

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

Staff are provided with ongoing health and safety training through the distribution of various newsletters, brochures, etc.

In addition, road department staff participate in "tailgate talks" regarding health and safety before leaving the works yard on a regular basis. All staff tasks are reviewed and

hazard assessments updated as required to ensure the safety of staff during working hours whether during daytime or nighttime hours.

Since the last annual Health and Safety Report, the Joint Health and Safety Committee met August 5, 2021, October 28, 2021, February 10, 2022, April 28, 2022 and June 9, 2022 with the Fire Sub-Committee meeting on September 13, 2021, December 6, 2021, and March 7, 2022.

Thirteen (13) incidents were reviewed and discussions took place regarding procedural changes that could be made to prevent these incidents in the future. Details of these incidents are set out in the chart below.

| Date                | Type of          | Description (Comments)  |
|---------------------|------------------|---|
|                     | Incident         |   |
| Summer, 2021        | Equipment        | Truck scrubbed guardrail post – minor damage –                                  |
|                     | Damage           | driver error  |
|                     | Near Miss        | Employee not wearing appropriate PPE  |
|                     | First Aid Injury | finger injury – bandage required – No WSIB<br>Report required                   |
|                     | Injury           | Exposure to biological agent – Poison Ivey – No<br>WSIB Report required         |
| Fall/Winter,        | Equipment        | Severe thunderstorm, tree branch fell on truck –                                |
| 2021                | Damage           | minor damage  |
|                     | Personal         | Severe thunderstorm, collided with tree while                                   |
|                     | Vehicle          | responding in personal vehicle (Personal  |
|                     | Damage           | insurance claim)  |
|                     | Injury           | Foot injury when stepping away from apparatus<br>– No WSIB Report required      |
|                     | Injury           | Knee strain from lifting – No WSIB Report required                              |
|                     | First Aid Injury | Brush struck employee – bandage required – No<br>WSIB Report required           |
| Winter/Spring, 2022 | Injury           | Upper-body strain from reaching with hose line –<br>No WSIB Report required     |
|                     | Injury           | lower back strain – medical treatment sought –<br>WSIB Report filed as required |
|                     | Exposure         | Employee tested positive for COVID19 and felt                                   |
|                     |                  | exposure had taken place in the workplace.                                      |
|                     |                  | WSIB Report filed as required   |
|                     | Injury           | Finger injury – No WSIB Report filed.   |

Monthly inspections were carried out and documented for all locations including the Malahide Township Office, North and South Works Yards, Malahide Community Place, South Dorchester Community Hall, Fire Stations 3, 4 and 5.

The Township has the appropriate number of certified people on the Joint Health and Safety Committee as required by the *Occupational Health and Safety Act.* Three (3) committee members received Joint Health and Safety Committee recertification training in 2022.

The Township Safety Program ensures that all workers and supervisors are "competent" as defined in the *Occupational Health and Safety Act.* 

The Township's Violence and Harassment Program has been reviewed to ensure compliance with the *Occupational Health and Safety Act*, and consistency with current best practices and no shortcomings were found.

Between the last report (October, 2021) and the date of writing this report there have been no inquiries, informal or formal complaint brought forward.

| Violence and Harassment Inquires & Complaints |      |      |      |      |      |      |  |
|---|------|------|------|------|------|------|--|
|   | 2017 | 2018 | 2019 | 2020 | 2021 | 2022 |  |
| Inquiries                                     | 0    | 0    | 0    | 0    | 0    | 0    |  |
| Informal Complaints                           | 0    | 0    | 0    | 1    | 0    | 0    |  |
| Formal Complaints                             | 2    | 0    | 0    | 1    | 1    | 0    |  |

#### **Financial Implications to Budget:**

N/A.

| Submitted by:           | Approved by:                 |  |  |
|-------------------------|------------------------------|--|--|
| Gwen Tracey             | Adam Betteridge,             |  |  |
| Human Resources Manager | Chief Administrative Officer |  |  |



July 7, 2022

## Health & Safety Policy

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

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

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

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

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

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

Mayor - D. Mennill

CAO – Adam Betteridge



#### East Elgin Community Complex Board of Management Minutes June 8, 2022 – 7:00 p.m. Virtual Meeting

The East Elgin Community Complex Board of Management met virtually, at 7:00 p.m.with the following present:

**Aylmer Council**: Mayor M. French, Deputy Mayor S. Andrews, Councillor P. Barbour, Councillor T. Charlton, and Councillor A.Oslach. Councillor J. Chapman

**Malahide Council:** Mayor D. Mennill, Deputy Mayor D. Giguère, Councillor M. Widner, Councillor C. Glinski, Councillor S. Lewis

**Staff:** Aylmer Chief Administrative Officer A. Grozelle, Malahide Chief Administrative Officer. A. Betterridge, Malahide Clerk A. Adams, Aylmer Manager Parks and Recreation T. Polland, Aylmer Director of Operations R. Johnson, Aylmer Treasurer H. Sachs, Aylmer Director of Legislative/ Corporate Services J. Brick

Absent: Councillor Mary Hamm, Councillor R.Cerna, Councillor M. Moore

#### 1. WELCOME - Chair - Mayor Mennill

#### 2. CONFIRMATION OF AGENDA

(a) Confirmation of Agenda

#### Resolution No.8-22

Moved by Member Barbour and seconded by Member Charlton: That the Board adopts the Agenda for the meeting of June 8, 2022 as presented.

The motion is Carried.

#### 3. DECLARATION OF PECUNIARY INTEREST

4. DELEGATIONS

(a) Christene Scrimgeour, of Scrimgeour & Company – Presentation of Draft Audited 2021 Financial Statements.

Staff Report: EECC Administrator - Report CAO 40-22 - 2021 Audited Statements

Resolution No.9-22

Moved by Member Oslach and seconded by Member Lewis: THAT the Report respecting the 2021 Audited Statements be received as information; and, THAT the Board approve the 2021 Audited Statements provided by Christene Scrimgeour of Scrimgeour and Company.

The motion is Carried.

(b) William Vanraes of Inclusive Communities Consulting and Life Skills regarding Concession Services Proposal

Staff Report:

Manager of Parks and Recreation - OPNS 2-22 - Concession Services Proposal, Inclusive Communities Consulting and Life Skills.

#### Resolution No.10-22

Moved by Member Chapman and seconded by Councillor Giguère : That the Board receives the delegation from William Vanraes of inclusive Communities Consulting and Life Skills for information.

The motion is Carried.

#### Resolution No.11-22

Moved by Member Widner and seconded by Member Giguère:

THAT Report No. OPNS 2-22 entitled Concession Services Proposal, Inclusive Communities Consulting and Life Skills be received for information and, THAT the EECC Board of Management accept the proposal from Inclusive Communities Consulting and Life Skills for EECC Concession Services and entering into an acceptable lease agreement subject to Mr. Vanraes obtaining adequate insurance, WSIB clearance, and any regulatory or licencing obligations required to operate as a concessionaire and;

THAT the Board of Management authorize the purchase of concession equipment to an upset limit of \$3000 as requested by the vendor in the proposal.

The motion is Carried.

#### 5. <u>APPROVAL OF PREVIOUS MINUTES</u>

(a) Minutes of the EECC Board Meeting held on February 9, 2022

#### Resolution No.12-22

Moved by Member Lewis and seconded by Member Charlton: That the minutes of the EECC Board Meeting held on February 9, 2022 be approved as presented.

The motion is Carried.

#### 6. ACTION ITEMS

(a) EECC Administrator - Report CAO 42-22 - EECC 2022 Capital Budget - Ice Resurfacer

#### Resolution No.13-22

Moved by Member Lewis and seconded by Member French: THAT the Report CAO 42-22 Respecting EECC 2022 Capital Budget – Ice Resurfacer, be received for Information; and, THAT Report CAO 42-22 Respecting EECC 2022 Capital Budget – Ice Resurfacer be referred to Malahide Council for approval or denial. And that Staff be directed to issue an RFP pending decision of Malahide Council or 2023 Budgetary approval.

The motion is Carried.

(b) EECC Administrator - Report CAO 41-22 - EECC 2022 Capital Budget -Skate Tile Replacement

#### Resolution No.14-22

Moved by Member Barbour and seconded by Member Chapman: THAT the Report CAO 41-22 Respecting EECC 2022 Capital Budget – Skate Tile Replacement be received for Information.

The motion is Carried.

(c) EECC Administrator - Report CAO 43-22 - EECC 2022 User Fees

#### Resolution No.15-22

Moved by Member Lewis and seconded by Member Andrews:

THAT the Report respecting the East Elgin Community Complex 2022 User Fees be received as information; and,

THAT the Board approve a 4% increase to user fees to take effect August 22, 2022; and further,

THAT the Board approve increases to storage fees as detailed in Appendix "A" to Report CAO 43-22.

The motion is Carried.

(d) EECC Administrator - Report CAO 44-22 - EECC 2022 Actuals

Resolution No.16-22

Moved by Member Barbour and seconded by Member Lewis: THAT the Report CAO 44-22 Respecting EECC 2022 Actuals, be received for Information.

The motion is Carried.

#### 7. INQUIRIES BY MEMBERS

#### 8. <u>CLOSED SESSION</u>

(a) EECC Administrator - Report CAO 45-22 - Labour Relations Matter Item closed to the public pursuant to Section 239 (2) (d) of the Municipal Act, 2001 as amended as the subject matter pertains to labour relations or employee negotiations.

#### Resolution No.17-22

Moved by Member Oslach and seconded by Member Giguère: That the EECC Board moves into a Meeting Closed to the Public at 8:00pm for the purpose of considering:

EECC Administrator - Report CAO 45-22 - Labour Relations Matter Item closed to the public pursuant to Section 239 (2) (d) of the Municipal Act, 2001 as amended as the subject matter pertains to labour relations or employee negotiations.

The motion is Carried.

#### Resolution No.18-22

Moved by Member Chapman and seconded by Member Lewis: That the EECC Board rises from the Meeting Closed to the Public at 8:03pm and reports the following: That the EECC Board gave advice to the EECC Administrator regarding Report CAO 45-22 - Labour Relations Matter.

The motion is Carried.

#### 9. ADJOURNMENT

(a) Adjournment

Resolution No.19-22

Moved by Member Giguère and seconded by Member Widner: That the Board do now adjourn at 8:04 p.m.

The motion is Carried.

Clerk

Mayor



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

June 22, 2022

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

Attention: Allison Adams, Manager of Legislative Services/Clerk

Via email: aadams@malahide.ca

#### Notice of EECC Resolution No. 13-22

At their Regular Meeting on June 8, 2022, the East Elgin Community Complex Board passed the below Resolution No. 13-22:

Resolution No.13-22

Moved by Board Member Lewis and seconded by Board Member French:

THAT the Report CAO 42-22 Respecting EECC 2022 Capital Budget – Ice Resurfacer, be received for Information; and,

THAT Report CAO 42-22 Respecting EECC 2022 Capital Budget – Ice Resurfacer be referred to Malahide Council for approval or denial.

And that Staff be directed to issue an RFP pending decision of Malahide Council or 2023 Budgetary approval.

The motion is Carried.

Regards,

Owen Jaggard Deputy Clerk / Manager of Information Services



CATFISH CREEK CONSERVATION AUTHORITY

8079 Springwater Road, RR# 5, Aylmer, Ontario N5H 2R4 PHONE: (519) 773-9037 • FAX: 519-765-1489 e-mail: admin@catfishcreek.ca • www.catfishcreek.ca

June 22, 2022

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

Attention: Adam Betteridge, Chief Administrative Officer/ Malahide Council

Dear Mr. Betteridge and Council:

#### Re: <u>Funding Support to Update Riverine Floodplain Mapping and Coastal</u> <u>Floodproofing Elevations</u>

The Catfish Creek Conservation Authority (CCCA) is requesting financial assistance from the Township of Malahide to cover fifty percent (50%) of the cost to update the CCCA's Riverine Floodplain Mapping and Coastal Flood proofing Elevations within Port Bruce. The present flood plain mapping was completed in 1982 using analog and presently antiquated mapping technology. The CCCA is proposing a fifty percent (50%) cost share between the CCCA and Malahide Township. The Authority has confidence that both parties will profit from this study in light of recent flooding events in the village of Port Bruce.

Floodplain Mapping and Coastal Floodproofing lines can be used to identify areas at risk of flooding, and consequently to improve flood risk management and disaster preparedness. It is a vital component for appropriate land use planning in flood-prone areas. It assists in the quantification of what is at risk of being flooded such as the number of houses or businesses that may be affected. Updated mapping will provide a quantitative and qualitative spatial representation of flood risks for raising awareness within the community.

The CCCA contacted TRUE Engineering to submit a quotation. Pat Prodanovic, Ph.D., P.Eng. completed a comparable study for Kettle Creek Conservation Authority. Mr. Prodanovics' proposal was received in May of 2022. The proposal is attached for your review and outlines the required tasks to complete the project.

Based on the quotation "Appendix A" in the proposal, it is the CCCA's goal to collaborate with The Township of Malahide in order to move forward with this project in

a timely manner at a fifty percent (50%) cost share. At the May 26, 2022 Land Management meeting, the following Motion #03/2022 was passed by the Board of Directors;

THAT, the Land Management Committee recommend to the Full Authority that fifty percent (50%) of the cost of the CCCA Port Bruce Riverine Floodplain Mapping and Coastal Floodproofing Study be covered with funds redirected from the money budgeted for the tractor replacement in 2022 and further;

THAT, the General Manager seek Municipal partnership to cover the other fifty percent (50%) of costs.

Canada is investing over \$63.8M in its Flood Hazard Identification and Mapping Program (FHIMP) to help Canadians better plan and prepare for future floods. In partnership with provincial and territorial governments, the FHIMP aims to complete flood hazard maps of higher risk areas in Canada and make this flood hazard information accessible. The CCCA has submitted an expression of interest to Natural Resources Canada (NRCan) listing The Township of Malahide as a potential partner in regards to the 2022 CCCA Port Bruce Riverine Floodplain Mapping and Coastal Floodproofing Study. It is noted that the Province of Ontario has not been allocated any funds in regards to the FHIMP at this time.

If any further discussion or points of clarification are required, please do not hesitate to reach out at any time.

Sincerely,

Dusty Underhill General Manager / Secretary-Treasurer Catfish Creek Conservation Authority

Mission Statement: "To communicate and deliver resource management services and programs In order to achieve social and ecological harmony for the watershed"



# 2022 CCCA Port Bruce Riverine Floodplain Mapping and Coastal Floodproofing



May 2022

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#### APPENDICES

Appendix A – Cost Proposal

R:\Resources\Communications\Proposals\Ontario Proposals\2022 CCCA Port Bruce Riverine Floodplain Mapping and Coastal Floodproofing\TRUE PROP Port Bruce Riverine and Coastal Floodplain Mapping 2022 05 02.docx

# 1.0 Corporate Information

| Name of Firm:     |
|-------------------|
| PEO C of A no:    |
| Contact Person:   |
| Telephone Number: |
| Email Address:    |
| Office Address:   |
| Website URL:      |

T.R. Underwood Engineering Ltd. (TRUE Consulting) 100562938 Pat Prodanovic, Ph.D., P.Eng (519) 518-7157 pprodanovic@true.ca PO Box 21, Ilderton, ON, N0M 2A0 https://true.ca

# 1.1 Corporate Profile/Statement of Qualifications

TRUE Consulting (TRUE) is a Canadian owned professional services company focusing on project delivery in the civil engineering industry. From the inception of the firm in 1986, developing and maintaining responsive and personalized client relationships has been a fundamental objective. Our senior staff are directly involved in technical and project management aspects of projects.

We do not have any management-only positions where an individual is concerned primarily with business development or office management. Therefore, our senior staff are ready to respond immediately to any client inquiries. Our firm attempts, to the greatest extent possible, to develop ongoing working relationships with our clients. These ongoing relationships are maintained by being responsive to our client's requirements and completing projects within established schedule and budget constraints.

TRUE has developed a strong background of experience in technical studies, pre-design, detailed design, and construction phases of shoreline rehabilitation, municipal infrastructure, land development, and other projects. Our professional engineering staff have over 100 years of combined consulting experience in the following areas.

- River hydrology and hydraulics,
- Coastal engineering,
- Floodplain mapping/mitigation planning,
- Shoreline protection design,
- Permitting and regulatory approvals,
- Municipal street and highway planning and design,
- Stormwater management,
- Subdivision planning, design, and construction,
- Solid waste management and disposal,
- and many others.

# 1.2 Experience and Past Projects

TRUE has been providing professional engineering consulting services to Canadian clients for over 35 years. TRUE's staff have delivered projects in Ontario for numerous private and public sector clients, including municipalities and conservation authorities. Our staff has experience in delivering shoreline related projects, and have formed solid relationships with local clients, sub-consultants, and regulators. The Catfish Creek Conservation Authority (CCCA) will have the benefit of a comprehensive suite of hydrotechnical and coastal engineering services, including:

- Streamlined project management,
- Expertise on characterization of local site conditions (riverine and lake flooding, erosion and dynamic beach management, and floodplain mapping)
- Comprehensive site investigations (including topographic and bathymetric data collection, including aquatic biology and terrestrial ecology via sub-consultants when required),
- Field inspections and assessment of existing conditions by qualified professionals (water resources and shoreline engineers, surveyors),
- Preparation of technical studies relating to hydrology, hydraulics, and coastal engineering,
- Development of riverine and lake flood assessments and mapping,
- Evaluation of shoreline restoration options,
- Preparation of plans, specifications, and tender support,
- Regulatory approvals, permitting, and reporting,
- Construction supervision, and
- Local presence (with project staff in close proximity to CCCA administrative boundaries).

Our Project Manager and Technical Lead had completed numerous shoreline related technical studies in Ontario's Great Lakes region, and beyond. His experience demonstrates that we have a depth of experience and a proven track record of delivering shoreline related projects from the initial stages of site inspections, technical studies (floodplain mapping), preliminary and detailed designs, permitting, tendering, to construction supervision and project completion. Some of our recently completed projects are documented below.

#### 1.2.1 Project Manager's Projects

Some of the project manager's past projects were completed while working at other firms.

| Project:  | Kettle Creek Floodplain Mapping Update Project |
|-----------|--|
| Location: | Port Stanley, Ontario                          |
| Client:   | Kettle Creek Conservation Authority            |
| Date:     | 2022   |

**Description**: Dr. Prodanovic has recently completed Kettle Creek Floodplain Mapping Update Project in Port Stanley, Ontario. The study limits included approximately 5 km of Kettle Creek (from the creek's outlet at Lake Erie to 5 km upstream, as measured along the river centerline). The original floodplain mapping was based on topographic information originally collected in late 1980's and is thus considered outdated. Given the age of the existing mapping, together with more recent availability of topographic data (high resolution provincial LiDAR data) and advances in hydraulic modeling (2D analysis is now becoming standard practice) have provided sufficient

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justification to carry out the project. As part of the scope of work Dr. Prodanovic carried out a background review of existing documents on file, completed a field visit (and carried out measurement at all bridge structures in the study area), completed topographic and bathymeric data collection program (with the help of KCCA staff and a surveying sub-consultant), carried out digital terrain modeling (by combining on the ground survey with large scale LiDAR data), completed a characterization of flood flows (and estimated flows ranging from 2-yr to 100-yr and Regional flows), carried out hydraulic modeling (1D and 2D variants, including limited number of ice jam simulations), prepared floodplain maps in digital format, completed access/egress analysis for major roadways to and from Port Stanley, prepared a detailed project report, and delivered a presentation to the KCCA Council.

| Project:  | Lake Erie Floodproofing Elevations and Development Guides Project |
|-----------|---|
| Location: | Port Stanley, Ontario   |
| Client:   | Kettle Creek Conservation Authority                               |
| Date:     | 2022  |

Description: Dr. Prodanovic has carried out the necessary technical analysis for the Lake Erie Floodproofing Elevations and Development Guides Project at Port Stanley, Ontario. The driver for the project was the need to update floodproofing elevations for those considering development of their beach properties according to the Provincial Technical Guidelines. Development includes building new homes, adding additions to existing homes, garages, decks, sheds, swimming pools, etc. The ultimate goal of the study was to establish floodproofing elevations for lands exposed to lake flooding and devise a set of development guides for those undertaking development activities in areas subject to flood hazards. As part of the project, Dr. Prodanovic analyzed water levels (using historic observations dating back to the 1960's) and guantified lake levels to use in the project. Coastal numerical modeling was completed to establish design wave climate, on top of which floodproofing calculations (and wave related hazards) were estimated. Previously completed bathymetry and Provincial LiDAR topography were used to set up several transects along the main beach. Numerical modeling was used to capture the governing mechanisms at play along Port Stanley's beach - the overland propagation of a wave bore (where wave action occurring on top of high water levels propagates inland and causes flooding). With the help numerical modeling tools and professional judgment, a set of floodproofing elevations were established for the main beach, along with detailed development guides assisting both KCCA staff and Port Stanley residents in carrying development activities along the beach.

| Project:  | Dalewood Dam Hazard Potential Classification Study |
|-----------|--|
| Location: | St. Thomas, Ontario                                |
| Client:   | Kettle Creek Conservation Authority                |
| Date:     | 2020   |

**Description**: Dr. Prodanovic was the project manager and the lead hydrotechnical engineer for the Dalewood Dam Hazard Potential Classification Study, undertaken on behalf of the Kettle Creek Conservation Authority. The existing dam was in the order of 100 years old and has not been subject to a Hazard Potential Classification study. The project included completion of in-

house bathymetric and topographic surveys, along with hydrotechnical and geotechnical investigation studies and analyses. The project involved i) assessing hydraulic capacity of the existing Dalewood Dam (6 m high), ii) carrying out dam breach inundation modeling and consequence classification assessment for areas downstream, iii) evaluating slope stability of the existing earthen embankments, iv) completing a public safety assessment, and v) offering recommendations on future repair priorities at the dam site. One of the major products of the study was development of an unsteady HEC-RAS hydraulic model downstream of the dam which included floodplain within the limits of the entire City of St. Thomas. Our work offered recommendations to carry out subsequent geotechnical investigations of the existing earthen embankments, and a condition assessment of the existing control structure. As of this writing (October 2021) geotechnical investigations were completed, with structural assessments to follow in the coming year.

| Project:  | Dalewood Canoe Dock Project         |
|-----------|-------------------------------------|
| Location: | St. Thomas, Ontario                 |
| Client:   | Kettle Creek Conservation Authority |
| Date:     | 2020                                |

**Description:** Dr. Prodanovic completed design drawings and project specification for the construction of a new armour stone canoe dock for the Dalewood Dam Conservation Area, located in St. Thomas, Ontario. As a cost saving measure staff from the client completed the topographic and bathymetric surveys to limits and specifications required. Pat completed design of the stacked armour stone canoe dock and prepared project specifications. The design included specifying excavation limits, identifying stone bedding areas, as well as topside restoration details. To limit damage from high volume traffic, a turf reinforcement matting was specified (with sod on top) as topside treatment. The project received all required regulatory approvals. Construction activities finished in late 2020.

| Project:  | Cache Creek Floodplain Mapping and Mitigation Project |
|-----------|---|
| Location: | Cache Creek, British Columbia                         |
| Client:   | Village of Cache Creek                                |
| Date:     | 2021  |

**Description:** Dr. Prodanovic, with the support of Jonathan Welke, undertook the hydrotechnical analysis work in the completion of a floodplain mapping exercise for the Village of Cache Creek, British Columbia. Cache Creek is a community of about 1,000 residents located in the South Central Interior of BC. It is located at the confluence of the Bonaparte River (drainage area 5,000 km<sup>2</sup>) and the Cache Creek watercourse (drainage area of 140 km<sup>2</sup>). Funding for the project was obtained from the Union of British Columbia Municipalities (UBCM). Flooding in the Village of Cache Creek is dominated by freshet style events that occur between early May and mid June. Severe wildfire that occurred in 2017 impacted the hydrology significantly by burning forested lands for about 60% of upstream watershed. As part of the project, detailed field data collection (topographic and bathymetric data) efforts were completed on a total reach of 6 km (3 km of the Bonaparte and 3 km of the Cache Creek watercourses). Pat carried out the analysis and

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development of the hydraulic model ready Digital Elevation Model by incorporating field survey measured bathymetry into the latest LiDAR topography surface. Regional flow frequency analysis was developed and ultimately used to establish flow characteristics at various locations within the project study area. Climate change analysis was included in the estimates of flow. Hydraulic modeling using the HEC-RAS 2D numerical model was used to represent the dynamics of flow, including all major infrastructure in the floodplain (culverts, bridges, dykes, etc.). Simulations were used to develop the 200-yr floodplain along with flood construction levels, used by the Province of British Columbia to manage development activities within floodplains. Floodplain mapping was completed in mid 2021. The flood mitigation portion of the project is underway.

| Project:  | Riverside Drive Shoreline Protection Project |
|-----------|--|
| Location: | Windsor, Ontario                             |
| Client:   | Arch Corporation                             |
| Date:     | 2020   |

**Description:** Dr. Prodanovic led the team involved with design of a new shoreline protection system at an institutional facility along the Detroit River in Windsor, ON, located just downstream of the Ambassador Bridge. The shoreline at the project site consisted of artificial fill placed within the bed of the Detroit River sometimes in the past 100 years. Recent high water levels caused half of project site to experience significant amount of shoreline erosion, and thus required remediation. Pat was the lead person with this project, and was the professional engineer responsible for all project deliverables. The project involved determining the design wave climate appropriate for the site using wind and vessel generated waves (which was used to determine rock size). Work undertaken included site inspections, collection of topographic and bathymetric data, detailed design documentation, preparation of plans and specifications, as well as regulatory permitting and approvals. The work specified included salvaging existing revetment stone (provided it meets the project specifications), as well as bringing new armour stone to the site. All regulatory approvals have been obtained and the client is the process of selecting contractors. Construction activities are anticipated to take place in 2022.

Project:Palace Pier Major Maintenance ProjectLocation:Toronto, OntarioClient:Toronto and Region ConservationDate:2019-2020

**Description:** Working with the project team Dr. Prodanovic was the professional engineer responsible for sealed drawings and specification for the Palace Pier Major Maintenance Project (located on Lake Ontario's waterfront in Toronto). The contract value for the project was in the order of \$2M. The construction took place in late 2020 by a shoreline contractor (RM Construction). Pat carried out design calculation and performed numerical wave modeling required for final design of the revetment. The design included specification of a double layer armour stone, underlain by a layer of rip rap and geofabric. Design features included a falling toe revetment (two rows of 5 tonne stones), and a layer of revetment crest stones providing protection from wave overtopping. The design also included a flexible path system composed of gravel, geocells with

sod with turf reinforcement. Design included taking into account an existing sewer outfall discharging through the revetment. The project deliverables included preparing detailed tender ready drawings, cost estimates, assisting the client with preparation of tender documents, and construction supervision activities.

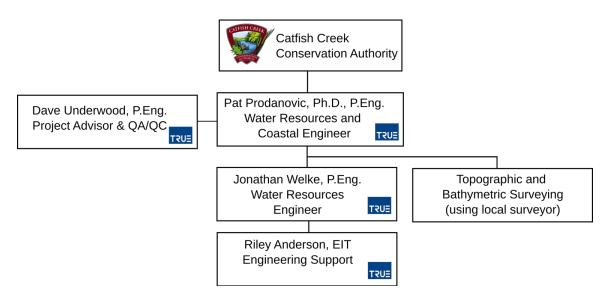
#### 1.2.2 Corporate Projects

Beyond Dr. Prodanovic's experience, TRUE has extensive experience in flood related projects. Some of our corporate projects relevant to the present assignment are listed below.

| Client                         | Project  |
|--------------------------------|--|
| Village of Cache Creek, BC     | Emergency Flood Response (2017, 2018, 2020)  |
| Village of Keremeos, BC        | Emergency Flood Response (2018)<br>Dyke Inspections and Reporting (2021)<br>Sewer Treatment Plant Flood Risk Assessment and Flood<br>Proofing Project (2021)<br>Similkameen Flood Mapping Client Representative (2020) |
| Town of Oliver, BC             | Canal Capacity Assessment (2017)<br>McIntyre Canal Replacement (2013)  |
| Tsilhqot'in People of Tlesq-ox | Toosey Reservoir Dam Rehabilitation (2012)<br>Toosey Road Crossing Hydrologic and Hydraulic Assessment<br>(2021)   |
| Canim Lake Band                | Flood Response and Recovery (2020, 2021)<br>Bridge Creek Floodplain Mapping (2021)<br>4H Structure Flood Risk Assessment (2021)  |
| Village of Chase, BC           | Chase Creek Floodplain Mapping Project (2021)<br>Little Shuswap Lake Floodplain Mapping (2022, ongoing)  |
| Town of Osoyoos, BC            | Osoyoos Lake Floodplain Mapping and Mitigation Project (2022, ongoing)   |

# 2.0 Project Team

TRUE has assembled a team of qualified professional passionate about their areas of expertise. The following professional biographies summarize the experience and knowledge of our team members. We have also included an organization chart showing clear lines of responsibility.



# 2.1 Project Manager

#### Pat Prodanovic, PhD., P. Eng., Water Resources and Coastal Engineer

Pat shall be the main point of contact and will be responsible for all project management and all technical aspects of this assignment. He shall complete majority of tasks related to the riverine and coastal floodplain mapping assignment, including field data collection, technical analyses, mapping, and report preparations. Pat will work with the Project Team to ensure the accepted scope is executed on time, within budget, and to the satisfaction of CCCA.

Dr. Prodanovic is a professional engineer licensed in Ontario and British Columbia with 15 years of experience in civil, coastal, and water resources engineering. His work focuses on design, evaluation, and modeling applications in coastal and water resources engineering, including hydrodynamics and sediment movement in coastal areas, wave climate assessment, hydrology, and hydraulics of river systems, as well as planning, inspections, and design of shoreline protection systems. Pat has been involved in various coastal and riverine projects, ranging from small (single individual assessments) to medium (large commercial and residential developments) and very large (multi-year, complex, federal-level sediment management) projects. He has completed floodplain mapping projects in Ontario and beyond. Most notably, Pat completed the 2022 Kettle Creek Floodplain Mapping Update Project and the 2022 Coastal Floodproofing Elevation and Development Guides Projects, both in Port Stanley. He has also completed in 2020

a Dalewood Dam Hazard Potential Classification Study. Pat also completed numerous technical studies designs on the waterways of the Great Lakes and beyond, including floodplain mapping, inspections, identification and evaluation of options, conceptual and detailed design, preparation of plans and specification, regulatory permitting, tender support, and construction supervision.

# 2.2 Project Staff

Supporting the Project Manager, the following team has been assembled for the proposed undertaking:

#### Dave Underwood, P. Eng., Project Advisor and QA/QC

Dave will oversee the Project Team and ensure all required reviews, evaluations, designs, and reports are completed in a timely manner and in compliance with relevant guidelines and regulations. Dave is a licensed Professional Engineer with over 20 years of experience in the consulting industry and is a Partner at TRUE Consulting. His work focuses on municipal and civil works designs, tendering, and construction support for private and public sector clients.

#### Jonathan Welke, P.Eng., Water Resources Engineer

Jonathan will provide support to Pat relating to various aspects of hydrologic analyses and floodplain mapping within the proposed assignment. He has completed numerous floodplain mapping projects in challenging working environments. Jonathan's experience shall be leveraged on the project and used to support hydrotechnical work as required. Jonathan is a licensed Professional Engineer with 16 years of experience and is a senior water resources engineer at TRUE Consulting.

#### Riley Anderson, EIT, Mapping Support

Riley will provide mapping support to the project team as required, and will assist Pat and Jonathan in preparation of floodplain mapping (as required). Riley is an Engineer in Training at TRUE Consulting.

#### Topographic and Bathymetric Surveying

A survey crew shall complete the topographic (above water) and bathymetric (below water) surveying in this project. Staff from TRUE Consulting will participate in all field data collection activities and will ensure all necessary data for the project is collected by the field crew. Staff from TRUE Consulting have expertise in the collection and dissemination of electronic survey data gathered using total station and global navigation satellite system (GNSS) technologies, including Geographic Information Systems (GIS). Our knowledge of surveying techniques, methods, and equipment have been applied at numerous locations within the Great Lakes region on past projects.

# 3.0 Project Methodology

As part of the proposed project, TRUE proposes to carry out the following tasks to complete an update to the Port Bruce Riverine Floodplain Mapping and Coastal Floodproofing Elevations Project. Tasks are grouped into background review, topographic and bathymetric data collection, digital data processing, estimating forcing effects (characterization of design flows, water levels and wave climate), hydraulic modeling (riverine), coastal modeling (wave uprush), floodplain mapping (and estimates of floodproofing elevations), reporting, and presentation of CCCA council upon project completion. Each task is described below.

# 3.1 Task 1: Background Review

We will review previous reports that are available for the project area. Of most relevance are the original technical studies that include the 1982 Port Bruce Floodline Mapping Study and the 1991 Catfish Creek Conservation Authority Shoreline Management Plan. Several subsequent studies (1984 Port Bruce Flood of February 1984 Study, 1994 Port Bruce Harbour Hydrologic Study, 2001 Catfish Creek Streamlining Study, and 2012 Port Bruce Sedimentation Study) shall be reviewed for relevance to the present assignment. These studies have been commissioned to evaluate options to be implemented that could reduce flooding impacts in Port Bruce. In terms of quantification of riverine and coastal flood hazards, it is believed that the original 1982 Port Bruce Floodline Mapping Study and the 1991 Catfish Creek Conservation Authority Shoreline Management Plan shall be most relevant.

The above reports will be reviewed, especially focusing on the methodologies used to establish flow characteristics for riverine mapping purposes and design wave conditions for Lake Erie coastal floodproofing elevations.

We also propose to inquire from the CCCA and/or the Municipal staff whether engineering drawings of the existing bridge structure are available. Given recently completed work on the Imperial Road Bridge, it is anticipated that drawings (and possibly bathymetric soundings) could be available. We anticipate that drawings of the Imperial Road Bridge will be provided to us for review and use in this project.

It is anticipated that CCCA shall provide the Project Team SWOOP 2020 aerial photography for the project's study area. MNRF 2016-18 LiDAR topographic data is publicly available from the Province of Ontario, and TRUE staff shall obtain the latest LiDAR data for use in the project from MNRF's online data store.

### 3.2 Task 2: Field Data Collection

An extensive data collection campaign will be required to gather topographic and bathymetric data necessary for this assignment. TRUE team shall retain a local surveyor that will provide a field crew and carry out data collection activities. Most of the field work will focus on data collection of below water soundings (as river cross sections and lake transects).

TRUE's staff shall be present during the field activities and shall assist the survey crew with data collection as necessary. Presence by our staff ensures that all required geometric data will be collected for the riverine and coastal mapping portions of the project. Topographic and bathymetric surveying shall be carried out using a Real Time Kinematic (RTK) Global Navigation Satellite System (GNSS) receiver connected to a set of virtual base stations that send out corrected in real time via a data-priority cellular network. Prior to the survey work, a first order vertical benchmark shall be surveyed (at the pier in Port Bruce) to ensure consistency and accuracy of the field survey campaign. Bathymetric soundings shall be collected by the field crew using an echosounder mounted on a small boat and connected to the RTK GNSS receiver (same equipment as the topographic survey).

# 3.2.1 Riverine Soundings

The surveying work for the riverine floodplain mapping requires collection of soundings (depths below water level and referenced to a vertical datum) to accurately map the bed of the Catfish Creek in Port Bruce. Accurate elevations of the riverbed are required for hydraulic calculations, as channel geometry determines when the flood waters spills its banks and cause overland flooding.

The field crew shall collect soundings at 100 m +/- interval from the southern tip of the Port Bruce Pier to a distance approximately 3 km inland (the study limit). Density of the cross sections may be altered to fit field conditions and may be altered on the day of the survey. An echosounder mounted on a small boat and connected to an RTK GNSS receiver shall be used to collect the bathymetric data in Catfish Creek.

Geometry at hydraulic structures (such as bridges) are also required for the floodplain mapping update. In the present study, topographic and bathymetric data collection efforts are required at the Imperial Road bridge, as this is the only hydraulic structure in the study area. TRUE and the survey crew staff will collect the following at the Imperial Road Bridge:

- 1. Photograph of bridge opening,
- 2. Top of deck elevation,
- 3. Underside of beam elevation,
- 4. Elevations at water's edge, (left bank) toe of slope (left bank), several below water soundings, toe of slope (right bank), and water's edge (right bank),
- 5. Dimensions of opening,
- 6. Location and number of piers (if present), and
- 7. Other data that may be relevant (i.e., embankment details, slopes, etc.).

The soundings at cross sections and at the bridge shall be used for the construction of a digital surface model of the riverbed, that will ultimately be merged with the overland (LiDAR) topographic data and used as the master digital data set for the riverine floodplain mapping work.

# 3.2.2 Lake Soundings

For the quantification of lake flooding (overland wave propagation and uprush calculations) bathymetric soundings the nearshore area of the Port Bruce beach shall be required. The soundings shall be collected using an echosounder mounted on a small boat, at several lake transect locations along the study area (from the Port Bruce pier to approximately 1.3 km westward). The bathymetric soundings shall be collected at greater density in areas of current development (between Levi Street and the harbour wall, and between eastern end of Waneeta Drive and Davenport Road). The soundings shall be collected from the waters edge to approximately the 6 m depth contour. To supplement the bathymetry collected via echosounder, the survey crew will also collect topographic data at dunes in areas of the Provincial Park and the beach east of Levi Street. The topographic data shall be compared against the LiDAR data at the same locations and used to ultimately ground-truth the surveys.

The soundings collected at lake transects shall be combined with the LiDAR topography, to ultimately establish geometry to be used in the wave propagation and uprush calculations (to be done via coastal numerical modeling).

# 3.3 Task 3: Digital Terrain Model Processing

For the riverine floodplain mapping portion of the project, a continuous digital surface of the riverbed shall be required. The bathymetric data collected during the field survey shall be merged with the existing bathymetry (if exists) to generate a master digital surface of all below water portions of the riverine portion of the study area. We will develop a Triangular Irregular Network (TIN) model using all merged bathymetry datasets (surveyed in this assignment and sounding from previous projects). A custom procedure shall be employed that efficiently generates a TIN model for a meandering watercourse using inputs at individual cross sections and other soundings.

The below water TIN representing river bathymetry shall then be "burned into" (or merged with) the above water MNRF 2016-18 LiDAR Digital Elevation Modem (DEM) dataset, thus producing a hydraulic model ready digital surface that captures best available geometric descriptions for above and below water within the riverine portion of the study area. Such a surface is required for accurate completion of riverine floodplain mapping at the project site.

### 3.4 Task 4: Quantification of Flows and Design Waves

### 3.4.1 Design Flow Analysis

We propose to stay consistent to previous studies in the computations of flows for the present mapping purposes at Port Bruce. The 1982 Port Bruce Floodline Mapping Study established flows in Port Bruce (for return periods ranging from 2 to 100-yr) using single station frequency analysis results from the Water Survey of Canada flow gauge named Catfish Creek near Sparta and scaling of flows based on drainage area proportioning. We shall apply the same methodology in this work.

The flow characterization at the Sparta gauge shall be quantified using the latest available data provided by Water Survey of Canada (1964-present). We shall obtain the flow data and complete a flood flow frequency analysis by selecting annual maximum flood flows and fitting the annual maximum data to several statistical distributions. Distribution having the best fit against the data shall be used, based on which quantiles shall be obtained (i.e., return periods ranging from 2-yr to 100-yr). A comparison against the flow previously established in 1982 shall be made, with comments offered on the discrepancies (if any).

As a verification of the method documented above, we shall estimate flows using a regional regression analysis documented by Sehgal and Drake (2016), also referred to as Unified Ontario Flood Method (UOFM). The UOFM method can estimate flow characteristics (for flows ranging from 2 to 100-yr) in Southwestern Ontario based on physical watershed characteristics.

Based on the above analyses, we shall select the most appropriate flow values (ranging from 2 to 100-yr) for the present work.

Estimates of Regional Flow were originally made in the 1982 Port Bruce Floodline Mapping Study based on a hydrological modeling exercise. For the present riverine floodplain mapping exercise, we propose to apply the 1982 Regional Flow value of 672.7 m<sup>3</sup>/s. Carrying out additional hydrological modeling (to update the Regional Flow values) requires significant additional effort, which has not been identified as part of the scope during an initial meeting between TRUE and CCCA staff.

### 3.4.2 Design Wave Analysis

Offshore Lake Erie wave climate is required to estimate wave related effects at the Port Bruce beach and adjacent areas. The wave climate shall be established by developing a lake wide spectral numerical wave model SWAN (Simulating WAves Nearshore). The SWAN model will use a 1 m Lake Erie bathymetric contours, orientation of the shoreline, and the design over lake winds. For over lake winds we shall use the wind data obtained from the Environment Canada Wave Buoy (annually deployed offshore of Port Stanley). Overlake winds recorded by the buoy shall be used to establish design conditions and will be applied to the Lake Erie SWAN model to establish waves in deep water. The SWAN model shall be established at 1 km spatial resolution (global model), followed by a regional (250 m resolution) and local (50 m resolution) models. Each nested model provides increasing resolution. The regional model shall be nested into the global model, and the 50 m local model shall be nested into the regional model. The local model shall be used to obtain design wave height, peak wave period and wave direction at the offshore location of the surveyed lake transects (at approximately the 6 m depth contour). Design wave shall be used as an input into SWAN's sister program SWASH (Simulating WAves til SHore), documented below, that will be used to estimate wave related effects, and ultimately establish floodproofing elevations.

### 3.4.3 Design Water Level Analysis

We propose to use the water level statistics from the Canadian Hydrographic Service (CHS) water level gauge at Port Stanley and apply it directly at Port Bruce. The said gauge is located about 17

km west of the project site and is believed to represent the best available data on Lake Erie water levels at Port Bruce. The analysis of water levels has been previously completed as part of TRUE's projects in Port Stanley and is proposed to be used in this project.

Lake Erie water level corresponding to a 20-yr monthly average lake level statistic shall be used as a starting water level for the riverine floodplain mapping.

For the coastal flood assessment, we propose to establish the floodproofing elevation standard in accordance with the Provincial Technical Guidelines (pg. 7-54), quoted as follows:

On lakes Superior, Huron, St. Clair, Erie or Ontario, development and site alteration is to be protected from flooding, as a minimum, to an elevation equal to the sum of the 100 year monthly mean lake level plus the 100 year wind setup plus a flood allowance for wave uprush and other water related hazards.

The starting water level in the coastal flood assessment (for the determination of the floodproofing standard), shall therefore use the water level of 100-yr mean monthly lake level plus the 100-yr wind setup (surge). The methodology documenting flood allowance for wave uprush is detailed under Task 5 below.

For the purposes of this work, the floodproofing standard shall be defined as the top of the foundation. Using these definitions means that structural elements above the foundation (beams, trusses, connections) would be located outside of the wave related hazards.

### 3.4.4 Climate Change

Provincial Policy Statement 2020 notes that Ontario shall plan for impacts in a changing climate that may increase the risk associated with natural hazards. Impacts of future climate change on magnitude and frequency of flood flows within the Catfish Creek watershed has not been assessed in detail. Climate change assessment is a more involved exercise that requires generating appropriate hydrometeorological inputs and running hydrologic process models to obtain flow characteristics under future conditions. Given that such a detailed study is not available, we propose to apply a factor of 15% to peak flows to represent possible influence of climate change within the time horizon representing midcentury (2050's). Using the increased peak flows, we shall complete the riverine floodplain mapping and estimate floodlines under actions of climate change. Such floodlines should be considered for information purposes only until such time as more detailed climate change studies are available.

Studies documenting changes to extreme statistics of Lake Erie water level from impacts of climate changes are likewise presently unavailable. Literature suggests that global models aiming to predict future lake characteristics vary greatly in their end result (some models are showing an increase, while others a decrease in water levels). Until such time that necessary refinements are made in these global models and a definitive trend is identified, or until Provincial directive on the matter is provided, we propose to increase the design water level by 0.3 m to take into account climate change effects. As with riverine flooding, these values should be considered preliminary and used for information purposes only.

# 3.5 Task 5: Numerical Modeling

# 3.5.1 Hydraulic Modeling (Riverine)

The hydraulic model ready DEM shall be used in the development of a HEC-RAS hydraulic model in this work. The limits of hydraulic modeling (floodplain mapping and access/egress analyses) shall extent from the outlet at Lake Erie to approximately 3 km upstream (as measured along the river's centerline and defined as the study area). Flood profiles will be developed for flows ranging from 2 to 100-yr, along with the Regional Storm. Lake Erie 20-yr monthly average lake level shall be used as a starting point in the flood computations, as noted above.

For floodplain mapping a 2D version of the HEC-RAS model shall be developed for Port Bruce, as it represents state of the art practice of hydraulic modeling. Version 6.2 of the HEC-RAS 2D model (latest as of this writing) shall be used. The hydraulic model ready DEM (documented above) will be used in the HEC-RAS model. Use of the SWOOP2020 aerial imagery shall be used to delineate zones of hydraulic roughness and estimate spatial extent of Manning's roughness values. Topographic survey completed as part of this assignment shall be used to code in hydraulic features (bridges, piers, abutments, dykes, embankments, etc.) into the model, thus ensuring appropriate geometry is used in the simulations. Flood profiles for 2 to 100-yr flows and Regional Storm shall be simulated using the model. Inundation limits shall be produced for all profiles in vector (polygon boundary) and raster (water surface elevations and depths) formats. Using a 2D variant of the hydraulic model is necessary as previous studies have identified that significant areas of split flow occur, where overland flow path is not parallel to the main river. Such river hydraulic behaviour is best represented using 2D flow modeling (proposed here).

For the assessment of access/egress we shall use the HEC-RAS 2D hydraulic model. The 2D model uses a large number of computational cells to represent the study area, as opposed to discrete cross sections used in simpler 1D models. As such, 2D models represent dynamics of interaction between river and floodplain more accurately than cross sections based 1D models. Note that all previous hydraulic modeling work in Port Bruce has used simpler 1D models. For the purposes of evaluating access and egress during times of flooding we propose to use the more accurate 2D modeling to estimate depths and velocities along traveled surfaces. Travel surfaces are defined as access roads used by emergency vehicles during times of flood hazards. By having spatially varied depths and velocities we will be in a position to evaluate if the traveled surfaces meet existing Provincial access/egress standards. The Provincial standard for access/egress is evaluated based on depths, velocities, and a product of depth and velocities. Results of our access/egress analysis shall be presented in detail as tables/maps and included in the project report.

# 3.5.2 Wave Uprush (Coastal)

Similar to river hydraulic modeling, wave effects (wave uprush) are likewise done via specialized numerical models. In this work we propose to use SWAN's sister program SWASH to estimate wave related effects. We shall develop several lake transects (from the 6 m depth contour to the toe of the bluff) using the surveyed bathymetry and LiDAR topography. Wave characteristics during design conditions (established previously using the SWAN wave model) shall be applied

at the offshore extend of the transects. A coastal numerical wave model SWASH shall be used to propagate the wave effects inland, as it captures nearshore processes (such as wave setup, wave transformation and breaking, wave uprush and overtopping) that are relevant in this work. The SWASH model is able to compute both wave uprush, and the inland propagation of the wave bore (which occurs in conditions when extreme high water level causes incoming waves to overtop the beach dunes, thus allowing waves to propagate inland as bores).

Since the main beach dunes are relatively low compared to the design water level some amount of wave energy is anticipated to propagate inland during design water level conditions. Classical tools can not accurately estimate characteristics of the inland propagation of a wave bore, nor estimate wave uprush characteristics that far inland. The SWASH numerical model overcomes these limitations. To quantify wave uprush at each, transect a time series of water level (at several output nodes) shall be extracted, and analyzed to estimate the 2% wave uprush (R2%). R2% is defined as the average elevation of the highest 2% of waves during design conditions. Included in the SWASH analyses is wave setup, defined as the increase in water level at the shoreline due to wave breaking in the surf zone.

The above analysis shall establish floodproofing elevations for Port Bruce according to the MNR (2001) Technical Guidelines that are defined as the sum of: i) the 100-yr mean monthly water level (with and without climate change), ii) and 100-yr storm surge, and iii) wave uprush heights completed using coastal numerical modeling.

The development guidelines shall be prepared and will rely on the updated floodproofing elevations determined in this work. Various development activities shall be considered, such as minor/major additions, sheds, garages, accessory structures, lot development (creation of new lots), septic systems, decks, swimming pools, dune crossings, shoreline protection, groynes, etc. It is anticipated that CCCA staff shall participate in the formulation of the development guidelines.

### 3.6 Task 6: Floodplain Mapping

# 3.6.1 Catfish Creek Floodplain Mapping

Following the hydraulic model simulation, the flood inundation vector and raster outputs shall be brought into Geographic Information System (GIS) software for further processing and cleaning. Digital raster and vector products shall be developed as final project deliverables. Metadata associated with the digital products will be prepared. All data products shall be provided to CCCA according to required horizontal reference frames and vertical datums.

The riverine floodplain mapping shall provide CCCA with water surface elevations associated with design conditions (2-yr to 100-yr, Regional Storm), and their flood extents.

Report style digital maps shall be prepared for inclusion of the project's report.

# 3.6.2 Lake Erie Floodproofing Elevations

Floodproofing elevations determined via above coastal numerical analyses shall be presented as zones on a map, as certain areas of the beach may be exposed to more severe wave effects than other area (i.e., low lying areas at the western end of Wanteeta Beach Drive are anticipated to be more severe than those located 50 m inland at the Port Bruce main beach). Floodproofing elevations shall be provided for each zone, thus being able to assist CCCA staff in administering future development applications.

# 3.7 Task 7: Riverine Ice Jam Analysis

We understand that ice jams in Port Bruce have historically caused flooding. Several historic studies have been completed to study options to alleviate the concerns. As part of the present work, we are proposing to carry out a limited scope ice jam analysis. Previous ice jam analyses were completed under the 2012 Port Bruce Sedimentation Study. The analyses proposed in this work shall use the updated HEC-RAS model (which uses latest LiDAR and surveyed bathymetry) to carry out ice jam simulations.

Ice jams result from a combination of factors including i) ice conditions, ii) river flows, and iii) lake levels. For this work, we shall define a set of parameters using a reasonable combination of ice jam factors and carry out a 1D steady state HEC-RAS ice jam analyses. (Ice jam calculations are only available in the 1D variant of the model.) The end product shall be a set of preliminary calculations that would assist CCCA to determine upstream flood levels during times of ice jams. For example, if ice thickness in the harbour/lake are 30 cm thick, and the river flows are at 5-yr return period, CCCA will be in a position to estimate upstream flood levels resulting from the ice jam. Note that available ice jam analysis methods available to the practitioners have not been refined to the same level as open water hydraulics, and thus still carry considerable levels uncertainty (especially in light of lack of site-specific measurements). It is for this reason the analyses proposed shall be designated as preliminary.

### 3.8 Task 8: Reporting

We shall prepare a final report summarizing the outcome of our study. The report shall fully document the work undertaken and provide all results in tabular form and graphic form, as appropriate. Included in our fees we have estimated preparing one draft report and addressing one set of review comments before producing a final report. The report shall be digitally transmitted to the CCCA including the original proof ready for printing using 8.5" x 11" format. The final report shall be sealed by a professional engineer licensed to practice in Ontario.

Included as part of the reporting task are a presentation to the CCCA board of directors.

# 4.0 Project Schedule

We are confirming that our Project Team has the capacity and the commitment to complete this project within the specified timelines. Our team will remain committed for the duration of the project (estimated as six to eight months from date of award), ensuring that all work is completed on time, within budget, and in accordance with the approved scope of work. Upon award of contract, we propose to develop a project timeline with CCCA staff and establish interim deadlines and deliverables.

# 5.0 Cost Proposal

Detailed fee estimate is provided in Appendix A.

# APPENDIX A

**Cost Proposal** 



### Fee Estimate 2022 Port Bruce Riverine Floodplain Mapping and Coastal Floodproofing Elevations



|   |  | Project Advisor | Water Resources and<br>Coastal Engineer | Water Resources<br>Engineer | Engineering<br>Support | Admin        |           |         |              |
|---|--|-----------------|---|-----------------------------|------------------------|--------------|-----------|---------|--------------|
|   | TEAM MEMBER                            | D. Underwood    | P. Prodanovic                           | J. Welke                    | R. Anderson            | M. MacGregor | Sub-Total | Disb.   | TOTAL        |
| TASK  | Hourly Rate                            | \$220           | \$180                                   | \$180                       | \$120                  | \$80         | Fees      |         | Fees & Disb. |
|   |  |                 |   |                             |                        |              |           |         |              |
|   |  |                 |   |                             |                        |              |           |         |              |
| 1   | Background Review                      | 1               | 6                                       | 1                           | 1                      |              | \$1,600   |         | \$1,600      |
| 2   | Field Data Collection (river and lake) |                 | 10                                      |                             |                        |              | \$1,800   | \$5,250 | \$7,050      |
| 3   | Digital Terrain Model Processing       |                 | 12                                      |                             |                        |              | \$2,160   |         | \$2,160      |
| 4.1   | Design Flow Analysis                   |                 | 6                                       |                             |                        |              | \$1,080   |         | \$1,080      |
| 4.2   | Design Wave Analysis                   |                 | 6                                       |                             |                        |              | \$1,080   |         | \$1,080      |
| 5.1   | Hydraulic Modeling (Riverine)          |                 | 35                                      | 5                           | 10                     |              | \$8,400   |         | \$8,400      |
| 5.2   | Wave Uprush Modeling (Coastal)         |                 | 35                                      |                             |                        |              | \$6,300   |         | \$6,300      |
| 6.1   | Catfish Creek Floodplain Mapping       |                 | 10                                      | 2                           | 10                     |              | \$3,360   |         | \$3,360      |
| 6.2   | Lake Erie Floodproofing Elevation Maps |                 | 8                                       | 2                           | 6                      |              | \$2,520   |         | \$2,520      |
| 7   | Riverine Ice Jam Analysis              |                 | 10                                      | 2                           | 8                      |              | \$3,120   |         | \$3,120      |
| 8   | Reporting/Presentations                | 1               | 40                                      | 5                           | 5                      | 4            | \$9,240   |         | \$9,240      |
|   |  |                 |   |                             |                        |              |           |         |              |
| Total He                                    | ours                                   | 2               | 178                                     | 17                          | 40                     | 4            |           |         |              |
| Total Fe                                    | es                                     | \$440           | \$32,040                                | \$3,060                     | \$4,800                | \$320        | \$40,660  |         |              |
| Total Disbursements (Bathymetric Surveying) |  |                 |   |                             |                        |              |           | \$5,250 |              |
| TOTAL ESTIMATED FEES & DISBURSEMENTS        |  |                 |   |                             |                        |              |           |         | \$45,910     |
|   |  |                 |   |                             |                        |              |           |         | + HST        |

### 277 THE CORPORATION OF THE TOWNSHIP OF MALAHIDE

#### BY-LAW NO. 22-51

Being a By-law to adopt, confirm and ratify matters dealt with by resolution of the Township of Malahide.

**WHEREAS** Section 5(3) of the Municipal Act, 2001, c. 25, as amended, provides that the powers of every council are to be exercised by by-law;

**AND WHEREAS** in many cases, action which is taken or authorized to be taken by the Township of Malahide does not lend itself to the passage of an individual by-law;

**AND WHEREAS** it is deemed expedient that the proceedings of the Council of the Township of Malahide at this meeting be confirmed and adopted by by-law;

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

- 1. THAT the actions of the Council of the Township of Malahide, at its regular meeting held on July 7, 2022, in respect of each motion, resolution and other action taken by the Council of the Township of Malahide at such meeting is, except where the prior approval of the Ontario Municipal Board or other authority is required by law, is hereby adopted, ratified and confirmed as if all such proceedings were expressly embodied in this By-law.
- 2. THAT the Mayor and the appropriate officials of the Township of Malahide are hereby authorized and directed to do all things necessary to give effect to the action of the Council of the Township of Malahide referred to in the proceeding section.
- 3. THAT the Mayor and the Clerk are hereby authorized and directed to execute all documents necessary in that behalf and to affix thereto the corporate seal of the Township of Malahide.
- 4. THAT this By-law shall come into force and take effect upon the final passing thereof.

**READ** a **FIRST** and **SECOND** time this 7<sup>th</sup> day of July, 2022.

**READ** a **THIRD** time and **FINALLY PASSED** this 7<sup>th</sup> day of July, 2022.

Mayor, D. Mennill

Clerk, A. Adams