



THE CORPORATION OF THE TOWNSHIP OF PUSLINCH
August 14, 2019 COUNCIL MEETING

A G E N D A

DATE: Wednesday August 14, 2019

CLOSED MEETING: 5:00 P.M.

REGULAR MEETING: 7:00 P.M.

CLOSED MEETING: Immediately after the
meeting

≠ Denotes resolution prepared

1. Call the Meeting to Order
2. Disclosure of Pecuniary Interest & the General Nature Thereof.
3. **CLOSED ITEMS** ≠
 - (a) Confidential Verbal Report from Peter Pickfield, Garrod Pickfield LLP regarding litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board, and advice that is subject to solicitor-client privilege, including communications necessary for that purpose and personal matters about an identifiable individual, including municipal or local board employees with respect to 4002 Highway 6.
4. Adoption and Receipt of Minutes of the Previous Meeting.≠
 - (a) July 16, 2019 Special Council Meeting
 - (b) July 17, 2019 Council Meeting
 - (c) July 22, 2019 Fox Run Park Trail Public Meeting
5. Business Arising Out of the Minutes.
6. **PUBLIC MEETINGS**
 1. **Notice of Complete Application D14/SUN and Public Meeting**

*note this Public Information Meeting will be held on Wednesday August 14, 2019 at 6:00 p.m. at the Municipal Complex – 7404 Wellington Rd. 34.
7. **COMMUNICATIONS** ≠
 1. Correspondence from the Hon. Ted Arnott, MPP, Wellington-Halton Hills with respect to the Highway 6 Morrison Bypass dated July 25, 2019.



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2. Correspondence from Watson & Associates dated July 25, 2019 and Municipal Finance Officers' Association of Ontario dated August 4, 2019 with respect to Bill 108 Draft Regulations for the Development Charges Act and Planning Act (Community Benefits Charges Related).
3. Correspondence from the Ministry of Natural resources and Forestry with respect to the Major Site Plan Amendment under the Aggregate Resources Act, License No. 5738 University of Guelph DFA Mill Creek Pit dated June 19, 2019 (full site plans available for viewing in the Township office).
4. Correspondence from Hon. Ted Arnott, MPP Wellington-Halton Hills, with respect to the County of Wellington's submission to the Ministry of Natural Resources and Forestry regarding the reform of the laws and regulations governing Ontario's Aggregate Industry dated July 25, 2019.

5. **Intergovernmental Affairs**

- (a) Various correspondence for review.

8. **DELEGATIONS / PRESENTATIONS** ≠

None

9. **REPORTS** ≠

1. **Puslinch Fire and Rescue Services**

- (a) FIR-2019-007 - Jenny's Heroes Canada - Execution of Funding Agreement
- (b) FIR-2019-008 Emergency Reporting Records Management Software

2. **Finance Department**

- (a) FIN-2019-027 – 2020 Proposed User Fees and Charges

3. **Administration Department**

- (a) ADM-2019-022 Health and Safety Policies



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4. **Planning and Building**

- (a) PD-2019-009 Extension of Use Amending Agreement – Garden Suite L04/ELL
- (b) PD-2019-010 TC-02-19 Concurrence Report to Industry Canada
- (c) BLDG-2019-008 Building Monthly Update July 2019

5. **Roads & Parks Department**

- (a) GM BluePlan Engineering report prepared by Amanda Pepping, P. Eng. With respect to Fox Run Park Trail dated August 7, 2019.

6. **Recreation Department**

None

7. **Mayor's Updates**

None

10. **NOTICES OF MOTION**

None

11. **COMMITTEE MINUTES**

None

12. **MUNICIPAL ANNOUNCEMENTS**

13. **UNFINISHED BUSINESS**

14. **CLOSED ITEMS ≠**

- (b) Confidential Verbal Report from Mary Hasan, Director of Finance, regarding advice that is subject to solicitor-client privilege including communications necessary for that purpose with respect to a request for an extension of time to pay property taxes.



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- (c) Confidential Verbal Report from Patrick Moyle, Acting CAO, regarding labor relations or employee negotiations with respect to the Chief Administrative Officer recruitment.

15. **BY-LAWS ≠**

- (a) BL2019-049 Being a By-law to authorize the entering into for an extension of use amending agreement with Donald John Elliot – 4188 Victoria Road South.
- (b) BL2019-050 Being a By-law to appoint Patrick Moyle as Municipal Clerk
- (c) BL2019-051 Being a By-law to authorize the entering into a Funding Agreement with the Ontario Association of Fire Chiefs for the Jenny's Heroes Canada Grant for high visible, lightweight, fire rated coveralls.

16. **CONFIRMING BY-LAW ≠**

- (a) By-law to confirm the proceedings of Council for the Corporation of the Township of Puslinch.

17. **ADJOURNMENT ≠**



MINUTES

DATE: Tuesday, July 16, 2019

OPEN MEETING: 9:00 A.M.

The July 16, 2019 Special Council Meeting was held on the above date and called to order at 9:00 a.m. in the Council Chambers, Aberfoyle.

1. **ATTENDANCE:**

Mayor James Seeley
Councillor Matthew Bulmer
Councillor Jessica Goyda
Councillor Ken Roth
Councillor John Sepulis

STAFF IN ATTENDANCE:

1. Mary Hasan, Director of Finance/Treasurer
2. Nina Lecic, Clerk
3. Mike Fowler, Supervisor, Public Works and Parks
4. Courtenay Hoytfox, Legislative and Development Coordinator

2. **DISCLOSURE OF PECUNIARY INTEREST & THE GENERAL NATURE THEREOF:**

None

3. **DELEGATIONS/PRESENTATIONS**

Mike Kelso with respect to the condition of the road surface of Concession 11.

Resolution No. 2019-261:

Moved by Councillor Goyda and
Seconded by Councillor Sepulis

That Council receives the presentation by Mike Kelso with respect to the condition of the road surface of Concession 11. **CARRIED**

4. **COMMUNICATIONS:**

1. 2019 Bridge and Culvert Inspection Summary Report prepared by GM BluePlan, June 2019.

Resolution No. 2019-262:

Moved by Councillor Sepulis and
Seconded by Councillor Bulmer

THAT staff review the location of the current signage for Little Bridge in order to ensure that it is meeting legislative requirements;

And that staff be directed to send correspondence to Slovenski Park as a reminder of the 10 tonne load limit. **CARRIED**

Resolution No. 2019-263:

Moved by Councillor Goyda and
Seconded by Councillor Sepulis

THAT staff be directed to Contact North Dumfries with respect to a cost sharing agreement for Structure 0008 located on Gore Road, 200 m east of Shellard Side Road.

CARRIED

2. Planning Considerations for Hard-Surfacing Township Roads prepared by GM BluePlan, July 9, 2019.

Council provided the following direction to GM BluePlan to be included in the final report with respect to the hard surfacing of Township Roads:

- Include consideration/alternative options for localized improvements to gravel roads that do not meet the criteria outlined in the Gravel Roads Study for repaving;
- Incorporate a road management strategy for current Township hardsurfaced roads which would include various recommendations for extending the life of Township hard-surfaced roads, along with an analysis of how long each strategy would extend the lifecycle by;
- Incorporate a review and criteria with respect to drainage of roads (including a cost/benefit analysis);
- A review of the Annual Average Daily Traffic count criteria of 400 cars as outlined in the Asset Management Plan. Council inquired as to whether this is a valid number as other studies use different counts in order to justify the hard-surfacing of a gravel road.
- Incorporate a life cycle cost comparison for the various options for surface treating gravel roads;
- The report should provide solid recommendations for when to convert to gravel, taking into consideration the various factors and criteria discussed.
- Include a plan for improving the sub surfacing of gravel roads in order to prepare for resurfacing and to better serve currently as a gravel road.
- Include criteria for the improvement of gravel roads;
- Include a weighting scale for all of the criteria;
- Ensure consistency with the BMA Management Consulting Inc. Municipal Study.

Resolution No. 2019-264:

Moved by Councillor Sepulis and
Seconded by Councillor Goyda

Council provided direction that the following be included in a future report with respect to the hard surfacing of Township Roads:

- **Include criteria for the review of gravel roads including things that are important to residents such as: the number of residents in close proximity to the road, environmental issues, actions that could improve the status of gravel roads incrementally (such as ditching and sub surfacing);**
- **Develop a strategy, in conjunction with staff, for improving gravel roads as they currently are, including a list of what should be done with the ultimate goal being the paving of the road;**

And that this criteria be used to update the Asset Management Plan and to create consistent service level standards for Township gravel roads.

CARRIED

Resolution No. 2019-265:

Moved by Councillor Roth and
Seconded by Councillor Bulmer

That Council receives the following two reports from GMBlue Plan:

- 1. 2019 Bridge and Culvert Inspection Summary Report dated June 2019.**
- 2. Planning Considerations for Hard-Surfacing Township Roads dated July 9, 2019.**

CARRIED

5. **CONFIRMING BY-LAW**

(a) By-Law to confirm the proceedings of Council for the Corporation of the Township of Puslinch

Resolution No. 2019-266:

Moved by Councillor Roth and
Seconded by Councillor Bulmer



That the following By-law be taken as read three times and finally passed in open Council:

By-Law 042-2019 being a by-law to confirm the proceedings of Council for the Corporation of the Township of Puslinch at its meeting held on the 16th day of July 2019.

CARRIED

6. **ADJOURNMENT:**

Resolution No. 2019-267:

Moved by Councillor Bulmer and
Seconded by Councillor Roth

That Council hereby adjourns at 11:06 a.m.

CARRIED

James Seeley, Mayor

Nina Lecic, Acting Clerk

MINUTES

DATE: Wednesday, July 17, 2019

REGULAR MEETING: 7:00 P.M.

The July 17, 2019 Regular Council Meeting was held on the above date and called to order at 7:00 p.m. in the Council Chambers, Aberfoyle.

1. **ATTENDANCE:**

Mayor James Seeley
Councillor Matthew Bulmer
Councillor Jessica Goyda
Councillor Ken Roth
Councillor John Sepulis

STAFF IN ATTENDANCE:

1. Nina Lecic, Clerk
2. Mary Hasan, Director of Finance/Treasurer
3. Mike Fowler, Supervisor of Public Works and Parks
4. Courtenay Hoytfox, Development and Legislative Coordinator

2. **DISCLOSURE OF PECUNIARY INTEREST & THE GENERAL NATURE THEREOF:**

Councillor Goyda declared a potential pecuniary interest with respect to Item 7(3) Correspondence from Lafarge and ERO Posting as a family member operates an aggregate business within the Township of Puslinch.

Councilor Goyda declared a potential pecuniary interest respect to Item 8(a) Delegation by John McNie re: potential zone change at 6947 Concession 2 as a family member operates an aggregate business within the Township of Puslinch.

3. **CLOSED MEETING**

4. **ADOPTION OF THE MINUTES:**

- (a) Closed Council Meeting - June 5, 2019
- (b) Council Meeting – June 12, 2019
- (c) Closed Council Meeting - June 12, 2019
- (d) Public Meeting for Zoning Amendment File D14/ELL – June 19, 2019
- (e) Public Meeting for Proposed Development Charges By-law – June 19, 2019
- (f) Council Meeting- June 19, 2019
- (g) Closed Council Meeting- June 19, 2019
- (h) Public Meeting for Feasibility Study for Municipal Water and Wastewater Services – June 24, 2019

Resolution No. 2019-268:

Moved by Councillor Goyda and
Seconded by Councillor Sepulis

That the minutes of the following meetings be adopted as written and distributed:

- (a) Closed Council Meeting - June 5, 2019
- (b) Council Meeting – June 12, 2019
- (c) Closed Council Meeting - June 12, 2019
- (d) Public Meeting for Zoning Amendment File D14/ELL – June 19, 2019
- (e) Public Meeting for Proposed Development Charges By-law – June 19, 2019
- (f) Council Meeting- June 19, 2019

(g) Closed Council Meeting- June 19, 2019

(h) Public Meeting for Feasibility Study for Municipal Water and Wastewater Services – June 24, 2019

CARRIED

5. **BUSINESS ARISING OUT OF THE MINUTES:**

6. **PUBLIC MEETINGS:**

1. Notice of Public Information Session #1 **Proposed Concept Plan for the Accessible Walking Trail at Fox Run Park**

*note this Public Information Session was held on Monday July 22, 2019 at 6:30 pm at the Puslinch Community Centre – 23 Brock Road South

7. **COMMUNICATIONS:**

- (1) Mini Lakes Annual Wastewater and Water Reports

- a. 2018 Annual Operations and Maintenance Report for the Wastewater Treatment System submitted by Ontario Clean Water Agency.
- b. Mini Lakes Water System Annual Monitoring Report prepared by Amanda Pepping, GM BluePlan.
- c. Peer review of 2018 Annual Operations and Maintenance report for the Wastewater Treatment System by Amanda Pepping, GM BluePlan.

Resolution No. 2019-269:

Moved by Councillor Sepulis and
Seconded by Councillor Goyda

Council directed staff to send the following correspondence to Mini Lakes with a request for acknowledgement of receipt, and a request for a schedule of action items addressing the recommended work outlined in the following:

- **Appendix E from the 2018 Annual Operations and Maintenance Report for the Wastewater Treatment System submitted by Ontario Clean Water Agency (Table 3: Mini Lakes Water Treatment & Distribution System recommended work);**
- **Review of 2018 Annual Operations and Maintenance report for the Wastewater Treatment System by Amanda Pepping, GM BluePlan;**

And that a response be provided to the Township within 60 days.

CARRIED

- (2) Correspondence from GWS Ecological & Forestry Services Inc., with respect to Vegetation Management in Fox Run Park, July 4, 2019.

Resolution No. 2019-270:

Moved by Councillor Sepulis and
Seconded by Councillor Roth

That Council receives the correspondence from GWS Ecological & Forestry Services Inc., with respect to Vegetation Management in Fox Run Park, July 4, 2019.

CARRIED

Councillor Goyda disclosed a potential pecuniary conflict of interest with respect to operations at the Lafarge Wellington site and ERO posting and refrained from discussions and voting on that item.

- (3) Correspondence from Lafarge Canada Inc., with respect to operations at the Lafarge Wellington site and ERO posting, June 27, 2019.

Resolution No. 2019-271:

Moved by Councillor Sepulis and
Seconded by Councillor Roth

That Council directs staff to submit a request on the Environmental Registry of Ontario that the Lafarge Canada Inc. Permit to Take Water (ERO # 019-0240) be for a period of no longer than five years due to the large volume of water taking;

AND that Mayor Seeley continues to work with the City of Guelph and the Township of Guelph Eramosa to provide a united answer to the proposed operations;

AND that Council directs staff to contact Lafarge and inquire as to whether the site plan conditions have changed and whether a public meeting will be held with respect to those site plan changes.

CARRIED

Resolution No. 2019-272:

Moved by Councillor Bulmer and
Seconded by Councillor Sepulis

That Council requests that the Township's hydrogeologist reviews the Lafarge Permit to Take Water documents and reports back with respect to the potential impact to neighboring wells;

And that the hydrogeology review be included as part of the Township's Permit to Take Water submission.

LOST

(4) Mill Creek Pit License #5738 Monthly Monitoring Report from Seana Richardson, Aggregates Technical Specialist – Ministry of Natural Resources and Forestry, June 12, 2019.

7. Intergovernmental Affairs

Resolution No. 2019-273:

Moved by Councillor Sepulis and
Seconded by Councillor Goyda

That the Intergovernmental Affairs correspondence items listed on the Council Agenda for July 17, 2019 Council meeting be received.

CARRIED

8. DELEGATIONS/PRESENTATIONS

Councillor Goyda disclosed a potential pecuniary conflict of interest with respect to a potential zone change at the property municipally know as 6947 Concession 2 and abutting lot to the east from agricultural to extractive and refrained from discussions and voting on that item.

7:05 p.m. – John McNie, on behalf of neighborhood group, with respect to a potential zone change at the property municipally know as 6947 Concession 2 and abutting lot to the east from agricultural to extractive.

Resolution No. 2019-274:

Moved by Councillor Roth and
Seconded by Councillor Sepulis

That Council receives the presentation by John McNie, on behalf of neighborhood group, with respect to a potential zone change at the property municipally know as 6947 Concession 2 and abutting lot to the east from agricultural to extractive.

CARRIED



7:15 p.m. – Glenn James with respect to the proposed Puslinch High Speed Internet Committee.

Resolution No. 2019-275: Moved by Councillor Sepulis and
Seconded by Councillor Goyda

That Council receives the presentation by Glenn James with respect to the proposed Puslinch High Speed Internet Committee.

CARRIED

7:25 p.m. – Jeff Mckay with respect to report PD-2019-007 TC-01-19 Telecommunication
Application File TC-01-2019 (A12/ROG)

Resolution No. 2019-276: Moved by Councillor Goyda and
Seconded by Councillor Sepulis

That Council receives the presentation by Jeff Mckay with respect to report PD-2019-007 TC-01-19 Telecommunication Application File TC-01-2019 (A12/ROG).

CARRIED

7:35 p.m. – Judith Stoffman, Mary Christidis and Barbara Redmond with respect to Fox Run and
Vegetation Management.

Resolution No. 2019-277: Moved by Councillor Sepulis and
Seconded by Councillor Goyda

That Council receives the presentation by Judith Stoffman, Mary Christidis and Barbara Redmond with respect to Fox Run and Vegetation Management.

CARRIED

9. REPORTS:

1. Puslinch Fire and Rescue Services

(a) None

2. Planning and Building Department

(a) Wellington County Report– A Place to Grow: Growth Plan for the Greater Golden Horseshoe
2019.

Resolution No. 2019-278: Moved by Councillor Goyda and
Seconded by Councillor Sepulis

That the Wellington County Report “A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019” be received for information.

CARRIED

(b) Wellington County Report Zoning By-law Amendment Application D14/ELL – Donald Elliot
Temporary Garden Suite Extension

Resolution No. 2019-279: Moved by Councillor Sepulis and
Seconded by Councillor Goyda

**That Council receives the Wellington County Report Zoning By-law Amendment Application
D14/ELL – Donald Elliot Temporary Garden Suite Extension;**

And that Council passes by-laws to amend Zoning By-law 19/85 and Zoning By-law 023/18 on the subject lands as outlined in the report.

CARRIED

(c) PD-2019-007 TC-01-19 Report to Industry Canada RE proposed Rogers Telecommunications Tower at 4638 Sideroad 20 North.

Resolution No. 2019-280:

Moved by Councillor Sepulis and
Seconded by Councillor Roth

Whereas there are inconsistencies between the original Justification Report and the Site Selection Candidate Review Report with respect to the availability of candidate sites within the original search area;

Whereas the proposed site as well as sites in the original search area will have overlapping areas or coverage;

Whereas the Site Selection Candidate Review Report is silent on the coverage area for the 850Mz band;

Whereas the original Justification Report clearly identifies a lack of proper coverage which could likely be provided by a site in the original search area; and

Therefore be it resolved that Council is not in support of locating the Tower at L E L Farms Limited, Concession 4, Part Lot 20 Parts 2 to 3, municipally known as 4638 Sideroad 20 North;

And that staff be forwarded to send a letter of non-concurrence to Industry Canada.

CARRIED

By general consensus, Council directed staff to make Industry Canada aware of the litigation between proponent and land owner.

Resolution No. 2019-281:

Moved by Councillor Goyda and
Seconded by Councillor Sepulis

That Report PD-2019-007 regarding Telecommunication Application File TC-01-2019 (A12/ROG) – Rogers site C6798 leased from L E L Farms Limited, Concession 4, Part Lot 20 Parts 2 to 3, municipally known as 4638 Sideroad 20 North, be received; and

That Council authorizes the release of the Report to Industry Canada regarding the proposed 60 metre Rogers Wireless Telecommunication Antenna.

CARRIED

3. Administration Department

(a) None

4. Finance Department

(a) FIN-2019-026 2019 Corporate Energy Conservation and Demand Management Plan

Resolution No. 2019-282:

Moved by Councillor Sepulis and
Seconded by Councillor Goyda

THAT Report FIN-2019-026 regarding the 2019 Corporate Energy Conservation and Demand Management Plan be received; and



That Council commits to the allocation of the necessary resources to implement the Corporate Energy Conservation and Demand Management Plan as outlined in Schedule A to Report FIN-2019-026.

CARRIED

(b) FIN-2019-025 2019 Development Charges Background Study and By-law

Resolution No. 2019-283: Moved by Councillor Roth and
Seconded by Councillor Bulmer

THAT Report FIN-2019-025 regarding the 2019 Development Charges Background Study and By-law be received; and

That the Township’s 2019 Development Charges Background Study dated May 17, 2019 attached as Schedule A to Report FIN-2019-025 be approved; and

That Council approve the capital project listing set out in Chapter 5 of the Development Charges Background Study attached as Schedule A to Report FIN-2019-025 subject to further annual review during the budget process; and

That Council enact a by-law to adopt the 2019 Development Charges By-law to be effective September 3, 2019;

And that staff be given delegated authority to amend the 2019 Development Charges By-law at the conclusion of the Zoning By-law appeal process.

CARRIED

(c) Applications for Cancellation, Reduction or Refund of Taxes chapter 25, section 357 or 358 of the Municipal Act, 2001

Resolution No. 2019-284: Moved by Councillor Bulmer and
Seconded by Councillor Roth

That Council does hereby authorize the applications for Cancellation, Reduction or Refund of Taxes chapter 25, section 357 or 358 of the Municipal Act, 2001 as follows:

Year	Application #	Roll #	Write Off Amount
2019	01/19	5-09117	\$-722.11

CARRIED

5. Roads & Parks Department

None

6. Recreation Department

None

7. Mayor’s Updates

(a) Ministry of Transportation Letter

(b) Meeting with MPP Ted Arnott with respect to Places to Grow and the Highway 6 By-pass

10. NOTICE OF MOTION:

a. Councillor Sepulis and with respect to Internet Service.

Resolution No. 2019-285:

Moved by Councillor Roth and
Seconded by Councillor Bulmer

WHEREAS adequate internet service is lacking in most parts of Puslinch;

AND WHEREAS Wellington County, in conjunction with SWIFT, is proceeding with a pilot project for the County for the summer 2019;

AND WHEREAS there a need for a knowledgeable Township representative on the County's Steering Committee when it is convened;

AND WHERAS the provision of any internet services provided by the pilot project in Puslinch will still likely leave the majority of Puslinch underserved;

THEREFORE BE IT RESOLVED that Council acknowledges the formation of a community led committee to advance the provision of improved internet services for the Township;

AND THAT Council supports the appointment of Glenn James as Puslinch's representative on the Wellington County Steering Committee;

AND THAT Council appoints a member of Council to the community Committee;

And that Councillor Sepulis be appointed as the Council representative for the 2018-2022 Term of Council;

And that this motion be forwarded to Wellington County for their furtherance.

CARRIED

11. COMMITTEE MINUTES286

- (a) April 23, 2019 Recreation Committee
- (b) June 11, 2019 Planning and Development
- (c) June 11, 2019 Committee of Adjustment

Resolution No. 2019-286:

Moved by Councillor Bulmer and
Seconded by Councillor Roth

That Council receives the following Committee Minutes:

- (a) **April 23, 2019 Recreation Committee**
- (b) **June 11, 2019 Planning and Development**
- (c) **June 11, 2019 Committee of Adjustment**

CARRIED

12. MUNICIPAL ANNOUNCEMENTS

None

13. UNFINISHED BUSINESS

14. BY-LAWS:

- (a) Being a by-law to delegate authority to the Chief Administrative Officer (CAO) to approve the temporary use of the Puslinch Community Centre and Township Municipal Office parking lot lands.
- (b) A by-law to establish development charges for the Corporation of the Township of Puslinch.
- (c) Being a By-law to appoint Nina Lecic as Municipal Clerk.



DATE: Wednesday July 22, 2019

TIME: 6:30 p.m.

PLACE: Puslinch Community Centre, 23 Brock Road South Puslinch

FILE: Fox Run Park

MEMBERS: Mayor James Seeley - Chair
Councillor Matthew Bulmer
Councillor Ken Roth
Councillor Jessica Goyda
Councillor John Sepulis

The Chair called the meeting to order at 6: 37 p.m.

Presentations:

Amanda Pepping, GM BluePlan provided the following presentation:

- Overview of the Fox Run Park Block;
- Accessibility, Trail Design Criteria and Trail Construction;
- Grading and Drainage and the required modifications;
- Concept trail plan;
- Additional considerations such as encroachments, signage, landscape and screening.
- Cost estimate overview and proposed schedule.

Questions/Comments:

The Chair, requested if there was anyone in attendance that wished to express their views on the proposed trail design.

Mark Wineberg inquired about the size of the proposed retaining wall, and provided an overview of a survey that was prepared by a Fox Run working group which was circulated to Fox Run residents. 40 out of 61 houses responded to the local survey and it covered questions with respect to the general feel of the park, number of paths, walking trail surface, benched, landscaping and etc.

- Amanda noted that the proposed retaining wall would be approximately 0.6m high, which is low enough that it does not require a railing.

Mary Christidis noted that the survey provided a wish list from residents that does not need to be fulfilled within the first year, and is something to work towards. Mary noted that the community was supportive of assisting with the cost of the landscaping.

Mary Lafrate required clarification with respect to the landscaping screening that may be considered for the proposed entranceway.

- Amanda noted that screening is not being considered at this time. If screening were to be considered at the proposed entranceway, it would be a type of screen or tree protection designed by a landscape architect.
- Mary noted that something aesthetically pleasing would be preferred.

Barbara Redmond inquired as to where the park signs would be located.

- Amanda noted that a sign would be placed at each entrance near the road.

Claire House inquired on the nature of the identified encroachments.

- Amanda noted that the Township completed a survey which identified encroachments and that one encroachment requires removal in order to undertake the work.

The Chair requested the public in attendance to submit any further comments by July 29, 2019.

Adjournment:

The meeting adjourned at 7:00 p.m.



THE TOWNSHIP OF PUSLINCH NOTICE OF COMPLETE APPLICATION & NOTICE OF THE PUBLIC MEETING

TAKE NOTICE that pursuant to the requirements of the Planning Act, R.S.O., 1990, as amended, the Township of Puslinch has received a complete application to amend Zoning By-law 19/85. The file number assigned to this application is **D14/SUN**.

AND TAKE NOTICE that the Council of the Township of Puslinch will hold a **Public Meeting on Wednesday, 14th of August 2019 at 6:00 pm** in the Council Chambers at 7404 Wellington Road 34, pursuant to the requirements of Section 34 of the Planning Act, R.S.O., 1990, as amended.

THE LAND SUBJECT to the application is known as Part Lot 17, Concession 1, municipally known as 6920 Concession 1, Township of Puslinch. The subject lands are shown on the inset map.

THE PURPOSE AND EFFECT of the application is to amend Township of Puslinch Zoning By-law 19/85 to rezone the lands to permit a residential building.

ORAL OR WRITTEN SUBMISSIONS may be made by the public either in support or in opposition to the proposed Zoning By-law Amendment. Any person may attend the public meeting and make an oral submission or direct a written submission to the Township Clerk at the address below. All those present at the public meeting will be given the opportunity to make an oral submission, however; it is requested that those who wish to address Council notify the Township Clerk in advance of the public meeting.

TAKE NOTICE that if a person or public body would otherwise have an ability to appeal the decision of the Council of the Township of Puslinch to the Local Planning Appeal Tribunal (LPAT) but the person or public body does not make oral submissions at a public meeting or make written submissions to the Township of Puslinch before the by-law is passed, the person or public body is not entitled to appeal the decision.

AND TAKE NOTICE that if a person or public body does not make oral submissions at a public meeting, or make written submissions to the Township of Puslinch before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal (LPAT) unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

REQUEST FOR NOTICE OF DECISION regarding the Zoning By-law amendment must be made in written format to the Township Clerk at the address shown below.

ADDITIONAL INFORMATION regarding the proposed amendment, including information about appeal rights, is available between 8:30 a.m. and 4:00 p.m. at the Township of Puslinch Municipal Office.

KEY MAP

Dated at the Township of Puslinch on this 12th day of July 2019.

Nina Lecic
Clerk
Township of Puslinch
7404 Wellington Road 34
Puslinch, Ontario NOB 2J0
Phone (519) 763-1226
admin@puslinch.ca





PLANNING REPORT for the TOWN OF PUSLINCH

Prepared by the County of Wellington Planning and Development
Department

DATE: August 14th, 2019
TO: Patrick Moyle, Acting CAO
Township of Puslinch
FROM: Meagan Ferris, Senior Planner
County of Wellington
SUBJECT: PUBLIC MEETING
**Zoning By-law Amendment Application D14/SUN – Sunrise Therapeutic
Riding and Learning Centre**
6920 Concession 1, Puslinch
**Rezone to expand facility with supportive housing and permit ancillary
uses**

SUMMARY/COMMENTS

The purpose of the subject zoning by-law amendment is to add a site specific zone provision to the subject lands, 6920 Concession 1, that will (i) introduce a permanent, supportive housing structure for adults with special needs and (ii) recognize and permit accessory uses to the existing therapeutic horse riding centre known as Sunrise Therapeutic Riding & Learning Centre.

The subject housing proposal is intended to provide a permanent, supportive housing opportunity that will establish a total of twenty-two (22) suites and rooms for attendees of the riding and learning centre. The intent is for said users to live on-site and continue to take part in the therapeutic riding, recreation and sport services available on-site, while also learning life skills via farm related activities such as caring for animals and horses on site, farm maintenance, and horticulture activities.

It is recommended that this Public Meeting Report regarding the proposed Zoning By-law Amendment D14/SUN be received for information.

INTRODUCTION

The subject rezoning application relates to land legally described as South Half Lot 30, Con 1, within the Township of Puslinch, and known municipally as 6920 Concession 1 (see Figure 1). The property is approximately 39.94 hectares (98.7 acres) in size and contains an existing, single family dwelling, pool, indoor riding arena and barn, horse paddocks, and accessory structure utilized for office space related to the existing uses on-site (i.e. Sunrise Therapeutic Riding & Learning Centre). The existing uses are serviced by two (2), existing septic systems and a well. The subject lands also have direct frontage and existing access onto Concession 1. No new road access is being proposed.

PROPOSAL

The purpose of the subject zoning by-law amendment application is to rezone the lands from Agriculture (A) Zone and Natural Environment (NE) Zone to introduce a site specific Agriculture (A) Zone. The proposed zoning amendment does not seek to amend the existing NE Zone.

Figure 1: Air Photo

The intent of the proposed zoning by-law amendment is to twofold:

- (1) to facilitate the construction of a supportive housing structure that is intended to contain up to twenty-two (22) units; and
- (2) to permit accessory uses associated with the therapeutic riding centre (i.e. day camp, administrative office, nature centre and horticulture learning centre, accessible playground etc.)

Of the total twenty-two (22) units and rooms, there will be sixteen (16) long-term suites and six (6) rooms providing temporary, respite opportunities. It is understood that the individual suites will contain a bathroom, kitchenette (without cooking abilities), a bedroom and living room while the respite rooms will function as a bedroom. The proposed supportive housing building will also contain common areas such as a kitchen, dining room, social gathering area and multipurpose hall which will be available to all of the residents.



The Sunrise Therapeutic Riding & Learning Centre, along with associated ancillary uses (i.e. day camp, administrative office etc.), are all currently operating on the subject lands. It is understood that the proposed building will be approximately 2400 m² (25 833.4 ft²) in size and 10 metres (32.8 feet) in height and will provide living accommodations for adults with special needs. It is also understood that the subject development proposal also includes an introduction of forty-four (44) parking stalls and a new, proposed septic system and well.

PROVINCIAL POLICY STATEMENT (PPS) (2014)

The subject property is located within a Prime Agricultural Area and contains natural heritage features and areas.

Section 2.3.3. of the PPS identifies that the following uses are permitted in prime agricultural areas – agricultural uses, agriculture-related uses, and on-farm diversified uses. Agricultural-related uses and on-farm diversified uses shall be compatible with and shall not hinder the surrounding agricultural operations.

Under the PPS, the following definitions are used for the aforementioned permitted uses:

- **agricultural uses** –

“means the growing of crops, including nursery, biomass, and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including, but not limited to livestock facilities, manure storages, value-retaining facilities, and accommodation for full-time farm labour when the size and nature of the operation requires additional employment.”

- **agricultural-related uses** –

“means those farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations, and provide direct products and/or services to farm operations as a primary activity.”

- **on-farm diversified uses** – “means uses that are secondary to the principal agricultural use of the property, and are limited in area. On-farm diversified uses include, but are not limited to, home occupations, home industries, agri-tourism uses, and uses that produce value-added agricultural products.”

Figure 2: Development Proposal



Section 2.3.3.3 also requires that new land uses comply with the minimum distance separation formula (MDS). There is an equestrian operation across the road from the subject lands. On-farm diversified uses are not typically subject to MDS review; however, the proponent's consults have evaluated this use in relation to adjacent, livestock operations.

The Province has developed the *Guideline on Permitted Uses in Ontario Prime Agricultural Areas*. On-farm diversified uses are permitted in Prime Agricultural Area provided that the following criteria are met and the use is: located on a farm, secondary to the principle agricultural use, is limited in area, and is compatible and shall not hinder agricultural operations. In terms of the limited area criteria, this speaks to utilizing 2% of an agricultural property to a maximum of 1 hectare (2.47 acres). The key components of determining appropriateness of an on-farm diversified use is that it is secondary and limited in scale.

Natural Heritage:

Section 2.1.1 of the Provincial Policy Statement (2014) identifies that natural features and areas shall be protected for the long term, with additional policies speaking to development and site alteration not being permitted within a significant wetland, or a demonstration of no negative impacts is required for development within a significant woodland.

Section 3.1.1 speaks to directing development outside of hazardous lands adjacent to rivers, streams, and small inland lake systems which are impacted by flooding hazards and/or erosion hazards. Section 3.1.2 does not permit development and site alteration within a floodway.

The proposed development is situated approximately 300 metres (984.2 feet) away from the natural heritage features and areas in the north end of the property and approximately 100 metres (328 feet) or more from the watercourse in the south end of the property.

PROVINCIAL GROWTH PLAN (2019)

A portion of the property is impacted by the Growth Plan's Natural Heritage System mapping. There are several key natural features and key hydrological features on the subject lands; however, it is understood that all development and site alteration will be situated well outside of these features, as mentioned within the PPS section of this report.

Section 4.2.6 of the Growth Plan speaks to an Agricultural System; however, the provincial mapping for this system is not implemented on lands outside of the Greenbelt Plan until the provincial mapping has been incorporated into the County's Official Plan.

GREENBELT PLAN (2017)

The subject lands are not located within the Greenbelt Plan; therefore, this policy document is not applicable.

WELLINGTON COUNTY OFFICIAL PLAN

The subject property is primarily designated as PRIME AGRICULTURAL AREA within the County of Wellington Official Plan, with a portion of the site (north and south portion) being designated as CORE GREENLAND SYSTEM and GREENLAND SYSTEM.

In the Prime Agricultural Area, Section 6.4.3 establishes permitted uses which include: agricultural uses; secondary uses (i.e. home based businesses or farm businesses); agricultural-related uses; existing uses; single detached dwellings; second units; garden suites; accessory residence; forestry uses; wayside pits and quarries, portable asphalt plants and portable concrete plants on public authority contracts; licensed aggregate operations; community service facilities; group homes on existing lots of records; and kennels on existing lots of record. All uses permitted by this section must be compatible with and not hinder surrounding land uses.

Within the Prime Agricultural Area, home and farm businesses are permitted. Section 6.4.4 Home Businesses and Farm Businesses identifies that farm businesses are small scale businesses that provide value-added products from the farm and may be allowed subject to zoning provisions – examples include:

- Farm vacation enterprises;
- Cottage wineries;
- Value-added processing or packaging;
- Sales outlets for agricultural products produced on the farm;
- Seed cleaning;
- Pick-your-own, catch-your-own operations

With regards to the Core Greenland and Greenland System, the features that are identified in the south portion of the property is a watercourse that is regulated by the Grand River Conservation Authority (GRCA) and identified as Flood Plain. The features in the north end of the property consists of – Provincially Significant Wetlands, wetlands, and significant wooded area. The features in the north portion of the site are also identified as Environmentally Sensitive Area. The proposed structures are not intended to be located in close proximity to any of the aforementioned features.

The subject lands are also identified as being within the Paris and Galt Moraine Policy Area. These policies seek to protect the moraine's processes and features and promote stewardship. Best practices for small scale development that do not rely on significant site alteration is to reduce or eliminate cut and fill activities that would fill in land surface depressions.

HOUSING OPPORTUNITY

The subject proposal, as presented, is proposing a (permanent and temporary) housing opportunity for adults with special needs that is (i) affordable and (ii) provides a level of assisted living. This use is proposed as an ancillary use to the existing therapeutic riding centre and seeks to provide housing and support to adult attendees while continuing to provide therapeutic opportunities, and learning and socializing opportunities, including teaching life skills through the observation and completion of farm based tasks (i.e. maintaining and caring for horses,

horticulture etc.). The subject proposal is atypical and unique as supportive housing uses are typically found within urban areas/settlement areas. The subject proposal, as identified by the applicant's consultant, is intrinsically linked with Sunrise, its therapeutic opportunities and the farm operation. As such, the use is identified as being required to be located within the rural setting and on an active farm.

There are various policies at the Provincial and County level that speak to and support providing housing opportunities. Specifically, with the County's Official Plan:

- Section 4.4.5 Affordable Housing – For rental housing, affordable means a unit for which the rent is at or below the average market rent of a unit in the regional market area. Within the County, second units, semi-detached duplex, townhouses and low rise apartments provide the bulk of affordable opportunities.

In the Rural System, affordable housing opportunities are not readily available and second units will be the most likely means to increasing the affordable housing supply.

- Section 4.4.8 Special Needs and Senior Housing – The County will provide opportunities for special needs housing to address the needs of seniors and persons with physical, sensory and mental health disabilities. These housing uses will generally be encouraged in urban areas with appropriate services.
- Although not representing the same use, within the County's Official Plan, permanent housing-type uses such as group homes and accessory residences for farm help are both permitted as of right within the Prime Agricultural Area.

ZONING BY-LAW

Zoning By-law 19/85

The subject property is zoned Agricultural (A) and Natural Environment (NE). The 'A' Zone does not permit the subject proposed uses, specifically the proposed supportive housing structure. As requested, the subject zoning by-law amendment is to amend the 'A' Zone portion of the site to allow for:

- the proposed new building containing a total of twenty-two (22) residential suites and rooms, including a common kitchen, dining room, social gathering area, and multipurpose hall as a use that is directly associated to the existing, therapeutic riding centre and the farm operation; and
- allow for associated accessory uses such as existing uses – administrative office, nature centre and horticulture learning centre, accessible playground, a day camp

Part of the subject zoning by-law amendment request is to also:

- establish setbacks from property lines to guide and limit the placement and size of the proposed supportive housing building;

- to establish a parking requirement of forty-four (44) parking stalls; and
- to clarify that the proposed supportive housing use is a Type A use when considering future applications for neighbouring livestock expansion under the Minimum Distance Separation Formula.

Staff notes that a group home is permitted within any single family dwelling and is defined as: “a single housekeeping unit in a residential dwelling in which three to ten persons (excluding supervisory staff or receiving family) live as a family under responsible supervision consistent with the particular needs of its residents. The home is licensed or approved under provincial statutes and in compliance with municipal by-laws.” The subject proposal is proposed for a total of twenty-two (22) persons and it is understood that the proposed use is not licensed by the Province.

Zoning By-law 23-2018 (New Township By-law – Under Appeal)

The subject property is zoned Agricultural (A) and Natural Environment (NE), and also subject to a Natural Environment overlay. As requested, the subject zoning by-law amendment is to amend the ‘A’ Zone portion of the site to allow for the uses noted above.

The definition of group home is “residential accommodations in a single detached dwelling for up to 10 people (exclusive of staff) with special needs beyond economic requirements, including physical, social, and mental needs, which require support functions for daily living.” This definition removed the connection to provincial licensing.

Where a group home is permitted is the same as by-law 19/85.

SUPPORTING DOCUMENTS PROVIDED

As part of a complete application, the following supporting studies and information were provided:

- Planning Justification Report (GSP Group, dated June 2019);
 - The Planning Justification Report identifies that the supportive housing use is considered to be an on-farm diversified use that is on a farm, secondary to the principle farm use, and limited in scale with approximately 1% of the total farm being utilized.
- Preliminary Water Availability Assessment (Wilson Well Drilling, dated May 29th, 2019);
 - A letter was prepared that identifies that the proposed introduction of a supportive housing use will trigger the need for a new well and that there is sufficient quantity of water available.
- Preliminary Sewage System Assessment (VanHarten Surveying Inc., dated May 15, 2019)
 - The assessment concluded that the sewage flows from the existing office and house should be routed to connect with the flows of the new building to utilize one common leaching bed.

- The peak event would be 8,500 L/day. A test pit in the preferred leaching bed area is recommended to confirm the documented percolation rate.
- An advanced treatment unit is recommended and this advanced system would provide aerobic treatment and would reduce the size of the leaching bed required.

AGENCY AND PUBLIC COMMENTS

This application was circulated to statutory agencies by the Township. The comments received are as follows:

- *GM BluePlan Engineering Limited* – No concerns or objections with the rezoning application. Additional information will be required at the time of site plan.
- *GWS Ecological & Forestry Services Inc.* – No concerns or objections. Based on information available there are no wetlands, woodlands or watercourses in close proximity to the proposed new building and septic bed.

No comments from neighbouring property owners have been received to date.

NEXT STEPS

The public meeting for this application is scheduled for August 14th, 2019. Planning Staff will attend the upcoming public meeting to hear the applicant's presentation and any public comments.

Respectfully submitted
County of Wellington Planning and Development Department



Meagan Ferris RPP MCIP
Senior Planner



LEGISLATIVE ASSEMBLY OF ONTARIO

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Wellington-Halton Hills Provincial Riding Office
Fergus, Ontario

July 25, 2019

Hon. Caroline Mulroney
Minister of Transportation
Ferguson Block, 3rd Floor
77 Wellesley St. W
Toronto, ON M7A 1Z8

Dear Minister,

On July 15, I met with your Director of Stakeholders and Appointments, Ryan Amato, about the need for the Highway 6 Morriston Bypass in my riding of Wellington-Halton Hills, and am writing to follow-up on our conversation.

As I have previously shared with you and your predecessors, the Highway 6 Morriston Bypass project was previously set as a transportation infrastructure priority. I know you will want to consider this project for the government's short-term investment plan as a way to improve the flow of traffic along our major highways and bring new economic opportunities to the province.

I have been assertively supporting this project for many years, on behalf of my constituents. Highway 6 is an important economic corridor, which links Wellington County and the 401 to the Hamilton/Niagara Region, and onwards to the United States border. There is currently a bottleneck on Highway 6 through the community of Morriston causing traffic jams that often extend for several kilometres.

Over the years, we have established a strong economic case for prioritizing the Highway 6 Morriston Bypass. A review of your Ministry's files will confirm that building it will benefit a large area of the Province and support job creation and retention. Attached to this letter you will find a deck of slides from the *Morriston Bypass Coalition*, which include many major corporations, including Sleemans, Maple Leaf Foods, and Tim Hortons, as well as many important business and community organizations, further highlighting the economic benefits of the bypass.



Ontario

LEGISLATIVE ASSEMBLY OF ONTARIO

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Working together, we advocated across party lines to secure the Ministry of Transportation's support for the Highway 6 Morriston Bypass. We welcomed the former Government's announcement on March 29, 2016 that the project would proceed. I have also attached to this letter copies of my Keeping in Touch newsletters from 2015 and 2016 which include articles pertaining to the bypass and its progress.

It is my hope that the Highway 6 Morriston Bypass be included in the Ministry's new Highway Capital Plan, as it has a strong business case and had previously been announced as a priority by the Government of Ontario.

Please keep me informed on any updates to this important project. My office would also be happy to provide any further information as it may be required.

I want to wish you all the best as you continue to settle into this role and I look forward to seeing you in the Legislature as Minister of Transportation in the fall.

Thank you very much,

Sincerely,

A handwritten signature in black ink that reads "Ted Arnott".

Ted Arnott, MPP
Wellington-Halton Hills

TA:rn

Encl.

July 25, 2019

To Our Development Charge Clients:

Re: Bill 108: Draft Regulations for the Development Charges Act and Planning Act (Community Benefits Charge Related)

On behalf of our many municipal clients, we are continuing to provide the most up-to-date information on the proposed changes to the *Development Charges Act* (D.C.A.) as proposed by Bill 108. The Province has recently released draft Regulations related to the D.C.A. and the community benefits charge (C.B.C.). These Regulations are posted on the Environmental Registry of Ontario for public comment which is open until August 21, 2019. Comments may be made at the following websites:

- Development Charge Regulation – <https://ero.ontario.ca/notice/019-0184>; and
- Community Benefits Charge Regulation – <https://ero.ontario.ca/notice/019-0183>.

We would note that the Province has established a Technical Working Committee to advise on the methodological approach for the development of a proposed formula to be used in the C.B.C. calculation. Gary Scandlan has been invited and will participate as a member of this committee.

This letter provides a review and commentary on the Regulations proposed for the D.C.A. and the *Planning Act* (as they relate to the C.B.C.). These draft Regulations are included in the attached Appendices. Note that some of the proposed changes are provided directly in the draft Regulations while other comments were included in other documents circulated by the Province.

Proposed D.C.A. Regulation Changes – ERO Number 019-0184

1. Transition of Discounted Soft Services

Provides for transition to the C.B.C. authority during the period of January 1, 2020 to January 1, 2021.

- Confirm that all D.C.A. provisions of Bill 108 will be effective at the municipality's discretion during the transition period (i.e. by January 1, 2021), such that development charge (D.C.) by-law amendments for collections and statutory exemptions can take effect at the same time as transitioning soft services.



2a). D.C. Deferral

Provides for the deferral of D.C.s for rental housing development, non-profit housing development, institutional/industrial/commercial development until occupancy.

- This speaks to “until occupancy;” however, it is proposed to be collected during a term (5 or 20 years) beyond occupancy. Clarify that this means period “from the date of occupancy.”
- As the landowner may change during the period when payments are being made, how will municipalities be able to track the changes in ownership? Is there an ability to place a notice on title of the land?
- Can security be taken to ensure recovery of the payments?

2b). Deferral Definitions

“Non-profit housing development’ means the construction, erection or placing of one or more buildings or structures for or the making of an addition or alteration to a building or structure...”

- This appears to cover both new developments as well as redevelopment. Need to consider how the application of D.C. credits would apply on redevelopments.

“Rental housing development’ means...four or more self-contained units that are intended for use as rented residential premises.”

- Definition speaks to “intended.” What requirement is in place for these units to remain a “rented residential premises” and over what period of time?
- Can municipalities impose requirements to maintain status over the term of installments?
- How will this be substantiated at the time of occupancy?

“Non-profit housing development’ means...by a non-profit corporation.”

- Any requirement to remain a “non-profit corporation” for a period of time?
- Can municipalities impose requirements to maintain status over the term of installments?
- How will this be substantiated at the time of occupancy?

“Institutional development’ means...long-term care homes; retirement homes; universities and colleges; memorial homes; clubhouses; or athletic grounds of the Royal Canadian Legion; and hospices.”

- Long-term care homes and retirement homes are considered in some municipalities as residential developments with charges imposed based on



number of dwelling units. Does this require these developments to be charged as non-residential developments based on gross floor area of development?

- Does the phrase “universities and colleges” relate only to the academic space? Many municipalities impose charges on the housing related to the institution.

“Commercial development’ means...office buildings as defined under subsection 11(3) in Ontario Regulation 282/98 under the Assessment Act; and shopping centres as defined under subsection 12(3) in Ontario Regulation 282/98 under the Assessment Act.”

- This would appear to apply to a subset of commercial types of development. The *Assessment Act* defines a shopping centre as:
 - “i. a structure with at least three units that are used primarily to provide goods or services directly to the public and that have different occupants, or
 - ii. a structure used primarily to provide goods or services directly to the public if the structure is attached to a structure described in subparagraph i on another parcel of land.”
 - “‘Shopping centre’ does not include any part of an office building within the meaning of subsection 11 (3).”
- Office includes:
 - “(a) a building that is used primarily for offices,
 - (b) the part of a building that, but for this section, would otherwise be classified in the commercial property class if that part of the building is used primarily for offices.”
- Confirm all other types of commercial will continue to be charged fully at the time of building permit issuance.
- Will these definitions require D.C. background studies to further subdivide the growth forecast projections between shopping centre, office and other commercial development for cashflow calculation purposes?

Administration of deferral charges in two-tier jurisdiction.

- Regulation does not speak to policies for upper- and lower-tier municipalities. Areas where variation could occur include collection of installments (e.g. who monitors and collects installments), commonality for processing payment defaults, interest rates, etc.

3. D.C. Freeze for Site Plan and Zoning By-law Amendment

The D.C. quantum would be frozen “until two years from the date the site plan application is approved, or in the absence of the site plan application, two years from the date the zoning application was approved.”



- D.C.s are frozen from date of site plan or zoning by-law application up to a period of 2 years after approval. In the situation where the planning application is appealed by the applicant, would they still be entitled to the rates at the date of planning application submission?
- This provision may provide for abuse where land owners may apply for minor zoning changes in order to freeze the D.C. quantum for several years.

4. Maximum Interest Rates on D.C. Deferrals for Freeze

Minister is not proposing to prescribe a maximum interest rate that may be charged on D.C. amounts that are deferred or on D.C.s that are frozen.

- Municipalities will need to consider what rates are to be used in this regard (e.g. annual short-term borrowing rates, long-term debenture rates, maximum rates on unpaid taxes, etc.).
- Should there be consistency between upper- and lower-tier municipalities?
- If interest rate selected is too high, would it discourage paying installments?

5. Additional Dwelling Units

It is proposed that the present exemption within existing dwellings be expanded to allow "...the creation of an additional dwelling in prescribed classes of residential buildings and ancillary structures does not trigger a D.C." Further, in new single, semi and row dwellings (including ancillary structures), one additional dwelling will be allowed without a D.C. payment. Lastly, it is proposed that, "...within other existing residential buildings, the creation of additional units comprising 1% of existing units" would be exempted.

- All the noted exemptions should be granted once, so as to not allow for multiple exemptions in perpetuity.
- Need to define a "row dwelling." Does this include other multiples such as stacked and/or back-to-back townhouses?

C.B.C. – Proposed Planning Act Regulation - ERO Number 019-0183

1. Transition

The specified date for municipalities to transition to community benefits is January 1, 2021.

- While this seems like a long period of time, there are over 200 municipalities with current D.C. by-laws. As it will take some time to evaluate the approach to these studies, carry out the studies, undertake a public process and pass by-laws, the time frame is limited and should be extended to at least 18 months.



2. Reporting on Community Benefits

“Municipalities would be required annually to prepare a report for the preceding year that would provide information about the amounts in the community benefits charge special account, such as:

- *Opening and closing balances of the special account*
 - *A description of the services funded through the special account*
 - *Details on amounts allocated during the year*
 - *The amount of any money borrowed from the special account, and the purpose for which it was borrowed*
 - *The amount of interest accrued on money borrowed.”*
- Confirm that “special account” and reserve fund have the same meaning.
 - In regard to amounts allocated, within the context of the legislation where 60% of funds must be spent or allocated annually, can amounts be allocated to a capital account for future spending (e.g. recreation facility in year 5)?
 - Similar to D.C. reserve funds, can the funds in the special account only be borrowed for growth-related capital costs?

3. Reporting on Parkland

Prescribed reporting requirements for parkland, “Municipalities would be required annually to prepare a report for the preceding year that would provide information about the amounts in the special account, such as:

- *Opening and closing balances of the special account*
 - *A description of land and machinery acquired with funds from the special account*
 - *Details on amounts allocated during the year*
 - *The amount of any money borrowed from the special account, and the purpose for which it was borrowed.”*
- In regard to the amount of interest accrued on money borrowed, confirm that the “special account” and reserve fund have the same meaning.
 - This section of the Regulation is introduced to allow municipalities to continue using the current basic parkland provisions of the *Planning Act*. However, in contrast to the current reporting under s. 42 (15) which allows funds to be used “for park or other public recreation purposes,” the scope in this Regulation is for “land and machinery.” Confirm whether the scope of services has been limited.

4. Exemptions from Community Benefits

“The Minister is proposing that the following types of developments be exempt from charges for community benefits under the Planning Act:

- *Long-term care homes*
- *Retirement homes*
- *Universities and colleges*



- *Memorial homes, clubhouses or athletic grounds of the Royal Canadian Legion*
- *Hospices*
- *Non-profit housing.”*
- Confirm that for-profit developments (e.g. long-term care and retirement homes) will be entitled to exemptions.
- Will Regulations prescribe that exemptions must be funded from non-C.B.C. sources, similar to D.C.s?
- Does the phrase “universities and colleges” relate only to the academic space? Many municipalities impose charges on the housing related to the institution.
- Does the phrase “universities and colleges” include private institutions? Should a definition be provided to clarify this?

5. Community Benefits Formula

Provides the authority for municipalities to charge for community benefits at their discretion, to fund a range of capital infrastructure for community services needed because of new development.

- The Regulation notes that, “This capital infrastructure for community services could include libraries, parkland, daycare facilities, and recreation facilities.” Is the inclusion of libraries, parkland, daycare facilities, and recreation facilities as capital infrastructure for community services intended to be exhaustive, or are all other “soft” services (e.g. social and health services) eligible to be included as community benefits?
- The C.B.C. payable could not exceed the amount determined by a formula involving the application of a prescribed percentage to the value of the development land. The value of land that is used is the value on the day before the building permit is issued to account for the necessary zoning to accommodate the development. Will a range of percentages be prescribed to take into account varying values of land for different types of development or will the C.B.C. strategy require a weighting of the land values within the calculations?
- Will the range of percentages account for geographic differences in land values (e.g. municipal, county, regional, etc.)?
- Will they account for differences in land use or zoning?
- It is noted that, at present, municipalities may impose parkland dedication requirements and D.C.s on non-residential lands. Will non-residential lands be included as chargeable lands? If not, does this allow municipalities to place 100% of the servicing needs onto residential development?
- This Ministry is not providing prescribed percentages at this time. Can the Province confirm that no prescribed percentages will be proclaimed during the transition period?



6. Appraisals for Community Benefits

It is proposed that,

- *“If the owner of land is of the view that the amount of a community benefits charge exceeds the amount legislatively permitted and pays the charge under protest, the owner has 30 days to provide the municipality with an appraisal of the value of land.*
 - *If the municipality disputes the value of the land in the appraisal provided by the owner, the municipality has 45 days to provide the owner with an appraisal of the value of the land.*
 - *If the municipality’s appraisal differs by more than 5 percent from appraisal provided by the owner of the land, the owner can select an appraiser from the municipal list of appraisers, that appraiser’s appraisal must be provided within 60 days.”*
- Is the third appraisal binding? Can this appraisal be appealed to L.P.A.T.?
 - Can the costs for appraisals be included as eligible costs to be funded under the C.B.C.?
 - Do all municipalities across the Province have a sufficient inventory of land appraisers (i.e. at least 3) to meet the demands and turnaround times specified within the Regulations?

7. Excluded Services for Community Benefits

“The following facilities, services or matters are to be excluded from community benefits:

- *Cultural or entertainment facilities*
 - *Tourism facilities*
 - *Hospitals*
 - *Landfill sites and services*
 - *Facilities for the thermal treatment of waste*
 - *Headquarters for the general administration of municipalities and local boards.”*
- This would be consistent with the ineligible services list currently found under the D.C.A. Is there a distinction between “the thermal treatment of waste” and incineration?
 - Will there be any limitation to capital costs for computer equipment or rolling stock with less than 7 years’ useful life (present provision within the D.C.A.)?
 - Will the definition of eligible capital costs be the same as the D.C.A.?
 - Question this relative to the description of community services in item 5 above.

8. Community Planning Permit System

Amendments to the Planning Act will allow conditions requiring the provision of specified community facilities or services, as part of the community planning permit system (which combines and replaces the individual zoning, site plan and minor variance processes). It is proposed, “that a community benefits charge by-law would



not be available for use in areas within a municipality where a community planning permit system is in effect and specified community services are identified.”

- The above suggests different charges to different lands. It is unclear as to the amount of recovery provided under the C.B.C. and that allowed under the community planning permit system.
- Will the community planning permit system have the same percentage of land value restrictions as the C.B.C.?

9. Other Matters

The following are questions arising from the new cost recovery approach which is not clearly expressed in the draft legislation.

- If a land owner sells the property at a discounted value, does an appraisal of that land relative to similar lands override the discounted value shown in the actual sale?
- Will Counties and Regions be allowed to continue the collection of their soft services? How will their percentage of the land value be allocated? If they are required to provide an averaged percentage across their jurisdiction, how are they to recover their costs if, say, their percentage of land value can be absorbed within the urban municipalities but not absorbed within the rural municipalities?
- How are mixed uses to be handled? For example, exempt institutional uses are planned for the first floor of a high-rise commercial/residential building.
- Will ownership vs. use impact on the ability to impose the charge?

Yours very truly,

WATSON & ASSOCIATES ECONOMISTS LTD.

Gary D. Scandlan, BA, PLE
Director

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Appendix A

Draft Regulations -
Development Charges Act

Draft Regulations – Development Charges Act

The More Homes, More Choice Act, 2019 received Royal Assent on June 6, 2019. Schedule 3 of the Act makes amendments to the Development Charges Act to reduce development costs and provide more housing options to help make housing more attainable for the people of Ontario.

There are provisions in the Act that require additional details to be prescribed by regulation. The following are matters that the province is proposing to prescribe in regulation.

Regulatory changes: General

1. Transition

The amendments in Schedule 12 of the More Homes, More Choice Act, 2019 would, upon proclamation, provide transitional provisions for section 37, and section 42 under the Planning Act, and in Schedule 3 of the Act provide transitional provisions for development charges for discounted services (soft services) under the Development Charges Act to provide for the flexibility necessary for municipalities to migrate to the community benefits charge authority.

Municipalities would be able to transition to the community benefits charge authority once the legislative provisions come into force (as will be set out in proclamation). It is proposed that the legislative provisions related to community benefits charges would come into force on January 1, 2020.

An amendment to the Development Charges Act, 1997 provides for a date to be prescribed in regulation that would effectively establish a deadline as to when municipalities must transition to the community benefits authority if they wish to collect for the capital costs of community benefits from new development (unless a municipality will only collect parkland).

Proposed content

The Minister proposes that the specified date for municipalities to transition to community benefits is January 1, 2021.



From this date to beyond:

- Municipalities would generally no longer be able to collect development charges for discounted services

2. Scope of types of development subject to development charges deferral

The province recognizes that development charges are one of the many demands on cashflow for new development. Mandating the deferral of development charge alleviates some pressure on cashflow which could increase the likelihood of riskier, cost-sensitive housing projects, such as purpose-built rentals proceeding. As such, amendments to the Development Charges Act made by Schedule 3 of the More Homes, More Choice Act, 2019 would, upon proclamation, provide for the deferral of development charges for rental housing development; non-profit housing development; institutional development; industrial development; and commercial development until occupancy.

The proposed regulatory change would provide further detail concerning what constitutes rental housing; non-profit housing; institutional development; industrial development; and commercial development.

Proposed content

The Minister proposes that the types of developments proposed for development charge deferrals be defined as follows:

- “Non-profit housing development” means the construction, erection or placing of one or more buildings or structures for or the making of an addition or alteration to a building or structure for residential purposes by a non-profit corporation.
- “Institutional development” means the construction, erection or placing of one or more buildings or structures for or the making of an addition or alteration to a building or structure for:
 - long-term care homes;
 - retirement homes;
 - universities and colleges;



- memorial homes; clubhouses; or athletic grounds of the Royal Canadian Legion; and
 - hospices
- “Industrial development” means the construction, erection or placing of one or more buildings or structures for or the making of an addition or alteration to a building or structure for:
 - manufacturing, producing or processing anything,
 - research or development in connection with manufacturing, producing or processing anything,
 - storage, by a manufacturer, producer or processor, of anything used or produced in such manufacturing, production or processing if the storage is at the site where the manufacturing, production or processing takes place, or
 - retail sales by a manufacturer, producer or processor of anything produced in manufacturing, production or processing, if the retail sales are at the site where the manufacturing, production or processing takes place.
- “Commercial development” means the construction, erection or placing of one or more buildings or structures for or the making of an addition or alteration to a building or structure for:
 - office buildings as defined under subsection 11(3) in Ontario Regulation 282/98 under the Assessment Act; and
 - shopping centres as defined under subsection 12(3) in Ontario Regulation 282/98 under the Assessment Act.

3. Period of time for which the development charge freeze would be in place

In order to provide greater certainty of costs, amendments to the Development Charges Act made by Schedule 3 to the More Homes, More Choice Act, 2019 would, upon proclamation, provide that the amount of a development charge would be set at the time council receives the site plan application for a development; or if a site plan is not submitted, at the time council receives the application for a zoning amendment (the status quo would apply for developments requiring neither of these applications).



The proposed regulatory change would establish the period in which the development charge rate freeze will be in place.

Proposed content

In order to encourage development to move to the building permit stage so that housing can get to market faster and provide greater certainty of costs, the Minister is proposing that the development charge would be frozen until two years from the date the site plan application is approved, or in the absence of the site plan application, two years from the date the zoning application was approved.

4. Interest rate during deferral and freeze of development charges

Amendments to the Development Charges Act in Schedule 3 to the More Homes, More Choice Act, 2019 would, upon proclamation, provide for municipalities to charge interest on development charges payable during the deferral. It also provides for municipalities to charge interest during the development charge ‘freeze’ from the date the applicable application is received, to the date the development charge is payable. In both cases, the interest cannot be charged at a rate above a prescribed maximum rate.

Proposed content

The Minister is not proposing to prescribe a maximum interest rate that may be charged on development charge amounts that are deferred or on development charges that are frozen.

5. Additional dwelling units

In order to reduce development costs and increase housing supply the Development Charges Act as amended by Schedule 3 to the More Homes, More Choice Act, 2019 would, upon proclamation, provide that:

- the creation of additional dwelling in prescribed classes of residential buildings and ancillary structures does not trigger a development charge; and
- the creation of a second dwelling unit in prescribed classes of new residential buildings, including ancillary structures, is exempt from development charges.

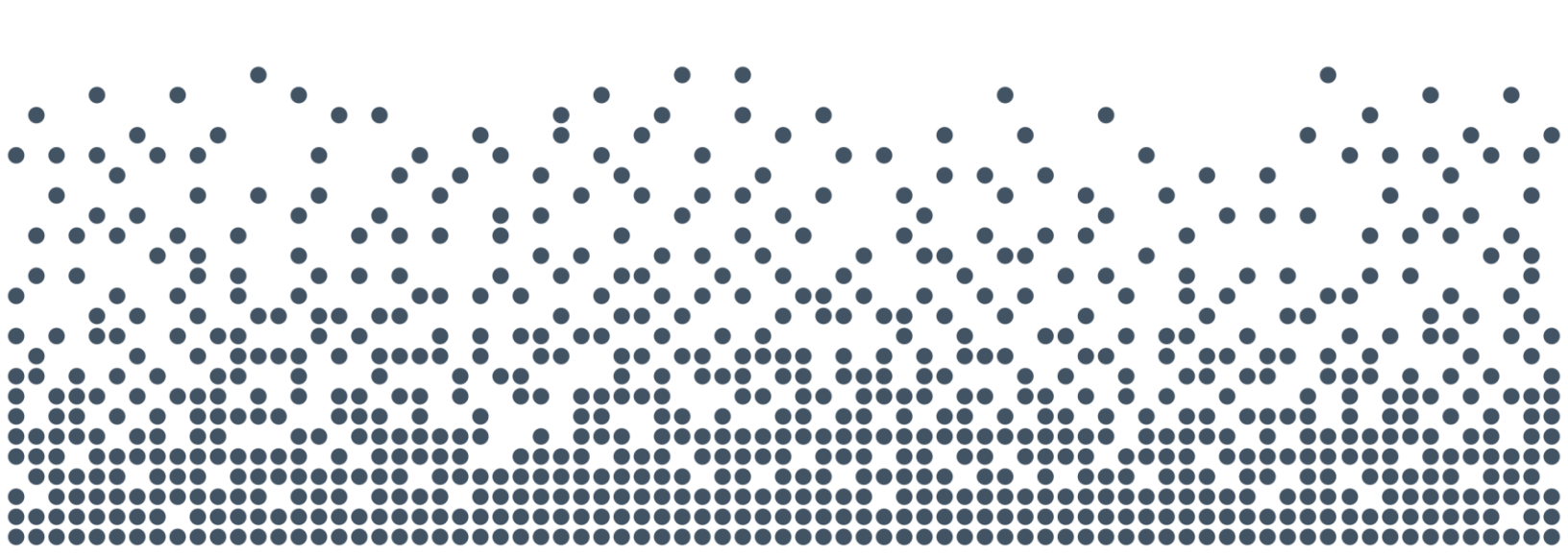
Proposed content



The existing O. Reg. 82/98 prescribes existing single detached dwellings, semi-detached/row dwellings and other residential buildings as buildings in which additional residential units can be created without triggering a development charge and rules related to the maximum number of additional units and other restrictions. It is proposed that this regulation be amended so that units could also be created within ancillary structures to these existing dwellings without triggering a development charge (subject to the same rules/restrictions).

It is also proposed that one additional unit in a new single detached dwelling; semi-detached dwelling; and row dwelling, including in a structure ancillary to one of these dwellings, would be exempt from development charges.

It is also proposed that within other existing residential buildings, the creation of additional units comprising 1% of existing units would be exempt from development charges.



Appendix B

Draft Regulations - Planning Act (Community Benefit Related)

Draft Regulations – Community Benefits Charge

The More Homes, More Choice Act, 2019 received Royal Assent on June 6, 2019. Schedule 12 of the Act would, upon proclamation, make amendments to the Planning Act to provide the authority for municipalities to charge for community benefits in order to fund a range of capital infrastructure for community services that would benefit new development.

There are provisions in Schedule 12 that require additional details to be prescribed by regulation. The following are matters that the province is proposing to prescribe in regulation.

Regulatory changes

1. Transition

The amendments to the Planning Act in Schedule 12 of the More Homes, More Choice Act, 2019 provide transitional provisions for section 37, and section 42 under the Planning Act, and development charges for discounted services (soft services) under the Development Charges Act to provide the flexibility necessary for municipalities to migrate to the community benefits charge authority.

An amendment to the Development Charges Act, 1997 provides for a date to be prescribed in regulation that would effectively establish a deadline as to when municipalities must transition to the community benefits authority if they wish to collect for the capital costs of community benefits from new development. Beyond the date prescribed in regulation:

- Municipalities would generally no longer be able to collect development charges for discounted services
- Municipalities would generally no longer be able to pass by-laws to collect funds under section 37 of the Planning Act

Proposed content

It is proposed that the specified date for municipalities to transition to community benefits is January 1, 2021.



2. Reporting on community benefits

The amendments to the Planning Act in Schedule 12 of the More Homes, More Choice Act, 2019 provide for municipalities that pass a community benefits by-law to provide the reports and information that may be prescribed in the regulation to persons prescribed in regulation.

Proposed content

In order to ensure that community benefit charges are collected and spent on community benefits in a transparent manner, and for greater accountability, the Minister is proposing to prescribe reporting requirements that are similar to existing reporting requirements for development charges and parkland under section 42 of the Planning Act.

Municipalities would be required annually to prepare a report for the preceding year that would provide information about the amounts in the community benefits charge special account, such as:

- Opening and closing balances of the special account
- A description of the services funded through the special account
- Details on amounts allocated during the year
- The amount of any money borrowed from the special account, and the purpose for which it was borrowed
- The amount of interest accrued on money borrowed

3. Reporting on parkland

The amendments to the Planning Act in Schedule 12 of the More Homes, More Choice Act, 2019 provide that municipalities may continue using the current basic parkland provisions of the Planning Act if they are not collecting community benefits charges. Municipalities with parkland special accounts will be required to provide the reports and information that may be prescribed in the regulation to persons prescribed in regulation.

Proposed content

In order to ensure that cash-in-lieu of parkland is collected and used in a transparent manner, the Minister is proposing to prescribe reporting requirements for parkland.



Municipalities would be required annually to prepare a report for the preceding year that would provide information about the amounts in the special account, such as:

- Opening and closing balances of the special account
- A description of land and machinery acquired with funds from the special account
- Details on amounts allocated during the year
- The amount of any money borrowed from the special account, and the purpose for which it was borrowed
- The amount of interest accrued on money borrowed

4. Exemptions from community benefits

To help reduce the costs to build certain types of development that are in high demand, amendments to the Planning Act in Schedule 12 of the More Homes, More Choice Act, 2019 provides for the Minister to prescribe such types of development or redevelopment in respect of which a community benefits charge cannot be imposed.

Proposed content

The Minister is proposing that the following types of developments be exempt from charges for community benefits under the Planning Act:

- Long-term care homes
- Retirement homes
- Universities and colleges
- Memorial homes, clubhouses or athletic grounds of the Royal Canadian Legion
- Hospices
- Non-profit housing

5. Community benefits formula

The amendments to the Planning Act in Schedule 12 of the More Homes, More Choice Act, 2019, provide the authority for municipalities to charge for community benefits at their discretion, to fund a range of capital infrastructure for community services needed because of new development.

This capital infrastructure for community services could include libraries, parkland, daycare facilities, and recreation facilities.



For any particular development, the community benefits charge payable could not exceed the amount determined by a formula involving the application of a prescribed percentage to the value of the development land. The value of land that is used is the value on the day before the building permit is issued to account for the necessary zoning to accommodate the development.

Proposed content

It is proposed that a range of percentages will be prescribed to take into account varying values of land.

In determining the prescribed percentages, there are two goals.

- Firstly, to ensure that municipal revenues historically collected from development charges for “soft services”, parkland dedication including the alternative rate, and density bonusing are maintained.
- Secondly, to make costs of development more predictable.

This Ministry is not providing prescribed percentages at this time. However, the Ministry would welcome feedback related to the determination of these percentages. There will be further consultation on the proposed formula in late summer.

6. Appraisals for community benefits

The authority to charge for community benefits under the Planning Act would enable municipalities, at their discretion, to fund a range of capital infrastructure for community services needed because of new development.

For any particular development, the community benefits charge payable could not exceed an amount determined by a formula involving the application of a prescribed percentage to the value of the development land on the day before the building permit is issued.

The amendments to the Planning Act in Schedule 12 of the More Homes, More Choice Act, 2019 provide for the owner of land proposing to develop a site, to provide the municipality with an appraisal of the site they are of the view that the community benefits charge exceeds what is legislatively permitted. Similarly, a municipality can also provide the owner of land with an appraisal if it is of the view that the owner of the



land's appraisal is inaccurate. If both appraisals differ by more than 5 percent, a third appraisal is prepared.

Proposed content

The Minister is proposing the following:

- If the owner of land is of the view that the amount of a community benefits charge exceeds the amount legislatively permitted and pays the charge under protest, the owner has 30 days to provide the municipality with an appraisal of the value of land.
- If the municipality disputes the value of the land in the appraisal provided by the owner, the municipality has 45 days to provide the owner with an appraisal of the value of the land.
- If the municipality's appraisal differs by more than 5 percent from appraisal provided by the owner of the land, the owner can select an appraiser from the municipal list of appraisers, that appraiser's appraisal must be provided within 60 days.

7. Excluded services for community benefits

Amendments to the Planning Act in Schedule 12 of the More Homes, More Choice Act, 2019 provide that community benefits charges cannot be imposed for facilities, services or matters associated with services eligible for collection under the Development Charges Act, 1997. It also provides for the province to prescribe facilities, services or matters in respect of which community benefit charges cannot be imposed.

Proposed content

The Minister is proposing to prescribe that the following facilities, services or matters be excluded from community benefits:

- Cultural or entertainment facilities
- Tourism facilities
- Hospitals
- Landfill sites and services
- Facilities for the thermal treatment of waste
- Headquarters for the general administration of municipalities and local boards



This would be consistent with the ineligible services list currently found under the Development Charges Act.

8. Community planning permit system

The community planning permit system is a framework that combines and replaces the individual zoning, site plan and minor variance processes in an identified area with a single application and approval process. O. Reg. 173/16 “Community Planning Permits” outlines the various components that make up the system, including the matters that must be included in the official plan to establish the system, the process that applies to establishing the implementing by-law and the matters that must or may be included in the by-law.

Proposed content

Amendments to the Planning Act in the More Homes, More Choice Act, 2019 establish a new authority for municipalities to levy charges for community benefits to make requirements in this regard more predictable. As the community planning permit system also allows conditions requiring the provision of specified community facilities or services, it is proposed that a community benefits charge by-law would not be available for use in areas within a municipality where a community planning permit system is in effect.

In considering making a proposed new regulation and changes to existing regulations under the Planning Act, the government will continue to safeguard Ontarians’ health and safety, support a vibrant agricultural sector, and protect environmentally and culturally sensitive areas, including the Greenbelt.

Submission on Regulatory Changes implementing the More Homes, More Choice Act, 2019

ERO # 019-0183 Proposed new regulation pertaining to the community benefits authority under the Planning Act

ERO #019-0184 Proposed changes to O. Reg. 82/98 under the Development Charges Act related to Schedule 3 of Bill 108 - More Homes, More Choice Act, 2019

1.0 Introduction

The Housing Supply Action Plan and accompanying legislative and regulatory changes are an opportunity for the province to deliver the meaningful changes to housing that Ontario needs. MFOA commends the province for addressing the issue of housing and growth-related challenges in Ontario. Housing affordability is a serious underlying challenge in Ontario. More than 27% of Ontario households paid more than 30% of total income towards shelter costs at the time of the last census. This was higher than the national average of 24%. For renters in Ontario, this figure was much higher, at over 45%.¹ At the same time, Ontario's population is projected to grow by 30% by 2041, which will add even more pressure to the housing market. As the Province notes in the Housing Supply Action Plan, "Ontario needs more housing, and we need it now." MFOA agrees that there is no time like the present to address this crisis to ensure the opportunities in our future are not compromised and to ensure that people across Ontario can find the housing that meets their needs in healthy communities.

There are a number of partners who, together, play an essential role in building healthy and vibrant communities in Ontario. Municipalities, many of whom are MFOA members, are equal partners in this equation. When a municipality grows, more housing is constructed, more roads are paved, more parks are built, more schools open, and a healthy community is formed. To minimize the impact of new development on existing tax payers, and to ensure that new residents enjoy the same services as the existing, growth needs to pay for growth. MFOA is therefore encouraged by the province's stated goal, "that municipal revenues historically collected from development charges for "soft services," parkland dedication including the alternative rate, and density bonusing are maintained", however, under the previous development charges arrangement, growth was not fully paying for growth, and this fact must be appropriately considered to ensure that the communities we build today be able to thrive in the future.

MFOA thanks the Province for the opportunity to provide comments on the proposed new regulation pertaining to the community benefits authority under the *Planning Act, 1990*, and the proposed changes to O. Reg. 82/98 under the *Development Charges Act, 1997* related to Schedule 3 of Bill 108 - *More Homes, More Choice Act, 2019*. MFOA has prepared the following comments based on our interpretation of the information contained in the two proposals. In the spirit of informed decision-making, MFOA first requests that the full draft regulations be released for consultation by the Province. The proposal summaries, written in general terms, do not provide adequate information to understand the full impact of changes introduced under Bill 108, the *More Homes, More Choice Act, 2019*. As communicated in our presentation to the Standing Committee on

¹ <https://www.fin.gov.on.ca/en/economy/demographics/census/cenhi16-11.html>

Justice Policy and our May 31 submission on Bill 108, these changes are significant and expose the municipal sector to new risks. Once draft regulations are completed, MFOA requests that these be posted to the ERO for stakeholder comment.

2.0 About MFOA

The Municipal Finance Officers' Association (MFOA) was established in 1989 to represent the interests of municipal finance staff across Ontario. Our membership roll includes individuals from municipalities representing 99.6% of the population of the Province, who act as key advisors to councils on financial affairs and are responsible for handling the financial activities of municipalities.

MFOA has a keen interest in development charges (DCs) and has a history of advocating on this issue on behalf of the municipal sector. Most recently, MFOA presented at the Standing Committee on Justice Policy about Bill 108, *More Homes, More Choice Act, 2019*, as well as submitted a technical response to the Province's Housing Supply Action Plan, along with a joint response with the Ontario Regional and Single Tier Treasurers. Each submission highlighted MFOA's long-standing position that growth should pay for growth. MFOA's submissions received strong endorsement from our members and from other municipal associations.

3.0 A Brief History of Development Charges in Ontario

Development charges are fees collected on new development and are the primary funding source for infrastructure needed to service growth in municipalities. The first Development Charges Act (DCA) in Ontario came into force in 1989. The DCA set out rules to enable municipalities to collect DCs to fund growth-related capital costs relating to new development. This legislation was broad and allowed municipalities to recover 100% of growth-related capital costs.

Since 1989 the DCA has been amended a number of times (1997, 2015, 2019), resulting in an overall lower level of cost recovery for municipalities. Growth-related costs have shifted from the development that created the costs to existing property tax and ratepayers.

Despite these changes, development charges continue to be an important funding tool for municipalities. Development charges fund growth-related costs for a range of services needed to create complete, vibrant communities.

4.0 Development Charges, Housing Affordability and the *More Homes, More Choice Act, 2019*

During consultations on the Bill 108, *More Homes, More Choice Act, 2019*, a wide range of stakeholders (municipal, non-profit associations, consulting firms) voiced concerns over the unintended consequences of the changes to development charges, both for municipal finance and housing affordability. From a municipal perspective, moving to the new Community Benefits Charge (CBC) regime poses financial and administrative challenges. As this submission will highlight, a number of the proposed changes could have financial risks to municipalities that could prevent the Act from realizing important goals. In addition, we are concerned about a greater administrative burden.

From a housing perspective, development charges have minimal impact on housing affordability as development charges represent approximately 5-7% of the price of a new single-family home in the GTA and Ottawa.² A recent study by the Royal Bank and Pembina Institute that examined the factors affecting home prices in the GTA concluded that, with respect to DCs, “the increase in these charges accounts for only a small fraction of the increase in home prices.”³ Reducing development charges does not guarantee lower house prices, rather it increases the burden on municipal revenues at the expense of other critical services and capital assets.

On June 6, 2019, the *More Homes, More Choice Act, 2019* received Royal Assent. As noted in MFOA’s presentation to the Standing Committee on Justice Policy, the Act turns the DCA on its head by shifting the recovery of growth-related costs of “soft” services to the *Planning Act* (PA).⁴ This shift moves the recovery of costs away from a known regime with a defined link between costs and anticipated revenues to a new framework that has yet to be fully articulated.

The Act also removes the PA’s provision for height and density bonusing and replaces it with the new CBC, which will recover costs for soft services and parkland. At the time of Royal Assent, there were many unknowns about the mechanics and impacts of the proposed changes.

² Ontario, [Development Charges Subgroup: Report to the PMFSDR Infrastructure Table](#) and 2018 Altus Group report (refer to reference 6)

³ Cherise Burda, *Priced Out: Understanding the factors affecting home prices in the GTA*, Royal Bank of Canada and the Pembina Institute, November 2013, p. 15.

⁴ Ontario, (2013), [Development Charges in Ontario](#): “The collection of development charges for transit is subject to a 10 per cent discount along with services such as parkland development, libraries, daycares, and recreational facilities. This broad category is generally referred to as “soft services” as opposed to “hard” services, such as roads and water which are not subject to the discount.” Note: The 10% discount for transit was removed in 2015.

5.0 Guiding Principles

The following principles guide our comments:

a) Growth should pay for growth.

Provincial legislation should consistently allow municipalities to recover the full cost of infrastructure related to development. As noted above, amendments to the DCA since 1989 have reduced municipalities' overall ability to recover growth related costs. This means that existing taxpayers must pay the cost of infrastructure for new communities. The mechanisms to permit cost recovery should be efficient, as any accompanying administrative burden can result in slower provision of requisite infrastructure and services.

b) Complete, vibrant communities are good for everyone.

Complete communities support healthy and active living for residents. They require employment opportunities and a significant array of municipal infrastructure to service residents and businesses. The services needed to support complete communities extend beyond water, wastewater and roads. No community is complete without parks, recreation facilities, libraries and other services that enable residents and businesses to thrive. Revenue is needed to finance growth related costs for a full range of services. If the CBC raises less money it will be more difficult to build complete communities.

c) Provincial red tape costs municipalities time and money.

Reporting and robust processes and procedures are key to ensuring accountability. However, these become a costly burden when they are overly prescriptive and fail to recognize that municipalities are an order of government led by elected officials.

d) Provincial legislation related to municipal governance should be enabling and permissive.

Provincial legislation can be overly prescriptive. Restrictive legislation removes decision making power from local authorities and chips away at local officials' ability to respond to local concerns.

6.0 Themes

Predictability and revenue neutrality have emerged as clear priorities for the Province in the Housing Supply Action Plan and the changes introduced in the *More Homes, More Choice Act, 2019*. MFOA commends the province for focusing on these priorities,

however cautions that relying on land values as a basis for the CBC cap works against these efforts.

7.0 [ERO # 019-0183](#) Proposed new regulation pertaining to the community benefits authority under the *Planning Act, 1990*

7.1 Transition

The changes introduced in Bill 108 alter how municipalities recover the costs of infrastructure for most 'soft' services, among other changes. As part of the transition to the CBC regime, the government must develop a specialized formula to calculate caps for the community benefits charge payable. This community benefits charge regime is unique; it has no precedent anywhere in the world, as far as we are aware. Further, much is riding on the prescribed caps. Done incorrectly, not only will Ontarians be worse off due to reduced levels of municipal services, but development will likely slow down. This is counter to the government's objective of increasing the supply of housing.⁵ Done correctly, the caps will enable municipalities to recover the costs of growth related 'soft' services, parkland, and density bonusing. Creating the methodology to arrive at these caps is an incredibly challenging task given the diversity of the municipal sector, the range of development that occurs, and the geography of the Province.

The consequences of error are too significant to rush the development of the caps on community benefits charge payable. As such, **MFOA recommends that:**

- **The Province consult on the draft regulation to provide municipalities with the opportunity to test the proposed caps in their local communities; and**
- **The specified transition date be 18 months after the approval of the caps or the expiry date of the current DC by-law, whichever is later.**

While these recommendations introduce timing uncertainty, it removes the pressure to rush the development of the formula. MFOA has also heard from members that a number of them have already undergone public consultation processes and entered into agreements with developers with respect to parklands and other services. **We recommend that these agreements be recognized.**

⁵ As MFOA continues to advocate, reducing the amount of growth-related charges collected from developers does not reduce the cost of emplacing infrastructure. It merely shifts the burden to existing ratepayers.

7.2 Reporting on community benefits and parkland

The ERO posting outlines the reporting requirements set out for community benefits and parkland. The proposed reporting requirements appear similar to the existing requirements for DCs under the DCA and parkland under s.42 of the PA. MFOA sees no significant issues with the proposed reporting requirements for community benefits and parkland.

7.3 Exemptions from community benefits

The following development types have been proposed to be exempt from charges for community benefits:

- Long-term care homes
- Retirement homes
- Universities and colleges
- Memorial homes, clubhouses or athletic grounds of the Royal Canadian Legion
- Hospices
- Non-profit housing

These development types are not accompanied by any definitions in the proposal. To meet the Province's broader objectives as well as those set forward in the Housing Supply Action Plan, certain developments are understandably proposed to be exempt from a charge for community benefits. However, the lack of definitions and the scope of this list have the potential to expose municipalities to financial risk.

First, MFOA recommends that these development types be scoped and defined in alignment with definitions that exist under current legislation. Second, MFOA recommends caution and consideration of unintended consequences of exempting retirement homes, universities and colleges, and non-profit housing from a charge for community benefits.

Retirement Homes

It is estimated that by 2041, one-quarter of Canada's population will be over the age of 65.⁶ There are currently 49 municipalities in Ontario with seniors' populations of 30% or more, and with this forecasted demographic shifts, these figures will likely increase.⁷ For many municipalities across Ontario, growth will be driven by this segment of the population, and given this reality, it no longer makes sense to provide the blanket "senior discount" for most services, including those at the municipal level. In the interest

⁶ D. Peters, TVO, How Ontario Communities are making themselves more senior friendly January 2019

⁷ Statistics Canada, 2016 Census

of intergenerational equality, age-based subsidies that favour nearly a quarter of the population can have financial and service delivery consequences in the future.

The Province proposes that retirement home developments be exempt from a charge for community benefits. This development type is not defined in the proposal, and the intent is unclear. Without parameters, for-profit retirement homes and condominium developments marketed at seniors stand to benefit from this exemption. At the same time, municipalities will still need to build the community facilities that will service and benefit this segment of the population, however, without the financial resources to provide the appropriate community benefits. Like services, community benefits should be financed the same way as those used by every other age group in the population spectrum.

We understand that this is a complex issue. There are high levels of senior debt as well as many seniors who have not saved adequately for retirement. Growth led by senior populations, however, is still growth; and growth needs to pay for growth. A blanket exemption on retirement homes is a departure from the existing regime and challenges the government's goal of ensuring revenue neutrality. **MFOA recommends that the Province define "retirement homes" as defined in the *Retirement Homes Act, 2010*, and provide municipalities with a range of options to deal with low income senior populations in their communities.**

Universities and Colleges:

The Province also proposes that developments by universities and colleges be exempt from a charge for community benefits. This development type is not defined in the proposal, and the intent is unclear. For example, are privately funded colleges and/or public-private developments included in this exemption? Further, do new privately-owned student residences fall under the umbrella of "universities and colleges." **MFOA recommends that the exemption of "universities and colleges" be restricted to developments that are solely owned by academic institutions, as defined in ss. 2(1) of the *Freedom of Information and Protection of Privacy Act, 1990*, and excluding those defined in ss.1(1) of the *Private Career Colleges Act, 2005*.**

Non-Profit Housing:

The Province also proposes that non-profit housing developments be exempt from a charge for community benefits. This development type is not defined in the proposal, and the intent is unclear. The Province must also give further consideration of the risk of potential cases whereby properties are sold by the non-profit housing corporation to for profit corporations.

To better ensure that growth pays for growth, MFOA recommends that the Province define all development types exempt from CBCs prior to the ERO posting dealing with the prescribed CBC caps. Municipalities will not be able to assess the financial impacts of the proposed changes without this information.

7.4 Community benefits formula

A consistent message throughout these comments is that MFOA believes that growth must pay for itself for municipalities to provide the infrastructure necessary to support vibrant communities. The proposed caps on the community benefits charge payables is one of the key determinants of the future recovery potential for growth-related charges.

To partially mitigate the unintended consequences of the move to the CBC regime, the prescribed caps will need to:

1. Permit the capture of 100% of growth-related costs
2. Be indexed to reflect changing cost structures
3. Be predictable
4. Be able to reflect local circumstances

The prescribed cap will be problematic if it is too low to cover all growth related costs or if, over the period that the cap is in place, fluctuations in the cap prevent the collection of growth related costs.

The cap must also be anchored in the costs to service growth. This connection exists in the current DC regime. As MFOA stated in its 2019 submission to the Legislative Assembly of Ontario's Standing Committee on Justice Policy:

The existing DC regime is one that meticulously identifies the costs that are driven by growth (people, employees) and recovers them (albeit with discounts) over the relevant growth period from the various types of property. There is a link between costs and the anticipated revenues. Furthermore, the DC is updated every 5 years so the link between costs and revenues is reasonably current.

Without knowing what is in the regulation, there is a concern that this link between growth costs and the CBC will be lost and that the CBC will not be able to change over time as project costs vary. Land value, which sets a cap for the CBC, is not related to the cost of providing services. In addition, while revenue is capped, there is no cap to growth-related costs for 'soft' services.⁸

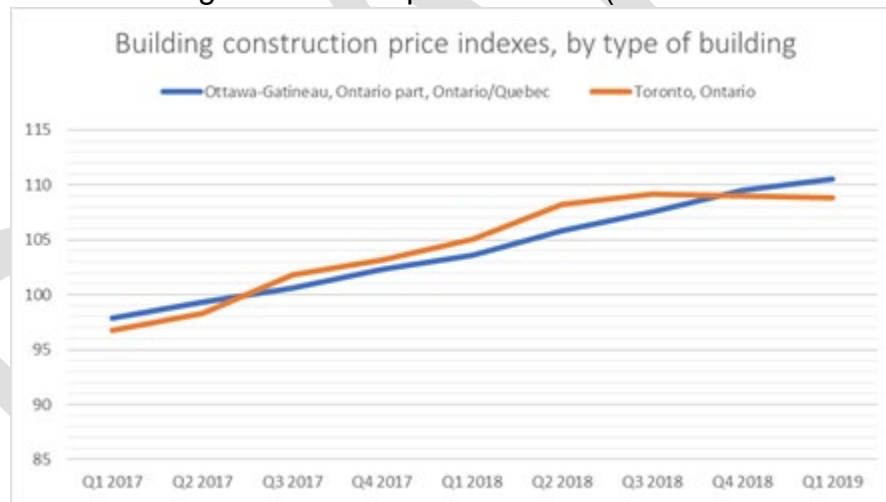
⁸ MFOA, (2019), "[BILL 108: MORE HOMES, MORE CHOICE ACT, 2019: Submission to the Standing Committee on Justice Policy](#)"

Anchoring the cap in costs also recognizes the unique circumstances of each municipality. For example, geography can have a significant impact on the cost of construction. According to the Altus Group’s [Canadian Cost Guide 2018](#) (p. 13), construction costs in both Northern Ontario and downtown Toronto are both 15% higher than in the GTA (See Appendix A).

The cap must also reflect changing cost structures, demographic patterns, economic conditions, and other factors outside of municipal control. The US tariffs “have caused prices of steel and aluminum-based products to soar to unusual heights. Comparing construction estimates created last year to those this year, we have seen prices rise beyond the traditional/historical trend of three to four percent per annum to a blended escalation rate of five to eight percent per annum in 2018.”⁹ Increasing construction price index can be seen in the table below.

Municipalities capped at a fixed inflexible amount, which does not accommodate fluctuations in costs, would be unable to recover costs reflective of changing circumstances.

Table: Building construction price indexes (Q1 2017 – Q1 2019)



Statistics Canada. Table 18-10-0135-01 Building construction price indexes, by type of building

Keeping the connection between the cost of emplacing growth-related infrastructure and the cost-recovery mechanism also provides predictability to municipalities and their stakeholders. Predictability for municipalities is crucial. A municipality will not be able to commit to growth-related works that are within the cap today only to find the cap has gone down and the portion of the works covered by the CBC is much lower tomorrow.

This problem is exacerbated by the nature of the housing market in certain parts of the province. Land values are volatile, and market fluctuations are inherently unpredictable.

⁹ Turner & Townsend, (April 1, 2019), “[How is Canadian construction being influenced by tariffs?](#)”

Land values can change based on market conditions, land speculation, interest rates, economic factors, and even natural disasters. As the Building Industry and Land Development Association outlined in its study of Parkland Dedication and Cash-in-Lieu Policies in the GTA, rising land values and discrepancies of values between and within municipalities result in inconsistent application of policies. According to that same study, land values for high-density residential development have increased upwards of 300% since 2006.

Likewise, an established percentage cap on a charge for community benefits that is based on land values, could result in a situation whereby a sudden drop in land values leaves the municipality without the ability to collect adequate funds to provide the growth-related community benefits.

In some areas, land values can fluctuate throughout the year, between municipalities, and even within municipalities. In addition, prescribing a consistent cap can be challenging because:

1. Less desirable neighbourhoods have lower land value but could have greater needs for 'soft' services;
2. Less populous municipalities can have higher growth-related costs due to the availability of fewer suppliers and fewer economies of scale; and
3. It can be very costly to provide services for new residents in built up communities.¹⁰

Housing markets and house values can be volatile. As such, a fixed cap will need to be reassessed frequently enough to ensure that the CBC remains an effective tool for providing the services that support the creation of vibrant and complete communities.

Other concerns

In addition, MFOA is concerned with:

- How the cap will work in a two-tier municipality?
- What will happen to debt related to 'soft services'? Many municipalities have issued debt to build soft services. The CBC must be sufficient to capture the costs of growth-related debt for services that have been built but still have outstanding debt servicing costs.
- How will these changes affect municipalities' long-term plans, especially with respect to the ability to set funds aside to invest in large infrastructure projects (capital and strategic)?

¹⁰ MFOA, (2019), "[BILL 108: MORE HOMES, MORE CHOICE ACT, 2019: Submission to the Standing Committee on Justice Policy](#)"

- The Province’s methodology for calculating the prescribed caps (Appendix B)

As discussed, getting the community benefit formula right is critical to the future success of vibrant Ontario communities. Revenues may be capped at a prescribed percentage of land value, but the cost of emplacing infrastructure is not capped. While MFOA appreciates the Province’s current avenues for feedback, the Association highly cautions against rushing the development of the caps.

7.5 Appraisals for community benefits

MFOA has concerns regarding the administrative burden and time delays as well as the cost of land appraisals.

First, appraisal disputes have the potential to significantly delay projects. Any delay caused by appraisal disputes is inconsistent with the province’s objective of addressing “speed”. The province stated in its Housing Supply Action Plan consultation documents, that “duplication, lack of coordination and delays add burden to the development process and increase costs for builders and homebuyers”. The proposed content for appraisal disputes add administrative burden to the development process, which could have the effect of slowing down development. Further, on province’s goal predictability, any delay in the appraisals process will cause uncertainty for both the developer and the municipality.

Second, MFOA is concerned about the additional costs of appraisals. The proposed regulation does not provide clarity for which party is responsible for the cost of an appraisal. According to a 2013 City of Toronto report to council on cash-in-lieu policies (collected under s 42 of the Planning Act), it was estimated that the City had lost over \$112,000 of unrecovered appraisal fees. **MFOA recommends that the Province provide clarifying language regarding cost and which party is responsible for appraisal costs, and provide municipalities with a full cost recovery mechanism.**

7.6 Excluded services for community benefits

Under the proposed regulation, certain services will be excluded from the CBC. MFOA agrees that services eligible for DCs should not be included in the community benefits charge. The posting, however, also includes a list of proposed excluded facilities, services including:

- Cultural or entertainment facilities
- Tourism facilities
- Hospitals
- Landfill sites and services

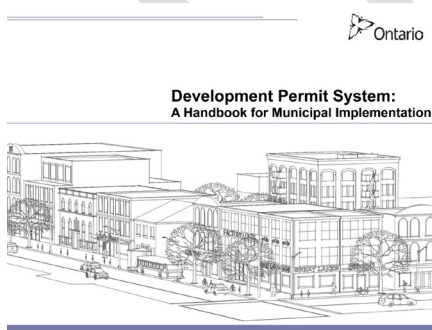
- Facilities for the thermal treatment of waste
- Headquarters for the general administration of municipalities and local boards

The proposed list of excluded services aligns with the list excluded under the DCA. MFOA has long held the position that there should be no ineligible services. These excluded facilities provide services that help municipalities create vibrant communities. Without a cost-recovery mechanism under the DCA or the PA, municipalities will be challenged to build these important facilities without further impinging on existing residents.

MFOA's view is that a service is a service. **MFOA recommends that there should be no restrictions on eligible services.**

7.7 Community planning permit system

The community planning permit system (CPPS), also referred to as the development permit system, was introduced as a new planning tool for municipalities in 2007 under the PA. The CPPS is a land use approval framework that provides an alternative tool for municipalities to address local planning issues and streamline development.¹¹ While typical development projects may require a number of permits including zoning, minor variance, site plans, site alterations, etc., the CPPS combines the various required permits into a single permit. Timelines for CPPS applications are 45 days compared to 120 days for rezoning, 30 days for site plan approval, and 30 days for minor variances.¹² The goal is to streamline development while also achieving municipal planning objective as outlined in Official Plans and provincial planning objectives (Provincial Policy Statement, Growth Plan for the Greater Golden Horseshoe).



CPPS can be beneficial for municipalities that have any number of planning goals such as:

- Urban design goals to preserve architecture and heritage
- Promote green infrastructure
- Efficiently use land for compact redevelopment and intensification
- Brownfield redevelopment
- Create transit and pedestrian-oriented development¹³

¹¹ <http://www.mah.gov.on.ca/AssetFactory.aspx?did=6131>

¹² Ibid.

¹³ <http://www.mah.gov.on.ca/AssetFactory.aspx?did=6131>

The CPPS is also beneficial for some municipalities because the CPPS uses a different definition of “development” than s.41 of the *Planning Act*.¹⁴ Development under the CPPS is given a broader definition, which enables municipalities to expand the types of activities that would require a development permit before any of the development begins. The broader definition allows municipalities to regulate site alteration and removal of vegetation.¹⁵

In its current state, only a few municipalities have implemented a CPPS bylaw (including City of Brampton, Town of Innisfil, Town of Gananoque, and Town of Carleton Place).¹⁶ In some cases, municipalities have implemented a CPPS bylaw to encompass the entire municipality. However, many other municipalities have either initiated the process to implement a CPPS bylaw or have had the bylaw overruled in the Local Planning Appeal Tribunal (LPAT). Based on discussions with members, it is MFOA’s understanding that municipalities have been slow to move forward with the process because of the heavy front-end work required.

Implementing a CPPS bylaw requires building the foundation of a CPPS through amendments to a municipality’s Official Plan, drafting a CPPS bylaw with Council approval, going through Local Planning Appeal Tribunal (LPAT) appeals if necessary, and developing applications that will outline CPPS requirements for developers. Each step also requires extensive upfront consultation with the community and relevant stakeholders. Having adequate staff and administrative capacity is crucial to executing a CPPS bylaw.

The proposed regulation notes that as the community planning permit system also allows conditions requiring the provision of specified community facilities or services, it is proposed that a community benefits charge by-law would not be available for use in areas within a municipality where a community planning permit system is in effect.¹⁷

However, it is important to clarify that under O. Reg. 173/16: Community Planning Permits, a CPPS bylaw may require specific community facilities or services in exchange for specified density or height of development.¹⁸ In other words, the stipulation echoes s.37 of the PA which will be amended and replaced with the community benefits charge. The CPPS is not inherently a tool to recover growth-related costs, rather it is a tool for municipalities to guide specific development to an area.

¹⁴ S.41 of the PA defines development as: the construction, erection or placing of one or more buildings or structures on land or the making of an addition or alteration to a building or structure that has the effect of substantially increasing the size or usability thereof, or the laying out and establishment of a commercial parking lot or of sites for the location of three or more trailers as defined in subsection 164 (4) of the Municipal Act, 2001 or subsection 3 (1) of the City of Toronto Act, 2006, as the case may be, or of sites for the location of three or more mobile homes as defined in subsection 46 (1) of this Act or of sites for the construction, erection or location of three or more land lease community homes as defined in subsection 46 (1) of this Act.

¹⁵ <http://www.mah.gov.on.ca/AssetFactory.aspx?did=6131>

¹⁶ [Carleton Place CPPS Bylaw](#), [Gananoque CPPS Bylaw](#), [Innisfil CPPS Bylaw](#), [Brampton CPPS Bylaw](#).

¹⁷ <https://ero.ontario.ca/notice/019-0183>

¹⁸ <https://www.ontario.ca/laws/regulation/160173> - s.4(6).

Municipalities are not required to include exemptions to height and density in their CPPS bylaw, and as a result, are unable to collect funds for specific community facilities or services. Similarly, in the example of the Town of Carleton Place which has a development permit system, they continue to collect development charges for development within a development permit system area.

Given the proposed exemption of CPPS-designated areas from the community benefits charge bylaw, clarification is required to understand:

How will municipalities that use a CPPS bylaw and collect development charges continue to cover soft services?

Some municipalities that currently implement a CPPS bylaw cannot collect funds for community facilities and services. Previously, municipalities were able to collect development charges in CPPS-designated areas, which includes soft services that were taken out of eligible services under the *More Homes, More Choice Act, 2019*.

For municipalities that do not wish to provide height and density bonusing under their CPPS bylaw, how will they collect funds for soft services when exempt from collecting CBC? **MFOA recommends that there should be no exemptions to zoning areas that can collect CBCs.**

8.0 ERO #019-0184 Proposed changes to O. Reg. 82/98 under the Development Charges Act related to Schedule 3 of Bill 108 - *More Homes, More Choice Act, 2019*

The following section comments on proposed changes to O. Reg. 82/98 under the DCA.

8.1 Transition

Transition dates for proposed amendments to the DCA should mirror dates for amendments to the PA as a result of the *More Homes, More Choice Act, 2019*. **MFOA recommends that there are no gaps when a municipality is unable to collect revenues for 'soft' services, parkland dedication, and density bonusing.**

8.2 Scope of types of development subject to development charges deferral

The development types subject to DC deferrals are defined in the proposed changes to the DCA. **MFOA recommends that:**

- 1) institutional developments, industrial developments, and commercial developments be removed, and**

2) the Province considers the risk municipalities will be exposed to in the interim between when a building permit is issued and when the final DC installment payment is due.

MFOA strongly believes that a risk reduction strategy should be developed and that mechanisms be made available in cases whereby properties change ownership before the final DC payment is due.

Municipalities have traditionally had the flexibility to make arrangements and enter into agreements on development charge payment schedules for specific types of development. These arrangements reflected the unique needs of the municipality and its economic development priorities and strategies.

The proposed list of development types that will be subject to the DC deferral deviates significantly from this practice. There is a case to be made for non-profit housing, legions, long term care homes, and *some* rental housing developments, however, providing this flexibility to the remainder of the proposed development types does not make sense from an economic development, housing, nor municipal finance perspective.

First, MFOA is not aware of any research suggesting that industrial development promotes housing development. Available literature suggests the contrary. Permitting deferred development charge payments for industrial developments may also be problematic since municipalities will still need to build the requisite infrastructure to support the development, but without the necessary cashflow. This may require municipalities to incur debt in order to provide the hard services required at the onset of site development. This could mean that the tax base is ultimately subsidizing the industrial development. Such an arrangement is not fair to existing ratepayers and taxpayers.

Second, the broad definitions of office buildings and shopping centres as defined under commercial property under the *Assessment Act, 1990* opens up this arrangement to the following:

Office Building (as defined in ss.11(3) of O. Reg. 282/98 under the *Assessment Act*):

- a) A building used primarily for offices
- b) The part of a building that, but for this section, would otherwise be classified in the commercial property class if that part of the building is used primarily for offices

Shopping Centre (as defined in paragraph 1 of ss.12(3) of O. Reg. 282/98 under the *Assessment Act*)

- 1) i) A structure with at least 3 units that are used primarily to provide goods or services directly to the public and that have different occupants
- ii) A structure used primarily to provide goods or services directly to the public if the structure is attached to a structure described in i) on another parcel of land
- 2) “Shopping centre” does not include any part of an office building within the meaning of subsection 11(3).

MFOA believes that municipalities are best positioned to determine if a development charge deferral on office buildings and shopping centres, as described, aligns with economic development priorities and local planning circumstances. As with industrial developments, the need for municipalities to provide the requisite infrastructure to service these developments will still exist. Without available cash flow, an undue burden will be placed on the municipal resources, and ultimately the local taxpayers will be subsidizing these developments.

Third, the definition provided for rental housing under the proposed regulation is vague and the intent is unclear. MFOA has concerns about the potential broad application of this definition. For example, could a 10 story, 100-unit condominium development, with a floor of dedicated rentals be included in this development definition? If so, would the entire development be subject to deferred DC payments? Further, is there a reasonable rationale to include luxury purpose-built rentals? Are short term rentals (such as Airbnb) excluded from “rental housing”?

MFOA shares the province’s perspective that rental housing needs to be encouraged. However, growth in rental development is still growth; and growth needs to pay for growth. This broad definition of rental housing for development charge payment deferral will potentially expose municipalities and taxpayers to unnecessary risk. **MFOA recommends that the Province further scope this definition, and limit DC deferral to certain types of rental development.**

The Province has not in this proposal, nor in the changes under Bill 108, provided safeguards to ensure municipalities receive the entirety of the deferred DC payment. Without such a tool or instrument, municipalities will face obstacles collecting any outstanding DC instalments after any potential sale or property change. One solution might be an instrument registered on title. However, this too has limitations as this would shift the responsibility of the payments to a future owner, and not the developer. In the spirit of the Housing Supply Action Plan, **MFOA recommends that a mechanism to ensure rentals are not converted into market housing at occupancy needs to be in place.**

8.3 Period of time for which the development charge freeze would be in place

As stated in MFOA's submission to the Standing Committee on Justice Policy, "DC rates change to reflect changes in municipal needs and cost structures. (...) Freezing DC rates too early in the process creates a structural disconnect between costs incurred and revenues received."

MFOA believes that municipalities best understand their circumstances. Accordingly, **MFOA recommends providing municipalities the authority to set their own criteria to freeze rates.**

Should municipalities not be granted this authority, MFOA believes that a distinction be made between development subject to the new instalment payment plans and other development. This distinction is needed to recognize the additional collection risk being borne by municipalities by the new payment plans. For some types of development, municipalities will need to wait up to eight years (over twenty years for non-profit housing development) for full payment of DCs owing. A lot can happen in this time. As such, **MFOA recommends removing the DC freeze on these developments to lessen the impact of cumulative changes. MFOA also recommends providing the authority to municipalities to have priority lien status so they have priority over prior mortgages and other encumbrances.**

MFOA members have also expressed concerns with the definition of 'approved' with respect to site plans and zoning applications. Municipalities do not want a deficient application to be sufficient to freeze the rate. Should this be the case, it would be easy for developers to game the process, which would not hasten the supply of new homes. Only complete applications or applications where the major condition has already been met according to local practices should be acceptable.

8.4 Interest rate during deferral and freeze of development charges

MFOA supports the Minister's decision to not prescribe a maximum interest rate that may be charged on DC amounts that are deferred or on DCs that are frozen.

MFOA encourages an enabling and permissive governance framework. The Association understands the diversity of the municipal sector in Ontario and recognizes that "one size fits all" is almost never true. The Minister's approach is in line with these principles.

8.5 Additional dwelling units

The *More Homes, More Choice Act, 2019* further reduces the number of units eligible for the DCs needed to recover the cost of growth-related infrastructure. As stated in MFOA's submission to the Standing Committee on Justice Policy, "growth-related costs are driven by increases in population and increases in employment. Reducing DCs

does not decrease the cost of growth-related infrastructure. If this type of intensification becomes significant (i.e. additional units), it will mean that there will be a shortfall in DC revenues in comparison with the amounts needed to recover growth related capital costs.”

The posting includes exemptions for additional units in three types of residential buildings: ancillary structures, new residences, and other existing buildings.

Ancillary Structures

In general, MFOA supports expressly limiting the number and size of units exempt from DCs. This includes additional dwelling units permitted in ancillary structures. The ERO posting states that “units could also be created in ancillary structures”, as well as that this will be “subject to the same rules/restrictions”. MFOA would like clarification to ensure that the whole residence (primary residence plus ancillary structure) is subject to the existing express limit in O. Reg. 82/98. For example, this would mean that a maximum of two additional units would be exempt from DCs for a single detached dwelling.

Should this not be the case, MFOA is concerned that without express limits on the number of units, parties could game the system. Creative interpretations of the regulation could include supersized ‘ancillary structures’, among other interpretations.

In addition, ancillary structures may take different forms in different municipalities. Accordingly, **MFOA recommends providing municipalities with the flexibility to define the term to fit within their local context.** For example, lot size, demographic trends (e.g. aging population), availability of materials, and main industry could influence the types of structure. For example, the needs in cottage country would be different than the needs of a college town and could result in alternative forms of structures. A one-size fits all definition may not be appropriate.

New residences

MFOA does not support extending the DC exemption to new residences, but is pleased that the Province has proposed express limits on the number of units. Clarification is needed to ensure the limit applies to the whole residence as previously discussed.

Other existing residential buildings

Clarification is required with respect to the definition of ‘other existing residential buildings’. Based on the proposed amendments, MFOA is assuming it is referring to multi-residential buildings. Using MPAC’s definition, this would include residential

apartment buildings, mixed residential-commercial buildings, and non-equity co-operatives.¹⁹ While we understand the wish to incentivize new rental units, not all rental units are affordable. In the second quarter of 2019, nine of the ten most expensive municipalities to live in based on average rent were in Ontario.²⁰ **Should the Province continue with the proposed amendments, rather than subsidize landlords of costly rentals, MFOA recommends limiting the definition to affordable housing units.**

In addition, some housing developments contain groups of buildings. Does the 1% apply to the group of buildings or only to stand-alone buildings?

Clarification is also required to understand whether a condominium building is intended to be included as an 'other residential building.' What happens when an apartment is converted to a condo, and what is meant by 1% of units? The inclusion of condos is very concerning. At 1% of units, if CityPlace in Toronto was considered one development, this would allow for an additional 75 DC-exempt units, which would translate into over \$2M in lost revenue for the City of Toronto.^{21,22} Yet, the average price of a condo in Toronto was \$579,000 in the first quarter of 2019.²³ With the rising price of condos, it seems unnecessary to subsidize developers of unaffordable units. Especially when the new units are created through the loss of existing residents' amenities.

9.0 Administrative Burden

The *More Homes, More Choice Act, 2019* layers new administrative processes on to municipalities. Changes that will increase the administrative burden on municipalities include:

- The multi-instalment payment plans, which will require significant additional administration and coordination efforts within single tiers and between tiers in two-tier regions, especially the enforcement of payments over multiple years with possibly more than one owner
- Freezing the development charge at site plan or at zone change

¹⁹ MPAC, (2016), "[ASSESSING MULTI-RESIDENTIAL PROPERTIES IN ONTARIO](#)". According to pp. 4-5, "The following MPAC property codes are used to categorize the various types of multi-residential properties with seven or more self-contained units in Ontario: 340 – Multi-residential with seven or more self-contained units (excludes row housing), Multi-residential with seven or more self-contained residential units and with small commercial unit(s), 352 – Row housing with seven or more self-contained units under single ownership, Bachelorette (converted single-family dwelling with seven or more self-contained units), 374 – Non-equity co-operative (with seven or more self-contained units)".

²⁰ <https://rentals.ca/national-rent-report#municipal-rental-rates>. Using median rent to eliminate outliers, seven of the top ten rentals were in Ontario per rentals.ca.

²¹ Wikipedia, [CityPlace, Toronto](#)

²² This assumes 75 units at the one-bedroom DC rate of \$21,049 per the [City of Toronto's posted rates in 2018](#)

²³ Wong, Natalie, National Post, (2019, June 28), "[Toronto condo prices see weakest growth in 5 years as tight lending rules bite](#)".

- The new appraisal process, which will add costs to municipalities and will add to the time required for developments to be approved.

The municipal sector needs streamlined administrative processes. Adapting to new regimes requires time and money. It also introduces collection risks to municipalities. **MFOA recommends that costs to administer the DC and CBC regimes be eligible for recovery via DCs and CBCs.**

10.0 Conclusion

While reviewing all of the proposed changes to the DC regime and the introduction of the CBC regime, it is important to remember that when you add people, you add cost and the proposed changes transfer these costs to the property tax and utility base. Property taxes and utility fees, however, must also be affordable for residents and businesses. Given that the property tax is the primary tax available to municipalities, addressing the housing affordability issue at the local level comes at the expense of the tax affordability problem.

Appendix A: Costs in Ontario

Costs in Ontario (Indexed to GTA)

1. Southwestern Ontario: Windsor 110 London 98 Tri-City (Cambridge, Kitchener, Waterloo) 99
2. Hamilton and Surrounding Areas 104
3. Niagara Peninsula 104
4. Barrie 105
5. Toronto: Downtown Core 115 GTA 100
6. Eastern (Kingston, Cornwall) 110 8. North (Sudbury, Thunder Bay, TransCanada Corridor) 115

Source: Altus Group

Appendix B: Other Concerns with the CBC Cap Methodology

In addition to the concerns outlined in the comments, MFOA members have flagged several additional areas with respect to the development of the CBC caps. How will the caps capture:

- The differences in service levels across the Province
- That municipalities are dynamic and are in different stages of development
- Development can take place in phases over long time horizons
- Backward looking information, like historical costs, reflect past decisions and environments
- Parkland agreements with developers can differ between municipalities and even between projects (land dedication, in-kind services, improvements)
- Lack of existing information on in-kind contributions
- Redevelopment on same property (detached houses to rows to high rise)
- Where growth has not materialized as anticipated and DCs have fallen short of expectations
- Additional exemptions and payment deferrals imposed by the *More Homes, More Choice Act, 2019*, which increase the room needed via the CBC to ensure revenue neutrality

Ministry of Natural Resources and
Forestry

Ministère des Richesses naturelles et des
Forêts

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RECEIVED

JUL 11 2019

Township of Puslinch

June 19, 2019

Don O'Leary, Vice President (Finance, Administration & Risk)
University of Guelph
50 Stone Rd E
Guelph, ON N1G 2W1

Dear Mr. O'Leary

RE: Major Site Plan Amendment under the *Aggregate Resources Act* – Licence # 5738
University of Guelph - DFA Mill Creek Pit
Part Lots 21, 22, 23, 24, Concession 2 and Part Lot 24, Concession 1
Township of Puslinch, County of Wellington

Further to your site plan amendment request of September 24, 2015, please be advised that the Ministry of Natural Resources and Forestry (MNR) grants consent under Section 16(2) of the *Aggregate Resources Act* to proceed with the following amendments:

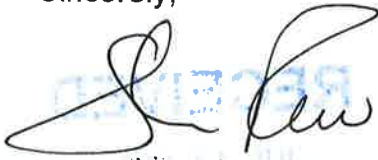
- Increase the area to be extracted by 6.8 hectares within the already licenced boundary on the lands located at Part Lot 24, Concession 1
- Add Phase 6 to the approved phasing on the site plan

In order to complete the amendment process, please forward five (5) copies of your revised site plans to the MNR Guelph District Office.

Please note that the licensee is still bound by the existing site plan until such time that all the above amendments have been carried out and approved. The MNR Guelph District Office will forward a copy of the approved, updated plan to the appropriate municipal offices for their files.

Should you have any questions concerning this matter, please contact Seana Richardson, Aggregate Technical Specialist, at 519-826-4927.

Sincerely,



Sharon Rew
Regional Director

- c. Clerk, County of Wellington
Clerk, Township of Puslinch
Dufferin Aggregates, Ms. Maria Topalovic



LEGISLATIVE ASSEMBLY OF ONTARIO

RECEIVED

AUG 07 2019

Township of Puslinch

July 25, 2019

The Hon. John Yakabuski, MPP
Minister of Natural Resources and Forestry
Suite 6630, Whitney Block
99 Wellesley St. W
Toronto, ON M7A 1W3

Dear Minister:

I have received and reviewed the County of Wellington's recent submission to the Ministry of Natural Resources and Forestry regarding the reform of the laws and regulations governing Ontario's aggregate industry.

Since my first election to the Ontario Legislature in 1990, I have worked very closely with successive County of Wellington Councils and County staff on virtually every provincial/municipal issue that has arisen through the past 29 years. I have been consistently impressed by the County's professionalism and dedication to the public interest.

The thoughtful suggestions included in the County's submission, which I have enclosed for your ease of reference, merit your serious attention. I would ask that you take the time to carefully review the County's proposals on property assessment, the aggregate levy, and property tax fairness.

As a general principle, we must continue to seek the appropriate balance between Ontario's need for aggregates with our responsibility to protect the natural environment, as well as our responsibility to the communities which have aggregate deposits within their boundaries.

The County of Wellington's submission is timely, relevant, and intended to be helpful. I commend it to you.

Thank you for your consideration.

Sincerely,

Ted Arnott, MPP
Wellington-Halton Hills

Cc: Hon. Rod Phillips, Minister of Finance
Hon. Steve Clark, Minister of Municipal Affairs
Kelly Linton, Warden of the County of Wellington
Mayor James Seeley, Township of Puslinch
Scott Wilson, County of Wellington CAO
Pat Moyle, Township of Puslinch CAO
Randy Pettapiece, MPP Perth-Wellington

TED ARNOTT, MPP • WELLINGTON - HALTON HILLS

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April 26, 2019

Aggregate Reform
Ministry of Natural Resources and Forestry
2nd Floor South, 300 Water Street
Peterborough, Ontario
K9J 3C7

Re: Reform of Ontario's Aggregate Industry

This submission from the County of Wellington builds upon the submissions County officials made during the course of the Summit on Aggregate Reform on March 29, 2019. We welcome the opportunity to provide these further comments on how to ensure a sustainable aggregates industry.

The County of Wellington is one of the top aggregate producing municipalities in Ontario. Further, the County – through its leadership of TAPMO, a group of the top aggregate producing municipalities in Ontario that also includes the industry – has played a leading role among municipalities in seeking to work with the aggregate industry to find workable solutions to issues facing the industry and the municipalities that host aggregate sites. Based on the importance of the County of Wellington to the sustainability of the aggregates industry and our ongoing efforts to find solutions to industry issues, we believe we bring a valuable and unique perspective to this consultation.

That being said, aggregate sites are found in all parts of the province, with approximately 70% of Ontario municipalities having at least one aggregate site. As a result, a sustainable aggregates industry has a significant impact on Ontario's municipalities. Ontario's municipalities are also important partners in the success of the aggregates industry, offering services such as land use planning and infrastructure that are critical to the industry's success. It is important that reforms to promote the aggregates industry are policy-driven solutions that works for all stakeholders.

The County of Wellington supports the government's efforts to improve Ontario's business climate. We understand that Ontario is open for business, not just particular types of business. As a result, we do not believe it is fair or appropriate for business improvements for one industry to come at the expense of other industries or the municipalities, including their residents, in which these aggregate sites are located.

Making the Aggregate Industry Open for Business

The County of Wellington supports the Province's goal of making Ontario open for business. The County believes a friendly and healthy business climate should yield economic and employment benefits to local businesses and communities.

We agree there are measures that can be taken to reduce the industry's cost of doing business. As one example of red tape, the current property assessment regime is unnecessarily complex, with a requirement for self-reporting on site usage which relies entirely on operational decisions of the

operator. The decisions and operations are constantly evolving, are not regularly reported and are not verified by MPAC.

We believe the issue of property assessment for aggregate sites is an area ripe for reform. The current assessment policy regime is an ongoing issue that is adding unnecessary cost to aggregate operations, as a result of regular appeal processes. A policy-driven solution would enable aggregate producers to focus on their operations, rather than having to continually devote human and financial resources to appeal procedures.

Assessment of aggregate sites is an issue that dates back to when MPAC was created. Hundreds of legal cases arising from disputes over aggregate site assessments have been litigated over the years at significant expense to industry and Ontario municipalities. Without a policy-driven solution to this festering issue, the industry and Ontario municipalities will be sentenced to further expense and litigation over this issue. An 'open for business' approach would seek to resolve this issue; otherwise, you will be leaving in place costlier and more burdensome operations for this industry.

To be clear, this is not about raising property taxes; it is about advancing a policy-driven approach to resolve a long-standing issue in a way that can satisfy all relevant stakeholders. The County is sensitive to the issue of increasing taxes, or introducing new taxes, and is requesting neither. County Council alone would be accountable for applying the locally-set tax rate to the aggregate owner's property. County Council is requesting that: the MPAC-established assessment methodology be changed; the legislative barriers to full and appropriate assessment be removed; and County Council assume its proper role of balancing and allocating property taxes equitably.

It is the County's position that the entire licensed area be treated as one economic unit, with its own property class, with the tax rate set by the municipality in accordance with local circumstance. Adopting this approach would eliminate the red tape and hassle of aggregate producers having to self-report on site usage.

That being said, in terms of driving economic growth, while the aggregate industry is a prominent one in the County of Wellington, it unfortunately is neither a large employer nor an industry that provides much in the way of local economic benefit. The large-scale aggregate operators in Wellington County are subsidiaries of multi-billion, multi-national corporations, headquartered in Brazil, Ireland, Switzerland, etc. These companies treat the pits and quarries as profit centres, with little local community connection or concern for a "good neighbour" reputation.

The aggregate operators in Wellington County are neither significant property taxpayers, nor notable employers. The list of top 20 property taxpayers and top employers (in terms of numbers) includes car manufacturers, water takers and agricultural suppliers, but no aggregate producers.

Aggregate Levy

The aggregate levy under the *Aggregate Resources Act* is a levy that is specific to the aggregate industry, with the levy meant to cover things like the remediation of old and abandoned aggregate sites, as well as to compensate municipalities for the additional wear and tear on their roads from heavy aggregate haulage. Property tax assessment, on the other hand, is something all property owners – residential, commercial and industrial – are subject to, with the revenue raised from property taxes being the primary funding source for municipal services that local residents and businesses rely upon. Further, property tax revenues within a municipality are zero-sum, meaning that lower property tax rates for one class of properties necessitates higher rates for other classes of properties.

While we understand the aggregate industry's tendency to link the aggregate levy with the property tax issue, it is our perspective that these are two separate issues, under different legislative regimes and serving different policy purposes.

The intent behind the aggregate levy was to compensate upper and lower tier municipalities for the unusually high rate of deterioration of our roads used for gravel truck haul routes. While the levy has been increased in recent years, it still falls well short of fully compensating municipalities for the added expense incurred and remains far below the levy assessed on the industry in other Canadian provinces. Indeed, the inadequate compensation arising from the aggregate levy is becoming among the greatest challenges to Ontario municipalities in managing aggregate resources and in providing a positive business environment for these operations.

We note that Ontario municipalities and the industry – through the auspices of the Top Aggregate Producing Municipalities of Ontario – have previously come to an agreement that the levy should be increased provided, among other things, these funds are put toward infrastructure. Setting the aggregate levy at a more appropriate level is a significant way that the Province can support aggregate resource development.

The aggregate levy is set by the Province, not by municipalities, and is intended to be dedicated to municipal infrastructure. In these ways the aggregate levy is different and separate from municipal property taxation. Linking the two is not helpful in sorting out the issue of proper assessment of aggregate operations and in ensuring assessment doesn't subsidize and/or penalize particular actors.

Property Tax Fairness

The amount of property tax paid by aggregate operations is currently out of balance with other property owners in other property tax classes. The current assessment regime for aggregate sites (for the 2017 taxation year and going forward) was negotiated between MPAC and the industry only. Municipalities were not a party to this agreement, which greatly impacts our businesses and our communities. This assessment regime affects our ability to properly support and manage this resource and industry.

We are urging the Province to help re-set the property assessment of aggregate operations to reflect a value more in keeping with reality and in keeping with basic Canadian taxation principles. It doesn't seem appropriate or justified that adjacent properties incur vastly different levels of property tax (a difference of up to 30 times) simply due to the type of industrial activity taking place on each property. We understand Ontario is also open for business for these industries (which often have a greater local economic impact than the aggregate producers).

Similarly, it doesn't seem fair that Wellington County residents can face property tax rates approximately 28% higher than in neighbouring municipalities as a result of this industrial rate discrepancy.

The current value used in Wellington County maxes out at \$9200/acre, which is the lowest valuation of any acre of business property anywhere in the County. This \$9200/acre rate is established by MPAC and is flawed, as it is based on land value of \$4200 per acre (an unrealistic figure) and \$5000 per acre for licensing and preparation costs.

The County understands and supports the Province's desire to promote an open for business climate. The County considers property tax fairness – and the vital services businesses and residents depend upon that property taxes help fund – to be a vital component of a healthy business climate. When one

industry is so obviously benefitting from property tax subsidization, that business climate is compromised.

Because of the current assessment regime, all taxpayers in Wellington are subsidizing the aggregate industry. The property tax system is not intended to subsidize or incentivize any one industry; to do so would return us to the early 1990's, an era that saw a number of Ontario municipalities face bankruptcy.

Thanks again for the opportunity to provide feedback. The County of Wellington shares the Ontario Government's desire to create an environment for growth and a sustainable resource sector. We would be pleased to provide additional information or data on any of the above. We look forward to working with the Ontario Government on these reforms.

Yours truly,



Kelly Linton
Warden, Wellington County

Cc: Hon. Steve Clark, Minister of Municipal Affairs and Housing
Hon. Vic Fedeli, Minister of Finance



ANNUAL FINANCIAL REPORT | 2018



For the year ended December 31, 2018

Corporation of the
County of Wellington



2018 Annual Financial Report

for the fiscal year ending December 31, 2018



For information on programmes and services, or to obtain a copy of this document, please contact:

**The County of Wellington • 74 Woolwich Street
Guelph, ON • N1H 3T9
T 519.837.2600 • www.wellington.ca**

Produced by the Treasury Department of the County of Wellington, in Cooperation with all of its member municipalities

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 F 519.837.1909
 E warden@wellington.ca

COUNTY OF WELLINGTON

74 WOOLWICH STREET
 GUELPH, ONTARIO
 N1H 3T9

June 7, 2019

Dear Residents of Wellington County:

It is my pleasure to present you with the County's Annual Financial Report for the year 2018 on behalf of County Council and the employees of the County of Wellington. In 2018, the County was able to provide high-quality services and capital investment while maintaining a strong financial position. As a result, the County was able to:

- Capitalize an investment of \$25.6 million to improve the County road and bridge network, facilities, and equipment, and \$10.5 million in capital repairs and enhancements within social and affordable housing units;
- Complete and open the new Hillsburgh library, which completes our long-term strategy to renew all fourteen library branches;
- Open the new and expanded Palmerston Child Care and Learning Centre;
- Support local hospital development with an in-year contribution of \$940,000;
- Purchased 133 Wyndham Street in Guelph to expand social services office space;
- Complete the Ambulance station feasibility study, identifying six potential sites for ambulance response time improvement;
- Allocate \$100,000 for a feasibility study to investigate the Continuum of Care model at the Wellington Place Campus;
- End the year with a \$4 million operating budget surplus;
- Maintain Wellington County's Credit Rating at AA+ (stable) in 2018.

I would like to thank County staff for preparing the Annual Report, and Council for their ongoing oversight of County activities, strong leadership and well-informed decision making.

A handwritten signature in blue ink, appearing to read 'Kelly Linton'.

Kelly Linton
 Wellington County Warden

CANADIAN AWARD FOR FINANCIAL REPORTING



Government Finance Officers Association

Canadian Award for Financial Reporting

Presented to
County of Wellington
Ontario

For its Annual
Financial Report
for the Year Ended

December 31, 2017

Christopher P. Morill

Executive Director/CEO

The Government Finance Officers' Association of the United States and Canada (GFOA) awarded a Canadian Award for Financial Reporting to the County of Wellington for its annual financial report for the fiscal year ended December 31, 2017.

The County of Wellington joined this programme in 2014 and has received five consecutive awards for the 2013-2017 Annual Financial Reports.

The Canadian Award for Financial Reporting programme was established to encourage municipal governments to publish high-quality financial reports and to provide peer recognition and technical guidance for officials preparing these reports.

In order to be awarded a Canadian Award for Financial Reporting, a government unit must publish an easily readable and efficiently organized annual financial report, whose contents conform to programme standards.

Such reports should go beyond the minimum requirements of generally accepted accounting principles and demonstrate an effort to clearly communicate the municipal government's financial picture, enhance an understanding of financial reporting by municipal governments, and address user needs.

This award is valid for a period of one year. We believe our current report continues to conform to the Canadian Award for Financial Reporting programme requirements, and have submitted it for consideration to the GFOA.

AWARDS AND RECOGNITION



Government Finance Officers Association (GFOA)

Canadian Award for Financial Reporting

The County of Wellington won the GFOA Canadian Award for Financial Reporting for its Annual Financial Report for the year ended December 31, 2017. This award recognizes the County's ability to prepare a comprehensive annual financial report that exceeds the minimum requirements.



Distinguished Budget Presentation Award

The GFOA presented a Distinguished Budget Presentation Award to the County of Wellington for its annual budget for the fiscal year beginning January 1, 2018. In order to receive this award, a governmental unit must publish a budget document that meets programme criteria as a policy document, an operation guide, a financial plan, and as a communications device.



Standard and Poor's

County of Wellington Credit Rating

The Standard and Poor's credit rating agency announced that the County of Wellington's rating has been maintained at AA+, with a stable outlook. The AA+ credit rating was maintained as a result of:

- The County's very strong and largely stable economy, as well as an advantageous location, close to the GTA and cities of Hamilton and Guelph, and along the highway 401 corridor;
- Although less diversified than some of its peers, the County is focused on diversifying its economy, particularly in advanced healthcare, creative professional sectors, and higher education;
- Robust budgetary performance;
- Exceptional liquidity position;
- Very low debt burden;
- Strong financial management;
- Very low contingent liabilities.

AWARDS AND RECOGNITION



Innovation and Excellence Award

2018 Innovation and Excellence Award in the category of Workplace Quality - (AdvantAge Ontario Association) for the Environmental Services Team's unique contributions to the care team in supporting the residents who live at Wellington Terrace Long Term Care Home.



Municipal Waste Association (MWA) Promotion and Education Awards

Wellington County's Solid Waste Services (SWS) Division submitted entries for the Promotion and Education Awards for municipalities with 39,999 households or fewer. Each entry is evaluated on planning and implementation, effectiveness, originality and creativity, and the quality of the submission. Each entry is evaluated by a team of volunteers made up of municipal peers, consultants, and communications and marketing professionals. SWS received awards in three of the four categories entered:

Other P&E Tool: Silver

For partnership with Canadian Tire and MARC Advertising on a reusable bag.

Calendar: Bronze

For the 2018 SWS Calendar distributed in the Wellington Advertiser.

Print Tool: Bronze

For the SWS Fall/Winter Newsletter printed in the November 15, 2018 issue of the Wellington Advertiser.

AWARDS AND RECOGNITION



SWANA®
SOLID WASTE ASSOCIATION
of North America

Solid Waste Association of North America (SWANA) Excellence Awards Programme

SWANA is a professional association in the solid waste field with more than 10,000 members throughout North America. Through SWANA's Excellence Awards Programme, the organization recognizes outstanding solid waste programmes and facilities with environmentally and economically-sound solid waste management practices. Winners demonstrate effective technologies and processes in system design and operations, worker and community health and safety, and successful public education and outreach programmes. Programmes must demonstrate that they are fiscally and environmentally responsible through their compliance with all applicable federal, provincial / territorial, and local regulations.



Solid Waste Management: Silver Award

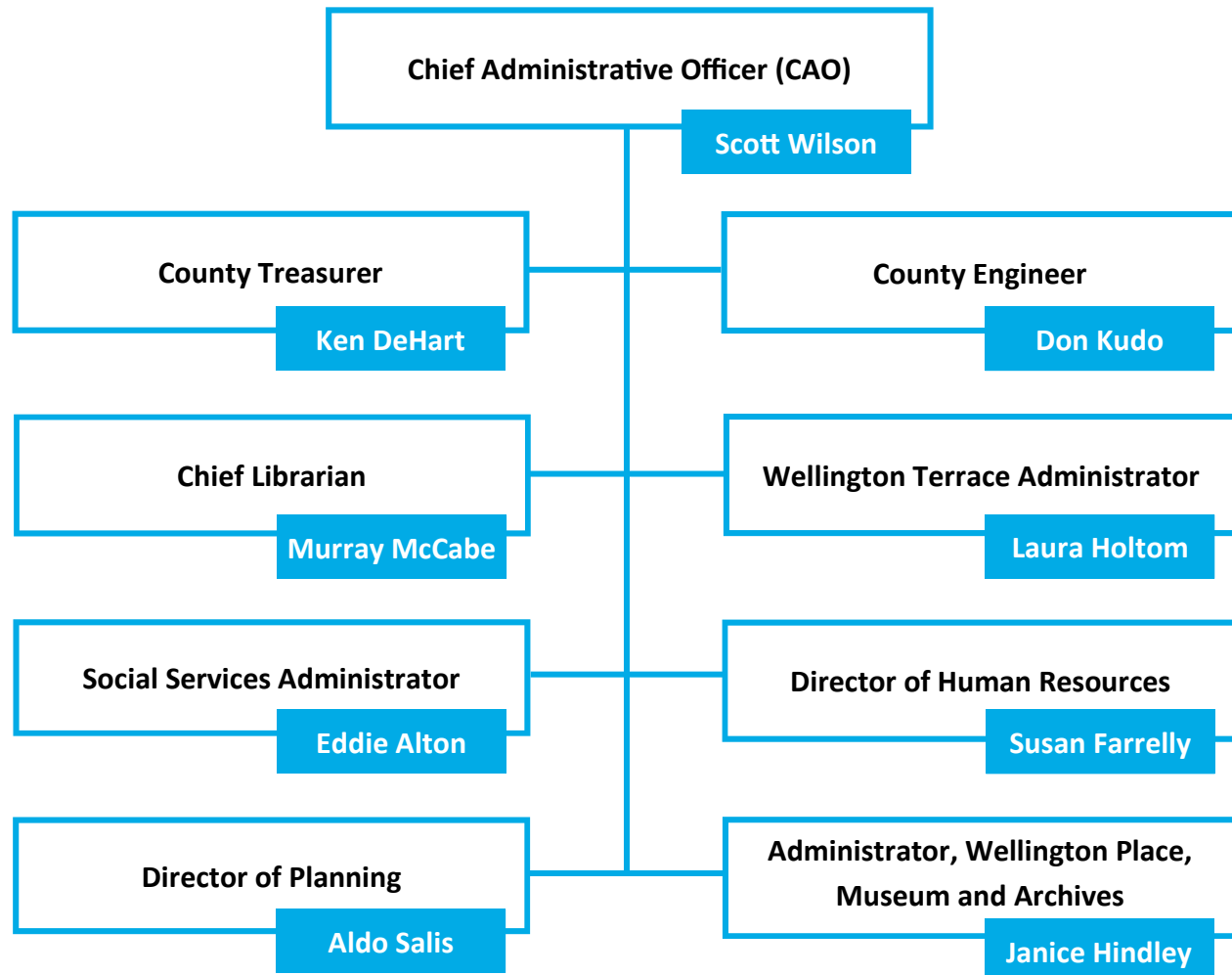
For the SWS Mobile Household Hazardous Waste Depot Service



Outstanding Website Winner

The WebAward competition is produced through the Web Marketing Association that was founded in 1997 to help set a high standard for Internet marketing and development of the best websites on the World Wide Web. Now in its 17th year, the WebAward program is the longest running annual website award competition dedicated to naming the best Web sites in 96 industries while setting the standard of excellence for all website development.

CORPORATE ORGANIZATIONAL CHART



The County of Wellington has the Chief Administrative Officer (CAO) system of management. The CAO reports to the Warden and Council on all major initiatives and issues affecting the County. The Chief Administrative Officer attends all Council, Standing Committee, Police Services Board and Library Board meetings and provides advice and information on operations as required. The CAO ensures that direction from County Council, its Committees and Boards is implemented in conformity with applicable County policy, and Provincial and Federal legislation/regulations.

The Chief Administrative Officer has overall responsibility for the County's operating departments. Department Heads, the County Clerk, the Construction and Property Manager, the Director of Economic Development and the Communications Manager are responsible for the day-to-day operations of the departments and report directly to the CAO.

DEPARTMENT HEADS



Back Row Left to Right - Eddie Alton, Murray McCabe, Scott Wilson, Ken DeHart, Aldo Salis

Front Row Left to Right - Don Kudo, Janice Hindley, Susan Farrelly, Laura Holtom.

WELLINGTON COUNTY COUNCIL



Top Row Left to Right - Kelly Linton, Gregg Davidson, Andy Lennox, James Seeley, Allan Ails, Chris White, George Bridge, David Anderson
 Bottom Row Left to Right - Earl Campbell, Campbell Cork, Steve O'Neill, Mary Lloyd, Diane Ballantyne, Don McKay, Doug Breen, Jeff Duncan

Warden Kelly Linton
 Mayor, Township of Centre
 Wellington
 T 226.820.6851

Councillor Gregg Davidson
 Mayor, Township of
 Mapleton
 T 226.929.7481

Councillor Andy Lennox
 Mayor, Township of
 Wellington North
 T 519.831.9612

Councillor James Seeley
 Mayor, Township of
 Puslinch
 T 519.400.7984

Councillor Allan Ails
 Mayor, Town of Erin
 T 416.200.9153

Councillor Chris White
 Mayor, Township of Guelph/
 Eramosa
 T 519.856.0450

Councillor George Bridge
 Mayor, Town of Minto
 T 519.323.1642

**Councillor David
 Anderson**
 County Ward 1
 T 519.750.0782

Councillor Earl Campbell
 County Ward 2
 T 519.400.7168

Councillor Campbell Cork
 County Ward 3
 T 519.400.8953

Councillor Steve O'Neill
 County Ward 4
 T 519.400.3571

Councillor Mary Lloyd
 County Ward 5
 T519.400.0748

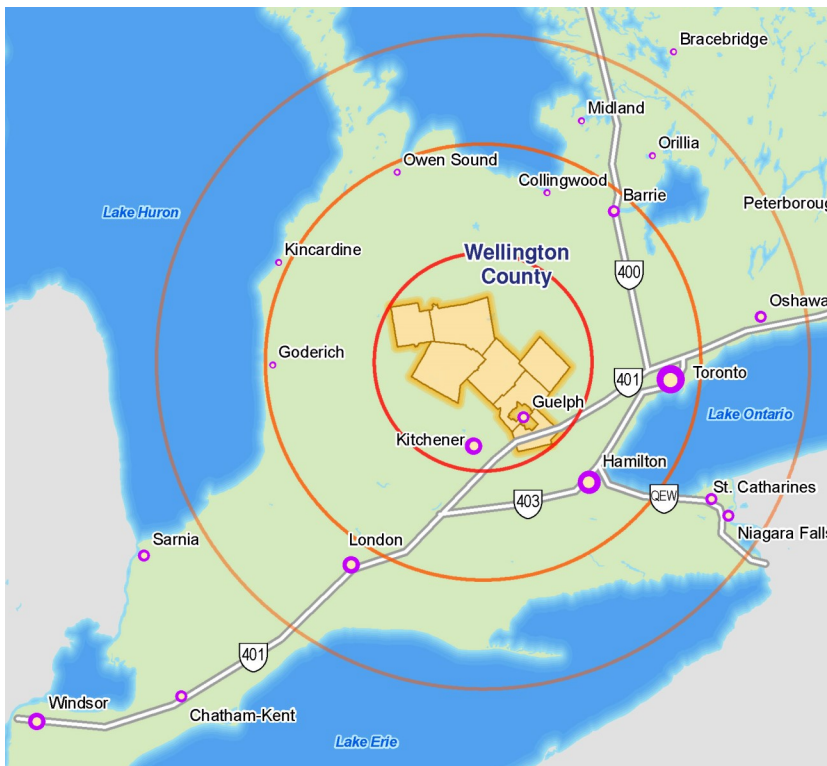
Councillor Diane Ballantyne
 County Ward 6
 T 519.400.9851

Councillor Don McKay
 County Ward 7
 T 519.822.2984

Councillor Doug Breen
 County Ward 8
 T 519.573.4965

Councillor Jeff Duncan
 County Ward 9
 T 519.400.8297

COUNTY OF WELLINGTON AT A GLANCE



Wellington County is located in south-western Ontario just over 100 kilometres west of Toronto. Four renowned post-secondary institutions surround the County including the University of Waterloo, University of Guelph, Wilfrid Laurier University and Conestoga College.

The County of Wellington has a vibrant economy and an active economic development office. The key industries in Wellington County are manufacturing, agriculture, health care and the creative economy. Proximity to vital transportation corridors and urban centres, as well as high speed broadband coverage and excellent green space make Wellington an attractive place to both work and live.

The County is made up of the following seven member municipalities:



Township of Centre Wellington
519.846.9691
www.centrewellington.ca



Township of Mapleton
519.638.3313
www.mapleton.ca



Town of Erin
519.855.4407
www.erin.ca



Town of Minto
519.338.2511
www.town.minto.on.ca



Township of Guelph/Eramosa
519.856.9596
www.get.on.ca



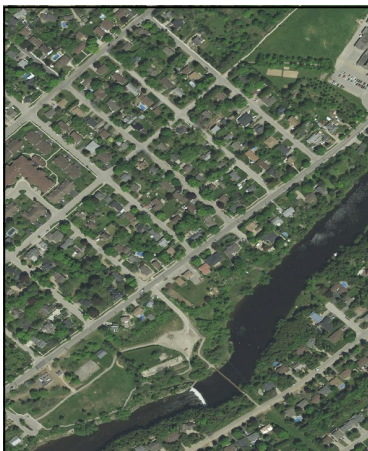
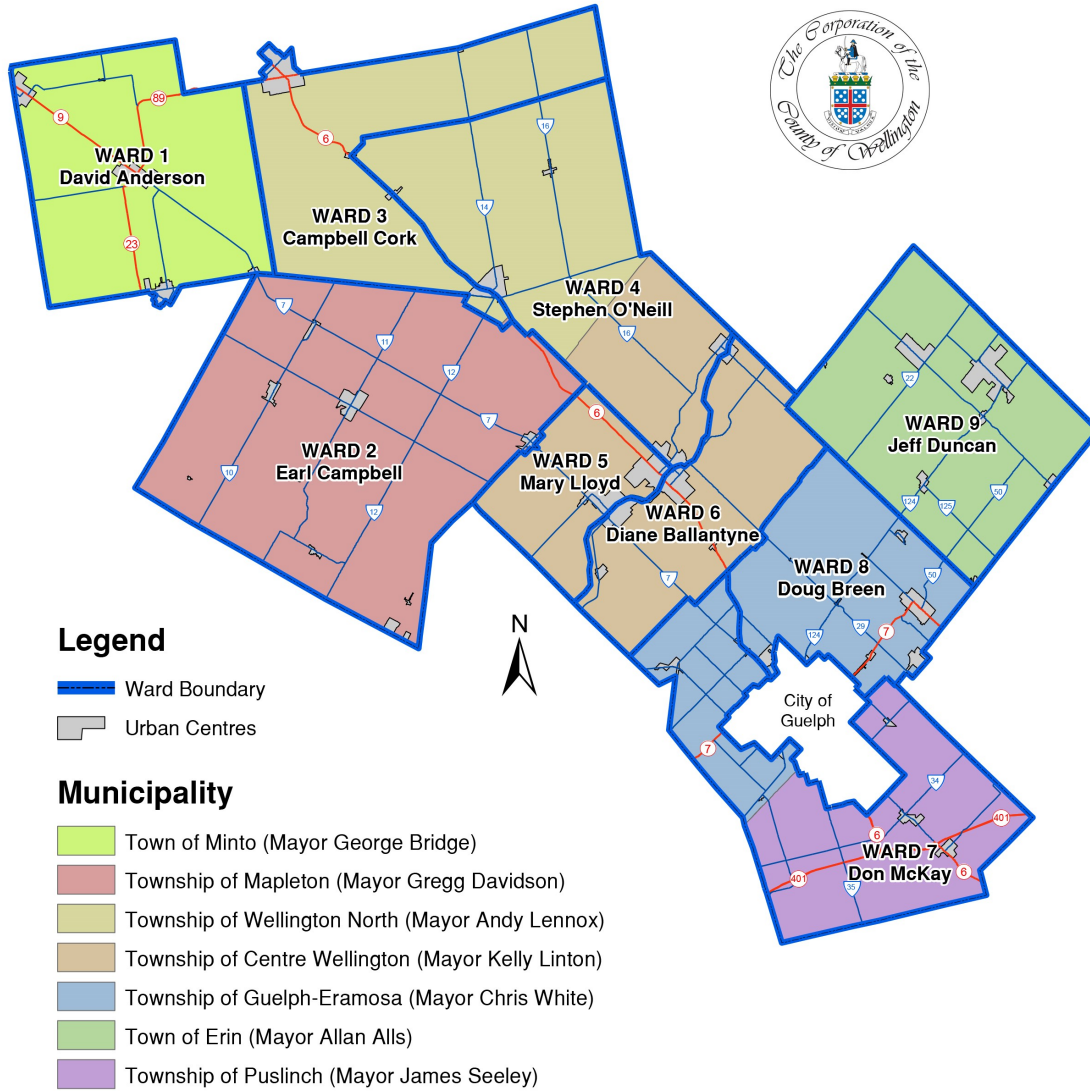
Township of Puslinch
519.763.1226
www.puslinch.ca



Township of Wellington North
519.848.3620
www.wellington-north.com

COUNTY OF WELLINGTON AT A GLANCE

County of Wellington Ward Boundaries



Population	Households	Municipalities
97,610	34,350	7
Land area	Pop. Density	Credit rating
2,610km²	37.4/km²	AA+
Businesses	Jobs	Workforce
3,418	48,082	53,974
Average Household Income	Job Growth (2011 -2018)	Annual budget
\$118,474	19.2%	\$221 million



COUNTY OF WELLINGTON POPULATION

At the end of 2018, Wellington County had **34,350** households and a population (adjusted for net Census undercount) of **97,610**. The population of Wellington County is projected to grow to 140,000 by 2041.

Wellington County 2018 Population Estimates				
	Mid - 2016		End—2018	
	Population ¹	Households	Population ¹	Households
Centre Wellington	29,350	10,830	30,720	11,310
Fergus	14,860	5,670	15,990	6,060
Elora/Salem	7,170	2,670	7,370	2,740
Centre Wellington Rural	7,320	2,490	7,360	2,510
Erin	11,890	3,955	12,110	4,200
Erin Village / Hillsburgh	4,490	1,670	4,560	1,690
Erin Rural	7,520	2,450	7,550	2,510
Guelph/Eramosa	12,890	4,220	13,750	4,630
Rockwood	4,530	1,595	5,250	1,840
Guelph/Eramosa Rural	8,350	2,625	8,500	2,790
Mapleton	10,400	2,930	11,170	3,230
Drayton	1,960	675	2,340	840
Moorefield	430	155	620	200
Mapleton Rural	8,010	2,100	8,210	2,190
Minto	8,680	3,140	9,250	3,340
Clifford	820	335	940	380
Harriston	2,040	775	2,210	810
Palmerston	2,720	1,025	2,880	1,120
Minto Rural	3,100	1,005	3,220	1,30
Puslinch	7,320	2,535	8,000	2,850
Aberfoyle	320	120	350	200
Morrison	460	180	480	160
Puslinch Rural	6,530	2,235	7,170	2,490
Wellington North	11,950	4,450	12,610	4,760
Arthur	2,550	940	2,710	1,040
Mount Forest	4,950	2,075	5,330	2,270
Wellington North Rural	4,450	1,435	4,570	1,480
Wellington County	90,880	31,190	97,610	34,350

COUNTY SERVICES

THE WELLINGTON TERRACE

Wellington Terrace is the County's Long Term Care Home. Located in Centre Wellington, it has 176 approved beds. The Wellington Terrace is committed to providing compassionate care honouring the unique needs of each resident. The Terrace is responsible for providing nursing healthcare to residents, recreation and restorative services for residents, and comfort for those in the final stages of life.



LIBRARY SERVICES

The Wellington County Library system consists of 14 branches. The libraries provide access to a rich and broad range of print materials and electronic resources. The library system also provides a weekday courier service that makes stops at all fourteen branches ensuring patrons have easy access to materials held at all the libraries. Membership is free to County residents.

MUSEUM AND ARCHIVES

Wellington County Museum and Archives (WCMA) is a National Historic Site located in Aboyne. It was originally built as the House of Industry and Refuge in 1877 and is the oldest remaining Poor House in Canada. WCMA serves as a cultural centre providing resources, programmes, exhibits, support and services for historical, educational and artistic interests. WCMA collects, preserves, researches, interprets and exhibits artifacts and archival records that reflect and document the settlement and development of the County of Wellington.



COUNTY SERVICES



ROADS

The mission of the Roads Department is to provide a safe and efficient transportation network for the movement of people and products throughout the County of Wellington, while preserving the public investment in the road system and protecting the natural state of the environment. Roads staff manage and maintain 1,435 lane-kilometres of roadways, 103 bridges and 90 culverts.



SOLID WASTE SERVICES

The Solid Waste Services Department provides programmes to collect, divert, or dispose of municipal solid waste and recyclables. Responsibilities include overseeing landfill sites, transfer stations, and Reuse Centres. Staff facilitate curbside collection of garbage and recyclables, as well as recycling and safe disposal of Household Hazardous Waste.



COUNTY SERVICES

SOCIAL SERVICES

The County of Wellington is the Consolidated Municipal Services Manager (CMSM) for Social Services in the City of Guelph and County of Wellington. These social services include:

- **Ontario Works:** helping people in temporary need of financial support to find sustainable employment and achieve self-reliance by providing employment services and financial assistance.
- **Social Housing Services:** Ensuring effective, efficient, and fair provision of high quality affordable housing to residents of Wellington County and the City of Guelph. The department strives to create innovative solutions to local housing needs in cooperation with tenants and the local community. Services provided include programmes that address rent affordability, loan assistance, as well as financial assistance.
- **Children's Early Years:** Investing in and supporting an affordable, accessible, and accountable child care system. Services include child care subsidies for financially eligible families; special needs resourcing; wage subsidies to increase the overall level of wages paid to child care workers; and quality monitoring, training, and support.

The costs to provide these services are shared with the City of Guelph.



COUNTY SERVICES

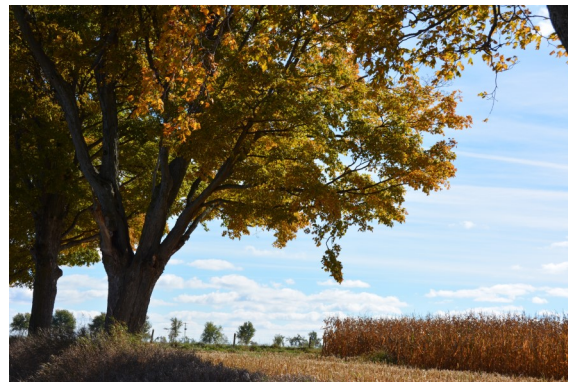
PLANNING AND DEVELOPMENT

The Planning Department is responsible for approving official plan amendments, developing County planning policies, approving new lots, providing emergency management services, reviewing development proposals, managing County forests, developing rail trails, and creating County maps.



GREEN LEGACY PROGRAMME

The Green Legacy Programme is the largest municipal tree planting programme in North America. In 2010, the programme was recognized under the Billion Tree Campaign for their help in the fight against climate change.



ECONOMIC DEVELOPMENT

The County's Economic Development Department strives to grow the economy and build on the community's many strengths. The County works as a facilitator, connecting businesses with resources, contacts, and supply chain opportunities. These efforts are aligned and promoted on a County level, to ensure employers, newcomers and investors can make informed decisions and take advantage of opportunities.



A Smart Cities Challenge initiative

COUNTY SERVICES

POLICE SERVICES

The County of Wellington has a contract with the Ontario Provincial Police (OPP) to provide policing services. The County's OPP Detachment was formed in 1999 and provides police services for the entire County excluding the City of Guelph. There are three operation centres in North Wellington, Aboyne and Rockwood. The Police Services Board oversees police operations in Wellington County.



LAND AMBULANCE

Ambulance services for Wellington County are provided by the City of Guelph and are cost shared based on the proportion of calls in each municipality. The City of Guelph was designated as the delivery agent by the Province of Ontario and assumed responsibility for service delivery in 2001. Guelph-Wellington Paramedic Service provides emergency pre-hospital medical care to Guelph and Wellington County.

PROVINCIAL OFFENCES COURT

The City of Guelph delivers Provincial Offences Act (POA) administration and prosecution on behalf of Wellington County and its member municipalities. The City provides administration for the Ontario Court of Justice with respect to all provincial offences and prosecution services regarding Part I Provincial Offences Act charges. These charges include tickets issued pursuant to the Highway Traffic Act, Liquor Licence Act and similar provincial statutes. The County shares in the net revenue which is distributed between the City and County based on location of each offence. Wellington County and the City of Guelph also cost share capital expenses on a 50/50 basis.

PUBLIC HEALTH SERVICES

Public Health Services are provided by Wellington-Dufferin-Guelph Public Health (WDGPH). WDGPH was formed in 1967 and is governed by an autonomous Board of Health consisting of elected and appointed representatives from the Counties of Wellington and Dufferin and the City of Guelph. WDGPH receives an annual operating grant from the Province of Ontario and the net municipal cost is then funded by Guelph (46.3%), Wellington (32.0%) and Dufferin (21.7%) in proportion to their population.



ECONOMIC DEVELOPMENT HIGHLIGHTS

Wellington County Economic Development works towards creating a strong vibrant local economy. Like many rural communities, Wellington County faces challenges associated with an aging population, a large area to service and businesses experiencing talent attraction challenges. To overcome these, Economic Development focuses on initiatives to strengthen vital business infrastructure, support businesses, build the local labour market and promote the region.

We understand that partnership locally and internationally are vital to supporting and growing our local economy. Examples of these partnerships include Guelph-Wellington's recent announcement as a \$10 million dollar winner in Infrastructure Canada's Smart Cities Challenge. The project goal is to create Canada's first Circular Food Economy by seeking solutions to food waste, encouraging new innovative business and increasing access to nutritious food, not only for our community but also for communities around the world. We also collaborate with the South Western Integrated Fibre Technology (SWIFT) programme to bring reliable internet access to rural communities and the Ontario Food Cluster (OFC) to promote and attract investment to the County.



Jana Burns, BA, MSc
Director of Economic
Development

Working with our member municipalities and providing countywide programming enables Economic Development to support businesses throughout Wellington. County initiatives include the Invest Well Community Improvement Programme, Ride Well Rural Transportation, Countywide Signage, Business Retention and Expansion, Live and Work Wellington initiative and the Taste Real Local Food programme.

In 2019 we reaffirm our goals and actions with the new 2019 to 2021 Three-Year Economic Development Plan. Working towards finding solutions to the challenges before us and remaining focused on helping business thrive in Wellington County.



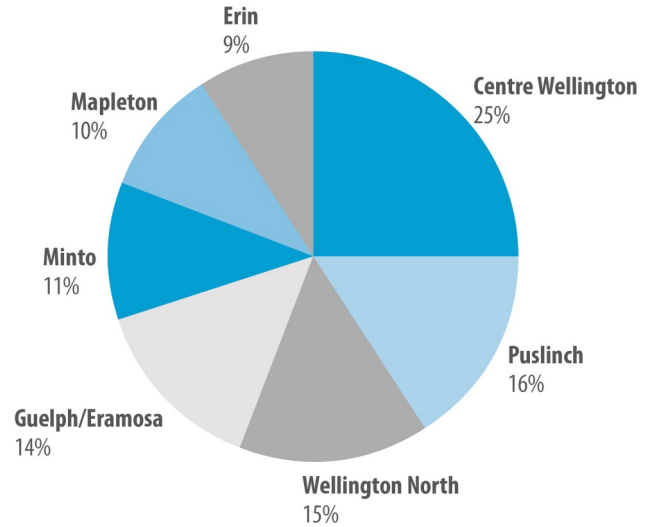
LOCAL ECONOMY

Jobs in the County of Wellington stand at 48,082 (2018) and the labour force totals 53,974 employees (2018). From 2011 to 2018 job growth has increased by 18% or 7,358 jobs.

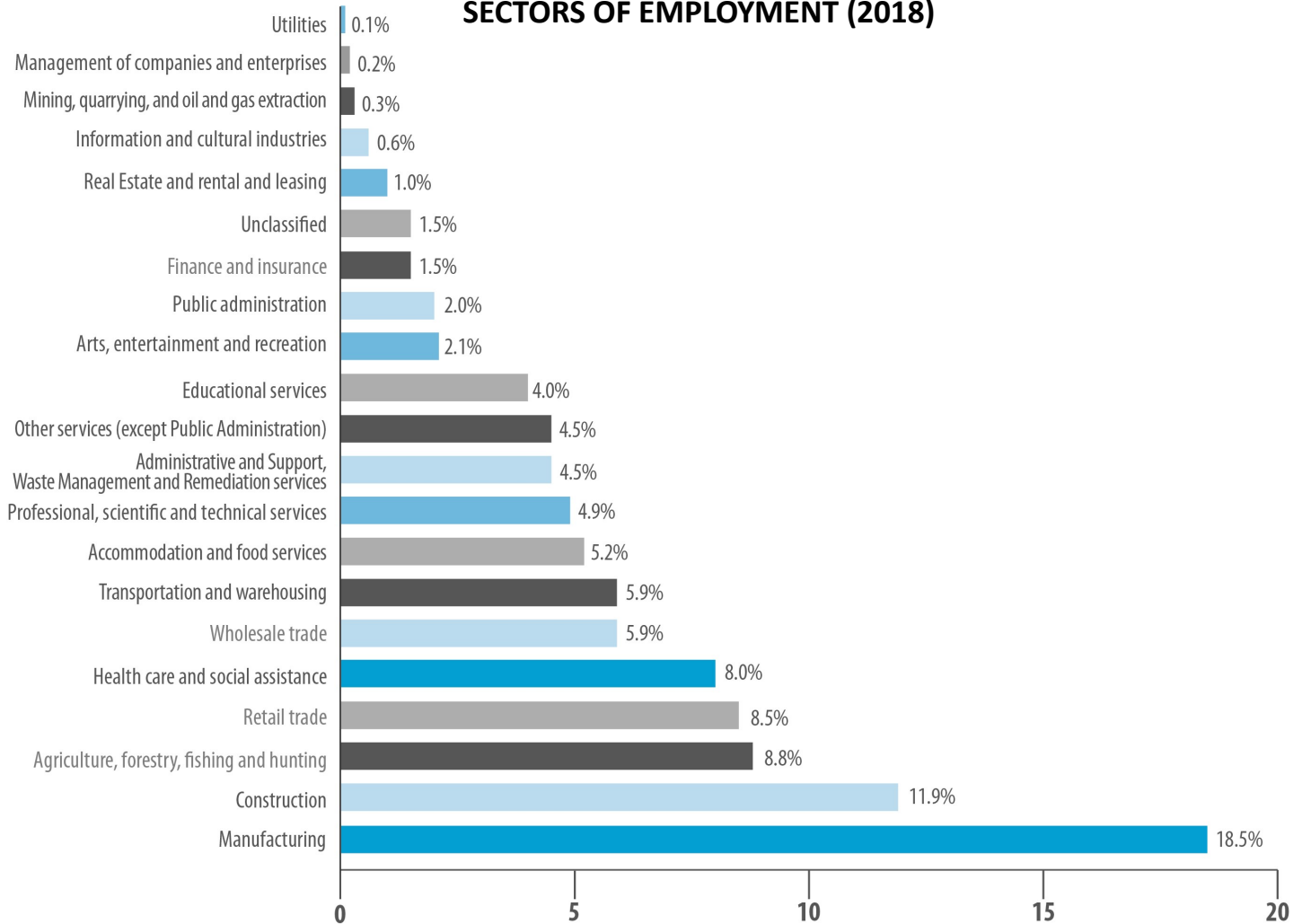
Over the past several years, Wellington has been experiencing significant growth in the number of jobs in agriculture, manufacturing, health care and creative professional services. The growth represents an excellent indication of the very strong, stable and expanding economy found in Wellington.

Small and medium-sized enterprises (SMEs) in Canada employ 90.3% of workers in the private sector, play a proportionally large role in job creation and produce approximately 30% of Canada’s gross domestic product. SMEs represent the majority of all Wellington County businesses.

LABOUR FORCE DISTRIBUTION (2018)



SECTORS OF EMPLOYMENT (2018)



2018 NOTABLE PROGRAMMES AND EVENTS

Talent Attraction Initiative

The Live and Work Wellington™ Campaign is a talent attraction initiative designed to promote Wellington County as a desirable place to live and work. This programme supports the labour market needs of the business community, making connections between employers and job seekers, and attracting new employees.

Live and Work Wellington™ activities work toward supporting Wellington County businesses by growing a diversified workforce, developing partnerships with educational institutions and showcasing employment opportunities in Wellington County. The activities also consist of:

- ◆ Working with Immigrant Services Guelph-Wellington to promote and connect immigrants to employment opportunities in Wellington County.
- ◆ Promoting Wellington County to regional, national and international audiences.
- ◆ Providing support to Wellington County businesses regarding immigration opportunities.

Recently completed projects funded by the Ministry of Citizenship and Immigration include “Supporting the Economic Integration of Immigrants and International Students in Rural Labour Markets” (2017-2018) and “Ease in to Canada” (2018), an employer toolkit to support newcomers in the workplace.



Hillsburgh Library and Commercial Kitchen Space

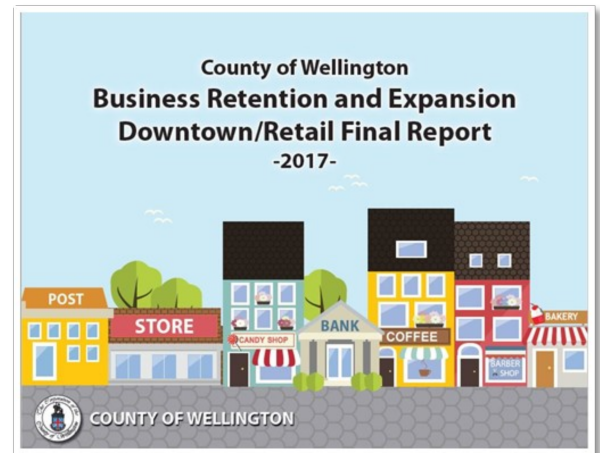
The new Hillsburgh Branch of the Wellington County Library officially opened in June 2018. Situated in a stunning setting adjacent to the Cataract Trail and on a lakeside property, the library incorporates the original heritage home in the architectural design. A commercial community kitchen and public meeting space is unique to the facility. The Economic Development department designed and coordinated the kitchen at Hillsburgh library to ensure the space will be suitable as a community and business space. The inclusion of a commercial kitchen space will encourage recreation and tourism opportunities at the new library site.



2018 NOTABLE PROGRAMMES AND EVENTS

Business Retention and Expansion (BR+E)

Business Retention and Expansion (BR+E) is a community-based economic development programme that focuses on supporting existing businesses. The survey programme assists with building and improving relationships, and helps to establish strategic action plans to enable business development, investment and job creation. In 2016-2017, the County of Wellington completed a second regional BR+E Project, focusing on the Downtown and Retail Sector, followed by 1,547 downtown customer origins surveys in 2018.



BR+E Implementation Fund

The BR+E Local Implementation Fund provides funding for the direct execution of BR+E activities to enhance the local economy. Since it was enacted in 2014, the County BR+E Fund has generated \$840,600 in leveraged investments within Wellington County. Resulting projects include business recruitment activities, mapping, signage, community growth plans and marketing programmes. The \$615,000 County investment has created a 58% return on investment and noticeable, positive changes within Wellington County.

Rural Transportation Rideshare Programme

In 2018 the County of Wellington was approved for an MTO Community Transportation grant of \$499,550, available over five years, to allow for the implementation of a ridesharing system across Wellington County. The County's Ride Well system will make it more convenient for residents and visitors, including seniors, youth, persons with disabilities and others to access essential services, get to work and participate in our community. Staff from Social Services, Treasury and Economic Development are working closely with Dillon Consulting and existing community partners to create a sustainable ridesharing programme for residents and visitors alike. Ride Well will begin operation in October 2019.



This Way to Wellington Signage Programme

The County of Wellington approved its first ever Signage Plan in February 2016. This initiative is designed to promote greater awareness of Wellington's boundary communities, to generate new investments, attract tourism and strengthen County pride. Gateway signage roll out continued in 2018 with new tourism direction signage, promoting destinations across the County.



2018 NOTABLE PROGRAMMES AND EVENTS

Ontario Food Cluster, Investment Attraction

In 2016 the County of Wellington became a member of the Ontario Food Cluster (OFC). The OFC is a cost-sharing partnership of government and economic development organizations in southern Ontario that pool their resources together to attract agri-food company investment to the participating Ontario communities.



Taste Real Local Food

Guelph Wellington is a region deeply rooted in agriculture, with a long tradition in food preparation and processing. The Taste Real programme helps to build connections within the region to make it easy for residents and visitors to access local food and local food experiences. Wellington County is home to a number of excellent food events and festivals, engaging on-farm experiences and six farmers' markets. The region is also famous for its craft breweries - a testimony to the type of entrepreneurial spirit and craftsmanship that makes this region unique.



Taste Real Programming:

- Taste Real Local Food Map
- Local Food B2B Networking and Learning Workshops
- Local Food Fest, award winning festival celebrating food, drink and agriculture
- Spring Rural Romp, Self-Guided Farm Tour in Northern Wellington County
- Fall Rural Romp, Self-Guided Farm Tour in Southern Wellington County
- Taste Real Experiences, highlighting local food options in the "off-season"

Festivals and Events Guide

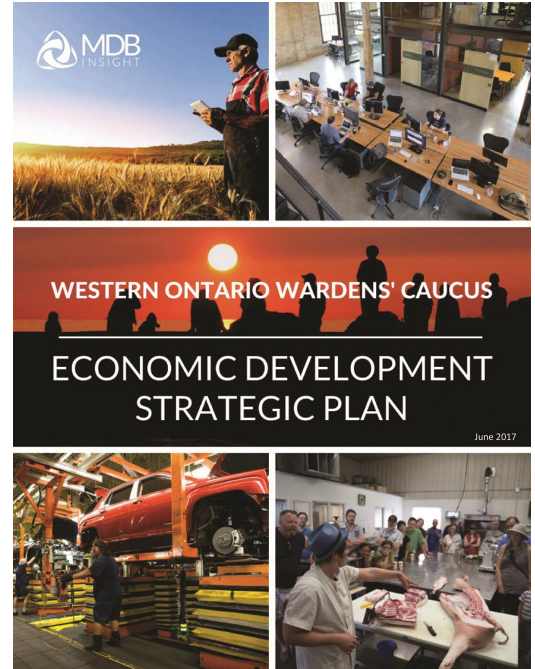
Each year in partnership with Wellington's seven member municipalities, the Economic Development division produces the Festivals and Event Guide. Wellington County boasts over 200 local festivals and events annually. Top events include the Hillside Music Festival, Fergus Scottish Festival and Highland Games, and the Mount Forest Fireworks Festival.



2018 NOTABLE PROGRAMMES AND EVENTS

Western Ontario Warden Caucus (WOWC) Economic Development Strategic Plan

The Economic Development Strategic Plan for Southwestern Ontario was completed in 2017 and highlighted many shared challenges and opportunities. These include infrastructure investment, workforce planning and regional marketing. As Chair of the WOWC Economic Development Committee, Councillor George Bridge championed the creation of a fund to hire an Executive Director to lead the implementation of the Plan. The project has connected many leaders across the province and is also working with the Western Ontario Community Futures Development Association to advocate for a \$2M fund for regional economic development initiatives. In 2019 great headway was made in terms of trust building amongst politicians and practitioners, network building and advocacy for regional efforts. In addition, the Western Wardens' Economic Development programming included the first ever Southwestern Ontario Workforce Forum held in December 2018.



Southwest Integrated Fibre Technology (SWIFT)

In 2011, the Western Wardens initiated the SWIFT project with the goal of providing 3.5 million people across 350 Ontario communities with high-speed internet service. Today SWIFT includes 20 partners who have contributed \$17 million in funding in addition to \$180 million in financial support from the Provincial and Federal governments. The County of Wellington is one of these partners, having committed to \$880,000 over a five-year period in the Economic Development budget. Wellington County is actively engaging in activities to strengthen internet service, gather data and engage the community to help solve connection challenges in the years to come. In May 2019, as the final contributing partner to SWIFT, the Province announced its commitment to providing \$315 million to ensure communities across Ontario have access to high-speed internet. The announcement of \$12.1M for Wellington County means residents are one step closer to getting better high-speed internet, with the calls for bids from market players going out later this year.

2018 NOTABLE PROGRAMMES AND EVENTS

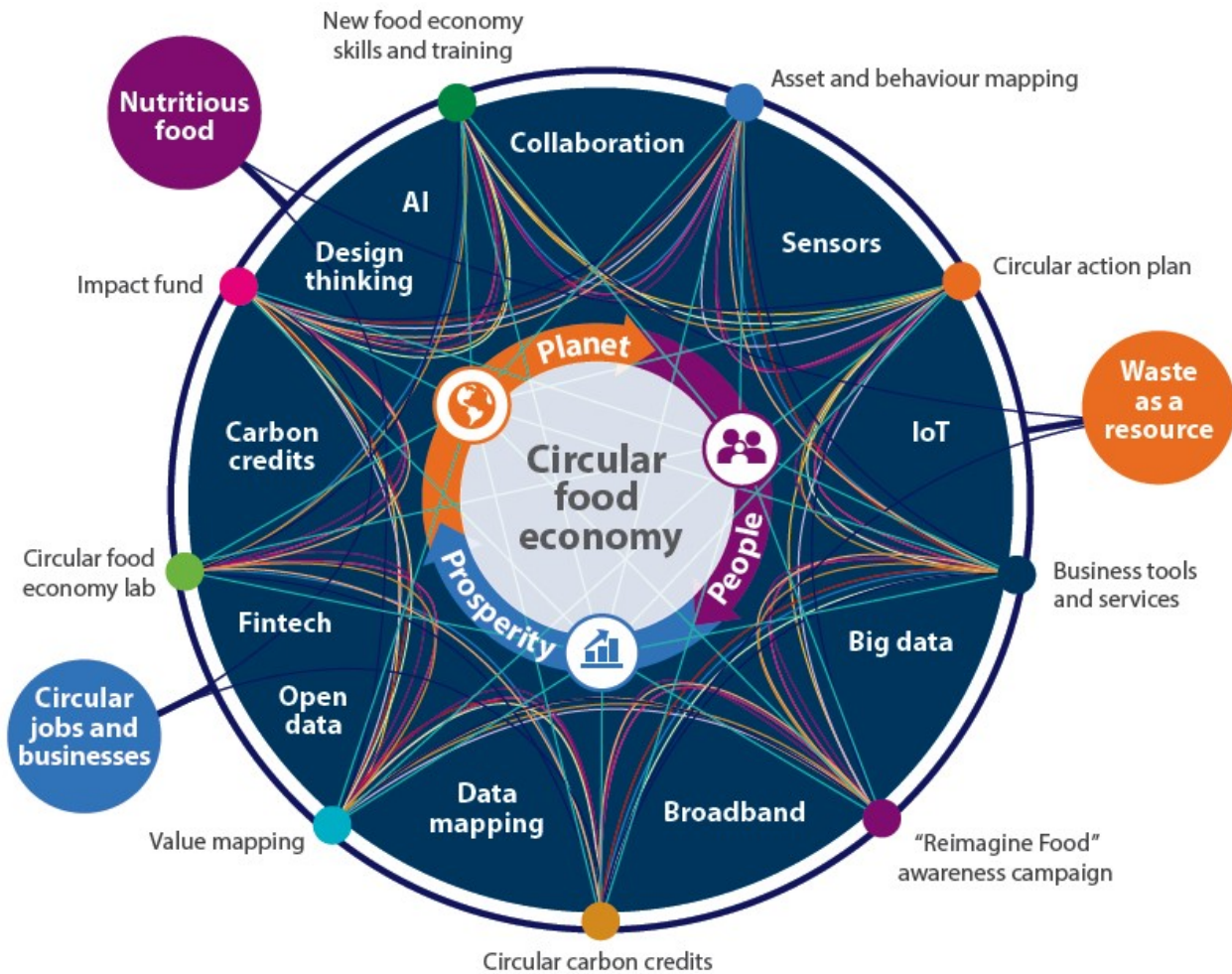
Smart Cities

50 x 50 x 50 by 2025: Creating Canada’s first circular food economy

In June 2018, Prime Minister Trudeau announced that Guelph-Wellington would compete for a \$10 million prize as a finalist in Infrastructure Canada’s Smart Cities Challenge. The project aims to create a Guelph-Wellington Circular Food Economy. The 50x50x50 by 2025 campaign focuses on three bold goals:

- 50% increase in access to affordable, nutritious food;
- 50 new circular food business and collaboration opportunities; and
- 50% increase in economic revenues by reducing or transforming food waste.

On May 14, 2019 Guelph-Wellington was awarded the Smart Cities Challenge \$10 Million prize from Infrastructure Canada to implement the Smart Cities vision: Our Food Future, Canada’s first circular food economy.



2018 NOTABLE PROGRAMMES AND EVENTS

Invest Well - Community Improvement Programme (CIP)

In 2018, the County of Wellington approved its first ever countywide Community Improvement Programme (CIP). With the goal to “Invest Well” this CIP establishes a framework that allows the County to participate financially in local grant and loan programmes aimed at revitalizing, beautifying, and attracting investment in Wellington. A CIP is intended to encourage rehabilitation initiatives and stimulate development. A CIP also allows the County to provide tax assistance, grants or loans to assist in the rehabilitation of lands and buildings within the defined Community Improvement Project Area.



Wellington County provides leadership in community improvement planning by offering incentives to eligible owners and tenants of lands and buildings in key sectors and areas of economic activity across the County. The County’s Invest Well Programme works together with the Member Municipal Community Improvement Plans.

The Invest Well CIP is based on countywide goals, guided by priorities identified in the Official Plan, Economic Development Strategy, Business Retention and Expansion findings, the Taste Real programme and the Investment Attraction Strategy.

Where We’re Heading Next:

Three-Year Plan (2019-2021)

The Economic Development Three-Year Plan, approved in January 2019, guides the department as an action plan. The Plan was developed in consideration of the division’s mandate to support the activities of the member municipalities while aligning countywide priorities for larger, regional projects. The Plan highlights five priority and action areas:

- Growing Key Industries
- Attracting Talent
- Supporting Business
- Planning for the Future
- Promoting Wellington County

WELLINGTON COUNTY ECONOMIC DEVELOPMENT THREE YEAR PLAN (2019-2021)



County of Wellington
74 Woolwich Street, Guelph, ON N1H 3T9
ecdev@wellington.ca
www.wellington.ca

Report from the County Treasurer

KEN DEHART, CPA, CGA

June 13, 2019

Wellington County Council and staff are committed to thinking more strategically about our services and programmes, the infrastructure required to deliver them and our long-term sustainability. This requires that we focus on developing long-term plans to enable us to meet existing challenges, take advantage of emerging opportunities, and to measure our progress along the way.

Council and senior staff are currently involved in developing the County's first Strategic Plan which will guide the County's activities over this term of Council. It is important that the County set priorities, identify goals and identify specific actions to achieve them.

The County's Treasury Department has already begun this work. A Long-Term Financial Sustainability Strategy and Policy will be brought forward to Committee and Council in June 2019 for approval. This will allow the County to incorporate a long-term perspective for financial decision-making and budgeting. It will provide Council with a tool to help make decisions about policies, services and other significant matters that impact the financial health of the County. The strategy will provide Council with better long-term financial information when it considers significant policy decisions that have an impact on services. It will ensure that factors such as the tax and user fee impact to our residents and businesses, debt and reserve levels, and value for money are considered when making these decisions.

Treasury staff are also in the process of reviewing and revising our financial management policies, in order to ensure that we act in accordance with industry best practices and that we are always taking a long-range perspective in the management of County funds. This year four policies have already been approved by Council, including updates to the Capital Budget, Lease Financing and Debt Management Policy and the Cash and Investment Management Policy. New policies to guide the setting of User Fees and acceptance of Donations have been developed. This will ensure optimal and efficient use of scarce resources and assist the County in reducing pressures on property tax revenues.

In addition to this work, new and exciting partnerships are being advanced. It was recently announced that the Guelph-Wellington submission for the Smart Cities Challenge was successful. This will bring a \$10 million federal investment to our region in order to promote Canada's first circular food economy. The City and County aim to be world-class leaders in the agri-food industry and strengthen our urban-rural partnership. This is in line with the County's new three-year Economic Development Strategic Plan with the objective of supporting the County's vision for a strong and vibrant local economy that will provide job opportunities for our residents and increase the resilience and diversification of our assessment base.

The County remains in a strong financial position. The County's commitment to the continuous improvement of its financial management activities and long-term planning as well as its strengthening economic partnerships should put upwards pressure on Wellington's already strong AA+ credit rating.



Report from the County Treasurer

KEN DEHART, CPA, CGA

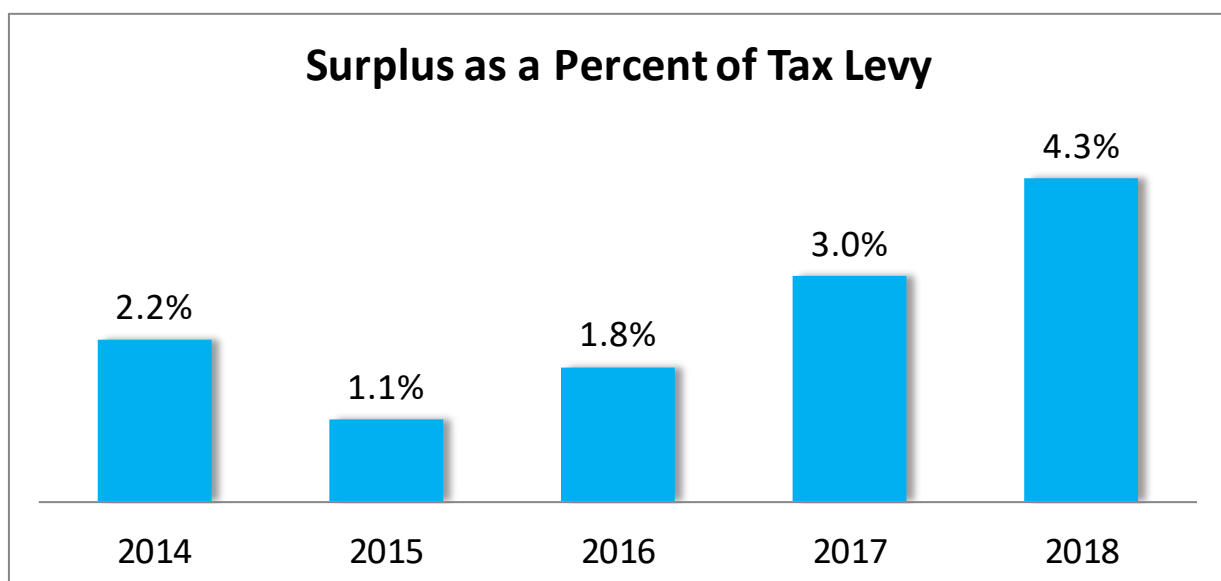
Other accomplishments include:

- The Treasury Department was recognized by the Government Finance Officers' Association (GFOA) with awards for both its Annual Financial Report and Budget and Ten-Year Plan document.
- We have continued to invest in our Municipal Asset Management Programme (MAMP) to help incorporate asset management activities into daily practices and allow the County to make more informed infrastructure decisions.
- Further review of the County's financial policies and practices is currently being conducted. We expect to bring forward an updated Strategic Asset Management Policy and review our Budget Review, Approval and Amendment and Budget Variance reporting policies to reflect best practices as identified by the GFOA. All of these policy updates are being developed in accordance with the County's Long-Term Financial Sustainability framework.

Operating Results

As described further on pages 61-62 of this report, the County approves its budget and reports regularly on its financial results on a modified accrual basis of reporting. For practical purposes, this provides the best measure that property taxes were collected and spent for their intended purpose.

The County's 2018 year-end position on a modified accrual (cash) basis was a surplus of \$4,055,000 which is 4.3% of the tax levy. As approved by County Council, the entire surplus was transferred to the Wellington Terrace Capital Reserve for the potential investment in a continuum of care campus for seniors at Wellington Place. Should that development not proceed, the funds will be redirected to the Roads Capital Reserve for infrastructure investment.



Report from the County Treasurer

KEN DEHART, CPA, CGA



Long-Term Financial Planning

The County's long-term financial planning process aims to create a local government that is financially resilient. The County strives to provide services to residents and ratepayers at a reasonable cost, while maintaining its ability to mitigate the impacts of economic downturns, severe weather conditions, and changes in funding and operational requirements by other levels of government.

To that end, the County is taking a long-term approach to financial management. The County has implemented several policies and procedures that contribute to an integrated financial planning approach which balances three areas of financial resiliency:

1. **Financial Sustainability:** addresses the County's stability. It is the ability to provide and maintain service and infrastructure levels without resorting to unplanned increases in rates or cuts to services.
2. **Financial Vulnerability:** addresses the County's vulnerability to external sources of funding that it cannot control. It is focused on minimizing the level of risk that could impact the County's ability to meet existing financial obligations and commitments, including the delivery of services.
3. **Financial Flexibility:** is the County's ability to issue debt responsibly without impacting the credit rating or ability to generate required revenues. It is the County's capacity to change debt or tax levels to meet financial obligations.

Report from the County Treasurer

KEN DEHART, CPA, CGA

Financial Sustainability

Wellington efficiently manages its resources to ensure the current needs of its citizens are met without jeopardizing the ability for future generations to meet their own needs. This requires long term planning through multi-year budgeting. The County annually prepares a ten-year operating and capital budget and forecast that provides for consistent contributions to reserves and reserve funds and recognizes the ongoing operating costs associated with capital projects.

This diligent reserve and reserve fund management allows the County to avoid the issuance of debt for the repair, rehabilitation and replacement of existing assets where possible, build up funding for future liabilities such as landfill closure and post-closure costs and provides contingency funding for unexpected events. The County recognizes its responsibility to provide good stewardship of public assets and has prepared ten-year asset management plans for the majority of its capital assets including roads, bridges, culverts and County owned social housing units.

Financial Vulnerability

To ensure consistency and stability in funding, the County recognizes the importance of managing its revenue sources effectively. County staff actively manage the property tax assessment base to ensure that properties are added to the roll in a timely manner and are assessed in a fair and consistent basis. The County is currently implementing its Economic Development strategic plan to assist current business owners in their continued success and to attract new investment into the County to increase commercial and industrial assessment. The County's Cash and Investment Management Policy ensures the prudent investment of funds while adhering to statutory requirements, preserving capital, maintaining liquidity, diversifying our investments and generating a competitive rate of return. As well, the County charges user fees and collects development charges to assist with funding where appropriate and to ensure growth pays for growth to the maximum extent possible. These policies have been updated to reflect best practices.

A new User Fee policy was approved in May 2019 that strives to standardize the collection of user fees and enable the County to recover the cost of services that provide direct benefits to specific users. User fees are determined based on recovering the full cost of providing a good or service (including operating expenses, administrative costs, overhead, and capital expenses), to the extent that there is no conflict with fundamental equity and accessibility principles. This allows the County to redirect property tax revenues to fund services that provide a public benefit.

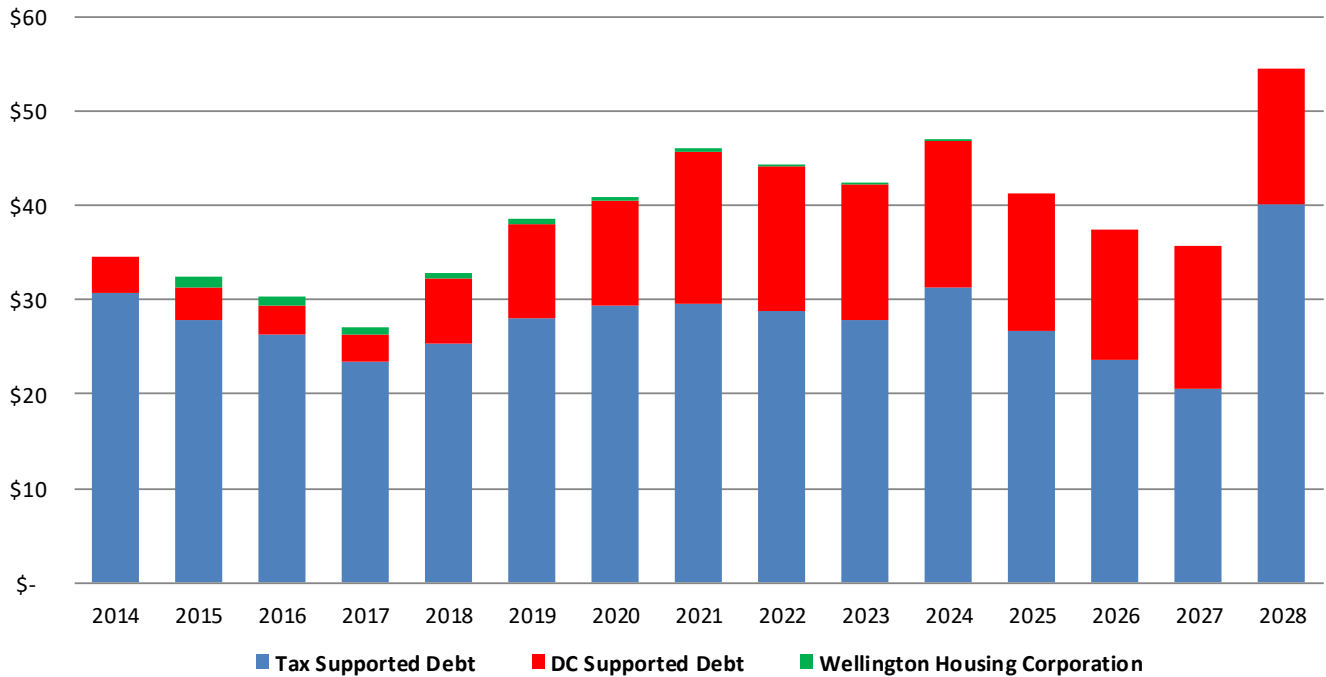
Financial Flexibility

The Capital Budget, Lease Financing and Debt Management Policy governs the preparation of the capital budget and financing of the County's long-term infrastructure and facility requirements. The policy provides a debt management framework that establishes debt limits, debt structuring and debt issuance procedures in accordance with industry best practices. Wellington's credit rating was maintained at AA+ with a stable outlook in 2018 in part due to its manageable debt load and high liquidity. Both of these characteristics provide flexibility to adapt to external challenges such as extreme weather conditions or reduced funding by higher levels of government.

Report from the County Treasurer

KEN DEHART, CPA, CGA

**County of Wellington Consolidated Debt Outstanding 2014-2028
(\$ Million)**



Financial Ratio Analysis

The following page shows a number of ratios used by Standard and Poor’s and County staff to assess the ongoing financial health of the corporation. Explanations for year-over-year changes are provided for comparison purposes. The ratios show the continued strength of the County’s financial operations.

I hope that you find this annual report informative and helpful in assessing the County’s financial health. Please do not hesitate to contact the County’s Treasury Department with any questions at 519.837.2600.

Sincerely,

Ken DeHart, CPA, CGA
County Treasurer

Report from the County Treasurer

KEN DEHART, CPA, CGA

Financial Indicator	2018	2017*	Status Compared to Prior Year	Explanation
Capital Expenditures/ Total Expenditures	16.7%	17.6%	↓	Wellington County's capital expenditures have slightly decreased to just under 17% of 2018 total expenditures, which maintains the County at or above its peers for spending. Capital investment should continue to be strong for the next few years.
Modifiable Revenue/ Adjusted Operating Revenue	76.7%	74.9%	↑	Wellington County's budget flexibility remains positive on the revenue side with modifiable (own source) revenues in 2018 of about 77% of adjusted operating revenues.
Operating Balance/ Adjusted Operating Revenue	16.7%	15.1%	↑	The County demonstrates strong operating surpluses as a share of adjusted operating revenues and is in line with its five-year average of approximately 17%.
After-Capital Balance/ Total Adjusted Revenue	6.5%	3.3%	↑	Wellington County experienced another after-capital surplus in 2018 at 6.5% of total adjusted revenue. This demonstrates healthy liquidity and robust budgetary performance.
Free Cash and Liquid Assets/next 12 months debt service	9.1 X	10.5 X	↓	Wellington County has a very strong liquidity position with adjusted free cash and liquid assets totalling \$96.7 million in 2018. This covers the County and Member Municipality estimated debt service in 2018 just over 9 times.
Tax Supported Debt (incl lower tiers) / Adjusted Operating Revenue	30.7%	30.9%	→	At fiscal year-end 2018, tax supported debt (upper and lower tier) was 30.7% of adjusted operating revenues. This debt is manageable and remains well below 60% of operating revenues.
Tax Supported Debt (County only) / Adjusted Operating Revenue	16.7%	14.9%	↓	At fiscal year-end 2018, tax supported debt (upper tier only) was 16.7% of adjusted operating revenues. This debt is manageable and remains well below the County's self imposed limit of 30% of operating revenues.
Debt Interest / Adjusted Operating Revenue	1.0%	1.3%	↑	This ratio is positive, stable and indicates that only 1.0% of the County's adjusted operating revenues are committed to funding debt interest charges.
Debt to Reserve	0.39	0.37	→	This ratio is positive, stable and indicates that the County has approximately \$1 in reserves & reserve funds for every \$0.39 in debt.

* 2017 restated with Standard & Poor's Methodology

Key Financial Indicators

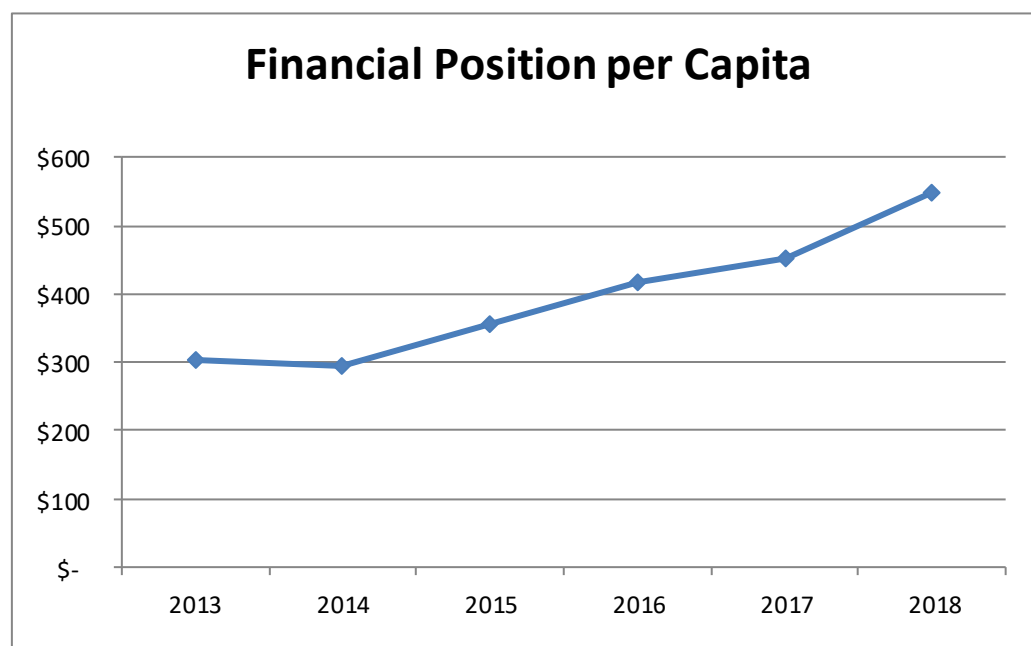
Background:

Each year, BMA Consulting Inc. completes a comparative study on behalf of participating Ontario municipalities. This section takes measures from that study and calculates the current year's values from the FIR. The analysis is completed using the most recent current value assessment, tax policies, levy by-laws, development charges, water/sewer rates, FIRs, user fees and economic development programmes. These indicators help evaluate each municipality's existing financial condition and identify future challenges and opportunities. This section illustrates Wellington County's performance over a five-year period and is based on information contained in the Annual Financial Information Return submitted to the Ministry of Municipal Affairs and Housing (MMAH).

SUSTAINABILITY - The ability to provide and maintain service and infrastructure levels without resorting to unplanned increases in rates or cuts to services.

Indicator 1: Financial Position Per Capita

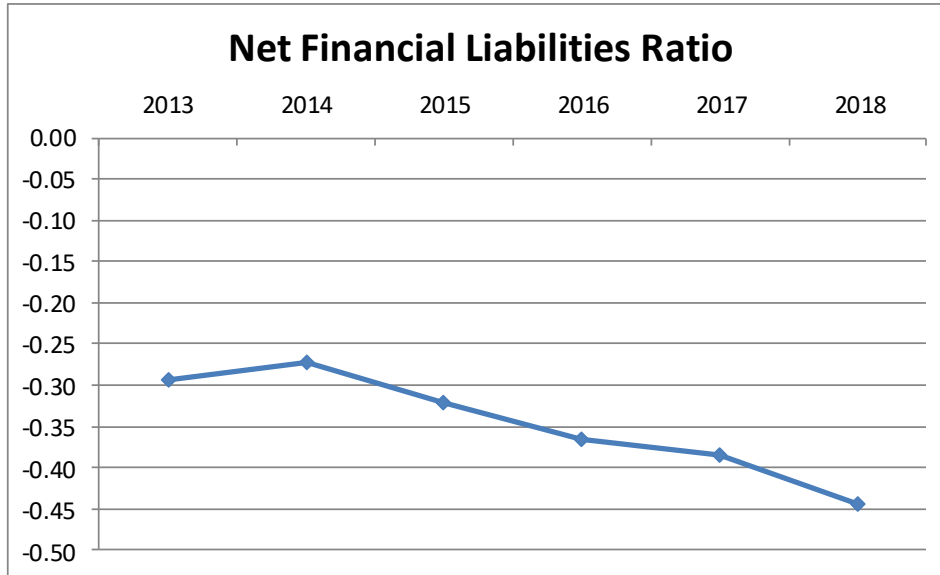
Financial position is a key indicator of a municipality's financial health. It provides an indication of the affordability of future municipal spending. The net financial position is a broader measure of a municipality's indebtedness than debenture debt as it includes all of the municipality's financial assets and liabilities. A negative number indicates that a municipality's total liabilities exceed its total assets.



Key Financial Indicators

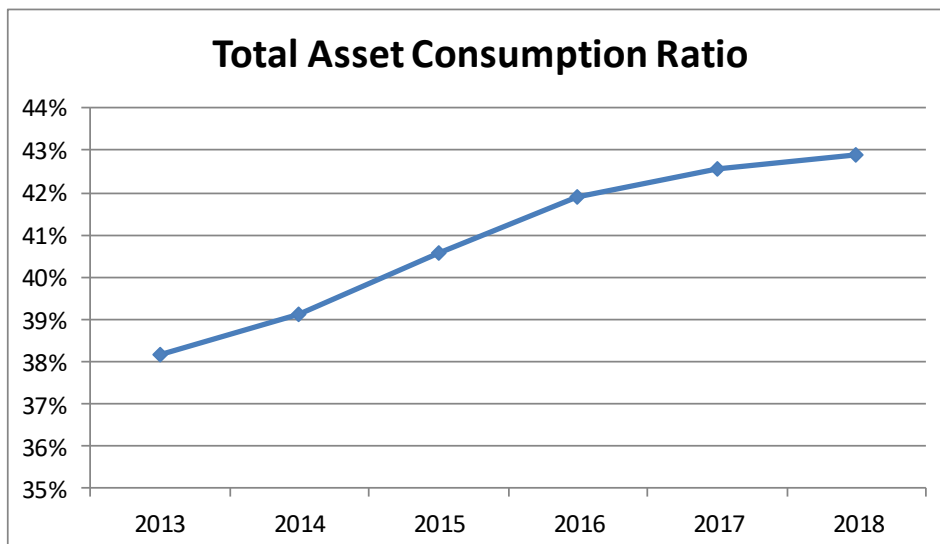
Indicator 2: Net Financial Liabilities Ratio

Net Financial Liabilities ratio is total liabilities minus assets as a percentage of own source revenues. It indicates the extent to which financial liabilities could be met by its operating revenue. A ratio greater than zero indicates that the municipality’s total liabilities exceed the total assets.



Indicator 3: Asset Consumption Ratio

This provides an estimate of the useful life remaining in the municipality’s capital assets. It shows the value of the tangible capital assets that have been consumed and seeks to highlight the aged condition of the assets and the potential asset replacement needs. The MMAH considers a ratio of 25% or under to be relatively new; 26%-50% to be moderately new; 51%-75% to be moderately old and over 75% to be old.



Key Financial Indicators

FLEXIBILITY – The ability to issue debt responsibly without impacting the credit rating. Also, the ability to generate required revenues.

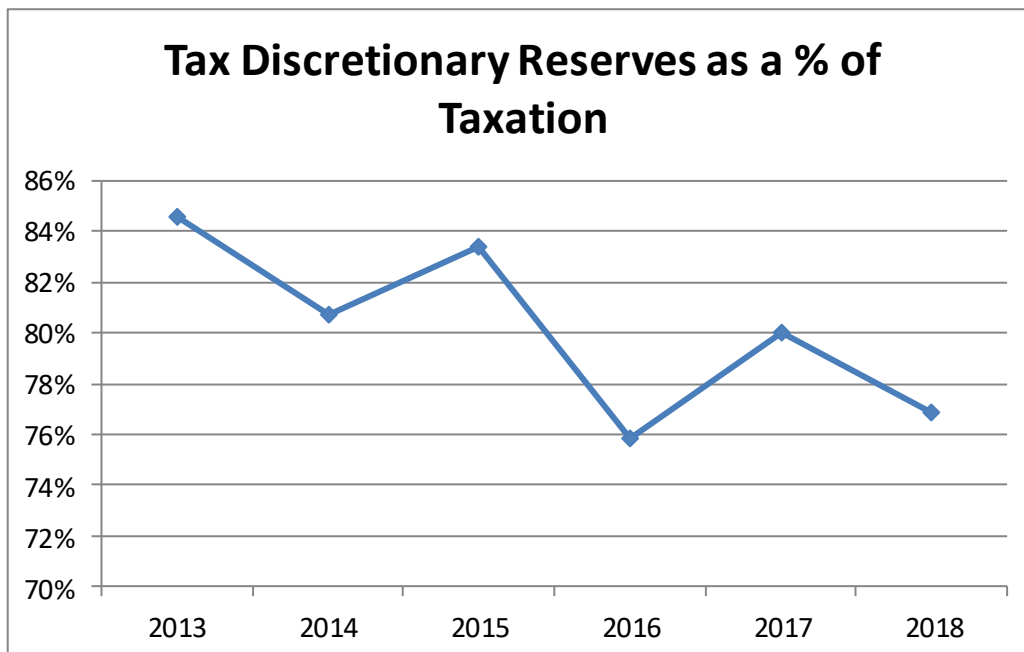
Indicator 4: Reserves

Reserves are a critical component of a municipality's long-term financial plan. Reserves offer liquidity which enhances the municipality's flexibility in addressing operating requirements and in permitting the municipality to temporarily fund capital projects internally, allowing it time to access debt markets and take advantage of favourable conditions.

Three financial indicators have been included for tax reserves. In each case, the obligatory reserve funds have been excluded.

I. Tax Discretionary Reserves as a % of Taxation

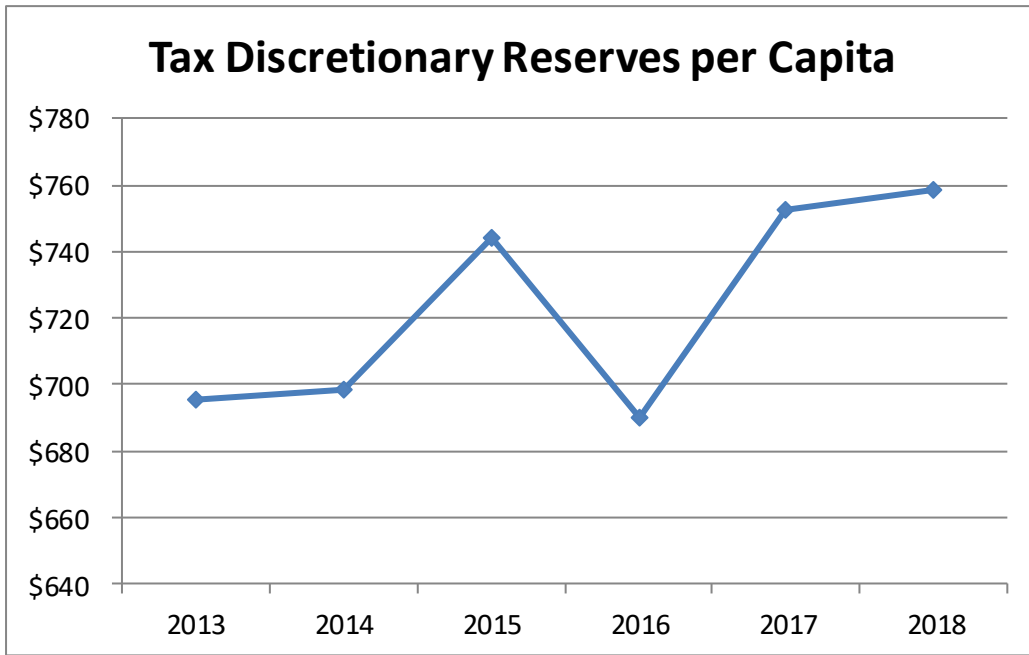
This provides the total tax discretionary reserves and reserve funds in relation to total taxation.



Key Financial Indicators

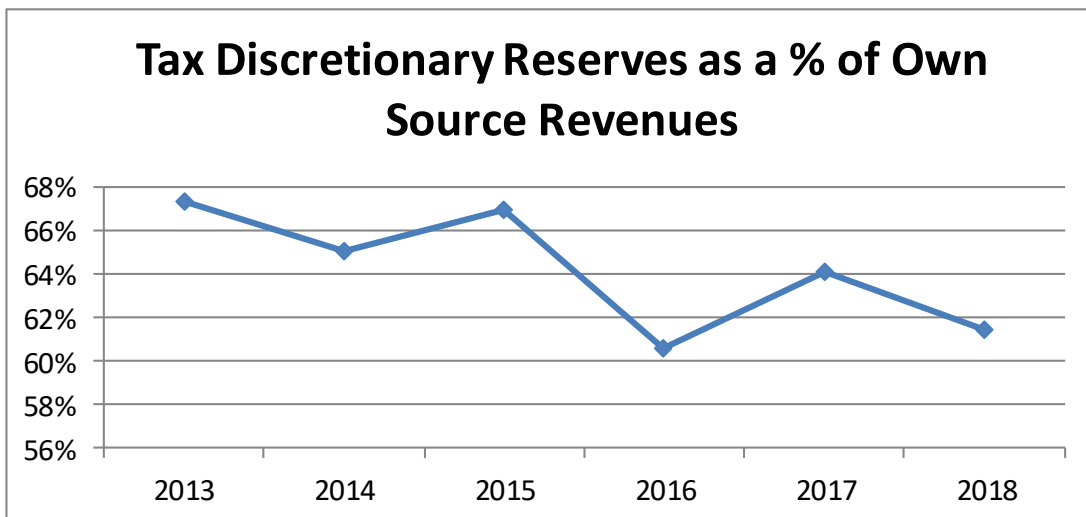
II. Tax Discretionary Reserves per Capita

This provides the total tax discretionary reserves in relation to the population.



III. Tax Discretionary Reserves as a % of Own Source Revenues

This shows the total value of funds held in reserves and reserve funds compared to a single year's own source revenue. It is a strong indicator of financial stability.



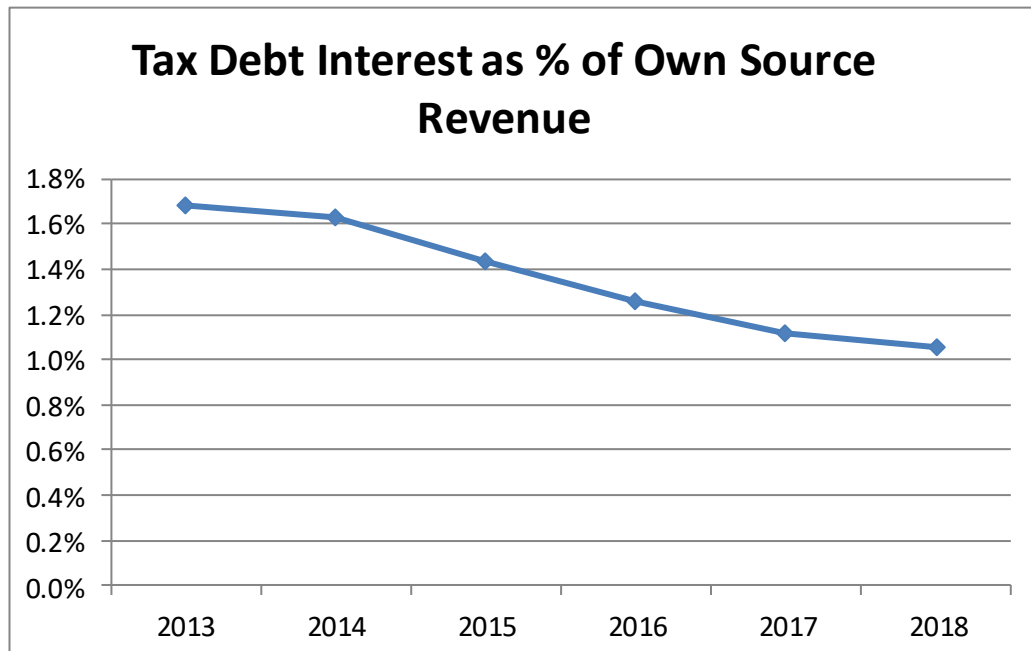
Key Financial Indicators

Indicator 5: Debt

There are five financial debt indicators that have been included in the analysis to provide a clear understanding of the overall debt outstanding and the debt servicing costs.

I. Tax Debt Interest as % of Own Source Revenue

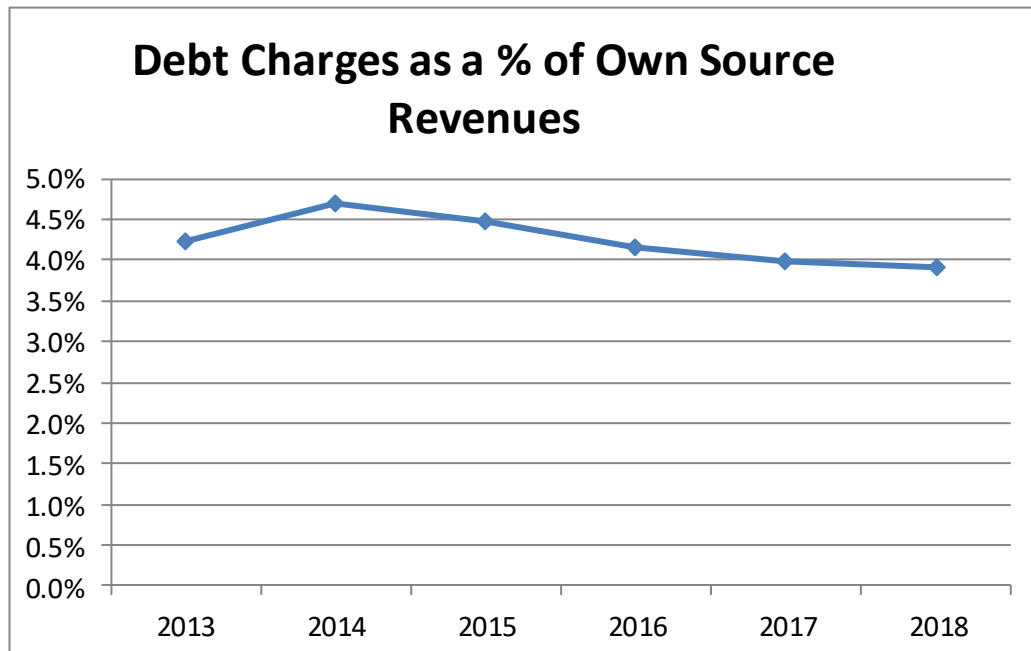
This ratio indicates the extent to which the municipality's own source revenues are committed to debt interest charges.



Key Financial Indicators

II. Debt Charges as a % of Own Source Revenues (Debt Service Ratio)

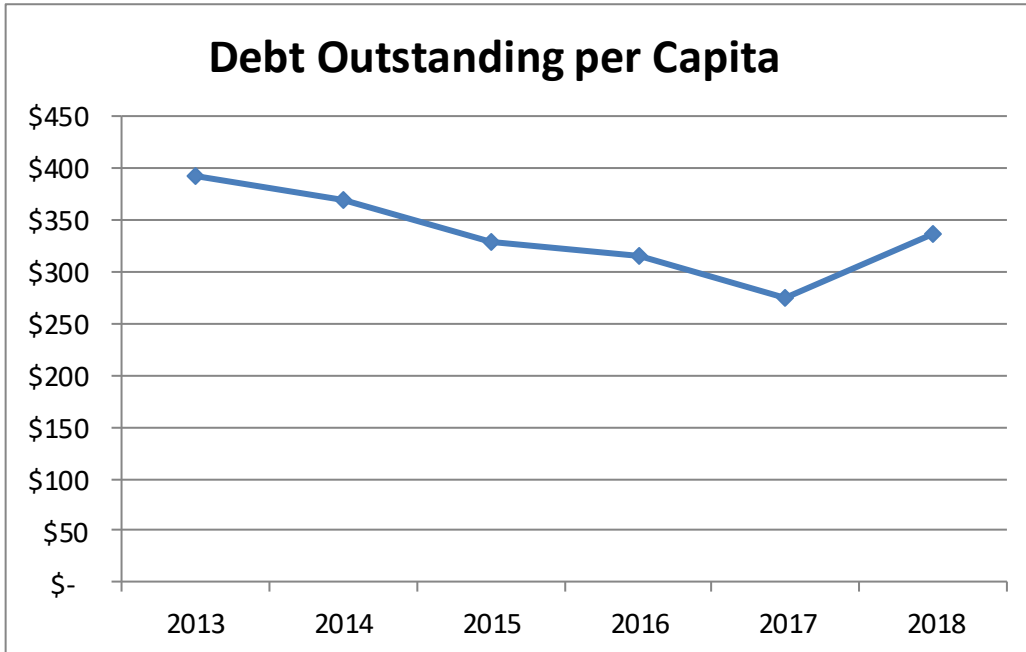
Debt service is the amount of principal and interest that a municipality must pay each year to service the debt. As debt service increases it reduces expenditure flexibility. This shows the % of total debt expenditures, including interest as a % of own source revenue. It is a measure of the municipality's ability to service its debt payments. Credit rating agencies consider that principal and interest should be below 10% of own source revenue.



Key Financial Indicators

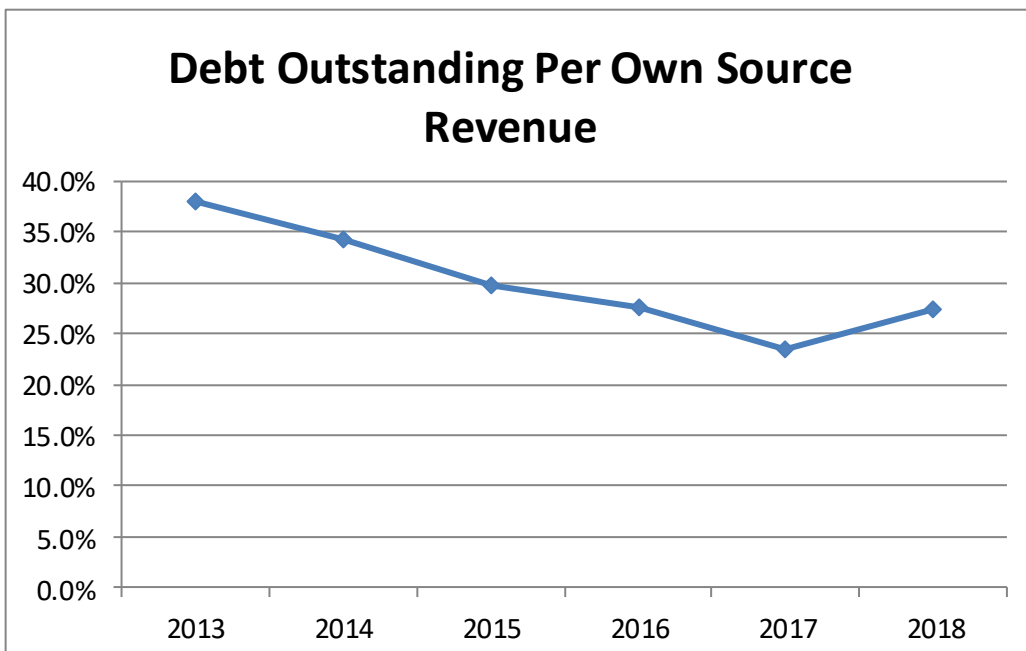
III. Debt Outstanding per Capita

This provides the debt outstanding divided by the population.



IV. Debt Outstanding Per Own Source Revenue

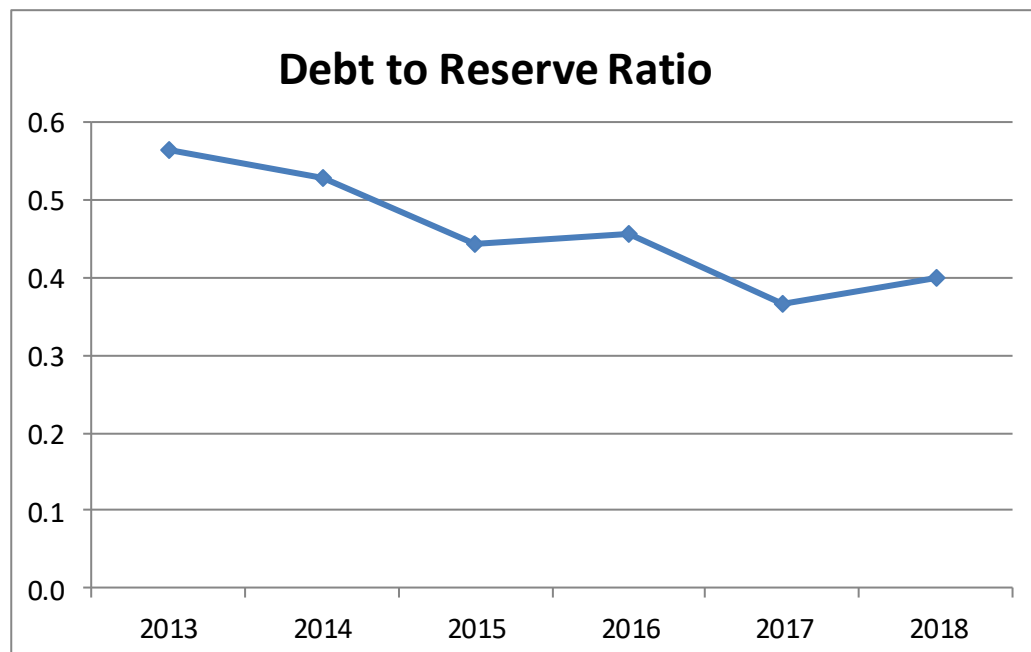
This provides the debt outstanding divided by the municipality's own source revenues.



Key Financial Indicators

V. Debt to Reserve Ratio

This measure reflects the amount of debt outstanding divided by a municipality's reserves and reserve funds. A measure above 1.0 indicates that a municipality has more long-term debt than reserves.

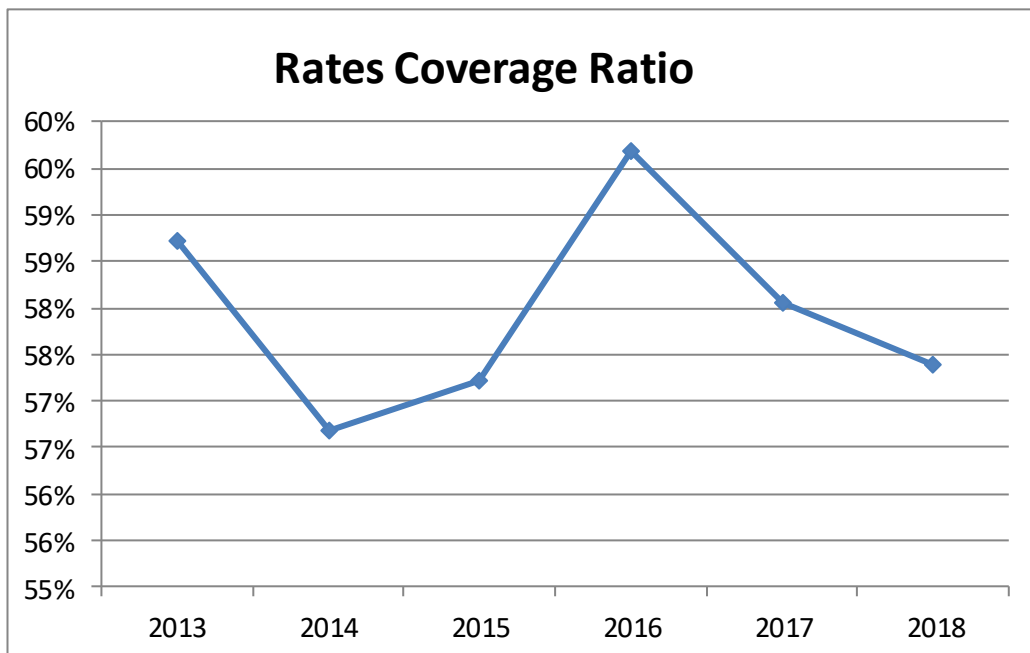


Key Financial Indicators

VULNERABILITY – Addresses a municipality’s vulnerability to external sources of funding that it cannot control and its exposure to risks.

Indicator 6: Rates Coverage Ratio

The Rates Coverage Ratio provides a measure of the municipality’s ability to cover its costs through its own sources of revenue. It measures own source revenue as a % of total expenditures. According to the MMAH, a basic target is 40%-60%; an intermediate is 60%-90% and an advanced target is 90% or greater.



Management Discussion and Analysis

Management and Auditor Responsibilities

Management at the County of Wellington is responsible for the accuracy of the data presented in the 2018 Annual Financial Report and the completeness and fairness of the financial statements, including all disclosures. (See Signed Management Report—Pages 63-66).

The purpose of management's financial discussion is to analyze and comment on the principal features of the 2018 audited financial statements and to highlight key financial results that occurred during the year. This discussion allows readers to assess the County's financial activities and available resources.

More generally, the 2018 Annual Financial Report serves to provide stakeholders with full access to the County's financial statements with supplemental information, both financial and non-financial, that provides readers with a detailed view of the year's activities.

The presented financial statements and accompanying notes meet the accounting principles and disclosure requirements of the Chartered Professional Accountants of Canada guidelines included in the CPA Canada Public Sector Accounting Handbook. The financial statements have been examined by KPMG, LLP Chartered Professional Accountants, the external auditors for the Corporation of the County of Wellington. The responsibility of the external auditor is to express an opinion on whether the financial statements are fairly represented, in all material respects, in accordance with Canadian generally accepted accounting principles.

Financial Policies

As discussed in the Report from the County Treasurer, the County follows financial policies to govern budgeting and finance activities. These policies are regularly updated to reflect applicable legislation and internal procedures. The Capital Budget, Lease Financing, and Debt Management Policy was updated in March 2019 to incorporate best practices and reflect the ten-year forecasts used by the County.

In May of 2019, two new policies were developed and approved by Council:

User Fee Policy - The User Fee Policy was developed in order to provide overall corporate guidance for County Departments in evaluating all fees against the cost of providing the service. This policy will assist in the determination of well-designed user fees and help to ensure the optimal and efficient use of scarce resources and reduce pressures on property tax revenues.

Donation Policy - The Donation Policy was developed to provide uniform criteria and procedures to guide the review and acceptance of donations from individuals and organizations, confirm that the County has relevant and adequate resources to administer such donations, and ensure that the County appropriately acknowledges the generosity of the donor.

The Cash and Investment Management Policy was revised and approved by Council in May 2019. The main purpose of the revision was to update the policy for recent amendments to the legal list of eligible investments provided in Ontario Regulation 438/97. Other important changes included recognizing the importance of diversification by adding it as a policy goal and objective and the addition of ONE Investment—Equity Fund as an eligible investment to provide further investment diversification options.

Management Discussion and Analysis

The Treasury Department also develops policies and procedures for:

- Assessment Base Management
- Budget Review, Approval, and Amendment
- Budget Variance Reporting
- Capital Budget, Lease Financing and Debt Management
- Cash and Investment Management
- Internal Controls
- Purchasing and Risk Management
- Receivables Management
- Reserve and Reserve Fund Management
- Year End Accounting

Asset Management Planning

The County owns and operates approximately \$1.2 billion in assets that deliver continued services to the Community. The following services are supported by the Corporate Asset Management Programme at the County of Wellington:

- Transportation – Roads, Bridges and Culverts (Core Assets)
- Storm Water Management – Ditches, Storm Water Pipes, Catch Basins (Core Assets)
- Facilities Management – Social Housing, Libraries, County Offices, Public Works Yards
- Fleet Management – Vehicles and Equipment
- Solid Waste Management – Landfill Sites and Waste Facilities
- Technology and Communications – Hardware, Software and Communication infrastructure

The County continues to focus Corporate Asset Management Programme activities on best practices and compliance with the Provincial Asset Management Planning Regulation (O. Reg 588/17) passed in late 2017. Compliance with the Regulation is phased in over a 6-year time line as follows:

Date	Requirement	Description
July 1, 2019	Strategic Asset Management Policy	Identifies municipal goals the asset management plan supports, how the budget is informed, asset management planning principles, considerations for climate change, and a commitment to provide opportunities for stakeholder input.
July 1, 2021	Asset Management Plan (Core Assets)	The plan must address current levels of service and the associated costs of maintaining that service for roads, bridges, culverts and storm water assets.
July 1, 2023	Asset Management Plan (All municipal assets)	The plan must address current levels of service and the associated costs of maintaining that service for all municipal assets.
July 1, 2024	Proposed Levels of Service	Builds on the 2023 requirement by including a discussion of proposed levels of service, the activities required to meet those proposed levels, and a strategy to fund those activities.

Management Discussion and Analysis

Asset Management Planning cont'd

In 2018, the County completed the following major asset management Initiatives:

- The County continued to develop its collaborative approach to Asset Management by working with its Internal and External Asset Management Working Groups:

Working Group	Membership
Internal Asset Management Working Group	Representatives from County of Wellington internal departments including: Roads, Solid Waste Services, Housing, Planning, Libraries, Museums, Long-Term Care, and Property Services
External Asset Management Working Group	Representatives from County of Wellington member municipalities and neighbouring communities (including City of Guelph and Township of Woolwich)

- The County received funding through the Federation of Canadian Municipalities (FCM) Municipal Asset Management Program (MPMP) and was able to complete a comprehensive review of the County's Road network. The completion of this project provides the County with objective engineering-based data stored within asset management software in a centralized and accessible location. The information and knowledge gained from this project will allow the County to make more informed decisions on long-term capital investments and ongoing operational needs for one of its Core assets.
- The County drafted the Strategic Asset Management Policy required under the Asset Management Planning Regulation (O. Reg 588/17) for approval and publication in July 2019. The policy was reviewed by the County's internal asset management working group and shared with the County's external working group.

The internal and external asset management working groups continue to meet to discuss asset information and data management strategies, current levels of service, information based needs analysis, and financing strategies. In addition, the County will utilize tools available through the Federation of Canadian Municipalities (FCM) and the Municipal Finance Officers' Association (MFOA) in order to ensure compliance with the remaining requirements.

Management Discussion and Analysis

Financial Statements Discussion and Analysis

2018 Financial Highlights

The County of Wellington continued to maintain its strong financial position in 2018 with an accumulated surplus of \$478.0 million (an increase of 4.2%). The County's debt servicing costs of \$4.72 million are only 3.92% of own source revenue which is well below the prescribed limit of 25% (\$27,521,824) established by the Ministry of Municipal Affairs and Housing using 2016 Financial Information Return data.

Total consolidated revenue for 2018 is \$229 million compared to total expenses of \$210 million resulting in a net revenue of \$19.3 million (2017 - \$14.2 million) which is used to fund capital assets and also to contribute to reserves. Reserve balances increased by \$8.4 million over 2017. The \$4.0 million overall year-end surplus was transferred to the Wellington Terrace Capital Reserve in anticipation of future seniors related housing projects along with almost \$1 million in affordable housing operating surplus being transferred to the Housing Development Reserve Fund and over \$750,000 in Social Housing Provider surplus to the newly created Housing Regeneration Reserve Fund. Further details are available in the five-year statistics section on pages 123-124.

Consolidated Statement of Financial Position

Net Financial Assets

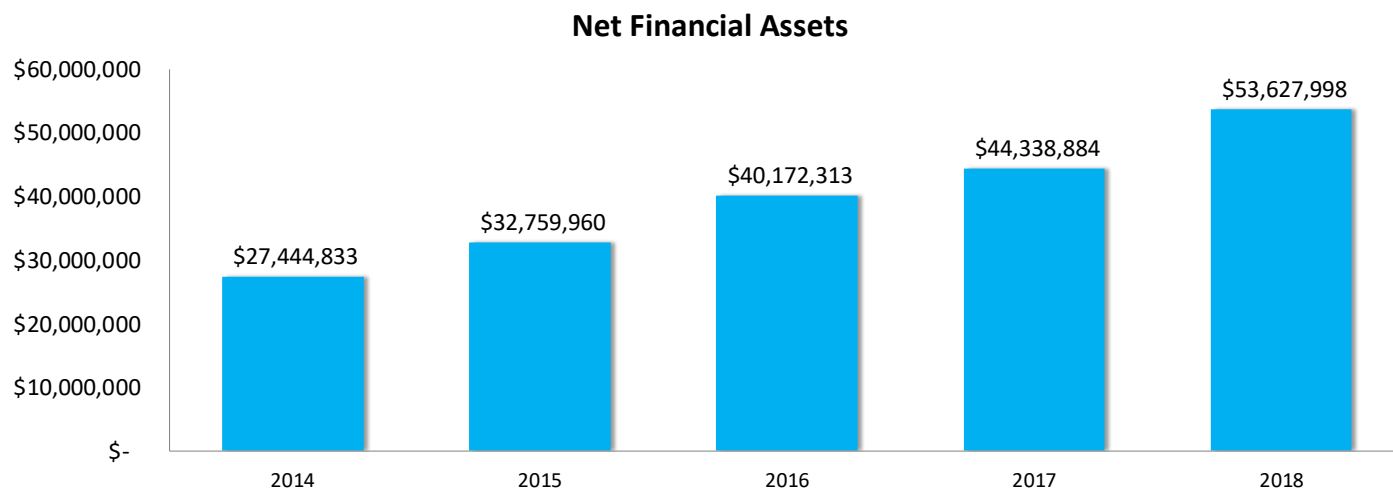
(in thousands of dollars)

	2018	2017	Variance	% Change
Financial assets	\$ 125,841	\$ 109,970	\$ 15,871	14.4%
Less financial liabilities	72,213	65,632	6,581	10.0%
Net financial assets	\$ 53,628	\$ 44,338	\$ 9,290	21.0%

The County ended the year with a net financial asset position (financial assets less financial liabilities) of \$53.6 million, a 21.0% increase (or \$9.3 million) from the prior year. This results from an increase in financial assets of \$15.9 million with Cash, Cash Equivalents and Portfolio Investments accounting for more than \$14.5 million of this. However, this is offset by an increase in Financial Liabilities of \$6.6 million mainly due to the debt issued versus debt repaid in 2018, leaving a net increase of \$5.8 million. The following chart illustrates the five-year trend in net financial assets.

Management Discussion and Analysis

Net Financial Assets (cont'd)



Financial Assets

In 2018, the County's financial assets had a significant increase of 13% due to an increase in cash and portfolio investments. This is related to timing of the final 2018 tax levy instalment received in mid-December 2018 and the proceeds from the \$9.25 million debt issue for already expended capital funding for the Hillsburgh Library (\$2 million), purchase of 133 Wyndham St N, Guelph building (\$2.8 million), Wellington Road 124 Passing Lane (\$1 million) and Drayton Garage (\$3.45 million).

There was also an increase in accounts receivable related to an increase in the year-end receivable from the cost sharing of Social Services with the City of Guelph of \$1.45 million.

Portfolio Investments

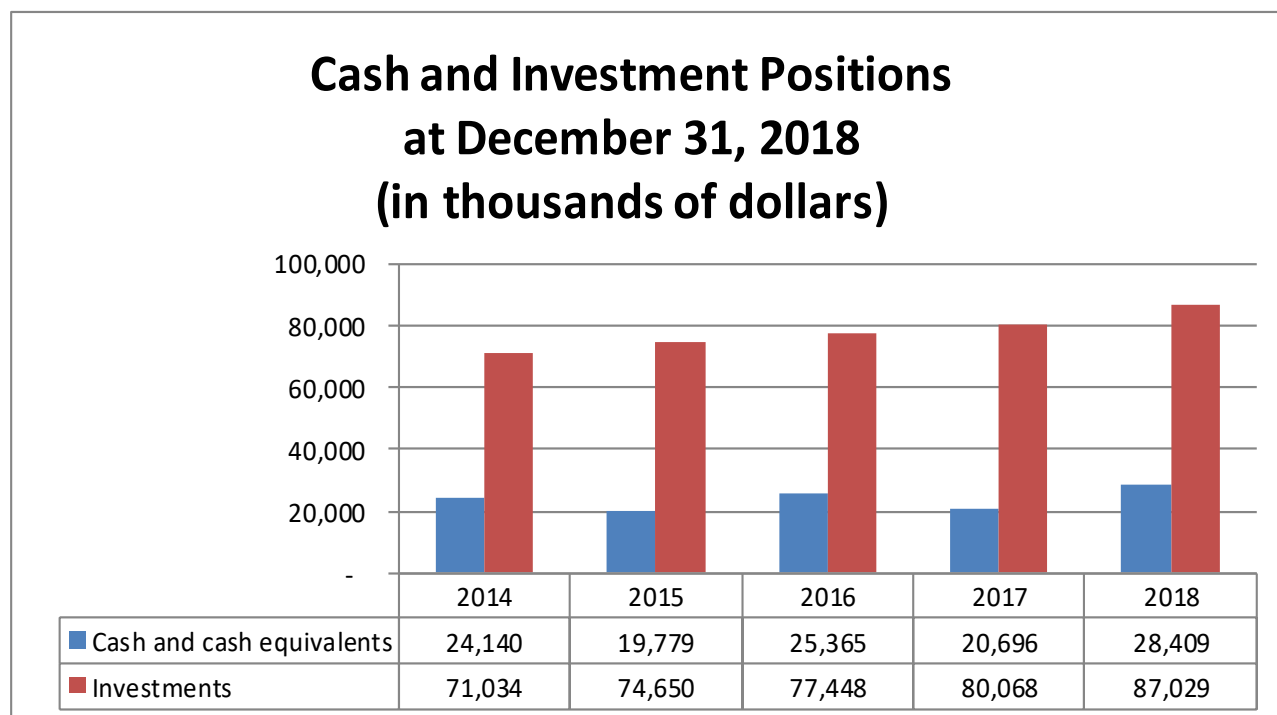
Portfolio investments include all investments with an original maturity date of more than three months. The county uses a "laddering strategy" to maintain a relatively consistent amount of maturities each year. This helps to maintain a competitive rate of return, reduce risk and ensure cash is available to coincide with the future expected use of reserves and reserve funds.

An average rate of return in 2018 for short-term investments (securities maturing in less than one year) was 3.66% (2017—3.32%) and for long-term investments was 3.14% (2017— 3.25%) generating \$2.50 million in investment income (2017—\$2.46 million). Long-term investment returns continue to decline as investments mature and are reinvested at lower prevailing rates. The County has continued to maintain an average term to maturity of approximately five years. The County has recently revised the Cash and Investment Management Policy in order to provide greater opportunities to increase investment income.

Management Discussion and Analysis

Portfolio Investments (cont'd)

Cash and investment holdings at year end are compared over the past five years in the following graph:



Liabilities

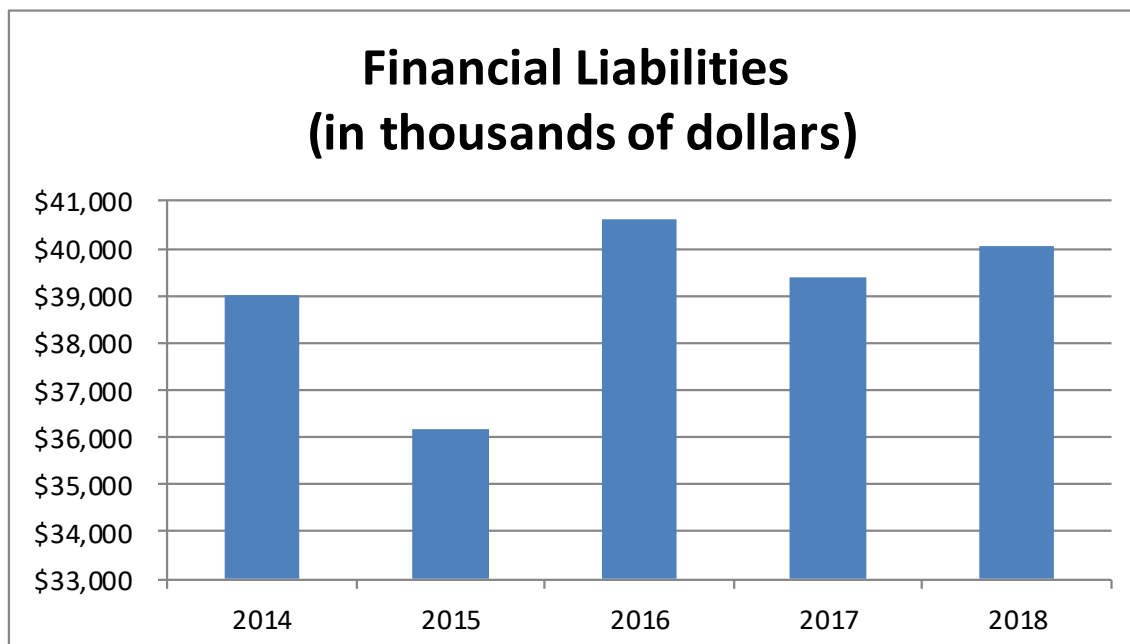
Financial liabilities increased by \$6.6 million in 2018 with the balance of this increase due to an increase of \$5.9 million in long-term liabilities. This is a result of the \$9.25 million new debt issue offset by \$3.3 million in long term liability repayment. There is also an increase in accounts payable and accrued liabilities of \$1.7 million over 2017 with a major increase of \$0.8 million in municipal government payables related to the cost sharing of a roads capital project with the Region of Peel and an increase of \$0.7 million in trade payables due to timing of roads capital works.

The decrease to deferred revenue of \$0.8 million is largely related to the increase in Federal Gas Tax and Development Charge revenue earned as eligible roads and roads related projects that were in the planning phase in 2017 moved to the construction phase in 2018.

Management Discussion and Analysis

Liabilities (cont'd)

The chart below outlines the trend in financial liabilities over the previous five years:



Debt

Long-term liabilities outstanding at December 31, 2018 have increased to \$32.8 million from \$27.1 million last year. These amounts include \$32.2 million in debentures payable for 2018 (\$26.3 million in 2017) as well as the long-term mortgage payable for Wellington Housing Corporation (WHC) held by the Canadian Mortgage and Housing Corporation with a carrying amount of \$0.75 million in 2018 (\$0.88 million in 2017).

As mentioned previously, the increase in long-term liabilities is due to the \$9.25 million debt issuance in 2018 which is offset by long-term liability repayment of \$3.3 million. Guidelines established by the Ministry of Municipal Affairs and Housing (MMAH) state that total debt charges (principal and interest) cannot exceed 25% of own source revenues. Based on Financial Information Return information from 2016, 25% of the County's own source revenue was \$27,521,824. Debenture servicing costs for 2018 were \$4.72 million with which is well below the guideline set by the MMAH.

The County also has additional self-imposed limitations:

- Maintain tax-support debt to adjusted operating revenue at less than 30%: **2018 - 16.7%**
- Maintain an interest payment to adjusted operating revenues of less than 5%: **2018 - 1.0%**
- Maintain a direct debt to reserve ratio of 0.75:1: **2018 - 0.39:1**

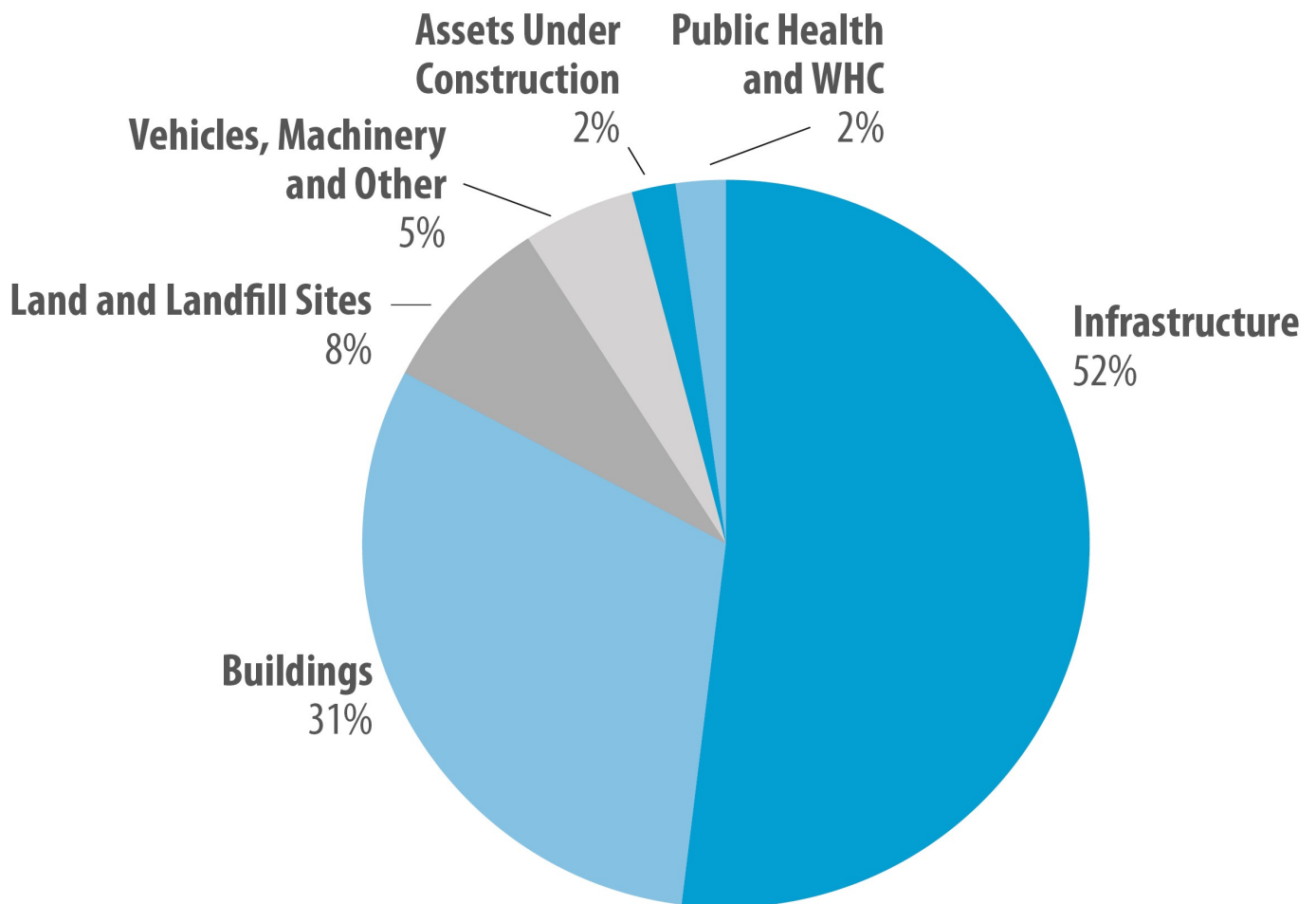
The County remains well within these additional restrictive guidelines and demonstrates responsible debt management practices.

Management Discussion and Analysis

Non-Financial Assets

Total Non-financial assets, primarily consisting of tangible capital assets, increased by 2.5% over 2017 equating to an increase of over \$10.0 million. For Tangible Capital Assets specifically the increased net investment was \$9.4 million which reflects that the value of new assets being added to the County's inventory is outpacing the annual amortization costs.

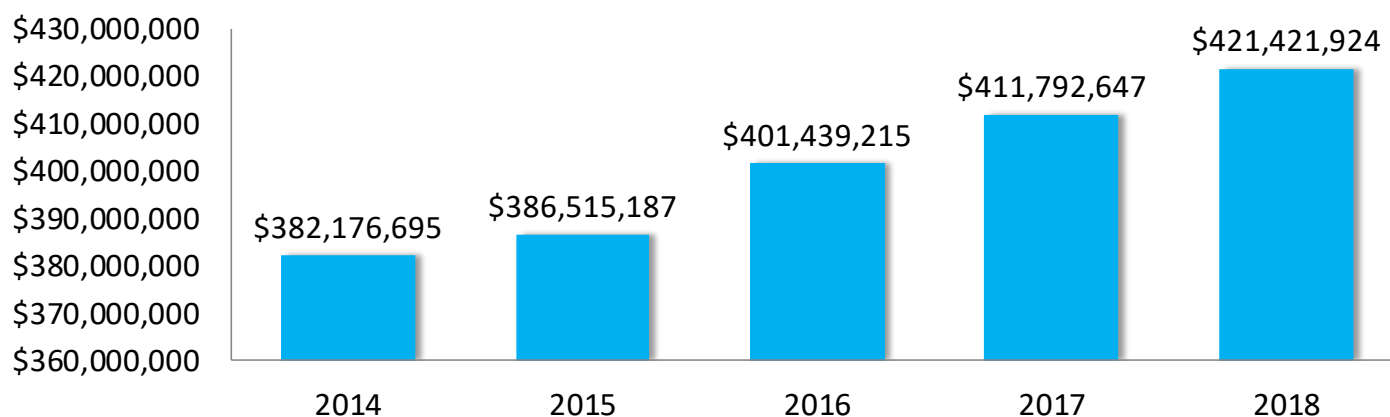
The pie chart below provides the breakdown of tangible capital assets by the function they support:



Management Discussion and Analysis

The chart below shows the tangible capital asset growth trend over the previous five years.

Net Book Value of Tangible Capital Assets



(in thousands of dollars)

	2018	%	2017	%	Change	% Change
Land and landfill sites	\$ 34,545	8%	\$ 33,466	8%	\$ 1,079	3%
Buildings	130,722	31%	120,492	29%	10,230	9%
Infrastructure	218,229	52%	210,956	51%	7,273	3%
Vehicles, machinery and other	19,272	5%	18,193	4%	1,079	6%
Assets under construction	9,022	2%	18,368	4%	(9,346)	-51%
Public health and WHC	9,631	2%	10,318	3%	(687)	-7%
	\$ 421,421	100%	\$ 411,793	100%	\$ 9,628	2%

The County closed and capitalized a number of multi-year projects in 2018 reducing the assets under construction by approximately 51% or \$9.35 million.

Accumulated Surplus

Overall, the County has maintained a strong accumulated surplus with a total of \$478 million, an increase of 4.2% from the prior year balance of \$459 million. The change in accumulated surplus arises from the annual excess of revenues over expenses for the year, representing \$19.3 million. This includes revenues used for the acquisition of assets.

It is critical for readers of the financial statements to understand that the term “accumulated surplus” cannot be construed as “cash or funds” available for spending, as the bulk of the value is non-financial assets and reflect the County’s investment in infrastructure which is used to deliver programmes and services. They are not assets which are surplus to operations and available to be liquidated.

Management Discussion and Analysis

Accumulated Surplus (cont'd)

A detailed breakdown of accumulated surplus (in thousands) is present in Note 11 'Accumulated Surplus' of the Consolidated Financial Statements. Summary information is included in the table below:

(in thousands of dollars)

	2018	2017	Change
Reserves	\$ 67,383	\$ 62,361	\$ 5,022
Reserve funds	15,112	11,698	3,414
Investment in tangible capital assets	421,422	411,793	9,629
Invested in Capital Fund	15,722	8,947	6,775
Share of Public Health	2,230	2,008	222
Amount recovered from Public Health	612	612	-
Amounts to be recovered - from future revenues	(35,693)	(30,735)	(4,958)
Amounts to be recovered - from reserve funds	(8,774)	(8,018)	(756)
	\$ 478,014	\$ 458,666	\$ 19,348

Reserve and Reserve Fund balances have increased by \$8.4 million over 2017. A significant reserve balance increase is \$3.9 million for the Terrace Capital Reserve. This is a result of the transfer of the 2018 year-end budget surplus of over \$4 million and is to be saved for future capital investment. Another significant increase is for the Housing Development Reserve Fund which increased over 2017 by \$1.2 million from affordable housing operating and capital surpluses. The Landfill Closure and Post Closure reserve fund balance increased by over \$0.76 million as almost \$0.27 million in operating landfill liability related expenses were not funded from the reserve fund due to the budget surplus in 2018.

A notable offsetting decrease to reserves was the use of the remaining hospital grant savings of \$0.88 in 2018. The remaining \$6.1M commitment to the three County Hospitals (see note 14 page 92) is budgeted to come from a 2019 debt issue.

The invested in capital fund value represents financing for assets under construction and this amount has increased significantly in 2018 by nearly \$6.7 million. The County Reserve and Reserve Fund Policy stipulates that reserve or reserve fund transfers to capital projects are made at the time of budget approval and in advance of expenditures that may span across several years.

Management Discussion and Analysis

Accumulated Surplus (cont'd)

The amount recovered from Public Health of \$0.6 million represents a one-time lump sum loan repayment from Wellington-Dufferin-Guelph Public Health received in 2017. As per the capital financing agreement, any part of this loan may be prepaid at any time without penalty or bonus. The balance of this loan at December 31, 2018 is \$3.8 million.

Consolidated Statement of Operations

The Consolidated Statement of Operations is the municipal equivalent of the private sector's income statement, providing a summary of revenues and expenses throughout the year. The annual surplus reported on this statement represents the difference between the cost of providing the County's services and the revenues recognized for the year on an accrual basis. Budget figures represent capital and operating budgets combined as outlined in Note 19 of the financial statements.

Revenues

2018 Budget to Actual Comparative Analysis

(in thousands of dollars)

Revenues	Budget	Actual	Variance	% Variance
Taxation (Note 12)	\$ 95,194	\$ 97,112	\$ 1,918	2.0%
Government transfers:				
Provincial (Note 13)	74,248	76,302	2,054	2.8%
Federal (Note 13)	7,076	6,346	(730)	-10.3%
Municipal	27,813	24,451	(3,362)	-12.1%
Fees and Service Charges	10,532	10,931	399	3.8%
Licenses, Permits, Rent	7,967	8,470	503	6.3%
Interest, Donations, Other	3,126	2,934	(192)	-6.1%
Development Charges Earned	2,376	2,864	488	20.5%
	\$ 228,332	\$ 229,410	\$ 1,078	0.5%

Management Discussion and Analysis

Revenues (cont'd)

The variations in the budget and actual columns are often related to differences in assumptions used. As Council-approved budgets are prepared to determine the levy requirements, they are primarily on a cash basis. The actual reports on the audited financial statements are following PSAB requirements, and are predominantly fully accrued transactions. These differences in reporting methodologies will always generate significant variances when compared to each other.

One significant factor is the timing of capital expenses and revenues being incurred in a different year from the budget year. For example, the budget for municipal recoveries for cost shared capital projects assumes the capital project will be constructed and funded in the same year. However, this is generally not the case and municipal recoveries are not invoiced until expenditures have been incurred which may span over several years. In 2018, municipal recoveries were \$3.4 million lower than budgeted. This was in part due to a difference in the expenditure versus funding timing for major roads and social housing cost shared projects. Actual operating recoveries from the City of Guelph were also lower than budgeted as expenditures were lower than budgeted for Social Housing, Ontario Works and Children's Early Years. This variance is offset by higher than budgeted Provincial Transfers and higher than budgeted supplementary and omitted assessment revenue.

Note 16, "Budget Data" provides reconciliation between the statements and the operating and capital budgets previously approved by County Council on January 24, 2018 and 2018 capital budget amendments in the amount of \$9.43 million (2017—\$3.94 million).

Year Over Year Comparative Analysis

(in thousands of dollars)

Total revenue reported for the year 2018 was \$229.4 million, an increase of \$16.1 million over last year's amount of \$213.2 million.

Revenues	2018	2017	Change	% Change
Taxation (Note 12)	\$ 97,112	\$ 93,248	\$ 3,864	4.1%
Government transfers:				
Provincial (Note 13)	76,302	67,924	8,378	12.3%
Federal (Note 13)	6,346	5,166	1,180	22.8%
Municipal	24,451	24,043	408	1.7%
Fees and Service Charges	10,931	10,564	367	3.5%
Licenses, Permits, Rent	8,470	7,839	631	8.0%
Interest, Donations, Other	2,934	2,738	196	7.2%
Development Charges Earned	2,864	1,713	1,151	67.2%
	\$ 229,410	\$ 213,235	\$ 16,175	7.6%

Management Discussion and Analysis

Revenues (cont'd)

This increase is primarily comprised of the increase in taxation revenue of \$3.86 million over 2017 and additional Provincial funding from the Ministry of Education for Children's Early Years.

Federal Gas Tax Funding as well as Development Charge funding earned were both \$1.2 million higher in 2018 than 2017 due to higher capital project funding and timing of expenditures.

Expenses

2018 Budget to Actual Comparative Analysis

(in thousands of dollars)

Expenses	Budget (includes amortization)	Actual	Variance
General Government	\$ 18,006	\$ 16,979	\$ 1,027
Protection Services	18,617	17,786	831
Transportation Services	27,627	30,265	(2,638)
Environmental Services	9,560	8,774	786
Health Services	13,043	14,639	(1,596)
Social Housing	33,435	34,281	(846)
Social and Family Services	74,368	73,962	406
Library	8,303	7,578	725
Museum	2,408	2,291	117
Planning and Development	3,811	3,507	304
	\$ 209,178	\$ 210,062	\$ (884)

Note 16, "Budget Data" provides reconciliation between the statements and the operating and capital budgets previously approved by County Council on January 24, 2018 and 2018 capital budget amendments in the amount of \$9.43 million (2017—\$3.94 million). Amortization is a non-cash item and was not included in the approved budget, however, it has been included in the consolidated financial statements budget based on estimated annual amortization presented Council prior to budget approval per Ontario Regulation 284/09.

The estimated 2018 amortization expense included in the budget is \$22.1 million which is only \$0.5 million lower than actual amortization expense of \$22.6 million.

Management Discussion and Analysis

Expenses (cont'd)

For Transportation services, expenditures are over \$2.6 million higher than budgeted and this is related to expenses that were included in roads capital budgets not being capitalized but expensed. There is also a significant variance for Health Services of \$1.6 million due to the fact that \$1.44 million was expensed for the hospital grants that had previously been budgeted as capital.

On the other hand, Library expenditures were below budget by \$0.73 million and this relates to library expenditures related to collections being budgeted as operating expenses but capitalized.

Protection Services had a \$0.83 million favourable variance with most of this attributed to the \$0.75 million refund for the reconciliation of the 2017 police contract.

Year Over Year Comparative Analysis

(in thousands of dollars)

Expenses	2018	2017	Change	% Change
General Government	\$ 16,979	\$ 16,456	\$ 523	3.18%
Protection Services	17,786	17,348	438	2.52%
Transportation Services	30,265	28,054	2,211	7.88%
Environmental Services	8,774	9,308	(534)	-5.74%
Health Services	14,639	13,388	1,251	9.34%
Social Housing	34,281	36,682	(2,401)	-6.55%
Social and Family Services	73,962	64,739	9,223	14.25%
Library	7,578	7,359	219	2.98%
Museum	2,291	2,207	84	3.81%
Planning and Development	3,507	3,447	60	1.74%
	\$ 210,062	\$ 198,988	\$ 11,074	5.57%

Management Discussion and Analysis

Expenses (cont'd)

Transportation services expenses were \$2.2 million more in 2018 than 2017. Much of this increase is due to additional capital expensed to operating in 2018 including cost shared work of over \$1.7 million for the Wellington Road 124 at Kossuth Roundabout.

Social and family services which includes Ontario Works, Children's Early Years and Wellington Terrace Long-Term Care facility also had a significant increase in expenditures over 2017 of \$9.2 million. This is primarily related to Children's Early Years with over \$8 million in additional expenditures related to increased 100% provincial programme funding for Child Care Expansion, Early Learning Child Care, Child and Family Centres and Fee Stabilization.

Social Housing had expenditures in 2018 that were \$2.4 million lower than 2017 related to the approved exemption of property taxes for all County-owned social and affordable housing. This resulted in a reduction of \$1.99 million in gross expenditures.

Consolidated Statement of Change in Net Financial Assets

The purpose of the Statement of Change in Net Financial Assets is to assist financial statement users in fully understanding the nature of the County's financial activities in the period. The statement backs out all of the non-financial activity from the statement of operations (e.g. amortization, gains/losses, purchases and sales of assets). As a result, the financial impact on the surplus attributable to change in financial assets is an increase of \$9.3 million, compared to last year's increase of \$4.2 million.

Consolidated Statement of Cash Flows

The Consolidated Statement of Cash Flows explains how the County has financed its activities and met its cash requirements. It also details items not involving cash such as annual amortization and changes in estimated liabilities. This schedule reconciles the change in cash and cash equivalents from one year to another. The County of Wellington generated net cash of \$7.7 million in 2018 compared to using \$4.7 in 2017.

Factors contributing to the increase in cash position were:

- Long-term debt issued of \$9.25 million
- Investment of uncommitted cash of \$6.93 million
- Increase in accounts payable of \$4.09 million

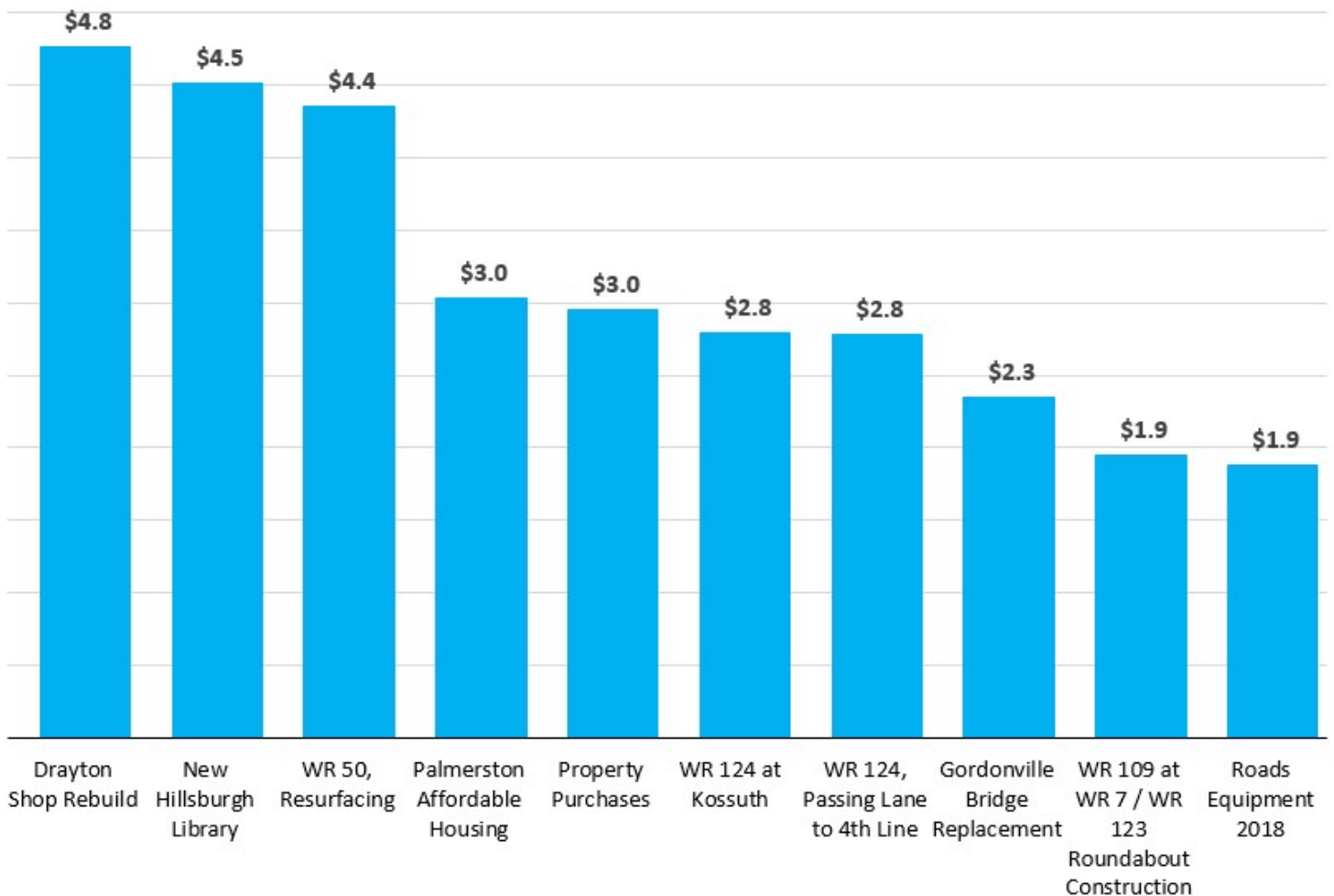
Management Discussion and Analysis

2018 Capital Financial Highlights

In 2018, the County had total capital additions and betterments of \$42.3 million (not including capital work-in-progress). The following major capital projects were completed and capitalized at year end:

- ◆ \$14.2 million in the rehabilitation and construction of County roads, bridges and culverts
- ◆ \$4.8 million for rebuilding the Drayton Shop
- ◆ \$4.5 million for construction of the new Hillsburgh Library
- ◆ \$3 million for construction of 11 unit Palmerston affordable housing complex
- ◆ \$3 million in property purchases
- ◆ 1.9 million in roads vehicle and equipment purchases

MAJOR TANGIBLE CAPITAL ASSET ADDITIONS 2018 (IN MILLIONS)

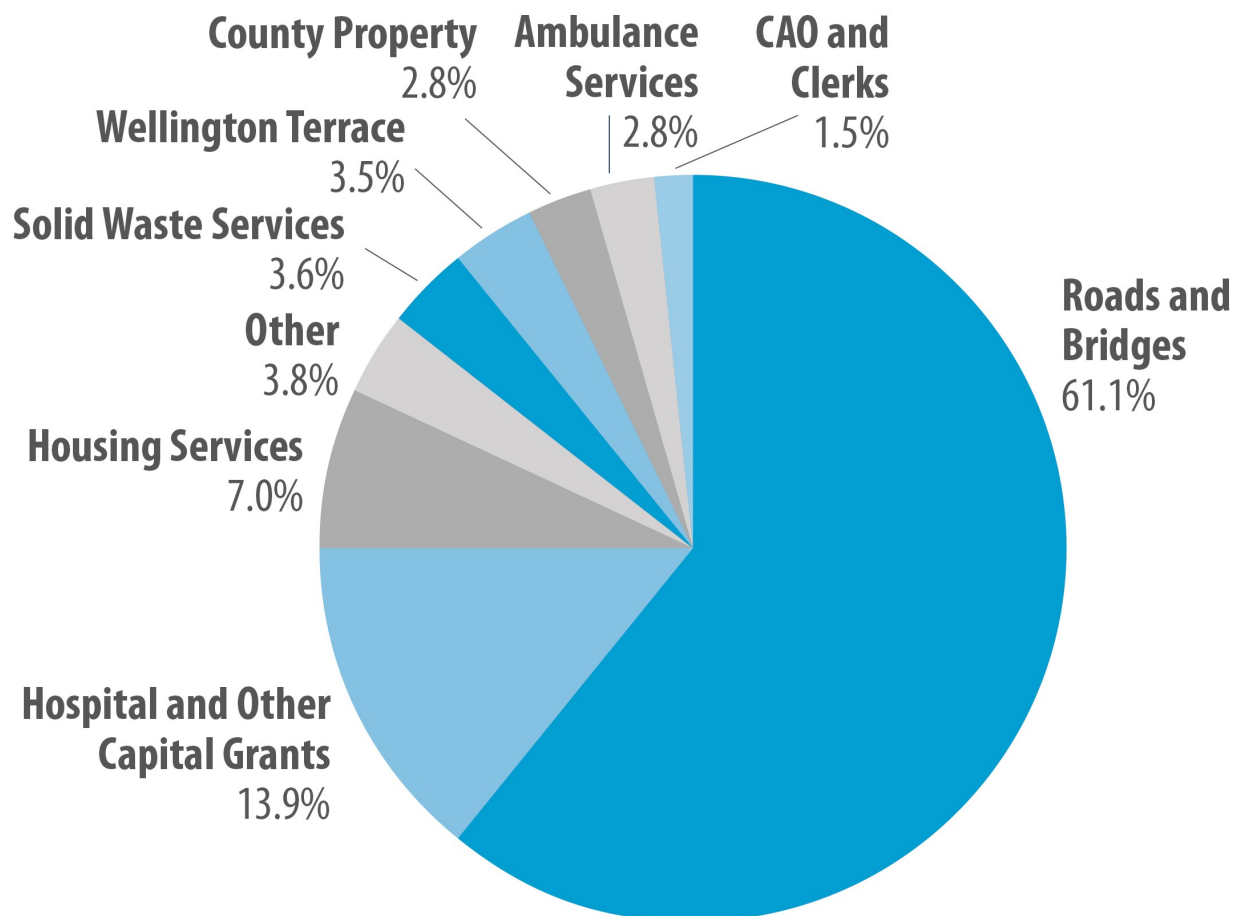


Management Discussion and Analysis

Prospects for the Future

The County's 2019 Budget and Ten-Year Plan highlights the following projects for the upcoming years:

- Investment in roads capital infrastructure and facilities over the next ten years, including \$24.4 million for facility upgrades to fund the replacement of the Arthur, Erin, Brucedale and Harriston public works facilities throughout the forecast
- The construction of a new ambulance station in Erin to improve response times, with four of the five remaining stations to be built included in the forecast (a total of \$9 million capital investment).
- Planning for the closure of Phase I and opening of Phase II at the Riverstown Landfill, the County's only active landfill site
- \$1 million allocated to phase I of the Continuum of Care project for Wellington Place Campus to examine potential service delivery options for long-term care, assisted living, affordable housing and life lease condominium units
- The County's commitment to local hospitals continues in 2019, with \$5.9 million to be distributed to Groves Memorial Community Hospital (\$5 million), Louise Marshall Hospital (\$500,000), and Palmerston and District Hospital (\$440,000).
- Continued investment in the County's social and affordable housing units



Management Discussion and Analysis

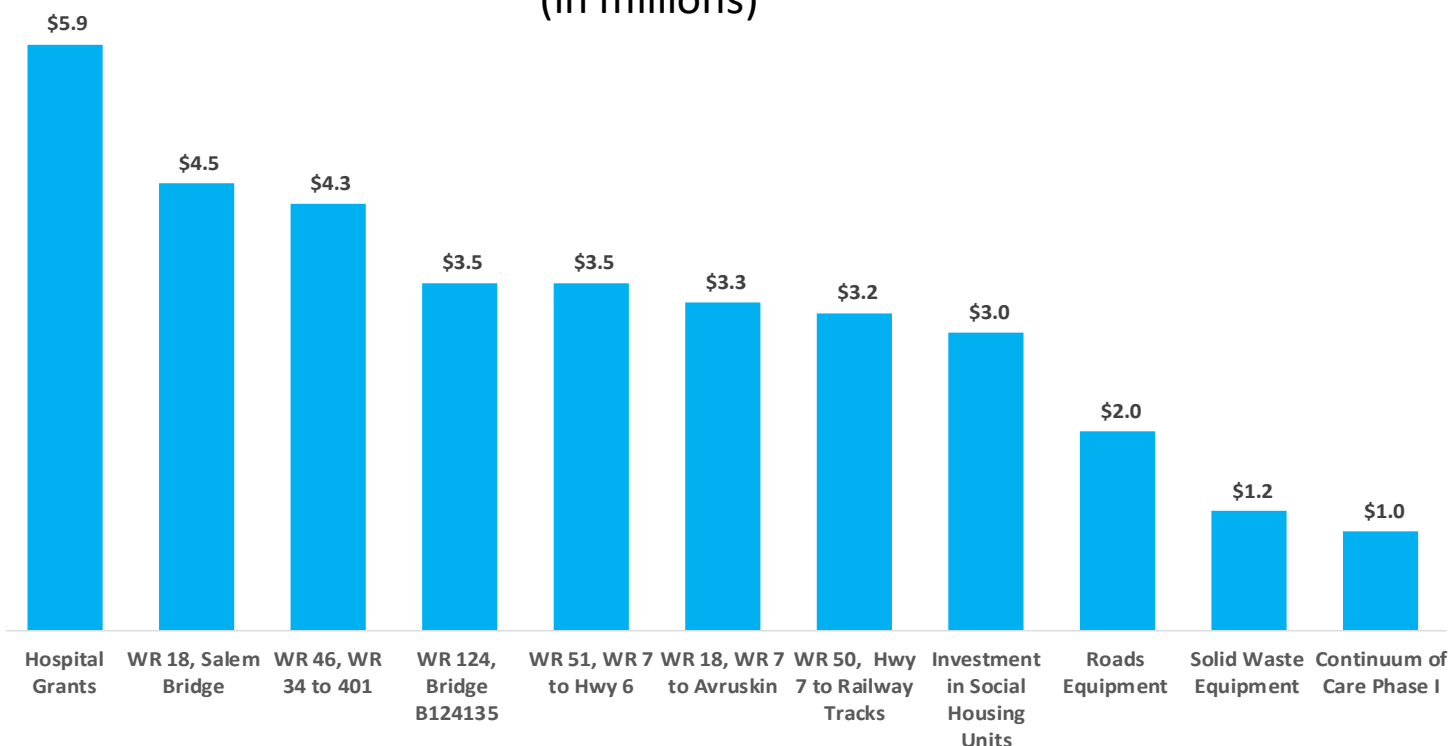
2019 Operating Budget

- Operating expenditure = \$223.1 million
- 2019 tax levy = \$99.7 million
- County tax impact = 2.8% which on average results in 1.5% on the total residential property tax bill
- Residential tax impact per \$100,000 of assessment = \$17

2019-28 Budget Forecast

- Total 2019 capital investment = \$42.9 million
- Total ten-year capital investment = \$371.3 million
- New debt issues total \$57.1 million over ten years and include \$30.2 million for roads projects, \$5.9 million for Hospital Capital Grants, and \$16.1 million for Admin Centre Expansion
- Total debt outstanding peaks at \$54.4 million in 2025

Anticipated Capital Spending 2019 (in millions)



County Tax Levy Projection	Actual		Forecasted			
	2018	2019	2020	2021	2022	2023
County Tax Levy (\$000's)	\$95,079	\$99,742	\$104,659	\$109,746	\$114,790	\$120,488
Residential Tax Impact	2.5%	2.8%	3.9%	3.8%	3.6%	3.9%

County Tax Levy Projection	Forecasted				
	2024	2025	2026	2027	2028
County Tax Levy (\$000's)	\$126,360	\$132,285	\$137,833	\$143,391	\$149,941
Residential Tax Impact	3.8%	3.7%	3.2%	3.0%	3.2%

Annual Surplus Reconciliation

The County of Wellington approves its annual operating and capital budgets using the modified accrual basis of accounting. The annual (audited) financial statements are presented on a full accrual basis of accounting. In order to help the reader understand the differences between the two basis of accounting, a conversion or reconciliation of the surplus relative to the budget approved by County Council is presented in the following section of the report.

In accordance with the **Municipal Act**, the County approves a balanced budget on an annual basis—which includes both an operating and a capital budget. The budget provides for the costs of all programmes provided by the County, any debt payments required during the year (including principal repayments), capital project expenses to be financed through the current year’s levy, contributions to reserve funds to finance future infrastructure replacements, and may include contingencies and provisions for tax rate stabilization. The County continues to budget using the modified accrual basis of accounting because it provides the best measure of determining the annual tax levy requirement and meaningful and understandable budget to actual results throughout the year. Through its Budget Variance Reporting Policy, the County provides monthly financial statements to Council and variance reports throughout the year to establish controls and monitor results.

The annual financial statements provide information about the broad fiscal situation of the County over time. The “annual surplus” in these statements represents the amount of municipal funding available for capital formation and debt repayment after interest costs and amortization. This is different than the annual surplus reported on a modified accrual basis—which measures how tax dollars were collected and spent for their intended purpose over the year.

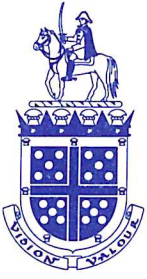
Annual financial statements are presented by the mandated programme categories as indicated in the chart below.

Expense by Function	Description of Department or Programme
General Government	Property Assessment (MPAC), Council, CAO/Clerks, Treasury, Human Resources, Economic Development, Property, and Community Grants.
Protection to Persons and Property	Police Services, Emergency Management, and Provincial Offences Act Administration.
Transportation Services	Roads Department including roads maintenance activities and winter control.
Environmental Services	Solid Waste Services, consisting of garbage collection, recycling, operation of transfer stations and landfills.
Health Services	Land Ambulance Services and Public Health.
Social Housing	Housing Services Department, including the operation of Social and Affordable Housing units.
Social and Family Services	Social Services such as Children’s Early Years and Ontario Works, as well as the Wellington Terrace, the County’s long-term care home.
Library and Museum	The County’s 14 library branches and the Wellington County Museum and Archives.
Planning and Development	Planning Services as well as the Green Legacy tree planting programme.

Annual Surplus Reconciliation

Wellington County Council approves the operating and capital budgets each year on a modified-accrual basis of accounting (sometimes referred to as cash basis). Since the audited financial statements are prepared on a full accrual basis, a reconciliation must be performed in order to show the difference in the annual surplus on a property tax basis to the full accrual method. The reconciliation for 2018 is as follows:

Reconciliation of County Property Tax Surplus and Consolidated Financial Statement Annual Surplus	2018	2017
County Tax Supported Operating Surplus	\$4,054,947	\$2,736,584
Revenue Not Included in Operating Surplus		
Development Charges	2,864,455	1,712,833
Deferred Federal Gas Tax Revenue	2,740,633	1,458,626
Ontario Community Infrastructure Fund Revenue	701,170	
Capital Provincial Grants	3,454,569	6,712,437
Capital Municipal Transfers	4,517,699	2,733,003
Wellington-Dufferin-Guelph Public Health Net Revenues	(93,343)	63,790
Wellington Housing Corporation Net Revenues	253,868	492,225
Other	623,072	384,312
	15,062,113	13,557,226
Expenses not Included in Operating Surplus		
Amortization of Tangible Capital Assets	21,847,243	21,339,924
Operating Expenses from Capital	5,425,486	5,066,919
Landfill Liability Valuation Change	(122,452)	484,978
Loss on Disposal of Assets	239,060	107,672
Other	164,132	125,778
	27,553,469	27,125,271
Revenue Included in Operating Surplus, but not in Consolidated Statements		
Transfers from Reserves	1,256,709	1,096,307
Interest - Development Charge & Federal Gas Tax Reserve Funds	273,218	227,927
Sale of Assets	464,742	354,449
	1,994,669	1,678,683
Expenses Included in Operating Surplus, but not in Consolidated Statements		
Transfers to Reserves and Reserve Funds	13,530,186	12,024,919
Transfers to Capital	11,378,000	10,447,400
Landfill Liability Expenses	269,623	266,910
Debt Principal Repayments	3,322,936	3,193,330
Operating Expenses Capitalized	1,278,496	824,664
	29,779,241	26,757,223
Consolidated Financial Statement Annual Surplus	19,348,163	14,247,079



OFFICE OF THE COUNTY TREASURER
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ADMINISTRATION CENTRE
74 WOOLWICH STREET
GUELPH ON N1H 3T9

KPMG LLP
115 King Street South, 2nd floor
Waterloo, Ontario N2J 5A3
Canada

May 23, 2019

Ladies and Gentlemen:

We are writing at your request to confirm our understanding that your audit was for the purpose of expressing an opinion on the financial statements (hereinafter referred to as "financial statements") of Corporation of the County of Wellington ("the Entity") as at and for the period ended December 31, 2018.

GENERAL:

We confirm that the representations we make in this letter are in accordance with the definitions as set out in **Attachment I** to this letter.

We also confirm that, to the best of our knowledge and belief, having made such inquiries as we considered necessary for the purpose of appropriately informing ourselves:

RESPONSIBILITIES:

- 1) We have fulfilled our responsibilities, as set out in the terms of the engagement letter dated January 15, 2019, including for:
 - a) the preparation and fair presentation of the financial statements and believe that these financial statements have been prepared and present fairly in accordance with the relevant financial reporting framework.
 - b) providing you with all information of which we are aware that is relevant to the preparation of the financial statements, such as all financial records and documentation and other matters, including:
 - (i) the names of all related parties and information regarding all relationships and transactions with related parties; and
 - (ii) the complete minutes of meetings, or summaries of actions of recent meetings for which minutes have not yet been prepared, of shareholders, board of directors and committees of the board of directors that may affect the financial statements. All significant actions are included in summaries.
 - c) providing you with unrestricted access to such relevant information
 - d) providing you with complete responses to all enquiries made by you during the engagement
 - e) providing you with additional information that you may request from us for the purpose of the engagement.
 - f) providing you with unrestricted access to persons within the Entity from whom you determined it necessary to obtain audit evidence.

- g) such internal control as we determined is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error. We also acknowledge and understand that we are responsible for the design, implementation and maintenance of internal control to prevent and detect fraud.
- h) ensuring that all transactions have been recorded in the accounting records and are reflected in the financial statements.
- i) ensuring that internal auditors providing direct assistance to you, if any, were instructed to follow your instructions and that management, and others within the entity, did not intervene in the work the internal auditors performed for you.

INTERNAL CONTROL OVER FINANCIAL REPORTING:

- 2) We have communicated to you all deficiencies in the design and implementation or maintenance of internal control over financial reporting of which we are aware.

FRAUD & NON-COMPLIANCE WITH LAWS AND REGULATIONS:

- 3) We have disclosed to you:
 - a) the results of our assessment of the risk that the financial statements may be materially misstated as a result of fraud
 - b) all information in relation to fraud or suspected fraud that we are aware of that involves:
 - management;
 - employees who have significant roles in internal control over financial reporting, or
 - otherswhere such fraud or suspected fraud could have a material effect on the financial statements.
 - c) all information in relation to allegations of fraud, or suspected fraud, affecting the financial statements, communicated by employees, former employees, analysts, regulators, or others.
 - d) all known instances of non-compliance or suspected non-compliance with laws and regulations, including all aspects of contractual agreements, whose effects should be considered when preparing financial statements.
 - e) all known actual or possible litigation and claims whose effects should be considered when preparing the financial statements.

SUBSEQUENT EVENTS:

- 4) All events subsequent to the date of the financial statements and for which the relevant financial reporting framework requires adjustment or disclosure in the financial statements have been adjusted or disclosed.

RELATED PARTIES:

- 5) We have disclosed to you the identity of the Entity's related parties.
- 6) We have disclosed to you all the related party relationships and transactions/balances of which we are aware.
- 7) All related party relationships and transactions/balances have been appropriately accounted for and disclosed in accordance with the relevant financial reporting framework.

ESTIMATES:

- 8) Measurement methods and significant assumptions used by us in making accounting estimates, including those measured at fair value, are reasonable.

GOING CONCERN:

- 9) We have provided you with all information relevant to the use of the going concern assumption in the financial statements.

NON-SEC REGISTRANTS OR NON-REPORTING ISSUERS:

- 10) We confirm that the Entity is not a Canadian reporting issuer (as defined under any applicable Canadian securities act) and is not a United States Securities and Exchange Commission ("SEC") Issuer (as defined by the Sarbanes-Oxley Act of 2002). We also confirm that the financial statements of the Entity will not be included in the consolidated financial statements of a Canadian reporting issuer audited by KPMG or an SEC Issuer audited by any member of the KPMG organization.

Yours very truly,



By: Mr. Ken DeHart, Treasurer



By: Mr. Scott Wilson, Chief Administrative Officer

Attachment I – Definitions

MATERIALITY

Certain representations in this letter are described as being limited to matters that are material. Misstatements, including omissions, are considered to be material if they, individually or in the aggregate, could reasonably be expected to influence the economic decisions of users taken on the basis of the financial statements. Judgments about materiality are made in light of surrounding circumstances, and are affected by the size or nature of a misstatement, or a combination of both.

FRAUD & ERROR

Fraudulent financial reporting involves intentional misstatements including omissions of amounts or disclosures in financial statements to deceive financial statement users.

Misappropriation of assets involves the theft of an entity's assets. It is often accompanied by false or misleading records or documents in order to conceal the fact that the assets are missing or have been pledged without proper authorization.

An error is an unintentional misstatement in financial statements, including the omission of an amount or a disclosure.

RELATED PARTIES

In accordance with Canadian public sector accounting standards *related party* is defined as:

- Two or more parties are related when they are subject to common control, joint control or common significant influence. Two not-for-profit organizations are related parties if one has an economic interest in the other.

In accordance with Canadian public sector accounting standards a *related party transaction* is defined as:

- a transfer of economic resources or obligations between related parties, or the provision of services by one party to a related party, regardless of whether any consideration is exchanged. The parties to the transaction are related prior to the transaction. When the relationship arises as a result of the transaction, the transaction is not one between related parties.

Financial Statements

For the Year Ended December 31, 2018

Consolidated Financial Statements

INDEPENDENT AUDITORS' REPORT

To the Members of Council, Inhabitants and Ratepayers of the Corporation of the County of Wellington:

We have audited the accompanying consolidated financial statements of the Corporation of the County of Wellington, which comprise :

- the consolidated statement of financial position as at December 31, 2018
- the consolidated statements of operations and accumulated surplus for the year then ended
- changes in net financial assets for the year then ended
- the consolidated statement of cash flows for the year then ended
- and notes to the consolidated financial statements, including a summary of significant accounting policies (Hereinafter referred to as the "financial statements").

In our opinion, the accompanying financial statements present fairly, in all material respects, the consolidated financial position of the Entity as at December 31, 2018, and its consolidated results of operations, its consolidated changes in net financial assets and its consolidated cash flows for the year then ended in accordance with Canadian public sector accounting standards.

Basis for Opinion

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

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

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

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

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

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

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

Auditors' Responsibilities for the Audit of the Financial Statements

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

Consolidated Financial Statements

INDEPENDENT AUDITORS' REPORT

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

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

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

We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion.
The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Entity's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Entity's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditors' report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditors' report. However, future events or conditions may cause the Entity to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.
- Communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

The logo for KPMG LLP, featuring the letters 'KPMG' in a stylized, handwritten font, followed by 'LLP' in a smaller, similar font. A horizontal line is drawn underneath the text.

Chartered Professional Accountants, Licensed Public Accountants

May 23, 2019

Waterloo, Canada

Consolidated Financial Statements

CONSOLIDATED STATEMENT OF FINANCIAL POSITION

County of Wellington

Consolidated Statement of Financial Position

As at December 31

	2018	2017
	\$	\$
Assets		
Financial Assets		
Cash and Cash Equivalents (Note 3)	28,409,641	20,696,448
Accounts Receivable	10,246,721	9,020,719
Portfolio Investments (Note 3)	87,029,011	80,067,975
Loans Receivable (Note 4)	156,311	185,237
Total Financial Assets	125,841,684	109,970,379
Liabilities		
Accounts Payable and Accrued Liabilities	19,091,324	17,375,725
Deferred Revenue (Note 5)	8,655,199	9,503,535
Landfill Site Closure and Post Closure Liability (Note 6)	8,035,076	8,157,528
Post Employment/Retirement Liability (Note 7)	2,180,162	2,136,158
WSIB Liability (Note 8)	1,323,092	1,328,487
Wellington Housing Corporation Mortgage (Note 9)	750,151	878,444
Net Long Term Liabilities (Note 9)	32,178,682	26,251,618
Total Liabilities	72,213,686	65,631,495
Net Financial Assets	53,627,998	44,338,884
Non Financial Assets		
Tangible Capital Assets (Note 10)	421,421,924	411,792,648
Inventories of Supplies	922,697	782,046
Prepaid Expenses	2,041,694	1,752,572
Total Non Financial Assets	424,386,315	414,327,266
Accumulated Surplus (Note 11)	478,014,313	458,666,150

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

Consolidated Financial Statements

CONSOLIDATED STATEMENT OF OPERATIONS

County of Wellington

Consolidated Statement of Operations

	Budget	2018	2017
	\$	\$	\$
	(Note 19)		
Revenues			
Taxation (Note 12)	95,194,100	97,111,559	93,248,002
Government Transfers			
Provincial (Note 13)	74,247,635	76,302,765	67,924,316
Federal (Note 13)	7,075,991	6,346,680	5,166,488
Municipal	27,812,633	24,451,012	24,042,601
Fees and Services Charges	10,532,600	10,930,545	10,564,373
Licenses, Permits, Rent	7,967,400	8,470,225	7,838,662
Interest, Donations, Other	3,126,100	2,933,760	2,737,834
Development Charges Earned	2,375,500	2,864,445	1,712,833
Total Revenues	228,331,959	229,410,991	213,235,109
Expenses			
General Government	18,006,416	16,979,429	16,455,568
Protection to Persons and Property	18,617,317	17,785,831	17,347,807
Transportation Services	27,627,202	30,265,167	28,054,444
Environmental Services	9,560,320	8,774,198	9,307,931
Health Services	13,042,600	14,639,123	13,388,330
Social Housing	33,434,490	34,280,657	36,682,308
Social and Family Services	74,367,622	73,961,938	64,738,522
Library	8,302,927	7,577,951	7,359,466
Museum	2,408,216	2,291,333	2,206,640
Planning and Development	3,811,149	3,507,201	3,447,014
Total Expenses	209,178,259	210,062,828	198,988,030
Annual Surplus	19,153,700	19,348,163	14,247,079
Accumulated Surplus, Beginning of Year	458,666,150	458,666,150	444,419,071
Accumulated Surplus, End of Year	477,819,850	478,014,313	458,666,150

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

Consolidated Financial Statements

CONSOLIDATED STATEMENT OF CHANGE IN NET FINANCIAL ASSETS

County of Wellington

Consolidated Statement of Change in Net Financial Assets

For the year ended December 31

	Budget	2018	2017
	\$	\$	\$
Annual Surplus	19,153,700	19,348,163	14,247,079
Acquisition of Tangible Capital Assets	(43,282,000)	(33,001,713)	(33,033,303)
Amortization of Tangible Capital Assets	22,100,000	22,601,203	22,215,125
Loss on Disposal of Tangible Capital Assets	-	306,492	110,296
Proceeds on Sale of Tangible Capital Assets	-	464,742	354,449
	(2,028,300)	9,718,887	3,893,646
Acquisition of Inventories of Supplies	-	(922,697)	(782,046)
Acquisition of Prepaid Expenses	-	(2,041,694)	(1,752,572)
Consumption of Inventories of Supplies	-	782,046	768,287
Use of Prepaid Expenses	-	1,752,572	2,039,256
Change in Net Financial Assets	(2,028,300)	9,289,114	4,166,571
Net Financial Assets, Beginning of Year	44,338,884	44,338,884	40,172,313
Net Financial Assets, End of Year	42,310,584	53,627,998	44,338,884

Consolidated Financial Statements

CONSOLIDATED STATEMENT OF CASH FLOWS

County of Wellington

Consolidated Statement of Cash Flows

For the year ended December 31

(Note 1 a) i)

2018

2017

	2018	2017
	\$	\$
Cash Provided By (Used In):		
Operating Activities:		
Annual Surplus	19,348,163	14,247,079
Items Not Involving Cash:		
Amortization	22,601,203	22,215,125
Loss on Disposal of Tangible Capital Assets	306,492	110,296
Change in Post Employment/Retirement Liability	44,004	19,198
Change in WSIB Liability	(5,395)	(32,656)
Change in Landfill Liability	(122,452)	484,978
Change in Non-Cash Assets and Liabilities:		
Accounts Receivable	(1,176,003)	(1,822,055)
Accounts Payable and Accrued Liabilities	1,665,598	(2,421,429)
Deferred Revenue	(848,336)	831,641
Inventories of Supplies	(140,651)	(13,759)
Prepaid Expenses	(289,122)	286,684
Net Change in Cash from Operating Activities	41,383,501	33,905,102
Capital Activities:		
Proceeds on Sale of Tangible Capital Assets	464,742	354,449
Cash Used to Acquire Tangible Capital Assets	(33,001,713)	(33,033,303)
Net Change in Cash from Capital Activities	(32,536,971)	(32,678,854)
Investing Activities:		
Change in Loan Receivable	28,926	45,426
Change in Long Term Investments	(6,961,036)	(2,619,645)
Net Change in Cash from Investing Activities	(6,932,110)	(2,574,219)
Financing Activities:		
Long Term Debt Issued	9,250,000	
Long Term Debt Repaid	(3,451,228)	(3,320,425)
Net Change in Cash from Financing Activities	5,798,772	(3,320,425)
Net Change in Cash and Short Term Investments	7,713,192	(4,668,396)
Cash and Short Term Investments, Beginning of Year	20,696,448	25,364,844
Cash and Short Term Investments, End of Year	28,409,641	20,696,448

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

Notes to the Financial Statements

For the Year Ended December 31, 2018

The County of Wellington (the County) is an upper-tier municipality in the Province of Ontario, Canada. The County is comprised of seven member municipalities: the Towns of Erin and Minto, and the Townships of Centre Wellington, Guelph/Eramosa, Mapleton, Puslinch and Wellington North.

1. ACCOUNTING POLICIES

The consolidated financial statements of the County of Wellington are prepared by management in accordance with Canadian generally accepted accounting principles for governments as recommended by the Public Sector Accounting Board (PSAB) of the Canadian Institute of Chartered Accountants. Significant accounting policies adopted by the County are as follows:

a) Basis of Consolidation

(i) Consolidated Entities

These consolidated statements include the activities of all committees of Council and the following boards and municipal corporation which are under the control of Council:

Wellington County Police Services Board

Wellington County Public Library Board

Wellington Housing Corporation

All interfund assets and liabilities and sources of financing and expenditures have been eliminated with the exception of loans or advances between reserve funds and any other fund of the municipality and the resulting interest income and expenditures.

Under PSAB standards, the County reports only its share of assets, liabilities and results of operations of any government partnerships in which it participates. The County participates in Wellington-Dufferin-Guelph Public Health to the extent of 32% (2017 – 32.7%) based on population, as stated in the agreement with the other participants, the City of Guelph and the County of Dufferin.

On January 1, 2017 all assets, liabilities and operations of Mount Forest Non-Profit Housing Corporation were transferred to Wellington Housing Corporation with a net asset value of \$1,169,307. The County owns 100% of Wellington Housing Corporation's shares.

(ii) Trust Funds

Trust funds and their related operations administered by the County are not consolidated, but are reported separately on the Trust Funds Statements of Financial Position and Operations.

b) Basis of Accounting

(i) Accrual Basis of Accounting

The County follows the accrual method of accounting for revenues and expenses. Revenues are normally recognized in the year in which they are earned and measurable. Expenses are recognized as they are incurred and measurable as a result of receipt of goods or services and/or the creation of a legal obligation to pay.

(ii) Investments

Cash and cash equivalents

Cash and cash equivalents are comprised of the amounts held in the County's bank accounts and investments with an original maturity date of three months or less.

Notes to the Financial Statements

For the Year Ended December 31, 2018

Portfolio Investments

Investments with an original maturity date of more than three months are reported as portfolio investments. Investments and pooled investments are reported using the cost method. Discounts and premiums arising on the purchase of these investments are amortized over the term of the investments. Provisions for declines in the market value of investments are recorded when they are considered to be other than temporary. Declines in the market values of investments are considered to be other than temporary when the carrying value exceeds market value for more than three years.

(iii) Deferred Revenue

In accordance with PSAB requirements obligatory reserve funds are reported as a component of deferred revenue. The County has obligatory development charge reserve funds in the amount of \$2,273,137 (2017 - \$3,357,150). These funds have been set aside, as required by the Development Charges Act, to finance a portion of the cost of growth-related capital projects. Revenue recognition occurs after the funds have been collected and when the County has incurred the expenditures for the capital works for which the development charges were raised (Note 5).

Unexpended funds of \$5,295,166 (2017 - \$5,114,489) received by the County under the Federal Gas Tax Revenue Transfer are reported as deferred revenue and will be recognized as revenue in the fiscal year in which the eligible expenditures are incurred. Unexpended funds of \$496,737 (2017 - \$0) received by County under the Ontario Capital Infrastructure Fund are reported as deferred revenue and will be recognized as revenue in the fiscal year in which they eligible expenditures are incurred (Note 5).

(iv) Taxation

Under PS3510, taxes receivable and tax revenue are recognized when they meet the definition of an asset, the tax is authorized and the taxable event has occurred (Note 12).

(v) Government Transfers

Under PS3410, government transfers received relate to social services, police, health and cultural programmes. Transfers are recognized in the financial statements as revenues in the period in which events giving rise to the transfer occur, providing the transfers are authorized, any eligibility criteria have been met, and reasonable estimates of the amounts can be made (Note 13).

(vi) Contaminated Sites

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

(vii) Use of Estimates

The preparation of financial statements requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities, the disclosure of contingent assets and liabilities at the date of the financial statements, and the reported amounts of revenues and expenses during the period. Significant estimates include assumptions used in estimating provisions for accrued liabilities, landfill closure and post-closure liability, actuarial valuations of employee future benefits, and the historical cost and useful lives of tangible capital assets.

Actual results could differ from these estimates.

Notes to the Financial Statements

For the Year Ended December 31, 2018

(vii) Use of Estimates

The preparation of financial statements requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities, the disclosure of contingent assets and liabilities at the date of the financial statements, and the reported amounts of revenues and expenses during the period. Significant estimates include assumptions used in estimating provisions for accrued liabilities, landfill closure and post-closure liability, actuarial valuations of employee future benefits, and the historical cost and useful lives of tangible capital assets.

Actual results could differ from these estimates.

c) Physical Assets

(i) Tangible Capital Assets

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

Major Asset Classification	Component Breakdown	Useful Life—Years
Land		N/A
Landfill Sites		N/A—Based on Usage
Buildings	Structure Exterior Interior Site Elements Leasehold Improvements	15 to 50 20 to 40 15 to 40 10 to 30 Lease Term
Infrastructure	Roads and Parking Lots—Asphalt Roads and Parking Lots—Gravel Roads—Base Bridges—Surface Bridges and Culverts—Structure Traffic Signals, Street Signs, Outdoor Lighting	20 10 50 20 50 20
Vehicles and Machinery	Licensed Equipment Unlicensed Equipment	7 15
Furniture and Fixtures		15
Technology and Communications		5
Library Books and Media		5

Notes to the Financial Statements

For the Year Ended December 31, 2018

Landfill sites are amortized using the units of production method based upon capacity used during the year. 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 are also recorded as revenue. The value of assets contributed in 2018 is \$0 (2017 - \$0)

(iii) 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. The County's art collection includes approximately 1,100 pieces, either created by a significant Wellington County artist and/or depicting Wellington County subject matter. The Museum's collection contains over 18,000 artifacts. The Archives' collection contains over 80,000 documents, photographs, and microfilm. Both collections relate to the history of Wellington County, and are fully catalogued with appraised values in the County's collections database. The collection is maintained and stored at the Wellington County Museum & Archives as per Provincial Standards for Ontario Museums.

(iv) Interest Capitalization

Borrowing costs incurred as a result of the acquisition, construction and production of an asset that takes a substantial period of time to prepare for its intended use are capitalized as part of the cost of the asset.

Capitalization of interest costs commences when the expenses are being incurred, borrowing costs are being incurred and activities that are necessary to prepare the asset for its intended use are in progress. Capitalization is suspended during periods in which active development is interrupted. Capitalization ceases when substantially all of the activities necessary to prepare the asset for its intended use are complete. If only minor modifications are outstanding, this indicates that substantially all of the activities are complete.

The capitalized interest costs associated with the acquisition or construction of tangible capital assets during the year was \$122,871 (2017 - \$0).

(v) Leased Tangible Capital Assets

Leases which transfer substantially all of the benefits and risks incidental to ownership of property are accounted for as leased tangible capital assets. All other leases are accounted for as operating leases and the related payments are expensed as incurred.

(vi) Inventories of Supplies

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

Notes to the Financial Statements

For the Year Ended December 31, 2018

(vii) Tangible Capital Assets recorded at Nominal Value

Under PS 3150.42 the County has no assets recorded at nominal value

2. TRUST FUNDS

Trust funds administered by the County amounting to \$140,818 (2017 - \$174,046) have not been included in the Consolidated Statement of Financial Position, nor have their operations been included in the Consolidated Statement of Financial Activities.

3. CASH AND CASH EQUIVALENTS AND PORTFOLIO INVESTMENTS

Total cash and cash equivalents of \$28,409,641 (2017 - \$20,696,448) are reported on the Consolidated Statement of Financial Position at cost.

Total portfolio investments of \$87,029,011 (2017 - \$80,067,975) are reported on the Consolidated Statement of Financial Position at cost and have a market value of \$87,849,405 (2017 - \$81,672,525).

At December 31, 2018 the County had undrawn credit capacity under a credit facility of \$5,000,000. Interest on the credit facility is at prime less 0.75%.

4. LOANS RECEIVABLE

(i) Cost Sharing Agreements with the Township of Centre Wellington

In 2010 the County entered into a cost sharing agreement with the Township of Centre Wellington and Groves Memorial Hospital to fund three phases of a Community Planning Area sub-watershed Study. The County funds the work upfront and is repaid by the Township at 54% and the Hospital at 6%. In 2011 phase 1 was completed and in 2012 phase 2 was completed. The Township will repay the County over 10 years, interest free, from year of completion and the Hospital will repay the County through the Township at the time of building permit issuance which occurred in 2017. The amount to be repaid to the County as at December 31, 2018 was \$57,780 (2017- \$72,630).

In 2015, the County and Centre Wellington agreed to share soil remediation costs for the Fergus Library Expansion Project. The land, originally owned by Centre Wellington was remediated by the County upfront and will be repaid by the Township at 60%. The Township will repay the County over ten years, interest free, starting in 2016. The amount to be repaid to the County as at December 31, 2018 was \$98,531 (2017 - \$112,607).

Notes to the Financial Statements

For the Year Ended December 31, 2018

5. DEFERRED REVENUE

Deferred revenue, which is reported on the Consolidated Statement of Financial Position, is further analyzed as follows:

	2018	2017
Federal Gas Tax	5,295,166	5,114,489
Ontario Community Infrastructure Fund (OCIF)	496,737	-
Development Charges	2,273,137	3,357,150
Deferred Capital Grants	121,255	449,707
Deferred Operating Grants	382,218	513,792
Other	86,686	68,397
	8,655,199	9,503,535
	2018	2017
Balance, Beginning of Year		
Federal Gas Tax	5,114,489	3,769,111
Development Charges	3,357,150	2,988,611
Deferred Capital Grants	449,707	1,400,000
Deferred Operating Grants	513,792	335,805
Other	68,399	162,926
	9,503,537	8,656,453
Amounts Received		
Federal Gas Tax	2,760,586	2,681,755
OCIF	1,190,383	840,760
Development Charges	1,942,851	2,489,240
Deferred Capital Grants	129,255	-
Deferred Operating Grants	327,244	392,251
Other	33,097	32,422
Interest Earned	273,219	231,076
	6,656,635	6,667,504
Contributions Used	(7,504,973)	(5,820,422)
Balance, End of Year	8,655,199	9,503,535

Notes to the Financial Statements

For the Year Ended December 31, 2018

6. LANDFILL SITE CLOSURE AND POST-CLOSURE LIABILITY

The County is responsible for all aspects of solid waste management. As of December 31, 2018 there were 16 closed landfill sites (of which 6 locations were operating as transfer stations) and 1 active landfill site. The total estimated expenditure (on a discounted basis) for closure and post-closure care as of December 31, 2018 is \$8,994,320 (2017- \$8,856,937). The amount reported on the Consolidated Statement of Financial Position as of December 31, 2018 is \$8,035,076 (2017 - \$8,157,528) and the amount remaining to be recognized is \$959,244 (2017 - \$699,409).

Closure costs include final cover and vegetation, drainage control features, leachate control and monitoring systems, water quality monitoring systems, gas monitoring and recovery, land acquisition, site remediation, and site closure reports. Post-closure costs include leachate monitoring and treatment, water quality monitoring, gas monitoring and recovery, ongoing maintenance and annual reports. The discounted cash flow analysis is based on the estimated costs for each of these items over a 25-year period using a long term borrowing rate of 3.51% (2017 – 3.26%).

The liability for closure and post closure care is recognized as the capacity of each site is used. For any closed sites, 100% of the liability is recognized. A total of 89.34% (2017 – 92.10%) of the liability is recognized and reported, which represents the estimated weighted average capacity used to December 31, 2018. It is estimated that sufficient landfill site capacity exists for approximately 25 years.

Of the \$8,035,076 (2017 - \$8,157,528) recognized as a liability, \$584,355 (2017 - \$1,467,869) is included on the Consolidated Statement of Financial Position as a reduction to budgetary accumulated surplus and will be recovered from future general municipal revenues and \$7,450,721 (2017 - \$6,689,659) is shown as an amount to be recovered from reserve funds (see note 11).

7. POST-EMPLOYMENT / RETIREMENT LIABILITY

Post-employment benefits include a provision to pay 90% of the premium cost for retired non-union full-time employees and 100% of the premium cost for retired union full-time employees for dental, extended health care and life insurance benefits for an employee voluntarily electing early retirement until the retired employee's 65th birthday. There is also a provision to pay 50% of the premium cost for retired permanent part time employees for dental and extended health care. To be eligible to receive these benefits, the employee must be at least 55 years of age, have a minimum of ten years of continuous service with the County at the time of retirement and be in receipt of an OMERS pension.

In 2014, unionized employees agreed to a payout of the sick leave accumulation plan in the amount of \$908,792. This amount was funded from reserve funds and no remaining liability has been recognized. At the time employees were given the option to retain up to a maximum of 175 hours of sick time not eligible for payout and at December 31, 2018 the outstanding balance of sick hours was 1,041 hours (2017 – 1,312 hours).

The present value of these benefit obligations at December 31, 2018 was estimated from an actuarial review completed in December 2017. The review calculated the benefit obligations using an accrued benefit obligation methodology, which recognizes the accrued benefit over the employees' working lifetime.

Notes to the Financial Statements

For the Year Ended December 31, 2018

Benefit	Number of Employees Entitled to Benefit as at December 31, 2018	Liability as at December 31, 2018	Liability as at December 31, 2017
Dental	48	365,005	347,029
Extended Health Care	48	1,294,900	1,231,125
Life Insurance	43	78,216	74,363
County of Wellington Total		1,738,121	1,652,517
Wellington-Dufferin-Guelph Public Health		442,041	483,641
Consolidated Total		2,180,162	2,136,158

Information about the County's benefit plan is as follows:

	2018	2017
Accrued Benefit Obligation:		
Balance, beginning of year	2,944,548	2,052,779
Current benefit cost	132,824	94,169
Interest	114,832	94,639
Benefits Paid	(280,341)	(214,907)
Actuarial loss	-	917,868
Balance, end of year	2,911,863	2,944,548
Unamortized actuarial loss	(1,173,742)	(1,292,031)
Liability for benefits	1,738,121	1,652,517
Wellington-Dufferin-Guelph Public Health	442,041	483,641
Consolidated Total	2,180,162	2,136,158

Notes to the Financial Statements

For the Year Ended December 31, 2018

Included in expenses is \$118,289 (2017 - \$52,727) for amortization of the actuarial loss. The unamortized actuarial loss is amortized over the expected average remaining service life of 14 years, beginning in 2018.

The main actuarial assumptions employed for the valuation are as follows:

(i) Interest (discount rate):

The present value of future liabilities and the expense for the 12 months ended December 31, 2018 were determined using a discount rate of 4.00%.

(ii) Health Care Cost Rates:

Medical costs were assumed to increase at the rate of 6.75% for 2018 vs. 2017 reducing by .33% per year to 3.75% per year in 2027 vs. 2026 and 3.75% each year thereafter.

(iii) Dental Cost Rates:

Dental costs were assumed to increase at the rate of 3.75% per year.

8. WORKPLACE SAFETY AND INSURANCE

The County is a Schedule II (self-insured) employer with the Workplace Safety and Insurance Board (WSIB). Payments made to the WSIB in 2018 resulting from approved claims were \$201,415 (2017 - \$137,666) and are reported as a liability transaction on the Consolidated Statement of Financial Position. The WSIB liability is based on an actuarial evaluation completed in December 2017. The evaluation is updated every four years. As WSIB benefits are a compensated absence, PSAB Section PS 3250 requires full recognition of liabilities associated with workplace injuries that occurred on or before the valuation date. The amount reported on the Consolidated Statement of Financial Position as a liability is \$1,323,092 (2017 - \$1,328,487).

Information about the WSIB liability is as follows:

	2018	2017
Accrued Benefit Obligation:		
Balance, Beginning of Year	1,173,910	1,298,829
Current Benefit Cost	144,967	129,160
Interest	44,125	38,905
Expected Benefit Payments	(139,480)	(134,591)
Expected Accrued Benefit Obligation, End of Year	1,223,522	1,332,303
Actual Accrued Benefit Obligation, End of Year	1,223,522	1,173,910
Unamortized Actuarial Gain	99,570	154,577
WSIB Liability	1,323,092	1,328,487

Notes to the Financial Statements

For the Year Ended December 31, 2018

Included as a reduction in expenses is \$55,007 (2017 – \$76,225) for amortization of the actuarial gain. The unamortized actuarial gain on future payments required to WSIB is amortized over the expected period of the liability which is 10 years.

The main actuarial assumptions employed for the valuation are as follows:

(i) Interest (discount rate):

The present value of future liabilities and the expense for the 12 months ended December 31, 2018 were determined using a discount rate of 3.75%

(ii) Administration costs:

Administration costs were assumed to be 36.0% of the compensation expense

(iii) Compensation expense:

Compensation costs, which include loss of earnings benefits, health care costs and non-economic loss awards, were assumed to increase at rates ranging from 1.75% to 4.5% depending on the benefit type.

The County purchases two forms of insurance to limit exposure in the event of a significant work-related accident resulting in a death or permanent disability. Occupational Accident Insurance coverage provides a one-time fixed payment of \$500,000 per incident. Excess indemnity insurance is in place to a maximum of \$10,000,000 with a \$500,000 retention

9. NET LONG-TERM LIABILITIES

Provincial legislation restricts the use of long-term liabilities to financing capital expenditures, and also authorizes the County to issue long-term debt for both County and Local purposes, with the latter at the request of the Local Municipality. The responsibility for raising the amounts required to service these liabilities rests with the County and such Local Municipalities for which the debt was issued.

Long-term liabilities outstanding for County purposes (2018 - 32,178,682, 2017 - \$26,251,618) and Wellington Housing Corporation (2018- \$750,151, 2017 - \$878,444) are direct, unsecured and unsubordinated obligations of the County (2018 – 32,928,833, 2017 - \$27,130,062)

Long-term liabilities outstanding for Local Municipal purposes (2018 – \$27,835,359, 2017 - \$29,295,109) are direct, unsecured, unsubordinated, joint and several obligations of the County and such Local Municipalities.

(a) The outstanding principal portion of unmatured long-term liabilities for municipal expenditures is reported on the Consolidated Statement of Financial Position, under "Net Long-Term Liabilities".

	2018	2017
Long-term liabilities incurred by the County, including those incurred on behalf of member municipalities, and outstanding at the end of the year (Interest rates range from 1.35% -5.875%)	60,014,041	55,546,727
Long-term liabilities incurred by the County and recoverable from member municipalities	(27,835,359)	(29,295,109)
Net long-term liabilities at the end of the year	32,178,682	26,251,618

Notes to the Financial Statements

For the Year Ended December 31, 2018

The balance of net long-term liabilities is made up of the following:

	2018	2017
Debenture payable, 5%, repayable in annual principal and semi-annual interest payments of approximately \$50,000 annually, due July 2, 2018	\$ -	\$ 189,000
Debenture payable, 4.9%, repayable in annual principal and semi-annual interest payments of approximately \$365,000 annually, due February 5, 2019	356,000	708,000
Debenture payable, 4.7% - 4.85%, repayable in annual principal and semi-annual interest payments of approximately \$357,000 annually, due June 3, 2020	680,000	1,000,000
Debenture payable, 4.75%-4.85%, repayable in annual principal and semi-annual interest payments of approximately \$225,000 annually, due October 5, 2021	617,000	804,000
Debenture payable, 2.75% - 3.35%, repayable in annual principal and semi-annual interest payments of approximately \$365,500 annually, with a balloon payment of \$735,000, due March, 6, 2022	2,002,000	2,300,000
Debenture payable, 2.45% - 3.20%, repayable in annual principal and semi-annual interest payments of approximately \$677,500 annually with a balloon payment of \$3,135,000, due June 3, 2023	5,810,000	6,305,000
Debenture payable, 5.84%, repayable in blended semi-annual payments of \$119,573, due August 12, 2024	1,195,935	1,358,102
Debenture payable, 5.875%, repayable in blended semi-annual payments of \$856,527, due August 12, 2025	9,716,747	10,810,516
Debenture payable, 1.35%-2.45%, repayable in annual principal and semi-annual interest payments of approximately \$133,500 annually, due November 30, 2026	974,000	1,088,000
Debenture payable, 4.7% - 5.35%, repayable in annual principal and semi-annual interest payments ranging from \$195,266 to \$164,280 annually, due June 3, 2030	1,577,000	1,689,000
Debenture payable, 2% - 3.45%, repayable in annual principal and semi-annual interest payments ranging from \$430,683.25 to \$770,754.50 annually, due May 30, 2038	9,250,000	-
	\$ 32,178,682	\$ 26,251,618

Notes to the Financial Statements

For the Year Ended December 31, 2018

(b) Future principal payments for net long term liabilities are as follows:

	Principal
2019	3,756,748
2020	3,542,015
2021	3,315,005
2022	3,955,997
2023	6,165,291
Subsequent to 2023	11,443,626
	32,178,682

(c) The long-term liabilities in (a) of this note issued in the name of the County, as well as those pending issues of long-term liabilities and commitments to be financed by revenues beyond the term of Council, have been approved by by-law. The annual principal and interest payments required to service these liabilities are within the annual debt repayment limit prescribed by the Ministry of Municipal Affairs and Housing.

(d) Total charges for the year for net long term liabilities are as follows:

	2018	2017
Principal Payments	3,322,936	3,193,331
Interest	1,260,803	1,279,013
	4,583,739	4,472,344

(e) The charges shown on the previous table are recovered as follows:

	2018	2017
General Municipal Revenues	4,026,339	3,992,525
Development Charges	557,400	479,819
	4,583,739	4,472,344

(f) Net long-term liabilities are to be recovered are as follows:

	2018	2017
Net Long-term Liabilities		
Recovered from General Municipal Revenues	29,794,682	23,484,618
Recovered from Development Charges	2,384,000	2,767,000
	32,178,682	26,251,618

Notes to the Financial Statements

For the Year Ended December 31, 2018

(g) Wellington Housing Corporation:

The mortgage payable is held by the Canadian Mortgage and Housing Corporation at an interest rate of 0.94% with monthly installments of \$11,323 (2017 - \$11,323) principal and interest and due September 2020.

Principal payments required on long-term debt for the next four years are due as follows:

	Principal
2019	129,399
2020	620,752
	750,151

10. TANGIBLE CAPITAL ASSETS

County tangible capital assets are identified by asset type. The cost of tangible capital assets, their accumulated amortization and net book value are disclosed in the following schedule:

Notes to the Financial Statements

For the Year Ended December 31, 2018

Cost	December 31, 2017	Additions	Disposals	December 31, 2018
Land	\$ 32,550,316	\$ 1,081,348	\$ -	\$ 33,631,664
Landfill Sites	1,871,638	-	-	1,871,638
Buildings	169,077,741	17,325,051	(518,900)	185,883,892
Infrastructure				
Roads	326,965,354	13,554,615	(347,539)	340,172,430
Bridges	81,982,317	2,923,094	(271,964)	84,633,447
Culverts	20,012,959	855,207	-	20,868,166
Traffic Lights	2,924,929	138,963	(81,866)	2,982,026
Trails	244,777	-	-	244,777
Parking Lots	1,309,310	1,181,359	(57,463)	2,433,206
Vehicles and Machinery				
Licensed Equipment	11,344,564	1,661,403	(1,161,007)	11,844,960
Unlicensed Equipment	6,915,454	1,198,219	(890,359)	7,223,314
Furniture and Fixtures	7,218,490	848,613	(84,975)	7,982,128
Technology and Communications	5,808,465	803,331	(1,080,913)	5,530,883
Library Books and Media	3,120,842	641,577	(534,819)	3,227,600
Wellington Housing Corporation	2,667,593	158,051	(86,156)	2,739,488
Public Health	11,175,476	(23,251)	(234,214)	10,918,011
Capital Work-in-Progress	18,368,406	4,121,078	(13,466,945)	9,022,539
Total	\$ 703,558,631	\$ 46,468,658	\$ (18,817,120)	\$ 731,210,169
Accumulated Amortization	December 31, 2017	Amortization Expense	Disposals	December 31, 2018
Land	\$ -	\$ -	\$ -	\$ -
Landfill Sites	(955,461)	(2,925)	-	(958,386)
Buildings	(48,585,662)	(6,930,663)	354,677	(55,161,648)
Infrastructure				
Roads	(166,668,259)	(8,972,555)	322,100	(175,318,714)
Bridges	(44,669,697)	(1,606,306)	271,964	(46,004,039)
Culverts	(8,684,329)	(470,275)	-	(9,154,604)
Traffic Lights	(1,936,655)	(155,145)	81,866	(2,009,934)
Trails	(21,937)	(10,707)	-	(32,644)
Parking Lots	(503,435)	(125,049)	43,306	(585,178)
Vehicles and Machinery				
Licensed Equipment	(4,632,055)	(1,050,169)	899,241	(4,782,983)
Unlicensed Equipment	(3,062,637)	(623,122)	652,144	(3,033,615)
Furniture and Fixtures	(3,359,839)	(526,701)	85,302	(3,801,238)
Technology and Communications	(3,675,737)	(738,695)	1,080,913	(3,333,519)
Library Books and Media	(1,485,731)	(634,932)	534,819	(1,585,844)
Wellington Housing Corporation	(355,486)	(134,090)	20,839	(468,737)
Public Health	(3,169,063)	(619,869)	231,770	(3,557,162)
Total	\$ (291,765,983)	\$ (22,601,203)	\$ 4,578,941	\$ (309,788,245)

Notes to the Financial Statements

For the Year Ended December 31, 2018

Net Book Value	December 31, 2017	December 31, 2018
Land	\$ 32,550,316	\$ 33,631,664
Landfill Sites	916,177	913,252
Buildings	120,492,079	130,722,244
Infrastructure		
Roads	160,297,095	164,853,716
Bridges	37,312,620	38,629,408
Culverts	11,328,630	11,713,562
Traffic Lights	988,274	972,092
Trails	222,840	212,133
Parking Lots	805,875	1,848,028
Vehicles and Machinery		
Licensed Equipment	6,712,509	7,061,977
Unlicensed Equipment	3,852,817	4,189,699
Furniture and Fixtures	3,858,651	4,180,890
Technology and Communications	2,132,728	2,197,364
Library Books and Media	1,635,111	1,641,756
Wellington Housing Corporation	2,312,107	2,270,751
Public Health	8,006,413	7,360,849
Capital Work-in-Progress	18,368,406	9,022,539
Total	\$ 411,792,648	\$ 421,421,924

(a) Assets Under Construction

Assets under construction having a value of \$9,022,539 (2017 - \$18,368,406) have not been amortized. Amortization of these assets will commence when the asset is available for use.

(b) Write-Down of Tangible Capital Assets and Loss on Disposal

The write-down of tangible capital assets during the year was \$0 (2017 - \$0). The loss on disposal of assets during the year was \$466,857 (2017 - \$110,296).

Notes to the Financial Statements

For the Year Ended December 31, 2018

11. ACCUMULATED SURPLUS

Accumulated surplus shown on the Consolidated Statement of Financial Position is analyzed as follows:

As at December 31	2018	2017
	\$	\$
Surplus:		
Invested in Tangible Capital Assets	421,421,924	411,792,648
Invested in Capital Fund	15,722,458	8,946,536
Share of Public Health Unit (Note 15)	2,230,346	2,007,857
Amount Recovered from Public Health	611,964	611,964
Amounts to be Recovered		
From Future Revenues		
Net Long Term Liabilities	(32,928,833)	(27,130,062)
Post Employment Benefits	(2,180,162)	(2,136,158)
Landfill Liability	(584,355)	(1,467,869)
From Reserve Funds		
Landfill Liability	(7,450,721)	(6,689,659)
WSIB	(1,323,092)	(1,328,487)
Total Surplus	395,519,529	384,606,770
Reserves set aside by Council for:		
Capital	40,251,045	36,225,740
Contingencies and Stabilization	16,285,406	14,208,390
Equipment Replacement	4,795,658	5,461,793
Benefits and Insurance	3,276,719	3,031,488
Programme Specific	2,774,150	2,553,968
Hospital Redevelopment	-	880,000
Total Reserves	67,382,978	62,361,379
Reserve Funds set aside for specific purposes by Council for:		
Landfill Closure and Post Closure	7,450,721	6,689,659
Workplace Safety and Insurance	3,464,351	3,305,439
Housing Regeneration	2,410,787	1,034,709
Housing Development	1,474,588	243,731
Museum Donations and Endowments	156,564	120,329
Library Donations	91,028	45,721
Wellington Terrace Donations	63,767	57,933
Best Start Programme	-	200,480
Total Reserve Funds	15,111,806	11,698,001
Accumulated Surplus	\$ 478,014,313	\$ 458,666,150

Notes to the Financial Statements

For the Year Ended December 31, 2018

12. TAXATION

Under PS3510, taxes receivable and tax revenue are recognized when they meet the definition of an asset, the tax is authorized and the taxable event has occurred.

	2018	2017
Property Tax Levy	95,079,100	91,427,400
Supplementary & Omitted Taxes	2,212,685	2,075,669
Payment in Lieu of Taxes	721,500	671,679
Other	31,640	30,895
	98,044,925	94,205,643
Less:		
Property Taxes written off as uncollectible	(808,366)	(833,662)
Provisions for Assessment at Risk	(125,000)	(123,979)
	(933,366)	(957,641)
Tax Revenue Recognized	\$ 97,111,559	\$ 93,248,002

Notes to the Financial Statements

For the Year Ended December 31, 2018

13. PROVINCIAL AND FEDERAL GOVERNMENT TRANSFERS

	2018	2017
Provincial Grants		
Affordable Housing Construction Funding	195,266	205,100
Community Homelessness Prevention Initiative, SHEEP	3,608,384	3,338,926
Community Policing Partnership, RIDE, 1000 Officers, Court Security	358,261	322,808
Health Unit – Ministry of Children and Youth Services	831,175	805,545
Health Unit – Ministry of Health and Long Term Care	4,874,185	4,812,743
Library Capacity Grant	15,775	63,100
Library Operating Grant	152,454	152,454
Library Other Grants	10,654	53,639
Long Term Care Operating Subsidy	9,458,245	9,043,833
MCI Immigration Funding	106,271	-
Ministry of Education Funding - Children's Early Years	23,176,321	14,821,908
Ministry of Municipal Affairs - Investing in Affordable Housing	4,069,432	6,532,714
Museum Operating Grant	57,304	54,658
Ontario Community Infrastructure Fund (OCIF)	701,170	840,760
Ontario Municipal Partnership Fund (OMPF)	1,774,200	2,087,200
Ontario Works Administration Subsidy	4,846,756	4,761,066
Ontario Works Benefit Subsidy	18,841,792	18,260,116
Ontario Works Provincial Addictions Funding	119,275	116,525
Strong Communities Rent Supplement	582,167	582,167
Waste Diversion Ontario, Stewardship Ontario, OTS Tire	865,674	709,466
Other	1,658,004	359,588
Subtotal Provincial Grants	\$76,302,765	\$ 67,924,316

The government transfers reported on the Consolidated Statement of Operations are:

Notes to the Financial Statements

For the Year Ended December 31, 2018

	2018	2017
Federal Grants		
Canada 150 Community Infrastructure	-	115,657
Citizenship and Immigration Canada Subsidy	421,614	375,984
FCM Asset Management Grant	35,401	
Federal Block Funding Housing	3,006,307	3,098,195
Federal Gas Tax	2,740,633	1,458,626
Health Unit - Public Health Agency of Canada	14,700	12,073
Homeless Partnering Strategy	128,025	105,953
Subtotal Federal Grants	\$6,346,680	\$ 5,166,488
Total Grant Revenues	\$ 82,649,445	\$ 73,090,804

14. CONTINGENT LIABILITIES AND COMMITMENTS

In the normal course of its operations, the County is subject to various litigations and claims. The ultimate outcome of these claims cannot be determined at this time.

The County has approved a grant of 20% of eligible costs to a maximum of \$5.0 million for the redevelopment of Groves Memorial Community Hospital (GMCH) in the Township of Centre Wellington. As of December 31, 2018 the sum of \$3,562,388 (2017 - \$3,561,097) has been paid to GMCH, leaving an outstanding commitment of \$1,437,612 (2017 - \$1,438,903).

In June 2014 the County approved capital improvement grants for three County hospital foundations; Groves Memorial Community Hospital Foundation, \$5,000,000; the Mount Forest Louise Marshall Hospital Foundation, \$2,200,000; and the Palmerston & District Hospital Foundation \$2,200,000; for a total pledge of \$9,400,000 over the five-year period 2015 to 2019. As of December 31, 2018 the sum of \$1,760,000 (2017 - \$1,320,000) has been paid to the Palmerston & District Hospital Foundation, leaving an outstanding commitment of \$440,000 (2017 - \$880,000). The sum of \$1,500,000 (2017 - \$500,000) has been paid to the Mount Forest Louise Marshall Hospital Foundation, leaving an outstanding commitment of \$700,000 (2017 - \$1,700,000). To date no payments have been made to Groves Memorial Community Hospital Foundation related to the additional grant.

Notes to the Financial Statements

For the Year Ended December 31, 2018

15. GOVERNMENT PARTNERSHIP

The County of Wellington is a partner in the Wellington-Dufferin-Guelph Health Unit. The County provides 32.0% (2017 - 32.7%) of the municipal funding to the Health Unit for the Cost Shared Mandatory and related programmes, and is responsible for a similar share of the assets, liabilities and municipal position of the Health Unit. For 2018, based on updated 2016 Census information, the County share decreased by 0.7% except for the share of the long-term loan which remains at 32.7%. The County's share of the results of the Health Unit's financial activities for the year and its financial position at year end have been consolidated in these financial statements. At December 31, 2018, the Health Unit's financial results and financial position are as follows:

	2018	2017
Financial Assets	7,976,783	7,624,987
Liabilities	(14,124,423)	(15,555,034)
Non-Financial Assets	23,120,690	24,577,512
Accumulated Surplus	16,973,050	16,647,465
Revenues	27,085,026	26,234,478
Expenses	26,759,441	26,039,401
Annual Surplus	325,585	195,077

The County Share of the Public Health's assets, liabilities and municipal position are as follows:

	2018	2017
Share of Public Health (Note 11)	2,230,346	2,007,857
Long Term Debt	(3,799,106)	(4,086,907)
Post Employment Liability (Note 7)	(442,041)	(483,641)
Invested in Tangible Capital Assets (Note 10)	7,360,849	8,006,414
Accumulated Surplus	5,350,048	5,443,722

On December 19, 2012, the County entered into a Financing Agreement with the Wellington-Dufferin-Guelph Public Health Unit, the County of Dufferin and the City of Guelph, to finance the County portion of the cost of building the two new facilities at Chancellors Way, Guelph, and Broadway, Orangeville. The Financing Agreement allows for quarterly advances of capital by the County of Wellington to Public Health beginning in January 2013, until the completion of the new facilities. The total amount of the advances from all obligated municipalities will not exceed \$24,400,000 and based on 2011 Census population information, the County of Wellington's obligation is 32.7% or \$8,000,000. The interest rate on the loan repayment from the Health Unit to the County will be 3.34% per annum, and the term and amortization of the loan will be twenty years. The whole or any part of the capital financing under this agreement may be prepaid at any time without penalty or bonus and in April of 2017, the Health Unit prepaid \$611,964. At December 31, 2018 the balance of the loan receivable is \$3,799,106 (2017 - \$4,086,907).

Notes to the Financial Statements

For the Year Ended December 31, 2018

16. PUBLIC LIABILITY INSURANCE

The County has a comprehensive programme of risk identification, evaluation and control to minimize the risk of injury to its employees and third parties and to minimize the risk of damage to its property and the property of others.

The County's purchased general liability insurance policy is \$25,000,000 per occurrence with no aggregate. The environmental liability policy is the maximum that can be purchased at \$3,000,000 per occurrence with an aggregate of \$5,000,000. The County's licensed fleet is insured with liability coverage of \$25,000,000. The deductible (self-insurance) is \$10,000 on fleet policies and \$50,000 on property and liability. The County also carries a legal expense reimbursement policy that covers 100% of legal fees to a maximum of \$100,000 per claim with an annual aggregate of \$250,000.

Based on claims received to December 31, 2018, the maximum deductible exposure to the County is estimated at \$542,000. These claims have not been accrued in the Financial Statements because the outcome of these claims is not known and the loss will be accounted for in the period in which the loss, if any, becomes likely and can be reasonably estimated. For claims not covered by purchased insurance, the County has established a reserve, which as at December 31, 2018 totaled \$427,367 (2017 - \$414,119).

17. PENSION AGREEMENTS

The County makes contributions to the Ontario Municipal Employees Retirement Fund (OMERS), which is a multi-employer plan, on behalf of approximately 664 (2017 - 660) members of its staff. The plan is a defined benefit plan, which specifies the amount of retirement benefit to be received by the employees, based on the length of service and rates of pay.

Contributions of employees with a normal retirement age of 65 were being made at a rate of 9.0% for earnings up to the yearly maximum pensionable earnings of \$57,400 and at a rate of 14.6% for earnings over the yearly maximum.

The County's contribution to OMERS for 2018 was \$3,818,064 (2017 - \$3,762,151) for current service and past service costs and is included as an expense on the Consolidated Statement of Operations. Employee contributions to OMERS in 2018 was \$3,818,064 (2017 - \$3,762,151).

As per PSAB 3250.111, the County of Wellington is current with all payments to OMERS, therefore, there is neither a surplus or deficit with the County's pension plan contributions.

As at December 31, 2018, the OMERS Primary Plan had a funded ratio of assets to pension obligations of 96% (2017 - 94%). The OMERS pension plan funding deficit remains \$5.4 billion (2017 - \$5.4 billion).

18. SOCIAL HOUSING PROPERTIES

The County has title to the 1,189 Social Housing units of the former Wellington-Guelph Housing Authority. The units are located in the City of Guelph and throughout the County. The related debt on these units remains with the Province of Ontario. Of the \$3,006,308 (2017 - \$3,098,194) in federal government subsidies provided to the County for social housing, \$961,006 (2017 - \$1,015,066) is retained by the province to fund the associated debt servicing costs.

The County owns 100% of the shares of Wellington Housing Corporation which owns 440 King Street East in Mount Forest. 440 King Street is a 35-unit townhouse complex that is split approximately 50/50 between RGI and market rent units. At December 31, 2018 the mortgage outstanding was \$750,150 (2017 - \$878,444).

Notes to the Financial Statements

For the Year Ended December 31, 2018

19. BUDGET DATA

The budget data presented in these consolidated financial statements is based upon the 2018 operating and capital budgets approved by Council on January 24, 2018 and 2018 capital budget amendments in the amount of \$9,430,000 (2017 - \$3,937,200) approved by Council throughout the year. Amortization was not included in the approved budget, however it has been included in the consolidated financial statements budget based on the estimated annual amortization presented to Council prior to budget approval per Ontario Regulation 284/09. The chart below reconciles the approved budget to the budget figures reported in these consolidated financial statements.

	2018 Budget Amount	2017 Budget Amount
Revenue	\$	\$
Operating Budget	214,247,700	200,932,200
Capital Budget	43,097,000	35,402,200
Public Health Budget	6,050,259	5,803,346
Less:		
Transfers from other funds	(22,774,600)	(22,173,800)
New debt financing	(4,360,000)	(4,663,000)
Internal Recoveries	(6,928,400)	(6,506,100)
Total Revenue	228,331,959	208,794,846
Expenses		
Operating Budget	214,247,700	200,680,000
Capital Budget	43,097,000	35,402,200
Amortization	22,100,000	21,000,000
Public Health Budget	6,050,259	5,798,396
Less:		
Transfers from other funds	(23,216,200)	(22,586,200)
Capital Expenses	(43,097,000)	(35,402,200)
Debt principal payments	(3,449,900)	(3,065,000)
Internal Charges	(6,553,600)	(6,175,200)
Total Expenses	209,178,259	195,651,996
Annual Surplus	\$ 19,153,700	\$ 13,142,850

20. COMPARATIVE FIGURES

Certain comparative figures have been reclassified to conform to the current year's presentation.

21. SEGMENTED INFORMATION

The County of Wellington is a diversified municipal government institution that is responsible for ensuring the provision of a wide range of services to its citizens, including police, roads, solid waste services, ambulance, public health, child care, social housing, Ontario Works, homes for the aged, museum, library and planning.

County services are provided by departments and their activities are reported in the Consolidated Statement of Operations. Certain departments have been separately disclosed in the segmented information in the following schedule.

Notes to the Financial Statements

For the Year Ended December 31, 2018

2018						
	General Government	Protection	Transportation Services	Environmental Services	Health Services	Social Housing
Revenues						
Taxation	10,036,804	18,047,825	27,748,859	5,309,932	7,363,716	5,143,550
Grants and Subsidies	1,880,472	358,261	3,477,204	865,674	5,720,059	11,869,723
Municipal Revenue	-	248,907	2,627,591	-	52,126	15,999,058
Fees and Service Charges	466,870	96,366	755,348	3,921,356	(2,115)	(56,420)
Licenses, Permits, Rents	1,253,659	114,765	-	8,992	-	6,991,448
Interest, Donations, Other	2,608,317	11,847	-	-	46,789	110,259
Development Charges	25,413	79,674	2,465,505	-	53,165	-
Total Revenues	16,271,535	18,957,645	37,074,507	10,105,954	13,233,740	40,057,618
Expenses						
Salaries and Benefits	8,792,287	489,597	7,595,299	2,354,956	3,956,175	3,768,297
Goods and Services	5,585,115	625,176	8,356,484	6,003,639	3,357,655	6,128,244
Transfer Payments	328,424	15,667,821	-	-	6,609,430	20,435,794
Insurance and Interest	981,474	128,019	1,689,406	201,281	95,993	373,927
Amortization	1,292,129	875,218	12,623,978	214,322	619,870	3,574,395
Total Expenses	16,979,429	17,785,831	30,265,167	8,774,198	14,639,123	34,280,657
Excess (deficiency) of revenue over expenses	(707,894)	1,171,814	6,809,340	1,331,756	(1,405,383)	5,776,961

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Notes to the Financial Statements

For the Year Ended December 31, 2018

2018					
	Social and Family Services	Library	Museum	Planning and Development	Consolidated
Revenues					
Taxation	11,305,310	6,801,916	2,105,874	3,247,773	97,111,559
Grants and Subsidies	58,236,803	178,883	57,304	5,062	82,649,445
Municipal Revenue	5,419,718	29,760	-	73,852	24,451,012
Fees and Service Charges	5,166,884	102,948	89,871	389,437	10,930,545
Licenses, Permits, Rents	-	47,980	53,381	-	8,470,225
Interest, Donations, Other	73,389	56,966	7,031	19,162	2,933,760
Development Charges	45,664	195,024	-	-	2,864,445
Total Revenues	80,247,768	7,413,477	2,313,461	3,735,286	229,410,991
Expenses					
Salaries and Benefits	26,783,080	4,228,741	1,478,257	2,170,213	61,616,902
Goods and Services	4,028,439	1,293,660	549,792	598,146	36,526,350
Transfer Payments	40,879,369	-	-	639,513	84,560,351
Insurance and Interest	992,029	233,552	35,648	26,693	4,758,022
Amortization	1,279,021	1,821,998	227,636	72,636	22,601,203
Total Expenses	73,961,938	7,577,951	2,291,333	3,507,201	210,062,828
Excess (deficiency) of revenue over expenses	6,285,830	(164,474)	22,128	228,085	19,348,163

Notes to the Financial Statements

For the Year Ended December 31, 2018

2017						
	General Government	Protection	Transportation Services	Environmental Services	Health Services	Social Housing
Revenues						
Taxation	11,028,902	17,365,600	25,356,100	5,136,600	6,686,200	5,345,000
Grants and Subsidies	2,155,968	322,808	2,415,043	709,466	5,630,360	14,047,924
Municipal Revenue	7,500	249,424	1,972,353	-	70,406	15,968,449
Fees and Service Charges	467,182	137,391	311,085	4,121,889	(2,624)	(41,044)
Licenses, Permits, Rents	1,103,933	114,335	-	7,637	-	6,528,804
Interest, Donations, Other	2,550,794	2,660	15,000	-	24,637	2,414
Development Charges	29,950	52,002	1,198,621	-	62,273	-
Total Revenues	17,334,229	18,244,220	31,268,202	9,975,592	12,471,252	41,851,547
Expenses						
Salaries and Benefits	8,662,705	444,124	5,215,383	2,374,606	3,924,101	3,805,735
Goods and Services	5,172,660	684,819	9,841,414	6,429,147	2,374,289	10,101,231
Transfer Payments	362,200	15,245,718	-	-	6,204,908	19,180,920
Insurance and Interest	1,170,490	122,545	452,131	179,530	128,546	331,034
Amortization	1,087,513	850,601	12,545,516	324,648	756,486	3,263,388
Total Expenses	16,455,568	17,347,807	28,054,444	9,307,931	13,388,330	36,682,308
Excess (deficiency) of Revenue over Expenses	888,661	896,413	3,213,758	667,661	(917,078)	5,169,239

Notes to the Financial Statements

For the Year Ended December 31, 2018

2017					
	Social and Family Services	Library	Museum	Planning and Development	Consolidated
Revenues					
Taxation	10,597,100	6,590,200	2,012,300	3,130,000	93,284,002
Grants and Subsidies	47,485,384	269,193	54,658	-	73,090,804
Municipal Revenue	5,687,171	30,960		56,338	24,042,601
Fees and Service Charges	5,042,712	95,187	100,493	332,102	10,564,373
Licenses, Permits, Rents	-	43,890	40,062	-	7,838,661
Interest, Donations, Other	57,426	81,948	1,985	971	2,737,835
Development Charges	63,426	306,561	-	-	1,712,833
Total Revenues	68,933,219	7,417,939	2,209,498	3,519,411	213,235,109
Expenses					
Salaries and Benefits	25,745,660	4,031,261	1,463,101	2,097,546	57,764,122
Goods and Services	3,469,431	1,366,920	508,317	582,043	40,530,271
Transfer Payments	33,239,670	-	427	671,994	74,905,837
Insurance and Interest	988,433	144,187	32,975	22,804	3,572,675
Amortization	1,295,328	1,817,098	201,920	72,627	22,215,125
Total Expenses	64,738,522	7,359,466	2,206,640	3,447,014	198,988,030
Excess (deficiency) of revenue over expenses	4,194,697	58,473	2,858	72,397	14,247,079

Wellington Housing Corporation

Financial Statements

For the year ended December 31, 2018

Financial Statements

INDEPENDENT AUDITORS' REPORT (WHC)

To the Members of the Board of Directors, Wellington Housing Corporation (WHC):

We have audited the accompanying financial statements of Wellington Housing Corporation (the Entity), which comprise:

- the statement of financial position as at December 31, 2018
- the statements of operations for the year then ended
- the statement of changes in net debt for the year then ended
- the statement of cash flows for the year then ended
- and notes to the financial statements, including a summary of significant accounting policies

(Hereinafter referred to as the “financial statements”).

In our opinion, the accompanying financial statements present fairly, in all material respects, the consolidated financial position of the Entity as at December 31, 2018, and its consolidated results of operations, its consolidated changes in net financial assets and its consolidated cash flows for the year then ended in accordance with Canadian public sector accounting standards.

Basis for Opinion

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

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

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

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

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

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

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

Auditors’ Responsibility

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

Financial Statements

INDEPENDENT AUDITORS' REPORT (WHC)

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

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

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

We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion.
The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Entity's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Entity's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditors' report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditors' report. However, future events or conditions may cause the Entity to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.
- Communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.



Chartered Professional Accountants, Licensed Public Accountants

April 9, 2019

Waterloo, Canada

Financial Statements

WHC — STATEMENT OF FINANCIAL POSITION

Wellington Housing Corporation

Statement of Financial Position

As at December 31

	2018	2017
	\$	\$
Assets		
Financial Assets		
Cash and Cash Equivalents (Note 3)	207,859	7,003
Accounts Receivable (note 4)	168,584	214,498
Portfolio Investments (Note 3)	79,338	69,079
Total Financial Assets	455,781	290,580
Liabilities		
Accounts Payable and Accrued Liabilities	46,808	47,267
Deferred Revenue	14,171	15,441
Mortgage Payable (Note 5)	750,151	878,444
Total Liabilities	811,130	941,152
Net Financial Assets	(355,349)	(650,572)
Non Financial Assets		
Tangible Capital Assets (Note 6)	2,270,751	2,312,107
Accumulated Surplus (Note 7)	1,915,402	1,661,535

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

Financial Statements

WHC — STATEMENT OF OPERATIONS

Wellington Housing Corporation

Statement of Operations

For the year ended December 31

(Note 8)

	Budget	2018	2017
	\$	\$	\$
Revenues			
Rental Revenues	208,000	213,105	195,687
Operating Subsidies	426,000	426,004	598,956
Capital Subsidies	-	-	172,442
Interest and other	-	10,259	2,414
Total Revenues	634,000	649,368	969,499
Expenses			
Office and General	15,000	18,525	15,405
Professional fees	-	14,037	22,183
Management fees	-	27,067	33,560
Repairs and maintenance	331,000	110,340	205,913
Property taxes	-	-	52,425
Utilities	-	6,187	6,908
Insurance	25,000	6,556	12,547
Interest and bank charges	9,700	8,307	9,616
Amortization	-	134,090	118,714
Bad debt expense	-	5,075	-
Loss on disposal of tangible capital assets	-	65,317	-
Total Expenses	380,700	395,501	477,271
Annual Surplus	253,300	253,867	492,228
Accumulated Surplus, Beginning of Year	1,661,535	1,661,535	
Excess of fair value over carrying amount of Tangible capital assets transferred from MFNPH	-	-	1,169,307
Accumulated Surplus, End of Year	1,914,835	1,915,402	1,661,535

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

Financial Statements

WHC — STATEMENT OF CHANGE IN NET FINANCIAL ASSETS

Wellington Housing Corporation

Statement of Change in Net Debt

For the year ended December 31

	(Note 8) Budget	2018	2017
	\$	\$	\$
Annual Surplus	125,000	253,867	492,228
Loss on disposal of Tangible Capital Assets		65,317	-
Acquisition of Tangible Capital Assets	(185,000)	(158,051)	(267,298)
Amortization of Tangible Capital Assets	-	134,090	118,714
Mortgage Payable Assumed	-	-	(994,216)
Change in Net Debt	(60,000)	295,223	(650,572)
Net Financial Assets (debt), Beginning of Year	(650,572)	(650,572)	-
Net Financial Assets (debt), End of Year	(710,572)	(355,349)	(650,572)

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

Financial Statements

WHC — STATEMENT OF CASH FLOWS

Wellington Housing Corporation
Statement of Cash Flows
For the year ended December 31

	2018	2017
	\$	\$
Cash Provided By (Used In):		
Operating Activities:		
Annual Surplus	253,867	492,228
Items Not Involving Cash:		
Amortization	134,090	118,714
Loss on disposal of tangible capital assets	65,317	-
Net change in non-cash working capital items	44,185	(140,467)
Net Change in Cash from Operating Activities	497,459	
Capital Activities:		
Cash Used to Acquire Tangible Capital Assets	(158,051)	(267,298)
Net Change in Cash from Capital Activities	(158,051)	(267,298)
Investing Activities:		
Change in Long Term Investments	(10,259)	(69,079)
Net Change in Cash from Investing Activities	(10,259)	(69,079)
Financing Activities:		
Long Term Debt Repaid	(128,293)	(127,095)
Net Change in Cash from Financing Activities	(128,293)	(127,095)
Net Change in Cash and Cash Equivalents	200,856	7,003
Cash and Cash Equivalents, Beginning of Year	7,003	-
Cash and Cash Equivalents, end of year	207,859	7,003

Notes to the WHC Financial Statements

For the Year Ended December 31, 2018

1. AUTHORITY AND PURPOSE

The Wellington Housing Corporation (the "Corporation") is incorporated with share capital under the Ontario Business Corporations Act to provide, operate and construct housing accommodation primarily for persons of low and moderate income.

The Corporation operates the following non-profit property under Parts V1 and V11 of the Housing Services Act (HSA); 440 King Street East, Mount Forest, ON. At the end of 2016, Mount Forest Non-Profit Housing Corporation, previously operating 440 King Street East was dissolved.

Effective January 1, 2017 all assets, liabilities, and operations of Mount Forest Non-Profit Housing Corporation were transferred to Wellington Housing Corporation with a net asset value of \$1,169,307. Mount Forest Non-Profit Housing Corporation is a related party to Wellington Housing Corporation due to common control with the County of Wellington. The net assets were transferred to Wellington Housing Corporation at the carrying amounts recorded by the County of Wellington at January 1, 2017.

The Corporation's shares are 100% owned by the County of Wellington. The County is also the service manager for the Corporation. The Corporation is exempt from tax under the Federal Income Tax Act.

2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

As an entity controlled by a local government, the Corporation is required to follow PSA standards. The financial statements have been prepared in accordance with public sector accounting standards. These financial statements are the first financial statements of the Wellington Housing Corporation and therefore no prior comparative figures are available.

(a) Basis of accounting

The Corporation follows the accrual method of accounting for revenues and expenses. Revenues are normally recognized in the year in which they are earned. Expenses are recognized as they are incurred and are measurable as a result of receipt of goods or services and/or the creation of a legal obligation to pay.

(b) Tangible Capital Assets

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

Notes to the WHC Financial Statements

For the Year Ended December 31, 2018

Major Asset Classification	Component Breakdown	Useful Life—Years
Land		N/A
Buildings	Structure Exterior Interior Site Elements Leasehold Improvements	15 to 50 20 to 40 15 to 40 10 to 30 Lease Term
Infrastructure	Parking Lots - Asphalt Parking Lots—Gravel	20 10
Furniture and Fixtures		15
Technology and Communications		5

(c) Contributions of Tangible Capital Assets

All assets contributed to the Corporation are recorded at their fair value at the time of contribution. Revenue at an equal amount is recognized at the time of contribution.

(d) Reserves and reserve funds

Annual surplus amounts are transferred to reserves designated for capital expenditures. Withdrawals from the reserves must have Board of Directors approval.

(e) Government transfers

Government transfers are received from the Service Manager and the Province for the provision of social housing services, building construction and other capital expenditures. Government transfers are recognized as revenue in the financial statements when the transfer is authorized, any eligibility criteria are met and a reasonable estimate of the amount can be made except, when and to the extent that, stipulations by the transferor give rise to an obligation that meet the definition of a liability. Government transfers that meet the definition of a liability are recorded as deferred revenue on Statement of Financial Position and recognized as revenue on Statement of Operations as the liability is extinguished. Government transfers paid are recognized as a liability and an expense when the transfer is authorized and all eligibility criteria have been met by the recipient.

(f) Rental Revenue

Rental and other revenue is recognized at the time the services are provided.

(g) Investments

Investments consist of equity and bond funds and are carried at cost. Losses are recognized when the decline in market value is other than temporary. Gains and losses on investments are recorded when the investment is sold and interest is recorded when received or receivable.

(h) Cash and cash equivalents

Cash and cash equivalents include short-term investments with a term to maturity of 90 days or less at acquisition.

Notes to the WHC Financial Statements

For the Year Ended December 31, 2018

(i) Use of estimates

The preparation of financial statements, in conformity with PSAS, 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 dates of the financial statements, and the reported amounts of revenues and expenses during the reporting periods. Actual results could differ from those estimates.

3. CASH AND CASH EQUIVALENTS AND PORTFOLIO INVESTMENTS

Total cash and cash equivalents of \$207,859 (2017 - \$7,003) are reported on the Statement of Financial Position at cost.

Total portfolio investments of \$79,338 (2017 - \$69,079) are reported on the Statement of Financial Position at cost and have a market value of \$84,814 (2017 - \$90,055).

4. ACCOUNTS RECEIVABLE

Accounts receivable recorded on the balance sheet are composed of the following:

	2018	2017
GST/HST Receivable	89,610	87,833
Rent	3,974	1,665
County Subsidy	75,000	125,000
	168,584	214,498

5. NET LONG-TERM LIABILITIES

The mortgage payable is held by the Canadian Mortgage and Housing Corporation at an interest rate of 0.94% with monthly installments of \$11,323 (2017 - \$11,323) principal and interest and due September 2020.

The mortgage payable is secured by real estate and chattels owned by the corporation with a carrying value of \$2,270,751.

Principal payments required on long-term debt for the next two years are due as follows:

	Principal
2018	129,399
2019	620,752
	750,151

Notes to the WHC Financial Statements

For the Year Ended December 31, 2018

6. TANGIBLE CAPITAL ASSETS

Tangible capital assets are identified by asset type. The cost of tangible capital assets, their accumulated amortization and net book value are disclosed in the following schedule:

Cost	December 31, 2017	Additions	Disposals	December 31, 2018
Land	\$ 304,679	\$ -	\$ -	\$ 304,679
Buildings	2,041,543	155,604	(86,156)	2,110,991
Infrastructure—Parking Lots	282,380	-	-	282,380
Furniture and Fixtures	38,991	2,447	-	41,438
Total	\$ 2,667,593	\$ 158,051	\$ (86,156)	\$ 2,739,488
Accumulated Amortization	December 31, 2017	Amortization Expense	Disposals	December 31, 2018
Land	\$ -	\$ -	\$ -	\$ -
Buildings	(333,691)	20,839	(112,172)	(425,024)
Infrastructure—Parking Lots	(13,128)	-	(13,128)	(26,256)
Furniture & Fixtures	(8,667)	-	(8,790)	(17,457)
Total	\$ (355,486)	\$ 20,839	\$ (134,090)	\$ (468,737)
Net Book Value	December 31, 2017			December 31, 2018
Land	\$ 304,679			\$ 304,679
Buildings	1,707,852			1,685,967
Infrastructure—Parking Lots	269,252			256,124
Furniture & Fixtures	30,324			23,981
Total	\$ 2,312,107			\$ 2,270,751

7. ACCUMULATED SURPLUS

Accumulated surplus shown on the Consolidated Statement of Financial Position is analyzed below:

As at December 31	2018	2017
	\$	\$
Surplus:		
Invested in Tangible Capital Assets	2,270,751	2,312,107
Long term Liabilities	(750,151)	(878,444)
Total Surplus	1,520,600	1,433,663
Reserve Funds set aside by the Corporation Board for:		
WHC Capital Reserve	394,802	227,872
Total Reserves	394,802	227,872
Accumulated Surplus	\$ 1,915,402	\$ 1,661,535

Notes to the WHC Financial Statements

For the Year Ended December 31, 2018

8. BUDGET DATA

The budget data presented in these financial statements is based upon the 2018 operating and capital budgets approved by County of Wellington Council on January 25, 2018. Amortization was not contemplated on development of the budget and, as such, has not been included. The chart below reconciles the approved budget to the budget figures reported in these financial statements

	2018 Budget Amount	2017 Budget Amount
Revenue	\$	\$
Operating Budget	634,000	526,000
Capital Budget	185,000	80,000
Less:		
Transfer from other funds	(185,000)	(80,000)
Total Revenue	634,000	526,000
Expenses		
Operating Budget	634,000	526,000
Capital Budget	185,000	80,000
Less:		
Transfers to other funds	(125,000)	(125,000)
Capital Expenses	(185,000)	(80,000)
Debt principal payments	(128,300)	(127,200)
Total Expenses	380,700	273,800
Annual Surplus	\$ 253,300	\$ 252,200

Trust Fund Financial Statements

For the Year Ended December 31, 2018

Financial Statements

INDEPENDENT AUDITORS' REPORT (TRUST FUNDS)

To the Members of Council, Inhabitants and Ratepayers of the Corporation of the County of Wellington:

We have audited the financial statements of the Trust Funds of The Corporation of the County of Wellington ("the Entity"), which comprise:

- the financial position as at December 31, 2018
- the statement of operations and accumulated surplus for the year then ended
- the statement of changes in net financial assets for the year then ended
- the statement of cash flows for the year then ended
- And notes to the financial statements, including a summary of significant accounting policies

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

In our opinion, the accompanying financial statements present fairly, in all material respects, the consolidated financial position of the Entity as at December 31, 2018, and its consolidated results of operations, its consolidated changes in net financial assets and its consolidated cash flows for the year then ended in accordance with Canadian public sector accounting standards.

Basis of Opinion

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

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

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

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

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

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

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

Auditors' Responsibility

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

Financial Statements

INDEPENDENT AUDITORS' REPORT (TRUST FUNDS)

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

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

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

We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion.
The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Entity's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Entity's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditors' report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditors' report. However, future events or conditions may cause the Entity to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.
- Communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.



Chartered Professional Accountants, Licensed Public Accountants

May 23, 2019

Waterloo, Canada

Financial Statements

TRUST FUNDS—STATEMENT OF FINANCIAL POSITION

County of Wellington

Trust Funds—Statement of Financial Position

As at December 31, 2018

	Comfort Money	County Wellness Centre	Safe Communities	2018	2017
Financial Assets					
Cash and Bank	40,776	38,570	63,407	142,753	175,056
Liabilities					
Accounts Payable	-	-	1,935	1,935	1,010
Balance	40,776	38,570	61,472	140,818	174,046

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

Financial Statements

TRUST FUNDS—STATEMENT OF OPERATIONS

County of Wellington

Trust Funds—Statement of Operations

For the year ended December 31, 2018

	Comfort Money	County Wellness Centre	Safe Communities	2018	2017
Balance at the beginning of the year	39,415	84,734	49,897	174,046	158,436
Source of Funds:					
Deposits	247,250	57,097	36,841	341,188	265,515
Use of Funds					
Withdrawals	245,889	103,261	25,266	374,416	249,905
Balance at the end of the year	40,776	38,570	61,472	140,818	174,046

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

Notes to the Trust Fund Financial Statements

For the Year Ended December 31, 2018

1. ACCOUNTING POLICIES

These trust funds have not been consolidated with the financial statements of the County of Wellington (the "County").

These financial statements reflect the financial activity and financial position of funds held in trust by the County for residents of the Wellington Terrace Long Term Care Home (Comfort Money), for County staff who are the members of the County Wellness Centre and for the Wellington County Safe Communities Committee.

In October 2012 the Safe Communities Trust fund was established. These funds are held in trust by the County for use by the Wellington County Safe Communities Committee.

Funds held in trust are maintained in separate bank accounts by the County on behalf of the Terrace residents and Safe Communities Committee. Net County Wellness Centre membership proceeds are maintained in the County's general bank account. Interest is credited to the funds and allocated to the Terrace residents and Wellington County Safe Communities Committee on the basis of their individual balances in the fund.

Statistical Data

For the Year Ended December 31, 2018

Five-Year Financial Statistics

CONSOLIDATED STATEMENT OF FINANCIAL POSITION

	2018	2017	2016	2015	2014
Financial Assets	\$ 125,841,684	\$ 109,970,379	\$ 110,242,501	\$100,239,517	\$ 100,986,324
Liabilities	72,213,686	65,631,495	70,070,188	67,479,557	73,541,491
Net Financial Assets	\$ 53,627,998	\$ 44,338,884	\$ 40,172,313	\$ 32,759,960	\$ 27,444,833
Tangible Capital Assets	421,421,924	411,792,648	401,439,215	386,515,187	382,176,695
Prepays and Inventory	2,964,391	2,534,618	2,807,543	3,615,003	2,250,488
Accumulated Surplus	\$ 478,014,313	\$ 458,666,150	\$ 444,419,071	\$ 422,890,150	\$ 411,872,016
RESERVE AND RESERVE FUNDS					
Reserves and Reserve Funds	\$ 82,494,784	\$ 74,059,380	\$ 66,703,928	\$70,697,935	\$ 65,390,672
LONG-TERM LIABILITIES					
Gross Long Term Liabilities	\$ 60,014,041	\$ 55,546,727	\$ 61,784,903	\$ 58,442,982	\$ 60,881,033
Recoverable from Member Municipalities	(27,835,359)	(29,295,109)	(32,339,955)	(27,126,340)	(26,347,588)
NET LONG-TERM LIABILITIES	\$ 32,178,682	\$ 26,251,618	\$ 29,444,948	\$ 31,316,642	\$ 34,533,455
Supported by					
General Municipal Revenues	\$ 29,794,682	\$ 23,484,618	\$ 26,307,948	\$ 27,817,642	\$ 30,685,445
Development Charges	2,384,000	2,767,000	3,137,000	3,499,000	3,848,000
	\$ 32,178,682	\$ 26,251,618	\$ 29,444,948	\$ 31,316,642	\$ 34,533,445
CHARGES FOR NET LONG-TERM LIABILITIES					
Supported by					
General Municipal Revenues	\$ 4,026,339	\$ 3,992,525	\$ 3,961,165	\$ 4,258,985	\$ 4,245,004
Development Charges	557,400	479,819	485,515	470,743	485,048
	\$ 4,583,739	\$ 4,472,344	\$ 4,446,680	\$ 4,729,728	\$ 4,730,052
Provincial Annual Debt Repayment Limit	\$ 22,491,472	\$ 20,675,112	\$ 18,527,571	\$ 20,545,424	\$ 19,543,273

Five-Year Financial Statistics

CONSOLIDATED STATEMENT OF OPERATIONS

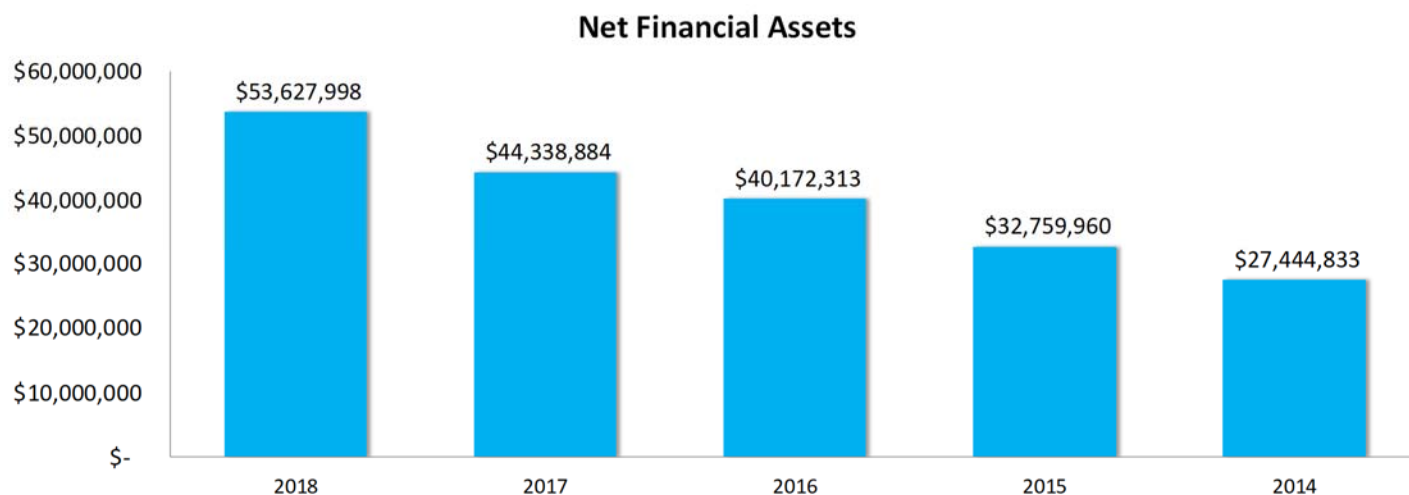
	2018	2017	2016	2015	2014
Sources of Revenue					
Taxation	\$ 97,111,559	\$ 93,248,002	\$ 88,587,319	\$ 85,415,402	\$ 81,623,864
Government Transfers					
Provincial	76,302,765	67,924,316	62,614,699	56,850,089	53,510,314
Federal	6,346,680	5,166,488	6,341,679	6,172,174	6,951,452
Municipal	24,451,012	24,042,601	25,486,751	24,632,718	24,552,275
Fees and Service Charges	10,930,545	10,564,373	9,467,963	9,658,152	7,670,274
Licenses, Permits, Rent	8,740,225	7,838,662	7,406,818	7,449,381	7,010,965
Interest, Donations, Other	2,933,760	2,737,834	2,824,677	2,724,605	2,934,177
Development Charges Earned	2,864,445	1,712,833	1,676,416	2,833,144	842,579
	229,410,991	213,235,109	204,406,322	195,735,665	185,095,900
Expenses by Function					
General Government	16,979,429	16,455,568	15,667,435	15,110,197	14,789,705
Protection to Persons and Property	17,785,831	17,347,807	18,081,503	18,562,498	19,542,367
Transportation Services	30,265,167	28,054,444	26,313,449	28,361,537	24,875,453
Environmental Services	8,774,198	9,307,931	6,540,688	8,068,797	9,755,331
Health Services	14,639,123	13,388,330	12,149,576	11,990,391	11,698,465
Social Housing	34,280,657	36,682,308	32,720,612	33,064,994	31,479,851
Social and Family Services	73,961,938	64,738,522	60,604,665	57,801,752	54,539,062
Library and Museum	9,869,284	9,566,106	9,188,608	8,737,863	7,949,575
Planning and Development	3,507,201	3,477,014	3,159,306	3,141,444	2,892,434
	210,062,828	198,988,030	184,425,572	184,839,473	177,522,243
Annual Surplus (Deficit)	19,348,163	14,247,079	19,980,750	10,896,192	7,573,657
Accumulated Surplus (Deficit), Beginning of Year*	458,666,150	444,419,071	424,438,321	411,993,958	404,298,359
Accumulated Surplus (Deficit), End of Year*	\$ 478,014,313	\$ 458,666,150	\$ 444,419,071	\$ 422,890,150	\$ 411,872,016
Expenses by Object					
Salaries and Benefits	\$ 61,616,902	\$ 57,764,122	\$ 55,553,954	\$ 53,296,858	\$ 53,533,460
Goods and Services	36,526,350	40,530,271	33,598,557	37,085,311	33,064,424
Transfer Payments	84,560,351	74,905,837	70,953,240	69,992,322	66,243,889
Insurance and Interest	4,758,022	3,572,675	3,207,254	3,331,111	4,174,806
Amortization	22,601,203	22,215,125	21,112,567	21,133,871	20,505,664
	\$ 210,062,828	\$ 198,988,030	\$ 184,425,572	\$ 184,839,473	\$ 177,522,243

* 2014 and 2015 surplus values have been restated

Five-Year Financial Statistics

CONSOLIDATED STATEMENT OF CHANGE IN NET FINANCIAL ASSETS

	2018	2017	2016	2015	2014
Annual Surplus	\$ 19,348,163	\$ 14,247,079	\$ 19,980,750	\$ 10,896,192	\$ 7,573,657
Acquisition of Tangible Capital Assets	(33,001,713)	(33,033,303)	(35,632,618)	(24,976,854)	(31,576,099)
Amortization of Tangible Capital Assets	22,601,203	22,215,125	21,113,438	21,133,871	20,505,664
Loss on Disposal of Tangible Capital Assets	306,492	110,296	819,339	256,808	1,366,176
Proceeds on Sale of Tangible Capital Assets	464,742	354,449	323,984	490,602	382,835
	9,718,887	3,893,646	6,604,893	7,800,619	(1,747,767)
Acquisition of Inventories of Supplies	(922,697)	(782,046)	(768,287)	(884,946)	(729,083)
Acquisition of Prepaid Expenses	(2,041,694)	(1,752,572)	(2,039,256)	(2,730,057)	(1,521,405)
Consumption of Inventories of Supplies	782,046	768,287	884,946	729,083	505,388
Use of Prepaid Expenses	1,752,572	2,039,256	2,730,057	1,521,405	1,985,197
Change in Net Financial Assets	9,289,114	4,166,571	7,412,353	6,436,104	(1,507,670)
Net Financial Assets, Beginning of Year	44,338,884	40,172,313	32,759,960	26,323,856	28,952,503
Net Financial Assets, End of Year	\$ 53,627,998	\$ 44,338,884	\$ 40,172,313	\$ 32,759,960	\$ 27,444,833

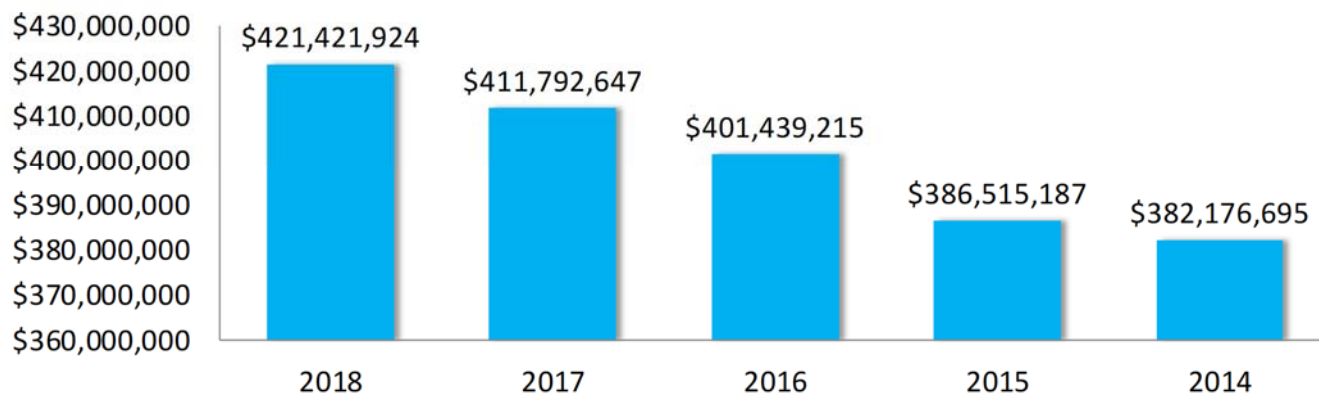


Five-Year Financial Statistics

NET BOOK VALUE OF TANGIBLE CAPITAL ASSETS

	2018	2017	2016	2015	2014
Land	\$ 33,631,664	\$ 32,550,316	\$ 32,550,316	\$ 31,963,420	\$ 31,603,968
Landfill Sites	913,252	916,177	982,762	1,007,605	1,036,824
Buildings	130,722,244	120,492,079	109,106,097	107,035,327	106,556,980
Infrastructure					
Roads	164,853,716	160,297,095	161,266,824	162,247,462	161,593,181
Bridges	38,629,408	37,312,620	37,934,554	34,409,265	32,480,077
Culverts	11,713,562	11,328,630	10,224,321	9,792,842	9,471,216
Traffic Lights	972,092	988,273	980,361	829,613	637,306
Trails	212,133	222,840	181,790	191,507	
Parking Lots	1,848,028	805,875	814,911	826,080	889,980
Vehicles and Machinery					
Licensed Equipment	7,061,977	6,712,509	6,221,128	5,354,868	5,294,674
Unlicensed Equipment	4,189,699	3,852,817	4,308,217	4,488,543	4,483,542
Furniture and Fixtures	4,180,890	3,858,651	3,613,308	3,792,871	3,472,345
Technology and Communications	2,197,364	2,132,728	2,659,447	2,786,594	3,172,759
Library Books and Media	1,641,756	1,635,111	1,603,033	1,457,603	1,507,750
Wellington Housing Corporation	2,270,751	2,312,107	2,163,523	1,120,124	
Public Health	7,360,849	8,006,413	8,481,117	8,673,162	9,070,550
Capital Work-in-Progress	9,022,539	18,368,406	18,347,506	10,538,301	10,905,543
Total	\$ 421,421,924	\$ 411,792,647	\$ 401,439,215	\$ 386,515,187	\$ 382,176,695

Net Book Value of Tangible Capital Assets



Five-Year Financial Statistics

CONSOLIDATED RESERVES AND RESERVE FUNDS

	2018	2017	2016	2015	2014
Capital Related Reserves					
Roads Capital	\$ 12,713,888	\$ 11,867,060	\$ 6,496,506	\$ 8,771,603	\$ 9,001,974
Wellington Terrace Capital	12,341,161	8,441,858	8,198,058	7,726,706	7,288,190
County Property	7,568,630	9,167,871	8,976,919	7,323,908	6,419,895
General Capital	4,971,163	4,507,623	3,642,829	3,743,215	3,196,765
Solid Waste Services	4,734,178	4,865,249	4,508,723	4,219,205	3,936,801
Social Services and Social Housing	3,222,418	2,741,739	2,818,321	2,639,643	2,585,225
Programme Specific	1,605,373	1,400,026	1,372,776	1,095,818	850,189
Hospital Capital Grants	-	880,000	1,820,000	760,000	-
Land Ambulance and POA Capital	742,838	585,542	533,156	665,701	600,259
	\$ 47,899,649	\$ 44,456,968	\$ 38,367,288	\$ 36,945,800	\$ 33,879,298
Contingency/Stabilization/Operating Reserves					
Corporate Contingency	\$ 7,084,393	\$ 6,893,286	\$ 6,842,293	\$ 6,549,579	\$ 6,337,849
Social Services and Social Housing	5,658,919	5,455,783	4,709,495	8,113,832	7,444,923
Employee Benefits, Sick Leave and STD	2,849,352	2,617,369	2,248,534	2,211,202	1,999,111
Tax Levy Stabilization	1,457,042	1,057,521	1,029,938	1,150,221	1,628,764
Winter Control	1,342,214	777,394	757,118	1,691,032	1,129,232
Programme Specific	664,043	688,938	755,929	1,249,916	1,110,841
Corporate Insurance	427,367	414,119	398,473	378,889	396,183
	\$ 19,483,330	\$ 17,904,411	\$ 16,741,780	\$ 21,344,671	\$ 20,046,904
Specific Purpose Reserve Funds					
Landfill Closure and Post Closure	\$ 7,450,721	\$ 6,689,659	\$ 6,004,271	\$ 5,542,938	\$ 5,047,886
Housing Regeneration	3,885,375	1,278,440	1,913,589	2,615,648	2,131,820
Workplace Safety and Insurance	3,464,351	3,305,439	3,424,523	3,291,172	3,279,752
Museum, Library and Terrace Donations	311,359	223,983	138,495	338,617	343,250
Best Start Programme	-	200,480	113,981	619,090	661,760
	\$ 15,111,805	\$ 11,698,001	\$ 11,594,859	\$ 12,407,465	\$ 11,464,468
Total Reserves and Reserve Funds	\$ 82,494,784	\$ 74,059,380	\$ 66,703,928	\$ 70,697,935	\$ 65,390,672

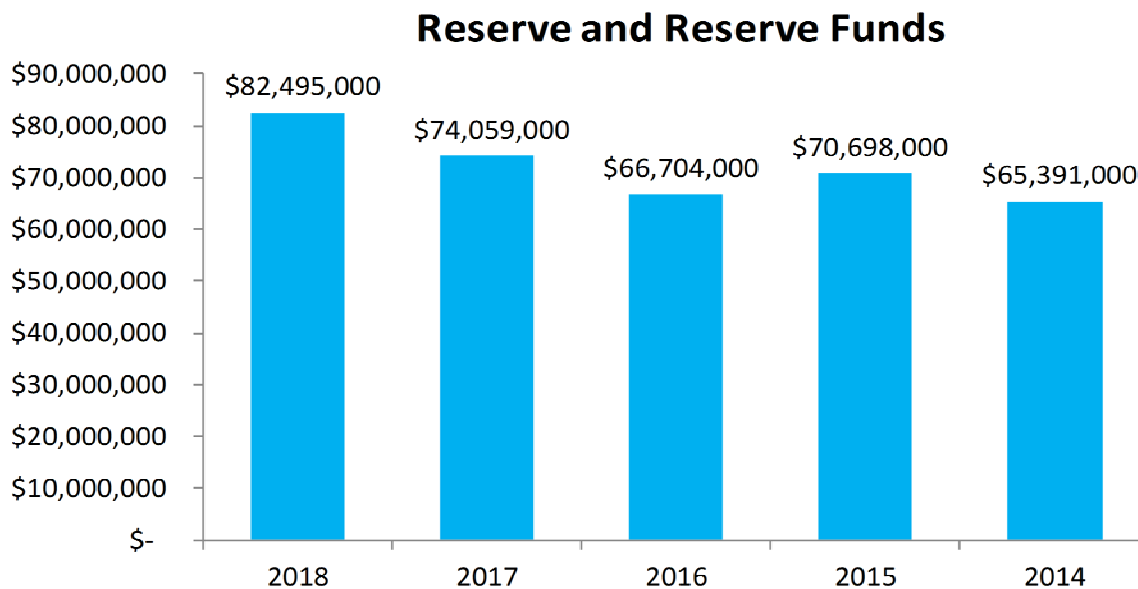
Five-Year Financial Statistics

CONSOLIDATED RESERVES AND RESERVE FUNDS

The purpose of the Reserve and Reserve Fund policy is to establish the principles regarding the creation, funding, use and closing of reserves and reserve funds in order to promote a long-term, strategic approach to the use of such funds as a financing tool. Reserves and reserve funds serve as a mechanism to plan financially for today and the future. The County strives to maintain solid reserves and reserve fund positions to ensure future liabilities can be met; capital assets/infrastructure are properly maintained; and that the County maintains sufficient financial flexibility to respond to economic cycles and unanticipated financial requirements.

Throughout 2018 staff reviewed the existing reserves dedicated to funding social housing, resulting in the closure of two existing reserves and amalgamating funds to the newly created Housing Regeneration Reserve. The new reserve allows more flexibility for staff to prioritize capital funding requests, fund the redevelopment of sites as building life cycles come to an end, or to help fund the development of new projects.

The County is committed to maintaining strong reserve balances. In 2018 \$19.9 million was transferred to the reserve and reserve funds, with \$717,000 to fund operations and \$12.2 million funding capital projects. In 2018 the availability of reserve funds allowed the County to take advantage of Provincial funding for the construction of the new Wellington Place Child Care, providing an additional 64 licensed child care spaces in our community.



Five-Year Financial Statistics

PROPERTY TAXES

	2018	2017	2016	2015	2014
Property Tax Rates by Class					
Residential	0.6278%	0.6403%	0.6428%	0.6489%	0.6533%
Multi-Residential	1.1929%	1.2165%	1.2007%	1.2266%	1.2544%
Farmland	0.1569%	0.1601%	0.1607%	0.1622%	0.1633%
Commercial	0.9361%	0.9546%	0.9507%	0.9475%	0.9409%
Industrial	1.5068%	1.5366%	1.5427%	1.5576%	1.5942%
Pipeline	1.4126%	1.4406%	1.4398%	1.4343%	1.4243%
Managed Forests	0.1568%	0.1601%	0.1607%	0.1622%	0.1633%
County Tax Levy					
	\$95,079,100	\$91,427,400	\$87,855,302	\$84,523,500	\$81,125,000
Supplementary & Omitted Taxes	\$2,212,685	\$2,075,669	\$1,996,291	\$1,642,267	\$1,165,398
Payment in Lieu of Taxes	\$721,500	\$671,679	\$625,203	\$590,978	\$563,842
Other	\$31,640	\$30,895	\$30,664	\$28,193	\$28,193
	\$98,044,924	\$94,205,643	\$90,507,460	\$86,784,938	\$82,882,433
Less:					
Property Taxes written off as uncollectible	(\$808,366)	(\$833,662)	(\$1,214,017)	(\$765,000)	(\$621,722)
Provision for Assessment as Risk	(\$125,000)	(\$123,979)	(\$706,124)	(\$604,536)	(\$636,847)
Total Property Taxes Collected By the County	\$97,111,558	\$93,248,002	\$88,587,319	\$85,415,402	\$81,623,864
Weighted Assessment (\$000)	\$15,143,290	\$14,279,600	\$13,668,000	\$13,024,000	\$12,406,000
Current Value Assessment (\$000)					
Residential	\$11,885,679	\$11,244,084	\$10,775,704	\$10,298,260	\$9,828,112
Non-residential	\$5,326,976	\$4,753,114	\$4,215,837	\$3,916,397	\$3,606,138
Total Current Value Assessment	\$17,212,448	\$15,997,198	\$14,991,541	\$14,214,658	\$13,434,250

Five-Year Financial Statistics

MUNICIPAL STATISTICS

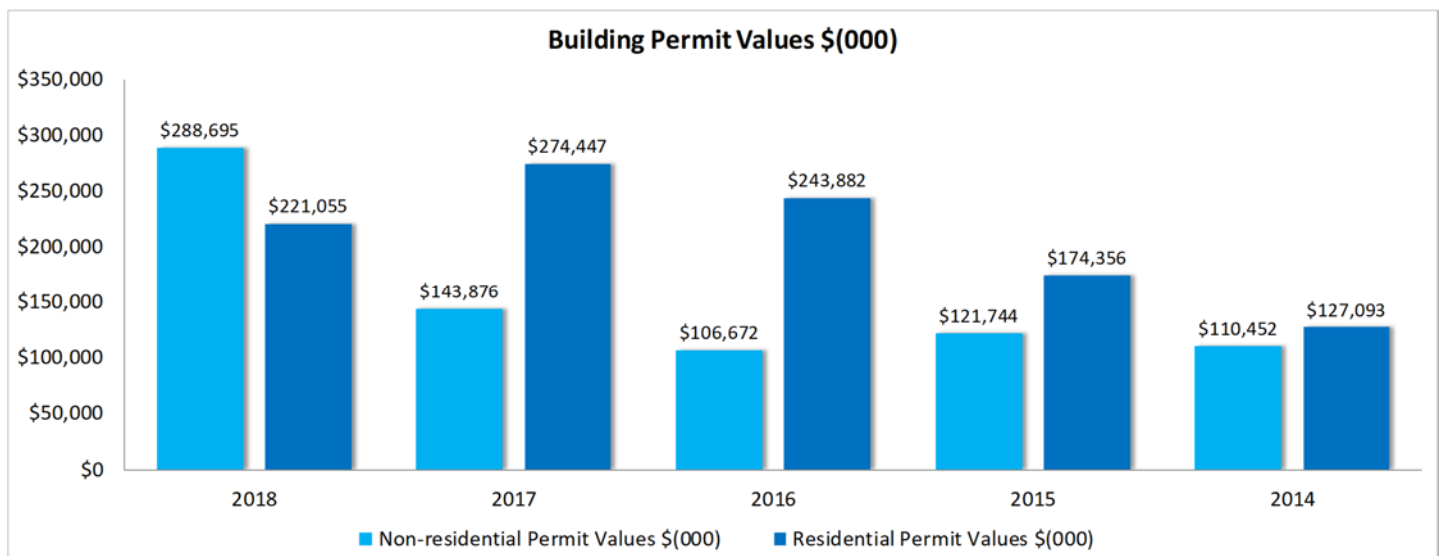
As shown by the building permit values in the table below, residential development has been steady and non-residential development is on the rise. Ontario Places to Grow has forecasted the County's population to be 122,000 in 2031 and 140,000 in 2041, which indicates stable growth throughout the years to come. Employment is forecasted to reach 54,000 in 2031 and 61,000 in 2041 reflecting expansion of Wellington's economy, backed by the ongoing implementation of a solid Economic Development Strategy.

	2018	2017	2016	2015	2014
Population*	97,610	98,400	95,805	94,440	93,620
Households*	34,350	34,050	32,960	32,500	32,180
Average Unemployment Rate**	3.1%	3.8%	5.3%	4.6%	6.7%
Jobs	48,082	47,449	46,018	43,180	42,593
Residential Permit Values (\$000) (a)	\$288,695	\$274,447	\$243,882	\$174,356	\$127,093
Non-residential Permit Values (\$000) (b)	\$221,055	\$143,876	\$106,672	\$121,744	\$110,452
Per Household Information					
County Tax Levy Per Household	\$2,760	\$2,685	\$2,666	\$2,600	\$2,626
Debt Charges Per Household	\$133	\$132	\$135	\$146	\$151
Tangible Capital Assets Per Household	\$12,268	\$12,093	\$12,180	\$11,892	\$11,876
Total Debt Outstanding Per Household	\$937	\$771	\$893	\$964	\$1,039

* Source: Watson & Associates Economists Ltd and County of Wellington Planning Department.

** Note: Unemployment figures include the City of Guelph, which is not part of the County of Wellington

(a) (b) Source: Member Municipality Building departments and County of Wellington Planning Department



Five-Year Financial Statistics

FINANCIAL INDICATORS

Financial Indicator	2018	2017	2016	2015	2014
Capital Expenditures/ Total Expenditures	16.7%	17.6%	20.0%	14.8%	14.8%
Modifiable Revenue/Total Operating Revenue	76.7%	74.9%	76.3%	76.1%	76.1%
Operating Balance/Total Operating Revenue	16.7%	15.1%	16.5%	13.1%	13.1%
After-Capital Balance/Total Operating Revenue	6.5%	3.3%	3.0%	4.0%	4.0%
Free Cash and Liquid Assets/next 12 months debt service	9.1 X	10.5 X	9.8 X	10.1 X	10.4 X
Tax Supported Debt (incl lower-tiers)/Total Operating Revenue	30.7%	30.9%	36.9%	36.1%	35.4%
Tax Supported Debt (County-only)/Total Operating Revenue	16.7%	14.9%	17.9%	19.6%	19.0%
Debt Interest/Total Operating Revenue	1.0%	1.3%	0.8%	0.9%	0.9%
Debt to Reserve	0.39	0.37	0.46	0.44	0.44

TOP 20 CORPORATE TAXPAYERS IN 2018

Nestle Canada Inc.	Puslinch
Morguard Brock McLean Limited (Maple Leaf Foods)	Puslinch
Jefferson Elora Corporation	Centre Wellington
TG Minto	Minto
Wallenstein Feed & Supply Ltd	Mapleton
Musashi Auto Parts Canada Inc.	Wellington North
RMM Fergus Property Inc. (Walmart)	Centre Wellington
Con-Cast Pipe Limited	Puslinch
Royal Canin Canada Company	Puslinch
Nexans Canada Inc.	Centre Wellington
Coldpoint Properties Ltd	Guelph/Eramosa
25354084 Ontario Limited (Mammoet Crane)	Puslinch
Darling International Canada Inc.	Mapleton
Riokim Holdings (Ontario II) Inc.	Centre Wellington
Riocan Holdings Inc.	Centre Wellington
1056469 Ontario Inc. (Pentalift)	Puslinch
Sligo Road Limited	Wellington North
Golden Valley Farms	Wellington North
Russel Metals Inc.	Puslinch
Vintex Inc.	Wellington North

ACKNOWLEDGEMENTS

The County Treasurer would like to thank the following staff members for their assistance during the preparation of the Annual Financial Report:

- Susan Aram, Deputy Treasurer
- Simon Burgess, Operating Budget and Cash Management Supervisor
- Jana Burns, Director of Economic Development
- Cathy Butcher, Capital Budget and Accounting Supervisor
- Andrea Cannataro, Graphic Designer
- Crystal Ellis, Senior Economic Development Officer
- Holly Leeming, Assessment Base Management Coordinator
- Emma Reddish, Property Tax Analyst
- Carolyn Roy, Accounting Analyst
- Jelena Savic, MBA Co-op student



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www.wellington.ca



Alternative formats of the publication are available upon request

Nina Lecic

From: AMO Communications <Communicate@amo.on.ca>
Sent: Tuesday, July 16, 2019 6:01 PM
To: Nina Lecic
Subject: Attorney General Launches Consultation on Municipal Liability and Insurance Costs

AMO Policy Update not displaying correctly? [View the online version](#) | [Send to a friend](#)
Add Communicate@amo.on.ca to your safe list



POLICY UPDATE

July 16, 2019

Attorney General Launches Consultation on Municipal Liability and Insurance Costs

On July 12th, Ontario's Attorney General, the Honourable Doug Downey, wrote to all municipal governments seeking input regarding joint and several liability, insurance costs, and the impact of 'liability chill' on the delivery of public services. AMO welcomes this consultation and seeks your support in responding to the government's request. Liability reform represents a longstanding request of municipal governments.

The consultation period will remain open until September 27th. The Attorney General welcomes delegations and written submissions during this period. If the government is to consider reforms that would address some of these challenges, it is critical for municipalities to provide input and describe their experience.

In February 2014, MPPs from all parties supported a motion calling on the Province to reform joint and several liability. Nearly 200 municipalities also supported the motion introduced by Randy Pettapiece, MPP for Perth-Wellington, which called on the government to implement a comprehensive, long-term solution.

AMO has assembled a group of municipal lawyers and risk managers to support municipal participation in the review. AMO is pursuing this work independently of the municipal insurance industry. The task force will be meeting with government representatives in the weeks ahead.

For more background, please see [AMO's Liability Reform paper](#) or view our [Managing the Cost of Risk](#) insurance survey results.

Please feel free to write to the Attorney General at magpolicy@ontario.ca. AMO would also appreciate receiving a copy of your correspondence at amopresident@amo.on.ca.

If you have any questions related to the consultation, please contact AMO Senior Advisor, Matthew Wilson, at mwilson@amo.on.ca.

Thank you for your support.

*Disclaimer: The Association of Municipalities of Ontario (AMO) is unable to provide any warranty regarding the accuracy or completeness of third-party submissions. Distribution of these items does not imply an endorsement of the views, information or services mentioned.



Please consider the environment
before printing this.

Association of Municipalities of Ontario
200 University Ave. Suite 801, Toronto ON Canada M5H 3C6
To unsubscribe, please [click here](#)



Courtenay Hoytfox

From: Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA)
<minister.omafra@ontario.ca>
Sent: Monday, July 29, 2019 5:51 PM
To: Admin
Subject: Letter from the Honourable Ernie Hardeman, Minister of Agriculture, Food and Rural Affairs
Attachments: EXB03050-1.pdf

On behalf of the Ontario Government, I am pleased to announce the launch of the revitalized Rural Economic Development (RED) program.

Our government is committed to supporting economic growth in rural communities and ensuring that Ontario is open for business. That's why we've updated the RED program - to focus on projects that will bring real benefits to communities and help attract investment and create jobs, while also providing greater value for taxpayer dollars.

The updated program will continue to support projects that diversify and grow local economies and will now target more impactful projects with tangible community benefits. It will also reduce the burden for applicants, create efficiencies in program delivery, and better align with the government's priorities of creating jobs and removing barriers to investment and growth in Ontario's rural communities.

The program will offer two new project categories:

- * Economic Diversification and Competitiveness Stream: will support projects that remove barriers to business and job growth, attract investment, attract or retain a skilled workforce or strengthen sector and regional partnerships and diversify regional economies.
- * Strategic Economic Infrastructure Stream: will support minor capital projects that advance economic development and investment opportunities.

The first application intake for eligible applicants will take place from July 29 to September 9, 2019. All program details including the program guide and application form will be available online on July 29, 2019, on the ministry website.

Sincerely,

signed copy attached

Ernie Hardeman
Minister of Agriculture, Food and Rural Affairs

Confidentiality Warning: This email contains information intended only for the use of the individual named above. If you have received this email in error, please notify us by return email and destroy all copies of this message. Thank you.

Corporate Correspondence Unit
Communications Branch

**Ministry of Agriculture,
Food and Rural Affairs**

Office of the Minister

77 Grenville Street, 11th Floor
Toronto, Ontario M7A 1B3
Tel: 416-326-3074
www.ontario.ca/OMAFRA

**Ministère de l'Agriculture, de
l'Alimentation et des Affaires rurales**

Bureau du ministre

77, rue Grenville, 11^e étage
Toronto (Ontario) M7A 1B3
Tél. : 416 326-3074
www.ontario.ca/MAAARO



July 29, 2019

Mr. Kelly Linton
Warden
County of Wellington
admin@puslinch.ca

Dear Warden Linton:

On behalf of the Ontario Government, I am pleased to announce the launch of the revitalized Rural Economic Development (RED) program.

Our government is committed to supporting economic growth in rural communities and ensuring that Ontario is open for business. That's why we've updated the RED program – to focus on projects that will bring real benefits to communities and help attract investment and create jobs, while also providing greater value for taxpayer dollars.

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- **Strategic Economic Infrastructure Stream:** will support minor capital projects that advance economic development and investment opportunities.

.../2



Good things grow in Ontario
À bonne terre, bons produits

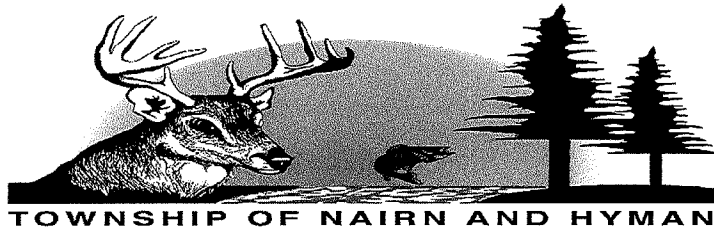
Ministry Headquarters: 1 Stone Road West, Guelph, Ontario N1G 4Y2
Bureau principal du ministère: 1 Stone Road West, Guelph (Ontario) N1G 4Y2

The first application intake for eligible applicants will take place from July 29 to September 9, 2019. All program details including the program guide and application form will be available online on July 29, 2019, on the ministry [website](#).

Sincerely,

A handwritten signature in black ink, appearing to read "Ernie Hardeman". The signature is fluid and cursive, with a large initial "E" and a long, sweeping tail.

Ernie Hardeman
Minister of Agriculture, Food and Rural Affairs



64 McIntyre Street • Nairn Centre, Ontario • P0M 2L0 ☎ 705-869-4232 📠 705-869-5248
Established: March 7, 1896 Office of the Clerk Treasurer, CAO E-mail: nairncentre@personainternet.com

July 31, 2019

The Honourable Doug Ford
Premier of Ontario
Legislative Building
Queen's Park
Toronto ON M7A 1A1

Dear Honourable Premier:

Re: Opposition to Bill 115

Please be advised our Council adopted the following resolution at their meeting of July 8, 2019:

SUPPORT RESOLUTION – OPPOSITION OF BILL 115

RESOLUTION #2019-11-173

MOVED BY: Rod MacDonald

SECONDED BY: Katherine Bourrier

RESOLVED: that Council agrees to support the resolution of the Township of Armour regarding opposition to Bill 115.

WHEREAS the Province of Ontario is considering approving Bill 115, which would allow beer and wine sale in corner stores;

AND WHEREAS corner stores will not verify age and be as safe as the present system in place;

AND WHEREAS alcohol retail outlet density has a negative effect on public health and public health costs;

AND WHEREAS there is no clear evidence that Ontarians are asking for beer and wine at every corner;

NOW THEREFORE BE IT RESOLVED that the Council of the Township of Armour opposes Bill 115 and calls upon the Government of Ontario not to enact this legislation.

FURTHERMORE, that a copy of this resolution be sent to the Honourable Doug Ford, Premier of Ontario, the Honourable Steve Clark, Minister of Municipal Affairs and Housing, the Honourable Christine Elliott, Deputy Premier of Ontario, the Honourable Norm Miller, MPP Parry Sound – Muskoka and Andrea Horwath, MPP, Leader of the New Democratic Party.

AND FURTHERMORE, that a copy of this resolution be sent to the Association of Municipalities of Ontario (AMO) and all Ontario municipalities for their consideration

CARRIED

Sincerely Yours,

A handwritten signature in black ink, appearing to read 'B. Ketchabaw', with a long horizontal flourish extending to the right.

Belinda Ketchabaw
CAO Clerk - Treasurer

BK/mb

cc: The Honourable Christine Elliot, Deputy Premier
The Honourable Steve Clark, Minister of Municipal Affairs and Housing
The Honourable Andrea Horwath
The Honourable Norm Miller, MPP Parry Sound-Muskoka
AMO
All Ontario Municipalities

9b



DISTRICT OF PARRY SOUND

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(705) 382-2954
Fax: (705) 382-2068
Email: info@armourtownship.ca
Website: www.armourtownship.ca

June 12, 2019

The Honourable Doug Ford
Premier of Ontario
Premier's Office, Legislative Building
Queen's Park
Toronto ON M7A 1A1

The Honourable Christine Elliott
Deputy Premier of Ontario
Legislative Building
Queen's Park
Toronto ON M7A 1A1

The Honourable Steve Clark
Minister of Municipal Affairs & Housing
College Park, 17th Floor
777 Bay Street
Toronto ON M5G 2E5

Re: Support Resolution

At its meeting held on June 11th, 2019, the Township of Armour passed Resolution #7 opposing Bill 115 and calls upon the Government of Ontario not to enact this legislation.

A copy of Council's Resolution #7 dated June 11th, 2019 is attached for your consideration.

Sincerely,

Louise Heintzman
Administrative Assistant

Enclosure

Cc: Honourable Norm Miller, MPP Parry Sound-Muskoka, Andrea Horwath, MPP, Leader of the New Democratic Party, AMO (Association of Municipalities of Ontario and all Ontario municipalities.



CORPORATION OF THE TOWNSHIP OF ARMOUR

RESOLUTION

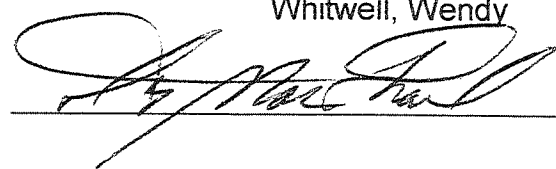
Date: June 11, 2019

Motion # 7

WHEREAS the Province of Ontario is considering approving Bill 115, which would allow beer and wine sale in corner stores;
AND WHEREAS corner stores will not verify age and be as safe as the present system in place;
AND WHEREAS alcohol retail outlet density has a negative effect on public health and public health costs;
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NOW THEREFORE BE IT RESOLVED that the Council of the Township of Armour opposes Bill 115 and calls upon the Government of Ontario not to enact this legislation.
FURTHERMORE, that a copy of this resolution be sent to the Honourable Doug Ford, Premier of Ontario, the Honourable Steve Clark, Minister of Municipal Affairs and Housing, the Honourable Christine Elliott, Deputy Premier of Ontario, the Honourable Norm Miller, MPP Parry Sound - Muskoka and Andrea Horwath, MPP, Leader of the New Democratic Party.
AND FURTHERMORE, that a copy of this resolution be sent to the Association of Municipalities of Ontario (AMO) and all Ontario municipalities for their consideration.

Moved by:	Blakelock, Rod	<input type="checkbox"/>	Seconded by:	Blakelock, Rod	<input checked="" type="checkbox"/>
	Brandt, Jerry	<input type="checkbox"/>		Brandt, Jerry	<input type="checkbox"/>
	MacPhail, Bob	<input type="checkbox"/>		MacPhail, Bob	<input type="checkbox"/>
	Ward, Rod	<input checked="" type="checkbox"/>		Ward, Rod	<input type="checkbox"/>
	Whitwell, Wendy	<input type="checkbox"/>		Whitwell, Wendy	<input type="checkbox"/>

Carried / Defeated



Declaration of Pecuniary Interest by:

Recorded vote requested by:

<u>Recorded Vote:</u>	For	Opposed
Blakelock, Rod	<input type="checkbox"/>	<input type="checkbox"/>
Brandt, Jerry	<input type="checkbox"/>	<input type="checkbox"/>
MacPhail, Bob	<input type="checkbox"/>	<input type="checkbox"/>
Ward, Rod	<input type="checkbox"/>	<input type="checkbox"/>
Whitwell, Wendy	<input type="checkbox"/>	<input type="checkbox"/>

July 17, 2019

DELIVERED VIA E-MAIL

Ms. Nina Lecic, CAO (Interim)
Township of Puslinch

Dear Ms. Lecic:

Re: Public Health Support to Municipalities to Strengthen Alcohol Policy Apart from Municipally Owned Land

Wellington-Dufferin-Guelph Public Health (WDGPH) would like to offer support to municipalities to help prevent alcohol-related harms and their costs to our communities.

As you may be aware, the Government of Ontario has introduced a number of measures that will liberalize access to and consumption of alcohol. These include:

- Permitting the sale of alcohol in corner stores, big box stores and a greater number of grocery stores;
- Extending the hours at which licensed establishments such as bars and restaurants may serve alcohol;
- Reducing taxes and minimum prices associated with alcohol products; and
- Permitting consumption of alcohol at tailgating events and municipally-designated public spaces.

According to a recent national report on [Canadian Substance Use Costs and Harms](#), alcohol costs society more than any other substance (including: tobacco, opioids and cannabis). These costs are felt across health care, productivity, criminal justice and other realms. Certainly, these costs are felt at the local level in policing and by-law costs to deal with nuisance, violence and other alcohol-related issues; ambulance and health care costs for injuries and other acute health issues; social service funding for family issues arising from alcohol; and community clean up costs associated with alcohol.

There are two (2) ways to strengthen local policies to help prevent alcohol-related harms:

1) Municipal Alcohol Policy (MAPs) for the sale and use of alcohol on municipal property.

In 2016, WDGPH met with many local municipalities to create, review and strengthen their MAPs as a first step towards reducing alcohol related harms. WDGPH would like to continue to provide this service as MAPs come up for review over time at each municipality.

.../2

2) Policy levers to regulate the sale of alcohol off municipal property.

In 2017, WDGPH partnered with two (2) other health units to hire a municipal planning consultant to review municipal policy levers to reduce alcohol-related risk and harm apart from municipal property and to assess their feasibility for Ontario municipalities. Recommendations and specific action items for public health units and municipalities were provided in the final report, [Alcohol Policy Review: Opportunities for Ontario Municipalities](#). They include policy levers such as by-laws around zoning and licensing and enforcement measures. A brief [review](#) of this document was highlighted in a WDGPH Board of Health Report BH.01.FEB0619.R06 – Alcohol Policy: Options for Municipalities which went to the March 6, 2019 WDGPH Board of Health meeting.

WDGPH has staff members that are well-versed in local health policy and can support municipalities on issues such as alcohol, cannabis, tobacco and the built environment. Please consider involving WDGPH to discuss these issues or when municipal plans or policies that may impact health are being reviewed.

If you are interested in receiving support from WDGPH around alcohol and other policies, please contact Amy Estill, Manager of Health Promotion at amy.estill@wdgpublichealth.ca or call 1-800-265-7293 x 4218 and provide her with the contact information of the appropriate person to connect with at your municipality.

Sincerely,

Original Signed and On File

Dr. Nicola Mercer
Medical Officer of Health and CEO

Attachments (Alcohol Policy Review: Opportunity for Ontario Municipalities + Executive Summary)

“Policy controls strive to achieve a balance between business and economic interests, as well as the health and safety of the population.”
– Ontario Public Health Association



Alcohol Policy Review: Opportunities for Ontario Municipalities

LOCAL POLICIES ARE AN IMPORTANT PART OF REDUCING LOCAL ALCOHOL-RELATED HARMS.



Municipalities regularly face alcohol-related issues. From nuisance, to violence, to public safety concerns, municipalities devote time and resources to dealing with alcohol. Municipal level policies can make a real difference when it comes to decreasing local alcohol-related harms and related costs. Communities across Canada have already started to have success when it comes to preventing alcohol-related

harms through municipal policy. Many municipalities have already enacted Municipal Alcohol Policies (MAPs), to manage alcohol risk and harm on municipally-owned properties. This policy review examines policy options outside of traditional MAPs to help municipalities manage alcohol off municipally owned property. It's the first of its kind in Ontario.



Liem Strategic Integration Inc.

For the full report visit:

<http://opha.on.ca/Events/Alcohol-policy-review-opportunities-for-Ontario-mu.aspx>





THIS REVIEW FOCUSES ON POLICIES FOR ALCOHOL CONTROL OFF MUNICIPAL PROPERTY.

A policy review was initiated in 2016 by three health units and conducted by Liem Strategic Integration (LSI). LSI reviewed alcohol guidance documents, legislation relating to municipalities and alcohol, and existing policies and practices in the Canadian and international context. LSI also conducted interviews with the Alcohol and

Gaming Commission of Ontario and with municipalities that had implemented policies to learn from their experiences. This review identifies local alcohol policy options external to MAPs and assesses their feasibility in the context of Ontario’s legislative environment.

THERE ARE POLICIES THAT ONTARIO MUNICIPALITIES CAN PUT IN PLACE TO REDUCE ALCOHOL-RELATED HARMS.

The policy review includes recommended actions that municipalities can take to prevent alcohol-related harms. The recommendations present opportunities for collaboration between Ontario municipalities, public health

and other community partners at the local level to mitigate alcohol risk and harm through public policy development.

THIS REVIEW INCLUDES REAL WORLD POLICY EXAMPLES FROM:

- City of Vaughn – business license by-law
- City of Hamilton – liquor license application review process
- City of Surrey – minimum separation distances
- City of Barrie – zoning by-law
- City of Vancouver – liquor license policy
- Town of Ajax – outdoor patio by-law

Effective policy interventions to reduce alcohol harms at the local level are within reach. The findings and recommendations offered here will support municipal leaders in their policy development efforts toward healthier communities.

MUNICIPALITIES CAN:

- Update and/or revise municipal by-laws that strengthen the protection of public safety and property standards.
- Continue to establish business license conditions through a municipal by-law on the basis of protecting public interests and minimizing nuisances, where warranted.
- Create a new business license category that includes supermarket retailers licensed to sell alcohol. This establishes specific requirements for the application to go through a rezoning process, including a public hearing.
- Continue to work with enforcement authorities Alcohol and Gaming Commission of Ontario, police during an application process on the basis of protecting public interest.
- Where warranted, develop conditions for liquor license establishments addressing municipal jurisdictional matters (e.g., signage with contact information for public complaints, restricting patio hours of operation, restricting amplified music in outdoor spaces, installing security cameras, and ensuring the enclosure of garbage receptacles).

Licensing and Enforcement

- Update municipal zoning by-laws to establish a minimum floor area requirement that is greater than the provincial requirement for a grocery store to allow the sale of wine, beer, or cider.
- Develop minimum separation distances between liquor license establishments.
- Investigate the need for site specific zoning to limit the location of alcohol retailers and liquor licensed establishments.

Regulating Physical Access through Density and Location Restrictions

- Municipalities that are interested in restricting hours of sale/service should issue site specific conditions when warranted and where applicable.

Hours of Sale Limitations

- Participate in advocacy efforts to strengthen provincial regulations in controlling access and affordability to alcohol.
- Explore the development of minimum pricing standards for alcoholic beverages as a condition of a business license application, where warranted.

Pricing Strategies

- Develop policies that prohibit the promotion or sale of alcoholic beverages on municipally owned lands or facilities, including public transit and associated amenities.
- Participate in local economic development initiatives with local business improvement areas and hospitality businesses to encourage responsible alcohol consumption.

Marketing

- Work with public health units to undertake monitoring and surveillance efforts to describe local alcohol availability and alcohol-related harms.

Surveillance and Information Sharing



“The greatest contribution to the health of the nation over the past 150 years was made, not by doctors or hospitals, but by local governments.”

– Dr. Jessie Parfit, public health physician and author of *The Health of a City*





Alcohol Policy Review: Opportunities for Ontario Municipalities

Developed for the Wellington-Dufferin-Guelph Health Unit,
Durham Region Health Department and
Thunder Bay District Health Unit
2018

Author: Sari Liem, Principal, Liem Strategic Integration Inc.



With contributions by the following:

- Sheena Albanese, Health Promotion Planner, Thunder Bay District Health Unit
- Amy Estill, Health Promotion Specialist, Wellington Dufferin Guelph Public Health
- Melissa Hutchison, Program Manager, Durham Region Health Department
- Ashley Wettlaufer, Research Coordinator, Institute for Mental Health Policy Research (IMHPR) Centre for Addiction and Mental Health (CAMH)



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EXECUTIVE SUMMARY

Municipal governments, public health units and community stakeholders across Ontario are taking important steps to improve the health of their citizens through health policy development, recognizing that where we live, work and play influences our choices and chances for health. One such policy area that has important implications for community health and well-being is alcohol policy. Many municipalities already address alcohol-related risk and harm on municipally-owned property through Municipal Alcohol Policies (MAPs). This report takes the discussion a step further, assessing the feasibility of other policy levers such as zoning, by-laws and licensing to reduce risk and harm from alcohol. It is hoped that the findings and recommendations offered in this report will support municipal leaders, public health practitioners and other community stakeholders in their policy development efforts.

A locally driven collaborative project completed in 2015, *Addressing Alcohol Consumption and Alcohol-Related Harms at the Local Level*, identified the importance of collaboration among community stakeholders, law enforcement, and other community groups to modify the drinking environment. The report emphasized the importance of partnerships, particularly those involving municipal governments, as vital in achieving many of the public policy recommendations contained in the report. However, only 50% of surveyed public health unit respondents cited that municipal governments were actively involved in addressing alcohol-related harms. When asked to identify which community partners should be engaged in alcohol-related harm strategies, 75% of respondents cited non-health government bodies and local agencies.

In 2016, Liem Strategic Integration Inc. was retained by the Wellington-Dufferin-Guelph Public Health, Durham Region Health Department, and the Thunder Bay District Health Unit to conduct an alcohol policy feasibility review for municipalities and public health units.

The purpose of the report is to identify local policy options across Canada and/or internationally intended to reduce alcohol-related risk and harm at the community level, and to assess their feasibility for Ontario municipalities.

The report identifies the opportunities and limitations facing Ontario municipalities within the context of the Ontario Municipal Act and other provincial legislation to advance policies and actions that affect access to and availability of alcohol. Recommended interventions are identified for Ontario municipalities, health units, and other applicable community partners to consider in advancing the policy discussion.

A summary table is presented on the following page that summarizes alcohol policy options or interventions identified in the scan and their feasibility for Ontario municipalities.

Interventions that are shaded green represent actions that are under the jurisdiction of an upper or lower tier municipality, and have established precedence among Ontario municipalities.

Interventions that are shaded orange are feasible, however limited in scope based on matters under the jurisdiction of an upper or lower tier municipality. A subset of feasible interventions (shaded orange) also reflect those that have been undertaken by municipalities in other Canadian provinces, but do not have precedence in Ontario.

Interventions shaded red exist outside of the municipality's authority and have no precedence in Ontario.

TOPIC AREA	INTERVENTION (POLICY OR ACTION)	IMPLEMENTATION FEASIBILITY
Licensing and Enforcement	• Establish licensing by-laws that grant liquor licenses to businesses primarily serving food and beverages.	Green
	• Create a new business license category for supermarket retailers selling alcohol (may be feasible, but no precedence in Ontario).	Orange
	• Grant business licenses to businesses.	Green
	• Impose conditions for issuance of business licenses (only for matters under the municipality's jurisdictional authority).	Orange
	• Close a premise if there are activities that constitute a public nuisance (garbage, noise, traffic, or unusual traffic patterns).	Green
	• Establish requirements for applicants to enter into a site plan agreement.	Green
	• Enforce site plan agreement provisions.	Green
	• Provide compliance letters as per the Building Code Act, 1992, Fire Protection and Prevention Act, and Health Protection and Promotion Act.	Green
	• Conduct inspections (for matters to assess compliance with applicable municipal by-laws and building or property standards).	Orange
	• Establish a process for issuing clearance certificates and approvals (i.e., liquor license questionnaire, application circulation procedures).	Green
	• Request that the AGCO not issue liquor licenses without allowing the municipality an opportunity to undertake a formal review process.	Green
	• Participate in a task force to investigate establishments.	Green
	• Prohibit the sale of Vintners Quality Alliance (VQA) wine and/or fruit wine at any or all Farmers' Markets within their jurisdiction.	Green
	• Report infractions or violations to the AGCO or law enforcement authorities.	Green
• Suspend liquor licenses and close liquor licensed establishments (primary responsibility of the AGCO).	Red	
• Taking the appropriate corrective enforcement actions (responsibility of the AGCO which may include suspensions, business closures, and fines).	Red	

TOPIC AREA	INTERVENTION (POLICY OR ACTION)	IMPLEMENTATION FEASIBILITY
Regulating Physical Access Through Density and Location Restrictions	<ul style="list-style-type: none"> Establish site-specific zoning to control the locations of on and off-premise establishments. 	High
	<ul style="list-style-type: none"> Establish zoning that restricts where licensed outdoor patios can be located. 	
	<ul style="list-style-type: none"> Zoning that regulates hours of operation of licensed establishments and the hours that alcohol can be served (limited to outdoor patio by-laws). 	Medium
	<ul style="list-style-type: none"> Zoning regulating sale of alcohol in grocery stores (legally feasible, however no precedence yet established in Ontario). 	
	<ul style="list-style-type: none"> Pass an interim control by-law limiting the development of entertainment facilities and patios to restrict the location and density of on and off-premise establishments. 	High
	<ul style="list-style-type: none"> Pass a moratorium to limit the number of business licenses for late night entertainment and night club establishments. 	
	<ul style="list-style-type: none"> Establish limits regarding the number of liquor licensed establishments by neighbourhood. 	
	<ul style="list-style-type: none"> Location restrictions to protect sensitive land uses, such as schools and parks, and to address clustering by establishing minimum distance requirements between alcohol outlets (may be feasible, but no precedence yet established by Ontario municipalities). 	Medium
Hours of Sale Limitations	<ul style="list-style-type: none"> Restrict hours of service on outdoor patios. 	High
	<ul style="list-style-type: none"> Impose conditions that limit the hours of sale for Vintners Quality Alliance (VQA) wines and fruit wines at Farmers' Markets that are located on municipal lands. 	Medium
	<ul style="list-style-type: none"> Establish a probationary period for newly licensed establishments imposing earlier closing times (may be feasible, but no precedence yet established by Ontario municipalities). 	
	<ul style="list-style-type: none"> Establish an hours of service policy as part of a condition for licensed establishments including lengthening the time between last call and closing hours and prohibiting new patrons within one hour of closing time (may be feasible, but no precedence yet established by Ontario municipalities). 	

TOPIC AREA	INTERVENTION (POLICY OR ACTION)	IMPLEMENTATION FEASIBILITY
Pricing Strategies	• Determine pricing policies.	Red
	• Impose alcohol taxes (only permissible for City of Toronto as per the Municipal Act).	
	• Establish minimum prices on alcoholic beverages served on municipal lands or at municipal facilities, established through a Municipal Alcohol Policy.	Green
	• Establish a minimum price for alcoholic beverages as a condition of granting a business license (may be feasible, but no precedence yet established by Ontario municipalities).	Orange
	• Participate in advocacy efforts to strengthen provincial regulations in controlling access and affordability to alcohol.	Green
Marketing	• Establish policies controlling the promotion of alcoholic beverages on municipally-owned lands or facilities.	Green
	• Limit alcohol marketing on private premises and/or public facilities and spaces owned by other levels of government.	Red

The report's findings highlight the importance of establishing a collaborative effort in advancing changes to the Ontario Municipal Act that would provide additional authority for municipalities to prevent alcohol-related harms. The following summarizes the report's recommendations for municipalities and the public health sector in their efforts to advance policies and actions.

Topic Area	Recommendation
Licensing and Enforcement	Municipalities
	<ul style="list-style-type: none"> • Update and/or revise municipal by-laws that strengthen the protection of public safety and property standards. Consideration may be given to examine public concerns (nuisances, property standards violations) in geographic areas with a higher number of liquor licensed establishments and nuisances. • Continue to establish business license conditions through a municipal by-law on the basis of protecting public interests and minimizing nuisances, where warranted. • Create a new business license category that includes supermarket retailers licensed to sell alcohol. This establishes specific requirements for the application to go through a rezoning process, including a public hearing. • Continue to work with enforcement authorities (AGCO, police) during an application process on the basis of protecting public interest. • Where warranted, develop conditions for liquor license establishments addressing municipal jurisdictional matters (e.g., signage with contact information for public complaints, restricting patio hours of operation, restricting amplified music in outdoor spaces, installing security cameras, and ensuring the enclosure of garbage receptacles).
	Public Health Units
<ul style="list-style-type: none"> • Report potential liquor license infractions to the AGCO and local law enforcement officials when observed/documented during routine inspections at licensed premises. • Where applicable, participate in a task force with the local municipality and local law enforcement officials. 	

Topic Area	Recommendation
Regulating Physical Access through Density and Location Restrictions	Municipalities
	<ul style="list-style-type: none"> • Update municipal zoning by-laws to establish a minimum floor area requirement that is at least greater than the provincial requirement for a grocery store to allow the sale of wine, beer, or cider. • Develop minimum separation distances between liquor license establishments. Undertake community engagement to identify whether separation distances are warranted in specific neighbourhoods to reduce public disturbances and to improve public safety and security. • Investigate the need for site specific zoning to limit the location of alcohol retailers and liquor licensed establishments.
	Public Health Units
	<ul style="list-style-type: none"> • Advocate for provincial policies that allow local jurisdictions the authority to block on premise and off-premise licenses and is exercised in areas where there is a higher degree of crime or higher socioeconomic disparity, similar to that established by the State of California.¹ • Advocate for provincial policies to develop a separation distance between alcohol retailers, including grocery stores selling alcohol, similar to that established by the British Columbia government. The AGCO does not impose any location restrictions in regards to maintaining proximity from other licensed retailers, but only identifies that “authorizations are to be distributed fairly across geographic regions” to promote even competition. • Advocate for provincial policies that encourage municipalities to establish restrictions to control alcohol retail density during a statutory review of provincial land use planning policies. • Participate in municipal strategic plans such as Tourism Plans, Arts and Culture Plans, Economic Development Plans, and Municipal Retail Market studies to provide feedback on municipal actions that affect retail services, business development, tourism, and culture. • Work with municipalities to identify priority neighbourhoods to limit alcohol retailers and licensed establishments. These areas would then need to be cross-referenced with licensed establishments and a review of restaurant-nightclubs. • Develop mapping to monitor the location of alcohol retail outlets and licensed establishments. On-going updates will be needed to map closures and new licensees. Data can be obtained from the AGCO and LCBO.
Hours of Sale Limitations	Municipalities
	<ul style="list-style-type: none"> • Municipalities who are interested in restricting hours of sale/service should issue site specific conditions when warranted (i.e., to address issues of public concern and nuisances) and where applicable.
	Public Health
<ul style="list-style-type: none"> • Provide best practices research and supporting evidence to municipalities, where warranted, regarding risks and alcohol harms associated with hours of sale. • Participate in advocacy efforts to strengthen provincial regulations that provide municipalities with a greater authority to restrict hours of alcohol service. 	

Topic Area	Recommendation
Pricing Strategies	Municipalities
	<ul style="list-style-type: none"> • Participate in advocacy efforts to strengthen provincial regulations in controlling access and affordability to alcohol. • Explore the development of minimum pricing standards for alcoholic beverages as a condition of a business license application.
	Public Health
	<ul style="list-style-type: none"> • Continue to advocate for stronger alcohol pricing interventions to reduce alcohol-related harms.
Marketing	Municipalities
	<ul style="list-style-type: none"> • Develop policies that prohibit the promotion and sale of alcoholic beverages on municipally-owned lands or facilities, including public transit and associated amenities.
	Public Health
	<ul style="list-style-type: none"> • Continue to advocate to the Province for stronger policies to restrict alcohol marketing and advertising.
Information Sharing	Municipalities
	<ul style="list-style-type: none"> • Municipalities should seek available local data. Municipalities interested in accessing data from local police departments would need to refer to municipality or public health unit's legal counsel when seeking authorization.
	Public Health
	<ul style="list-style-type: none"> • Share the findings of the policy review with municipalities and encourage them to adopt a policy approach to reducing alcohol risk and harm. • Advocate to the provincial government for changes to access alcohol sales data from licensed establishments to support policy development.

INTRODUCTION

Municipal governments, public health units and community stakeholders across Ontario are taking important steps to improve the health of their citizens through health policy development, recognizing that where we live, work and play influences our choices and chances for health. One such policy area that has important implications for community health and well-being is alcohol policy. Many municipalities already address alcohol-related risk and harm on municipally-owned property through Municipal Alcohol Policies (MAPs). This report takes the discussion a step further, assessing the feasibility of other policy levers such as zoning, by-laws and licensing to reduce risk and harm from alcohol. It is hoped that the findings and recommendations offered here will support municipal leaders, public health practitioners and other community stakeholders in their policy development efforts.

A locally driven collaborative project completed in 2015, *Addressing Alcohol Consumption and Alcohol-Related Harms at the Local Level*, identified the importance of collaboration among community stakeholders, law enforcement, and other community groups to modify the drinking environment. The report identified the importance of partnerships, particularly those involving municipal governments, as vital in achieving many of the public policy recommendations contained in the report. However, only 50% of surveyed public health unit respondents cited that municipal governments were actively involved in addressing alcohol-related harms. When asked to identify what community partners should be engaged in alcohol-related harm strategies, 75% of respondents cited non-health government bodies and local agencies.

In 2016, Liem Strategic Integration Inc. was retained by the Wellington-Dufferin-Guelph Public Health, Durham Region Health Department, and the Thunder Bay District Health Unit to conduct an alcohol policy feasibility review for municipalities and public health units.

The purpose of the report is to identify local policy options across Canada and/or internationally intended to reduce alcohol-related risk and harm at the community level, and to assess their feasibility for Ontario municipalities.

The report identifies the opportunities and limitations facing Ontario municipalities within the context of the Ontario Municipal Act and other provincial legislation to advance policies and actions that affect access to and availability of alcohol. Recommended interventions are identified for Ontario municipalities, health units, and other applicable community partners to consider in advancing the policy discussion.

The report's findings highlight the importance of establishing a collaborative effort in advancing changes to the Ontario Municipal Act that would provide additional authority for municipalities to prevent alcohol-related harms.

METHODOLOGY

A review was undertaken of academic and grey literature to identify existing/promising municipal policies and practices to reduce alcohol-related harms. Various interviews were conducted with government officials to gather additional information and seek clarity regarding provincial and municipal policies, standards, guidelines and practices. A detailed methodology is presented in Appendix A of this report.

The assessment considers jurisdictional responsibilities of local governments in accordance with the Municipalities Act, the Planning Act, Liquor License Act, and other relevant legislation. The report identifies actions that can be taken by municipalities and public health units to advance policies and interventions in accordance with their respective roles in influencing the access and availability of alcohol retailers and licensed premises.

Within each section, questions are presented for public health departments to ask their respective municipalities in order to initiate conversations to advance public policies and actions. These questions help municipalities better understand and articulate their own services, practice areas, and initiatives that can help reduce the harms and costs associated with alcohol use.

For example, the following questions may provide a starting point to initiate discussion:

- Has your municipality historically participated in or invested in collaborative strategies to improve community health and safety?
- Is your municipality involved in partnerships or collaborative projects that establish awareness or support opportunities to address mental health and reduce harms from substance abuse, including alcohol misuse?
- Is your municipality supportive of approaches to reduce harms associated with substance misuse, including alcohol?
- To what extent can your municipality contribute or participate in harm reduction programs and initiatives?

This policy review study was completed under the guidance of Wellington-Dufferin-Guelph Public Health, Durham Region Health Department, and the Thunder Bay District Health Unit. Policy and practice areas of interest were identified by the health unit partners for investigation.

Consultation was not undertaken with municipal legal authorities nor legal counsel during the development of this report to inform potential actions. It is recommended that municipalities, public health units, and other community partners seek the advice of legal counsel when pursuing actions presented in this report.

“The greatest contribution to the health of the nation over the past 150 years was made, not by doctors or hospitals, but by local governments.”

*– Dr. Jessie Parfit, public health physician and author of *The Health of a City**

BACKGROUND

There exists a strong basis demonstrating the need to reduce alcohol consumption and associated harms. Alcohol use is one of the three leading risk factors for global disease burden.² Alcohol consumption can result in a decrease in life expectancy by two years, and individuals who consume high levelsⁱ of alcohol experience a 1.2 times greater risk of early death than those who consume alcohol at lower levels.³ Alcohol use is also associated with Type 2 diabetes, adverse cardiovascular outcomes, and chronic diseases. Heavy alcohol consumption is highly correlated with cirrhosis of the liver. Alcohol is a carcinogen, increasing a person's risk of oral, pharynx, larynx, esophagus, colon, rectum, liver, and breast (female) cancer.⁴

Canadian health care costs directly related to alcohol consumption were estimated at \$3.3 billion in 2012 and total direct and indirect costs were estimated at \$14.6 billion.⁵ In addition to the above-identified health consequences, alcohol misuse is a detriment to others beyond the drinker, such as violence, domestic violence, child neglect, impaired driving, property damage, and absenteeism in the work place.⁶

In Ontario, 8 out of 10 adults consumed alcohol between 1998 and 2011.⁷ Moreover, daily drinking in Ontario increased from 5.3% in 2002 to 8.8% in 2015, particularly among women.⁸ Among reported drinkers, 14.6% of the adult population engaged in hazardous or harmful drinking.ⁱⁱ Median drink consumption was significantly higher among adults living in rural areas, among the most educated, among the highest income group, and among Canadian-born residents.⁹



ⁱ "Unhealthy alcohol consumption" is not defined in *Seven More Years: The Impact of Smoking, Alcohol, Diet, Physical Activity and Stress on Mental Health and Life Expectancy in Ontario*. Binge drinking represents the highest risk level and is defined as > 5 drinks among men per day and > 4 drinks among women per day in a previous week, or weekly bingeing behaviour in a previous month. p.15.

ⁱⁱ Hazardous/Harmful Drinking reflects a scoring of 8+ on the AUDIT screener, based on 10 items assessing alcohol intake and past 12 month alcohol-related harms. The AUDIT identifies hazardous alcohol use – an established pattern of drinking that increases the likelihood of future physical and mental health problems (e.g., liver disease) – as well as harmful consequences of that use – a pattern of drinking that is already causing damage to health (e.g., alcohol-related injuries, depression) and indications of dependence.

POLICY DRIVERS FOR ALCOHOL POLICY DEVELOPMENT

Over the last ten years, various publications have established the need for policies and strategies to reduce alcohol availability and consumption. These publications and guidance documents identified policies and practices for investigation as part of this municipal feasibility assessment. The publications are presented as follows:

- *Reducing Alcohol-Related Harm in Canada: Toward a Culture of Moderation, 2007* by Murray Finnerty, Michel Perron, and Beth Pieteron included 41 recommendations on the topics of health promotion, prevention, treatment, and enforcement.¹⁰
- *Effectiveness and Cost-Effectiveness of Policies and Programmes to Reduce the Harm Caused by Alcohol, 2009* by Peter Anderson, Dan Chisholm, and Daniela C. Fuhr reviewed the effectiveness of cost effective strategies to reduce harm.¹¹
- *Alcohol: No Ordinary Commodity – Research and Public Policy, 2010* by Thomas F. Babor et. al. presented evidence supporting seven alcohol policy areas: regulating the physical availability of alcohol; controlling affordability (through taxes and price controls); placing restrictions on marketing; developing drinking and driving prevention and countermeasures; modifying the drinking environment; developing education and persuasion strategies; and providing treatment and early intervention services.¹²
- *Global Strategy to Reduce the Harmful Use of Alcohol, 2010* by the World Health Organization identified policy recommendations addressing pricing, the physical availability of alcohol, drinking and driving, and other targeted interventions.¹³
- *Helping Municipal Governments Reduce Alcohol-Related Harms, 2010* by the Centre for Addictions Research of BC identified potential approaches for municipal governments and stakeholders to implement strategies.¹⁴
- *Making the Case: Tools for Supporting Local Alcohol Policy in Ontario, 2013* by Tamar Meyer, Monica Nunes, and Benjamin Rempel further examined policy approaches found in *Alcohol: No Ordinary Commodity – Research and Public Policy, 2010* and *Helping Municipal Governments Reduce Alcohol-Related Harms, 2010* to identify potential policy actions to be addressed by local governments. The local actions presented in *Making the Case: Tools for Supporting Local Alcohol Policy in Ontario, 2013* (pages 13-20) included physical availability restrictions through zoning regulations and licensing, maintaining venue closures, imposing pricing controls, advocacy, advertising restrictions, and education and awareness campaigns.^{iii 15}
- *Reducing Alcohol-Related Harms and Costs in Ontario: A Provincial Summary Report, 2013* by the Centre for Addiction and Mental Health documented alcohol policy initiatives undertaken across Canada and provided recommendations to stimulate change.¹⁶
- In 2014, *Addressing Alcohol Consumption and Alcohol-Related Harms at the Local Level* by The Alcohol Locally Driven Collaborative Project (LDCP) team established recommendations and key areas of advocacy for local actions using evidence.¹⁷ The recommendations were categorized into seven areas consistent with those cited in *Alcohol: No Ordinary Commodity – Research and Public Policy, 2011*.

ⁱⁱⁱ Policies influencing the availability, accessibility, and marketing of alcoholic beverage on municipally-owned lands and municipal facilities are outside the scope of this report.

PROVINCIAL LEGISLATION CONTROLLING THE PRODUCTION AND CONSUMPTION OF ALCOHOL

An understanding of Ontario's legislative environment is needed to determine whether municipalities have the ability to affect change in developing policies and/or implementing policies and regulations to reduce alcohol-related harms.

ONTARIO MUNICIPAL ACT, 2001

Municipalities are governed by the Municipal Act to develop and enact legislation.^{iv} The Municipal Act enables municipalities to determine when new by-laws or amendments to existing by-laws are needed. The Municipal Act grants municipalities permissive powers to pass by-laws on the following matters:¹⁸

- governance structure of the municipality and its local boards
- financial management of the municipality and its local boards
- public assets of the municipality acquired for the purpose of exercising its authority under this or any other act
- economic, social and environmental well-being of the municipality
- health, safety and well-being of persons
- services that the municipality is authorized to provide
- protection of persons and property, including consumer protection
- animals
- structures, including fences and signs
- business licensing

The Municipal Act establishes limitations for municipalities. Municipalities cannot enact their own policies that would infringe on regulations established by the provincial or federal government. Municipalities can only develop policies and exercise powers for matters affecting their geographic boundaries. Municipalities who are under a two-tiered system (lower and upper tier) can only regulate services, policies and by-laws that are provided by their own sphere of jurisdiction.

Under the Municipal Act, municipalities in Ontario have within their jurisdictional authority the ability to establish municipal regulations through licensing, zoning, and by-laws that would protect health and safety, minimize nuisances, and protect consumers. The Municipal Act (1511) provides a municipality the authority to establish restrictions that imposes conditions for some specific types of businesses in order to receive a license or a renewed license.^v For example, the Municipal Act provides municipalities with the authority to establish restrictions for adult entertainment establishments (154.1) and payday loan establishments (154.1.1), including defining specific geographic areas where adult entertainment establishments may be allowed to operate, and limiting the number of establishments within a defined area (density controls).

^{iv} For two-tier governments (governments with a county or regional level as well as a local level), these powers are spheres of jurisdiction (areas where municipalities have authority) and not broad permissive powers. As such, they are subject to certain rules. Single-tier municipalities have all eleven broad permissive powers. Municipalities in two-tier systems have the first eight broad powers plus the spheres of jurisdiction.

^v Adult entertainment parlour means any premises or part thereof in which is provided, in pursuance of a trade, calling, business or occupation, goods or services appealing to or designed to appeal to erotic or sexual appetites or inclinations

The Municipal Act, 2001 was amended by the Municipal State Law Amendment Act, 2016 (Bill 130) in *Modernizing Ontario's Municipal Legislation Act*.¹⁹ In 2016, the province introduced legislative amendments to update the Municipal Planning Act, resulting in changes regarding matters addressing accountability and transparency, municipal financial sustainability, and responsive and flexible service delivery. The amendment did not expand additional business restrictions and density controls beyond adult entertainment establishments and payday loan establishments.

THE PLANNING ACT

The Planning Act establishes rules for land use planning. It provides a basis for municipalities to prepare official plans, planning policies, and tools to guide land use planning and development. It also guides municipalities in the preparation of official plans, which are prepared to establish policies that foster future land use planning. In addition, the Act provides a source for establishing a set of standards that municipalities can employ to regulate and control land uses, such as through zoning by-laws.

The Planning Act gives municipalities the authority to determine where liquor licensed establishments may be located. Part V, “Land Use Controls and Related Administration”, identifies the role of zoning by-laws, which are used to restrict the use of land, regulate minimum and maximum areas, densities, and height of a proposed development. Section 34 of the Planning Act establishes municipalities’ authority to regulate matters regarding land use and standards associated with land uses that include location, size, setback requirements, and parking. The employment of minimum separation distances serves as an opportunity to manage an overconcentration of specific land uses within a given geography and prompts challenges to its impacts on users as oppose to uses.

Section 38.1 provides authority of a local municipal council to pass an interim control by-law that prohibits the use of land, building, or structures in a given area. An interim control by-law “puts a temporary freeze on some land uses while the municipality is studying or reviewing its policies. The freeze can be imposed for only a year, with a maximum extension of another year. The Planning Act provides that an interim control by-law would remain in effect past the two-year period if the new zoning by-law which replaces the interim control by-law is appealed to the Ontario Municipal Board. The new by-law does not become law until the Ontario Municipal Board hears the appeal and makes a decision”.²⁰ It is important to note that the role of planning is not to restrict land uses, but to permit uses. Diversifying a concentration of undesirable uses, such as licensed facilities or alcohol outlets, can be done through Official Plan policies and zoning by-laws by permitting and promoting a variety of land uses in a given geographic area. Efforts to limit the development of specific establishments can be accomplished through site-specific zoning. An example of site-specific zoning is discussed in this report.

Healthy Communities

Over the last several years, the Ontario planning profession has made considerable advancements towards supporting the development of healthy communities through Official Plan policies, design guidelines, zoning by-laws, and development standards. Current policy development efforts primarily focus on promoting and facilitating healthy eating and physical activity. These are interests that are also acknowledged in provincial planning policy directions in the *Provincial Planning Statement (2015)*.

There are no land use planning directions to create an environment that reduces alcohol-related harms. This allows leeway for municipalities to develop land use policies at their own discretion. The Hastings and Prince Edward Counties Health Unit's *Building Complete and Sustainable Communities: Healthy Policies for Official Plans (2012)* identified potential policy statements for inclusion in municipal Official Plans that identifies the importance of protecting community spaces used by vulnerable populations from incompatible uses that may cause adverse health impacts, such as alcohol retailers and establishments serving alcohol.

Associated implementation strategies cited in *Building Complete and Sustainable Communities: Healthy Policies for Official Plans (2012)* recommend that municipalities develop zoning by-laws with minimum separation distances between alcohol outlets, and/or specific land uses.



THE LIQUOR CONTROL ACT

The Liquor Control Act, R.S.O 1990, controls the sale and pricing of alcohol in Ontario. The Liquor Control Act controls the retailers who can retail beverage alcohol in Ontario.²¹ This act establishes minimum pricing regulations for all alcoholic beverages. The Liquor Control Act established the creation of the Liquor Control Board of Ontario.²²

THE LIQUOR LICENSE ACT

The Liquor License Act, R.S.O 1990, outlines laws regarding the sale and service of alcohol in Ontario. The act regulates the sale of alcohol in licensed establishments, as well as advertisements and promotions of alcohol. The Alcohol and Gaming Commission of Ontario (AGCO) is responsible for regulating the Liquor License Act pertaining to the sale and service of alcoholic beverages. The AGCO can grant liquor sales licenses, manufacturers' licenses, liquor delivery licenses, manufacturers' representatives licenses, ferment on premise facility licenses, and grant authorizations to sell Vintners Quality Alliance (VQA) wine and/or fruit wine at Farmers' Markets. The Liquor License Act provides upper or lower-tier municipal Council the authority to undertake the following with regards to controlling the availability of alcohol:²³

- Prohibit the possession of liquor on municipally owned or controlled recreational areas (section 35 (1)).
- Hold a vote regarding the authorization of the sale of liquor across the municipality's jurisdiction, including the development of government liquor stores throughout the municipality (section 53 (2)).
- Prohibit the sale of liquor in government stores (section 53(3)) in which 60% of electors vote in favour of prohibition.

- Revoke the sale of liquor in all licensed premises (section 53(4)) in which 60% of electors vote in favour of prohibition as of the 31st day of March in the following year.

Section 6(2) of the Liquor License Act specifies that a liquor license is not in the public interest if it does not meet resident interests. Residents can provide a written submission to the Registrar of the AGCO to determine if issuance of a license is in the public interest. A public meeting can be held to review the application prior to determining issuance of a license.



LICENSING AND ENFORCEMENT CONTROLS

Licensing is an effective approach in controlling physical access to on and off-premise establishments.²⁴ Evidence has also shown the benefits of multi-component approaches that include community mobilization, server training, and enforcement of licensing laws were effective in minimizing alcohol-related harms.²⁵ This section examines the role of municipalities in controlling access to alcohol through licensing and enforcement of private businesses. The AGCO and law enforcement agencies also have differing but equally important roles in regulating the physical availability of alcohol through licensing and enforcement. This section excludes the municipality's roles and responsibilities addressing the sale or service of alcohol at municipal facilities, which are established by policies and regulations under a Council approved Municipal Alcohol Policy.

Alcohol and Gaming Commission of Ontario (AGCO)

The AGCO regulates administers the Liquor License Act, Wine Content and Labelling Act, and limited sections of the Liquor Control Act.

Liquor Control Board of Ontario (LCBO)

The LCBO is a Crown corporation of the Ontario government that controls the sale of liquor for off-premise establishments through LCBO stores, Brewers Retail stores, and winery and distillery stores. The Liquor Control Act authorizes the LCBO to import and sell liquor.

THE ALCOHOL AND GAMING COMMISSION OF ONTARIO

In Ontario, the AGCO regulates the sale and service of alcoholic beverages and establishes the application process for applicants seeking to obtain a liquor sales license. When assessing liquor licence proposals, the Registrar of the AGCO performs a risk assessment review of each applicant licensee. The Registrar of the AGCO may impose conditions to mitigate any potential risks. The Registrar may require the applicant to complete a plan to address one or more potential risks, or may impose a condition such as a closing time that is earlier than the prescribed hours. Mitigation Plans that the Registrar of the AGCO may impose include: Safety and Security Plan, Compliance Plan, Nuisance Mitigation Plan, Patron Control Plan, and Management Control Plan.²⁶

The AGCO allows business owners to apply for a liquor sales license, regardless of whether they provide food, with the exception of home-based businesses.²⁷ Liquor sales licenses granted to on premise establishments such as bars, clubs, restaurants, etc., are categorized according to their risk level. The risk-based licensing regime assesses license applications and renewals in consideration of the applicant's risk to public interest. The AGCO has the authority to conduct reassessments during the lifetime of a license, triggered by changes in circumstances or conduct issues that may have come to the AGCO's attention.

Regulatory Modernization of the Ontario Beverage Industry

In 2014, a review was undertaken by the AGCO regarding its regulation of wine, beer, and spirits manufacturers, manufacturers' representatives, ferment-on-premise operators, and liquor delivery services. The regulatory review resulted in the following reforms, which have since been adopted:

- New manufacturers are required to go through a risk-based licensing approach to obtain manufacturing licenses.
- Additional license classifications were created for cideries and craft distilleries that are tailored and supported the growth of these businesses.
- Other retailers can apply for liquor licenses, including salons, barber shops, cafes, and movie theatres.
- Low-risk licenses will no longer be required to prepare and submit a detailed Application Form and Personal History Report for owners, officers, directors, major shareholders, and partners to obtain a renewal.
- Higher risk applicants (i.e., those with poor compliance histories) are subjected to more intensive licensing reviews.

¹²⁸Alcohol and Gaming Commission of Ontario. (2014). Regulatory modernization in Ontario's beverage alcohol industry: Findings report.

MUNICIPALITIES

Municipalities have the power to grant business licenses under Section 151 of the Municipal Act. Through a licensing by-law, the municipality has the right to revoke or terminate a license. They may also impose conditions as a requirement of obtaining, continuing to hold, or renewing a license. This includes compliance with municipal land use control by-laws or other requirements under the Planning Act.

This municipal power provides them with the ability to exert indirect control on the sale of liquor. Municipalities can grant approval for on premise liquor licensed establishments as well as for alcohol retailers by issuing business licenses or granting site plan approval. Under the Municipal Act, municipalities can also suspend a business license if such a business poses an immediate danger to the health or safety of persons or properties (151.2). Municipalities may prohibit or regulate activities with respect to public nuisances or matters that could cause public nuisances, such as noise, vibration, odour, dust, and illumination (128.1). Nuisances can also include an increase in garbage, noise, traffic, or unusual traffic patterns, and activities that impact property values or result in an increase in harassment, intimidation, or graffiti. Municipalities have the authority to close a premises if there are activities that constitute a public nuisance (447.1). However, under Section 153(1) of the Municipal Act, the municipality cannot refuse to grant a license for a business solely based on the location of the business.

Municipalities play a supportive role in assisting the AGCO by providing compliance letters from the: (a) Building Department (as per the Building Code Act, 1992), (b) Fire Protection Officer or Fire Marshall (as per the Fire Protection and Prevention Act, 1997) and (c) Public Health Department (as per the Health Protection and Promotion Act) to affirm a liquor license applicant's abilities to meet applicable standards and by-laws. Inspections are conducted by fire services, building departments, and public

health departments to ensure that applicants comply with applicable by-laws and building or property standards.

The AGCO may impose conditions (as approved by the AGCO Board) when granting licensing to applicants in accordance with their risk based assessment process. The AGCO may include conditions that reduce the hours of operation and that require the provision of a safety and security plan,²⁸ but it cannot impose conditions on licenses for matters that are outside of the mandate of the Liquor License Act and the AGCO. Municipalities may impose conditions concerning matters under the municipality's jurisdictional authority. Acceptable conditions may include: installing notification signage to address arising concerns, restricting patio hours, restricting amplified music in outdoor spaces, installing security cameras, and ensuring the enclosure of garbage receptacles.^{29,30} Any issues with the liquor license application must be resolved before the AGCO issues the license.³¹

Municipal processes for issuing clearance certificates and approvals differ among municipalities. For example, a municipality may require applicants to complete municipal application forms as part of the approvals process. Others may conduct inspections by an architect, engineer, or planner to ensure that the applicant complies with property standards and zoning by-laws. The issuance of clearance certificates by public health departments and law enforcement may differ as well. In some municipalities (such as in the Town of Caledon), applicants are required to notify these parties, while in the City of Hamilton, the municipality forwards applications to public health and law enforcement to conduct their investigations and inspections.

In addition, a municipality may require applicants to enter into a site plan agreement. The agreement is a vehicle by which the municipality can impose provisions, such as restricting when alcohol can be served. However the provisions are unenforceable unless the municipality files a suit for breach of agreement, which may be costly to implement and consume human and financial resources. Enforcement responsibility then is passed on to local law enforcement (local police departments or the AGCO). For example the City of Hamilton's Licensing Department identified that any public complaints filed against on premise establishments concerning liquor license infractions is best enforced by the local police department and the AGCO.³²

Primary Use

An amendment to the Liquor License Act (Regulation 719) allows retailers who do not primarily serve food or drinks to serve liquor. However, engagement with the AGCO identified that despite this change in regulation, few retailers apply for liquor licenses. Municipalities can establish licensing by-laws that grant liquor licenses to businesses primarily serving food and beverages. For example, in the City of Vaughan's By-Law and Compliance Department requires that a business must be licensed as an Eating Establishment in order to receive a signed Municipal Information Form. The City's Business License By-Law restricts the sale of liquor to only businesses which are established as eating establishments, and does not enable other businesses, such as salons, barber shops, etc., to serve liquor.

¹²⁹Alcohol and Gaming Commission of Ontario. (n.d). Info Bulletin No.26 - Highlights of Amendments to Regulation 719 of the Liquor Licence Act (Licences To Sell Liquor). <https://www.agco.ca/bulletin/2011/info-bulletin-no26-highlights-amendments-regulation-719-liquor-licence-act-licences>.

City of Vaughan. (n.d). Liquor License. <https://www.vaughan.ca/cityhall/departments/occ/Pages/Liquor-Licence.aspx>

LAW ENFORCEMENT AGENCIES

Enforcement activities can be conducted by the AGCO, the Ontario Provincial Police or local law enforcement agencies in accordance with enforcement of the Liquor License Act, the Criminal Code, Controlled Drugs and Substances Act and municipal by-laws to address issues such as public disturbance, nuisance issues, and violence.³³ Municipalities are responsible for enforcing their municipal by-laws, which can include control of nuisances and property standards.



MUNICIPAL LICENSING REQUIREMENTS

Municipalities in Ontario have within their jurisdiction the ability to request that the AGCO not issue liquor licenses within a municipality without allowing the municipality an opportunity to undertake a formal review process to determine conditions that would protect public interest. In 2012, the City of Hamilton created a comprehensive Liquor License Application Review Process. The review process requires the AGCO to notify the City about new applications or applications for renewing liquor licenses. Applicants would require signed compliance letters from the City Clerk, Zoning, Public Health Services, and Fire Prevention. An architect completes inspections to ensure that properties meet applicable property standards and by-laws.

The City of Barrie requires businesses to complete a liquor license questionnaire as part of the Liquor License Application that addresses social responsibility considerations.³⁴ The questionnaire includes questions regarding: floor area, use of interior and exterior spaces, seating capacity, distances to other establishments serving alcohol; distance to nearest residential use; hours of operation; on-site security staff; crowd management approaches; percentage of liquor sales to gross sales; and information regarding past infractions and convictions. An applicant's completed questionnaire is circulated to municipal departments and the Simcoe Muskoka District Health Unit. The application, including the questionnaire is then forwarded to the AGCO for review. Discussions held with the City of Barrie in 2017 identified that the municipality establishes limits regarding the number of business licenses issued for liquor licensed establishments at a neighbourhood level. Limits are established in accordance to community concerns regarding noise, security, and public disturbances.³⁵

According to the AGCO, a municipality must have strong grounds for objection to a liquor license application, provided that the application meets zoning by-law requirements. Commonly cited grounds for rejection include concerns regarding public safety and noise, fire code violation, and property standards concerns, which may emerge through the public review process.³⁶ Municipalities can issue additional conditions on licensed establishments through municipal by-laws demonstrating the requirement for businesses to maintain public safety and comply with property standards. For example, the City of Toronto has additional by-laws for cafes (Chapter 313-36) that prohibit outdoor music or amplified sound and reduced hours of operation (11:00 pm). In 2015, the City of Toronto initiated a review of its by-laws in regards to licensing. This includes expanding its definitions and clarifying licensing requirements, specifically in regards to restaurant and entertainment uses.

Sale of Liquor in Farmers Markets

Sales of Vintners Quality Alliance (VQA) wine, fruit wine, and ciders are permitted at Farmers' Markets in Ontario. Wineries and cideries must receive authorization for an occasional extension of its on-site winery retail store from the AGCO. Occasional extensions are only permitted to operate within Farmers' Markets as defined in Regulation 720. Municipalities can prohibit the sale of VQA wine and/or fruit wine at any or all Farmers' Markets within their jurisdiction at any time by providing a written objection to the AGCO.³⁷ If a municipality informs the AGCO that it is objecting to the sale of VQA wine and/or fruit wine at a specific Farmers' Market, the AGCO will notify the winery or cidery that it must immediately cease selling wine at that market. Municipalities may also impose conditions that limit the hours of sale for Farmers' Markets that are located on municipal lands.

Sale of Liquor in Grocery Stores

In 2013, the AGCO initiated a Regulatory Modernization in Ontario's Beverage Alcohol Industry to modernize its regulatory approach to the liquor industry. Recommendations include the sale of wine beer and cider in grocery stores.³⁸ As of June 2017, there are 130 grocery stores across Ontario authorized to sell beer and cider, including up to 70 that can sell wine. According to the provincial government, beer and cider will become available in up to 450 grocery stores, including up to 300 that will also sell wine (target date not specified).³⁹ LCBO express outlets will be introduced in large grocery stores.

In British Columbia, modernization of the B.C Liquor Policy Review in 2013 resulted in recommendations that would expand the sale of liquor to grocery stores (i.e., wine on shelves or store in store models) commencing April 1, 2015.⁴⁰ The sale of liquor in B.C grocery stores prompted some municipalities to amend their business by-law application processes and zoning by-laws to control the sale of liquor in grocery stores, including New Westminster, Burnaby, Coquitlam, and Richmond. In 2016, the City of Richmond amended its zoning by-law and developed a policy framework to establish consistency in evaluating and approving liquor license applications from grocery stores.⁴¹ The amendment requires grocery stores to enter into a rezoning process when seeking a license for a stand-alone liquor or wine store, or for the sale of liquor within the grocery store.⁴² The City of Richmond also established a larger minimum retail floor space requirement to ensure that the provision of liquor in grocery stores is directed to larger community shopping centres. As part of the zoning by-law amendment process, the municipality conducts a neighbourhood survey and seeks council input for applications for new or permanent changes to liquor licenses.⁴³

The Ontario government's decision to permit the sale of alcohol (beer, wine, and cider) on grocery store sales floors (i.e., integrated in existing shelves and at cash checkouts) may prompt similar revisions to business license processes similar to B.C. An environmental scan was undertaken as part of this research report to identify whether municipalities in Ontario have amended business license practices, classifications, or zoning by-laws to address the sale of liquor in grocery stores. No precedence was found among Ontario's municipalities.

“Policy controls strive to achieve a balance between business and economic interests, as well as the health and safety of the population.”
– *Ontario Public Health Association*



ENFORCEMENT

The AGCO's enforcement of the Liquor License Act includes public drunkenness, selling or serving of alcohol outside prescribed hours, disorderly behaviour, overcrowding, and selling or provision of alcohol to minors. Enforcement is primarily undertaken by AGCO officers or the police to ensure that establishments adhere to the Liquor License Act. Charges against a licensed establishment are adjudicated by the License Appeal Tribunal of Ontario and laid by law enforcement officials. The Registrar of the AGCO issues a Notice of Proposal to Review the License Application for licenses that are refused, revoked or suspended.⁴⁴ A charge can also be laid on the establishment with an offence under the Liquor License Act that arises out of the same circumstances.⁴⁵ This process then goes through the Ontario Court of Justice. A discussion with the AGCO in May 2017 explored additional approaches in enforcing infractions.

The discussion identified that public health inspectors may also report liquor infractions observed during food and tobacco inspections to the AGCO. In addition, public safety concerns cited by law enforcement (police) are an effective ground for rejection during an application process on the basis of protecting public interest.⁴⁶ The City of Hamilton's Liquor License Application Review Process circulates applications to the police where comments are provided based on their police data and past investigations. Comments and concerns regarding applicants are identified by the police and sent directly to the AGCO for their review. Municipalities generally do not have access to police incidence reports, as information is restricted pending on-going investigations. During the review period, municipalities may seek to access incident reports prior to reviewing applications for licenses. Municipalities will need to legally access incidence reports with their local police departments to obtain data.⁴⁷

Enforcement Programs

In 2014, the pilot project Open Ontario Compliance Initiative was undertaken in London, which included collaboration among three levels of government, as well as the local health unit. Project partners included the Ministry of Community Safety and Correctional Services, the AGCO, the City of London, and the Middlesex-London Public Health Unit. The project included information sharing and risk-based compliance inspections. The Open Ontario Compliance Initiative focused compliance inspections on higher-risk businesses, including bars, restaurants, and convenience stores.

¹³⁰ Stobo, L. & Pavletic, D. (2013). Open Ontario compliance initiative: London pilot project. CIPHI Ontario Annual Conference, Middlesex-London Health Unit.



FEASIBILITY FOR ONTARIO MUNICIPALITIES

Opportunities

Based on the preceding analysis, municipalities have within their jurisdiction the authority to undertake the following licensing and enforcement measures to control the access and availability of alcohol:

- Establish licensing by-laws that grant liquor licenses to businesses primarily serving food and beverages
- Grant, revoke, suspend, or terminate a business license if such a business poses an immediate danger to the health or safety of persons or properties (as per Section 151 of the Municipal Act)
- Impose conditions concerning matters under the municipality’s jurisdictional authority (signage with contact information for public complaints, restricting patio hours of operation, restricting amplified music in outdoor spaces, installing security cameras, and ensuring the enclosure of garbage receptacles)
- Establish requirements for applicants to enter into a site plan agreement to ensure compliance with local land use by-laws under the Planning Act (enforcing the provisions may also be a municipal responsibility unless it is passed on to local law enforcement)
- Close a premise if there are activities that constitute a public nuisance (garbage, noise, traffic, or unusual traffic patterns)
- Provide compliance letters as per the Building Code Act, 1992, Fire Protection and Prevention Act, and Health Protection and Promotion Act) to affirm a liquor license applicant’s abilities to meet applicable standards and by-laws
- Conduct inspections (fire services, building departments, and public health departments) to ensure that applicants comply with applicable by-laws and building or property standards.
- Establish a process for issuing clearance certificates and approvals (i.e., liquor license questionnaire, application circulation procedures)

- Request that the AGCO not issue liquor licenses within a municipality without allowing the municipality an opportunity to undertake a formal review process to determine conditions that would protect public interest
- Prohibit the sale of VQA wine and/or fruit wine at any or all Farmers’ Markets within their jurisdiction
- Participate in a task force to investigate establishments

Challenges

While opportunities are available for municipalities to control the access and availability of alcohol through licensing and enforcement, there may be challenges that affect implementation, as follows.

Strong grounds must be cited by municipalities when objecting to a liquor license application.⁴⁸ A decision to suspend a license or close a business would be determined based on the licensee’s violation of municipal by-laws such as a noise by-law, licensing, or property standards. The AGCO has the primary authority to suspend liquor licenses and close liquor licensed establishments. Municipalities and health units are encouraged to report infractions or violations to the AGCO or law enforcement authorities. Enforcement authorities are responsible for taking the appropriate corrective action (which may include suspensions, business closures, and fines).

The Ontario government’s decision-making process in authorizing the sale of beer, wine, and cider at grocery stores focuses on “ensuring fair competition and distribution”, which includes independent and large grocers alike; and applies an unspecified “geographic and concentration restriction” to ensure that most licenses are not issued to any single grocer.⁴⁹ The creation of a new business license category may be of interest for municipalities wishing to limit supermarket retailers selling alcohol, which may warrant engagement with internal and external stakeholders to determine local need and feasibility.

RECOMMENDED ACTIONS

Municipalities

- Update and/or revise municipal by-laws that strengthen the protection of public safety and property standards. Consideration may be given to examine public concerns (nuisances, property standards violations) in geographic areas with a higher number of liquor licensed establishments and nuisances.
- Continue to establish business license conditions through a municipal by-law on the basis of protecting public interests and minimizing nuisances, where warranted.
- Create a new business license category that includes supermarket retailers licensed to sell alcohol. This establishes specific requirements for the application to go through a rezoning process, including a public hearing.
- Continue to work with enforcement authorities (AGCO, police) during an application process on the basis of protecting public interest.
- Where warranted, develop conditions for liquor license establishments addressing municipal jurisdictional matters (e.g., signage with contact information for public complaints, restricting patio hours of operation, restricting amplified music in outdoor spaces, installing security cameras, and ensuring the enclosure of garbage receptacles).

Public Health Units

- Report potential liquor license infractions to the AGCO and local law enforcement officials when observed/documented during routine inspections at licensed premises.
- Where applicable, participate in a task force with the local municipality and local law enforcement officials.

ENGAGEMENT QUESTIONS FOR MUNICIPALITIES

- What is your municipality's role in granting business licenses to establishments that serve alcohol?
- What process is in place for establishments interested in obtaining liquor licenses in your municipality?
- Does your municipality impose conditions for establishments seeking to acquire liquor licenses?
- What policies and by-laws exist in your municipalities to address community nuisance issues? How are these issues currently being addressed? Who (internal departments and external agencies) are involved in addressing these issues?
- Does your municipality experience concerns with regards to liquor licensing and alcohol-related concerns for licensed establishments (restaurants, bars and entertainment venues)?
- What community nuisance issues does your municipality experience with licensed establishments?
- How does your municipality deal with establishments that receive nuisance complaints and/or contravene municipal by-laws? What follow-up actions are undertaken with the establishments to address the issues?
- Are coordinated inspection and enforcement initiatives being undertaken in your municipality?

REGULATING PHYSICAL ACCESS THROUGH DENSITY AND LOCATION RESTRICTIONS

Limiting the availability of alcohol by controlling its physical availability is an effective approach to managing alcohol-related harm.⁵⁰ Regulating the density of alcohol outlets has been proven to lower alcohol consumption and reduce alcohol-related injuries, assaults, public disorders, and violence at the population level.^{51, 52, 53} McInney et al. (2009) identified that violent crimes increase exponentially when alcohol establishments exceed twenty-five units per postal code.⁵⁴

A recent study from Peel Region examined the density of on premise establishments, such as restaurants, bars, pubs, social clubs, and hotels in comparison to EMS ambulance calls per 1000 residents over age nineteen. The study found a correlation between EMS ambulance calls for injuries, particularly trauma, associated with density of licensed establishments.⁵⁵ Dissemination areas with a higher density of on premise licensed establishments have a higher risk of EMS ambulance calls by a factor of seven.⁵⁶ For example, dissemination areas with more than eleven licensed alcohol establishments reported the highest number of medical-related EMS calls (859) and trauma-related EMS calls (381) per 1000 population, compared to other areas with a lower density of licensed establishments. The study found that trauma is particularly an issue among licensed outlets where there is a tobacco vendor at the same location. The findings identify the importance of establishing zoning regulations that limit the number of licensed establishments in dissemination areas with a higher density of licensed establishments.⁵⁷

The AGCO's requirement for applications of an on premise liquor license to comply with municipal by-laws, including zoning by-laws/requirements, provides merit for municipalities to establish zoning regulations as per their powers of authority under the Ontario Municipal Act and the Planning Act.⁵⁸ Zoning by-laws are appropriate in determining the appropriate location of specific land uses and retail establishments. Compliance with municipal zoning by-laws is also required for off-premise retail store authorizations and the sale of VQA wine and/or fruit wine at farmers' markets.⁵⁹

Site Specific Zoning and Exceptions

Lands may be subject to a Zone Exception, or Site Specific Zoning, that includes a set of site-specific permissions, exceptions, and regulations that may be different from a parent zone. This may include different sets of regulations that limit, permit, or prohibit uses that only apply to specific lands. Such lands are denoted in Zoning Schedules (maps) delineating the properties subject to the exceptions or site-specific regulations.

OFF-PREMISE LICENSED ESTABLISHMENTS

This section examines municipal approaches to regulating the density of off-premise licensed retailers – establishments that sell alcohol for consumption off-site. Off-premise alcohol retailers in Ontario include Agency Stores, LCBO outlets, Brewers Retail, farmers' markets, ferment on premise outlets, off-site wineries, on-site wineries, on-site breweries and distilleries, and some grocery stores.⁶⁰

Land use controls to regulate the density of off-premise outlets is a practice undertaken in countries around the world. In California, where the state government does not have the capacity to regulate and manage the distribution and operation of retail alcohol outlets, local municipalities control where alcohol outlets can be located through zoning, which informs licensing decisions by the California Alcohol Beverage Control Department. This department has an “undue concentration” law, which does not exist in the Ontario legislative environment. This law allows local jurisdictions the authority to block a license for a bar or alcohol outlets and is exercised in areas where there is a higher degree of crime or socioeconomic disparity.⁶¹

Municipalities have the ability to use land use planning tools to control where alcohol outlets can be located.^{62,63} Regulating the density of off-premise retailers can be approached through the establishment of separation distances, site-specific zoning, and interim control by-laws, which are all regulated through municipal zoning by-laws. These land use planning tools are discussed in this section. Municipalities are also required to consult with the public prior to determining land use planning decisions as per the Planning Act.

Minimum separation distances between alcohol retailers to control alcohol retail density are well-practiced in municipalities in Alberta, Saskatchewan, and British Columbia. For example, in Alberta,

the City of Calgary's zoning by-law establishes a minimum distance of 300 m and 500 m between alcohol retailers, while the City of Edmonton has a separation distance of 500 m. The City of Surrey in B.C. adopted a separation distance by-law that does not allow primary license holders to be located within 1.6 km of one another.⁶⁴ In the Northern Saskatchewan Administration District*, retail stores selling alcohol are restricted by a 40km separation distance from one another.⁶⁵

In Alberta, interest to introduce a separation distance requirement between liquor stores was initiated at the request of the Alberta Liquor Store Association (ALSA), who was interested in maintaining a responsible alcohol retail environment. Separation distance requirement between liquor stores (500 m) was developed to limit further proliferation of liquor stores along established commercial shopping corridors following the privatization of alcohol outlets, which resulted in an increase in the number and density of alcohol outlets in some neighbourhoods.⁶⁶

Minimum separation distances can also be established to separate the distance between retailers and specific land uses—such as parks, schools, and recreation facilities. In Surrey, development applications for on premise establishments and off-premise retail outlets, including ferment on premises retailers, are subject to municipal review that considers social and health impacts. This includes a review of the proposed location and its proximity to residential lands, schools, parks, and playgrounds. The development application is reviewed to identify whether buffers and setbacks have been incorporated into the site plan to separate the proposed use from sensitive land uses as well as existing liquor licensed establishments. For example, Surrey has a separation distance by-law that does not allow primary license holders to be located within 1.6 km of one another. Specific consultation is needed with adjacent school districts to identify potential concerns regarding the application.⁶⁷ In Spruce Grove, Alberta, the

*A previous version of this report misstated the location of this restriction as being applicable to the province of Saskatchewan. The restriction applies to the Northern Saskatchewan Administration District.

city's zoning by-law establishes a smaller separation distance of 100 m between alcohol establishments and community/recreation facilities, including public parks, and public or private educational facilities.

In western Canada, zoning by-laws are used to regulate the sale of alcohol within grocery stores. The sale of alcohol in grocery stores is permitted in British Columbia and regulated by the Provincial Liquor Control and Licensing Branch. British Columbia established provincial policy that does not permit a new or relocated licensed retail store (including a grocery store wishing to sell liquor) to be located within 1 km of an existing liquor retail store or government liquor store to minimize over supply (this 1 km separation distance does not include wine store licensees as there are fewer wine store licenses in BC).⁶⁸

The British Columbia government provides municipalities with the authority to establish greater restrictions than those established by the province to control alcohol retail density. This allows municipalities to prohibit the sale of alcohol in grocery stores, establish greater separation distances between retailers, increase a grocery store's minimum retail floor space, or establish limits where liquor stores can be located. For example, the City of Vancouver utilized site-specific zoning that prohibits new liquor retail outlets in specific neighbourhoods.⁶⁹ The City of Vancouver also does not permit the sale of wine or liquor in grocery stores.

In Ontario, language in municipal zoning by-laws includes wine, beer, and liquor retailers as part of a list of permitted uses within commercial zones. For example, the Municipality of West Perth zoning by-law Commercial Zone includes a list of permitted uses, which includes a Liquor, Beer, and Wine Store (retail store devoted to the sale of spirits, beer, and/or wine).⁷⁰

Barrie Zoning By-Law

4.13 NIGHTCLUBS

4.13.1 General Provisions

- a) Maximum capacity: 600 persons, including outdoor patio areas, where capacity is the lesser of licensed capacity or occupancy load as calculated under the Building Code or Fire Code requirements.
- b) Minimum setback from any Residential zone including residential exception zones: 200 m.
- c) Minimum distance setback from any other nightclub: 200 m, measured from the property boundary.

¹³¹ The City of Barrie. (2016). City of Barrie: Comprehensive zoning by-law.

The Planning Act allows for site-specific provisions to be applied to a given property in a municipality that exempts specific uses from being permitted. Uses permitted within a commercial zone can specify exceptions for specific uses, which may include beer, liquor, or wine stores.⁷¹ For example, alcohol retailers selling beer, liquor and wine were deleted from the list of permitted uses for a proposed general merchandise retail store in the City of Waterloo.⁷²

An environmental scan of Ontario zoning by-laws did not identify a similar precedence in regards to separation distance standards or policies restricting the locations of alcohol retailers, such as those found in Alberta. However, trends may change as the alcohol retail environment continues to evolve towards expansion and privatization in Ontario, as witnessed in other Canadian provinces.

For example, in 2007, the City of Edmonton's minimum distance requirement was established to limit the further proliferation of liquor stores resulting from the province's decision to privatize alcohol retail sales.⁷³ The separation distance requirement between liquor stores was initiated at

the request of the Alberta Liquor Store Association (ALSA), who was interested in maintaining a responsible alcohol retail environment. Prior to this 2007 by-law, the City's separation distance requirement established a 100 m buffer between liquor stores and parks, schools, and recreation facilities. The 100 m separation distance was adopted to mitigate potential land use impacts associated with liquor consumption in public spaces such as parks, schools, recreation centres etc.

For other municipalities interested in implementing a minimum separation distance by-law to control the density of off-premise establishments, resources need to be in place to monitor alcohol retail outlets, including closures, mapping existing liquor stores, and mapping new approved liquor stores. Resources required to maintain the necessary database will be influenced by many factors, including historic record keeping practices, the number of existing liquor stores, the number of proposed liquor stores, and the level of detail included in by-law amendment regulations.⁷⁴

In Ontario, grocery store operators can apply to sell beer, wine, and cider. The Ontario government does not have a policy in regards to establishing density restrictions or minimum separation distances in its approvals of grocers seeking authorizations for the sale of beer, wine, or cider. The province's current allocation process applies an unspecified "geographic and concentration restriction" to ensure that most licenses are not issued to any single grocer.⁷⁵ The province's decision-making process in authorizing the sale of beer, wine, and cider at grocery stores focuses on "ensuring fair competition and distribution", which includes independent and large grocers alike.⁷⁶ The AGCO's Application for an Authorization to Sell Beer and Wine or Beer and Cider in a Grocery Store was silent in regards to an applicant's compliance with municipal laws, including municipal zoning by-laws and associated requirements.



ON-PREMISE LICENSED ESTABLISHMENTS

On-premise establishments are venues where liquor can be consumed on-site, including hotels, restaurants, lounges, bars, pubs, nightclubs, and other retailers. Precedence exists in Canada to control the density of on premise licensed establishments. However, attention has focused primarily on controlling the density of bars and late-night venues. Cities that have destination entertainment, tourist districts, and post-secondary institutions tend to have these issues.

Zoning is used to restrict the density of bars and late-night establishments, and this is commonly practiced in municipalities across Ontario. Between 1991 to 2013, Toronto entertainment establishments grew from 3,100 to 4,100, with lounges and bars growing at a rate of nearly 5% per year, from 169 in 1991 to 485 in 2013.⁷⁷ The growth was predominantly located within Toronto's Entertainment District in the King St. and Spadina Ave. area. The concentration of nightclubs resulted in community concerns including property damage, overcrowding, crowd control, and unacceptable noise. The City of Toronto employed a combination of approaches to reduce the concentration of nightclubs in the Entertainment District. An interim control by-law (see page 13 for a definition) passed in the early 2000s prohibited the development of new entertainment facilities and patios in the Toronto Entertainment District. Official Plan policies also introduced a greater mix of uses within the area, including high density residential developments, which have resulted in a significant reduction of nightclubs. The City also utilized their municipal role to reduce the number of nightclubs through a moratorium on night club licenses. The City of Toronto passed a by-law in 2016 that created a new category of business license for "entertainment establishment/nightclub". Creating a new class of business licenses enacted stricter operating conditions on nightclubs.

Similar to off-premise establishments, minimum separation distances can also be applied to on premise licensed establishments. In Barrie, a zoning by-law requires nightclubs to have a 200 m separation distance from one another and a 200 m buffer from residential areas. Edmonton's zoning by-law establishes restrictions for an entertainment area bounded by 82nd Ave (Whyte Avenue). Zoning for this area does not specify a separation distance, but applies a maximum occupancy and gross floor area to limit the number of bars and nightclubs. In 2014, the City of St. Catharines considered the establishment of a Downtown Entertainment District as a means of regulating the density and size of licensed establishments in the downtown core. The initiative was considered in order to control incidents of vandalism, noise, and undesirable behaviour of patrons in downtown bars and nightclubs. Council did not approve the establishment of a Downtown Entertainment District due to public concern for noise, drunkenness, and public disturbances, and directed and approved the formation of a revitalization committee in partnership with the police and the AGCO to monitor incidents of vandalism, noise, disturbances, and property damage in the area.⁷⁸

City of Toronto Entertainment Establishment/ Night Club Definition

A premises used to provide dance facilities for patrons and where food or beverages may be offered for sale, such as a dance hall or disco. A cabaret, an entertainment place of assembly, an eating establishment, or an adult entertainment use is not a nightclub.

¹³² City of Toronto. (2016). City of Toronto zoning by-law 569-2013 (office consolidation).

A zoning by-law amendment can regulate where licensed accessory outdoor patios will be permitted within a given neighbourhood or geographic boundary. The employment of a land use planning tool would minimize or prevent noise-related nuisances to sensitive land uses, such as residential, institutional, or parks and open space. These sensitive land uses may correlate to uses that are predominantly used by children, older adults, or other vulnerable populations. A zoning by-law regulating outdoor patios thus gives a municipality the ability to regulate hours of operation and the hours that alcohol can be served. The AGCO's liquor license application process requires applicants to consult their local municipalities prior to submitting an application to ensure compliance with municipal zoning by-laws.⁷⁹

The use of zoning by-laws to regulate the locations of licensed accessory outdoor patios is well practiced in Ontario. The City of Hamilton has enacted zoning by-laws stipulating no outdoor commercial patios which serve alcohol shall be permitted on a lot where any lot line abuts a residential zone or where the lot and a residential zone are separated by a laneway.

In 2005, the Town of Ajax enacted an outdoor patio by-law (Zoning By-Law 95-2003) that regulated the location of restaurants with licensed accessory outdoor patios. The Town of Ajax identified their site plan agreement as ineffective, and had recommended the development of an Outdoor Patio By-Law that would work in conjunction with the Zoning By-Law. The outdoor patio by-law would give the town the authority to regulate hours of operation of outdoor patios and to regulate the hours when alcohol can be served.

Different sets of restrictions can be established for different patios based on their proximity to adjacent community land uses to ensure that public nuisance is minimized. The zoning by-law introduced two definitions addressing outdoor patios, including Licensed Outdoor Patio, and Unlicensed Outdoor Patio. The by-law permitted licensed accessory outdoor patios to continue to be permitted in specific zones (i.e., commercial, downtown mixed use, prestige employment), and does not allow the licensed outdoor patio to be located next to residential areas, institutional uses (nursing homes, places of worship, day care, hospital, schools, libraries), and open space zones (parks and recreational settings). In the Town of Ajax, buildings were deemed as suitable buffers to reduce noise. Restrictions can be enacted for each outdoor patio, which would be established based on where they are located in proximity to sensitive land uses.



Town of Ajax Zoning By-Law 95-2003

LICENCED OUTDOOR PATIO (New definition as incorporated by By-law 75-2005) An outdoor area where seating accommodation is provided, and where meals or refreshments are served to the public for consumption which is used on a seasonal basis in conjunction with, and in immediate proximity to, a restaurant or a drive-thru restaurant. The establishment shall be licensed by the Alcohol and Gaming Commission of Ontario for the consumption of alcohol within the establishment or accessory outdoor patio.

UNLICENCED OUTDOOR PATIO (New definition as incorporated by By-law 75-2005) Shall mean an outdoor area where seating accommodation is provided, and where meals or refreshments are served to the public for consumption which is used on a seasonal basis in conjunction with, and in immediate proximity to, a restaurant or a drive-thru restaurant. The selling, serving and consumption of alcohol shall not be permitted on the outdoor patio.

Commercial and Mixed Use Zones: A Licensed Accessory Outdoor Patio is permitted provided that the licensed accessory outdoor patio meets the provision in Section 6.3.1.1.

6.3.1.1 Licensed Accessory Outdoor Patios

a) A licensed accessory outdoor patio situated on a property that does not abut a residential, institutional or open space zone shall be permitted. b) A licensed accessory outdoor patio situated on a property that abuts a residential, institutional or open space zone shall be permitted provided the licensed accessory outdoor patio meets one of the following two provisions: i) There is a building situated between the licensed accessory outdoor patio from the abutting residential, institutional or open space zone; or ii) The accessory outdoor patio is separated from an abutting residential, institutional or open space zone by Harwood Avenue or a Type A or B Arterial Road.

¹³³Town of Ajax. (2014). The corporation of the town of Ajax zoning by-law 95-2003 (office consolidation).

The City of Vancouver’s Liquor License Policy represents a comprehensive approach that restricts the number of on-premise establishments and off-premise retailers within a defined geographic area in the Central Business District. The policy also identifies considerations where on-premise establishments may be permitted, subject to consultation with nearby residents and businesses.



City of Vancouver Central Business District Liquor License Policy

Downtown-Eastside and Gastown

1. **THAT no new liquor licenses** or amendments to existing licenses to increase seating capacity or extend hours of sale (except restaurant Class 1 “B” license) be permitted in the Downtown Eastside or Gastown areas.
2. **THAT no new liquor retail outlets** be permitted in the Downtown Eastside or Gastown areas.
3. **THAT new liquor licenses** forming part of a new hotel or major complex be considered on a case-by-case basis in the Downtown Eastside.

Robson Street (Howe To Homer) and Yaletown.

Favourable consideration be given to relaxing the one mile minimum distancing requirement for endorsing several applications for Class D “local pubs” on Robson Street (Howe to Homer), or Yaletown, subject to a legal agreement indicating there will be no outdoor patio seating, off-site sale, exotic dancing, amplified music or a dance floor on the premises, and that it will not be operated in conjunction with an adjacent restaurant.

Favourable consideration should be given to endorsing applications for Class 2 restaurants (in Yaletown) limited to 150 seats on a case-by-case basis, subject to polling nearby residents and property owners.

Favourable consideration should be given to endorsing applications for hotel pubs and lounges, Class 2 restaurants, and neighbourhood pubs on a case-by-case basis along Robson Street (Howe to Homer), subject to polling of nearby residents and property owners.

¹³⁴ City of Vancouver, 1997, *Liquor licensing policies and procedures*.

FEASIBILITY FOR ONTARIO MUNICIPALITIES

Opportunities

The policy analysis explored and confirmed the use of zoning by-laws to control the location and density of on and off-premise alcohol retailers and licensed establishments in Ontario. Based on the preceding discussion, the following policy approaches are feasible within the municipality's legal authority to regulate physical access to alcohol through density and location restrictions:

- Site-specific zoning to control the locations of on and off-premise establishments
- Zoning that restricts where licensed outdoor patios can be located
- Zoning that regulates hours of operation of licensed establishments and the hours that alcohol can be served (limited to outdoor patio by-laws)
- Zoning regulating sale of alcohol in grocery stores (legally feasible, however no precedence yet established in Ontario)
- Interim control by-law limiting the development of entertainment facilities and patios to restrict the location and density of on and off-premise establishments.
- Policy restrictions that establish limits regarding the number of liquor licensed establishments by neighbourhood
- Pass a moratorium to limit the number of business licenses for late night entertainment and night club establishments
- Location restrictions to protect sensitive land uses, such as schools and parks, and to address clustering by establishing minimum distance requirements between alcohol outlets.

Challenges

While opportunities are available for municipalities to regulate physical access to alcohol through density and location restrictions, there may be challenges that affect implementation, as follows:

- Further efforts to control the location and density of licensed establishments should be approached in a manner that is mindful to the specific needs and context of the local community. The trends towards privatization of the alcohol environment will encourage policy-makers and decision-makers to develop regulations that protect the public's interest.
- Zoning by-laws controlling the use of land are scrutinized by tribunals. Municipal by-laws must be passed for proper planning purposes, but ensure no human rights codes or infringements of rights are violated. The purpose of zoning is to prevent nuisance and physical interference with the land and to ensure land uses are compatible. Municipalities should demonstrate whether the proposed use would result in a public nuisance, which would strengthen a municipality's position of serving a public good.

RECOMMENDED ACTIONS

Municipalities

- Update municipal zoning by-laws to establish a minimum floor area requirement that is at least greater than the provincial requirement for a grocery store to allow the sale of wine, beer, or cider.
- Develop minimum separation distances between liquor license establishments. Undertake community engagement to identify whether separation distances are warranted in specific neighbourhoods to reduce public disturbances and to improve public safety and security.

- Investigate the need for site specific zoning to limit the location of alcohol retailers and liquor licensed establishments.

Public Health

- Advocate for provincial policies that allow local jurisdictions the authority to block on premise and off-premise licenses and is exercised in areas where there is a higher degree of crime or higher socioeconomic disparity, similar to that established by the State of California.⁸⁰
- Advocate for provincial policies to develop a separation distance between alcohol retailers, including grocery stores selling alcohol, similar to that established by the British Columbia government. The AGCO does not impose any location restrictions in regards to maintaining proximity from other licensed retailers, but only identifies that “authorizations are to be distributed fairly across geographic regions” to promote even competition.
- Advocate for provincial policies that encourage municipalities to establish restrictions to control alcohol retail density during a statutory review of provincial land use planning policies.
- Participate in municipal strategic plans such as Tourism Plans, Arts and Culture Plans, Economic Development Plans, and Municipal Retail Market studies to provide feedback on municipal actions that affect retail services, business development, tourism, and culture.
- Work with municipalities to identify priority neighbourhoods to limit alcohol retailers and licensed establishments. These areas would then need to be cross-referenced with licensed establishments and a review of restaurant-nightclubs.

- Develop mapping to monitor the location of alcohol retail outlets and licensed establishments. On-going updates will be needed to map closures and new licensees. Data can be obtained from the AGCO and LCBO.

Municipal Retail Market Analysis

A retail market analysis is a study undertaken by municipalities to evaluate the existing supply of commercial lands in a municipality and informs the demand for additional commercial lands. A retail market analysis includes a review of the existing and potential commercial space in a given municipality. A review of the local market assesses the future retail and service needs in association with the municipality’s existing and future commercial land supply to accommodate need. A broad range of retail space needs and facilities are examined, including beer, wine, and liquor. The study would identify whether there is market demand to support an additional beer, wine, or liquor store (including ancillary retail space within grocers). Commercial inventories/market studies are commonly undertaken to inform official plan policy recommendations as part of a municipality’s comprehensive five-year official plan review. Stakeholder participation during an official plan review is an appropriate approach for public health units to inform the development of land use policies that address commercial lands.

ENGAGEMENT QUESTIONS FOR MUNICIPALITIES

The following questions for public health are to engage with municipalities to determine potential interest and opportunities in controlling the physical availability of alcohol outlets and licensed establishments through zoning:

- Do you see a trend in your municipality of an increasing number of bars and late night establishments? Are you aware of whether these venues are causing disturbances or nuisances for nearby residents and businesses?
- Does your municipality have parcels subject to site-specific zoning to control the location of specific uses?
- Do you think that site-specific zoning could be applicable in your municipality to control the numbers and densities of licensed establishments? Are there specific locations within your municipality where site specific zoning could be applied?
- Would your municipality consider establishing minimum distance requirements to provide a separation between alcohol retailers, or between alcohol retailers and other sensitive land uses? Why or why not? What implementation challenges do you foresee?
- Does your municipality have a maximum size restriction for bars and late night establishments?

Discussion is needed with municipalities to discuss the municipality's zoning by-law review timelines and process to determine opportunities to introduce definitions and regulations addressing the sale of alcohol within grocery stores.

“Municipal alcohol policies are not about prohibition...they’re about promoting and supporting safe and viable communities with fewer drinking harms.”
– *Union of Nova Scotia Municipalities*

HOURS OF SALE LIMITATIONS

Regulating the hours of operation of licensed facilities is another approach to control the physical availability of alcohol. Evidence has shown that increased hours of sale correlates with an increase of alcohol-related harms, including road traffic casualties, alcohol-related diseases, injury, and assaults.⁸¹ Restricting hours of sale for two or more hours were shown to effectively decrease alcohol-related harms.⁸²

The Municipal Act provides municipalities with the authority to require business establishments to be closed at any time (Section 148.1). However, as per Section 148.4b, establishments licensed under the Liquor License Act are exempt from the municipal by-law addressing the closure of retail businesses.

Regulating the hours of operation of licensed facilities is a provincial responsibility under the Liquor License Act. Under the AGCO, alcohol sales and service is permitted from 11:00 am to 2:00 am (3 am on New Year's Eve) for licensed establishments and Special Occasion Permit events. The AGCO prescribes permissible hours for retail sales of alcohol at retail outlets from 9:00 am to 11:00 pm, Monday to Saturday and 11:00 am to 6:00 pm on Sundays. Under section 62.1 (1) of the Liquor License Act, hours of sale can be extended for on premise establishments during events of municipal, provincial, national or international significance.

Outside of Ontario, municipalities have established restrictions regarding hours of alcohol sales and service through business licensing by-laws. A study conducted by the City of Vancouver in 2004 examined municipal approaches to restricting hours of service in over fifteen municipalities internationally. The study found varying levels of success in restricting hours of liquor service for late-night establishments and effectiveness was best approached through controlling, managing, and regulating on-premise licensed premises.⁸³ In Vancouver, as per the City's business licensing

by-law, newly licensed establishments go through a probationary period where hours of liquor service are restricted to midnight for a period of three months.⁸⁴ The probationary period allows the municipality to monitor the business in its adherence to health and safety considerations.

In Nova Scotia, the Alcohol and Gaming Division defers to municipal development agreements to dictate earlier closures for licensed facilities. Municipalities in Nova Scotia can use development agreements to establish closures for licensed facilities earlier than the hours permissible by the Province.⁸⁵ For example, in the Town of Wolfville, hours of operation for licensed establishments restrict the closing time to 1:00 am through site-specific agreements.^{vi} Restricting hours of alcohol service may be a cost effective measure for municipalities to consider compared to the cost of developing regulations, legal requirements, and enforcement of on-premise businesses, and particularly in neighbourhoods with a higher number of licensed establishments. However, enforcement conducted by municipal law enforcement officers can be a challenge to implementing such provisions if resources are not available.⁸⁶

An environmental scan of practices being undertaken by Ontario municipalities with regards to restricting hours of liquor service for on and off premise establishments found limited precedence. Current practice was found with regards to restricting hours of service on outdoor patios, and restricting hours of sale for wines and fruit wines at Farmers' Markets (located on municipal lands).

La Victoria, Peru

In 2007, the municipality of La Victoria passed a law that banned the sale of alcohol during specific times of the day. The ban resulted in a decrease of violent incidents, homicides, and suicides.

¹³⁵ World Health Organization. (2014). Global Status Report on Alcohol and Health.

^{vi} The Nova Scotia Liquor Control Act regulates hours of operation for on-premise establishments to sell and serve liquor varies, reflecting closing times that include 2:00am and 3:30 am. For more information see: https://novascotia.ca/just/regulations/regs/llicens.htm#TOC2_58.

FEASIBILITY FOR ONTARIO MUNICIPALITIES

Opportunities

Based on the preceding discussion, municipalities have within their jurisdiction the authority to undertake the following measures with regards to regulating the hours of service:

- Impose site plan agreements to minimize nuisances such as noise and disturbance to nearby residents restricting hours of service on outdoor patios⁸⁷
- Establish a probationary period for newly licensed establishments imposing restrictions regarding hours of liquor service
- Establish an hours of service policy for licensed establishments that includes lengthening the time between last call and closing hours and prohibiting new patrons from entering late night establishments within one hour of closing time⁸⁸

Challenges

While opportunities are available for municipalities to control the access and availability of alcohol, there may be challenges that affect implementation, as follows:

- Municipalities have within their jurisdiction the authority to limit hours of sale for licensed establishments and retailers that are more restrictive than the AGCO, which can be established through site-specific agreements. However, an environmental scan identified limited practice in Ontario. Municipalities may face resource challenges that affect their ability to enforce a breach of contract.

RECOMMENDED ACTIONS

Municipalities

- Municipalities who are interested in restricting hours of sale/service should issue site specific conditions when warranted (i.e., to address issues of public concern and nuisances) and where applicable.

Public Health

- Provide best practices research and supporting evidence to municipalities, where warranted, regarding risks and alcohol harms associated with hours of sale.
- Participate in advocacy efforts to strengthen provincial regulations that provide municipalities with a greater authority to restrict hours of alcohol service.

ENGAGEMENT QUESTIONS FOR MUNICIPALITIES

- Are there areas, such as entertainment districts, within your municipalities that could benefit from reduced hours of alcohol beverage service?
- Is additional policing deployed in neighbourhoods with late-night establishments or entertainment districts? What is the associated cost for deploying additional officers? How is this cost recouped by the municipality?
- Does your municipality have a transit system with a late-night service for patrons in areas with late-night establishments? What is the cost of providing this transit service?
- What is the extent of municipal resources directed to clean up (garbage pick-up, etc.) neighbourhoods with late-night establishments?

PRICING STRATEGIES

Interventions to decrease the affordability of alcohol can reduce alcohol consumption levels, particularly among heavy alcohol consumers, and also decrease alcohol-related harms.^{89, 90} Studies have shown that a 10% increase in alcohol prices can reduce alcohol consumption ranging from 4.5% (wine) to beer (10%).⁹¹ In addition, negative impacts associated with heavy alcohol consumption, such as, crime, alcohol-related deaths and hospitalization due to intoxication, have been proven to decrease in association with increases in minimum alcohol prices.⁹² In British Columbia, a 10% increase in minimum alcohol prices resulted in a decrease of alcohol-related traffic violations by 18.8% and a reduction of crimes against persons by 9.4%.⁹³

A literature review conducted in *Addressing Alcohol Consumption and Alcohol-Related Harms at the Local Level, 2014* found that rates of alcohol sales and self-reported drinking declined as alcohol prices and taxes increased. Moreover, the report cited a review of seventy-eight studies which found that alcohol taxes had resulted in a reduction in excessive alcohol consumption and alcohol-related harms. Pricing strategies identified in *Making the Case: Tools for Supporting Local Alcohol Policy in Ontario, 2013* and *Addressing Alcohol Consumption and Alcohol-Related Harms at the Local Level, 2014* include:

- Establishing minimum prices for alcoholic beverages based on volumetric pricing;
- Regulating discounts on alcoholic beverages and retail sales;
- Applying taxation on alcoholic beverages (including municipal taxes);
- Indexing alcohol prices to cost of living;

- Establishing incentives for lower-strength products; and
- Regulating retail sales including mark-ups.

Minimum Pricing

A standard size drink may not be sold below the minimum price of \$2.00 as per ss.20(3) of Regulation 719 of the Liquor License Act.

Standard serving sizes of liquor varies by type of liquor, as follows: 341 ml (12 oz) of beer, cider or cooler; 29 ml (1oz) of spirits, 142 ml (5 oz) of regular wine; and 85 ml (3 oz) of fortified wine.

In Ontario, alcohol sales prices are regulated by the provincial government. It has the power to make regulations governing prices, including minimum prices.⁹⁴ In Ontario, the provincial government controls the sale and pricing of alcohol through the Liquor Control Act. Minimum prices for licensed liquor stores (off-premise retailers) are established under Reg. 116/10 of the Liquor Control Act and vary by beverage type, container size, product origin, and alcohol content and are indexed annually, based on a three-year average of the Ontario Consumer Price Index. On-premise establishments (liquor sales licensees) are required to adhere to a different set of minimum prices, as outlined in Regulation 719 of the Liquor License Act, which varies by type of liquor and size of serving provided.⁹⁵ A standard size drink may not be sold below the minimum price of \$2.00 as per ss.20(3) of Regulation 719 of the Liquor License Act.^{vii} The AGCO provides flexibility for licensees to change their drink prices throughout the day, as long as prices do not fall below the minimum.

^{vii} Standard serving sizes of liquor varies by type of liquor, as follows: 341 ml (12 oz) of beer, cider or cooler; 29 ml (1oz) of spirits, 142 ml (5 oz) of regular wine; and 85 ml (3 oz) of fortified wine.

A review of provincial alcohol pricing interventions undertaken by Gisbrecht et al. (2013) found that the Ontario government was rated highly in regards to mandating the indexation of minimum prices for all alcoholic beverages and adjusting minimum prices based on alcohol content. However, the same study provided a comparison of average minimum prices on and off-premise per standard drink, and found that the minimum prices of alcoholic beverages in Ontario are lower than the Canadian average, particularly in comparison to Canada's eastern provinces. Maintaining low pricing was cited by the Government of Ontario as a means of improving convenience and increasing choice to consumers.⁹⁶ Grocery store operators selling wine are not permitted to sell wine lower than the price prescribed by the LCBO in Policies & Procedures Manual for Authorized Store Owners, however, prices are higher than the provincially prescribed minimum prices for off-premise retailers.

In 2017, the federal budget identified a 2% excise duty increase for wine, liquor, and beer. The federal government will increase excise taxes on beer and wine to keep up with the Consumer Price Index (CPI), commencing in April 2018 and will continue to be adjusted to the CPI annually.

The Municipal Act does not allow municipalities other than the City of Toronto to impose alcohol taxes. Municipal taxation on alcoholic beverages is well-practiced in the United States, and can include taxation at the point of sale or a volume-based tax embedded in the price. However, in Ontario, only the City of Toronto has the authority to impose a tax on the purchase of alcohol (i.e., liquor, beer, or wine, as defined in Section 1 of the Liquor License Act) at the point of sale, as per the City of Toronto Act. The City of Toronto is currently undertaking a review to address the taxation of alcoholic beverages and products, including alcohol sold at LCBO stores.⁹⁷ Other municipal jurisdictions are limited unless an amendment is passed to the Municipal Act allowing such taxation.

Pricing interventions to reduce alcohol consumption have been implemented in some jurisdictions outside Ontario.⁹⁸ In British Columbia, where there was absence of provincial minimum alcohol price policies, the municipalities of Victoria, Vancouver, Kamloops, and Nanaimo implemented minimum drink prices on liquor sold in licensed establishments.⁹⁹

Published reports identified the need to pursue local regulations but did not identify the specific regulations that could be pursued under the jurisdiction of the municipality.¹⁰⁰ A Submission to the Inquiry into Modernizing British Columbia Liquor Laws, prepared by the Centre for Addictions

City of Kamloops Business License By-Law

Section 516 of By-Law-60 identifies that businesses licensed under the Liquor Control and Licensing Act must not sell, or offer for sale, alcoholic beverages at a retail price of less than \$3.00 per standard serving, inclusive of taxes. Section 517 of the City of Kamloops Business License By-Law defines standard serving sizes for a variety of alcoholic beverages. The City's minimum pricing is \$1.00 higher than the minimum price of \$2.00 in Ontario.

¹³⁶ City of Kamloops. (2012). Business license and regulation by-law no. 9-60.

Research of BC identified the limitations municipal governments face in determining pricing policies. They have recommended that provincial governments provide them with greater powers to influence pricing policies.¹⁰¹ A review by the Regional Municipality of Peel echoed the findings of the Centre for Addictions Research of BC, identifying a lack of municipal influence in addressing pricing interventions.¹⁰²

FEASIBILITY FOR ONTARIO MUNICIPALITIES

Opportunities

- Municipal efforts to influence the price of alcoholic beverages can be approached through advocacy. This is consistent with the recommendations established in *Making the Case: Tools for Supporting Local Alcohol Policy in Ontario*, and in the Locally Driven Collaborative Project, where efforts to control alcohol affordability can best be achieved through advocacy to the provincial government to increase minimum alcohol prices.
- Establish minimum prices on alcoholic beverages served on municipal lands or at municipal facilities, established through a Municipal Alcohol Policy.

Challenges

- While the practice exists in other provinces, the literature review did not find precedence in Ontario with regards to establishing a minimum price for alcoholic beverages as a condition of granting a business license. Consultation with legal counsel should be undertaken to assess a municipality's feasibility of establishing business licensing by-laws addressing the pricing of alcoholic beverages.
- The ability to apply a municipal tax on alcoholic beverages is only currently available to the City of Toronto.

RECOMMENDED ACTIONS

Municipalities

- Participate in advocacy efforts to strengthen provincial regulations in controlling access and affordability to alcohol.
- Explore the development of minimum pricing standards for alcoholic beverages as a condition of a business license application.

Public Health

- Continue to advocate to the provincial government for stronger alcohol pricing interventions to reduce alcohol-related harms.

ENGAGEMENT QUESTIONS FOR MUNICIPALITIES

- Should prices for alcohol products sold in stores be increased? Should alcoholic beverage prices be increased in on premise facilities?
- Do you feel municipalities should have more control in influencing the price of alcohol? Why or why not?



MARKETING

Exposure to alcohol advertisements can occur through TV, radio, internet, social media, magazines, and billboards in public spaces. Alcohol advertisement and promotion contributes to the normalization of alcohol consumption, particularly among youth.¹⁰³ Advertisements on public transit, including bus and transit shelters, are a particularly strong contributor in exposing youth to alcohol.¹⁰⁴ A study conducted by Simon (2008) identified the importance of restricting outdoor advertising in public spaces, particularly on transit ads, to reduce youth exposure.¹⁰⁵ Evidence has shown that policies restricting alcohol exposure through marketing and advertisements reduce first-time alcohol use (protecting children and youth)¹⁰⁶ and alcohol-related harms.¹⁰⁷

Various guidelines regulate advertisements promoting liquor, including the Canadian Radio-television Telecommunications Commission (CRTC) code, the Liquor License Act and Regulations, as well as the AGCO, and LCBO guidelines.

Broadcast advertisements must be in compliance with the CRTC's Code for Broadcast Advertising of Alcoholic Beverages, which restricts advertising according to six key themes pertaining to the promotion of general consumption or irresponsible use of alcohol, targeting youth, associating alcohol with achievements or activities requiring specific skill and contest and sponsorship requirements. In regards to the Liquor License Act, license holders are permitted to advertise liquor within specified criteria as per Section 87 of Regulation 719 and Section 5 of Regulation 720. The AGCO provides guidelines to support responsible advertisements and promotions through the Alcohol and Gaming Commission of Ontario Liquor Advertising Guidelines: Liquor Sales Licensees and Manufacturers. The LCBO adheres to the AGCO guidelines and promotes social responsibility by displaying drink sizes that are consistent with Canada's low-risk alcohol drinking guidelines in their advertisements.¹⁰⁸

However, studies have found that compliance to self-regulated guidelines (CRTC, AGCO) is problematic.¹⁰⁹ Moreover, the guidelines do not cover all forms of marketing, including social media, event sponsorships, and merchandising.

Consultation with the AGCO in May 2017 identified that municipalities have jurisdiction to control the promotion of alcoholic beverages on municipally-owned lands or facilities. Discussions with the AGCO identified that interest to limit marketing for private businesses and public facilities and spaces owned by other levels of government may be determined on an individual basis in collaboration with the applicable business/facility owner. Further engagement is recommended with legal counsel to confirm a municipality's legal authority to affect alcohol marketing for businesses on non-municipal premises.

Happy Hour

Advertisements promoting immoderate consumption, such as Happy Hour, are not currently permitted by the AGCO. However, on-premise licensed establishments can promote reduced pricing for alcoholic beverages on any given day or time.

The AGCO is currently developing updated guidelines to refine permissible advertisements and promotions. The current guideline prohibits the usage of the phrase "happy hour". However, daily drink specials are permitted provided that prices do not fall below the minimum regulated prices.

¹³⁷ (L. O'Brien, et al., AGCO, personal communication, May 12, 2017) Discussion with the Alcohol and Gaming Commission of Ontario.

Municipal jurisdiction for advertisements and promotions concerning advertisements are limited to those located on municipally-owned properties and municipal public spaces, and are addressed through Municipal Alcohol Policies, which are outside the scope of this report. Municipal public spaces can include both indoor and outdoor spaces that are municipally-owned, such as community centres, indoor and outdoor recreation spaces, transit stops, and right-of-ways (such as sidewalks). *Municipal Alcohol Policy Guide for Nova Scotia Municipalities* (2015) provides municipalities with a valuable resource for best practice policies applicable to Municipal Alcohol Policies. Examples of jurisdictions that have restricted alcohol (and tobacco) advertisements on transit facilities include Saskatoon, Seattle, San Francisco, Boston, New York and Philadelphia.^{110, 111}

In 2015, the Ontario Public Health Association (OPHA) identified restricting alcohol marketing and advertising as a strategy to reduce alcohol-related harms in Ontario. Proposed policies include: developing a public health informed advertising standards code for alcoholic beverages, prohibiting price or sale incentives by all alcohol retailers, and developing stronger restrictions regarding sponsorship targeted to youth and young adults.¹¹²

King County Seattle Metro Transit Advertising Policy

Any advertising that (i) promotes or depicts the sale, rental, use of, or participation in, or images of the following products, services, or activities; or (ii) that uses brand names, trademarks, slogans or other material that are identifiable with such products, services, or activities are prohibited:

- (a) Tobacco. Tobacco products, including but not limited to cigarettes, cigars, and smokeless tobacco;
- (b) Alcohol. Beer, wine, distilled spirits or any alcoholic beverage licensed and regulated under Washington law.

¹¹⁸ King County. (2012). King County department policies and procedures: Transit advertising policy. King County Department of Transportation, Transit Division.



FEASIBILITY FOR ONTARIO MUNICIPALITIES

Opportunities

Based on the preceding discussion, municipalities have within their jurisdiction the authority to undertake the following measures to control alcohol marketing:

- Establish policies controlling the promotion of alcoholic beverages on municipally-owned lands or facilities (e.g. transit).

Challenges

While opportunities are available for municipalities to control alcohol marketing, there may be challenges that affect implementation, as follows:

- Municipal interest to limit alcohol marketing on private premises and/or public facilities and spaces owned by other levels of government may be determined on an individual basis in collaboration with the applicable business/facility owner.

RECOMMENDED ACTIONS

Municipalities

- Develop policies that prohibit the promotion, sale, of alcoholic beverages on municipally-owned lands or facilities, including public transit and associated amenities.

Public Health

- Continue to advocate to the Province for stronger policies to restrict alcohol marketing and advertising.

ENGAGEMENT QUESTIONS FOR MUNICIPALITIES

- Does your municipality have a policy that prohibits the marketing of alcoholic products on municipal lands or at municipally-owned or controlled facilities?
- Does your municipality have a policy that prohibits the marketing of alcoholic products on transit buses, facilities and shelters?



INFORMATION SHARING

The WHO's *Global Strategy to Reduce the Harmful use of Alcohol, 2010* identified the importance of collaboration and coordination to allow information exchange and data sharing across different sectors.¹¹³ This section examines potential data collection and monitoring efforts that municipalities may explore to observe trends in alcohol-related harms, which may be used to inform municipal policy development. While the results focus on efforts that would continue to be led by public health, there are potential areas of collaboration that would involve other sectors, including local government, law enforcement, and emergency service responders.

A literature review of municipal practices found precedence established by Australian municipalities. In Australia, municipalities collect wholesale alcohol sales data to monitor alcoholic beverage consumption by neighbourhood and hour of service, informing targeted alcohol harm-reduction policies and determining public resources allocation (i.e., marketing, enforcement) to support responsible consumption.¹¹⁴

In one particular municipality, wholesale alcohol sales and taxation data were collected in high risk neighbourhoods to determine differential taxation approaches to reduce localized levels of alcohol consumption, alcohol-attributable emergency department visits, and hospitalization.¹¹⁵ However, sales data was only available for wholesale alcohol transactions between wholesalers and retailers.¹¹⁶

Australia's experience highlighted the need to access alcohol sales data at the retail level (amount of retail sales by establishment) to better inform policy development. For example, better access to retail sales data can identify preferred alcoholic beverages by population group, track the quantities of beverages purchased by time of day, and the frequency of purchases.¹¹⁷ However, the Australian National Drug Research Institute (2016) reported that published sales data is aggregated and there are no known global practices where alcohol sales data is publicly accessible at the retail level.¹¹⁸

Auckland, New Zealand

Auckland Council's alcohol reduction strategy includes recommendations for information sharing and service alignment to reduce alcohol-related crime. It provides an effective model for Canadian municipalities.

In Auckland, collaborative projects are endorsed by regional councils that direct municipal departments, industry stakeholders, and service providers to work together to gather data, conduct surveys, and perform impact assessments in informing alcohol harm-reduction policies and strategies. The program includes the ongoing collection and monitoring of data that includes property damage, noise, litter, traffic, crime, breach of liquor bans, and alcohol-related issues.

Much attention has focused on examining the influence of alcohol access and alcohol misuse on criminal behaviour. Livingston (2008) identified a strong correlation between neighbourhoods with a frequency of crime and licensed establishments with a history of infractions. Livingston's study recommended the development of a surveillance program to identify specific "hot spots" in a municipality to inform targeted police and by-law enforcement.¹¹⁹ However, a literature review of ninety quantitative studies conducted between 1950 and 2014 by Fitterer and Nelson (2015) examined alcohol-attributable crimes, and identified inaccuracies associated with an over-reliance of causation indicators (i.e., density of alcohol outlets, hours of sales, and alcohol sales volumes) and its influence on criminal behaviour.¹²⁰ The review recommended the inclusion of other indicators to better correlate alcohol misuse and criminal behaviour, including square footage of licensed establishments, seating capacities, and social media with information about potential patrons.

A recent study identified shortfalls in establishing a municipal or region-wide program of alcohol-attributable offences.¹²¹ Utilizing administrative health data, a study of Canadian surveillance programs found a need to gather information to identify locations where alcohol-related injuries and offences occur to inform targeted law enforcement and municipal by-law enforcement programs.¹²²

In Ottawa, the municipality's police and public health departments work together to collect and monitor alcohol-related offences. Offences are monitored to identify specific areas within the downtown core that have the highest density of alcohol-related offences and paramedic responses.¹²³ Consultation was undertaken with Ottawa Public Health, who noted the benefits of the city's organizational structure to facilitate public health and the police department sharing of data and collaborative work.¹²⁴

FEASIBILITY FOR ONTARIO MUNICIPALITIES

Opportunities

- Establish partnerships involving community services departments, planning, public health, and/or police to collect and monitor alcohol-related offences.

Challenges

- Access to alcohol sales data is limited, which creates challenges for municipalities to use it as a basis to inform local policy development. Alcohol sales data is available from the LCBO only (in licensed establishments and grocery stores). Sales data is unavailable from other retailers, such as the Beer Store, off-site wine retailers, etc. Sales data is also not collected by the AGCO. Statistics Canada collects data through the Control and Sale of Alcoholic Beverages program questionnaire, however information is not available at the municipal level.¹²⁵
- Public health units may face data limitations in accessing statistics from municipalities and/or police departments, particularly for jurisdictions where public health is independent from the municipality.

RECOMMENDED ACTIONS

Municipalities

- Municipalities should seek available local data. Municipalities interested in accessing data from local police departments would need to refer to municipality or public health unit's legal counsel when seeking authorization. The AGCO also provides data. Some datasets are publicly available while others are restricted.¹²⁶ This information is presented in the Appendix. Municipalities and public health units interested in obtaining access to the AGCO's restricted data will need to go through their legal department to engage with the AGCO.¹²⁷

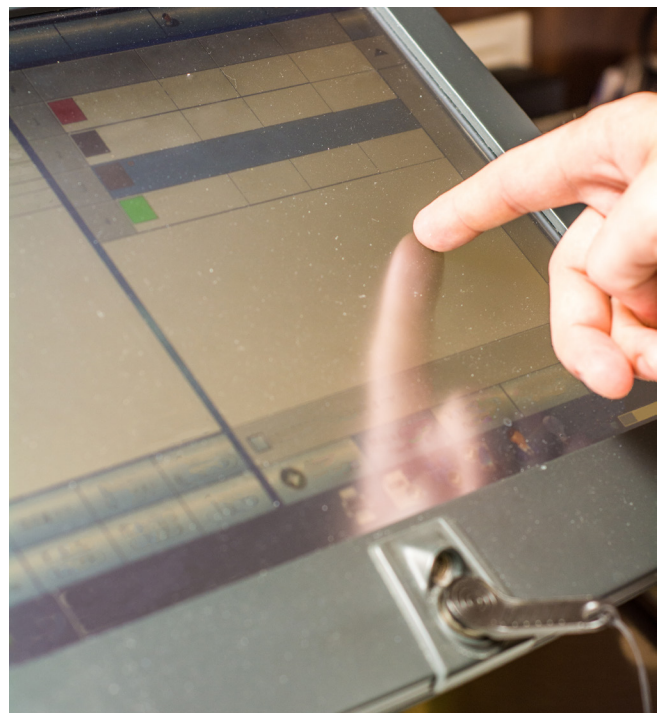
Public Health

- Share the findings of the policy review with municipalities and encourage them to adopt a policy approach to reducing alcohol risk and harm.
- Advocate to the provincial government for changes to access alcohol sales data from licensed establishments to support policy development.

ENGAGEMENT QUESTIONS FOR MUNICIPALITIES

- Does your municipality have a GIS department that undertakes mapping of land use development, socio-demographic trends, or community trends?
- Does your business license department collect (independently or through the AGCO) and monitor the location of establishments with liquor licenses?
- What data sources do you use to inform municipal approvals for liquor license applications?
- Would your municipality's business licensing department be interested in accessing data to support municipal decision making?
- Is your municipality currently engaged with other partners, such as public health or the police, in reviewing applications?

- Is your municipality currently working with public health, police, fire, or the AGCO in preventing and reducing alcohol-related harms at licensed establishments?
- What data sources would you like to obtain to support liquor license application reviews or monitor trends in alcohol-related harms?
- Does your municipality have readily available access to a local police database of licensed premises where people were drinking prior to their arrest for impaired driving?
- Is your municipality currently undertaking mapping to identify the location of alcohol retail outlets and licensed establishments?
- Are there challenges facing your municipality that make it difficult for you to collect data?
- If data can be obtained, does your municipality have the capacity to undertake analysis to inform licensing approvals or monitor trends?



APPENDIX A: METHODOLOGY

Project Scoping

Research topics were identified in consultation with the project team, which included representation by Wellington-Dufferin-Guelph Health, Durham Region Health Department, and Thunder Bay District Health Unit. The following policy areas of interest were identified as part of a project initiation meeting:

- Pricing strategies, including approaches to taxing and pricing
- Locational restrictions and limitations on outlet densities for both on premise and off-premise establishments
- Hours of sale limitations, including controls on Happy Hour
- Modifying the drinking environment, including server training, municipal license programs, crime prevention strategies, collaborative approaches, and trends in surveillance.

Review of Guidance Documents

Over the last ten years, various publications have been developed to establish the need for policies and strategies to reduce alcohol exposure and consumption. The documents were reviewed to identify research regarding alcohol-related harms and its rationale for supporting the policy areas of interest framing this project. The publications also included proposed recommendations for municipal governments and other stakeholders, which were identified and inventoried.

Review Ontario's Legislative Environment

A review was conducted of Ontario's legislative environment to understand the roles and responsibilities of municipal, provincial, and federal governments in establishing regulations addressing access to, and consumption of, alcohol. A review was

undertaken of the Ontario Municipal Act, Planning Act, Liquor Control Act, and Liquor License Act. Research was conducted online to secure and review electronic copies of the legislation from e-laws. Secondary sources were also consulted to identify peer reviewed literature and/or analysis of the various acts with respect to framing municipal jurisdiction and responsibility in influencing the policy areas of interest (i.e., pricing strategies, locational restrictions, hours of sale limitations, and modifying the drinking environment). In addition, AGCO publications were reviewed to identify further details regarding provincial acts and regulations.

Research Regarding Municipal Policies/Practices

Academic and grey literature were reviewed to identify promising municipal policies and practices across Canada, and internationally. An online search was undertaken through Google and Google Scholar to identify policies, by-laws, standards, and policies using keywords relevant to each of the policy areas of interest. Guidance documents consulted in Task B also served as a starting point to identify promising municipal practices.

Telephone interviews were conducted where relevant, to gather additional information and seek clarity, regarding provincial and municipal policies, standards, guidelines and practices. Canadian municipalities were contacted following a review and analysis of municipal policies and practices based on publicly available information found through online searches. Contacts were sought with municipalities in the following instances:

- When clarity is needed to better understand existing municipal policies, by-laws, standards, or practices secured through online research;
- To secure information addressing policies, by-laws, and standards that are referenced, or that are not publicly available.

Municipalities were approached by telephone to secure their participation in a telephone interview. Email follow up was also undertaken to secure specific interview dates and times. The following municipalities were contacted by the project consultant:

- City of Barrie
- City of Calgary
- City of Edmonton
- City of Hamilton
- City of Ottawa
- City of Surrey
- City of Toronto

Telephone interviews were conducted between February 2017 and June 2017. In some cases, interviews were undertaken to acquire access to reports or verify information provided online. In other cases, interviews asked questions of clarification regarding current policies, initiatives, or procedures. Telephone interviews with municipal staff were semi-structured and varied in length. Questions differed between interviewees and were dependent upon the specific policies, by-laws, standards or practices being undertaken by the municipality. Interviews were undertaken with:

- City of Barrie, By-Law Enforcement Officer
- City of Barrie, Municipal Clerk
- City of Hamilton, By-Law Enforcement Officer
- City of Hamilton, Liquor License Coordinator
- City of Edmonton, Zoning By-Law Officer
- Ottawa Public Health, Public Health Nurse
- Alcohol and Gaming Commission of Ontario

A teleconference meeting was arranged with the Alcohol and Gaming Commission of Ontario's Director of Corporate Affairs on May 12 along with three other AGCO representatives. Questions were sent in advance based on the findings of the literature review and based on potential challenges and barriers experienced by municipalities uncovered during the secondary source research and interviews. The following topics were discussed during the teleconference:

- Permissible alcohol beverage promotions and advertisements, including those located on public spaces, and during Happy Hour
- Delineation of responsibilities between the AGCO, municipalities, and law enforcement regarding liquor licensing approvals, enforcement, suspension, and termination
- Approvals process for grocery store licenses for alcohol sales (on floor and within kiosks)
- Current trends regarding on-premise establishments and off-premise licensed retailers in Ontario
- AGCO regulatory review of 2013 and forthcoming changes to regulations

APPENDIX B: AGCO DATA INVENTORY

Data Inventory	Description	Access Level
Licensing and Retail		
Liquor License Applications Processed	Details on application type, status, and license risk level. Data is updated weekly.	Restricted. Data may be open to the public upon removal of exempted data.
Retail Store Database	Identifies numbers and locations of on-site and off-site liquor retail stores. Data is updated daily.	Open/public.
Farmer's Market Authorization	Identifies the numbers and locations of wineries and farmers participating in VQA Wine Sales program.	Open/public.
List of Liquor Sales License Applications	Liquor sales license application where public notification is required.	Open/public.
Current active liquor sales licenses, licensed wineries, breweries, distilleries, liquor delivery services, brew-on-premise, bring your own wine	Lists of licensed establishments.	Open/public.
Inspections		
Performed Inspections Count	Weekly inspections performed in the last 53 weeks. Data is updated weekly.	Open/public.
Weekly Inspection	Detailed data on establishments that were inspected, including risk level.	Restricted. Information identifies investigation techniques.
Infractions		
Infraction Count	Count of weekly infractions in the last 53 weeks.	Open/public.
Big 5 Infraction Count	Count of weekly Big 5 infractions in the last 53 weeks.	Open/public.
Weekly Infraction	Detailed infraction data.	Restricted. Information identifies investigation techniques.
Inspection and Infraction Report	Data that identifies inspected establishments, and infractions, by geographic location.	Restricted. Information identifies investigation techniques.
Infraction Detail Report	Historical information documenting infractions by establishment.	Restricted. Confidentiality.
Law Enforcement		
Police Reports Tracking Sheet	Data on charges laid by local police and through internal AGCO workflows.	Restricted. Information may be subject to ongoing investigations.
Investigations and Enforcement Internal Tracking Sheet	List of ongoing investigations.	Restricted. Information may be subject to ongoing investigations.
OPP Last Drink Tracking Report	Documents 'last drink' establishments consumed by patrons associated with police reports.	Restricted. Information may impair enforcement operations.

Source: AGCO. Data Inventory. Available from: <https://www.agco.ca/data-inventory>.

APPENDIX C: CITY OF BARRIE LIQUOR LICENSE ONLINE APPLICATION

How to Apply for a Liquor Licence

Checklist for new Restaurants/Taverns or Restaurants not previously serving Alcohol*

*All permits and applications can and should be started at the same time. Some agencies/departments listed may take up to two weeks or longer to provide their signatures so it is suggested that you make application with them **THE SAME DAY** that the Municipal Liquor Licence Application is commissioned and circulated. This will avoid unnecessary delays in the issuance of the licence by the AGCO.

PROCESS	LOCATION	Licence/Permit Fees
<p><u>Alcohol and Gaming Commission of Ontario (AGCO) Licence</u></p> <ul style="list-style-type: none"> Apply for your Alcohol Licence with the Alcohol and Gaming Commission of Ontario (AGCO) 	<p>1-800-522-2876 www.agco.ca</p>	
<p><u>Simcoe Muskoka District Health Unit</u></p> <ul style="list-style-type: none"> Contact the Simcoe Muskoka District Health Unit and ask to have an inspection for a Liquor Licence Application. 	<p>15 Sperling Drive, Barrie 705-721-7330</p>	
<p><u>Building Permit (if applicable)</u></p> <ul style="list-style-type: none"> Apply for a building permit (if your location is a new building or renovations are being made) 	<p>City Hall, 8th Floor - Planning and Building Services, Building Division</p>	<p>Fee Depends on type of permit required</p>
<p><u>Municipal Liquor Licence Application</u></p> <ul style="list-style-type: none"> Visit Legislative and Court Services Department to pick up and fill out the Municipal Information Form (MIF- AGCO form) and City of Barrie Liquor Licence Questionnaire. The MIF Form and the questionnaire must be commissioned in the Legislative and Court Services Department, Legislative Services Division or by personal lawyer once complete. <p>Legislative and Court Services retains the original copy of the MIF and questionnaire to circulate to partners and stakeholders for a two week public comment period.</p> <ul style="list-style-type: none"> The Legislative and Court Services Department will not issue an approval letter to the AGCO unless Load Occupancy Reports have been received from the Building Services Department and the Barrie Fire and Emergency Services Department. Confirmation that a Restaurant/Tavern and/or Patio Licence Application has been completed from the Enforcement Services Branch must also be received. See below for further details. 	<p>City Hall – 1st Floor – Legislative and Court Services Office 705-739-4204</p>	<p>Commissioning Fee \$40.00 (adjusted yearly)</p>

PROCESS	LOCATION	Licence/Permit Fees
<p><u>Building Services - Inspection Branch</u></p> <ul style="list-style-type: none"> Book an appointment with the Building Services - Inspection Branch for an inspection and to have the occupancy calculations completed for your location. 	<p>City Hall, 8th Floor – Planning and Building Department/ Building Division 705-739-4212</p>	<p>Fee \$210.00 (adjusted yearly)</p>
<p><u>Barrie Fire and Emergency Services - Inspection</u></p> <ul style="list-style-type: none"> Call the Barrie Fire and Emergency Services Department and request an inspection for liquor licence approval (once the Building Services – Inspection Branch has completed its inspection). 	<p>705-739-4242, ext. 3238, or ext. 3246</p>	<p>Fee 179.30 (2017 fee - adjusted yearly)</p>
<p><u>Municipal Restaurant/Tavern and/or Outdoor Patio Licence</u></p> <ul style="list-style-type: none"> Fill out a Business Application form for a Restaurant/Tavern and/or Outdoor Patio Licence. <p>The Application Form will indicate departments or agencies that must provide signatures of approval. It is your responsibility to obtain the signatures on the paperwork.</p>		
<ul style="list-style-type: none"> Visit the Planning Services Division to obtain a signature for approval of the zoning of the restaurant location. 	<p>City Hall, 1st Floor – Planning and Building Department/Planning Division</p>	
<ul style="list-style-type: none"> Visit the Barrie Police Services and have them sign the approval form. 	<p>29 Sperling Drive, Barrie 705-725-7025</p>	
<ul style="list-style-type: none"> Visit the Simcoe Muskoka District Health Unit for a signature on approval form. 	<p>15 Sperling Drive, Barrie 705-721-7330</p>	
<p><u>Enforcement Services – Business Licence</u></p> <ul style="list-style-type: none"> Once all parties have signed the Business Licence application, or provided approvals, you can submit the licence applications to Enforcement Services and the required documents. Note: You must provide a copy of \$2,000,000 liability insurance to Enforcement Services. 	<p>Enforcement Services 45 Cedar Pointe Drive, Barrie 705-739-4241</p>	<p>Business Licence Fee \$217.00 – adjusted yearly</p>

GENERAL INFORMATION

Name of Establishment: (Registered name and Operating name, if different)	
Street Address of Establishment:	
Closest Intersection:	
Mailing Address: (If different from the location of the establishment)	
Name of Owner: (Indicate individual sole proprietor, partnership or corporation, as appropriate) If partnership or corporation, provide names and contact information for all shareholders	
Name of Applicant: (if different from owner)	
Mailing Address for Applicant:	
Applicant Business Phone/Fax Number:	
Applicant Business E-mail address:	

Purpose of the Liquor Licence Application:

_____ New establishment

_____ New owner/operator of existing establishment

Name of previous business _____

_____ Change to indoor occupant load/seating capacity (including addition or alteration to interior)

_____ Change to outdoor occupant load/seating capacity (including addition or alteration to outdoor patio)

_____ Other. Describe below

SIZE AND LOCATION

What is the size (floor area) of the establishment?	<u>CURRENT</u>	<u>PROPOSED</u>	<u>CURRENT</u>	<u>PROPOSED</u>
	<u>Indoor Area</u>	<u>Indoor Area</u>	<u>Outdoor Area</u>	<u>Outdoor Area</u>
	_____ ft ² / m ²	_____ ft ² / m ²	_____ ft ² / m ²	_____ ft ² / m ²
What is the occupant load and/or seating capacity of the establishment?	<u>CURRENT</u>	<u>PROPOSED</u>	<u>CURRENT</u>	<u>PROPOSED</u>
	<u>Indoor Area</u>	<u>Indoor Area</u>	<u>Outdoor Area</u>	<u>Outdoor Area</u>
	_____ occupant load	_____ occupant load	_____ occupant load	_____ occupant load
	_____ licensed capacity	_____ licensed capacity	_____ licensed capacity	_____ licensed capacity
	_____ seating capacity	_____ seating capacity	_____ seating capacity	_____ seating capacity

Is the entire operation enclosed? (i.e. the operation is interior space only)
 Yes _____ No _____

An accurate diagram/scaled floor plan indicating the proposed location of the licenced area(s) (ALL licenced areas including indoor and outdoor areas) is required to be attached to this form.

What is the distance to the closest other establishment(s) serving alcohol? _____ ft/ m

Please provide the operating name(s) and describe the target market of other establishments serving alcohol within a 120 m (approximately 400 ft) radius of the proposed location:

Note: If you require more space please attach additional documentation to this form.

What is the distance to the closest residential dwelling unit? _____ ft/ m

Does the subject property contain residential units?
 Yes _____ No _____

OPERATING HOURS, TARGET MARKET, NATURE OF BUSINESS

Hours of Operation of the business: Indoor Area Outdoor Area

Hours associated with alcohol sales Indoor Area Outdoor Area

What is the primary nature of the establishment? (i.e. family restaurant, fine dining, lounge/nightclub, bar/tavern, coffee house, etc)

Before 10 PM:

After 10 PM:

Describe your target market:

Describe the proposed security both internally and exterior to the establishment (i.e. total number of staff, training or experience of staff, number of security persons):

Before 10 PM:

After 10 PM:

Note: If you require more space please attach additional documentation to this form.

Are all security personnel trained and licensed? Yes _____ No _____ Describe (i.e. in-house or hired service)

Note: If you require more space please attach additional documentation to this form.

Are exterior line ups (queues) anticipated for your establishment? Yes _____ No _____

OPERATING HOURS, TARGET MARKET, NATURE OF BUSINESS (Continued)

Describe the nature of the proposed seating for the venue (i.e. dining tables, cocktail tables, stand up bar):	Indoor Area
	Outdoor Area
Describe any food preparation facilities for the venue:	Indoor Area
	Outdoor Area
Describe any other type of business to be operated from the establishment on a permanent basis, or from time to time (i.e. bakeshop, variety store, grocery store, billiard hall, take-out restaurant, adult entertainment, non-motorized refreshment vehicles, etc?):	Indoor Area
	Outdoor Area
If yes, are the businesses physically separated from the licensed area(s) so that access or exits to and from the other business are not through the licensed area(s)? Provide full details:	Indoor Area
	Outdoor Area
Describe any ancillary entertainment (i.e. video games, pool tables, etc):	Indoor Area
	Outdoor Area

OPERATING HOURS, TARGET MARKET, NATURE OF BUSINESS (Continued)

Describe any musical entertainment to be provided (i.e. dance floor, live/recorded music, amplified sound , etc)	<u>Indoor Area Only</u>
	Dance Floor
	Yes _____ No _____
	Live Music
	Yes _____ No _____
	Recorded Music
	Yes _____ No _____
	Amplified Sound
	Yes _____ No _____
	Unamplified Sound
	Yes _____ No _____
	<u>Outdoor Area Only</u>
	Dance Floor
	Yes _____ No _____
Live Music	
Yes _____ No _____	
Recorded Music	
Yes _____ No _____	
Amplified Sound	
Yes _____ No _____	
Unamplified Sound	
Yes _____ No _____	

OWNERSHIP/MANAGEMENT INFORMATION

Describe the owner or operator’s performance record including any by-law violations, building, health, fire code deficiencies noted on an inspection report, and any pending charges or convictions or liquor licence offences within the last 3 years:

Has a principal officer of the business or a manager of the business been charged with or convicted of a liquor licence related offence? Yes _____ No _____ If yes, provide details of any pending charge or conviction

Do any of the principal officer(s) or managers of the business have a criminal record? Yes _____ No _____ If yes, provide a copy of the criminal records check

Is there a pending charge or conviction against the business related to a liquor related offence? Yes _____ No _____ If yes, provide details

List the names and addresses of any other licensed establishments in Canada owned or operated by the same operator or owner:

Note: If you require more space please attach additional documentation to this form.

I _____ (name of applicant/owner), hereby certify that the information provided pursuant to this liquor licence application questionnaire is true, accurate and complete to the best of my knowledge and ability. I understand and acknowledge that if the information with respect to the establishment changes materially, I am responsible for completing and submitting an updated questionnaire. I further understand and acknowledge that the submission of an incomplete questionnaire or the inclusion of false statements is deemed to be a breach of any business licence issued by the City and may be grounds for such licence to be revoked.

Signature of Applicant

Sworn (Affirmed) before me at The City of Barrie,
in the Province of Ontario on the _____ day

_____, 20 ____.

A Commissioner, etc.

NOTE: This is a sworn (affirmed) affidavit of the deponent only. No investigation has been conducted by this authority to confirm or verify the above sworn information.

The CRIMINAL CODE OF CANADA provides that: everyone commits perjury who, with intent to mislead, makes before a person who is authorized by law to permit it to be made before him a false statement under oath or solemn affirmation by affidavit, solemn declaration or deposition or orally, knowing that the statement is false, is guilty of an indictable offence and liable to a term of imprisonment not exceeding fourteen years (Section 131, 132), or by summary conviction (Section 134).

Personal information on this form is collected to determine any concerns with zoning, non-compliance with any by-laws or general objections to the application by City Council, the municipality, residents, and/or organizations within the municipality. The document and any associated submissions will be made available on the City's website and distributed to various stakeholder organizations and resident associations as well as the Alcohol and Gaming Commission of Ontario. This document is a public record, despite anything in the *Municipal Freedom of Information and Protection of Privacy Act (1990)*, and, until its destruction, may be inspected by any person at the City Clerk's Office at a time when the office is open. Questions about this collection can be directed to the City Clerk, 70 Collier Street, Barrie, Ontario L4M 4T5 (705) 739-4220 Ext 4421.

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Dufferin Aggregates
2300 Steeles Ave W, 4th Floor
Concord, ON L4K 5X6
Canada

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JUL 12 2019

Township of Puslinch

July 11, 2019

Seana Richardson
Aggregates Technical Specialist
Ministry of Natural Resources and Forestry
Guelph District
1 Stone Road West
Guelph, Ontario
N1G 4Y2

Attention: Ms. Richardson

**Re: Monthly Monitoring Report
Mill Creek Pit, License #5738
Township of Puslinch, Wellington County**

Please find enclosed the required monitoring data for the month of June 2019. There are no exceedances to report for June for those monitoring wells that could be measured.

If you have any questions, please do not hesitate to call.

Sincerely,

A handwritten signature in black ink, appearing to read "Ron Van Ooteghem".

Ron Van Ooteghem
Site Manager
C.c.

Karen Landry (Township of Puslinch)
Sonja Strynatka (GRCA)
Maria Topalovic (Dufferin Aggregates)
University of Guelph

Monthly Reporting
Mill Creek Aggregates Pit
June 2019

Date	DP21 (mASL)	Threshold Value (mASL)	Exceedance
6-Jun-19	306.01	305.60	NO
12-Jun-19	306.00	305.60	NO
19-Jun-19	305.96	305.60	NO
28-Jun-19	305.93	305.60	NO

Date	BH13 (mASL)	DP21 (mASL)	Head Difference (m)	Threshold Value (m)	Exceedance
6-Jun-19	306.47	306.01	0.46	0.11	NO
12-Jun-19	306.44	306.00	0.44	0.11	NO
19-Jun-19	306.39	305.96	0.43	0.11	NO
28-Jun-19	306.40	305.93	0.47	0.11	NO

Date	DP17 (mASL)	Threshold Value (mASL)	Exceedance
6-Jun-19	305.40	305.17	NO
12-Jun-19	305.38	305.17	NO
19-Jun-19	305.34	305.17	NO
28-Jun-19	305.31	305.17	NO

Date	BH92-12 (mASL)	DP17 (mASL)	Head Difference (m)	Threshold Value (m)	Exceedance
6-Jun-19	305.69	305.40	0.29	0.14	NO
12-Jun-19	305.61	305.38	0.23	0.14	NO
19-Jun-19	305.62	305.34	0.28	0.14	NO
28-Jun-19	305.62	305.31	0.31	0.14	NO

Date	DP3 (mASL)	Threshold Value (mASL)	Exceedance
6-Jun-19	305.03	304.54	NO
12-Jun-19	305.03	304.54	NO
19-Jun-19	304.89	304.54	NO
28-Jun-19	304.89	304.54	NO

Date	DP6 (mASL)	DP3 (mASL)	Head Difference (m)	Threshold Value (m)	Exceedance
6-Jun-19	306.13	305.03	1.10	0.73	NO
12-Jun-19	306.04	305.03	1.01	0.73	NO
19-Jun-19	306.06	304.89	1.17	0.73	NO
28-Jun-19	306.06	304.89	1.17	0.73	NO

Date	DP2 (mASL)	Threshold Value (mASL)	Exceedance
6-Jun-19	304.26	303.69	NO
12-Jun-19	304.22	303.69	NO
19-Jun-19	304.10	303.69	NO
28-Jun-19	304.23	303.69	NO

Date	BH92-27 (mASL)	DP2 (mASL)	Head Difference (m)	Threshold Value (m)	Exceedance
6-Jun-19	304.88	304.26	0.62	0.34	NO
12-Jun-19	304.84	304.22	0.62	0.34	NO
19-Jun-19	304.83	304.10	0.73	0.34	NO
28-Jun-19	304.83	304.23	0.60	0.34	NO

Date	DP1 (mASL)	Threshold Value (mASL)	Exceedance
6-Jun-19	304.37	303.97	NO
12-Jun-19	304.34	303.97	NO
19-Jun-19	304.31	303.97	NO
28-Jun-19	304.30	303.97	NO

Date	BH92-29 (mASL)	DP1 (mASL)	Head Difference (m)	Threshold Value (m)	Exceedance
6-Jun-19	304.97	304.37	0.64	0.17	NO
12-Jun-19	304.99	304.34	0.64	0.17	NO
19-Jun-19	304.96	304.31	0.68	0.17	NO
28-Jun-19	305.02	304.30	0.52	0.17	NO

Date	DP5CR (mASL)	Threshold Value (mASL)	Exceedance
6-Jun-19	303.41	302.86	NO
12-Jun-19	303.34	302.86	NO
19-Jun-19	303.37	302.86	NO
28-Jun-19	303.33	302.86	NO

Date	OW5-84 (mASL)	DP5CR (mASL)	Head Difference (m)	Threshold Value (m)	Exceedance
6-Jun-19	303.74	303.41	0.33	0.30	NO
12-Jun-19	303.67	303.34	0.33	0.30	NO
19-Jun-19	303.67	303.37	0.30	0.30	NO
28-Jun-19	303.66	303.33	0.33	0.30	NO

Note: No exceedances to report.

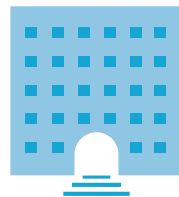
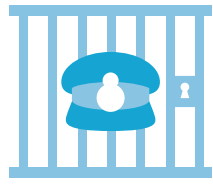
Monthly Reporting
 Mill Creek Aggregates Pit
 June 2019

		<i>Max. Allowable as per PTTW- Main Pond</i>			<i>Max. Allowable as per PTTW- Silt Pond</i>							
		(Imperial Gallons)		(Litres)	(Imperial Gallons)		(Litres)					
Total Monthly Precipitation (mm):		53.2	Kitchener/Waterloo (November Actual)	2,500	per minute	11,365						
Total Monthly Normal Precipitation (mm):		82.4	Waterloo-Wellington A (30-year Normal)	1,800,000	per day	8,183,000						
		3,739,477			per day	17,000,000						
Date	Below Water Table Extraction Phase 2	Below Water Table Extraction Phase 1	Water Pumped from Main Pond (gals)	Water Pumped from Active Silt Pond (gals)	Main Pond Level (mASL)	Exceedance Y/N (BELOW 305.5 mASL)	Phase 2 Pond Level (mASL)	Exceedance Y/N (BELOW 305.0 mASL)	Phase 3 Pond Level (mASL)	Exceedance Y/N (BELOW 303.85 mASL)	Phase 4 Pond Level (mASL)	Exceedance Y/N (BELOW 304.5 mASL)
1-Jun-19	0	0	-	-	-		-		-		-	
2-Jun-19	0	0	-	-	-		-		-		-	
3-Jun-19	0	5,500	1,697,063	1,819,146	306.84	N	306.42	N	305.09	N	306.41	N
4-Jun-19	0	5,500	1,668,467	1,864,899	306.87	N	306.42	N	305.08	N	306.38	N
5-Jun-19	0	5,750	1,422,761	2,705,622	306.87	N	306.42	N	305.08	N	306.40	N
6-Jun-19	0	5,750	1,683,425	1,337,413	306.88	N	306.43	N	305.09	N	306.39	N
7-Jun-19	0	4,500	1,682,545	2,707,821	306.86	N	306.43	N	305.09	N	306.37	N
8-Jun-19	0	0	-	-	-		-		-		-	
9-Jun-19	0	0	-	-	-		-		-		-	
10-Jun-19	0	5,750	1,682,545	2,467,835	306.83	N	306.41	N	305.10	N	306.41	N
11-Jun-19	0	5,250	1,464,775	2,334,754	306.85	N	306.42	N	305.07	N	306.38	N
12-Jun-19	0	5,750	1,664,507	1,748,316	306.85	N	306.42	N	305.06	N	306.37	N
13-Jun-19	0	5,750	1,461,036	1,896,135	306.84	N	306.42	N	305.10	N	306.38	N
14-Jun-19	0	3,250	1,687,164	1,838,503	306.86	N	306.43	N	305.09	N	306.38	N
15-Jun-19	0	0	-	-	-		-		-		-	
16-Jun-19	0	0	-	-	-		-		-		-	
17-Jun-19	0	3,450	1,688,044	-	306.85	N	306.42	N	305.07	N	306.40	N
18-Jun-19	0	3,450	1,461,256	2,351,031	306.86	N	306.41	N	305.06	N	306.45	N
19-Jun-19	0	3,450	1,618,754	2,068,151	306.84	N	306.42	N	305.06	N	306.43	N
20-Jun-19	0	3,450	1,660,548	3,728,039	306.84	N	306.42	N	305.06	N	306.41	N
21-Jun-19	0	1,800	1,674,846	-	306.89	N	306.43	N	305.06	N	306.36	N
22-Jun-19	0	0	-	-	-		-		-		-	
23-Jun-19	0	0	-	-	-		-		-		-	
24-Jun-19	0	3,450	1,226,109	2,034,056	306.85	N	306.41	N	305.06	N	306.45	N
25-Jun-19	0	3,450	1,666,047	-	306.86	N	306.43	N	305.07	N	306.43	N
26-Jun-19	0	1,800	1,612,375	2,505,890	306.85	N	306.43	N	305.07	N	306.50	N
27-Jun-19	0	0	1,662,308	1,472,694	306.86	N	306.43	N	305.07	N	306.46	N
28-Jun-19	0	2,250	1,637,671	-	306.84	N	306.42	N	305.07	N	306.46	N
29-Jun-19	0	0	-	-	-		-		-		-	
30-Jun-19	0	0	-	-	-		-		-		-	
Total	-	79,300	32,022,243	34,880,304	-	-	-	-	-	-	-	-

Note: No exceedances to report.

2018 | 2019

Annual Report








► **On the cover:**

The icons represent the many areas of the public sector where we helped Ontarians in 2018-2019 (Social Services, Law & Order, Education, Municipalities, etc.), and the two new areas added to our jurisdiction as we “turn the page” into 2019-2020: Children & Youth, and French Language Services.

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 OntarioOmbudsman



June 2019

Hon. Ted Arnott, Speaker
Legislative Assembly
Province of Ontario
Queen's Park

Dear Mr. Speaker,

I am pleased to submit my Annual Report for the period of April 1, 2018 to March 31, 2019, pursuant to section 11 of the *Ombudsman Act*, so that you may table it before the Legislative Assembly.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Paul Dubé', is written over a light blue circular background.

Paul Dubé,
Ombudsman

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Ombudsman's message



June 27, 2018: Ombudsman Paul Dubé at a news conference at Queen's Park.

A defining moment

In many ways, this past year has been a defining one for the Office of the Ombudsman of Ontario. Without question, fiscal 2018-2019 was one of the busiest years in this Office's 44-year history in terms of complaints handled – **27,419**, representing an increase of almost 30% over the previous year. It was also historic in terms of our mandate, which was expanded by government for the second time in four years.

When I began my term as Ombudsman in 2016, our jurisdiction had just been effectively doubled, as municipalities, universities and school boards were added to the more than 500 provincial bodies already within our mandate. The past three years have involved intensive work to build relationships with new

stakeholders and bolster our staff and their expertise in these new areas – all while continuing our core work of overseeing provincial administration.

Then, in November 2018, we learned that the scope of our mandate would grow again, under new legislation transferring the responsibilities of the French Language Services Commissioner to our Office, as well as the investigative function of the Provincial Advocate for Children and Youth.

Although these changes presented us with the opportunity and duty to help more Ontarians than ever before, the blending of these two other organizations into ours presented significant challenges – even for an office experienced in navigating bureaucracy.

Along with the numerous logistical matters involved in co-ordinating three different bargaining units at several

separate locations, this required closely reviewing all three offices' legislated mandates and organizational structure, and proposing a new budget to the Legislative Assembly to ensure we had adequate funds to carry out our added responsibilities in the most effective and efficient way possible.

As fiscal 2019-2020 began and we prepared for the transition to take effect on May 1, we had established a framework to ensure that service to the public would continue uninterrupted, with work on ongoing cases, investigations and issues continuing under two new units within our Office. Our revised organizational structure (included in this report and posted in detail online) illustrates how our new dedicated units for French Language Services and Children and Youth will operate, utilizing the expertise of investigators and other specialists from those former offices.

Opportunities in change

All of this, of course, played out against the backdrop of much broader changes across Ontario, thanks to the millions of voters in the provincial and municipal elections in 2018 who elected hundreds of new representatives at the local level – and changed the provincial party in power for the first time in 15 years.

Understandably, political change and the administrative changes that go with it tend to make offices like ours busier, as the public and government officials alike seek answers about everything from good governance practices to the execution of political decisions.

Times like this provide us with a literal defining moment: An opportunity to demonstrate what an ombudsman can – and, sometimes, cannot – do in responding to public concerns. We often have to explain that an ombudsman oversees the administrative branch of government, not the executive branch. Simply put, our role is not to police politicians, or to intervene in or overturn political decisions at any level. Where we can often provide valuable assistance is in ensuring that the execution of those decisions, through the delivery of government services, is fair.

This report is full of examples of the myriad ways that our staff do just that. They responded to hundreds of complaints about the implementation of the new government's changes to the Ontario Autism Program and the Electric and Hydrogen Vehicle Incentive Program – both matters we continue

to monitor. They worked collaboratively with the Ontario Cannabis Store as it struggled in the first weeks after the federal government legalized recreational cannabis. (The OCS was our single most complained about agency in 2018-2019, with **2,411** cases. Not only were we able to resolve the bulk of these quickly, we helped the OCS and partners like Canada Post address serious service gaps.)

A little-known aspect of what we do is our proactive work, aiming to resolve issues informally and quickly wherever possible, flagging problems to organizations and suggesting ways they can address them before they fester and grow, and suggesting best practices to help them deal with complaints internally.

When we do investigate, we follow up on recommendations that have been accepted, and monitor the effects of changes – often for years. For example, this year, 14 years after a systemic investigation that revealed desperate parents of children with severe special needs were being forced to surrender their custody to children's aid societies in order to get them the care they needed, we continued to hear of similar situations. Because of our long experience with this issue, we were able to connect these families with the right officials to get them the help they needed.

Telling stories, recognizing rights

Stories like this are the best way for us to define our Office's unique role and demonstrate our value. The Swedish word

"ombudsman" is translated different ways in different contexts around the world - sometimes as "citizen's representative," but also "people's defender," or (in Quebec and elsewhere), "citizen's protector."

To me, the most fitting description is that the Ombudsman does work and gets results that neither elected officials nor the courts can provide (for the original, more eloquent version, see the 1984 quote from Supreme Court of Canada Justice Brian Dickson, on page 11).

This definition illustrates the breadth of a role that deals with everything from complex procedural questions to urgent human rights matters. Indeed, as we now prepare to spread awareness of our new responsibilities relating to child protection and the promotion of French linguistic rights, the stories in this report serve as reminders of the profound human impact our work can have.

Just a few examples:

- I and several staff members visited correctional facilities across the province, where we sometimes observed unacceptable housing conditions; our staff also assisted many transgender and Indigenous inmates in ensuring their specific rights were accommodated.
- We revealed the violation of a journalist's rights during a chaotic municipal council meeting, and recommended ways the municipality could ensure such a mistake never recurs.

- We continue to monitor the province's efforts to reduce the inhumane practice of solitary confinement – particularly of inmates with mental illness – and to improve police training for de-escalating conflict situations involving people in crisis.

Within our Office, I made it a priority this year to assess the relationship between provincial institutions and Indigenous peoples, determine what role the Ombudsman can play in reconciliation and the improvement of services, and obtain training for our team that would let us approach these issues in an informed manner. We are already seeing the benefits of this training, as we put what we have learned into practice in our outreach discussions and assessment of complaints from Indigenous people. We are committed to continuing this journey of learning and relationship-building.

Looking ahead

Speaking of relationship-building, we have already taken steps to ensure that we are involved with the new communities and interested parties we are now serving as a result of our expanded mandate. This includes hosting the annual conference of the International Association of Language Commissioners (IALC) – an invaluable opportunity to discuss the promotion of minority language rights with experts from around the world – and attending the annual meeting of the Canadian Council of Child and Youth Advocates (CCCYA).

The Office of the Ontario Ombudsman is known around the world for the calibre and impact of its work. One of the factors that enhances our ability to

serve Ontario effectively is the contact we have with other ombudsman offices across the country and around the globe. The exchange of information, best practices, and strategies for enhancing governance through organizations like the Forum of Canadian Ombudsman and the International Ombudsman Institute make us more effective in driving changes that benefit Ontarians. We look forward to reaping similar benefits from, and making similar contributions to, the IALC and CCCYA.

I know I have recognized the professionalism and dedication of my team in the past, but over the past year they have amazed me with their resilience and devotion to serving the people and institutions of Ontario. This is the most intelligent and committed group of people with whom I have ever had the privilege to work. I am truly blessed and grateful – and hopeful that those from the former Child Advocate and French Language Services offices who have joined their expertise and passion with ours will share that sentiment. They will make us a stronger organization and significantly increase the value we can add in improving governance in Ontario.

Finally, I must acknowledge the tremendous work done by the two former Officers of the Legislature who built up the organizations we are now fusing, François Boileau and Irwin Elman. Their leadership defined the offices of the French Language Services Commissioner and the Provincial Advocate for Children and Youth, and led to strong relationships with the communities they service. We are committed to building on their success.

“Having good people like [your staff member] at the other end of the line when you're struggling to fight for your basic human rights is incredibly helpful and appreciated. I think it's important to recognize good work. Today [your staff member] had a huge impact on me and made me feel heard and respected, and for this I'm extremely thankful. ... Please pass on my compliments to her and the rest of your staff for all the amazing work that they do.”

– Message to Ombudsman
from complainant



2018-2019 at a glance



1. August 20, 2018: The Ombudsman and staff at the annual conference of the Association of Municipalities of Ontario, Ottawa. **2.** July 18, 2018: Ombudsman Paul Dubé speaks to local media about his report on an investigation in Niagara Region. **3.** September 18, 2018: Members of the Ontario Legislature Internship Programme visit our Office. **4.** November 5, 2018: Participants at our annual training course for ombudsmen and administrative watchdogs, “Sharpening Your Teeth,” Toronto. **5.** November 5, 2018: Former federal Correctional Investigator Howard Sapers speaks to “Sharpening Your Teeth” participants, Toronto. **6.** October 9, 2018: Ombudsman Paul Dubé, Montreal Ombudsman Johanne Savard, and Toronto Ombudsman Susan Opler with New South Wales Ombudsman trainer Don Sword, at training session hosted by our Office, Toronto. **7.** March 19, 2019: Ombudsman counsel Lauren Chee-Hing at University of Toronto law career day. **8.** March 26, 2019: Deputy Ombudsman Barbara Finlay with the Deputy Military Ombudsman of South Africa, at our Office. **9.** April 17, 2019: General Counsel Laura Pettigrew gives pointers on report writing at the biennial Forum of Canadian Ombudsman conference, Toronto.



10. March 8, 2019: Ombudsman staff commemorate International Women's Day. **11.** September 30, 2018: Our Office's Run for the Cure team, the Ombudsman Watchdogs, at Queen's Park. **12.** October 23, 2018: Ombudsman Paul Dubé with Northern Ireland Public Services Ombudsman Marie Anderson, who invited him to speak on "own motion" investigations, Belfast. **13.** February 27, 2019: Deputy Ombudsman Barbara Finlay speaks at the Forum of Canadian Ombudsman "Essentials for Ombuds" training course, Toronto. **14.** April 18, 2019: Ombudsman Paul Dubé meets with Carol Jolin, president of the Assemblée de la francophonie de l'Ontario, at our Office. **15.** June 13, 2018: Ombudsman Paul Dubé and his counterparts from across Canada at the annual meeting of the Canadian Conference of Parliamentary Ombudsman. **16.** March 19, 2019: Ombudsman staff at our booth at the "Seniors Information and Active Living Fair," Mississauga. **17.** April 1, 2019: Ombudsman Paul Dubé speaks to MPPs' staff at Queen's Park. **18.** September 19, 2018: Ombudsman Paul Dubé speaks at a Centre for Addiction and Mental Health event, Toronto.

About our Office

What is an Ombudsman?

An ombudsman is an independent and impartial officer who raises citizens' concerns with government bodies. The first parliamentary ombudsman was established in Sweden in 1809; the word ombudsman is Swedish for "citizen's representative" and is considered to be gender-neutral.

As an office of last resort, an ombudsman typically intervenes when issues cannot be resolved within the government body. The ombudsman acts impartially, not on behalf of either party.

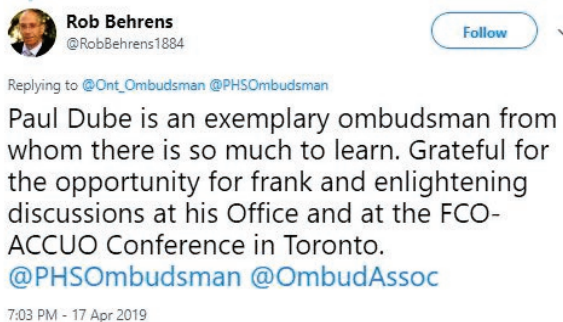
If a complaint has merit, the ombudsman will first seek to resolve the dispute at the lowest level possible, but will conduct an investigation when necessary. Ombudsman findings and recommendations are based on an impartial assessment of the facts and evidence.

The **Ontario Ombudsman** promotes fairness, accountability and transparency in the public sector by resolving and investigating public complaints and systemic issues within his jurisdiction. The function of the Ombudsman is to investigate decisions made, or actions taken, in the administration of a public sector body.

Our Office was established in 1975 under the *Ombudsman Act*. Per the *Ombudsman Act*, complaints to our Office are confidential and investigations are conducted in private. Our services are free of charge.

The Ombudsman is the International Ombudsman Institute's Regional President for North America, and a member of

the Association des ombudsmans et médiateurs de la francophonie (international francophone ombudsman association), the Forum of Canadian Ombudsman, the United States Ombudsman Association, the International Association of Language Commissioners and the Canadian Council of Child and Youth Advocates.



“

The traditional controls over the implementation and administration of governmental policies and programs – namely, the legislature, the executive and the courts – are neither completely suited nor entirely capable of providing the supervision a burgeoning bureaucracy demands...

“The Ombudsman represents society’s response to these problems ... His unique characteristics render him capable of addressing many of the concerns left untouched by the traditional bureaucratic control devices.

“He is impartial. His services are free, and available to all.

“Because he often operates informally, his investigations do not impede the normal processes of government.

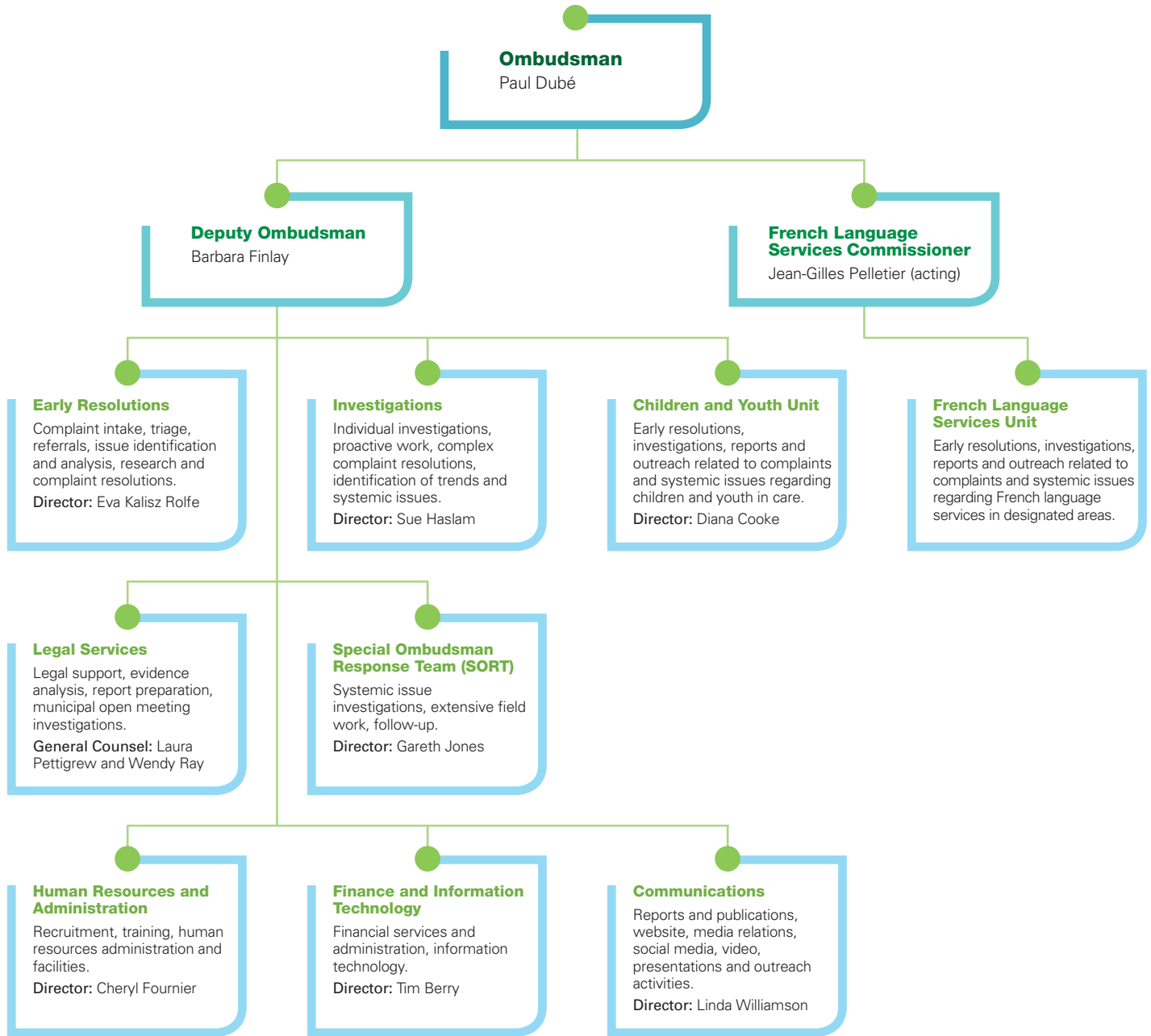
“Most importantly, his powers of investigation can bring to light cases of bureaucratic maladministration that would otherwise pass unnoticed... On the other hand, he may find the complaint groundless, not a rare occurrence, in which event his impartial and independent report, absolving the public authority, may well serve to enhance the morale and restore the self-confidence of the public employees impugned.

“In short, the powers granted to the Ombudsman allow him to address administrative problems that the courts, the legislature and the executive cannot effectively resolve.”

– Justice Brian Dickson, *Supreme Court of Canada, B.C. Development Corp. v. Friedmann, 1984*

Who we are

As of May 1, 2019, our Office has added two new teams to our organizational structure, reflecting our new oversight of children and youth in care, and French language services.



Values, Mission and Vision

Our values

- Fair treatment
- Accountable administration
- Independence, impartiality
- Results: Achieving real change



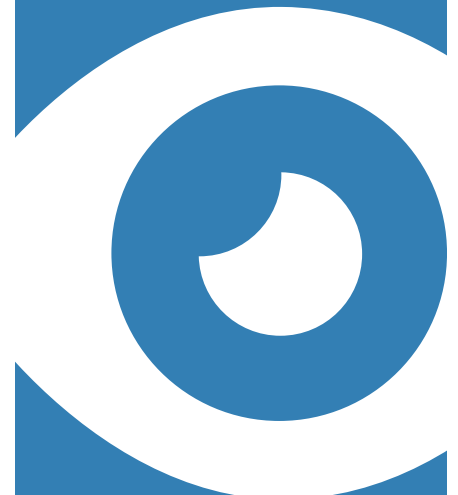
Our mission

We strive to be an agent of positive change by enhancing fairness, accountability and transparency in the public sector and promoting respect for French language service rights as well as the rights of children and youth.



Our vision

A public sector that serves citizens in a way that is fair, accountable, transparent and respectful of their rights.



What we do

We receive tens of thousands of complaints about public sector bodies, most of which we are able to resolve without need for a formal investigation.

The Ombudsman is an office of last resort. If you have not already tried to resolve your issue with existing mechanisms, we will generally refer you to the appropriate officials. If you have tried other avenues and were not satisfied, we can review those processes.

The Ombudsman can decide to conduct a formal investigation if he determines it is warranted, and it is within his jurisdiction. However, some organizations are outside of our jurisdiction, and some complaints raise issues that are not part of the Ombudsman's role.



“You helped me when no one else could! You are my hero.”

– Message to Ombudsman staff member from complainant

We can:

- Help you connect with the appropriate officials, if you have not already tried to resolve your complaint.
- Navigate the bureaucracy to find a resolution, if your efforts to do so have failed, and the matter is within our jurisdiction.
- Refer you to others who can help, if the matter is not within our jurisdiction.
- Attempt to resolve your problem through communication with the organization(s) involved, if the matter is within our jurisdiction.
- Determine whether or not the organization's actions or processes were fair.
- Flag trends in complaints to government officials and recommend best practices and/or ways to improve administrative fairness.
- Assist public sector officials with general questions about our processes or best practices.
- Conduct a formal investigation, if the Ombudsman determines it is warranted.

We cannot:

- Overturn decisions of elected officials or set public policy.
- Redo the work of other investigative bodies or accountability mechanisms.
- Take complaints about:
 - private companies or individuals
 - judges or court decisions
 - provincial politicians
 - deliberations of provincial cabinet or its committees
 - municipal police or police services boards
 - self-regulating professions (e.g., lawyers, doctors, nurses, teachers)
 - the federal government
 - university student associations
- Investigate complaints within the jurisdiction of other watchdogs, e.g., the Ontario Patient Ombudsman, Ombudsman Toronto

How we work



COMPLAINT INTAKE

We take complaints via the complaint form on our website, by email, phone or letter, or in person. Our staff will contact you for more details if necessary. We will not divulge your name or information to anyone without your consent, and there is no charge for our services.



QUESTIONS

Not a complaint? No problem – we also handle inquiries. Our staff can answer general questions or point you in the right direction.



EARLY RESOLUTION

We always seek to resolve complaints at the lowest level possible. To do so, we often make informal inquiries and requests for information with the relevant bodies, for example, to learn more about their processes and policies.



REFERRALS

If your complaint is not within the Ombudsman's jurisdiction, we will refer it accordingly. If you haven't tried existing complaint mechanisms, we'll suggest you do that first – and return to us if the issue isn't resolved.



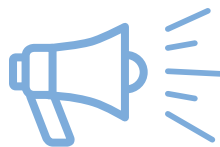
INVESTIGATION

If we are unable to resolve the matter informally, the Ombudsman may decide to conduct an investigation. We notify the organization in question, and we may conduct interviews and request documents or other relevant evidence. If the Ombudsman determines that there is a potential systemic issue underlying the complaints, he may decide to launch a systemic investigation.



RESULTS

We communicate the outcome of individual investigations and most reviews and informal resolutions to complainants and the relevant public sector bodies, as warranted. Summaries of many such cases are published in our Annual Reports and other communications. When the Ombudsman's recommendations are accepted, our staff follow up to ensure they are implemented, and we monitor to ensure problems don't recur.



FINDINGS AND REPORTS

The Ombudsman provides his findings to the organization in question for a response before they are finalized. His findings and recommendations are published in special reports and/or in our Annual Reports, and shared publicly on our website, via social media, news media and our e-newsletter. Copies are also available from our Office.

About this report

In the period covered by this report – **April 1, 2018 to March 31, 2019** – the Ombudsman’s jurisdiction consisted of more than **1,000** public sector bodies, comprising more than **500** Ontario government ministries, programs, agencies, boards, commissions, corporations and tribunals, as well as **444** municipalities, **72** school boards and **10** school authorities, and **21** universities.

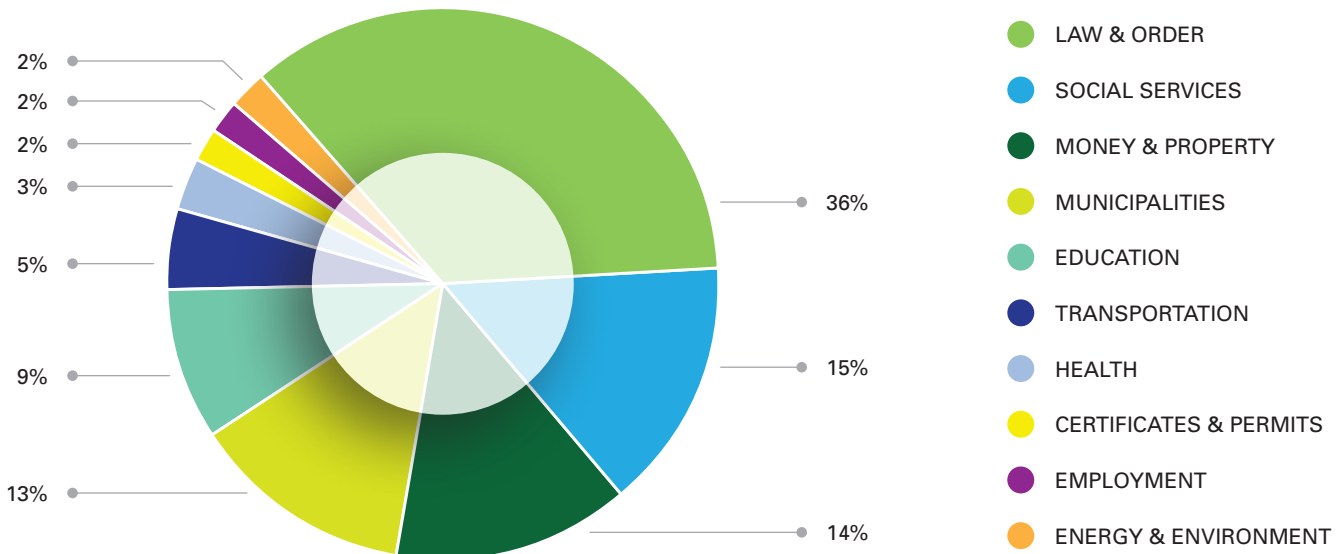
This report is organized by topic area, rather than by government ministry or agency, arranged by case volume, as shown in the accompanying chart: For example, the first two categories are **Law & Order** and **Social Services**, because they generated the highest number of cases. Each topic chapter discusses the main complaint trends and significant cases of the past year.

A breakdown of complaints by ministry, program, municipality, etc. can be found in the **Appendix**.



Watch for “Good to know” boxes throughout this report for explanatory notes.

CASES BY SUBJECT



CASES BY TYPE



Within each topic area, the most common complaint – by far – is service delivery. Here are the 10 most common types of complaints we receive.

- 1** Service delivery
- 2** Administrative decisions
- 3** Delays
- 4** Legislation and/or regulations
- 5** Communication
- 6** Enforcement of rules or policies
- 7** Broader public policy matters
- 8** Procedures
- 9** Internal complaint processes
- 10** Funding

“I am so impressed by your instant response time and your ability to handle such vitally important issues for the common person. I have personally greatly benefited from your assistance and sincerely thank you for your efforts.”

– Message to Ombudsman staff
from complainant

2018-2019 Highlights



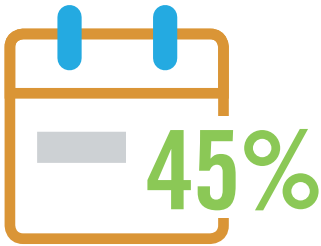
27,419

Total cases received

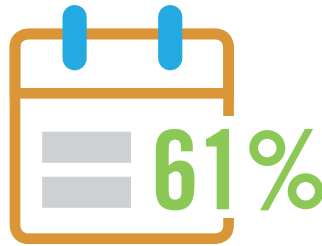


30%

increase over
last year



closed within
one week



closed within
two weeks

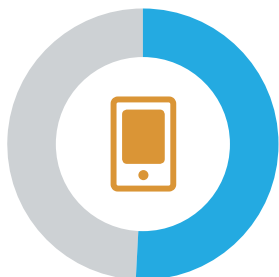
OUTREACH WITH STAKEHOLDERS



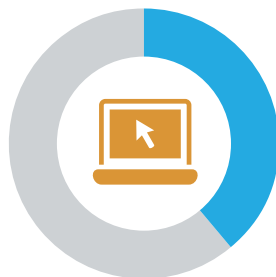
Training and consultation
with representatives from **5** provinces
and



211 stakeholder questions and
consultation requests answered



51% received
by phone



39% received
online

TOP 5 COMPLAINT TOPICS (CASES RECEIVED)



5,711
Correctional facilities



3,002
Municipalities



2,411
Ontario Cannabis Store



873
School boards



781
Family Responsibility Office

COMMUNICATIONS

147,412
website visitors
from **183**
countries



628,388
website pageviews



f **450,035**
people
Facebook reach

t **1,776,260**
Twitter impressions

YouTube **5,611**
YouTube views



1,244
news articles published
in fiscal 2017-2018



798
broadcast media stories

REPORTS ON INVESTIGATIONS

- ▶ *Suspended State* – released September 2018
- ▶ *Press Pause* – released July 2018



22 open meeting
investigation
reports and letters

52 general investigation
recommendations
accepted

Year in review • Cases by topic



Overview

This category, comprising matters relating to policing and correctional services across the province, as well as other organizations related to justice and law enforcement, has traditionally generated the highest volume of complaints to the Ombudsman.

Our work in this area has led to improvements affecting the rights of vulnerable people and their access to justice, from police officers living with operational stress injuries, to transgender and Indigenous inmates in provincial jails. The Ombudsman continues to prioritize these issues. We have also focused on issues related to mental illness, including improving police de-escalation training for dealing with people in crisis, and restricting the solitary confinement of inmates.

We received a total of **6,091** complaints related to the Ministry of Community Safety and Correctional Services and its programs in fiscal 2018-2019 (which changed its name to Ministry of the Solicitor General on April 4, 2019). We also received **1,073** complaints about the Ministry of the Attorney General and its programs, including the newly created cluster of administrative tribunals, Tribunals Ontario.

Trends in cases – policing

The Ombudsman’s systemic investigations and submissions on legislative changes have contributed to major recent changes in this area. In

March 2019, the government passed the *Comprehensive Ontario Police Services Act, 2019*, incorporating several longstanding recommendations by our Office.

Similar to legislation passed in March 2018 by the previous government but never brought into force, the new law aims to modernize and strengthen police oversight, consistent with Ombudsman recommendations dating back more than a decade, and recommendations by Justice Michael Tulloch’s independent review in 2017.

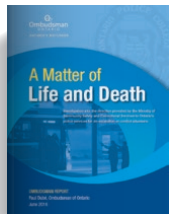
When it is in force, the Ombudsman will oversee not just the Special Investigations Unit (already within our jurisdiction, it investigates incidents where police are involved in serious injuries or deaths), but also the new Law Enforcement Complaints Authority, which will replace the Office of the Independent Police Review Director (OIPRD – currently outside our jurisdiction).

We received **11** complaints about the Special Investigations Unit in 2018-2019, and **52** about the OIPRD; the latter were referred accordingly.

The Ombudsman continues to have no oversight of municipal police services or police service boards, and our oversight of the Ontario Provincial Police is limited to its administrative functions. We received **358** complaints about municipal police services in 2018-2019, which we referred to other mechanisms where appropriate. We also continued to monitor issues related to the Ombudsman’s previous systemic investigations regarding police de-escalation training and operational stress injuries (see updates under **Investigations – policing**).

Investigations – policing

Police de-escalation training



Report: *A Matter of Life and Death*, released June 2016

Investigation update: Three years after the Ombudsman released this report

and the Ministry accepted all 22 of his recommendations to improve police de-escalation training across the province, some progress has been made, but other key areas remain to be addressed.

The Ombudsman’s report called for the establishment of a new use-of-force model and a new regulation requiring officers in conflict situations to employ de-escalation techniques before using force, where safety considerations allow. In March 2019, the government passed the *Comprehensive Ontario Police Services Act, 2019*, which – similar to legislation passed by the previous government a year earlier that was never proclaimed – requires that no one can be a police officer without completing training in “techniques to de-escalate conflict situations and any other matters prescribed by the Minister.”

The Ministry advised us in April 2018 that a review of the Ontario Police College’s de-escalation training curriculum would be completed by summer; it still has not been finalized. Ministry officials also continue to research the use of body-worn cameras, and will report back to our Office on their progress on all outstanding recommendations.

Operational stress injury and suicide affecting Ontario Provincial Police



Report: *In the Line of Duty*, released October 2012

Investigation update: The deaths of several OPP officers by suicide in 2018

sparked renewed scrutiny of issues similar to those examined in our Office’s systemic investigation report, *In the Line of Duty*. The OPP accepted all of the Ombudsman’s recommendations in this 2012 report, which revealed more officers had died by suicide over the previous 23 years than were killed doing police work. Among other things, the OPP made improvements to its employee support and assistance programs for members dealing with operational stress injuries.

In August 2018, it announced an internal review of its mental health system, and of member deaths by suicide since 2012.

In September 2018, the Ombudsman announced an assessment of new complaints related to these issues, to determine whether a follow-up investigation is warranted. We have since received more than **90** complaints. Investigators have interviewed complainants and stakeholders and are in regular contact with senior OPP officials as their internal review continues.

We are also monitoring developments in the Office of the Chief Coroner’s review of police suicides (announced in January 2019), and the Ministry’s independent review of workplace culture at the OPP, announced in April 2019.

TOP 5 CASE TOPICS

1 5,711
Correctional facilities

2 438
Tribunals Ontario

3 358 (outside our jurisdiction)
Municipal police

4 275
OPP

5 125
Legal Aid Ontario


**Good
to
know**

On April 4, 2019, the Ministry of Community Safety and Correctional Services changed its name to the Ministry of the Solicitor General. Because this report refers to complaints received between April 1, 2018 and March 31, 2019, it refers to the Ministry by its former name.

Trends in cases – correctional services

We received **5,711** complaints about correctional facilities in 2018-2019, up from 5,010 last year. To handle such a high volume of complaints from inmates, our staff prioritize cases where an inmate's safety or well-being might be at risk, including complaints about health care, segregation, assaults and lockdowns.

Ombudsman staff liaise regularly with relevant Ministry and correctional facility officials to discuss individual cases, complaint trends, and potential systemic issues. These discussions help us resolve complaints quickly and provide valuable feedback to the Ministry about its operations.

The Ombudsman and staff who specialize in this area also visit correctional facilities across the province to meet with correctional workers and inmates, see the infrastructure and conditions of confinement in person, and clarify our Office's role and approach to complaints. In several cases this year, these visits led to significant results because our staff were able to observe issues firsthand and suggest concrete solutions.

In the related area of probation and parole, we saw an overall decline in complaints (to **53** from 76 the previous year), particularly with regard to issues with parole hearing delays, which we raised with the Ministry and the Ontario Parole Board. The board has since implemented new practices for scheduling hearings to ensure they are held before an inmate's parole eligibility date, as required by law.

Our Office has also always had oversight of youth custody facilities. We received **47** complaints about these in 2018-2019, which represents an increase over the past two years (when we received 15 and 20 complaints, respectively). The Ombudsman and staff plan to visit several of them in 2019-2020, in conjunction with the expansion of our mandate to include more matters related to children and youth.

Medical issues

Among inmates, access to health care, including specialists and medication, is a top topic of complaint. Many complaints are referred back to the relevant facility, but our staff follow up in cases where there could be a serious impact on an inmate's health. For example:

- After we inquired about a group of inmates who complained that they were not receiving methadone at the same time each day, causing them to experience drug withdrawal symptoms, the facility changed its procedure and began administering methadone in the inmates' living units, rather than bringing them to the health care unit one at a time.
- An inmate complained that he had been without his dentures for more

than a year while in jail awaiting trial. We learned that dentures are normally only provided to inmates who have been sentenced, but the policy allows for exceptional circumstances. After we made inquiries and more information was provided by the man's dentist, his request for dentures was granted.

- We connected with a facility's health care staff to ensure that an inmate with a brain tumour was still able to have an MRI that he had scheduled before he was incarcerated.

Inmate-on-inmate assaults

We received **55** complaints about inmate-on-inmate assaults in 2018-2019, down from 64 the previous year. In several cases, we followed up to ensure the required investigations were conducted by the Correctional Services Oversight and Investigations (CSOI) unit. We also continued to find cases where facilities failed to follow the Ministry's direction that they complete local investigation reports when inmates assaulted by other inmates receive "serious injury." For example:

- Our inquiries in a case where an inmate was assaulted by 13 others revealed deficiencies with the facility's local investigation report. It was flagged and assigned for investigation by CSOI, and the facility created an action plan to improve its investigation processes.
- An inmate complained to us of three assaults by other inmates, including a sexual assault and an injury that required a trip to the hospital and stitches. After our inquiries determined that a local investigation report was never done, the facility acknowledged that it should have been done, per Ministry policy.

Indigenous inmate concerns

In May 2016, in response to the federal Truth and Reconciliation Commission's Calls to Action, the province committed to, among other things, enhancing "healing services and cultural supports for Indigenous inmates in custody." Provincial inmates receive such services through a Native Inmate Liaison Officer (NILO), who can arrange for culturally relevant ceremonies, counselling or teachings for inmates.

We received **52** complaints related to Indigenous services, most from inmates at facilities that lacked them. A group of **21** inmates at one facility wrote to us that the mental health of Indigenous inmates was becoming an "ongoing crisis." In speaking with inmates and correctional staff, we learned of at least five facilities that lacked a NILO. At three of these, staff told us that recruiting a NILO was difficult and that the relationship between Indigenous communities and the Ministry needed to be strengthened. The Ministry has agreed to update our Office on its efforts to improve Indigenous services and the NILO program, and we continue to actively monitor this issue.

Overcrowding

Correctional facilities that are over capacity sometimes resort to "triple-bunking" inmates (housing three in a cell designed for two, which usually means one must sleep on the floor), or placing them inappropriately. We received **48** complaints about overcrowding in 2018-2019, and also alerted senior officials to conditions we observed during site visits. For example:

- Two female inmates complained that they had to spend several nights in tiny change rooms, containing only a bench



November 27, 2018: Ombudsman Paul Dubé at Toronto South Detention Centre, one of several site visits and meetings with correctional officials in 2018-2019.

and no toilet. One room was so small that the women could not lie down fully, and their mattresses had to be folded to fit. After we made inquiries, senior staff at the facility directed that inmates are not to be housed in those rooms under any circumstances.

- During a site tour, our staff noticed that a female unit was triple-bunked even though a larger unit was vacant – it was used only on weekends for inmates serving intermittent sentences. After we followed up with senior Ministry officials, the larger unit was converted to a female unit, eliminating triple-bunking and doubling the facility's capacity to house women. The weekend inmates were moved to another facility.

Lockdowns

Our Office routinely receives complaints from groups of inmates when they experience a lockdown, which the Ministry describes as a "strict limitation on the movement of inmates in all or

part of an institution." We received **483** complaints about lockdowns in 2018-2019 (up from 437 the previous year), the bulk of which related to inmates lacking access to phones, showers, day rooms or activities. These included **138** complaints from inmates at a facility where a staff work slowdown resulted in several lockdowns, and **60** from the same facility during another period, when staff summer vacations prompted lockdowns.

Many inmates complained that long periods of lockdown were harmful to their mental health, as they were deprived of many basic necessities and the ability to contact loved ones or lawyers. Senior correctional officials confirmed to us that they are forced to place inmates on lockdown when there is a staff shortage. Some facilities work to redeploy staff and rotate lockdowns from unit to unit, to ensure inmates have a chance to leave their cells.

Our staff follow up on individual and group complaints with institutions around the province, as well as Ministry officials as warranted.

Transgender inmate concerns

We received **18** complaints about issues affecting transgender inmates in 2018-2019. Some inmates complained about being placed in housing contrary to their gender identification, while others sought our help in accessing services or dealing with allegations of discrimination. Our staff raised these issues with facility officials as warranted. For example:

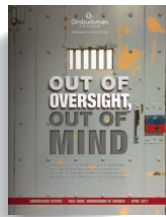
- A transgender woman sought our help after she was moved without her consent from a female unit to a male unit, where she was threatened and assaulted by another inmate. Our staff quickly confirmed that a Deputy Superintendent was following up on the incident, and that the woman was moved back to a female unit.
- Transgender inmates at one facility complained to us that they were not allowed to use the common area bathrooms in their unit. After we made inquiries, the facility changed its internal practices to ensure transgender inmates had equal access to common area bathrooms.

Voting

We received complaints from **28** inmates at several correctional facilities regarding issues with voting in the provincial and municipal elections, in June and October 2018. At one large facility, no inmates were able to vote in the provincial election because information about the voting process was not properly provided. At another facility, miscommunication resulted in some requests to vote being lost. Our Office raised these issues with senior Ministry officials, and the Ministry has committed to making the necessary changes to prevent these issues from recurring in future elections.

Investigations – correctional services

Tracking of inmates in segregation



Report: *Out of Oversight, Out of Mind*, released April 2017

Investigation update: Since the release of this report, the

Ministry has provided the Ombudsman with regular updates on its progress in implementing his 32 recommendations for improving its tracking of inmates in segregation, also known as solitary confinement. It has fully implemented 11 of these, with the other 21 in progress.

The investigation was prompted in part by a steady rise in complaints to our Office from inmates in prolonged segregation – often to the detriment of their mental health – as well as the shocking case of Adam Capay, who had spent four years in segregation in Thunder Bay awaiting trial for murder, with no accurate records or reviews of his placement.

In fiscal 2017-2018, the Ministry made improvements to its system for tracking segregation placements and ensuring that these are reported and reviewed as required. More recent changes made by the Ministry include:

- A new definition of “segregation” that aligns with internationally accepted standards, based on the conditions the inmate is experiencing rather than physical location.

- Introducing alternative housing arrangements, with conditions that are less restrictive than segregation;
- Hiring more than 200 new staff, including dedicated positions for segregation and related inmate health care needs.

The Ministry continues to work on other recommended measures, including the creation of independent panels to review segregation placements. Other improvements that were part of the *Correctional Services Transformation Act, 2018*, which was passed under the previous government in May 2018, have not been proclaimed in force.

The need for such changes was underscored by Justice John Fregeau of the Ontario Court of Justice on January 28, 2019, in his decision to set Mr. Capay free and stay his murder charge. The judge found the province’s “complete and utter failure” to manage Mr. Capay’s incarceration led to “outrageous, abhorrent, and inhumane” violations of his rights.

Individual cases: We continue to deal with complaints about segregation placements – **266** this fiscal year, down slightly from **296** last year. Some examples:

- An inmate with mental health issues complained that he had been in segregation for more than a year, to the detriment of his health. We were told that he was in segregation because he had been deemed a risk to the safety of staff and other inmates, but after we made inquiries, he received more frequent medical assessments, as required by Ministry policy.

- An inmate complained to us that he had been in segregation for almost 80 days, despite being told he would be moved. Our staff confirmed that the facility was reviewing his placement regularly, as required by policy, and that there was a plan to move him to another unit within a few days.
- An inmate was placed in segregation after she told correctional staff she had been threatened by two other inmates, but she remained there after they were released. She sought our help, saying the isolation was increasing her anxiety and depression. We contacted the facility, which removed her from segregation the next day.

“The accused, a young, mentally ill, Indigenous man, was detained in continuous segregation in deplorable conditions for 1,647 days. He was confined to his cell for more than 23 hours per day for extended periods of time. He was subjected to near total isolation during the initial three-month period of segregation during which time his mental health deteriorated dramatically. [...] It is obvious that the segregation review process in the case of the accused was meaningless at the institutional and regional levels.”

– Justice John Fregeau, *R. v. Capay*, 2019, ONSC 535, January 28, 2019

Excessive use of force by correctional officers



Report: *The Code*, released June 2013

Investigation update:
The excessive use of force by correctional officers is a serious issue that our Office has monitored

for years, and flagged to the Ministry several times – including in 2011, when the Special Ombudsman Response Team conducted an in-depth systemic investigation. The resulting report, *The Code*, released in June 2013, made 45 recommendations to the Ministry to eradicate the “code of silence” among staff with regard to excessive use of force, and to improve training and investigations of such incidents.

The Ministry has implemented almost all of the recommendations, apart from the installation of video cameras at all facilities, which is expected to be completed by 2020. However, we continue to keep a close eye on complaints about excessive use of force, which increased to **107** in 2018-2019, from 74 the previous year. When warranted, our staff make inquiries and monitor the response of mechanisms such as the Ministry’s Correctional Services Oversight and Investigations unit (CSOI). For example:

- An inmate complained that he was cut when a correctional officer closed the cell hatch on his hands. Our review of the facility’s local investigation of the incident revealed that photos weren’t taken at the time, as required by policy. We have since confirmed the facility has improved its investigation process.
- An inmate complained to our Office that a correctional officer dragged him out of his range and choked him. Our review of the local investigation report determined that the evidence did not corroborate the inmate’s allegations.

TOP 5 CASE TOPICS – CORRECTIONAL SERVICES

1 483
Lockdowns

2 266
Segregation placements

3 107
Excessive use of force

4 55
Inmate-on-inmate assaults

5 52
Indigenous services

Other trends in cases

Legal Aid Ontario

We received **125** complaints about Legal Aid Ontario (LAO) in 2018-19, consistent with the previous year's total of 120. Our staff were able to help several complainants sort out issues with LAO's decisions and how it communicated them. For example:

- A man's lawyer stepped down on the first day of trial, leaving him unrepresented. The man was convicted, and wanted LAO to have a new lawyer represent him when he was sentenced, but he received no response. Our inquiries revealed that LAO had sent a denial letter to him at a detention centre where he was no longer being held. Once he connected with LAO, he was able to submit his appeal.
- A woman sought our help after she received a letter from LAO denying her request to change solicitors and referring her to another program to request a senior lawyer – only to have that program tell her the referral was an error. LAO officials agreed to review their letters and ensure that only appropriate referrals are provided.

Administrative tribunal delays

Each year, our Office receives hundreds of complaints about the province's 37 administrative tribunals, which are independent, quasi-judicial bodies that make decisions about everything from benefit entitlements, to human rights matters, to property disputes. Although the focus of the tribunals runs the gamut of provincial responsibilities, from social

services to health to property, parole and other matters, their administration falls to the Ministry of the Attorney General (hence their inclusion in our **Law & Order** chapter).

We received **549** complaints about **24** different tribunals in 2018-2019 – most of which related to the Landlord and Tenant Board (**207** complaints), and the Human Rights Tribunal of Ontario (**95**). Three-quarters of these complaints related to tribunals that are now part of Tribunals Ontario, a new cluster of 19 tribunals headed by one executive chair, established in January 2019 (previously, these tribunals were in three clusters: Social Justice Tribunals Ontario, Environment and Land Tribunals Ontario, and Safety, Licensing Appeals and Standards Tribunals Ontario).

The most common complaints across these tribunals – and others not part of these clusters – relate to their decisions and long delays. The Ombudsman cannot overturn tribunal decisions or act as an appeal body, but can review their decisions and processes and make recommendations for improvement. We have been told the primary source of delay is a shortage of tribunal adjudicators.

Delays can have serious consequences for people seeking to assert their rights. Ombudsman staff have met with Tribunals Ontario's chair to share information about complaint trends and our concerns about extensive delays and backlogs. We will monitor its efforts, as well as those of individual tribunals, to address delays and improve frontline service delivery.

Case summaries

Without further delay

A woman who had been pursuing her case at the Human Rights Tribunal of

Ontario for several years sought our help after she learned that the adjudicator assigned to her case was no longer able to continue. The prospect of having to resume the entire hearing process from the beginning was especially troubling for her, as she was already dealing with post-traumatic stress disorder related to the matter. She tried to resolve her concerns directly with the tribunal, but received conflicting responses about the available options. After we made inquiries, the tribunal determined that the original adjudicator would be able to finish the hearing after all, and communicated this to her.

Re: Vision

An inmate complained to us that staff at his correctional facility had taken his eyeglasses and refused to return them. Our Office made inquiries with the facility and confirmed that the inmate's glasses had been lost. Officials at the jail agreed to ensure that he received a new prescription, and committed to paying the cost of the replacement glasses. The inmate was thankful for our help.

A time to mourn

An inmate sought our help in reaching the appropriate correctional officials after her father passed away and she could not get a response to her request to attend his funeral. She had made repeated requests for a temporary absence pass, but had heard nothing, and feared she would miss her chance to pay her respects. After Ombudsman staff spoke with staff at the facility, they made arrangements for her to visit the funeral home.



Overview and trends in cases

The provincial government provides a wide range of social services and supports to some of Ontario's most vulnerable people, through a network of programs, agencies and government-funded service providers. Municipalities also provide social assistance through Ontario Works. Given the large number of people served by so many bodies, our Office has always received a high volume of complaints in this category – and achieved significant results, both through individual resolutions and systemic investigations.

Several significant changes were made in this area in fiscal 2018-2019, particularly after the June election. The new government created the Ministry of Children, Community and Social Services, combining the former ministries of Community and Social Services, Children and Youth Services, and Immigration. It also announced changes to the way it funds services for children with autism, sparking widespread confusion and complaints.

At the same time, improvements continued at two of the organizations that our Office has repeatedly noted as top complaint generators – the Family Responsibility Office and the Ontario Disability Support Program – although complaints about the latter increased slightly.

Another significant change was the government's decision to close the independent office of the Provincial Advocate for Children and Youth, and transfer its investigative mandate to the Ombudsman as of May 1, 2019. This

change expands the Ombudsman's mandate to child protection matters, meaning that our Office will be able to investigate complaints about children's aid societies (CASs) and residential licensees, among other things. We routinely receive hundreds of complaints about CASs – **384** in 2018-2019 – but have always had to refer them elsewhere because they were outside of the Ombudsman's jurisdiction.

Ontario Autism Program

Complaints to our Office about developmental services programs – and services for children with autism in particular – have ebbed and flowed over many years, with spikes in complaints typically occurring when governments announce changes to funding programs and eligibility criteria.

On February 6, 2019, the government announced the latest such change, introducing a system of direct funding to families of children with autism, as well as a strategy to reduce or eliminate waitlists for services. Initially, the level of funding was to be determined by household income, but this was later revised to provide for some funding regardless of income. Other announcements related to continuing services that were already being provided under individual behaviour plans, expanding the list of services eligible for funding, and further consultation on supporting children with complex needs.

We received **575** complaints about autism funding for children this year, **569** of those after the February announcement. Many families and other stakeholders raised concerns about the funding cap and the potential effects of the changes, and a

significant number were angry about the government's policy decision and political approach.

In dealing with such complaints, the Ombudsman and staff distinguish political questions from administrative ones. The Ombudsman does not intervene in broad public policy decisions or actions taken by elected officials. However, our Office does work to ensure that the implementation and administration of such decisions is fair, accountable and transparent.

Senior Ombudsman staff met with officials at the Ministry to review the rollout of the new funding program and to discuss trends in complaints. These include concerns about reduced funding, inadequate communication with affected parents and stakeholders, the impact of the changes in the far North (given the unique needs of Indigenous families in fly-in and other remote communities). We continue to meet with the Ministry on a regular basis and are actively monitoring steps being taken to address the administrative issues that have been raised.

Family Responsibility Office (FRO)

The FRO, which is responsible for enforcing court-ordered child and spousal support, remains one of the most complained-about provincial organizations, although complaints continued to decline in 2018-2019. In fact, the **781** complaints we received (down from 912 last year) is the lowest number since 2011. Ombudsman staff have worked closely with FRO and Ministry leadership for several years to flag issues proactively, and the Ombudsman has complimented

FRO's efforts to improve customer service in this area.

We continue to hold regular meetings with FRO officials to flag recurring issues, and monitor their ongoing work to improve customer service and the effectiveness of FRO's enforcement efforts.

Delays and misinterpreted court orders

The most common complaints we see about FRO relate to bureaucratic lapses, such as misinterpreting court orders or failing to act quickly enough when support orders are adjusted. Such mistakes can prove costly for the people involved. For example:

- Our intervention prompted FRO to refund one man more than **\$3,600** that he had overpaid because it took so long to implement the terms of a new court order that reduced his support obligations.
- We helped a mother of three who complained that FRO's misinterpretation of a court order had resulted in it mistakenly issuing a credit to her ex-husband. As a result of our inquiries, FRO confirmed its error and adjusted the file to show the mother was owed more than **\$11,000**.

Unproven "special" expenses

We received several complaints this year about FRO improperly accepting support recipients' claims of "special or extraordinary expenses." These are additional expenses relating to such things as a child's extracurricular activities, daycare or health care, which a court can order a support payor to cover in addition to monthly child support. In some cases, the court will require a recipient to provide proof or receipts that such costs were

incurred before FRO can enforce the amounts claimed. Some examples:

- A father complained FRO had accepted more than **\$2,200** expenses from his ex-wife without obtaining the proof required by a court order. After we made inquiries, FRO asked the recipient for proof of the expenses and she refused; the man was not required to pay.
- FRO acknowledged that it had accepted a support recipient's claim for hotel expenses related to a children's hockey tournament without verifying it, as required by a court order. Inquiries by our staff resulted in almost **\$700** in expenses being removed from the payor's file after FRO confirmed the recipient could not prove the children had been registered for a hockey tournament.

Interjurisdictional support orders

In cases where either the support payor or recipient lives outside of Ontario, FRO's Interjurisdictional Support Order (ISO) unit works with the relevant agencies to enforce court-ordered support. Complaints about the ISO unit declined in 2018-2019, to **30** from 47 the previous year. In several cases, our intervention spurred action by both agencies. For example:

- A woman who was owed more than **\$175,000** in support by her ex-husband complained to us that the enforcement agency in the U.S. state where he lives refused to register her case, and that FRO had indicated it could do nothing about it. After we spoke with FRO officials, they contacted their counterparts in the U.S., who asked the local court to register the woman's case for enforcement.

Ontario Disability Support Program (ODSP)

Providing social assistance to thousands of Ontarians who meet the legislated definition of disability, as well as coverage for drug and dental needs, medical transportation costs and special diets, ODSP consistently generates hundreds of complaints to our Office. As with FRO, however, we have worked with program officials for years to address recurring issues – and this has coincided in recent years with a decline in complaints.

We received **773** complaints about ODSP in 2018-2019, up slightly from 760 the previous year. Among the common themes we noted were difficulties in contacting or communicating with ODSP staff, a lack of timely response, or issues with ODSP decisions or service. Our Office receives very good co-operation from the Assistant Deputy Minister and other senior staff of the Social Assistance Operations Division.

Ombudsman staff often resolve complaints by facilitating communication between ODSP clients and caseworkers. Where warranted, we ensure they are aware of the appropriate appeal mechanisms. Some examples:

- A caseworker refused to release a benefit cheque to an ODSP recipient without an in-person meeting. Our Office pointed out that the client had mobility issues and would have difficulty attending such an appointment. We ensured they were able to connect and that the man received his cheque.
- An ODSP client was frustrated when he could not reach his caseworker to

discuss why ODSP had cancelled his medical transportation and special diet allowances. Our staff ensured he was provided with information on what he needed to do to have these services reinstated.

- We prompted ODSP officials to approve coverage to transport a woman to her weekly dialysis appointments after she complained they had taken too long to process her application and she could not afford transportation.
- ODSP repeatedly insisted it needed consent from its client, a woman who was terminally ill and unable to communicate, to discuss her benefits with her son, even though he had power of attorney. Ombudsman staff assisted the son in providing ODSP with the documents it needed for him to act on his mother’s behalf.
- An ODSP recipient who had cancer and relied on ODSP to pay her rent was unable to contact her caseworker and feared eviction because her landlord had not received payments from ODSP for two months. After Ombudsman staff contacted ODSP officials, they immediately arranged for the landlord to receive the outstanding cheques.

Ontario Works

We received **248** complaints this year about Ontario Works, which is administered by municipal service providers and social services administration boards across the province. This number is down slightly from 253 last year. Our staff resolve many of these cases by bridging communication gaps between benefits recipients and their caseworkers, or by helping people

TOP 5 CASE TOPICS

1 781
FRO

2 773
ODSP

3 575
Ontario Autism Program

4 384 (outside our jurisdiction until May 1, 2019)
Children’s aid societies

5 248
Ontario Works

understand what they need to do to apply for benefits. For example:

- A mother sought our help in reaching Ontario Works after her sons went to spend their holiday at their father's home more than 300 km away – and the father had no funds to send them home. Our staff contacted her caseworker, who confirmed that the children's transportation costs would be covered so they could return home.
- A man complained to us that Ontario Works was insisting he pick up his latest monthly cheque in person, when he had just signed up for direct deposit. Ontario Works staff explained that they had mailed the cheque to his previous home, just before he moved into a shelter. They needed him to confirm in person that he hadn't received the cheque. After speaking with us, they contacted him and offered to pay his bus fare to meet them.

Services for adults and children with developmental disabilities

With the government's three-year, \$1.8-billion investment into the extensive and complex system that provides supports for adults with developmental disabilities now into its second year, we received fewer complaints in this area than the year before – **91** in 2018-2019, down from 127 last year. Many of the issues raised are similar to the systemic ones detailed in the Ombudsman's 2016 report, *Nowhere to Turn* (see further details under **Investigations**).

Common complaints this year included insufficient funding and long waitlists

for housing – including some involving people who were waiting in hospitals to receive services. We review these complaints to ensure that Ministry staff are aware of urgent individual cases and are responding in a timely and effective manner.

We also noted that complaints about services and treatments for children with special needs increased in 2018-2019, to **46** from last year's 38. Many of these complaints related to a lack of funding and services as well as long waitlists for residential supports and treatment. Our staff review these cases to ensure that Ministry staff and service agencies are helping connect families with appropriate services and supports where possible. We also flag cases where families are being told to surrender custody of their children in order to have them placed in residential care – an issue our Office investigated and the Ministry committed to resolve after our 2005 report, *Between a Rock and a Hard Place* (see further details under **Investigations**).

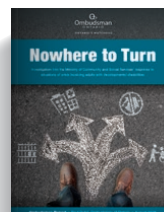
Some individual case examples:

- A mother sought our help after her local Developmental Services Ontario office told her that her son, who had lost access to the services and funding he received as a child when he turned 18, would have to wait six months to be reassessed for services. She was also caring for another son and husband with disabilities and was concerned that the lack of activities and services for her 18-year-old was affecting his mental health. Three weeks after Ombudsman staff made inquiries, the teen received his reassessment.

- The mother of a 17-year-old with autism and developmental delay sought our help in obtaining funding for residential care for her son, who could not be cared for at home because of violent behaviours. The only place available for him was the hospital, which wanted to discharge him. Ombudsman staff worked with Ministry officials to ensure they were aware that the situation was urgent, and that his funding application had been received. They confirmed they were reviewing the case, and the teen was approved for funding and moved to a residential placement shortly thereafter.

Investigations

Services for adults with developmental disabilities in crisis



Report: *Nowhere to Turn*, released August 2016

Investigation update: When the Ombudsman released this in-depth report

nearly three years ago, the Ministry agreed to implement all **60** of his recommendations to overhaul services for adults with developmental disabilities whose families are unable to care for them at home or are otherwise in crisis. The report stemmed from more than **1,200** complaints over several years – many from desperate families whose loved ones had ended up in hospitals, long-term care homes, homeless shelters and even jail because appropriate services were not available to them.

Our Office's ongoing follow-up on this report is twofold: We review regular updates from the Ministry on its progress in implementing the Ombudsman's recommendations, and we continue to help individuals who come forward with similar complaints – nearly **400** since the release of the report. Ombudsman staff flag these cases to the Ministry as necessary to confirm that the developmental services system is following its processes and these vulnerable people are receiving the services they need.

For example:

- A 35-year-old man who has dual diagnosis and was at risk of harming himself and others was stuck in hospital for more than three months because there were no community placements available. His mother complained to us that the hospital was telling her he was ready for discharge, while the local Developmental Services Ontario office insisted he was not. Ombudsman staff made inquiries and suggested the mother provide the DSO with documentation from the hospital. Soon after, the hospital and local agencies began working on finding the man a community placement.
- When a 51-year-old man with a developmental disability and seizure condition moved across the province to be closer to his sister, he lost his funding. His sister paid for him to stay at a residence in the community, but sought our help after he became injured from having seizures at the facility, which did not have adequate

services for him. Ombudsman staff raised the case with Developmental Services Ontario officials, who determined the man was in crisis and provided him support on an urgent basis. He was later moved to a long-term care home, which the sister felt was the most suitable option for his medical needs.

The Ministry has invested \$1.8 billion in increased funding in this area over three years, and it has announced that every adult with a developmental disability who is eligible to receive services as determined by Development Services Ontario will receive a minimum of \$5,000 in direct funding per year. Some funding will also be used to increase in-home supports and create new residential spots for people who in the past might have been inappropriately placed in hospitals or long-term care homes. As some of the Ombudsman's recommendations remain to be fulfilled, we will continue to monitor its progress.

Care and custody of children with complex special needs



Report: *Between a Rock and a Hard Place*, released May 2005

Investigation update: When our Office's investigation 14 years

ago revealed that parents were being told that the only way they could obtain residential care for their children with complex special needs was to surrender custody to children's aid societies, there was agreement across the province that

this was wrong. The affected parents had custody of their children restored, and the Ministry committed to ensuring that this did not happen to other families.

Despite this, we still hear of a few similar cases every year where, even though there are no child protection concerns, families in crisis situations were required to temporarily relinquish custody of their children to children's aid societies in order to receive services. Even in cases where there are child protection concerns, they are often the result of a lack of services for the family in the home, particularly when the child with a developmental disability is living with siblings. The children's system appears to lack a process by which families can access temporary services in urgent situations. For example:

- Ombudsman staff flagged a case where a 13-year-old with autism, depression, anxiety and other behavioural issues that had required police and hospital intervention had been waiting for a residential treatment for months. The youth's mother told us the local children's aid society had asked her to consider a temporary care agreement in order to put him in a residential placement in another region, until treatment could be found closer to his home. We made inquiries and monitored the actions of the Ministry and service agencies. The teen was admitted to a residential treatment facility, without his mother surrendering custody. She informed us that his behaviours improved in this placement, and she had applied for funding to receive support services for him when he returned home.

Case summaries

Not on board

An Ontario Works recipient sought our help when he received a letter saying he would have to repay **\$1,835** to Ontario Works, and that his monthly income would be reduced by **\$202**. He was baffled and upset by this, and officials had not responded to his request for a review. When we looked into the case, we learned that the man had mistakenly told his caseworker that he paid “room and board” at his residence. Ontario Works took this to mean that his payments to his landlord also covered meals, and reduced his payments accordingly. Once it was confirmed that his rental agreement covered only accommodation, Ontario Works quickly waived the repayment request and restored his monthly payments.

Auto-threat

A pensioner who had a longstanding agreement to pay her family support arrears off at \$50/month complained to us that the Family Responsibility Office (FRO) sent her a letter threatening to garnish half of her monthly income, which would leave her with no money to pay her utility bills. When our staff contacted FRO officials, they determined the letter had been automatically generated by their system because of the age of the case. Once the woman confirmed her financial situation remained unchanged, she could continue paying \$50/month.

A parent error

A father complained to us that FRO had collected thousands of dollars of support payments from him for 14 years, even though his daughter was no longer in the care of her mother but had been made a Crown ward. FRO officials confirmed to us that they had received information in 2004 indicating that the girl was in the care of a children’s aid society, and they acknowledged they could have taken steps to gather information about her status at the time. They agreed to refund the man **\$4,100**.

Credit undo

A mother who receives support for her adult child with disabilities sought our help after she inadvertently provided inaccurate information to FRO, resulting in the termination of her support and a **\$21,000** credit to the payor. Ombudsman staff inquired with FRO officials, who agreed to review the matter instead of requiring the woman to go to court and seek a new court order. Her support was reinstated and the credit withdrawn.



Overview and trends in cases

This category includes complaints about Ministry of Finance organizations, such as the Financial Services Commission, the Ontario Lottery and Gaming Corporation, the Municipal Property Assessment Corporation and – new this year – the Ontario Cannabis Store. It also includes the Ministry of the Attorney General's Office of the Public Guardian and Trustee, which handles money and property matters for people who are incapable of doing so themselves.

Ontario Cannabis Store (OCS)

As Ontario's sole authorized seller of recreational cannabis when it became legal at the stroke of midnight on October 17, 2018, the Ontario Cannabis Store's online operation faced an overwhelming demand in its first days and weeks of operation.

We began to receive complaints within a week from people who had not received their cannabis orders, and within three weeks, more than **2,100** people from across the province filed complaints about delivery delays, lack of communication and a customer service process that was unhelpful and difficult to access. Many complainants also expressed general dissatisfaction with the province's rollout of legal cannabis, and some also raised concerns about privacy breaches, billing issues and product quality.

By the end of fiscal 2018-2019, complaints about OCS totalled **2,411**, making it the single most complained-

about government organization of the year. To deal with such a large volume of complaints quickly, we established a dedicated team to triage and prioritize these complaints, working collaboratively with senior staff at OCS and the Ministry of Finance through weekly teleconferences. Ombudsman staff stressed to OCS the importance of giving customers timely and specific information about their orders. We also followed up on all billing issues where there was a financial impact to the individual, such as duplicate charges or delayed refunds.

Among the issues we identified was a serious privacy breach involving Canada Post's online tracking portal, which allowed anyone to see the name and address of an OCS customer if they had a tracking number. The OCS and Canada Post quickly rectified this issue.

On December 7, 2018, OCS President and CEO Patrick Ford wrote to the Ombudsman thanking him for his support and engagement, noting that by working together, staff from both offices were able to resolve the vast majority of complaints.

As of April 1, 2019, cannabis is now also sold through private retail stores, regulated by the Alcohol and Gaming Commission of Ontario (AGCO). Although the Ombudsman does not oversee private businesses, we do oversee the AGCO, whose role is to ensure that licensed operators meet regulatory requirements with regard to advertising, sales to minors and storage of cannabis products. It has its own complaints process, including a customer service line and online portal. We will monitor complaints and any ongoing issues with regard to the OCS and AGCO.

“I am writing to thank you and your office for your support and engagement with the Ontario Cannabis Store (OCS) in the weeks following the federal legalization of cannabis. The feedback we have received has been very helpful [...] We know there are still some complaints and ongoing questions that will continue to require attention and we are committed to ongoing engagement with your office and our customers to address these in a timely manner.”

– Ontario Cannabis Store President and CEO Patrick Ford, letter to Ombudsman, December 7, 2018



Comments from OCS customers

“Since the Ombudsman’s office started assisting OCS, the quality of the Crown corporation’s service has been increasingly improving each week.”

“Thanks for listening and helping us get our orders fulfilled. It really did make a difference in how OCS handled the situation after your office intervened.”

“I would like to thank you for all of your hard work on this matter. You were professional and prompt throughout the entire process.”

“You and your office have a difficult job and I appreciate your time and effort.”

Municipal Property Assessment Corporation (MPAC)

Every four years, MPAC conducts a provincewide assessment of property values and issues assessment notices to owners, upon which their local property taxes are based. The last such assessment was in 2016, although MPAC also continuously reviews properties whose values change due to building, renovations or changes of use.

Complaints to our Office related to MPAC tend to be higher in assessment years. We received **57** complaints about MPAC in 2018-2019, which is consistent with the previous year’s total of 55, and other non-assessment years. Most

involved disagreement with MPAC’s decisions on property assessment values and classification, and confusion about appeals. Our staff helped facilitate communications with MPAC in some cases, or provided information about the assessment appeal process.

We continue to monitor concerns involving errors in the assessment rolls that MPAC prepares every year for all municipalities for the calculation of property taxes. We noted **2** such cases in last year’s Annual Report, which have since been resolved:

- A commercial property owner received a bill for \$100,000 in taxes owed because of an assessment roll error that wasn’t discovered for six years. After we raised this case with MPAC, it sent the owner a letter of apology.

- An owner who had always paid his property taxes automatically through his bank was surprised to learn he was in arrears because MPAC did not specifically advise him of the roll number change when he consolidated his property with an adjacent one. Ombudsman staff made inquiries with MPAC, which apologized to the man and committed to reviewing its processes to improve communications with property owners.

MPAC has committed to reviewing its processes in order to reduce errors when recording the consolidation or severance of properties, and to provide more information to property owners and local tax authorities about changes to property roll numbers in these situations.

Office of the Public Guardian and Trustee (OPGT)

For several years, Ombudsman staff have worked with OPGT officials to address individual and systemic issues with the service and communication it provides to its often vulnerable clients. Complaints about the OPGT have been on the decline as a result – we received **178** in 2018-2019, down slightly from 182 last year.

However, we continue to hear complaints about the decisions rendered by OPGT staff on clients' behalf, poor or delayed communication, or other mixups. In other cases, we confirm that OPGT is following its policies and procedures. Some examples:

- When a woman complained that she did not receive a promised \$20 increase in her weekly allowance, our inquiries revealed that OPGT staff had wrongly entered it into their system as a monthly increase instead. The error was fixed and the money was deposited in the woman's bank account.
- When the family of an OPGT client complained to us that it was selling the man's house, we confirmed that it had done a comprehensive review of his situation, and prompted OPGT officials to communicate with the family to explain this.

Ontario Lottery and Gaming Corporation (OLG) online casino

We received **75** complaints about the OLG in 2018-2019 – up from 49 the previous year, largely due to an increase in complaints about its online casino

application, PlayOLG. In October and November 2018, we received **32** cases, most of which related to poor customer service experienced by people trying to withdraw funds from their PlayOLG accounts. Despite the OLG's publicly advertised commitment to do direct deposits within 3-5 business days, some players told us they had waited up to three months to receive their money.

Ombudsman staff spoke with senior officials from OLG, who said an August 2018 promotional campaign for PlayOLG received a much higher than anticipated response. Withdrawal requests became backlogged because they could only be processed by specially trained and licensed staff, and players were notified about the delay via email and the PlayOLG Twitter and Facebook accounts. OLG staff told us they have since addressed and cleared the backlog.

OLG's self-exclusion program

To assist people who want to take a break from gaming at its facilities, the OLG has a voluntary "self-exclusion" program. In late 2016, it introduced a policy of "prize disentitlement" to bar people on the self-exclusion list from winning prizes at OLG gaming facilities. Previously, people who had signed up for self-exclusion could still keep their prizes, despite agreeing to stay away from gaming.

We have reviewed **2** cases of people who were refused prizes of \$10,000 or more by the OLG because they were on the self-exclusion list. Our review of their complaints raised several issues with the OLG's actions, including that it did not do enough to publicize the new prize disentitlement policy, to update its

TOP CASE TOPICS

1 2,411
Ontario Cannabis Store

2 178
Office of the Public Guardian and Trustee

3 75
Ontario Lottery and Gaming Corporation

4 57
Municipal Property Assessment Corporation

self-exclusion program list, or to keep people enrolled in the self-exclusion program out of gaming facilities in the first place. As a result of our intervention in one of these cases, the OLG resolved it to the complainant's satisfaction.

The OLG has committed to providing our Office with regular updates on its improvements to the program. These include clarifying the information on its website, improving the process through which a self-excluded player can return to gaming after completion of their self-exclusion term, and upgrading the facial recognition technology it uses to identify those who enter its facilities.

Case summaries

Sharing the wealth

The family of a man who won **\$2,000** in the lottery but died before he could collect the prize sought our help in dealing with OLG officials, whom they had contacted several times over the course of four months. They were told they would have to submit the man's death certificate, along with information about where the winning ticket was purchased, which was missing from his original claim form. After they still received no response, Ombudsman staff contacted OLG officials, who explained that the case had been delayed due to staff turnover, and more documentation was needed. They then obtained the necessary information from the family, who have since received the prize money.

Unsigned but delivered

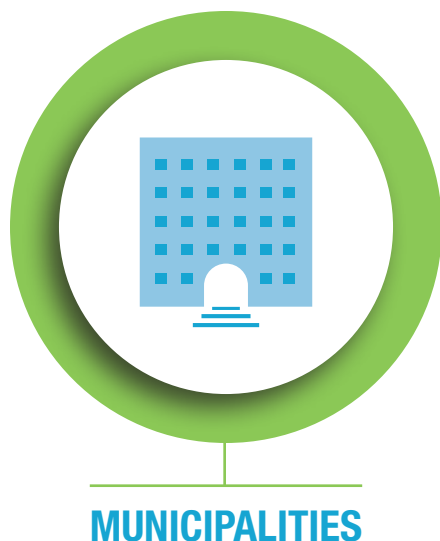
A woman placed an order with the Ontario Cannabis Store (OCS) on October 17, 2018, the first day that recreational cannabis became legal in Canada. She complained that two weeks later, she arrived home to find the package had been left on her porch – contrary to the requirement that an individual over age 19 must sign for cannabis delivery. Ombudsman staff made inquiries with OCS, which reviewed the delivery policy with Canada Post to ensure its products were being signed for and delivered to people 19 and over.

Coming up empty

A cannabis purchaser received a delivery from the OCS that turned out to be an empty box. OCS officials told him he could place a new order without charge, but he would first have to print out a return shipping label, attach it to the empty box, and send it back to them. Faced with the absurdity of having to return an empty box for a refund, he complained to our Office. After Ombudsman staff made inquiries, the OCS expedited his replacement order, without requiring him to return the original box.

Cracking the code

A small business owner sought our help after he was ordered to install fire detectors and alarms on his property, noting that he could not access the technical standard of the Ontario Fire Code that was cited in the order. He was told that because the information was copyrighted, the only way to obtain a copy was to purchase it from the company that developed it, or go through the Fire Sciences Library in Toronto. His local library was unable to help him access the information, and he complained it was unreasonable that he could not get free access to it. Ombudsman staff raised this case with the Office of the Fire Marshal, which updated its website to let the public know to contact the Fire Sciences Library and Resource Centre to arrange access to the standards and codes cited in the Ontario Fire Code and Ontario Building Code. We also spoke with the Fire Sciences Library, which implemented a new process for this type of request, and helped him get the information he needed.



Overview

The Ombudsman handles thousands of complaints about municipalities every year. These cases fall into two broad categories: Those related to open meetings – and everything else.

Since 2016, Ontarians have been able to complain to us about any aspect of municipal government and administration, and we handle these cases just as we have handled those related to the provincial government for more than 40 years: Resolving them informally wherever possible, by helping people navigate local bureaucracy or making inquiries with relevant officials. In many cases, our intervention assists both parties, resulting in clearer processes for all.

Since 2008, we have also had the important, distinct responsibility of ensuring that municipal councils, boards and committees keep their meetings open to the public, except in certain narrow circumstances. The Ombudsman investigates closed meetings in all municipalities that have not appointed their own investigator.

We have noted two distinct and encouraging trends as awareness of the Ombudsman's work with municipalities has grown: As general complaints about municipalities increase steadily, complaints about closed meetings have declined, but are more likely to involve substantive issues. Meanwhile, more people are seeking our help with a wider range of municipal matters – this year marks the first time that the top topic of complaint is not municipal councils themselves.

Part of this shift is tied to another positive development: All municipalities are now required to have codes of conduct for members of council and provide the services of an integrity commissioner (this measure came into effect on March 1, 2019, but many municipalities put these accountability mechanisms in place in 2018).

The Ombudsman has always encouraged municipalities to have their own accountability officers and clear processes for handling complaints, since local issues are best handled at the local level. Our Office does not replace these officers; our role is to ensure they are working as they should, and to intervene as warranted in areas where they cannot reach.

To ensure municipal stakeholders are aware of the various aspects of our work, the Ombudsman and staff attended and spoke at several municipal conferences and outreach events in 2018-2019, and our Office produced new communications tools – including a searchable digital digest of our open meeting investigations, the first database of its kind (see **Open Meetings: Case Digest** on our website).

Trends in cases – general municipal issues

In 2018-2019, we received **3,002** complaints about **333** different municipalities, and **36** shared local boards and corporations. This



Copies of our municipal reports and resources like our “tip cards” on municipal topics can be found on our website or obtained from our Office.

represents an increase of about 20% over the **2,491** complaints we received in the previous fiscal year (related to 323 municipalities and 27 shared boards and corporations).

Most of these were resolved effectively and efficiently, without need for a formal investigation. In fact, the Ombudsman has launched just **6** general investigations of municipalities since 2016.

This year, the Ombudsman reported on one general municipal investigation and launched another – both in the **Regional Municipality of Niagara** (see update under **Investigations**). All of his recommendations in the completed investigation were accepted.

GENERAL MUNICIPAL INVESTIGATIONS SINCE 2016

1. City of Brampton – Report: *Procuring Progress*, released March 2017
2. Township of Red Rock – Report: *Counter Encounter*, released May 2017
3. Elliot Lake Residential Development Commission – Report: *Public Notice*, released August 2017*
4. Township of St. Clair and County of Lambton – Report: *By-law Surprise*, released April 2018
5. Regional Municipality of Niagara – Report: *Press Pause*, released July 2018
6. Regional Municipality of Niagara – launched August 2018 (investigation ongoing)

*Although the Ombudsman used his general jurisdiction to investigate this body, this case focused on open meeting issues

Public housing

Housing issues hit close to home, particularly for residents of public housing across the province, and this year they topped our list of municipal complaint topics. We received **337** complaints related to municipal service providers and district social services administration boards (DSSABs) with regard to housing issues. Many of these related to decisions about funding or services, or communication issues. For example, in light of a complaint about the accuracy of a provincewide database of public housing arrears, we are working with public housing officials to review their verification practices.

Some other examples:

- We helped a woman obtain funding for a new furnace after her municipal housing service provider told her it denied her application because she had received similar funding in the past, and each household could only apply once. Our inquiries prompted the municipality to confirm that the funding program had no such limit, and the woman was granted **\$5,000** to help pay for a furnace.
- A Northern Ontario resident who received a forgivable loan for home renovations through a program administered by her social services administration board feared she would be forced to repay the loan when her son was receiving specialized medical care in Toronto. She had received permission to live away from home while attending school, but her son’s illness meant she could not return home by the agreed date.

Ombudsman staff helped her reach the board, which granted her an 11-month loan extension.

By-law enforcement

Municipal by-law enforcement is understandably among the top topics of complaint to our office – **286** complaints in 2018-2019 – given that by-laws cover everything from animal control to open fires to property standards and noise. We receive complaints about municipalities deciding not to enforce by-laws, and about municipalities enforcing by-laws in an unfair or inconsistent way. In reviewing such cases, we bear in mind that municipalities have discretion in enforcing their by-laws, but when they do so, they have to act fairly. Some examples:

- We made inquiries about a car rental business that was violating a city zoning by-law, after a resident complained that the municipality would not respond to her. After we spoke with the city, the city not only enforced a by-law requiring the business to erect a fence, it sent the woman a detailed letter explaining the applicable licensing for the business and the steps the city was taking to enforce its by-laws.
- An elderly man sought our help because he couldn't access the municipality's online form to complain about his landlord's by-law violation – a large, open hole in his driveway that the man felt was unsafe. Ombudsman staff explained the situation to municipal officials, who sent a by-law enforcement officer to inspect the property right away.

Councils, committees and local accountability officers

For the first time since the Ombudsman began overseeing municipalities, councils themselves are not the top topic of complaint. We received **278** such complaints in 2018-2019, down from 362 last year. Complaints about councillor conduct are best addressed to local integrity commissioners, and now that they are mandatory in every municipality, we expect to see this decline continue.

The Ombudsman has encouraged the establishment of local ombudsmen and other accountability officers since they were first permitted by legislation in 2007. However, it has only been in the past few years that any municipalities set up local ombudsmen (except Toronto, which was required to do so by law). We are aware of **28** – as well as **3** municipalities that have an Auditor General and **6** that have Lobbyist Registrars.

We received **115** complaints about accountability officers in 2018-2019. The Ombudsman does not redo the work of these officials, but can examine their processes and identify gaps after their review of a matter is completed. We look at whether they followed a fair process, considered the issues and relevant information, acted in accordance with applicable legislation, and provided sufficient reasons to support their decision.

Some examples:

- A group of residents concerned about a councillor's conduct complained to us that their municipality had no integrity commissioner and didn't allow complaints to be filed by the public.

TOP 5 MUNICIPALITIES BY CASE VOLUME

1 381
Toronto*

2 217
Niagara Region

3 125
Ottawa

4 114
Hamilton

5 87
Peel Region

*Note: Our Office cannot investigate complaints about matters within the jurisdiction of Ombudsman Toronto, and we refer such cases accordingly.



Good to know

Cases related to Ontario Works can be found in the **Social Services** chapter of this report, and cases related to municipal hydro companies in the **Energy & Environment** chapter.

After we shared best practices with the municipality, it appointed an integrity commissioner and changed its code of conduct to allow public complaints.

- A woman sought our help after the chair of her local conservation board dismissed her complaint about a member's conduct, without bringing it to the board. We spoke with the chair and pointed out the potential benefits of such best practices as a public complaints protocol and an independent third party to review complaints.
- After two council members complained to us about an integrity commissioner's investigation of them, we suggested best practices to the integrity commissioner to clarify how his findings were linked to specific provisions of the municipality's code of conduct, and to the municipality to clarify its process and timelines for code of conduct reviews.

Public conduct and trespass orders

Just as codes of conduct are useful for municipal officials, many municipalities also have standards for public conduct in municipal spaces, and policies for

dealing with unreasonable or difficult behaviour. Municipalities have the power to bar people from accessing services or municipal spaces by issuing trespass notices, and our Office encourages them to have transparent and consistent policies for doing so. We received **10** complaints about trespass orders in 2018-2019. Some examples:

- A man complained to us that his municipality had indefinitely barred him from entering any municipal property – even sidewalks and public parks. When we raised this with municipal staff, they reviewed the restriction and agreed to remove the ban on entering outdoor public spaces. They also informed the man they would review the trespass notice in six months if he abided by the rest of the conditions.
- A man who has disabilities and relies on public transportation sought our help when he was banned from his city's public transit service, but not told how long the ban would last or whether he could appeal. After we spoke with city officials, they agreed to allow the man to take transit under certain conditions. They also implemented our suggestion to make the city's standards for respectful behaviour on the transit system public by posting them on its website.

Infrastructure, water, planning and zoning

Municipalities provide a wide range of everyday services that are essential to a functioning community, but often complex. Three of the most common complaint topics relate to these functions: Water and sewer services, planning

and zoning, and infrastructure (including snow removal and road maintenance). These areas generated **141**, **135** and **135** complaints respectively.

Although the details of these individual complaints vary widely, a common theme in our intervention was to facilitate communication between local residents and municipal officials, resolving communication issues and ensuring processes were explained. Some examples:

- We received **34** complaints from residents in one municipality that their water rates had increased substantially without explanation. Town staff informed us that public information sessions on the issue had been held and further consultations were planned. We shared this information with the complainants, and the town provided them with a contact who could address further questions.
- A woman whose sewer had backed up in her basement three times complained to us that the city's suggestion was that she install a sewage ejector, for which it offered to cover 75% of the cost. She did not understand why the city would not simply change the grade of its pipes instead. After we spoke with city officials, they sent her a letter of explanation, and she decided to install the ejector.
- After a municipal council approved rezoning along a main street to allow for a large homeless shelter, a man complained to us about the advisory committee that was established to allow community participation in the site planning process. Ombudsman staff made inquiries with the

municipality, which agreed to post the terms of reference and minutes of the committee online, in the interest of transparency.

- A man complained to us that the municipality refused to regrade a ditch in front of his home. He blamed the municipality for flooding on his property. Our inquiries with municipal staff revealed that the ditch was not part of a municipal drain, and that they determined the cause of the flooding was a dam the man had built on the property. They agreed to send him a detailed letter explaining why the ditch could not be regraded.

Municipal elections

Municipal elections are held across the province every four years – and 2018 was the first election year since the Ombudsman gained jurisdiction over municipalities. We received **106** election-related complaints, most relating to procedures for filing nominations, campaigning, and other aspects of conducting elections, which are the responsibility of municipal clerks, under the *Municipal Elections Act*. Some examples:

- Would-be candidates in several municipalities complained that their local clerks didn't give them enough time to correct errors in their nomination papers before the deadline. We determined that these clerks did not have any discretion to extend deadlines that are set in legislation.
- When about a dozen people in one city complained that officials would not allow them to take photos of public election forms – permitting them only

to take notes or make photocopies at a cost of 40 cents per page – we flagged the issue to the Ministry of Municipal Affairs and Housing. We pointed out to the city that many other municipalities across Ontario allow this practice and suggested that it consider doing so in future, in the interest of transparency.

- A candidate for council who was told to stop campaigning in a local park because it contravenes a local by-law complained to us that he was being singled out. Our inquiries with municipal staff determined that the by-law is enforced when complaints are received, and other candidates had been barred from campaigning in the same park.

Investigations – general municipal issues

Seizure of media property at the Regional Municipality of Niagara



Report: *Press Pause*, released July 18, 2018

Investigation update: This investigation was sparked by a chaotic incident at a December 2017 meeting of

Niagara regional council where councillors discovered that a recording device had been left running on a table during discussions that were closed to the public.

Municipal officials seized the device, which belonged to a citizen blogger, along with a laptop belonging to a local journalist. Police were called, and the

TOP 5 CASE TOPICS – GENERAL MUNICIPAL COMPLAINTS

1 337
Public housing

2 286
By-law enforcement

3 278
Councils and committees

4 276
Infrastructure and water

5 135
Planning and zoning


**Good
to
know**

Looking for more info about how we work with municipalities? See the **Municipalities** section of our website for more resources.

blogger and journalist were barred from returning to the meeting.

The Ombudsman's investigation included 52 interviews and reviews of relevant documents, emails and security video. He found the Region's actions unreasonable, unjust, wrong, and contrary to law and recommended it provide a full and frank apology to the journalist for infringing his rights under the *Canadian Charter of Rights and Freedoms*. He also called on the Region to apologize to the citizen blogger, and proposed several policy improvements to ensure the municipality has a clear process to follow in future.

"Although the events of December 7, 2017 were unanticipated, they are not unprecedented in municipal administration," the Ombudsman said in his report, *Press Pause*, released on July 18, 2018. "The Region could have avoided its improvident responses to discovery of the digital recorder and laptop by having appropriate policies and procedures in place, by implementing best practices stemming from similar situations, and by exercising sound judgment."

Once the investigation was completed, the Ombudsman provided a preliminary report of his findings to the Region, as required by the *Ombudsman Act*. This process gives any organization being

investigated the opportunity to review the findings and offer a response that the Ombudsman can take into account in finalizing his report. Unfortunately in this case, the Region initially responded through a law firm in an adversarial fashion. After the report was finalized, regional council and staff indicated they accepted the Ombudsman's **14** recommendations.

The Region provided an update on its progress in January 2019, noting that apology letters were sent to the journalist and the citizen blogger, and it began making audio recordings of closed meetings in October 2018. The Region's Procedural By-Law Review Committee and its security task force will provide further updates as they continue to work on implementing other recommendations.

“I’m relieved. I was worried the incident would be swept under the carpet. It clearly wasn’t. The Ombudsman did a very thorough job.”

– St. Catharines Standard reporter Bill Sawchuk, whose laptop was seized by Niagara Region officials on December 7, 2017, as quoted by the Standard on July 18, 2018

Hiring process for Regional Municipality of Niagara's Chief Administrative Officer

Launched: August 2018

Investigation update: After months of public controversy over media reports

of irregularities in the hiring process for its CAO, and an investigation by a local ombudsman that raised more questions, council for the Regional Municipality of Niagara voted on August 23, 2018 to ask the Ombudsman to investigate the matter.

The Ombudsman has discretion over what he chooses to investigate. On August 30, he announced a formal investigation, noting that he took into account the request from regional council, the strong public interest, and the high volume of complaints our Office received about the matter (**113** prior to the launch of the investigation).

The Ombudsman notified the Region that the investigation would look at:

- The process the Region used to hire its CAO;
- The Region's response to concerns about the hiring, including the investigation by a municipal ombudsman and review by an external governance auditor; and
- The administration of the CAO's contract, including any extension and amendment.

Since then, a team of investigators, legal counsel, and an early resolution officer have conducted more than 45 interviews and reviewed thousands of documents. Their field work is complete, and the Ombudsman is preparing his findings. As required by the *Ombudsman Act*, the Ombudsman's preliminary findings and recommendations will be shared with the municipality for review and comment before a report is finalized and published.

Trends in cases – open meetings

Ontarians now have access to an array of tools for ensuring consistent transparency at the level of government closest to them. Since 2008, this has included the ability to complain about meetings of councils, local boards or committees that are not open to the public, and to have those complaints investigated – either by the Ombudsman, or an investigator appointed by the municipality.

As of March 31, 2019, the number of municipalities using the Ombudsman as their closed meeting investigator reached a new peak: **225** of the province's 444 municipalities now use our free services (the Ombudsman strongly discourages all municipalities from charging fees to complainants).

Complaints are handled by our dedicated Open Meetings Team. Unlike general complaints about municipalities (or other public sector bodies), open meeting cases deal strictly with whether a meeting was in compliance with sections 238 and 239 of the *Municipal Act, 2001*, and with the municipality's own procedure by-law.

We received **155** open meeting complaints in 2018-2019, **133** about municipalities where the Ombudsman is the investigator. While this is a sharp increase from last year's total of 80, **77** of these relate to one matter – meetings in February 2019 by a **City of Hamilton** committee that were held outside of City Hall and resulted in public controversy (our investigation was ongoing at the time this report was written). This spike aside, complaint trends in this area remained consistent with recent years.



We produced two brand-new reference tools this year for municipalities and anyone interested in the open meeting rules: Our pocket-sized, bilingual guide (also available on our website), and our searchable online digest.

The Ombudsman investigated **46** meetings in **16** different municipalities this fiscal year, and issued **22** reports and letters on his findings. He determined **12** meetings (**26%**) were illegal, found **18** procedural violations, and made **33** best practices recommendations to improve meeting procedures and foster transparency. (Last year, the

Ombudsman investigated 30 meetings in 20 municipalities, and found 17 meetings illegal, or almost 57%).

We received excellent co-operation from most municipal staff and elected officials, and the Ombudsman's recommendations were overwhelmingly accepted and implemented.

As part of our ongoing efforts to increase awareness of the open meeting rules across the province and share our expertise in this area of law with stakeholders, our Office also created two new tools:

- A new edition of our handbook, *Open Meetings: Guide for Municipalities*, was sent to every municipal clerk and council member after the October 2018 election, and posted on our website.
- Our Open Meetings Case Digest – a digital tool that allows users to search hundreds of summaries of our open meeting investigations by topic, keyword and municipality – was launched on our website.

Our open meeting reports are also available through the Canadian online legal library, CanLII.

New definition of “meeting,” new exceptions

Last year, changes to the *Municipal Act* included a new legal definition of “meeting” – stipulating that a “meeting” is when a quorum of members of a council, local board or committee is present, and the members deal with a matter in a way that “materially advances business or decision-making.” In addition, four new “exceptions” were added to the general rule that meetings must be open to the public (s. 239), bringing the total number of exceptions to 14.

We have always received complaints and questions – from elected officials and the public – about whether or not informal gatherings of councillors outside of council chambers constitute “meetings” that are subject to the open meeting rules. Often these involve councillors dining together or socializing, but we also receive complaints about council members

holding discussions over email, text, social media or telephone – in other words, when they are not physically “present.”

In reviewing these cases since the change, the Ombudsman has considered this new definition. For example:

- When a quorum of council members for the **Village of Casselman** attended information sessions but had no discussions and made no decisions, the Ombudsman found it was not a “meeting.”
- When a quorum of council members for the **Township of Front of Yonge** stayed in chambers after a meeting ended, but did not discuss council business, the Ombudsman found it was not a “meeting.”
- When **City of Hamilton** council members used email to discuss a vacant council seat, the Ombudsman found they did not advance council business; still, he cautioned that although emails are not technically subject to the open meeting rules, municipalities should strive for openness in their communications.

In the interest of openness and transparency, the Ombudsman encourages municipalities and local boards to receive information and updates during public meetings, and to avoid conducting business over email or by other remote means.

So far, the Ombudsman has only had occasion to investigate the use of one of the new exceptions, s.239(2)(k), which permits discussions in closed session relating to certain negotiations. In a February 2019 report, he found that the **City of St. Catharines** council’s discussion about the role and nature of a new staff position did not fit within the exception because it did not relate to any specific negotiations.

“Although emails and other remote forms of communication are no longer subject to the open meeting rules, municipalities should continue to strive for transparency and openness, regardless of the medium used to communicate... The spirit of the open meeting rules calls for discussions that advance council business or decision-making to take place in public, and not over email out of the public eye.”

– Ombudsman Paul Dubé,
City of Hamilton open meeting report,
February 22, 2019

Procedure by-laws and public notice

The *Municipal Act, 2001* requires every municipality to have a procedure by-law that sets out the calling, place, and proceedings of meetings. The by-law is an essential guide for staff and elected officials as to how a meeting is supposed to unfold, as well as a way for the public to understand the process. It must also specify how notice of meetings will be given to the public. The Ombudsman dealt with these issues in several cases in 2018-2019. For example:

- The **Township of Tehkummah’s** by-law failed to set out the rules for calling an emergency meeting.
- Both the **Village of Casselman** and the **Township of the North Shore** had procedure by-laws that had not been

updated to reflect their actual meeting practices.

- Two meetings of the **City of Hamilton's** Waste Management Advisory Committee took place without public notice. The city's by-law did not address the notice requirements for advisory committees.
- The **Municipality of Callander** posted notice of a special meeting less than 36 hours beforehand, violating its procedure by-law's requirement of at least 48 hours' notice.

Another key requirement in the Act that bolsters the concept of public notice is that a council, local board, or committee must pass a resolution before closing a meeting. The resolution must be passed in open session, and state the general nature of the matters to be discussed. This year, the Ombudsman found that the **Towns of Fort Erie** and **Petrolia**, and the **Townships of The North Shore** and **Russell** failed to provide sufficient information to the public before closing meetings. He also found that the **City of St. Catharines** passed a resolution to close a meeting that failed to describe the subject, and failed to record the resolution in the meeting minutes.

Recording meetings

Municipalities are required to make a record of all meetings, open and closed. Our Office has always strongly recommended audio or video recordings of all sessions, as a best practice.

Audio or video recordings can greatly assist with our reviews of closed sessions, ensuring an accurate record of proceedings and reducing the time and resources involved for all parties. To date,

we are aware of **23** municipalities that have taken this important step towards transparency. They are:

- Cities: **Brampton, Elliot Lake, London, Niagara Falls, Oshawa, Port Colborne, Sarnia, Sault Ste. Marie, Welland**
- Towns: **Amherstburg, Collingwood, Fort Erie, Midland, Pelham, Wasaga Beach**
- Townships: **Brudenell, Lyndoch and Raglan, Adelaide Metcalfe, McMurrich/Monteith, North Huron, Wollaston**
- Municipalities: **Brighton, Central Huron, Meaford**

Personal matters

Year after year, the most commonly misused exception to the closed meeting rules is the one that applies to "personal matters about an identifiable individual." The Ombudsman investigated several such cases this year. For example:

- The board for the **City of Owen Sound's** Downtown Improvement Area discussed an open letter about the board's meeting practices in closed session and discussed some personal opinions about the letter writer, but the meeting did not fit within the exception because it focused on how to respond to the letter, not "personal matters."
- The **Municipality of Northern Bruce Peninsula** wrongly discussed an application under the *Land Titles Act* under the "personal matters" exception; the discussion referred to a specific property's location, dimensions, and boundaries – none of which is personal information about an identifiable individual.

CLOSED MEETING CASES

155

complaints received

46

meetings investigated

33

best practice recommendations

18

procedural violations found

12

meetings found illegal

- The **Township of The North Shore** misused the “personal matters” exception for a closed session discussion about the process to fill a council vacancy.

Labour relations and legal advice

The exceptions for discussions about labour relations or employee negotiations and for solicitor-client advice are also frequently misused to close meetings. Like all the exceptions, these should be interpreted narrowly. Some examples from this year’s cases:

- Council for the **Township of Tehkummah** correctly used the “labour relations” exception for a closed session to talk about an ongoing third-party workplace investigation.
- “Labour relations” fit the discussion by council for the **Town of Petrolia** regarding terminating all of the employees at its community centre.
- The **City of St. Catharines** council’s discussion about creating a new government relations advisor position did not fit the “labour relations” exception because it did not focus on the relationship between the municipality and its employees, or any specific individual who might be hired.
- The **Township of The North Shore** correctly used the “solicitor-client” exception to discuss a previously-obtained legal opinion about firefighter remuneration.

Case summaries

Fine treatment

A man who wanted to dispute a \$40 parking ticket told municipal staff he would call back to schedule a hearing, but when he did so, he was told it had already taken place. He complained to us that he received no notice, and no one from the municipality would answer his calls and emails – meanwhile, the unpaid fine had escalated to **\$208**. Ombudsman staff spoke to a manager at the municipality, who reviewed the file and discovered several errors by the municipality, which agreed to cancel the fine, contact the Ministry of Transportation to withdraw its penalty for an unpaid fine, and send the man an explanation and apology. The manager also said staff would review the case to determine how similar errors can be prevented in future.

Pothole role

When a snowplow hit a pothole, digging up asphalt and other debris, it dumped the pile in a woman’s front yard and left a larger hole in the road. She complained to us after the municipal crew she called only filled the potholes, leaving the debris in her yard. She could not understand why the crew hadn’t also cleaned up her property. We spoke with municipal staff, who contacted her directly to explain their role with respect to her private property.

Water pressure

A man who received a water bill for more than **\$700** – around seven times more than his usual charge – called us in frustration when the local water company told him his previous bills were only estimates, but this one was based on actual use, and they could not alter his bill. Our inquiries confirmed the water meter showed he had used 10 times the normal amount of water, but the city’s finance department has a program that allows for people to apply for reductions in abnormally high bills, based on financial need. We provided the man with information on how to apply to the program.

Photo proof

After we made inquiries about a man’s complaint that the required notice of a proposed zoning by-law amendment was not posted on the relevant property, the municipality changed its practices. Municipal staff told us they had advised the owner of the property to post the notice, but never checked to ensure that it was done. The municipality now requires owners to swear an affidavit that notice has been posted – and to send a photo to prove it.



Overview

In reporting on the range of provincial public sector bodies we oversee that are responsible for educating Ontarians, we divide this category into two parts: Early years through Grade 12, and Post-secondary.

The Ombudsman has always had oversight of the provincial Ministry of Education and the Ministry of Training, Colleges and Universities (which reassumed this name after the June 2018 election, after several years as the Ministry of Advanced Education and Skills Development). We have now had oversight of school boards and universities through four school years, and have seen a steady growth in complaints in most areas – including about colleges of applied arts and technology, which have always been part of the Ombudsman’s mandate.

As in all areas of our jurisdiction, we resolve the vast majority of education-related complaints without need for formal investigation. In fact, the Ombudsman has yet to launch a formal investigation related to a university, and has conducted only **2** investigations related to school boards (one in 2017 and one this year). However, we have done extensive reviews in many cases, proposing best practices to several school boards and post-secondary institutions, and working with the relevant ministries on broader issues.

To share information about how we work and spread awareness of how our Office can help parents, students, educators, trustees and other stakeholders, the Ombudsman and staff members also spoke at a variety of conferences and outreach events in the education sector this past year.

Trends in cases – early years through Grade 12

We received **39** general complaints about the Ministry of Education in 2018-2019 (down from 51 last year), many of which related to the government’s consultations and related changes to the health and physical education curriculum.

We received **873** complaints about school boards and school authorities, consistent with the previous fiscal year’s total of 871. Almost all of these were resolved informally, without need for formal investigation. Our intervention ranged from making referrals and facilitating communication with relevant officials, to in-depth reviews and suggesting best practices to school boards to improve their processes.

To date, the Ombudsman has launched just **2** formal investigations in the school board sector. See the **Investigations** section for further details.

School board staff and trustees

The most common topic of complaints about school boards in 2018-2019 was the conduct of school employees and school board staff. We received **170** such complaints, many of which fell within the boards’ existing processes, or those of the Ontario College of Teachers (which regulates conduct within the profession). Some related to boards’ hiring practices or internal investigations of staff. Where appropriate, we refer issues to the employees’ union, but we are able to

TOP 5 CASE TOPICS

1 873
School boards

2 282
Universities

3 234
Colleges of applied arts and technology

4 181
Ontario Student Assistance Program

5 33
Ontario College of Trades

review matters such as management hiring practices or how boards apply their policies and procedures.

Some examples:

- A mother sought our help after a children’s aid society worker alerted her to an incident involving the woman’s teenage son, who has a developmental disability, and an educational assistant at his school. We spoke with the superintendent, who confirmed that the school principal should have informed the mother about the incident, which had prompted investigations by the board and police.
- The family of a former teacher who died by suicide complained to us about the board’s handling of an investigation of her conduct. According to the family, the teacher was never informed of the specific allegations against her, nor was she referred to available mental health supports. Senior board officials told us that in response to the family’s concerns, the board had reviewed its procedures and training to ensure that all parties involved in an internal investigation are treated fairly.

Parents and community members also complain to us about trustees, and in 2018 this included the conduct of some trustee candidates during and after the October 22 school board elections. We also received complaints about how the Ministry of Education ensures good governance of school boards, including how trustee conduct issues are addressed. We were told that the Ministry plans to hold consultations on school board governance that will include some of the concerns we raised.

Special education

Concerns about the adequacy of special education services continue to be a regular source of complaints – **96** in 2018-2019. Because the Ombudsman is independent and impartial, our Office cannot advocate for specific services or resources for individuals, but we can make sure school boards are clearly communicating with parents and are responding to relevant concerns. For example:

- We helped a mother get answers and an assessment of her two children’s special needs after the school board abruptly cancelled their transportation service. Our inquiries determined that the board had provided the bus service as a courtesy, and the mother was unaware that documentation of the children’s needs was required. We encouraged the board to explain its policies and procedures to her, and they set up a call to do so.
- The mother of a child who had been in a specialized behavioural program for several years – receiving just one hour of home instruction per day – sought our help in getting him back into a regular school. We spoke with school board officials, who were unaware of the mother’s concerns. They immediately connected with her to review her son’s situation.

In cases where parents and boards are unable to resolve such issues, we inform them of available appeal mechanisms under the *Education Act*, and through bodies like the Ontario Special Education Tribunal and the Human Rights Tribunal of Ontario. Those who have outstanding concerns can contact us as a last resort, as we also oversee provincial tribunals.

Exclusions and access/ communication restrictions

School principals have the authority under the *Education Act* to bar individuals from school who pose a risk to the health and safety of students. We often receive complaints from families seeking a way to appeal or alter student exclusions, and have noted in past reports that the Ministry of Education has not provided guidance to boards about this, leading to inconsistent practices across the province. In March 2019, the Ministry announced plans to hold consultations that will include discussion of student exclusions. We will continue to monitor this issue.

We also intervened to assist several parents who complained about access and communication restrictions placed on them by school boards. Our focus in these cases is on whether the board acted in accordance with its policies and with procedural fairness (including providing the reasons for the restrictions and communicating them clearly, along with any options for review or appeal). For example:

- A mother complained to us that the board had barred her from accessing her six-year-old daughter's school and communicating with school staff, making it impossible for her to take the girl to school or be informed about any emergencies. Ombudsman staff spoke with the superintendent and pointed out that the board's restriction letter failed to address these details, as well as any appeal process or time limit. The board agreed to improve its restriction letters and consider developing a specific policy for such restrictions.

- We helped a father who was subject to a trespass notice get a temporary exemption to pick his children up from school when their mother was out of town. After we shared best practice suggestions with the school board, it began developing a policy for such restrictions, including a process to allow for exceptional circumstances and appeals.

Busing

Most of the complaints we receive about student transportation relate to the busing services contracted by school boards, and the boards' transportation policies. Our staff have proposed best practices to the busing companies and boards to improve their communication with parents and students. For example:

- A transportation consortium had decided to stop busing a large number of secondary students after a review of all schools in the area, prompting concerns from affected families in the public and Catholic school boards. Ombudsman staff encouraged the consortium to communicate more clearly about how it determines which students are eligible for busing, and how affected families can appeal.
- A higher than usual number of "snow days" in early 2019 prompted complaints from families in several school boards who disagreed with boards' decisions to cancel (or not cancel) transportation because of freezing rain and snow. We suggested parents raise concerns about service with administrators, and general concerns about weather policies with school trustees.

TOP 5 SCHOOL BOARDS BY CASE VOLUME

1

111

Toronto District
School Board

2

74

Ottawa-Carleton
District School Board

3

58

Toronto Catholic
District School Board

4

42

Peel District
School Board

5

33

Durham District
School Board

CASES BY TYPE
OF SCHOOL BOARD

579

English public boards

219

English Catholic boards

26

French Catholic boards

13

French public boards

2

School authorities

34

Board not specified

Investigations

School busing issues in Toronto



Report: *The Route of the Problem*, released August 2017

Investigation update:

Since the completion of this investigation,

which focused on the systemic issues that led to severe interruptions in school bus service in Toronto at the start of the 2016-2017 school year, we have monitored the response of the Toronto public and Catholic school boards to the Ombudsman’s recommendations.

The two subsequent school years since then have started with relatively few complaints about busing. We received just **4** in September 2018, in stark contrast to September 2016, when thousands of students were left stranded at bus stops, at their schools and waiting for buses that were hours late or never arrived.

The Toronto District School Board and the Toronto Catholic District School Board, through their shared transportation consortium, have provided the Ombudsman with regular updates on their progress in implementing the 42 recommendations in his August 2017 report. In March 2019, the consortium confirmed that **25** recommendations are fully implemented. These include a communications protocol for notifying parents, schools and other stakeholders of service disruptions, and an online portal to allow parents and schools to track the location of buses in real time.

We continue to monitor the boards’ progress on the outstanding recommendations, some of which can only be addressed when transportation contracts are next renewed.

Transparency of a school closure decision in North Bay

Launched: October 2018

Investigation update: In 2016, the Near North District School Board began a pupil accommodation review to consolidate its three North Bay secondary schools due to declining enrolment. After the review was completed, trustees voted at a September 26, 2017 meeting to close one secondary school and refurbish the other two. It was one of the last school closing processes in Ontario before the province issued a moratorium on such decisions by school boards.

In the spring of 2018, as the board was working on its transition planning, the Ombudsman received complaints about the transparency of the process that led to the secondary school being closed, particularly once the matter was before trustees. After conducting an in-depth preliminary review, the Ombudsman determined that there was sufficient basis for an investigation, and notified the board in October 2018.

At the time this report was written, the investigation had been completed and the Ombudsman’s findings and recommendations were being drafted. As required by the *Ombudsman Act*, the board has a chance to review these and respond before any report is finalized.

Trends in cases – post-secondary

We received **237** complaints about postsecondary funding, training and certification programs under the authority of the Ministry of Training, Colleges and Universities in 2018-2019, including **181** about the Ontario Student Assistance Program (OSAP) and **33** about the Ontario College of Trades. Other complaints related to apprenticeship programs, private career colleges and the Second Career Program.

Complaints about universities and colleges continued to increase, to **282** and **234** respectively – up from 268 and 189 last year.

The most common topic of complaints was financial matters and registration issues, followed by academic placements and assessments, and admissions decisions. Our focus in most cases is to ensure the institution has policies and procedures in place, and is applying them fairly. We also received complaints from students about the conduct of instructors and staff, as well as from instructors and staff about employment-related matters. Where appropriate, we refer employees to relevant staff associations or unions.

As of January 1, 2019, all colleges and universities were required by the Ministry to implement free speech policies and to have processes in place for individuals who wish to make a complaint about free speech on campus. The policy specifies that unresolved complaints about free speech may be referred to the Ombudsman.

Ontario Student Assistance Program (OSAP)

We received **181** complaints about OSAP in 2018-2019, up from 142 the previous year. Most related to funding decisions, adequacy of communication and general customer service concerns. We also received some **60** complaints about money-related issues involving colleges and universities – regarding tuition and other fees, as well as their communications around OSAP.

In many cases, our intervention revealed errors or a lack of flexibility, some as a result of OSAP's automated systems. Some examples:

- A college student sought our help when OSAP denied her funding halfway through the academic year because she was receiving benefits from the Ontario Disability Support Program (ODSP). In fact, she had notified the college's financial aid office months earlier that she was no longer an ODSP recipient. Our inquiries with OSAP officials revealed that they had approved her for additional funding, but an automated function of their system continued to show her as an ODSP recipient, causing a staff member to override her increase. OSAP corrected the error and the student received **\$9,510** for her second semester.
- We helped a student bridge a communication gap between her university's financial aid office and OSAP administrators. She was facing financial hardship and eviction and complained the university had not answered her questions about how to apply for funding. We contacted

TOP 5 COLLEGES OF APPLIED ARTS AND TECHNOLOGY BY CASE VOLUME

1	29	Humber College
2	26	George Brown College
3	21	Mohawk College
4	17	Centennial College
5	14	Conestoga College

OSAP officials directly to find out what information they required to process her application, which they subsequently approved.

- Our inquiries with OSAP about delays in a student's case revealed that his funding was on hold because the income amount provided in his OSAP application differed from that in his income tax return. Once OSAP determined the amount on the application was wrong, he received **\$7,139** in funding.
- A woman who had received student loans in the past had trouble getting Second Career Program funding because OSAP's system did not show she had paid off her previous loan from a federal student program. Our inquiries revealed there is no automatic communication between the National Student Loan Service Centre and OSAP when a federal loan has been paid off. Once notified that the woman's debt was paid, OSAP removed the restriction on her file.

Admissions and registrations

Admissions and registrations are perennial sources of complaint at universities and colleges, and our role in these cases is usually to ensure that the policies and procedures have been followed and that the institution communicated the decision clearly and in a timely fashion. Admissions are discretionary and students are generally not guaranteed a place in a program until they are formally registered. We can also make inquiries and suggest best practices to improve the clarity and fairness of the institutions' processes.

For example:

- As part of our review of an out-of-province student's complaint about a university's admission process, Ombudsman staff looked at how other similarly sized universities dealt with withdrawal of conditional admission offers. We found a great deal of variation, with some offering applicants multiple warnings, some offering no appeals, and others allowing appeals for exceptional circumstances. Based on this research, we suggested best practices to the university, and it agreed to clarify the conditions of admission in its offer letters and set out an appeal process on its website.
- We received **3** complaints from international students who were offered enrolment in a Toronto-based program through a partnership between a public college and a private career college. After arriving in Canada, the students were initially told that the program was oversubscribed and their options were to receive a refund, take an English class at extra cost, or defer enrollment until the fall. After we alerted the Ministry to this matter, the students were able to enrol in the program, and the Ministry committed to monitoring these partnerships to ensure the issue does not recur.

University and college ombudsmen

The Ombudsman has always encouraged colleges and universities to have their own independent ombudsmen – we are aware of **15** across the province. Where a college or university does have

an ombudsman or similar accountability office, we refer students to them before we get involved.

We also receive complaints about these offices, and our jurisdiction varies depending on their structure and financing. Where possible, we work with them to ensure they are providing the best service possible to college and university communities. For example:

- In helping a student reach his university's ombudsman, we discovered that the phone number on its website was not working and its email filter was designating potential complaints as junk mail. It also relied on staff within the university's central administration to triage complaints. The university addressed the communication issues and its ombudsman agreed to review the student's complaint. We also suggested best practices to senior university officials for ensuring the independence of its ombudsman, and they committed to reviewing the structure of the office.

Ontario College of Trades

We received **33** complaints about the College of Trades in 2018-2019, compared to 20 last year. A handful of these complaints related to concerns about a new required certification related to fire suppression systems. Others related to certification examinations and decisions. Under new legislation passed in November 2018 and measures introduced in the government's April 2019 budget, the College will be wound down and replaced with a new governance structure for certification of trades.

Case summaries

Technical difficulty

A Grade 10 student was disappointed to receive a failing grade on the writing component of the Ontario Secondary School Literacy Test. She had been permitted to submit the essay portion of the test via computer as an accommodation for her dyslexia, but due to a technical problem, the essay was never received by the Education Quality and Accountability Office (EQAO). The student's mother complained to us that EQAO officials insisted that the girl's only option was to contact her school and arrange to redo the entire test. After Ombudsman staff spoke with EQAO officials, they agreed to review the rest of the student's test results, which they prorated, giving her a passing grade.

Oh brother

In a case that officials called "unprecedented," a brother and sister complained to us about difficulties in applying to the Ontario Student Assistance Program (OSAP) – one to attend college, the other university. It turned out that the federal government had accidentally issued them identical social insurance numbers, which was not discovered until the brother's OSAP application was denied. This resulted in delays and questions regarding the sister's file, affecting her funding as well. We spoke with OSAP officials, who explained the sister would have to fill out a form, provide supporting documentation, and contact the National Student Loan

Service Centre to have her file updated before OSAP could process the brother's application. They confirmed that he would be able to receive funding retroactive to the previous academic year, when he had first applied.

Changed course

A student who was close to completing her program at a college of applied arts and technology was unsure if she had all the credits she needed for her diploma, so she enrolled in an extra course just in case. She was told that if she discovered it wasn't necessary, her enrolment would be automatically cancelled if she didn't formally register as a student for the next semester. She learned the next day that the class was not required for her to graduate, but took no action, relying on the college's advice. A week later she received a notice that she owed \$500 for the class, the deadline to cancel had passed, and she would not be allowed to graduate unless she paid. Our staff raised this matter with the college, which admitted its error in failing to cancel the student's enrolment. She was able to appeal the fee and graduate.

TOP 5 UNIVERSITIES BY CASE VOLUME





Overview and trends in cases

In 2018-2019, we received **897** complaints about the Ministry of Transportation and its programs – surpassing the previous year’s decade high of 598. Once again, the most common complaints were about customer service issues relating to driver licensing, medical review of licences, and suspensions, fines and fees. We also helped drivers with problems related to correspondence and driver testing.

Our staff meet regularly with senior Ministry officials to address complaint trends and potential systemic issues proactively. In some cases, this intervention resulted in the Ministry changing its policies and/or improving communications materials. For example:

- Several motorists whose vehicles were damaged due to construction on a stretch of highway complained to us after they went through the Ministry’s claims process, only to be sent to the responsible private contractor, who refused to reimburse them. Ombudsman staff contacted the Ministry’s area office, which committed to resolving the claims.
- We reviewed **2** cases of refugee claimants whose driver’s licences from their home countries were confiscated by the Canadian Border Services Agency (CBSA) and replaced with a “certified true” copy, which Ontario officials would not accept as proof that they were experienced drivers. After our staff spoke extensively with

the Ministry, CBSA and Immigration Canada officials, the Ministry agreed to change its policy, and now accepts “certified true” copies of licenses for the purposes of proving previous driving experience.

- A novice driver who was involved in an accident while speeding complained to us after he received a 30-day licence suspension without warning, along with four demerit points. He noted that the Ministry’s website indicates that four demerit points usually result in a warning letter; it does not mention that this does not apply to novice drivers who receive four demerits all at once. After Ombudsman staff pointed this out to the Ministry, it updated its website to include links to information about its “Escalating Sanctions for Novice Drivers” program.

Medical review of licences

Complaints about the Ministry’s Medical Review Section, which is responsible for suspending drivers who are medically unfit to drive, have decreased steadily in recent years, due to the Ministry’s ongoing efforts to address issues and improve its medical review process. We received **83** cases in 2018-2019, compared to 109 in the previous year, 116 in 2016-2017, and 242 in 2015-2016.

The Ministry has told us that it aims to modernize the medical review system and make medical review information more accessible to drivers. In the meantime, our staff assisted many drivers in resolving medical review issues. For example:

Good to know

Cases related to the Ministry of Transportation's Electric and Hydrogen Vehicle Incentive Program can be found in the **Energy & Environment** chapter of this report.

- We helped a commercial truck driver who was at risk of losing his job after the Medical Review Section suspended his licence because of an incorrect report from his doctor. The doctor had corrected the report and faxed it to the Ministry twice, but nothing changed and the driver feared his licence would expire and he would have to redo the test. After our staff contacted the Ministry, the man's file was reviewed and his licence reinstated right away.
- When an 83-year-old man received repeated demands from the Ministry for medical information he had already submitted, our staff contacted a Ministry official who confirmed that the file was complete and the man's licence had been reinstated.

Duplicate licences

Ombudsman staff have been monitoring the Ministry's efforts to address concerns about duplicate driver records, after a 2012 case where we discovered a convicted drunk driver still had a valid licence because his licence suspension was inadvertently entered against a duplicate (or "ghost") licence record in the Ministry's database. Over the past several

years, the Ministry has made significant progress in eliminating duplicate records for drivers who have had their licences suspended for dangerous or impaired driving. We received **1** complaint about this issue this year:

- When a driver was charged with driving with a suspended licence in 2018, it was revealed that a duplicate licence had been created for him almost 30 years earlier. In 2001, he was convicted of impaired driving and completed all the applicable requirements to reinstate his licence by 2004, but staff mistakenly reinstated the duplicate licence, and his "real" licence remained suspended. After our Office and his MPP contacted the Ministry, it waived his reinstatement fee and additional penalties.

Investigations

Driver's licence suspensions and reinstatements



Report: *Suspended State*, released September 2018

Investigation update: In May 2017, the Ombudsman launched a systemic

investigation into the adequacy and effectiveness of the Ministry of Transportation's administrative processes for notifying and communicating with drivers about licence suspensions and reinstatements with regard to unpaid fines.

Our Office had flagged this issue to the Ministry for several years, resulting in some changes to suspension notice forms, but we continued to receive

TOP CASE TOPICS

230

Driver licensing

83

Medical review

49

Metrolinx/GO Transit



September 27, 2018: Video of Ombudsman Paul Dubé’s news conference to release his report, *Suspended State*. All of the Ombudsman’s news conferences can be found on our YouTube channel, via our website.

complaints from drivers who had no knowledge that their licences were invalid or suspended, and only learned of this when they were stopped by police or attempted a licence transaction.

For some, so much time had passed that the Ministry treated them as new drivers and required them to redo its graduated licencing program, in addition to charging them hundreds of dollars in reinstatement fees. Of particular concern to the Ombudsman was that drivers who are unknowingly suspended are not covered by insurance if they are involved in an accident.

The Ombudsman’s report, *Suspended State*, released in September 2018, found the Ministry’s process for notifying drivers to be “unreasonable, unjust and wrong,” and made **42** recommendations to the Ministry for improvement.

The investigation uncovered serious systemic problems with the Ministry’s communications, record-keeping and customer service. Among the Ombudsman’s findings:

- Drivers were left navigating complex and cumbersome service systems that lacked appropriate customer service standards.
- The Ministry relied on regular mail for licence suspensions, but failed to track the estimated 4% returned mail, and kept no records of driver suspensions returned to the Ministry.
- The suspension process was fundamentally flawed, as drivers were warned that licences “may” be suspended if they didn’t pay their fines, not that the licence suspension “will” happen.

- Notices of licence suspensions were mailed on the same day they took effect, leaving drivers unknowingly driving with suspended licences while the notices were in the mail, with no advance notice or grace period.
- The wording and formatting of the Ministry’s notices were confusing.

The Ministry has agreed to and already begun to address all but **4** of the Ombudsman’s recommendations, **2** of which it continues to study. Ministry officials declined to accept **2** recommendations to give bureaucrats discretion to waive the graduated licencing requirements for drivers in certain circumstances, as they maintain that staff can already do this.

The Ministry committed to reviewing the wording and formatting of its notices to drivers, improving its tracking of driver addresses and returned mail, exploring digital tools such as an online portal for driver information, and making its existing online licence status checker tool free of charge. It has agreed to report back to the Ombudsman every six months on its progress in implementing these recommendations.

“As a matter of fairness and road safety, the Ministry must do a better job of informing drivers of their status, rather than leaving them to be caught by surprise.”

– Ombudsman Paul Dubé,
Suspended State

“We continue to assist the Ministry of Transportation to examine this process and are confident that this partnership will help meet current and future challenges. We recognize the importance of effective communication to the public and look forward to any opportunity to improve the process.”

– Attorney General Caroline Mulroney,
Letter to Ombudsman re Suspended
State, Nov. 15, 2018

Case summaries

Mail fail

A commercial truck driver complained to us that his licence had been downgraded and he had not been able to get an explanation or assistance from ServiceOntario or DriveTest. Our inquiries with the Ministry determined that he had completed all the required tests to maintain his commercial licence, and it had actually sent him one, but it had been returned undelivered. Once our staff alerted the Ministry to this issue, it restored the driver’s commercial licence.

Passed test

A 74-year-old woman who delayed a required driver’s test so she could have hip surgery sought our help after the Ministry cancelled her driver’s licence.

She was required to take several tests to keep her licence after having a car accident. When the opportunity to have surgery came up, she asked staff at ServiceOntario for a time extension, and they agreed. When she later tried to take her test, she discovered that the Ministry had cancelled her licence because she had missed the testing deadline, which ServiceOntario staff had no authority to extend. Our Office made inquiries with Ministry officials, who confirmed that the ServiceOntario staff should have relayed the woman’s request to them. The Ministry reimbursed the woman’s fees, assisted her with priority booking of her tests, and ensured that the staff involved were aware of the correct process for handling extension requests.

Proof of payment

A driver who required his licence for work sought our help when it was suddenly suspended due to a fine he had incurred 27 years earlier. He had been convicted of impaired driving in 1990 and fined \$735. He believed he had paid the fine at the time, but in order to get his licence back, he agreed to pay another \$735, along with the \$198 licence reinstatement fee, before contacting our Office. Our staff made numerous inquiries with the Ministries of the Attorney General, Finance, and Transportation, as well as court officials in Toronto and Brampton. We discovered the man’s licence had been suspended in 1994, but he had paid the fine and had his licence reinstated in 1995. His 2017 suspension was in error. It was removed from his record and he was refunded both the **\$198** reinstatement fee and the **\$735** duplicate fine.

Welcome home

A woman who had lived abroad for many years returned to Ontario and applied to exchange her foreign licence for an Ontario licence. She was asked to provide the date on which her out-of-country licence was originally issued, but it was so long ago, she had no such record. She was told she would have to go through the full novice driver program, but when our staff contacted Ministry officials, they confirmed that she could simply provide other proof of at least two years’ driving experience, which she did.



Overview and trends in cases

The Ombudsman oversees the Ministry of Health and Long-Term Care, the Ontario Health Insurance Plan, and numerous programs that assist with funding drugs and medical devices. We received **547** complaints about Ministry organizations within our jurisdiction, with the top source of complaints being the Ontario Health Insurance Plan (OHIP).

We also received **510** complaints about hospitals and **100** complaints about long-term care homes – about the same number that we have consistently received, even though these bodies have never been within the Ombudsman’s mandate. Wherever possible, we refer complainants to the Ministry’s Patient Ombudsman. Our office does oversee the Patient Ombudsman (the office continues to deal with complaints, although at the time this report was written, the role had not been permanently staffed since spring 2018), and we dealt with **17** complaints about it in fiscal 2018-2019 (down from 28 the previous year), which were resolved through communication with that office’s staff.

Ontario Health Insurance Plan (OHIP)

Complaints about OHIP decreased slightly in 2018-2019, to **118** from 132 in the previous year. The most common issues continue to involve the renewal and replacement of health cards. Many complainants also faced difficulties in obtaining health coverage after an absence from Ontario, or because they do not have a permanent address. For example:

- A woman sought our help after being unable to renew her health card because she did not have a permanent address and could not confirm her residency in Ontario. She told us she had serious health needs that required treatment. Our Office contacted the Ministry, whose staff agreed to look at the woman’s situation and offered to get in touch with her directly. After they spoke to her, she was issued a letter confirming her eligibility for OHIP coverage, which she was able to use, along with proof of identity, to renew her health card.

We also continue to receive complaints from people who disagree with OHIP’s lack of coverage for specific medical procedures and treatments, such as physiotherapy, or certain types of cosmetic or reconstructive surgery, or its denial of requests to cover medical treatments outside of Ontario. In these cases, we review the Ministry’s reasons for the decision and whether it is evidence-based.

Drug programs and assistive devices

We received **52** complaints about Ontario’s drug programs, down from 71 the previous year. Of these, **24** concerned the Exceptional Access Program, while **13** were about the Trillium Drug Program. Complaints about both programs usually relate to decisions not to fund or reimburse the costs of certain medications.

We also received **25** complaints about the Assistive Devices Program (ADP), which provides funding to help patients offset the costs of medical equipment

supplies. Such complaints generally relate to funding criteria or timelines.

Ombudsman staff are often able to clear up miscommunication in such cases. For example:

- An Ontario Disability Support Program (ODSP) recipient sought our help in obtaining Ontario Drug Benefit reimbursements for his medications. He had received some reimbursement, but the Ministry had denied the rest until he submitted a letter confirming his retroactive ODSP grant. Our inquiries determined that he had submitted the letter, but it was not on file. Once the man resubmitted the letter and his receipts, he was fully reimbursed.
- A man who applied for funding for a scooter complained to us that the ADP gave him no reasons for denying his request. Ombudsman staff contacted the ADP and discovered that officials there were waiting for additional information from the man’s physical therapist, but the man was unaware his application was incomplete. Once we clarified this with him and he sent in the missing information, his application was approved.

Local Health Integration Networks (LHINs)

Local Health Integration Networks (LHINs) were established in 2007 as non-profit agencies funded by the Ministry of Health and Long-Term Care, to plan funding and integrate health services in 14 regions, including hospitals and long-term care homes. LHINs also assumed responsibility for co-ordinating home care and community support services in 2016 when Community Care Access Centres were eliminated.

Under new legislation passed in April 2019 (Bill 74, *The People’s Health Care Act, 2019*), the LHINs and several other provincial health agencies are to be merged into a new body, the Ontario Health Agency, which will be within the Ombudsman’s mandate. Our staff are monitoring these changes.

We received **100** complaints about LHINs in fiscal 2018-2019, up from 81 the previous year. Complaints related to decisions about the quality of or eligibility criteria for certain health services. We resolved the bulk of these through provision of information and referrals.

Investigations

Oversight of complaints about ambulance services

Launched: May 2018

Investigation update: In the wake of several complaints regarding patients who died, were harmed or who suffered as a result of serious delays or other issues involving ambulance services, the Ombudsman launched an investigation into how the Ministry reviews such incidents.

The Special Ombudsman Response Team has completed the field work in this investigation – including more than 60 interviews with Ministry staff, emergency service providers and stakeholders as well as dozens of complainants, and the review of thousands of data files. The Ombudsman is in the process of drafting his findings and recommendations, which will be provided to the Ministry for a chance to respond, after which his report will be finalized and published.

TOP 5 CASE TOPICS

1 **510** (outside our jurisdiction)
Hospitals

2 **118**
Ontario Health Insurance Plan

3 **100**
Local Health Integration Networks

4 **100** (outside our jurisdiction)
Long-term care homes

5 **52**
Ontario public drug programs

Case summaries

A second look

A transgender woman complained that the Ontario Health Insurance Plan (OHIP) had improperly refused her application for prior approval for breast reconstruction surgery. The woman explained that due to medical treatment she had undergone as an adolescent, she required additional reconstructive surgery that would not normally be covered for sex reassignment. Our Office made inquiries with the Ministry, and also spoke with the woman's surgeon. The surgeon then submitted a new application with additional information, which was approved, with the Ministry specifying that any medically necessary procedures would be covered.

Uncovered

A concerned social worker at a psychiatric hospital asked us if we could help a patient whose OHIP coverage had been suddenly cancelled. We discovered that the man had immigrated to Canada more than 50 years ago, and was under the guardianship of Ontario's Office of the Public Guardian and Trustee, but had no legal status. He had been temporarily given OHIP coverage several times under a program that allows psychiatric patients to be covered while they are in hospital, until they can provide the requisite documentation. We also made inquiries with the man's immigration lawyer about the man's application for permanent residency. It was granted and he was able to obtain a health card and remain in treatment.



CERTIFICATES & PERMITS

Overview and trends in cases

Ontarians rely on the Ministry of Government and Consumer Services for everything from birth certificates to death certificates, the main providers of which are the Office of the Registrar General and ServiceOntario. Complaints about both of these bodies substantially increased in 2018-2019, in part due to lengthy delays and a backlog that peaked in February 2019.

Both offices acknowledged via their websites and social media that due to the backlog, registrations of births, deaths and marriages could take 15 weeks. The Minister also noted in the Legislature that an increase in applications and a system that required errors to be fixed manually contributed to the delays, and that staff were authorized to work overtime to ease the backlog.

Ombudsman staff routinely work with officials at the Ministry, the Registrar General and ServiceOntario to help people deal with delays and other barriers they encounter in obtaining identification documents, including poor customer service.

Birth, marriage and death certificate delays

We received **128** complaints about the Registrar General in 2018-2019, up from 62 the previous year. At least half of these were about delays, as people in need of documents in order to obtain passports, social insurance numbers or benefits contacted us in frustration. For example:

- A woman who needed a long-form birth certificate to obtain a work visa sought our help when she submitted additional information to the Registrar General and then heard nothing for two months. After our staff contacted the Registrar General's office, her document was issued within two days.

Given the volume of complaints and human impact of the delays, we spoke with Registrar General officials to ensure that additional staff and overtime were helping to clear the backlog. They also noted that technological improvements were underway to make their processes simpler and faster.

Complaints about ServiceOntario – which also handles driver's licences (see the **Transportation** chapter of this report) – totalled **269** this year, compared to 194 in 2017-2018. We continue to monitor both bodies' response to this issue.

Digital communication issues

Our staff also helped several people deal with communication glitches that raised serious concerns about the Registrar General's policies with regard to digital applications. In a few cases, the Registrar General maintained that it was prevented by the *Vital Statistics Act* from altering registrations for something like an autocorrect error on a mobile phone. For example:

- A father who used his mobile phone to register his newborn son's birth misspelled the baby's surname by one letter – thanks to autocorrect. His MPP's office tried to help, but Registrar General officials told him the only way to fix the mistake was to go through

TOP CASE TOPICS

269

ServiceOntario

128

Registrar General

the process of a formal name change. Our staff helped clarify the process for the MPP and the father by facilitating communication with the Registrar General’s office.

- While registering the birth of his newborn on a mobile phone, a man selected the wrong sex in error, then corrected it, resulting in a birth registration that shows both (the incorrect sex is shown in brackets). The Registrar General’s office firmly maintained that by law, errors cannot be removed, only corrected with brackets. After our Office’s inquiries on this file, it implemented an additional review process for similar cases to prevent sex designation errors from being shown on the registration.

We continue to monitor the Registrar General’s efforts to modernize its processes, and the effect of a proposal in the 2019 Ontario budget to allow it to make regulations to this effect.

Case summaries

Caught in the web

A woman complained to us that the Registrar General’s website froze when she was in the midst of applying for death certificates for two family members. She went back to the website and filed the application, and alerted the Registrar General of this – but she wound up being charged for two applications. We suggested several ways Registrar General officials could address this issue, including staff training, clearer instructions on the website, and warnings to customers not to send duplicate applications.



Cases related to driver’s licences can be found in the **Transportation** chapter of this report.

What to expect

An international student who had completed post-secondary studies in Ontario and was now employed sought our help in communicating with ServiceOntario about getting an Ontario Health card. She complained that each time she brought in the documents they requested, their expectations changed. We connected her with officials at the Ontario Health Insurance Plan (OHIP), who explained the documents she needed. They also agreed to speak with ServiceOntario about how to handle similar situations.

Welcome change

A transgender man seeking a name change complained to us when his application was rejected because the sex on his birth certificate differed from the gender on his name change application. He was advised by ServiceOntario to contact the Registrar General, whose staff said he would have to submit a letter explaining the discrepancy. In the course of our inquiries, we discovered the name change form had recently been revised and no longer required applicants to identify their gender. Registrar General staff approved the name change and acknowledged the man’s application should not have been returned.



Overview and trends in cases

Our Office has noted a steady decline in cases in this category in recent years. The most common complaints relate to the Ministry of Labour's Workplace Safety and Insurance Board (WSIB), which provides wage-loss benefits and supports to injured workers, and the Workplace Safety and Insurance Appeals Tribunal (WSIAT), which serves as the last avenue of appeal for workers who are dissatisfied with the WSIB's decisions and internal appeal processes.

Most of these complaints are resolved by referral to the appropriate officials, but we also monitor and flag potential systemic issues, which has led to a decline in overall complaints. Although our Office does not oversee labour unions or self-regulating professions, our staff refer complaints to the relevant oversight and appeal mechanisms as warranted.

Workplace Safety and Insurance Board (WSIB)

Complaints to our Office about the WSIB dropped to **278** in 2018-2019, which is less than half the number we received three years ago (594). Complaints about the WSIB usually relate to delays, communication issues or customer service problems with individual claims, or disputes over compensation decisions. We refer most complaints to the WSIB's internal ombudsman – the Fair Practices Commission – or the offices of the Worker Adviser or Employer Adviser, as appropriate.

We also continue to monitor developments in consultations between the WSIB and its labour stakeholders regarding the WSIB's approach to medical advice about workers' recovery and return to work.

WSIAT backlog of appeals

Our Office has raised concerns about systemic delays at WSIAT since 2014-2015, when a spike in its caseload led to some appellants waiting more than two years for hearing dates. The Ombudsman assigned the Special Ombudsman Response Team to assess these issues, and tribunal officials confirmed that their caseload doubled to more than 9,000 in 2015 as a result of a shortage of adjudicators. Changes to the WSIB's adjudication processes had also prompted more appeals.

WSIAT leadership committed to providing the Ombudsman with regular updates as they worked to address this issue. Among other improvements, WSIAT increased its complement of adjudicators, began conducting hearings by video conference and launched a project to review and potentially resolve cases earlier in the process. The number of active appeals has dropped consistently, as have median wait times for hearings. These improvements corresponded with a steady decline in complaints to our Office. We received **68** in 2018-2019 – the lowest number in more than five years.

TOP CASE TOPICS

278

WSIB

68

WSIAT

In March 2019, WSIAT informed us that it had successfully eliminated the backlog and its caseload had returned to normal levels, at slightly under 4,000. The average wait time for a hearing was less than 10 months.

Ombudsman staff also helped individuals resolve issues with the tribunal. For example:

- When we inquired about a case where confusion led to the delay of a worker's appeal, WSIAT officials noted that they had adopted a new procedure of speaking with applicants by phone, rather than only by letter, to reduce misunderstandings and speed up the process.

Ontario Immigrant Nominee Program

As noted in our last Annual Report, our Office has monitored problems with delays, poor customer service and communication related to the Ontario Immigrant Nominee Program (OINP), which nominates skilled immigrant workers for permanent residency in Ontario. In several meetings with Ombudsman staff, the Ministry detailed its efforts to address these issues. These included ensuring the program's main processing unit was fully staffed so it could consistently process applications in 45-90 days. As well, the *Ontario Immigration Act, 2015*, proclaimed in force in January 2018, prompted the OINP to create a new set of formal policies and procedures, clarifying the criteria for nominations, and establishing an appeal process. We received no complaints about the program in 2018-2019.

Case summaries

Harsh choice

A provincial government employee complained to us that the practices of the Workplace Discrimination and Harassment Prevention Office (WDHP) were onerous and unfair. This office, part of the Ministry of Government and Consumer Services, investigates complaints of discrimination and harassment in the Ontario Public Service. When the woman was on medical leave due to the stress of the alleged harassment she had experienced, WDHP officials gave her two choices: Provide a medical certificate stating that participating in the investigation would not aggravate her medical condition, or sign a waiver stating that she accepted responsibility for any negative impacts the investigation may have on her. She did not feel able to give this kind of assurance. Ombudsman staff raised concerns with the WDHP that such requirements could deter victims of workplace harassment from making complaints. The WDHP informed us that in the wake of our discussions, it has decided to change this practice.



Overview and trends in cases

Cases in this category include complaints about public sector administration of all forms of electricity and fuel in the province, as well as natural resources and the environment.

After the June 2018 provincial election, the names of the relevant ministries were changed, along with various programs and responsibilities. They are now the Ministry of Energy, Northern Development and Mines, the Ministry of the Environment, Conservation and Parks, and the Ministry of Natural Resources and Forestry.

The most high-profile of the program changes, in terms of complaints to our Office, were due to the new government's promise to cancel the previous government's cap-and-trade carbon emissions program and reduce gas prices, which in turn resulted in the cancellation of such related programs as the Electric and Hydrogen Vehicle Incentive Program and the GreenON rebate program.

Although Ontario's largest electricity provider, Hydro One, was removed from the Ombudsman's jurisdiction when it was partially privatized in 2015, we are able to take complaints about municipally controlled hydro corporations, as well as provincial bodies such as the Ontario Energy Board and Independent Electricity System Operator. We generally resolve these by connecting people with relevant local officials or appeal mechanisms.

Another change in this area, announced in November 2018, related to the responsibilities of the former

Environmental Commissioner of Ontario, an independent officer of the Legislature like the Ombudsman. As of April 1, 2019, that office was closed and its responsibilities transferred to the Auditor General of Ontario.

Electric and Hydrogen Vehicle Incentive Program

Between July 2018 and the end of March 2019, we received **303** complaints related to the cancellation of the Ministry of Transportation's Electric and Hydrogen Vehicle Incentive Program (EHVIP). Under the EHVIP, purchasers of eligible electric or hydrogen-powered vehicles received a rebate of between \$5,000 and \$14,000.

On July 11, the Ministry of Transportation announced a two-month transition period during which rebates could be claimed, but only for vehicles that automobile dealers either already had on their lots, or had ordered from manufacturers prior to the program cancellation. This disqualified purchasers of one type of eligible vehicle – Tesla Model 3 – because they bought directly from the manufacturer, not from dealers. We received more than **100** complaints during this period, almost all related to Tesla Model 3s.

By late August, after a successful court application by Tesla Motors Canada, the Ministry announced a new transition plan that no longer excluded vehicles ordered directly through manufacturers.

Between November 2018 and March 2019, we received more than **150** complaints, primarily about delayed rebates and a lack of information on the status of applications. Many people complained they had heard nothing for

nine months. Some noted that online guides to the program had disappeared and then reappeared with confusing information.

Our Office established a dedicated team to work collaboratively with senior Ministry staff to determine the status of applications and ensure they were being processed quickly. We alerted some complainants whose applications were incomplete, and assisted them with the process.

In March 2019, we noted a new trend in complaints from people whose applications were denied after many months, because their vehicles were not listed on a specific Ministry-approved order list. Although this requirement was stated in the EHVIP application materials, many complained it was unclear. Our work on resolving this issue is ongoing.

GreenON rebate program

We received **31** complaints about the Independent Electricity System Operator's administration of the GreenON program, which paid rebates to homeowners and businesses for energy-efficient renovations. On June 19, 2018, the government ended GreenON as part of its cancellation of the cap-and-trade emissions program. The bulk of the complaints were from homeowners who were concerned that they might not be able to complete renovations in time to claim their rebates, as well as some whose rebates were delayed. Ombudsman staff resolved these issues by making inquiries and helping complainants get information from program officials.

Ontario Electricity Support Program (OESP)

The OESP was introduced in January 2016 to assist low-income households with electricity costs through monthly credits. We received **5** complaints about eligibility and service issues with the program. For example:

- An OESP recipient sought our help after he moved to a new municipality and had to reapply to the OESP and the utility company in the new city. Our inquiries revealed that the six-week delay in his application was due to a technical glitch – OESP had been unable to verify his application through the utility because the utility's password had expired. Once this issue was addressed, OESP officials approved the man's application within a week, and added a one-month adjustment to his support. As a result of our inquiries, they also identified and alerted **24** other customers of the same utility whose applications were similarly affected.

Municipal hydro issues

We received **131** complaints about municipal hydro companies in 2018-2019, up from 114 the previous year. Most related to disconnections, customer service and billing issues. In many cases, we shared information about available complaint avenues through the utilities and the Ontario Energy Board, or connected them with utility officials. For example:

- A social housing resident contacted us in frustration over a mystery water heater rental charge on his hydro bill. The utility told him the rental was part of his lease with the local social services administration board, but he was unable to find any such reference on his lease. In the wake of our inquiries, the relevant forms for tenants now include an illustration of a shower with the words "hot water tank rental," and require them to initial to show they understand the obligation.
- We helped a woman who feared her electricity would be cut off because she was struggling to pay unpaid bills and couldn't get the hydro company's accounts receivable department to listen to her. Our staff helped her contact the company's customer care department, and let her know she could also complain to the Ontario Energy Board if the matter wasn't resolved.

Environment and natural resources issues

Complaints to our Office about the programs within the new Ministry of Natural Resources and Forestry (MNRF) remained consistent with previous years. The most common topics continue to be the Ministry's management of Crown lands, protection of wildlife habitats and endangered species, and concerns about fishing and hunting licences.

We noted a slight decline in complaints about the programs within the new Ministry of the Environment, Conservation and Parks (MECP) in 2018-2019. Among the complaints handled were concerns about the Ministry's efforts to ensure compliance with provincial standards regarding the discharge of air, noise, waste or sewage contaminants.

Some examples:

- Our staff helped a local resident connect with MNRF officials after he complained that they weren't responding to his concerns about a project that he believed would have significant impact on the renaturalization of the marshland in the area. The Ministry agreed to meet with the man to discuss his concerns.
- Two homeowners sought our help after they reported a foul-smelling liquid that was spilling onto their properties from a pipe outlet and draining into a main waterway. One had been waiting for a response from the Ministry for more than a year. Our inquiries revealed that the MECP, the Ministry of Transportation and the local municipality were all doing their own investigations into the source of the spill, but were not communicating with one another or the affected residents. In the wake of our inquiries, the MECP took a lead role in coordinating a response. We continue to monitor its plans to remediate the environmental damage.

Case summaries

All's well that ends well

After our staff assisted a Tesla owner in having his Electric and Hydrogen Vehicle Incentive Program application approved, he returned to us for help in February 2019, after he received only half of his \$14,000 rebate. Ministry of Transportation officials acknowledged they had made an error and committed to correct it. A month later, the Ministry sent the man a letter with outdated information about his file, but no additional rebate. Our staff again followed up with Ministry officials, who confirmed that they had neglected to send the second **\$7,000**. The man thanked our staff for resolving what he called a "comedy of errors."

On the hook

A woman who runs a commercial fishing business complained that the Ministry of Natural Resources and Forestry had not responded to her request for a refund of more than **\$31,000** she had overpaid in Crown lease fees over several years. She also complained that she had been waiting since 2015 for the Ministry to schedule a hearing to increase her fishing quotas. Ombudsman staff contacted the Ministry to discuss the issues and shortly thereafter, the woman received her refund, along with an explanation that the hearing delay was partly due to a shortage of qualified hearing officers. The Ministry noted that it was in the process of hiring more officers and provided the woman with a point of contact for further inquiries.

TOP CASE TOPICS

303

Electric and Hydrogen Vehicle Incentive Program

131

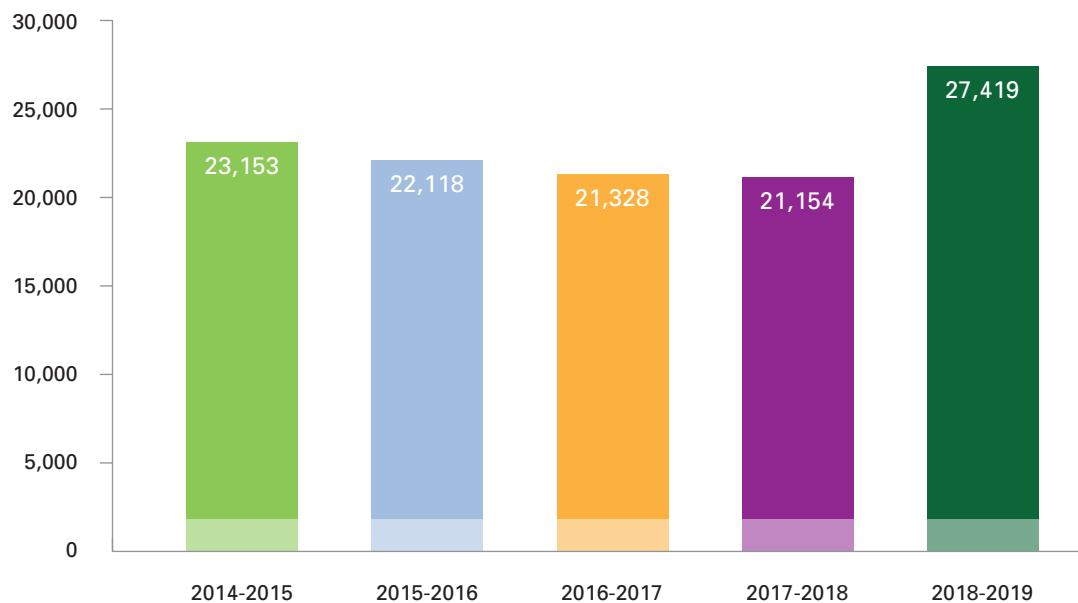
Municipal hydro

31

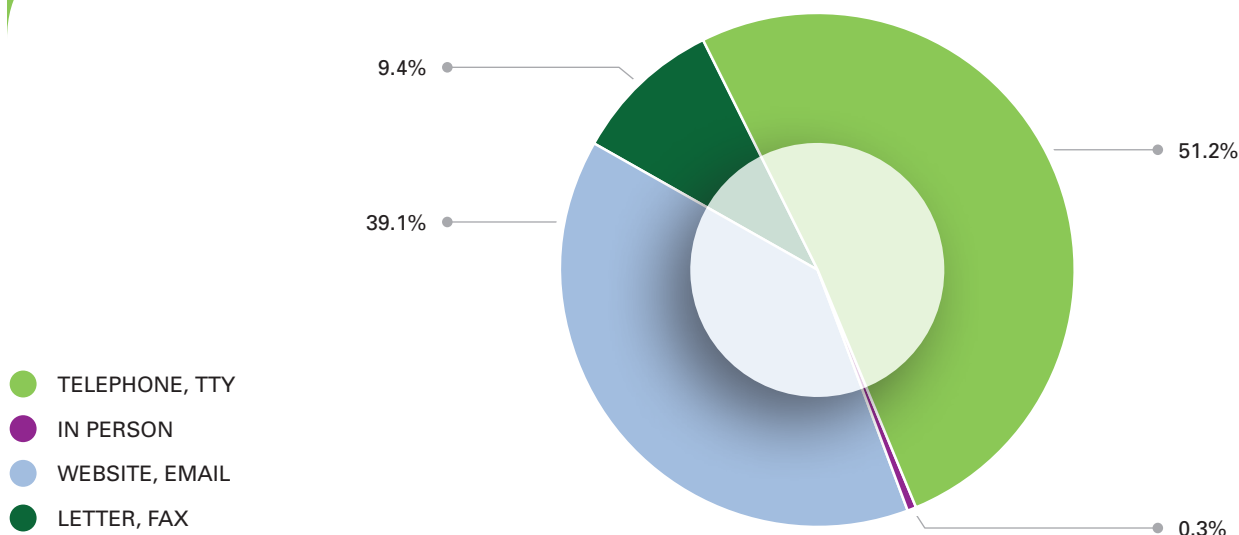
GreenON rebate program

Appendix • Case statistics

TOTAL CASES RECEIVED, FISCAL YEARS 2014-2015 - 2018-2019



HOW CASES WERE RECEIVED, 2018-2019



DISPOSITION OF CASES, 2018-2019



27,419

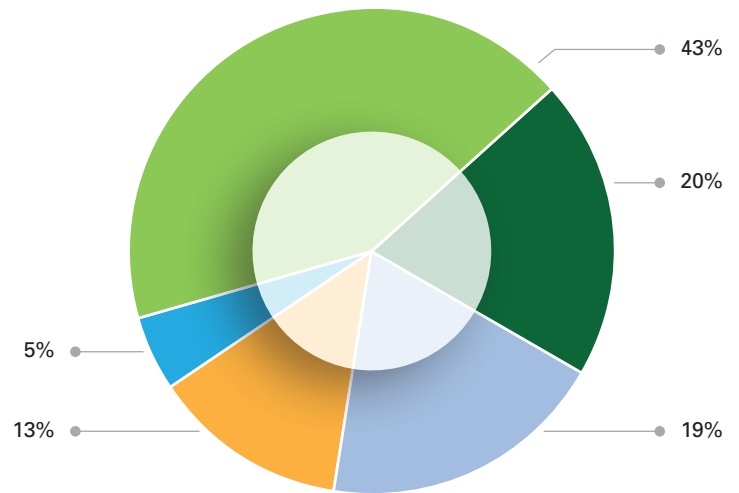
cases received
in fiscal
2018-2019

CASES CLOSED - 2018-2019

18,447

cases within
the Ombudsman's
jurisdiction

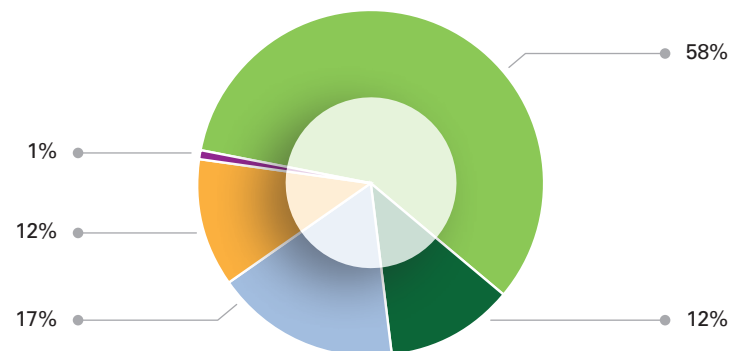
- INQUIRIES MADE OR REFERRAL GIVEN
- RESOLVED WITH OMBUDSMAN INTERVENTION OR BEST PRACTICES SUGGESTED
- CLOSED AFTER OMBUDSMAN'S REVIEW
- DISCONTINUED BY COMPLAINANT
- RESOLVED WITHOUT OMBUDSMAN INTERVENTION



7,999

cases outside
the Ombudsman's
jurisdiction

- PRIVATE
- FEDERAL
- BROADER PUBLIC SECTOR OUTSIDE AUTHORITY**
- PROVINCIAL OUTSIDE AUTHORITY*
- OUTSIDE ONTARIO



*E.g., complaints about hospitals, long-term care, children's aid societies, municipal police

**E.g., complaints about courts, Stewardship Ontario, Taron

CASES BY PROVINCIAL RIDING, 2018-2019*

AJAX	113
ALGOMA—MANITOULIN	188
AURORA—OAK RIDGES—RICHMOND HILL	107
BARRIE—INNISFIL	148
BARRIE—SPRINGWATER—ORO-MEDONTE	157
BAY OF QUINTE	144
BEACHES—EAST YORK	197
BRAMPTON CENTRE	116
BRAMPTON EAST	87
BRAMPTON NORTH	103
BRAMPTON SOUTH	168
BRAMPTON WEST	90
BRANTFORD—BRANT	184
BRUCE—GREY—OWEN SOUND	147
BURLINGTON	149
CAMBRIDGE	117
CARLETON	88
CHATHAM-KENT—LEAMINGTON	141
DAVENPORT	163
DON VALLEY EAST	98
DON VALLEY NORTH	103
DON VALLEY WEST	107
DUFFERIN—CALEDON	125
DURHAM	179
EGLINTON—LAWRENCE	135
ELGIN—MIDDLESEX—LONDON	147
ESSEX	142
ETOBICOKE CENTRE	108
ETOBICOKE NORTH	105
ETOBICOKE—LAKESHORE	233
FLAMBROUGH—GLANBROOK	122
GLENGARRY—PRESCOTT—RUSSELL	155
GUELPH	196
HALDIMAND—NORFOLK	117
HALIBURTON—KAWARTHA LAKES—BROCK	183
HAMILTON CENTRE	246
HAMILTON EAST—STONE CREEK	145
HAMILTON MOUNTAIN	148
HAMILTON WEST—ANCASTER—DUNDAS	144
HASTINGS—LENNOX AND ADDINGTON	137
HUMBER RIVER—BLACK CREEK	104
HURON—BRUCE	149
KANATA—CARLETON	132
KENORA—RAINY RIVER	99
KIWETINOONG	23
KINGSTON AND THE ISLANDS	126
KING—VAUGHAN	106
KITCHENER CENTRE	152
KITCHENER SOUTH—HESPELER	98
KITCHENER—CONESTOGA	70
LAMBTON—KENT—MIDDLESEX	102
LANARK—FRONTENAC—KINGSTON	137
LEEDS—GRENVILLE—THOUSAND ISLANDS AND RIDEAU LAKES	133
LONDON NORTH CENTRE	201
LONDON WEST	175
LONDON—FANSHAWE	153
MARKHAM—STOUFFVILLE	128
MARKHAM—THORNHILL	83
MARKHAM—UNIONVILLE	68
MILTON	124
MISSISSAUGA CENTRE	115
MISSISSAUGA EAST—COOKSVILLE	104

MISSISSAUGA—ERIN MILLS	109
MISSISSAUGA—LAKESHORE	114
MISSISSAUGA—MALTON	113
MISSISSAUGA—STREETSVILLE	118
MUSHKEGOWUK—JAMES BAY	42
NEPEAN	111
NEWMARKET—AURORA	158
NIAGARA CENTRE	161
NIAGARA FALLS	213
NIAGARA WEST	95
NICKEL BELT	141
NIPISSING	146
NORTHUMBERLAND—PETERBOROUGH SOUTH	150
OAKVILLE	135
OAKVILLE NORTH—BURLINGTON	115
ORLÉANS	160
OSHAWA	224
OTTAWA CENTRE	211
OTTAWA SOUTH	138
OTTAWA WEST—NEPEAN	124
OTTAWA—VANIER	153
OXFORD	136
PARKDALE—HIGH PARK	142
PARRY SOUND—MUSKOKA	188
PERTH—WELLINGTON	91
PETERBOROUGH—KAWARTHA	154
PICKERING—UXBRIDGE	129
RENFREW—NIPISSING—PEMBROKE	151
RICHMOND HILL	75
SARNIA—LAMBTON	108
SAULT STE. MARIE	151
SCARBOROUGH CENTRE	108
SCARBOROUGH NORTH	79
SCARBOROUGH SOUTHWEST	168
SCARBOROUGH—AGINCOURT	66
SCARBOROUGH—GUILDWOOD	119
SCARBOROUGH—ROUGE PARK	107
SIMCOE NORTH	218
SIMCOE—GREY	227
SPADINA—FORT YORK	196
ST. CATHARINES	215
STORMONT—DUNDAS—SOUTH GLENGARRY	133
SUDBURY	213
THORNHILL	106
THUNDER BAY—ATIKOKAN	128
THUNDER BAY—SUPERIOR NORTH	114
TIMISKAMING—COCHRANE	142
TIMMINS	46
TORONTO CENTRE	204
TORONTO—DANFORTH	139
TORONTO—ST. PAUL'S	110
UNIVERSITY—ROSEDALE	114
VAUGHAN—WOODBIDGE	68
WATERLOO	107
WELLINGTON—HALTON HILLS	142
WHITBY	114
WILLOWDALE	73
WINDSOR WEST	223
WINDSOR—TECUMSEH	124
YORK CENTRE	99
YORK SOUTH—WESTON	98
YORK—SIMCOE	117

*All cases where a postal code was available, including those related to municipalities, universities and school boards, but excluding correctional facilities.

TOP 10 PROVINCIAL GOVERNMENT ORGANIZATIONS AND PROGRAMS BY CASE VOLUME, 2018-2019*

		NUMBER OF CASES
1	ONTARIO CANNABIS STORE	2,411
2	FAMILY RESPONSIBILITY OFFICE	781
3	ONTARIO DISABILITY SUPPORT PROGRAM	773
4	ONTARIO AUTISM PROGRAM	575
5	TRIBUNALS ONTARIO	438
6	WORKPLACE SAFETY AND INSURANCE BOARD	278
7	SERVICEONTARIO	269
8	ONTARIO PROVINCIAL POLICE	275
9	COLLEGES OF APPLIED ARTS AND TECHNOLOGY	234
10	DRIVER LICENSING	230

*Excluding correctional facilities.

TOP 10 CORRECTIONAL FACILITIES BY CASE VOLUME, 2018-2019

		NUMBER OF CASES
1	CENTRAL EAST CORRECTIONAL CENTRE	770
2	TORONTO SOUTH DETENTION CENTRE	750
3	MAPLEHURST CORRECTIONAL COMPLEX	669
4	CENTRAL NORTH CORRECTIONAL CENTRE	553
5	OTTAWA-CARLETON DETENTION CENTRE	406
6	HAMILTON-WENTWORTH DETENTION CENTRE	405
7	NIAGARA DETENTION CENTRE	295
8	SOUTH WEST DETENTION CENTRE	291
9	TORONTO EAST DETENTION CENTRE	207
10	ELGIN-MIDDLESEX DETENTION CENTRE	200

TOTAL CASES RECEIVED FOR PROVINCIAL GOVERNMENT MINISTRIES AND SELECTED PROGRAMS, 2018-2019*

MINISTER RESPONSIBLE FOR WOMEN'S ISSUES		1
MINISTRY OF AGRICULTURE, FOOD AND RURAL AFFAIRS		14
MINISTRY OF THE ATTORNEY GENERAL		1,073
ALCOHOL AND GAMING COMMISSION OF ONTARIO	28	
CHILDREN'S LAWYER	39	
COURT ADMINISTRATION	96	
HUMAN RIGHTS LEGAL SUPPORT CENTRE	14	
LEGAL AID CLINIC	16	
LEGAL AID ONTARIO	125	
OFFICE OF THE PUBLIC GUARDIAN AND TRUSTEE	178	
SPECIAL INVESTIGATIONS UNIT	11	
TRIBUNALS ONTARIO	438	
MINISTRY OF CHILDREN, COMMUNITY AND SOCIAL SERVICES		2,429
DEVELOPMENTAL SERVICES PROGRAMS	91	
FAMILY RESPONSIBILITY OFFICE	781	
MINISTRY FUNDED SERVICE PROVIDER – CHILDREN AND YOUTH	23	
MINISTRY FUNDED SERVICE PROVIDER – COMMUNITY AND SOCIAL SERVICES	68	
ONTARIO AUTISM PROGRAM	575	
ONTARIO DISABILITY SUPPORT PROGRAM	773	
SPECIAL NEEDS PROGRAMS – CHILDREN	30	
YOUTH CUSTODY FACILITIES – DIRECT OPERATED	13	
YOUTH CUSTODY FACILITIES – MINISTRY FUNDED	34	
MINISTRY OF COMMUNITY SAFETY AND CORRECTIONAL SERVICES		6,091
CORRECTIONAL FACILITIES	5,711	
OFFICE OF THE CHIEF CORONER	15	
ONTARIO PROVINCIAL POLICE	275	
PRIVATE SECURITY AND INVESTIGATIVE SERVICES BRANCH	13	
PROBATION AND PAROLE	53	
MINISTRY OF EDUCATION		39
CHILD CARE QUALITY ASSURANCE AND LICENSING BRANCH	11	
MINISTRY OF ENERGY, NORTHERN DEVELOPMENT AND MINES		87
INDEPENDENT ELECTRICITY SYSTEM OPERATOR	39	
ONTARIO ENERGY BOARD	17	
ONTARIO POWER GENERATION	13	
MINISTRY OF THE ENVIRONMENT, CONSERVATION AND PARKS		49
MINISTRY OF FINANCE		2,658
FINANCIAL SERVICES COMMISSION	32	
LIQUOR CONTROL BOARD OF ONTARIO	21	
MUNICIPAL PROPERTY ASSESSMENT CORPORATION	57	
ONTARIO CANNABIS STORE	2,411	
ONTARIO LOTTERY AND GAMING CORPORATION	75	
ONTARIO SECURITIES COMMISSION	15	

*Total figures are reported for each provincial government ministry including agencies and programs falling within its portfolio. Each government agency or program receiving 10 or more cases is also included.

TOTAL CASES RECEIVED FOR PROVINCIAL GOVERNMENT MINISTRIES AND SELECTED PROGRAMS, 2018-2019*

MINISTRY OF FRANCOPHONE AFFAIRS		1
MINISTRY OF GOVERNMENT AND CONSUMER SERVICES		450
CONSUMER PROTECTION ONTARIO	25	
REGISTRAR GENERAL	128	
SERVICEONTARIO	269	
MINISTRY OF HEALTH AND LONG-TERM CARE		547
ASSISTIVE DEVICES / HOME OXYGEN PROGRAMS	25	
EMERGENCY HEALTH SERVICES	15	
HEALTH CARE CONNECT	11	
HEALTH PROFESSIONS APPEAL AND REVIEW BOARD	30	
HEALTH QUALITY ONTARIO - PATIENT OMBUDSMAN	17	
LOCAL HEALTH INTEGRATION NETWORKS	100	
MINISTRY FUNDED SERVICE PROVIDER	77	
ONTARIO HEALTH INSURANCE PLAN	118	
ONTARIO PUBLIC DRUG PROGRAMS	52	
MINISTRY OF INDIGENOUS AFFAIRS		2
MINISTRY OF INFRASTRUCTURE		2
MINISTRY OF LABOUR		470
EMPLOYMENT PRACTICES BRANCH	42	
FAIR PRACTICES COMMISSION	10	
OCCUPATIONAL HEALTH AND SAFETY BRANCH	25	
OFFICE OF THE WORKER ADVISER	14	
ONTARIO LABOUR RELATIONS BOARD	24	
WORKPLACE SAFETY AND INSURANCE APPEALS TRIBUNAL	68	
WORKPLACE SAFETY AND INSURANCE BOARD	278	
MINISTRY OF MUNICIPAL AFFAIRS AND HOUSING		12
MINISTRY OF NATURAL RESOURCES AND FORESTRY		55
MINISTRY OF TOURISM, CULTURE AND SPORT		13
MINISTRY OF TRAINING, COLLEGES AND UNIVERSITIES		492
COLLEGES OF APPLIED ARTS AND TECHNOLOGY	234	
ONTARIO COLLEGE OF TRADES	33	
ONTARIO STUDENT ASSISTANCE PROGRAM	181	
PRIVATE CAREER COLLEGES BRANCH	10	
SECOND CAREER	13	
MINISTRY OF TRANSPORTATION		897
DRIVER LICENSING	230	
ELECTRIC AND HYDROGEN VEHICLE INCENTIVE PROGRAM	303	
METROLINX/GO TRANSIT	49	
MINISTRY FUNDED SERVICE PROVIDER	72	
TRANSPORTATION – MEDICAL REVIEW	83	
VEHICLE LICENSING	47	
TREASURY BOARD SECRETARIAT		10

CASES RECEIVED ABOUT MUNICIPALITIES, 2018-2019

TOTAL: 3,002

ADELAIDE METCALFE, TOWNSHIP OF	1
ADJALA-TOSORONTIO, TOWNSHIP OF	9
AJAX, TOWN OF	5
ALFRED AND PLANTAGENET, TOWNSHIP OF	4
ALGONQUIN HIGHLANDS, TOWNSHIP OF	1
ALNWICK/HALDIMAND, TOWNSHIP OF	3
AMHERSTBURG, TOWN OF	5
ARNPRIOR, TOWN OF	2
ARRAN-ELDERSLIE, MUNICIPALITY OF	1
ASHFIELD-COLBORNE-WAWANOSH, TOWNSHIP OF	2
ASPHODEL-NORWOOD, TOWNSHIP OF	1
ATHENS, TOWNSHIP OF	1
AURORA, TOWN OF	7
AYLMER, TOWN OF	1
BALDWIN, TOWNSHIP OF	1
BANCROFT, TOWN OF	7
BARRIE, CITY OF	14
BAYHAM, MUNICIPALITY OF	2
BELLEVILLE, CITY OF	4
BILLINGS, TOWNSHIP OF	1
BLANDFORD-BLENHEIM, TOWNSHIP OF	1
BLIND RIVER, TOWN OF	3
BLUEWATER, MUNICIPALITY OF	1
BONFIELD, TOWNSHIP OF	2
BONNECHERE VALLEY, TOWNSHIP OF	3
BRACEBRIDGE, TOWN OF	4
BRADFORD WEST GWILLIMBURY, TOWN OF	1
BRAMPTON, CITY OF	35
BRANT, COUNTY OF	3
BRANTFORD, CITY OF	30
BRIGHTON, MUNICIPALITY OF	7
BROCK, TOWNSHIP OF	2
BROCKTON, MUNICIPALITY OF	2
BROCKVILLE, CITY OF	2
BROOKE-ALVINSTON, MUNICIPALITY OF	1
BRUCE MINES, TOWN OF	3
BRUCE, COUNTY OF	4
BURK'S FALLS, VILLAGE OF	4
BURLINGTON, CITY OF	19
CALEDON, TOWN OF	11
CALLANDER, MUNICIPALITY OF	4
CALVIN, MUNICIPALITY OF	2
CAMBRIDGE, CITY OF	5
CARLETON PLACE, TOWN OF	7
CARLING, TOWNSHIP OF	2
CARLOW/MAYO, TOWNSHIP OF	2

CASSELMAN, VILLAGE OF	3
CAVAN MONAGHAN, TOWNSHIP OF	4
CENTRAL ELGIN, MUNICIPALITY OF	3
CENTRAL FRONTENAC, TOWNSHIP OF	1
CENTRAL HURON, MUNICIPALITY OF	3
CENTRE HASTINGS, MUNICIPALITY OF	4
CENTRE WELLINGTON, TOWNSHIP OF	3
CHAMBERLAIN, TOWNSHIP OF	1
CHAMPLAIN, TOWNSHIP OF	1
CHAPLEAU, TOWNSHIP OF	2
CHATHAM-KENT, MUNICIPALITY OF	35
CHATSWORTH, TOWNSHIP OF	2
CLARENCE-ROCKLAND, CITY OF	2
CLARINGTON, MUNICIPALITY OF	15
CLEARVIEW, TOWNSHIP OF	4
COBALT, TOWN OF	1
COBOURG, TOWN OF	4
COCHRANE, TOWN OF	2
COLEMAN, TOWNSHIP OF	4
COLLINGWOOD, TOWN OF	1
CORNWALL, CITY OF	12
CRAMAHE, TOWNSHIP OF	5
DEEP RIVER, TOWN OF	3
DOURO-DUMMER, TOWNSHIP OF	2
DRUMMOND/NORTH ELMSLEY, TOWNSHIP OF	1
DRYDEN, CITY OF	6
DUFFERIN, COUNTY OF	4
DURHAM, REGIONAL MUNICIPALITY OF	29
DUTTON-DUNWICH, MUNICIPALITY OF	2
DYSART ET AL, MUNICIPALITY OF	1
EAST FERRIS, MUNICIPALITY OF	3
EAST GWILLIMBURY, TOWN OF	3
EAST HAWKESBURY, TOWNSHIP OF	1
EAST ZORRA -TAVISTOCK, TOWNSHIP OF	2
EDWARDSBURGH/CARDINAL, TOWNSHIP OF	1
ELLIOT LAKE, CITY OF	2
EMO, TOWNSHIP OF	1
ERIN, TOWN OF	37
ESPANOLA, TOWN OF	12
ESSA, TOWNSHIP OF	7
ESSEX, COUNTY OF	2
ESSEX, TOWN OF	14
FARADAY, TOWNSHIP OF	3
FAUQUIER-STRICKLAND, TOWNSHIP OF	1
FORT ERIE, TOWN OF	11
FORT FRANCES, TOWN OF	2

Note: Municipalities that were not the subject of any cases are not listed.

CASES RECEIVED ABOUT MUNICIPALITIES, 2018-2019

FRENCH RIVER, MUNICIPALITY OF	1
FRONT OF YONGE, TOWNSHIP OF	1
FRONTENAC, COUNTY OF	1
GANANOQUE, SEPARATED TOWN OF	1
GEORGIAN BAY, TOWNSHIP OF	5
GEORGIAN BLUFFS, TOWNSHIP OF	4
GEORGINA, TOWN OF	8
GORDON/BARRIE ISLAND, MUNICIPALITY OF	1
GORE BAY, TOWN OF	1
GRAVENHURST, TOWN OF	4
GREATER MADAWASKA, TOWNSHIP OF	2
GREATER NAPANEE, TOWN OF	4
GREATER SUDBURY, CITY OF	68
GREENSTONE, MUNICIPALITY OF	3
GREY HIGHLANDS, MUNICIPALITY OF	3
GREY, COUNTY OF	10
GRIMSBY, TOWN OF	7
GUELPH, CITY OF	9
GUELPH/ERAMOSIA, TOWNSHIP OF	3
HALDIMAND COUNTY, COUNTY OF	7
HALIBURTON, COUNTY OF	1
HALTON HILLS, TOWN OF	1
HALTON, REGIONAL MUNICIPALITY OF	25
HAMILTON, CITY OF	114
HAMILTON, TOWNSHIP OF	1
HANOVER, TOWN OF	1
HASTINGS HIGHLANDS, MUNICIPALITY OF	1
HASTINGS, COUNTY OF	18
HAWKESBURY, TOWN OF	2
HEARST, TOWN OF	4
HIGHLANDS EAST, MUNICIPALITY OF	5
HORNEPAYNE, TOWNSHIP OF	2
HORTON, TOWNSHIP OF	1
HOWICK, TOWNSHIP OF	1
HUNTSVILLE, TOWN OF	5
HURON EAST, MUNICIPALITY OF	2
HURON SHORES, MUNICIPALITY OF	1
HURON-KINLOSS, TOWNSHIP OF	4
HURON, COUNTY OF	1
IGNACE, TOWNSHIP OF	1
INGERSOLL, TOWN OF	2
INNISFIL, TOWN OF	7
IROQUOIS FALLS, TOWN OF	5
JOHNSON, TOWNSHIP OF	1
JOLY, TOWNSHIP OF	1
KAWARTHA LAKES, CITY OF	23

KEARNEY, TOWN OF	3
KENORA, CITY OF	6
KILLALOE, HAGARTY AND RICHARDS, TOWNSHIP OF	1
KILLARNEY, MUNICIPALITY OF	1
KINCARDINE, MUNICIPALITY OF	3
KING, TOWNSHIP OF	3
KINGSTON, CITY OF	20
KINGSVILLE, TOWN OF	2
KIRKLAND LAKE, TOWN OF	5
KITCHENER, CITY OF	17
LAIRD, TOWNSHIP OF	1
LAKESHORE, TOWN OF	5
LAMBTON SHORES, MUNICIPALITY OF	4
LAMBTON, COUNTY OF	1
LANARK HIGHLANDS, TOWNSHIP OF	1
LANARK, COUNTY OF	5
LARDER LAKE, TOWNSHIP OF	1
LASALLE, TOWN OF	2
LAURENTIAN VALLEY, TOWNSHIP OF	1
LEAMINGTON, MUNICIPALITY OF	13
LEEDS AND GRENVILLE, UNITED COUNTIES OF	3
LEEDS AND THE THOUSAND ISLANDS, TOWNSHIP OF	1
LINCOLN, TOWN OF	7
LONDON, CITY OF	78
LOYALIST TOWNSHIP	3
LUCAN BIDDULPH, TOWNSHIP OF	1
MACDONALD, MEREDITH & ABERDEEN ADDITIONAL, TOWNSHIP OF	1
MACHIN, MUNICIPALITY OF	1
MADAWASKA VALLEY, TOWNSHIP OF	2
MAGNETAWAN, MUNICIPALITY OF	4
MALAHIDE, TOWNSHIP OF	1
MANITOUWADGE, TOWNSHIP OF	5
MARATHON, TOWN OF	1
MARKHAM, CITY OF	10
MARKSTAY-WARREN, MUNICIPALITY OF	3
MARMORA AND LAKE, MUNICIPALITY OF	1
MATACHEWAN, TOWNSHIP OF	11
MATTAWA, TOWN OF	1
MCDOUGALL, MUNICIPALITY OF	3
MCGARRY, TOWNSHIP OF	1
MCKELLAR, TOWNSHIP OF	1
MCMURRICH/MONTEITH, TOWNSHIP OF	3
MCNAB/BRAESIDE, TOWNSHIP OF	1
MERRICKVILLE-WOLFORD, VILLAGE OF	4
MIDDLESEX CENTRE, MUNICIPALITY OF	2
MIDLAND, TOWN OF	5

CASES RECEIVED ABOUT MUNICIPALITIES, 2018-2019

MILTON, TOWN OF	8
MINDEN HILLS, TOWNSHIP OF	6
MINTO, TOWN OF	2
MISSISSAUGA, CITY OF	46
MISSISSIPPI MILLS, CORPORATION OF THE MUNICIPALITY	1
MONO, TOWN OF	1
MOONBEAM, TOWNSHIP OF	2
MOOSONEE, TOWN OF	1
MORRIS-TURNBERRY, MUNICIPALITY OF	1
MULMUR, TOWNSHIP OF	1
MUSKOKA LAKES, TOWNSHIP OF	1
MUSKOKA, DISTRICT MUNICIPALITY OF	5
NEEBING, MUNICIPALITY OF	1
NEW TECUMSETH, TOWN OF	1
NEWMARKET, TOWN OF	12
NIAGARA FALLS, CITY OF	11
NIAGARA-ON-THE-LAKE, TOWN OF	7
NIAGARA, REGIONAL MUNICIPALITY OF	217
NIPIGON, TOWNSHIP OF	1
NORFOLK, COUNTY	22
NORTH ALGONA WILBERFORCE , TOWNSHIP OF	2
NORTH BAY, CITY OF	16
NORTH DUMFRIES, TOWNSHIP OF	1
NORTH DUNDAS, TOWNSHIP OF	1
NORTH FRONTENAC, TOWNSHIP OF	4
NORTH GRENVILLE, MUNICIPALITY OF	2
NORTH HURON, TOWNSHIP OF	3
NORTH KAWARTHA, TOWNSHIP OF	3
NORTH MIDDLESEX, MUNICIPALITY OF	1
NORTH STORMONT, TOWNSHIP OF	1
NORTHEASTERN MANITOULIN AND THE ISLANDS, TOWN OF	1
NORTHERN BRUCE PENINSULA, MUNICIPALITY OF	6
NORTHUMBERLAND, COUNTY OF	4
NORWICH, TOWNSHIP OF	2
OAKVILLE, TOWN OF	4
OLIVER PAIPOONGE, MUNICIPALITY OF	6
ORANGEVILLE, TOWN OF	3
ORILLIA, CITY OF	3
ORO-MEDONTE, TOWNSHIP OF	4
OSHAWA, CITY OF	28
OTONABEE-SOUTH MONAGHAN, TOWNSHIP OF	5
OTTAWA, CITY OF	125
OWEN SOUND, CITY OF	5
OXFORD, COUNTY OF	1
PARRY SOUND, TOWN OF	3
PEEL, REGIONAL MUNICIPALITY OF	87
PELEE, TOWNSHIP OF	2
PELHAM, TOWN OF	2

PEMBROKE, CITY OF	4
PERTH EAST, TOWNSHIP OF	1
PETAWAWA, TOWN OF	3
PETERBOROUGH, CITY OF	13
PETROLIA, TOWN OF	3
PICKERING, CITY OF	4
PICKLE LAKE, TOWNSHIP OF	3
PLUMMER ADDITIONAL, TOWNSHIP OF	2
PLYMPTON-WYOMING, TOWN OF	3
PORT COLBORNE, CITY OF	6
PORT HOPE, MUNICIPALITY OF	1
POWASSAN, MUNICIPALITY OF	2
PRESCOTT, SEPARATED TOWN OF	2
PRINCE EDWARD, COUNTY OF	3
QUINTE WEST, CITY OF	4
RAINY RIVER, TOWN OF	2
RAMARA, TOWNSHIP OF	9
RENFREW, COUNTY OF	2
RENFREW, TOWN OF	1
RICHMOND HILL, TOWN OF	14
RIDEAU LAKES, TOWNSHIP OF	2
RUSSELL, TOWNSHIP OF	1
SABLES-SPANISH RIVERS, TOWNSHIP OF	6
SARNIA, CITY OF	13
SAUGEEN SHORES, TOWN OF	5
SAULT STE. MARIE, CITY OF	20
SCHREIBER, TOWNSHIP OF	2
SCUGOG, TOWNSHIP OF	4
SEGUIN, TOWNSHIP OF	1
SEVERN, TOWNSHIP OF	2
SHELburne, TOWN OF	2
SHUNIAH, MUNICIPALITY OF	1
SIMCOE, COUNTY OF	26
SIOUX LOOKOUT, MUNICIPALITY OF	1
SIOUX NARROWS-NESTOR FALLS, TOWNSHIP OF	1
SMITHS FALLS, TOWN OF	25
SOUTH BRUCE PENINSULA, TOWN OF	7
SOUTH BRUCE, MUNICIPALITY OF	3
SOUTH DUNDAS, MUNICIPALITY OF	6
SOUTH FRONTENAC, TOWNSHIP OF	3
SOUTH GLENGARRY, TOWNSHIP OF	5
SOUTH HURON, MUNICIPALITY OF	1
SOUTH RIVER, VILLAGE OF	1
SOUTH STORMONT, TOWNSHIP OF	6
SOUTHGATE, TOWNSHIP OF	2
SOUTHWEST MIDDLESEX, MUNICIPALITY OF	6
SOUTHWOLD, TOWNSHIP OF	1
SPANISH, TOWN OF	2

CASES RECEIVED ABOUT MUNICIPALITIES, 2018-2019

SPRINGWATER, TOWNSHIP OF	4
ST. CATHARINES, CITY OF	13
ST. CLAIR, TOWNSHIP OF	2
ST. JOSEPH, TOWNSHIP OF	1
ST. MARYS, SEPARATED TOWN OF	1
ST. THOMAS, CITY OF	6
ST.-CHARLES, MUNICIPALITY OF	7
STIRLING-RAWDON, TOWNSHIP OF	4
STONE MILLS, TOWNSHIP OF	2
STRATFORD, CITY OF	7
SUNDRIDGE, VILLAGE OF	4
TAY VALLEY TOWNSHIP	3
TAY, TOWNSHIP OF	5
TECUMSEH, TOWN OF	1
TEHKUMMAH, TOWNSHIP OF	8
TEMAGAMI, MUNICIPALITY OF	4
TERRACE BAY, TOWNSHIP OF	1
THAMES CENTRE, MUNICIPALITY OF	4
THE BLUE MOUNTAINS, TOWN OF	9
THE NATION, MUNICIPALITY	5
THE NORTH SHORE, TOWNSHIP OF	5
THOROLD, CITY OF	3
THUNDER BAY, CITY OF	13
TILLSONBURG, TOWN OF	1
TIMMINS, CITY OF	11
TINY, TOWNSHIP OF	4
TORONTO, CITY OF	381
TRENT HILLS, MUNICIPALITY OF	5
TRENT LAKES, MUNICIPALITY OF	3
TUDOR AND CASHEL, TOWNSHIP OF	1
TWEED, MUNICIPALITY OF	4
TYENDINAGA, TOWNSHIP OF	1
UXBRIDGE, TOWNSHIP OF	2
VAUGHAN, CITY OF	29
WAINFLEET, TOWNSHIP OF	1
WASAGA BEACH, TOWN OF	26
WATERLOO, CITY OF	3
WATERLOO, REGIONAL MUNICIPALITY OF	16
WAWA, MUNICIPALITY OF	1
WELLAND, CITY OF	11
WELLINGTON, COUNTY OF	7
WEST ELGIN, MUNICIPALITY OF	1
WEST GREY, MUNICIPALITY OF	3
WEST LINCOLN, TOWNSHIP OF	2
WEST NIPISSING, MUNICIPALITY OF	5
WHITBY, TOWN OF	5
WHITCHURCH-STOUFFVILLE, TOWN OF	15
WILMOT, TOWNSHIP OF	1

WINDSOR, CITY OF	81
WOLLASTON, TOWNSHIP OF	3
WOODSTOCK, CITY OF	8
WOOLWICH, TOWNSHIP OF	4
YORK, REGIONAL MUNICIPALITY OF	34
CASES WHERE NO MUNICIPALITY WAS SPECIFIED	55

SHARED CORPORATIONS	
ALECTRA	30
CATARAQUI REGION CONSERVATION AUTHORITY	1
CENTRAL LAKE ONTARIO CONSERVATION AUTHORITY	2
CONSERVATION HALTON	1
ENERGY + INC.	3
ESSEX REGION CONSERVATION AUTHORITY	1
GANARASKA REGION CONSERVATION AUTHORITY	1
GRAND RIVER CONSERVATION AUTHORITY	1
GREY SAUBLE CONSERVATION AUTHORITY	2
KITCHENER-WILMOT HYDRO INC.	6
HAMILTON CONSERVATION AUTHORITY	4
LAKE SIMCOE REGION CONSERVATION AUTHORITY	2
LAKEFRONT UTILITIES INC.	2
LAKEHEAD REGION CONSERVATION AUTHORITY	1
LAKELAND POWER	3
LONG POINT REGION CONSERVATION AUTHORITY	2
NEWMARKET-TAY POWER DISTRIBUTION LTD.	2
NIAGARA PENINSULA CONSERVATION AUTHORITY	8
NOTTAWASAGA VALLEY CONSERVATION AUTHORITY	2
ORANGEVILLE HYDRO	2
RIDEAU VALLEY CONSERVATION AUTHORITY	1
SAUGEEN VALLEY CONSERVATION AUTHORITY	1
ST. CLAIR REGION CONSERVATION AUTHORITY	1
TORONTO AND REGION CONSERVATION AUTHORITY	3
VERIDIAN CONNECTIONS (VERIDIAN CORPORATION)	4
CASES WHERE NO SHARED CORPORATION WAS SPECIFIED	1

SHARED LOCAL BOARDS	
ALGOMA DISTRICT SERVICES ADMINISTRATION BOARD	5
DISTRICT OF COCHRANE SOCIAL SERVICES ADMINISTRATION BOARD	7
DISTRICT OF NIPISSING SOCIAL SERVICES ADMINISTRATION BOARD	5
DISTRICT OF PARRY SOUND SOCIAL SERVICES ADMINISTRATION BOARD	6
DISTRICT OF SAULT STE. MARIE SOCIAL SERVICES ADMINISTRATION BOARD	10
DISTRICT OF TIMISKAMING SOCIAL SERVICES ADMINISTRATION BOARD	1
KENORA DISTRICT SERVICES BOARD	2
MANITOULIN-SUDBURY DISTRICT SERVICES BOARD	4
NIAGARA DISTRICT AIRPORT COMMISSION	2
RAINY RIVER DISTRICT SOCIAL SERVICES ADMINISTRATION BOARD	1
THUNDER BAY SOCIAL SERVICES ADMINISTRATION BOARD	8
CASES WHERE NO SHARED LOCAL BOARD WAS SPECIFIED	3

ENGLISH PUBLIC SCHOOL BOARDS	
ALGOMA DISTRICT SCHOOL BOARD	9
AVON MAITLAND DISTRICT SCHOOL BOARD	5
BLUEWATER DISTRICT SCHOOL BOARD	4
DISTRICT SCHOOL BOARD OF NIAGARA	19
DISTRICT SCHOOL BOARD ONTARIO NORTH EAST	2
DURHAM DISTRICT SCHOOL BOARD	33
GRAND ERIE DISTRICT SCHOOL BOARD	11
GREATER ESSEX COUNTY DISTRICT SCHOOL BOARD	24
HALTON DISTRICT SCHOOL BOARD	29
HAMILTON-WENTWORTH DISTRICT SCHOOL BOARD	20
HASTINGS & PRINCE EDWARD DISTRICT SCHOOL BOARD	6
KAWARTHA PINE RIDGE DISTRICT SCHOOL BOARD	4
LAKEHEAD DISTRICT SCHOOL BOARD	6
LAMBTON KENT DISTRICT SCHOOL BOARD	3
LIMESTONE DISTRICT SCHOOL BOARD	16
NEAR NORTH DISTRICT SCHOOL BOARD	8
OTTAWA-CARLETON DISTRICT SCHOOL BOARD	74
PEEL DISTRICT SCHOOL BOARD	42
RAINBOW DISTRICT SCHOOL BOARD	21
RAINY RIVER DISTRICT SCHOOL BOARD	2
RENFREW COUNTY DISTRICT SCHOOL BOARD	5
SIMCOE COUNTY DISTRICT SCHOOL BOARD	23
THAMES VALLEY DISTRICT SCHOOL BOARD	32
TORONTO DISTRICT SCHOOL BOARD	111
TRILLIUM LAKELANDS DISTRICT SCHOOL BOARD	12
UPPER CANADA DISTRICT SCHOOL BOARD	12
UPPER GRAND DISTRICT SCHOOL BOARD	9
WATERLOO REGION DISTRICT SCHOOL BOARD	10
YORK REGION DISTRICT SCHOOL BOARD	27
TOTAL	579
ENGLISH CATHOLIC SCHOOL BOARDS	
ALGONQUIN AND LAKESHORE CATHOLIC DISTRICT SCHOOL BOARD	5
BRANT HALDIMAND NORFOLK CATHOLIC DISTRICT SCHOOL BOARD	4
BRUCE-GREY CATHOLIC DISTRICT SCHOOL BOARD	1
CATHOLIC DISTRICT SCHOOL BOARD OF EASTERN ONTARIO	4
DUFFERIN-PEEL CATHOLIC DISTRICT SCHOOL BOARD	18
DURHAM CATHOLIC DISTRICT SCHOOL BOARD	3
HALTON CATHOLIC DISTRICT SCHOOL BOARD	9
HAMILTON-WENTWORTH CATHOLIC DISTRICT SCHOOL BOARD	14
HURON-PERTH CATHOLIC DISTRICT SCHOOL BOARD	1

HURON-SUPERIOR CATHOLIC DISTRICT SCHOOL BOARD	1
KENORA CATHOLIC DISTRICT SCHOOL BOARD	1
LONDON DISTRICT CATHOLIC SCHOOL BOARD	9
NIAGARA CATHOLIC DISTRICT SCHOOL BOARD	5
NIPISSING-PARRY SOUND CATHOLIC DISTRICT SCHOOL BOARD	4
NORTHEASTERN CATHOLIC DISTRICT SCHOOL BOARD	4
OTTAWA CATHOLIC SCHOOL BOARD	25
PETERBOROUGH VICTORIA NORTHUMBERLAND AND CLARINGTON CATHOLIC DISTRICT SCHOOL BOARD	9
RENFREW COUNTY CATHOLIC DISTRICT SCHOOL BOARD	5
SIMCOE MUSKOKA CATHOLIC DISTRICT SCHOOL BOARD	8
ST CLAIR CATHOLIC DISTRICT SCHOOL BOARD	3
SUPERIOR NORTH CATHOLIC DISTRICT SCHOOL BOARD	1
THUNDER BAY CATHOLIC DISTRICT SCHOOL BOARD	4
TORONTO CATHOLIC DISTRICT SCHOOL BOARD	58
WATERLOO CATHOLIC DISTRICT SCHOOL BOARD	5
WELLINGTON CATHOLIC DISTRICT SCHOOL BOARD	2
WINDSOR-ESSEX CATHOLIC DISTRICT SCHOOL BOARD	5
YORK CATHOLIC DISTRICT SCHOOL BOARD	11
TOTAL	219
FRENCH CATHOLIC SCHOOL BOARDS	
CONSEIL DES ÉCOLES CATHOLIQUES DU CENTRE-EST	7
CONSEIL SCOLAIRE CATHOLIQUE DU NOUVEL-ONTARIO	1
CONSEIL SCOLAIRE CATHOLIQUE FRANCO-NORD	2
CONSEIL SCOLAIRE CATHOLIQUE MONAVENIR	9
CONSEIL SCOLAIRE CATHOLIQUE PROVIDENCE	1
CONSEIL SCOLAIRE DE DISTRICT CATHOLIQUE DE L'EST ONTARIEN	5
CONSEIL SCOLAIRE DE DISTRICT CATHOLIQUE DES AURORES BORÉALES	1
TOTAL	26
FRENCH PUBLIC SCHOOL BOARDS	
CONSEIL DES ÉCOLES PUBLIQUES DE L'EST DE L'ONTARIO	3
CONSEIL SCOLAIRE PUBLIC DU NORD-EST DE L'ONTARIO	1
CONSEIL SCOLAIRE VIAMONDE	9
TOTAL	13
SCHOOL AUTHORITIES	
PROTESTANT SEPARATE SCHOOL BOARD OF THE TOWN OF PENETANGUISHENE	1
CASES WHERE NO SCHOOL AUTHORITY WAS SPECIFIED	1
CASES WHERE NO SCHOOL BOARD WAS SPECIFIED	34

Note: Boards that were not the subject of any cases are not listed.

CASES RECEIVED ABOUT COLLEGES OF APPLIED ARTS AND TECHNOLOGY, 2018-2019*

TOTAL: 234

ALGONQUIN COLLEGE	11
CAMBRIAN COLLEGE	2
CANADORE COLLEGE	8
CENTENNIAL COLLEGE	17
COLLÈGE BORÉAL	1
CONESTOGA COLLEGE	14
CONFEDERATION COLLEGE	1
DURHAM COLLEGE	9
FANSHAWE COLLEGE	8
FLEMING COLLEGE (SIR SANDFORD FLEMING COLLEGE)	9
GEORGE BROWN COLLEGE	26
GEORGIAN COLLEGE	6
HUMBER COLLEGE	29
LA CITÉ COLLÉGIALE	5
LAMBTON COLLEGE	4
LOYALIST COLLEGE	1
MOHAWK COLLEGE	21
NIAGARA COLLEGE CANADA	4
NORTHERN COLLEGE	9
SAULT COLLEGE	5
SENECA COLLEGE	13
SHERIDAN COLLEGE	13
ST. CLAIR COLLEGE	7
ST. LAWRENCE COLLEGE	8
CASES WHERE NO COLLEGE WAS SPECIFIED	3

Note: Colleges that were not the subject of any cases are not listed.

CASES RECEIVED ABOUT UNIVERSITIES, 2018-2019

TOTAL: 282

ALGOMA UNIVERSITY	2
BROCK UNIVERSITY	12
CARLETON UNIVERSITY	10
LAKEHEAD UNIVERSITY	5
LAURENTIAN UNIVERSITY	12
MCMASTER UNIVERSITY	15
NIPISSING UNIVERSITY	9
OCAD UNIVERSITY	9
QUEEN'S UNIVERSITY	11
RYERSON UNIVERSITY	13
TRENT UNIVERSITY	2
UNIVERSITÉ DE HEARST	1
UNIVERSITY OF GUELPH	17
UNIVERSITY OF ONTARIO INSTITUTE OF TECHNOLOGY	6
UNIVERSITY OF OTTAWA	13
UNIVERSITY OF TORONTO	35
UNIVERSITY OF WATERLOO	21
UNIVERSITY OF WINDSOR	14
WESTERN UNIVERSITY	10
WILFRID LAURIER UNIVERSITY	9
YORK UNIVERSITY	50
CASES WHERE NO UNIVERSITY WAS SPECIFIED	6

Note: Universities that were not the subject of any cases are not listed.

CASES RECEIVED ABOUT CLOSED MUNICIPAL MEETINGS, 2018-2019

TOTAL: 155

CASES ABOUT MUNICIPALITIES WHERE OMBUDSMAN IS THE INVESTIGATOR	133
CASES ABOUT MUNICIPALITIES WHERE ANOTHER INVESTIGATOR HAS BEEN APPOINTED	22

SUMMARY OF COMPLETED INVESTIGATIONS

MUNICIPALITY	MEETINGS & GATHERINGS REVIEWED	ILLEGAL MEETINGS	PROCEDURAL VIOLATIONS FOUND	BEST PRACTICES SUGGESTED
AMHERSTBURG, TOWN OF	2	1	0	1
CALLANDER, MUNICIPALITY OF	7	0	1	2
CARLETON PLACE, TOWN OF	1	0	0	0
CASSELMAN, VILLAGE OF	4	0	2	4
DEEP RIVER, TOWN OF	2	0	0	1
FORT ERIE, TOWN OF	2	2	1	0
FRONT OF YONGE, TOWNSHIP OF	1	0	0	1
HAMILTON, CITY OF	4	2	1	2
NORTHERN BRUCE PENINSULA, MUNICIPALITY OF	1	1	0	1
OWEN SOUND DOWNTOWN IMPROVEMENT AREA	5	1	0	1
PELHAM, TOWN OF	2	0	0	3
PETROLIA, TOWN OF	3	1	1	5
RUSSELL, TOWNSHIP OF	2	0	1	2
ST. CATHARINES, CITY OF	1	1	2	0
TEHKUMMAH, TOWNSHIP OF	6	2	6	5
THE NORTH SHORE, TOWNSHIP OF	3	1	3	5

FINANCIAL SUMMARY

	(IN THOUSANDS)
OPERATING EXPENSES:	
SALARIES & WAGES	9,562
EMPLOYEE BENEFITS	2,090
COMMUNICATION & TRANSPORTATION	271
SERVICES	2,417
SUPPLIES & EQUIPMENT	2,039
TOTAL ANNUAL OPERATING EXPENSES	16,379
LESS: RECOVERIES	1,079
NET EXPENDITURES	\$15,300

Our Office's budget for the fiscal year 2018-2019 was **\$20.18 million**. Our unaudited actual expenditures were **\$15.30 million**, with continued spending towards our ongoing expansion as well as additional outreach. All unspent funds, and other recoveries were returned to the government.




2018 | 2019




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REPORT FIR-2019-007

TO: Mayor and Members of Council

FROM: Brad Churchill, Deputy Fire Chief

MEETING DATE: August 14, 2019

SUBJECT: Jenny's Heroes Canada – Execution of Funding Agreement
File No. L04ONT

RECOMMENDATIONS

That Report FIR-2019-007 regarding the Jenny's Heroes Canada – Execution of Funding Agreement be received; and

That Council enact a By-law authorizing the entering into a Funding Agreement with the Ontario Association of Fire Chiefs for the Jenny's Heroes Canada Grant, for high visible, lightweight fire rated coveralls

DISCUSSION

Purpose

The purpose of this report is to recommend that Council enact a By-law authorizing the entering into a Funding Agreement with the Ontario Association of Fire Chiefs (O AFC) for the Jenny's Heroes Canada Grant, for high visible, lightweight fire rated coveralls

Background

Jenny's Heroes Canada's goal is to help small, volunteer firefighter-based departments purchase gear, equipment and/or technology to assist them in providing emergency first response in their community. Grants can be up to \$25,000. The Ontario Association of Fire Chiefs strongly encourages all volunteer fire departments in Ontario to apply.

In 2019, Jenny has generously donated almost \$100,000 to volunteer fire departments across Ontario to help purchase new fire safety equipment, and has promised to continue the grants so long as there is a need. Since the inception of the Jenny's Heroes Canada Ontario Fire Service Equipment Grant, she has donated just over \$140,000.

Deputy Chief Churchill submitted the grant application for high visible, lightweight, fire rated coveralls. These will be used specifically for motor vehicle collisions, grass/brush/crop or wildland fires and as a change of garment at vehicle and structure fires.

Deputy Chief Churchill was thrilled when Jenny Jones personally called him in July from Los Angeles with the news that Puslinch Fire and Rescue had been selected to receive the Grant. Jenny explained that they would be able to provide at least 30 coveralls for the department. The original request was for 43 sets.

The request was for \$14,000 but due to the high number of applications, they decided to offer \$10,000 and share other funds with more departments that need safety equipment.

Funding Allocation

The funding from Jenny's Heroes Canada Ontario Fire Service Equipment Grant is for an increase in Firefighter personal safety with the purchase of approx. 30 sets of high visible, lightweight fire rated coveralls. The funding is for \$10,000 plus HST for a total of \$11,300.00.

The Township of Puslinch must submit a quote from the supplier(s) for the equipment to the O AFC, who will purchase and provide the Approved Equipment to the Township. The grant funding will be provided directly to the O AFC.

Public Recognition of Jenny's Heroes Funding

The Township of Puslinch should acknowledge the O AFC and Jenny's Heroes Canada in promotional, media and advertising material, including publications, signage, electronic and social media, and other forms of communications as related to the Grant and Approved Equipment.

If the Township of Puslinch needs to use or is asked to submit logos for either Jenny's Heroes Canada or the O AFC for purposes of communication as noted above, the Township of Puslinch agrees to contact the O AFC to obtain official logos for submission to the media prior to submitting and/or using any logos or visual representations of either.

The Township of Puslinch will share with the O AFC all media communications initiated by the Township of Puslinch, as noted above.

All communications as noted above that are developed by the Township of Puslinch will be owned by the Township of Puslinch unless otherwise agreed.

FINANCIAL IMPLICATIONS

The 2019 Budget does not include itemized funding for the purchase of coveralls. It is recommended that the replacement or purchase of coveralls in the future be funded from Account No. 01-0040-4321 – Clothing, Safety Allowance which has a 2019 budget of \$16,550.

APPLICABLE LEGISLATION AND REQUIREMENTS

Municipal Act, 2001

ATTACHMENTS

None



REPORT FIR-2019-008

TO: Mayor and Members of Council

FROM: Luis Gomes, Fire Chief

MEETING DATE: August 14, 2019

SUBJECT: Emergency Reporting Records Management Software
File No. L14 EME

RECOMMENDATIONS

That Report FIR-2019-008 regarding Emergency Reporting Records Management Software be received; and

That Council authorizes the Fire Chief to enter into a Purchase Order Agreement with Emergency Reporting for the acquisition of the Emergency Reporting Records Management Software in the amount of \$4,218.30 USD in year 1 and \$3,402.00 USD per year thereafter for a total of five years.

DISCUSSION

Purpose

The purpose of this report is to recommend that Council give the Fire Chief authorization to enter into a Purchase Order Agreement with Emergency Reporting for the acquisition of Emergency Reporting Records Management Software

Background

Puslinch Fire and Rescue Services (PFRS) currently utilizes FireHouse software for its Records Management System (RMS) to record details on emergency incidents, data analysis and reports to the Office of the Fire Marshal. Our present RMS FireHouse Software has become very antiquated and lacks the support required to effectively submit OFM reports, and cannot be utilized efficiently for many other necessary records management.

Emergency Reporting enhances health and safety through integrated data usage such as preplans, risk assessments and compliance tracking. Emergency Reporting RMS is

a suite of software that manages incident information and reporting, analytics, staff scheduling, personnel records, asset management, pre-planning, community risk assessments, fire prevention/public education activities and more.

Emergency Reporting is the RMS that the Guelph Fire Department and neighbouring Wellington County Fire Departments will be using. The seamless cloud-based integration with Guelph Fire Dispatch will now allow self-populating incident reports. This feature along with many others will create time efficiencies, accurate data entry and functional analytics. Presently, all incident reporting data is manually inputted by staff, utilizing call data received by Guelph Fire Dispatch.

In addition, PFRS will be receiving a discounted rate, as we are able to piggy-back agreement P18-024 with the City of Kitchener.

FINANCIAL IMPLICATIONS

The 2019 Budget does not include itemized funding for the purchase of a Records Management System. It is recommended that the replacement of FireHouse for 2019 utilize funds previously allocated for FireHouse training. Account number 01-0010-4309 includes \$7,000 for Firehouse Training that has not been utilized in 2019. The present agreement with FireHouse ends October 31st, 2019 and was for annual maintenance, support and user fees (limited to 2 users). Migration of the data from FireHouse to Emergency Reporting Software will be performed by Emergency Reporting. Puslinch Fire and Rescue Services will also continue to have access to FireHouse Software and data.

Future costs of the five year agreement will be as follows:

Year 1 (2019) - \$4,218.30 USD

Year 2 (2020) - \$3,402.00 USD

Year 3 (2021) - \$3,402.00 USD

Year 4 (2022) - \$3,402.00 USD

Year 5 (2023) - \$3,402.00 USD

APPLICABLE LEGISLATION AND REQUIREMENTS

Municipal Act, 2001

Fire Protection and Prevention Act, 1997, S.O. 1997, c. 4

Township of Puslinch - Purchasing and Procurement of Goods and Services By-law No. 60/08

ATTACHMENTS

None



REPORT FIN-2019-027

TO: Mayor and Members of Council

FROM: Mary Hasan, Director of Finance/Treasurer

MEETING DATE: August 14, 2019

SUBJECT: 2020 Proposed User Fees and Charges
File No. C01 FEE

RECOMMENDATIONS

THAT Report FIN-2019-027 regarding the 2020 Proposed User Fees and Charges be received; and

That staff be given delegated authority to automatically adjust the User Fees and Charges By-law annually based on the Consumer Price Index inflation rate as outlined in the Ontario Budget; and

That Council directs staff to proceed with holding a Public Meeting on September 12, 2019 at 7:00 p.m. to obtain public input on the proposed User Fees and Charges By-law as outlined in Schedule A to Report FIN-2019-027; and

That staff report back to Council with the results of the public meeting.

DISCUSSION

Purpose

The purpose of this report is to provide Council with the proposed changes to the User Fees and Charges By-law and to obtain direction from Council to proceed with holding a public meeting to solicit input on the proposed User Fees and Charges.

Staff will publish notice in the Puslinch Pioneer, Wellington Advertiser and Township website to advise of the Public Meeting.

Background

In addition to property tax revenues, municipalities may charge for goods and services, such as recreational rentals, development applications, building permits, etc. through authority which is set and approved by a By-law adopted by Council.

Changes to Fee Structure

The proposed fees outlined in Schedule A to Report FIN-2019-027 have been established or amended to better reflect cost recovery for the services provided taking into consideration the following:

- Costs for providing the service;
- fees charged by comparator municipalities; and
- 2020 projected Consumer Price Index (CPI) inflation rate of 2.0%¹

Future User Fees and Charges By-law and Public Meeting Process:

It is recommended that staff be given delegated authority to automatically adjust the User Fees and Charges By-law annually based on the CPI inflation rate as outlined in the Ontario Budget. For any changes above CPI, it is recommended that Township staff report on these changes to Council.

Outlined below are the proposed changes to the fees by department (excluding those fees that have been automatically increased by the CPI inflation rate of 2.0%).

Corporate

Canadian Flag and Township Flag

It is recommended that the Township no longer sell Canadian flags and Township flags:

- The price from the Township's vendor for Canadian flags has increased to \$47.99 (net of HST and shipping costs). The previous user fee by-law incorporated a fee of \$22.12 (net of HST) for Canadian flags. Canadian flag sales are infrequent (on average there have been two sales annually over the last three years). It is recommended that Canadian flags no longer be sold.
- Township flags that are currently in stock are printed with the previous Township crest. Township flag sales are rare (last sale was made in 2011). It is recommended that Township flags no longer be sold.

¹ <http://budget.ontario.ca/2019/brief.html#section-1>

Public Works*Entrance Permit*

Outlined below are the comparator municipality fees for entrance permits:

- Cambridge – Highway Occupancy Permit - \$85; New Culvert Installation Application Fee-Time & Materials + 20% + Highway Occupancy Permit Fee
- Centre Wellington – Entrance Permit – Inspection Fee - \$271.95; Road Occupancy and Access Permit - \$55.45
- Erin - Residential, Farm, Field, Bush lot - \$100; Commercial, Institutional, Recreational - \$300; Road Damage/Non-Completion Deposit - \$900
- Guelph/Eramosa – Residential Inspection Fee - \$150; Commercial/Industrial Inspection Fee - \$250; each additional or repeat inspection for failed first inspection - \$50; Residential Deposit - \$1,000; Commercial/Industrial Deposit - \$2,000
- Guelph - Culvert Inspection - \$400; Street Occupancy Permits - \$100
- Hamilton – Culvert Installation - Inspection Only – Priced per job at Cost; Culvert Installation – Priced per job at Cost
- Mapleton –Entrance Permit Inspection Fee - \$325; Deposit - \$1,000
- Milton – Entrance Culvert Installation Rates - \$811/metre; Entrance Permit – Non-Residential - \$794; Entrance Permit – Residential - \$414; Inspection Fee - \$199
- Minto - Inspection Fee - \$100; Permit Fee - \$50; Urban/Rural Damage Deposit - \$2,000; Hidden Driveway signs installed - \$240
- Wellington North - Inspection Fee - \$100; Damage Deposit for an entrance requiring a 9m culvert (up to and including 600mm) - \$1,600; Damage Deposit for an entrance that does not require a culvert - \$1,100; cost of hidden driveway sign installed - \$100

It is recommended that the Township incorporate the following categories for entrance permit fees for cost recovery purposes and based on the varying requirements for the various types of entrance permits:

- Entrance Permit - Commercial/Industrial - \$400
- Entrance Permit - Farm Field - \$200
- Entrance Permit – Residential - \$240

Fire and Rescue Services

Standard Ministry of Transportation (MTO) Rate

The Standard MTO rate has increased to \$477 effective November 1, 2018. It is recommended that the Fire & Rescue Services fees in Schedule B to this Report which are based on a per hour per truck rate be increased from \$465.42 per hour per truck to \$477 per hour per truck.

Smoke Alarms

It is recommended that a fee be established in the amount of \$7.30 (net of HST) in order to recover the costs associated with the purchase of smoke alarms for properties that are not in compliance with the Fire Protection and Prevention Act, 1997 after a Township inspection. Outlined below are the comparator municipality fees for smoke alarms:

- Cambridge - \$7.50
- Milton - \$8.85

Carbon Monoxide Alarms

It is recommended that a fee be established in the amount of \$19.75 (net of HST) in order to recover the costs associated with the purchase of carbon monoxide alarms for properties that are not in compliance with the Fire Protection and Prevention Act, 1997 after a Township inspection. Outlined below are the comparator municipality fees for carbon monoxide alarms:

- Cambridge - \$ 22.52
- Milton - \$44.25

Building

The Building Code Act requires that the total amount of building permit fees meets the total costs for the municipality to administer and enforce the Building Code Act and Regulations. Building permit fees were established to fully recover the Township’s cost of providing building permit services, including an allocation of administrative overhead/indirect costs. Any surplus revenue from building permit fees is transferred to a restricted reserve, to be drawn upon in years of declining building activity.

The Township’s Building Surplus reserve balance from 2015 to 2018 is outlined below:

	2015	2016	2017	2018
Building Restricted Reserve	\$499,099	\$573,096	\$793,502	\$727,299

In 2018, Building expenses were higher than revenues (including overhead allocation), therefore, funds from the Building Surplus reserve were utilized to fund this deficit. Based on the above, it is recommended that the fees in the Building department appendices be increased by the CPI inflation rate of 2.0% for cost recovery purposes.

Shed and Boathouse Permit Fee

Sheds and boathouses were previously a flat fee of \$156. It is recommended that the permit fee for sheds and boathouses be calculated in the same manner as garages/carports at a fee of \$0.79 per square foot based on its size similar to other fees in the Building department.

Planning and Development

Refund Schedule

It is recommended that a refund schedule be incorporated in the planning and development department similar to the refund schedule noted in the Township's Building By-law No. 057-2018 as outlined below:

In the case of a withdrawal or abandonment of an application, staff shall determine the amount of paid fees that may be refunded to the applicant, if any, in accordance with the following:

- a.) 80 percent (80%) if administrative functions have only been performed;*
- b.) 70 percent (70%) if administrative and zoning functions have only been performed;*
- c.) 45 percent (45%) if administrative, zoning, and a completed application has been circulated with comments;*
- d.) 35 percent (35%) if application has been sent for second submission and comments have been received;*
- e.) no refund shall be made if the application has been approved by Committee and/or Council*

Pre-Consultation Fee

Many municipalities require a mandatory pre-consultation meeting with proposed applicants and/or their authorized representatives prior to the submission of a planning application. The pre-consultation meeting ensures that both the proposed applicant and the municipality have a clear understanding of the purpose of the proposed application and, where required, the appropriate studies, information, and materials required to support the application. Pre-consultation also provides an opportunity for the applicant to gain an understanding of the administration of the planning process in the municipality.

The Township's current practice is to hold monthly development review meetings which are scheduled at the beginning of each year. These meetings are scheduled with Township staff, Township consultants and/or external agencies, and proposed applicants in order to address planning inquiries. When there are no general inquiries that require coordination and review by Township staff and the Township's external consultants, the meetings are cancelled. The Township obtains invoices from its external consultants for their attendance at these meetings. The Township currently fully absorbs these costs. The inquiries received from interested parties which are discussed at development review meetings often do not result in the submission of a development application. In addition, Township consultants are typically notified one week prior to the scheduled development review meeting that there were no inquiries and the meeting is subsequently cancelled for that specific month. As of August 2019, the Township has only conducted three of its eight scheduled development review meetings for 2019.

It is recommended that development review meetings be restructured to pre-consultation meetings which are scheduled on an as needed basis with the specific external Township consultant(s) and/or external agencies that are needed for commenting on the specific proposed development.

Proposed applicants will be strongly encouraged to engage in pre-consultation with the Township prior to the submission of a planning application as it provides the following benefits:

- Increased efficiencies and less delays in the longer term as many of the Township's planning applications require wide circulation to Township consultants and external agencies;
- Enables applicants and/or their authorized representatives to provide a complete application (with the required studies, etc.) at the onset of their submission;
- Enables staff to respond to non-complex inquiries that are in the preliminary stage at the counter or over the phone prior to the pre-consultation meeting. Currently, the development review meetings are being utilized as a general inquiry meeting by interested parties.

It is recommended that the Township establish a pre-consultation fee of \$615.00 which is credited from the future application fee (ie. when a formal complete application is submitted) for the following:

- Zoning By-law Amendment Applications
- Site Plan Applications
- Plan of Subdivision or Condominium Applications

Outlined below are the comparator municipality pre-consultation fees:

- Cambridge –\$500

- Centre Wellington - \$615.00
- Guelph - \$400 (mandatory – deducted from application fee if formal application submitted).
- Hamilton - \$1,200 (fee will be credited to any required future application with the exception of Minor Variance or Consent Applications).

Ownership List Confirmation

It is recommended that a fee of \$70 be established for providing ownership list confirmations for applicants and/or their authorized representatives in order to better reflect cost recovery for this service. In the past, applicants or their authorized representatives have requested this information for severance applications. Outlined below are the comparator municipality ownership list confirmation fees:

- Guelph Eramosa - \$30
- Mapleton - \$100
- Minto - \$100
- Wellington North - \$50 per hour per employee (fee for services provided by Municipal employees for planning matters)

Parks, Optimist Recreation Centre and Puslinch Community Centre

Puslinch Community Centre - Commercial Rentals

It is recommended that the Township implement a surcharge of 10% on commercial rentals (ie. auctions, sale of merchandise) at the Puslinch Community Centre. The previous user fee by-law incorporated a fee of \$781.85 (net of HST) for commercial rentals.

Implementing a surcharge of 10% is more in line with comparator municipalities as outlined below:

- Milton – Surcharge of 10%
- Guelph – Surcharge of 12.5%
- Hamilton – Surcharges ranging from 50% to 67%

Puslinch Community Centre - Non-Resident Rentals

Of the Township's 1,210 customers within the Facility Scheduler Module of Keystone, 844 or 70% of the renters have a non-Puslinch mailing address.

It is recommended that the Township implement a surcharge of 10% for non-resident rentals at the Puslinch Community Centre. This enables the Township to obtain a sustainable source of

funding as it relates to required staffing resources, ongoing upkeep and maintenance of the facility, and future asset replacement/restoration.

Implementing a surcharge of 10% is more in line with comparator municipalities as outlined below:

- Milton – Surcharge of 10%
- Guelph – Surcharge of 15%
- Hamilton – Surcharges ranging from 50% to 67% for commercial and non-resident facility rentals

Cancellation and Payment Terms

Council at its meeting held on October 3, 2018 directed staff to report back on payment options for Parks and Recreation bookings.

Township staff obtained information from the comparator municipalities regarding the payment structure for facility bookings. This information is summarized below:

- Cambridge
 - Collection of a 50 percent deposit for banquet hall bookings with the balance due two weeks prior to the event.
- Centre Wellington
 - Deposits ranging from \$150.00 to \$1,000.00 depending on the size of the event (ie. Small, medium, and large events).
 - Deposits collected at the time of booking with the remainder of the rental fee due 21 days prior to the event.
- Erin
 - 20% deposit collected at the time of booking with the remainder of the rental fee due 30 days prior to the event. 2 weeks' notice is required for a full refund.
- Guelph
 - Deposits are not collected for one-time bookings. Full payment is required for a contract to be finalized.
- Guelph/Eramosa
 - Deposits are not collected. Full payment is required for a contract to be finalized. 30 days' notice is required for a full refund.
- Hamilton
 - Deposits are not collected. Full payment is required for a contract to be finalized. 14 days' notice is required for a full refund on a smaller event. 30 days' notice is required for a full refund on a larger event.
- Mapleton

- Collection of a 50 percent deposit at the time of booking. 60 days' notice is required for a full refund.
- Milton
 - Deposits are not collected. Full payment is required for a contract to be finalized. 14 days' notice is required for an 80 percent refund.
- Minto
 - For hall rentals, \$100.00 is collected in advance to hold the date and space. If the renter honours the terms of the facility rental agreement, this deposit is applied as a credit against their invoice after the event.
- Wellington North
 - Collection of a 50 percent deposit at the time of booking with the balance due two weeks prior to the event.

Council through the 2017 User Fee By-law No. 087-2016 approved obtaining full payment at the time of booking and that a refund of 80 percent be provided where 30 days' notice of cancellation is given.

Council through the 2018 User Fee By-law No. 075-2017 approved the following payment terms for Parks, Optimist Recreation Centre, and Puslinch Community Centre rentals:

- One-Time Rentals - Payment is required within seven days of contract creation.
- Recurring Rentals Throughout the Year - Payment is required on a quarterly basis. The first payment is required within seven days of contract creation. Future payments are required quarterly.
- Recurring Seasonal Bookings - Payment is required in two instalments. The first payment is required within seven days of contract creation. The second payment is required halfway through the season.

Renters have adjusted positively to the Township's current payment structure and there have been limited complaints. It is recommended that the payment terms described above remain unchanged. The current process and payment terms are efficient and facilitate more effective utilization of staff resources.

FINANCIAL IMPLICATIONS

The fees approved as part of the User Fees and Charges By-law will be incorporated in the 2020 Operating Budget.

APPLICABLE LEGISLATION AND REQUIREMENTS

Section 391(1) of the Municipal Act

Section 7(1) of the Building Code Act

Section 69 of the Planning Act

Fire Protection and Prevention Act, 1997, Ontario Regulation 194/14: Fire Code Section 2.13
Installation of Smoke Alarms

Fire Protection and Prevention Act, 1997, Ontario Regulation 194/14: Fire Code Section 2.16
Installation of Carbon Monoxide Alarms

ATTACHMENTS

Schedule A: Proposed User Fees and Charges By-law

THE CORPORATION OF THE TOWNSHIP OF PUSLINCH

BY-LAW NO XXX-2019

A by-law to permit the Municipality to impose fees or charges with respect to services or activities provided, related costs payable, and for the use of its property, and to repeal By-law 056-2018.

WHEREAS Section 391(1) of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, a municipality may pass By-laws imposing fees or charges for services or activities provided or done by or on behalf of it, for costs payable by it for services or activities provided or done by or on behalf of any other municipality or any local board, and for the use of its property including property under its control; and

WHEREAS Section 7(1) of the Building Code Act, 1992, S.O. 1992, c. 23, as amended, provides that a municipality may pass By-laws imposing fees and charges; and

WHEREAS Section 69 of the Planning Act, R.S.O. 1990, c.P.13, as amended provides that the Council of a municipality may by By-law establish a tariff of fees for the processing of applications made in respect of planning matters; and

WHEREAS The Council of the Corporation of the Township of Puslinch deems it appropriate to update the Township's User Fees and Charges By-law.

NOW THEREFORE the Council of the Corporation of the Township of Puslinch enacts as follows:

1. For the purpose of this By-law:
 - a.) **"Cost(s)"** means any and all disbursements incurred by the municipality, and includes, but is not restricted to, any registration costs, title search costs, corporate search costs, survey costs, reference plan costs, advertising costs, outside counsel fees, paralegal fees, site inspection costs and any applicable taxes;
 - b.) **"Property Owner(s)"** include the registered owner(s) of property or any person, firm or corporation having control over or possession of the property or any portion thereof, including a property manager, mortgagee in possession, receiver and manager, trustee and trustee in bankruptcy;
 - c.) **"Township"** means the Corporation of the Township of Puslinch.
2. Any person requesting, applying or utilizing the services, applications or approvals listed in the attached schedules and forming part of this By-law shall pay the fees listed for that service, application or approval as set out in the attached schedules.
3. These fees, **costs**, and charges are applicable to residents and non-residents at the rates noted unless there is a specified exemption in the attached schedules.
4. No request by any person for a service, application or approval listed in the attached schedules shall be acknowledged or performed by the **Township** unless and until the person requesting the service, application or approval has paid the fees, **costs** or charges as set out in the attached schedules, unless noted otherwise.
5. All **Township** accounts and invoices are due and payable when rendered.
6. All unpaid fees, **costs** or charges imposed by this By-law on a person constitute a debt of the person to the **Township**.
7. The Treasurer shall add the fees, **costs** and charges imposed pursuant to this By-law to the tax roll for any property in the **Township** for which all of the **property owners** are responsible for paying the fees, **costs** and charges under

this By-law and collect them in the same manner as municipal taxes in accordance with Section 398 of the Municipal Act, 2001, S.O. 2001, c. 25 as amended.

8. If peer or legal review **costs** are incurred by the **Township** in the processing of an application or approval by the **Township**, the applicant is required to pay these **costs** to the **Township**.
9. The **Township** is not obligated to further process an application or approval until all outstanding third party **costs**, fees and other disbursements have been paid by the applicant.
10. The fees, **costs** and charges listed in the schedules to this By-law shall, where applicable, be subject to any applicable provincial and federal taxes.
11. Any fee, **cost** or charge:
 - a. authorized by a by-law that comes into effect on the same or a later date than this By-law; or
 - b. included in a valid agreement entered into by the **Township** and one or more other parties,

shall be the approved and imposed fee, **cost** or charge for the service, activity or use of property specified.
12. The payment of any fee, **cost** or charge in this By-law shall be in Canadian currency.
13. The following Schedules form part of this By-law:

Schedule	Department
A	Administration
B	Finance
C	Corporate
D	Public Works
E	Fire and Rescue Services
F	Building
G	Planning and Development
H	By-law
I	Parks
J	Optimist Recreation Centre
K	Puslinch Community Centre

14. The fees, **costs** and charges, as outlined in the schedules attached hereto and forming part of this By-law, shall be implemented and take effect on January 1, 2020.

Cancellation Terms – Parks, Optimist Recreation Centre, Puslinch Community Centre

15. A refund of 80 percent will be provided where 30 days' notice of cancellation is given for Puslinch Community Centre rentals.
16. A full refund will be provided where 72 hours or 3 days' notice of cancellation is given for Parks and Optimist Recreation Centre rentals.

Payment Terms – Parks, Optimist Recreation Centre, Puslinch Community Centre

17. One-Time Rentals - Payment is required within seven days of contract creation.
18. Recurring Rentals Throughout the Year - Payment is required on a quarterly basis. The first payment is required within seven days of contract creation. Future payments are required quarterly.

19. Recurring Seasonal Bookings - Payment is required in two instalments. The first payment is required within seven days of contract creation. The second payment is required halfway through the season.

Exemptions, Fee Waivers, Fee Reductions

20. Government organizations are exempt from the agreement fees imposed by this By-law.

21. The Optimist Club of Puslinch is exempt from the photocopy fees imposed by this By-law for **Township** Clean-up and Remembrance Day.

22. The following events are exempt from the rental fees imposed by this By-law:

- a. Fall Fair
- b. Santa Claus Parade
- c. Canada Day
- d. Family Day
- e. Remembrance Day

23. The Winter Classic Tournament held during the Family Day Long Weekend is exempt from the payment of rental fees with the exception of part-time staffing **costs** including bartenders.

24. The following requests are not eligible for a fee reduction or waiver:

- a. Religious services
- b. Licences, development charges, cash in lieu of parkland, building permits, inspections, insurance, personnel costs

25. Eligible organizations can obtain one complimentary two-hour room rental for one meeting during non-prime times in the Meeting Room.

26. Usage of **Township** property must comply with the **Township's** requirements including necessary insurance, permits and approvals within the required timelines.

27. Reduced rates are not offered during prime-time for facilities or parks that have a prime-time and non-prime time rate.

28. A 75% reduced rate shall apply to organizations that meet the eligibility criteria.

29. A 90% reduced rate shall apply to Seniors' Events or Programs.

30. A 90% reduced rate shall apply to Whistle Stop Co-operative Pre-school and Guelph Community Health Centre (Playgroup).

Reduced Rate Eligibility Criteria

31. Organizations applying for a reduced rate must meet the following eligibility criteria:

- a. Be in existence for at least one year; and
- b. have its principal address in the **Township**; and
- c. be a not-for-profit organization or an unincorporated community group; and
- d. offer services that benefit the **Township** and its residents; and
- e. be in good financial standing with the **Township** and not in litigation with the **Township**; and
- f. be in compliance with any other **Township** by-laws and policies.

For the purposes of this By-law, Puslinch Minor Sports Organizations, Puslinch Religious Organizations, Guelph Community Health Centre (The Playgroup), YMCA/YWCA of Guelph, and the Aberfoyle Agricultural Society are deemed to meet the eligibility criteria.

32. For the purposes of this By-law, services that benefit the **Township** and its residents include:

- a. Charitable community services
- b. Artistic endeavours, including literature, dance, music, theatre, painting, sculpture, movies, photography and live performances
- c. Specific cultural and heritage activities
- d. Programs that improve the health and well-being of the community
- e. Programs that encourage participation in organized athletic activities
- f. Services or events directed for youth and older adults
- g. Public safety enhancement services

33. The following organizations are not eligible for a reduced rate:

- a. Adult sports organizations ie. Old Timers, Puslinch Kodiak's, Morriston Men's League, The Aberfoyle Dukes.
- b. County, Provincial and Federal organizations.
- c. Groups or organizations affiliated with any political party or event.
- d. Individuals, commercial organizations, and coalitions such as ratepayer associations.
- e. Hospitals, hospital foundations and hospital auxiliary groups or agencies.
- f. Educational institutions including universities, colleges, schools and associated auxiliary groups.

34. The following information will be required to review an organization's eligibility:

- a. A copy of the letters patent or articles of incorporation, if applicable.
- b. A copy of its Notification of Charitable Registration letter from the Canada Revenue Agency with any supporting documentation indicating the organization's status and terms of registration, if applicable.
- c. A copy of mandate, constitution and by-laws, as applicable.

35. Should any part of this By-law including any part of the schedules, be determined by a Court of competent jurisdiction to be invalid or of no force and effect, such invalid part of the By-law shall be severable and that the remainder of this By-law including the remainder of the Schedules, as applicable, shall continue to operate and to be in force and effect.

36. This By-law shall be known as the "User Fees and Charges By-law".

37. That By-law No. 056/18 is hereby repealed, effective January 1, 2020.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS Xth DAY OF OCTOBER 2019.

James Seeley, Mayor

Patrick Moyle, CAO/Clerk

**SCHEDULE A: ADMINISTRATION REVIEW OF MUNICIPAL RATES AND SERVICE CHARGES
EFFECTIVE 2020**

Schedule A to Report FIN-2019-027

TYPE OF REVENUE/USER	Unit/Descr	2019 RATE (NO TAX)	2020 RATE (NO TAX)	13% HST	RATE INCL HST	% CHANGE	HST STATUS	COMMENTS
Agreements - Major - Not Registered	Flat Fee	\$500.00	\$510.00	\$0.00	\$510.00	2%	E	For recovery of the costs of facilitating and preparing agreements, ie. a lease agreement on Township lands.
Agreements - Minor - Not Registered	Flat Fee	\$250.00	\$255.00	\$0.00	\$255.00	2%	E	For recovery of the costs of facilitating and preparing agreements, ie. miscellaneous agreements.
Agreements - Registered	Flat Fee	\$765.00	\$780.00	\$0.00	\$780.00	2%	E	For recovery of the costs of facilitating and preparing agreements, ie. an encroachment agreement or a conditional building permit.
Freedom of Information	Charged at the rate permitted per the legislation.						E	Regulated by Statute - See Report FIN-2017-024.
Signature of Commissioner	Per Document	\$20.00	\$20.40	\$2.65	\$23.05	2%	T	

**SCHEDULE B: FINANCE REVIEW OF MUNICIPAL RATES AND SERVICE CHARGES
EFFECTIVE 2020**

Schedule A to Report FIN-2019-027

TYPE OF REVENUE/USER	Unit/Descr	2019 RATE (NO TAX)	2020 RATE (NO TAX)	13% HST	RATE INCL HST	% CHANGE	HST STATUS	COMMENTS
NSF Cheque	Per NSF	\$40.00	\$40.00	\$0.00	\$40.00	0%	E	
Tax Certificate	Per Certificate	\$60.00	\$60.00	\$0.00	\$60.00	0%	E	
Tax Sale Charges		Actual costs incurred	Actual costs incurred			0%	T	Cost recovery of fees and disbursements as charged by consultants and solicitors.
Tender Fees	Per Package	\$40.00	\$40.80	\$0.00	\$40.80	2%	E	Tender fees applicable for projects administered by the Township's consultants.
Service Fee - Debit Card Transactions - Online	Total Transaction Amount	0.75 Percent	0.75 Percent			0%	E	In accordance with Visa and Mastercard merchant rules.
Service Fee - Credit Card Transactions - Online	Total Transaction Amount	1.75 Percent	1.75 Percent			0%	E	In accordance with Visa and Mastercard merchant rules.
Tile Drainage Loan Application and Inspection Fee	Flat Fee	\$200.00	\$204.00	\$0.00	\$204.00	2%	E	See Report FIN-2018-028

**SCHEDULE C: CORPORATE REVIEW OF MUNICIPAL RATES AND SERVICE CHARGES
EFFECTIVE 2020**

Schedule A to Report FIN-2019-027

TYPE OF REVENUE/USER	Unit/Descr	2019 RATE (NO TAX)	2020 RATE (NO TAX)	13% HST	RATE INCL HST	% CHANGE	HST STATUS	COMMENTS
Canadian Flag	Per Flag	\$22.12	N/A					See Report FIN-2019-027
Photocopy	Per Page	\$0.25	\$0.26	\$0.03	\$0.29	4%	T	Photocopy fees are exempt for Township Clean-up and Remembrance Day in accordance with Council Resolution No. 2017-363.
Township Flag	Per Flag	\$44.25	N/A					See Report FIN-2019-027

Draft

**SCHEDULE D: PUBLIC WORKS REVIEW OF MUNICIPAL RATES AND SERVICE CHARGES
EFFECTIVE 2020**

Schedule A to Report FIN-2019-027

TYPE OF REVENUE/USER	Unit/Descr	2019 RATE (NO TAX)	2020 RATE (NO TAX)	13% HST	RATE INCL HST	% CHANGE	HST STATUS	COMMENTS
Entrance Permit - Commercial/Industrial	Flat Fee	See below	\$400.00	\$0.00	\$400.00	67%		See Report FIN-2019-027
Entrance Permit - Farm Field	Flat Fee	See below	\$200.00	\$0.00	\$200.00	-17%		See Report FIN-2019-027
Entrance Permit - Residential	Flat Fee	\$235.00	\$240.00	\$0.00	\$240.00	2%	E	See Report FIN-2019-027
Oversize-Overweight Load Permits	Per Trip	\$100.00	\$102.00	\$0.00	\$102.00	2%	E	
Third Party Cost Recovery	Actual costs incurred + \$100.00 administration fee						T	Material, equipment, labour/benefits, and administration costs.

**SCHEDULE E: FIRE AND RESCUE SERVICES REVIEW OF MUNICIPAL RATES AND SERVICE CHARGES
EFFECTIVE 2020**

Schedule A to Report FIN-2019-027

TYPE OF REVENUE/USER	Unit/Descr	2019 RATE (NO TAX)	2020 RATE (NO TAX)	13% HST	RATE INCL HST	% CHANGE	HST STATUS	COMMENTS
Boarding or Barricading Plus Materials	Per Hour Per Truck	\$465.42	\$477.00	\$0.00	\$477.00	2%	E	Fee is in accordance with the Standard MTO Rate.
Burning Permit Violations or Unauthorized Open Air Burning	Per Hour Per Truck	\$465.42	\$477.00	\$0.00	\$477.00	2%	E	Emergency responses to illegal burning or burning without a permit. Fee is in accordance with the Standard MTO Rate.
Carbon Monoxide Alarms	Per Alarm	N/A	\$19.75	\$2.57	\$22.32	100%	T	See Report FIN-2019-027
Daycare & Home Daycare Inspections	Per Inspection	\$100.00	\$102.00	\$13.26	\$115.26	2%	T	As mandated in the Fire Code.
Emergency Responses to Incidents such as Collisions/Fires/Hazardous Material Releases on Roadways	Per Hour Per Truck	\$465.42	\$477.00	\$0.00	\$477.00	2%	E	Township residents are exempt from payment of fee for emergency responses where emergency occurs on a Township of Puslinch or County of Wellington Road. Fee is in accordance with the Standard MTO Rate.
Fire Alarm False Alarm Calls	Per Hour Per Truck	\$465.42	\$477.00	\$0.00	\$477.00	2%	E	A false alarm call after the second false alarm in any calendar year. Fee is in accordance with the Standard MTO Rate.
Fire Extinguisher Training	Per Person	\$15.00	\$15.30	\$1.99	\$17.29	2%	T	
Fire Safety Plan Review	Per Plan	\$120.00	\$122.00	\$15.86	\$137.86	2%	T	
Industrial/Commercial/Institutional/Assembly/Apartment	Base Inspection	\$100.00	\$102.00	\$13.26	\$115.26	2%	T	Any inspections completed by the fire department that are new, complaint driven, requested or mandated.
Industrial/Commercial/Institutional/Assembly/Apartment	Plus each tenant/occupant/apartment unit	\$25.00	\$25.50	\$3.32	\$28.82	2%	T	Any inspections completed by the fire department that are new, complaint driven, requested or mandated.
Information or Fire Reports	Per Report	\$75.00	\$76.50	\$0.00	\$76.50	2%	E	Requested for emergency incidents.
Key Boxes	Per Box	\$100.00	\$102.00	\$13.26	\$115.26	2%	T	For rapid entry for firefighters.
Occupancy Load	Flat Fee	\$100.00	\$102.00	\$0.00	\$102.00	2%	E	
Open Air Burning Permit Inspection Fee	Per Inspection	\$40.00	\$40.80	\$5.30	\$46.10	2%	T	As a result of a request to modify the terms and conditions of the Open Air Burning Permit.
Open Air Burning Permit	Per Permit	\$20.00	\$20.40	\$0.00	\$20.40	2%	E	Permit must be renewed annually.
Post Fire Watch	Per Hour per Truck	\$465.42	\$477.00	\$0.00	\$477.00	2%	E	Fee is in accordance with the Standard MTO Rate.

**SCHEDULE E: FIRE AND RESCUE SERVICES REVIEW OF MUNICIPAL RATES AND SERVICE CHARGES
EFFECTIVE 2020**

Schedule A to Report FIN-2019-027

TYPE OF REVENUE/USER	Unit/Descr	2019 RATE (NO TAX)	2020 RATE (NO TAX)	13% HST	RATE INCL HST	% CHANGE	HST STATUS	COMMENTS
Replacement of Equipment and Resources Used	Actual costs incurred	Actual costs incurred	Actual costs incurred			0%	T	Materials used in emergency responses.
Sale of Fireworks Permit	Per Permit	\$100.00	\$102.00	\$0.00	\$102.00	2%	E	
Setting Off or Discharge of High Hazard Fireworks Permit	Per Permit	\$100.00	\$102.00	\$0.00	\$102.00	2%	E	
Smoke Alarms	Per Alarm	N/A	\$7.30	\$0.95	\$8.25	100%	T	See Report FIN-2019-027
Water Tank Locks	Per Lock	\$17.80	\$18.16	\$2.36	\$20.52	2%	T	For locking water tank lids closed.
Special Events	No fee at this time							Requests for Attendance.
Authorized Requester Agreement - Search Fee	No fee at this time							Standard information product per record search fee - See Report FIN-2017-024.

**SCHEDULE F: BUILDING REVIEW OF MUNICIPAL RATES AND SERVICE CHARGES
EFFECTIVE 2020**

Schedule A to Report FIN-2019-027

TYPE OF REVENUE/USER	Unit/Descr	2019 RATE (NO TAX)	2020 RATE (NO TAX)	13% HST	RATE INCL HST	% CHANGE	HST STATUS	COMMENTS
Minimum Permit Fee	Flat Fee	\$156.00	\$159.00	\$0.00	\$159.00	2%	E	For all work unless otherwise noted
<u>NEW BUILDING, ADDITIONS, MEZZANINES</u>								
<u>Group A & B: Assembly & Care and Detention Buildings</u>								
Shell	Per Sq. Foot	\$2.40	\$2.45	\$0.00	\$2.45	2%	E	See Report FIN-2017-024
Finished	Per Sq. Foot	\$2.71	\$2.77	\$0.00	\$2.77	2%	E	See Report FIN-2017-024
<u>Group C: Residential Buildings</u>								
Houses, Townhouses, and Apartments	Per Sq. Foot	\$1.92	\$1.97	\$0.00	\$1.97	2%	E	
Manufactured Home	Per Sq. Foot	\$1.46	\$1.49	\$0.00	\$1.49	2%	E	
Garage/carport/shed/boathouse	Per Sq. Foot	\$0.78	\$0.79	\$0.00	\$0.79	1%	E	See Report FIN-2018-028
Deck, porch, dock	Flat Fee	\$156.00	\$159.00	\$0.00	\$159.00	2%	E	
<u>Group D & E: Business and Personal Service and Mercantile Buildings</u>								
Shell	Per Sq. Foot	\$1.85	\$1.89	\$0.00	\$1.89	2%	E	See Report FIN-2017-024
Finished	Per Sq. Foot	\$2.15	\$2.20	\$0.00	\$2.20	2%	E	See Report FIN-2017-024
<u>Group F: Industrial Buildings</u>								
Shell	Per Sq. Foot	\$0.75	\$0.76	\$0.00	\$0.76	1%	E	See Report FIN-2017-024
Finished	Per Sq. Foot	\$0.95	\$0.97	\$0.00	\$0.97	2%	E	See Report FIN-2017-024
<u>Farm Buildings</u>								
New Building	Per Sq. Foot	\$0.30	\$0.31	\$0.00	\$0.31	3%	E	See Report FIN-2017-024
<u>INTERIOR FINISHES AND ALTERATIONS - ALL CLASSIFICATIONS</u>								
Finishes to all areas	Per Sq. Foot	\$0.52	\$0.53	\$0.00	\$0.53	2%	E	
<u>SEWAGE SYSTEMS</u>								
New Installation	Flat Fee	\$624.00	\$636.00	\$0.00	\$636.00	2%	E	
Replacement or alteration	Flat Fee	\$468.00	\$477.00	\$0.00	\$477.00	2%	E	
<u>ALTERNATIVE SOLUTIONS</u>								
All buildings/systems within scope of Part 9	Flat Fee	\$500.00	\$510.00	\$0.00	\$510.00	2%	E	See Report FIN-2017-024
All buildings/systems within scope of Part 3	Flat Fee	\$1,000.00	\$1,020.00	\$0.00	\$1,020.00	2%	E	See Report FIN-2017-024
<u>SPECIAL CATEGORIES AND MISCELLANEOUS</u>								
Change of Use Permit (No Construction)	Flat Fee	\$200.00	\$204.00	\$0.00	\$204.00	2%	E	See Report FIN-2017-024
Construction prior to issuance of a permit	100% of permit fee	100% of permit fee	100% of permit fee			0%	E	Fee is in addition to all other required permit fees.
Conditional Permits	20% of permit fee	20% of permit fee	20% of permit fee			0%	E	Fee is in addition to all other required permit fees.
Demolition Permit	Flat Fee	\$156.00	\$159.00	\$0.00	\$159.00	2%	E	
Designated Structure Permit	Flat Fee	\$416.00	\$424.00	\$0.00	\$424.00	2%	E	Listed per Div.A, 1.3.1.1 Solar installation
Fireplace/Woodstove	Flat Fee	\$156.00	\$159.00	\$0.00	\$159.00	2%	E	

**SCHEDULE F: BUILDING REVIEW OF MUNICIPAL RATES AND SERVICE CHARGES
EFFECTIVE 2020**

Schedule A to Report FIN-2019-027

TYPE OF REVENUE/USER	Unit/Descr	2019 RATE (NO TAX)	2020 RATE (NO TAX)	13% HST	RATE INCL HST	% CHANGE	HST STATUS	COMMENTS
Inspection of works not ready	Flat Fee	\$156.00	\$159.00	\$0.00	\$159.00	2%	E	At the discretion of the Chief Building Official. Includes code violations and deficiencies.
Occupancy Permit	Flat Fee	\$156.00	\$159.00	\$0.00	\$159.00	2%	E	
Occupancy without an Occupancy Permit	Flat Fee	\$250.00	\$255.00	\$0.00	\$255.00	2%	E	At the discretion of the Chief Building Official. This fee is not imposed as it relates to the current initiative of closing old open building permits as approved by Council in the 2018 Budget.
Portables	Flat Fee	\$200.00	\$204.00	\$0.00	\$204.00	2%	E	
Reproduction of Drawings	Flat Fee	\$50.00	\$51.00	\$6.63	\$57.63	2%	T	Current rate covers costs for the reproduction of black and white drawings.
Revision to Approved Plans	Flat Fee	\$312.00	\$318.00	\$0.00	\$318.00	2%	E	Before or after a permit is issued - significant changes to approved plans requiring further review. Minor revisions which result in no fee include eliminating a closet, finishing a three-piece bathroom, cosmetic changes, layout changes, removing non-load bearing walls, etc.
Sign Permits	Flat Fee	\$260.00	\$265.00	\$0.00	\$265.00	2%	E	With building permit
Storefront replacement	Flat Fee	\$200.00	\$204.00	\$0.00	\$204.00	2%	E	
Tents	Flat Fee	\$260.00	\$265.00	\$0.00	\$265.00	2%	E	Tents and air-supported structures shall be in conformance with the Building Code and Section 2.9 of the Fire Code.
Transfer of Permit	Flat Fee	\$156.00	\$159.00	\$0.00	\$159.00	2%	E	

INTERPRETATION

The following requirements are to be applied in the calculation of permit fees:

- Floor area of the proposed work is to be measured to the outer face of exterior walls and to the centre line of party walls or demising walls.
- Unfinished loft space, habitable attics, mezzanines and interior balconies are to be included in all floor area calculations.
- Unfinished basement space and attached residential garages are not included in floor area calculations.
- The occupancy categories in this Schedule correspond with the major occupancy classifications in the Ontario Building Code. For multiple occupancy floor areas, the permit fees for each of the applicable occupancy categories may be used.
- In the case of interior alterations or renovations, area of proposed work is the actual space receiving the work, e.g. tenant suite.
- Additional permit fees are not required for an attached deck to a residential dwelling, when the deck is shown on the approved residential building plans.
- For classes of permits not described in this Schedule, a reasonable permit fee shall be determined by the Chief Building Official.

**SCHEDULE G: PLANNING AND DEVELOPMENT REVIEW OF MUNICIPAL RATES AND SERVICE CHARGES
EFFECTIVE 2020**

Schedule A to Report FIN-2019-027

TYPE OF REVENUE/USER	Unit/Descr	2019 RATE (NO TAX)	2020 RATE (NO TAX)	13% HST	RATE INCL HST	% CHANGE	HST STATUS	COMMENTS
Agreements - Minor - Not Registered	Flat Fee	\$250.00	\$255.00	\$0.00	\$255.00	2%	E	For recovery of the costs of facilitating and preparing agreements, ie. permission to have a second dwelling while another is being built.
Agreements - Registered	Flat Fee	\$765.00	\$780.00	\$0.00	\$780.00	2%	E	For recovery of the costs of facilitating and preparing agreements, ie. garden suite agreements, maintenance and operations agreement, an amendment to a site plan or subdivision or condominium agreement. Excludes new site plan, subdivision or condominium agreements.
Compliance Letter	Flat Fee	\$75.00	\$76.50	\$0.00	\$76.50	2%	E	Fee charged is consistent for all Township departments.
Consent Review and Condition Clearance *	Flat Fee	\$134.00	\$137.00	\$0.00	\$137.00	2%	E	
Lifting of Holding Designation (Zoning)	Flat Fee	\$586.00	\$598.00	\$0.00	\$598.00	2%	E	
Minor Variance *	Flat Fee	\$706.00	\$721.00	\$0.00	\$721.00	2%	E	
Ownership List Confirmation	Flat Fee	N/A	\$70.00	\$0.00	\$70.00	100%	E	See Report FIN-2019-027
Part Lot Control Exemption By-law	Flat Fee	\$585.00	\$597.00	\$0.00	\$597.00	2%	E	
Plan of Subdivision or Condominium Agreement or Pre-Servicing Agreement *	Administration fee	\$765.00	\$780.00	\$0.00	\$780.00	2%	E	For recovery of the costs of facilitating and preparing agreements.
Pre-Consultation Fee	Flat Fee	N/A	\$615.00	\$0.00	\$615.00	100%	E	This fee will be credited from the future application fee (ie. when a formal complete application is submitted) for a Zoning By-law Amendment, Site Plan, or Plan of Subdivision or Condominium.
Site Plan Application and Agreement - Minor	Flat Fee	\$10,850.00	\$11,067.00	\$0.00	\$11,067.00	2%	E	Note 1
Site Plan Application and Agreement - Standard	Flat Fee	\$20,600.00	\$21,012.00	\$0.00	\$21,012.00	2%	E	Note 2
Telecommunication Tower Proposals	Flat Fee	\$532.00	\$543.00	\$0.00	\$543.00	2%	E	
Zoning By-law - Copy	Flat Fee	\$40.00	\$40.80	\$5.30	\$46.10	2%	T	
Zoning By-Law Amendment - Aggregate *	Administration fee	\$15,000.00	\$15,300.00	\$0.00	\$15,300.00	2%	E	
Zoning By-Law Amendment - Minor	Flat Fee	\$5,000.00	\$5,100.00	\$0.00	\$5,100.00	2%	E	Note 3
Zoning By-Law Amendment - Standard	Flat Fee	\$11,200.00	\$11,424.00	\$0.00	\$11,424.00	2%	E	Note 4

**SCHEDULE G: PLANNING AND DEVELOPMENT REVIEW OF MUNICIPAL RATES AND SERVICE CHARGES
EFFECTIVE 2020**

Schedule A to Report FIN-2019-027

INTERPRETATION

* the fees denoted with an asterisk are also subject to the Township's disbursements and third party consultant fees incurred for the processing of the application.

Note 1: Minor Site Plan

A Minor Site Plan may include, but is not limited, to the following:

- Site works associated with the change of use of an existing building;
- Parking lot modifications, outdoor patios, landscape works and the placement of accessory buildings and structures;
- Minor revisions or building additions to existing commercial, industrial or residential developments

Township staff have the discretion to determine whether a site plan application is classified as minor.

Note 2: Standard Site Plan

A Standard Site Plan may include, but is not limited, to the following:

- Requirement of technical studies (ie. storm water management, geotechnical, hydrological, environmental impact assessment, etc.)
- Relates to a new development or major additions/alterations to an existing development or site design

Note 3: Minor Zoning By-law Amendment

A Minor Zoning By-law Amendment may include, but is not limited, to the following:

- The change in use is compatible with the current zoning designation and does not require the submission of any technical studies;
- Adding a low impact use to an existing zone;
- Temporary use;
- Low impact zone changes involving single or semi-detached dwellings;
- No change in zoning category

Township staff have the discretion to determine whether a zoning by-law amendment application is classified as minor.

Note 4: Standard Zoning By-law Amendment

A Standard Zoning By-law Amendment may include, but is not limited, to the following:

- Change in zoning category;
- Larger commercial/industrial/residential applications;
- A major change of use to an existing building or structure;
- Requirement of technical studies (ie. storm water management, geotechnical, hydrological, environmental impact assessment, etc.)

Refund of Application Fees

In the case of a withdrawal or abandonment of an application, staff shall determine the amount of paid fees that may be refunded to the applicant, if any, in accordance with the following:

- a.) 80 percent (80%) if administrative functions have only been performed;
- b.) 70 percent (70%) if administrative and zoning functions have only been performed;
- c.) 45 percent (45%) if administrative, zoning, and a completed application has been circulated with comments;
- d.) 35 percent (35%) if application has been sent for second submission and comments have been received;
- e.) no refund shall be made if the application has been approved by Committee and/or Council

**SCHEDULE H: BY-LAW REVIEW OF MUNICIPAL RATES AND SERVICE CHARGES
EFFECTIVE 2020**

Schedule A to Report FIN-2019-027

TYPE OF REVENUE/USER	Unit/Descr	2019 RATE (NO TAX)	2020 RATE (NO TAX)	13% HST	RATE INCL HST	% CHANGE	HST STATUS	COMMENTS
Dog Tags	Per Tag	\$25.00	\$25.50	\$0.00	\$25.50	2%	E	Maximum of 3 dogs
Fence Viewer's Application	Per Application	\$300.00	\$306.00	\$0.00	\$306.00	2%	E	
Filming Permit Fee	Flat Fee	\$500.00	\$510.00	\$0.00	\$510.00	2%	E	Filming of special events on Township lands/roads.
Kennel Licence	Per Licence	\$187.00	\$190.00	\$0.00	\$190.00	2%	E	More than 3 dogs
Liquor License Letter	Per Inspection	\$156.00	\$159.00	\$0.00	\$159.00	2%	E	Requested or required inspection of licensed sales establishments (as defined by the Liquor Licence Establishment Board of Ontario) that requires an inspection and/or a letter.
Lottery Licence	3% of prize value	3% of prize value	3% of prize value	\$0.00	3% of prize value	0%	E	Fee regulated by AGCO (Nevada, Raffle, Bazaar, etc.).
Municipal Addressing Sign	Flat Fee	\$20.00	\$20.40	\$2.65	\$23.05	2%	T	
Municipal Addressing Post	Flat Fee	\$20.00	\$20.40	\$2.65	\$23.05	2%	T	
Septic Compliance Letter	Flat Fee	\$75.00	\$76.50	\$0.00	\$76.50	2%	E	Fee charged is consistent for all Township departments.
Sign Permits	Flat Fee	\$100.00	\$102.00	\$0.00	\$102.00	2%	E	Without building permit.
Site Alteration Permit Application *	Administration fee	\$1,800 plus \$75 per hectare (rounded to the greater whole aggregate).	\$1,800 plus \$75 per hectare (rounded to the greater whole aggregate).	\$0.00	\$1,800 plus \$75 per hectare (rounded to the greater whole aggregate).	0%	E	
Site Alteration Permit Service Fee	Per m ³	\$0.06	\$0.06	\$0.00	\$0.06	0%	E	Paid at time of application.
Special Occasion Permit	Per Letter	\$75.00	\$76.50	\$0.00	\$76.50	2%	E	
Swimming Pool Enclosure Permit	Flat Fee	\$215.00	\$219.00	\$0.00	\$219.00	2%	E	

* the fees denoted with an asterisk are also subject to the Township's disbursements and third party consultant fees incurred for the processing of the application.

**SCHEDULE I: PARKS REVIEW OF MUNICIPAL RATES AND SERVICE CHARGES
EFFECTIVE 2020**

Schedule A to Report FIN-2019-027

TYPE OF REVENUE/USER	Unit/Descr	2019 RATE (NO TAX)	2020 RATE (NO TAX)	13% HST	RATE INCL HST	% CHANGE	HST STATUS	COMMENTS
Ball Diamonds - No Lights	Per Hour	\$20.85	\$21.27	\$2.77	\$24.04	2%	T	
75% Reduced Rate - Ball Diamonds - No Lights	Per Hour	\$5.20	\$5.31	\$0.69	\$6.00	2%	T	
Ball Diamonds - Lights	Per Hour	\$31.25	\$31.88	\$4.14	\$36.02	2%	T	after 8:30 p.m.
75% Reduced Rate - Ball Diamonds - Lights	Per Hour	\$7.80	\$7.96	\$1.03	\$8.99	2%	T	after 8:30 p.m.
All Ball Diamonds	Per Day	\$156.35	\$159.48	\$20.73	\$180.21	2%	T	
75% Reduced Rate - All Ball Diamonds	Per Day	\$39.10	\$39.88	\$5.18	\$45.06	2%	T	
Ball Diamonds - Dragging	Per Occurrence	\$40.00	\$40.80	\$5.30	\$46.10	2%	T	Upon request and approval - June 15, 2016 Special Council Meeting.
Soccer Field	Per Hour	\$26.55	\$27.09	\$3.52	\$30.61	2%	T	Development of a fee - Report FIN-2017-012
75% Reduced Rate - Soccer Field	Per Hour	\$6.65	\$6.79	\$0.88	\$7.67	2%		
Soccer Field	Per Day	\$269.80	\$275.20	\$35.78	\$310.98	2%	T	Development of a fee - Report FIN-2017-012
75% Reduced Rate - Soccer Field	Per Day	\$67.45	\$68.80	\$8.94	\$77.74	2%		
Ball Diamond Advertising	Per Season	\$175.00	\$178.50	\$23.21	\$201.71	2%	T	Available from May to October
75% Reduced Rate - Ball Diamond Advertising	Per Season	\$43.75	\$44.63	\$5.80	\$50.43	2%	T	
Horse Paddock	Per Day	\$200.00	\$204.00	\$26.52	\$230.52	2%	T	Rental restricted to horse paddock and tractor pull area.
75% Reduced Rate - Horse Paddock	Per Day	\$50.00	\$51.00	\$6.63	\$57.63	2%	T	
Picnic Shelter	Per Hour	\$20.00	\$20.40	\$2.65	\$23.05	2%	T	
Picnic Shelter	Per Day	\$80.00	\$81.60	\$10.61	\$92.21	2%	T	
Sports Facility User Fees - Tennis	Per Resident	\$10.00	\$10.00	\$0.00	\$10.00	0%	E	Staff to bring forward a use/cost sharing agreement with the Puslinch Tennis Club in 2019.
Sports Facility User Fees - Tennis	Per Non-Resident	\$25.00	\$25.00	\$0.00	\$25.00	0%	E	Staff to bring forward a use/cost sharing agreement with the Puslinch Tennis Club in 2019.
Fireworks Security Deposit	Per Display	\$500.00	\$500.00	\$0.00	\$500.00	0%	E	Clean up of Township lands after fireworks display.
Baseball Equipment and Lights Security Deposit	Per Season	\$50.00	\$50.00	\$0.00	\$50.00	0%	E	Lights key provided to ball diamond rentals with light use. Equipment key provided to leagues with a minimum of an eight week rental commitment.
Picnic Shelter Washroom Key Security Deposit	Per Rental	\$50.00	\$50.00	\$0.00	\$50.00	0%	E	
Horse Paddock Security Deposit	Per Rental	\$300.00	\$300.00	\$0.00	\$300.00	0%	E	
Note 1: Booking availability of Township fields are dependent on field conditions.								

**SCHEDULE J: OPTIMIST RECREATION CENTRE REVIEW OF MUNICIPAL RATES AND SERVICE CHARGES
EFFECTIVE 2020**

Schedule A to Report FIN-2019-027

TYPE OF REVENUE/USER	Unit/Descr	2019 RATE (NO TAX)	2020 RATE (NO TAX)	13% HST	RATE INCL HST	% CHANGE	HST STATUS	COMMENTS
Arena Floor	Per Hour	\$67.45	\$68.81	\$8.95	\$77.76	2%	T	Includes use of change rooms
75% Reduced Rate - Arena Floor	Per Hour	\$16.85	\$17.20	\$2.24	\$19.44	2%	T	
Ice - Non - Prime	Per Hour	\$56.20	\$57.33	\$7.45	\$64.78	2%	T	
75% Reduced Rate - Ice - Non-Prime	Per Hour	\$14.05	\$14.34	\$1.86	\$16.20	2%	T	
Ice - Prime	Per Hour	\$161.50	\$164.73	\$21.41	\$186.14	2%	T	
Gymnasium	Per Hour	\$30.65	\$31.27	\$4.07	\$35.34	2%	T	
75% Reduced Rate - Gymnasium	Per Hour	\$7.65	\$7.81	\$1.02	\$8.83	2%	T	
90% Reduced Rate - Gymnasium	Per Hour	\$3.05	\$3.11	\$0.40	\$3.51	2%	T	Applicable for Seniors' Events/Programs, Whistle Stop Co-operative Pre-school and Guelph Community Health Centre (Playgroup).
Rink Board Advertising	Per Year	\$350.00	\$357.00	\$46.41	\$403.41	2%	T	
75% Reduced Rate - Rink Board Advertising	Per Year	\$87.50	\$89.25	\$11.60	\$100.85	2%	T	

Note 1:

- Ice - Non-Prime: Weekdays from 9:00 am to 5:00 pm
- Ice - Prime: Weekdays from 5:00 pm to 10:00 pm, Saturdays, Sundays

**SCHEDULE K: PUSLINCH COMMUNITY CENTRE REVIEW OF MUNICIPAL RATES AND SERVICE CHARGES
EFFECTIVE 2020**

Schedule A to Report FIN-2019-027

TYPE OF REVENUE/USER	Unit/Descr	2019 RATE (NO TAX)	2020 RATE (NO TAX)	13% HST	RATE INCL HST	% CHANGE	HST STATUS	COMMENTS
Meeting Room	Per Hour	\$26.05	\$26.58	\$3.46	\$30.04	2%	T	
75% Reduced Rate - Meeting Room	Per Hour	\$6.50	\$6.64	\$0.86	\$7.50	2%	T	
90% Reduced Rate - Meeting Room	Per Hour	\$2.60	\$2.65	\$0.34	\$2.99	2%	T	Applicable for Seniors' Events/Programs, Whistle Stop Co-operative Pre-school and Guelph Community Health Centre (Playgroup).
Hall - Non-Prime	Per Hour	\$55.95	\$57.08	\$7.42	\$64.50	2%	T	Minimum of a 3 hour booking required.
75% Reduced Rate - Hall - Non-Prime	Per Hour	\$14.00	\$14.28	\$1.86	\$16.14	2%	T	Minimum of a 3 hour booking required.
90% Reduced Rate - Hall - Non-Prime	Per Hour	\$5.60	\$5.71	\$0.74	\$6.45	2%	T	Minimum of a 3 hour booking required. Applicable for Seniors' Events/Programs, Whistle Stop Co-operative Pre-school and Guelph Community Health Centre (Playgroup).
Hall - Non-Prime	Full Day Rental	\$380.20	\$387.81	\$50.42	\$438.23	2%	T	
75% Reduced Rate - Hall - Non-Prime	Full Day Rental	\$95.05	\$96.96	\$12.60	\$109.56	2%	T	
90% Reduced Rate - Hall - Non-Prime	Full Day Rental	\$38.00	\$38.77	\$5.04	\$43.81	2%	T	Applicable for Seniors' Events/Programs, Whistle Stop Co-operative Pre-school and Guelph Community Health Centre (Playgroup).
Hall - Prime	Full Day Rental	\$498.75	\$508.73	\$66.13	\$574.86	2%	T	
Commercial Rental	Surcharge	\$781.85	10% Surcharge				T	Example - Auctions, Sale of Merchandise See Report FIN-2019-027
Non Resident Rental	Surcharge	N/A	10% Surcharge				T	See Report FIN-2019-027
Hall - Set-up Fee	Per Hour	\$55.95	\$57.08	\$7.42	\$64.50	2%	T	Set-up is after 5:00 p.m. on Friday only and must include a Saturday rental. This service is only available if the hall is not booked 7 days prior to the event date.
Use of Kitchen Facilities - Non Prime	Per Hour	\$27.35	\$27.90	\$3.63	\$31.53	2%	T	Minimum of a 3 hour booking required.
Licenced Events Using Patio	Flat Rate	\$57.25	\$58.40	\$7.59	\$65.99	2%	T	Patio Fencing
Microphone	Flat Rate	\$25.00	\$25.50	\$3.32	\$28.82	2%	T	See Report FIN-2018-030
Projector	Flat Rate	\$25.00	\$25.50	\$3.32	\$28.82	2%	T	See Report FIN-2016-029
Facility Rental Security Deposit	Per Booking	\$365.00	\$365.00	\$0.00	\$365.00	0%	E	Deposit is fully refundable after function if there are no damages and key is returned.
Bartenders	Per Bartender	\$130.00	\$132.60	\$17.24	\$149.84	2%	T	Smart Serve Certified
Electronic Sign Advertising	Per Week	\$33.35	\$34.02	\$4.42	\$38.44	2%	T	No charge for Puslinch Community Centre rentals.
75% Reduced Rate - Electronic Sign Advertising	Per Week	\$8.35	\$8.52	\$1.11	\$9.63	2%	T	
90% Reduced Rate - Electronic Sign Advertising	Per Week	\$3.33	\$3.41	\$0.44	\$3.85	2%	T	Applicable for Seniors' Events/Programs, Whistle Stop Co-operative Pre-school and Guelph Community Health Centre (Playgroup).

Note 1: Hall rentals include the use of the kitchen facility (dishes, silverware, cooking utensils, dishwasher, coffee maker, etc. included)

Note 2: Hall - Non-Prime: Monday to Thursday and Sunday Rentals; Hall - Prime: Friday and Saturday



REPORT ADM-2019-022

TO: Mayor and Members of Council

FROM: Courtenay Hoytfox, Development and Legislative Coordinator

MEETING DATE: August 14, 2019

SUBJECT: Health and Safety Update and Policies
Our File: A09HEA

RECOMMENDATIONS

THAT Council receives Report ADM-2019-022 regarding the Health and Safety Update and Policies.

Background

The Township completed a Health and Safety Audit on January 5, 2018. The results of the audit identified areas where improvement was needed. Township staff along with the auditor, Liz Sisolak developed a three-year plan to implement changes in respect to documentation, procedures, training, and staff engagement.

Furthermore, the Occupational Health and Safety Act requires an annual review of the Health and Safety Policy and the Violence and Harassment Policy and endorsement from Council.

Purpose

The purpose of this report is to update Council on the progress following the Health and Safety Audit completed on January 5, 2018, attached as Schedule A.

In addition, the purpose of this report is to that Council endorse the Health and Safety Policy and the Violence and Harassment Policy as reviewed annually included as Schedule A and B respectively.

Discussion

The following is a work plan outlining the action items to be completed by staff, in order to address the recommendations identified in the Health and Safety Audit. Each item

will be examined in further detail below. The action items highlighted in green are complete. The action items highlighted in blue are currently being addressed in 2019 and on-going into 2020.

Year	Action Item
Year 1	<ul style="list-style-type: none"> ● Up-date Health and Safety boards ● Emergency Planning - Fire Drill ● Training tracker ● On-boarding/Off Boarding procedures ● Identify training programs for 2019 budget ● Staff engagement through 'wellness' events ● Combine Township and Fire Joint Health and Safety Committee ● Ergonomics Training Occupational Health Clinics for Ontario Workers
Year 2	<ul style="list-style-type: none"> ● Up-date Health and Safety & Violence and Harassment Policies and Programs; ● Begin training for Job Risk Analyses; ● Collect and approve Contractor listing
Year 3	<ul style="list-style-type: none"> ● Complete Job Risk Analyses ● Complete Health and Safety & Violence and Harassment Policies and Programs

Joint Health and Safety Committee:

Commencing in September 2018, the Township’s Joint Health and Safety Committee joined the Puslinch Fire and Rescue Services Joint Health and Safety. The goal continues to be to gain insight and develop enhanced procedures. The committee will continue to do inspections for their respective facilities and will meet as a committee on a quarterly basis. The objective behind combining the two committees is to share existing knowledge, procedures and to make improvements that will benefit the Township as a whole.

Documentation:

Documentation was identified as an area of improvement, which has been addressed in the first year of the implementation plan. The Township updated all five Health and Safety Boards (one in each facility) – Puslinch Community Centre, Optimist Recreation Centre, Township Office, Roads area, and Fire Hall. All five boards were updated to be consistent and in order to make monthly inspections more efficient. Boards are to be maintained monthly when meeting minutes are posted. This will ensure Health and Safety Boards are organized and up to date.

Commencing in the fall 2019 the Health and Safety Committee will work with Department Heads to develop “Job Risk Analyses” for every job that poses a potential risk to the employee. This analysis should identify areas of improvement that can be achieved

through training and/or equipment. Job risk analyses will be posted at the respective work stations and will be reviewed on an annual basis.

Training:

The Health and Safety audit identified an area for improvement with respect to training for Township staff. Staff completed a comprehensive "Training Tracker" for all employees, Committees and Members of Council. The tracker includes mandatory training for all employees, Committees and Members of Council and specific training for members of each department. Upon advice from the HR advisor from The Township's Human Resources Downloads Program, a re-certification schedule has been established.

Staff organized a one day ergonomics training session in November 2018 with Occupational Health Clinics for Ontario Workers (OHCOW). This is a valuable injury and illness prevention resource offered to workplaces in Ontario. The training session was at no cost to the Township. Staff were engaged in a one hour training session followed by a 'work space' evaluation where the Ergonomist gave individual assessments to staff.

The Fire Department will assist in coordinating and implementing an annual fire drill for all Township staff. Any improvements to this process can be identified to improve emergency planning. The Fire Drill required an Emergency Plan for the Municipal Office Building be created and roles and responsibilities be assigned to department heads in the case of an emergency. Currently, the plan has been created and the next step will be to schedule annual fire drills.

Staff Engagement:

The Joint Health and Safety Committee organized a step challenge for staff in November 2018. The challenge took place over five days where staff worked in teams of two. Staff emailed their results each day and an update was sent out to all participants daily. This encouraged wellness and activity during the workday.

The Township's Heritage Summer Student, Julia Murray, organized a "Health and Safety Drop-In" this July 2019. Julia created a Health and Safety Awareness Board and had staff fill out a short questionnaire. Staff were able to participate over their lunch hour and the exercise received very positive feedback.

Standards and Procedures:

Staff has developed both an employee on-boarding and off-boarding procedure. The checklists includes consistent procedures that all departments can implement and includes mandatory training requirements for all new staff.

In the second year of the implementation plan, it is recommended that the Township develop and implement a Violence and Harassment program in addition to the existing

policy. This program will be developed by staff commencing fall 2019 and implemented in 2020.

Health and Safety Inspections:

The Health and Safety checklists were review by the Joint Health and Safety Committee in July 2018 and updated for the August 2018 inspections. Inspections are conducted on a monthly basis and the reports are sent to department heads for action when required.

Contractor responsibilities:

The audit identified an opportunity for vendors to sign off on the Health and Safety requirements identified in the Act for any of their employees. Staff will develop a procedure as part of the contract that vendors will compete where applicable. This is scheduled to be completed by December 2019.

Financial Implications

Specific financial implications are discussed throughout this Report. The Township budgets as part of Account No. 01-0010-4307 an amount of \$500 for Health and Safety initiatives such as wellness challenges, the Health and Safety award, etc. The Township budgets as part of its Corporate-wide training initiatives an amount of \$3900 for Health and Safety training and \$6500 for Harassment and Violence in the Workplace training (30% building department allocation). Additionally, Fire and Rescue Services budgets \$1400 for two Health and Safety Certifications and the Public Works Department budgets \$220 for Safety and Equipment Training.

As the Township works to develop its Health and Safety and Violence and Harassment in the Workplace Program, the Township will incorporate as part of its 2020 budget an itemized listing of specific training requirements.

Applicable Legislation and Requirements

Occupational Health and Safety Act, R.S.O. 1990, c. O.1
Violence and Harassment Policy

Schedules

Schedule A- Health and Safety Policy

Schedule B- Violence and Harassment Policy



Policy No. 2019-005

Corporate Policy

Department: Administration

Date: August 2019

Subject: HEALTH AND SAFETY POLICY

Policy Statement

The Corporation of the Township of Puslinch hereinafter referred to as the “Township” is committed to the health and safety of all employees and contractors and will make every effort to provide a safe and healthy work environment.

The Township will take all reasonable and practical steps to eliminate workplace conditions that may cause injuries or adverse health effects.

Commitment to health and safety is an integral part of the operation of the Township and involves the co-operation and support of every individual within the organization.

Scope

This policy is applicable to all Township Employees and its Contractors.

Definitions

For the purpose of this Policy:

“Act” means the Occupational Health and Safety Act and its Regulations, as amended.

“Contractor” means a contractor retained by the Township to perform work or to provide a service.

“Employee” means a Township employee, a member of Council, a member of a Committee of Council, local board and a Township volunteer.

Purpose

The purpose of this policy, in accordance with the Act, is to outline the Health and Safety mandate to all Employees and Contractors.

Township Council, CAO/Clerk and senior management will work in consultation and in co-operation with its Employees and the joint health and safety committee(s) to ensure that the requirements of the Act are fully implemented and integrated into all Township work activities.



Policy No. 2019-005

Corporate Policy

Management is responsible for the administration of the Township's health and safety programs, policies and procedures. A supervisor has a duty to ensure that machinery and equipment are safe and that an Employee works in compliance with established safe work practices and procedures.

An Employee must protect his/her own health and safety by working in compliance with the Act and with safe work practices and procedures established by the Township. An Employee will receive information, training and competent supervision in their specific work tasks to protect their health and safety.

An Employee shall report any potential safety hazard to their immediate supervisor so that it may be promptly remedied.

A Contractor is responsible for complying with the Act and for the health and safety of its employees, and when working with the Township all requirements of the Act shall be followed. A Contractor shall report any potential safety hazard to the Township so that it may be promptly remedied.

Reference and Related Documents

Employee Occupational Accident and Incident Reporting
Personal Protective Equipment
Health and Safety Responsibilities and Duties
Forms

Dated this 14th day of August, 2017

CAO/Clerk – Patrick Moyle

Mayor – James Seeley



Policy No. 2019-006

Corporate Policy

Department: Administration

Date: August 2019

**Subject: HARRASSMENT AND VIOLENCE IN THE WORKPLACE
POLICY**

Policy Statement

The Corporation of the Township of Puslinch (the “Township”) is committed to providing and maintaining a work environment that is based on respect for the dignity and rights of everyone in the corporation. It is the Township’s goal to provide a healthy and safe work environment that is free of any forms of violence, harassment or disrespectful behavior.

The intention of this policy and its procedures:

- is to prevent workplace violence and harassment from taking place; and
- to outline how we will act upon incidents and complaints of such behavior quickly and fairly with due regard to confidentiality.

The Township will not tolerate or condone discrimination, harassment or violence in the workplace. This includes making everyone in our organization aware of what behaviour is and is not appropriate, assessing the risk of workplace violence, investigating complaints and imposing suitable corrective measures.

Scope

This policy applies to an employee of the Township and applies in any location in which an employee is engaged in work-related activities.

This includes, but is not limited to:

- the workplace, including during council and committee meetings whether in open or closed session
- during work-related travel
- at restaurants, hotels or meeting facilities that are being used for business purposes
- in Township owned or leased facilities
- during telephone, email and other communications, including but not limited to social media



Policy No. 2019-006

Corporate Policy

- dialogue that extends from the workplace, related to work or workplace relations as well as comments made on social media pertaining to or associated with employees, work or the workplace
- at any work-related social event, whether or not it is sponsored by the Township
- discrimination and harassment which occurs outside the workplace but which may adversely impact employee relationships
-

This policy also applies to a situation in which you are harassed or discriminated against in the workplace by an individual who is not an employee of the Township, such as suppliers, ratepayers and other members of the public.

1. Definitions

For the purpose of this Policy:

“Employee” means a Township employee, a member of Council, a member of a Committee of Council, local board and a Township volunteer, contractor and consultant and includes a worker.

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

The protected grounds of discrimination are:

- *ethnic origin, race, colour, ancestry*
- *citizenship, place of origin*
- *creed, including religion*
- *age*
- *gender identity and gender expression*
- *sexual orientation*
- *sex (including pregnancy and breastfeeding)*
- *marital status (including same-sex partnership and single status)*
- *family status*
- *disability or perceived disability (both mental and physical); and*



Policy No. 2019-006

Corporate Policy

- *a record of offences for which a pardon has been granted under the Criminal Records Act (Canada) which has not been revoked, or an offence in respect of any provincial enactment*

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

Examples of discriminatory harassment include:

- *offensive comments, jokes or behaviour that disparage or ridicule a person’s membership or perceived membership in one of the protected grounds, such as race, religion or sexual orientation*
- *imitating a person’s accent, speech or mannerisms*
- *persistent or inappropriate questions about whether a person is pregnant, has children or plans to have children*
- *inappropriate comments or jokes about a person’s age, sexual orientation or sex*

Harassing comments or conduct can poison a person’s working environment, making it a hostile or uncomfortable place to work, even if the person is not being directly targeted. A poisoned working environment is a form of discriminatory harassment.

Examples of actions that can create a poisoned work environment include:

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

“Sexual and Gender-Based Harassment” includes conduct or comments of a sexual nature that the person does not welcome or that offends him or her. Sexual and gender-based harassment also includes:

- *negative or inappropriate conduct or comments that are not necessarily sexual in nature, but which are directed at a person because of his or her gender or sex;*



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Corporate Policy

- comments or conduct of a sexual nature or that are based on gender or sex that are not necessarily directed at a particular person but are unwelcome or offensive to a person or group.

The Ontario Human Rights Code provides for protection from sexual harassment in employment as follows:

Every person who is an employee has a right to freedom from harassment in the workplace because of sex, sexual orientation, gender identity or gender expression by his or her employer or agent of the employer or by another employee.

Every person has a right to be free from a sexual solicitation or advance made by a person in a position to confer, grant or deny a benefit or advancement to the person where the person making the solicitation or advance knows or ought reasonably to know that it is unwelcome; or a reprisal or a threat of reprisal for the rejection of a sexual solicitation or advance where the reprisal is made or threatened by a person in a position to confer, grant or deny a benefit or advancement to the person.

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

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

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



Policy No. 2019-006

Corporate Policy

Examples of sexual or gender-based harassment are:

- *sexual advances or demands that the person does not welcome or want*
- *threats, punishment or denial of a benefit for refusing a sexual advance*
- *offering a benefit in exchange for a sexual favour*
- *leering (persistent inappropriate staring)*
- *displaying sexually offensive material such as posters, pictures, calendars, cartoons, screen savers, pornographic or erotic websites or other electronic material*
- *distributing sexually explicit e-mail messages or attachments such as pictures or video files*
- *sexually suggestive or obscene comments or gestures*
- *unwelcome remarks, jokes, innuendoes, propositions or taunting about a person's body, clothing or sex*
- *persistent, unwanted attention after a consensual relationship ends*
- *physical contact of a sexual nature, such as touching or caressing*
- *gossip or rumours regarding a person's sexual activities or relationships, regardless of whether they are malicious; and*
- *sexual assault*

"Workplace Harassment and Bullying" is a health and safety issue that is covered under the *Occupational Health and Safety Act* and means:

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

Examples of workplace harassment and bullying are:

- *verbally abusive behaviour such as yelling, insults, ridicule and name-calling, including remarks, jokes or innuendos that demean, ridicule, intimidate or offend*
- *workplace pranks, vandalism, bullying and hazing*
- *gossiping or spreading rumours, regardless of whether they are malicious*
- *excluding or ignoring someone, such as persistent exclusion of a particular person from workplace-related social gatherings*



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- *workplace supervision done in a demeaning or abusive manner*
- *humiliating someone*
- *sabotaging someone else's work*
- *displaying or circulating offensive pictures or materials*
- *offensive or intimidating phone calls, emails, texts or social media communications*
- *a supervisor/manager impeding a person's efforts at promotions or transfers for reasons that are not legitimate*
- *making false allegations about someone in memos or other work related documents*
- *menacing behavior including staring, glaring, inappropriate gestures or unwelcome physical closeness*

What Isn't Workplace Harassment

The *Occupational Health and Safety Act* states:

A reasonable action taken by an employer or supervisor relating to the management and direction of workers or the workplace is not workplace harassment.

Therefore, workplace harassment should not be confused with legitimate, reasonable management actions that are part of the normal work function, including but not limited to:

- measures to correct performance deficiencies, such as placing someone on a performance improvement plan
- imposing discipline for workplace infractions
- requesting medical documents in support of an absence from work
- enforcement of workplace rules and policies
- normal workplace conflict or differences of opinion between individuals

The Test of Workplace Harassment

The test of workplace harassment is whether you knew or should have known that the comments or conduct were unwelcome to the other person.

For example, someone may make it clear through their conduct or body language that the behavior is unwelcome, in which case you must immediately stop that behavior.



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

Workplace and Domestic Violence

“Workplace Violence” is defined under the *Occupational Health and Safety Act* as:

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

Workplace Violence is defined broadly enough to include acts that may be considered criminal and includes:

- *physically threatening behavior such as shaking a fist at someone, finger pointing, destroying property, throwing objects*
- *verbal or written threats to physically attack an employee*
- *leaving threatening notes or sending threatening emails*
- *wielding a weapon at work*
- *stalking someone*
- *physically aggressive behaviors including hitting, shoving, standing excessively close to someone in an aggressive manner, pushing, kicking, throwing an object at someone, physically restraining someone or any other form of physical or sexual assault*
- *violence that occurs outside the normal workplace but which has an impact on the working environment including working relationships*

Workplace violence may come from many different sources:

- strangers or people with no ties to the workplace
- clients or customers
- other employees
- intimate relationships outside of work (such as intimate partners, family, friends)



Policy No. 2019-006

Corporate Policy

Domestic Violence

Domestic violence in the workplace includes domestic violence that is likely to expose you, or other employees, to physical injury that may occur in the workplace.

2. Duties of a Supervisor

A supervisor is expected to assist in creating a harassment, violence and discrimination-free workplace and to immediately contact the CAO/Clerk if they receive a complaint of workplace discrimination, harassment or violence, or witness or are aware of such behaviour.

A supervisor must take every reasonable precaution to protect workers from workplace violence, including participating in conducting risk assessments for workplace violence.

A risk assessment is to be conducted as frequently as necessary to prevent injury in the workplace, for example:

- after an event or threat has occurred
- if the work or workplace has changed
- when a safety concern related to workplace violence has been raised

A risk assessment may include evaluating a person's history of violent behavior to determine whether and to whom this employee poses a risk.

In making this evaluation, a supervisor should consider:

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

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



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A supervisor will only release as much personal information about the person with a history of violent behavior as is reasonably necessary to protect the employee from workplace violence. A supervisor is required to consult with the CAO/Clerk prior to releasing information about a person with a history of violence.

3. Duties of All Employees

An employee must do his/her part by ensuring that his/her behavior does not violate this policy. Respect in the workplace and fostering a work environment that is based on respect and is free of harassment, violence and discrimination is everyone's responsibility.

You can assist in achieving an environment free of harassment, violence and discrimination by promptly reporting in accordance with the procedures outlined to your supervisor, any other supervisor the existence of any workplace harassment, violence or discrimination or threat of workplace harassment, violence or discrimination of which you become aware.

4. Procedures – Workplace Harassment and Discrimination

An investigation may be informal or formal as deemed necessary and appropriate by the Township.

Informal Procedure

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

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

"I don't want you to do that."

"Please stop doing or saying..."

"It makes me uncomfortable when you..."

"I don't find it funny when..."

If the workplace harassment or discrimination continues after you have confronted the individual, you may want to provide him or her with a written statement of the situation.



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You can also report the incident(s) to your supervisor, your Department Head, any other member of management or the CAO/Clerk. Where appropriate, the Township will assist you with implementing the appropriate de-escalation techniques.

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

If you believe that someone who is not an employee of the Township (e.g., a ratepayer, supplier, contractor, etc.), has harassed or discriminated against you, please report the incident(s) to your supervisor, or any other member of management or the CAO/Clerk. Although the Township has limited control over third parties, we will do our best to address the issue and prevent further problems from arising.

Formal Procedure

If the incident or complaint cannot be resolved informally or if it is too serious to handle on an informal basis, you may bring a formal complaint to your Department Head. If the matter involves your Department Head, the complaint can be brought to the CAO/Clerk. If the matter involves the CAO/Clerk, the complaint can be reported to Council.

When bringing a formal complaint forward, as much written information as possible will be needed, including the name(s) of the person(s) you believe is harassing or discriminating against you, the place, date and time of the incident(s) and the names of any possible witnesses.

It is important that you provide your complaint as soon as possible so that the issue doesn't escalate or happen again. Once a complaint is received an investigation will be initiated.

If a decision is made not to make a formal complaint, an investigation may still occur and steps may need to be taken to prevent further workplace discrimination or harassment. For example, an investigation may need to be conducted if the allegations are serious or if there have been previous complaints or incidents involving the same person.

Investigation



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An investigation into an incident or complaint regarding workplace harassment or discrimination will be undertaken as quickly as possible.

The Township will determine whether to use an internal or external investigator, depending on the nature of the incident or complaint.

The investigation may include:

- advising in writing the complainant, respondent and witnesses of their duty to maintain confidentiality
- interviewing the complainant and respondent to ascertain all of the facts and circumstances relevant to the incident or complaint, including dates and locations
- interviewing witnesses deemed relevant by the investigator, if any
- reviewing any related documentation
- making detailed notes of the investigation and maintaining them in a confidential file

Once the investigation is complete, the investigator(s) will prepare a report of the findings for review by the Department Head, CAO/Clerk or Council, as applicable, who will determine what action should be taken as a result of the investigation.

The complainant and respondent will be made aware of the findings and provided with a letter stating whether or not the incident or complaint constituted workplace harassment or discrimination. If a finding of workplace harassment or discrimination has been made, the complainant will also be provided with information regarding corrective measures taken to prevent a recurrence.

The Department Head and the CAO/Clerk or Council will determine the appropriate amount of information to be shared with the complainant and respondent.

5. Procedures – Workplace Violence

Under the *Occupational Health and Safety Act* workers have a responsibility to report workplace hazards and workplace violence is considered a workplace hazard.

If you are aware of workplace violence, even if you are not a recipient or witness to the violence directly, you are required to report it.

If you are either the recipient of or a witness to workplace violence, from any person, you must report such behavior to your supervisor. A person who believes they are unable to



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report workplace violence to their direct supervisor or Department Head may report to the CAO/Clerk or Council when it involves the CAO/Clerk.

If a person is believed to be in imminent physical danger or physical assault has occurred, you must immediately report it to the police.

An employee has the right to refuse unsafe work if they have reason to believe they are in danger of workplace violence. Immediately contact your supervisor, at which point appropriate measures will be taken to protect you and investigate the situation. You will be moved to a safe place as near as reasonably possible to your normal work location and will need to be available for the purposes of investigating the incident. Certain employees may have a limited right to refuse, when the risk is inherent in their job duties, such as a member of the fire department.

Investigation

An investigation into a report or incident of workplace violence will be undertaken as quickly as possible.

The Township will determine whether to use an internal or external investigator, depending on the nature of the incident or report.

If a supervisor becomes aware of or witnesses acts or threats of workplace violence, even if these events or actions are not reported to them by an employee, they must initiate an investigation, and corrective and preventative actions by reporting this to the CAO/Clerk or Council when it involves the CAO/Clerk.

The investigation may include:

- advising in writing the complainant, respondent and witnesses of their duty to maintain confidentiality
- interviewing the complainant and respondent to ascertain all of the facts and circumstances relevant to the incident or complaint, including dates and locations
- interviewing witnesses deemed relevant by the investigator, if any
- reviewing any related documentation
- making detailed notes of the investigation and maintaining them in a confidential file



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Once the investigation is complete, the investigator(s) will prepare a detailed report of the findings. A copy of the findings will be provided to the Health and Safety Committee, the Department Head, CAO/Clerk or Council, as applicable.

The complainant and respondent will be made aware of the findings and provided with a letter stating whether or not the incident or complaint constituted workplace violence. If a finding of workplace violence has been made, the complainant will also be provided with information regarding corrective measures taken to prevent a recurrence.

The Department Head and the CAO/Clerk or Council will determine the appropriate amount of information to be shared with the complainant and shall take into consideration the *Ontario Health and Safety Act* requirements for an employer to not disclose any more personal information than is reasonably necessary.

6. Procedures - Domestic Violence

If you are experiencing domestic violence, the Township will take every precaution reasonable to protect you and your fellow employees in the circumstances. The Township will do its best to assist you as discreetly as possible while maintaining your privacy.

This may include some or all of the following:

- creating a safety plan
- contacting the police
- establishing enhanced security measures such as a panic button, code words, and door and access security measures
- screening calls and blocking certain email addresses
- providing escorts to your vehicle
- facilitating your access to counselling

7. Corrective Action

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



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A corrective measure may include but is not limited to one or more of the following:

- discipline, such as a verbal warning, written warning or suspension without pay
- termination with or without cause
- referral for counselling, coaching or training, anger management training, supervisory skills training, or attendance at educational programs on respect in the workplace
- demotion or denial of promotion
- reassignment or transfer
- financial penalties such as the denial of a performance related salary increase
- any other disciplinary action deemed appropriate under the circumstances.

8. Confidentiality of Complaints and Investigations

Due to the sensitive nature of workplace harassment, discrimination and violence complaints, these complaints will be kept confidential to the extent possible. The Township will only release as much information as is necessary to investigate and respond to the incident or complaint, to take corrective action with respect to the incident or complaint or if required to do so by law.

The Township may be required to disclose pertinent information for the purpose of protecting an employee from injury where a reasonable threat of workplace harassment, discrimination and violence exists. Reports will be kept confidential if it has been determined that a reasonable threat of workplace violence does not exist or where reasoned and practical in the circumstances.

Out of respect for the individuals involved, it is essential that the complainant, respondent, witnesses, and anyone else involved in or aware of the investigation maintain complete confidentiality throughout the investigation and afterwards.

You may have the assistance of a support person throughout the investigation process, as long as they are not a witness or potential witness and agree to maintain strict confidentiality. The role of the support person throughout the investigation process is to observe and provide support.

All employees, representatives and support persons are required to fully cooperate in the investigation process and to not in any way impede, obstruct or behave in a manner that



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potentially jeopardizes the integrity of the investigation. Breaching confidentiality or acting in a manner that obstructs, impedes or affects the integrity of the investigation is subject to discipline up to and including termination of employment.



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9. What to Do if You are Accused of Workplace Harassment or Discrimination

If you are asked by a fellow employee to stop behaviors which could reasonably constitute workplace harassment or discrimination, evaluate your behavior. Even if you did not mean to offend, your behavior has been perceived as offensive. Stop the behavior that the employee finds offensive and apologize. Failure to stop this behavior will leave you more vulnerable to disciplinary action if it is determined the behavior is inappropriate or constitutes workplace harassment or discrimination. If you believe the incident has been reported or the complaint has been made in bad faith or is malicious in nature, discuss this with the supervisor or any member of management.

10. Protection from Retaliation or Reprisal

An employee cannot be penalized, reprimanded, or in any way criticized when acting in good faith while following the procedures for addressing situations involving workplace harassment, discrimination or violence.

The Township will not tolerate retaliations, taunts, or threats against anyone who reports an incident or complains about workplace harassment, discrimination or violence or takes part in an investigation. Any person who taunts, retaliates against or threatens anyone in relation to a harassment, discrimination or violence incident or complaint may be disciplined, up to and including termination of employment.

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

11. Training

All staff including volunteers, members of Council and Committees of Council will receive training and communications on this policy and any related program.

This policy will be provided to all staff and posted on the Health and Safety bulletin board. The Township encourages staff to work in groups or with a 'buddy' whenever possible. When staff are working with money or valuables, they are to be locked up and amounts



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kept to a minimum to reduce risk.

In the event of a potentially violent situation involving money or valuables, employee safety is the primary concern over such money or valuables.

12. Employee Support

If Township staff have witnessed or experiences a traumatic event, special support may be required. The Township will accommodate this need on a case-by-case basis.

13. Review

The Township will review this policy as often as necessary or at least annually.

Reference and Related Documents:

Health and Safety Policy

Acknowledgment of Receipt of the Harassment and Violence in the Workplace Policy

Respect in the Workplace Complaint Form

Dated this 14th day of August, 2017

CAO/Clerk – Patrick Moyle

Mayor – James Seeley



REPORT PD-2019-009

TO: Mayor and Members of Council

FROM: Lynne Banks, Development and Legislative Coordinator

MEETING DATE: August 14, 2019

SUBJECT: Extension of Use Amending Agreement – Garden Suite
4188 Victoria Road S
L04ELL – Donald John Ivan Elliot.

RECOMMENDATION

That Report PD-2019-009 regarding an Extension of Use Amending Agreement (the “Amending Agreement”) between the Township and Donald John Ivan Elliot for the land described as Part Lot 32, Concession 8, designated as Parts 1, 2 and 3 on Reference Plan 61R-11816 and known municipally as 4188 Victoria Road S, Puslinch, be received.

Background:

In 2009, Council approved a zoning by-law amendment (1/09) to permit a temporary garden suite on the subject property for a period of ten years. The owner entered into an agreement to permit a Garden Suite on his property with the Township and the original agreement for the garden suite expired on December 2, 2018. The owner has now requested a further ten year extension of the agreement.

When the owner applied in 2008, the *Planning Act* permitted a garden suite for a maximum of ten years with the option to renew for three (3) year extensions to be granted beyond the initial ten year time period. In 2011, the *Planning Act* was amended and now permits a garden suite for a total of twenty years, and allows for three (3) year extensions after that time. The owner has now requested a further ten year extension of the original agreement.

Council approved the extension of a further ten years, and will expire on July 17, 2029 or 6 months after occupancy of the garden suite ceases by Robert Frank Elliot and Lori Dawn Elliot, whichever occurs first. The original \$5,000.00 security deposit required in the 2009 Agreement, will continue to be held by the Township until such time as the garden suite is removed from the property.

Purpose:

The Amending Agreement will be registered on title to the subject property.

Financial Implications

None.

Applicable Legislation and Requirements

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

Applicable Legislation and Requirements

Township of Puslinch Zoning By-law 19/85



CONCURRENCE REPORT to INDUSTRY CANADA

FROM: Courtenay Hoytfox, Development and Legislative Coordinator

DATE: August 14, 2019

SUBJECT: Telecommunication Application File TC-02-2019 (A12/XPL)

RECOMMENDATIONS:

That Report PD-2019-010 regarding Telecommunication Application File TC-01-2019 (A12/XPL) – Xplornet Site ON7105, Concession 9, Part Lot municipally known as 935 Watson Road South, be received; and

That Council authorize the release of the Concurrence Report to Industry Canada regarding the proposed 45 metre Xplornet Communications Telecommunication Antenna.

BACKGROUND:

1. Purpose of Report

Industry Canada, the Federal department responsible for granting authorization for telecommunication facilities, requires that applicants consult with the local land use authority for telecommunication installations. The Township follows Industry Canada's default public consultation process for antenna siting, which Applicants are expected to cooperate with in order to complete the approval process as set by Industry Canada. This Report has taken into consideration all consultations, discussions and submissions of the public and Xplornet.

2. Application

The purpose of the application is to construct a 45 metre Lite Duty Self Support Style Telecommunications Tower. The tower is required as a continual growth in demand for wireless products and their associated services has created a need for increased wireless network infrastructure.

3. Location & Site Characteristics

The proposed wireless communication structure will be located on the east side of Watson Road South on an agricultural property. The site of the tower is located approximately 200 metres from the nearest residence on Watson Road South. The tower is proposed to be located amount existing buildings on the subject property.



4. Staff, Agency & Public Circulation Comments:

The application was circulated to various external agencies and internal departments for comment. Staff notes that no objections were received from internal departments.

A public notice was placed in the Wellington Advertiser and mailed to properties within a 135 metre radius of the proposed tower. The 135 metre circulation radius is determined by calculating the height of the tower by three, as prescribed by Industry Canada. A notice sign, as requested by Township staff was also posted on the property.

The Township received one positive comment from the public with respect to the proposed Tower and no objections.

APPLICABLE LEGISLATION & REQUIREMENTS:

1. County of Wellington Official Plan Section 12.6.1, Utilities Allowed, may permit the following uses in any land use designation, subject to the provisions of the Zoning By-law: All electrical power facilities, including all works defined by the *Power Corporation Act* and telecommunications facilities and multi-use cables, provided that the development satisfies the



provisions of the Environmental Assessment Act, the Environmental Protection Act and any other relevant legislation.

2. Township of Puslinch Zoning By-Law

When utility services are licensed by Industry Canada, Local, Regional and Provincial Planning documents do not apply. The proposed tower is located in the Rural Area of the Township on Agricultural (A) zoned lands. Public uses are permitted in the A Zone.

CONCLUSION:

Township Staff notes that communication facilities are federally regulated with the final decision vested with Industry Canada. Xplornet has consulted with the Township prior to filing its application, and has submitted the fees, documents and reports required by Industry Canada's Default Consultation Process. Staff has concluded that the Applicant has satisfied the requirements of the consultation process and have no further comments regarding the telecommunication tower and therefore recommend the issuance of this report.

ATTACHMENTS:

Attachment "A" – Xplornet Justification Report

Attachment "B" – Community Comments



Planning Justification Report

Xplornet Communications Telecommunication Site: ON7105

Cyrus Ghassabeh, Director

6/13/2019

Xplornet Communications justification for a proposal to erect a 45.0m tall self support style communications structure and related equipment at 935 Watson Road S, Puslinch, ON

1.0 Introduction

Forbes Bros Ltd Telecommunications Services has been retained by Xplornet Communications (“Xplornet”) with respect to a proposal to build a new freestanding communications base station facility on the lands at 935 Watson Road S, Puslinch, Ontario. The purpose of this report is to provide analysis and justification in support of the proposed facility and to assist the land-use authority in providing comments on the proposed development.

2.0 Background

A continual growth in demand for wireless products and their associated services has created a need for increased wireless network infrastructure. Mobile phones and other wireless devices cannot operate without the necessary infrastructure, which is made up of transmitting and receiving antenna sites located on support structures, commonly referred to as “cell towers”.

New infrastructure requirements are determined by monitoring the wireless network and identifying areas with weak or insufficient coverage. Xplornet network planners isolate the areas requiring improvements and conduct coverage studies to determine the ideal co-ordinates for a new antenna base station. Real estate investigations determine feasible locations for new sites. New locations include existing towers (colocation), tall buildings or other feasible structures and of course new free-standing support structures.

3.0 Proposal

Xplornet has proposed a new free standing 45.0m tall lite duty self support type communication facility (ON7105). The proposal supports enhanced wireless voice & data coverage and capacity for the areas surrounding Arkell, Arkell Road and Watson Road S.

3.1 Location

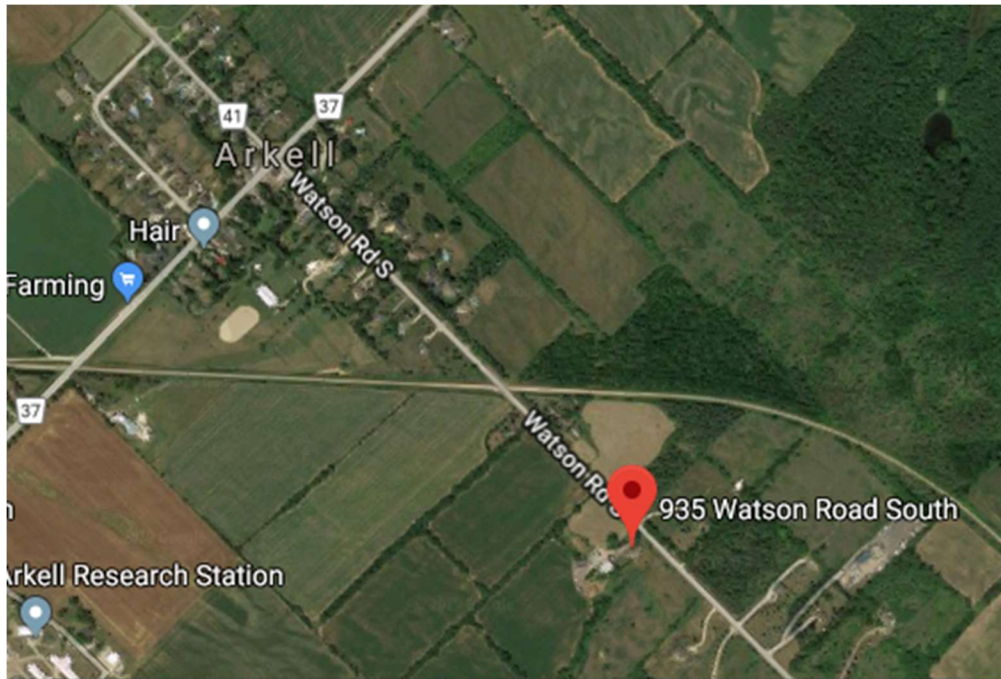
Xplornet’s proposed location is on property described as PART LOT 9, CON 9, TOWNSHIP OF PUSLINCH, PT 2 61R9040; PUSLINCH [PIN 711870074] and has the municipal address 935 Watson Road S, Puslinch. The proposed facility would be located approximately 850m south from the Watson Road S and Arkell Road (Figure 1).

The tower is proposed to be located among existing buildings on the subject property and has the geographic coordinates:

Latitude (NAD83) N 43° 31’ 52.09”
Longitude (NAD83) W 80° 9’ 41.58”

The proposed facility is approximately 200m away from the nearest residential property.

Figure 1 – Location Map



3.2 Design

Xplornet has proposed a 45.0m tall lite duty self support style structure within a 3m x 3m area, transmitting and receiving antennas, and radio equipment (see Figure 2 and 3).

The tower height allows the antenna equipment to propagate wireless signals over top of obstacles (trees, buildings, varying topography) and maintain line of sight connections to other Xplornet facilities in the network.

The proposed installation provides an opportunity to accommodate future technologies as well as potential co-location with other licensed carriers, thus limiting the number of new tower structures required in the area.

Figure 2 – Tower location on the property (not to scale)

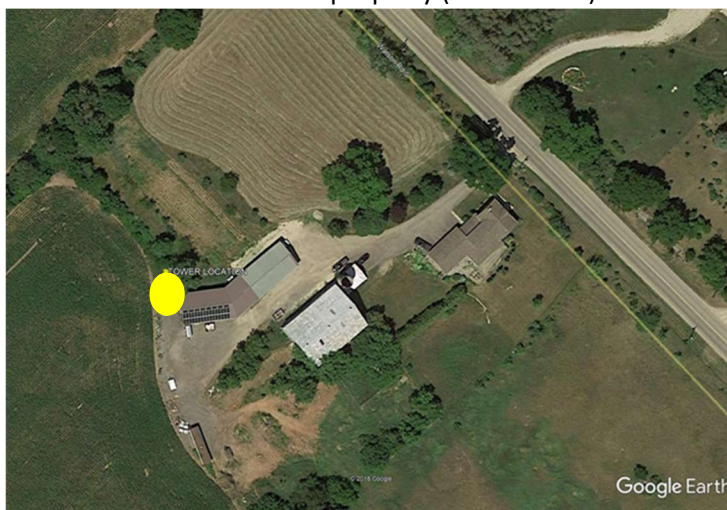


Figure 3 –Tower Elevation (Example of a lite duty self-support tower)



4.0 Rationale

The selection of a wireless communications site works similarly to fitting a piece into a puzzle. In this case, the puzzle is a complex radio network. Client demand, radio frequency engineering principles, local topography and land use opportunities working in concert with one another direct the geography of Xplornet sites.

In identifying a potential tower location and design, Xplornet examined the local area, assessed the visibility of the structure and considered possible tower designs. Xplornet evaluated the best location for a new facility using the following criteria;

4.1 Technical Requirements

The performance of a wireless network is dependent on the geographical location of its equipment, height of its antennas, line of sight requirements, the demand customers place on the network, as well as proximity to the network users. In expanding its wireless network, Xplornet is seeking to improve service for the areas surrounding Arkell, Highway 37 and Watson Road South.

Xplornet is able to achieve enhanced coverage and capacity with the proposed facility ON7105 at 935 Watson Road South.

4.2 Evaluation of Existing Structures

Co-location and rooftop deployment are the first locations considered in achieving new coverage objectives. In order for site sharing to be considered technically feasible, existing telecommunication sites and other tall structures must be located within the search area prescribed by Xplornet network planners and engineers. These locations must also provide adequate deployment height and structural capacity to hold additional equipment.

Site sharing investigations revealed that there are no existing tower facilities within 1.0km of Xplornet proposed location.

4.3 Land-use Consideration

The site is located on property designated Agricultural Zone (A) and the subject property is abutted by further agricultural zones.

Given the coverage objectives of this site we feel it is the best possible location. The proposed facility will enhance coverage for surrounding area as well as to travellers along the roadways while maintaining a significant setback to any residential uses.

5.0 Review of Development Plan

5.1 Municipal Consultation Process

Xplornet is regulated and licensed by Industry Canada to provide inter-provincial wireless voice and data services. As a federal undertaking, Xplornet is required by Industry Canada to consult with land-use authorities in siting new mobile base station locations.

The consultation process established under Industry Canada's authority is intended to provide the local land-use authorities an opportunity to address land-use concerns while respecting the federal government's exclusive jurisdiction in the siting and operation of wireless voice and data systems.

As the provisions of the Ontario Planning Act and other municipal by-laws and regulations do not apply to federal undertakings, wireless communication facilities are not required to obtain municipal permits of any kind. Xplornet is required to follow established and documented telecommunication protocols or processes set forth by land-use authorities.

5.2 Public Consultation

In accordance with Industry Canada procedures, public consultation is required for most new telecommunication facility proposals. Per Industry Canada's guidelines default public consultation is conducted via written notification to property owners within three times (3x) the height of the tower measured from the base or outer most point of the tower. Depending on the height of the proposed facility a public notice in a locally circulated newspaper may also be warranted.

Both forms of notice must contain basic information about the proposal (location, design etc.) as well as contact information for the proponent and a thirty (30) day window to submit comments or questions to the proponent.

Public consultation requirements may vary where an established local policy or protocol is in effect.

5.3 Federal Requirements

In addition to the requirements for consultation with municipal authorities and the public, Xplornet must also fulfill other important obligations including the following:

Canadian Environmental Assessment Act

Industry Canada requires that the installation and modification of antenna systems be completed in a manner that complies with appropriate environmental legislation. This includes the Canadian Environmental Assessment Act, 2012 (CEAA 2012), where the antenna system is incidental to a physical activity or project designated under CEAA 2012, or is proposed to be located on federal lands.

Xplornet attests that the antenna system proposed will be installed and operated in a manner that respects the local environment and complies with all statutory requirements.

Transport Canada's Aeronautical Obstruction Marking Requirements

Aerodrome safety is under the exclusive jurisdiction of NAV Canada and Transport Canada. An important obligation of wireless proponents is to comply with Transport Canada / NAV Canada aeronautical safety requirements. Transport Canada performs an assessment of the proposal with respect to the potential hazard to air navigation and notifies Xplornet of any painting and/or lighting requirements for the antenna system. Xplornet does not anticipate that the proposed installation will require any painting or lighting and will submit the necessary applications to the appropriate parties to obtain the required approvals.

For additional information, please see the Transport Canada website at:

<http://www.tc.gc.ca/eng/civilaviation/regserv/cars/part6-standards-standards621-3808.htm>

Health Canada's Safety Code 6 Compliance

Health Canada is responsible for research and investigation to determine and promulgate health protection limits for exposure to radio-frequency (RF) electromagnetic energy. Accordingly, Health Canada has developed a guideline entitled "Limits of Human Exposure to Radiofrequency Electromagnetic Fields in the Frequency Range from 3Khz to 300Ghz – Safety Code 6".

The exposure limits specified in Safety Code 6 are established by reviewing all peer-reviewed scientific research in the area of human health and RF exposure. Included in this review are hundreds of studies conducted over the past 50 years.

Radiocommunication, including technical aspects related to broadcasting, is under the responsibility of the Ministry of Industry (Industry Canada) which has the power to establish standards, rules, policies and procedures. Industry Canada, under this authority has adopted Safety Code 6 for the protection of the general public. With this adoption, Industry Canada requires all proponents and operators to ensure that their installations comply with Safety Code 6 at all times, including any changes to the code and including any combined effects from other installations in the nearby radio environment.

Xplornet attests that the radio antenna system described will comply with Health Canada's Safety Code 6 limits, as may be amended from time to time, for the protection of the general public including any

combined effects of additional carrier co-locations and nearby installations within the local radio environment.

Engineering Practices

Xplornet attests that the radio antenna system as proposed for this site will be constructed in compliance with the National Building Code and the Canadian Standards Association and comply with good engineering practices including structural adequacy.

6.0 Summary and Conclusion

As communities continue to grow to depend on wireless products and their services, it will be necessary to improve network coverage and quality. Improving network coverage and quality is achieved by increasing mobile base station infrastructure to fill coverage gaps and increase capacity for current and future wireless users.

In response to the demand for high quality wireless services in Ontario and specifically in the Township of Puslinch, Xplornet has proposed a communications site that achieves the technical requirements of the network while maintaining a significant setback to any residential land uses.

I look forward to working with the Township in providing enhanced wireless services to the community. Should you require any further information please do not hesitate to contact me at 905.808.0073 or by email at cghassabeh@forbesbrosltd.ca

Sincerely,

Cyrus Ghassabeh

Cyrus Ghassabeh, Director
Forbes Bros Ltd. Telecommunication Services
482 South Service Road East, Unit 130
Oakville, ON L6J 2X6

Courtenay Hoytfox

From: Cyrus Ghassabeh <cghassabeh@forbesbrosLtd.ca>
Sent: Tuesday, July 23, 2019 7:36 AM
To: Keith Smith
Cc: Admin; Sarah Duncan
Subject: RE: XplorNet Communications Inc. Tower on Watson Rd., between Arkel and Hume Rd.
File : ON7105 Arkell
Attachments: P6841 - Chippewa - Tower - Full.jpg

Good Morning Keith

Thank you for the call yesterday and also for this email.

One correction however – the proposed tower is actually 45 Meters tall..

Attached is a picture of a similar structure for your reference.

The Council meeting is set for Wednesday August 14 at 7:00PM. The Township Planner will be presenting a report to Council. I will be there, and the public is welcome.

Location : 7404 Wellington Road 34, Puslinch Ontario N0B 2J0, Canada

Should you require any further information my direct cell. 905.808.0073

Thank you

Cyrus Ghassabeh



CyrusGhassabeh

Director

Suite 130, 482 South Service Road E, Oakville, ON L6J 2X6

T: 780.960.1950 C: 905.808.0073

forbesbrosLtd.ca

From: Keith Smith [REDACTED]
Sent: July 22, 2019 3:27 PM
To: admin@puslinch.ca; Cyrus Ghassabeh <cghassabeh@forbesbrosLtd.ca>
Subject: XplorNet Communications Inc. Tower on Watson Rd., between Arkel and Hume Rd.

Hello. I am Keith Smith and live at [REDACTED].

I am writing to request an invite to the public meeting concerning this much needed tower./facility.

As well, I want to register, with the township, our 1,000,000 % support for this project and our request to have it built ASAP. My wife and I have friends that have been around the world and they honestly call our Internet connectivity worse than most third world countries. The only option we have is Xplornet satellite....we are thankful for that but it is expensive and it is VERY slow. To call it high speed is joke.

In today's world, our society takes it for granted that high speed Internet service is available. I ask who ever reads this to imagine if they didn't have it.....for a week, for a month, for a year.....for 20 years!!

I beg everyone involved to support this construction and to move it forward ASAP. Affordable, dependable, quality high speed Internet is a dream of mine.....maybe it will happen before I die. I sure hope so. The structure is only 45 ft tall.....some houses that the township allows are pretty close to that I am sure. And we see towers that certain home owners have constructed that are higher than that.

Thanks for your time and please send me an invite to the meeting. I will be present and will be vocally supportive.

WARNING: This message originated outside of the organization. Do not click links or open attachments unless you recognize the sender name and email address.





REPORT BLDG-2019-008

TO: Mayor and Members of Council

FROM: Gerald Moore, Chief Building Official

MEETING DATE: August 14, 2019

SUBJECT: Building Department Monthly Update - July 2019

RECOMMENDATION

That Report BLDG-2019-008 with respect to the Building Department Monthly Update – July 2019 be received for information.

DISCUSSION

Purpose

The purpose of this report is to provide Council with an update of the activities in the Building Department for July 2019.

Background

The purpose of this report is to provide Council with a summary of the Building Department's activities for the month of July 2019.

Financial Implications

The Building Code Act requires that the total amount of building permit fees meets the total costs for the municipality to administer and enforce the Building Code Act and Regulations. Building permit fees were established to fully recover the Township's cost of providing building permit services, including an allocation of administrative overhead/indirect costs. Any surplus revenue from building permit fees is transferred to a restricted reserve, to be drawn upon in years of declining building activity.

APPLICABLE LEGISLATION AND REQUIREMENTS

Building Code Act, 1992, S.O. 1992, c. 23

ATTACHMENTS

Schedule A – 2019 Monthly report

Permit Comparison Summary

Issued For Period JUL 1,2019 To JUL 31,2019

	Previous Year			Current Year		
	Permit Count	Fees	Value	Permit Count	Fees	Value
Bylaw						
Pool Enclosure Permit	2	420.00	88,500.00	2	430.00	31,000.00
Commercial/Industrial						
Commercial - No Occupancy Required	2	2,205.89	195,000.00	1	156.00	20,000.00
Demolition						
Demolition Permit	1	156.00	10,000.00	3	468.00	61,000.00
New Residence						
Residential - Occupancy Required	3	11,518.80	1,625,000.00	6	24,641.40	3,499,938.11
Other						
Change of Use	0	0.00	0.00	1	200.00	0.01
Tent Permit	1	260.00	3,500.00	2	520.00	5,500.00
Other Residential						
Accessory/Farm Buildings	4	3,822.00	128,683.58	4	1,344.00	131,200.00
Deck Permit	5	780.00	82,000.00	2	312.00	50,000.00
Detached Garage	1	312.00	50,000.00	1	1,170.00	66,000.00
Residential - No Occupancy Required	5	3,696.73	275,000.00	1	156.00	20,000.00
Others						
Pool Permit	0	0.00	0.00	1	215.00	9,000.00
Septic						
Sewage Disposal System Permit	2	1,248.00	45,000.00	5	3,120.00	109,500.00
Sewage System - Tank Replacement	0	0.00	0.00	1	468.00	8,500.00

	<u>Previous Year</u>	<u>Current Year</u>
Total Permits Issued	26	30
Total Dwelling Units Created	3	5
Total Permit Value	2,502,683.58	4,011,638.12
Total Permit Fees	24,419.42	33,200.40
Total Compliance Letters Issued	2	7
Total Compliance Letter Fees	75.00	450.00

Inspection Summary

Ward	Permit Inspections	Other Roll Inspections
000	462	1
Total	462	1

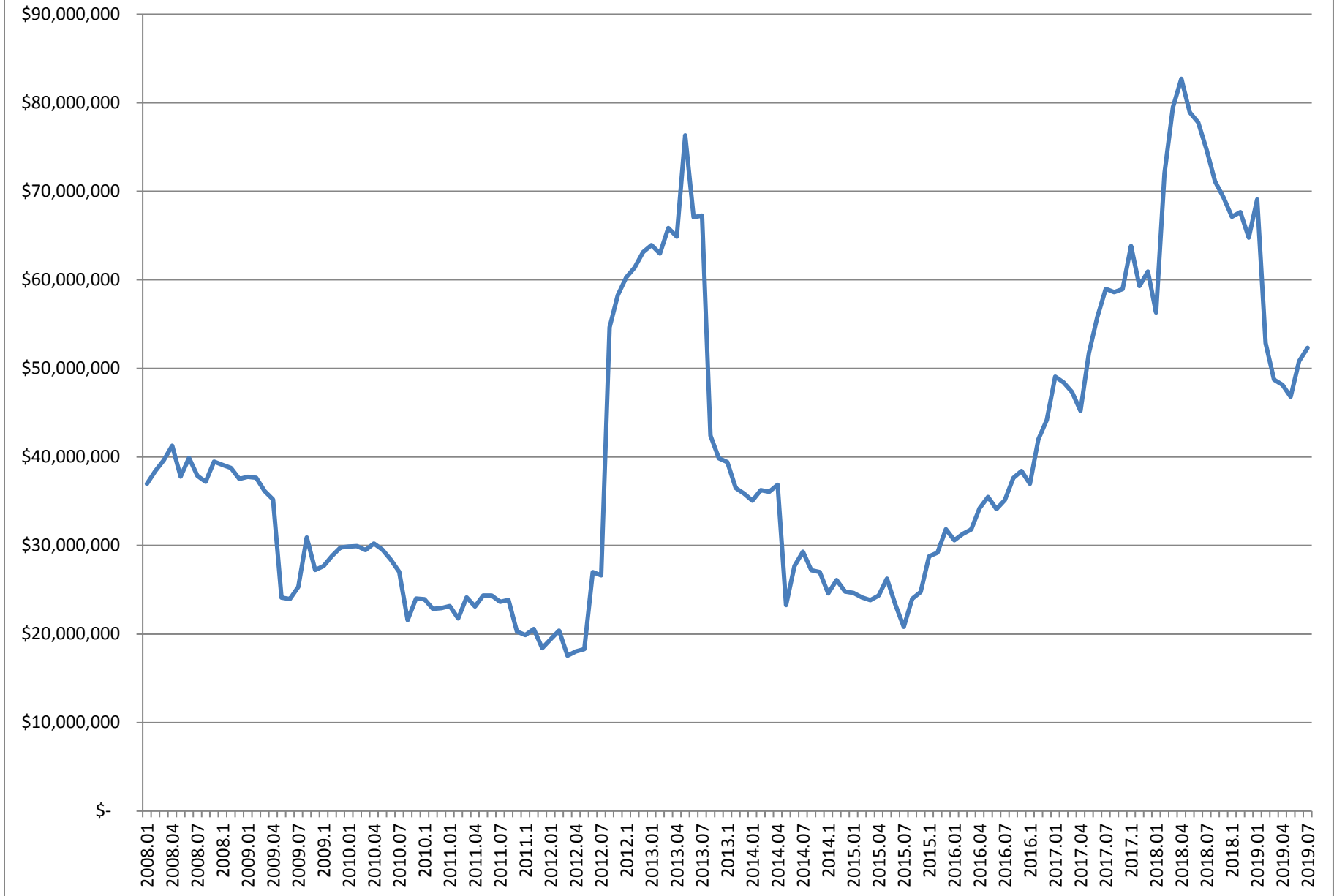
<u>Permit Charge</u>	<u>Amount</u>
Accessory/Farm Buildings	1,344.00
Change of Use	200.00
Commercial - No Occupancy Req	156.00

Permit Comparison Summary

Issued For Period	JUL 1,2019	To	JUL 31,2019
Deck Permit			312.00
Demolition Permit			468.00
Detached Garage			1,170.00
Pool Enclosure Permit			430.00
Pool Permit			215.00
Residential - No Occupancy Req			156.00
Residential - Occupancy Requir			24,641.40
Sewage Disposal System Permit			3,120.00
Sewage System - Tank Replaceme			468.00
Tent Permit			520.00
<hr/>			
Total			33,200.40

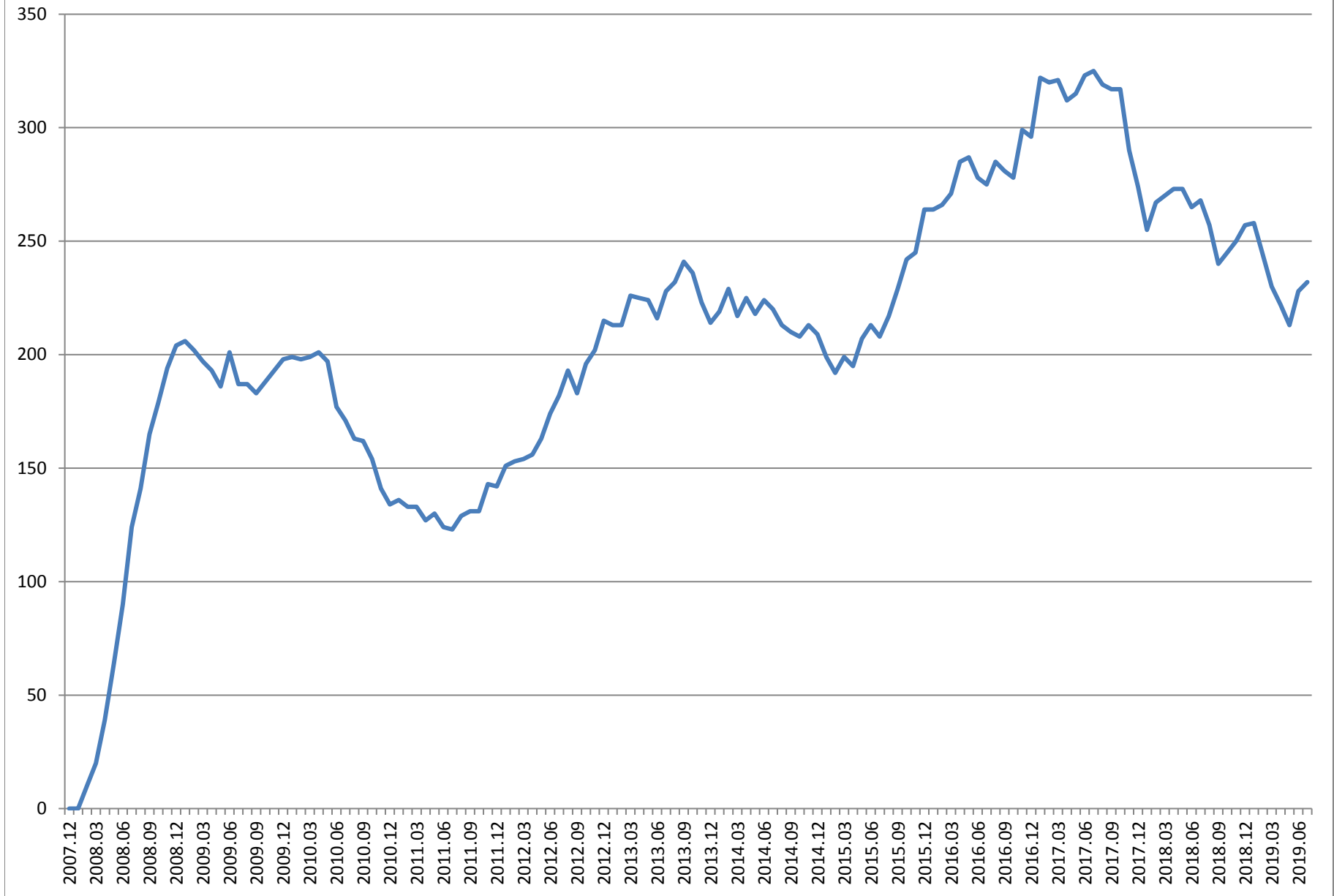
Note: The Graphs Below only Include Septic Permits in 2012 and beyond

Total Value of Permits 12 Month Rolling Total



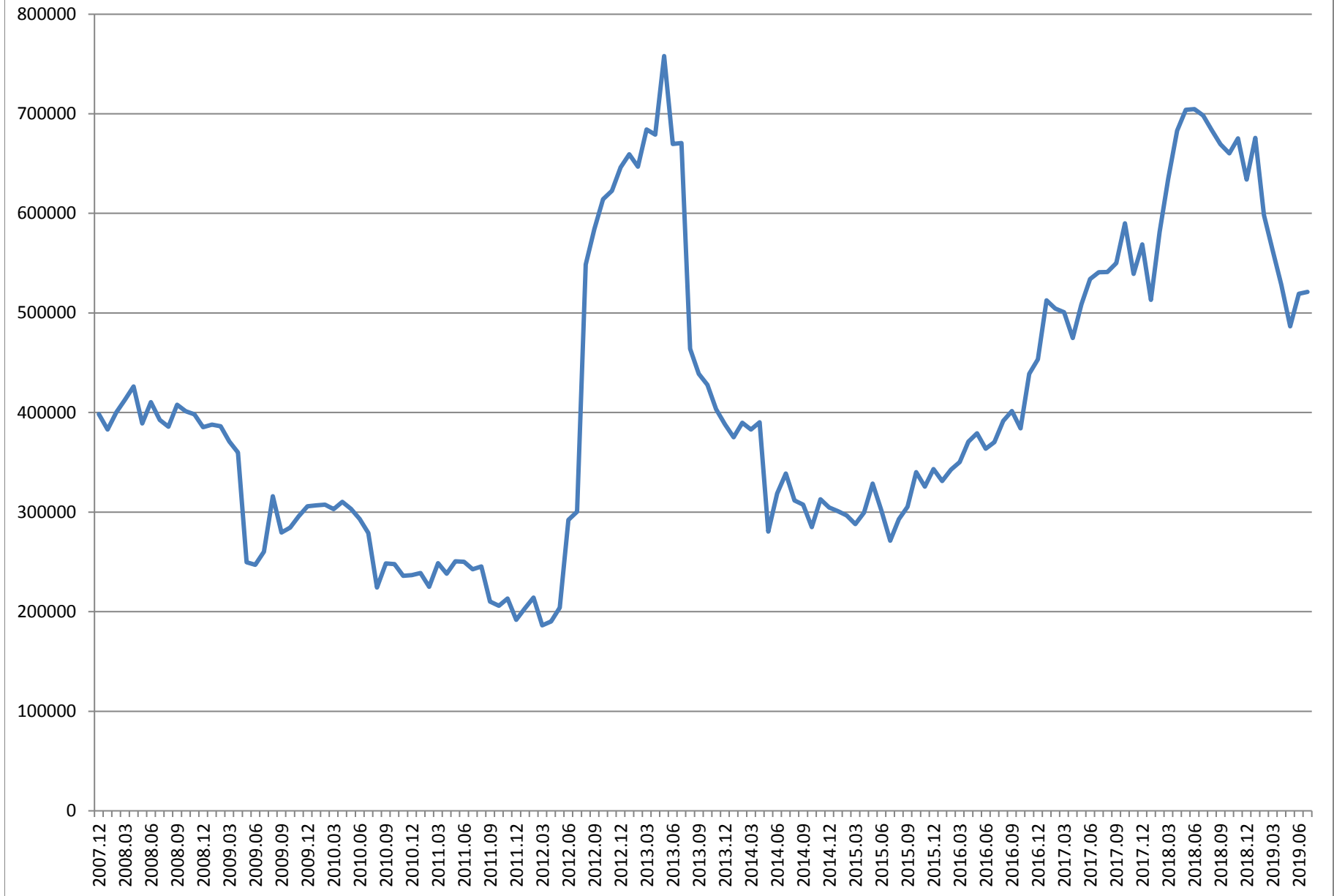
Note: The Graphs Below only Include Septic Permits in 2012 and beyond

of Permits 12 Month Rolling Total



Note: The Graphs Below only Include Septic Permits in 2012 and beyond

Permit Fees Collected 12 Month Rolling Total





August 7, 2019
Our File: 119006-02

Township of Puslinch
RR 3, 7404 Wellington Road 34
Puslinch, ON N0B 2J0

Attention: Ms. Nina Lecic

Re: Fox Run Park Accessible Trail

Dear Ms. Lecic:

In June 2019 GM BluePlan presented to Puslinch Council a preliminary concept plan for a proposed accessible walking trail at Fox Run Park in the Township of Puslinch. Subsequent to this, as directed by Council, a Public Meeting was held on July 22, 2019 at the Puslinch Community Centre to present the proposal to the public and solicit comments and input.

In general, the response at the public meeting was positive and no changes to the concept plan were requested at that time. The comment period was left open until July 29th, 2019. No additional comments were received.

The Township has applied for and received grant funding through the Wellington County Trail Funding Program to support this project. The spending deadline for the grant from Wellington County is November 30, 2019.

If the project is to proceed, the following schedule is proposed to achieve the spending deadline:

- Council approval of trail design – August 14, 2019
- Prepare tender specifications, Issue for Tender – September 4, 2019
- Close tender – September 18, 2019
- Trail Construction – October/November 2019

At this time, we recommend that work to finalize the plan and prepare tender specifications for the trail be authorized in order that tendering can proceed in accordance with the above schedule.

As no significant changes are proposed from the original concept, our cost estimate remains at \$115,000 as previously presented.



If you have any questions or require additional information, please do not hesitate to contact us.

Yours truly,

GM BLUEPLAN ENGINEERING

Per:

A handwritten signature in black ink, appearing to read 'Amanda Pepping'.

Amanda Pepping, P. Eng.

THE CORPORATION OF THE TOWNSHIP OF PUSLINCH

BY-LAW NUMBER 049-2019

BEING A BY-LAW TO AUTHORIZE THE ENTERING INTO OF AN
EXTENSION OF USE AMENDING AGREEMENT WITH
Donald John Ivan Elliot – 4188 Victoria Road South

WHEREAS the *Planning Act*, R.S.O. 1990, P.13, as amended, authorizes the entering into of agreements to ensure that development proceeds in accordance with approved plans and drawings;

AND WHEREAS the *Planning Act*, R.S.O. 1990, c.P.13, authorizes the entering into of agreements to ensure the provision of any and all facilities, works or matters and maintenance;

AND WHEREAS Council for the Corporation of the Township of Puslinch deems it expedient to enter into an Amending Garden Suite Agreement with Donald John Ivan Elliot;

NOW THEREFORE the Council of the Corporation of the Township of Puslinch enacts as follows:

1. **THAT** the Corporation of the Township of Puslinch enter into an Extension of Use Amending Agreement with Donald John Ivan Elliot for lands municipally known as 4188 Victoria Road South, Township of Puslinch.
2. **THAT** the Mayor and Clerk are hereby authorized to execute the said Extension of Use Amending Agreement and the Mayor and Clerk are hereby authorized to execute all ancillary documents related thereto.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 14TH DAY OF AUGUST, 2019.

James Seeley, Mayor

Patrick Moyle, Clerk/CAO

THE CORPORATION OF THE TOWNSHIP OF PUSLINCH

BY-LAW NUMBER 050-2019

BEING A BY-LAW TO APPOINT PATRICK MOYLE AS MUNICIPAL CLERK AND TO REPEAL BY-LAW 045-2019

WHEREAS the *Municipal Act, S.O. 2001, c. 25*, as amended provides that Council of a municipality shall appoint a Clerk;

AND WHEREAS it is deemed expedient to appoint a Municipal Clerk;

NOW THEREFORE the Council of the Corporation of the Township of Puslinch enacts as follows:

1. That Patrick Moyle be and is hereby appointed Clerk for the Township of Puslinch.
2. That this By-law shall come into effect on August 14, 2019;
3. And that By-law 045-2019 is hereby repealed.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 14th DAY OF AUGUST, 2019.

James Seeley, Mayor

Patrick Moyle, Clerk

THE CORPORATION OF THE TOWNSHIP OF PUSLINCH

BY-LAW NUMBER 051-2019

Being a by-law to authorize the entering into a Funding Agreement with the Ontario Association of Fire Chiefs for the Jenny's Heroes Canada Grant for high visible, lightweight, fire rated coveralls.

WHEREAS the *Municipal Act*, S.O. 2001, c.25 authorizes a municipality to enter into Agreements;

AND WHEREAS the *Municipal Act*, S.O. 2001, c.25 authorizes a municipality to delegate authority in accordance with the provisions in the *Municipal Act*;

AND WHEREAS the Council for the Corporation of the Township of Puslinch deems it appropriate to enter into a Funding Agreement with the Ontario Association of Fire Chiefs for the Jenny's Heroes Canada Grant, for high visible, lightweight fire rated coveralls;

AND WHEREAS the Council for the Corporation of the Township of Puslinch deems it expedient to delegate authority to the Director of Finance/Treasurer to execute on behalf of the Township the Funding Agreement and any amendments to the Funding Agreement that have no budgetary impact;

NOW THEREFORE the Corporation of the Township of Puslinch hereby enacts as follows:

1. That the Corporation of the Township of Puslinch enter into a Funding Agreement with the Ontario Association of Fire Chiefs for the Jenny's Heroes Canada Grant for high visible, lightweight, fire rated coveralls.
2. That the Director of Finance/Treasurer is hereby authorized to execute the Funding Agreement.
3. That the Director of Finance/Treasurer be authorized to execute on behalf of the Township amendments to the Funding Agreement that have no budgetary impact.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 14th DAY OF AUGUST 2019.

James Seeley, Mayor

Patrick Moyle, Clerk/CAO

THE CORPORATION OF THE TOWNSHIP OF PUSLINCH

BY-LAW NUMBER 052-2019

Being a by-law to confirm the proceedings of the Council of the Corporation of the Township of Puslinch at its Regular Council meeting held on August 14, 2019.

WHEREAS by Section 5 of the *Municipal Act, 2001, S.O. 2001, c.25* the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Section 5, Subsection (3) of the *Municipal Act*, a municipal power including a municipality's capacity, rights, powers and privileges under section 8, shall be exercised by by-law unless the municipality is specifically authorized to do otherwise;

AND WHEREAS it is deemed expedient that the proceedings of the Council of the Corporation of the Township of Puslinch at its Regular Council meeting held on August 14, 2019 be confirmed and adopted by By-law;

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

- 1) The action of the Council of the Corporation of the Township of Puslinch, in respect of each recommendation contained in the reports of the Committees and each motion and resolution passed and other action taken by the Council at said meeting are hereby adopted and confirmed.
- 2) The Head of Council and proper official of the Corporation are hereby authorized and directed to do all things necessary to give effect to the said action of the Council.
- 3) The Head of Council and the Clerk are hereby authorized and directed to execute all documents required by statute to be executed by them, as may be necessary in that behalf and the Clerk authorized and directed to affix the seal of the said Corporation to all such documents.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 14th DAY OF AUGUST, 2019.

James Seeley, Mayor

Patrick Moyle, Clerk/CAO