



# AGENDA

## Council Meeting

4:30 PM - Thursday, May 11, 2023  
Municipal Office

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<b>1. CALL TO ORDER</b>	
<b>2. DISCLOSURE OF PECUNIARY INTEREST</b>	
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## 8. BY-LAWS

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## 9. NEW BUSINESS

9.1. Presenter for the Senior of the Year Presentation (June 25th)

## 10. CLOSED SESSION

10.1. Personnel matters about an identifiable individual including employee(s)

## 11. RISE AND REPORT

## 12. BY-LAW CONFIRMING PROCEEDINGS

## 13. ADJOURNMENT



# MINUTES

## Council Meeting

4:30 PM - Thursday, April 27, 2023  
Municipal Office

The Council of the Municipality of Brooke-Alvinston was called to order on Thursday, April 27, 2023, at 4:30 PM, in the Municipal Office, with the following members present:

**Council Present:** Mayor David Ferguson, Deputy Mayor Frank Nemcek, Councillor Craig Sanders, Councillor Don McCabe, and Councillor Jenny Redick

**Staff Present:** Clerk Administrator Janet Denkers, Fire Chief Steve Knight, Public Works Superintendent Jamie Butler, Manager of Planning & Development at Lambton County Ken Melanson, Parks and Recreation Manager Kevin Miller, and County Planner Maria Cossa-Rossi

**Regrets:**

### 1 CALL TO ORDER

The Mayor called the meeting to order at 4:30 p.m..

### 2 DISCLOSURE OF PECUNIARY INTEREST

The Mayor requested that any pecuniary interests be declared at the appropriate time.

### 3 MINUTES

#### a) Regular Council Meeting Minutes of April 13, 2023

Councillor McCabe noted a correction to item 9b: should read the Lambton Federation of Agriculture.

#### **RESOLUTION-2023-147**

Councillor Jenny Redick made a motion that the regular Council meeting minutes of April 13th be approved as amended without error or omissions. Deputy Mayor Frank Nemcek seconded the motion.

**Carried**

#### b) Special Council Meeting Minutes of April 19, 2023

#### **RESOLUTION-2023-148**

Councillor Jenny Redick made a motion that the special Council meeting minutes of April 19, 2023 be approved as presented without error or omissions. Councillor Don McCabe seconded the motion.

**Carried**

### 4 BUSINESS ARISING FROM THE MINUTES

There was no business arising from the minutes.

### 5 DELEGATIONS & TIMED EVENTS

#### a) NPG Planning Solutions - Mary Lou Tanner and Aaron Butler of NPG Planning Solutions along with Ken Melanson and Maria Cossa-Rossi of the County of Lambton Planning Department were present to discuss the proposed revisions to the Official Plan amendments.

## 6 CORRESPONDENCE

- a) Municipality of Port Colborne Request for support of resolution Re: Oath of Office

### **RESOLUTION-2023-149**

Councillor Jenny Redick made a motion that the request for support from the Municipality of Port Colborne be received and filed. Councillor Craig Sanders seconded the motion.

**Carried**

- b) City of Stratford Request for support of resolution Re: Use of Long Term Care Funding to Support Community Care Services

### **RESOLUTION-2023-150**

Councillor Jenny Redick made a motion that the Council of the Municipality of Brooke-Alvinston support the City of Stratford's resolution for the province of Ontario to endorse the redirect of current ministry beds in abeyance funding towards the support of community care services. Councillor Craig Sanders seconded the motion.

**Carried**

- c) General Municipal Correspondence

### **RESOLUTION-2023-151**

Councillor Craig Sanders made a motion that the circulated municipal correspondence be received and filed. Councillor Jenny Redick seconded the motion.

**Carried**

## 7 STAFF REPORTS

- a) **Drainage Superintendent's Report:** Request for Maintenance -Black Drain, Swartz-Tait Drain and 12th Concession Road Drain

### **RESOLUTION-2023-152**

Councillor Jenny Redick made a motion that the request for maintenance on the Black Drain from Donald Clements be referred to the Drainage Superintendent with the power to act. Deputy Mayor Frank Nemcek seconded the motion.

**Carried**

### **RESOLUTION-2023-153**

Councillor Jenny Redick made a motion that the request for maintenance on the Swartz-Tait Drain from Sandra Swartz be referred to the Drainage Superintendent with the power to act. Councillor Don McCabe seconded the motion.

**Carried**

### **RESOLUTION-2023-154**

Deputy Mayor Frank Nemcek made a motion that Council accept the maintenance request on the 12th Concession Road Drain and forward to the Drainage Superintendent with the power to act to have the culvert replaced under maintenance. Councillor Don McCabe seconded the motion.

**Carried**

- b) **Treasurer's Report:** Accounts Payable Listing - March 2023

### **RESOLUTION-2023-155**

Councillor Don McCabe made a motion that Council receive and file the Accounts Payable Listing for March 2023. Councillor Jenny Redick seconded the motion.

**Carried**

- c) **Treasurer's Report:** Year-to-Date (to March 31) Budget to Actual Comparisons

**RESOLUTION-2023-156**

Deputy Mayor Frank Nemcek made a motion that Council receive and file Year-to-date (to March 31) Budget to Actual Comparisons Councillor Don McCabe seconded the motion.

**Carried**

- d) **Clerk Administrator's Report:** Lambton Rural Childcare use of BAICCC

**RESOLUTION-2023-157**

Councillor Craig Sanders made a motion that Council has no objections to the rental of the BAICCC to the Lambton Rural Childcare during July and August as repairs to the roof of the Centre is being repaired. Councillor Jenny Redick seconded the motion.

**Carried**

- e) **Clerk Administrator's Report:** Agreement with the Ag Society -Utility line

**RESOLUTION-2023-158**

Councillor Jenny Redick made a motion that Council approve of the draft agreement presented between the Municipality and the Brooke Alvinston Agricultural Society and authorize formal adoption via by-law at the next regular session of Council. Councillor Craig Sanders seconded the motion.

**Carried**

**RESOLUTION-2023-159**

Councillor Craig Sanders made a motion that surety be given to have the waterline installed at minimum 4-4.5 ft to not interfere with Canada Day fireworks. Councillor Jenny Redick seconded the motion.

**Carried**

- f) **Clerk Administrator's Report:** Pavilion Bar Agreement with the Optimist Club

A recorded vote was requested by the Mayor with the order of the vote being: Councillors McCabe, Sanders, Nemcek, Redick and Mayor Ferguson

**RESOLUTION-2023-160**

Councillor Jenny Redick made a motion that the attached agreement be approved by Council and that staff forward to the Optimist Club for signing. Councillor Don McCabe seconded the motion.

**Carried**

- g) **Parks & Recreation Manager's Report:** Proposed upgrades to the arena sound system

**RESOLUTION-2023-161**

Councillor Don McCabe made a motion that Council table the discussion on the proposed upgrades to the arena sound system Councillor Jenny Redick seconded the motion.

**Carried**

**RESOLUTION-2023-162**

Councillor Jenny Redick made a motion that the Parks & Recreation Manager be directed to obtain additional quotes (up to 3) to improvements to the sound system. Councillor Craig Sanders seconded the motion.

**Carried**

- h) **Parks & Recreation Manager's Report:** Proposed fencing project at the Brooke Alvinston Inwood Community Centre Complex

**RESOLUTION-2023-163**

Councillor Craig Sanders made a motion that Council direct the Parks & Recreation Manager to obtain quotes for the fencing project including a swing arm at the main entrance. Councillor Jenny Redick seconded the motion.

**Carried**

- i) **Fire Chief's Report:** Quarterly Report

**RESOLUTION-2023-164**

Councillor Jenny Redick made a motion that the January - April 2023 quarterly fire report be received and filed. Councillor Craig Sanders seconded the motion.

**Carried****8 BY-LAWS****9 NEW BUSINESS**

It was noted that the SCRCA Canoe Race slated for April 30th was cancelled due to an inclement weather forecast.

Councillor McCabe noted that Lambton Farm Safety will be hosting a charity BBQ on April 28th in Sarnia at Peavey Mart.

**10 CLOSED SESSION**

- a) Section 239 of the Municipal Act, (2b) Personal matters about an identifiable individual including employee(s)

**RESOLUTION-2023-165**

Deputy Mayor Frank Nemcek made a motion that Council move into a closed session meeting. Councillor Jenny Redick seconded the motion.

**Carried****11 RISE AND REPORT**

The Clerk Administrator advised that a closed session meeting was held to discuss personal matters about an identifiable individual including employee(s). Council discussed matters related to personnel in all facets of municipal operations and that staff was directed to prepare the authorizing by-law appointing Steve Knight, Fire Chief to an additional three year contract for the next regular meeting of Council.

**12 BY-LAW CONFIRMING PROCEEDINGS**

- a) Confirming By-law

**RESOLUTION-2023-166**

Councillor Jenny Redick made a motion that By-law 22 of 2023 be read a first, second and third time and finally passed this 27th day of April 2023. Deputy Mayor Frank Nemcek seconded the motion.

**13 ADJOURNMENT**

Councillor Redick made a motion to adjourn the meeting at 6:50 p.m..

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Clerk-Administrator

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Mayor

# Enbridge Gas

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## Presentation to Municipality of Brooke-Alvinston

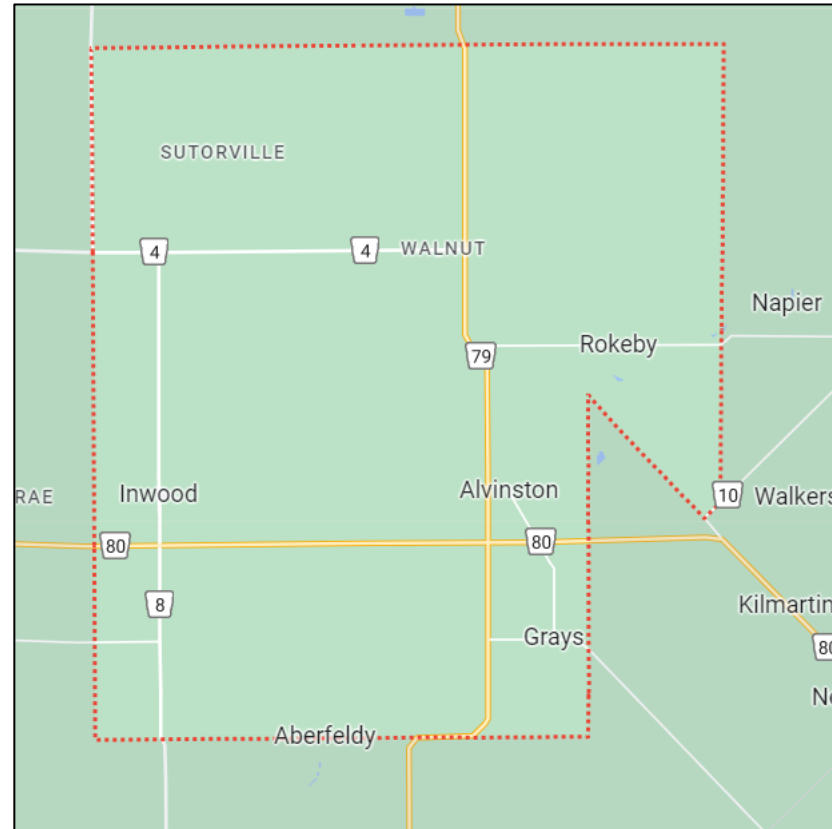


# Why are we here this afternoon?

- To provide an update on natural gas expansion in the Municipality.
- To provide information on the proposed Watford Renewable Natural Gas Pipeline Project and to request Council's consideration of support for the project.

# Current operations—Municipality of Brooke-Alvinston

- 708 customers
- Kilometres of pipeline: 146.08
- Property taxes paid annually: approx. \$1,404,327.47



# Natural Gas Expansion

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# Natural Gas Expansion – background



- Every connection to the natural gas system must pass an economic test under the rules and regulations of the Ontario Energy Board (OEB).
- This holds existing natural gas customers neutral from the costs of others seeking to connect to the system.
- If the connection does not meet that test, the customer will pay an up-front cost to connect to the system. This can be a disincentive.
- In some instances, where a community or group of potential customers is far away from Enbridge's current infrastructure, the option exists to connect through a monthly surcharge added to the new customer's bills, under government programs.
- Successive governments have implemented, since 2015-16, expansion programs under various names.
- The current program is called the Natural Gas Expansion Program.

# Natural Gas Expansion Program – recent history

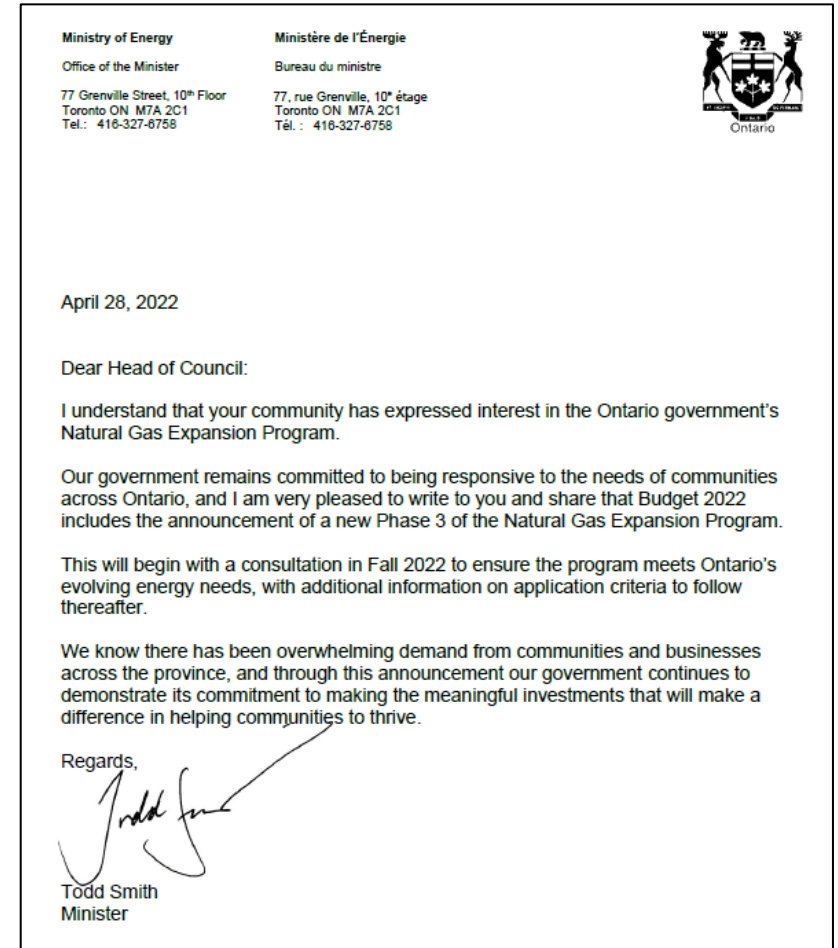


- In 2020, Enbridge Gas applied to the OEB and Provincial Government under the Natural Gas Expansion Program Phase 2 (NGEP) to serve various areas of Ontario.
- Phase 2 enabled the funding of eligible expansion projects through a \$1/month charge on every natural gas customer's bill across the province; and an expansion surcharge on customer's monthly bills for the specific area of the expansion.
- The provincial government received over 200 applications, representing over \$2B in total cost.
- The provincial government made the decisions on which projects would proceed in June 2021.
- Nearly 30 projects were chosen.
- **What are the potential next steps?**

# Natural Gas Expansion Program – Phase 3



- April 28, 2022: Minister of Energy sent a letter to Municipalities that submitted projects that were not selected for Phase 2.
- Announced new Phase 3 of the Natural Gas Expansion Program.
- At this time, parameters and timelines are not defined.
- We will keep you updated as the Phase 3 file progresses.



# Beyond the Natural Gas Expansion Program



- November 2020: The Ontario Energy Board (OEB) approved Enbridge Gas' proposal for what was known at the time as the 'temporary connection surcharge' program (now referred to as Expansion Surcharge).
- In situations where the cost to attach to the Enbridge Gas system is not economically feasible at the regular OEB approved rates, the Expansion Surcharge is applied in addition to regular OEB approved rates for the applicable rate class and is a substitute for an upfront lump sum payment.
- This offering is separate from the province's Natural Gas Expansion Program.

# Expansion Surcharge in action in Brooke-Alvinston



- **Enbridge Gas is taking steps toward Expansion Surcharge projects in Brooke-Alvinston**
- 1. Lasalle Line from Nauvoo Road to Ebenezer Road:
  - Mailer sent out in March 2023
  - Follow-up customer visits occurring
  - Analysis being conducted – requires customer commitment
- 2. Lasalle Line from Nauvoo Road to Sexton Road:
  - Initial analysis being conducted by Enbridge
  - Next step is customer mail-outs
  - Requires customer commitment



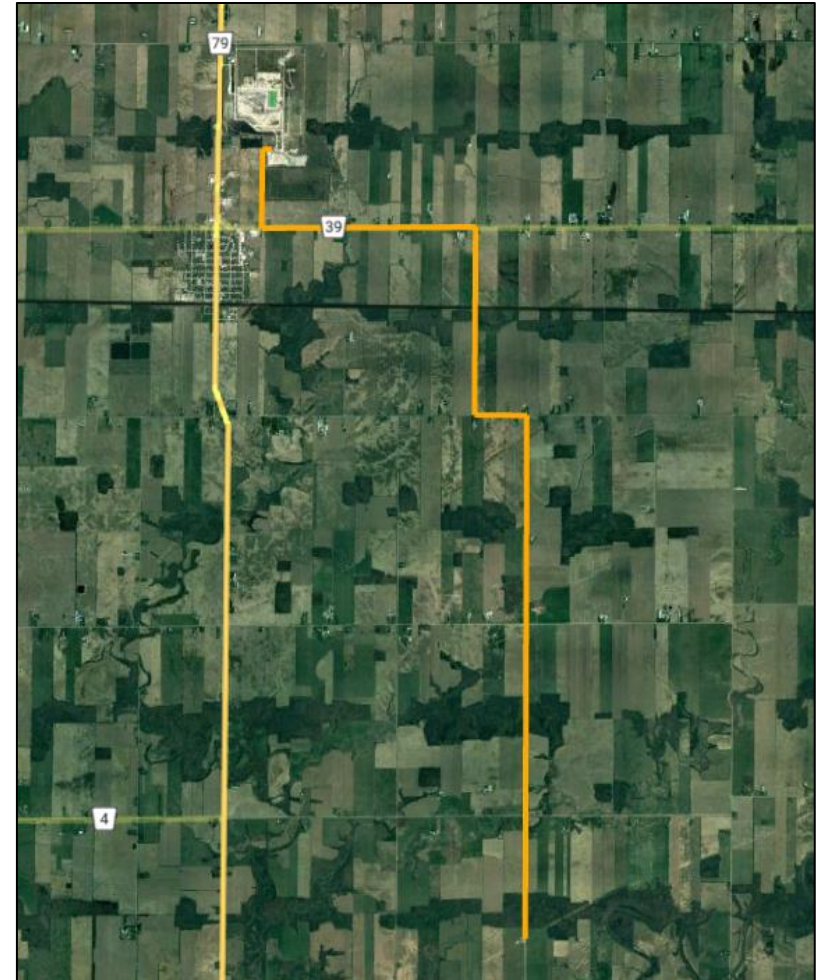
# Watford Renewable Natural Gas Pipeline Project

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# Watford Renewable Natural Gas Pipeline Project

## Purpose and project details

- The proposed pipeline, along with other infrastructure, will enable Enbridge Gas to include more renewable natural gas (RNG) into the natural gas system via the WM Twin Creeks RNG facility.
- WM's Twin Creeks RNG facility may be able to supply enough renewable gas to heat the equivalent of about 35,000 homes.
- Proposal to construct a 6-inch pipeline and associated infrastructure, approx. 15 km long, in the Municipality of Brooke-Alvinston and the Township of Warwick.
- In Brooke-Alvinston, the route will traverse the road allowance of Hardy Creek Road and Churchill Line.
- Due to the unodorized transmission pressure of the network, and the intermittent nature of RNG production, there will be no direct connections for customers along the pipeline route installed as part of this project.



# Watford RNG Pipeline Project

## Project details continued

- Project cost: Approx. \$16M
- Due to the project scope, Ontario Energy Board (OEB) approval of the project is required prior to construction start.
- A leave to construct application is expected to be submitted to the OEB by Enbridge Gas in June 2023.
- If the project is approved by the OEB:
- Construction timeline:
  - Pre-work in fall 2023.
  - On-site from Spring 2024 to Winter 2024.
  - Clean-up and restoration work in 2025.
- Temporary local jobs created during construction.
- Increase in property taxes paid to Municipality.

# Watford RNG Pipeline Project

## Community consultation

- Two rounds of public information sessions were held to provide information to the community and receive feedback on the proposed pipeline routes.
- Public information sessions were held in December 2022 and March 2023.
  - In-person sessions were held at the Warwick Arena on December 6, 2022 and March 6, 2023.
    - Concurrent with the first in-person session, an initial virtual session was held from December 6, 2022 to December 18, 2022.
    - Concurrent with the second in-person session, a second virtual session was held from March 6, 2023 to March 19, 2023.
- All properties, along the initial proposed routes were sent notices of the information sessions and invited to attend.
- Newspaper notices were also published in the Sarnia Observer.

# Request for consideration of support

## Watford RNG Pipeline Project



- A letter or resolution of support for the Watford RNG Pipeline Project will help demonstrate support and need.
- The OEB application process for the project will review the need and community support for the proposed infrastructure.

# Thank you

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## Q&A



# MINUTES

## Fire Committee Meeting

4:30 PM - Tuesday, January 24, 2023

Fire Hall

The Fire Committee of the Brooke-Alvinston was called to order on Tuesday, January 24, 2023, at 4:30 PM, in the Fire Hall, with the following members present:

**Council Present:** Deputy Mayor Frank Nemcek, Councillor Jenny Redick, Fire Committee Member Alan Broad, and Fire Committee Member Martin Vink

**Staff Present:** Mayor David Ferguson, Clerk Administrator Janet Denkers, and Fire Chief Steve Knight

**Regrets:**

### 1 CALL TO ORDER

The Secretary Treasurer called the meeting to order at 4:31 p.m.. and the Committee members briefly introduced themselves.

The Secretary Treasurer requested nominations for Chair. Alan Broad nominated Frank Nemcek. Martin Vink seconded the nomination. There were no other nominations received. Frank Nemcek assumed the role.

### 2 DISCLOSURE OF PECUNIARY INTEREST

Councillor Nemcek requested that any pecuniary interests be declared at the appropriate time.

### 3 MINUTES

- a) Fire Committee Meeting Minutes of October 6, 2022

#### RESOLUTION-2023-001

Fire Committee Member Alan Broad made a motion that the Fire Committee meeting minutes of October 6, 2022 be approved as presented without any errors or omissions. Councillor Jenny Redick seconded the motion.

**Carried**

### 4 BUSINESS ARISING FROM THE MINUTES

There was no business arising from the minutes.

### 5 NEW BUSINESS

- a) Fire Chief's Report:

The Fire Chief reviewed his submitted report which outlined: a review of responses; training planned and undertaken; personnel; fire prevention and public education and equipment.

The Secretary Treasurer noted that the draft budget was inadvertently not included and asked the Fire Chief to note the capital purchases he has asked Council to consider. They were noted as: the new truck (\$300k); drainage repairs, computer & communication systems, cylinders and remote nozzle. The Secretary Treasurer advised she would forward the BFR draft budget to the associated Clerks the following day.


The Committee was refreshed on the current agreement structures in place and their renewal clauses. The Secretary Treasurer inquired if Dawn-Euphemia would be notifying their residents in the former Euphemia area that was formally covered by BFR where their current fire coverage is coming from (Rutherford).

The next Fire Committee meeting was rescheduled to April 25, 2023

## **6 ADJOURNMENT**

The meeting was adjourned at 5:12 p.m..with the Committee having a tour of the final renovations of the facility (2022 capital costs).



 <p style="text-align: center;"><b>INFRASTRUCTURE &amp; DEVELOPMENT SERVICES DIVISION</b></p>	
<b>REPORT TO:</b>	<b>WARDEN AND LAMBTON COUNTY COUNCIL</b>
<b>DEPARTMENT:</b>	<b>PLANNING AND DEVELOPMENT SERVICES</b>
<b>PREPARED BY:</b>	<b>Kenneth Melanson, RPP, MCIP Manager</b>
<b>REVIEWED BY:</b>	<b>Jason Cole, P. Eng., General Manager Stéphane Thiffeault, Chief Administrative Officer</b>
<b>MEETING DATE:</b>	<b>May 3, 2023</b>
<b>SUBJECT:</b>	<b>Bill 97 and Provincial Policy Statement (2023) Preliminary Summary</b>

## **BACKGROUND**

On April 6, 2023, the Government of Ontario released the proposed Provincial Policy Statement 2023 (PPS 2023) for comments via the Ontario Environmental Registry (ERO). PPS 2023 integrates the Growth Plan for the Golden Horseshoe and PPS together into a singular, province-wide document. The Province has also tabled Bill 97, referenced as the “*Helping Homebuyers, Protecting Tenants Act, 2023*”. Bill 97 contains legislative changes to several statutes, including the *Planning Act*.

The comment period for PPS 2023 closes June 5, 2023, and the comment period for Bill 97 closes May 6, 2023. The purpose of this report is to provide a preliminary summary of both Bill 97 and PPS 2023 and recommend Council write a response to the ERO for PPS 2023.

## **DISCUSSION**

The summary provided in this report is based on a **preliminary review** since the release of the EROs. There have been several analysis documents released on both Bill 97 and PPS 2023 – not all of which show consensus of the changes. That said, it is clear the proposed changes represent a significant shift in planning. A breakdown and some preliminary analyses are provided in Attachment 1. These comments should be treated as preliminary at this time.

### **Bill 97 Changes**

Bill 97 is described by the province as a bill that will “take steps to make life easier for both renters and home buyers”<sup>1</sup>. However, Bill 97 essentially makes changes to the *Planning Act*, Bill 23, and the *Ministry of Municipal Affairs and Housing Act* to enable or refine

<sup>1</sup> Taken from Province of Ontario ERO: Bill 97 Summary.

planning processes. There does not appear to be anything specifically that provides relief to renters/home buyers directly; rather via changes to processes – more housing is enabled, thus making “life easier” for renters and home buyers.

A summary of changes in Bill 97 is provided on Page 11 of Attachment 1. The housekeeping and clarifications provided and related to Additional Dwelling Units (ADUs) will assist in providing clear guidance to local municipalities. Re-establishing some level of Site Plan Control for buildings under 10 units is helpful. It is too soon to determine an overall positive or negative impact of the changes contained in Bill 97.

### Provincial Policy Statement 2023

The proposed PPS 2023 would combine the Growth Plan for the Greater Golden Horseshoe and the Provincial Policy Statement into one, province-wide policy document. This combined PPS 2023 proposes those changes set out and briefly discussed in Attachment 1. There are two major changes that will have impacts to the County and local municipalities that relate to Settlement Area Expansions and Agriculture and Rural development.

#### Settlement Area Expansions

PPS 2023 proposes to remove the requirement that expansions occur through a Municipal Comprehensive Review (MCR). This will mean that a landowner, applicant, or a municipality (due to the tiered system) could expand a Settlement Area at any time. The MCR was a means to limit expansions of the Settlement Areas to curb continuous expansion out into valuable farmland (known as urban sprawl).

Urban Sprawl has cost implications to municipalities resulting from the increased need to expand various services. These capital costs could normally be recovered through Development Charges (DC); however, Bill 23 now reduces DC to 80% at year one, moving up to 100% by year five. Greater costs are now placed on ratepayers not developers (through the typical ‘growth pays for growth’ model). Unrecovered capital costs will now end up in capital budgets, paid by ratepayers. This increase in services also has future implications to operating budgets for upkeep of increased infrastructure and expansion of services (like recreational facilities, libraries, schools, etc.).

Expansions at the local municipal level will still need to be consistent with the County Official Plan (OP); however, this change will likely see increased requests for amendment to the County OP. Staff are in the process of preparing a report for Council to review the County OP. Should this change be retained, the review of the County OP is timely and may enable the County to get ahead of potential requests.

#### Agriculture and Rural Development

PPS 2023 changes to Settlement Area Expansions have implications to farmland consumption. The proposed PPS 2023 would enable rural lands (existing as of January 1,

2023) to be able to sever up to three lots for future residential development if appropriate servicing can be provided. In addition, ADUs would also be enabled for rural properties, if appropriate servicing can be provided.

Rural development requires balancing impacts to agriculture/other rural development. While residential may be positive, it creates inherent conflicts with rural development activities. Despite efforts to educate new residents on life in a rural community (with farm activities), municipalities field numerous complaints for residents. Three new residential lots plus ADUs have implications to agricultural/livestock farming and aggregate activities. Increased residents will create limitations in rural development, a significant economic activity in the County. These concerns could be offset if the application of the MDS on new lots and ADUs is made mandatory (no variances permitted). If this interpretation of the PPS change is correct, then lot creation would be restricted if MDS cannot be satisfied. If this is not the case, the concerns remain.

The need for rural development is recognized, however additional residential lots from farm sites is likely not the best way forward. Using the ability to expand existing settlement areas within our rural communities would create a better scenario. While this would result in reducing agricultural land, this would have the least level of impact for farm/livestock or aggregate operations.

#### Natural Heritage Policies absent from PPS 2023

It is significant that the proposed PPS 2023 has no policies related to Natural Heritage – these policies are still under review by the Province. These policies provide for the protection of Wetlands, Woodlots, and other environmentally sensitive features. To ask Municipalities to comment on a PPS draft requires commentary on a document not yet completed. This will lead to misunderstanding of application of policy and incomplete understanding of the ‘complete picture’.

#### Ongoing understanding of proposed changes

The level of understanding of the proposed changes continues to develop. Planning Staff have reviewed several circulations from various legal firms, which have informed Attachment 1. Planning Staff also attended a meeting of the County Planning Directors of Ontario on April 19, 2023, where the changes were discussed. County Planning Directors have reached out to the Ministry of Municipal Affairs and Housing to see if training will be provided. Responses referred the group back to the ERO. Therefore, we can expect no training (at this time) from the Ministry. Staff will continue to monitor and review further commentaries to further refine our understanding.

#### Options for County Council Consideration

Given the limited time to respond and review the material provided, the following options are available for Council at this time in responding to the ERO:

1. Direct a letter be written by the Warden to the Ministry indicating that Council cannot support the proposed PPS until the complete document (including Natural Heritage) is provided and requesting more time to review/respond;
2. Direct a letter be written by the Warden to the Ministry indicating that Council is not in support of the proposed PPS (regardless of the lack of a complete document);
3. Provide no official response to the ERO, which is not recommended.

If either option #1 or #2 or any variation therefore be Council's preference, such communication will be drafted by Planning Staff. Staff recommends that Council direct some sort of response to the ERO.

### **FINANCIAL IMPLICATIONS**

There are no direct financial implications of this report to the County budget.

### **CONSULTATIONS**

County Planning staff have attended the County Planning Directors' meeting and reviewed several circulations from various legal firms. Staff have also been in touch with our Planning legal team and consultants to further expand our understanding of the changes.

### **STRATEGIC PLAN**

Application of Area of Effort #2: Communications - Providing progressive and effective communications that are relevant and clear and that promote opportunities for dialogue in order to improve collaboration and build relationships by:

- Identifying, sharing with, and learning from individual stakeholders including the public; municipal partners; County Councillors and staff; indigenous residents; First Nation Band Councils; senior levels of government; and the news media.

### **CONCLUSION**

Planning Staff will continue to expand our understanding of the proposed changes as more information is provided. It is recommended that County Council provide some form of response to the ERO for PPS 2023. It is also recommended this report be shared with member Municipalities within the County.

### **RECOMMENDATION**

**That the Warden submit a letter to the Ontario Environmental Registry indicating that:**

- a) Lambton County Council cannot support the proposed Provincial Policy Statement until the complete document (including Natural Heritage) is provided and requests more time to review and respond.**
- b) Lambton County Council does not support the severance of rural agricultural lands for residential lots and views this policy as ineffective, compared to the option to expand settlement areas within our rural communities.**

**Attachment 1  
Summary of Provincial Policy Statement (2023) (PPS 2023) and Bill 97 Changes**

Topic:	Amendments/changes:
<p><b>Housing</b></p>	<ul style="list-style-type: none"> <li>• Identifies “large and fast-growing municipalities’ where growth must be directed to strategic growth areas (as a schedule to the PPS 2023).</li> <li>• Removes mandatory intensification and density targets for municipalities originally in the Growth Plan.</li> <li>• Establishes broader permissions for residential intensification.</li> <li>• Expands the definition of ‘housing options’.</li> <li>• Removes the definition of ‘affordable’ as it applies to housing.</li> <li>• Provides additional options for rural housing by allowing up to three (3) severances off existing agricultural parcels. Also enables ADUs in rural areas.</li> <li>• Limits abilities of municipalities to apply stricter policies than those in the PPS 2023.</li> </ul>
<p>Preliminary comments:</p> <p><i>Definition of Large and Fast-growing Municipalities and removal of intensification/density targets</i>  Proposed changes related to mandatory intensification and density targets apply to Municipalities that were subject to the Growth Plan. The Growth Plan had these mandatory targets, but this did not apply to Municipalities in the County of Lambton. County Municipalities could set their own intensification and density targets. The definition of “Large and Fast-growing municipalities” does not impact any municipalities in the County of Lambton.</p> <p><i>Establishing broader permissions for residential intensification</i>  The proposed PPS 2023 provides three permissions for residential intensification to provide new housing options:</p> <ol style="list-style-type: none"> <li>1. The conversion of existing commercial and institutional buildings for residential use.</li> </ol>	

2. Development and introduction of new housing options within previously developed areas.
3. Redevelopment that results in a net increase in residential units.

These new permissions largely impact urban areas; but item 1 has already been actively encouraged in the County of Lambton. This has been done through encouraging the adaptive reuse of closed school or place of worship buildings to convert to residential uses and there are several examples throughout the County where this has occurred. It is unclear what the intent of items 2 and 3 are as the language of the PPS 2023 is vague and uncertain. However, these policies may already be largely in place within the County OP (encouraging adaptation of upper floors of commercial buildings to convert to residential, or adaptive conversion of existing buildings to add floors/space for residential units).

*Removal of definition of “affordable”*

The removal of the definition of “affordable” from the PPS 2023 causes concerns. The recent provincial approach (around inclusionary zoning) has been to focus on housing that is 80 percent of average resale purchase price or average market rent. Commentary around this approach has been that this will not do enough for low-income families and even fail to provide ‘middle income’ households with relief from the high costs of housing.

*Change of definition of “housing options”*

The definition of “housing options” is being expanded to provide a broader range of “gentle density” examples in existing communities and has added institutional uses, additional needs housing, multi-generational housing, and long-term care homes to this definition. Expansion of housing options is generally positive given general negative reaction of residents in some cases to long-term care homes and other care type facilities. The definition change provides more policy weight to building to complete communities by seeking the widest array of housing options.

*Additional Rural housing options*

The proposed PPS 2023 provides for the ability to create up to three (3) lots from existing farm parcels (as of January 1, 2023). The PPS 2023 would also enable ADUs in existing residential forms throughout the rural area, provided that appropriate sewage and water servicing can be provided, or where private servicing can be accommodated. Municipalities may consider “locally appropriate” rural characteristics when directing development in the rural settlement area, however, the ability for new lots cannot have more restrictive policies applied.

This creates the potential for significant land use conflicts between new housing (residents) and local farmers as the potential for complaints related to farm operations (hours of operation, odour, etc.) will rise. This also has the potential to significantly restrict the expansion of or creation of new livestock operations due to land use conflicts via the MDS and new residents. With ADUs, this further expands the potential conflict between agricultural activity and new residents.

<p><i>Prohibition of more restrictive policies by local Municipalities</i></p> <p>PPS 2023 provides specific and clear language preventing local municipalities from imposing more restrictive policies on housing policies. This creates a potential conflict in the County OP considering the Province specifically modified the plan to set minimum farm lot sizes across the County (38 and 30 hectares depending on municipalities). The language of this policy was to be applied also in the case of reduction of the farm lot for severances of surplus farm dwellings (if a severance created an undersized farm lot to the appropriate size, it could not be supported).</p> <p>This policy is imposed in the County OP via a failed attempt to appeal the Minister’s Modification. This creates a potential legal ‘circle’ on whether this would be seen as more restrictive policy and overwritten by PPS 2023 or not. Legal advice is being sought on this matter, as it is unclear.</p>	
<p><b>Settlement Area Expansion</b></p>	<ul style="list-style-type: none"> <li>• Removes the need for an MCR</li> <li>• Reduces the requirements to permit a settlement area boundary expansion or identification of new settlement areas.</li> </ul>
<p>Preliminary comments:</p> <p><i>Removal of the need for a Municipal Comprehensive Review (MCR)/Reduction of the requirements for a boundary expansion or new Settlement Area</i></p> <p>The removal of the need for an MCR for expansion of Settlement Areas is a shift in Planning in the Province. Limiting expansions to MCRs was a means to curb urban sprawl and limit the impacts of loss of agricultural land. No parameters are proposed on how to evaluate general applications for expansions. This means expansion applications could be made at any time, with very little means to evaluate whether the expansion is reasonable. This creates the possibility of significant loss of agricultural land and inefficient use of land to expand settlement areas – not achieving goals of providing a broad range of housing options.</p> <p>The removal of the “needs test” eliminates the requirement to examine a variety of expansion locations before creating or expanding settlement areas. The focus now is simply on whether there is sufficient capacity in infrastructure and public services to support creation of a new or expansion of existing settlement areas. Policies to avoid and minimize impacts on agricultural land and operations are still maintained.</p> <p>In a two-tier system – expansion of Settlement Areas by Lower Tier Municipalities in the County of Lambton requires the County OP be amended first, before an MCR can occur at the local level. The County would not be isolated from the potential of a rush of applications for expansion, without reasonable criteria to evaluate requests. Regardless, the final decision of expansion of any Settlement Areas in the County OP rests with County Council and cannot be appealed if refused.</p>	
<p><b>Employment area protection and conversion</b></p>	<ul style="list-style-type: none"> <li>• Revises the definition of employment areas, to prohibit any commercial uses that are not</li> </ul>



	<p>associated with the primary employment use and institutional uses.</p> <ul style="list-style-type: none"> <li>• Scopes and clarifies the test for employment conversion requests and removes the requirement for an MCR.</li> <li>• Does not carry forward the concept of Provincially Significant Employment Zones found in the Growth Plan to the proposed PPS 2023.</li> </ul>
<p>Preliminary comments:</p> <p><i>Revised definition of employment areas/Prohibition of any commercial uses not associated with primary employment/institutional uses.</i></p> <p>Currently PPS 2020 and Growth Plan define Employment areas in the same manner:</p> <p>“Those areas designated in an OP for clusters of businesses and economic activities <i>including but not limited to</i>, manufacturing, warehousing, offices, and associated retail and ancillary facilities”. The emphasized wording above provided municipalities with some discretion about the types of uses that could be included in an employment area in an OP. The definition specifically included office uses. The proposed PPS 2023 will significantly revise the definition of employment areas to prohibit institutional uses and commercial uses <b>unless</b> those commercial uses are associated with the primary employment use, which are manufacturing uses, research and development uses and/or warehouse uses.</p> <p>The <i>Planning Act</i> would also be amended to add a new term called “area of employment” which would mean “an area of land designated in an OP for clusters of businesses and economic uses, those meeting the following criteria:</p> <ol style="list-style-type: none"> <li>1. The uses consist of business and economic uses, other than those referred to in paragraph 2, including any of the following: <ol style="list-style-type: none"> <li>a. Manufacturing uses.</li> <li>b. Uses related to research and development in connection with manufacturing anything.</li> <li>c. Warehousing uses, including uses related to the movement of goods.</li> <li>d. Retail uses and office uses that are associated with uses mentioned in (a) to (c).</li> <li>e. Facilities that are ancillary to the uses mentioned in (a) to (d).</li> <li>f. Any other prescribed business and economic uses.</li> </ol> </li> <li>2. The uses are not any of the following uses: <ol style="list-style-type: none"> <li>a. Institutional uses.</li> <li>b. Commercial uses, including retail and office uses not referred to in 1 (d).</li> </ol> </li> </ol>	

Retail and offices uses were included in employment areas as there had been an apprehension at the Ontario Land Tribunal (and Municipalities) to look into the relative value of retail/commercial jobs versus manufacturing and industrial jobs. The change in definition has the potential to create a clear distinction: commercial/institutional uses and retail/office uses are **not** associated with the primary employment use and are prohibited in employment areas.

This potentially means that the creation of industrial or business parks would have to focus on those items listed in item 1 above – with no ability to allow any of the uses in item 2. On the surface, this change may seem logical. However, employment area (also known as Business or Industrial Parks) workers still need retail uses for day to day needs. Removing these features outright removes needed ancillary services for employees (unless those ancillary services are provided by the employer). For example: A car manufacturing plant could have a coffee shop franchise (Starbucks/Tim Horton's etc.) but a stand-alone coffee shop on a separate site could not occur under these changes.

While the proposed changes make some sense, it is a rather significant change to react to some municipalities using employment lands to allow for large scale institutional uses (large churches for example) or enabling more office uses outside of downtown cores or transit station areas. A more systematic approach may be to enable limited ancillary commercial uses by limiting size and scale. By simply prohibiting these ancillary functions, workers will then be forced to drive outside of these employment areas for these services.

#### *Conversion of employment lands*

Conversion of employment lands under PPS 2020 can only occur when it can be demonstrated that there is a surplus of employment lands and there is a need for conversion. Otherwise, employment lands should be protected/preserved for current and future employment uses. The proposed PPS 2023 will allow the conversion of employment lands at any time. Applicants will not have to wait for a municipality to undertake an MCR. There is no change to appeal rights of a local municipality decision on whether to approve or deny the employment land conversion.

The proposed tests for conversion of employment lands are like those found in the Growth Plan, with some exceptions.

Planning authorities may remove lands from employment areas only where it has been demonstrated that:

- a) There is an identified need for the removal and the land is not required for employment areas uses over the long term.
- b) The proposed uses would not negatively impact the overall visibility of the employment area by:
  - a. avoiding, or where avoidance is not possible, minimizing and mitigating potential impacts to existing or planned employment area uses in accordance with policy 3.5; and
  - b. maintaining access to major good movement facilities and corridors.

<p>c) Existing or planned infrastructure and public service facilities are available to accommodate the proposed uses.</p> <p><i>Provincial Significant Employment Zones</i>          Provincially Significant Employment Zones is a term introduced into the Growth Plan in 2019. Since this definition does not apply to any lands in the County of Lambton – there will be no impact to the removal of this designation (it was not applicable).</p>	
<p><b>Schools</b></p>	<ul style="list-style-type: none"> <li>• Establishes schools as an element of a ‘complete community’ and collaboration between planning authorities and school boards is specifically required.</li> <li>• Recognizes innovative approaches in the design of schools, including schools located in high rise developments.</li> </ul>
<p>Preliminary comments:</p> <p><i>Schools as an element of “complete communities” and collaboration with school boards</i>          In the proposed PPS 2023, schools are part of what makes a ‘complete community’ in the Growth Plan. The County OP also includes policies related to school locations as “Improving Quality of Life” consideration (section 2.1). PPS 2023 directs planning authorities to collaborate with school boards to ensure schools are planned for as part of development. This direction is new to the Provincial Policy Statement, although it reflects what has long been considered a matter of Provincial Interest (despite a lack of mention in PPS 2020). This would be an expectation of both the upper and lower tier municipalities in the County.</p> <p><i>Innovative approaches to design of schools</i>          PPS 2023 also recognizes innovative approaches to the design of schools including schools located in high rise developments. This will be a welcome change by school boards in urban areas, where rapid redevelopment and intensification has created challenges for accommodation of increases in school aged children in areas where land is at a premium. While this will have little impact to the County, examining alternative forms of school site development and mixing of uses (such as co-location of schools and recreational services or even some housing options) has long been encouraged by the planning community.</p>	
<p><b>Land Use Compatibility</b></p>	<ul style="list-style-type: none"> <li>• Maintains current protections for existing or planned industrial and manufacturing uses or other major facilities.</li> <li>• Removes requirement for proponents of sensitive land uses to demonstrate need or evaluate alternative locations for sensitive</li> </ul>

	<p>land uses where avoidance of adverse effects is not possible.</p> <ul style="list-style-type: none"> <li>• Increases restrictions on uses in employment areas.</li> <li>• Encourages industrial, manufacturing, and small-scale manufacturing uses in strategic growth areas and other mixed-use areas where frequent transit service is available.</li> </ul>
<p>Preliminary comments:</p> <p><i>Protections for existing or planned industrial/manufacturing uses or major facilities</i>          PPS 2023 enhances protections for industrial and manufacturing uses as well as other major facilities from encroachment of sensitive uses. PPS 2023 removes the reference to “other uses that are vulnerable to encroachment” and limits the focus to industrial and manufacturing uses and other major facilities.</p> <p><i>Removes requirement for proponents of sensitive land uses to demonstrate need or evaluate alternative locations</i>          PPS 2023 revises the test planning authorities must consider where it is not possible to avoid adverse effects from odour, noise, and other contaminants. There is no longer a requirement for a proponent of a sensitive land use to demonstrate there is a ‘need’ for the proposed use or to evaluate ‘alternative locations’. References to adverse effects to the proposed sensitive use being minimized or mitigated are removed, creating greater focus on protecting the long-term viability of industrial and manufacturing uses, as well as major facilities.</p> <p><i>Increases restriction on uses in employment areas</i>          PPS 2023 encourages industrial, and manufacturing uses that do not give rise to the potential adverse effects from odour, noise, and other contaminants to be developed outside of employment areas in strategic growth areas and other mixed-use areas where frequent transit service is available. It also promotes the transition of uses in lands outside of employment areas to prevent adverse effects on sensitive land uses. The list of prohibited uses in employment areas is expanded to residential uses, commercial uses, public service facilities and other institutional uses, while maintaining permissions for other sensitive uses that are ancillary to the primary employment use to maintain compatibility.</p>	
<p><b>Natural Heritage</b></p>	<ul style="list-style-type: none"> <li>• Natural Heritage policies and related definitions remain under consideration by the Province and were not provided in the proposed PPS 2023.</li> </ul>

<p>Preliminary comments:</p> <p>The Natural Heritage policies and related definitions remain under consideration by the Province and were excluded from the proposed PPS 2023. This is significant and greatly concerning as these are features such as woodlots and wetlands that provide natural environmental buffers to deal with flooding and reduce pollution.</p> <p>There is some indication of the direction the Province wants to take in the Vision Statement of PPS 2023 – being a shift from conserving biodiversity and protecting essential ecological processes to an approach that balances the use and management of natural resources with attention to housing supply. This will have <u>significant implications</u> for achieving environmental goals.</p>	
<p><b>Agriculture</b></p>	<ul style="list-style-type: none"> <li>• Eliminates alternative evaluations for settlement area expansions.</li> <li>• Establishes potentially less protection for specialty crop areas.</li> <li>• Eliminates the alternative evaluations for mineral aggregate extraction rehabilitation.</li> <li>• Eliminates the requirement to use the provincially mapped Agricultural System.</li> <li>• Permits ADUs and ground-extensive energy facilities.</li> </ul>
<p>Preliminary comments:</p> <p><i>Elimination of alternative evaluations for Settlement Area Expansions</i>            Under the current PPS 2020, expansion of Settlement Areas into prime agricultural areas requires an evaluation of alternative locations for expansion, with a determination that no reasonable alternatives exist that avoid:</p> <p style="margin-left: 40px;">a) prime Agricultural areas; and            b) on lower priority agricultural lands within the prime agricultural area.</p> <p>Settlement Area expansions would now give consideration to avoidance or where avoidance is not possible, minimizing and mitigating impacts to the extent feasible on agricultural lands and operations adjacent or close to the settlement area. The impact would be assessed through an agricultural impact assessment (a new defined term) based on provincial guidance.</p> <p><i>Establishing potentially less protection for specialty crop areas</i>            PPS 2020 requires proponents of Settlement Area expansions to demonstrate that the lands did not compromise specialty crop areas. Under PPS 2023, planning authorities “should consider” whether the applicable lands compromise special crop areas. This new (and potentially lower) threshold applies to the impact assessment noted above, and compliance with MDS formulae.</p>	

This potential weakening of the tests may lead to more consumption of prime agricultural land – this will have an impact on County municipalities with an economic base focused on agriculture. This concern may be offset by retention elsewhere in PPS 2023 of a mandatory policy to designate and protect prime agriculture areas, including specialty crop areas, for long-term use for agriculture, and mandatory compliance with the MDS formulae in the creation of new lots and establishing new uses. However, the language of PPS 2023 is unclear if this interpretation is correct – further clarification is necessary as this view is not universal in terms of interpreting PPS 2023.

Staff are concerned of the impacts to Agricultural operations with the cumulative changes in PPS 2023. While the paragraph above may provide an ‘optimistic view’ of impacts to specialty crop areas – the mitigation assumes that protections in PPS 2023 and mandatory compliance of the MDS are the case (meaning no further variances to MDS would be permitted). Addition of new lots will further complicate the already challenging relationship of residential uses around agricultural operations. Rural farmers have significant challenges to maintaining operations (rising costs of inputs, lack of labour) – further conflicts by adding more residential will be a further pressure to their operations.

<p><b>Minister’s additional powers</b></p>	<ul style="list-style-type: none"> <li>• Minister can make regulations and orders related to planning functions done by local Municipalities.</li> <li>• Prohibits municipalities enacting policies that are more restrictive than certain policies of the proposed PPS 2023 and establishes greater role for Ministerial Zoning Orders.</li> <li>• All municipal decisions, including Zoning By-laws and permitting processes must be consistent with the proposed PPS 2023, <u>even before</u> a municipality’s OP has been updated.</li> </ul>
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Preliminary comments:

*Minister can make regulations and orders related to Planning Functions done by Municipalities*

Bill 97 gives the Minister new powers which allow direct intervention into certain planning functions. Both the *City of Toronto Act* and the *Municipal Act, 2001* are amended to provide the Minister the Authority to make wide-ranging regulations which govern municipal powers. These regulations can:

- impose restrictions, limits and conditions on the powers of municipalities to regulate the demolition and conversion of residential rental properties;
- prescribe requirements to be contained in by-laws;

- prescribe conditions that must be included as requirements for obtaining a permit; and
- prescribe requirements the municipality must impose on owners of land.

One proposed regulation under the *Planning Act* would prescribe areas where site plan control could apply to developments containing 10 or fewer residential units, specifically within 120 metres of a shoreline and within 400 metres of a railway line. This ERO is available for comment until May 21, 2023.

Changes to the *Ministry of Municipal Affairs and Housing Act* allow the Minister to appoint up to four (4) Deputy Facilitators, along with the Provincial Land and Development Facilitator to advise and make recommendations to the Minister in respect of growth, land use and other matters. The intent of these roles appears to relate to the transition of planning functions from upper-tier municipalities “without planning functions” (a change from Bill 23). However, it may be that these roles would apply to other functions and municipalities across Ontario.

*Prohibition on municipalities enacting policies more restrictive than certain policies proposed in PPS 2023 and greater role of Ministerial Zoning Orders (MZO)*

Several policies in PPS 2023 prohibit municipalities from imposing more restrictive policies and regulations than those set out by the Province (with some exceptions for public health and safety where noted). Some of those concerns have been noted earlier in this document and may pose challenges for Provincially imposed policies in the County OP.

PPS 2023 also provides for increased involvement of the Minister in the planning process. The MZO term is used in PPS 2023 for the first time, and it states that when an MZO is in place, the resulting development potential shall be in addition to projected needs over the planning horizon established in the OP.

*All Municipal Decisions, including Zoning By-laws and permitting processes, must be consistent with PPS 2023 even before a local OP has been updated*

The implementation and interpretation policies proposed in PPS 2023 emphasize the ability of the Minister to set planning priorities and require municipalities to abide by these directives. PPS 2023 states that the Minister can take into account other government priorities when implementing the Provincial Policy Statement. Policies are proposed that would require municipalities to make planning decisions consistent with PPS 2023 even before OP or By-law updates. These policies were not previously found in PPS 2020.

Bill 97 Amendments related to the *Planning Act* or Planning functions:

- Enacting that fee refunds mandated under Bill 109 do not take effect until July 1, 2023, and enable the Minister to create regulations to exempt Municipalities from this refund in the future.
- Clarification amendments to Bill 23 related to parking for ADUs and housekeeping around terminology.

- Enabling legislation to re-establish Site Plan Control for buildings with 10 units or less when in proximity to a lakeshore or railway crossing.
- Re-establishing appeal rights for establishing an Interim Control By-law and reducing the notice of passing of an Interim Control By-law to 20 days.
- Establishing powers to the Minister to require landowners to enter into Development Agreements in relation to lands that have been assigned to the Provincial Land and Development Facilitator.
- Modify the definition of Employment Areas to include only heavy industrial and other employment uses that cannot locate near sensitive uses and scope the ability to appeal municipal refusals and non-decisions.
- Create regulation-making authority to modify the application of provincial policy statements to decisions on matters to support the implementation of provincial policies on a case-by-case basis.
- Amend the *Ministry of Municipal Affairs and Housing Act* to provide ability to appoint four (4) Deputy Provincial Land Development Facilitators.





**Office of the Chief Administrative Officer**  
789 Broadway Street, Box 3000  
Wyoming, ON N0N 1T0

Telephone: 519-845-0801  
Toll-free: 1-866-324-6912  
Fax: 519-845-3160

**SENT VIA EMAIL**

April 17, 2023

The Municipality of Brooke-Alvinston  
3236 River Rd,  
Alvinston, ON N0N 1A0

**Attention: Janet Denkers, Clerk-Administrator**

Dear Janet:

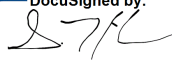
**Re: By-Law 12 of 2023 Delegation of Approval of Official Plans (and Amendments)**

Please note that on April 5, 2023, County Council adopted the attached By-Law 12 of 2023, (the "By-Law").

The By-Law continues to delegate to the Manager, Planning and Development Services, the approval of Official Plans and Official Plan Amendments from municipality, save and except if your municipality asks that its plan and/or amendment be directed to County Council for review.

If your municipality opts to direct its Official Plan and/or amendment review to County Council, please ensure that that election is made by resolution and is communicated to the County at the time your Official Plan and/or amendment is submitted for review.

With kind regards,

DocuSigned by:  


054C1B8D118E46F...  
**Stéphane Thiffeault**  
Chief Administrative Officer  
Attachment

**THE CORPORATION OF THE COUNTY OF LAMBTON**

**BY-LAW NO. 12 OF 2023**

**“A By-Law to Delegate the Authority  
to Approve Applications for  
Official Plans and Official Plan Amendments of Local Municipalities”**

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**WHEREAS** pursuant to section 17(4) of the *Planning Act*, R.S.O., 1990, Chap. P. 13, as amended (the “Act”), the Council of The Corporation of the County of Lambton (the “County”) became the approval authority for the approval of Official Plans and Official Plan Amendments of the lower-tier member municipalities of the County (“Local Municipalities”) on January 2, 1998, the date which the County’s Official Plan was approved by the Province of Ontario and came into effect;

**AND WHEREAS** section 17.1(1) of the Act provides that Council may by by-law delegate all or any part of the authority to approve Official Plans to an appointed officer identified in the by-law by name or position occupied;

**AND WHEREAS** Council delegated such authority to the Manager of Planning and Development Services pursuant to By-law 38 of 2002, which Council amended pursuant to By-law 19 of 2020, to also delegate such authority to the General Manager, Infrastructure and Development Division;


**AND WHEREAS** Council wishes to provide Local Municipalities the option to seek, by resolution, that its Official Plans (and amendments thereto) submitted to the County for review and approval be addressed and considered by Council, rather than the Manager of Planning and Development Services and/or the General Manager, Infrastructure and Development Division, and thus repeal By-law 38 of 2002, as amended, in favour of this By-law;

**AND WHEREAS** Council remains committed to seeking ways of streamlining the approval process for municipal Official Plans and Official Plan Amendments;

**NOW THEREFORE** the Council of The Corporation of the County of Lambton enacts as follows:

1. The Manager of Planning and Development Services for the County (the "Manager of Planning and Development Services"), or, in the absence of the Manager of Planning and Development Services, the General Manager, Infrastructure and Development Services for the County, is hereby delegated the authority to approve Official Plans and Official Plan Amendments of the Local Municipalities. Notwithstanding the foregoing, if so requested by written resolution of the council of a Local Municipality at or prior to the submission of the Local Municipality's Official Plan and/or Official Plan Amendments to the County, the delegation set out above shall be suspended and the requesting Local Municipality's Official Plan and/or, as applicable, Official Plan Amendment shall be brought forward to Council of the County in its entirety for Council's review, consideration and decision.
2. The Council of the County shall hereby retain the authority to refuse the approval of Official Plans and Official Plan Amendments of Local Municipalities.
3. That By-law 38 of 2002 and By-law 19 of 2020 are hereby repealed upon the passing hereof.
4. THIS BY-LAW shall come into force and shall take effect upon passing hereof.

THIS BY-LAW read a first, second and third time and finally passed this 5<sup>th</sup> day of April, 2023.

  
 \_\_\_\_\_  
 Kevin Marriott  
 Warden

  
 \_\_\_\_\_  
 Stéphane Thiffeault  
 Deputy Clerk





## PUBLIC NOTICE SEVERANCE APPLICATION COMMITTEE OF ADJUSTMENT

APPLICATION NO. B-002/23

**TAKE NOTICE** that an application for consent has been submitted by Chad Hayter (A/F Devin Triest) for the property located at Concession 6, Part Lot 18, in the Municipality of Brooke-Alvinston. The purpose of the application is to sever off a portion of land that would be approximately 2.3 acres in size and be added to 3277 Nauvoo Road. The retained parcel would be approximately 38 acres in size.

**AND FURTHER TAKE NOTICE** that the Committee of Adjustment for the Municipality of Brooke-Alvinston has appointed Tuesday, May 16, 2023 at 9:00 a.m. for the purpose of a public hearing into this matter. Signed written submissions regarding the application will be accepted by the Secretary-Treasurer prior to the hearing.

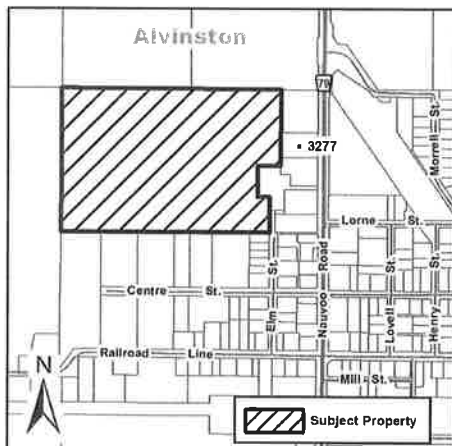
If you wish to submit a written or make an oral presentation at the public hearing, please contact the Municipality of Brooke-Alvinston no later than 12:00 p.m. noon on May 15, 2023.

If you wish to be notified of the decision of the Municipality of Brooke-Alvinston Committee of Adjustment in respect of the proposed severance, you must make a written request to the Committee of Adjustment at the address noted below.

The Province of Ontario has amended the *Planning Act* as of November 28, 2022, and now only the applicant, the Minister of Municipal Affairs and Housing, and specified person and public bodies (as defined in the *Planning Act*), are permitted to appeal severance or minor variance decisions of the Committee of Adjustment.

If you are aware of any persons interested or affected by this application who have not received a copy of this notice, it would be appreciated if you would so inform them.

Additional information regarding the application will be available to the public for inspection at the Municipality of Brooke-Alvinston Municipal Office, 3236 River Street, PO Box 28, Alvinston, ON N0N 1A0 from 8:30 am to 4:30 pm, Monday to Friday.



Janet Denkers  
Secretary-Treasurer,  
Committee of Adjustment  
Municipality of Brooke-Alvinston  
3236 River Street, P.O. Box 28  
Alvinston, ON N0N 1A0

Email: [jdenkers@brookealvinston.com](mailto:jdenkers@brookealvinston.com)  
Phone: 519-898-2173  
Fax: 519-898-5653

Dated: April 26, 2023

3236 River St. P.O. Box 28  
Alvinston, ON N0N 1A0

Phone: 519.898.2173  
Fax: 519.898.5653



## NOTICE OF MAINTENANCE SITE MEETING TAIT-SWARTZ DRAIN

Drainage Act, R.S.O. 1990, Chapter D.17, s. 74

Dear Sir/Madam:

You are hereby notified that the Drainage Superintendent will be available for a maintenance site meeting for the **Tait-Swartz Drain** in accordance with Section 74 of the Drainage Act.

Section 74 of the Drainage Act sets out provisions that all Municipalities are responsible for the maintenance and repair of a drainage works constructed under a by-law passed under this Act and are required to maintain each drain in good working order according to the last revised Engineer's Report, if the said drain so requires.

The Council of the Municipality of Brooke-Alvinston has scheduled an on-site meeting for the:

**Tait-Swartz Drain**  
on  
**Wednesday May 24, 2023**  
**9:30 a.m.**

**Meeting Location: Corner of Ebenezer Road and Oil Springs Line**

**Reason: Brushing and Cleanout**

Dated the 5<sup>th</sup> day of May, 2023

Janet Denkers  
Clerk-Administrator

Failure to attend examination – You are hereby notified that if you do not attend at the examination, it may proceed in your absence and except as otherwise provided in the Drainage Act, you will not be entitled to any further notice in the proceedings. Statutory Powers Procedure Act., 1990, c. D.17, Last Amendment: 2010, c.16, Schedule 1, s.2.

3236 River St. P.O. Box 28  
Alvinston, ON N0N 1A0

Phone: 519.898.2173  
Fax: 519.898.5653



## NOTICE OF MAINTENANCE SITE MEETING **12<sup>th</sup> Concession Road Drain**

Drainage Act, R.S.O. 1990, Chapter D.17, s. 74

Dear Sir/Madam:

You are hereby notified that the Drainage Superintendent will be available for a maintenance site meeting for the **12 Concession Road Drain** in accordance with Section 74 of the Drainage Act.

Section 74 of the Drainage Act sets out provisions that all Municipalities are responsible for the maintenance and repair of a drainage works constructed under a by-law passed under this Act and are required to maintain each drain in good working order according to the last revised Engineer's Report, if the said drain so requires.

The Council of the Municipality of Brooke-Alvinston has scheduled an on-site meeting for the:

**12<sup>th</sup> Concession Road Drain**

**on**

**Wednesday May 24, 2023**

**11:00 a.m.**

**Meeting Location: 6374 LaSalle Line**

**Reason: Culvert Replacement**

Dated the 5<sup>th</sup> day of May, 2023

Janet Denkers  
Clerk-Administrator

Failure to attend examination – You are hereby notified that if you do not attend at the examination, it may proceed in your absence and except as otherwise provided in the Drainage Act, you will not be entitled to any further notice in the proceedings. Statutory Powers Procedure Act., 1990, c. D.17, Last Amendment: 2010, c.16, Schedule 1, s.2.



855 Confederation St.,  
PO Box 2140  
Sarnia, ON N7T 7L6  
519-337-8201

May 3, 2023

City of Sarnia  
255 Christina Street N  
Sarnia, ON N7T 7N2  
Mayor Bradley  
Amy Burkhart – City Clerk

The Municipality of Brooke-Alvinston  
3236 River Street, Box 28  
Alvinston, ON N0N 1A0  
Mayor Ferguson  
Janet Denkers – Clerk-Administrator

Town of Petrolia  
411 Greenfield Street, Box 1270  
Petrolia, ON N0N 1R0  
Acting Mayor Field  
Rick Charlebois – CAO

Township of Warwick  
6332 Nauvoo Road, RR#8  
Watford, ON N0M 2S0  
Mayor Case  
Amanda Gubbels – CAO

Village of Point Edward  
135 Kendall Street  
Point Edward, ON N7V 4G6  
Mayor Hand  
Jim Burns – CAO

Village of Oil Springs  
4591 Oil Springs Line  
Oil Springs ON N0N 1P0  
Mayor Veen  
Martha Gawley – Clerk-Treasurer

**Re: Bluewater Power Group of Companies - 2022 Dividends**

Bluewater Power is exceptionally pleased to announce that our Board of Directors has approved the payment of 2022 dividends to our Municipal Shareholders.

We are thrilled to pay dividends which not only surpass our budget but are the highest operating dividends in our history. It is important to note that this was not on the backs of distribution electricity ratepayers but rather was mostly due to stronger levels of other non-distribution revenue in our Group of Companies. I could not be more proud of our exceptional team who once again delivered outstanding results.

As a result, an operating dividend of \$2,065,974 will be paid out to our Municipal Shareholders according to their individual ownership ratios as outlined below.

... 2 /



Please note these dividends are in addition to our promissory note payments already made in 2022 and as a result total municipal returns for the year equal almost \$3.4Million.

	<u>Dividends</u>	<u>Promissory Note</u>	<u>Total Returns</u>
Sarnia	\$1,777,771	\$1,167,729	\$2,945,500
Petrolia	\$ 152,056	\$ 99,878	\$ 251,934
Point Edward	\$ 69,623	\$ 45,732	\$ 115,355
Warwick	\$ 44,831	\$ 29,447	\$ 74,278
Brooke-Alvinston	\$ 14,875	\$ 9,771	\$ 24,646
Oil Springs	\$ 6,818	\$ -	\$ 6,818
<b>Total</b>	<b><u>\$2,065,974</u></b>	<b><u>\$1,352,557</u></b>	<b><u>\$ 3,418,531</u></b>

Bluewater Power is thrilled to be in a position to continue to provide exceptional financial returns to our Municipal owners. With this most recent payment, our total financial returns to our Shareholders now equal almost \$57 Million since inception.

If your Municipal Council would like a Bluewater Power presentation related to the 2022 results or the annual Board of Director reappointment process we would be more than happy to attend a meeting at your convenience.

If you have any questions, please do not hesitate to contact me at any time.

Sincerely,

A handwritten signature in cursive script that reads "Janice".

Janice L. McMichael  
 President & Chief Executive Officer  
 Bluewater Power Group of Companies





Enbridge Gas

500 Consumers Road  
North York, Ontario M2J 1P8  
Canada

May 2, 2023

Your Worship and Members of Council,

We are writing today as we've heard from many of you regarding the introduction of a locate charge, and we'd would like to provide some context and background regarding our approach. We are also seeing a lot of misinformation circulate, resulting in misunderstanding, and we'd like to correct the record.

We, along with **all** underground infrastructure owners, are required to comply with the recently released regulations related to locate delivery (**Bill 93**). In order to recover our compliance costs and protect the interests of our customers, we introduced a locate charge for **third party and for-profit locate requestors**. We want to reassure you that locates for private property owners and existing natural gas customers **remain at no charge**.

As we shared, the third-party locate charge is currently on pause as we continue to explore pathways and consult with our stakeholders and industry partners, including a phased approach focused on the adoption of a dedicated locator model for large infrastructure owners. Within a dedicated locator model, large excavators hire their own locators trained by infrastructure owners to locate all underground utilities on their projects, which leads to significant efficiencies in locate delivery.

In addition, misinformation is circulating that Enbridge Gas operates its infrastructure in municipal right of ways at no cost – **and this is simply not true**. Enbridge pays more than \$135 million in annual municipal taxes based upon the infrastructure we operate. We also pay additional fees where required when we install new pipe or initiate work to maintain existing assets. We deliver natural gas service to approximately 3.9 million customers in 313 municipalities across Ontario, through a network of 154,000 kilometers of pipeline. We complete approximately 1.2 million locate requests annually. And, in 2023, we will invest \$550 million to maintain and add customers to our natural gas system. We are a proud contributor to the communities in which we operate, and our commitment to the safe, reliable delivery of natural gas underpins everything we do.

We encourage you to call upon the Government of Ontario to enact a dedicated locator model for large infrastructure owners, and to support a phased approach to regulation adoption.

Please reach out should you have any questions.

Sincerely,

**Murray Costello, P.Eng.**  
Director, Southwest Region Operations

ENBRIDGE GAS INC.  
TEL: 519-885-7425 | CELL: 819-635-3984 |  
murray.costello@enbridge.com  
603 Kumpf Drive, Waterloo, ON N2J 4A4

**Mike McGivery**  
Director, Distribution Protection

ENBRIDGE GAS INC.  
TEL: 416-758-4330 | CELL: 416-434-7920 |  
michael.mcgivery@enbridge.com  
500 Consumers Road, North York, Ontario M2J 1P8

CC: Hon. Todd Smith, Minister of Energy  
Hon. Kaleed Rasheed, Minister of Public and Business Service Delivery  
Colin Best, President, Association of Municipalities of Ontario

For further information, please contact:  
 Mike Barron Executive Director  
 Sarnia Community Foundation  
 Phone: 519 332 2588  
 Email: ed@sarniacommunityfoundation.ca

For Immediate Release – May 2, 2023

### **Women of Excellence Announcement**

**Sarnia/Lambton County, ON** – The Board of Directors of the Sarnia Community Foundation is proud to announce the recognition of the outstanding achievements of women from Lambton County. These unsung heroes have helped with the overall improvement and better quality of life in Lambton County. Madhu Baker, Kathy Bresett, Michelle Holbrook, Terry MacDonald and Deanna Sandrin were chosen as the 2023 Women of Excellence recipients.

(SCF) Board Chair, Bill Woods, had this to say, “Sarnia-Lambton truly has amazing leaders who help shape this community. This year’s recipients come from all parts of the county; embarking on those key principles of making your community better, assisting with a cause, or collaborating help with a community project!”

**Madhu Baker** – Madhu Baker is an integral part of our community. Madhu is an advocate for mental health, trauma, and addiction for our youth in the community. Madhu also advocates for women, men, and children that are suffering domestic violence. Madhu’s journey to become an entrepreneur and philanthropist started a long time ago; from an early age, Madhu took care of her family, crossing many countries, borders and breaking down language barriers smashing through glass ceilings. Madhu has been homeless, stolen from, lost everything, and restarted many times. Madhu decided long ago to not be the victim of her circumstances no matter what was handed to her. Today, Madhu gives back to her community with charity time and leadership.

**Kathy Bresett** - Kathy has been a life-long advocate for people and communities who face barriers and discrimination. Kathy is the Executive Director of the North Lambton Community Health Centre (NLCHC). The NLCHC started as a small single-site Health Centre in Forest in 1994. Under Kathy’s leadership, the CHC expanded to Kettle and Stony Point First Nation, Sarnia, and Watford. Today, the CHC has five sites across Lambton County and provides primary healthcare, health promotion, and community development, with a focus on people who face challenges in accessing care. Kathy is also the co-chair of the Sarnia-Lambton Ontario Health Team helping to lead a local collaborative table of 35 partner organizations to transform the healthcare system to a sustainable model that meets the needs of diverse populations. Kathy lives in Lambton Shores and has three children and two grandchildren.



Michelle Holbrook – Michelle Holbrook is a trailblazer, a passionate advocate, and a highly qualified agent of change within Sarnia-Lambton. Michelle is a unique leader with exemplary compassion and outstanding commitment. Throughout her career, Michelle has worked in many highly regarded positions within the community including the Huron House Boys Home and Lambton College. Michelle has given back to her community by volunteering on boards including Sarnia-Lambton Children's Aid Society, and Boys and Girls Club of Sarnia-Lambton. Today, Michelle is the Executive Director at Sarnia-Lambton Rebound.

Terry MacDonald – Terry MacDonald is an integral part of the Brooke-Alvinston community and freely gives her time and ideas to make things better for the people living here. Terry responds individually to people who need her to help, as well as being heavily involved in several that not only impact her community but can also make a difference nationwide. Terry is a fundraiser, secretary, and organizer she does what no one else will do, Terry is always there. Terry has been creating a monthly calendar of events for the community, this goes to over 2500 households in Brooke-Alvinston. Terry has also been the recipient of the “Queen Elizabeth II Platinum Jubilee” award.

Deanna Sandrin -Deanna grew up in Sarnia, Ontario, and graduated from the University of Western Ontario with a Bachelor of Arts degree. She moved to California, to study, and graduated with an Associate of Arts degree from F.I.D.M. in Marketing. Upon her return to Sarnia, she was able to utilize and implement her diverse experience, assuming ownership, and management responsibilities for multiple companies, both new start-ups and existing companies. Deanna is an active entrepreneur, her leadership role within companies that are traditionally male-dominated (skilled trades) makes her a role model for the new generation of women entering the workforce, especially in the Sarnia Lambton Community where skilled trades are in high demand. Deanna is an extremely active member of our community, investing her time and financial support for several charities including Noelle’s Gift, Inn of the Good Sheppard, and Habitat for Humanity.

The Sarnia Community Foundation is proud to be celebrating its 40<sup>th</sup> anniversary in Sarnia Lambton and looking forward to the in-person Women of Excellence celebration on June 8<sup>th</sup> at the Dante Club. The luncheon will start at 1200pm noon sharp, with registration beginning at 1130am. Registration for the Women of Excellence event will begin Monday, May 8, 2023; for registration information call the Sarnia Community Foundation office at 519 332 2588 or visit the website for more information [www.sarniacommunityfoundation.ca](http://www.sarniacommunityfoundation.ca). (Table purchase includes 8 tickets for \$500.00 + HST and individual tickets are \$60.00+HST).

The Women of Excellence at Sarnia Community Foundation is entering its 7<sup>th</sup> year of recognition. In collaboration with the Dante Club, we have planned a wonderful lunch, guest speakers, and an amazing celebration with the outstanding Women from our community. We will also recognize the recipients from 2020 and 2021 who, due to Covid restrictions, were unable to be recognized in person.

The Sarnia Community Foundation has several scholarships that support Women; including the Jean Macdougall Fund for Women in Politics, the Blue Eyes Big Heart educational scholarship for women



escaping abusive situations, and the University Women's Scholarship helps women further their educational goals.

During the past 40 years, The Sarnia Community Foundation has given back over \$7 million to support community organizations and projects in Sarnia-Lambton. Established in 1983, the Sarnia Community Foundation is home to a growing number of funds that support all areas of charitable endeavor in the community.



# LAMBTON GROUP POLICE SERVICES BOARD

## MEETING MINUTES

Location: OPP Headquarters, Petrolia  
 Date: Wednesday, February 21, 2023  
 Time: **34:00 pm**  
 Session: **#1/2023**



LAMBTON GROUP  
 POLICE SERVICES  
 BOARD

### **Present:**

Doug Cook, Member (Vice Chair) – Municipal Partner  
 Pat Brown, Member – Municipal Partner  
 Shirley Durance, Member – Provincial Appointee  
 John McCharles, Member – Provincial Appointee  
 Greg Nemcek, Member – Community Member at Large

### Non Voting Members:

Inspector Chris Avery, O.P.P Representative  
 Staff Sgt. Erica VanRoboys, O.P.P Representative  
 A/Staff Sgt. Rick Mathewson, O.P.P Representative  
 Mandi Pearson, Secretary

### **Regrets:**

### **Guests:**

- Ron LeClair, SOLGEN regional representative, Zone 6

### **Members of the Public:**

- Mayor Gary Atkinson, Plympton-Wyoming

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

- Doug Cook, Vice-Chair called the meeting to order at 3:00 pm.

### **2. Declaration of Conflict of Interest**

- None Declared

### 3. Adoption of the Agenda

#### a) Session 1, 2023

Moved By: John McCharles

Seconded By: Greg Nemcek

*THAT the agenda for Session 1/2023 dated February 21, 2023 be adopted as presented.*

Carried

### 4. 2023 Term Election and Confirmation of Oath

- a) Welcome to new members Mr. Pat Brown and Mr. John McCharles
- Mandi Pearson confirmed that all incoming members have completed and executed by oath or affirmation their committee appointment.

b) Open the Floor for Nominations

- Chair

Moved By: Shirley Durance

Seconded By: Pat Brown

*THAT Mr. Greg Nemcek be nominated for the position of Chair.*

Carried

Mr. Greg Nemcek accepted the nomination.

Second call for nominations was completed. There were no additional nominations brought forward. Nominations closed.

Mr. Greg Nemcek was declared 2023 Chair of the LGPSB.

- Vice-Chair

Moved By: John McCharles

Seconded By: Shirley Durance

*THAT Mr. Doug Cook be nominated for the position of vice-Chair.*

Carried

Mr. Doug Cook accepted the nomination.

Second call for nominations was completed. There were no additional nominations brought forward. Nominations closed.

Mr. Doug Cook was declared 2023 Vice-Chair of the LGPSB.

## 5. Minutes of Previous Meeting

a) Session 6, December 21, 2022

Moved By: Doug Cook

Seconded By: Shirley Durance

*THAT the minutes of Session 6/2022 dated December 21, 2022 be adopted as circulated.*

Carried

## 6. Business Arising from Minutes

- None

## 7. Detachment Report

a) Acting Staff Rick Mathewson reviewed the November and December 2022 policing report:

### Major Crime

#### NOVEMBER 2022

- Crime members and OPP Criminal Investigations Branch continue with the investigation of the Andrew CHUTE homicide at the Marthaville Conservation Area.
- Crime members and CIB actively investigating an unsolved homicide on the Kettle & Stoney Point First Nation.
- 12 non-suspicious death investigations completed.
- 4 reported sexual assaults cases investigated.
- 6 fraud investigations.
- Members of the Lambton County Crime Unit preparing for trial R vs Evan WOLFE. Homicide on the Kettle & Stoney Point First Nation. The accused in this matter remains in custody.
- Crime investigating a robbery at the Arkona GOCO station. Person of Interest has been identified.

**DECEMBER 2022**

- Trial for Ravenswood Home Invasion. Two accused convicted on all charges. Sentencing to take place early 2023.
- Three reported sexual assault cases investigated.
- 10 sudden deaths investigated. One infant death, all non-suspicious.
- Crime Unit is involved in a multi-jurisdictional homicide. Case files being disclosed to the Crown Attorney through multiple rounds.
- 4 criminal harassment investigations conducted.

**CSCU**

- During the months of November & December 2022 Lambton CSCU investigated **13** occurrences.
- Lambton CSCU members laid a total of **64** charges **Drugs**

Moved By: John McCharles

Seconded By: Shirley Durance

*THAT A/S/Sgt. Mathewson's detachment report be adopted as presented.*

Carried

*Additional/statistical information available in OPP Monthly Report (forwarded electronically to municipal partners and posted to LGPSB website).*

**8. Member's Report****a) Greg Nemcek, Chair**

- Recently attended strategic planning session with OABSP.
  - i) Our board was selected to participate in this process, and a lot of great information was exchanged on behalf of our board to the OPP representatives and OAPSB members. Prior to the meeting spoke with Inspector Avery and we were well prepared at the table.
  - ii) Brought forward our recently crafted and circulated letter regarding the concerns around Catch and Release, this was well received at the meeting.

**b) Mandi Pearson, Secretary**

- i) BDO Engagement Letter

Session:

#1/2023

Page 4 of 6



Moved By: John McCharles

Seconded By: Doug Cook

***THAT the LGPSB accept the engagement letter from BDO to continue as our 2023 auditors through the County of Lambton partnership.***

Carried

ii) Certificate of Insurance

- We have been able to reconcile the confusion with our certificate of insurance, and have been issued a current year from Intact with our proper address attached.

iii) Catch & Release update

- The letter as directed last board meeting was circulated to our member municipalities, MPP's Bob Bailey & Monte McNaughton, the Attorney General and Solicitor General of Ontario along with Premier Ford
- To date we have received support, and circulation of resolution from:
  - i. Plympton-Wyoming
  - ii. Petrolia

**9. Correspondence**

- a) January 12, 2023 Lambton OPP News Release
  - ALTERCATION AT ESTABLISHMENT RESULTS IN CHARGES
- b) Commissioners Message – Bail Reform
- c) OAPSB Spring Conference
- d) OAPSB Survey
  - Completed and responded

Moved By: Pat Brown

Seconded By: Shirley Durance

***THAT the correspondence items as listed be received and filed.***

Carried

**10. Accounts/Finance**

i. Accounts

Moved By: Shirley Durance  
Seconded By: John McCharles

*THAT the accounts as listed be approved for payment.*

Carried

**11. Public Input**

- None

**12. Other Business**

- None

**13. Adjournment**

Moved By: Shirley Durance  
Seconded By: Doug Cook

*THAT Session #1 of 2023 be adjourned until the next scheduled meeting on April 19, 2023 or at call of the Chair.*

Carried

Meeting adjourned at: 3:38 pm

**Next Regular Meeting: Wednesday, April 19, 2023 at 3:00 p.m.**

---

Chair  
Greg Nemcek

---

Secretary  
Mandi Pearson

# LAMBTON GROUP POLICE SERVICES BOARD



LAMBTON GROUP  
POLICE SERVICES  
BOARD

**Mailing Address:**

PO BOX 273 | Petrolia, Ontario | N0N 1R0

**Website:** [www.lgpsb.ca](http://www.lgpsb.ca)      **e-mail:** [info@lgpsb.ca](mailto:info@lgpsb.ca)

## MEETING HIGHLIGHTS of April 2023

1. Acting Staff Sgt. Chris Hogg summarized activities including the January and February 2023 policing report:  
*Additional/statistical information available in OPP Monthly Report (forwarded electronically to municipal partners and posted to LGPSB website).*

### Major Crime

- Continue to investigate the CHUTE Homicide at the Marthaville Conservation Area
- Continue to investigate the OLIVER Homicide on Kettle & Stoney Point
- Investigated a 1 year old child that fell into a pool at an unlicensed daycare in Petrolia – Charge laid for Criminal Negligence cause Bodily Harm.
- 3 suspicious death investigations
- 2 reported sexual assaults
- 6 fraud investigations
- 2 Criminal Harassment investigations
- 1 Parental Abduction investigation – complicated – charges for disobey court order and abduction

### Property Crimes & Violent Crime

- Break & Enters down YTD 37.9%
- Possession of Stolen Property YTD up 66.7%
- Thefts under YTD up 180% and Thefts over YTD down 56%
- Frauds YTD up 27.3%
- Mischiefs YTD up 5.6%
- Sexual Assaults YTD down 58.3%
- Assaults YTD up 21.1%

### Media

- Completed 21 media releases in January and 3 in February
- Project Lifesaver Launch
- Cook with a Cop Event
- Prolific Offender
- School programs

### CSCU

- Investigated 12 occurrences
- Laid a total of 12 charges
- Wrote 4 search warrants and conducted 2 warrant entries

# LAMBTON GROUP POLICE SERVICES BOARD



LAMBTON GROUP  
POLICE SERVICES  
BOARD

**Mailing Address:**

PO BOX 273 | Petrolia, Ontario | N0N 1R0

**Website:** [www.lgpsb.ca](http://www.lgpsb.ca)      **e-mail:** [info@lgpsb.ca](mailto:info@lgpsb.ca)

- Recovered a stolen trailer in St. Clair Twsp. Owner provided consent and 2 additional stolen trailers, stolen motorcycle and stolen tractor were recovered. (Value - \$120,000)
- Assisted Walpole Island Police with a drug trafficking occurrence
- Assisted other CSCU units in the province (Essex and Belleville)
- Assisted with an overdose death investigation

## School Resource Officers

- Foot and vehicle patrols around the schools
- Focus on driving issues during the lunch periods
- Various investigations diverted from front-line officers – handled by SRO/School Staff

## Traffic

- 703 PON's issued
  - 131 RIDE Programs
  - 13 Impaired arrests
  - 116 motor vehicle collisions – 1 fatal in Feb
    - Motor vehicle collisions are up in Fatal and PI
    - Fatal – up 100% (1 YTD)
    - PD – down 35.2%
    - PI – up 71.4%
2. The Board received a presentation at their request from Ian Hanney Supervisor, Homelessness Prevention and Social Planning Social Services | County of Lambton – regarding homelessness in the rural areas of Lambton, and homelessness prevention.
  3. Board Chair, Greg Nemcek provided an update on a successful and engaging delegation that took place at OGRA on behalf of the LGPSB with the Attorney General of Ontario, the Hon. Doug Downey and his Parliamentary Assistant Mr. Brian Saunderson.

**Next Regular Meeting: Wednesday, June 21, 2023 at 3:00 p.m**

**Contact:**

Greg Nemcek  
Chair  
[lgpsb.chair@gmail.com](mailto:lgpsb.chair@gmail.com)

Good Afternoon,

The Honourable Kinga Surma, Minister of Infrastructure, has recently notified your Head of Council about recent high speed internet announcements. This relates to the launch of a new high-speed internet map which will identify location and details of provincially funded high-speed internet projects and existing high-speed internet service availability.

Today's news release ([English/French](#)) announces the [Ontario High-Speed Internet Access Map](#), which will make it easier for people to learn more about provincially funded high-speed internet projects in their communities. The map will provide users with the ability to search by address, community or municipality and view project details, including construction status, provincial and federal contribution, technology to be used, and who the internet service providers are. The map shows the location of pending projects, active projects and completed projects.

This map also shows where high-speed internet service is currently available in communities across Ontario. This includes the minimum service standard of 50 Megabits per second (Mbps) download and 10 Mbps upload speeds, or 50/10 as set by the Canadian Radio-television and Telecommunications Commission (CRTC).

I encourage you to explore the map and its functions. The data used in the map is also available for download and viewing ([English/French](#)).

The high-speed internet map will be updated by the Ministry of Infrastructure when new information becomes available, including modifying project details and adding new government funded projects. Additional provincially funded high-speed internet projects will also be added to the map as project agreements are finalized.

Ontario has made significant progress on filling service gaps using a suite of initiatives. We are looking at all options on how best to bring faster service to all communities by the end of 2025.

Please contact [broadband@ontario.ca](mailto:broadband@ontario.ca) if you have any questions about the new Ontario High Speed Internet Access Map.

Sincerely,

Jill

---

Jill Vienneau  
Assistant Deputy Minister  
Broadband Strategy Division  
Ministry of Infrastructure


**REGIONAL MUNICIPALITY OF WATERLOO**

OFFICE OF THE REGIONAL CLERK

 150 Frederick Street, 2nd Floor  
 Kitchener ON N2G 4J3 Canada  
 Telephone: 519-575-4420  
 TTY: 519-575-4608  
 Fax: 519-575-4481  
[www.regionofwaterloo.ca](http://www.regionofwaterloo.ca)

April 24, 2023

 Area Members of Provincial Parliament  
 Sent via email

Dear Area Members of Provincial Parliament:

**Re: Councillor J. Erb Notice of Motion**

Please be advised that the Council of the Regional Municipality of Waterloo at their regular meeting held on April 19, 2023, approved the following motion:

**WHEREAS the Municipal Elections Act requires all individuals wishing to be a candidate in a municipal or school board election to file Nomination Paper - Form 1 with the municipal clerk;**

**AND WHEREAS the Municipal Elections Act requires all candidates who sought election to a municipal council or school board to file Financial Statement – Auditor’s Report Candidate – Form 4 with the municipal clerk;**

**AND WHEREAS Form 1 requires candidates to provide their qualifying address;**

**AND WHEREAS Form 4 requires candidates to list the name and home address of any donor contributing over \$100.00**

**AND WHEREAS the Municipal Elections Act specifies that these documents are not protected by the Municipal Freedom of Information and Protection of Privacy Act, and requires the municipal clerk to make Form 4 available on a website;**

**AND WHEREAS there has been concern expressed about those who hold public office and those who support them that they have been the subject of unnecessary attention and excessive scrutiny;**

**AND WHEREAS the requirement to publish the personal home address of donors to specific candidates may discourage individuals from**

**engaging in the democratic process to elect municipal and school board politicians.**

**THEREFORE, BE RESOVLED THAT the Regional Municipality of Waterloo calls on the Minister of Municipal Affairs and Housing for the Province of Ontario to protect the privacy of candidates and donors by removing the requirement for their street name, number and postal code to be listed on publicly available forms.**

**AND FURTHER THAT for verification purposes, the addresses of all candidates and all donors over \$100 be submitted to the municipal clerk on separate forms that are protected by the Municipal Freedom of Information and Protection of Privacy Act and will not be published.**

**AND FINALLY, that this resolution be forwarded to the Area Members of Provincial Parliament, the Association of Municipalities of Ontario, the Association of Municipal Clerks and Treasurers of Ontario, the Ontario Public School Boards' Association, the Ontario Catholic School Trustees' Association, and all Ontario municipalities.**

Please accept this letter for information purposes only. If you have any questions or require additional information, please contact Rebekah Harris, Research/Administrative Assistant to Council, at [RHarris@regionofwaterloo.ca](mailto:RHarris@regionofwaterloo.ca) or 519-575-4581.

Regards,



William Short

Regional Clerk/Director, Council and Administrative Services

WS/hk

cc: Association of Municipalities of Ontario  
 Association of Municipal Clerks and Treasurers of Ontario  
 Ontario Public School Boards' Association  
 Ontario Catholic School Trustees' Association  
 Ontario municipalities



**The Corporation of The Township of The Archipelago  
Council Meeting**

**Agenda Number:** 15.1.  
**Resolution Number** 23-058  
**Title:** Road Management Action on Invasive Phragmites  
**Date:** Friday, April 21, 2023

---

**Moved by:** Councillor Barton  
**Seconded by:** Councillor Lundy

**WHEREAS** *Phragmites australis* (*Phragmites*) is an invasive perennial grass that continues to cause severe damage to wetlands and beaches in areas around the Great Lakes including Georgian Bay; and

**WHEREAS** *Phragmites australis* grows and spreads rapidly, allowing the plant to invade new areas and grow into large monoculture stands in a short amount of time, and is an allelopathic plant that secretes toxins from its roots into the soil which impede the growth of neighboring plant species; and

**WHEREAS** *Phragmites australis* results in loss of biodiversity and species richness, loss of habitat, changes in hydrology due to its high metabolic rate, changes in nutrient cycling as it is slow to decompose, an increased fire hazard due to the combustibility of its dead stalks, and can have an adverse impact on agriculture, particularly in drainage ditches; and

**WHEREAS** invasive *Phragmites* has been identified as Canada's worst invasive plant species by Agriculture and Agrifood Canada; and

**WHEREAS** the Ontario government has made it illegal to import, deposit, release, breed/grow, buy, sell, lease or trade invasive *Phragmites* under the Invasive Species Act; and

**WHEREAS** *Phragmites* occupy over 4,800 hectares of land around Lake St. Clair alone, while 212 hectares of *Phragmites* occupy land along the St. Lawrence River. The Georgian Bay Area is particularly affected by *Phragmites australis*, with more than 700 stands along the shorelines and multiple visible stands on the highways and roads that threaten valuable infrastructure and wetland areas; and



**WHEREAS** volunteers, non-governmental organizations, and various municipalities have invested tens of thousands of dollars in investments and labour annually for more than eight years in executing managements plans to control invasive *Phragmites* on roads, coasts, shorelines and in wetlands; and

**WHEREAS** roads and highways where *Phragmites* that are left untreated become spread vectors that continually risk new and treated wetlands and coastal shoreline areas; and

**WHEREAS** according to “Smart Practices for the Control of Invasive *Phragmites* along Ontario’s Roads” by the Ontario *Phragmites* Working Group, best road management practices for *Phragmites australis* include early detection, herbicide application, and cutting; and

**WHEREAS** these best management practices are most effective when used in a multi-pronged approach as opposed to when used as stand-alone control measures; and

**WHEREAS** Mother Nature does not recognize political boundaries. Therefore, it is imperative that Municipalities, Districts, the Province, and the Federal government work together in collaboration to eradicate Canada’s worst invasive plant species *Phragmites australis*.

**NOW THEREFORE, BE IT RESOLVED** that Council for the Township of The Archipelago directs its staff to implement best management practices to promote early detection of invasive *Phragmites*, and to implement best management practices for invasive *Phragmites*, and to join the Ontario *Phragmites* Working Group to collaborate on the eradication of *Phragmites* in Ontario.

**BE IT FURTHER RESOLVED** that Council for the Township of The Archipelago directs staff to insert clean equipment protocols into tenders and that there is oversight that the protocols are followed.

**BE IT FURTHER RESOLVED** that Council for the Township of The Archipelago requests the Ontario Ministry of Transportation to map and treat invasive *Phragmites* annually on all its highways.

**BE IT FURTHER RESOLVED** that the Ontario Ministry of Transportation (MTO) communicates the strategy on mapping (detecting sites) and controlling invasive *Phragmites* on provincial highways, the specific highway management plans and results by each MTO region and each highway in the region and work in coordination with Township of The Archipelago.

**BE IT FURTHER RESOLVED** that Council for the Township of The Archipelago directs its staff to send this resolution to all municipalities that are part of the Georgian Bay watershed, to the Minister of Transportation, Christopher Balasa the Manager, Maintenance Management, and MPP (the Municipality’s local MPP).

**BE IT FINALLY RESOLVED** that Council for the Township of The Archipelago requests all levels of government to consider funding support to aid the Township of The Archipelago in managing invasive *Phragmites*; and directs staff to send a copy of this resolution to the Ontario Minister of Environment, Conservation and Parks and the Minister of Environment and Climate Change Canada.



Hon. David Piccini, MPP  
 Minister of the Environment  
 Conservation and Parks  
 Ministry of the Environment,  
 Conservation and Parks 5<sup>th</sup> Floor  
 777 Bay St.  
 Toronto, ON, M5B 2H7  
 VIA EMAIL:  
[david.piccini@pc.ola.org](mailto:david.piccini@pc.ola.org)

Township of Puslinch  
 7404 Wellington Road 34  
 Puslinch, ON N0B 2J0  
[www.puslinch.ca](http://www.puslinch.ca)

April 26, 2023

RE: 11.1 Mayor's Updates - 11.1.1 Mayor Seeley gave an update on the upcoming spring clean-up day being the second weekend of May.

Please be advised that Township of Puslinch Council, at its meeting held on April 12, 2023 considered the aforementioned topic and subsequent to discussion, the following was resolved:

**Resolution No. 2023-127:** Moved by Councillor Bailey and  
 Seconded by Councillor Sepulis

**That Council receive the Mayors and Council member updates for information; and**

**That Council direct staff to send notice to the MECP requesting that the litter on the roadside of the 401 be cleaned up in accordance with the Ministry initiative "Act on Litter Ontario"; and**

**That this resolution be circulated to all municipalities in Ontario.**

**CARRIED**

As per the above resolution, please accept a copy of this correspondence for your information and consideration.

Sincerely,

Courtenay Hoytfox  
 Municipal Clerk

CC: All Ontario Municipalities



4218 Oil Heritage Road  
 Petrolia, Ontario, N0N 1R0  
 Phone: (519) 882-0032 Fax: (519) 882-2233  
 www.dobbineng.com

May 3, 2023

The Mayor and Council  
 Municipality of Brooke-Alvinston  
 3236 River Street  
 Alvinston, ON  
 N0N 1A0

**Re: Wilcox Drain**

Four (4) sealed tenders for the Wilcox Drain were received and opened on May 3, 2023 at the Municipality of Brooke-Alvinston Municipal Office.

Following the tender opening, the schedule of tender prices from each bid was reviewed by David Moores, Drainage Superintendent to ensure correct unit price extensions and total tender prices. Following are the confirmed, corrected, tender prices submitted (including HST):

- |                    |             |
|--------------------|-------------|
| • JLH Excavating   | \$16,791.80 |
| • GM Construction  | \$18,116.16 |
| • Bruce Poland     | \$20,990.88 |
| • VanBree Drainage | \$23,015.39 |

Based on this review, the bid from JLH Excavating in the amount of \$16,791.80 (including HST) for the drainage work is the lowest price tendered and meets all of the requirements stipulated in tender documents. This tender price is 8% lower than the Drainage Superintendent's estimate of \$18,300.00 (including HST).

We trust this meets your requirements at this time; however, should you have any questions regarding this information, please feel free to call.

Regards,

David Moores  
 Drainage Superintendent  
 R. Dobbin Engineering Inc.



## Council Staff Report

**To:** Mayor Ferguson and Members of Council  
**Subject:** Committee of Council  
**Meeting:** Council - 11 May 2023  
**Department:** Clerks  
**Staff Contact:** Janet Denkers, Clerk Administrator

### Recommendation:

**That Council approve of the Committee membership as outlined with additions as needed and approved by the Clerk Administrator up to the dates of the events.**

### Background:

The Inwood 150th Committee will be celebrating Inwood June 24th - 25. The Canada Day Committee will be celebrating Canada Day in Brooke-Alvinston June 30-July 2nd.

### Comments:

Acting under the direction of Council, the Committees would be covered under municipal insurance.

### Financial Considerations:

There are no costs associated with this report

### ATTACHMENTS:

[Inwood 150th Volunteers](#)

[2023 Canada Day Volunteers](#)



## INWOOD 150<sup>th</sup> CELEBRATION COMMITTEE

PO Box 10, Inwood, ON NON 1K0

Chairperson – Donna Oriet  
519-844-2433  
[orietdonna@hotmail.com](mailto:orietdonna@hotmail.com)

Secretary – Marie McNally  
226-402-0220  
[mariemcnally57@hotmail.com](mailto:mariemcnally57@hotmail.com)

Treasurer – Donna Watson  
519-384-8601  
[bdwatson@hotmail.ca](mailto:bdwatson@hotmail.ca)

Co-Chairpersons  
Ina Mae McVicar  
519-872-8113  
[inamcvicar@hotmail.com](mailto:inamcvicar@hotmail.com)

Wayne Deans  
519-844-2198  
[wjdeans@hotmail.com](mailto:wjdeans@hotmail.com)

Anthony Clark  
[tony158658@hotmail.com](mailto:tony158658@hotmail.com)

### **VOLUNTEERS (as of Apr 24, 2023)**

Alderman, Betty  
Bahro, Rob  
Bellan, Lloyd  
Bellan, Pat  
Carr, Erica  
Clark, Anthony  
Cook, Karen  
Dean, Wayne  
Douglas, John  
Edgar, Shari  
Harper-Lucier, Melissa  
Harper, Henry  
Johnson, Bethany  
Johnson, Jeff  
Lee, David  
Lochner, Mark  
McCabe, Don

McCormick, Ryker  
McNally, Ben  
McNally, Bill  
McNally, Brenda  
McNally, Dawn  
McNally, Ken  
McNally, Marie  
McVicar, Ina Mae  
Oriet, Cheryl  
Oriet, Donna  
Oriet, Fred  
Patterson, Mike  
Podolinsky, Linda  
Swan, Nancy  
Swartz, Ida  
Wade, Landon  
Watson, Donna

2023 Canada Day Volunteers

Jeannette Douglas

Wes Douglas

Brad Goss

Don McGugan

Anne McGugan

Ruth McCallum

Terry MacDonald

Janice Phillips

Jim Annett

Kathryn Smith

Jeff McLachlin

Glen App

Andy Triest



## Council Staff Report

**To:** Mayor Ferguson and Members of Council  
**Subject:** Alley - off Broadway Street  
**Meeting:** Council - 11 May 2023  
**Department:** Clerks  
**Staff Contact:** Janet Denkers, Clerk Administrator

### Recommendation:

**That the Council of the Municipality of Brooke-Alvinston deny the request to stop up and close the alley off of Broadway Street and directs staff to pursue property standards in the area to maintain the area of clutter.**

### Background:

A request was received from a resident to purchase the alley that abuts their property on Broadway Street. As directed by Council, letters were sent to adjacent property owners to determine interest in the property in accordance with the sale of land by-law.

### Comments:

Three letters were sent out to the affected property owners with all three being returned. All three property owners have indicated that they would like the land to stay status quo and that the lands not be sold. One owner submitted reasons which are attached and justified for access.

In consideration of the letter submitted, it was noted that property owners have placed materials on the alley. As this is a municipal alley, letters can be sent to the owners to remove the materials and have a deadline to coincide with large item week.

### Financial Considerations:

There are no costs associated with this report.

### ATTACHMENTS:

[Letter Re: alley](#)



8073 Francis St  
Alvinston Ontario.

April 24 2023

To the attention of Brooke Alvinston municipality, and Mrs. Janet Denkers,

It has been brought to my attention that the alley dividing properties across multiple landowners of Francis Street and one property on Broadway St is in discussion for closure and land sale.

I am Petitioning against this change.

As a result of this discussion, I am concerned and object to this land sale due to the reason I purchased the property with the knowledge of the alleyway access to access the rear of my property.

I have used and plan to use the alleyway for access to my rear yard due to the proximity of housing. This limits me to only use the alleyway. I have used this access since the date of purchase of my property.

This is the only access to the rear of my property!

Most of the properties of Francis St have undergone and are currently undergoing maintenance of property improvements for property standards. The improvements cost has been extensive, and I would like to dedicate further funds towards home improvements and property improvements over land purchase that will inevitably discourage potential use of my backyard.

Home Improvements and property improvement over land purchase will inevitably discourage potential use of my property. Over the years previous ownership of these properties has been the same without any change. However, in the past couple of years it has changed a great deal. Positive changes have been made to the properties in question with the use of the current alleyway access. This alleyway has and will now continue to serve its purpose.

In conclusion the alleyway is serving its intended purpose. This alley closure or sale of land is strongly discouraged against the land use change and status quo.

Sincerely,

Melissa Tait





## Council Staff Report

**To:** Mayor Ferguson and Members of Council  
**Subject:** Proposed Development on Church street  
**Meeting:** Council - 11 May 2023  
**Department:** Clerks  
**Staff Contact:** Janet Denkers, Clerk Administrator

### Recommendation:

**That Council enter into a site plan agreement with the owner of 3123 Church Street to allow access to the alley**

### Background:

A new proposed dwelling and accessory building are being proposed for 3213 Church Street. The 1000 square foot house is designed to front Church St with the garage to have access off of the alley. The owner, when purchasing the lot, assumed that the accessory building (garage) could have access off of the alley as three other properties currently do and there appears to be a previous accessory building foundation that is believed to have once had access off of the alley. To have an entry off of Church St. would require relocation of some services.

In applying for a building permit, the proponent was advised that access to a property through a municipal right-of-way is not permitted. Planning approvals and building permits cannot be issued if any access to the property is proposed from a municipal right-of-way.

A dwelling must front onto a public road and access to said property is only permitted through the public road. The following excerpt is directly from the Brooke-Alvinston Official Plan:

*Policy 6.4.3 - Every lot within a plan of subdivision must have frontage on a public road, open and maintained year round, and of an acceptable standard of construction. The municipal right of way is private property (owned by the municipality) and not maintained the same as a publically open street.*

Section 3.23 of Brooke-Alvinston's Zoning By-law on Access states that *All Uses, Buildings or Structures shall have frontage on and access to a street.*

Access and frontage are only permitted on a public road and the municipal right-of-way does not qualify as a public road. Currently, a building permit cannot be issued for the construction of a garage with access and frontage onto the right-of-way.

### Comments:

The owner could apply for an OPA and ZBLA for Council to consider, but in addition to being costly and time-consuming, Planning's recommendation would still be denial as the policies, regulations and best practices do not support a viable enough option for this specific proposal. However, notwithstanding Planning's position, ultimately the authority to make a decision on these applications and approve exceptions rests solely with Council.

The owner is not in favour of a re-design as the plans drafted were for the proposed set up and they do not want to incur additional costs; In addition to a redesign option, there are other obstacles considered including utilities and removal of trees if the accessory building was relocated with access off of Church Street.

It will be Council's decision on whether they want 'no new' access/frontage onto the municipal right-of-way, effective immediately, or to allow the 'new access' and enter into an agreement with the property owner, to be registered on title. The Agreement should indemnify the Municipality of all risk/costs/damages associated with the daily use of the right-of-way in a manner similar to a public road, but hold accountable the property owner of all risks/costs/damages associated therein.

An agreement would also need to address that the access is indeed an alley and as such, maintenance of the alley is secondary to the main roads and streets in the municipality.

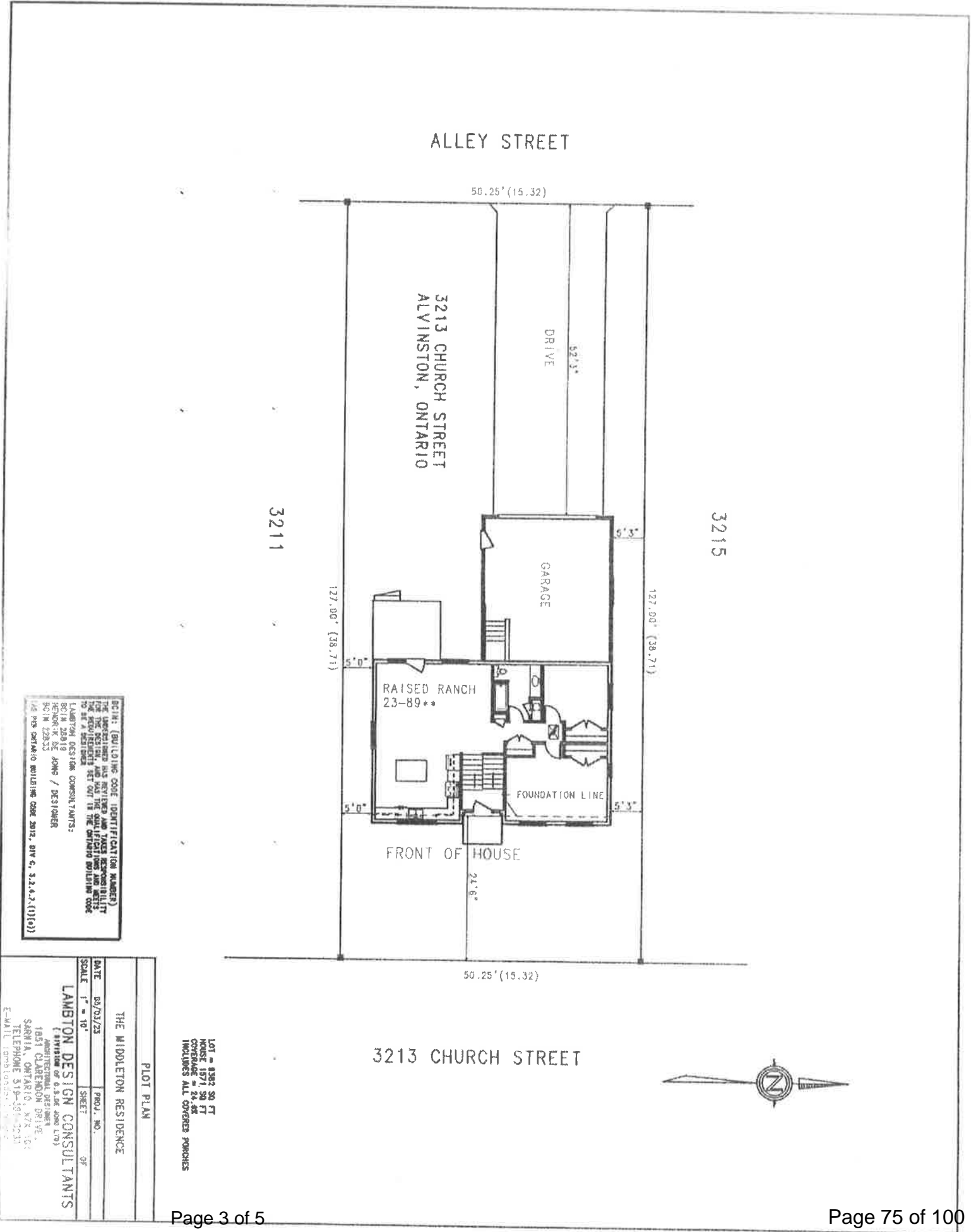
#### **Financial Considerations:**

Registration of a proposed agreement on title would be the costs associated and should be the owners responsibility.

#### **ATTACHMENTS:**

[Layout of dwelling and garage](#)

[Driveway Access License Agreement](#)



BCIN: (BUILDING CODE IDENTIFICATION NUMBER)  
 THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY  
 FOR THE DESIGN, AND HAS THE QUALIFICATIONS AND METS  
 TO BE A REGISTERED PROFESSIONAL ENGINEER IN THE PROVINCE  
 OF ONTARIO.  
 LAMBTON DESIGN CONSULTANTS:  
 BCIN 28019  
 MEMBER OF THE ORDER OF ENGINEERS  
 DESIGNER / DESIGNER  
 145 PPS ONTARIO BUILDING CODE 2012, DIV 6, 3.2.4.2.(1)(a))



## Driveway Access License Agreement

This Agreement (the Agreement) dated \_\_\_\_\_ of May, 2023

BETWEEN

The Corporation of the Municipality of Brooke-Alvinston  
(the Municipality)

-and-

Cale Middleton  
(the Licensee)

WHEREAS the Licensee is the registered owner of the lands and premises legally described as 3815 140 001 14701 Plan 3 Lot 7 (the Licensee's Property)

WHEREAS the Licensee's Property is located between Church Street and the alley alongside Church Street in Alvinston

WHEREAS the Licensee's preferred location for driveway access to the Licensee's Property is as illustrated in the sketch attached hereto as Schedule A

NOW THEREFORE in consideration of the mutual covenants, terms and conditions hereinafter, that this agreement be registered on title to the land at the expense of the property owner:

- 1) The Licensee acknowledges and agrees that acceptance of this Agreement and continued compliance with its terms is an ongoing condition of the Municipality's approval of the driveway location
- 2) The Licensee acknowledges and accepts that the Municipality does not provide seasonal maintenance in the form of snow plowing, salt/sand application, snow removal or de-icing routinely, grading, dust suppressant and in accordance with MMS standards on the alley regularly
- 3) The Municipality shall have the right, in its sole and unfettered discretion, at any time during the Term to require the Licensee to permanently terminate this agreement for the permitted purpose upon giving sixty (60) days written notice to the Licensee

- 4) The Municipality shall have the right in its sole and unfettered discretion at any time during the term to require the licensee to decommission and remove the driveway from the driveway location and to construct a new driveway in an alternate location and approved pursuant to the by-law. Such relocation will be at the sole expense and risk of the Licensee
- 5) The Licensee acknowledges that the Municipality may from time to time temporarily obstruct the Authorized Area to facilitate maintenance, repair construction or development and such obstruction or interference shall not give the Licensee a claim for damages or other relief against the Municipality or such other parties arising out of any interruption of the use of the authorized area. The Municipality will endeavour to give the Licensee reasonable advance notice of any temporary obstruction whenever reasonably practical.
- 6) The Licensee acknowledges that there may be services installed upon across, along and under the authorized area or that it might be necessary in the future to install any such services as required for municipal purposes including gates, locks, fences and or other access controls, other governmental purposes or purposes of public or private utilities. The Licensee agrees that its rights pursuant to this agreement shall be subject to and subordinate to such services and to the rights of any municipally government or public or private utility to construct, install, maintain inspect repair replace relocate and otherwise deal with such services. The Licensee shall have no claim for damages or other relief and hereby waives and relinquishes any such claims or relief against the Municipality
- 7) The Licensee shall not use the alley for any means other than egress into or out of the driveway



## Council Staff Report

**To:** Mayor Ferguson and Council  
**Subject:** Radio Dispatch Changes  
**Meeting:** Council - 11 May 2023  
**Department:** Fire Department  
**Staff Contact:** Steve Knight, Fire Chief

### Recommendation:

**Additional information - radio dispatch changes - receive and file**

### Background:

The Lambton County fire Departments along with two local First Nation Fire Departments receive the services from Wallaceburg Central Ambulance Communications Centre (CACC), a satellite of Sunnybrooke Hospital. There are numerous issues with the current dispatching system, including the lack of recording and monitoring of communications and the limitations with the current agreement with CACC.

The Municipality of Lambton Shores Fire Department and the Township of St. Clair Fire Department have been investigating improvements and alternatives to the current service agreement with CACC including the limitations at CACC compared to SPS. Lambton Shores and St. Clair Fire had researched the move for their departments prior to the meeting and the recommendation from their research is to move dispatching services to the Sarnia Police Services (SPS) Dispatch Centre.

The requirement to the new N911 standards in the very near future need to be implemented. SPS is compliant with the new standards.

### Comments:

The Lambton Country Fire Chiefs met April 13th to discuss moving dispatch services to Sarnia Police Services to hear a presentation with a draft Memorandum of Understanding (MOU) developed by Sarnia Police Services Communications and the Municipality of Lambton Shores and St. Clair Township.

The basic information about the change to Sarnia Police Services includes:

- Complete monitoring by dispatch during the total length of the call. Present arrangements with Wallaceburg dispatch is for basic dispatch only and the department is then assigned a tactical (TAC) channel that is not monitored by dispatch. In the past Wallaceburg CACC has provided assistance in contacting outside agencies ie Enbridge Gas, Hydro One, Police, etc. Effective May 1, 2023 CACC will no longer be providing those additional services as they are outside of the present contract.
- The new agreement with Sarnia Police Services will provide complete dispatch services including benchmarking recording, monitoring, etc. CACC presently provides receiving call-taking, call alerting and partial dispatching services.

- The dispatch services proposed by the agreement with Sarnia Police Service will provide complete dispatch services as currently provided to Sarnia Fire and Point Edward Fire.
- Sarnia Police is process of meeting the new N911 requirements by the deadline.
- Upgrades to the current radio system is to include two additional operational channels, this is in addition to the current two operational channels now used by Lambton County Fire Departments. The capital Cost of the upgrades is quoted to be \$202,510. The Municipality of Brooke-Alvinston has a 4.5% share responsibility with the share estimated \$9,113 based on the previous arrangement of radio system upgrades. Bu
- A draft Fire Dispatch Services MOU has been developed between the Sarnia Police Service and the participating Lambton County Fire Department. All services provided will be provided at the same level with no special arrangement from individual departments.
- The annual operating cost in 2023 is \$4.00 per capita for the entire dispatch area in the municipality. The cost proposal is in line with fees for this level of service in a number of dispatch centres in the province of Ontario.
- The proposal is to transfer the radio dispatch for Lambton Shores and St. Clair Fire Departments in May 2023 and the remaining departments in September 2023.

#### **Financial Considerations:**

- Capital Cost of Radio Upgrades to current radio system by adding two additional channels and to upgrade of the Sarnia Dispatch sites is \$ 202,510.00 with the Municipality of Brooke-Alvinston responsible for a 4.5% share or \$9113.
- Required upgrade to the BFR individual radio programming by Bearcom is \$ 400.00
- Annual Operating cost of the Dispatch Services based on population of 2400 X \$4.00 per capita is \$ 9600.00 annually.
- Additional costing for provision of GIS mapping yet to be determined

#### **Relationship to Strategic Plan:**

In line with Strategic Initiatives

#### **ATTACHMENTS:**

[Adherence to Fire Service Agreement dispatch update](#)  
[SPS MOU radio dispatch 2023](#)

April 11, 2023

Mr. Brad Goodhill  
Provincial Fire Coordinator – Lambton County  
7074 Egremont Road  
Watford, ON  
N0M 2S0

Re: Fire Services Agreement, Lambton County and Wallaceburg CACC

Dear Mr. Goodhill,

As discussed in our meeting on March 15, 2023, we have reviewed the Fire Services Agreement that is currently in place and have found that services outlined in Schedule A, B and C of the agreement are not being adhered to by all parties.


Effective May 1, 2023, Wallaceburg CACC will be thoroughly following the Fire Services Agreement to what is outlined in the services we are to provide to each fire department. Therefore, we will no longer be providing the following services:

- Secondary alerting (i.e. Who's Responding)
- Multi Station Response Notification (this does not include Automatic/Mutual Aid Agreements between fire departments)
- Notification/Alerting of non-emergency allied agencies

We will continue to provide call-taking, call alerting and partial dispatching services as set out in Schedule A and C. It is expected that the ongoing dispatch function is assumed by the fire department as quickly as possible after alerted of a call by Wallaceburg CACC, as stated in Schedule B.

We would be happy to discuss amending the Fire Services Agreement to include additional services; however, we cannot commit to more than what is written in the current agreement without making amendments and receiving approval.

Regards,



Kelly Young  
CACC Manager



Dispatch update. Important notice!



Brad Goodhill <warwickfire@warwicktownship.ca>

To: Bryan VanGaver; Chris Freer; Claudio Paleschi; Darryl Thompson; David McLean; Doug MacKenzie; fire.chief@dawneuphemia.on.ca; Steve Knight; Jay Ams; +14 others  
Cc: Len Cloud; Charles Wright



Wed 4/26/2023 9:08 PM



Chiefs

I have attempted to have CACC reverse their plans to cease assisting us with many of the dispatch services we have grown accustomed to but have had little to no luck.

You need to make all members of your department members aware of the changes that are coming on Monday, May 1<sup>st</sup>.

- CACC will no longer be sending out "Who's responding messages" to your department when a call is received. If you wish to continue using the who's responding app, someone in your department will need to send out the message. The person who is the administrator of the app for your department will be able to do this. You may also be able to add more administrators to your list. Check the main menu of your app by touching the 3 lines in the top right corner. When open, if you see "send dispatch alerts", 9 rows down, then you will be able to send the alerts out. If you have problems, contact Who's responding service at 1 855 358 3684.
- CACC will no longer be contacting outside agencies for you, such as Hydro One, Bluewater Power, Enbridge, etc. It will be your responsibility to supply a radio person in your station or have incident commanders have these numbers available to them to call themselves.
- CACC will no longer do multiple station response. If you wish to request a second station to assist you on a call, you will be required to call CACC on the radio, OPS 1, and request the second station you wish to respond to the scene. CACC will then dispatch that station. This may require someone to always carry a portable radio with them to request that second station immediately if that is what you wish.

This is very unfortunate that this has happened, unfortunately we will have to find work arounds. CACC has been doing these services for many years, which was never in their contract to do. Limited staffing and increased EMS call volumes has forced CACC to make these changes. Lambton Shores and St Clair Twp will be switching to Sarnia PD dispatch on June 7<sup>th</sup>. If all goes smooth, possibly the rest of the county will be able to switch over earlier than the estimated early September timeline.

Chief Wright and Chief Cloud, I have never known what your agreement with CACC contains so I am unaware at this point if any of the changes above will affect your departments or not.

Please feel free to give me a call if any of you have any questions and I will do my best to explain it further to you.

Again, I request you notify all your fire department members of these changes coming into effect on Monday.

Thanks

Brad

**BRAD GOODHILL**

Fire Chief - Warwick Station

Warwick Township Fire Department

[warwickfire@warwicktownship.ca](mailto:warwickfire@warwicktownship.ca)

Provincial Fire Coordinator - Lambton

519.490.4256



## SARNIA POLICE SERVICE

Derek W. Davis, Chief of Police

555 CHRISTINA STREET NORTH, SARNIA ONTARIO N7T 7X6  
 TEL: 519-344-8861 FAX: 519-344-6001

### FIRE DISPATCH SERVICES AGREEMENT

Effective the 1<sup>st</sup> day of June 2023

#### BETWEEN:

#### THE SARNIA POLICE SERVICES BOARD

("Sarnia")

- and -

---

(the "Municipality")

#### WHEREAS:

- A. Sarnia and the Municipality desire to enter into a Fire Dispatch Services Agreement (the "**Agreement**") for Sarnia to provide fire dispatch and information and communication technology services to the Municipality; and
- B. Section 20(1) of the *Municipal Act*, 2001, S.O. 2001, c. 25, authorizes a municipality to enter into an agreement with one or more municipalities to jointly provide, for their joint benefit, any matter which all of them have the power to provide within their own boundaries.

**NOW THEREFORE** in consideration of the mutual terms and covenants herein contained, the parties covenant and agree as follows:

#### 1. SARNIA'S RESPONSIBILITIES

Sarnia shall be responsible for the following:

- A. Providing emergency fire dispatch services ("**Dispatching**" or "**Dispatching Services**") to the Municipality in accordance with Ontario regulations under the *Fire Protection and Prevention Act*, S.O 1997 c. 4. Dispatching Services shall include the following:
  - i. Responding to 911 telephone calls and non-911 telephone calls with respect to the area for which Dispatching Services shall apply, as approved by Sarnia based on the GIS information to be provided by the Municipality ("**Dispatch Area**");

- ii. Alerting the members of the Municipality's Fire Department of an emergency;
- iii. Communicating with the Municipality's Fire Department under both emergency and non-emergency conditions;
- iv. Communicating with the Municipality's Fire Department regarding the potential need for mutual aid and monitoring the level of an ongoing emergency activity;
- v. Communicating with other agencies during an emergency upon the request of the Municipality Fire Department incident commander;
- vi. Providing information, data and other resources during emergencies and on a day to day basis;
- vii. Maintaining and reporting on all dispatch calls in accordance with Ontario regulations;
- viii. Ensuring back up of the computer dispatching data. Sarnia shall, on the written request of the Municipality, provide the Municipality with the data in electronic format, once annually;
- ix. At any time, the Municipality may request a copy of their data. Sarnia shall provide same, within a reasonable amount of time, at the fees set out in Schedule B. The data will be provided in the requested format of the Municipality; and
- x. Voice recordings of all telephone and radio transmissions can be provided to the Municipality at the request of the Fire Chief or Deputy Fire Chief. These recordings will be provided in digital format on an external device to be retrieved by the Lambton County (the "**County**").

B. Providing to the Municipality information technology support as set out in Schedule A.

## 2. CAD MAPPING

The Municipality:

- A. Is responsible for and shall provide Sarnia, on a continuous basis, all necessary information for the operation of the dispatch system, including but not limited to maps and GIS data required for Sarnia's approval of the Dispatch Area, single line road network data, hydrant locations, water main information, assessment data, any and all other pertinent data. Updates to the mapping and data shall be provided by the Municipality to Sarnia, when requested by Sarnia;
- B. Acknowledges and agrees that the County shall provide Sarnia with mapping information and a limited license to modify the data for the purpose of creating an integrated and seamless map ("**CAD Mapping**") across different regions including the area described as the Dispatch Area. The CAD Mapping is used to facilitate the Dispatching Services and management of fire calls by Sarnia on behalf of the Municipality;
- C. Shall provide mapping to Sarnia in a shp or prescribed format compliant with the standards requested by Sarnia;
- D. Shall provide the applicable parts of the County with updates to the maps for the Dispatch Area in a timely manner;
- E. Shall immediately notify both the County and Sarnia of any mapping inaccuracies it discovers;
- F. Shall immediately notify both the County and Sarnia of any changes to the names of existing roads; and

- G. Agrees that it will at all times indemnify and save harmless Sarnia, its members, directors, employees, officers, representatives, agents and assigns, including the members of the Sarnia Police Service from any and all claims, actions suits or demands for damages or otherwise arising from any errors, modifications or inaccuracies in the CAD Mapping, or from any misuse, misinterpretation or misapplication thereof, whether or not due to the negligence of Sarnia, its members, directors, employees, officers, representatives, agents or assigns.

Sarnia:

- H. Shall immediately notify the Municipality of any errors or inaccuracies discovered by Sarnia in the Municipality mapping. The Municipality shall be responsible to provide both the County and Sarnia with an updated and corrected map(s) in a timely fashion; and
- I. Makes no representations, covenants or warranties with respect to the mapping information or the CAD Mapping. Sarnia specifically does not warrant that the mapping information or the CAD Mapping is free of any inaccuracies or errors. Sarnia relies entirely on the Municipality for the accuracy and completeness of the data provided.

### **3. DISPATCH AND COMMUNICATIONS BACKUP**

- A. Sarnia shall provide an operational back-up communications centre in the event that the primary communications centre is not operational.
- B. The Municipality shall provide Sarnia with a list of contacts who Sarnia shall be authorized to contact in the event communication has to resort to cellular usage.
- C. The Municipality agrees that it will assume control of its own dispatch centre on a temporary basis if and when required and for such period of time as may be required by Sarnia as a result of both the primary and secondary dispatch centres of the Sarnia Police Service being unavailable.
- D. The Municipality also agrees to provide Sarnia with a portable radio and associated charger to be used by Sarnia, in the event Sarnia's main communication consoles fail.
- E. The Municipality will provide a list to Sarnia of list of authorized fire officials who are permitted to contact Sarnia communications to speak with the communications supervisor and make requests or participate in a debriefing of a call for service.

### **4. FEES**

The Municipality shall pay to Sarnia the fees as set out in Schedule B.

The fees will be determined by Sarnia on an annual basis and the following year's fee will be provided to the Municipality on or about October 1st of the current year. Factors that will be considered in the annual fee determination of the agreement include, but are not limited to, workload, staffing, business support, facility costs, changes to the Sarnia Police Service Collective Agreements, and other expenditures necessary to the provision of the dispatching service.

## 5. STANDARD OPERATING PROCEDURES

The Municipality agrees that it shall comply with the Standard Operating Procedures set out in Schedule C as updated and communicated by Sarnia to the Municipality from time to time.

Sarnia will have the authority to make the final decisions on the contents of the Standard Operating Procedures. The Municipalities who are entering into agreements with Sarnia will participate in working groups to establish the contents of the Standard Operating Procedures. In the event that the Municipalities cannot come to an agreement, Sarnia will decide what the Standard Operating Procedures are.

Any Municipality who enters into an agreement with Sarnia after the completion of the Standard Operating Procedures agree to abide by their contents until such time that they are amended.

## 6. TERM AND TERMINATION

This Agreement shall take effect on the date first written above and will remain in force for five (5) years, and shall automatically renew for subsequent one (1) year periods, unless otherwise terminated pursuant to this Agreement or as noted below (the "**Term**"):

- (a) the mutual agreement of the parties to terminate the Agreement;
- (b) the termination of the Agreement by either party upon ninety (90) days' prior written notice to the other party;
- (c) this Agreement is superseded or replaced by another agreement;
- (d) upon written termination notice by Sarnia to the Municipality pursuant to Section 9 of this Agreement;
- (e) upon written termination notice by a party (the "**Non-Defaulting Party**") following the Cure Period, as defined below, to the other party (the "**Defaulting Party**") in the event the Defaulting Party materially breaches a term or condition of, or is in material default in the performance of an obligation under this Agreement (and for greater certainty, a failure to pay the fees required to be paid to Sarnia when due as set out in this Agreement shall constitute a material breach under this Agreement), which material breach or material default is not remedied within fifteen (15) business days after written default notice by the Non-Defaulting Party has been delivered to the Defaulting Party (the "**Cure Period**").

## 7. EFFECT OF TERMINATION

Upon termination of this Agreement, Sarnia shall immediately cease performing the Dispatching Services. The Municipality will pay for the Dispatching Services rendered through the date of termination. If the Agreement is terminated by the Municipality, the Municipality further agrees to indemnify Sarnia for all reasonable expenses incurred by Sarnia as a direct result of the Municipality terminating this Agreement, including but not limited to expenses resulting from the termination of dispatchers. Upon termination, a final invoice shall be provided to the Municipality, covering the Dispatching Services and all fees owing to Sarnia

pursuant to this Agreement until the date of termination. The Municipality's obligation to pay and settle the final invoice shall survive any termination or expiry of this Agreement. Upon request by the Municipality, Sarnia shall reasonably cooperate with the Municipality in order to facilitate the orderly termination and/or transition of the Dispatching Services with the least amount inconvenience and disruption to the Municipality.

## **8. INDEMNIFICATION**

The parties agree that each of them undertakes no duty of care with respect to the other party, and subject to Sections 2G and 7, neither party shall be required to indemnify the other as a result of any provision of services under this Agreement. Both parties agree that they shall maintain adequate liability insurance with respect to any claims by any party for physical or personal damages or negligence, as the case may be, on behalf of the parties, and their respective members, directors, officers, employees, representatives, agents and assigns. Notwithstanding the foregoing, under no circumstances will Sarnia be liable for any amount exceeding the aggregate amount of fees received by Sarnia pursuant to this Agreement, over the three (3) month period immediately preceding the date on which such claim for indemnity is made.

## **9. AMENDMENTS AND TECHNOLOGICAL CHANGE**

This Agreement may only be amended, modified or supplemented by an agreement in writing signed by each party hereto. No waiver by any party of any of the provisions hereof shall be effective unless explicitly set forth in writing and signed by the party so waiving. Except as otherwise set forth in this Agreement, no failure to exercise, or delay in exercising, any rights, remedy, power or privilege arising from this Agreement shall operate or be construed as a waiver thereof; nor shall any single or partial exercise of any right, remedy, power or privilege hereunder preclude any other or further exercise thereof or the exercise of any other right, remedy, power or privilege. It is agreed that any amendment to or replacement of this Agreement shall be worded so as to take full force and effect on the 1st day of January for the year in which the amendment or new agreement is made.

The Municipality agrees and acknowledges that in the event that technology required to provide Dispatching Services changes significantly from what is contemplated under this Agreement, Sarnia may require an amendment to this Agreement, which amendment may include, without limiting the generality of the foregoing, an amendment to Sarnia's or the Municipality's responsibilities pursuant to this Agreement, or an amendment to the fees set out in Schedule B attached hereto. If the Municipality does not agree to execute such an amendment, Sarnia may terminate this Agreement upon one-hundred twenty (120) days written notice to the Municipality.

## **10. OTHER AGREEMENTS**

The Municipality acknowledges that Sarnia may enter into similar agreements with other municipalities. As a result of such further agreements or the increased volume of the dispatched messages arising out of this Agreement, either party may determine that additional equipment or manpower is necessary for the proper functioning of the dispatch system. If either party determines that additional equipment or manpower is necessary, both parties shall enter into negotiations to determine the necessity of such additional equipment or manpower. If, as a result of negotiations, the parties are unable to agree as to the necessity of additional equipment or manpower within ninety (90) days of commencing negotiations, this Agreement shall be terminated subject to the provisions set out in Section 6 (Termination) above.

## **11. DISPUTE RESOLUTION**

In the event of any dispute between the parties arising from this Agreement, the disputing party will deliver written notice to the non-disputing party. The parties shall exhaust every reasonable effort to settle or dispose of such dispute through private amicable discussion and negotiation. In the event that the parties are unable to amicably settle any dispute within ten (10) business days following the disputing party's delivery of notice, either party may submit the dispute to mediation. If the parties cannot resolve the dispute for any reason, including, but not limited to, the failure of either party to agree to enter into mediation or agree to any settlement proposed by the mediator, either party may then commence binding arbitration in accordance with the provisions of the *Arbitration Act, 1991* (Ontario). The seat of the arbitration and the place for the hearings, if any, will be Sarnia, Ontario, provided that the parties may unanimously agree that a hearing be held wholly or partially at any other location. The arbitration will be conducted before one (1) arbitrator appointed jointly by the parties and, if the parties are unable to agree on the selection of such an arbitrator, the arbitrator shall be designated by a Judge of the Ontario Court (General Division) upon an application by any party. Any decision of the arbitrator shall be final and binding on the parties, without the right to appeal, except as to a question of law. Responsibility for costs in connection with the arbitration shall be determined by the arbitrator in its award.

## **12. COMPLIANCE WITH LAWS AND CONFIDENTIALITY**

The parties undertake and agree that personal information in records delivered to it by the other party will be used for the limited purposes of performing their responsibilities under this Agreement. The parties further acknowledge that any personal information obtained from the other party for the Agreement will be protected under the terms of their privacy policies and applicable privacy legislation.

## **13. AGREEMENT BINDING**

This Agreement is binding upon and inures to the benefit of the parties hereto, and their respective successors and permitted assigns.

## **14. ASSIGNMENT**

Neither Party shall assign this Agreement or any part thereof without the written consent of the other party and any assignments made without such consent shall be null and void and of no effect.

## **15. SEVERABILITY**

If any covenant, provision or term of this Agreement should be at any time be held by any competent tribunal to be void or unenforceable, then the Agreement shall not fail but the covenant, provision or term shall be deemed to be severable from the remainder of this Agreement which shall remain in full force and effect.

## **16. HEADINGS**

The section headings are for purposes of convenience only and shall not be deemed to constitute a part of this Agreement or to affect the meaning or interpretation of this Agreement in any way.

## 17. FORCE MAJEURE

No party shall be liable or responsible to the other party, or be deemed to have defaulted under or breached this Agreement, for any failure or delay in performing its services, obligations or performing any term of this Agreement when and to the extent such failure or delay is caused by or results from acts beyond the impacted party's ("**Impacted Party**") control, including, without limitation, the following force majeure events ("**Force Majeure Events**"): (a) acts of God; (b) flood, fire, earthquake, tsunami, epidemics, pandemics or explosion; (c) war, invasion, hostilities, terrorist threats or acts, riot, or other civil unrest; (d) telecommunication breakdowns, power outages or shortages; and (e) other events beyond the control of the Impacted Party.

The Impacted Party shall give notice within five (5) days of the Force Majeure Event to the other party, stating the period of time the occurrence is expected to continue. The Impacted Party shall use diligent efforts to end the failure or delay and ensure the effects of such Force Majeure Event are minimized. The Impacted Party shall resume the performance of its obligations as soon as reasonably practicable after the removal of the cause. In the event that the Impacted Party's failure or delay remains uncured for a period of thirty (30) consecutive days following written notice given by it, the parties shall discuss appropriate measures to take, including the possibility of termination of this Agreement.

## 18. SURVIVAL.

The rights and obligations of the parties set forth in Sections 2G, 4, 7, 8, 11, 12 and 18 will survive any termination or expiration of this Agreement, together with any right or obligation of the parties in this Agreement, which by its express terms or nature and context, is intended to survive such termination or expiration.

## 19. NOTICE

All notices hereunder shall be in writing and shall be deemed to have been given (a) when delivered by hand (with written confirmation of receipt); (b) when received by the addressee if sent by a nationally recognized overnight courier (receipt requested), (c) on the date sent by facsimile or email of a PDF document (with confirmation of transmission) if sent during normal business hours of the recipient, and on the next business day if sent after normal business hours of the recipient; or (d) on the third day after the date mailed, by certified or registered mail, return receipt requested, postage prepaid. Such communications must be sent to the respective Parties at the addresses indicated below (or at such other address for a party as shall be specified in a notice given in accordance with this Section 19).

Sarnia Police Service  
555 Christina St N  
Sarnia, ON N7T 7X6

**Attention: Chief of Police**  
263@police.sarnia.on.ca  
Fax: 519-344-3612



To the Municipality at:

[Insert Address of Municipality Here]

## **20. ENTIRE AGREEMENT**

Except as otherwise stated herein, this Agreement constitutes the entire agreement between the parties with respect to the subject matter contained herein and supersedes any previous agreement whether written or verbal. There are no terms, conditions, undertakings or collateral agreements, express, implied or statutory, between the parties other than as expressly set out in this Agreement.

## **21. APPLICABLE LAW**

This Agreement shall be construed and enforced in accordance with the laws of Ontario and the laws of Canada applicable therein.

IN WITNESS WHEREOF the parties have executed this Agreement.

**The Sarnia Police Services Board**

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Name:  
Title:

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Name:  
Title:

We have authority to bind the Corporation

**[insert full name of Municipality]**

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Name:  
Title:

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Name:  
Title:

We have authority to bind the Corporation

## SCHEDULE A

### RECORDS MANAGEMENT SYSTEM

#### 1. Support by Sarnia

Sarnia's Information Technology Department shall provide the following services to the Municipality with respect to the records management system utilized by Sarnia for the purpose of collecting and reporting data with respect to Fire Dispatch Services (the "**Records Management System**"):

- A. Provide the Municipality with password protected logon to Records Management System, if required;
- B. Store such copies of electronic files as are provided by the Municipality and allow for access through the Records Management System. Sarnia does not accept responsibility for maintenance or safekeeping of any such electronic files;
- C. Ensure that Dispatching is capable of producing adequate notification; and
- D. Provide Sarnia Service Desk support for the above and for general usage questions from Monday to Friday between 8:00 A.M. to 5:00 P.M.

#### 2. Responsibilities of the Municipality

The Municipality shall have the following responsibilities:

- A. To provide base level of communication link capabilities in order to provide and maintain internet connection. The Municipality shall provide and properly maintain a base level of workstation, operating system and IE level to support its internal use of the Records Management system application. The Municipality shall also take responsibility for its network, all firewalls and configurations at the local level to allow the Records Management System application to work;
- B. The Municipality shall attempt to have Records Management System issues resolved internally prior to contacting Sarnia Service Desk by performing troubleshooting by qualified information technology personnel at local level;
- C. The Municipality shall be responsible to maintain the appropriate back up files for all electronic files transmitted to Sarnia;
- D. The Municipality staff shall provide timely, accurate and reasonable descriptions of its problems to Sarnia Service Desk staff in order to facilitate the support processes; and
- E. The Municipality staff shall contact Sarnia Service Desk staff by phone at 519-344-8861 ext. 5678 or SystemsBranch@police.sarnia.on.ca for all requests regardless of the priority or subsequent actions taken.

## SCHEDULE B

### FEES

#### 1. Dispatching Fees

The following fees shall be applicable for Dispatching Services provided by Sarnia:

- A. For Dispatching Services, Municipality shall pay to Sarnia, semi-annually, as invoiced by Sarnia, a per capita rate (the "**Rate**") for the entire Dispatch Area. The Rate applies to all citizens protected by the Municipality's Fire Department, or under any agreement with other municipal fire departments. The Rate payable each year of the Term of this Agreement shall be:

2023 - \$4.00

- B. If the population of the Municipality more than doubles seasonally, an additional per capita on the difference from year round to seasonal population will be added for the agreed upon [months yearly]. The Municipality shall provide Sarnia such reasonable information as Sarnia requires to confirm seasonal population changes no later than sixty (60) days prior to the end of each year of the Term or subsequent years following the termination or expiry of the Term, if applicable. The per capita rate payable for season population increases in each year of the Term of this Agreement shall be (the "**Seasonal Increase Rate**"):

2023 - \$0.72

2024 - \$0.75

2025 - \$0.78

2026 - \$0.81

2027 - \$0.84

- C. Sarnia shall review the population of the Municipality on an annual basis and shall correspondingly increase the total amount owing by the Municipality based on the Seasonal Increase Rate payable in each year. The Municipality shall provide to Sarnia such reasonable information as may be required by Sarnia in order to determine the population on an annual basis.
- D. The Municipality shall pay the greater of \$2,500 or the fee as determined by the Rate set out in item A as the base price.
- E. The Municipality shall pay the dispatching fees within thirty days of receipt of the invoice. Interest at the rate of 5.0% per month shall accrue on past due accounts.
- F. If the Agreement continues following the termination of the Term, then the Rate shall be increased by Sarnia for each subsequent year following the termination of the Term at Sarnia's sole and unfettered discretion, provided that Sarnia gives notice in writing to the Municipality no later than August 31st of each year following the termination of the Term of the increase to the Rate.

## **2. Additional Fees**

The following Additional Fees shall be applicable:

- A. The Municipality shall be responsible for all charges and costs billed to Sarnia directly from Bell Canada or other parties which are properly attributable to Municipality. Sarnia shall identify and forward to Municipality invoices with respect to same which shall be paid by the Municipality forthwith upon receipt thereof.
- B. The Municipality shall pay any labour costs incurred by Sarnia with respect to the implementation, updating and maintaining of the Municipality's information within the CAD system. This includes the initial implementation of the information upon the signing of this agreement.
- C. The Municipality shall pay any labour costs incurred by Sarnia with respect to any Sarnia employees who are subpoenaed to give evidence at any inquest, hearing, court case, etc. associated with the dispatching process set out in this Agreement.
- D. If the Municipality uses a different radio maintenance vendor from Sarnia's radio maintenance vendor, then the Municipality shall pay all invoices, charges and costs incurred by Sarnia as a result of failures in the Municipality's radio equipment.

## **3. Fees for Records Management Users**

The following fees shall be applicable for IT support:

- A. Prior to August 30<sup>th</sup> of each year, Sarnia may unilaterally increase the Support Fee increases greater than the rate of inflation according to the CPI. Sarnia shall provide notice to the Municipality of the increase. The increase shall be effective January 1<sup>st</sup> of the respective year.

## **4. Optional Fees**

The following fees are options available to the Municipality:

- A. Graphic Services for mapping used in CAD (\$0.10 per capita) - Includes the ability to use the services of GIS staff at Sarnia to ensure accuracy of information used in CAD system.

## **5. Technological Change**

- A. In the event of technological changes that require Sarnia to modify the Dispatching Services, Sarnia may amend this Schedule B in accordance with Section 9 of the Agreement to reflect any increase in the Rate for providing the Dispatching Services.

## **SCHEDULE C**

### **STANDARD OPERATING GUIDELINES AND PROCEDURES**

The Municipality shall comply with the following guidelines:

- A) Standard Operating Guideline "Emergency Radio Announcement"
- B) Standard Operating Guideline "Mayday" Communications
- C) Standard Operating Guideline "Universal Terms"
- D) Standard Operating Guideline "Universal Paging Procedures"
- E) Standard Operating Guideline "Universal Numbering System for Events"
- F) Standard Operating Guideline "Universal Call Out Procedures"
- G) How to handle neighbouring communities – Middlesex etc.

H) Provide Tiered Response Agreement with EMS

**THE CORPORATION OF THE MUNICIPALITY OF BROOKE-ALVINSTON**

**BY-LAW NUMBER xx OF 2023**

**BEING A BY-LAW TO APPOINT PART TIME FIRE CHIEF FOR THE BROOKE-ALVINSTON VOLUNTEER FIRE DEPARTMENTS**

WHEREAS pursuant to Section 6(1) of the Fire Protection and Prevention Act, 1997 S.O. 1997, c.4 as amended, a municipality shall appoint a fire chief for every fire department established for the municipality;

AND WHEREAS the Council of the Corporation of the Municipality of Brooke Alvinston deems it expedient to appoint a Fire Chief to oversee Brooke Fire Rescue.

NOW THEREFORE the Council of the Corporation of the Municipality of Brooke Alvinston enacts as follows:

- (1) That Steve Knight is hereby re-appointed as Fire Chief for Brooke Fire Rescue effective August 1, 2023;
- (2) That the Fire Chief shall carry out the duties imposed upon him and shall submit such reports and carry out such other duties as may be required by Council from time to time;
- (3) That By-law 24 of 2020 be repealed when this by-law becomes effective;
- (4) That this By-law shall be in force effective August 1, 2023 and shall remain in force until amended or repealed.

READ A FIRST AND SECOND TIME THIS 11<sup>th</sup> DAY OF MAY, 2023.

READ A THIRD TIME AND FINALLY PASSED THIS 11<sup>th</sup> DAY OF MAY, 2023

\_\_\_\_\_  
David Ferguson, Mayor

\_\_\_\_\_  
Janet Denkers, Clerk Administrator



**THE CORPORATION OF THE MUNICIPALITY OF BROOKE-ALVINSTON  
BY-LAW NUMBER **XX** of 2023**

**Being a By-law to provide for the adoption of the 2023 tax rates, including rates established for certain special areas, establish the charges on the tax bills for user fees and miscellaneous charges, establish the due dates and to further provide for penalty and interest in default of payment thereof for 2023.**

**WHEREAS** Section 312 of The Municipal Act 2001, Chapter M.25, as amended provides that the Council of a local municipality shall, after the adoption of estimates for the year, pass a by-law to levy a separate tax rate on the assessment in each property class, and;

**AND WHEREAS** Sections 307 and 308 of the said Act require tax rates to be established in the same proportion to tax ratios, and;

**AND WHEREAS** certain regulations require reductions in certain tax rates for certain classes or subclasses of property.

**AND WHEREAS** the Assessment Roll updated and adopted Current Value Assessment is as attached as "Schedule A".

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF BROOKE-ALVINSTON ENACTS AS FOLLOWS:**

**CLASSES OF TAX RATES**

That the classes of tax rates and the applicable classes are as set out in "Schedule B" for Municipal purposes, Special Area Rates for the former Villages of Alvinston and Inwood, County purposes and School Board purposes.

That the following amounts be levied for user fees, local improvements, special charges, miscellaneous charges and are to be calculated yearly, based on budget. Each charge is to be included in the Annual Budget or approved separately by a resolution/by-law of Council or be a municipal drainage charge, drainage Act Charges, Weed Control Act Charges, Dog Licensing, Cleaning of Land, Property Standards Charges and other such charges that the Treasurer deems necessary to be added for collection purposes.

**GENERAL**

1. That the final taxes for residential, farm, managed forest and pipeline assessment classes less the interim taxes shall be due and payable in two approximately equal instalments on or before office closing on August 31, 2023 and on or before office closing on October 31, 2023.
2. That the final taxes for multi residential, commercial, and industrial assessment classes less the interim taxes shall be due and payable in two approximately equal instalments on or before office closing on August 31, 2023 and on or before office closing on October 31, 2023.
3. On all taxes of the levy, which are in default on the 1<sup>st</sup> day after the due date, a penalty of 1 ¼ percent shall be added and thereafter a penalty of 1 ¼ percent per month will be added on the 1st day of each and every month the default continues, until December 31, 2023.
4. On all taxes in default on January 2<sup>nd</sup>, 2024, interest shall be added at the rate of 1 ¼ percent per month for each month or fraction thereof in, which the default

continues.

- 5. Penalties and interest added in default shall become due and payable and shall be collected as if the same had originally been imposed and formed part of such unpaid tax levy.
- 6. The Final tax levy for all classes will be a minimum of not less than \$25.00.
- 7. The Municipality is empowered to accept part payment from time to time on account of any taxes due.
- 8. The Municipality may mail or cause the same to be mailed or delivered to the residence or place of business of such person indicated on the last revised assessment roll, a written or printed notice specifying the amount of taxes payable.
- 9. That taxes are payable at the Municipality of Brooke-Alvinston Municipal Office, 3236 River Street, P.O. Box 28, Alvinston, Ontario. N0N 1A0.
- 10. This by-law shall come into force and effect, upon the date of the final reading thereof.

READ A FIRST AND SECOND TIME THIS 11<sup>th</sup> DAY OF MAY 2023.

READ A THIRD TIME AND FINALLY PASSED THIS 11<sup>th</sup> DAY OF MAY 2023.

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David Ferguson, Mayor

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Janet Denkers, Clerk Administrator

THE CORPORATION OF THE MUNICIPALITY OF BROOKE-ALVINSTON  
 BY-LAW NUMBER XX of 2023

SCHEDULE A  
 CURRENT VALUE ASSESSMENTS

<u>PROPERTY CLASS</u>	<u>RTC/RTQ</u>	MUNICIPALITY	ALVINSTON	INWOOD
		<u>ALL INCLUSIVE</u>	<u>SPECIAL AREA</u>	<u>SPECIAL AREA</u>
RESIDENTIAL	RT	172,312,456	49,304,556	8,718,500
FARMLANDS	FT	602,423,300	2,578,200	2,444,100
MANAGED FORESTS	TT	472,100	0	0
MULTI- RESIDENTIAL	MT	2,169,000	2,169,000	0
NEW MULTI RESIDENTIAL	NT	690,000	690,000	0
COMMERCIAL - OCCUPIED	CT	9,013,244	5,991,744	1,306,200
COMMERCIAL - EXCESS	CU	137,900	97,900	0
COMMERCIAL - VACANT	CX	132,200	84,800	40,100
COMMERCIAL TAXABLE - FULL, SHARED PIL	CH	32,000	0	0
COMMERCIAL - SMALL SCALE ON FARM BUSINESS	C7	16,600	16,600	0
COMMERCIAL - ON FARM BUSINESS	C0	5,100	5,100	0
INDUSTRIAL - OCCUPIED	IT	1,275,200	8,500	0
INDUSTRIAL - EXCESS	IU	22,300	22,300	0
INDUSTRIAL TAXABLE FULL, SHARED PIL	IH	14,900	14,900	0
INDUSTRIAL- SMALL SCALE ON FARM BUSINESS	I7	33,400	33,400	0
PIPELINE	PT	<u>58,155,000</u>	<u>459,000</u>	<u>0</u>
SUBTOTAL		846,904,700	61,476,000	12,508,900
EXEMPT	E	10,416,200	5,326,300	510,400
COMMERCIAL PIL - FULL	CF	<u>746,600</u>	<u>423,800</u>	<u>0</u>
TOTAL		<u>858,067,500</u>	<u>67,226,100</u>	<u>13,019,300</u>

**THE CORPORATION OF THE MUNICIPALITY OF BROOKE-ALVINSTON  
BY-LAW NUMBER XX of 2023**

**SCHEDULE B**

**TAX RATES**

<u>TAX CLASSES</u>	<u>CLASSES OF TAX RATES</u>					
	<u>RTC/</u>	<u>MUNICIPAL</u>	<u>ALVINSTON</u>	<u>INWOOD</u>	<u>COUNTY</u>	<u>EDUCATION</u>
	<u>RTQ</u>	<u>RATE</u>	<u>SPECIAL</u>	<u>SPECIAL</u>	<u>RATE (Set by</u>	<u>RATE (Set by</u>
		<u>AREA RATE</u>	<u>AREA RATE</u>	<u>County)</u>	<u>Province)</u>	
Residential & Farm	RT	0.00808704	0.00072432	0.00150438	0.00471715	0.00153000
Res & Farm, Upper Tier & Education Taxable	RL	0.00808704	0.00072432	0.00150438	0.00471715	0.00153000
Res. Farmland Awaiting Dev. Ph 1	R1	0.00283046	0.00025351	0.00052653	0.00165100	0.00053550
Residential Taxable Education only	RD	0.00808704	0.00072432	0.00150438	0.00471715	0.00153000
Commercial Farmland Awaiting Dev. Ph 1	C1	0.00283046	0.00025351	0.00052653	0.00165100	0.00053550
Industrial Taxable Farmland 1	I1	0.00283046	0.00025351	0.00052653	0.00165100	0.00053550
Multi-Residential	MT	0.01617408	0.00144864	0.00300876	0.00943430	0.00153000
Multi-Residential New Construction	NT	0.00808704	0.00072432	0.00150438	0.00471715	0.00153000
Commercial General	CM	0.01315843	0.00117854	0.00244778	0.00767528	0.00880000
Commercial (occupied)	CT	0.01315843	0.00117854	0.00244778	0.00767528	0.00880000
Commercial Vacant Units Excess Land	CU	0.00921090	0.00082498	0.00171345	0.00537270	0.00880000
Commercial Vacant Land	CX	0.00882426	0.00079035	0.00164152	0.00514717	0.00679260
Commercial Taxable Full, Shared PIL	CH	0.01315843	0.00117854	0.00244778	0.00767528	0.01250000
Commercial - On Farm Business	C7	0.00328961	0.00029464	0.00061195	0.00191882	0.00220000
Commercial - On Farm Business	C0	0.00328961	0.00029464	0.00061195	0.00191882	0.00220000
Parking Lot	GT	0.00882426	0.00079035	0.00164152	0.00514717	0.00679260
Commercial Office	DT	0.01242006	0.00111241	0.00231042	0.00724459	0.00880000
Commercial Office Vacant	DU	0.00869404	0.00077869	0.00161729	0.00507121	0.00880000
Shopping Centres	ST	0.01684948	0.00150913	0.00313440	0.00982826	0.00880000
Shopping Centres Vacant	SU	0.01179463	0.00105639	0.00219408	0.00687978	0.00880000
Landfill Taxable Full	HT	0.14850181	0.01330064	0.02762484	0.08662074	0.00880000
Industrial Occupied	IT	0.01655880	0.00148310	0.00308033	0.00965871	0.00880000
Industrial Vacant Units Excess Land	IU	0.01076322	0.00096402	0.00200221	0.00627816	0.00880000
Industrial Taxable Full, Shared PIL	IH	0.01655880	0.00148310	0.00308033	0.00965871	0.01250000
Industrial Vacant Land	IX	0.01076322	0.00096401	0.00200221	0.00627816	0.00880000
Industrial - On Farm Business	I7	0.00413970	0.00037077	0.00077008	0.00241468	0.00220000
Industrial - On Farm Business	I0	0.00413970	0.00037077	0.00077008	0.00241468	0.00220000
Large Industrial	LT	0.02428923	0.00217548	0.00451837	0.01416785	0.00880000
Large Industrial Vacant	LU	0.01578800	0.00141406	0.00293694	0.00920910	0.00880000
Pipelines	PT	0.01085568	0.00097229	0.00201941	0.00633209	0.00880000
Farmland	FT	0.00182767	0.00016370	0.00033999	0.00106608	0.00038250
Managed Forests	TT	0.00202176	0.00018108	0.00037610	0.00117929	0.00038250