

Municipality of Lakeshore

Regular Council Meeting Agenda



Tuesday, April 30, 2024, 5:30 PM

Council Chambers, 419 Notre Dame Street, Belle River

Pages

1. Call to Order

2. Closed Session

Recommendation:

Council move into closed session in Council Chambers at ____ PM in accordance with:

- a. Paragraph 239(2)(e) and (f) of the *Municipal Act, 2001* to discuss litigation or potential litigation, including matters before administrative tribunals, affecting the municipality and advice that is subject to solicitor-client privilege regarding an insurance claim.

3. Return to Open Session

Note: if the closed session is complete before 6:00 PM, a recess will be called until 6:00 PM and the open session will resume at that time.

Should the closed session still be in session at 6:00 PM, the open session will resume once the closed session is complete.

4. Land Acknowledgement

5. Moment of Reflection

6. Disclosures of Pecuniary Interest

7. Recognitions

8. Public Meetings under the Planning Act

1. Zoning By-law Amendment ZBA-03-2024 –9141 Lakeshore Rd. 305

7

Recommendation:

Approve Zoning By-law Amendment Application ZBA-03-2024 (Zoning By-law 2-2012, as amended), to rezone the lands known legally as, Part of Lot 9, Concession 5, Tilbury, designated as Part 1 on 12R2728, save and except Part 1 on Plan 12R29538, being part of the Property Identifier Number 75063-0043(LT), and known municipally as 9141 Lakeshore Rd. 305, from “Agriculture (A)” to “Agriculture Zone Exception 119 (A-119)” zone (indicated as “9141 Lakeshore Rd. 305 Retained Land” on the Key Map, Appendix B), in the Municipality of Lakeshore; and

Direct the Clerk to read By-law 47-2024 during the Consideration of By-laws, all as presented at the April 30, 2024 Council meeting.

9. Public Presentations

1. Raymond Tracey - Comber Subdivision Phase 3

10. Delegations

11. Completion of Unfinished Business

12. Consent Agenda

Recommendation:

Approve minutes of the previous meeting and receive correspondence as listed on the Consent Agenda.

- | | |
|---|-----------|
| 1. April 9, 2024 Regular Council Meeting Minutes | 16 |
| 2. City of St. Catharines - Provincial Regulations Needed to Restrict Keeping Exotic Wild Animals | 24 |
| 3. Municipality of West Perth - Minister's Permit and Review Powers Under Conservation Authorities Act | 26 |

13. Reports for Information

Recommendation:

Receive the Report for Information as listed on the agenda.

- | | |
|---|-----------|
| 1. 2024 Lakeshore Mayor's Arts Awards Recipients | 35 |
| 2. 2024 By-law Enforcement First Quarter Activity Report | 37 |

14. Reports for Direction

1. Tender Award - 2024 Supply and Place Gravel Program 39

Recommendation:

Award the 2024 Supply and Place Gravel Program in the total amount of \$393,103.97 including applicable HST based on the below schedules:

Schedule 1 – Supply and Place Gravel to Shepley Excavating & Road Maintenance Ltd. in the amount of \$258,292.32 including applicable HST; and

Schedule 2 – Supply and Stockpile Gravel to Quinlan Inc. in the amount of \$134,811.65 including applicable HST, all as presented at the April 30, 2024 meeting.

2. 2024 and 2025 Asset Management Plan Consulting Services 44

Recommendation:

Approve waiving the requirement for a competitive process pursuant to Schedule “C” (Purchasing Policy) sections 3.9 (a) iii and 3.11 to the Municipality of Lakeshore Procurement By-Law 58-2010;

Award the 2024 and 2025 Asset Management Plan consulting services to PSD Citywide Ltd. in the amount of \$98,606; and

Approve the additional funding of \$48,480, exceeding the approved capital budget of the 2021 Asset Management Update to be funded through the Plans and Studies Reserve, all as presented at the April 30, 2024 Council meeting.

3. RFP for Concessions at West Beach 63

Recommendation:

Approve entering into a three-year contract, with an option to renew for an additional three, one year contracts, with 2588827 Ontario Inc. O/A Scoop and Straw for the provision of concessions operations at the West Beach, as presented at the April 30, 2024 Council meeting; and

Direct the Clerk to read By-law 52-2024 during the consideration of By-laws.

4. **Request for Designation of Municipally Significant Event – Lighthouse Cove & District Lions Club Fundraising Event – June 15, 2024** 66
- Recommendation:**
Designate the Lighthouse Cove & District Lions Club fundraising event, scheduled for Saturday, June 15, 2024 at the property municipally known as 17845 Melody Drive (also known as 999 Quenneville Drive), as “municipally significant”, as presented at the April 30, 2024 Council meeting.
5. **AMCTO Submission to the Province of Ontario – Modernizing the Municipal Elections Act for the 21st Century** 70
- Recommendation:**
Support the submission by the Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO) entitled “Modernizing the *Municipal Elections Act* for the 21st Century”; and

Request that the Province of Ontario update the *Municipal Elections Act, 1996* (MEA) with priority amendments as outlined by AMCTO before Summer 2025 and commence work to review and re-write the MEA with longer-term recommendations ahead of the 2030 elections, all as presented at the April 30, 2024 Council meeting.
6. **Town Hall Main Floor and Operations Training Room Renovations** 114
- Recommendation:**
Approve the Town Hall Main Floor Renovation and Operations Renovation Concept Plans;

Direct Administration to proceed to tender and/or award for both projects based on procurement bylaw requirements; and

Approve an additional \$330,000.00 to be funded from the Facilities Reserve as presented at the April 30, 2024 Council meeting.
15. **Announcements by Mayor**
16. **Reports from County Council Representatives**
17. **Report from Closed Session**
18. **Notices of Motion**

Recommendation:

In the 2023 Auditor General's Value-for-Money Audit of Public Health Ontario (PHO) released in December 2023, recommendation number 5 states that PHO, in conjunction with the Ministry of Health (MOH), are to update and implement a laboratory modernization plan within 12 months to streamline the laboratory's operations.

This stemmed from a 2017 proposal by PHO, collaboratively with the MOH at the request of the Deputy Minister to close six of the 11 public health laboratory sites (Hamilton, Kingston, Orillia, Peterborough, Sault Ste. Marie and Timmins) and gradually discontinue private drinking water testing. The justification:

- Mitigating rising costs of maintaining facilities
- Establishing a more efficient operating model that reduces the rerouting of samples to other PHO laboratory sites.

Lakeshore, like many communities in Ontario have residents which get their water from private wells. If this proposal were to be implemented it would shift the responsibility and cost for testing onto these residents.

This may lead to the reduction of residents testing their water for pathogens and put them at undue risk of illness. We must not forget the events of Walkerton and the seriousness these decisions have and their implications. Private well owners do not have the protection provided to others under the Safe Drinking Water Act 2002. Further, this water testing data can be provided to the regional health units to help determine if a greater health threat is present in the region and act expeditiously. Also, in these times we should not be shouldering residents with the added cost of testing. This is and should always remain a service provided by the Province as it's the Province's responsibility to provide healthcare for its residents.

Therefore, Council supports the responsibility and cost of testing private water wells remain with the Province of Ontario; and

Direct Administration to send a copy of Council's resolution on this matter to Premier Doug Ford, the Honourable Lisa Thompson, Ontario Minister of Agriculture, Food and Rural Affairs, the Honourable Sylvia Jones, Ontario Minister of Health, Anthony Leardi MPP – Essex, Trevor Jones MPP – Chatham-Kent - Leamington, the Association of Municipalities of Ontario (AMO) and all Ontario municipalities.

2. Councillor McNamara - Public Transit

123

Recommendation:

Reconsider resolution #364-12-2023 approved at the December 12, 2023 Council meeting which states “Direct Administration to defer consideration of future transit services for the Municipality until the next iteration of the Transportation Master Plan, as presented at the December 12, 2023 Council meeting.”

Recommendation:

Direct Administration to enter into discussions with the Town of Tecumseh to determine the feasibility and cost for Tecumseh to deliver public transportation service between Manning and Patillo Road.

19. Question Period

20. Non-Agenda Business

21. Consideration of By-laws

Recommendation:

By-laws 47-2024, 49-2024 and 52-2024 be read and passed in open session on April 30, 2024.

- | | | |
|----|--|-----|
| 1. | By-law 47-2024, Being a By-law to Amend Zoning By-law 2-2012 (ZBA-03-2024) | 124 |
| 2. | By-law 49-2024, Being a By-law to Confirm the Proceedings of the April 9, 2024 Council Meeting | 127 |
| 3. | By-law 52-2024, Being a By-law to Authorize an Agreement with 2588827 Ontario Inc (Lakeshore Park West Beach Seasonal Concession Operations) | 128 |

22. Adjournment

Recommendation:

Adjourn the meeting at ____ PM.

Municipality of Lakeshore – Report to Council

Growth and Sustainability

Planning Services



To: Mayor & Members of Council

From: Ian Search, BES
Planner I

Date: April 8, 2024

Subject: Zoning By-law Amendment ZBA-03-2024 –9141 Lakeshore Rd. 305

Recommendation

Approve Zoning By-law Amendment Application ZBA-03-2024 (Zoning By-law 2-2012, as amended), to rezone the lands known legally as, Part of Lot 9, Concession 5, Tilbury, designated as Part 1 on 12R2728, save and except Part 1 on Plan 12R29538, being part of the Property Identifier Number 75063-0043(LT), and known municipally as 9141 Lakeshore Rd. 305, from “Agriculture (A)” to “Agriculture Zone Exception 119 (A-119)” zone (indicated as “9141 Lakeshore Rd. 305 Retained Land” on the Key Map, Appendix B), in the Municipality of Lakeshore; and

Direct the Clerk to read By-law 47-2024 during the Consideration of By-laws, all as presented at the April 30, 2024 Council meeting.

Background

The Municipality of Lakeshore has received a Zoning By-law Amendment application for the farm property known municipally as 9141 Lakeshore Road 305, located on the south side of Lakeshore Road 305 and the north side of Highway 401. The subject property is designated “Agriculture” in the Lakeshore Official Plan and zoned “Agriculture” in the Lakeshore Zoning By-law 2-2012. It is currently 25 acres and has approximately 125 metres of frontage along Lakeshore Road 305.

A provisional consent (file: B-32-2023) was granted from the Lakeshore Committee of Adjustment to sever a surplus farm dwelling from this farm as a separate residential lot. Part 1 on registered Plan 12R-29538 (Appendix D) is the surplus dwelling lot. The remainder of the subject property is the retained farmland and is the land subject to the rezoning application.

A provisional consent (file: B-33-2023) was also granted from the Lakeshore Committee of Adjustment to provide an easement in favour of the owners of the future surplus farm dwelling lot over a portion of the retained farmland for access. Part 2 on registered Plan 12R-29538 (Appendix D) is the easement land. Both the severed lot and retained

farmland will have separate access from Lakeshore Rd. 305, but the easement will provide driveway access over the retained farmland to an accessory building on the west side of the severed lot that is inaccessible from the severed lot's access due to a septic system located in the front yard. This easement will include an easement/right-of-way agreement that is being prepared to the satisfaction of staff.

As a condition of their provisional consent for the lot creation (file: B-32-2023), the applicants are required to rezone the retained farmland to prohibit residential dwellings, as required in the Lakeshore Official Plan and Provincial Policy Statement. Additionally, the applicant is applying to rezone the retained farmland to recognize its deficient frontage of 38 metres, and its deficient area of 23 acres (9.3 hectares). The Lakeshore Zoning By-law requires a minimum lot frontage of 75 metres and a minimum lot area of 19 hectares for a farm property zoned Agriculture (A) in the Lakeshore Zoning By-law.

Subject Land:	25 acres (10.12 hectares) Existing Use – Agriculture Proposed Use – Agriculture and one rural residential lot Access — Lakeshore Road 305 Services — Municipal water, private sanitary services
Surrounding Uses:	North: Agriculture South: Highway 401 and Agriculture East: Agriculture West: Agriculture
Official Plan:	Agricultural
Existing Zoning:	Agriculture (A)

Provincial Policy Statement (PPS)

The proposed rezoning application is consistent with the PPS. Section 2.3.4.1 requires the planning authority to ensure that new residential dwellings are prohibited on the retained farmland created by the surplus farm dwelling severances. A provisional consent (B-32-2023) was granted to sever a surplus dwelling from this farm parcel as a separate lot. As a condition of consent, and as required by the PPS, the applicants are rezoning the retained farmland to prohibit residential dwellings.

County of Essex Official Plan

The rezoning application conforms to the County of Essex Official Plan and is consistent with their land use policies:

3.3.3.4 Lot Creation

c) Lot creation to accommodate a habitable residence surplus to a farming operation as a result of farm consolidation is permitted subject to the local Zoning By-law being amended, to prohibit new residential dwellings on the vacant remnant parcel of farmland created by the severance.

Comment: The Zoning By-law Amendment will prohibit new residential dwellings on the retained farmland parcel created by the severance of the surplus farm dwelling lot.

Lakeshore Official Plan

The subject property is designated Agricultural in the Lakeshore Official Plan, and the rezoning application conforms to the Agricultural Designation policies.

6.2.3 Agricultural Lot Creation & Lot Adjustment

A consent to sever may be granted for the following purposes:

- b) Where a previous or current farm acquisition has rendered a habitable farm dwelling surplus to the needs of a farm operation, subject to the following conditions:*
- i) the remnant farm parcel will be zoned so as to prohibit the construction of any additional dwellings;*
 - ii) the non-farm parcel will be zoned to recognize the non-farm residential use and will not accommodate a livestock operation;*
 - iii) any livestock facilities to remain on the retained parcel will not be made unsuitable for further livestock operations if the Minimum Distance Separation I provisions cannot be met; and*
 - iv) the implementing Zoning By-law will not impose a setback on nearby expanding livestock operations greater than that required by the application of Minimum Distance Separation II Formula including the Minimum Distance Separation Guidelines.*

Comment: The application will prohibit the construction of any additional dwellings on the retained farmland in accordance with the Official Plan. The surplus dwelling lot will automatically be recognized in the Zoning By-law for non-farm residential use that cannot accommodate a livestock operation due to its lot size. There are no livestock facilities on the retained land and no known facilities in the general area of the severed lot.

Lakeshore Zoning By-law

The subject property is currently zoned Agriculture (A), in the Lakeshore Zoning By-law 2-2012, as amended.

In order to satisfy a condition of the provisional consent to sever the surplus dwelling lot from the farm parcel (File: B/32/2023), a Zoning By-law Amendment Application has been submitted to rezone the remnant parcel to prohibit residential dwelling units.

Additionally, the applicant is applying to recognize the deficient area and lot frontage of the retained farmland as part of the Zoning By-law Amendment application. The Lakeshore Zoning By-law requires a farm parcel zoned “A” to have a minimum lot area of 19 hectares and a minimum lot frontage of 75 metres. It is important to note that the subject property already has deficient lot area for a farm parcel under the Zoning By-law, but it is considered a legal non-complying farm parcel.

The lot frontage of the retained farmland created by the severance will be 38 metres, and the lot area will be 23 acres (9.3 hectares). The proposed severed lot has been restricted in lot size to prevent unnecessary encroachment onto the cultivated farmland. The retained farmland parcel will remain 125 metres wide south of the severed lot. Moreover, the 38 metres of lot frontage will provide enough space for farming practices west of the severed lot, as is currently the case. It is recommended that the deficient lot area and lot frontage of the retained farmland be recognized as part of the rezoning.

Conclusion

Based on the foregoing, it is recommended that Council approve ZBA-03-2024 (By-law 47-2024) as per the Recommendation section of this report.

Others Consulted

Notice was given to agencies and the general public as required under the provisions of the *Planning Act* and regulations. As of the writing of this report, no comments were received from the public or internal departments, and no concerns were expressed by any agencies.

Financial Impacts

There are no budget impacts resulting from the recommendation.

Attachments

Appendix A – Aerial Map
Appendix B – Key Map
Appendix C – Draft Survey
Appendix D – Registered Survey

Report Approval Details

Document Title:	ZBA-03-2024 - 9141 Lakeshore Rd. 305.docx
Attachments:	- 9141 Lakeshore Road 305 Appendices.pdf
Final Approval Date:	Apr 24, 2024

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

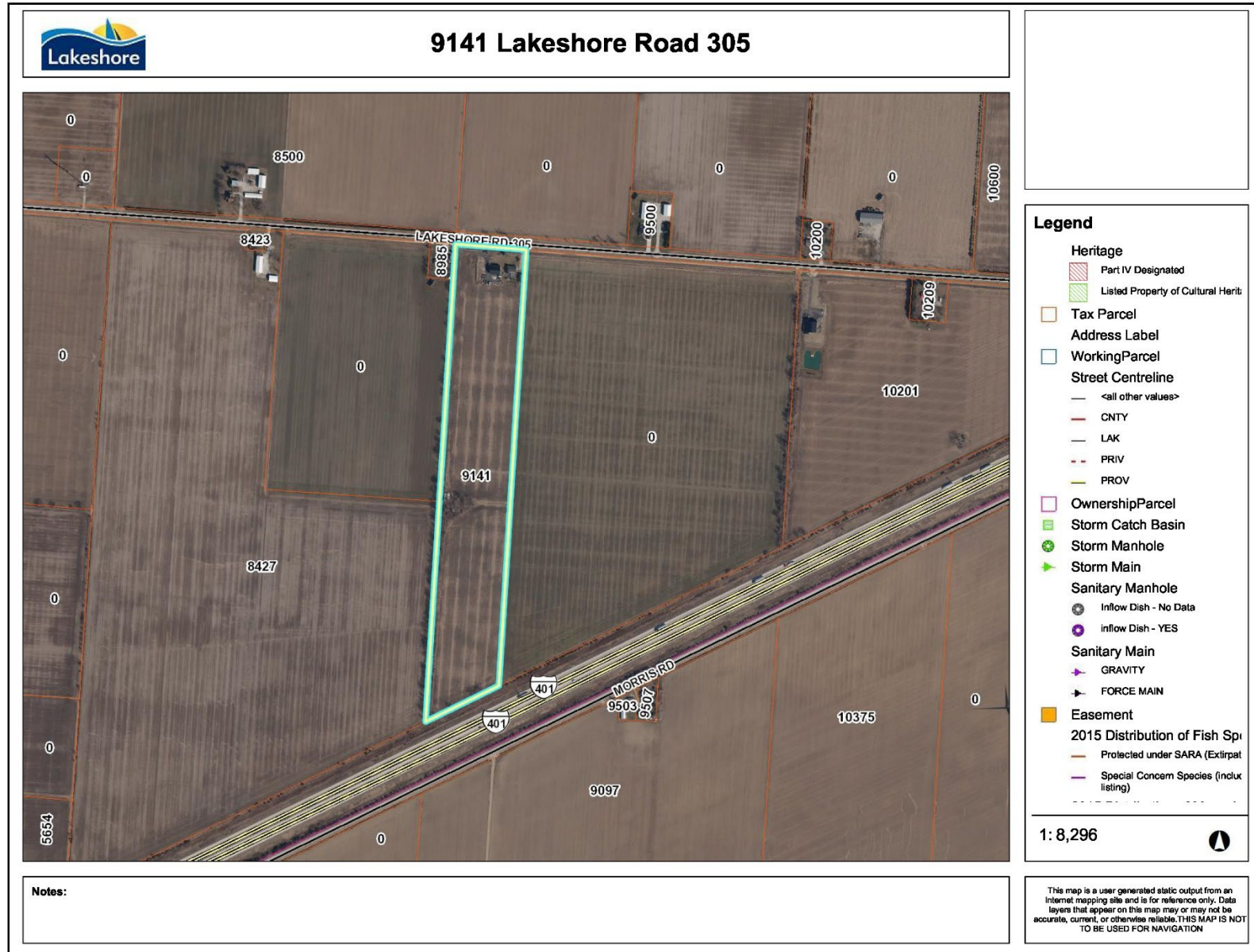
Prepared by Ian Search

Submitted by Urvi Prajapati and Ryan Donally

Approved by the Corporate Leadership Team

ZBA-03-2024 9141 Lakeshore Rd. 305 Appendices

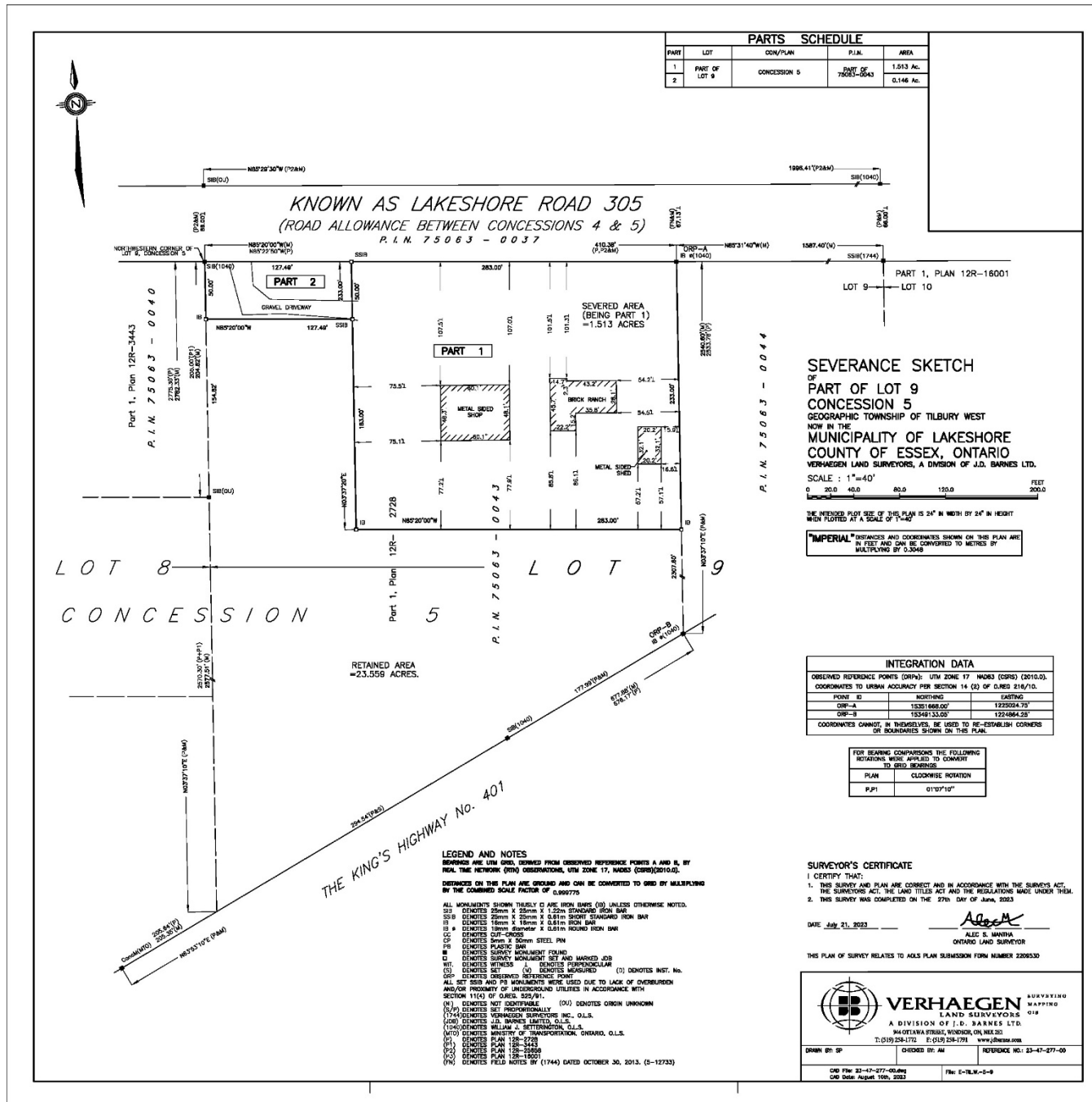
Appendix A – Aerial Map



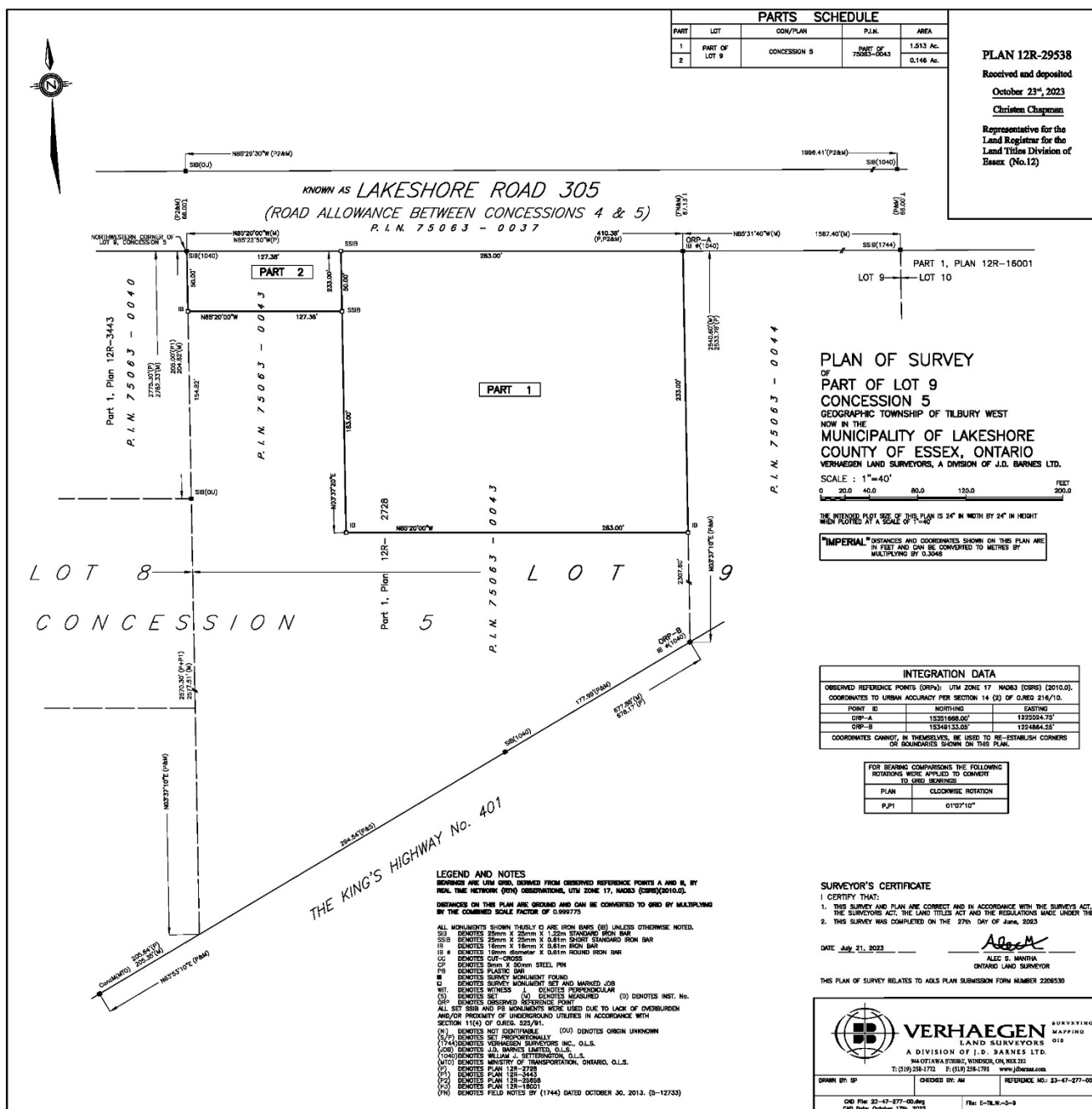
Appendix B – Key Map



Appendix C – Draft Survey



Appendix D – Registered Survey



Municipality of Lakeshore

Minutes of the Regular Council Meeting

Tuesday, April 9, 2024, 5:00 PM

Council Chambers, 419 Notre Dame Street, Belle River



Members Present: Mayor Tracey Bailey, Deputy Mayor Kirk Walstedt, Councillor Ryan McNamara, Councillor Paddy Byrne, Councillor Kelsey Santarossa, Councillor John Kerr, Councillor Ian Ruston, Councillor Larissa Vogler

Staff Present: Chief Administrative Officer Truper McBride, Deputy Chief Administrative Officer - Chief Financial Officer Justin Rousseau, Corporate Leader - Community Health and Safety Frank Jeney, Corporate Leader - General Counsel Susan Hirota, Corporate Leader - Operations Krystal Kalbol, Chief Workforce Development Officer Lisa Granger, Division Leader - Building Morris Harding, Division Leader – Communications and Engagement Alex Denonville, Division Leader – Energy Management and Utilities Marco Villella, Division Leader - Legislative Services Brianna Coughlin, Division Leader - Public Works Jeff Wilson, Team Leader – Community Planning Urvi Prajapati, Team Leader – Legislative Services Cindy Lanoue, IT Technical Analyst Erik Pelland

1. Call to Order

Mayor Bailey called the meeting to order at 5:00 PM in Council Chambers.

2. Closed Session

131-04-2024

Moved By Councillor Vogler

Seconded By Councillor Santarossa

Council move into closed session in Council Chambers at 5:00 PM in accordance with:

- a. Paragraph 239(2)(d), (f) and (k) of the *Municipal Act, 2001* for the purpose of discussing labour relations or employee negotiations, advice that is subject to solicitor-client privilege, including communications necessary for

that purpose, and positions and plans to be applied to negotiations to be carried on by the Municipality relating to collective bargaining.

Carried Unanimously

3. Return to Open Session

Council returned to open session at 5:07 PM and moved back into closed session.

22. Closed Session

132-04-2024

Moved By Deputy Mayor Walstedt

Seconded By Councillor Byrne

Council move into closed session in Council Chambers at 5:08 PM in accordance with:

- a. Paragraph 239(2)(b) of the *Municipal Act, 2001* to discuss personal matters about an identifiable individual, including municipal or local board employees, relating to the Chief Administrative Officer performance evaluation.

Carried Unanimously

Council returned to open session at 5:40 PM and Mayor Bailey called a recess at this time.

Mayor Bailey called the meeting back to order at 6:01 PM.

4. Land Acknowledgement

5. Moment of Reflection

6. Disclosures of Pecuniary Interest

7. Recognitions

8. Public Meetings under the Planning Act

9. Public Presentations

10. Delegations

1. Pedestrian Crossing Update – Oakwood Avenue

Kevin Jones of Paradigm Transportation Solutions Limited provided a PowerPoint presentation as overview of the report.

133-04-2024

Moved By Councillor Byrne

Seconded By Councillor Santarossa

Approve the crossing guard location effective September 2024, in the amount of \$4,500.00 to be funded from the 2024 crossing guard budget, as presented at the April 9, 2024 Council meeting.

Carried Unanimously

2. Patillo Industrial Subdivision Agreement, 2869614 Ontario Inc.

The Planner provided a PowerPoint as overview of the report.

Karl Tanner and Mike Stamp, representing the applicant 2869614 Ontario Inc., were present to answer any questions relating to the report.

134-04-2024

Moved By Councillor Ruston

Seconded By Councillor McNamara

Direct the Clerk to read By-law 45-2024 during the “Consideration of By-laws” to authorize the Mayor and Clerk to execute a Subdivision Agreement with the Owner, 2869614 Ontario Inc., for the Patillo Road Industrial Subdivision, (Lakeshore File SA-03-2023) as presented at the April 9, 2024 Council meeting.

Carried Unanimously

11. Completion of Unfinished Business

12. Consent Agenda

135-04-2024

Moved By Councillor McNamara

Seconded By Deputy Mayor Walstedt

Approve minutes of the previous meeting and receive correspondence as listed on the Consent Agenda.

1. March 19, 2024 Regular Council Meeting Minutes
2. City of Brantford - Home Heating Sustainability
3. Town of Whitby - Ontario Energy Board Decision to end the Gas Pipeline Subsidy

Carried Unanimously

13. Reports for Information

14. Reports for Direction

1. OPP Detachment Board (North) - Administration

136-04-2024

Moved By Councillor McNamara

Seconded By Councillor Santarossa

Authorize the Town of Tecumseh to provide administrative support to the new Essex County OPP Detachment Board (North);

Authorize the creation of a new Administrative Support position dedicated to the OPP Detachment Board (North) and for Administration to work with the Town of Tecumseh and the Town of Essex to proceed with drafting a job description and advertisement for the position;

Approve the administrative components related to the municipal liaison support and proposed meeting scheduled;

Approve the financial administration and compensation provisions;

Direct Administration to forward the proposed arrangements regarding the OPP Detachment Board (North) administration as the Municipality of Lakeshore's recommendations, subject to concurrence with the Town of Tecumseh and the Town of Essex, for their consideration;

Recommend the administrative and financial arrangements approved by the three member municipalities to the newly formed Essex County OPP Detachment Board (North) for its adoption; and

Endorse the Town of Tecumseh's selection of Christopher Hales as the at-large representative for the OPP Detachment Board (North) for the remainder of 2024, all as presented at the April 9, 2024 Council meeting.

Carried Unanimously

2. 2024 Roads Rehabilitation Program based on Approved Budget

137-04-2024

Moved By Councillor Kerr

Seconded By Councillor Byrne

Approve the recommended 2024 Roads Rehabilitation Program as identified in the report based on the approved budget amount of \$6,745,200.00, as presented at the April 9, 2024 Council meeting; and

Delegate authority to the Mayor and Clerk to award the tender, with advice and recommendation from the Corporate Leader – Operations.

Carried Unanimously

3. Internal Controls, Internal Controls Financial Reporting, Relationship with External Auditors Policies

138-04-2024

Moved By Councillor Vogler

Seconded By Councillor Byrne

1. Direct the Clerk to read By-law 43-2024 to approve an Internal Controls Policy during the Consideration of By-laws, as recommended at the April 9, 2024 Council meeting.
2. Direct the Clerk to read By-law 44-2024 to approve an Internal Controls Financial Reporting Policy in the Consideration of By-laws, as recommended at the April 9, 2024 Council meeting.
3. Direct the Clerk to read By-law 42-2024 to approve a Relationship with External Auditors Policy in the Consideration of By-laws, as recommended at the April 9, 2024 Council meeting.

Carried Unanimously

4. Electric Vehicle (EV) Charging Station Grant Funding Approval

139-04-2024

Moved By Councillor Kerr

Seconded By Councillor Santarossa

Accept the grant funding for the installation of electric vehicle (EV) charging stations from Aviva Canada's Charged for Change grant program to be placed at both the ATRC and Lakeview Park in the amount of \$125,000.00; and

Approve the additional budget of \$8,245.00 to be funded from the Facilities/Properties – New reserve for the shortfall, as presented at the April 9, 2024 Council meeting.

In Favour (7): Mayor Bailey, Deputy Mayor Walstedt, Councillor McNamara, Councillor Byrne, Councillor Santarossa, Councillor Kerr, and Councillor Vogler

Opposed (1): Councillor Ruston

Carried

15. Announcements by Mayor

16. Reports from County Council Representatives

17. Report from Closed Session

18. Notices of Motion

19. Question Period

140-04-2024

Moved By Councillor McNamara

Seconded By Deputy Mayor Walstedt

Direct Administration to prepare a summary report of the Parks Master Plan regarding the status of each park, the order of the reconditioning of the parks, and the lifecycle management plan for the amenities in the parks.

Carried Unanimously

20. Non-Agenda Business

21. Consideration of By-laws

141-04-2024

Moved By Councillor McNamara

Seconded By Deputy Mayor Walstedt

By-laws 39-2024, 40-2024 and 41-2024 be read a first and second time and provisionally adopted; and

By-laws 42-2024, 43-2024, 44-2024, 45-2024 and 46-2024 be read and passed in open session on April 9, 2024.

Carried Unanimously

1. **By-law 39-2024, Being a By-law for the Mary Walker Drain in the Municipality of Lakeshore**
2. **By-law 40-2024, Being a By-law for the Bridge Over the Seguin Drain for Hydro One Networks in the Municipality of Lakeshore**
4. **By-law 42-2024, Being a By-law to Adopt a Relationship with External Auditors Policy**
5. **By-law 43-2024, Being a By-law to Adopt an Internal Controls Policy**
6. **By-law 44-2024, Being a By-law to Adopt an Internal Controls Financial Reporting Policy**
7. **By-law 45-2024, Being a By-law to authorize the execution of a Subdivision Agreement pertaining to the Patillo Road Industrial Subdivision**
8. **By-law 46-2024, Being a By-law to Confirm the Proceedings of the March 19, 2024 Council Meeting**

23. Adjournment

142-04-2024

Moved By Councillor Santarossa

Seconded By Councillor Ruston

Adjourn the meeting at 7:02 PM.

Carried Unanimously

Tracey Bailey
Mayor

Brianna Coughlin
Clerk

April 23, 2024

The Honourable Doug Ford
Premier of Ontario
Legislative Building
1 Queen's Park
Toronto, ON M7A 1A1

Sent via email: premier@ontario.ca

**Re: Provincial Regulations Needed to Restrict Keeping of Non-native ("exotic") Wild Animals
Our File 35.11.2**

Dear Premier Ford,

At its meeting held on April 8, 2024, St. Catharines City Council approved the following motion:

WHEREAS Ontario has more private non-native ("exotic") wild animal keepers, roadside zoos, mobile zoos, wildlife exhibits and other captive wildlife operations than any other province; and

WHEREAS the Province of Ontario has of yet not developed regulations to prohibit or restrict animal possession, breeding, or use of non-native ("exotic") wild animals in captivity; and

WHEREAS non-native ("exotic") wild animals can pose very serious human health and safety risks, and attacks causing human injury and death have occurred in the province; and

WHEREAS the keeping of non-native ("exotic") wild animals can cause poor animal welfare and suffering, and poses risks to local environments and wildlife; and

WHEREAS owners of non-native ("exotic") wild animals can move from one community to another even after their operations have been shut down due to animal welfare or public health and safety concerns; and

WHEREAS municipalities have struggled, often for months or years, to deal with non-native ("exotic") wild animal issues and have experienced substantive regulatory, administrative, enforcement and financial challenges; and

WHEREAS the Association of Municipalities of Ontario (AMO), the Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO) and the Municipal Law Enforcement Officers' Association (MLEOA) have indicated their support for World Animal Protection's campaign for provincial regulations of non-native ("exotic") wild animals and roadside zoos in letters to the Ontario Solicitor General and Ontario Minister for Natural Resources and Forestry;

THEREFORE BE IT RESOLVED that the City of St. Catharines hereby petitions the provincial government to implement provincial regulations to restrict the possession, breeding, and use of non-native ("exotic") wild animals and license zoos in order to guarantee the fair and consistent application of policy throughout Ontario for the safety of Ontario's citizens and the non-native ("exotic") wild animal population; and

BE IT FURTHER RESOLVED that this resolution will be forwarded to all municipalities in Ontario for support, the Premier of Ontario, Ontario Solicitor General, Ontario Minister for Natural Resources and Forestry, MPP Jennie Stevens, MPP Sam Oosterhoff, MPP Jeff Burch, AMO, AMCTO, and MLEAO.

If you have any questions, please contact the Office of the City Clerk at extension 1524.



Kristen Sullivan, City Clerk
Legal and Clerks Services, Office of the City Clerk
:av

cc: The Honourable Michael S. Kerzner, Solicitor General
The Honourable Graydon Smith, Minister of Natural Resources and Forestry
Local MPPs
Association of Municipalities of Ontario (AMO)
Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO)
Municipal Law Enforcement Officers' Association of Ontario (MLEAO)
All Municipalities of Ontario

April 16, 2024

Conservation Authorities and
Natural Hazards Section
Ministry of Natural Resources and
Forestry – RPDPB
By E-mail: ca.office@ontario.ca

Matthew Rae
MPP for Perth-Wellington
By E-mail: matthew.rae@pc.ola.org

RE: Conservation Authorities Act

Please note that in response to the attached Ministry of Natural Resources and Forestry's proposal "Regulation detailing new Minister's Permit and Review powers under the Conservation Authorities Act" on April 5, 2024, Council of the Municipality of West Perth at its Regular Council Meeting held on April 15, 2024, passed the following resolution:

RESOLUTION: 122/24

Moved By: Councillor Trentowsky

Seconded by: Councillor Duck

CARRIED

"That the Council for the Municipality of West Perth recommends to the province that any proposed changes contemplated by the province be put on hold until such time that the planning statement is finalized by the province and communicated to the municipalities and that this motion be circulated to the Association of Municipalities of Ontario (AMO) All Ontario Municipalities for support."

If you require further information, please do not hesitate to contact the Clerk's Department.



Daniel Hobson
Manager of Legislative Services/Clerk
Municipality of West Perth

cc: Matthew Rae, MPP for Perth-Wellington
Association of Municipalities of Ontario (AMO)
All Ontario Municipalities

Regulation detailing new Minister’s Permit and Review powers under the Conservation Authorities Act.

ERO (Environmental Registry of Ontario) number	019-8320
Notice type	Regulation
Act	Conservation Authorities Act, R.S.O. 1990
Posted by	Ministry of Natural Resources and Forestry
Notice stage	Proposal
Proposal posted	April 5, 2024
Comment period	April 5, 2024 - May 6, 2024 (31 days) Open
Last updated	April 5, 2024

This consultation closes at 11:59 p.m. on:
May 6, 2024

Proposal summary

We are proposing a regulation specifying the circumstances under which the Minister may issue an order to prevent a conservation authority from making a permitting decision and make the permitting decision in the place of a conservation authority or may undertake a review of a conservation authority permitting decision.

Proposal details

Conservation authorities regulate development and other activities through a permitting process under the *Conservation Authorities Act* for the purposes of natural hazard management and to protect people and property from natural hazards, such as flooding and erosion. Each conservation authority implements the permitting framework based on provincial legislation, regulatory

requirements, and technical standards, as well as conservation authority board-approved policies that outline how the conservation authority administers regulations locally.

Recently proclaimed provisions in the *Conservation Authorities Act* and associated regulations came into effect on April 1, 2024, including new powers for the Minister to 1) issue an order to prevent a conservation authority from issuing a permit and to take over the permitting process in the place of a conservation authority, and 2) review a conservation authority permit decision at the request of the applicant.

The Ministry is proposing a regulation which would set out the circumstances under which these powers could be used. If the regulation is approved, public guidance would be made available on the criteria and processes outlined in the regulation.

1. **Permits issued by the Minister**

Existing requirements under the *Conservation Authorities Act* regarding permits issued by the Minister under section 28.1.1 include:

- The Minister may issue an order directing a conservation authority not to issue a permit to a specific individual to engage in a specified activity, or to persons who may wish to engage in a certain type or class of activity, that would be prohibited under section 28 without a permit.
- The Minister's decision to issue an order is discretionary, and it may be issued either before or after an application for a permit has been submitted to the relevant conservation authority.
- Notice of any order must be provided to affected conservation authorities, any person who applied for the permit in question prior to the order and be posted on the Environmental Registry of Ontario (ERO (Environmental Registry of Ontario)) within 30-days.
- If an order made, the Minister has the power to issue a permit in place of the conservation authority. When making a permitting decision, the Minister is required to satisfy the same criteria concerning natural hazards and public safety that are considered by conservation authorities. This includes whether the activity is likely to affect the control of flooding, erosion, dynamic beaches or unstable soil or

bedrock. It also must consider whether the activity is likely to create conditions or circumstances that, in the event of a natural hazard, might jeopardize the health or safety of persons or result in the damage or destruction of property.

- The Minister may refuse the permit or issue a permit subject to such conditions as the Minister determines are appropriate.

Proposed additional requirements that would be set out in regulation include:

- The Minister may make an order to prevent a conservation authority from making a permitting decision and take over the permitting process only if the development activity or type or class of permits pertains to or supports a specified provincial interest, including:
 - Housing (community, affordable and market-based)
 - Community services (health, long-term care, education, recreation socio-cultural, security and safety, environment)
 - Transportation infrastructure
 - Buildings that facilitate economic development or employment
 - Mixed use developments
- If a proponent wishes to petition the Minister to issue an order, the proponent must submit a request to the Minister that would include information on:
 - Overview of proposed development.
 - Why the Minister's involvement is requested (e.g., development of provincial interest, timing/urgency; permitting process to date if applicable; other barriers) and preferable to the standard process in the *Conservation Authorities Act*.
 - Indication of whether the local municipality has endorsed the project and the request for Minister's involvement (e.g., by municipal letter or resolution).
 - Status of other required project approvals including the extent of any engagement with the conservation authority in the permitting process that the applicant has had to date.

2. Permits reviewed by the Minister

Existing requirements under the *Conservation Authorities Act* relating to requests for review under section 28.1.2 regarding permits where there is an order made by the Minister of Municipal Affairs and Housing under section 34.1 or 47 of the *Planning Act* and section 28.1 regarding all other conservation authority permits include:

- An applicant who has been refused a permit or had conditions attached to a permit by a conservation authority to which the applicant objects can, within 15-days of receiving reasons for the authority's decision, submit a request to the Minister for the Minister to review the authority's decision. Alternatively, an applicant also has the option to appeal the authority's decision to the Ontario Land Tribunal.
- After receiving a request, the Minister has 30-days in which to decide whether or not they intend to conduct a review. If the Minister decides to conduct the review, a notice shall be posted on the ERO (Environmental Registry of Ontario) within 30-days of a reply indicating the Minister intends to review the decision by the authority. If the Minister does not reply within 30-days of the request, this is deemed to indicate that the Minister does not intend to conduct a review.
- After conducting a review, the Minister may confirm or vary the authority's decision or make any decision that the Minister considers appropriate, including issuing the permit subject to conditions.
- The Minister is required to base the decision on same criteria concerning natural hazards and public safety that are considered by conservation authorities. This includes whether the activity is likely to affect the control of flooding, erosion, dynamic beaches or unstable soil or bedrock. It also must consider whether the activity is likely to create conditions or circumstances that, in the event of a natural hazard, might jeopardize the health or safety of persons or result in the damage or destruction of property.

Proposed additional requirements that would be set out in regulation include:

- The Minister may conduct a review of a conservation authority permit decision only if the development activity pertains to or supports a development of specified provincial interest, including:
 - Housing (community, affordable and market-based)

- Community services (health, long-term care, education, recreation socio-cultural, security and safety, environment)
- Transportation infrastructure
- Buildings that facilitate economic development or employment
- Mixed use developments

Note: This criteria would not apply to permit reviews under section 28.1.2 regarding permits where there is an order made by the Minister of Municipal Affairs and Housing under section 34.1 or 47 of the *Planning Act*.

- The request submitted to the Minister for a review would include information on:
 - Overview of proposed development.
 - If the request relates to conditions imposed by the conservation authority to which the applicant objects, identification of the specific conditions that are subject to the request for review, the changes requested to the conditions and the rationale in support of the requested changes.
 - If the request relates to an authority's decision to refuse a permit, the rationale in support of requesting that the Minister varies the decision and issues the permit.
 - Why the Minister's involvement is requested (e.g., development of provincial interest, timing/urgency; permitting process to date; other barriers) and preferable to alternative mechanisms in the *Conservation Authorities Act*.
 - Indication of whether the local municipality has endorsed the project and/or the request for Minister's involvement (e.g., by municipal letter or resolution).
 - Status of other required project approvals.

Regulatory impact analysis

By clearly communicating the circumstances under which the Minister would consider whether to issue an order to prevent a conservation authority from making a permitting decision and to make permitting decisions in place of a conservation authority or to review a conservation authority permitting decision, this proposal would ensure that development proponents pursue the appropriate permitting channel. Efficiently navigating the permitting process is

expected to help save proponents time and resources. We expect that there will be some minor administrative costs for development proponents based on the time needed to learn about and understand the proposed changes.

Supporting materials

Related links

Conservation Authorities Act

(<https://www.ontario.ca/laws/statute/90c27#BK43>)

O. Reg. 41/24: Prohibited Activities, Exemptions and Permits

(<https://www.ontario.ca/laws/regulation/240041>)

View materials in person

Some supporting materials may not be available online. If this is the case, you can request to view the materials in person.

Get in touch with the office listed below to find out if materials are available.

MNRF - RPD PB - Resources Development Section
300 Water Street
2nd Floor South
Peterborough, ON
K9J 3C7
Canada

Comment

Let us know what you think of our proposal.

Have questions? Get in touch with the contact person below. Please include the ERO (Environmental Registry of Ontario) number for this notice in your email or letter to the contact.

[Read our commenting and privacy policies. \(/page/commenting-privacy\)](#)

Submit by mail

Conservation Authorities and
Natural Hazards Section

Ministry of Natural Resources and
Forestry - RPDPB

300 Water Street

2nd Floor South Tower

Peterborough, ON

K9J 3C7

Canada

Connect with US

Contact

Conservation Authorities and
Natural Hazards Section



ca.office@ontario.ca

Municipality of Lakeshore – Report to Council

Community Health and Safety



To: Mayor & Members of Council

From: Frank Jeney, Corporate Leader – Community Health & Safety

Date: March 4, 2024

Subject: 2024 Lakeshore Mayor's Arts Awards Recipients

Recommendation

This report is for information only.

Background

The timeline for the Lakeshore Mayor's Arts Awards is as follows. The 2024 awards opened for submissions in Fall 2023 and closed on December 31st. The appointee for the Mayor's Arts Awards Committee, with support from the Community Services Division, reviewed all submissions and provided a ranked list to Mayor Bailey for endorsement.

Comments

The 2024 Lakeshore Mayor's Arts Awards are scheduled on Saturday April 13th 2024 at the Atlas Tube Recreation Centre's Renaud Room.

The 2024 award winners are:

Student Artist Award: Hailey Cassidy & Kristen Alexander

A \$1000 award for outstanding promise and commitment in the arts, in any artistic discipline to a student, under the age of 21, living and/or attending school in the Municipality of Lakeshore.

Emerging Artist Award: Justin Jewell

A \$1000 artistic merit award, for an emerging artist with 2 to 7 years of professional experience, in any artistic discipline, living and/or working in the Municipality of Lakeshore. Performance, visual, literary, media/new Media, and design.

Creative Entrepreneur Award: Stephanie Kriza

A \$1000 award for a business, organization or individual located and/or operating in the Municipality of Lakeshore. Must demonstrate the impact of the nominee's creative entrepreneurship on the Municipality of Lakeshore arts community.

Artistic Excellence Award: Christian Vegh

A \$1000 artistic merit award for an artist living and/or working in the Municipality of Lakeshore in any artistic discipline. Must be able to demonstrate artistic excellence in their field through a body of work, public performance, exhibitions, and/or publications.

Patron of the Arts Leadership Award: Laurie D'Alessandro

A leadership award for a volunteer, educator, supporter, or business that volunteers or supports the arts in the Municipality of Lakeshore. Contribution(s) that demonstrate leadership in the community, dedication, support, and service to the arts community, through ongoing volunteer, service, or philanthropy. A \$1000 donation will be made to the award recipients' art organization (non-profit) of their choice.

Others Consulted

Mayor's Arts Awards Committee

Members of the Lakeshore Community Services Division

Financial Impacts

The Lakeshore Mayor's Arts Awards and reception are budgeted \$6,000 annually (\$12,000 biennial) within the Recreation operational budget.

Report Approval Details

Document Title:	2024 Lakeshore Mayor's Arts Awards Recipients.docx
Attachments:	
Final Approval Date:	Mar 12, 2024

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

Prepared by Frank Jeney

Approved by Kate Rowe and Truper McBride

Municipality of Lakeshore – Report to Council

Legal and Legislative Services

By-law Services



To: Mayor & Members of Council

From: Rob Sassine, Division Leader – Bylaw

Date: April 15, 2024

Subject: 2024 By-law Enforcement First Quarter Activity Report

Recommendation

This report is provided for information only.

Strategic Objectives

This report does not relate to one of Council's Strategic Objectives but is a citizen-centered municipal function.

Background

The By-law Enforcement Activity Report is a report prepared to provide a review of the By-law Enforcement activity for the first quarter of 2024.

Comments

The report is broken down into main categories including the number of closed cases during the first quarter of 2024.

Nature of Complaint	Total Cases
Yard Maintenance Long Grass, Garbage and Debris, Derelict Vehicles	31
Zoning Use of Land, Recreational Vehicle Storage, Setback	42
Parking Accessible Parking, Blocking Sidewalks	28
Property Standards Unsafe Buildings and Living Conditions	2

Animal Care Animals Not Permitted, Dangerous Dogs	6
Noise Barking Dog, Loud Music	3
Fence Unsafe Fence, Unguarded Pools	1
Signs Prohibited Location, Sight Visibility	5
Miscellaneous Parks Use, Smoking	9
Light Nuisance Nuisance, Intrusion	3
Total Cases Closed This Quarter	130
Cases Currently Under Investigation	45
Total Cases Closed Year to Date	130
Total Complaints Received	175

By comparison, By-law Compliance Officers closed 91 cases in the first quarter of 2023 which represents a 43% increase in total cases that have been closed in the first quarter year over year.

Report Approval Details

Document Title:	By-law Enforcement 2024 First Quarter Activity Report.docx
Attachments:	
Final Approval Date:	Apr 18, 2024

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

Prepared by Rob Sassine

Submitted by Susan Hirota

Approved by the Corporate Leadership Team

Municipality of Lakeshore – Report to Council

Operations

Public Works



To: Mayor & Members of Council
From: Jeff Wilson, Division Leader – Public Works
Date: April 5, 2024
Subject: Tender Award - 2024 Supply and Place Gravel Program

Recommendation

Award the 2024 Supply and Place Gravel Program in the total amount of \$393,103.97 including applicable HST based on the below schedules:

Schedule 1 – Supply and Place Gravel to Shepley Excavating & Road Maintenance Ltd. in the amount of \$258,292.32 including applicable HST; and

Schedule 2 – Supply and Stockpile Gravel to Quinlan Inc. in the amount of \$134,811.65 including applicable HST, all as presented at the April 30, 2024 meeting.

Strategic Objectives

The Tender Award – 2024 Supply and Place Gravel Program is represented by the following strategic objective:

1a) Building and Stewarding Municipal Infrastructure - Update Asset Management Plan

Background

Annually, the Supply and Place Gravel Program is budgeted and includes 2 components:

1) Component 1

Existing gravel roadways receive full maintenance based on a three-to-five-year cycle based on condition, pending field assessments.

The Supply and Place Gravel Program identified a total of 9.6 kilometers of roadway to receive loose top maintenance, as put forward in the 2024 budget.

The proposed roadways within Component 1) with the respective lengths, are listed below:

Road Name	From	To	Section ID	Length (m)
South Middle Road	Rochester Townline Road	Lakeshore Road 309	2016	2128
South Middle Road	Lakeshore Road 309	Highway 77	2017	2061
Byrnedale Road	County Road 31	Lakeshore Road 125	1052	1364
Countryview Lane	Mitchell Road	Lakeshore Road 241	1044	672
Countryview Lane	Lakeshore Road 241	County Road 31	1045	764
Lakeshore Road 241	County Road 46	South Middle Road	1035	1317
Lakeshore Road 241	County Road 46	Countryview Lane	1036	1362
Comber Alleyways	Various	Various	N/A	800

2) Component 2

Supply and Stockpile additional gravel over and above the quantities required to complete Component 1.

This gravel is stockpiled at both the West and East Public Works Yards and is utilized for shouldering on hardtop roads, general maintenance (potholes on gravel roads, fine grading, etc.) as well as projects such as culvert replacements and storm sewer repairs throughout the year.

The required stockpile amounts (based on previous annual amounts required) are identified below:

Yard	Amount (tonnes)
Lakeshore West Public Works	2400
Lakeshore East Public Works	2400

Comments

The tender for Supply and Place Gravel was publicly advertised on the Bids & Tenders website on March 29, 2024. The tender closed on April 5, 2024.

Two (2) tenders were received prior to tender closing.

The following summarizes the tender amounts received based on the two schedules (components):

Tenderer	Price (excluding HST)	Price (including applicable HST)
Schedule 1 - Supply and Place Gravel (Component 1)		
Shepley Excavating & Road Maintenance Ltd.	\$ 253,825.00	\$ 258,292.32
Quinlan Inc.	\$ 694,993.50	\$ 707,225.38
Schedule 2 – Supply and Stockpile Gravel (Component 2)		
Shepley Excavating & Road Maintenance Ltd.	\$ 134,160.00	\$ 136,521.22
Quinlan Inc.	\$ 132,480.00	\$ 134,811.65

Financial Impacts

The financial impact has been summarized below:

Project items	Contract Amount (excluding HST)	Contract Amount (including applicable HST)
Component 1) Supply and Place Gravel	\$ 253,825.00	\$258,292.32
Component 2) Stockpile Gravel	\$132,480.00	\$134,811.65
Total	\$386,305.00	\$393,103.97
2024 Budget		\$395,000.00
Difference (over)/under		\$1,896.03

Administration is aware of price increases for the supply of gravel aggregate across the industry and tendered accordingly to stay within budgeted amounts.

Administration recommends that Council award the tender in the total amount of \$393,103.97 including applicable HST based on the following:

- Schedule 1 – Supply and Place Gravel to be awarded to Shepley Excavating & Road Maintenance Ltd. In the amount of \$258,292.32 including applicable HST; and
- Schedule 2 – Supply and Stockpile Gravel to be awarded to Quinlan Inc. in the amount of \$134,103.97 including applicable HST.

Attachments

2024 Supply and Place Gravel Map

Report Approval Details

Document Title:	Tender Award - 2024 Supply and Place Gravel Program.docx
Attachments:	- 2024 Supply and Place Gravel Map.pdf
Final Approval Date:	Apr 23, 2024

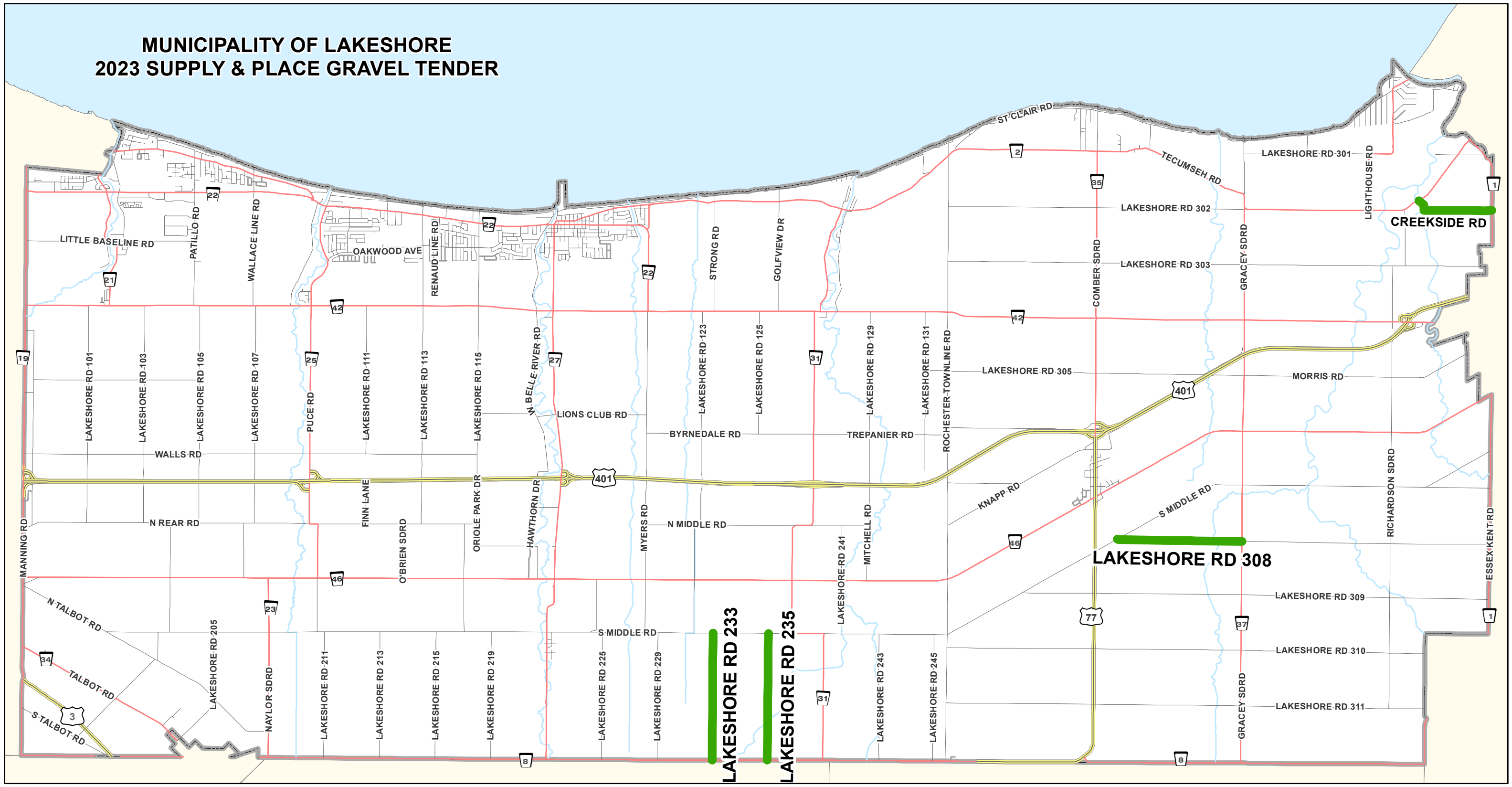
This report and all of its attachments were approved and signed as outlined below:

Prepared by Jeff Wilson

Submitted by Krystal Kalbol

Approved by the Corporate Leadership Team

**MUNICIPALITY OF LAKESHORE
2023 SUPPLY & PLACE GRAVEL TENDER**



Municipality of Lakeshore – Report to Council

Corporate Services

Financial Planning and Analysis



To: Mayor & Members of Council

From: Justin Rousseau, Deputy Chief Administrative Officer - Chief Financial Officer

Date: April 10, 2024

Subject: 2024 and 2025 Asset Management Plan Consulting Services

Recommendation

Approve waiving the requirement for a competitive process pursuant to Schedule “C” (Purchasing Policy) sections 3.9 (a) iii and 3.11 to the Municipality of Lakeshore Procurement By-Law 58-2010;

Award the 2024 and 2025 Asset Management Plan consulting services to PSD Citywide Ltd. in the amount of \$98,606; and

Approve the additional funding of \$48,480, exceeding the approved capital budget of the 2021 Asset Management Update to be funded through the Plans and Studies Reserve, all as presented at the April 30, 2024 Council meeting.

Strategic Objectives

1a) Building and Stewarding Municipal Infrastructure - Update Asset Management Plan

Background

In 2015, O. REG. 588/17 Asset Management Planning for Municipal Infrastructure was created under the Infrastructure for Jobs and Prosperity Act by the Province of Ontario. Under this regulation, lower-tier municipalities were required to institute and maintain asset management plans and policies. This regulation has required specific reporting dates for core and non-core assets.

The below diagram, Figure 1, details the timeline of O.REG.588/17 requirements. The Municipality’s original Asset Management Plan (AMP) was developed in 2017. The legislation requirements have continued to evolve since then with the development of an Asset Management Policy being required in 2019. Updates were completed to the AMP for the 2022 submission to include details regarding core assets. Additional updates to the AMP are required for the 2024 submission to include details regarding non-core

assets and extensive updates for the 2025 submission to include financial planning details.



Since the Municipality of Lakeshore's first AMP in 2017, the Municipality has used a third-party consultant, PSD Citywide, to host and maintain our asset management database. In 2022, the Municipality of Lakeshore completed its 2022 Asset Management Plan (AMP), which was also prepared by PSD Citywide for the Municipality's core assets. The AMP can be found on the Municipality's website under Townhall – Publications, Plans and Reports – Asset Management Plan.

As displayed in Figure 1 above, the next deadline to be compliant with O. REG. 588/17 will require an update to the AMP for non-core assets by July 1, 2024. The Municipality has already been performing a cleanup of our non-core assets in our PSD Citywide database but requires further assistance to complete the final reporting documents by the deadline.

In 2025, there will be extensive updates to the AMP required by the legislation as of July 1, 2025, which includes, but is not limited to the final proposed levels of service for each asset, including lifecycle management and financial strategy for a 10-year period.

The Municipality's Asset Management Team had reached out to PSD Citywide for assistance in meeting our 2024 & 2025 Requirements. PSD Citywide indicated to the Municipality that to be compliant for the 2025 submission, updates would take approximately 12 months to complete.

As PSD has completed both the 2017 and 2022 Asset Management Plans, is providing similar services, and possesses experience and knowledge of our databases and processes, ensuring continuity and efficiency, direct negotiation can be completed per Section 3.11 of Procurement By-law 36-2020, as well as section 3.9 (a)iii allows for non-

competitive purchases where only one source of supply would be acceptable and cost-effective.

Others Consulted

Public Service Digest

Financial Impacts

In 2021 a budget of \$62,500 was approved for the 2022 Asset Management Update funded through the Plans and Studies Reserve. The Municipality was a successful applicant for the Federation of Canadian Municipalities Municipal Asset Management Program Grant which covered 80% of costs up to \$49,600. The grant is not available for this current update.

Item	Project Cost	Budget	Grant Funding	Surplus/(Shortfall)
2022 Asset Management Plan Update	\$61,870	\$62,500	\$49,496	\$50,126
2024 & 2025 Asset Management Plan Update Anticipated Cost including non-refundable HST	\$98,606	-	-	\$(98,606)
Total (Shortfall)				(\$48,480)

Administration recommends funding the identified shortfall in the amount of \$48,480 from the Plans and Studies reserve.

Attachments

Project Proposal - O. Reg 588 Compliant 2024 and 2025 Asset Management Plan

Report Approval Details

Document Title:	2024 and 2025 Asset Management Plan Consulting Services.docx
Attachments:	- Project Proposal - O. Reg 588 Compliant 2024 and 2025 Asset Management Plan.pdf
Final Approval Date:	Apr 23, 2024

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

Prepared by Justin Rousseau

Approved by the Corporate Leadership Team



Municipality of Lakeshore

O. Reg 588 Compliant 2024/2025 Asset Management Plan

Project Proposal

Date: March 26th, 2024

Submitted By:

PSD Citywide Inc.

148 Fullarton St, 9th Floor

London, ON, N6A 5P3



Contact List

Municipality of Lakeshore ("Client")

Name	Title	Telephone	E-Mail
Jessica Gaspard	Manager of Financial Analysis	519-728-2700 ext. 253	jgaspard@lakeshore.ca

PSD Citywide Inc. ("PSD Citywide")

Name	Title	Telephone	E-Mail
Mitch McGuffin	Account Manager	519-933-7645	mmcguffin@psdcitywide.com
Matthew Van Dommelen	Regional Manager	519-690-2565 Ext. 2410	mvd@psdcitywide.com
Chris Vanderheyden	Director, Asset Management Advisory	519-690-2565 Ext. 2724	cvanderheyden@psdcitywide.com
Dana Ossman	Sales Operation Associate	519-690-2565 Ext. 2768	dossman@psdcitywide.com

Statement of Confidentiality

This document has been prepared specifically for the Client.

PSD Citywide shall treat as confidential all information obtained by PSD Citywide for and from the Client as well as all information compiled by PSD Citywide under this Agreement for the Client, including without limitation: business and marketing information, technical data, programs, source codes and other software, plans and projections.

This proposal and all of its associated pricing shall remain valid until **May 30th 2024**.

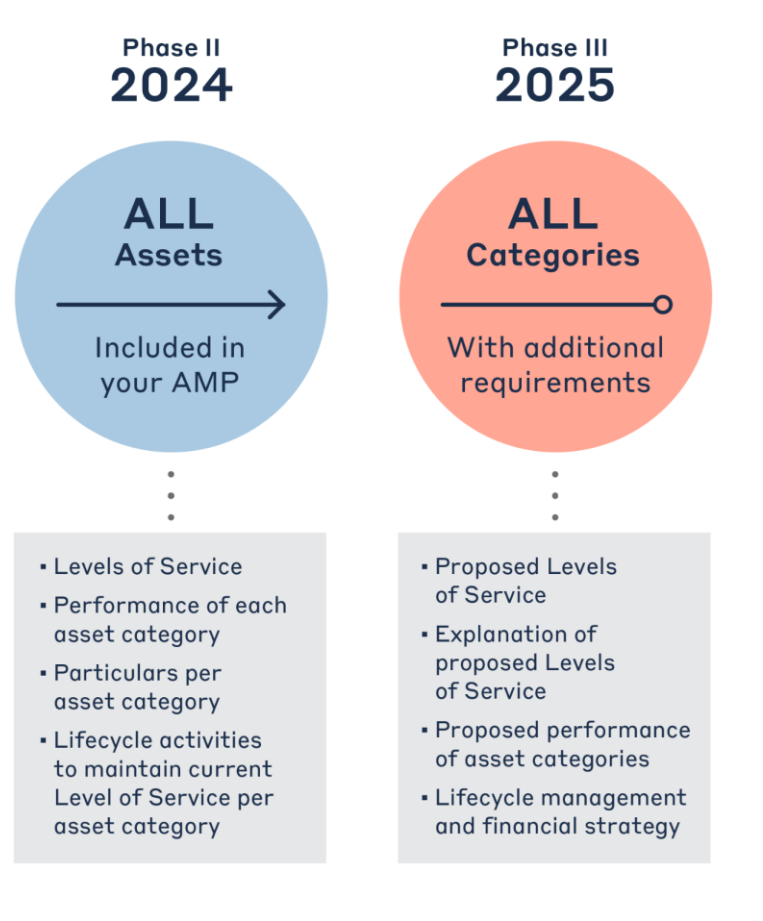
Project Deliverables

This document contains a high-level project plan for the Municipality of Lakeshore for the purpose of developing and delivering an Asset Management Plan. The proposed schedule, requirements and scope presented in this document are to be refined and updated as client requirements, business and operational goals, and constraints are gathered throughout the project. The Asset Management Plan (AMP) will be composed with the following components at a minimum:

- Executive Summary
- Introduction
- State of Local Infrastructure
- Asset Management Strategy
- Levels of Service
- Financial Strategy

1. O. Reg 588/17 Compliant Asset Management Plan

The asset management plan will become a document that officials, staff, and residents can use to guide their decision-making and develop an educated perspective on managing a municipality's assets. Ontario Regulation 588/17 requires municipalities to develop an asset management plan in three stages:



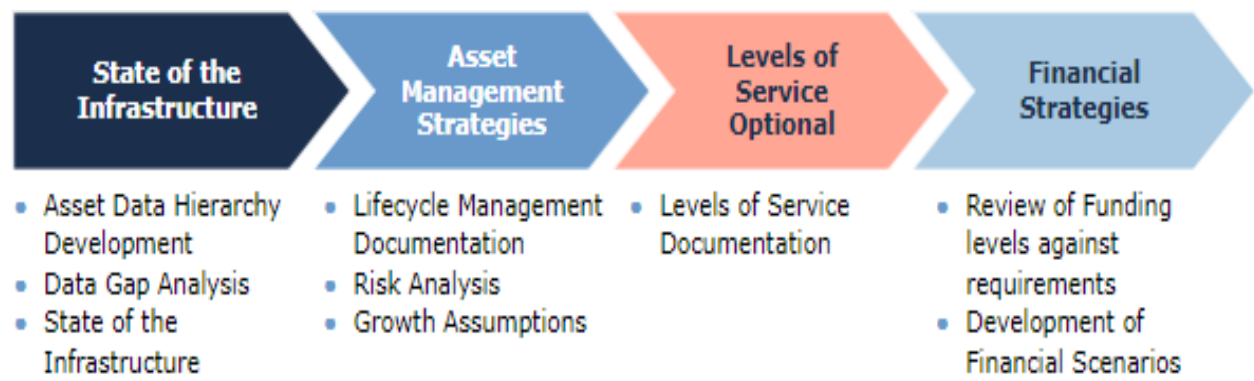
PSD Citywide’s work for the The Municipality of Lakeshore will complete preparation for **Phase 2 and Phase 3**, in order to comply with the **2024 and 2025 requirements of AMP development**.

Asset Management Workshops and Interviews

The development of the AMP requires input from stakeholders across all departments to leverage existing knowledge, understand current practices, and review insights. At key intervals over the course of the project PSD Citywide will lead workshops and/or interviews with relevant staff to ensure all project requirements have been satisfied. The number of workshops and the content covered will be determined during the initial project planning stage in collaboration between PSD Citywide and key project stakeholders but may change as project requirements become better understood. This will depend on the maturity of data and processes currently and the availability of studies and reports. The budget for these engagements includes prep time, workshop design, and delivery.

Project Scope

There are 4 key sections in the asset management plan:



The following tables identify the content that will be included in the AMP for each asset category:

Asset Category	Project Requirements			
	State of Infrastructure	AM Strategies	Levels of Service	Financial Strategies
Road Network	Yes	Yes	Yes	Yes
Bridges & Culverts	Yes	Yes	Yes	Yes
Storm	Yes	Yes	Yes	Yes
Water	Yes	Yes	Yes	Yes
Facilities	Yes	Yes	Yes	Yes
Land Improvements/Parks	Yes	Yes	Yes	Yes
Machinery & Equipment	Yes	Yes	Yes	Yes

Vehicles		Yes	Yes	Yes	Yes
Topic	In Scope		Out of Scope		
Inventory Analysis & State of the Infrastructure	<ul style="list-style-type: none"> ✓ Develop customized AMP classification structure (data hierarchy) ✓ Complete a data gap analysis ✓ Review and adjust Useful Lives and Replacement Costs ✓ Inventory duplication review & identification of excluded assets ✓ Upload available assessed condition data (e.g. Road Needs Study) that aligns with current asset inventory structure only 		<ul style="list-style-type: none"> ✗ Financial data adjustments (disposals, betterments, cost balancing) ✗ Inventory reconciliation or merging data between two datasets (e.g. TCA vs. GIS) ✗ Create links to GIS dataset ✗ Disaggregate pooled inventory data ✗ Complete on-site condition assessments 		
AM Strategies (Lifecycle)	<ul style="list-style-type: none"> ✓ Document current lifecycle and condition assessment strategies (all assets) ✓ Create lifecycle model(s) for Roads that identify current or proposed management strategies ✓ Lifecycle activities for bridges and structural culverts based on recommended activities in OSIM reports 		<ul style="list-style-type: none"> ✗ Identify optimal lifecycle strategies or make recommendations on best practices 		
AM Strategies (Risk)	<ul style="list-style-type: none"> ✓ Basic risk models developed for all asset categories (1-2 Consequence of Failure Metrics; 1-2 Probability of Failure Metrics) based on available data ✓ Development of risk matrices ✓ Identification of risks to infrastructure programs in general 		<ul style="list-style-type: none"> ✗ Development of risk mitigation strategies 		
AM Strategies (Growth)	<ul style="list-style-type: none"> ✓ Identification of growth assumptions based on the best available data ✓ Review of expected impacts of growth on asset management planning 		<ul style="list-style-type: none"> ✗ Growth forecasting 		
Levels of Service	<ul style="list-style-type: none"> ✓ Identification of current and proposed level of service (O.Reg 588/17 metrics) ✓ Selection of up to 1 -3 additional key performance measures per asset category 		<ul style="list-style-type: none"> ✗ Review of historical data and/or trend analysis 		
Financial Strategy	<ul style="list-style-type: none"> ✓ Review of historical approach to capital funding allocation and debt financing ✓ Development of phased-in financial strategy to meet capital lifecycle requirements (5-20 Years) 		<ul style="list-style-type: none"> ✗ Review of operating costs ✗ Integration of growth costs ✗ Development of reserve funding strategy 		

Draft/Report	<ul style="list-style-type: none">✓ 2 draft revision cycles✓ Final presentation to Council as required	
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AMP Development

Phase 1: Document Review & Project Planning

To ensure alignment between the AMP and the municipality’s current strategic objectives, the development process will begin with a review of any previous AMPs and related infrastructure documentation, including strategic plans, AM policies, and other relevant studies.

PSD Citywide will then host a kickoff meeting with project stakeholders to establish a working group made up of designated municipal staff with assigned roles and responsibilities, and then work with staff to fully understand the project goals and objectives of the municipality. Our approach and methodologies implemented in developing the AMP will enable strategic asset management decision-making, and we will ensure that all training material and the content of the workshops are designed specifically for the municipality. Based on PSD Citywide’s review of provided documentation and the project kick-off meeting, a tailored project plan will be designed to ensure that the final deliverable meets all the identified goals and objectives.

Phase 2: Inventory Analysis & State of the Infrastructure

1. Asset Data Hierarchy Development

In addition to portfolio-level analysis, the AMP will also include detailed analysis at a network- or system-level. To enable this analysis, an asset data hierarchy will be developed which sorts assets into service areas or other functional categories. Our process will include a review of past AMPs, recent budget documents, as well as the municipality’s current asset inventory to determine an optimal data structure. An example of a three-tier asset hierarchy can be found below.

Service Area	Asset Category	Asset Type
Infrastructure Services	Engineering Services	Roads
		Bridges & Culverts
		Stormwater
	Transportation	Traffic
		Signages
		Street Lighting
	Roads & Fleet	Machinery & Equipment

		Vehicles
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PSD Citywide will provide multiple options for the municipality to review and confirm, ensuring that the AMP aligns closely with other strategic documents.

2. Data Gap Analysis & Refinement

Asset management planning is only as strong as the data and information that it is based on. Each asset can have anywhere from several to dozens of attributes—from material type and replacement costs to useful life and condition information. With tens of thousands of assets across the portfolio, there are many opportunities for errors or inconsistencies to be introduced. For that reason, we spend a considerable portion of our project reviewing and refining key infrastructure data. A detailed data gap analysis will be performed across all asset categories to determine where additional data is needed and where existing data should be reviewed for accuracy. The following table provides an example of the data fields that are typically reviewed:

Data Fields	Completeness (%)	# of Assets with Gaps	Notes for Review
Quantity	95%	325	Quantities are present for almost all assets. Some anomalies require further review as identified in a separate worksheet.
In-Service Date	100%	0	No further review required
EUL	8%	6250	All assets from the provided GIS listing will require a Lifecycle EUL to be assigned.
Replacement Cost	0%	6489	Assets that have historical costs will use appropriate inflation measures to determine replacement cost. For core linear assets a unit cost template will be provided for review.
Assessed Condition	0%	6489	No condition data available in Citywide; please provide if available. Age-based estimates of condition will be used for all assets without assessed condition.

The process of data collection and analysis used by PSD Citywide is designed to increase confidence in the asset data itself, and the final project components that rely on this data. As data has such widespread implications across the asset management program, PSD Citywide will work with the municipality to address gaps and increase confidence in the accuracy and reliability of asset data.

While staff will be given time to review and close some data gaps, more involved data refinements (e.g. condition assessments, data disaggregation, new inventory development) will be recommended for future reference. PSD Citywide can provide some guidance on average replacement costs and EULs using data from similar-sized municipalities or available benchmarking data if required.

3. State of the Infrastructure

The State of the Infrastructure (SOTI) is a key element of our asset management plans. It includes data and information on each asset class, including inventory, replacement cost, asset condition, service life remaining, average age, and capital needs forecasts.

The analysis within the SOTI is only as reliable as the asset data and information that it is provided. Any concerns and assumptions with the accuracy and/or reliability of this data will be clearly identified in the report. Additional recommendations will be developed to address identified concerns. The SOTI will include portfolio-level analysis as well as network or system-level analysis in the following areas:

Asset Inventory & Replacement Cost

All the analysis included in the AMP is a product of the best available data on existing municipal infrastructure assets. From the provided asset inventory, we will develop a simplified overview of the scope and quantity of assets that the municipality owns to provide municipal services. This section will answer two questions in particular:

- What do we own?
- How much is it worth?

Determining asset replacement costs is one of the first steps in the development of a long-term capital forecast. There are several methods that can be employed to determine these costs including:

- **Cost Inflation** – inflation of the asset cost recorded at the time it was acquired to today's value using an available index (CPI or BCPI)
- **Replacement Unit Costs** – A unit-based or asset-specific replacement cost determined through a review of recent contracts, reports, and/or staff estimates.

We will work closely with staff to review and evaluate asset replacement costs to ensure that costing estimates and capital forecasts are based on the best available data. Where possible we will cross-reference with available industry costing data as well as internal datasets developed during our extensive working relationship with clients across North America of various sizes.

Asset Condition

Asset management planning should be based on the best available data on asset condition. Determining the current condition of assets will inform lifecycle management strategies, condition assessment strategies, and the development of long-term capital forecasts. All assets will be given a condition rating based on the best available data from **Very Good to Very Poor** as per the following industry-standard rating criteria identified in the Canadian Infrastructure Report Card.

Condition	Description	Criteria
Very Good	Fit for the future	Well maintained, good condition, new or recently rehabilitated
Good	Adequate for now	Acceptable, generally approaching mid-stage of expected service life
Fair	Requires attention	Signs of deterioration, some elements exhibit significant deficiencies
Poor	Increasing potential of affecting service	Approaching end of service life, condition below standard, large portion of system exhibits significant deterioration
Very Poor	Unfit for sustained	Near or beyond expected service life, widespread signs of

	service	advanced deterioration, some assets may be unusable
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To allow for a standard and comparable condition rating across all assets, we may need to adapt asset-specific condition assessment criteria to fit into the above categorization. Common condition rating criteria includes:

- Pavement Condition Index (PCI) for paved roads
- Bridge Condition Index (BCI) for bridges and structural culverts
- Facilities Condition Index (FCI) for buildings and facilities
- PACP Ratings for pipes

Based on available condition data we will be able to identify the current condition of infrastructure. Our findings will inform recommendations on the development and implementation of a portfolio-wide condition assessment program to inform long-term planning.

Average Age & Service Life Remaining

Using asset In-Service Dates and Estimated Useful Lives we will be able to identify the average age of infrastructure as well as the years of service life remaining to inform both short- and long-term planning.

Measuring this data across all asset categories will allow us to develop an annual forecast of asset replacement requirements. It will also inform our recommendations on the implementation of lifecycle management and condition assessment strategies.

Phase 3: Asset Management Strategies

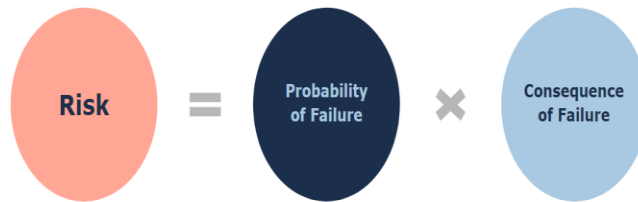
1. Lifecycle Management Strategies

The condition and/or performance of infrastructure assets will deteriorate over time. This process is affected by a range of factors including an asset’s physical characteristics, location, utilization, maintenance history and environment. Asset deterioration may be characterized by increased cost, risk, and even service disruption. To ensure that municipal assets are performing as expected and meeting the needs of the community, it is important to establish a strategy to proactively manage asset deterioration. Effective lifecycle management can extend the service life of assets and ensure that assets continue to meet service and performance requirements at the lowest total cost of ownership. The following graphic provides an example of the deterioration of an asset’s condition over its lifecycle and how strategic lifecycle management can extend service life while reducing total costs.

As part of the AMP development process, we will work with key staff to document the municipality’s current approach to lifecycle management strategies. Additionally, we’ll be able to identify optional lifecycle activities (e.g. maintenance, rehabilitation, and replacement) that the municipality may consider to reduce cost and risk. PSD Citywide will not build lifecycle models at this stage, just documenting. If lifecycle models will be built, please speak with your Account Manager or Client Support Representative.

2. Risk Analysis

The Risk Analysis in the AMP will comprise documentation of risks to infrastructure programs at both a corporate and network-level. It will also include an evaluation of risk and criticality based on condition and asset attribute data currently available in the municipality’s inventory. Asset risk evaluation considers both the probability of failure (PoF) and the consequence of failure (CoF).



Risk ratings can be used to:

- Assist with the prioritization of resources
- Prioritize and streamline inspection and condition assessment programs
- Prioritize and optimize operations and maintenance programs
- Prioritize and optimize capital budget processes and program delivery
- Ensure that available money and resources are applied to the right asset at the right time

A risk matrix is a useful tool to visualize risk across a group of assets. The AMP will include a risk matrix for each asset category similar to the example below:

Consequence	5 Severe	155.00 m \$261,795	- \$0	461.50 m \$935,461	- \$0	570.80 m \$1,025,935
	4 Major	1,881.60 m \$1,828,986	480.60 m \$406,429	723.00 m \$631,444	18.10 m \$16,815	302.46 m \$300,717
	3 Moderate	2,056.30 m \$1,669,479	788.40 m \$553,633	618.00 m \$464,836	39.60 m \$31,442	945.90 m \$713,604
	2 Minor	3,541.40 m \$2,147,557	2,887.00 m \$1,727,721	929.50 m \$556,567	2,124.10 m \$1,276,959	6,730.40 m \$4,026,603
	1 Insignificant	1,640.98 m \$1,066,646	3,974.25 m \$2,348,782	473.48 m \$279,827	321.50 m \$190,007	10,240.27 m \$6,052,000
		1 Rare	2 Unlikely	3 Possible	4 Likely	5 Almost Certain
		Probability				

3. Growth Assumptions

Understanding the key drivers of growth and demand will allow the municipality to more effectively plan for new infrastructure, and the upgrade or disposal of existing infrastructure. Increases or decreases in demand can affect what assets are needed and what level of service meets the needs of the community. PSD Citywide will work with the client to document some assumptions and key projects related to community growth, which in result, will greatly affect their asset management planning.

Phase 4: Levels of Service

Municipalities own and maintain assets with the end goal of providing a diverse range of high-quality services to the community. Through consultation with community stakeholders and often the development of strategic planning documents, a level of service standard is established.

These levels of service standards or objectives are key drivers in asset management planning and decision-making. A regular evaluation of the level of service is required to ensure that organizational objectives align with asset management outcomes. Levels of Service are used:

- To inform customers of the proposed type and level of service to be offered
- To identify the costs and benefits of the services offered
- To assess suitability, affordability and equity of the services offered
- As a measure of the effectiveness of the asset management plan

There are two levels of evaluation related to LOS:

1. **Current Level of Service** – What level of service are we providing today?
2. **Proposed Level of Service** – What level of service do we want to provide in the future?

This AMP will focus on the measurement of current and proposed levels of service. This requires the identification of key performance indicators that can be reliably and consistently measured. The differentiation between two types of indicators is described below:

1. **Community Level of Service** – Qualitative descriptions of the service provided (high-level)
2. **Technical Level of Service** – Quantitative measures of the service provided

We will work with the Click or tap here to enter text. to collect the required technical and community level of service measures. Additionally, we will identify supplementary performance measures that can help decision-makers to better understand the current level of service provided by the infrastructure in each asset category. Below is a list of the technical level of service metrics:

Asset Category	Technical LOS
Water Assets	Percentage of properties connected to the municipal water system.
	Percentage of properties where fire flow is available.
	The number of connection-days per year where a boil water advisory notice is in place compared to the total number of properties connected to the municipal water system.
	The number of connection-days per year due to water main breaks compared to the total number of properties connected to the municipal water system.
Wastewater Assets	Percentage of properties connected to the municipal wastewater system.
	The number of events per year where combined sewer flow in the municipal wastewater system exceeds system capacity compared to the total number of properties connected to the municipal wastewater system.
	The number of connection-days per year due to wastewater backups compared to the total number of properties connected to the municipal wastewater system.
	The number of effluent violations per year due to wastewater discharge compared to the total number of properties connected to the municipal wastewater system.
Stormwater Assets	Percentage of properties in municipalities resilient to a 100-year storm.
	Percentage of the municipal stormwater management system resilient to a 5-year storm.
Roads	Number of lane-kilometers of each of arterial roads, collector roads and local roads as a proportion of square kilometers of land area of the municipality.
	For paved roads in the municipality, the average pavement condition index value.
	For unpaved roads in the municipality, the average surface condition (e.g. excellent, good, fair or poor).

Bridges & Culverts	Percentage of bridges in the municipality with loading or dimensional restrictions.
	For bridges in the municipality, the average bridge condition index value.
	For structural culverts in the municipality, the average bridge condition index value.
Facilities	Gross square footage of all buildings owned and leased
	O&M Cost per Percentage of buildings and facilities
	Percentage of buildings inspected
Fleet	Average percentage of time a vehicle is in service and capable of performing its primary function
	O&M cost per vehicle

Phase 5: Financial Strategies

1. Gather & Review Financial Data

Once the SOTI and AM Strategies have been confirmed, the development of the financial strategy can begin. We'll start with gathering and reviewing financial data provided by the municipality including:

- Revenues
- Reserves
- Debt
- Project Costs

A review of key financial data over the past three years will allow us to better understand the historical availability of infrastructure funding and identify sustainable revenue sources. Our Financial Data Analysts will complete a gap analysis and work with staff to gather, format and analyze all required data.

2. Financial Analysis & Scenarios

Assets will be divided between tax-funded and rate-funded asset categories based on their primary funding source. Where possible, our financial analysis will consider the cost requirements of multiple lifecycle management strategies. For some asset categories, we may only use an end-of-life replacement strategy. For others, where a proactive maintenance/rehabilitation strategy has been considered, we will be able to identify multiple sets of cost requirements for comparison. This will depend on the municipality's current lifecycle management strategies and any work completed during the AM Strategies stage of the project. With an in-depth understanding of current infrastructure funding levels and the availability of sustainable revenue sources, we will be able to compare the financial data against identified cost requirements to determine the extent of the funding shortfall. Once the funding shortfall is identified, we will develop multiple scenarios to be considered. Where necessary, this will include phased-in strategies over a period of up to 20 years. Our analysis will conclude with a recommended strategy to eliminate the infrastructure deficit and reach a sustainable level of infrastructure investment to maintain current levels of service.

Phase 6: AMP Draft Review Process and Document Finalization

The development and approval of a comprehensive AMP is a substantial task. The AMP itself is a complex, lengthy, and multi-faceted document. It should be reviewed by all relevant internal stakeholders. We complete two rounds of revisions to the document, and adhere to the following approach in ensuring the document is fully vetted prior to project close-out:

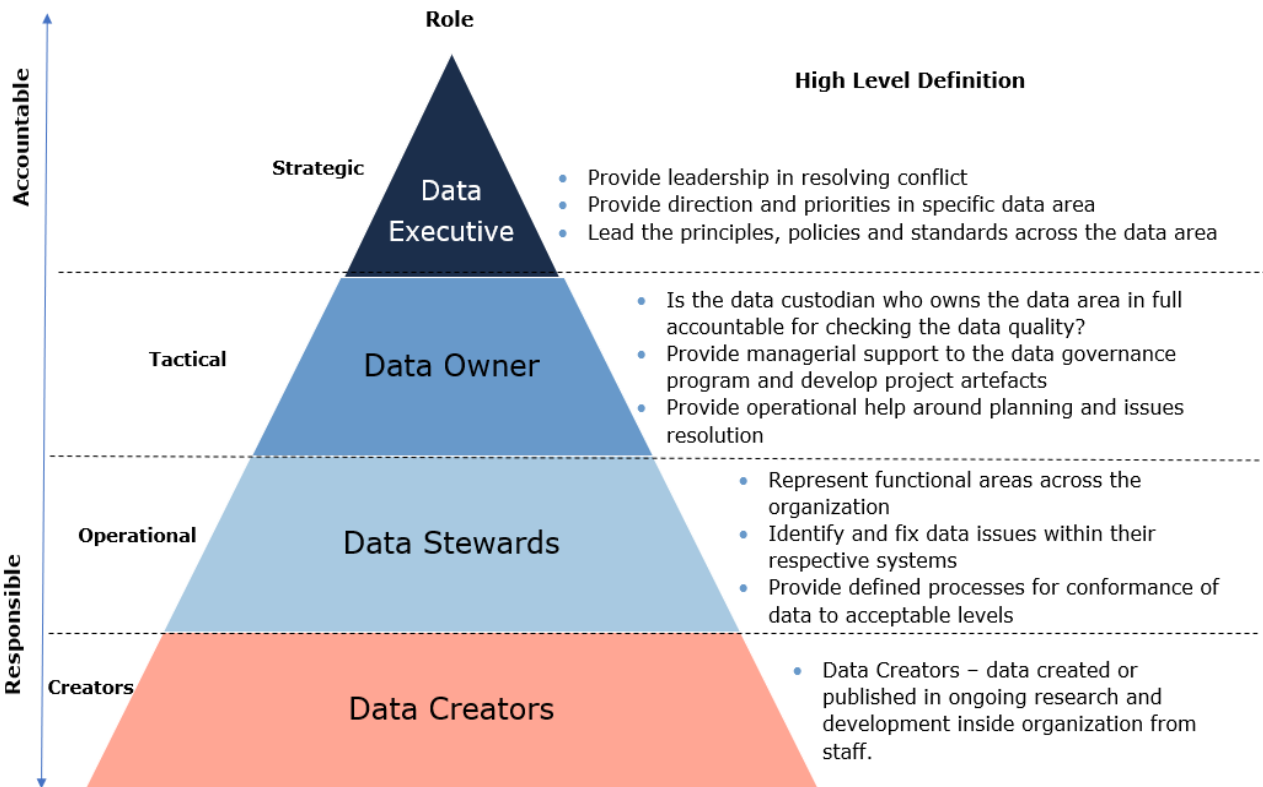
- **Draft 1 Submission:** After all necessary data is collected and analyzed, we will provide the Project Lead with the first full draft of the asset management plan.
- **Client Review of Draft 1:** Upon submission of Draft 1, and at the discretion of the Project Lead, the AMP should be circulated to all internal stakeholders for review and feedback. To ensure the process is efficient, this feedback must be consolidated by Project Lead prior to forwarding to PSD Citywide for revisions.
- **Revisions to Draft 1:** PSD Citywide will make revisions as necessary to Draft 1 and submit Draft 2 to Project Lead.
- **Client Review of Draft 2:** Upon submission of Draft 2, and at the discretion of the Project Lead, the AMP should be circulated to all internal stakeholders for review and feedback. As with revisions to Draft 1, any further feedback must be consolidated by Project Lead prior to forwarding to PSD Citywide for revisions.
- **Document Finalization:** Upon receiving further feedback on Draft 2, PSD Citywide will revise the document and finalize it for submission to Project Lead.

2. Data Governance Policy

A Data Governance Policy is a collection of principles that describe the rules to control the integrity, security, quality and usage of asset data during its lifecycle. The policy also defines the roles and responsibilities of Municipal staff, consultants or third parties that access data, update data or dispose of data with municipal assets.

The purpose is to define:

- Roles and responsibilities for different data types and usage types, cases and/or situations, and to establish clear lines of accountability.
- Ensure that the municipality complies with regulations and standards.
- Ensure that data is effectively documented within the processes associated with accessing, retrieving, exchanging, reporting and managing data.



Project Schedule

The estimated duration of this project is **12 months**. The detailed project schedule and Gantt chart will be supplied after the kick-off meeting and will be reviewed and approved in phases as the project progresses. The duration of the project is dependent on multiple factors including client availability as well as data activities. Note that Client time and resources will be required regularly throughout the project. It is expected that the Client will provide data and additional inputs for each stage as well as review and provide feedback on the deliverable for each stage.

Project Communication

Due to the size and scope of the project, clear and efficient communications between the Client and PSD Citywide is vital to project success. In the kick-off meeting, the main point of contact for PSD Citywide and the Client will be decided upon and the Client will be introduced to PSD Citywide's Project Management Tool, Mavenlink, in which clients can have access to view the progress of the project. All high-level client communications, including project progress updates, scheduling future meetings/workshops and sending of data should be done between these individuals unless stated otherwise throughout the project. In addition, every two weeks starting with the kick-off meeting, the PSD Citywide Project Manager will provide a project status update that includes progress of tasks completed to date and the timelines and milestones of activities moving forward. Alternatively, the client can check project progress, statuses, and updates through Mavenlink.

Project Budget

Professional Services	
Service	Amount
O. Reg 588/17 Compliant Asset Management Plan meeting the 2025 requirements and also includes compliance with the 2024 regulations	\$89,600.00
Training on best practice Asset Management and how to run the AMP inside Citywide	\$4,800.00
Total	\$94,400.00

***** If the client wishes for PSD Citywide to produce an AODA compliant document (for the website), it will be an additional \$2,500 charge for a document up to 150 pages.**

Municipality of Lakeshore – Report to Council

Community Health and Safety

Facilities and Parks



To: Mayor & Members of Council
From: Bill Quinlan, Division Leader – Facilities and Parks
Date: April 12, 2024
Subject: RFP for Concessions at West Beach

Recommendation

Approve entering into a three-year contract, with an option to renew for an additional three, one year contracts, with 2588827 Ontario Inc. O/A Scoop and Straw for the provision of concessions operations at the West Beach, as presented at the April 30, 2024 Council meeting; and

Direct the Clerk to read By-law 52-2024 during the consideration of By-laws.

Strategic Objectives

This report does not relate to one of Council's Strategic Objectives but is a citizen-centered municipal function.

Comments

On March 25, 2024, the concessions operations at the West Beach RFP was publicly advertised on Bids and Tenders. The Municipality planned to engage the services of a company/person for the provision of Seasonal Concession Stand Operation Services at the Municipality of Lakeshore's West Beach Concession Facility. The Service Provider will pay a monthly rental income to the Municipality of Lakeshore for the use of the Municipal Facility.

The Service Provider shall have the exclusive right, concession and approval to provide, sell and distribute confectionary foods within the Lakeview Park West Beach Concession in the Municipality of Lakeshore.

The Municipality shall provide the Service Provider with a concession building at Lakeview Park West Beach containing the Chattels. The Municipality will also provide electrical and water service to the facility.

The Service Provider shall provide, at its own expense, the Service Provider's Equipment. The Service Provider's Equipment must be inspected and approved for use by the Municipality's representative, prior to installation.

The Service Provider shall quote a financial payment schedule amount they are willing to provide the Municipality for the right to set up and vend products in accordance with the terms stated within this Request for Proposal document.

On April 12, 2024, the RFP was closed.

There were two vendors that provided a compliant bid prior to the closing date of Friday April 12, 2024.

Vendor	Monthly Tender Amount (Excluding HST)	Total Tender Amount (Excluding HST)
2588827 Ontario Inc. O/A Scoop and Straw	\$3,200.00	\$29,961.00
2759098 Ontario Inc. O/A A&J Snack Shack	\$1,500.00	\$14,593.00

Administration recommends awarding the tender for the concession operations at the West Beach to Scoop and Straw. It should be noted that food options items and prices will be within the control of the service provider and not the Municipality of Lakeshore.

Financial Impacts

The total annual rental income will be \$29,961.00 which included the tender amount, and the utilities amount of \$516.50 which is included in the total tender amount. Revenue income will be reported in the Parks Operating Budget and currently has a budgeted income of \$15,200 and it is anticipated a budget surplus of \$14,761 will be experienced.

Report Approval Details

Document Title:	RFP for Concessions at West Beach.docx
Attachments:	
Final Approval Date:	Apr 25, 2024

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

Prepared by Bill Quinlan

Submitted by Frank Jeney

Approved by the Corporate Leadership Team

Municipality of Lakeshore – Report to Council

Legal and Legislative Services

Legislative Services



To: Mayor & Members of Council

From: Cindy Lanoue, Team Leader – Legislative Services

Date: April 3, 2024

Subject: Request for Designation of Municipally Significant Event – Lighthouse Cove & District Lions Club Fundraising Event – June 15, 2024

Recommendation

Designate the Lighthouse Cove & District Lions Club fundraising event, scheduled for Saturday, June 15, 2024 at the property municipally known as 17845 Melody Drive (also known as 999 Quenneville Drive), as “municipally significant”, as presented at the April 30, 2024 Council meeting.

Strategic Objectives

This report does not relate to one of Council’s Strategic Objectives but is a citizen-centered municipal function.

Background

Attached (Appendix A) is a copy of the correspondence received from the Lighthouse Cove & District Lions Club relating to the fundraising event scheduled for June 15, 2024. While the letter speaks primarily to lottery licensing, the event organizers have advised that alcohol will be served at the event, therefore a Special Occasion Permit (SOP) will be required.

Comments

The Alcohol and Gaming Commission of Ontario (AGCO) administers the SOP program, which includes the sale and service of alcohol on special occasions such as charity fundraisers.

There are three types of special occasions for which a permit may be issued:

1. Private Event: for events where only invited guests will attend. These events cannot be advertised and there can be no intent to gain or profit from the sale of alcohol at the event.

2. Public Events: for events that are open to the public. These events can be advertised and allow for fundraising including profit from the sale of alcohol.
3. Industry Promotional Events: for events held to promote a manufacturer's product through sampling. There can be no intent to gain or profit from the sale of alcohol at the event.

The Lighthouse Cove & District Lions Club intends to host the public fundraising event at Lighthouse Cove Lions Park, located at municipal address 17845 Melody Drive (also known as 999 Quenneville Drive).

Public Event permits can only be issued by the AGCO for events by registered charities or non-profits, or for events of "municipal significance". In order to be deemed an event of municipal significance, it requires a designation by the municipality in which the event will take place. SOP applications for a municipally significant Public Event must be accompanied by either a municipal resolution or a letter from a delegated municipal official designating the event as municipally significant.

Building, By-law and Fire Services divisions were consulted and advised that there are no concerns relating to the event, provided that the event organizers ensure access is maintained up to the facility as best they can for emergency services in case a medical or other unforeseen emergency occurs, must help ensure that smoking occurs in accordance with the *Smoke-Free Ontario Act* and that the event complies with the provisions of the Municipality's Noise By-law. Should tents be installed, building permits will be required.

In addition, the event organizers must provide:

- a site plan to denote the location of stages, portables, additional bathroom facilities, tents or fencing, if installed, as well as the designated area being used to serve alcohol (with dimensions);
- a description of materials used to identify the designated area (i.e. snow or chain link fencing); and
- the location, number and size of exits from the designated area.

The Municipality of Lakeshore will not assume any responsibility for the event by recognizing it as "municipally significant".

Financial Impacts

The event organizers have paid the \$50.00 application fee for consideration of the designation of the event. There is no further financial impact to the Municipality by way of designating an event as "municipally significant".

Attachments

Appendix A – Lighthouse Cove & District Lions Club letter of request

Report Approval Details

Document Title:	Request for Municipally Significant Event - Lighthouse Cove Lions.docx
Attachments:	- 20240615-Lighthouse Cove Lions SOP.pdf
Final Approval Date:	Apr 11, 2024

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

Prepared by Cindy Lanoue

Submitted by Brianna Coughlin and Susan Hirota

Approved by the Corporate Leadership Team

LIGHTHOUSE COVE & DISTRICT LIONS CLUB



R.R. No. 5
TILBURY, ONTARIO, CANADA N0P 2L0

Date: March 9, 2024

Municipal Clerks Office

On behalf of the Lighthouse Cove District Lions Club we plan to host a fundraising event of significant importance, located at 999 Quennerville dr.
Tilbury (Lions Park).

The date of this event is scheduled for June 15, 2024. This event will be attended by 100-150 ppl (weather depending)

This event is to raise funds for Park maintenance improvements. We will be receiving all proceeds from this event.

Time - 1:00pm to 6:00pm

Thank you,

Signature Shirley Salis

copy Local Police

Local Fire Department

Local Building Inspector

Local Health Unit

Municipality of Lakeshore – Report to Council

Legal and Legislative Services

Legislative Services



To: Mayor & Members of Council

From: Brianna Coughlin, Division Leader – Legislative Services

Date: April 8, 2024

Subject: AMCTO Submission to the Province of Ontario – Modernizing the *Municipal Elections Act* for the 21st Century

Recommendation

Support the submission by the Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO) entitled “Modernizing the *Municipal Elections Act* for the 21st Century”; and

Request that the Province of Ontario update the *Municipal Elections Act, 1996* (MEA) with priority amendments as outlined by AMCTO before Summer 2025 and commence work to review and re-write the MEA with longer-term recommendations ahead of the 2030 elections, all as presented at the April 30, 2024 Council meeting.

Strategic Objectives

3c) Modernizing and Enhancing Municipal Functions - Continue investment in modernized services, including the integration of current best practices and automation, by engaging in service transformation and process mapping

5c) Modernize Citizen-Centered Services - Setting policy and standard operating procedures for resident communication and follow-ups

Background

The Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO) is an organization that provides professional development, engagement opportunities, advocacy and leadership in the Ontario municipal sector.

As part of its advocacy work, AMCTO is involved in the ongoing improvement of processes relating to the modernization of the municipal election legislation and elections processes. The *Municipal Elections Act, 1996* provides election administrators with a framework to run efficient municipal elections, and provides voters, candidates and third-party advertisers with guidance on participating in municipal elections.

AMCTO has recently made a submission to the Province of Ontario entitled “Modernizing the Municipal Elections Act for the 21st Century”. The submission is attached as Appendix A to this report.

Comments

AMCTO has been a consistent partner advocating for reform to the Municipal Elections Act, including a submission to the Province in 2015 (referenced in Appendix A) and subsequent working papers.

Council has also provided support for election reform, most recently at the November 30, 2021 Council with the following two resolutions:

Resolution #401-11-2021

Endorse the Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO) Local Government Priorities for the 2022 Provincial Election, as presented at the November 30, 2021 Council meeting; and

Direct the Clerk to send a letter to AMCTO confirming support of the guidebook.

Resolution #402-11-2021

Support the Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO)’s request for school boards to establish a Professional Development or Activity Day on Monday, October 24, 2022 to facilitate the conduct of the Municipal and School Board Election; and

Request that school boards establish a Professional Development or Activity Day for all regular Election Days for Municipal and School Board Elections in the future, as presented at the November 30, 2021 Council meeting; and

Direct the Clerk to send a letter of support to AMCTO and all local school boards.

AMCTO’s most recent submission includes priority, secondary and long-term recommendations for changes to the *Municipal Elections Act* based on the following 3 themes:

1. Strengthening Public Trust and Electoral Integrity
2. Enhancing Accountability and Transparency while Making Compliance and Enforcement Easier
3. Permissive Legislation that Reduces Administrative Complexity

There are 48 recommendations included in the submission; 3 general recommendations, 21 priority items and 12 secondary items recommended for change prior to 2026, and 12 long-term recommendations for change prior to 2028.

Administration is generally in support of these recommendations, particularly those relating to the protection of personal privacy, the reduction of administrative burden and increasing clarity for voters, candidates and third-party advertisers.

Administration recommends that Council support the submission by AMCTO to the Province of Ontario entitled “Modernizing the Municipal Elections Act for the 21st Century”. This is consistent with Council’s strategic objectives of Modernizing and Enhancing Municipal Function (modernizing services) and Modernizing Resident-Centered Service (setting policy and standard operating procedures for resident communications).

Financial Impacts

There are no financial impacts associated with the recommended support of the submission by AMCTO.

Attachments

Appendix A – Submission paper by AMCTO – Modernizing the *Municipal Elections Act* for the 21st Century

Report Approval Details

Document Title:	AMCTO Submission to the Province of Ontario – Modernizing the Municipal Elections Act for the 21st Century.docx
Attachments:	- AMCTO Position Paper - Modernizing the Municipal Elections Act for the 21st Century Submission.pdf
Final Approval Date:	Apr 18, 2024

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

Prepared by Brianna Coughlin

Submitted by Susan Hirota

Approved by the Corporate Leadership Team



AMCTO
THE MUNICIPAL EXPERTS

**Modernizing the
Municipal Elections Act
for the 21st Century**



Introduction

The *Municipal Elections Act* (MEA) legislates the processes for how local elections operate in Ontario. It provides municipal staff who are also local election administrators with the framework in which to organize and run efficient municipal elections. It provides voters, candidates and third-party advertisers with guidance on qualifications for participating in local democracy. The Act serves as an important tool for local election accountability, ensuring smooth democratic processes for citizens across Ontario, and is key to voter and public trust in local governments.

While public trust has always been [front and centre to democratic processes](#)¹, since the COVID-19 pandemic there has been [commentary, concern and cautions raised](#) about the state of trust in public institutions at all levels of government and the state of the democratic process that empowers those institutions². Applying a continuous improvement mindset to the rules and framework that support local democracy ensures democratic processes are modernized, reflect current circumstances and technology, meet citizen expectations, and continue to be reliable.

As the largest voluntary municipal association in Ontario with members working across the province, the Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO) takes the position that local governments serve as the most transparent level of government with openness and accountability at the core of operations. To continuously improve public trust, a comprehensive review of the MEA is needed in consultation with the sector. By reviewing and re-writing the MEA to reflect today's challenges in bolstering public trust, improving voter turnout, and improving overall election administration; voters, residents, candidates, third parties, interest groups and election administrators can rely on a modern act that is clear and consistent, while ensuring that processes are accountable and transparent.

To keep public trust and improve safeguards, a review should apply a lens considering the ever-changing landscape that impacts election administration. This includes [threats of foreign interference](#)³,

¹ AMCTO. 2015, *Submission on the Municipal Elections Act*. <https://www.amcto.com/sites/default/files/2023-05/AMCTO-MEA-Submission.pdf>

² Bridgman, A., et al. Mis- and Disinformation During the 2021 Canadian Federal Election. Media Ecosystem Observatory. March 2022. https://www.mcgill.ca/maxbellschool/files/maxbellschool/meo_election_2021_report.pdf

³ For instance, Ball, Stewart. "China tried to influence last two federal elections, says report released by CSIS." *Global News*. 31, Jan. 2024. <https://globalnews.ca/news/10264872/canada-china-foreign-interference-elections-csis-report/>



increased spread of misinformation⁴ and the increased use of technologies like artificial intelligence (AI) that presents both [opportunities](#)⁵ and [challenges](#)⁶ for election administration and for supporting candidates and voters in their electoral participation. A fulsome review should also contemplate how to ensure the continued health of our local democracies, something the Association of Municipalities of Ontario (AMO) is looking at currently through their [Healthy Democracy Project](#)⁷.

While we know this is easier said than done and recognize that the legislation contains a patchwork of provisions which attempts to fill in gaps, this approach has made the overall MEA in its current form, more challenging to read, interpret, comply with, and enforce. With the upcoming 2026 municipal elections, municipalities will be planning earnestly early next year, and a focus on renewing the election frameworks has never been timelier.

This submission has been prepared by AMCTO with a goal to improve and modernize the MEA and its regulations. It highlights the need for revisions as conducted on a line-by-line basis and considers how the proposed amendments would impact other acts such as the *Education Act, 1990* and the *Assessment Act, 1990*. Our recommendations focus on outcomes-based solutions across three broad themes:

1. **Strengthening Public Trust and Electoral Integrity**
2. **Enhancing Accountability and Transparency while Making Compliance and Enforcement Easier**
3. **Permissive Legislation that Reduces Administrative Complexity**

Through this submission, we also identify a proposed timeline to assist the Province in planning for continuous improvements to the *Act*. These recommendations are labelled as:

- **Priority:** those we believe must be implemented through legislative updates ahead of 2026
- **Secondary:** those we believe can and should be implemented through legislative updates ahead of 2026
- **Long-term:** those that may require further investigation, analysis, and collaboration between the Province, AMCTO, municipalities, and other affected stakeholders to get right.*

**It should be noted that these are no less important to AMCTO members and we would encourage the Province to initiate work on them as soon as possible.*

This submission is the result of continuous work by our MEA Working Group, ongoing conversations with members, as well as feedback from clerks following the 2022 municipal elections. Through this submission, we hope to inspire the Province to take action in reviewing the MEA and to inform a broader dialogue around local election administration, the importance of openness and accountability in local government.

⁴ For instance, Thompson, Elizabeth. "Disinformation, foreign interference threatening Canada's electoral system, elections watchdog warns." *CBC News*. 22, June 2022. <https://www.cbc.ca/news/politics/canada-elections-watchdog-cote-1.6497875>; Bridgman, A., et al. Mis- and Disinformation During the 2021 Canadian Federal Election. Media Ecosystem Observatory. Mar. 2022. https://www.mcgill.ca/maxbellschool/files/maxbellschool/meo_election_2021_report.pdf

⁵ Deepack P et al. *AI Magazine*. "AI and core electoral processes: Mapping the horizons." V. 44.3 Fall 2023. <https://onlinelibrary.wiley.com/doi/full/10.1002/aaai.12105>

⁶ Leaders. "How worried should you be about AI disrupting elections?" *The Economist*. 31 Aug. 2023. <https://www.economist.com/leaders/2023/08/31/how-artificial-intelligence-will-affect-the-elections-of-2024>

⁷ See <https://www.amo.on.ca/about-us/healthy-democracy-project>



Background

Elections occur in 414 cities, towns, and villages[†] across Ontario to ensure that [2,842](#)⁸ municipal offices and [676](#)⁹ school board trustees are elected through processes that run as efficiently and effectively as possible within the current legislative framework.

While the MEA sets out the rules for local elections, the [Assessment Act, 1990](#) and the [Education Act, 1990](#) also contain provisions impacting local elections; adding more places for voters, candidates, and administrators to look for the rules that bind the local democratic process in Ontario.

quality assurance testing
compliance audit post-election reporting
staff training committee recruitment
ward boundary candidate support
election monitoring financial statement reviews
representation reviews overseeing prosecutions
new council orientation stakeholder relationships
vendor procurement supply chain management
voters list updates local scouting
volunteer recruitment

Election administration is a complex endeavour that municipal staff lead and oversee. This includes a multi-year planning and implementation journey that continues up to a year or more past election day. As election administrators, municipal clerks support candidates, third-party advertisers, election workers, and voters by overseeing ballot and technology preparation; coordinating supply chain management and vendor selection;

performing security reviews; preparing election reports; revising voters' lists; overseeing compliance audit committees (CACs); and responding to possible prosecutions. In many Ontario municipalities, this work may be done by one or two people.

Election administrators take pride in executing fair, accountable, transparent, accessible, and reliable local elections and are always looking for ways to continuously improve the delivery of these important services. An updated MEA would allow election administrators to do their jobs more efficiently and effectively while providing needed clarity to local candidates, third-party advertisers, voters and the general public.

To ensure administrators can pivot and implement legislative changes without impacting planning for the 2026 municipal elections, we urge the Province to act swiftly to consult on, then enact the following recommendations and updates to the MEA.

[†] While there are 444 municipalities in Ontario, 414 hold elections. The other municipalities are upper tiers, representatives for which are elected or appointed through lower tiers locally.

⁸ Association of Municipalities of Ontario (AMO). "Analysis of 2022 Municipal Post Election Data", 14 Nov. 2022. <https://www.amo.on.ca/policy/municipal-governance-indigenous-relations/analysis-2022-municipal-post-election-data>

⁹ Ontario Education Services Corporation. "Post Election Data," 1 Nov. 2022. <https://elections.ontarioschooltrustees.org/Resources/pdf/2022Data/Post-Election%20Data%20-%20All%20School%20Boards.pdf>





Overview of the Issues

Strengthening
Public Trust &
Electoral Integrity

As outlined in the introduction, the *MEA* in its current form needs to be comprehensively reviewed in consultation with the sector and re-written. Processes can be streamlined, rules improved, provisions re-ordered, and clarity brought forward to ensure that voters, residents, candidates, third-parties, interest groups and election administrators have a modern act that is clear and consistent, while ensuring that processes are accountable and transparent.

Enhancing
Accountability
& Transparency
while Making
Compliance &
Enforcement
Easier

Some of the top concerns identified by AMCTO members include the current legislation containing a patchwork of amendments, repealed sections, and transitional provisions that are no longer relevant. On top of this, there are other structural issues in the way the Act is laid out, that make it difficult for voters, candidates, and organizations to understand and manage. Often a clause in one section must be read with a clause in another section, or within another act, which makes reading and complying with the rules difficult to do.

Permissive
Legislation
that Reduces
Administrative
Complexity

Another significant issue has been the lack of harmonization of local election rules across the three Acts (*MEA*, *Assessment Act*, *Education Act*) that set out the complex rules for municipal and school board elections. School board trustee candidates and voters must interpret three pieces of legislation to understand their qualifications. Moreover, because school support has two purposes under legislation – election and assessment – outdated legislative requirements make it difficult to match school support to voters which can mean delays at the polling station.

Rules on campaign finance and third-party advertising are also complex and difficult to oversee and enforce. There needs to be a thorough review of both frameworks to streamline rules and introduce mechanisms to make enforcement more efficient. This must include examining enforcement such as the compliance audit process, offences, and penalties.





Recommendations

The *MEA* will be 30 years old when the next scheduled municipal and school board elections take place in October 2026. While there have been a few changes to the *Act* since the last formal review, the current mix of political, environmental, social, technological, and legal factors make this an opportune moment to modernize the *Act*.

A review and re-write of the *Act* should also include a concurrent review of relevant sections of the *Education Act* and *Assessment Act* which contain provisions that add further complexity to the local election picture.

General Recommendations

- 1. Overhaul and update the *Act* to ensure that it is future-proof, addresses current gaps, streamlines rules, and brings added clarity well ahead of the 2030 election.**

While it may not be possible to complete a top-to-bottom re-write and re-design of the *Act* ahead of 2026, AMCTO is calling on the Province to launch consultations and engage our members to begin the process as soon as possible. The goal is to bring forward brand new legislation by 2028 at the latest, ahead of the 2030 municipal elections. The project planning for this endeavour should begin now, informed by discussions with AMCTO, Elections Ontario, the Municipal Property Assessment Corporation (MPAC) and Association of Municipalities of Ontario (AMO).

A new *Act* would breathe new life into local government elections by rebuilding a fulsome statute instead of relying on the current patchwork of fixes that make the legislation more complicated than necessary. A new *Act* would make it easier for voters, candidates, and third-party advertisers to understand, comply with and participate in democratic processes. A review also provides an opportunity to bring innovation to election administration so that Ontario is looked to as a leader in the local democratic process in Canada.



2. Include a legislative requirement to review the Act after every scheduled municipal and school board election year.

While a comprehensive review should ensure the Act does not become quickly outdated, with the pace of technological and societal change, the MEA will continue to need regular review and updating. We are suggesting that the Act be substantially reviewed at least every four years with a specific legislative requirement to do so.

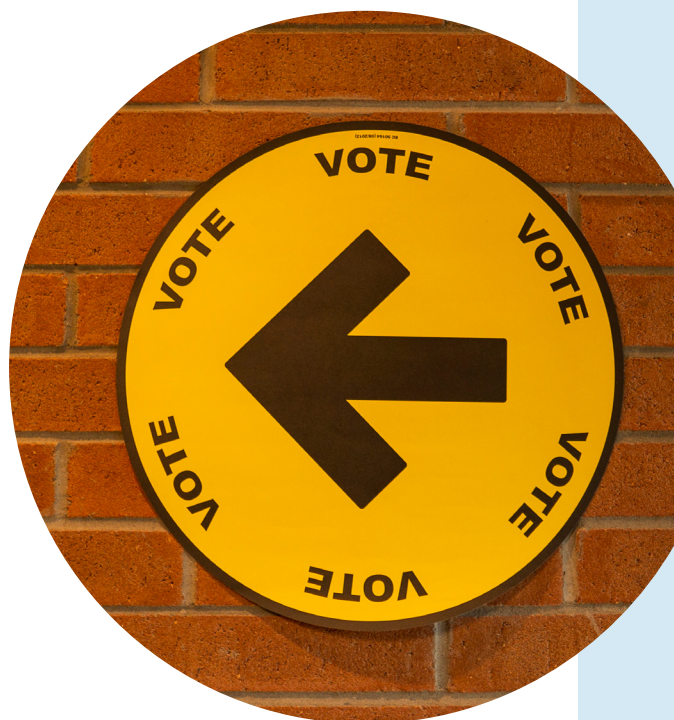
3. Review how the current legislation, regulations, and prescribed forms treat personal information, considering a digital privacy lens.

In the past few years, privacy protection has become increasingly important. With increased vitriol both in-person and in digital public spaces, members of the public, candidates for elected office, and other officials have expressed concern about the protection of personal information. Furthermore, as personal safety concerns have become increasingly alarming, it is essential that steps are taken to protect the privacy of individuals while balancing the need for increased transparency in local elections.

For instance, [several municipalities have passed resolutions](#) calling on the Province to remove requirements to post personal information online including candidate and contributor home addresses¹⁰. Anecdotally, several clerks have noted that they have received requests from those who experienced harassment or violence and consequentially, they do not want their information appearing on the voters' list.

Unlike provincial election legislation, the MEA does not explicitly allow for the redaction of certain information when posting documents online. Section 4.7 of the [Elections Act, 1990](#) gives Elections Ontario, upon request, the authority to redact certain personal information if the Chief Electoral Officer reasonably believes posting the information would endanger the person's life, health, or security. Further, section 4.8 of the *Elections Act* restricts the sharing of names, addresses, and unique identifiers of electors to certain persons.

For municipal election legislation, consider allowing for redaction of personal information or removing the requirement for municipalities to post personal information online while ensuring information is still available to clerks or to any other body to review qualifying addresses for contributions.



¹⁰ See for instance, <https://kitchener.citynews.ca/2023/04/26/region-of-waterloo-asks-province-to-keep-home-addresses-of-local-candidates-donors-private/>

Recommendations to Strengthen Public Trust and Electoral Integrity

Electoral integrity is a core focus of election administration and critical to ensuring public trust. While all recommendations are built on the foundation of electoral integrity, recommendations listed under this theme speak to the need to provide support to electors, residents, and administrators in this endeavour.

Priority Recommendations

- 1. Amend the Act to include a preamble that captures the principles of elections recognized by the court and the intended outcomes of the Act.**

One way to enhance the clarity of the *MEA* is to ensure that the text matches core guiding principles of elections.

As we noted in our [2015 submission](#)¹¹, in *DiBiase v. Vaughan (City)*, 2007, the Honourable Justice Peter Howden of the Ontario Superior Court wrote that in making its finding, the court relied upon the principles articulated in a previous Supreme Court of Canada ruling (*Haig v. Canada*, 1993), specifically that:

- The secrecy and confidentiality of the voting process is paramount;
- The election shall be fair and non-biased;
- The election shall be accessible to the voters;
- The integrity of the voting process shall be maintained throughout the election;
- There is to be certainty that the results of the election reflect the votes cast;
- Voters and candidates shall be treated fairly and consistently; and
- The proper majority vote governs by ensuring that valid votes be counted, and invalid votes be rejected so far as is reasonably possible.

These principles are fundamental to the administration and exercise of elections at all orders of government in Canada. They are in fact, central to the *MEA* itself, and should be embedded in the Act.

- 2. Establish a mechanism that permits the Minister of Municipal Affairs, in consultation with affected communities, to alter municipal and school board election day if it falls on a day of cultural or religious significance.**

The 2022 municipal and school board election day fell during Diwali, an important festival observed by many communities across the province. In future years, it could be the case that election day falls on another culturally or religiously significant festival or event.

While many municipalities provide advance voting opportunities, local elections rely on volunteers as well as municipal staff to support election day activities including running voting locations.

¹¹ See <https://www.amcto.com/sites/default/files/2023-05/AMCTO-MEA-Submission.pdf>



Candidates for office may also be impacted as they may wish to be with family and friends during these special occasions. For residents and staff of the impacted communities it can be a difficult decision to choose between missing personal celebratory commitments or missing an important democratic process. This could be a contributing factor to lower voter turnout and election staffing resources.

Section 9.1 (6) of the [Ontario Election Act, 1990](#)¹² contains a mechanism through which an alternative day can be chosen for provincial elections. A mechanism for selecting an alternative day is needed for local elections, however the selection of a suitable alternate day should not be left to individual clerks as there is a policy imperative that municipal and school board elections must be held on the same day across the province.

Moreover, as clerks need ample time to ensure that they can plan and execute elections, the selection and communication of an alternate date would need to be done well in advance, at least by the January in the year prior to the year of the election, if not earlier.

3. Amend the Act so that, if requested, schools and institutions must allow space for advance polls and voting day free of charge.

To facilitate in-person voting, municipal clerks and their staff require large, central, and accessible locations to host voters on advance voting and election days. Often, the best facilities are local schools. While the MEA allows clerks to use certain buildings, including schools, as voting locations ([section 45\(4\)](#)), health and safety concerns often cited by school administrators make the location selection process less seamless than it should be.

While school boards are required to provide space on election day, clerks often face administrative difficulties in securing these spaces. For example, we have heard from members that some school administrators request that municipalities hire security personnel or may not provide access to facilities such as washrooms, or access to school staff during election day, and some refuse access altogether. This leaves clerks with challenges confirming voting locations and without the enforcement tools to secure these spaces.

Additionally, all electors should have access to voting in multiple locations on all voting days. As per the [definition in section 5 the MEA](#)¹³, “voting day in a regular election is the fourth Monday in October” which does not specifically include advance voting opportunities. For instance, schools can currently say no to advance polls, or can charge a permit fee. The Act should be changed so that schools must allow advance polls if requested, and free of charge.

On election day, institutions like long-term care homes become polling locations for the Province's most vulnerable electors. However, there may be issues with accessing these locations because of outbreaks or other circumstances, which can make casting votes more difficult. Explicitly allowing voting to take place in institutions and schools on advance voting days allows clerks to provide more electors more choice in when and where to cast their ballots.

¹² See the *Election Act*, R.S.O. 1990, c. E.6

¹³ See section 5 in the *Municipal Elections Act*, 1996



4. Require school boards to schedule one of the provincially required Professional Activity (PA) days on municipal and school board election day.

Further to the above, enhancing safe schools on voting day is a priority for everyone. This goal can be achieved by reducing the number of people in schools. To do this, one of the mandatory PA days should fall on election day and while some school boards practice this, there remains inconsistency across the province.

AMCTO previously shared an analysis of locally scheduled PA days that showed that moving PA days every four years to coincide with municipal election days is unlikely to be a significant burden for school boards as there is a pattern of October PA days. School boards should be required to schedule one of the provincially mandated PA days on municipal and school board election day to facilitate the election of their own representatives and so that election administrators can focus on providing safe electoral services.

Ahead of the 2022 municipal elections our Association [made formal requests of school boards](#) to schedule one of the mandatory PA days on election day¹⁴. We also asked that these dates be included every four years as part of the annual school year calendar development.

Following this advocacy push, we were pleased to see an increase in the number of school boards that scheduled a PA day in 2022, with [encouragement from the Ministry of Education](#)¹⁵. However, this remains an issue for future elections, requiring a permanent, reoccurring solution.



Secondary Recommendations

5. Remove the requirement for employees of a municipality or local board to provide notice of their intention to stand for election to council.

There are areas where the rules and guidance within the Act should provide more certainty to candidates and to electors to facilitate their participation in local democracy. Potential candidates for municipal office, who happen to work for a municipality or a local board, should be provided the same, equal opportunity as other candidates who are not required to declare their intentions until they submit their paperwork. Municipal staff are responsible to their employer and so should follow established HR protocols for taking leave. By removing the requirement for municipal employees to provide council with notice of their intention to stand for election, all candidates can be treated fairly.

¹⁴ See AMCTO letter, September 2021, to School Board Directors of Education & Board Chairs re PD Days <https://www.amcto.com/letter-to-school-boards-re-PD-days>

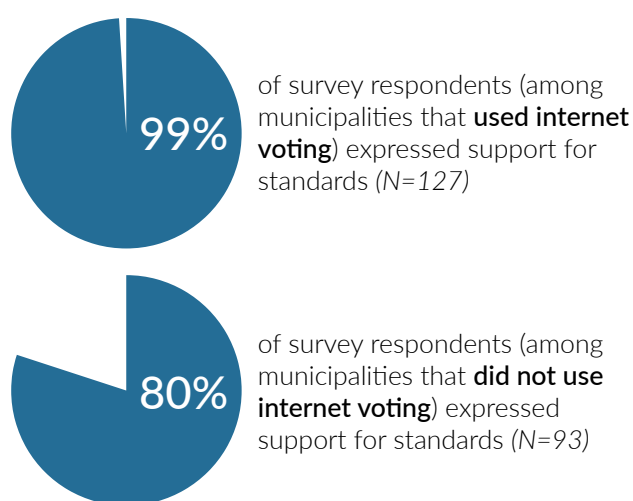
¹⁵ See AMCTO Advocacy Update, September 2022, re Progress on Professional Development (PD) Days on Municipal and School Board Election Day <https://amcto.informz.net/informzdataservice/onlineversion/pub/bWFpbGluZ0luc3RhbmNISWQ9MTA3NTYwODQ=>



6. Clarify the Act to reflect that a voter's absence from work may be on any day voting is available (i.e. advance voting days).

Like the issue noted above about the definition of voting day in [section 5](#) of the MEA, it should be made explicit that any elector can be absent from work to exercise their right to vote on any day voting is available. The current definition of voting day is limited to election day only and could be read to exclude advance voting days, days that may be more convenient to voters for casting their ballots and participating in the democratic process.

7. In consultation with AMCTO and other municipal stakeholders, consider how the work by the [Digital Governance Standards Institute](#)¹⁶ related to electronic voting may be formalized to support election administration in Ontario.



Survey data collected through AMCTO's 2022 Post-Election Survey

Work is already underway to develop voluntary standards on [voting technology](#)¹⁷ and [electronic voting](#)¹⁸. Municipal professionals from across Ontario have engaged with the committee undertaking this work. With an increasing number of municipalities considering e-voting methods for ease of meeting voters 'where they are', there should be a provincial interest in adopting voting standards.

Overwhelmingly, respondents to our 2022 Post-Election Survey support internet voting standards. The responses also suggest more municipalities would consider this method of voting if there were standards in place. The right training and supports would need to be

What our Members are Saying:

"Standards would ensure consistency in format, security, etc. across vendors."

"[Voting standards] would ensure a province-wide standard for security and operational experience."

"There are standards set out for paper voting in the MEA. There should also be a standard for electronic voting as it is now left to the municipality and vendors. It may provide further confidence in these systems."

¹⁶ See <https://dgc-cgn.org/>

¹⁷ See <https://dgc-cgn.org/standards/find-a-standard/voting-technologies/>

¹⁸ See <https://dgc-cgn.org/can-dgsi-111-public-review-for-online-voting-standard-now-open/>

in place to ensure that municipalities, vendors, and other interested parties fully understand the standards and their responsibilities.

Moreover, decisions about voting methods should always be left to the municipality to decide. Whereas online voting may be beneficial in some regions of the province, it may not be the best method for others given costs, technological support and access to broadband.

Ultimately, voting standards would empower municipalities to select the best voting method(s) for them and their communities. Consider how these standards may be formalized to support election administration in Ontario.

Long-Term Recommendations

- 8. Establish a working group with AMCTO and other municipal stakeholders to inform the development of a regulation for electoral definitions of “tenant”, “spouse of a non-resident” and “occupancy”.**

Municipal elections have unique eligibility rules tied to property and tenancy status that make these terms important and unique. The current definitions provided in the Act are not sufficiently clear, and create potential confusion for electors, candidates, and administrators. We raised this [concern in 2015](#)¹⁹ and legislative changes in [2016](#)²⁰ brought forward regulation-making authority to consider a definition of tenant for electoral purposes. However, regulations are not yet in place.

The lack of definition about occupancy, control, possession and tenancy remains a significant gap municipal clerks must deal with related to voter qualification with many claiming to be eligible based on a lease of “properties” such as parking spots, sheds on land, as well as various seasonal properties such as RV parks and leased cottages. Providing a clearer definition of “occupancy”, “control”, “possession”, “tenancy”, and “spouse of a non-resident” is important to all municipalities, but more so in communities where qualifications based on residency and property are muddled such as in cottage country and rural Ontario. There are unique eligibility rules at the municipal level that make clear terminology important.

¹⁹ See <https://www.amcto.com/sites/default/files/2023-05/AMCTO-MEA-Submission.pdf>

²⁰ See <https://www.ola.org/en/legislative-business/bills/parliament-41/session-1/bill-181/debates>



For example, Wollaston Township experienced issues with lack of clarity on qualifications and in 2020 called for the Province to close loopholes on property qualifications and leases in what they called “pay for play schemes”²¹. The resulting council resolution received support from several other municipalities.

Providing this clarification for electoral purposes will help clerks ensure that tenants entitled to vote can do so, and those who believe they may be entitled to vote (but are not under law) can obtain needed clarity. Our Association can be a willing partner to assist in developing these regulations.

Recommendations to Enhance Accountability and Transparency While Making Compliance and Enforcement Easier

This section contains recommendations that speak to fairness, accountability, transparency, and key principles to ensuring the integrity of elections. This section contemplates making compliance with electoral rules easier to follow for candidates and where these rules are deliberately broken, suggests recommendations that allow efficient enforcement of remedies and penalties. As the local “Chief Electoral Officer”, the clerk should have the authority to make decisions about administrative and operational matters. This will ensure that there is no real or apparent conflict for council members who may be standing for election while making decisions about the electoral process. This may also help to improve overall municipal staff-council relations.

Priority Recommendations

1. Remove the 25-signature endorsement requirement.

Everyone has the right to stand as a candidate for election if they meet the qualifications set out in the relevant Acts. However, particularly in larger urban municipalities, candidates often run for office without any intention of campaigning, without setting out policy proposals, or legitimately participating in the democratic process.

The [original intent behind this provision](#) of obtaining a 25-signature endorsement was to try to reduce frivolous candidates from ending up on the ballot which could result in split votes²². Ultimately, requirements for 25 signatures in medium and large municipalities have not addressed this issue as signatures are easy to collect with a declaration that signees are eligible electors. This does not dissuade people from launching non-serious campaigns and adds an administrative burden for election administrators who must review and attempt to check required information on candidate forms and eligibility.

²¹ Wollaston Township. Letter to Minister of Municipal Affairs and Housing with Council Resolution. Dated September 16, 2020.

²² Ontario. Legislative Assembly, *Hansard*, 41st Leg, 1st Sess, No 158 (11, April 2016) at 1440. <https://www.ola.org/en/legislative-business/house-documents/parliament-41/session-1/2016-04-11/hansard#para577:~:text=Some%20people%20have,than%20100%20votes.>



2. Investigate incentives to support genuine candidacy while addressing frivolous campaigns, including the nomination filing fee refund.

Instead of the 25-signature requirement, the Province should look at other ways to support serious candidates while disincentivizing non-serious candidates. The current process of refunding anyone who files a financial statement is ineffective at dissuading frivolous candidates and there may be better mechanisms to ensure compliance with campaign finance rules.

Potential areas to explore are nomination fee refund eligibility to candidates who receive a certain vote share or removing the right to receive a refund of the nomination filing fee if the financial statement is not filed on time. Consideration should be given to whether certain rules favour incumbents as opposed to their challengers. Overall, there must be a balance between supporting genuine candidacy, reducing administrative burden, and applying penalties to those who deliberately skirt electoral rules.

3. Amend the Act so that no candidate shall accept a contribution over \$1,200 from a single resident.

While we recommend reviewing the campaign finance framework in its entirety (see long-term recommendations in this section), the Province should immediately review the Act to identify and close loopholes in campaign finance rules.

For example, [subsection 88.9](#)²³ prohibits individuals from contributing over \$1,200 to a single candidate, however there is no complementary provision that explicitly prohibits a candidate from accepting such a contribution. Contributors are not necessarily familiar with the Act in the same way candidates are, and with the Act in its current form, the rules around contributions are not easy for residents to understand.

4. Clarify that any resident of Ontario may submit a compliance audit application, consistent with contribution rules.

There is confusion among candidates and the public about who can submit a compliance audit application. Currently, [subsection 88.33](#)²⁴ states that an elector who is entitled to vote may make an application, but it is not clear whether an elector must reside in the municipality in which they are making an application. This has been [raised and challenged most recently](#)²⁵ in the Ontario Superior Court of Justice, where an Oakville candidate appealed an elector's request for an audit of their finances, stating that the elector resides in a different ward than them, and is therefore ineligible to file a compliance audit request.

As contributions are open to residents of Ontario (i.e. not limited to electors), there should be a mechanism by which electors as residents of Ontario may seek remedy from the compliance

²³ See ss.88.9 in the *Municipal Elections Act, 1996*

²⁴ See ss.88.33 in the *Municipal Elections Act, 1996*

²⁵ See <https://www.oakvillenews.org/local-news/ward-7-councillor-nav-nanda-appeals-decision-to-audit-her-campaign-finances-8482086>



audit process regardless of where they reside. If applications are not frivolous and vexatious, any resident of Ontario with the means of seeing through an application should be able to bring one forward to ensure the integrity of the electoral process.

5. Consider setting one 90-day period for compliance audit applications for initial and supplementary financial statements to simplify the process.

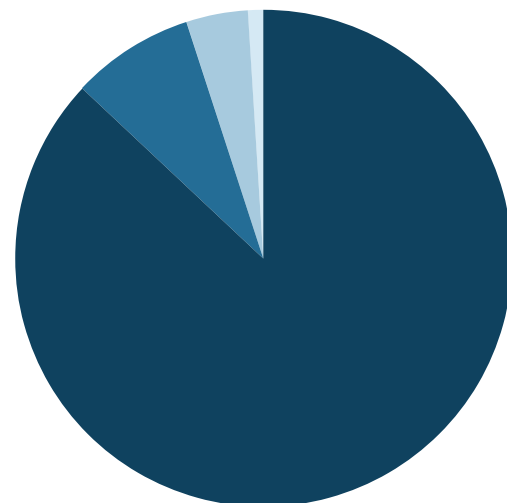
The current structure creates many overlapping deadlines which is challenging to communicate to electors, the public, and for municipalities and school boards to track. This becomes more challenging in larger municipalities with hundreds of candidates. Streamlining application deadlines will make communication, administration, and compliance easier.

6. Roll the review of contributions and over-contributions to candidates and third-party advertisers into the Compliance Audit Committee (CAC) process and permit the committee to decide whether to commence a legal proceeding against a candidate or third-party advertiser for an apparent contravention.

Consistent with our recommendations on [Bill 181 to Standing Committee](#)²⁶ in 2016, having municipal clerks review contributions to candidates and third-party advertisers is problematic for a number of reasons:

- The CAC already exists to review financial statements
- The current process jeopardizes the independence and the impartiality of clerks during elections
- The current process places clerks in potential conflict with members of council
- Most municipalities do not have mature electronic filing systems for candidate and third-party advertiser financial statements
- The current process imposes additional administrative and resource burden on clerks who are already busy running local elections

Rolling the review of contributions into the established mandates of CACs would also allow an elector to make an application and is a more effective way to ensure candidate and contributor accountability.



How does your municipality determine whether any contributors exceed the maximum allowable amount? (N=220)

- Clerk's office fulfilling it (192)
- Finance department fulfilling it (17)
- Other (8)
- Using an external consultant (3)

Survey data collected through AMCTO's 2022 Post-Election Survey

²⁶ See <https://www.amcto.com/sites/default/files/2023-05/AMCTO-Bill-181-Committee-Presentation-Deck.pdf>

The CAC process has traditionally not received much attention. However, the process is an important element of accountability in local elections and is [starting to receive more public discussion](#)²⁷.

Providing the CAC with explicit authority to decide whether to commence a legal proceeding against a candidate or third-party advertiser could reduce applications made to the courts for review of CAC decisions.

Consider improving the CAC process with accountability, transparency, and operations in mind as countless hours are spent on delivering important post-election processes, which can contribute to overall increased audit costs and continue for years after the election with prosecutions and court reviews.

7. Expand decision timelines for CACs in Subsection (8) from 30 days to 45 days.

Further, in the interest of supporting applicants, election administrators and CAC members with carrying out their responsibilities, the decision-timelines for CACs should be expanded from 30 days to 45 days. This additional time is especially helpful where the CAC process may fall around a holiday (especially in cases of by-elections). 45 days would remain a reasonable decision timeframe consistent with references in other statutes for required meetings.

8. Clarify roles with respect to CACs wherein council is responsible for establishing the committee and the clerk is responsible for making appointments.

The MEA assigns responsibility of administering elections, including establishing necessary policies and procedures, to the clerk. However, there are several sections throughout the Act where the responsibility for what are, in effect, administrative decisions, is vaguely distributed between both council and staff. Administrative responsibilities for elections should rest with the clerk.

For instance, section [88.37\(1\)](#)²⁸ gives council responsibility for “establishing” a compliance audit committee to review potential campaign finance violations. In practice, however, this section has been interpreted broadly, giving council a more expansive mandate that includes appointing committee members. It is not appropriate for council to appoint members of a committee that is created to review the election finances of candidates, some of whom may end up filing as candidates and sitting as councillors. To maintain clarity and objectivity, all administrative responsibilities related to CACs should reside with the clerk.



²⁷ Coyne, Andrea and Andrew Lawlor. “Building voter confidence in the municipal electoral process,” *Policy Options*. 21, Feb. 2024. <https://policyoptions.irpp.org/magazines/february-2024/municipal-elections-safeguards/>

²⁸ See section 88.37(1) in the *Municipal Elections Act, 1996*

Secondary Recommendations

- 9. Clarify the role of scrutineers where alternative (unsupervised or remote) voting is in place and collaborate with AMCTO and others on the definition of scrutineer and what they may or may not do.**

The process of scrutineering is changing in every municipality that incorporates the use of internet voting into their election. As voting in the digital age is no longer neatly contained to recreation centres, school auditoriums or church basements, the rules are not as clear as they once were. The Act provides significant attention to the role of scrutineers during an election, ensuring that candidates are permitted to appoint a scrutineer for each ballot box and voting place. But what happens when there are thousands of polling places and no formal ballot box? There is currently no clarity about how election results can be scrutineered in jurisdictions that use online or alternative voting methods. This is a gap in the current process that needs to be addressed.

- 10. Review the scope of election offences and related penalties to address gaps. Consider providing support and guidance to clerks on best practices for implementation and enforcement of serious offences.**

Offences and related penalties should be reviewed. More specifically, for the coercion or intimidation of an elector, preventing or impeding an elector from voting, and from false representation or aiding a person in committing offences. A review needs to address these gaps - many of which are a result of changes to technology.

In consideration of new offences and related penalties, the Province must of course consider the burden of proof and enforceability of penalties for such offences. The Province should also provide more support and guidance to clerks on best practices for implementation and engaging law enforcement for the more serious offences.

Long-Term Recommendations

Due to gaps in rules and penalties, the lack of standardization of compliance audits, and the [increased use of the courts](#) to review compliance audit committee decisions²⁹, there has been increased frustration among administrators and an inconsistent approach to post-election activities meant to ensure transparency and accountability. As an Association, we have highlighted several of these member concerns about role clarity, conflict of interest and capacity issues.

Not only is the current process frustrating for municipal staff but for candidates who are not clear on their responsibilities. This can also be frustrating for residents and electors who are doing their due diligence in holding candidates accountable for improper activities. If the rules are not clear, and the process becomes convoluted, why would anyone participate in the electoral process?

²⁹ Coyne and Lawlor.



11. Establish a working group with AMCTO and other municipal partners to review and improve the campaign finance framework, including rules, guidance, forms, processes, and penalties.

While we have put forward several recommendations as interim measures to address financial issues, there remain underlying concerns that only a full review of the campaign finance framework can properly address.

Whether it is on the campaign finance framework or the below noted third-party advertising framework, there needs to be a balance struck: any new rules should avoid making it difficult for people to participate in local democracy. Making compliance easier while also ensuring that there is proper accountability, makes the rules and processes easier to enforce and to prosecute where rules have been broken.

Given the complexity of administration, compliance, and enforcement, a wider conversation about these frameworks is needed with our members and other stakeholders to understand the issues, challenges, and opportunities from varying perspectives. Together, we can co-design a framework that benefits everyone.

12. Establish a working group with AMCTO and other municipal stakeholders to review and improve the third-party advertiser regime for ease of compliance and enforcement.

Similarly, the third-party advertiser framework needs to be updated and improved. The [current measures were introduced](#) to regulate third-party advertising, which includes contribution and spending limits, and to help create flexibility for groups doing advocacy work throughout the campaign period³⁰. However, there remains room for improvement, including better defining qualifications for third-party advertisers. Improvements should ensure the regime is less cumbersome and easier for advertisers, administrators, and compliance audit committees to comply with and enforce.

13. Within the campaign finance and third-party advertiser frameworks, review the mechanisms for enforcement, and related penalties to address gaps in accountability and transparency measures.

Related to our secondary recommendation in this section, there are gaps in penalties related to overcontributing to a candidate's own campaign and accepting overcontributions from residents. There are nuances within the legislation that must be considered as well. For instance, there should be assurances that changes to campaign finance rules and penalties are balanced with the ability of candidates to pay off campaign debts.

Ultimately, a review of the campaign finance and third-party advertising frameworks, along with the compliance audit, offences, penalties, and enforcement processes must be looked at holistically as these are intertwined with changes to one section or subsection potentially requiring subsequent changes elsewhere in the Act.

³⁰ Ontario Newsroom. Ministry of Municipal Affairs and Housing. Backgrounder. June 7, 2016. "Changes to the Municipal Elections Act," Accessed: <https://news.ontario.ca/en/backgrounder/39111/changes-to-the-municipal-elections-act>.



14. Consider increasing maximum campaign spending limits and its related formula to consider inflation outlined in O Reg 101/97.

The Province should consider revising the spending limit formula in [Ontario Regulation 101/97](#)³¹ which has been stagnant since 2018 and does not consider inflationary pressures on campaign costs.

15. Explore establishing an independent office to manage investigation and prosecution of offences under the Act.

Local election administration enforcement is nuanced and often differs municipality to municipality as does capacity and resourcing, whereas federal and provincial elections are administered by one centralized body. In reviewing the campaign finance, third-party advertising and enforcement frameworks in the MEA, the Province should also consider promising practices from election administrators at other levels of government, such as an independent office like the Commissioner of Canada Elections.

Municipalities face challenges proceeding with prosecutions under the MEA. For instance, the conflicting nature of local police governance is responsible for the investigation of criminal activity, and municipal elected officials sit on these police boards. Anecdotally, in instances where local forces are engaged, they have recused themselves and referred matters to the Ontario Provincial Police (OPP) who may or may not involve themselves in local matters. Barring a provincially appointed official, more clarity around MEA offences being investigated by the OPP would help address existing concerns.

Similarly, prosecution through the courts is a time-consuming process that can take multiple years to get to trial, the process for which takes up staff time and resources to prepare for, prosecute, and await judgement before applying penalties.

A separate body could allow for an alternative dispute resolution mechanism with procedures that are applied consistently across municipalities. This would remove potential conflicts and friction between municipal staff as election administrators, candidates, and members of council who may have contravened the Act, leading to quicker resolutions. At the provincial-level for instance, the [Election Finances Act, 1990](#)³² includes mechanisms such as referrals to the Ministry of the Attorney General for prosecution and the use of administrative monetary penalties.



³¹ See section 5 of O.Reg 101/97 under the *Municipal Elections Act, 1996*

³² See the *Elections Finances Act, 1990* <https://www.ontario.ca/laws/statute/90e07>



Recommendations to Reduce Administrative Complexity

AMCTO supports modernizing legislative and regulatory environments that enable the work of municipal public servants, while allowing innovation with policies and practices that reflect current needs and focuses on outcomes.

Legislation needs to strike the right balance between providing clear rules and frameworks to ensure the integrity of the electoral process, while also reducing administrative and operational burden for municipal staff. Local election administrators need to be able to run elections in a way that responds to the unique circumstances of their local communities. Thereby, providing the right rules and frameworks for administrators will result in benefits for electors, candidates, advertisers, and others involved in local elections.

Priority Recommendations

- 1. Bring the language of the Act and regulations into the 21st century by removing gendered references and including references to encompass all voting methods.**

To ensure more inclusive language within the Act, the Province should remove gendered references. Clerks receive complaints from non-binary persons about the use of language in the Act which they feel is exclusionary. Moreover, as more municipalities are turning to alternative voting methods to reach voters and run efficient elections, language in the Act across numerous sections and within regulations should encompass all voting methods rather than referring to traditional paper ballots or in-person voting. Changes are required in sections 43, 47, 48, 49, 52, and 89, among others.

- 2. Ensure all definitions that appear in the Act are captured in and limited to Section 1 and update definitions to add clarity.**

One way to improve clarity and interpretation is to ensure that all key terms are captured in the definition section of the Act. There are several instances wherein a definition appears later in the legislation while others are captured in the definition section. Definitions for several terms also require clarity. For instance, municipalities are left to define "retirement homes" resulting in inconsistencies across municipalities. As we have noted elsewhere in this submission, definitions of "tenants" and "occupancy" also lack clarity.

It is also important that language clarifies the definition of "municipality" so that it consistently applies to operational and administrative tasks undertaken by municipal administration, whether by the clerk or other municipal staff.



3. Clarify references to municipal business hours as well as dates that constitute a weekend or holiday as defined pursuant to the *Legislation Act, 2006*.

Candidates, voters, and other interested parties are not familiar with the traditions and nuances of legislation and regulations. Without a reference to other legislation, voters and candidates are unlikely to know that they should refer to the *Legislation Act* for definitions. Moreover, it should be clarified that references to specific deadlines within the *Act* are to reflect regular municipal business hours especially where these hours may fall on weekends and holidays.

4. Move nomination day to July, shortening the campaign period to be more consistent with federal and provincial nomination periods.

As noted previously, local elections are complex multi-year projects often undertaken by a handful of municipal staff who are also responsible for numerous other statutory and operational responsibilities. In 2020, the [nomination period was extended to August from July](#)³³. Extending this period runs contrary to the changes the Province made in 2016 [shortening the nomination period](#)³⁴. Furthermore, the municipal nomination period is longer than those at the provincial and federal levels where this process is managed by agencies whose sole focus is election administration.

Shortening the length of the nomination period would give municipalities more time to prepare ahead of the election. There is significant strain on municipal staff and resources with longer nomination periods, with legislative and business deadlines for printing ballots, quality assurance, security, and testing, among other activities. While this may sound straightforward, municipalities are often working with tight, limited supply chains and vendors, and in larger municipalities, staff are often dealing with multiple ballot types, and in many cases, managing hundreds of candidates. A longer nomination period means there is less time between the close of nominations and the first day of voting to finish the nuanced tasks and activities required of local elections.

Longer elections are more expensive for candidates, harder to run for administrators, and can be a potential cause of fatigue from an already disengaged electorate. Moving the nomination period back to at least July would make the nomination period shorter, while also giving candidates in smaller municipalities—who may still be working full-time jobs with less sophisticated campaign infrastructure—enough time to campaign.

5. Enable clerks to determine what voting method is best as the local chief electoral officer and align timelines related to clerk's procedures.

[Building on the updates made in 2016](#)³⁵ which began to untangle council's role in election administration, the *Act* should be updated to authorize the clerk to choose what voting method is best. Requiring council to pass bylaws on voting methods in section 42 gives council members and the public the impression that council is responsible for election administration issues.

³³ See <https://www.amcto.com/network-community/blog/advocacy-update-bill-218>

³⁴ See <https://news.ontario.ca/en/release/39113/ontario-passes-legislation-to-allow-ranked-ballot-option-for-municipal-elections>

³⁵ See section 41(4) of the *Municipal Elections Act, 1996*.



[Section 42](#)³⁶ should further be amended to resolve the conflict in timelines between when procedures need to be completed and when they must be provided to candidates. For instance, June 1st is the deadline for the procedures in a regular election year, but 42(3)(b) requires these must be provided when a candidate files their papers, which could be as early as May 1st.

6. Change the timeline for proxy appointment to begin September 1st for a regular election.

A similar timeline alignment issue occurs between making the voters' list available to voters to confirm if they are on the list and/or update their information and the appointment of proxies. In the 2022 election, the first day for proxy appointment was August 22nd. However, the voters' list was not available until September 1st. In this scenario, staff were not able to necessarily confirm whether an individual appeared on the voters' list as a qualified elector until September 1st. Thus, allowing proxy voters to be appointed earlier than receipt of the voters' list is problematic.

In the case of a by-election, consider changing the timing for proxy appointments to when the clerk has made corrections.

7. Expand the timeline for reporting on accessible elections from 90 days to 120 days.

[Section 12.1 \(3\)](#)³⁷ requires the public posting of a report about the identification, removal and prevention of barriers that affect electors and candidates with disabilities within 90 days of voting day. We recommend that this be extended to 120 days. Providing additional time to municipalities would allow them to look at reporting on the election holistically in one comprehensive post-election report that includes factors impacting accessibility.

8. Consider aligning the spending limit certificate requirements and timelines between candidates and third-party advertisers for consistency.

The Act states that candidates are to receive the certificate of permitted amounts of their own expenses and contributions to their campaigns upon the filing of their nomination forms. The MEA does not require the certificate for maximum amount for parties, etc., after voting day to be issued until or before September 30th along with all final certificates. In comparison, third-party advertisers are to receive the certificate of maximum amount for parties, etc., after voting day upon filing their Notice of Registration. Providing consistent timelines across various participants in the electoral process makes it easier for municipal staff to adhere to legislative requirements and ensure that candidates and parties are adhering to timelines.



³⁶ See section 42 of the *Municipal Elections Act*, 1996.

³⁷ See section 12.1(3) of the *Municipal Elections Act*, 1996.



9. Update existing provincial guides and forms and provide additional guidance to voters, candidates, third-party advertisers, and election administrators.

The following points outline areas where we believe further clarification can be provided to ensure continued progress, transparency, and accountability in local election administration.

Voters' Guide

- Include more details on voter identification (ID) requirements to provide clearer information about acceptable ID.

Candidate and Third-Party Advertiser Guides

- Specify the documentation that can be accepted as proof an individual is authorized to act on behalf of a trade union for third-party advertising purposes.
- Clarify whether promoted social media posts count as third-party advertising.
- Provide clarification on whether contributions can be sought via platforms such as GoFundMe that process online payments.
- Add further clarity in candidate guides on how to interpret the Act from a campaign finance perspective (i.e. using personal credit cards to reimburse campaign expenses, setting up and managing banking accounts) and where to seek advice for filling out the required forms.
- Add content to guides related to individuals who are supported by their corporations/organizations and stipulate that in these cases, campaign volunteers could be perceived as 'in-kind' contributions. Any stipends provided to volunteers should be captured in financial documents.



Forms

- Ensure clarity and consistency regarding the use of a single name on the ballot under [section 41 \(2\)](#)³⁸. Nomination forms allow the use of a single name on the ballot while section 41 does not provide guidance on how names should be listed on the ballot.
- Conduct extensive external-to-government systems testing of provincial government forms to ensure they are accessible and useable. Our members advised of candidate challenges with downloading and filling in prescribed forms as they were in a format that was not supported by their computer system. We understand that several municipalities raised this issue with the Ministry of Municipal Affairs and Housing (MMAH), but no remedy was applied.
- Update Declaration of Identity - Form 9 so that it can be used to serve voters who have no identification (e.g. those who may be homeless, seniors who have not updated their government-issued identification, etc.)

³⁸ See section 41(2) of the *Municipal Elections Act*, 1996.



Secondary Recommendations

10. Extend the timeline to submit final changes to the voters' list from 30 days to 60 days.

[Section 27\(2\)](#)³⁹ requires that the final changes clerks make to the voters' list be submitted 30 days following election day. In the post-election period, it can be challenging for clerks to meet this deadline given that they are busy managing orientation and onboarding of councillors as well as handling compliance activities. In larger municipalities where thousands of revisions are processed during the election period, it is very challenging to meet the current 30-day timeline. It has never been clear from an operational perspective why this must be done in 30 days. 60 days would provide clerks with a more reasonable post-election timeline to account for and submit final changes.

11. Consider extending discretion to remove a name from the voters' list and the correction of errors to voting day.

The Act should be clear that if the clerk is satisfied, a correction can be made regardless of when that is. A similar mechanism should be included regarding school board support especially where an elector has completed a declaration. This would facilitate a smoother experience on election day for electors whose information may not be correct.

AMCTO's advocacy efforts⁴⁰ to fix the voters' list resulted in Elections Ontario taking over responsibility for a single register of electors, consolidating elector information across the province and removing overall responsibility from MPAC, which retains responsibility for school support data. We are hopeful that in 2026, the first election in which voters' lists will be compiled using Election Ontario's information, there will be a significant improvement in data quality of the voters' list.

Clerks should be extended the authority to make changes to elector information beyond what is currently allowed under [section 22](#)⁴¹ to update voter information, including school support, on election day, if they are satisfied that the information provided by an elector is correct. Without this authority and as the legislation stands currently, an elector may be unable to exercise their right to vote.

Permitting changes to the voters' list on election day should not prevent any improvement to processes for accepting revisions at the single register or at MPAC's level related to school board support. The end goal should always be to have corrections addressed adequately at all levels to ensure voters have a seamless, quick, and overall positive experience on election day.

³⁹ See section 27(2) of the *Municipal Elections Act, 1996*.

⁴⁰ See <https://www.newswire.ca/news-releases/local-govt-association-applauds-elections-ontario-report-887387112.html>

⁴¹ See section 22 of the *Municipal Elections Act, 1996*.



12. Establish a province-wide registry for MEA offenders, maintained by the MMAH or another provincial body, and provide this registry to election administrators.

The *Act* makes it clear that candidates, contributors, and third-party advertisers are responsible for ensuring that they comply with the *Act*. While the *Act* also requires clerks to certify nomination papers and registrations, clerks do not have the tools or resources such as public and centralized information about electoral histories and sanctions imposed on candidates, contributors, or third-party advertisers. How is a clerk from southwestern Ontario to know whether a candidate or third-party registering in their municipality has been disqualified in northern Ontario?

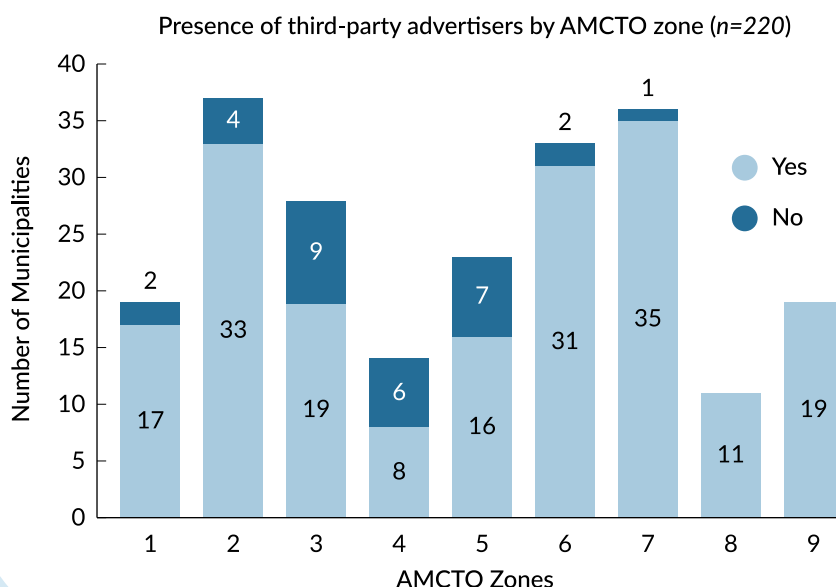
To assist municipalities in completing reviews, there should be a province-wide registry of MEA offenders. Such a central repository kept and maintained by a separate body would include information about qualifications, records of compliance audit and court decisions. Information should be available to ensure clerks, compliance audit committees, and others have access to information about those who have contravened the *Act*.

13. Amend the *Act* to consolidate rules between regular elections and by-elections specifying what must be different.

The *Act* provides that by-elections should be conducted “as far as possible in the same way as regular elections”. However, it does not provide further guidance. Are there ways in which by-elections should not run like regular elections? This is an area where the *Act* can be streamlined to clarify, where necessary, what activities may be different in a by-election. This would ensure municipalities are conducting by-elections consistently across the province.

14. Consider a threshold amount for registering as a third-party advertiser that is in line with provincial and federal thresholds.

Third-party advertiser registration primarily occurs in medium to larger municipalities and few, if any, are registered in smaller municipalities.



The entire process from registration to compliance is cumbersome and may prevent smaller actors from engaging in the political process for fear of being labelled third-party advertisers. If the intent is to retain the current framework, amendments need to be made so that there is a line in the sand for who and when someone becomes a third-party advertiser. For instance, is a 'mom and pop restaurant' a third-party advertiser because they hand out flyers for a

candidate at their restaurant? A threshold amount for registering as a third-party advertiser that is in line with provincial and federal thresholds would help ensure local voices without resources can participate without unnecessarily triggering ad status.

Moreover, calculations for third-party spending limits are cumbersome and lack clarity especially for by-elections. The current wording of section 88.21⁴² suggests that the number of electors in the entire municipality, instead of the ward that is the subject of the by-election, is used to calculate spending limits for third-party advertisers. This gives third-party advertisers a disproportionately higher spending limit than candidates in a by-election.

15. Consider amending the deadline for third-party advertiser registration to be more reasonably in advance of an election.

There are also timeline issues with third-party advertising registration. Allowing third-party advertisers to register up to the Friday before election day is problematic from an operations perspective. At this time, municipal staff's attention should be focused on the successful execution of voting and the electoral process, rather than additional paperwork.

16. Require those who file a Notice of Extension of Campaign Period - Form 6 to also file a Supplementary Financial Statement.

Often candidates and third-party advertisers believe that because they did not campaign, raise or spend money in the extended period, they are not required to file a supplementary financial statement even though they filed a notice of extension. This is the interpretation which inevitably causes confusion. Stronger language should be applied to those who file a Form 6 to specify that a Supplementary Financial Statement is required.



Long-Term Recommendations

17. Clarify the process for removing a name from the voters' list by a relative.

Providing the clerk with more flexibility to determine procedures on how a family member may request to remove someone from the municipality's voters' list (provided the clerk is satisfied that the individual should be removed) would assist in the clean-up of municipal voters' lists.

However, we are hopeful that the single register of electors managed by Elections Ontario will improve the quality of the voters' list given that there is one register and duplications should be reduced. The Province could re-evaluate this post-2026 to determine whether any legislative changes are necessary.

⁴² See section 88.21 of the *Municipal Elections Act*, 1996.



18. Decouple school board support for electoral purposes from school support for assessment purposes.

Despite Elections Ontario taking responsibility for a single register of electors, under the *Assessment Act*, MPAC remains responsible for collecting information about school board support. This may be attributed to the leading legislative interpretation that school support may have dual purposes: electoral and assessment. However, as the Ombudsman noted in [the 2021-2022 Annual Report](#)⁴³, this data from MPAC is no longer used to determine school board funding but rather who can run and vote in school board elections.

Currently, the single register of electors is not expected to resolve this issue as MPAC remains responsible for collection of school support information. As a result, there are two separate portals through which voters must check and update their information: one from Elections Ontario for qualification and one from MPAC for school support. This dual process will cause confusion for the voter without resolving issues related to incorrect assignment of school support.

Municipalities receive school support information, relying on this data to develop their voters' lists. The problem resides in processes that assume an elector to be an English Public supporter unless a supporter has submitted forms or updated information on an online portal to declare otherwise. This particularly impacts French-language rights holders and separate school supporters who may have moved between wards or between municipalities but did not fill out a form.

This issue continues to blur the electoral picture for candidates, electors, and administrators when it comes to linking electors and the school boards for which they are entitled to cast their ballots. This blurring sometimes results in an elector being assigned an incorrect school board ballot which slows the voting process, frustrates the elector, and means more work for election officials. Making school support for electoral purposes distinctive in legislation and providing Elections Ontario with the authority to collect this information would improve the quality of school support data.

The Province should update candidate and voter guides to make it clear that school support amendments cannot be made by municipalities as a result of Provincial legislative barriers. It is important that candidates and voters are able to direct their concerns to the Province rather than to municipal staff who do not control these processes.

19. Amend the *Education Act* to clarify who is a French-language rights holder and who is a separate school rights holder.

As we noted previously, local elections are complex endeavours, and not only do clerks run municipal elections, but they are also required to run the election for trustees across five school boards. Increasingly, candidates who may not be qualified to run for school trustee (i.e. do not hold the language or religious rights to qualify) are submitting papers to run. This has resulted in

⁴³ Ontario Ombudsman. 2022, *Annual Report 2021-2022*, <https://www.ombudsman.on.ca/resources/reports,-cases-and-submissions/annual-reports/2021-2022-annual-report> p 43



void school board trustee elections. It is no wonder why there is confusion when the *Education Act*, *Assessment Act* and the *MEA* must be read to figure out the nuances of qualification. Clearer rules around language rights qualifications would help people understand whether they qualify as a candidate.

20. Clarify that school board trustee candidates must file their nomination papers in the municipality in which they reside.

Given that school board boundaries cross municipal boundaries, when trustee candidates do not submit their nomination papers in the municipality in which they reside, it complicates the situation. Clerks are left trying to figure out residential qualification in addition to general candidate qualification. This is burdensome for candidates and municipal staff and must be addressed.



21. Consider readjusting school board boundaries to align with municipal boundaries.

Given the complications between jurisdictional boundaries, one consideration may be to better align school board boundaries with municipal boundaries.

22. Conduct a review of identification requirements in the regulation and consider the availability of digital and hard copy identification as well as identification challenges for segments of Ontario voters.

Voters and administrators require more guidance and clarity on what types and forms of acceptable identification can be used in local elections. It is a persistent challenge for municipalities educating members of the public about what can be used, particularly because accepted identification is different than provincial and federal elections due to residency requirements. Moreover, certain voters also lack identification and documentation to be able to exercise their right to vote.

As part of the Province's work on [Digital Identity](#)⁴⁴ under the Ontario Onwards Action Plan, there should be collaboration and consultation with the municipal sector, including AMCTO, on the specific needs of identification for electoral and other local service provision purposes.

⁴⁴ See <https://www.ontario.ca/page/digital-id-ontario>





Trends AMCTO Continues to Monitor

Our Working Group also discussed several trends that may impact electoral administration. While there are no specific recommendations at this time, we want to highlight some of what the group identified to inspire continued conversations about the tools, resources and supports local election administrators may require in the future.

Electoral Participation

Declining voter turnout has been discussed as an indicator of democratic health. Our 2022 Post-Election Survey, which included data from [MMAH's municipal election survey](#), found a 4% decline in overall voter turnout between 2018 and 2022⁴⁵. In 2018 and 2022, electors also voted in a provincial election, and in the fall of 2021, voted in a federal election as well.

[Our 2014 Post-Election Survey](#) found the average turnout was approximately 43%⁴⁶. [As we noted in previous submissions](#), there may be some element of voter fatigue⁴⁷ which is also why we recommend shortening the election period.

While voter turnout has decreased, the number of acclamations has increased. [As AMO noted](#):

with fewer candidates, there are also more positions being acclaimed, especially in smaller, rural municipalities. This year, 548 council positions were acclaimed, including 139 mayors and reeves. Compared to 2018, total acclamations are up 15% over 2018 and up 16% for mayors and reeves (heads of council). A total of 32 councils will be entirely acclaimed this year, 3% more than 2018, when 26 councils were acclaimed. All of [sic] the fully acclaimed municipalities in 2022 have populations of 10,000 residents or less.⁴⁸

⁴⁵ AMCTO. February 2024, 2022 Post Election Survey, <https://www.amcto.com/about-amcto/news-announcements/2022-municipal-elections-survey-key-findings>

⁴⁶ AMCTO. August 2015, 2014 Post Election Survey <https://amctopolicy.files.wordpress.com/2015/08/amcto-2014-post-election-survey-results.pdf>

⁴⁷ AMCTO. July 2015, AMCTO Submission on the Municipal Elections Act <https://www.amcto.com/sites/default/files/2023-05/AMCTO-MEA-Submission.pdf>

⁴⁸ Association of Municipalities of Ontario (AMO). News Release. September 27 2022, "Municipal elections data available on AMO website" Accessed: <https://www.amo.on.ca/policy/municipal-governance-indigenous-relations/municipal-election-data-available-amo-website>



It is understood that in making voting easier and more accessible, it is possible to increase participation in local democratic processes which is why municipalities have looked at implementing alternative voting methods in their communities.

Digital Identity

As an Association, we continue to be interested in the Province's [Digital Identity](#) project⁴⁹ given the operational implications to local service delivery. Photo identification is used for recreation programming registration, paying property tax, resolving parking offenses, and confirming residency for local elections. The degree to which Ontario follows other jurisdictions in implementing digital identities will determine how local service delivery, including elections*, may benefit or be challenged by such an initiative. Any introduction of digital identities will need to work for elections and be reflected in the MEA.



Misinformation

We are also keeping an eye on more subversive and potentially harmful trends including the spread of misinformation that threatens democratic institutions. This is an increasing concern for election administrators at all orders of government.

For instance, a report from the [Canadian Election Misinformation Project](#)⁵⁰ documents and evaluates misinformation during the 2021 Canada federal election. While there was widespread misinformation during this election, the overall impact was minimal as the campaign period and results were not driven by misinformation. However, there was a rise in misinformation through groups who hold conspiratorial beliefs about various topics. The report also highlights certain vulnerabilities that need to be addressed including the increasing difficulty in detecting what qualifies as misinformation and the continued distrust of democratic institutions by increasing segments of Canadians.

There has also been reporting on distrust and misinformation, among other threats outlined by the [Security and Intelligence Threats to Elections Task Force](#)⁵¹ that are a cause for concern.

While there are tools and resources offered by organizations like the [Canadian Centre for Cybersecurity](#)⁵² to help the public and others identify this pervasive information, decentralized elections such as those run by municipalities, could benefit from more specific resources and supports for managing these threats.

⁴⁹ See <https://www.ontario.ca/page/digital-id-ontario>

* There are a range of identification requirements outlined in regulation that may be accepted as proof of identity.

⁵⁰ See https://www.mcgill.ca/maxbellschool/files/maxbellschool/meo_election_2021_report.pdf

⁵¹ See <https://www.cbc.ca/news/politics/threats-of-violence-canada-elections-1.7153960>

⁵² See <https://www.cyber.gc.ca/en/guidance/how-identify-misinformation-disinformation-and-malinformation-itsap00300>



Foreign Interference

Misinformation created and distributed by domestic actors is concerning enough but with the threat of foreign interference, the scale of risk is at a magnitude that must be dealt with at a national level. [The Government of Canada](#) consulted with Canadians on foreign interference and potential government action starting in late 2023⁵³. As an Association and to represent our members' interests, [we wrote to the Ministers of Justice Canada and Public Safety](#)⁵⁴ to advise that changes made at the federal level will require complementary provincial legislation. Local election administrators will require support in managing threats and potential incidents.

We also continue to watch with interest the [Public Inquiry](#) into *Foreign Interference in Federal Electoral Processes and Democratic Institutions*⁵⁵ for findings and recommendations.

Artificial Intelligence (AI)

While governments are beginning to take measures that provide frameworks and rules around the development and use of AI, there are few sources that deal specifically with elections. Administrators need the right legislative tools and guidance to ensure they can manage the impacts of AI on local democratic processes and ensure there is the right support to enforce such provisions. The Act must provide the rules and frameworks to support election administrators who may choose to leverage these technologies to improve electoral services.



⁵³ CSIS. 2021. *Foreign Interference: Threats to Canada's Democratic Process*. <https://www.canada.ca/content/dam/csis-scrs/documents/publications/2021/foreign-interference-threats-to-canada%27s-democratic-process.pdf>; Government of Canada. Public and Emergency Preparedness Canada. News Release. November 24, 2023. "Government of Canada launches consultation on legislative amendments to counter foreign interference in Canada" <https://www.newswire.ca/news-releases/government-of-canada-launches-consultation-on-legislative-amendments-to-counter-foreign-interference-in-canada-868566675.html>

⁵⁴ See AMCTO letter, January 2024 re: AMCTO Letter to Ministers of Justice Canada and Public Safety re Foreign Interference <https://www.amcto.com/letter-to-ministers-re-foreign-interference>

⁵⁵ See <https://foreigninterferencecommission.ca/>





Conclusion

For many reasons, election administrators at all orders of government face several heightened challenges and our clerk members are no different. [Increasing distrust in public institutions](#)⁵⁶ beyond just healthy skepticism⁵⁷ means that democratic processes delivered through election administration are more important than ever. There are decreasing rates of democratic participation reflected in low voter turnout, electoral support, and an increased number of acclamations that [impact the efficacy of elections](#)⁵⁸.

The good news is that there are opportunities as well: voting methods can reach more qualified electors which may result in increased rates of voter participation. Improvements to technology can result in more automated and quicker service delivery if balanced with the necessary security precautions. Clarifying rules can make compliance and enforcement more straightforward, paving the way for more diverse pools of candidates.

The Act should reflect the digital challenges and opportunities of today and tomorrow, and discussions should occur via legislated four-year reviews to ensure clarity, consistency, accountability, transparency, and trust remain top of mind. The legislation should be more enabling while providing important guidance, standards, and support with the right mix of tools to make compliance and enforcement streamlined.

The Province should build on the [MEA modernization work from 2016](#)⁵⁹ by rewriting and restructuring the Act to address existing and new challenges and opportunities. The issues weighing most on the minds of election administrators would be served by transformational change to the Act to provide a better overall framework for local elections. This requires bringing a 21st century mindset to improving service delivery to voters, candidates, and the public, while providing election administrators with more flexibility, certainty, and clarity to do the important work of delivering fair, accountable, and transparent municipal and school board elections.

AMCTO looks forward to discussing our recommendations with the Province and collaborating on priority legislative and regulatory improvements.

⁵⁶ Edelman Canada. May 2023. “2023 Edelman Trust Barometer,” <https://www.edelman.ca/sites/g/files/aatuss376/files/202303/2023%20Edelman%20Trust%20Barometer%20EN.pdf>

⁵⁷ Norris, Pippa. *In Praise of Skepticism: Trust but Verify*. Oxford University Press, 2022.

⁵⁸ See <https://www.amo.on.ca/policy/municipal-governance-indigenous-relations/analysis-2022-municipal-post-election-data>

⁵⁹ See <https://www.ola.org/en/legislative-business/bills/parliament-41/session-1/bill-181/debates>



AMCTO MEA Working Group

AMCTO formed the MEA Working Group in 2023 to review, analyze, and discuss a suite of reforms to the *Municipal Elections Act* (MEA). Together, the Group brought forward best practices and lessons learned from municipal and school board elections administration to identify challenges and opportunities for solution-orientated improvements to existing election rules and regulations. Their work informed this submission and continues to support our members and municipal professionals in local election administration.

AMCTO would like to thank the following individuals for their time, contributions, and expertise as part of our MEA Working Group:

Martina Chait-Hartwig
(Chair)
Township of Douro-Dummer

Florence Witherspoon
(Vice-Chair)
Township of Ashfield-
Colborne-Wawanosh

Shawnica Hans
City of Brampton

Veronique Hie
City of North Bay

Terri Knight-Lepain
City of Windsor

Antonia Mancuso
Town of Oakville

Lori McDonald
Town of Bracebridge

Fiona Murray
City of Toronto

Evan Read
City of Vaughan

Pam Walsh
Town of Blind River

For more information about this Working Group, the submission and AMCTO advocacy initiatives, please contact advocacy@amcto.com.

The following appendix includes a line-by-line breakdown of our recommendations and the corresponding section of the MEA in its current form. We invite the Province to consult with us, our members and other sector organizations on reviewing and updating the current legislation to better serve local elections administration now and into the future.



Appendix: Summary of Recommendations

Recommendation	Legislative Reference(s) if applicable	Rationale
Overhaul and update the Act to ensure that it is future-proof, addresses current gaps, streamlines rules, and brings added clarity well ahead of the 2030 election.	Act and regulations	The MEA contains a patchwork of amendments, sections, provisions and other structural issues that make it difficult for people to understand and manage.
Include a legislative requirement to review the Act after every scheduled municipal and school board election year.	New section	The Act should be updated on a regular cycle to ensure that it is responsive to new and emerging technology and trends.
Review how the current legislation, regulations, and prescribed forms treat personal information, considering a digital privacy lens.	Act and regulations	Protection of privacy is becoming an increasing concern and is central to ensuring public trust.
Amend the Act to include a preamble that captures the principles of elections recognized by the court and the intended outcomes of the Act.	New preamble	A preamble inclusive of these principles should set out the intended outcomes of the legislation and provide foundational understanding of elections.
Establish a mechanism that permits the Minister of Municipal Affairs, in consultation with affected communities, to alter municipal and school board election day if it falls on a day of cultural or religious significance.	Section 4 Regular elections	In future years, it could be the case that election day falls on another culturally or religiously significant festival or event impacting voter turnout and staffing resources.
Require school boards to schedule one of the provincially required Professional Activity (PA) days on municipal and school board election day.	New sub/section	Confirming availability of school facilities for election day is one less thing for clerks to have to determine and provides voters with a large, central, accessible facility to cast their ballots. Ensures that election administrators can focus on providing electoral services to residents and municipal and school trustee candidates.
Amend the Act so that, if requested, schools and institutions must allow space for advance polls and voting day free of charge.	Section 45 Number and location of voting places	Clerks require a legislative basis to work with heads of institutions to address resident voting requirements providing more opportunities for the most vulnerable to cast their vote.

Recommendation	Legislative Reference(s) if applicable	Rationale
Remove the requirement for employees of a municipality or local board to provide notice of their intention to stand for election to council.	Section 30 Employee of a municipality	Potential candidates for municipal office, who happen to work for a municipality or a local board, should be provided the same, equal opportunity as other candidates who are not required to declare their intentions until they submit their paperwork.
Clarify the Act to reflect that a voter's absence from work may be on any day voting is available (i.e. advance voting days).	Section 50 Electors' absence from work	The current definition of voting day is limited to Election Day only and could be interpreted to not include advance voting days.
In consultation with AMCTO and other municipal stakeholders, consider how the work by the Digital Governance Standards Institute related to electronic voting may be formalized to support election administration in Ontario.	New section	With an increasing number of municipalities considering e-voting methods to make voting easier and be "where the voters are" there should be a provincial interest in adopting some standards.
Establish a working group with AMCTO and other municipal stakeholders to inform the development of a regulation for electoral definitions of "tenant", "spouse of a non-resident" and "occupancy".	Section 17 Qualification of electors (with possible implications for Section 2 Residence)	The current definitions provided in the Act are not sufficiently clear, and create potential confusion for electors, candidates, and administrators.
Remove the 25-signature endorsement requirement.	Section 33 Filing Nomination	Signature requirements in medium and large cities has not addressed its stated intent as signatures are easy to collect with a declaration that signees are eligible electors and adds an administrative burden.
Investigate incentives to support genuine candidacy while addressing frivolous campaigns, including the nomination filing fee refund.	Section 34 Refund	The current process of refunding anyone who files a financial statement does not dissuade frivolous candidacies. Other mechanisms should be investigated.
Amend the Act so that no candidate shall accept a contribution over \$1,200 from a single resident.	Section 88.9 Maximum contributions to candidates	Fill the gap that does not specifically prohibit candidates from accepting a contribution.
Clarify that any resident of Ontario may submit a compliance audit application, consistent with contribution rules.	Section 88.33 Compliance audit of candidate finances	Clarify that any resident in Ontario can file a compliance audit application consistent with rules on contributions.

Recommendation	Legislative Reference(s) if applicable	Rationale
Consider setting one 90-day period for compliance audit applications for initial and supplementary financial statements to simplify the process.	Section 88.33(3)	The current structure creates many overlapping deadlines that is challenging to communicate to electors and candidates and for purposes of tracking.
Roll the review of contributions and over-contributions to candidates and third-party advertisers into the Compliance Audit Committee (CAC) process and permit the committee to decide whether to commence a legal proceeding against a candidate or third-party advertiser for an apparent contravention.	Section 88.34 Review of contributions to candidates	This provision jeopardizes the independence and impartiality of the clerk, places the clerk in conflict with members of council and there already exists a process on the Compliance Audit Committee to review statements.
Expand decision timelines for CACs in Subsection (8) from 30 days to 45 days.	Section 88.34 Review of contributions to candidates	To support applicants, election administrators and CAC members with carrying out an application, moving the decision-timelines from 30 days to 45 days may be more reasonable especially where the CAC process may fall around the holidays and is consistent with references in other statutes for required meetings.
Clarify roles with respect to CACs wherein council is responsible for establishing the committee and the clerk is responsible for making appointments.	Section 88.37 Compliance Audit Committees	The MEA gives the responsibility for administering elections, including establishing necessary policies and procedures, to the clerk. However, there are several sections throughout the Act where the responsibility for what are, in effect, administrative decisions is unclearly distributed between both Council and staff. This is one area where there is a clear conflict in members of council who may be subject to an application are involved in the administration of the committee reviewing that application.
Clarify the role of scrutineers where alternative (unsupervised or remote) voting is in place and collaborate with AMCTO and others on the definition of scrutineer and what they may or may not do.	Section 16 Scrutineers	Qualifications of scrutineers continues to be challenged. Moreover, as alternative voting methods are increasingly used, the role of scrutineering is less understood and should be addressed.
Review the scope of election offences and related penalties to address gaps. Consider providing support and guidance to clerks on best practices for implementation and enforcement of serious offences.	Section 89 Offences	Fill existing and new gaps because of changes to technology. Any changes to offences and penalties would require additional guidance and support for election administrators on how to enforce these matters.

Recommendation	Legislative Reference(s) if applicable	Rationale
Establish a working group with AMCTO and other municipal partners to review and improve the campaign finance framework, including rules, guidance, forms, processes, and penalties.	Section 88.8 Campaign Contributions to Section 94.2 Limitation Period	The campaign finance framework is complex to administer and comply with and should be reviewed to make it easier to follow while ensuring accountability.
Establish a working group with AMCTO and other municipal stakeholders to review and improve the third-party advertiser regime for ease of compliance and enforcement.	Section 88.4 Third Party Advertisers	The third-party advertising framework is complex to administer and comply with and should be reviewed to make it easier to follow and comply with.
Within the campaign finance and third-party advertiser frameworks, review the mechanisms for enforcement, and related penalties to address gaps in accountability and transparency measures.	Section 89- Section 94.2	A holistic review needs to consider enforcement mechanisms, penalties and the prosecution process for candidates and contributors.
Consider increasing maximum campaign spending limits and its related formula to consider inflation outlined in O Reg 101/97.	O Reg 101/97	The Province should consider reviewing and updating the spending limit formula in regulation which has been stagnant and does not consider inflationary pressures on campaign costs.
Explore establishing an independent office to manage investigation and prosecution of offences under the Act.	New section	Municipalities have faced challenges proceeding with investigations and prosecutions due to capacity, resourcing and time-consuming processes through the courts. A separate body would allow for alternate dispute resolution that avoids placing municipal staff in conflict with candidates and members of council.
Bring the language of the Act and regulations into the 21 st century by removing gendered references and including references to encompass all voting methods.	Act and regulations	To ensure more inclusive language within the Act, remove gendered references. Moreover, as more municipalities are turning to voting methods to reach voters and run efficiency elections, language in the Act across numerous sections and within regulations should contain language that encompasses all voting methods rather than referring to paper ballots.
Ensure all definitions that appear in the Act are captured in and limited to Section 1 and update definitions to add clarity.	Section 1	One way to improve clarity and improve interpretation in the Act is to ensure that key terms within the Act are captured in the definition section. There are several areas wherein a definition appears later in the Act and others are captured in the definition section.

Recommendation	Legislative Reference(s) if applicable	Rationale
Clarify references to municipal business hours as well as dates that constitute a weekend or holiday as defined pursuant to the <i>Legislation Act, 2006</i> .	Section 10 Saturdays and Holidays and other sections dealing with filing deadlines.	Inconsistency between business hours and the legislation can lead to frustration for candidates, administrators and others engaging in local democratic processes.
Move nomination day to July, shortening the campaign period to be more consistent with federal and provincial campaign periods.	Section 31 Nomination Day	The municipal nomination period is longer than those at the provincial and federal levels which are run by agencies whose sole focus is election administration while municipal staff are managing day-to-day operations while running elections simultaneously. Revert back to the 2016 nomination deadline of July or earlier.
Enable clerks to determine what voting method is best as the local chief electoral officer and align timelines related to clerk's procedures.	Section 42 Bylaws re voting and vote counting equipment	Clarify areas of responsibility between the clerk as the administrator of elections and council as overseers of the municipality.
Change the timeline for proxy appointment to begin September 1 st for a regular election.	Section 44 Appointment of Proxy	Fix the disconnect between voters' list availability and appointment of proxies, qualifications for which cannot be confirmed as electors until the list is available.
Expand the timeline for reporting on accessible elections from 90 days to 120 days.	Section 12.1 (3)	Extending the timeline would allow more time to compile a comprehensive post-election report which is typical practice.
Consider aligning the spending limit certificate requirements and timelines between candidates and third-party advertisers for consistency.	Section 88.20 Candidate Expenses and s 88.1 Registered Third parties' expenses	Providing consistent timelines across various participants in the electoral process makes it easier for municipal staff to adhere to legislative requirements and ensure that candidates and parties are adhering to timelines.
Update existing provincial guides and forms and provide additional guidance to voters, candidates, third-party advertisers, and election administrators.	Voters' Guide; Third Party Advertisers Guide; Candidate's Guide	There are several opportunities to update and provide more information to support voters, third party advertisers and candidates in Provincial guidance materials. There have also been several challenges with usability of provincial forms and inconsistencies between the legislation and forms that should be addressed.
Extend the timeline to submit final changes to the voters' list from 30 days to 60 days.	Section 27 List of changes	Provide more time for clerks to provide final changes after the election period given the number of activities and tasks required to be completed post-election.

Recommendation	Legislative Reference(s) if applicable	Rationale
Consider extending discretion to remove a name from the voters' list and the correction of errors to voting day.	Section 22 Correction of Errors	Electors who move must fill out forms or go to a portal to update their residency and school support information, and despite improvements made to make this process easier, there will be electors who do not do this. Permitting clerks to remove names to voting day would allow for a cleaner voters' list.
Establish a province-wide registry for <i>MEA</i> offenders, maintained by the MMAH or another provincial body, and provide this registry to election administrators.	Section 35 Examination of nominations	While candidates are ultimately responsible for declaring their eligibility, clerks are required to certify nominations. Providing centrally available information about qualifications of candidates, and of those who may have contravened the <i>MEA</i> available to clerks will support this process.
Amend the <i>Act</i> to consolidate rules between regular elections and by-elections specifying what must be different.	Section 65 By-elections	Should the <i>Act</i> continue to distinguish between regular and by-elections, then there must be more guidance and information on how these elections are run to ensure more consistency in how by-elections are run across the province.
Consider a threshold amount for registering as a third-party advertiser that is in line with provincial and federal thresholds.	Section 88.4 Third Party Advertisers	The process is cumbersome and may prevent smaller actors from engaging in the political process for fear of being labelled as a third-party advertiser.
Consider amending the deadline for third-party advertiser registration to be more reasonably in advance of an election.	Section 88.4 Third Party Advertisers	There are also timeline issues with registration. Allowing third-parties to register up to election day is problematic from an operations perspective when municipal staff's attention has shifted from paperwork to execution of voting.
Clarify the process for removing a name from the voters' list by a relative.	Section 24 Application for Name Change	Electors who move must fill out forms or go to a portal to update their residency and school support information, and despite improvements made to make this process easier, there will be electors who do not do this. Permitting clerks to remove names to voting day would allow for a cleaner voters' list.
Decouple school board support for electoral purposes from school support for assessment purposes.	<i>Education Act, 1990</i> and <i>Assessment Act, 1990</i>	Cumbersome rules across multiple acts can result in an elector being assigned an incorrect school board ballot which slows the voting process, frustrates the elector, and means more work for election officials.
Amend the <i>Education Act</i> to clarify who is a French-language rights holder and who is a separate school rights holder.	<i>Education Act, 1990</i> and <i>Assessment Act, 1990</i>	Clearer language around qualifications would help people understand whether or not they qualify as a candidate.

Recommendation	Legislative Reference(s) if applicable	Rationale
Clarify that school board trustee candidates must file their nomination papers in the municipality in which they reside.	<i>Education Act, 1990 and Municipal Elections Act</i>	School board boundaries cross municipal boundaries, and trustee candidates do not always submit their nomination papers within the municipality in which they reside, meaning clerks are left trying to figure out residential qualification as well. The complexity is burdensome for candidates and for municipal staff and must be addressed. Rules for elections need to be clear and straightforward.
Consider readjusting school board boundaries to align with municipal boundaries.	<i>Education Act, 1990 and Municipal Act</i>	Given the complications between jurisdictional boundaries, one consideration may be to better align school board boundaries with municipal boundaries.
Conduct a review of identification requirements in the regulation and consider the availability of digital and hard copy identification as well as identification challenges for segments of Ontario voters.	O Reg. 304/13 Voter Identification	There are numerous ways people carry identification requirements and there are segments of the population without proper identification. The Province has also been working on digital identity which needs to be accounted for.



The Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO) represents excellence in local government, management and leadership. Over the past 85 years, AMCTO has provided education, accreditation, leadership, and management expertise for Ontario municipal professionals. With 2,200+ members working in municipalities across the province, AMCTO is Ontario's largest association of local government professionals, and the leading professional development organization for municipal professionals.

Our mission is to deliver professional growth, networks, advocacy, and leadership to support and strengthen the knowledge, skills, and capabilities of municipal professionals now and into the future.

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Municipality of Lakeshore – Report to Council

Operations

Capital Projects



To: Mayor & Members of Council

From: Wayne Ormshaw, Division Leader – Capital Projects

Date: March 27, 2024

Subject: Town Hall Main Floor and Operations Training Room Renovations

Recommendation

Approve the Town Hall Main Floor Renovation and Operations Renovation Concept Plans;

Direct Administration to proceed to tender and/or award for both projects based on procurement bylaw requirements; and

Approve an additional \$330,000.00 to be funded from the Facilities Reserve as presented at the April 30, 2024 Council meeting.

Strategic Objectives

The Town Hall Renovations and associated office replan is represented by the following strategic objective:

5a) Modernize Citizen-Centered Services - Conceiving/implementing a plan for resident-service standards (including establishing a response policy for all inquiries to the municipality, IT solutions/apps/portals, phone protocols, virtual enablement, etc)

Background

At the regular meeting of Council held on July 18, 2023, a total amount of \$350,000 was approved to commence with review and design of the main floor office renovations and entrance improvements at Town Hall to accommodate additional staff and improve the entrance lobby to improve the customer experience.

Through consultation with JP Thomson Architects for the design of the improvements, a general concept plan was prepared.

Council approved an additional \$690,000 in the 2024 budget for the above concept plan which included a \$40,000 budget for LED Conversion of lighting (lower level and main floor) as part of the renovations.

The attached plans by JP Thompson Architects (refer to Schedule A - Town Hall Renovations) provides the 90% design stage as a schematic visual representation.

Additionally, a preliminary plan has been prepared to convert 3 cubicles to 3 offices at the operations center (refer to Schedule B. Operations Renovations).

The concept plans provide the following:

Town Hall

There are seven (7) existing offices on the main floor of Town Hall, 10 cubicles and only 3 front facing customer counter spaces (2 finance, 1 public service unit).

The new proposed plan will include the following:

- Larger accessible entrance area with 8 designated customer service counters;
- Barrier free washroom accessed from entrance area;
- de-escalation area accessed from entrance area;
- Conversion of the ground floor vault to a meeting room;
- Staff lunch/coffee room;
- 13 offices; and
- 7 cubicles.

Operations Center

There are six (6) existing cubicles at the Operations Centre whereby 3 are currently unused and 3 are used on a part-time basis by outside staff. These are being converted to 3 offices and 3 cubicles to accommodate full-time staff.

The above plans for both locations will result in a net gain of 10 offices, a net loss of 6 cubicles and the addition of 5 front-facing customer counter spaces for a total of 9 additional working spaces.

Financial Impacts

The financial impacts have been summarized below:

Proposed Items	Proposed Costs	Current Approved Budget
Town Hall Main Floor Design - Engineering & Contract Administration	\$ 65,000.00	
Town Hall Main Floor Renovations Construction	\$ 1,055,000.00	
Furniture Costs	\$ 80,000.00	
Noise Dampening & LED Lighting Conversion (all of town hall)	\$ 61,000.00	
Design and entrance improvements at Town Hall (additional staff and improve the entrance lobby)		\$ 350,000.00
Town Hall Main Floor Renovations (2024 Budget)		\$ 650,000.00
LED Lighting Conversion (2024 Budget)		\$ 40,000.00
Town Hall Noise Dampening (2023 Budget)		\$ 21,000.00
Operations Building – Additional Offices	\$ 100,000.00	
Operations Furniture	\$ 30,000.00	
Total	\$ 1,291,000.00	\$ 1,061,000.00
Total Deficit		-\$ 330,000.00

The additional amount required to complete the renovations in the amount of \$330,000.00 (pending final tender results) is to be funded from the Facilities Reserve.

The tender results will go to Council in a subsequent report.

Attachments

Schedule A - Town Hall Main Floor Renovation Concept Plan

Schedule B - Operations Renovation Concept Plan

Report Approval Details

Document Title:	Town Hall Renovations.docx
Attachments:	- Schedule A - Town Hall - Main Floor Renovation Concept Plans.pdf - Schedule B - Operations Centre Renovation Concept Plan.pdf
Final Approval Date:	Apr 24, 2024

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

Prepared by Wayne Ormshaw

Submitted by Krystal Kalbol

Approved by the Corporate Leadership Team

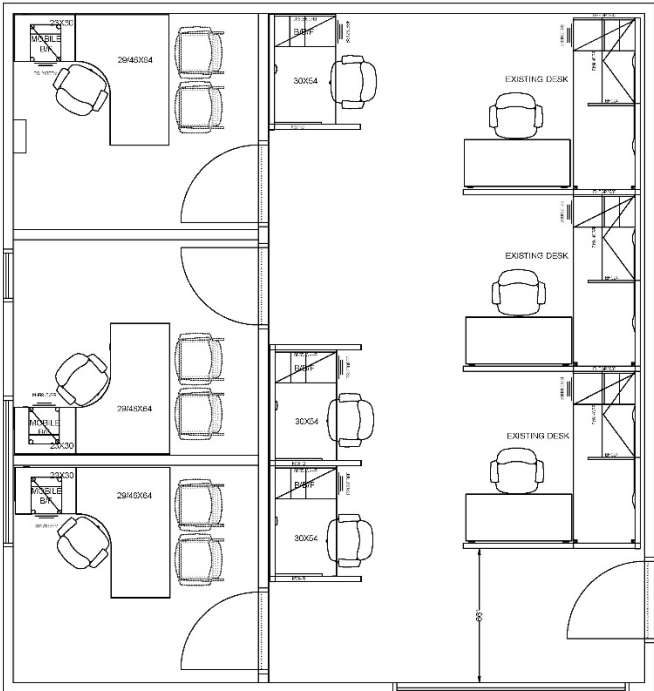
Town Hall Main Floor Renovation Concept Plans







Schedule B – Operations Renovation Concept Plan



Scale 1/4" = 1'



Notice of Motion submitted by Councillor McNamara regarding Testing of Private Water Wells

In the 2023 Auditor General's Value-for-Money Audit of Public Health Ontario (PHO) released in December 2023, recommendation number 5 states that PHO, in conjunction with the Ministry of Health (MOH), are to update and implement a laboratory modernization plan within 12 months to streamline the laboratory's operations.

https://www.auditor.on.ca/en/content/annualreports/arreports/en23/AR_publichealth_en23.pdf

This stemmed from a 2017 proposal by PHO, collaboratively with the MOH at the request of the Deputy Minister to close six of the 11 public health laboratory sites (Hamilton, Kingston, Orillia, Peterborough, Sault Ste. Marie and Timmins) and gradually discontinue private drinking water testing. The justification:

- Mitigating rising costs of maintaining facilities
- Establishing a more efficient operating model that reduces the rerouting of samples to other PHO laboratory sites.

Lakeshore, like many communities in Ontario have residents which get their water from private wells. If this proposal were to be implemented it would shift the responsibility and cost for testing onto these residents. This may lead to the reduction of residents testing their water for pathogens and put them at undue risk of illness. We must not forget the events of Walkerton and the seriousness these decisions have and their implications. Private well owners do not have the protection provided to others under the Safe Drinking Water Act 2002. Further, this water testing data can be provided to the regional health units to help determine if a greater health threat is present in the region and act expeditiously. Also, in these times we should not be shouldering residents with the added cost of testing. This is and should always remain a service provided by the Province as it's the Province's responsibility to provide healthcare for its residents.

Therefore, Council supports the responsibility and cost of testing private water wells remain with the Province of Ontario; and

Direct Administration to send a copy of Council's resolution on this matter to Premier Doug Ford, the Honourable Lisa Thompson, Ontario Minister of Agriculture, Food and Rural Affairs, the Honourable Sylvia Jones, Ontario Minister of Health, Anthony Leardi MPP – Essex, Trevor Jones MPP – Chatham-Kent - Leamington, the Association of Municipalities of Ontario (AMO) and all Ontario municipalities.

Notice of Motion submitted by Councillor McNamara regarding Public Transit

Motion 1 – Notice of Reconsideration

Reconsider resolution #364-12-2023 approved at the December 12, 2023 Council meeting which states “Direct Administration to defer consideration of future transit services for the Municipality until the next iteration of the Transportation Master Plan, as presented at the December 12, 2023 Council meeting.”

Motion 2 – Notice of Motion

Direct Administration to enter into discussions with the Town of Tecumseh to determine the feasibility and cost for Tecumseh to deliver public transportation service between Manning and Patillo Road.

Municipality of Lakeshore

By-law 47-2024

Being a By-law to amend By-law 2-2012, Zoning By-law for the Municipality of Lakeshore (ZBA-03-2024)

Whereas By-law 2-2012 is the Municipality's comprehensive zoning by-law regulating the use of lands and the character, location and use of buildings and structures within the Municipality of Lakeshore;

And whereas the Council of the Municipality of Lakeshore deems it expedient and in the best interest of proper planning to further amend By-law 2-2012;

And whereas this amendment is in conformity with the Lakeshore Official Plan;

Now therefore the Council of the Municipality of Lakeshore enacts as follows:

1. Schedule "A", Map 71 to By-law 2-2012 is amended by changing the zoning classification of the retained land resulting from a severance of the property municipally known as 9141 Lakeshore Rd. 305, legally described as Part of Lot 9, Concession 5, Tilbury, designated as Part 1 on 12R2728, save and except Part 1 on Plan 12R29538, being part of the Property Identifier Number 75063-0043(LT); shown hatched on Schedule "A" attached to and forming part of this by-law, to rezone the retained farmland to Agriculture Zone Exception 119 (A-119).

2. Section 9.20, Agriculture (A) Zone Exceptions is amended by adding Subsection 9.20.119 to immediately follow Subsection 9.20.118 and to read as follows:

"9.20.119 Agriculture Zone Exception 119 (A-119) as shown on Map 71, Schedule "A" of this By-law.

- a) Permitted Uses: Notwithstanding Section 7, Table 7.1 or any other provision of this by-law to the contrary, a single unit dwelling shall be prohibited. All other uses are permitted.
- b) Permitted Buildings and Structures: Notwithstanding Section 7 or any other provisions of this by-law to the contrary, a single unit dwelling shall be prohibited. Buildings and structures for the permitted uses are permitted.
- c) Zone Regulations: Notwithstanding Section 8.9 of this By-law to the contrary, the Minimum Lot Area shall be 9.3 hectares and the Minimum Lot Frontage shall be 38 metres."

3. This by-law shall come into force and take effect from the date of passing by Council and shall come into force in accordance with Section 34 of the *Planning Act*, R.S.O. 1990, c. P. 13.

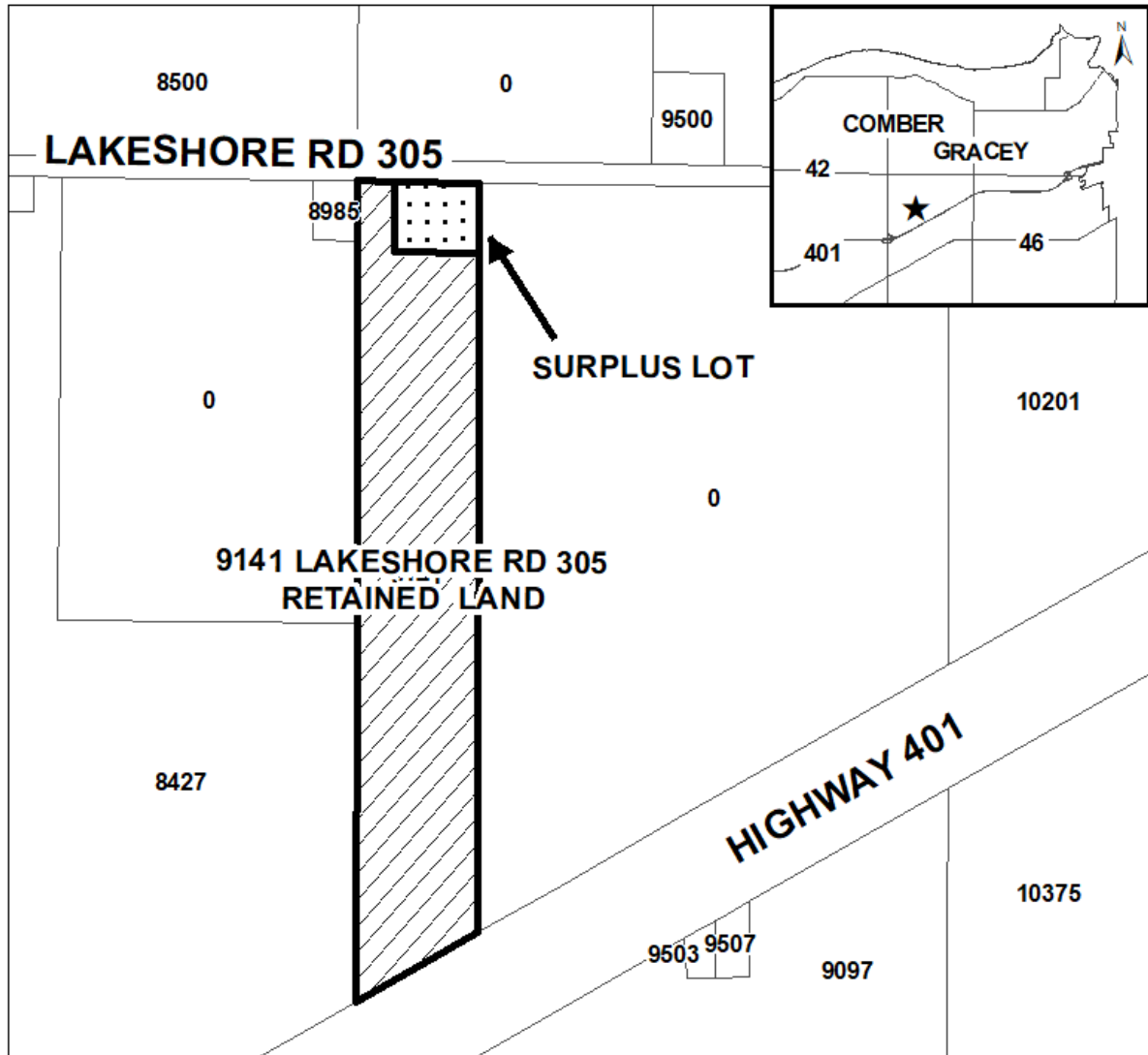
Read and passed in open session on April 30, 2024.

**Mayor
Tracey Bailey**

**Clerk
Brianna Coughlin**

**Schedule “A”
to By-law 47-2024**

Part of Lot 9, Concession 5, Tilbury, designated as Part 1 on 12R2728, save and except Part 1 on Plan 12R29538, being part of the Property Identifier Number 75063-0043(LT)



Amend from “Agriculture (A)” to “Agriculture Zone Exception 119 (A-119)”.

Municipality of Lakeshore

By-law 49-2024

**Being a By-law to Confirm the Proceedings of the
Council of the Municipality of Lakeshore**

Whereas in accordance with the *Municipal Act 2001*, S.O. 2001, c. 25, municipalities are given powers and duties in accordance with this Act and many other Acts for purposes which include providing the services and other things that a municipality considers are necessary or desirable for the municipality;

And whereas in accordance with said Act, the powers of a municipality shall be exercised by its Council;

And whereas municipal powers, including a municipality’s capacity, rights, powers and privileges shall be exercised by by-law unless the municipality is specifically authorized to do otherwise;

And whereas it is deemed expedient that the proceedings of the Council of the Municipality of Lakeshore at these sessions be confirmed and adopted by By-law.

Now therefore the Council of the Municipality of Lakeshore enacts as follows:

- 1. The actions of the Council of the Municipality of Lakeshore in respect of all recommendations in reports of Committees, all motions and resolutions and all other actions passed and taken by the Council of the Municipality of Lakeshore, documents and transactions entered into during the April 9, 2024 session of Council be adopted and confirmed as if the same were expressly embodied in this By-law.
- 2. The Mayor or the Deputy Mayor together with the Clerk are authorized and directed to execute all documents necessary to the action taken by this Council as described in paragraph 1 of this By-law and to affix the Seal of the Municipality of Lakeshore to all documents referred to in said paragraph 1 above.

Read and passed in an open session on April 30, 2024.

**Mayor
Tracey Bailey**

**Clerk
Brianna Coughlin**

Municipality of Lakeshore

By-law 52-2024

Being a By-law to Authorize an Agreement with 2588827 Ontario Inc.

Whereas section 9 of the *Municipal Act, 2001*, S.O. 2001, c.25 provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

And whereas paragraph 11(2)7 of the *Municipal Act, 2001*, S.O. 2001, c.25 authorizes a municipality to pass by-laws respecting services and things that the municipality is authorized to provide;

And whereas section 23.1 of the *Municipal Act, 2001*, S.O. 2001, c.25 authorizes Council to delegate its power and duties;

And whereas it is deemed necessary to enter into a lease agreement with 2588827 Ontario Inc. for the Lakeview Park West Beach Seasonal Concession Operations, as recommended by the Division Leader – Facilities and Parks at the April 30, 2024 Council meeting;

Now therefore the Council of the Municipality of Lakeshore enacts as follows:

1. The Mayor and the Clerk are delegated the authority to execute an agreement with 2588827 Ontario Inc. with form and content approved by the Corporate Leader – General Counsel and Corporate Leader – Community Health and Safety.
2. The delegated authority described in Section 1 includes the authority to execute any related amendments or agreements in furtherance of this agreement.
3. In the event of a conflict between this by-law and another Lakeshore by-law, this by-law prevails.
4. The delegation in this by-law is subject to any restrictions on such delegation under the *Municipal Act, 2001*, S.O. 2001, c.25 or any other Act.
5. This By-law comes into force and effect upon passage.

Read and passed in open session on April 30, 2024.

**Mayor
Tracey Bailey**

**Clerk
Brianna Coughlin**