



**THE CORPORATION OF THE TOWNSHIP OF WAINFLEET  
REGULAR MEETING OF COUNCIL AGENDA – AS AMENDED  
MARCH 19, 2024 – 6:30 P.M.  
COUNCIL CHAMBERS**

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C04/24

- 1. Call to Order**
- 2. National Anthem**
- 3. Land Acknowledgement Statement**
- 4. Disclosures of Interest and the General Nature Thereof**
- 5. Mayor’s Announcements & Remarks**
- 6. Councillor’s Announcements & Remarks**
- 7. Adoption of Previous Council Minutes**
  - a) Minutes of the Regular Meeting of Council held February 20, 2024
- 8. Public Meeting**
- 9. Delegations**
- 10. Consent Agenda**
  - a) Administrative Staff Reports
    - i. ASR-004/2024 Re: 2023 Building & Septic Permit Fees
  - b) Public Works Staff Reports
    - i. PWSR-005/2024 Re: Supply of Bulk Transported Water
    - ii. PWSR-006/2024 Re: Equipment Rental Rates 2024
- 11. Staff Reports & Recommendations**
  - a) Administrative Staff Reports
    - i. Memorandum Re: Fire Department Administration
    - ii. ASR-005/2024 Re: 2023 Projected Year End Results

b) Drainage Staff Reports

- i. DSR-001/2024 Re: Drainage Program Update
- ii. DSR-001/2024 Re: Big Forks Drain Management

c) Planning Staff Reports

- i. PSR-002/2024 Re: Cannabis Production Facilities
- ii. PSR-003/2024 Re: Housekeeping Amendments to Zoning By-law 034-2014

d) Public Works Staff Reports

- i. PWSR-007/2024 Re: Ball Diamond Washroom Upgrade

**12. Review of Correspondence**

- a) C-2024-067 Re: Increased Funding to Libraries and Museums in Ontario
- b) C-2024-091 Re: Permanent Planting at the Cenotaph
- c) C-2024-098 Re: Request for exemption to Section 7.1 of BL010-2018

**13. By-laws**

- a) *By-law No. 010-2024 being a by-law to appoint members to Property Standards Committee and Appeals Committee(s)*

**14. Notices of Motion****15. Closed Meeting**

- a) Item under Section 239(2)(d) of the *Municipal Act, 2001*, labour relations or employee negotiations – 1 item (a matter pertaining to employee negotiations)
- b) Item under Section 239(2)(k) of the *Municipal Act, 2001*, a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board – 1 item (a negotiation matter)
- c) Item under Section 239(2)(k) of the *Municipal Act, 2001*, a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board – 1 item (an HR update)
- d) Minutes of the closed meetings of Council held February 20, 2024

**16. Rise & Report**

**17. By-law to Confirm the Proceedings of Council**

- a) By-law No. 011-2024 being a by-law to adopt, ratify and confirm the actions of the Council at its meeting held on the 19<sup>th</sup> day of March, 2024

**18. Adjournment**



**THE CORPORATION OF THE TOWNSHIP OF WAINFLEET  
REGULAR MEETING OF COUNCIL MINUTES**

C03/24  
FEBRUARY 20, 2023  
6:00 P.M.  
COUNCIL CHAMBERS

PRESENT: B. Grant Mayor  
J. Anderson Councillor  
T. Gilmore Councillor  
J. MacLellan Councillor  
S. Van Vliet Councillor

STAFF PRESENT: M. Luey Chief Administrative Officer  
M. Alcock Fire Chief/CEMC  
A. Chrastina Deputy Clerk  
L. Earl Manager of Community & Development Services  
S. Ivins Planner  
R. Nan Manager of Operations  
D. Zelichowski IT Specialist

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**1. Call to Order**

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

**2. Closed Session**

a) Item under Section 239(2)(e)(f) of the Municipal Act, 2001, litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; advice subject to solicitor-client privilege, including communications necessary for that purpose – 1 item (a litigation matter)

**Resolution No. C-2024-019**

Moved by Councillor MacLellan

Seconded by Councillor Gilmore

“**THAT** Council now move into closed session to discuss:

a) Item under Section 239(2)(e)(f) of the Municipal Act, 2001, litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; advice subject to solicitor-client privilege, including communications necessary for that purpose – 1 item (a litigation matter)”

CARRIED

**3. Rise and Report**

Council met in closed session and received information and provided direction, subject to solicitor-client privilege respecting a litigation matter.

**4. National Anthem****5. Land Acknowledgement Statement**

Mayor Grant acknowledged that the land on which we gather is the traditional territory of the Anishinaabeg and Haudenosaunee Peoples, acknowledging the One Bowl and Spoon Treaty.

**6. Disclosures of Interest**

None.

**7. Mayor's Announcements & Remarks**

Mayor Grant provided the following remarks:

- Please note that these meeting proceedings are being broadcast live, recorded and made available through the Township website and youtube.com.
- Our next regular meeting of Council is Tuesday March 19 at 6:30pm.

**8. Councillor's Announcements & Remarks**

None.

**9. Adoption of Previous Council Minutes**

a) Minutes of the Regular Meeting of Council held January 30, 2024

**Resolution No. C-2024-020**

Moved by Councillor MacLellan

Seconded by Councillor Van Vliet

**"THAT** the minutes of the Regular Meeting of Council held January 30, 2024 be adopted as circulated."

CARRIED

**10. Public Meeting**

a) OPA 04 and Z04/2022W (Law Crushed Stone Quarry Expansion)

Mayor Grant called the Public Meeting to order at 6:38 p.m. and advised that the purpose of the Public Meeting is to provide information about the proposed applications and provide opportunity for public input.

The Manager of Community and Development Services provided an information report outlining application details, progress and next steps.

Caitlin Port, representing the applicant provided a presentation and comments indicating the following:

- Historical background of the operation
- Application progress to date
- Overview of public consultation activities
- Indigenous consultation activities
- Next steps

There were no questions or comments from members of Council

There were no public comments received.

The Public Meeting was adjourned at 6:56 p.m.

#### 11. Delegations

None.

#### 11. Consent Agenda

- a) ASR-003/2024 Re: 2023 Remuneration Report
- b) BSR-001/2024 Re: 2023 Year End Building Summary
- c) PWSR-001/2024 Re: Chiller and Compressor
- d) PWSR-002/2024 Re: Engineering Services
- e) PWSR-003/2024 Re: Road Rehabilitation

#### **Resolution No. C-2024-021**

Moved by Councillor MacLellan

Seconded by Councillor Gilmore

**“THAT** the following items be received and the recommendations contained therein be approved and acted upon:

- a) ASR-003/2024 Re: 2023 Remuneration Report
- b) BSR-001/2024 Re: 2023 Year End Building Summary
- c) PWSR-001/2024 Re: Chiller and Compressor
- d) PWSR-002/2024 Re: Engineering Services
- e) PWSR-003/2024 Re: Road Rehabilitation”

CARRIED

## 12. Staff Reports & Recommendations

### a) Emergency Management Staff Reports

#### i. EMSR-001/2024 Re: Solar Eclipse Planning

##### **Resolution No. C-2024-022**

Moved by Councillor Van Vliet

Seconded by Councillor Anderson

**“THAT** report EMSR-001/2024 re. Solar Eclipse Planning be received, and

**THAT** staff continue to coordinate with all levels of government and other agencies to ensure effective management of municipal operations and public safety before, during and after the event, and

**THAT** the draft Special Events Parking By-law appended to this report be presented to Council for adoption.”

CARRIED

### b) Planning Staff Reports

#### i. PSR-001/2024 Re: Bell Meadows Subdivision

##### **Resolution No. C-2024-023**

Moved by Councillor MacLellan

Seconded by Councillor Van Vliet

**“THAT** Planning Staff Report PSR-001/2024 be deferred to the next regular meeting of Council.”

DEFEATED

##### **Resolution No. C-2024-024**

Moved by Councillor MacLellan

Seconded by Councillor Gilmore

**“THAT** Planning Staff Report PSR-001/2024 be received; and

**THAT** Draft Plan of Subdivision application P01/2023W for the lands described as Part Road Allowance between Lots 19 & 20, Concession 3 and Part of Lots 19 & 20, Concession 3, Township of Wainfleet, be approved for the reasons outlined in this report and subject to the conditions of draft approval in Appendix “B”; and

**THAT** Zoning By-law Amendment application Z06/2023W for the lands described as Part Road Allowance between Lots 19 & 20, Concession 3 and Part of Lots 19 & 20, Concession 3, Township of Wainfleet, be approved for the reasons outlined in this report and the Zoning By-law Amendment attached as Appendix “C” be adopted; and

**THAT** the applications be deemed to be consistent with the Provincial Policy Statement 2020 and other matters of Provincial interest.”

CARRIED

c) Public Works Staff Reports

i. PWSR-004/2024 Re: EV Charging Station Opportunity

**Resolution No. C-2024-025**

Moved by Councillor MacLellan

Seconded by Councillor Gilmore

“**THAT** PWSR-004/2024 be received for information; and

**THAT** Council direct staff to continue with the application for the grant under the Charged for Change electric vehicle infrastructure program and install the EV chargers should grant approval be successful.”

CARRIED

**13. Review of Correspondence**

a) C-2024-034 Re: OEB Decision on Phase 1 of the Enbridge Gas 2024 rebasing application

**Resolution No. C-2024-026**

Moved by Councillor MacLellan

Seconded by Councillor Gilmore

“**THAT** Correspondence item C-2024-034 respecting Enbridge Gas seeking a judicial review of the Ontario Energy Board decision on Phase 1 of their 2024 rebasing application be received; and

**THAT** Council support Enbridge Gas in their appeal on this matter.”

CARRIED

**14. By-laws**

a) By-law No. 006-2024 being a by-law pursuant to the provisions of Section 34 of the Planning Act, R.S.O. 1990 to amend Zoning By-law No. 581-78 of the Corporation of the Township of Wainfleet with respect to those lands forming Part of Road Allowance Between Lots 19 & 20, Concession 3 and Part of Lots 19 & 20, Concession 3 in the Township of Wainfleet.

b) By-law No. 007-2024 being a by-law to appoint a Clerk for the Corporation of the Township of Wainfleet.

c) By-law No. 008-2024 being a by-law to establish Temporary Regulations and Penalties for Traffic and Parking of vehicles on highways in the Township.

**Resolution No. C-2024-027**

Moved by Councillor Gilmore  
Seconded by Councillor Anderson

**“THAT** By-law No. 006-2024 being a by-law pursuant to the provisions of Section 34 of the Planning Act, R.S.O. 1990 to amend Zoning By-law No. 581-78 of the Corporation of the Township of Wainfleet with respect to those lands forming Part of Road Allowance Between Lots 19 & 20, Concession 3 and Part of Lots 19 & 20, Concession 3 in the Township of Wainfleet be read and passed this 20<sup>th</sup> day of February, 2024.”

CARRIED

**Resolution No. C-2024-028**

Moved by Councillor MacLellan  
Seconded by Councillor Van Vliet

**“THAT** the following by-laws be read and passed this 20th day of February, 2024:

- a) By-law No. 007-2024 being a by-law to appoint a Clerk for the Corporation of the Township of Wainfleet.
- b) By-law No. 008-2024 being a by-law to establish Temporary Regulations and Penalties for Traffic and Parking of vehicles on highways in the Township.”

CARRIED

**15. Notices of Motion**

- a) Mayor Grant Re: Mental Health and Addiction

**Resolution No. C-2024-029**

Moved by Mayor Grant  
Seconded by Councillor Van Vliet

**“WHEREAS** Niagara Region has a significant rate of addiction and suicide as compared to the rest of Ontario;

**BE IT RESOLVED THAT** Council hereby declare a crisis on mental health, addiction and housing affordability in the Township of Wainfleet; and

**THAT** Council advocate to all levels of government to increase mental health crisis services and encourage a focus on preventative strategies and pre-dependency intervention on the addiction cycle.”

CARRIED

**16. Closed Meeting**

- a) Item under Section 239(2)(c) of the *Municipal Act, 2001*, a proposed or pending acquisition or disposition of land by the municipality or local board – 1 item (a potential disposition of land matter)
- b) Item under Section 239(2)(k) of the *Municipal Act, 2001*, a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board – 1 item (a negotiation matter)
- c) Item under Section 239(2)(d) of the *Municipal Act, 2001*, labour relations or employee negotiations – 1 item (a matter pertaining to employee negotiations)
- d) Item under Section 239 (2)(b) of the *Municipal Act, 2001*, Personal matters about an identifiable individual, including municipal or local board employees – 1 item (personnel matter)
- e) Minutes of the closed meeting of Council held January 30, 2024

**Resolution No. C-2024-030**

Moved by Councillor MacLellan

Seconded by Councillor Anderson

**“THAT** Council now move into closed session to discuss:

- a) Item under Section 239(2)(c) of the *Municipal Act, 2001*, a proposed or pending acquisition or disposition of land by the municipality or local board – 1 item (a potential disposition of land matter)
- b) Item under Section 239(2)(k) of the *Municipal Act, 2001*, a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board – 1 item (a negotiation matter)
- c) Item under Section 239(2)(d) of the *Municipal Act, 2001*, labour relations or employee negotiations – 1 item (a matter pertaining to employee negotiations)
- d) Item under Section 239 (2)(b) of the *Municipal Act, 2001*, Personal matters about an identifiable individual, including municipal or local board employees – 1 item (personnel matter)
- e) Minutes of the closed meeting of Council held January 30, 2024”

CARRIED

**17. Rise and Report**

Council met in closed session and received information (and provided confidential staff direction) respecting the following matters:

- a) a potential disposition of land
- b) a negotiation matter
- c) employee negotiations

Council also received a confidential update on a personnel matter and procedural vote was taken to adopt previous closed session minutes.

**18. By-law to Confirm the Proceedings of Council**

**Resolution No. C-2024-031**

Moved by Councillor Gilmore

Seconded by Councillor Anderson

“**THAT** By-law No. 009-2024 being a by-law to adopt, ratify and confirm the actions of the Council held at its meetings held on the 20<sup>th</sup> day of February, 2024 be read and passed this 20<sup>th</sup> day of February, 2024.”

CARRIED

**19. Adjournment**

There being no further business, the meeting was adjourned at 8:54 p.m.

\_\_\_\_\_  
B. Grant, MAYOR

\_\_\_\_\_  
A. Chrastina, DEPUTY CLERK

**TO:** Mayor Grant & Members of Council

**FROM:** Cameron Hart, Manager of Financial Planning/Deputy Treasurer

**DATE OF MEETING:** March 19, 2024

**SUBJECT:** **2023 Building & Septic Permit Fees Annual Report**

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**RECOMMENDATION(S):**

**THAT** Administrative Report ASR-004/2024 regarding the 2023 Building & Septic Permit Fees Annual Report be received for information.

**EXECUTIVE SUMMARY:**

The Building Code Act and the regulations made thereunder, being the Ontario Building Code, require that a report be prepared annually which includes total fees collected and the direct and indirect costs of delivering services related to the administration and enforcement of the Act in the area of jurisdiction of the principal authority. As well, if a reserve fund has been established for any purpose relating to the administration or enforcement of the Act, the amount of the fund at the end of the 12-month period should also be disclosed.

In keeping with the terms of this legislation, staff present for Council's consideration the 2023 Annual Report – Building and Septic Permit Fees (Appendix "A").

**BACKGROUND:****Relevant Legislation:**

The section of the Ontario Building Code Act and Ontario Regulation 332/12 Building Code that speaks directly to requirements with respect to the annual report are:

**1.9.1.1. Annual Report**

(1) The report referred to in subsection 7 (4) of the Act shall contain the following information in respect of fees authorized under clause 7 (1) (c) of the Act:

(a) total fees collected in the 12-month period ending no earlier than three months before the release of the report,

(b) the direct and indirect costs of delivering services related to the administration and enforcement of the Act in the area of jurisdiction of the principal authority in the 12-month period referred to in Clause (a),

(c) a breakdown of the costs described in Clause (b) into at least the following categories:

- (i) direct costs of administration and enforcement of the Act, including the review of applications for permits and inspection of buildings, and
- (ii) indirect costs of administration and enforcement of the Act, including support and overhead costs, and

(d) if a reserve fund has been established for any purpose relating to the administration or enforcement of the Act, the amount of the fund at the end of the 12-month period referred to in Clause (a).

(2) The principal authority shall give notice of the preparation of a report under subsection 7(4) of the Act to every person and organization that has requested that the principal authority provide the person or organization with such notice and has provided an address for the notice.

**OPTIONS/DISCUSSION:**

None.

**FINANCIAL CONSIDERATIONS:**

A transfer of \$ 143,347, as part of the ASR-005-2024 - 2023 Projected Year-End Report will be made to the Building Department Operations from the Building Permit Reserve.

**OTHERS CONSULTED:**

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Chief Administrative Officer | <input checked="" type="checkbox"/> Finance        |
| <input checked="" type="checkbox"/> Clerks                       | <input checked="" type="checkbox"/> Communications |
| <input checked="" type="checkbox"/> Community & Dev. Services    | <input type="checkbox"/> Operations                |
| <input checked="" type="checkbox"/> Fire                         | <input type="checkbox"/> Other:                    |

**ATTACHMENTS:**

- 1) Appendix "A" – 2023 Building & Septic Permit Fees Annual Report

Respectfully submitted by,

Approved by,

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Cameron Hart  
Manager of Financial Planning  
Deputy Treasurer

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Mallory Luey  
Chief Administrative Officer

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**APPENDIX A - 2023 BUILDING AND SEPTIC PERMIT FEES ANNUAL REPORT**

<u>Total revenues collected for the period Jan. 1 to Dec 31, 2023</u>	<b>\$ 209,061</b>
<u>Indirect Costs – Administrative support and overhead costs:</u>	<u>\$ 50,462</u>
<u>Direct Costs</u>	
Total Building Administration Costs	\$ 23,937
<u>Total Building Enforcement Costs</u>	<u>\$ 278,009</u>
<u>Sub-Total – Direct Costs</u>	<u>\$ 301,946</u>
<b><u>Total Indirect and Direct Costs</u></b>	<b><u>\$ 352,408</u></b>
<b><u>Contributions to (from) Reserves</u></b>	<b><u>\$(143,347)</u></b>
<b><u>Balance</u></b>	<b><u>\$ -</u></b>

**Continuity of Building Permit Reserve**

Building Permit Reserve Balance January 1, 2023	\$ 119,276
Transfer of 2022 Surplus	27,664
Contribution from the building permit reserve fund	<u>(143,347)</u>
<b>Building Permit Reserve Balance December 31, 2023</b>	<b><u><u>\$ 3,593</u></u></b>

**TO:** Mayor Grant & Members of Council  
**FROM:** Richard Nan, Manager of Operations  
**DATE OF MEETING:** March 19, 2024  
**SUBJECT:** Award of Tender for Supply of Bulk Transported Water

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**RECOMMENDATION(S):**

**THAT** Public Works Staff Report PWSR-005-2024 respecting Award of Tender for Supply of Bulk Water Transport be received; and

**THAT** Council accept the bid for Supply of Transported Bulk Water for the three year period commencing April 2024 from Mermaid Water Services for the amount of \$345.00 (2024), \$345.00 (2025) and \$355.00 (2026) per 10,000 imperial gallons, exclusive of taxes.

**EXECUTIVE SUMMARY:**

In accordance with Township Purchasing and Procurement Policy staff prepared a tender for the transport and delivery of potable water to fill the Township of Wainfleet. The cisterns are located at the outlining fire halls and the main cistern for the municipal facilities in the village. The Tender is for a three-year period beginning April 2024 through 2025, 2026 and ending at the end of March 2027.

Staff are recommending the award to the lowest bidder for average three-year pricing.

**BACKGROUND:**

The Township's current three-year contract for the supply of bulk water is terminating and consequently, this service was re-tendered. Staff prepared a tender in accordance with Township Purchasing and Procurement Policy for another three-year period beginning April of 2024 and ending at the end of March 2027.

The supply of water is critical to our operations and the tender award will supply potable water to our firehalls, as well as our main cistern located at Public works for all our core municipal buildings.

The Township utilizes a 'top-up' approach and the main cistern is expected to be filled as required and 'topped up' prior to any large events.

During the tender opening on February 22, 2024, we received 3 tenders and the results are listed in the following table:

Company	Unit cost per 10,000 imperial gallons Bid amount exclusive of taxes			
	2024	2025	2026	Average
Mermaid Water Services	\$345.00	\$345.00	\$355.00	\$348.34
Village Water Haulage	\$340.00	\$370.00	\$400.00	\$370.00
Mak B's Water Haulage	\$354.00	\$364.00	\$374.00	\$364.00

**OPTIONS/DISCUSSION:**

It is Staff's recommendation that the Township accept the bid to supply bulk water from the lowest priced average bidder for delivery per 10,000 imperial gallons.

**FINANCIAL CONSIDERATIONS:**

The Township purchases approximately 650,000 gallons of water annually. The current cost per 10,000 gallons is \$270.00, placing the annual costs at \$17,550. Under the new proposal, at an average cost of \$ 348.34 per 10,000 gallons the annual costs are estimated to be \$ 22,642.10. This represents an increase of \$5,092.10 or approximately 29%. The budget for water purchases for 2024 was estimated using historical averages and the old pricing, and therefore this is likely to create a budget variance.

**OTHERS CONSULTED:**

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|--|--|
| <input checked="" type="checkbox"/> Chief Administrative Officer | <input checked="" type="checkbox"/> Finance        |
| <input checked="" type="checkbox"/> Clerks                       | <input checked="" type="checkbox"/> Communications |
| <input checked="" type="checkbox"/> Community & Dev. Services    | <input checked="" type="checkbox"/> Operations     |
| <input checked="" type="checkbox"/> Fire                         | <input type="checkbox"/> Other:                    |

**ATTACHMENTS:**

- 1) none

Respectfully submitted by,

Approved by,

\_\_\_\_\_  
Richard Nan  
Manager of Operations

\_\_\_\_\_  
Mallory Luey  
Chief Administrative Officer

**TO:** Mayor Grant & Members of Council  
**FROM:** Richard Nan, Manager of Operations  
**DATE OF MEETING:** March 19, 2024  
**SUBJECT:** Equipment Rental Rates 2024

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**RECOMMENDATION(S):**

**THAT** Public Works Staff Report PWSR-006/2024 respecting Equipment Rental Rates for 2024 be received; and

**THAT** Council accept the attached equipment rental for the use of contract equipment for the time period beginning April 1, 2024 through March 31, 2025.

**EXECUTIVE SUMMARY:**

Tenders for the rental of equipment required by the Township of Wainfleet for use in various departments for the time period beginning April 1, 2024, through March 31, 2025, were received and opened on February 22, 2024, in compliance with the Township's Procurement Policy.

**BACKGROUND:**

Tendered pricing for equipment rental is standard practice for the Township and is used by various departments to obtain equipment, for single or short-term use, to meet the needs of staff and to assist during different Township projects. Projects that will be completed solely by contractors will follow our procurement policy and a request for quotation or tender will be utilized.

The equipment rental pricing performed through the tendering process saves staff time in contacting individuals for quotations as required. It allows contractors the fair opportunity to bid for services the Township may require during the year. Only when the required equipment is not available, or not suitable, will equipment be used from contractors who did not submit tenders.

**OPTIONS/DISCUSSION:**

- 1) That Council accept the attached equipment rental for the use of contract equipment for the time period beginning April 1, 2024 through March 31, 2025. (Recommended)
- 2) That council direct staff to seek 3 quotations at the time equipment rentals are required.

**FINANCIAL CONSIDERATIONS:**

Staff have noticed slight increases in majority of bidders and staff will be mindful during budget allocations when equipment rentals are utilized.

**OTHERS CONSULTED:**

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Chief Administrative Officer | <input checked="" type="checkbox"/> Finance        |
| <input checked="" type="checkbox"/> Clerks                       | <input checked="" type="checkbox"/> Communications |
| <input checked="" type="checkbox"/> Community & Dev. Services    | <input checked="" type="checkbox"/> Operations     |
| <input checked="" type="checkbox"/> Fire                         | <input type="checkbox"/> Other:                    |

**ATTACHMENTS:**

- 1) Appendix "A" – Summary of Equipment Rates

Respectfully submitted by,

Approved by,

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Richard Nan  
Manager of Operations

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Mallory Luey  
Chief Administrative Officer

APPENDIX A

A= Attached NA = Not Attached FF* - Has Float Fees	Arbor Heights Tree Service Inc.	Sid Grabell Contracting Ltd	County Line Construction	Griffin Construction Inc	D&D Trucking & Construction Service Inc.	Bob Robinson & Sons Construction	Anthony's Excavating Central Inc	George Barnes & Sons Limited	CRL Campbell Construction Ltd.	Truly Canadian Tree Services Ltd.	Berg Equipment Ltd.
<b>Proof of Insurance</b>	If requested NA	If requested NA	If requested NA	No NA	Yes A	Yes A	Yes	If requested NA	Yes	If requested NA	If requested NA
<b>WSIB</b>	Yes NA	Yes NA	Yes NA	Yes NA	Yes A	Yes A	Yes	Yes NA	Yes	Yes	If requested NA
<b>Hours</b>	4 Hour Period	4 Hour Period	4 Hour Period	4 Hour Period	Varies 4-8 Hours	8 Hour Period	4 Hour Period	4 Hour Period	6 Hour Period	0 Hour Period	4 Hour Period
<b>Tandem Axle Dumps</b>		4 Hour*	4 Hour*	4 Hour*	4 Hour*	8 Hour*					
Kenworth T800 (2022)			\$120.00								
International 4600 (2006)						\$85.00					
<b>Tri-Axle Dumps</b>						8 Hour*	4 Hour*	4 Hour*			
T-50 Western Star CNV (2016)					\$120.00						
T-59 Western Star 4900 (2005)					\$115.00			\$105.00			
T54 Kenworth T800(2004)					\$115.00						
T55 Kenworth T800 (2007)					\$120.00						
International HX620 (2020)								\$105.00			
Volvo VHD (2019)							\$100.00				
Volvo VHD (2020)							\$100.00				
Volvo VHD (2021)							\$100.00				
Volvo VHD (2021)											
Western Star (2019)				\$120.00							
Western Star (2018)				\$120.00							
Freightliner M2 (2012)						\$95.00					
Kenworth T880 (2020)				\$120.00							
Kenworth T880 (2020)				\$120.00							
Kenworth T880 (2022)											
Peterbuilt (2018)		\$200.00									

	Arbor Heights Tree Service Inc.	Sid Grabell Contracting Ltd	County Line Construction	Griffin Construction Inc	D&D Trucking & Construction Service Inc.	Bob Robinson & Sons Construction	Anthony's Excavating Central Inc	George Barnes & Sons Limited	CRL Campbell Construction Ltd.	Truly Canadian Tree Services Ltd.	Berg Equipment Ltd.
<b>Trailer Dumps</b>		4 Hour*	4 Hour*		5 Hour*			4 Hour*		0 Hour*	
Suretrac (2013) 12x6 Dump Trailer										\$10.00	
Suretrac (2015) 12x8 Dump Trailer										\$10.00	
T-60 Kenworth T800 Live Bottom (2023)					\$145.00						
T-61 Kenworth T800 Live Bottom (2011)					\$145.00						
T-64 Kenworth T800(2019) Live Bottom					\$145.00						
T-65 Kenworth T800(2023) Live Bottom					\$145.00						
T-66 Kenworth T800(2024) Live Bottom					\$145.00						
Trout River SC39-52 (2023)			\$160.00								
T-63 Peterbilt Live Bottom (2005)					\$145.00						
T-62 Western Star Live Bottom (2013) Raglan (2001)					\$145.00			\$126.00			
<b>Compaction Equipment</b>							4 Hour * No FF				
Bomag (2011) 84" Sheeps foot							\$95.00				
Bomag (2011) 84" Smooth Drum							\$95.00				
Caterpillar (2012)66" smooth Drum							\$85.00				
Caterpillar (2012) 66" Sheeps Foot							\$85.00				

	Arbor Heights Tree Service Inc.	Sid Grabell Contracting Ltd	County Line Construction	Griffin Construction Inc	D&D Trucking & Construction Service Inc.	Bob Robinson & Sons Construction	Anthony's Excavating Central Inc	George Barnes & Sons Limited	CRL Campbell Construction Ltd.	Truly Canadian Tree Services Ltd.	Berg Equipment Ltd.
<b>Mini Excavators &amp; Skid Steers</b>	4 Hour*	4 Hour*	4 Hour*		5 Hour*	8 Hour*	4 Hour* No FF	4 Hour * No FF		0 Hour*	4 Hour* 35-75 FF*
Bobcat E42 Mini Excavator (2021)					150 + FF \$75.00						
Bobcat E88 Mini Excavator (2023)					160 + FF \$75.00						
Bobcat S630 Skid Steer (2017)					130 + FF \$75.00						
Cat 259D (2014)						85 + FF \$150.00					
Cat 303.5CR (2018) Hoe Pac		195 + FF \$450.00				85 + FF \$150.00					
Cat 303.5 (2014)								\$105.00			
Bobcat S76 Skid Steer (2022)					130 + FF \$75.00						
Bobcat T770 Track (2021)					140 + FF \$75.00						
Bobcat T76(2020) w/ harley rake/soil conditioner			145 + FF \$300.00								
Bobcat T76(2020) w/ laser grader			145 + FF \$300.00								
Bobcat T76(2020) w/ b and forks			135 + FF \$300.00								
Cat Skidsteer Track (2006)								\$105.00			
Cat 308E2CRSB (2017)		215 + FF \$450.00									
Cat 316FL Excavator with Swing Boom (2018)		225 + FF \$450.00									
Cat 306CR (2020)		215 + FF \$450.00									
Cat 289D3 (2021)		195 + FF \$450.00									
Kubota SVL95 (2019) Track skid steer										\$125.00	
Kubota U25 (2016) Track Mini Ex										50* See note	
Kubota U55(2017) Track Mini Ex										100* See note	
Kubota KX040 (2020) Mini Ex			125 + FF \$300.00								
Toro Dingo TX525 (2012) Track Skid Steer	\$65.00										
Vermeer 975(2021)											
JCB 8025ZTS		195 + FF \$450.00									
JD 50G (2022)							\$100.00				
JD 26G (2022)							\$95.00				
Sany SY35C (2022)							\$105.00				
Kubota K008 (2023)											\$209.00
Kubota U17 (2023)											\$229.00
Kubota U27 (2023)											\$249.00
Kubota SCL1000 (2023)											229 See Note*
Kubota SSV65P (2023)											\$259.00
Kubota SVL65 (2023)											\$289.00
HLA HD55 (2023)											\$29.00
<b>Backhoes</b>		4 Hour*				8 Hour*		4 Hour* No FF			
Cat 420F IT (2014)						90 + FF \$150.00					
Cat 420F IT (2007)		195 + FF \$450.00									
Case 580N (2011)								\$94.50			
Cat 420F-IT (2018)		195 + FF \$450.00									

	Arbor Heights Tree Service Inc.	Sid Grabell Contracting Ltd	County Line Construction	Griffin Construction Inc	D&D Trucking & Construction Service Inc.	Bob Robinson & Sons Construction	Anthony's Excavating Central Inc	George Barnes & Sons Limited	CRL Campbell Construction Ltd.	Truly Canadian Tree Services Ltd.	Berg Equipment Ltd.
<b>Bucket Trucks</b>	Per Hour	4 Hour*								0 Hour*	
GMC Topkick 1500 (1996)										\$95.00	
Freightliner M2 (2015) SIN Bucket		\$200.00									
Freightliner M2106(2012) 2 person with 12" Chipper	\$165/hr										
Freightliner M2106(2012) 3 person with 12" Chipper	\$215/hr										
Freightliner M2106 (2010) & Chipper											
Freightline F180 (1995) DBL Bucket		\$200.00									
International 4400(2006) SIN Bucket		\$200.00									
International 4400(2007) SIN Bucket		\$200.00									
International 7000(2012)		\$200.00									
<b>Grade Aills &amp; Excavators</b>			4 Hour*		8 Hour*	8 Hour*	4 Hour * No FF	4 Hour * No FF	6 Hour * No FF		
John Deere 135G (2014)							\$135.00				
John Deere 210G (2018)							\$155.00				
John Deere 245G (2022)			160 + FF \$500.00		150 + FF \$150.00						
Liebherr 918 (2022)								\$162.75			
Volvo 210 (2007)								\$147.00			
Gradall XL3100 (2004) W/Ditching B							\$130.00		\$159.00		
Gradall 3300 (2004)							\$130.00				
Gradall 5200 XL (1999)							\$165.00				
Gradall XL4100 (2003) W/Ditching B									\$154.00		
Caterpillar 308 (2017)								\$110.25			
Caterpillar 311 (2011)								\$141.75			
Caterpillar 320(2020)								\$162.75			
Caterpillar 332C (2006) Long Reac							\$185.00				
Caterpillar 336D (2012)											
Caterpillar 314D (2014)						130 + FF \$150.00					
Case CX210B (2018) Exc with FAE Mower			200 + FF \$500.00								
Case Cx210B(2018) Exc with Diamond BCEX50 with Mulcher			200 + FF \$500.00								
Case CX210B (2018)			160 + FF \$500.00								
Case CX145 C (2020)			140 + FF \$500.00								

	Arbor Heights Tree Service Inc.	Sid Grabell Contracting Ltd	County Line Construction	Griffin Construction Inc	D&D Trucking & Construction Service Inc.	Bob Robinson & Sons Construction	Anthony's Excavating Central Inc	George Barnes & Sons Limited	CRL Campbell Construction Ltd.	Truly Canadian Tree Services Ltd.	Berg Equipment Ltd.
<b>Road Graders</b>	Per Hour				8 Hour*		4 Hour* No FF	4 Hour* No FF	6 Hour * No FF		
PSI Grader M413XT (2005)					150 + FF \$150.00						
Champion 710 (1986)								\$126.00			
Caterpillar 140M (2009)									\$149.50		
John Deere 8706 (2010)							\$170.00				
<b>Dozers</b>			4 Hour*			8 Hour*	4 Hour* No FF	4 Hour* No FF			
Case 550 (1997)								\$105.00			
John Deere 450J (2011)							\$110.00				
John Deere 550J(2006)											
John Deere 450K (2019)							\$110.00				
John Deere 700 L (2022)			165 + FF \$500.00								
John Deere 750J (2011)							\$140.00				
John Deere 764HSD											
John Deere 850J (2012) 6 way blade							\$160.00				
John Deere 850J (2012) 4 way blade							\$160.00				
Liebherr 716 (2018)								\$157.50			
Case 650 L (2015)						85 + FF \$150.00					
Cat D5K (2011)			140 + FF \$500.00								
<b>Tree Cutting Services</b>											
Daily Rate (4 hr. Min.)	2 Person \$165/hr									2 hrs, 7 days a week \$35.00 per man	
Per man/hour (no equipment)											
Weekends/After Hours (4 hour min)	2 Person \$235/hr									Same rate as above	
<b>Chippers and Stump Grinding</b>	Per Hour							4 Hour* No FF		0 Hour*	
Bandit 15XPC Chipper(2017)	\$85.00										
Baumalight GXM750 (2016)								\$168.00			
Vermeer BC1500 (2014) Chipper										\$60.00	
Vermeer BC 1800x (2016) Chipper										\$85.00	
Vermerr SC1152 (2016) Stumper										\$105.00	
<b>Winter Control Equipment</b>			5 Hour*							0 Hour *	
Ford F250(2022)			195 + FF \$500.00								
Ford F250(2022)			195 + FF \$500.00								
Ford F250(2022)			195 + FF \$500.00								
Ford F250(2022)			195 + FF \$500.00								
Challenger 2042 (2018)			425 + FF \$500.00								
Cash Maxxum 150 (2018)			375 + FF \$500.00								
Case Maxxum 115 (2019)			350 + FF \$500.00								
Pronovost 1021 (2015)			445 + FF \$500.00								
HL3 SP350010LF (2023) Push/Plow										\$150.00	

	Arbor Heights Tree Service Inc.	Sid Grabell Contracting Ltd	County Line Construction	Griffin Construction Inc	D&D Trucking & Construction Service Inc.	Bob Robinson & Sons Construction	Anthony's Excavating Central Inc	George Barnes & Sons Limited	CRL Campbell Construction Ltd.	Truly Canadian Tree Services Ltd.	Berg Equipment Ltd.
<b>Flusher/Vacuum Truck</b>		Per Hour				8 Hour* No FF		4 Hour* No FF			
Vactor 2100 i (2019)						\$225.00					
Transway Freightliner (2017)											
Transway 3000 (2018)								\$110.25			
Transway 6000 Trailer (2015)								\$131.25			
Presvac 7000 Trailer (2002)								\$136.50			
WCEL 122 (2007)		\$210/hr \$130 Dump Disposal NO FF									
Western Star 4800 TS		\$266/hr \$130 Dump Disposal NO FF									
STE 7500 Trailer Vac (2011)								\$136.50			

	Arbor Heights Tree Service Inc.	Sid Grabell Contracting Ltd	County Line Construction	Griffin Construction Inc	D&D Trucking & Construction Service Inc.	Bob Robinson & Sons Construction	Anthony's Excavating Central Inc	George Barnes & Sons Limited	CRL Campbell Construction Ltd.	Truly Canadian Tree Services Ltd.	Berg Equipment Ltd.
<b>Misc. Equipment</b>	Per Hour				4 Hour* No FF	8 Hour* No FF	4 Hour* No FF	4 Hour* No FF		0 Hour*	4 Hour* 35-75 FF*
Schwarze M5000 (2000)					\$145.00						
Schwarze M5000 (2006)					\$145.00						
Schwarze M5000 (2009)					\$145.00						
Johnson V2 605 (1999)					\$145.00						
Midland SP6-2 (2016)					\$210.00						
T-5 Mack 600CT 613 (1998)					\$185.00						
T-6 Mack 600DP 688S (1999)					\$185.00						
Mack 700CT 714 (2002)					\$185.00						
Bushhog Promac (2020) Attached to 308 cat excavator								\$141.75			
Bushhog Promac (2017) Attached to 210 Volvo excavator								\$141.75			
Caterpillar 730 (2012) Rock Truck							\$155.00				
Caterpillar 936 (1993)											
Caterpillar 950 (2007)								\$157.50			
Erskine 901352 (2019) Forestry Mulching Mower										\$125.00	
International 4900 (2007) Hooklift truck with 14 yard bin	\$95.00										
John Deere 317 (2022) Skid Loader							\$95.00				
John Deere 5420 (2004) Loader Tractor										\$60.00	
John Deere 644J (2015) Forestry tires, bucket, fork							\$160.00				
John Deere 8410 (2004) Tractor w/Dump							\$110.00				
John Deere 8410 (2004) Tractor W/Tile Plow							\$140.00				
Kinshoffer 6024 (2015) Long Reach Tree Harvester										\$600.00	
Kubota AM-2024 (201()) Roadside Disc Mower 8'										\$75.00	
Kubota AP-SC7072 (2019) 72" Brush Mower										\$100.00	
Kubota M6-141 (2018) Loader Tractor										\$120.00	
Kubota M8560 (2015) Loader Tractor										\$75.00	
Kubota RTV XG850 (2019) Side by Side										\$50.00	
Landpride PCH6615-2 (2018) rotary cutter										\$100.00	
Grove (1997) 12.5 Ton Crane										\$120.00	
Mack 700 (2005) Log Grapple										\$250.00	
Universal Roll-off (2011)								\$105.00			
3lpek (3) RooverX (2018)						\$225.00					
6 Rigid Camera (2018)						\$175.00					

Seppi (2017) Forestry Mower 8' cut w/tractor										\$400.00	
Eterra Cy48(2017) Cyclone Mower 48"										\$40.00	

# Memo

**To:** Mayor Grant & Members of Council  
**From:** Mallory Luey, Chief Administrative Officer  
**Date:** March 19, 2024  
**Re:** Fire Department Administration

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In 2023, the Township entered into a memorandum of understanding with the City of Port Colborne to explore a shared services model of service delivery whenever an opportunity was presented. Chief Lawson has announced his resignation with the City of Port Colborne effective April 12, 2024. Staff believe that the vacancy of the fire chief position and the deputy fire chief position in Port Colborne presents an opportunity to explore shared services.

Staff recommend that a Shared Services Committee be created to oversee the negotiation of a shared service arrangement to define the terms and conditions. Staff suggest the Chief Administrative Officer be directed to negotiate the agreement with the City of Port Colborne.

The Shared Services Committee will be integral to the negotiation of the agreement. To maintain compliance with the Fire Protection and Prevention Act, 1997, Port Colborne will appoint the Township of Wainfleet's Fire Chief and Deputy Fire Chief to act as the City's Fire Chief and Deputy Fire Chief for a period not exceeding 120 days.

If a shared services agreement is determined not to be suitable option for the Township and the City of Port Colborne, they will proceed with the recruitment process for a new fire chief.

## **Recommendation**

That this memorandum be received for information; and

That the Chief Administrative Officer be directed to enter into an agreement with the City of Port Colborne to enlist the services of our Fire Chief and Deputy Chief for a duration not to exceed 120 days; and

That a Joint Shared Services Committee be established with the City of Port Colborne and that the Chief Administrative Officer and the Mayor be appointed to the committee.

**ADMINISTRATIVE STAFF REPORT****ASR-005/2024**

**TO:** Mayor Grant & Members of Council

**FROM:** Cameron Hart, Manager of Financial Planning/Deputy Treasurer

**DATE OF MEETING:** March 19, 2024

**SUBJECT:** 2023 Projected Year-End Results

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**RECOMMENDATION(S):**

**THAT** Administrative Staff Report ASR-005-2024 respecting the 2023 Projected Year-End Results be received as information;

**THAT** the recommended transfers to and from reserves, as outlined in the below, be approved;

**AND THAT** a reserve for drainage be created to be used as a source of funding for drainage related operations and projects in the future.

**EXECUTIVE SUMMARY:**

This report presents the projected year-end results for the Township of Wainfleet as of March 11, 2024, for the year-ended December 31, 2023. The report indicates an estimated operating surplus of \$527,860, an estimated capital surplus of \$372,490, and estimated reserve and reserve fund balances of \$5,835,617. These estimates are subject to change as the audit of the Township and related entities are completed and the year-end is finalized. The actual year-end results will be reported with the 2023 financial statements at a future Council meeting.

**BACKGROUND:**

In order to give timely information to Members of Council, the public and to management, the projected year-end results are being reported prior to the final year-end results and audited financial statements.

The following information is based on the year-end results to date and working collaboratively with management in order to estimate the year-end operating and capital surplus' to determine the expected balances of reserves and reserve funds.

**Operating Surplus:** The Township is expecting an operating surplus of \$527,860, the breakdown of this surplus is as follows:

<b>Type</b>	<b>Surplus/(Shortfall)</b>
Investment Revenue	\$260,961
Supplementary Taxes and Penalties	110,735
Mineral Aggregate Revenue	100,836
Grant Revenues	89,399
Debt Repayments	103,520
Building Fees/Permits	(119,121)
Other	(18,470)
<b>Total Estimated Surplus</b>	<b>\$527,860</b>

Investment revenues were in a large surplus position due to the Bank of Canada interest rate increases that have happened over the last few years. The budget was increased in 2024 to better reflect the revenues we have been realizing.

Supplementary taxes and tax penalties were higher than expected. These amounts are highly variable and accordingly, difficult to estimate and budget for. Additionally, our current budgets are based on averages, and therefore can result in surplus or shortfall in any given year.

Mineral aggregate amounts have been historically recorded as revenue in the year after they are applicable to. This was not the correct way to account for these revenues and therefore the 2023 year-end has two years' worth of mineral aggregate amounts. This is a one-time correction and will not be an on-going surplus.

Grant revenues were higher than expected due to receipt and recognition of the 2022 ICIP COVID grant which was not budgeted for in the 2023 fiscal year.

Budgeted debt repayments were in a surplus due to the Central Firehall debt not being secured until 2024 and therefore, no principal repayments were made in 2023. Budgeted debt repayment items such as the excavator, Fire SCBA, and HME Pumper were transferred to reserves to allow for future capital project funding. This is consistent with the 2024 budget strategy and approach that was approved by Council.

Building fees/permits were less than budgeted due to expected development timing being unfavourable. The Township is expecting some of this revenue to be realized in the 2024 year. The 2024 budget strategy reduced these revenues to better reflect the averages and lessen the impacts of any deficit moving forward.

The detailed information by department can be found in Appendix A – 2023 Projected Year End Results under the Projected Operating Results page.

**Capital Surplus:** The Township is expecting a capital fund surplus of \$372,490.

The surplus is largely a result of three projects:

Project A.2 – Arena Refrigeration Plant which was \$42,660 under budget,  
 Project A.4 – Municipal Water System which was under budget by \$42,674, and  
 Project C.1 – Road Resurfacing Program which was under budget by \$196,521.

To see a comprehensive list of the projects and the related surplus or shortfall, refer to Appendix A – Projected Year End Results under the Year-End Capital Report page.

**Reserve Balances:** The Township is expecting a reserve and reserve fund balance of \$5,886,079.

This is lower than the 2022 balance of \$7,881,193, and represents a decrease of \$1,995,114. The primary reason for the decrease is the utilization of reserves to fund the Central Fire Station project in an effort to reduce the amount of debt required. This strategy was outlined in the 2023 Q3 Projected Year-End report as well as the 2024 Budget. This strategy was utilized in order to decrease the burden on the municipal levy and tax payers for the term of the loan.

A detailed outline of the reserves and reserve funds can be found in Appendix A – Projected Year End Results under the Reserve and Reserve Funds page.

**Recommended Transfer of Surplus:**

<b>Reserve</b>	<b>Amount</b>	<b>Reasoning</b>
Fire Station	\$ 454,000	Funding of Central Fire Hall as per Q3 Report and 2024 Budget strategy.
Fire Points	1,781	2023 surplus in point pay-out.
Election	8,085	Council related surplus.
Planning	75,000	Future funding of Official Plan Conformity and the department had surplus.
Public Works Equipment	140,531	Future funding of equipment, department had surplus.
Building	(143,347)	Required to fund shortfall.
Library	(8,190)	Partial transfer of budgeted amount.
<b>Total Transfer</b>	<b>\$ 527,860</b>	

**OPTIONS/DISCUSSION:**

- 1) Council approve the transfers of surplus as outlined in the above.  
**(Recommended)**
- 2) Council recommend the surplus be directed to alternative reserves or reserve funds.

**FINANCIAL CONSIDERATIONS:**

This report contains information regarding the 2023 year-end estimated surplus and the respective transfers of this surplus as well as the required funding of shortfalls in the Building and Library departments. It is important to understand that this information is not yet finalized and actual results will be reported with the 2023 financial statements.

**OTHERS CONSULTED:**

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Chief Administrative Officer | <input checked="" type="checkbox"/> Finance        |
| <input checked="" type="checkbox"/> Clerks                       | <input checked="" type="checkbox"/> Communications |
| <input checked="" type="checkbox"/> Community & Dev. Services    | <input type="checkbox"/> Operations                |
| <input checked="" type="checkbox"/> Fire                         | <input type="checkbox"/> Other:                    |

**ATTACHMENTS:**

- 1) Appendix "A" – 2023 Projected Year End Results

Respectfully submitted by,

Approved by,

\_\_\_\_\_  
 Cameron Hart  
 Manager of Financial Planning  
 Deputy Treasurer

\_\_\_\_\_  
 Mallory Luey  
 Chief Administrative Officer



## TOWNSHIP OF WAINFLEET

APPENDIX A 2023 PROJECTED YEAR END RESULTS

March 19, 2024

## TOWNSHIP OF WAINFLEET 2023 PROJECTED OPERATING RESULTS

Department	Budget	Actual	(Surplus) / Shortfall	Explanation
General Revenue	(7,234,958)	(7,713,217)	(478,259)	\$100,836 surplus in mineral aggregate revenues, \$77,274 in supplemental billing, \$260,961 in investment interest, \$33,641 in penalty and interest income.
Council	115,049	106,975	(8,074)	\$4,561 surplus in meal allowances and training/conferences.
Election	14,750	14,750	-	
General Assistance	478,945	478,377	(568)	
Administration	1,373,399	1,473,549	100,150	\$89,459 shortfall in wages and benefits, \$32,623 shortfall in audit fees, \$32,808 shortfall in uncollectable taxes, \$50,462 surplus in interdepartmental fees (building admin allocation).
Fire	1,206,437	1,258,343	51,906	\$19,187 shortfall for unbudgeted winter storm clean-up, \$17,712 shortfall in wages and benefits, \$13,770 shortfall in PPE.
By-law	133,457	159,398	25,941	\$71,916 surplus in parking fines, \$76,721 shortfall in legal fees. \$27,742 shortfall in STR amounts.
Planning	384,405	264,952	(119,453)	\$32,167 surplus in planning fees, \$10,562 surplus in COA fees, \$23,660 surplus in wages and benefits (planning and COA), \$12,784 surplus in legal fees, \$25,000 surplus in professional fees.
Building & Septic	-	143,347	143,347	\$119,121 shortfall in building fees, \$12,615 surplus in legal and professional fees, \$50,462 shortfall in interdepartmental fees (building admin allocation).
Public Works	2,263,703	2,002,677	(261,026)	\$90,000 surplus due to ICIP grant from prior years being received, \$115,428 surplus in employee wages and benefits, \$29,970 surplus from sale of assets, \$20,629 surplus in tree contracted services.
Building Maintenance	713,296	680,693	(32,603)	\$93,856 surplus in central fire hall repayments, \$37,154 shortfall in arena hydro and maintenance, \$11,039 shortfall in contracted services for the operations center, \$12,451 shortfall in community hall rentals, \$16,721 shortfall in contracted services for waterworks.
Cemetery	104,326	96,175	(8,151)	\$14,048 surplus in cemetery sales.
Recreation	346,861	400,122	53,261	\$71,254 shortfall in wages and benefits, \$28,077 surplus in arena revenues.
Drainage	100,330	97,809	(2,521)	
Library	-	8,190	8,190	
<b>Total Operating</b>	<b>-</b>	<b>(527,860)</b>	<b>(527,860)</b>	

**TOWNSHIP OF WAINFLEET  
2023 PROJECTED OPERATING RESULTS BY OBJECT - BUDGET**

Object	General Revenue	Council	Election	General Assistance	Admin	Fire	By-law	Planning	Building & Septic	Public Works	Building Mtce	Cemetery	Recreation	Drainage	Library	Total
Taxation	(8,705,755)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	(8,705,755)
User Fees	(79,600)	-	-	-	-	(3,650)	(106,600)	(58,950)	(329,000)	(4,500)	(16,200)	(179,810)	(201,000)	(80)	(5,700)	(985,090)
Grants	(516,800)	-	-	-	-	-	-	-	-	(78,000)	-	-	(53,000)	(58,552)	(21,376)	(727,728)
Other	(79,346)	-	-	-	-	(20,000)	(4,000)	(3,500)	-	(344,000)	-	(16,000)	(1,050)	(65,000)	(453,624)	(986,520)
Reserve Transfers	-	-	-	-	(50,000)	(12,500)	(92,500)	(100,000)	-	(225,000)	-	-	-	-	(11,534)	(491,534)
<b>Total Revenues</b>	<b>(9,381,501)</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>(50,000)</b>	<b>(36,150)</b>	<b>(203,100)</b>	<b>(162,450)</b>	<b>(329,000)</b>	<b>(651,500)</b>	<b>(16,200)</b>	<b>(195,810)</b>	<b>(255,050)</b>	<b>(123,632)</b>	<b>(492,234)</b>	<b>(11,896,627)</b>
Wages & Benefits	-	78,449	-	-	980,765	621,126	172,051	372,355	275,482	1,209,588	-	242,904	438,078	107,294	390,073	4,888,165
Training & Development	-	4,000	-	-	20,200	35,000	1,500	8,000	4,500	10,000	-	-	4,000	3,650	2,500	93,350
Legal & Professional Fees	-	17,000	-	-	146,000	5,000	100,600	139,000	15,528	149,000	10,000	-	1,750	10,500	7,450	601,828
Utilities	-	1,800	-	-	10,500	12,000	2,000	1,200	2,000	23,100	167,300	1,400	7,600	1,800	2,000	232,700
Contracted Services & Materials	-	-	-	-	-	15,000	14,500	-	2,940	775,300	21,500	14,000	55,500	5,050	1,250	905,040
Repairs & Maintenance	-	-	-	-	-	41,420	1,550	-	1,750	132,050	-	3,000	-	9,500	-	189,270
Insurance	-	-	-	-	85,973	82,299	-	-	-	53,041	-	1,732	57,873	-	2,937	283,855
Debt Repayments	-	-	-	-	-	182,735	-	-	-	-	418,696	-	-	42,600	-	644,031
Other	-	13,800	-	478,945	179,961	138,007	44,356	26,300	26,800	488,125	112,000	37,100	37,110	33,100	86,024	1,701,628
Reserve Transfers	2,146,543	-	14,750	-	-	110,000	-	-	-	74,999	-	-	-	10,468	-	2,356,760
<b>Total Expenses</b>	<b>2,146,543</b>	<b>115,049</b>	<b>14,750</b>	<b>478,945</b>	<b>1,423,399</b>	<b>1,242,587</b>	<b>336,557</b>	<b>546,855</b>	<b>329,000</b>	<b>2,915,203</b>	<b>729,496</b>	<b>300,136</b>	<b>601,911</b>	<b>223,962</b>	<b>492,234</b>	<b>11,896,627</b>
<b>Net Levy</b>	<b>(7,234,958)</b>	<b>115,049</b>	<b>14,750</b>	<b>478,945</b>	<b>1,373,399</b>	<b>1,206,437</b>	<b>133,457</b>	<b>384,405</b>	<b>-</b>	<b>2,263,703</b>	<b>713,296</b>	<b>104,326</b>	<b>346,861</b>	<b>100,330</b>	<b>-</b>	<b>-</b>

**TOWNSHIP OF WAINFLEET  
2023 PROJECTED OPERATING RESULTS BY OBJECT - ACTUAL**

Object	General Revenue	Council	Election	General Assistance	Admin	Fire	By-Law	Planning	Building	Public Works	Building Mtce	Cemetery	Recreation	Drainage	Library	Total
Taxation	(8,818,848)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	(8,818,848)
User Fees	(180,856)	-	-	-	-	(4,431)	(109,256)	(93,771)	(207,243)	(19,095)	(3,749)	(193,858)	(226,878)	(26)	(6,589)	(1,045,754)
Grants	(516,800)	-	-	-	-	-	-	-	-	(170,318)	-	-	(51,465)	(57,168)	(21,376)	(817,127)
Other	(343,256)	-	-	(595)	(49,872)	(22,601)	(5,868)	(11,408)	(1,818)	(396,301)	(1,469)	(18,445)	(16,105)	(66,393)	(456,407)	(1,390,537)
Reserve Transfers	-	-	-	-	-	(12,500)	(92,500)	-	-	(76,076)	-	-	-	-	-	(181,076)
<b>Total Revenues</b>	<b>(9,859,760)</b>	<b>-</b>	<b>-</b>	<b>(595)</b>	<b>(49,872)</b>	<b>(39,532)</b>	<b>(207,624)</b>	<b>(105,179)</b>	<b>(209,061)</b>	<b>(661,790)</b>	<b>(5,218)</b>	<b>(212,303)</b>	<b>(294,448)</b>	<b>(123,587)</b>	<b>(484,372)</b>	<b>(12,253,341)</b>
Wages & Benefits	-	79,408	-	-	1,062,974	650,117	139,359	348,695	278,009	1,094,160	4,786	238,547	509,332	111,762	387,774	4,904,925
Training & Development	-	758	-	-	18,664	43,650	2,444	5,670	668	4,646	-	596	5,335	2,522	1,531	86,484
Legal & Professional Fees	-	18,495	-	-	108,542	12,378	179,721	2,094	2,413	79,354	-	-	-	3,451	13,696	420,145
Utilities	-	1,602	-	-	19,364	11,452	1,324	901	1,556	25,704	185,483	1,562	7,670	1,237	2,119	259,974
Contracted Services & Materials	-	-	-	-	-	20,143	2,436	-	-	769,474	38,221	27,768	55,421	103	1,345	914,911
Repairs & Maintenance	-	-	-	-	-	58,888	496	-	491	126,961	-	2,013	-	12,214	-	201,063
Insurance	-	-	-	-	81,901	72,532	-	-	-	53,041	-	1,732	61,944	-	2,938	274,088
Debt Repayments	-	-	-	-	-	52,728	-	-	-	-	315,904	-	-	-	-	368,632
Other	-	6,711	-	478,972	231,975	135,980	41,241	12,772	69,270	436,127	141,518	36,259	54,867	37,039	83,160	1,765,891
Reserve Transfers	2,146,543	-	14,750	-	-	240,007	-	-	-	74,999	-	-	-	53,068	-	2,529,367
<b>Total Expenses</b>	<b>2,146,543</b>	<b>106,975</b>	<b>14,750</b>	<b>478,972</b>	<b>1,523,420</b>	<b>1,297,875</b>	<b>367,021</b>	<b>370,132</b>	<b>352,407</b>	<b>2,664,467</b>	<b>685,912</b>	<b>308,478</b>	<b>694,570</b>	<b>221,396</b>	<b>492,563</b>	<b>11,725,481</b>
<b>Net Levy</b>	<b>(7,713,217)</b>	<b>106,975</b>	<b>14,750</b>	<b>478,377</b>	<b>1,473,549</b>	<b>1,258,343</b>	<b>159,398</b>	<b>264,952</b>	<b>143,347</b>	<b>2,002,677</b>	<b>680,693</b>	<b>96,175</b>	<b>400,122</b>	<b>97,809</b>	<b>8,190</b>	<b>(527,860)</b>

**TOWNSHIP OF WAINFLEET  
2023 PROJECTED OPERATING RESULTS BY OBJECT - (SURPLUS)/SHORTFALL**

Object	General Revenue	Council	Election	General Assistance	Admin	Fire	By-Law	Planning	Building	Public Works	Building Mtce	Cemetery	Recreation	Drainage	Library	Total
Taxation	(113,093)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	(113,093)
User Fees	(101,256)	-	-	-	-	(781)	(2,656)	(34,821)	121,757	(14,595)	12,451	(14,048)	(25,878)	54	(889)	(60,664)
Grants	-	-	-	-	-	-	-	-	-	(92,318)	-	-	1,535	1,384	-	(89,399)
Other	(263,910)	-	-	(595)	(49,872)	(2,601)	(1,868)	(7,908)	(1,818)	(52,301)	(1,469)	(2,445)	(15,055)	(1,393)	(2,783)	(404,017)
Reserve Transfers	-	-	-	-	50,000	-	-	100,000	-	148,924	-	-	-	-	11,534	310,458
<b>Total Revenues</b>	<b>(478,259)</b>	<b>-</b>	<b>-</b>	<b>(595)</b>	<b>128</b>	<b>(3,382)</b>	<b>(4,524)</b>	<b>57,271</b>	<b>119,939</b>	<b>(10,290)</b>	<b>10,982</b>	<b>(16,493)</b>	<b>(39,398)</b>	<b>45</b>	<b>7,862</b>	<b>(356,714)</b>
Wages & Benefits	-	959	-	-	82,209	28,991	(32,692)	(23,660)	2,527	(115,428)	4,786	(4,357)	71,254	4,468	(2,299)	16,760
Training & Development	-	(3,242)	-	-	(1,536)	8,650	944	(2,330)	(3,832)	(5,354)	-	596	1,335	(1,128)	(969)	(6,866)
Legal & Professional Fees	-	1,495	-	-	(37,458)	7,378	79,121	(136,906)	(13,115)	(69,646)	(10,000)	-	(1,750)	(7,049)	6,246	(181,683)
Utilities	-	(198)	-	-	8,864	(548)	(676)	(299)	(444)	2,604	18,183	162	70	(563)	119	27,274
Contracted Services & Materials	-	-	-	-	-	5,143	(12,064)	-	(2,940)	(5,826)	16,721	13,768	(79)	(4,947)	95	9,871
Repairs & Maintenance	-	-	-	-	-	17,468	(1,054)	-	(1,259)	(5,089)	-	(987)	-	2,714	-	11,793
Insurance	-	-	-	-	(4,072)	(9,767)	-	-	-	0	-	0	4,071	-	1	(9,767)
Debt Repayments	-	-	-	-	-	(130,007)	-	-	-	-	(102,792)	-	-	(42,600)	-	(275,399)
Other	-	(7,089)	-	27	52,014	(2,027)	(3,115)	(13,528)	42,470	(51,998)	29,518	(841)	17,757	3,939	(2,864)	64,263
Reserve Transfers	-	-	-	-	-	130,007	-	-	-	-	-	-	-	42,600	-	172,607
<b>Total Expenses</b>	<b>-</b>	<b>(8,074)</b>	<b>-</b>	<b>27</b>	<b>100,021</b>	<b>55,288</b>	<b>30,464</b>	<b>(176,724)</b>	<b>23,407</b>	<b>(250,736)</b>	<b>(43,584)</b>	<b>8,342</b>	<b>92,659</b>	<b>(2,566)</b>	<b>329</b>	<b>(171,146)</b>
<b>Net Levy</b>	<b>(478,259)</b>	<b>(8,074)</b>	<b>-</b>	<b>(568)</b>	<b>100,150</b>	<b>51,906</b>	<b>25,941</b>	<b>(119,453)</b>	<b>143,347</b>	<b>(261,026)</b>	<b>(32,603)</b>	<b>(8,151)</b>	<b>53,261</b>	<b>(2,521)</b>	<b>8,190</b>	<b>(527,860)</b>

**APPENDIX A  
TOWNSHIP OF WAINFLEET  
2023 YEAR-END CAPITAL REPORT**

Item	Project Title	Project Status	Total Revised Budget	Actual Spend To Date	Carried Forward	(Surplus)/ Shortfall	Levy	Grants	Development Charges	Reserves	Reserve Name	Debenture	Total Funding
A.1	Arena Fire Pond Fencing *	Completed	10,000	9,535	-	(465)	9,535	-	-	-		-	9,535
A.2	Arena Refrigeration Plant	Completed	187,000	144,340	-	(42,660)	144,340	-	-	-		-	144,340
A.3	Municipal Facilities Rehabilitations*	Completed	95,500	77,507	-	(17,993)	77,507	-	-	-		-	77,507
A.4	Municipal Water System	Completed	379,072	336,398	-	(42,674)	-	-	-	148,781 141,398 46,219	General Reserve Rate Stabilization Municipal Modernization	-	336,398
A.5	Hall Tables & Chairs	Completed	46,400	47,691	-	1,291	-	-	-	47,691	Municipal Modernization	-	47,691
A.6	Library Shelving	Completed	24,000	8,996	-	(15,004)	-	-	-	8,996	General Reserve	-	8,996
A.7	Fire Station Repairs *	Completed	19,500	21,255	-	1,755	21,255	-	-			-	21,255
A.8	Septic Arena	Carry-Forward	98,456	64,350	34,106	(0)	-	-	-	64,350	Infrastructure Levy	-	64,350
PY - A.6	Central Fire Station	Carry-Forward	4,487,348	3,843,552	643,796	-	-	-	351,900	797,385 1,049,267	Fire Station Infrastructure Levy	1,645,000	3,843,552
<b>Total Facilities &amp; Buildings</b>			<b>5,347,276</b>	<b>4,553,622</b>	<b>677,902</b>	<b>(115,751)</b>	<b>252,637</b>	<b>-</b>	<b>351,900</b>	<b>2,304,085</b>	<b>-</b>	<b>1,645,000</b>	<b>4,553,622</b>
B.1	Operations Fleet	Carry-Forward	617,040	191,992	425,048	(0)	48,540	-	-	143,452	Public Works (Equip)	-	191,992
B.2	Tree Shear for Excavator	Cancelled	24,650	-	-	(24,650)	-	-	-	-		-	-
B.3	Rural Water Supply Program	Cancelled	10,000	-	-	(10,000)	-	-	-	-		-	-
B.4	Fire Fleet - Light Duty	Completed	145,000	116,688	-	(28,312)	25,000	-	-	76,688 15,000	Fire Municipal Modernization	-	116,688
B.6	Radio System Phase 2	Completed	40,000	35,846	-	(4,154)	-	-	-	35,846	Municipal Modernization	-	35,846
<b>Total Fleet and Equipment</b>			<b>836,690</b>	<b>344,526</b>	<b>425,048</b>	<b>(67,116)</b>	<b>73,540</b>	<b>-</b>	<b>-</b>	<b>270,986</b>	<b>-</b>	<b>-</b>	<b>344,526</b>
C.1	Road Resurfacing Program *	Completed	1,638,965	1,442,444	-	(196,521)	19,437	314,995	-	1,108,012	Infrastructure Levy	-	1,442,444
C.2	Feeder Rd- Drain 13 Improvement	Carry-Forward	50,000	10,273	39,727	(0)	10,273	-	-	-		-	10,273
C.3	Bridge Repairs	Carry-Forward	635,000	484,119	150,881	(0)	10,000	-	-	474,119	Infrastructure Levy	-	484,119
C.4	Road Closure Trailers	Completed	15,415	14,498	-	(917)	-	-	-	14,498	Infrastructure Levy	-	14,498
C.5	Large Culverts & Drain Works	Carry-Forward	636,100	219,248	416,852	0	128,000	-	-	91,248	Infrastructure Levy	-	219,248
C.6	Harbourview Storm Engineering	In-Progress	55,000	19,394	35,606	0	-	-	-	19,394	Infrastructure Levy	-	19,394
<b>Total Roads &amp; Bridges</b>			<b>3,030,480</b>	<b>2,189,976</b>	<b>643,066</b>	<b>(197,438)</b>	<b>167,710</b>	<b>314,995</b>	<b>-</b>	<b>1,707,271</b>	<b>-</b>	<b>-</b>	<b>2,189,976</b>
D.1	Recreation Complex	Carry-Forward	874,157	755,193	118,963	(0)	201,637	553,557	-	-		-	755,193
D.2	Municipal Banner Program	Completed	7,000	2,389	-	(4,611)	-	-	-	2,389	Recreation Reserve	-	2,389
D.3	Tree Planting Program	Carry-Forward	30,000	-	30,000	-	-	-	-	-		-	-
<b>Total Parks &amp; Recreation</b>			<b>911,157</b>	<b>757,582</b>	<b>148,963</b>	<b>(4,611)</b>	<b>201,637</b>	<b>553,557</b>	<b>-</b>	<b>2,389</b>	<b>-</b>	<b>-</b>	<b>757,582</b>
E.1	IT Replacement Program	Completed	65,790	74,776	-	8,986	74,776	-	-	-		-	74,776
E.2	Software & Hardware Upgrade	Carry-Forward	20,500	13,442	7,058	(0)	-	-	-	13,442	Municipal Modernization	-	13,442
<b>Total Information &amp; Technology</b>			<b>86,290</b>	<b>88,218</b>	<b>7,058</b>	<b>8,986</b>	<b>74,776</b>	<b>-</b>	<b>-</b>	<b>13,442</b>	<b>-</b>	<b>-</b>	<b>88,218</b>
F.1	Fire Equipment	Completed	50,000	51,647	-	1,647	51,647	-	-	-		-	51,647
F.2	Fire PPE	Completed	48,000	49,794	-	1,794	49,794	-	-	-		-	49,794
<b>Total Fire Services</b>			<b>98,000</b>	<b>101,442</b>	<b>-</b>	<b>3,442</b>	<b>101,442</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>101,442</b>
<b>Total Capital Requests</b>			<b>10,309,893</b>	<b>8,035,366</b>	<b>1,902,037</b>	<b>(372,490)</b>	<b>871,741</b>	<b>868,552</b>	<b>351,900</b>	<b>4,298,173</b>	<b>-</b>	<b>1,645,000</b>	<b>8,035,366</b>

**TOWNSHIP OF WAINFLEET**  
**2023 RESERVE AND RESERVE FUNDS**

Reserve	Balance December 31, 2022	Transfer of 2022 Surplus	Transfer of 2023 Surplus	Transfer to Reserve	Transfer from Reserve	Receipts	Interest	Capital Commitments	Unaudited Balance December 31, 2023
<b>Working Funds</b>	800,000	-	-	-	-	-	-	-	800,000
<b>Rate Stabilization</b>	1,506,731	153,805	-	-	(181,076)	-	-	(141,398)	1,338,062
<b>Municipal Modernization</b>	396,219	-	-	-	-	-	-	(158,198)	238,021
<b>Insurance</b>	134,958	-	-	-	-	-	-	-	134,958
<b>Infrastructure Levy</b>	2,277,488	-	-	1,273,887	-	-	-	(2,820,888)	730,487
<b>Excavator</b>	31,404	-	-	10,468	-	-	-	-	41,872
<b>Drainage</b>	-	-	-	42,600	-	-	-	-	42,600
<b>Public Works (Equipment)</b>	85,044	38,875	140,531	74,999	-	-	-	(143,452)	195,997
<b>Public Works (Winter Control)</b>	150,000	-	-	-	-	-	-	-	150,000
<b>Emergency Reserve</b>	100,000	-	-	-	-	-	-	-	100,000
<b>Building Permit</b>	119,276	27,664	(143,347)	-	-	-	-	-	3,593
<b>Fire</b>	90,406	31,282	-	240,007	-	-	-	(76,688)	285,007
<b>Fire Station</b>	35,385	308,000	454,000	-	-	-	-	(797,385)	0
<b>Fire Points</b>	85,186	-	1,781	-	-	-	-	-	86,967
<b>Fire Donations Specific Purposes</b>	3,936	-	-	-	-	-	-	-	3,936
<b>Library</b>	155,659	15,689	(8,190)	-	-	-	-	-	163,157
<b>Library Donations Reserve</b>	10,555	-	-	-	-	-	-	-	10,555
<b>Election</b>	-	-	8,085	14,750	-	-	-	-	22,835
<b>Planning</b>	125,000	-	75,000	-	-	-	-	-	200,000
<b>General Reserve</b>	417,867	-	-	-	-	-	-	(157,777)	260,090
<b>Recreation Reserve</b>	88,984	-	-	-	-	-	-	(2,389)	86,595
<b>Capital WIP</b>	36,590	-	-	-	-	-	-	-	36,590
<b>Tree Reserve</b>	569,601	-	-	-	-	-	-	-	569,601
<b>Airport</b>	11,029	-	-	-	-	-	-	-	11,029
<b>Total Reserves</b>	7,231,317	575,315	527,860	1,656,711	(181,076)	-	-	(4,298,173)	5,511,953
<b>Development Charges (All Funds)</b>	602,803	-	-	-	-	71,730	2,968	(351,900)	325,601
<b>Canada Community Building Fund</b>	-	-	-	-	-	210,875	-	(210,875)	-
<b>Parkland</b>	47,073	-	-	-	-	-	1,452	-	48,525
<b>Total Reserve Funds</b>	649,876	-	-	-	-	282,605	4,420	(562,775)	374,126
<b>Total Reserves and Reserve Funds</b>	7,881,193	575,315	527,860	1,656,711	(181,076)	282,605	4,420	(4,860,948)	5,886,079

## DRAINAGE STAFF REPORT

DSR-001/2024

**TO:** Mayor Grant & Members of Council  
**FROM:** Mark Jemison, Drainage Superintendent  
**DATE OF MEETING:** March 19, 2024  
**SUBJECT:** 2023-2024 Drainage Program Update

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### **RECOMMENDATION(S):**

**THAT** Drainage Staff Report DSR-001/2024 respecting the Township's 2023-2024 Drainage Program Update be received;

**AND THAT** the 2024 municipal drain maintenance program be approved.

### **EXECUTIVE SUMMARY:**

Maintaining and improving the extensive network of Municipal Drains in the Township of Wainfleet is vital to the sustainability of the agricultural business sector and ensures that the over 250km of drainage infrastructure in the Township continues to provide a high level of service to the landowners. This includes keeping landowner assessments current so as to provide for accurate and equitable billing of maintenance costs.

With the 2023 maintenance season complete, the proposed 2024 maintenance program has been reviewed by the Drainage Advisory Committee. Staff have inspected the municipal drain work completed in 2023 and have reviewed the municipal drain work proposed for maintenance in 2024.

### **UPCOMING DRAINAGE EVENTS**

- March 28 – Annual Drainage Program Open House, 6p.m. - 8p.m. Council Chambers, Town Hall

**SUMMARY OF MAINTENANCE WORK IN 2023**

The following list is a breakdown of the major works undertaken in 2023:

<b>Drain</b>	<b>Linear Meters</b>	<b>Description</b>
Casey Drain	3,850	Brushing to facilitate engineering work
Consolidated South Wainfleet Drain #3	n/a	Debris removal
Consolidated South Wainfleet Drain #4	1,425	Brushing, Bottom Cleanout
Consolidated South Wainfleet Drain #8	3,335	Brushing, Debris Removal
Consolidated South Wainfleet Drain #9	4,553	Brushing, Bottom Cleanout
Consolidated South Wainfleet Drain #16	2,199	Brushing, Debris Removal
Consolidated South Wainfleet Drain #17	921	Brushing, Debris Removal
Consolidated South Wainfleet Drain #18	1,435	Brushing, Debris Removal
Consolidated South Wainfleet Drain #32	921	Brushing, Bottom Cleanout
<b>Total</b>	<b>18,639m</b>	

**ADDITIONAL DRAIN MAINTENANCE**

Additional, unscheduled maintenance to remove obstructions such as deadfall and nuisance animals continued in 2023. Beaver activity within the municipal drains remained a regular maintenance item with numerous drains requiring dam removal in 2023.

**CONSOLIDATED SOUTH WAINFLEET DRAIN SECTION 76 PROJECT**

Comprised of 48 separate open ditches, draining approximately 7,013 hectares, Council initiated a Section 76 Report update in 2017 to address the assessment schedules for maintenance on the Consolidated South Wainfleet Drain system (CSW). Completed in the summer of 2024, the project was an intensive engineering undertaking and included numerous public information sessions and open communication with residents in the drainage area. The updated report will allow for fair and equitable billing on maintenance of this major drainage system.

**PROPOSED MAINTENANCE WORK IN 2024**

The following work is being recommended by staff in 2024 and has been discussed with the Drainage Advisory Committee:

<b>Drain</b>	<b>Linear Meters</b>	<b>Description</b>
Andrew Shauntz	1,559	Brushing, Bottom Cleanout
Consolidated South Wainfleet Drain #4	n/a	Culvert Replacement (Feeder Road West)
Consolidated South Wainfleet Drain #6	1,991	Brushing, Bottom Cleanout ( <i>Complete</i> )
Consolidated South Wainfleet Drain #7	1,829	Brushing, Bottom Cleanout ( <i>Complete</i> )
Consolidated South Wainfleet Drain #9	n/a	Culvert replacement (Concession 1)
Consolidated South Wainfleet Drain #12 (Ellsworth Rd. North)	980	Brushing, Bottom Cleanout (In Progress)
Little Forks	12,801	Brushing, Bottom Cleanout, Culvert Replacement
Merion	518	Brushing, Bottom Cleanout
Shafley Road Drain	250	Bank Repair ( <i>Complete</i> )
<b>Total</b>	<b>19,928</b>	

**CAPITAL DRAINAGE WORKS IN 2024**

The Biederman and Ellsworth Drain, both being updated under Section 78 of the Drainage Act, have been included in the capital budget. Tendering and scheduling these two projects should occur in the next few months with tentative construction planned for the summer/fall.

Consolidated South Wainfleet Drain #10 along Side Road 20 in conjunction with the improvements at the Recreation Complex is moving forward with construction scheduled for early April 2024.

Consolidated South Wainfleet Drain #13 included in 2023 Capital Budget to improve the 55m long culvert under the Feeder Canal, Feeder Road West and Clarendon Road. Engineering work is ongoing based on soils investigations completed in 2023.

The Newhouse Drain received 3<sup>rd</sup> and Final Reading in November 2023 and will be constructed in 2024.

## **ADDITIONAL DRAINAGE WORKS**

The Township is currently involved in many engineer's report updates and new drain projects:

*Casey Drain, Casey Drain North:* Council appointed RJ Burnside in December 2021 under Section 78 of the Drainage Act to update the engineer's report to facilitate maintenance and update the assessment schedules. Survey and design work were completed in 2023 with public consultation to be scheduled in 2024.

*Collver & Shafley Road Drain:* In response to a landowner request for improvement, Council undertook a Section 78 engineer's report update. The on-site meeting was held November 11, 2019 and follow up meetings with the major property owners were held in the fall of 2022. This project has faced significant delays due to the ongoing conflict with the Federal Railways.

*Consolidated South Wainfleet Drain #13:* Following the major rain event of July 2021 Council appointed Spriet Associates to update and improve CSW #13 under Section 78 of the Drainage Act, looking specifically at the 55m long box culvert that carries water under Feeder Road West, Clarendon Road West and the Feeder Canal. Soils investigations were undertaken in 2023 and engineering is ongoing.

*Eagle Marsh:* Council of the City of Port Colborne appointed Spriet Associates in October 2019 to complete a report under Section 78 of the Drainage Act. The initial on-site meeting was held February 11, 2020, and the Township will be involved in the report update..

*North East Consolidated Drain:* In response to a landowner request for improvement, Council undertook a Section 78 engineer's report update. The on-site meeting was held October 13, 2022 and the updated plan will be presented to property owners in the Spring of 2024.

Landowners can request drain report updates at any time. There are 12 additional drains in the Township with reports that predate 1980 that may need updating in the coming years.

## **OPTIONS/DISCUSSION:**

The Township of Wainfleet has had an active municipal drain maintenance program in place since 1979 to support sustainable agricultural production and provide effective drainage within the Township. The completed 2024 and recommended 2024 maintenance activities continue to support this endeavor.

## **FINANCIAL CONSIDERATIONS:**

As per the Drainage Act R.S.O. 1990, expenditures related to the construction and maintenance of municipal drains is invoiced directly to the lands that contribute to and/or benefit from the drain. The rates are determined by the assessment schedule outlined in the Engineer's Reports for each drain. The initial costs of all maintenance activities are carried by the Township until the project is completed at which time applications are sent

to the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) as they may be eligible for grants. Based on the grants received from OMAFRA the costs of the projects are then invoiced to landowners assessed to the drain.

**OTHERS CONSULTED:**

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Chief Administrative Officer | <input checked="" type="checkbox"/> Finance                            |
| <input checked="" type="checkbox"/> Clerks                       | <input checked="" type="checkbox"/> Communications                     |
| <input checked="" type="checkbox"/> Community & Dev. Services    | <input checked="" type="checkbox"/> Operations                         |
| <input checked="" type="checkbox"/> Fire                         | <input checked="" type="checkbox"/> Other: Drainage Advisory Committee |

**ATTACHMENTS:**

None

Respectfully submitted by,

Approved by,

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Mark Jemison  
Drainage Superintendent

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Mallory Luey  
Chief Administer Officer

**TO:** Mayor Grant & Members of Council

**FROM:** Mark Jemison, Drainage Superintendent

**DATE OF MEETING:** March 19, 2024

**SUBJECT:** Big Forks Drain Future Management

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**RECOMMENDATION(S):**

**THAT** Drainage Staff Report DSR-002/2024 regarding the future management of the Big Forks Drain be received; and

**THAT** Council authorize staff to prepare and distribute the necessary notices in accordance with Section 78(1) *Drainage Act*; and

**THAT** Council appoint R.J. Burnside & Associates Ltd. under the *Drainage Act* to improve the Big Forks Drain.

**EXECUTIVE SUMMARY:**

The Big Forks Drain and subsequent Big Forks Creek provide outlet to a large portion of the Township. Due to environmental permitting challenges and the existing engineer's report, the Township's maintenance opportunities for the drain are limited.

**BACKGROUND:**

Historically, engineering reports were completed in 1950 and 1984; the Big Forks Drain begins in Lot 40, Concession 5 at the junction of the North Forks drain and Wolf Creek Drain. The Big Forks Drain then travels easterly for approximately 12km and outlets into the Big Forks Creek.

The Big Forks Drain provides direct and indirect outlet for 24 municipal drains with a total watershed of 16,271 acres. Downstream of the Big Forks Drain, the Big Forks Creek continues north easterly to the Welland River, providing outlet for numerous lands and municipal drains including the Consolidated South Wainfleet Drain.

The recently completed Floodplain Mapping of the Big Forks Creek by the Niagara Peninsula Conservation authority has identified the watershed at approximately 42,259 acres. As a reference, Wainfleet's total land area is 53,698 acres.

In 2018-2019 the Township brushed one side of the Big Forks Drain, allowing access to remove debris and beaver dams. In 2019-2020 the Township applied for and received permits to complete further work on the drain. The permits limited bottom cleanout of the drain to 10 locations of 150m each. The permit limited work to, *"One bank slope shall be graded to a slope that will maintain bank stability. This value may vary depending on local*

*condition. One half, from the centre line, will not be dredged and aquatic vegetation will remain in place.*” Based on the local conditions and expertise, it is unlikely that cleaning one-half of the bottom of the drain would be possible or beneficial and accordingly, no work has been scheduled

The existing 1984 engineering report does not account for any environmental legislation, such as working in Provincially Significant Wetlands, or how to complete work in conjunction with the many species at risk found along the drain.

Numerous log jams, debris and blockages can be observed throughout the Big Forks Creek. As the Big Forks Creek is a natural watercourse and located on private property, the Township does not have the authority to access the creek to clear blockages, and subsequently bill out the work.

Staff and the Drainage Advisory Committee (DAC) have met on several occasions to discuss options and opportunities regarding the future maintenance of the Big Forks. A drone inspection of the drain and downstream watercourse in 2023 identified hundreds of obstructions. Upon review of the drone footage and further discussions, the DAC through Resolution 001 – 2024, recommended undertaking a Section 78 report update, on the Big Forks drain to a facilitate a more fulsome cleanout and extend the drain to a practical outlet; and, in addition, recommended appointing a comprehensive engineering firm, with local experience to complete the project.

If future maintenance is to occur beyond the approved partial bottom cleanout, staff recommend undertaking a Section 78 Improvement Project. An improvement project of this nature would appoint an engineer to evaluate the existing system, liaise with regulatory agencies, and allow for extending the drain downstream to facilitate cleaning the Big Forks Creek. A comprehensive engineering firm with specialized biologists can not only advocate for the municipality, but also, work with the regulatory agencies to find a realistic solution. The improvement project would include updating the assessment schedule and communicating with impacted property owners and other stakeholders.

An improvement project of this scale will require significant staff resources and financial commitments.

### **OPTIONS/DISCUSSION:**

- 1) Council appoint R.J. Burnside & Associates Ltd. and authorize staff to prepare the necessary notices in accordance with the *Drainage Act* (**Recommended**).
- 2) Do not support an improvement project under the *Drainage Act* (Not recommended).

The appointment of R.J. Burnside Associates is being recommended due to their extensive municipal drain experience and professional expertise. The firm has a full complement of staff with the expertise required to undertake work in compliance with the Drainage Act and advocate on behalf of the municipality with the regulatory agencies.

**FINANCIAL CONSIDERATIONS:**

If approved by Council, the Township will be required to carry the costs of the project until the report is completed and the costs are allocated to the appropriate property owners in accordance with the engineer's report prepared pursuant to the *Drainage Act, R.S.O. 1990*.

As per the *Drainage Act, R.S.O. 1990*, final actual costs to the Township will only be those assessed to the roads and lands of the Township identified in the engineer's report for any maintenance or improvements completed on the drain as outlined in the Section 78 report. A Section 78 engineering report is 100% billable and eligible for grant from OMAFRA.

**OTHERS CONSULTED:**

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Chief Administrative Officer | <input checked="" type="checkbox"/> Finance        |
| <input checked="" type="checkbox"/> Clerks                       | <input checked="" type="checkbox"/> Communications |
| <input checked="" type="checkbox"/> Community & Dev. Services    | <input checked="" type="checkbox"/> Operations     |
| <input checked="" type="checkbox"/> Fire                         | <input type="checkbox"/> Other:                    |

**ATTACHMENTS:**

- 1) Big Forks Mapping
- 2) Section 78 Flow Chart

Respectfully submitted by,

Approved by,

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Mark Jemison  
Drainage Superintendent

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Mallory Luey  
Chief Administrative Officer



Big Forks  
Creek

Big Forks Drain

**Drains Outletting to Big Forks Creek:** Aldrey, Beezor Drain Consolidated South Wainfleet Cosby, North East Consolidated and the Wilford Road Drain Numerous log jams, debris and blockages

Consolidated South Wainfleet Drain

**Drains Outletting to Big Forks Drain:** Anderson, Andrew Early, Andrew Shauntz, Brown, Chambers Corner, Chambers Corner Drain Exention, Collver, East Kelly, East Kelly – North Branch, Ellsworth, Hilden Disher, John Marr, Kljij, McCallum, Merion, Newhouse Drain, Perry Road, Pettit Road, Shafley Road, South Forks, Swayze, Wolf Creek and the Zavitz Rahm.





**TO:** Mayor Grant & Members of Council  
**FROM:** Sarah Ivins, Planner  
**DATE OF MEETING:** March 19, 2024  
**SUBJECT:** Cannabis Production Facilities

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**RECOMMENDATION(S):**

**THAT** Planning Staff Report PSR-002/2024 be received; and

**THAT** Council endorse the proposed amendments to Zoning By-law 034-2014, Site Plan Control By-law 028-2015 and Medical Marihuana Licensing By-law 057-2017 outlined within this report; and

**THAT** staff be directed to initiate a zoning by-law amendment file and to schedule a public meeting for April 30, 2024.

**EXECUTIVE SUMMARY:**

The purpose of this report is to provide Council with recommendations respecting amendments to Zoning By-law 034-2014, Site Plan Control By-law 028-2015 and the Medical Marihuana Licensing By-law 057-2017 to address the production of cannabis within the Township. Staff recommend replacing the term 'medical marihuana facility' with the term 'cannabis production facility' and refining some of the provisions for this use to address common concerns from the public.

**BACKGROUND:**

The Government of Canada enacted various regulations between 2001 and 2016 regarding the growing and production of cannabis for medical purposes – Marihuana Medical Access Regulations (MMAR) in 2001, Marihuana for Medical Purposes Regulation (MMPR) in 2013 and Access to Cannabis for Medical Purposes Regulations (ACMPR) in 2016. The ACMPR were replaced with the enactment of the Cannabis Act in 2018 and the new regulations under that Act. The new cannabis regulations allow for the cultivation and production of cannabis through micro-cultivation, standard cultivation and nursery licences, and also, allows residents to grow up to four (4) plants per residence for personal recreational use.

In 2014 and 2015 the Township adopted zoning provisions and site plan guidelines to regulate Medical Marihuana Facilities.

Zoning Bylaw 034-2014 defines a 'medical marihuana facility' as "a facility that is licensed under the Marihuana for Medical Purposes Regulations, or a successor thereto, for

growing of medical marihuana as well as for the processing, testing, packaging, distribution and destruction of medical marihuana as accessory uses". The zoning bylaw permits Medical Marihuana Facilities in the Agricultural & Rural zones (A1, A2, A3 and A4) through a site specific zoning bylaw amendment and is subject to the following regulations:

- A Medical Marihuana Facility or portion thereof shall not be permitted in a dwelling;
- A Medical Marihuana Facility shall be located a minimum of 150m from the lot line of any Residential or Institutional use or zone, including a day nursery;
- A sign identifying the facility or property as being or containing a medical marihuana facility shall be prohibited;
- Outdoor storage shall be prohibited.

The Township Site Plan Control Guidelines state that a Medical Marihuana Facility requires a Level 1 approval. A Level 1 approval is a decision of Council and requires that a site plan agreement be executed by bylaw. The site plan guidelines for a Medical Marihuana Facility are as follows:

- Buildings are sited as far as reasonably possible from surrounding dwellings and a minimum of 150m from the lot line of any residential or Institutional zone, including a day nursery;
- Buildings should resemble greenhouse or farm buildings as much as possible and rooftop ventilation equipment should be screened from view of the street and adjacent properties with noise mitigating screening;
- Surface parking is provided to the rear or to the side of the building and all loading and garbage pickup zones are located indoors;
- Security fences that abut the public street should be screened with a 3m landscape area located between the lot line and the fence and native and/or drought resistant planting is used throughout the site;
- Security lighting is located low on the building elevations and directed downward to reduce glare on adjacent lots and public roads.

In December of 2017, The Township also adopted a licensing bylaw for medical marihuana facilities. The Medical Marihuana Facilities Licensing Bylaw is similar to a business licensing bylaw and provides further regulation for this type of facility within the Township. Key highlights of the bylaw are:

- Every Medical Marihuana Facility is required to obtain and hold a valid licence from the Township – the licences are to be renewed each year;
- Licence application requirements include zoning compliance, proof of a Health Canada licence, Fire Code compliance, general inspection report by the Electrical Safety Authority, proof of insurance, police check, etc.;
- Authorizes the Licence Manager to issue, renew, revoke or suspend a license and outlines grounds for each action;
- Provides the opportunity for applicants to appeal the decision of the Licence Manager to the Appeal Tribunal;
- Authorizes inspections of the facility;
- Requires that a registry of licences be established and maintained;

- Outlines nuisance abatement requirements and penalties for bylaw contraventions.

There are several properties within the Township that have received a Health Canada licence for medical marihuana and are currently producing product. However, these properties have not obtained the appropriate zoning amendment or site plan approval and as such staff are working with the property owners to achieve compliance.

Staff continue to receive inquiries regarding the construction of buildings and structures for the purpose of growing cannabis as Wainfleet's rural setting is attractive for this type of operation. Since the Township's Zoning Bylaw only defines a medical marihuana facility changes are required to address recreational cannabis.

Staff have conducted research, attended workshops and consulted with various municipalities and organizations regarding the legalization of cannabis. This includes:

- Jurisdictional scan of municipal by-laws and policies regarding cannabis production from other Ontario municipalities, British Columbia municipalities, and the states of Washington, Oregon, Colorado and California;
- Review of publications regarding the legalization of cannabis from municipal organizations such as the Federation of Canadian Municipalities (FCM), Association of Municipalities of Ontario (AMO), the Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO) and the Municipal Information Network;
- Review of the Ministry of Environment, Conservation and Parks environmental land use planning guide D-6 for compatibility between industrial facilities and its applicability for cannabis production facilities;
- Participation in the Municipal Property Assessment Corporation (MPAC) "How MPAC Assesses and Classifies Cannabis Facilities" webinar;
- Participation in the Cannabis Land Use Workshop hosted by Niagara Region;
- Participation in the Aird & Berlis LLP "Opportunities in the Canadian Cannabis Market: Licensing, Leasing and Land Use" webinar.

### **OPTIONS/DISCUSSION:**

Based on the research completed to date, staff are of the opinion that the current Township requirements for medical marihuana facilities are appropriate and generally aligned with the policies of other municipalities. However, there are some specific amendments to Zoning By-law 034-2014, Site Plan Control By-law 028-2015, and the Medical Marihuana Licensing By-law 057-2017, that staff recommend, to address the legalization of cannabis and to address complaints regarding odour and security.

#### **Zoning By-law 034-2014**

To capture the growing of cannabis for all forms/purposes, staff recommend that the term medical marihuana facility be replaced with the term 'cannabis production facility.' Staff propose that 'cannabis production facilities' be defined as any land, building or structure used for growing, producing, processing, testing, destroying, storing, packaging and/or shipping of cannabis for medical or non-medical purposes but does not include the growing, producing and processing of four (4) or less cannabis plants

on a lot for personal use or the retailing of cannabis or cannabis products under a retail operator license issued under the *Cannabis License Act, 2018*.

The current zoning provisions within Section 6 (Agricultural and Rural Zones) permit a medical marihuana facility within all of the Agricultural and Rural zones (A1, A2, A3 and A4). The Agricultural Transition – A1 zone is used for agricultural lands adjacent to the Township's Hamlets and prohibits intensive animal operations to reduce impact on the primarily residential, institutional and commercial land uses within the Hamlets. Given that a cannabis production facility can produce a significant amount of odour, staff propose that Table 5 (Permitted Uses in the Agricultural and Rural Zones) be updated to permit a CPF only within the A2, A3 and A4 zones, subject to a site specific zoning by-law amendment.

The current zoning provisions for medical marihuana facilities (Section 6.2.2.6) requires the facility to be located a minimum of 150m from the lot line of any Residential or Institutional use or Zone, including a day nursery. Staff propose that recreational uses such as parks and arenas as well as other Open Space uses be added to this section to reduce impact on properties that are frequented by members of the public. Additionally, staff propose that outdoor growing and cultivation be prohibited to reduce further land use compatibility issues with surrounding properties.

A summary of the proposed amendments to Zoning By-law 034-2014 is attached as Appendix "A".

#### Site Plan Control By-law 028-2015, Schedule A (Site Plan Control Guidelines)

Staff propose that all references to a medical marihuana facility within the Site Plan Control Guidelines, be updated to the term cannabis production facility. This includes Section 2 (Site Plan Control Levels) and Guideline 4e (Medical Marihuana Facilities). A summary of the proposed amendments to Schedule A of Site Plan Control By-law is attached as Appendix "B".

#### Medical Marihuana Licensing By-law 057-2017

In consultation with the By-law Enforcement Officer, staff are of the opinion that the current licensing by-law is appropriate. However, in order for the licensing by-law to align with Zoning By-law 034-2014 and Site Plan Control By-law 028-2015, the term medical marihuana facility (MMF) should be replaced with the term cannabis production facility (CPF). Staff propose to use the same definition of cannabis production facility as proposed for Zoning By-law 034-2014. Staff also propose to replace references to outdated legislation throughout the licensing by-law with the current governing legislation.

#### Fence By-law 012-2020

In addition to the above by-laws, By-law staff previously added provisions to the Township Fence By-law to allow taller fencing around cannabis production facilities for security purposes.

**FINANCIAL CONSIDERATIONS:**

There are no anticipated financial considerations for the proposed amendments.

**OTHERS CONSULTED:**

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Chief Administrative Officer | <input checked="" type="checkbox"/> Finance        |
| <input checked="" type="checkbox"/> Clerks                       | <input checked="" type="checkbox"/> Communications |
| <input checked="" type="checkbox"/> Community & Dev. Services    | <input checked="" type="checkbox"/> Operations     |
| <input checked="" type="checkbox"/> Fire                         | <input type="checkbox"/> Other:                    |

**ATTACHMENTS:**

1. Appendix "A" – Chart Outlining Proposed Changes to Zoning By-law 034-2014
2. Appendix "B" – Chart Outlining Proposed Changes to Site Plan Control By-law 028-2015

Respectfully submitted by,

Approved by,

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Sarah Ivins  
Planner

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Mallory Luey  
Chief Administrative Officer

**APPENDIX “A”**

By-law Section	Existing Text	Proposed Amendment																								
<p><b>Section 3: Definitions</b></p>	<p><b>Medical Marihuana Facility</b> means a facility that is licensed under the Marihuana for Medical Purposes Regulations, or successor thereto, for the growing of medical marihuana as well as for the processing, testing, packaging, distribution and destruction of medical marihuana as accessory uses.</p>	<p><b>Cannabis Production Facility</b> means any land, building or structure used for growing, producing, processing, testing, destroying, storing, packaging and/or shipping of cannabis for medical or non-medical purposes but does not include the growing, producing and processing of four (4) or less cannabis plants on a lot for personal use or the retailing of cannabis or cannabis products under a retail operator license issued under the <i>Cannabis License Act, 2018</i>.</p>																								
<p><b>Section 6: Agricultural and Rural Zones</b></p>	<p><b>Table 5: Permitted Uses in the Agricultural and Rural Zones</b></p> <table border="1" data-bbox="359 781 1115 894"> <thead> <tr> <th>Permitted uses</th> <th>A1</th> <th>A2</th> <th>A3</th> <th>A4</th> </tr> </thead> <tbody> <tr> <td><i>Medical Marihuana Facility</i></td> <td>Q4</td> <td>Q4</td> <td>Q4</td> <td>Q4</td> </tr> </tbody> </table> <p>Q4: Permitted only through a site specific zoning by-law amendment.</p> <p><b>Table 6: Regulations Applying to Agricultural and Rural Zones</b></p> <table border="1" data-bbox="359 1149 1136 1227"> <thead> <tr> <th>Uses</th> </tr> </thead> <tbody> <tr> <td><i>Greenhouses and Medical Marihuana Facilities</i></td> </tr> </tbody> </table> <p>6.2.2.6 For <i>medical marihuana facilities</i>:</p> <ul style="list-style-type: none"> <li>a) A <i>medical marihuana facility</i> or portion thereof shall not be permitted in a dwelling;</li> <li>b) A <i>medical marihuana facility</i> shall be located a minimum of 150 metres from the lot line of any</li> </ul>	Permitted uses	A1	A2	A3	A4	<i>Medical Marihuana Facility</i>	Q4	Q4	Q4	Q4	Uses	<i>Greenhouses and Medical Marihuana Facilities</i>	<p><b>Table 5: Permitted Uses in the Agricultural and Rural Zones</b></p> <table border="1" data-bbox="1167 781 1923 894"> <thead> <tr> <th>Permitted uses</th> <th>A1</th> <th>A2</th> <th>A3</th> <th>A4</th> </tr> </thead> <tbody> <tr> <td><i>Cannabis Production Facility</i></td> <td></td> <td>Q4</td> <td>Q4</td> <td>Q4</td> </tr> </tbody> </table> <p>Q4: Permitted only through a site specific zoning by-law amendment.</p> <p><b>Table 6: Regulations Applying to Agricultural and Rural Zones</b></p> <table border="1" data-bbox="1167 1149 1944 1227"> <thead> <tr> <th>Uses</th> </tr> </thead> <tbody> <tr> <td><i>Greenhouses and Cannabis Production Facilities</i></td> </tr> </tbody> </table> <p>6.2.2.6 For <i>cannabis production facilities</i>:</p> <ul style="list-style-type: none"> <li>a) A <i>cannabis production facility</i> or portion thereof shall not be permitted in a dwelling;</li> <li>b) A <i>cannabis production facility</i> shall be located a minimum of 150 metres from the lot line of any</li> </ul>	Permitted uses	A1	A2	A3	A4	<i>Cannabis Production Facility</i>		Q4	Q4	Q4	Uses	<i>Greenhouses and Cannabis Production Facilities</i>
Permitted uses	A1	A2	A3	A4																						
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<i>Cannabis Production Facility</i>		Q4	Q4	Q4																						
Uses																										
<i>Greenhouses and Cannabis Production Facilities</i>																										

By-law Section	Existing Text	Proposed Amendment
	<p>Residential or Institutional use or Zone, including a day nursery;</p> <p>c) A sign identifying the facility or property as being or containing <i>medical marihuana facility</i> shall be prohibited; and</p> <p>d) Outdoor storage shall be prohibited.</p>	<p>Residential, Institutional or Open Space use or Zone, including nursery;</p> <p>c) A sign identifying the facility or property as being or containing <i>cannabis production facility</i> shall be prohibited; and</p> <p>d) Outdoor growing, cultivation and storage shall be prohibited.</p>

**APPENDIX “B”**

<b>Guideline Section</b>	<b>Existing Text</b>	<b>Proposed Amendment</b>
<b>Section 2: Site Plan Control Levels</b>	<p>Level I – Site Plan Approval WITH a site plan agreement:</p> <ul style="list-style-type: none"> <li>• New building or additions larger than 25% of the site’s existing GFA (gross floor area);</li> <li>• Any medical marihuana facility (MMAR or MMPR); and</li> <li>• New buildings or additional of any size that change the configuration of a site such as: grading, parking areas, loading areas and vehicular access.</li> </ul>	<p>Level I – Site Plan Approval WITH a site plan agreement:</p> <ul style="list-style-type: none"> <li>• New building or additions larger than 25% of the site’s existing GFA (gross floor area);</li> <li>• Any cannabis production facility; and</li> <li>• New buildings or additional of any size that change the configuration of a site such as: grading, parking areas, loading areas and vehicular access.</li> </ul>
<b>Guideline 4 e. Medical Marihuana Facilities Checklist</b>	Title: Agriculture Zone – Medical Marihuana Facilities (MMF)	Title: Agriculture Zone – Cannabis Production Facilities

**TO:** Mayor Grant & Members of Council  
**FROM:** Sarah Ivins, Planner  
**DATE OF MEETING:** March 19, 2024  
**SUBJECT:** Housekeeping Amendments to Zoning By-law 034-2014

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**RECOMMENDATION(S):**

**THAT** Planning Staff Report PSR-003/2024 be received; and

**THAT** Council endorse the proposed amendments outlined in Appendix “A”; and

**THAT** staff be directed to initiate a housekeeping zoning by-law amendment file and to schedule a public meeting for April 30, 2024.

**EXECUTIVE SUMMARY:**

The purpose of this report is to provide Council with recommendations respecting housekeeping amendments to Township’s Zoning By-law 034-2014 to address common minor variance requests and provisions that require clarification to improve the functionality of the Zoning By-law.

**BACKGROUND:**

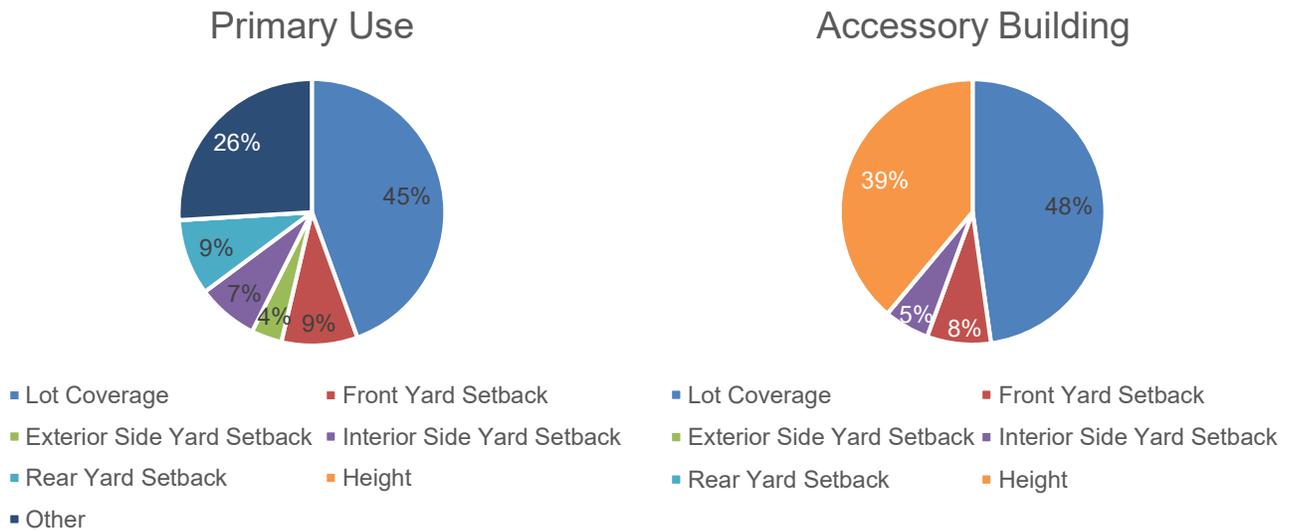
Housekeeping Items

Zoning By-law 034-2014 was adopted by Council in the fall of 2014 for all lands outside of the Township’s eight Hamlets. In working with Zoning By-law 034-2014, staff have identified several areas that require further clarification or amendment to ensure that the intent of the official plan is being met, to improve the functionality of the Zoning By-law and to ensure consistency in interpretation of certain provisions. This includes new definitions, modifications to existing definitions, new provisions for garden suites, changes to accessory building requirements, clarification on permitted uses in the Agricultural, Rural and Institutional zones, changes to secondary suite provisions, updated parking and loading requirements and setbacks for municipal drains.

Review of Historical Minor Variance Applications

Council has also directed staff to review the provisions for accessory buildings as some residents have approached Council with the concern that the current provisions are not reflective of the community needs. Staff compiled data from minor variance applications from 2015 through to 2023 to gain a better understanding of the most common types of variance requests considered by the Committee of Adjustment. Figure 1 shows a breakdown of the types of variances received for primary uses and accessory buildings.

Figure 1 – Summary of Minor Variances for all Zones



As shown above, forty-five percent of minor variances for primary uses are for overall lot coverage, thirty-nine percent of minor variances for accessory buildings are for accessory building height and forty-eight percent of minor variances for accessory buildings are for accessory building lot coverage.

Minor variances for lot coverage for a primary use were primarily for new single detached dwellings or for additions to existing single detached dwellings smaller lots of record within the Agricultural and Rural zones. The primary reason for the increased lot coverage is to accommodate a bungalow style dwelling and/or covered porches, decks and patios as well as any accessory buildings on the property.

The primary reason given for the increased accessory building lot coverage is to have a workspace for hobbies, space for the storage of recreational equipment such as ATV's, snowmobiles, RV's, boats and trailers as well as the storage of lawn maintenance equipment and vehicles. The current maximum accessory building lot coverage is the lessor of 2.5% or 100m<sup>2</sup>. Staff and Council have received feedback from residents that this requirement is restrictive and that increased lot coverage would allow for a more streamlined approach to obtaining a building permit.

The primary reason given for increased accessory building height is the need for taller walls to accommodate large items such as RV's, boats and trailers or to accommodate a second storey for a secondary suite above a garage. The current maximum height provision of 5m is prohibitive for these uses.

Hamlet Zoning

The Township's Hamlets are currently governed by Zoning By-law 581-78, which is an outdated by-law. When Zoning By-law 034-2014 was adopted, the Township was still working on an appeal of the Hamlet boundaries under the new Township Official Plan. As such, Zoning By-law 034-2014 was adopted for the lands outside of the Township's Hamlets and the Zoning By-law 581-78 remained in effect for the Township's Hamlets.

The issue regarding the Township's Hamlet boundaries has since been resolved with the Province and so the zoning should be updated to align with the current Official Plan.

Staff note that the Township will be undertaking a comprehensive review of the current Official Plan to ensure conformity with the new Niagara Official Plan, which was approved by the Province in November 2022. The Official Plan review is anticipated to begin this year and following that, a further update to the Zoning By-law will be required.

### **OPTIONS/DISCUSSION:**

Based on the key issues identified above, a summary of the proposed amendments to the Zoning By-law to address these issues is outlined below. Staff have also prepared a chart that outlines the existing zoning provisions and the proposed text changes, which is attached as Appendix "A".

#### **Section 3: Definitions**

##### *Height*

The current definition requires height, in the case of a pitched roof, to be calculated from the average finished grade at the front elevation to a point mid-way between the eaves and the ridge. The intent for starting the height calculation at the front elevation is to allow for circumstances where there is a significant reduction in elevation between the front and rear of a building. For example, this would allow for a two storey single detached dwelling with a walk-out basement at the rear. However, staff have encountered issues where the opposite occurs, specifically in the lakeshore area where the elevation increases as you move toward the rear yard (lake side). This becomes challenging to get one storey in the rear yard and still meet the height requirement measured from the front yard. Additionally, the construction drawings submitted with building permit applications typically don't show the height from grade to the midpoint which requires additional review and calculations to confirm zoning compliance. As such, staff recommend that the definition be changed to start the height at the average finished grade, which would take the average elevation of all four corners of the structure, to the ridge. By changing the definition of height, the maximum height requirement in each zone will have to be increased to reflect the change in measuring to the ridge.

##### *Home Industry and Home Occupation*

The current definitions for home industry and home occupation specifically identify that such uses are to be performed by one or more residents of the household on the same property. For greater clarity, staff are proposing to include wording that prohibits such uses from having employees that do not reside at the property as that is not the intent of home occupations and home industries in Provincial guidelines.

##### *Lot Coverage*

The current definition of lot coverage states that for lots adjacent to Lake Erie, that the waterside of the dynamic beach hazard shall not be included as lot area in the lot coverage calculation. Staff propose to modify this definition by outlining that if a property has a shorewall, that the area on the waterside of the shorewall shall not be included as lot area in the lot coverage calculation. If no shorewall exists, then the requirement to

exclude the lot area on the waterside of the dynamic beach hazard will remain. This is a similar approach to a provision in Section 4.28 which states that “*any minimum yard required by this By-law adjacent to Lake Erie shall be measured from any shorewall, or alternately where no shorewall exists, from the dynamic beach hazard of Lake Erie*”. Staff also propose to clarify that uncovered decks, uncovered porches, pergolas, ornamental structures such as mailboxes or birdhouses and outdoor swimming pools are not to be included in the lot coverage calculation.

### *Resort*

A resort is listed as a permitted use for the Resort Recreational Commercial (C3) zone however it is an undefined term in the Zoning By-law. Staff have had discussions with property owners, prospective purchasers of properties and developers with respect to what a resort means within the Township context. Staff propose to include a definition of resort to provide greater clarity on the intention of the C3 zone.

### *Temporary Tent*

Staff propose to add provisions for temporary tents in Section 4: General Provisions, which are outlined below. To provide further clarification on the intention of the new section for temporary tents, staff are proposing to add a definition of temporary tent.

## Section 4: General Provisions

### *Temporary Tent Provisions*

The current by-law doesn't contain provisions for a temporary structure such as a special event tent for private functions. This type of temporary structure has frequently come up through enquiries and building permit submissions, as temporary tents over 60m<sup>2</sup> require a building permit. To ensure that these temporary structures are sited in a suitable location that does not have an impact on any municipal roads, staff are proposing to add an additional subsection to 4.3 Temporary Uses to outline provisions for these structures.

### *Increase Setback to a Municipal Drain*

Official Plan Policy 4.4.4 requires a minimum building setback of 15 metres to municipal drains that does not contain fish habitat. This is to ensure that there is adequate access for drain maintenance, to protect the integrity of the drains and to protect environmental health of the watershed. Section 4.15 of Zoning By-law 034-2014 currently requires a minimum setback of 11 metres. Staff propose to increase the setback to 15 metres to align with the official plan policies.

### *Provisions for Home Industries & Home Occupations*

The current provisions for home industries and home occupations prohibit the outdoor storage and display of goods and materials or products. There have been several instances where vehicles and equipment for such uses have been stored outside which has resulted in several complaints regarding noise and aesthetics of the property. Staff propose to prohibit outdoor storage of vehicles and equipment to address this issue.

### *Secondary Suite Provisions*

In the past several years, secondary suites have become quite popular within the Township as an alternate housing option. Staff have identified some challenges with the current zoning provisions for secondary suites, specifically relating to the scale of the secondary suite. The current by-law permits secondary suites either within the primary dwelling or within an accessory building that is accessory to the primary dwelling. The intent of a secondary suite is to be an accessory dwelling unit and therefore smaller in scale than the primary dwelling. The current zoning does not contain any provisions to restrict the scale of secondary suites, except through the maximum lot coverage provisions for a primary dwelling or an accessory building. Staff propose to set a maximum size for secondary suites, based on the gross floor area of the dwelling or based on the ground floor area of the accessory building. Staff also propose that a secondary suite be limited to a maximum of three bedrooms and that the requirement for the exterior appearance of the dwelling to be unaltered to accommodate the unit be removed.

### *Accessory Building Requirements*

Based on the review of minor variance data, staff are proposing to change the maximum accessory building lot coverage for all zones to a percentage rather than the lesser of a specific area (m<sup>2</sup>) or a percentage. This will allow accessory buildings to be proportionate to the lot size and will be easier for residents to understand when planning projects for their property. Staff propose a maximum lot coverage of 4% for the Agricultural and Rural Zones as well as the Residential Zones and a maximum lot coverage of 5% for the Commercial Zones. Staff also propose to increase the maximum height provision to 8m for the Agricultural, Rural and Commercial Zones and 6.5m for the Residential Zones. However, there will be a provision for the Residential Zones that allows for a maximum height of 8m where a secondary suite is located within a second storey. Staff are also proposing to introduce accessory building requirements for the Industrial Zones.

## Section 5: Parking & Loading Provisions

### *Parking Requirements for a Fire Hall or Municipal Building*

Zoning By-law 034-2014 currently does not provide minimum parking requirements for a fire hall or municipal building. Zoning By-law 581-78 (in effect for the Township's Hamlets) does have parking requirements for these uses and requires a sufficient number of parking spaces to accommodate the employees of and the visitors to such use. Staff propose that the same requirement be added to Table 3 of Section 5 of Zoning By-law 034-2014.

### *Loading Provisions for Industrial Uses*

Zoning By-law Amendment 027-2015 added vehicle loading space requirements for industrial uses. However, the original Zoning By-law 034-2014 contained an editing error whereby the loading requirements for "institutional uses" were meant to apply to "industrial uses" based on the planning consultant's work completed during the original by-law preparation. This Zoning By-law amendment corrects this error, by amending By-law 034-2014 again to not add the new industrial loading provisions added by By-law 027-2015 and simply amending the institutional loading provisions to apply to industrial

uses. As such, the consolidated amendment, only shows the change from institutional requirements to industrial requirements and not the text that was added by By-law 027-2015 and then subsequently deleted by this proposed by-law amendment.

## Section 6: Agricultural & Rural Zones

### *Permitted Uses*

Zoning By-law Amendment 027-2015 made a change to the Agricultural Zone permitted use table (Table 5) which implied severances (a new house on a new lot) were permitted in all Agricultural zones; however, under the Official Plan policies, severances for a house on a new lot are only permitted in the Rural designation, which is implemented through the A4 zone. As a result, Table 5 is further amended such that it is clarified that residential severances, except in the case of surplus farm dwellings, are not permitted in the A1, A2 and A3 zones.

### *Lot Coverage for a Single Detached Dwelling as a principle use*

To address the number of variances needed for lot coverage for a single detached dwelling in the A1, A2, A3 and A4 zones, staff propose to increase the maximum lot coverage from 7% to 10%. The increase aligns with the lot coverage that is currently permitted in the Township's Hamlets and larger lots in the lakeshore area.

### *Garden Suite Provisions*

The Township's Official Plan permits garden suites within the Agricultural and Rural Areas. Zoning By-law 034-2014 defines a garden suite but does not include any detailed provisions regarding placement, quantity and agreements for the use. Staff propose to include a garden suite as a permitted use in the A1, A2 and A4 zones subject to a temporary use by-law and to add provisions that permit initial approvals for ten years with extensions of three years available up to a maximum of twenty years, to require a development agreement regarding the placement, maintenance and removal of a garden suite, to require that the garden suite be located in close proximity to the primary use and to comply with the Minimum Distance Separation (MDS) guidelines for adjacent livestock facilities.

## Section 10: Institutional Zones

### *Additional Permitted Uses*

The Institutional Zone is typically used where uses such as schools, churches, government offices and services as well as community organizations and non-profit agencies exist. Staff propose that a municipal arena, municipal community centre and municipal operations centre be added as permitted uses within the Institutional – I zone to accommodate current and future Township facilities.

## Section 12: Mobile Home Park Zone

### *Zoning Requirements for a Convenience Retail Store in the Mobile Home Park Zone*

Table 29 of Zoning By-law 034-2014 outlines the permitted uses within the Mobile Home Park – MHP zone, which includes a convenience retail store as an accessory use. However, Table 30 does not provide any zoning provisions for that use. Staff propose

that Table 30 be updated to add convenience retail store with the same provisions listed for a mobile home park.

### Section 15: Maps

As discussed above, staff are proposing to implement Zoning By-law 034-2014 for the Township's Hamlets and to repeal Zoning By-law 581-78. The proposed zoning will align with the current Township Official Plan. The planning consultant will be providing staff with zoning maps 33 – 40 for inclusion in Zoning By-law 034-2014, covering the Township's eight Hamlets. The Hamlet maps will be available prior to the public meeting.

### **FINANCIAL CONSIDERATIONS:**

By addressing the common minor variance requests in the proposed housekeeping amendment, staff anticipate a reduction in the number of minor variance applications going forward. This may lead to a revenue shortfall for the 2024 fiscal year as the budgeted revenue was based on an average of historical minor variance revenue. There may be some cost savings with respect to the reduction of the number of Committee of Adjustment hearings and the remuneration of the Committee members as well as costs for over-time for union staff.

All *Planning Act* applications are required to go through the pre-consultation process to determine complete application requirements. With the reduction in the need for minor variance applications, staff also anticipate a reduction in pre-consultation revenue.

Going forward, staff will take a more conservative approach to budgeting for minor variance and pre-consultation revenue to ensure it is more reflective of actual revenue.

### **OTHERS CONSULTED:**

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Chief Administrative Officer | <input checked="" type="checkbox"/> Finance        |
| <input checked="" type="checkbox"/> Clerks                       | <input checked="" type="checkbox"/> Communications |
| <input checked="" type="checkbox"/> Community & Dev. Services    | <input checked="" type="checkbox"/> Operations     |
| <input checked="" type="checkbox"/> Fire                         | <input type="checkbox"/> Other:                    |

### **ATTACHMENTS:**

- a) Appendix "A" – Chart Outlining Proposed Changes

Respectfully submitted by,

Approved by,

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Sarah Ivins  
Planner

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Mallory Luey  
Chief Administrative Officer

**APPENDIX “A”**

By-law Section	Existing Text	Proposed Amendment
<p><b>Section 3: Definitions</b></p>	<p><b>Height</b> means, with reference to a <i>building</i>, the vertical distance measured from the <i>average finished grade</i> level at the front elevation of such <i>building</i> to:</p> <ul style="list-style-type: none"> <li>a) in the case of a flat roof, the highest point of the roof surface, or the parapet, whichever is greater, and</li> <li>b) in the case of a pitched roof, a point midway between the eaves and the ridge, but in calculating the <i>height</i> of a <i>building</i>, any construction used as ornament or for the mechanical operation of the <i>building</i>, such as a mechanical penthouse, or a chimney, tower, cupola or steeple, is not to be included.</li> </ul> <p><b>Home Industry</b> means a small scale <i>use</i>, providing a service primarily to the rural or farming community and which is accessory to a <i>single detached dwelling</i> or agriculture operation and performed by one or more residents of the household on the same property. A <i>home industry</i> may be conducted in whole or in part in an <i>accessory building</i> and may include a carpentry shop, a metal working shop, a welding shop, an electrical shop or blacksmith’s shop, etc., but does not include an auto repair or paint shop, or furniture stripping.</p> <p><b>Home Occupation</b> means an occupation, which provides a service as an <i>accessory use</i> within a <i>single detached dwelling</i> or in an addition to the <i>dwelling</i> or in an <i>accessory building</i>, performed by one or more residents of the household on the same property. Such occupations may include services performed by an accountant, architect, auditor, dentist, medical</p>	<p><b>Height</b> means, with reference to a <i>building</i>, the vertical distance measured from the <i>average finished grade</i> level of such <i>building</i> to:</p> <ul style="list-style-type: none"> <li>a) in the case of a flat roof, the highest point of the roof surface, or the parapet, whichever is greater, and</li> <li>b) in the case of a pitched roof, the top of the ridge, but in calculating the <i>height</i> of a <i>building</i>, any construction used as ornament or for the mechanical operation of the <i>building</i>, such as a mechanical penthouse, or a chimney, tower, cupola or steeple, is not to be included.</li> </ul> <p><b>Home Industry</b> means a small scale <i>use</i>, providing a service primarily to the rural or farming community and which is accessory to a <i>single detached dwelling</i> or agriculture operation and performed by one or more residents of the household on the same property and shall not permit any employees. A <i>home industry</i> may be conducted in whole or in part in an <i>accessory building</i> and may include a carpentry shop, a metal working shop, a welding shop, an electrical shop or blacksmith’s shop, etc., but does not include an auto repair or paint shop, or furniture stripping.</p> <p><b>Home Occupation</b> means an occupation, which provides a service as an <i>accessory use</i> within a <i>single detached dwelling</i> or in an addition to the <i>dwelling</i> or in an <i>accessory building</i>, performed by one or more residents of the household on the same property and shall not permit any employees. Such occupations may include services performed by an accountant, architect,</p>

By-law Section	Existing Text	Proposed Amendment
	<p>practitioner, engineer, insurance agent, land surveyor, lawyer, realtor, planner, hairdresser, desk top publisher or word processor, computer processing provider, teacher or day care provider.</p> <p><b>Lot Coverage</b> means:</p> <ul style="list-style-type: none"> <li>b) does not include that portion of the lot area which is occupied by a building or portion thereof which is completely below ground level;</li> <li>d) the portion of a lot in a Hazard Overlay Zone shall be included in the calculation of <i>lot coverage</i>. However, in the case of a lot abutting Lake Erie, regardless of the location of any Hazard Overlay Zone, the lot area used in the calculation of <i>lot coverage</i> shall be exclusive of any portion of the lot on the waterside of dynamic beach hazard.</li> </ul> <p>Current by-law does not contain a definition of resort.</p>	<p>auditor, dentist, medical practitioner, engineer, insurance agent, land surveyor, lawyer, realtor, planner, hairdresser, desk top publisher or word processor, computer processing provider, teacher or day care provider.</p> <p><b>Lot Coverage</b> means:</p> <ul style="list-style-type: none"> <li>b) does not include that portion of the lot area which is occupied by a building or portion thereof which is completely below ground level, uncovered decks, uncovered porches, pergolas, ornamental structures such as mailboxes or birdhouses and outdoor swimming pools;</li> <li>d) the portion of a lot in a Hazard Overlay Zone shall be included in the calculation of <i>lot coverage</i>. However, in the case of a lot abutting Lake Erie, regardless of the location of any Hazard Overlay Zone, the lot area used in the calculation of <i>lot coverage</i> shall be exclusive of any portion of the lot on the waterside of any shorewall, or alternately where no shorewall exists, of the dynamic beach hazard.</li> </ul> <p><b>Resort</b> means a commercial establishment that operates throughout all or part of the year, that has facilities for serving meals including indoor/outdoor dining facilities and may include overnight accommodation in guest rooms or guest suites for the travelling public and may include facilities such as conference facilities and meeting rooms, swimming pools, saunas, spas, tennis courts and other similar recreational activities.</p>

By-law Section	Existing Text	Proposed Amendment
	<p>Current by-law does not contain a definition of a temporary tent.</p>	<p><b>Temporary Tent</b> means a collapsible shelter of fabric (such as nylon or canvas) stretched and sustained by poles and used as a temporary building.</p>
<p><b>Section 4: General Provisions</b></p>	<p><b>4.3 Temporary Uses</b> Current by-law does not contain provisions for temporary tents.</p> <p><b>4.15 Supplementary Setbacks from Any Drainage Works</b> Notwithstanding any other provisions of this By-law, a minimum <i>setback</i> of 11 metres shall be provided from any <i>drainage works</i> to permit the maintenance of said <i>drainage works</i>.</p> <p><b>4.16 Provisions for Home Occupations</b> b) Outdoor storage and display of goods and materials or products shall be prohibited;</p> <p><b>4.17 Provisions for Home Industries</b> c) Outdoor storage and display of goods and materials or products shall be prohibited;</p>	<p><b>4.3 Temporary Uses</b> a) Nothing in this by-law shall prevent the use of a <i>temporary tent</i> for a special event in any zone provided that: i. a building permit is obtained from the Township, where applicable; ii. the duration of the use and installation of the <i>temporary tent</i> is not more than 7 days; and iii. the <i>temporary tent</i> location does not interfere with any sightlines or daylight triangles for any adjacent <i>streets</i>.</p> <p><b>4.15 Supplementary Setbacks from Any Drainage Works</b> Notwithstanding any other provisions of this By-law, a minimum <i>setback</i> of 15 metres shall be provided from any <i>drainage works</i> to permit the maintenance of said <i>drainage works</i>.</p> <p><b>4.16 Provisions for Home Occupations</b> b) Outdoor storage and display of <i>commercial vehicles</i>, equipment, goods and materials or products shall be prohibited;</p> <p><b>4.17 Provisions for Home Industries</b> c) Outdoor storage and display of <i>commercial vehicles</i>, equipment, goods and materials or products shall be prohibited;</p>

By-law Section	Existing Text	Proposed Amendment
	<p><b>4.20 Secondary Suites</b>  <i>A secondary suite shall be permitted within a single detached or semi-detached dwelling or within an accessory building on a lot containing a single detached or semi-detached dwelling in any zone where single detached and semi-detached dwellings are permitted provided that the other requirements of the applicable zone are adhered to and subject to the following:</i></p> <ul style="list-style-type: none"> <li>a) Only one <i>secondary suite per single detached dwelling or semi-detached dwelling</i> is permitted;</li> <li>b) The unit is clearly subordinate to the primary <i>residential</i> unit in the <i>dwellings</i>;</li> <li>c) The exterior appearance of the <i>dwelling</i> is unaltered to accommodate the unit; and</li> <li>d) All relevant requirements of the Ontario Building Code and Fire Code are complied with.</li> </ul>	<p><b>4.20 Secondary Suites</b>  <i>A secondary suite shall be permitted within a single detached or semi-detached dwelling or within an accessory building on a lot containing a single detached or semi-detached dwelling in any zone where single detached and semi-detached dwellings are permitted provided that the other requirements of the applicable zone are adhered to and subject to the following:</i></p> <ul style="list-style-type: none"> <li>a) Only one <i>secondary suite per single detached dwelling or semi-detached dwelling</i> is permitted;</li> <li>b) The unit is clearly subordinate to the primary <i>residential</i> unit in the <i>dwellings</i>;</li> <li>c) All relevant requirements of the Ontario Building Code and Fire Code are complied with;</li> <li>d) The <i>secondary suite</i> shall have a maximum of 3 bedrooms;</li> <li>e) Where a <i>secondary suite</i> is within a <i>single detached dwelling or semi-detached dwelling</i>, the <i>secondary suite</i> shall not exceed 40% of the <i>gross floor area</i> of the primary <i>residential</i> unit in the <i>dwelling</i>;</li> <li>f) Where a <i>secondary suite</i> is within an <i>accessory building</i> and is located on the ground floor of an <i>accessory building</i>, the <i>secondary suite</i> shall not exceed 40% of the <i>ground floor area</i> of the <i>accessory building</i>;</li> <li>g) Where a <i>secondary suite</i> is within an <i>accessory building</i> and is located entirely on the second storey of an <i>accessory building</i>, the <i>secondary suite</i> shall not exceed 100% of the <i>ground floor area</i> of the <i>accessory building</i>, exclusive of any stairway servicing the <i>secondary suite</i>.</li> </ul>

By-law Section	Existing Text	Proposed Amendment																																	
	<p><b>4.21 Accessory Buildings</b> <b>Table 2: Accessory Building Requirements</b></p> <p>Maximum Lot Coverage</p> <table border="1" data-bbox="359 570 1081 1235"> <thead> <tr> <th>Zone</th> <th>Max. Lot Coverage</th> <th>Max. Height</th> </tr> </thead> <tbody> <tr> <td>Agricultural and Rural Zones (A1, A2, A3, A4)</td> <td>5% for lots greater than 1 ha in size  For lots less than 1 ha in size, the lessor of 2.5% or 100m<sup>2</sup></td> <td>5m</td> </tr> <tr> <td>Residential Hamlet (RH)</td> <td>The lessor of 2.5% or 100m<sup>2</sup></td> <td>5m</td> </tr> <tr> <td>Residential Lakeshore (RLS)</td> <td>The lessor of 2.5% or 100m<sup>2</sup></td> <td>5m</td> </tr> <tr> <td>Commercial Zones (C1, C2, C3)</td> <td>The lessor of 5% or 100m<sup>2</sup></td> <td>5m</td> </tr> </tbody> </table>	Zone	Max. Lot Coverage	Max. Height	Agricultural and Rural Zones (A1, A2, A3, A4)	5% for lots greater than 1 ha in size  For lots less than 1 ha in size, the lessor of 2.5% or 100m <sup>2</sup>	5m	Residential Hamlet (RH)	The lessor of 2.5% or 100m <sup>2</sup>	5m	Residential Lakeshore (RLS)	The lessor of 2.5% or 100m <sup>2</sup>	5m	Commercial Zones (C1, C2, C3)	The lessor of 5% or 100m <sup>2</sup>	5m	<p>h) Access to the <i>secondary suite</i> shall be provided from the same driveway that provides access to the <i>single detached dwelling</i> on the <i>lot</i>.</p> <p><b>4.21 Accessory Buildings</b> <b>Table 2: Accessory Building Requirements</b></p> <p>Maximum Lot Coverage</p> <table border="1" data-bbox="1169 570 1885 1052"> <thead> <tr> <th>Zone</th> <th>Max. Lot Coverage<sup>(1)</sup></th> <th>Max. Height</th> </tr> </thead> <tbody> <tr> <td>Agricultural and Rural Zones (A1, A2, A3, A4)</td> <td>4%</td> <td>8m</td> </tr> <tr> <td>Residential Hamlet (RH)</td> <td>4%</td> <td>6.5m<sup>(2)</sup></td> </tr> <tr> <td>Residential Lakeshore (RLS)</td> <td>4%</td> <td>6.5m<sup>(2)</sup></td> </tr> <tr> <td>Commercial Zones (C1, C2, C3)</td> <td>5%</td> <td>8m</td> </tr> <tr> <td>Industrial Zones (M1, M2)</td> <td>5%</td> <td>8m</td> </tr> </tbody> </table> <p>(1) The lot coverage for the accessory building and other buildings must also conform to the overall lot coverage requirements for the respective zone, as identified in Table 6, Table 10, Table 14 and Table 18.</p> <p>(2) Where a secondary suite is located on the second storey of an accessory building within the Residential Hamlet (RH) and Residential</p>	Zone	Max. Lot Coverage <sup>(1)</sup>	Max. Height	Agricultural and Rural Zones (A1, A2, A3, A4)	4%	8m	Residential Hamlet (RH)	4%	6.5m <sup>(2)</sup>	Residential Lakeshore (RLS)	4%	6.5m <sup>(2)</sup>	Commercial Zones (C1, C2, C3)	5%	8m	Industrial Zones (M1, M2)	5%	8m
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By-law Section	Existing Text	Proposed Amendment										
	<p><b>Setbacks for Industrial Zones</b> Current by-law does not contain accessory building provisions for the Industrial zones.</p>	<p>Lakeshore (RLS) zones, the maximum height shall be 8m.</p> <p><b>Setbacks for Industrial Zones</b></p> <table border="1" data-bbox="1167 423 1923 976"> <thead> <tr> <th data-bbox="1167 423 1318 643">Zone</th> <th data-bbox="1318 423 1470 643">Min. Setback from <i>Front Lot Line</i></th> <th data-bbox="1470 423 1621 643">Min. Setback from <i>Exterior Side Lot Line</i></th> <th data-bbox="1621 423 1772 643">Min. Setback from <i>Interior Side Lot Line</i></th> <th data-bbox="1772 423 1923 643">Min. Setback from <i>Rear Lot Line</i></th> </tr> </thead> <tbody> <tr> <td data-bbox="1167 643 1318 976">Industrial Zones (M1, M2)</td> <td data-bbox="1318 643 1470 976">Greater than the <i>front yard setback</i> of the principal <i>building on a lot</i></td> <td data-bbox="1470 643 1621 976">6m</td> <td data-bbox="1621 643 1772 976">0.6m or 3m abutting a Residential Zone</td> <td data-bbox="1772 643 1923 976">0.6m or 3m abutting a Residential Zone</td> </tr> </tbody> </table>	Zone	Min. Setback from <i>Front Lot Line</i>	Min. Setback from <i>Exterior Side Lot Line</i>	Min. Setback from <i>Interior Side Lot Line</i>	Min. Setback from <i>Rear Lot Line</i>	Industrial Zones (M1, M2)	Greater than the <i>front yard setback</i> of the principal <i>building on a lot</i>	6m	0.6m or 3m abutting a Residential Zone	0.6m or 3m abutting a Residential Zone
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<p><b>Section 5: Parking &amp; Loading Provisions</b></p>	<p><b>Table 3: Parking Requirements</b> No requirement listed for municipal offices, municipal operations centres, fire halls, libraries.</p>	<p><b>Table 3: Parking Requirements</b></p> <table border="1" data-bbox="1167 1125 1923 1312"> <thead> <tr> <th data-bbox="1167 1125 1545 1162">Use</th> <th data-bbox="1545 1125 1923 1162">Requirement</th> </tr> </thead> <tbody> <tr> <td data-bbox="1167 1162 1545 1312">municipal office, municipal operations centres, fire halls, libraries</td> <td data-bbox="1545 1162 1923 1312">Sufficient number to accommodate the employees of and the visitors to such use.</td> </tr> </tbody> </table>	Use	Requirement	municipal office, municipal operations centres, fire halls, libraries	Sufficient number to accommodate the employees of and the visitors to such use.						
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<b>By-law Section</b>	<b>Existing Text</b>	<b>Proposed Amendment</b>
<b>Section 15: Maps</b>	Current by-law does not contain mapping for the Township's Hamlets.	Include Maps 33-40 for the Township's Hamlets (to be provided in advance of the public meeting).

**TO:** Mayor Grant & Members of Council

**FROM:** Richard Nan, Manager of Operations

**DATE OF MEETING:** March 19, 2024

**SUBJECT:** Award for Ball Diamond Washroom Upgrade

---

**RECOMMENDATION(S):**

**THAT** PWSR 007-2024 respecting award for the Ball Diamond Washroom Upgrade be received; and

**THAT** Council direct the Manager of Operations to engage the services of Serianni Construction Ltd to complete the project for the Ball Diamond Washroom Upgrade.

**EXECUTIVE SUMMARY:**

As Council is aware, The Township of Wainfleet became the recipients of a substantial grant for the Township of Wainfleet Community Complex Renovation. The project grant submission included installation of field drainage tile on approximately 16 acres of sports fields, as well as, improvements to lane way and parking lot drainage, installation of a walking trail, a new pavilion, renovation of tennis courts, washrooms and fencing and a facility lighting upgrade.

Staff prepared a Request for Quotation for the Ball Diamond Washroom Upgrade in accordance with the Township Purchasing and Procurement Policy and the results of that tender are listed below.

**BACKGROUND:**

The Township Recreation Master Plan recommended various upgrades to our facilities including the Arena and the sports complex. The Arena received significant improvements in the past 5 years and staff were prioritizing various improvements to our recreation complex to be implemented over a period of time as capital funds became available and approved during budget deliberations. Staff met with user groups of our facilities to gauge the needs of the groups and community to coordinate these various upgrades.

In 2019, staff prepared a submission for a grant to include installation of field drainage tile on approximately 16 acres of sports fields, improvements to lane way and parking lot drainage, installation of a walking trail, a new pavilion, and renovation of the tennis courts, washrooms and fencing and facility lighting upgrade. In late 2021, the Township was notified that they would be the recipients of the ICIP Community, Culture and Recreation grant, allowing for \$1.5 million in eligible expenditures, funded 33.33% provincially 40% federally, and 26.67% municipally. Staff then began the process of implementing the various upgrades over a 4-year period.

To date the Sports Field drainage and Walking Trail have been completed. The final stages and restoration of the electrical supply to the ball diamond facility, replacement of poles and lighting are almost complete. This year’s phase of the project will include the upgrade to the washrooms located at the ball diamond. The project will include removing and resizing the interior footprint inside the building to accommodate an AODA compliant, barrier-free washroom, with new fixtures, partitions, doors and sidewalk around the facility.

During the opening held on February 29<sup>th</sup> 2024, staff received 2 bids to complete the project, bids listed are inclusive of HST.

Company	Bid Price
Serianni Construction Ltd	\$ 72,715.50
McKeen Construction Inc.	\$ 105,642.57

**OPTIONS/DISCUSSION:**

Staff estimated the cost of this portion of the project to be \$ 63,000 utilizing rates available for contracted service and material supply based on **2019** rates when the grant was originally submitted. Prices have significantly increased for materials, fuel and contracted services since that time. The grant submission included a contingency of \$ 317,625.00 that will be utilized for a portion of this project. Additional savings will be realized from the tax rebate.

- 1) That Council direct the Manager of Operations to engage the services of Serianni Construction Ltd to complete the project for the Ball Diamond Washroom Upgrade **(Recommended)**.
- 2) Council provide alternate direction.

**FINANCIAL CONSIDERATIONS:**

As presented to Council during our recent 2024 capital budget deliberations, the project BM.4 – Recreation Complex Improvements – Accessible Washrooms was approved for a budget of \$82,000 and will be funded from the grant received and the Township portion from reserves.

**OTHERS CONSULTED:**

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Chief Administrative Officer | <input checked="" type="checkbox"/> Finance        |
| <input checked="" type="checkbox"/> Clerks                       | <input checked="" type="checkbox"/> Communications |
| <input checked="" type="checkbox"/> Community & Dev. Services    | <input checked="" type="checkbox"/> Operations     |
| <input checked="" type="checkbox"/> Fire                         | <input type="checkbox"/> Other:                    |

**ATTACHMENTS:**

None.

Respectfully submitted by,

Approved by,

---

Richard Nan  
Manager of Operations

---

Mallory Luey  
Chief Administrative Officer

4800 SOUTH SERVICE RD  
BEAMSVILLE, ON L0R 1B1

905-563-8205

February 28, 2024

SENT VIA EMAIL: [Premier@ontario.ca](mailto:Premier@ontario.ca)

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

Dear Honourable Doug Ford:

**RE: Town of Lincoln Council Resolution – Urgent Need for Increased Funding to Libraries and Museums in Ontario**

Please be advised that the Council of the Corporation of the Town of Lincoln at its Council Meeting held on February 26, 2024, passed the following motion regarding an Urgent Need for Increased Funding to Libraries and Museums in Ontario:

Resolution No: RC-2024-23

Moved by Mayor Easton; Seconded by Councillor Mike Mikolic

**WHEREAS** the provincial funding for public libraries is currently based on population levels from 25 years ago, which fails to reflect the substantial growth and changing needs of our communities. The Town of Lincoln Council wishes to draw your attention to the "Overdue" report of 2023 from the Canadian Urban Council, which emphasizes the pivotal role libraries play in various aspects of community life, including knowledge distribution, culture, health, reconciliation, belonging, and our democracy; and

**WHEREAS** libraries, situated at the heart of our communities, serve as multifaceted institutions catering to diverse needs. They provide essential services such as access to culture and information, refuge for those experiencing domestic violence, election information centers, job search facilities, health clinics, language learning centers for newcomers, and spaces for educational and community events. Despite their vital role, public libraries in Ontario have not seen an increase in provincial funding for over 25 years, leading to a decrease in the value of the province's investment by over 60%; and

**WHEREAS** the Town of Lincoln Council urges the Provincial Government to

consider increasing provincial funding for Ontario's public libraries to address critical shared priorities and community needs. While over 90% of library funding comes from local municipal governments, provincial operating funding is crucial for providing stability to library budgets, especially in times of inflation, technological changes, and increasing demands on libraries as community hubs; and

**WHEREAS** the Town of Lincoln Council would like to bring to the Provincial Government's attention the pressing need to increase the funding envelope for the Community Museum Operating Grant (CMOG). The Town of Lincoln currently receives \$25,000 annually, the maximum amount through this grant, but the funding envelope has remained stagnant for over 15 years. This limitation hampers the ability of community museums to offset increasing operational expenses, impacting their role in preserving and promoting local stories, attracting cultural tourists, supplementing school curriculum, and contributing to vibrant and vital communities; and

**WHEREAS** the Lincoln Museum and Cultural Centre is a community hub critical to the health and vibrancy of our community. An increase in CMOG funding will enable our museum to continue its valuable service to the community, creating a sense of place, attracting cultural tourists, and preserving local stories that define our unique identity; and

**WHEREAS** Cultural institutions, particularly museums, play a vital role in shaping and preserving our community's identity. They contribute to tourism, social participation, senior well-being, skill-building, and learning. As the largest government funder for most of Ontario's smaller museums, municipalities create value in their communities through the work of these institutions.

**THEREFORE, BE IT RESOLVED THAT** the Town of Lincoln Council urges the Provincial Government to support increasing funding to both public libraries and community museums. Recognizing these institutions as national assets and strategically investing in their potential will contribute significantly to renewing post-pandemic social cohesion, economic well-being, and community resilience; and

**BE IT FURTHER RESOLVED THAT** this resolution be circulated to the Province, the Minister of Tourism, Culture and Sport, Association of Municipalities of Ontario (AMO), the Niagara Region, the 12 Local Area Municipalities in Niagara and all municipalities of Ontario for endorsement.

**CARRIED**

If you require any additional information, please do not hesitate to contact the undersigned.

Regards,



Julie Kirkelos

Town Clerk

[jkirkelos@lincoln.ca](mailto:jkirkelos@lincoln.ca)

JK/dp

Cc: Premier of Ontario  
Minister of Tourism, Culture and Sport  
Association of Municipalities of Ontario (AMO)  
Ann-Marie Norio, Clerk, Niagara Region  
Local Area Municipalities  
All Ontario Municipalities



82616 Boyle Road,  
R.R. 1 Fenwick, ON, L0S 1C0  
February 23, 2024

Mayor Brian Grant and Wainfleet Council,  
31940 ON-3, Wainfleet, L0S 1V0

Dear Mayor Grant and Council,

At a recent meeting of the Wainfleet Historical Society the members raised the issue of permanent plantings at the Cenotaph. The Society is offering to share the cost of this with the Township.

One member of the Society is a professional gardener. He is willing to design the garden, shop for the plants, and then plant them. As he has done cenotaph planting before, he is aware of the need for a low maintenance arrangement as well as the significance of the plants and their colours that would be used in the design. I have discussed this with Richard Nan who showed enthusiasm for the project. When our gardener has prepared a drawing and an estimate of the cost, I can submit that to you.

Is Wainfleet Council willing to share the cost of permanent planting at the Cenotaph with the Wainfleet Historical Society? I look forward to your reply.

Respectfully yours,

Janet Hodgkins  
President, Wainfleet Historical Society

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**Subject:** Permanent planting at the Cenotaph

**From:** Janet Hodgkins <[wainfleethistoricalsociety@gmail.com](mailto:wainfleethistoricalsociety@gmail.com)>

**Date:** March 11, 2024 at 5:41:24 PM EDT

**To:** Sherri Van Vliet <[SVanVliet@wainfleet.ca](mailto:SVanVliet@wainfleet.ca)>

**Subject:** Permanent planting at the Cenotaph

Hello Councillor Van Vliet,

As President of the Wainfleet Historical Society, I have written to the Mayor and Council with a proposal for permanent planting at the Cenotaph. We are offering to share costs of such planting, and to provide the services of one of our members who is a professional gardener.

This member has prepared a design for the garden. He is willing to shop for the plants and to do the actual planting himself. He owns a gardening business, has taken courses at the University of Guelph, has worked in city parks, has contacted The Legion to discuss the symbolism and colours of certain plants suitable for cenotaphs, and has done cenotaph plantings. His design will be low maintenance, once established.

He is preparing a design sketch of the garden plan and an estimate of the costs.

The gardener and I have been in touch with Richard Nan who is enthusiastic about the garden design.

Do you know if my letter will be on the agenda for the March 19 council meeting? Would you be willing to support our proposal? Should the gardener and I attend the council meeting?

I would be very willing to have a phone conversation with you about this.

I look forward to hearing from you.

Janet Hodgkins  
President, Wainfleet Historical Society  
905-386-6978

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Origin: <https://www.wainfleet.ca/en/town-hall/council.aspx>  
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This email was sent to you by Janet Hodgkins<[wainfleethistoricalsociety@gmail.com](mailto:wainfleethistoricalsociety@gmail.com)> through <https://www.wainfleet.ca>.

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**Subject:** RE: Planting at the Cenotaph

**From:** Janet Hodgkins <[janet.hodgkins@gmail.com](mailto:janet.hodgkins@gmail.com)>

**Sent:** March 11, 2024 3:10 PM

**To:** Richard Nan <[RNan@wainfleet.ca](mailto:RNan@wainfleet.ca)>

**Subject:** Planting at the Cenotaph

Hello Richard,

In February I sent a letter to the Mayor and Council offering for the Wainfleet Historical Society to share costs of permanent planting at the Cenotaph.

Since then Mike the gardener has examined the bed at the cenotaph, measured, and plotted how many plants would be required and where to locate them. He is preparing a drawing. He has shown me the preliminary sketch. He is also determining an estimate of the costs, I believe. Has he been in touch with you about it?

Attached are some photos that Mike took. They show the proposed placement of the cedars, indicated by the stakes, the Karl Foerster grass by the black pots, and the Autumn Joy sedum by the white pots. .

Do you know if this issue will be on the agenda for the next Council meeting on March 19? Would you make a recommendation about it? Should Mike and I attend the Council meeting?

As planting season is soon approaching, the Historical Society is eager to move on this proposal. I appreciate any assistance or advice that you can offer.

Janet Hodgkins  
Wainfleet Historical Society  
905-386-6978

Sent from my iPad







AUTUMN JOY  
SEDUM

KARL FORBSTER  
GRASS

EMERALD CEDAR

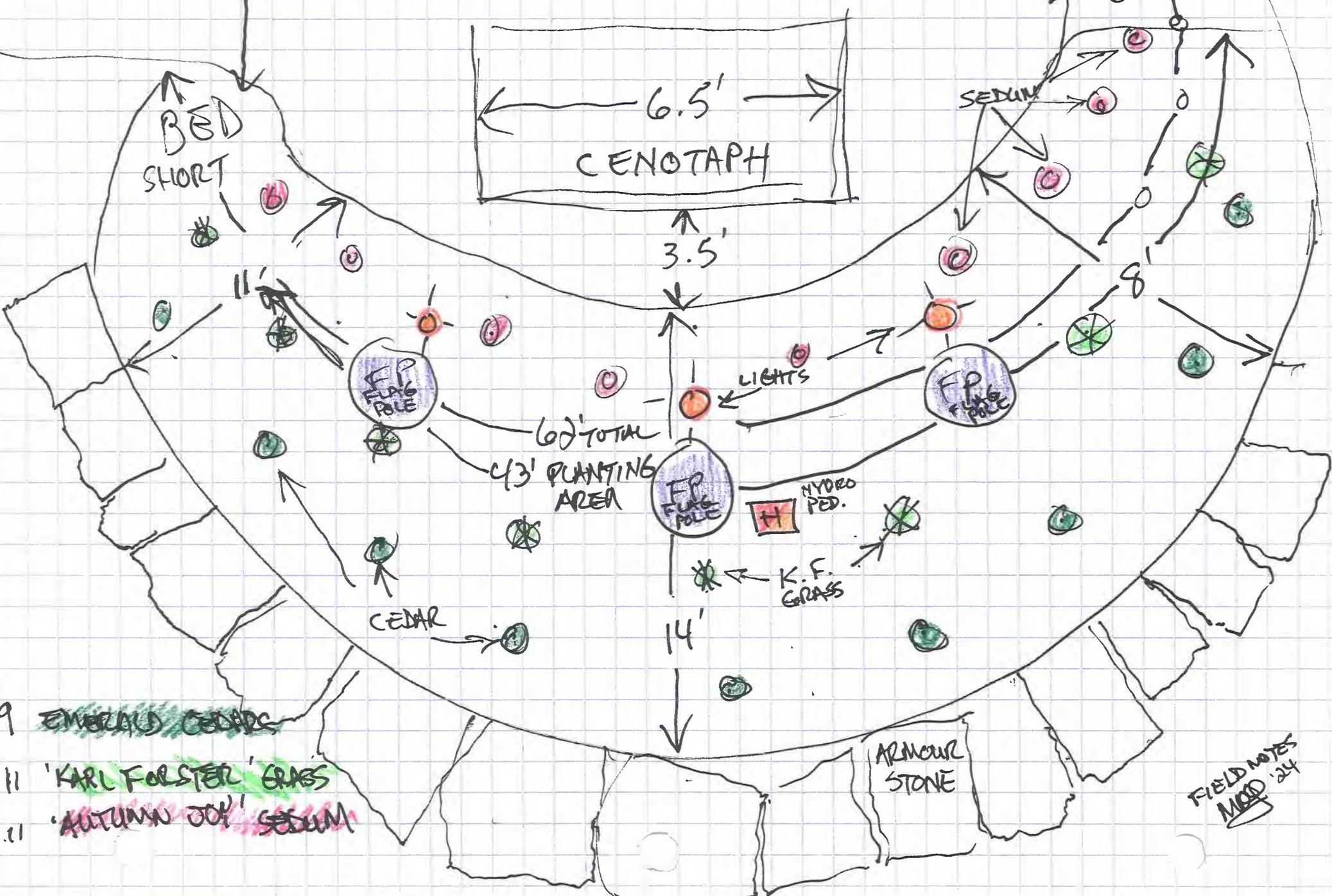
KARL FOERSTER  
GRASS (11)

EMERALD CEDAR  
(9)

AUTUMN JOY  
SEDUM  
(11)

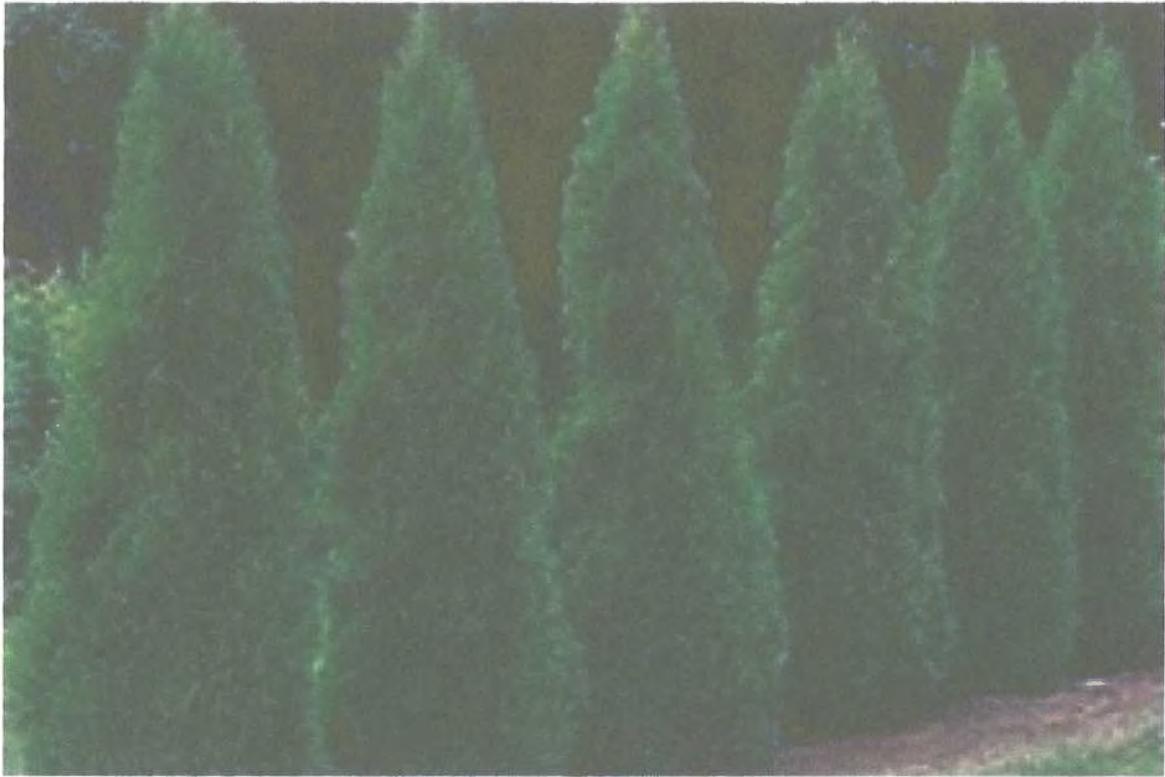


- AREA FOR:
- SALVAGED HOSTAS (DIVIDE)
  - FUTURE BULBS OR ANNUALS



- 9 EMERALD CEDARS
- 11 'KARL FORSTER' GRASS
- 11 'AUTUMN JOY' SEDUM

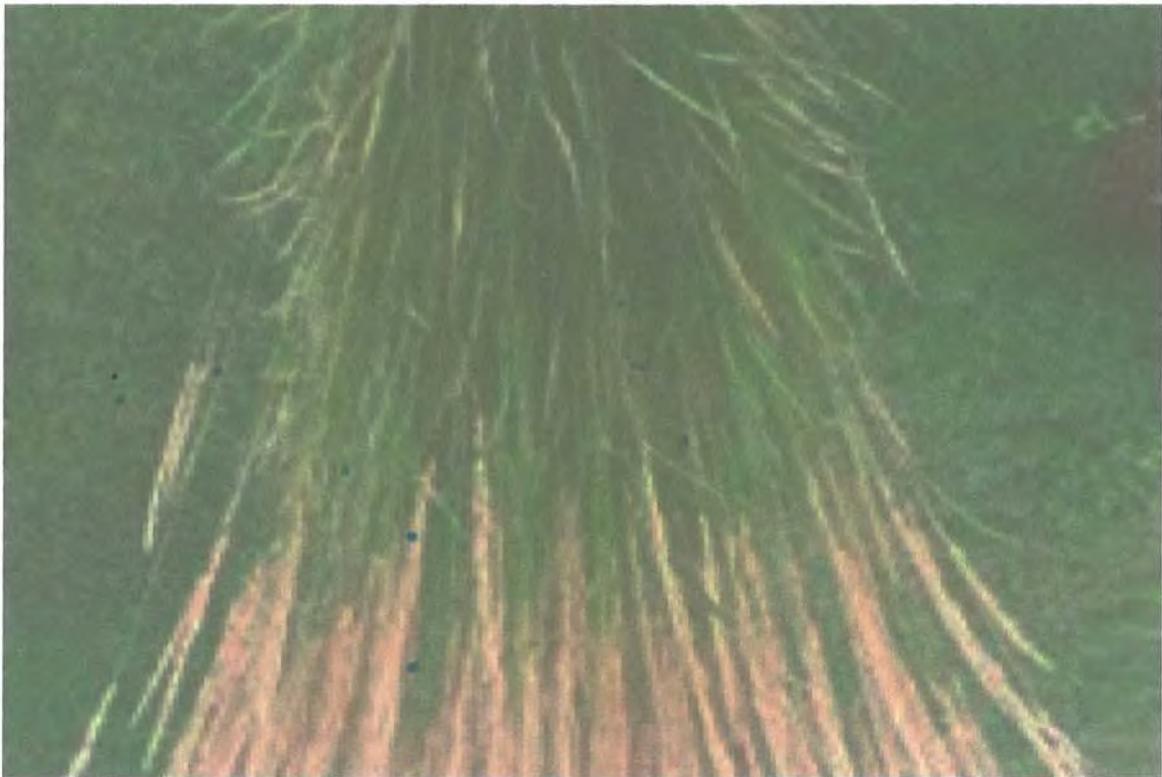
FIELD NOTES  
MAD 24



EMERALD CEDAR



KARL FOERSTER GRASS





AUTUMN JOY SEDUM



I would like to extend a thank you for taking the time to review my proposed temporary change surrounding the half load road bylaws for the location of Marr Road Off highway #3.

I am constructing this letter with the hopes to discuss a onetime change to amend the longevity of the half load road bylaw as they extend until April 30<sup>th</sup>. Myself and fellow businesses located in Wainfleet are understanding of the importance of these across the region and other municipalities as well as the justification surrounding these bylaws to protect our roadways. This is why I am writing this letter to hopefully explain briefly, our hopes for this temporary change. Our winter this year was drastically warmer than most we have seen, and combined with inflation and the need to begin working to keep employees paid we are seeking approval to be able to run the concrete trucks from the plant fully loaded to jobs being completed within the municipality of Wainfleet as early as March 25<sup>th</sup> 2024. Due to the high temps, frost is not present this current year and would not be posing a risk to the overall integrity of our roadways. Unfortunately, the cost to the customer is astronomical as each truck that is only loaded at half capacity or less costs an additional 400\$ per truck to complete the job. With us all finding the need to sharpen our pencils this year to accommodate the ever-rising cost of living this change would be whole heartedly beneficial to numerous Wainfleet based businesses waiting to complete their parts on the jobs after foundations are completed. We again would like to extend a gracious thank you in your time reviewing our letter.

Kindly,  
Steven Den Besten

**THE CORPORATION OF THE  
TOWNSHIP OF WAINFLEET  
BYLAW NO. 010-2024**

Being a bylaw to appoint members to Property  
Standards Committee and Appeals Committee(s)

**WHEREAS** pursuant to the Provisions of Section 5.5 of By-law No. 059-2000 that a Property Standards Committee shall be appointed by Council who shall hold office during the term of Council;

**AND WHEREAS** pursuant to the Provisions of Section 11 of By-law No. 026-2023 that an Appeal Committee shall be appointed by Council to conduct hearings under the Short-Term Rental Licensing By-law;

**AND WHEREAS** pursuant to the Provisions of Section 18 of By-law No. 014-2016 as amended by By-law No. 041-2018 & By-law No. 049-2019 that an Appeal Committee shall be appointed by Council to conduct hearings on appeals of a Notice to Muzzle under the Dog Control By-law;

**AND WHEREAS** the Council of the Corporation of the Township of Wainfleet deems it appropriate to appoint persons to sit as members of such committees;

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

1. **THAT** the following persons be appointed to sit as members of the Property Standards Committee and Appeals Committee(s) for the current term of Council (2022-2026):
  - i. Garry Balicki
  - ii. Diane Chase
  - iii. Mark Feduck
  - iv. Rico Leone
  - v. Sharon McMillan
2. **THAT** the term of office of the persons named in Section 1 of this bylaw shall expire at the end of the current term of Council or until their successors are appointed;
3. **AND THAT** this by-law come into force and take effect on the date of passing.

BY-LAW READ AND PASSED THIS 19<sup>TH</sup> DAY OF MARCH, 2024.

\_\_\_\_\_  
B. Grant, MAYOR

\_\_\_\_\_  
A. Chrastina, DEPUTY CLERK

# THE CORPORATION OF THE TOWNSHIP OF WAINFLEET

## BY-LAW NO. 011-2024

Being a by-law to adopt, ratify and confirm the proceedings of the Council of the Corporation of the Township of Wainfleet its Regular Meeting of Council held February 20, 2024

**WHEREAS** Subsection 5 (1) of the *Municipal Act, 2001*, S.O. 2001, Chapter M.25, as amended, provides that the powers of a municipal corporation are to be exercised by its Council;

**AND WHEREAS** section 5 (3) of the *Municipal Act 2001*, S.O. 2001, Chapter M.25, as amended, provides that, except if otherwise authorized, the powers of Council shall be exercised by by-law;

**AND WHEREAS** it is deemed desirable and expedient that the actions of the Council as herein set forth be adopted, ratified and confirmed by by-law;

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

1. (a) The actions of the Council at its Regular Meeting held March 19, 2024, including all resolutions or motions approved, are hereby adopted, ratified and confirmed as if they were expressly embodied in this by-law.  
  
(b) The above-mentioned actions shall not include:
  - (i) any actions required by law to be taken by resolution, or
  - (ii) any actions for which prior Ontario Municipal Board approval is required, until such approval is obtained.
2. The Mayor and proper officials of the Corporation of the Township of Wainfleet are hereby authorized and directed to do all things necessary to give effect to the above-mentioned actions and to obtain approvals where required.
3. Unless otherwise provided, the Mayor and Clerk are hereby authorized and directed to execute and the Clerk to affix the seal of the corporation of the Township of Wainfleet to all documents necessary to give effect to the above-mentioned actions.
4. This by-law shall come into force on the day upon which it is passed.

BY-LAW READ AND PASSED THIS 19<sup>TH</sup> DAY OF MARCH, 2024

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B. Grant, MAYOR

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A. Chrastina, DEPUTY CLERK