



## March 26, 2025 Council Meeting

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### **Addition to the Agenda Questions received from Council seeking additional information and the corresponding responses provided by staff regarding the March 26, 2025 Council agenda items.**

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6.11 Town of Niagara on the Lake Council Resolution regarding Amendment of Subsection 29(1.2) of the Ontario Heritage Act

-do we have a concern with the current 90 day deadline?

Staff are in support of the Municipality of South Huron motion that was endorsed by the Town of Niagara on the Lake. Staff have attached the information report received by the Town of Niagara on the Lake for Council's information. Staff will prepare a draft resolution.

9.2.2 Report FIN-2025-012 – Fourth Quarter Financial Report – 2024

p. 151 Buildings; regarding the unrealized revenue of \$264k where is it eventually recognized ie in the Building reserve or in the remainder of the Township's unrealized revenue? This is accounted for in the building reserve.

-similarly where is the under expenditure of \$43,308 eventually recognized? This is accounted for in the building reserve.

-also what is the total in the Building reserve as of end of 2024 The building reserve has a balance of \$663K as of December 31, 2024. The 2024 annual building permit report will be reported to Council at an upcoming Council Meeting in accordance with the Building Code Act requirements.

p.168 Parks and Recreation; what is the \$61.5k received from County? This is a year-end invoice to Wellington County for library costs that are recoverable as per the library lease cost sharing agreement. The majority of this amount includes 17% of the one-time capital costs for the parking lot and lighting upgrades at the PCC parking lot that were invoiced back to the County based on the library lease agreement.

p. 177 Works; what is the \$105k in other recoveries? This includes invoices at year-end for subdivisions not yet assumed by the Township and boundary road agreements (ie. City of Hamilton). This also includes the one-time cost recovery from the County of Wellington for the County road closure from January 1, 2024 to the latter part of June 2024.

p. 181 Schedule C; is there data for July to December 2024? Yes it is included in the schedule.

9.3.2 Report ADM-2025-012 – Cambridge District Humane Society Agreement

-what was the budget and expenditure for 2023 and 2024



2023 actual - \$14,527  
2023 budget - \$12,426  
2024 actual - \$15,915  
2024 budget - \$19,499  
2025 budget - \$16,152

#### 6.5 Notice of Increase of Education Development Charges

What is the impact of this to our residents? Does this increase the development charges we collect? Does this apply to ARU's.

This increases the education development charges that are collected from \$2,522 to \$2,822 for the Upper Grand District School Board. The Township also collects development charges for the Wellington Catholic District School Board (approximately \$919), County of Wellington (approximately \$11,435), and the Township of Puslinch (approximately \$8,511)

The chart below, provided by the UGDSB, effectively summarizes the different scenarios in which the EDCs would and wouldn't apply.



### Applicable Fees for Accessory Units

Scenario	Applicability of EDC's
Adding an accessory unit within the footprint of a <b>proposed new dwelling</b> (ex. basement, above garage, attached to, etc.)	EDCs are applicable for each unit.
Adding an accessory unit within the footprint of an <b>existing dwelling</b> (basement, attached to, etc.)	EDCs <b>not</b> applicable as long as total Gross Floor Area (GFA) of proposed units is not larger than the GFA of existing dwelling, and number of exempt units not exceeded.
Adding an accessory unit that will <b>exceed</b> footprint of <b>existing dwelling unit</b>	EDCs are applicable for each unit.
Adding an accessory unit in a <b>proposed new detached garage</b>	EDCs are applicable for each unit.
Adding an accessory unit in a <b>proposed new attached garage to an existing dwelling</b>	EDCs <b>not</b> applicable as long as total GFA of proposed accessory unit is not larger than the GFA of existing dwelling, and number of exempt units not exceeded.
Adding an accessory unit in an <b>existing attached garage to an existing dwelling</b>	EDCs <b>not</b> applicable as long as total GFA of proposed accessory unit is not larger than the GFA of existing dwelling, and number of exempt units not exceeded.
Adding an accessory unit in an <b>existing detached garage</b>	EDCs are applicable for each unit.
A secondary modular dwelling for seasonal farm workers	EDCs are applicable as long as modular dwelling has kitchen and washroom included for the exclusive use of the occupant of the modular dwelling.
Supportive Housing containing multiple units with a <b>common kitchen facility</b>	EDCs are applicable based on number of kitchen facilities. With a single kitchen facility, this would constitute one dwelling unit and therefore would be exempt.
Supportive Housing containing multiple units containing <b>separate washroom and kitchen facilities for exclusive use of the person(s) living in the unit</b>	EDCs are applicable for each unit.

As a general rule, an addition to an existing dwelling that will contain an accessory dwelling unit **will not be** subject to EDCs provided,

1. addition is attached to the existing dwelling rather than free standing;
2. total size (i.e. in case of 2 ADUs, combined GFA) not greater than existing dwelling and the size limitations are met;
3. regardless if the addition is horizontal or vertical, (i.e. adding a second or third floor).;
4. number of exempt units not exceeded. (see chart below)

#### Number of Additional Dwelling Units Subject to Exemption by Unit Type and Subject to Size Restrictions

Detached	Maximum units 2. Total GFA of unit or units is less than GFA of original dwelling.
Semi-detached, Townhouse & Apartment	Maximum units 1. Total GFA of unit is less than GFA of original dwelling.

NOTE: If building permit is applied for the first ADU, and it meets the above noted criteria, the ADU will be exempt. However, if a second ADU is added and the total GFA of the two units combined is larger than the main dwelling, EDC will be eligible. If Building Permits for both ADUs are applied for at the same time, the total GFA of the combined units shall be less than the main dwelling to be eligible for exemption.

"Dwelling unit" means a room or suite of rooms used, or designed or intended for use by one person or persons living together, in which the necessary facilities are provided for the exclusive use of such person or persons, and shall include, but is not limited to, a dwelling unit or units in a detached home, mobile home, duplex, triplex, semi-detached dwelling, single detached dwelling, stacked townhouse and townhouse.

"Existing" means Occupancy Permit has been provided and the dwelling is habitable.

"Exempt" refers to number of units where EDCs are not charged; exceeding that number, EDCs are charged

"SF" means Single Family Detached dwelling

"SD" means Semi-detached dwelling

"TH" means Townhouse attached dwelling

"APT" means Apartment dwelling



### 9.3.2 re: Cambridge Humane Society contract

Do we have any data on calls to Puslinch? What are the main reasons for calls? The current tags are stamped vs etched, what is the reason for the change? Is this for cost savings? Is there any resident feedback on using the Cambridge program?

The Township does not receive statistical reporting from the Cambridge District Human Society with respect to the number of calls or the reasons for each call. Staff have contracted the Cambridge District Humane Society to request this information and will report back at a future Council meeting if the information is not received in time for the March 26<sup>th</sup> meeting.

With respect to the design changes of the Township's Dog Licensing, staff have contacted DocuPet and will report back at a future Council meeting if the information is not received in time for the March 26<sup>th</sup> meeting.

### 6.9 City of Woodstock regarding speeding, distracted driving and impaired driving

Do we know if the County Roads Committee has discussed the Good Roads Rural Road Safety Program for all County municipalities? Suggest we forward this resolution to the County Roads Committee and send a copy to Wellington County Safe Communities Committee. I'd like to see support come from the County representing all member municipalities rather than each of us doing it independently. Staff can have a draft motion prepared.

AMPS - p.219 "RCF Fee" does not appear to be defined

"RCF" will be replaced with "NSF" which is included as a defined term.

### AMPS

#### Technology Policy

-in the following instances of "should" consider replacing with more positive wording such as "will"

-p3 re" (b) Training of all employees that may have access to PII and sensitive Township data.

-p4 Security Training

-p4 Contingency Planning

-p6 Encryption

-p7 Termination of Access (3 instances)

-p9 Content of Notification ( 1 instance)

-p10 Substitute Notification

-p 13 and 14 Network Security (11 instances)

-p 16 Automatic Logout (1 instance)

-p16 Encryption and Decryption (7 instances)

-p21 Facility Security Plan (4 instances)

Staff will review and replace "should" with "shall" where appropriate in the next draft of the policy.

-p4 who will be assuming the role of a Security Officer?

The Director of Corporate Services/Municipal Clerk or their designate will be the Security Officer



-p8 who will be assuming the role of a Privacy Security Officer? Is it the same as Security Officer?

Yes, staff will remove the word “Privacy” from this title.

-p12 why is retention period only 3 years?

The MTO ARIS Agreement application requires that final incident reports with respect to Privacy Default Protocols must be retained for a minimum of three years. Staff recommend that this minimum be accepted as the retention period unless a situation requires records to be retained for a longer period.

-p15 item 7 policy should be definite on how many times will login attempts will be permitted before being locked out.

Staff will work with the Township’s Managed IT Service Provider to update this section in the next draft of the Policy.

-p16 Automatic Logout; policy should state a definite time

Staff will work with the Township’s Managed IT Service Provider to update this section in the next draft of the Policy.

-p 16 Encryption and Decryption 21b; is it feasible for us to implement 2 factor authentication?

The Township has enabled two factor authentication where feasible in accordance with recommendations from our Managed IT Service Provider and will continue to do so should this policy be approved. Enabling two factor authentication may not be feasible or an option for all applications.

-p. 24 Computer Use Requirements; it should be stressed that emails are considered as public documents that are subject to Freedom of Information requests unless specifically protected by solicitor client privilege.

When staff onboard with the Township, training on records management and Municipal Freedom of Information Requests is provided as records management is integral to Township operations, in addition to compliance with Legislation. Staff are currently drafting an updated retention by-law and associated policies/procedures to be considered by Council later this year. This will include additional training on records management, Municipal Freedom of Information Requests, and Routine Disclosure requests. Information regarding access to information, such as emails, is included in this training.

#### Preventing Political Interference

-p2 who will assume role of hearing officers?

Staff are working to create strategic partnerships with other municipalities to cross appoint staff and retired staff to assume the role of hearing officers through the development of a roster system. During selection and development of the roster, attention will be paid to appointing staff with a background in specific by-laws (such as parking, site alteration, etc.)

#### Financial Management and Reporting

##### 7. Method Payment

-p. 5 Item 1 – is there a need to include the word “voluntary”?



If a person who has been issued a penalty notice does not pay for the notice voluntary then the Township may take action to recover the fine through other legislated options.

p. 6 top of page has some formatting issue

Staff will address all formatting issues in the next draft of the policy.

#### Public Complaints

-no comment

#### Undue Hardship

-p.3 7. Documentation to support Financial Hardship; why not include income tax statement up first?

Staff can amend the policy to include income tax statements which may be considered in relation to Statistics Canada Low Income cut-offs (LICOs) in addition to other evidence oral or documentary. Staff will report back with the next draft of the policies on recommended options.

#### Conflict of Interest and Code of Conduct

-what sort of individuals assume the role of screening and hearing officers in other jurisdictions with AMPS?

With respect to screening officers, it is common practice that screening officers are existing municipal employees at the municipality administering AMPS – with the exception of the officer that issued the fine. With respect to hearing officers, it is common to see consultants with relevant experience (such as being previously employed by a municipality) appointed as hearing officers. Staff are seeking to create strategic partnerships with other municipalities to have a mix of current staff and consultants through a roster system with relevant experience to act as each other's hearing officers.

#### Screening and Hearing Officer Appointment

- p. 4 7.2 Review and Appointment; wouldn't Council make the final approval of the selection of the screening and hearing officers via a bylaw?

-will there be a job description for the screening and hearing officers for review and comment?

Staff recommend that the Director being given delegated authority to appoint screening and hearing officers. This is the common practice among other municipalities with AMPS. This allows flexibility as well as minimizes the real or perceived potential for political interference. There is no job description for the appointment, a simple retainer letter will be utilized outlining the appointment and the rate of pay. The AMPS policies, By-laws, and legislation will be used to provide instruction on the duties of the appointment.

-presentation indicates that screening officer is a Township employee. This should be clear in this report

Staff will ensure this is clear in the April 16<sup>th</sup> presentation to Council.



#### Slide Presentation

-slide 12 do we need to move on all bylaws at once?; Would it make sense to concentrate on the more urgent ones first such as the Site Alteration and Heavy Vehicles bylaws?

Staff are proposing moving the by-laws listed in the presentation as they already have established set fines and the process to amend their by-laws is straightforward. With the exception of the Township's Parking By-law the proposed by-laws will be able to be enforced under the POA or AMPS at the discretion of the officer. Staff have additional by-laws which require further review or significant changes in order to be brought forward under AMPS which will be brought to Council in the future.

#### BL2025-XXX Screening and Hearing Officer AMPS

-please comment whether it would be appropriate for Council to be involved in the selection of hearing and screening officers?

It has been established as a best practice that the Municipal Clerk be responsible for the appointment of hearing and screening officers as the AMPS is a program that is to be run at an arm's length from Council. This allows flexibility as well as minimizes the real or perceived potential for political interference. It is beneficial to the Township to be able to work strategically with other municipalities to create a robust roster of industry staff experts in order to provide this program efficiently and fairly.

#### General

-when will the processes for hearings and screenings be developed for legal review and adoption by Council?

As AMPS is to operate at an arm's length from Council, staff will be developing internal processes for hearing and screening officers to follow and is consistent with best practices. Staff are working with various municipalities and researching best practices for these processes. Senior leadership members are also attending training in May of this year regarding adjudication and procedural practices which will assist in the development of processes and training materials for screening and hearing officers.

-some of the more contentious bylaw infractions will likely include legal counsel representing the appellant at the screenings and/or hearings. Should this occur will we also have legal counsel at these sessions?

Staff do not anticipate having Township legal counsel present at hearings. When a member of the public disputes a penalty notice under AMPS they are not able to dispute the provisions of the by-law itself. They may dispute that a ticket was issued incorrectly or that there is justification to reduce or cancel a ticket. The only mechanism to dispute the provisions of a Township by-law is through an application to Ontario Superior Court of Justice.