MUNICIPALITY OF NORTH MIDDLESEX
REGULAR MEETING
AGENDA

Wednesday, December 4, 2024
6:00 p.m.
Hybrid Meeting (both in person and electronic participation)

Click on the link below for viewing the Open Meeting
North Middlesex You Tube Channel

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1. CALL TO ORDER

2. DISCLOSURE OF PECUNIARY INTEREST
(*Municipal Conflict of Interest Act – Section 5* requires any member of Council to declare a pecuniary interest and general nature thereof, prior to any consideration on that matter. Where the interest of a member of Council has not been disclosed by reason of the member's absence from the meeting, to disclose the interest at the first open meeting attended by the member of Council and otherwise comply with the Act. The disclosures become part of a Public Registry as required under the Act.

3. MINUTES OF PREVIOUS MEETINGS

3.1 Meeting Minutes for November 20, 2024

Recommended Motion:
THAT the attached minutes be approved as presented

4. Notice of Public Meeting to consider Application ZBA-23-2024 located at 3610 West Corner Drive - Gokstorp

Recommended Motion:
That Application

4.1 Planners Evaluation Report

4.2 Provision for Applicants Remarks

4.3 Provision for Written Submissions

4.4 Provision for Public Comments

4.5 Provision for Council Questions

4.6 Decision

Recommended Motion:
THAT the subject report for Official Plan Amendment OPA-16 and Zoning By-law Amendment ZBA-23-2024, be received for information.

5. DELEGATIONS

6. DEPARTMENTAL REPORTS

6.1 Report from Brandon McLeod, Manager of Public Works

1. Asphalt Program 2025

Recommended Motion:
THAT Council receives the Asphalt Program 2025 report for information; AND THAT Council pre-approve the Sylvan Road Reconstruction, and the Extension of Approaches on Nairn Road and Parkhill Drive, for $799,720.00 in the 2025 budget;

6.2 Report from Ralph D'Alessandro, Director of Finance / Treasurer

1. Ontario Infrastructure and Lands Corporation - Debenture

Recommended Motion:
THAT Council consider By-Law #99 of 2024 being a by-law to authorize borrowing from Ontario Infrastructure and Lands Corporation (OILC) for capital works through the issuance of a debenture, under the By-law section of this Agenda.

7. COMMITTEE REPORTS

7.1 Lake Huron Primary Water Supply Joint Mgmt Board

7.2 ABCA (Cr. Cornelissen)

1. Councillor Cornelissen Highlights of the November 21, 2024 - Agenda and Reports

7.3 BWRA (Cr. Keogh)

7.4 EDAC (Cr. Nirta, Cr. Irwin, Deputy Mayor Hodgins)

7.5 LSAC (Cr. Irwin, Deputy Mayor Hodgins)

1. Approved Minutes - June 13, 2024

7.6 Recreation Committee (Cr. Daigle, Cr. Keogh, Cr. Nirta)

1. Minutes - September 24, 2024

2. Futuresign Dressing Room Signage
<u>Committee Recommendation</u>

THAT The Committee recommend to Council in proceeding with Future Signs for the dressing room board signage.

RC#011/2024
WISEMAN/KEOGH
CARRIED

1. Report to Council from Brandon Drew, Director of Economic Development and Community Services - Dressing Room Signage

Recommended Motion:
THAT Council receive the report titled dressing room signage;

AND THAT Council authorize the Director of Economic Development & Community Services to enter into an agreement with Futuresign Multimedia Displays Inc. to provide digital dressing room signage at no cost to the Municipality.

7.7 Policies Review Committee (Mayor Ropp, Deputy Mayor Hodgins, Cr. Daigle)

1. Electronic Sign Policy

Recommended Motion:
THAT the updated Electronic Sign Policy be approved.

2. Utility Collection and Billing
The proposed policy may supersede existing By-laws, as such it must itself be part of a By-law.

Recommended Motion:
THAT the Utility Collection and Billing Policy be considered under the By-law section of this agenda.

3. Approved Minutes - October 23, 2024

7.8 Fire Committee (Mayor Ropp, Cr. Cornelissen, Cr. Daigle)

7.9 Budget Committee (Mayor Mayor)

7.10 Community Development Fund Committee (Mayor Ropp, Cr. Nirta, Cr. Cornelissen)

7.11 OCWA Client Advisory Board (CAO)

7.12 Middlesex County OPP Detachment Board

8. CORRESPONDENCE

8.1 Middlesex-London Board of Health Meeting Summary - November 21, 2024

9. OTHER AND URGENT BUSINESS

10. DEFERRED ITEMS FROM PREVIOUS MEETINGS

11. COMMUNICATIONS (Including County Council Meeting Report)

11.1 County Council Highlights - November 26,2024

12. READING OF THE BY-LAWS

Recommended Motion:
THAT By-laws 092 of 2024, 093 of 2024, and 099 of 2024 be read a first and second time.

Provision for questions

Recommended Motion:
THAT By-laws 092 of 2024, 093 of 2024, and 099 of 2024 be read a third and final time

12.1 092 of 2024 - Confirming

12.2 093 of 2024 - Utility Collection and Billing Policy

12.3 099 of 2024 - OILC Debenture

13. CLOSED MEETING (Under Section 239 of the Municipal Act)

Recommended Motion:
THAT the Open Meeting adjourn to Closed Meeting at _____
To receive information under the following exception:

- Previous Closed Minutes
- Personal matters about an identifiable individual, including municipal or local board employees;

13.1 Previous Minutes

13.2 239(2)(b) personal matters about an identifiable individual, including municipal or local board employees;

14. CONSIDERATION OF MATTERS ARISING FROM CLOSED MEETING

Recommended Motion:
That the Closed Meeting adjourn and return to Open Meeting at with/without the recommendations

15. ADJOURNMENT

Recommended Motion:
That the Meeting adjourn at _____

MUNICIPALITY OF NORTH MIDDLESEX

REGULAR MEETING MINUTES

November 20, 2024, 6:00 p.m.

Members Present:	Mayor Brian Ropp Deputy Mayor Paul Hodgins Councillor Ward 1 Sara Nirta Councillor Ward 2 Bill Irwin Councillor Ward 3 Charles Daigle Councillor Ward 4 John Keogh Councillor Ward 5 Adrian Cornelissen
Staff Present:	Recreation and Facilities Manager Brandon Drew Chief Building Official, Arnie Marsman Drainage Superintendent, Joanne Sadler Executive Assistant/HR Coordinator, Donna Vanhooydonk Director of Corporate Services / Clerk, Alan Bushell Chief Administrative Officer, Carolyn Tripp Felicia Krista, Economic Development & Communications Coordinator Director of Finance/Treasurer, Ralph D'Alessandro

The Regular Meeting of the Council of the Municipality of North Middlesex was held under the provisions contained within the North Middlesex Procedural By-law and may be held in whole or in part without physically being present at 229 Parkhill Main Street, Parkhill.

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1. CALL TO ORDER

Mayor Ropp called the meeting to order at 6:00 p.m. with a quorum present by way of livestream on the North Middlesex You Tube Channel.

2. DISCLOSURE OF PECUNIARY INTEREST

(*Municipal Conflict of Interest Act – Section 5* requires any member of Council to declare a pecuniary interest and general nature thereof, prior to any

consideration on that matter. Where the interest of a member of Council has not been disclosed by reason of the member's absence from the meeting, to disclose the interest at the first open meeting attended by the member of Council and otherwise comply with the Act. The disclosures become part of a Public Registry as required under the Act.

3. MINUTES OF PREVIOUS MEETINGS

3.1 Meeting Minutes for November 6, 2024

Moved By: C. Daigle
Seconded By: S. Nirta

THAT the attached minutes be approved as presented.

CARRIED

4. DELEGATIONS

4.1 Bog Line Smoke Show - BBQ Festival

Nick Ince provided a presentation on behalf of the organization.

Moved By: B. Irwin
Seconded By: S. Nirta

THAT the presentation be accepted as information.

CARRIED

5. DEPARTMENTAL REPORTS

5.1 Report from Brandon Drew, Director of Economic Development and Community Services

5.1.1 Bog Line Smoke Show Event

Moved By: S. Nirta
Seconded By: B. Irwin

THAT Council endorse the Bog Line Smoke Show as a Municipally Significant Event;
AND THAT Council authorize the Director of Economic Development and Community Services to execute a three-year agreement with Bog Line Smoke Show for use of the current Parkhill Fair Grounds;

AND THAT Council direct staff to charge no fee for their inaugural year and charge them the cost of staffing for years two and three.

CARRIED

5.2 Report from Arnie Marsman, Chief Building Official

5.2.1 Third Quarter 2024 Building Activity Summary

Moved By: C. Daigle
Seconded By: J. Keogh

THAT the Third Quarter 2024 Building Activity Summary be received for information.

CARRIED

5.3 Report from Joanne Sadler, Drainage Superintendent

5.3.1 Petition for Drainage Works by Owners (Section 4 Request) – New Municipal Drain

Moved By: P. Hodgins
Seconded By: J. Keogh

THAT Council Receive the Petition for Drainage Works by Owners for a new municipal drain according to section 4 of the Drainage Act.
THAT Council appoints Spriet Associates Ltd., as engineer to the project.

CARRIED

5.4 Reports from Felicia Krista, Economic Development and Communications Coordinator

5.4.1 Community Improvement Plan - Lucan Country Gardens

Moved By: C. Daigle
Seconded By: P. Hodgins

THAT Council award Lucan Country Gardens located at 34603 Richmond St, with $1,329.37 upon completion of their proposed rural economic development project as per the Municipality's Community Improvement Plan.

CARRIED

5.4.2 Community Improvement Plan - Four Seasons Fashions, Gifts and More

Moved By: S. Nirta
Seconded By: B. Irwin

THAT Council award Four Seasons Fashions, Gifts and More located at 214 Parkhill Main St., Parkhill with $1380.96 upon completion of their proposed beautification project as per the Municipality's Community Improvement Plan.

CARRIED

6. COMMITTEE REPORTS

6.1 Lake Huron Primary Water Supply Joint Mgmt Board

Next meeting December 5, 2024.

6.2 ABCA (Cr. Cornelissen)

6.2.1 Minutes and Agenda

6.2.2 Draft - 2025 Budget, Municipal Levies, and Meeting Notice

6.3 BWRA (Cr. Keogh)

6.4 EDAC (Cr. Nirta, Cr. Irwin, Deputy Mayor Hodgins)

6.5 LSAC (Cr. Irwin, Deputy Mayor Hodgins)

The Trustees recommended that they constantly keep numbers regarding North Middlesex building and population growth up to date for consideration.

Verbal Recommendations from Councillor Irwin:
Recommended a delegation at the ROMA conference from the Municipality.
The CAO directed staff to arrange for a delegation at ROMA.

6.6 Recreation Committee (Cr. Daigle, Cr. Keogh, Cr. Nirta)

6.7 Policies Review Committee (Mayor Ropp, Deputy Mayor Hodgins, Cr. Daigle)

6.7.1 Draft Minutes

6.7.2 Firefighter Employment Status

Moved By: P. Hodgins
Seconded By: B. Irwin

THAT Council accept this report and approve the Employment Status of Firefighters policy.

CARRIED

6.7.3 Firefighter Remuneration Policy

Moved By: C. Daigle
Seconded By: S. Nirta

THAT Council accept this report and approve the revised Firefighter Remuneration Policy (FD-2024-3).

CARRIED

6.8 Fire Committee (Mayor Ropp, Cr. Cornelissen, Cr. Daigle)

6.9 Budget Committee (Mayor Mayor)

6.10 Community Development Fund Committee (Mayor Ropp, Cr. Nirta, Cr. Cornelissen)

6.10.1 Community Development Fund Policy

Moved By: C. Daigle
Seconded By: S. Nirta

THAT the Community Development Fund Policy be approved and effective immediately;
AND THAT to the satisfaction of the Director of Economic Development and Community Services, the Schedules constituting the application forms attached to the Community Development Fund Policy, be updated to reflect the changes in the policy upon closure of the current application window.

CARRIED

6.10.2 Draft Minutes

A request has been made by the Committee that the following resolution be shared with Council as information:

"THAT Council be informed that financial reporting requirements will likely be requested as updates in the 2025 policy review;
AND THAT the items of possible review could include but are not limited to:
· 10% holdbacks prior to reporting being submitted on large applications.
· Financial reporting deadlines.
· Possible disqualification of further applications for failure to report."

6.11 OCWA Client Advisory Board (CAO)

6.12 Middlesex County OPP Detachment Board

The inaugural meeting was held.
Initial discussions focused on statistics in the area, and the financial implications. It was established that they would have four meetings a year, with the next meeting taking place in February.

7. CORRESPONDENCE

7.1 OPP Funding - Townships of Tweed, Horton, and Howick

Moved By: J. Keogh
Seconded By: B. Irwin

THAT Council supports the circulated initiatives.

CARRIED

7.2 Ontario Building Code - Township of Papineau-Cameron

8. OTHER AND URGENT BUSINESS

Councillor Cornelissen - Asked for an update on the water billing. CAO Tripp - Water bills should be ready for public distribution in the upcoming weeks. No interest will be accrued during the Postal Strike.

Councillor Daigle - Requested clarification if the water bills being circulated are the most current cycles. CAO Tripp - It is the current cycle.

Councillor Irwin - Expressed to Council that he would like to explore the implications of the Craigwood facility closing.

Councillor Daigle - Concerned about deer jacking/poaching in the region. Would like the police to address the issue. Councillor Keogh - Suggested calling the Ministry of Natural Resources.

Councillor Daigle - Expressed concern in regards to factory farms causing road damage. Would like to have a study done that includes researching what other municipalities have done to deal with the issue, with a focus on cost recuperation.
Councillor Irwin - Provided an open invitation to a tour of Try Recycling on November 28th.

CAO Tripp & Council - A request will be made to the Ministry of Natural Resources for a delegation regarding coyote control.

8.1 Henderson Drain - Clerical Error

The Clerk of the Municipality is authorized to correct clerical errors on documents, including By-Laws. A clerical error has been discovered on a drainage by-law from 2022, which means both the current Clerk and Drainage Superintendent are not the same people that originally worked on it.

Seeing as the staff involved are no longer with the corporation, the Clerk is bringing the issue to Council so that clear and concise direction can be made to satisfy a Provincial Ministry request for correction.

Relevant information supporting the correction:

- The Court of Revision being the body that provides an open and transparent mechanism for landowners to question the assessments, had the correct information.
- The By-law had inadvertently reported the Net Assessment instead of the Total Assessment, which is not in line with the direction of the Court of Revision.
- It is advantageous to the Municipality to correct the clerical error.
- The Clerk having reviewed the documentation, is of the opinion that this was a clerical error, not in line with the spirit and intent, and through that the direction of Council of the time.

Moved By: C. Daigle
Seconded By: P. Hodgins

THAT the clerical error on By-law 54 of 2022 be corrected to define the estimated total costs of drainage work be $166,700.00.

CARRIED

9. DEFERRED ITEMS FROM PREVIOUS MEETINGS

10. COMMUNICATIONS (Including County Council Meeting Report)

10.1 Middlesex County - Council Highlights - November 12, 2024

11. READING OF THE BY-LAWS

Moved By: C. Daigle
Seconded By: J. Keogh

THAT By-law 091 of 2024 be read a first and second time.

(Provision for questions)

CARRIED

Moved By: P. Hodgins
Seconded By: B. Irwin

THAT By-law 091 of 2024 be read a third and final time.

CARRIED

11.1 091 of 2024 - Confirming

12. CLOSED MEETING (Under Section 239 of the Municipal Act)

Moved By: S. Nirta
Seconded By: C. Daigle

That the Open Meeting adjourn to Closed Meeting, to receive information under the following exception:

CARRIED

12.1 Previous Minutes

12.2 239(2)(b) personal matters about an identifiable individual, including municipal or local board employees;

13. CONSIDERATION OF MATTERS ARISING FROM CLOSED MEETING

Moved By: J. Keogh
Seconded By: P. Hodgins

THAT the Closed Meeting adjourn and return to Open Meeting with the following rise and report:
- Minutes of a previous meeting were approved.
- Council considered a matter protected under section 239(2)(b) of the Municipal Act.

CARRIED

14. ADJOURNMENT

Moved By: S. Nirta
Seconded By: J. Keogh

THAT the Meeting adjourn at 7:46.

CARRIED

EVALUATION REPORT

PLANNING DEPARTMENT

To: Mayor and Members of Council

From: Ashley Sawyer, Planner, County of Middlesex

Date: December 4th, 2024

Re: INFORMATION REPORT
Application for Official Plan Amendment – OPA 16
Application for Zoning By-law Amendment – ZBA-23-2024
Part of Lot 13, Concession 7 ECR, in the geographic Township of McGillivray, Municipality of North Middlesex, County of Middlesex
(3610 West Corner Drive)

Owner/Applicant: Christin (Tina) Gokstorp
Agent: Rita Jabbour, Registered Professional Planner at RJ Planner

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Purpose

The purpose of this report is to provide Council and the public with information on the Official Plan Amendment and Zoning By-law Amendment applications in regard to the statutory Public Meeting requirement. This Public Meeting will provide Council and the public an opportunity to ask questions and seek additional information, as well as provide feedback for consideration. A recommendation report will be brought back before Council at a later date, after feedback from the Public Meeting and the agency circulation has been received and taken into consideration.

Official Plan Amendment

The Official Plan Amendment application (File No. OPA 16) proposes to create a Special Agricultural Policy Area that will permit the specially defined agri-tourism and on-farm diversified use(s), as well as one (1) permanent detached Additional Residential Unit, in addition to the agricultural uses currently permitted on the subject lands.

Zoning By-law Amendment

The Zoning By-law Amendment application (File No. ZBA-23-2024) proposes to rezone the subject lands from 'General Agricultural (A1) Zone' to 'General Agricultural Exception 113 (A1-113) Zone' to specially define and add 'On-Farm Diversified Use,' 'Agri-Tourism Use,' and a detached 'Additional Residential Unit' as permitted uses on the subject lands. The ARU is proposed to have a minimum front yard setback of 15.0 m (49.21 ft) and be located in what the North Middlesex Zoning By-law defines as the front yard of the subject lands. A minimum of 1 parking space per off-grid farm vacation suite is proposed in addition to the required parking spaces. As noted above, the ZBA will ensure that the proposed OFDU is limited to 2% of the lot area up to a maximum of 1.0 ha of land, in accordance with the provincial guidelines.

Background
The subject land is legally described as Part of Lot 13, Concession 7 ECR, in the geographic Township of McGillivray, Municipality of North Middlesex, County of Middlesex, with a municipal address of 3610 West Corner Drive. The subject lands are located on the north side of West Corner Drive, east of McLean Road. Surrounding uses are predominantly agricultural in nature. A portion of the lands are regulated by the Ausable Bayfield Conservation Authority.

The subject lands currently contain a single-detached dwelling, three farm buildings and agricultural lands in crop production. The lands are approximately 39.0 ha (97.16 ac) in size of which approximately 15 ha (37.0 ac) contain natural areas and woodlands. These areas are not currently identified as environmentally significant features. The lands are currently serviced by the municipally owned water system and a privately owned septic system, and there are two existing accesses to West Corner Drive.

The owner/applicant is affiliated with Good Food Farms which is a "women owned and managed social enterprise focused on regenerative farming practices" with their primary products currently focused on outdoor free range pastured chicken products and perennial fruit and nut trees. Good Food Farms currently produces items such as "pre marinated kabobs, seasoned chicken burgers, breakfast patties, honey garlic wings, bone broth, soups, pot pie, quiche, enchiladas, smoked chicken and more." Their business focus primarily is on direct-to-consumer sales through farmer's markets.

The owner/applicant wishes to establish an On-Farm Diversified Use (OFDU) which includes an "Agri-Tourism Use on the lands that is primarily focused on promoting and educating people on the sustainable practices of the farm and the exceptional local whole foods grown in the region, and encouraging people to connect with the natural features of the lands and the area." The owner/applicant wishes to construct three (3) short-term off-grid vacation suites (bunkies) that are sustainably designed and will have an attached greenhouse and covered porch. Each bunkie will be approximately 780 ft² to 1,000 ft² in size, will be powered by solar, will have its own holding tank for water and its own composting toilet. The location of the bunkies will be determined at the time of Site Plan Control. In the future, the owner/applicant "may wish to offer yoga and massage services for patrons, and, establish a commercial kitchen and/or on-farm store where products from livestock raised on the farm can be processed to create value added products which can then be sold." The application notes that these are future considerations that will not currently be included in the Site Plan Control application but may be added through a future amendment as the business evolves.

A key map and the Planning Justification Report, which outlines the proposal in greater detail, is attached to this report.

Policy and Regulation Background
The subject lands are within an 'Agricultural Area' in the Middlesex County Official Plan and contain 'Natural Heritage' features and lands regulated by the Ausable Bayfield Conservation Authority. In the North Middlesex Official Plan, the lands contain the 'Agricultural Area' land use designation and 'Hazard Lands' per 'Schedule A' and 'Woodlands' as per 'Schedule C.' A portion of the property is also designated as a 'Significant Natural Area' per 'Schedule C' of the North Middlesex Official Plan. The

subject lands are currently zoned 'General Agricultural (A1) Zone' within the North Middlesex Zoning By-law. No development or site alteration is proposed within the natural areas or woodlands.

All policies cited below are meant to be read in their entirety, but the sections noted are in staffs' opinion the principally applicable.

Provincial Planning Statement (PPS 2024)
Section 3 of the Planning Act, as amended, remains unchanged and notes that decisions made by planning authorities "shall be consistent with" the PPS 2024. Policies "represent minimum standards, and planning authorities and decision-makers may go above and beyond these minimum standards to address matters of importance to a specific community, unless doing so would conflict with any policy of the Provincial Planning Statement."

Section 2.5 – Rural Areas in Municipalities
The subject lands are located within a prime agricultural area in a rural area. Rural areas should be supported by building upon rural character and leveraging rural amenities and assets, promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or use of resources, providing opportunities for sustainable and diversified tourism and providing opportunities for economic activities in prime agricultural areas.

Section 2.6 – Rural Lands in Municipalities
Agricultural uses, agricultural-related uses, on-farm diversified uses and normal farm practices are all considered permitted uses on rural lands. An agricultural-related use is defined as "farm-related commercial and industrial uses that are directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations, and provide direct products and/or services to farm operations as a primary activity." An on-farm diversified use is defined as "uses that are secondary to the principal agricultural use of the property and are limited in area. On farm-diversified uses may include, but are not limited to, home occupations, home industries, agri-tourism uses, uses that produce value-added agricultural products, and electricity generation facilities and transmission systems, and energy storage systems."

Section 4.1 – Natural Heritage
Natural heritage features and areas "shall be protected for the long term." Development and site alteration is not permitted in areas including, but not limited to, identified as significant wetlands, significant woodlands, lands containing a significant wildlife habitat and significant areas of natural and scientific interest, unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.

Section 4.3 – Agriculture
Prime agricultural areas shall be protected for long-term use for agriculture. As such, in prime agricultural areas, permitted uses and activities area agricultural uses, agriculture-related uses and on-farm diversified uses based on provincial guidance. "Agriculture-related uses and on-farm diversified uses shall be compatible with, and shall not hinder, surrounding agricultural operations."

In addition to the above, “a principal dwelling associated with an agricultural operation shall be permitted in prime agricultural areas as an agriculture use” except in the instance where the retained farmland of a surplus farm dwelling severance has been rezoned to prohibit the establishment of new dwellings and additional residential units. Otherwise, where a residential dwelling is permitted on a lot in a prime agricultural area, one detached additional residential unit is permitted provided is complies with the following:

- Complies with minimum distance separation formulae
- Is compatible with and would not hinder surrounding agricultural operations
- Has appropriate sewage and water services
- Addresses any public health and safety concerns
- Is of limited scale and located within, attached, or in close proximity to the principal dwelling or farm building cluster
- Minimizes the amount of land taken out of agricultural production

Additional residential units are not permitted to be severed off on their own distinct and separate parcel, however may be severed off with a residence surplus to a farming operation.

Section 5.2 – Natural Hazard
Planning authorities, in consultation with their conservation authorities, must identify hazardous lands and sites. Development and site alteration shall generally be directed to areas outside of hazardous lands and sites that are unsafe for development.

<u>County of Middlesex Official Plan</u>
Section 2.3.7.4 – Additional Residential Units
An additional residential use is defined as “a dwelling unit that is self-contained, subordinate to, and located within the same building or on the same lot of a primary dwelling unit.”

Additional residential units created in prime agricultural areas “shall be grouped with the primary dwelling, shall meet Minimum Distance Separation formulae, and shall be prohibited from being severed from the property unless as part of the severance of the primary dwelling unit as a residence surplus to a farming operation.”

Section 3.3 – Agricultural Areas
Protecting and strengthening agricultural areas is of the utmost importance. These areas “shall be preserved and strengthened with the goal of sustaining the agricultural industry and promoting local food production.”

Limited on-farm diversified uses are permitted subject to the criteria in the Provincial Guidelines on Permitted Uses in Ontario’s Prime Agricultural Areas, a publication by the Ontario Ministry of Food, Agriculture and Agribusiness (OMAFA, previously OMAFRA). On-farm diversified uses may be subject to site specific zoning regulations and remain classified as an “Agricultural Area” designation.

An on-farm diversified use is defined as “uses that are secondary to the principal agricultural use of the property and are limited in area.” They include, but are not limited

to, uses such as home occupations, home industries, agri-tourism uses, and uses that produce value-added agricultural products.

Additional Residential Units are permitted in accordance with Section 2.3.7.4.

Section 3.3.5 – Agriculture-Related and On-Farm Diversified Uses
These uses are "directly related to, and supportive of, agricultural operations." Examples include, but are not limited to, agri-tourism, farm equipment repair shops and feed mills. A more comprehensive list can be found in the Provincial Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas.

Agriculture-related and on-farm diversified uses are permitted provided the following policies are considered:

- The use cannot reasonably be located in a Settlement Area and must be located in proximity to farming activities
- Must comply with Minimum Distance Separation Formula
- May require a site-specific Zoning By-law Amendment
- Shall not require large volumes of water or generate large volumes of effluent
- Shall be serviced with appropriate water and sewage
- Shall be located and designed to minimize potential adverse impacts on adjacent residential or other sensitive uses by buffering measures (i.e. landscaping, setback, layout)
- Must provide appropriate road sightlines
- Must adhere to the local Official Plan
- Shall be in accordance with the Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas
- Must remain designated as an Agricultural Area
- Must consider the relationship of the proposed use to the underlying farm operation

North Middlesex Official Plan
The subject lands are predominantly designated as an 'Agricultural Area' in which the policies are "intended to strengthen the agricultural community." The lands also contain 'Hazard Lands,' 'Woodlands' and a portion is designated as an 'Area of Natural and Scientific Interest.' As Council is aware, the Municipality is currently in the process of updating the Official Plan. Policies within the current Official Plan, primarily as it pertains to additional residential units and on-farm diversified uses, are outdated and inconsistent, or non-existent, and are not consistent with the Provincial Planning Statement and do not conform to the Middlesex County Official Plan.

The North Middlesex Official Plan intends to preserve agriculture as the primary land use and notes that agriculture contributes significantly to the local economy. Promoting the viability of farm operations is prioritized.

Section 6.4 – Agricultural Area Land Use Designation
The North Middlesex Official Plan does not specifically contemplate on-farm diversified uses but does permit for agriculturally-related commercial and industrial operations provided they meet the criteria of Section 6.4.2 f. Agriculture-related uses are defined in

the Official Plan as “farm related commercial and farm-related industrial uses that are small scale and directly related to the farm operation and are required in close proximity to the farm operation.”
Section 6.4.2 f) permits for “agriculturally-related commercial and industrial uses that are clearly supportive of and directly related to agricultural operations and required in close proximity” subject to the following criteria:

- The location on the property is not currently used for agricultural purposes
- The use cannot locate in a settlement area and must be in close proximity to farming activities
- Complies with Minimum Distance Separation Formulae
- Shall not require large volumes of water nor generate large volumes of effluent
- Shall be serviced with municipal water and sewage were possible
- Shall be accessed via a County road
- Shall provide for minimum sight distances
- Shall be located and designed to minimize the potential adverse impacts on adjacent residential and other sensitive land uses with buffering, landscaping, etc.
- Shall be subject to a site-specific Zoning By-law Amendment
- Shall be subject to Site Plan Control

The North Middlesex Official Plan does not currently contemplate permanent detached accessory residential dwellings, however it does permit for “granny flats” or garden suites (temporary structures) provided the use does not conflict with existing farming operations of with any Natural Heritage Features. A temporary use is permitted for a maximum period of three (3) years provided a temporary use Zoning By-law Amendment is passed. These temporary structures are classified as small independent buildings, physically separate from the principal dwelling unit, permitted to use existing site services in lieu of full municipal services.

Section 7.0 – Environmental Policies
It is a priority of the Official Plan to “protect and enhance significant natural features and functions, and to reduce the risk to public safety and property from natural hazards, such as flooding and unstable slopes.”

Section 7.3.2 specifies that no new development shall be permitted on Hazard Lands other than uses associated with the management of the Hazard Lands. All development and site alteration within or abutting lands identified as Hazard Lands requires an Environmental Impact Study be completed.

Section 7.3.4 states that development or site alteration within or adjacent to natural heritage features is prohibited unless it can be shown that there will be no unmitigated impacts on the form of function of the features. The retention of woodlands not identified in ‘Schedule C’ is encouraged.

<u>North Middlesex Zoning By-law</u>
Current Zone
The subject lands are zoned ‘General Agricultural (A1) Zone.’ The A1 zone permits for uses, including but not limited to, agricultural, conservation use, equestrian use, forestry use, home industry, home occupation, on-farm secondary business, sale of farm produce

from a farm, a single-detached residential dwelling and a second detached residential dwelling accessory to an agricultural use (via a temporary use by-law and only for boarding seasonal farm labourers).

Proposed Zone
The subject lands are proposed to be rezoned to 'General Agricultural Exception 113 (A1-113) Zone' to specially define and add 'On-Farm Diversified Use,' 'Agri-Tourism Use,' and a detached 'Additional Residential Unit' as permitted uses on the subject lands. The ARU is proposed to have a minimum front yard setback of 15.0 m (49.21 ft) and be located in what the North Middlesex Zoning By-law defines as the front yard of the subject lands. A minimum of 1 parking space per off-grid farm vacation suite is proposed in addition to the required parking spaces. As noted above, the ZBA will ensure that the proposed OFDU is limited to 2% of the lot area up to a maximum of 1.0 ha of land, in accordance with the provincial guidelines.

Provincial Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas
The guidelines are meant "to be consistent with and explain the intent of the PPS policies and definitions. Where specific parameters are proposed, they represent best practices."

Section 2.2 – Agriculture-Related Uses
Agriculture-related uses are defined in the PPS and are "directly related to and service farm operations in the area as a primary activity." Farm-related uses may include uses such as selling agriculture-related value-added products such as wine or cider made from produce grown in the area, vegetable processing, farm equipment repair shops, produce auctions, etc. The uses must be appropriate to the level of services available and are encouraged to re-use existing buildings, design new structures to fit in with the agricultural area, minimize outdoor storage and lighting, avoid major modification of land, visually screen from neighbours, and limit the use of signage. Uses such as large food processing plants, large wineries, micro-breweries and distilleries, furniture makers, rural retreats, seasonal storage, contractors' yards, etc. are not classified as agriculture-related uses.

Section 2.3 – On-Farm Diversified Uses
On-farm diversified uses "should be related to agriculture, supportive of agriculture or able to co-exist with agriculture without conflict." These uses are "intended to enable farm operators to diversify and supplement their farm income, as well as to accommodate value-added and agri-tourism uses in prime agricultural areas." They must be located on a farm that is actively in agricultural use, they must be secondary to the principal agricultural use on the property and limited in area (2% of the land up to a maximum of 1.0 ha in size). The area calculation accounts for all aspects of the proposal, such as the "buildings, outdoor storage, landscaped areas, berms, well and septic systems, parking and new access roads." An on-farm diversified use includes agri-tourism uses and uses that produce value-added agricultural products. Examples include farm vacation suites, zip lines, farm markets, a winery, cheese factory, etc. Large-scale equipment or vehicle dealerships, hotels, landscape businesses, uses that generate significant traffic, golf courses, institutional uses, and large-scale recurring events with permanent structures are not considered on-farm diversified uses.

Consultation
Notice of the application was circulated to the required agencies, as well as all property owners within 120 m of the subject property, and posted on the subject property, in accordance with the requirements of the *Planning Act*. The table below summarizes the comments received.

Agency	Comments
Ausable Bayfield Conservation Authority	"From the information received, it is understood that the intent of the Zoning By-law Amendment Application is to rezone the entirety of the property from 'General Agricultural (A1) Zone' to 'General Agricultural Exception 113 (A1-113) Zone'. The ABCA has previously expressed concerns of safe access to the portions of the property north of the watercourse and hazard lands. Any proposed development on the north side of the watercourse is subject to the ABCA's safe access policies and may require some degree of engineering assessment. At this time, staff of the ABCA are unsure whether safe access concerns could be met. To date, the ABCA has not received a development plan which indicates the locations of all three off-grid farm vacation suites. As such, the ABCA has concerns for safe access and for rezoning the entirety of the property. The Ausable Bayfield Conservation Authority does not oppose the proposed Official Plan Amendment. However, the ABCA recommends that the Zoning By-law Amendment be adjusted to only rezone the south portion of the property following the hazard limit." The letter is attached for additional context.
Canada Post	No concerns.
North Middlesex Chief Building Official	- The municipality should narrow down the location of the on-farm diversified use. If 1 ha is permitted, then it should be shown on the map of precisely which area is to be included. - It should be clear of what's not permitted, including wedding ceremonies/venues. - For the ARU, it should be clear of its size limits and location as compared to the primary dwelling and if it is included in the agri tourism proposal or if it's simply another aspect of the application. - The fire chief should be asked to comment on fire department access to the cabins. The OBC states that all buildings need to be accessible for fire fighting but has no additional requirements given the building's sizes. - Site plan control can be a good tool for regulating these.

North Middlesex Drainage Superintendent	No concerns.
Public Comments	No comments were submitted prior to the submission of this report.

Summary
A planning analysis will be provided in an evaluation report that will be brought before Council at a later date, after comments received from the public and the agency circulation have been taken into consideration.

Recommendation
THAT the subject report for Official Plan Amendment OPA-16 and Zoning By-law Amendment ZBA-23-2024, be received for information.

Attachments
- Location Map
- Planning Justification Report
- Draft Official Plan Amendment

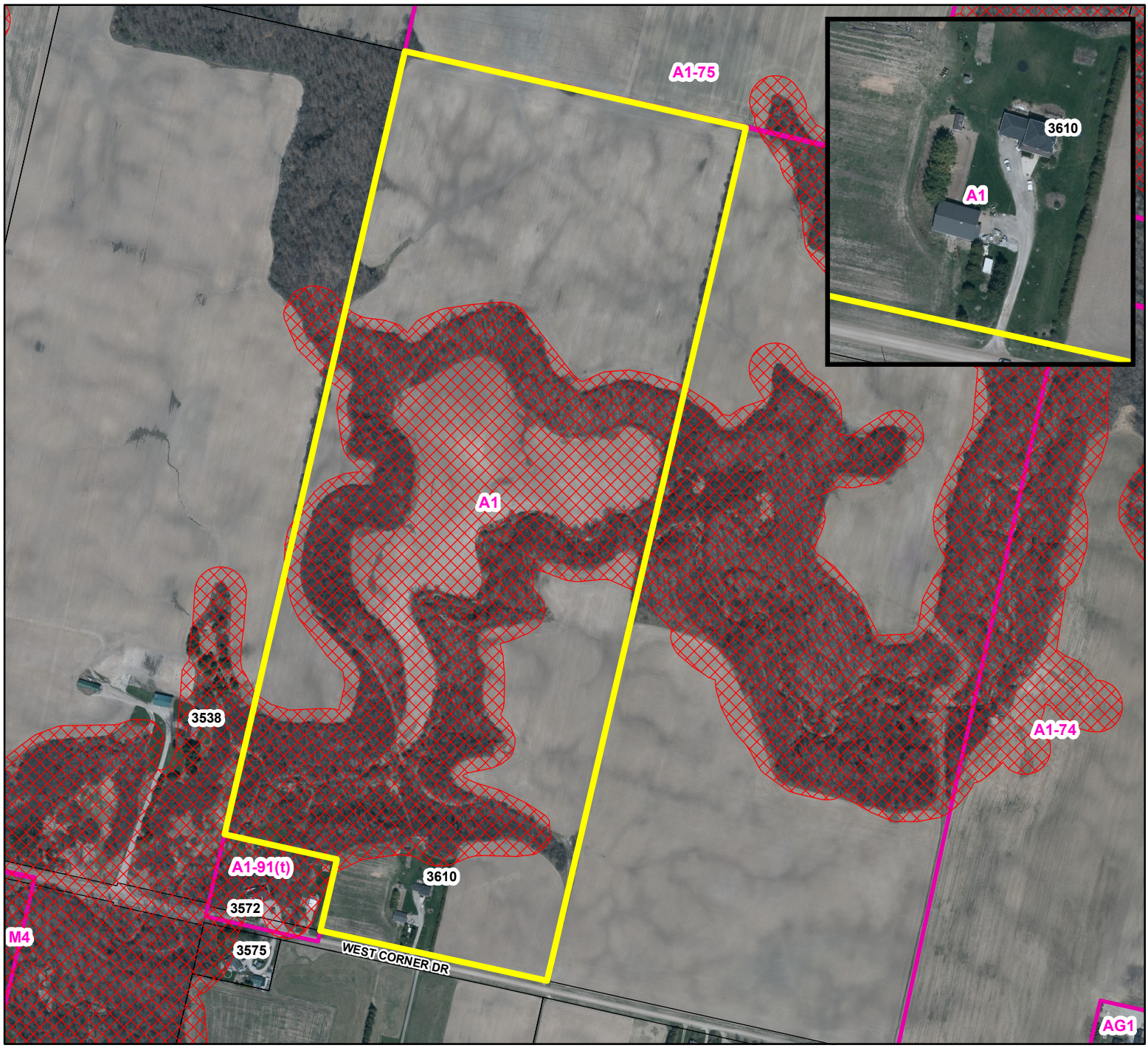
APPLICATION FOR OFFICIAL PLAN AMENDMENT AND ZONING BY-LAW AMENDMENT: OPA 16 & ZBA 23-2024

Owner: Christin (Tina) Gokstorp

Agent: Rita Jabbour, Registered Professional Planner at RJ Planner

3610 West Corner Drive
Part of Lot 13, Concession 7 ECR
Geographic Township of McGillivary

Municipality of NORTH MIDDLESEX



Lands to be rezoned from 'General Agriculturall (A1) Zone' to 'General Agricultural Exception 113 (A1-113) Zone'

Zone Boundary

CA Regulated Area

1:6,500

0 65 130 260 Metres

Disclaimer: This map is for illustrative purposes only. Do not rely on it as being a precise indicator of routes, locations of features, nor as a guide to navigation.

Published by the County of Middlesex
Planning Department
399 Ridout Street North, London, ON N6A 2P1
(519) 434-7321
November, 2024

AUSABLE BAYFIELD CONSERVATION
CREATING AWARENESS | TAKING ACTION

Adelaide Metcalfe

Bluewater

Central Huron

Huron East

Lambton Shores

Lucan Biddulph

Middlesex Centre

North Middlesex

Perth South

South Huron

Warwick

West Perth

November 26, 2024

Municipality of North Middlesex
229 Parkhill Main Street
Parkhill ON, N0M 2K0

Atten: Alan Bushell, Municipal Clerk

Dear Mr. Bushell;

Re: Official Plan Amendment OPA-16
Zoning By-law Amendment Application ZBA-23-2024
3610 West Corner Drive
Pat Lot 13, Concession 7 ECR
Geographic Township of McGillivray
Municipality of North Middlesex
County of Middlesex
File Reference: # 24700

Staff has reviewed this application as per our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS) and as a regulatory authority with respect to Ontario Regulation 41/24. The application has also been reviewed through our role as a public body under the Planning Act as per our CA Board approved policies. Finally, the Ausable Bayfield Conservation Authority is providing advisory comments related to policy applicability and to assist with implementation of the Ausable Bayfield / Maitland Valley Source Protection Plans made under the Clean Water Act.

From the information received, it is understood the applicant is seeking an Official Plan Amendment and Zoning By-law Amendment that will facilitate the establishment of an On-Farm Diversified Use (OFDU) on the subject property. The proposal includes off-grid farm vacation suites for short-term on-farm stays, retreats and recreational use(s) that are secondary to the principal agricultural use of the property and are limited in area. The primary agricultural operations on the subject property will continue to operate.
The applications also propose to establish a permanent detached Accessory Residential Unit (ARU) that may house on-farm labourers and/or family farm help.

It is understood that the purpose and effect of the Official Plan Amendment application (File No. OPA 16) is to create a Special Agricultural Policy Area that will permit the specially

defined agri-tourism and on-farm diversified use(s), as well as one (1) permanent detached Additional Residential Unit, in addition to the agricultural uses currently permitted on the subject lands.

It is also understood that the purpose and effect of the Zoning By-law Amendment application (File No. ZBA-23-2024) is to rezone the subject lands from 'General Agricultural (A1) Zone' to 'General Agricultural Exception 113 (A1-113) Zone' to specially define and add 'On-Farm Diversified Use,' 'Agri-Tourism Use,' and a detached 'Additional Residential Unit' as permitted uses on the subject lands. The ZBA will ensure that the proposed OFDU is limited to 2% of the lot area up to a maximum of 1.0 ha of land, in accordance with the provincial guidelines.

Conservation Authorities Act:
Prohibited Activities, Exemptions and Permits - Ontario Regulation 41/24:
From the information provided, it has been determined that portions of the property in question have been identified as regulated under the Prohibited Activities, Exemptions and Permits (Ontario Regulation 41/24) regulation. The policies of the Ausable Bayfield Conservation Authority regulate development, including construction, grading or filling, or the alteration of any watercourses on lands located within the regulated area. Written approval from the Conservation Authority may be required in order to undertake any of these activities within the regulated area.

Staff of the ABCA have been in preconsultation with the applicant and has considered the following documentation in our review:

- Planning Justification Report, prepared by Rita Jabbour, Registered Professional Land Use Planner, dated October 2024

Recommendations:
From the information received, it is understood that the intent of the Zoning By-law Amendment Application is to rezone the entirety of the property from 'General Agricultural (A1) Zone' to 'General Agricultural Exception 113 (A1-113) Zone'. The ABCA has previously expressed concerns of safe access to the portions of the property north of the watercourse and hazard lands. Any proposed development on the north side of the watercourse is subject to the ABCA's safe access policies and may require some degree of engineering assessment. At this time, staff of the ABCA are unsure whether safe access concerns could be met. To date, the ABCA has not received a development plan which indicates the locations of all three off-grid farm vacation suites. As such, the ABCA has concerns for safe access and for rezoning the entirety of the property.

The Ausable Bayfield Conservation Authority does not oppose the proposed Official Plan Amendment. However, the ABCA recommends that the Zoning By-law Amendment be adjusted to only rezone the south portion of the property following the hazard limit.

Thank you for the opportunity to comment on this application. *Please be advised that the commenting fee of $225.00 has **not** been paid.*

If you have any questions or require any additional information, please do not hesitate to contact me. The Ausable Bayfield Conservation Authority would appreciate receiving a copy of the Municipality's decision.

Yours Sincerely,
AUSABLE BAYFIELD CONSERVATION AUTHORITY

Ellen Westelaken

Ellen Westelaken
Water and Planning Technician

RJ | Rita Jabbour
Registered Professional Land Use Planner

Planning Justification Report

Official Plan and Zoning By-Law Amendment

3610 West Corner Drive

Municipality of North Middlesex

County of Middlesex

Date:

October 2024

Prepared for:

Christin Gokstorp

Prepared by:

Rita Jabbour, RPP
321 King Street West
Harrow, ON
N0R 1G0

Table of Contents

1.0 Executive Summary and Report Framework

Rita Jabbour, RPP, has been retained by Christin Gokstorp (the "Applicant") to prepare a Planning Justification Report (PJR) **in support** of an application for Official Plan and Zoning By-Law Amendment (the "OPA" and "ZBA") for the agricultural lands located at **3610 West Corner Drive** (the "Subject Lands") in the Municipality of North Middlesex (the "Lower Tier"), in the County of Middlesex (the "Upper Tier").

The Applicant is requesting a site-specific amendment to the North Middlesex Official Plan and the North Middlesex Zoning By-Law, By-Law No. 35 of 2004, as amended, to permit the following supplementary uses on the Subject Lands:

- One (1) detached Additional Residential Dwelling Unit that is independent and physically separated from the principle dwelling unit on the Subject Lands and used for the purpose of accommodating one (1) **permanent** Additional Residential Dwelling Unit and which may be used for the purposes of boarding on-farm labourers.
- On-Farm Diversified Uses (OFDU) and Agri-Tourism uses, specifically, the development of farm vacation suites, retreats, and recreational opportunities that promote the enjoyment, education and activities related to the on-site farming operation.

The Lower Tier is the approval authority for the ZBA. The Upper Tier is the approval authority for the OPA.

The OPA and ZBA will add the specific policy and regulatory framework for the proposed uses. An application for Site Plan Control (SPC) Approval is also required for the development of the buildings and structures associated with the OFDU/Agri-Tourism Use. An application for SPC approval, which will include a servicing brief and detailed site plan, will be submitted at a later date.

This PJR includes the following components:

- An introduction and general description of the Subject Lands, surrounding uses and existing conditions;
- A summary of the intended uses for the Subject Lands including the proposed amendments; and,

- An assessment of the proposal relative to the framework of planning policies and development regulations applicable to the Subject Lands.

The following documents were primary references in undertaking the Planning Analysis:

  - Provincial Planning Statement, 2024 (PPS, 2024)
  - Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas (Ministry of Agriculture, Food and Rural Affairs, Publication 851, 2016)
  - Middlesex County Official Plan (2023)
  - North Middlesex Official Plan (Office Consolidation Date, April 2024)
  - North Middlesex Zoning By-Law No. 35 of 2004, As Amended (Office Consolidation Date, April 2024)

It is my professional opinion that the proposed applications for the OPA and ZBA have regard to matters of Provincial Interest as described under Section 2 of the Planning Act, are consistent with the Provincial Planning Statement (2024), and conform with the County of Middlesex Official Plan and North Middlesex Official Plan.

It is therefore my professional opinion that the OPA and ZBA should be approved by the respective approval authority.

I hereby certify that this plan/report was prepared by a Registered Professional Planner, within the meaning of the Ontario Professional Planners Institute Act, 1994.

Respectfully Submitted,

Rita Jabbour, RPP, MCIP, MSc
Registered Professional Planner
E: info@rjplanner.com

2.0 Introduction

This Planning Justification Report (PJR) has been prepared for Christin Gokstorp in support of an application for Official Plan Amendment (OPA) and Zoning By-Law Amendment (ZBA) for the agricultural lands (herein referred to as the 'Subject Lands') legally described as **CONCESSION 7 ECR PT LOT 13**, and municipally known as **3610 West Corner Drive**, and located within the lower tier **Municipality of North Middlesex**, situate in the Upper Tier **County of Middlesex**.

2.1 Site Location and Description

The Subject Lands are located within an **Agricultural Area** on Schedule "A" –Land Use of the Upper Tier Official Plan (2023) and the Lower Tier Official Plan (2024). The Subject Lands are situated on the north side of West Corner Drive Road, just west of McLean Road, and west of the urban settlement area of Ailsa Craig. **Figure 1** of this report illustrates the general location of the Subject Lands.

The Subject Lands have a total lot area of +39 hectares (or +97.16 acres). Approximately +15 hectares (or +37 acres) contains significant natural areas and woodlands. **Figure 2** of this report delineates the natural areas and woodlands existing on the Subject Lands.

The Subject Lands are designated General Agricultural (A1) Zone on Map 15 of the North Middlesex Zoning By-Law, By-Law Number 35 of 2004 (the "Zoning By-Law").

The significant natural areas and woodlands are identified as *Hazard Lands* on Map 15 of the Zoning By-Law and are affected by the Conservation Authority Regulation Limits on Schedule "D"—Natural Hazard Areas of the Upper Tier Official Plan.

The natural areas **are not** identified as environmentally significant features such as provincially significant wetlands and floodplains on Schedule "A" of the Lower Tier Official Plan.

The natural areas are part of the Natural Heritage System on Schedule "C" –Natural Heritage System of the Upper Tier Official Plan.

Approximately +24 hectares (or +60 acres) of the Subject Lands are used principally for agricultural uses, namely, the growing and processing of cash crops and the raising and processing of outdoor free-range chickens, eggs, and ducks.

The Subject Lands contain one (1) existing Single Detached Dwelling associated with the agricultural use and several agricultural (farm) buildings. **Figure 3** identifies the location existing on-site buildings and structures.

The Subject lands **<u>do not</u>** contain mineral, aggregate or petroleum resources.

The Subject Lands are within the Ausable Bayfield Source Protection Plan on Schedule "F" –Source Water Protection of the Upper Tier Official Plan.

The main means of sewage disposal in agricultural areas and, consequently, for the Subject Lands, within the Municipality of North Middlesex, is the septic tank and weeping tile system.

Figure 1. Location of Subject lands

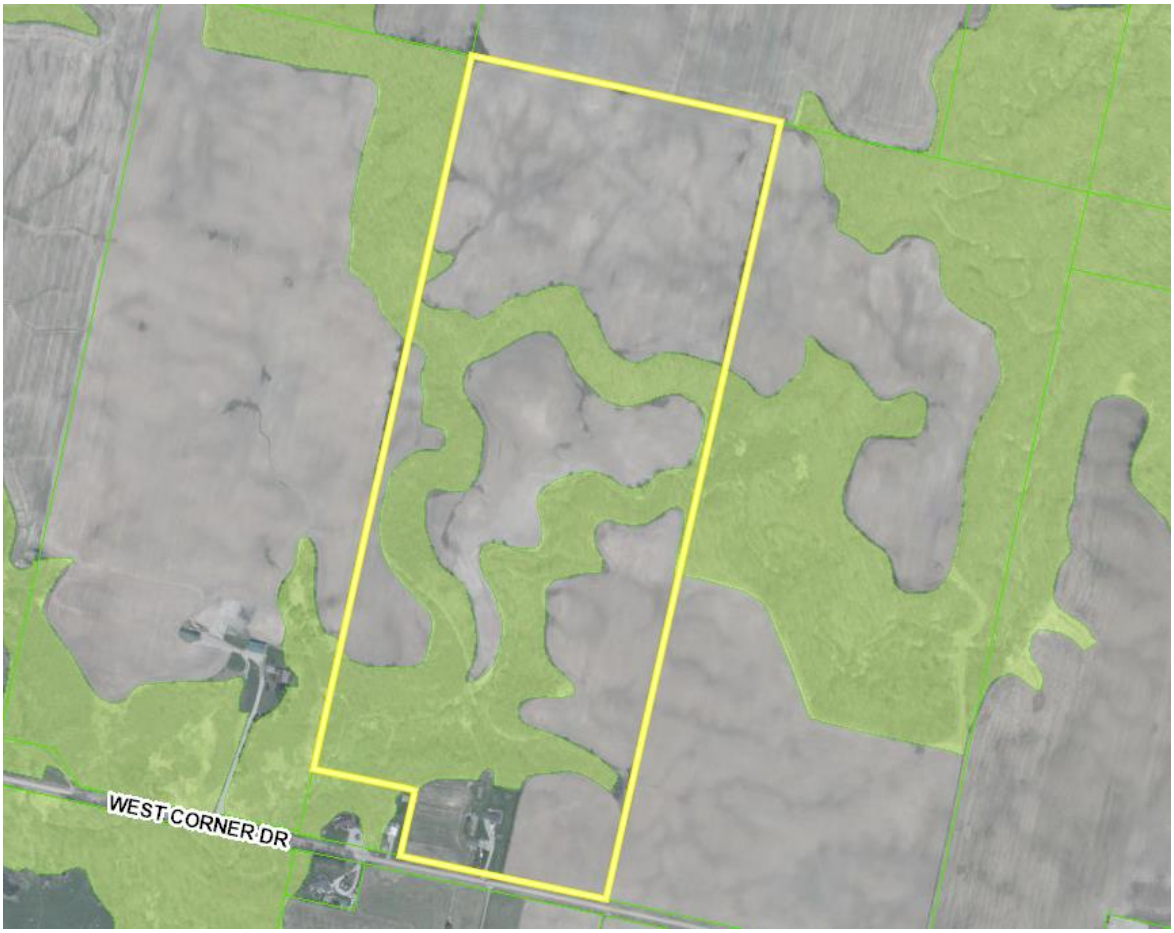


Figure 2. Natural Areas/Woodlands and Hazard Lands delineated in Green

Figure 3. Existing On-Site Buildings and Structures

2.2 Description of Surrounding Land Uses

The development context surrounding the Subject Lands is primarily “Agricultural”.

Under the Zoning By-Law, on Agricultural lands, permitted uses include, but are not limited to: “Agricultural Uses” which includes the growing of crops and raising of livestock; On-farm secondary businesses; and, Second Detached Residential Dwellings *accessory* to an agricultural use.

The neighbouring development context is summarized in **Table 1.0**.

The zoning classifications of the surrounding lands are identified in **Figure 4.**

Table 1.0 –Surrounding Land Uses

Relative Location	Existing Land Use	Official Plan Designation (County of Middlesex and North Middlesex)	Zone (Bylaw Number 35 of 2004)
To the North:	Agricultural Uses	Agricultural	General Agricultural (A1) Zone
To the East:	Agricultural Uses	Agricultural	General Agricultural (A1) Zone
To the South:	Agricultural Uses	Agricultural	General Agricultural (A1) Zone
To the West:	Agricultural Uses Thedford Klondike Marsh Flood Plain	Agricultural Thedford Klondike Marsh Flood Plain	General Agricultural (A1) Zone Environmental Protection (EP)

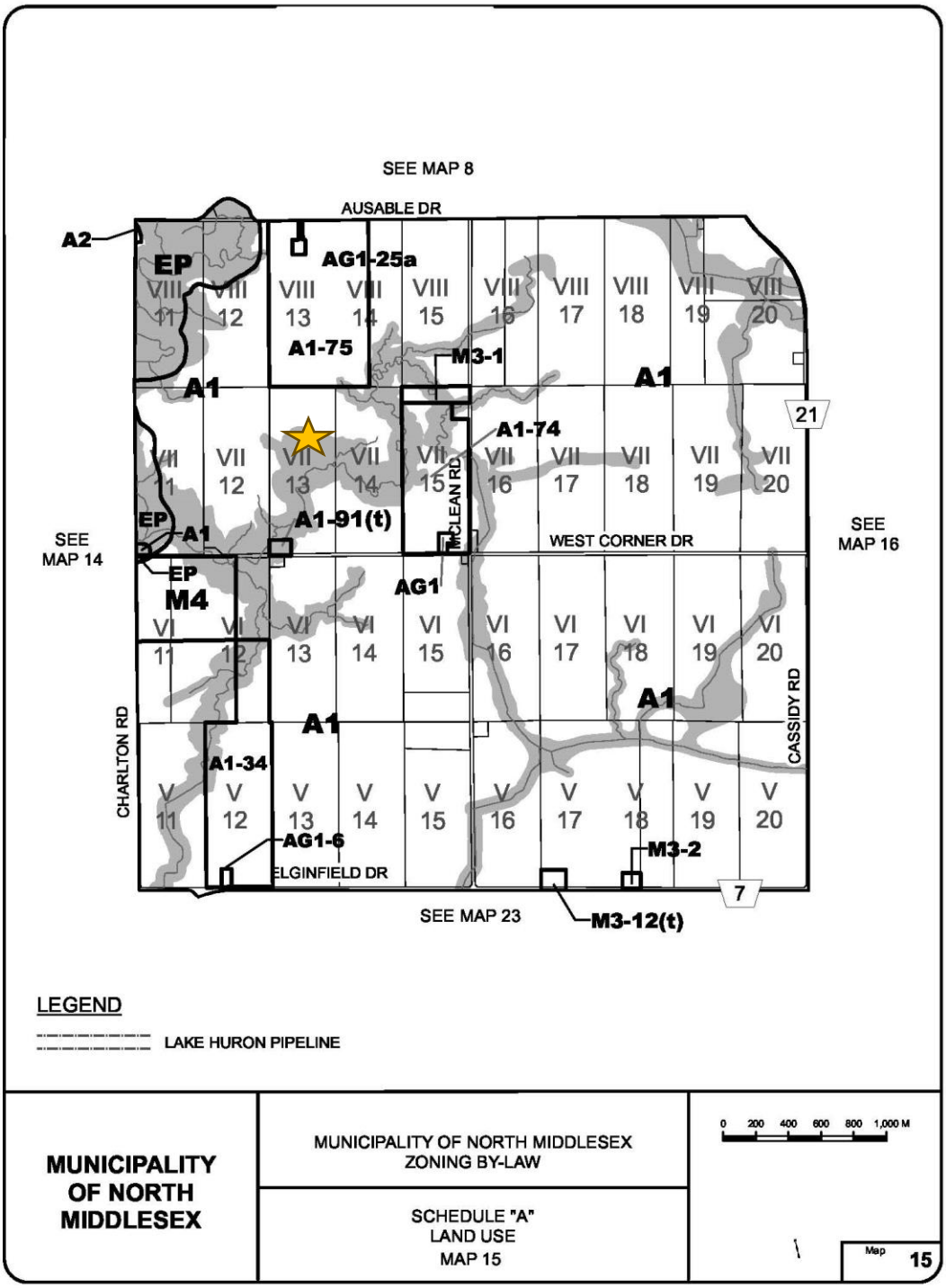


Figure 4. Map of surrounding Zoning Classification

2.3 Description of Proposal

Good Food Farms

The applicant is affiliated with Good Food Farms. Good Food farms operate the farming activities on the Subject Lands but does not own the lands.

Good Food Farms is a women owned and managed social enterprise focused on regenerative farming practices. Their primary products are currently focused on outdoor free range pastured chicken products. They make pre marinated kabobs, seasoned chicken burgers, breakfast patties, honey garlic wings, bone broth, soups, pot pie, quiche, enchiladas, smoked chicken and more. They also do some wholesaling of products but focus primarily on direct-to-consumer sales through farmer's markets.

In addition to share cropping (cash crops), Good Food Farms has also planted perennial fruit and nut trees with a hope to implement a future market garden and a geothermal air greenhouse for off season produce production.

Good Food Farms is focused on whole foods made from real ingredients encouraging customers to know how and where their food comes from. Their belief is that locally produced food from healthy sources is the solution to human health and the health of our planet. As such, the applicant has **immediate** plans to establish an *Agri-Tourism Use* on the lands that is primarily focused on promoting and educating people on the sustainable practices of the farm and the exceptional local whole foods grown in the region, and encouraging people to connect with the natural features of the lands and the area.

On-Farm Diversified Uses (OFDU) and Agri-Tourism Uses

On-Farm Diversified Uses (OFDU) are defined under the Provincial Planning Statement (PPS, 2024) as *uses that are secondary to the principle agricultural use of the property and are limited in area*. A wide variety of uses may qualify as an OFDU based on the PPS definition, as long as they meet the criteria further described in the *Guidelines on Permitted Uses in Ontario's Agricultural Areas* (2016) (i.e. being located on a farm, being secondary to the principal agricultural use of the property, being limited in area, being compatible with agricultural operations).

OFDUs may include, but are not limited to, *Agri-tourism* uses and uses that produce value-added agricultural products (p.48). OFDUs are intended to enable farm operators

to diversify and supplement their farm income, as well as to accommodate value-added and agri-tourism uses in prime agricultural areas.

Agri-tourism uses are defined under the PPS (2024) as *farm-related tourism uses, including limited accommodation, that promote the enjoyment, education or activities related to the farm operation* (p. 39). Farm vacation suites, retreats and recreational uses are examples of Agri-Tourism uses referenced in the *Guidelines* (p. 23, 2016).

Proposed Use

The applicant wishes to establish an *Agri-Tourism Use* by offering short term on-farm stays in three (3) bunkies that will be designed to be off-grid and sustainable in keeping the philosophy of the farm.

Each bunkie will include two levels and will have a total Building Height of 6 metres (or 20 feet). The bunkies will also include an attached greenhouse and an attached covered porch. **Figure 5** provides an illustration of the proposed bunkies.

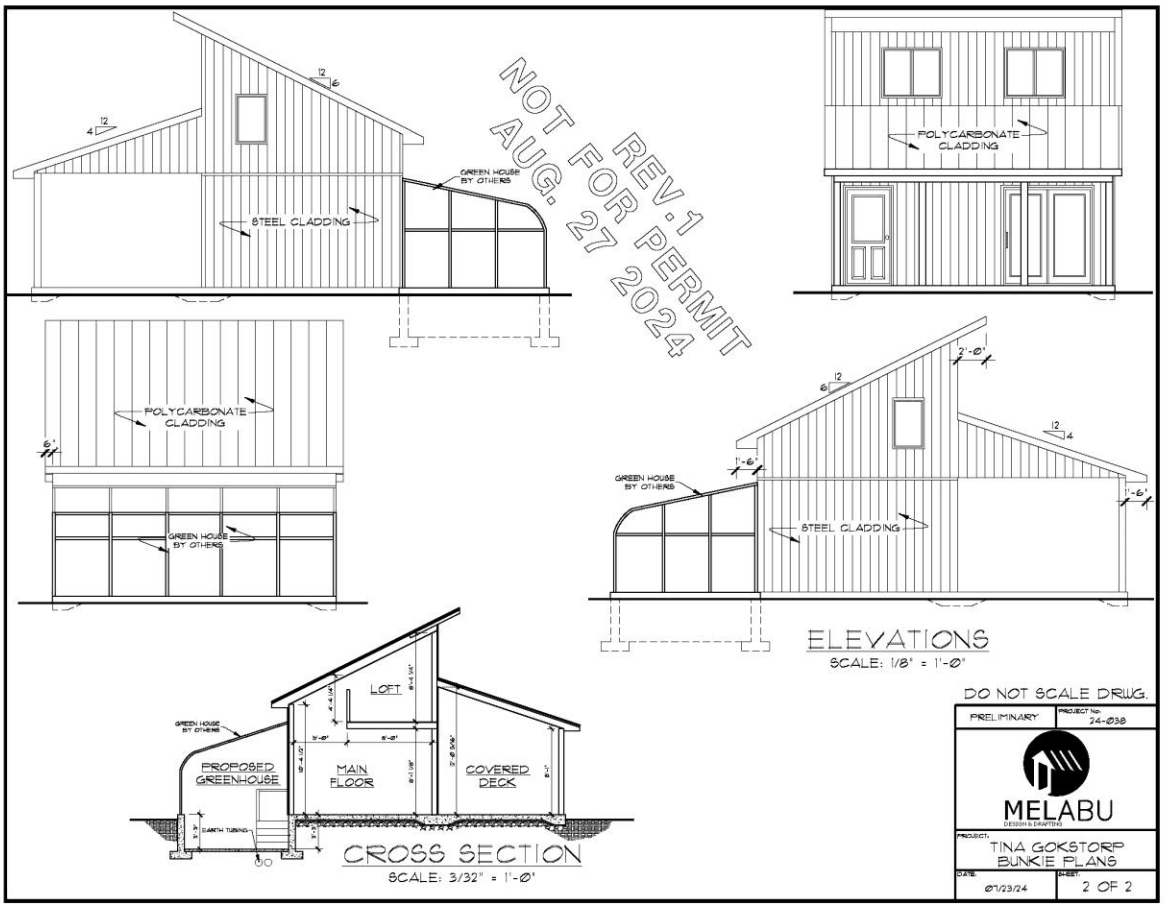


Figure 5. Preliminary Drawings of Proposed Farm Vacation Suites (Bunkies)

The total footprint for each bunkie including the greenhouse and covered porch will vary depending on the model but will generally range in size from 72.46 square metres (or 780 square feet) to 92.9 square metres (or 1000 square feet). The total combined footprint of the three (3) bunkies is estimated to be 278.7 square metres (or 3000 square feet).

Each bunkie will be powered by solar and will include its own holding tank for water and a compost toilet. The water storage tanks will supply non-potable water for sink and shower. A five (5) gallon dispenser will be used for drinking water. Therefore, the bunkies will not require the extension of infrastructure.

The approximate location of the bunkies will be determined at the time of Site Plan Control Approval (SPCA).

In the future, Good Food Farms may wish to offer yoga and massage services for patrons, and, establish a commercial kitchen and/or on-farm store where products from livestock raised on the farm can be processed to create value added products which can then be sold. As such, these uses have been considered in the Planning analysis for the OPA and ZBA. As these are future considerations, they will not been included in the application for Site Plan Control Approval (SPCA). An amendment to the SPCA would be required in order to permit the development of the additional OFDU/Agri-Tourism uses. The additional OFDU/Agri-Tourism uses will be required to comply with the policy and regulatory framework implemented for them on the Subject Lands.

Good Food Farms also wishes to construct one (1) second Single Detached Dwelling that is independent and physically separated from the principle dwelling unit on the Subject Lands to be used for the purpose of accommodating one (1) **permanent** Additional Residential Dwelling Unit (ARDU). The ARDU is intended for permanent accommodations of a person or persons which may or may not include on-farm labourers and/or family farm help.

The ARDU is proposed to be constructed within the building cluster in close proximity to the existing Single Detached Dwelling. The ARDU will be serviced by the existing water and hydro connections and on-site septic system.

3.0 Summary of Proposed Amendments

A Site-Specific Official Plan Amendment (OPA) and Zoning By-Law Amendment (ZBA) is required to facilitate the development of the OFDU and Agri-Tourism Uses and the ARDU on the Subject Lands.

3.1 Official Plan Amendments (OPA)

The Lower Tier (North Middlesex) Official Plan permits a second farm residence, accessory residential dwelling units (i.e. granny flats or garden suites), and on-farm secondary businesses in the Agricultural Area Land Use Designation provided these uses do not conflict with existing farm operations or with any Natural Heritage Features and subject to the following policies of the Official Plan (2023, p. 6-7, subsection 6.4.1.a and 6.4.1.f [i] and [iii]):

- Section 9.3.3,
- Section 5.2.3, and,
- Section 6.4.2.e.

Accessory Residential Dwelling Units

Section 6.4.1.a requires a second farm residence to be accessory to the main farm operation and temporary.

Section 5.2.3 a) of the Official Plan (2023) respecting Accessory Residential Dwellings requires the addition of an accessory residential dwelling unit to be within the structure of a single-detached residential dwelling (p. 5-8).

The proposed dwelling will be contained within a second permanent single detached dwelling building that is independent and physically separated from the principal dwelling on site. Therefore, a Site-Specific amendment to the Lower Tier Official Plan is required to permit the additional residential dwelling unit.

On-Farm Secondary Businesses

Section 6.4.2.e of the Official Plan (2023) defines an On-Farm Secondary business as a gainful occupation by a member of the farm family with support of up to three non-farm family members (6.4.2.e). In order to ensure that the scale of the business is clearly accessory to the farm use, however, the business must be conducted in whole or in part in an accessory building such as a shed or farm building and the gross floor area (GFA) of the on-farm business shall not exceed the GFA of the residential unit.

The proposed Agri-Tourism Use will be conducted within three new separate buildings. Limitations on the area of the proposed Agri-Tourism use will be based on the area of the land covered by the OFDU/Agri-Tourism uses in conformity with Provincial Guidelines, rather than being based on the number of buildings, GFA, and the number of non-family members employed to support the OFDU. Therefore, a Site-Specific amendment to the Lower Tier Official Plan is required to permit the proposed On-Farm Diversified Uses and Agri-Tourism Uses.

A site-specific amendment to the Lower Tier Official Plan (2023) is required to add a special provision to the Agricultural Area Land Use Designation that will apply to the Subject Lands for the following purpose:

1. **The development of a second permanent Single Detached Dwelling that is independent and physically separated from the principle dwelling unit. The severance of a second Single Detached Dwelling, except where the dwelling is together with the principal dwelling as a consent for surplus dwelling, shall be prohibited.**
2. **The development of On-Farm Diversified Uses for the processing and selling of agricultural products and Agri-Tourism Uses, which may include limited accommodations and recreational opportunities, that promote the enjoyment, education or activities related to the farm operation and the surrounding lands, conducted in whole or in part within a building or collection of buildings, and may include outdoor areas or facilities for recreation or education associated with the use. Such uses shall not exceed 2% of the lands to a maximum of 1 hectare on which the uses are located. The Zoning By-Law shall set out the permitted uses and the standards applicable to them.**

3.2 Zoning Bylaw Amendments (ZBA)

Amendments to By-Law No. 35 of 2024, as amended, are required to facilitate the construction of the proposed second Single Detached Dwelling and On-Farm Diversified/Agri-Tourism Use. An overview of the proposed amendment is provided in **Section 5** of this report.

4.0 Planning Analysis

In carrying out their responsibilities under the *Planning Act*, the Council must have regard to the matters of provincial interest listed under Section 2 of the Planning Act, and, their decisions- in respect of the exercise of any authority that affects a Planning matter- must be consistent with Policy Statements that are in effect on the date of the decision and conform with the provincial plans that are in effect on that date, in accordance with subsection 3 (5) of the Planning Act. Similarly, comments, submissions or advice that affect a planning matter that are provided by the council of a municipality [...] commission or agency of the government “shall be consistent with” the Provincial Planning Statement.

The Provincial Planning Statement, 2024 (PPS, 2024) was issued under Section 3 of the Planning Act and replaces PPS, 2020. It is effective October 20, 2024. Thus, the analysis undertaken in this PJR utilizes policies from PPS, 2024.

Within Planning legislation, “consistency” is applied to mean that the OPA and ZBA is not contradictory or vary from provincial planning policies contained within PPS, 2024. The OPA and ZBA must be clearly in agreement with PPS, 2024. To assist in the determination of consistency, Chapter 1 of PPS (2024) (p.3) provides direction on how to consider specific policy language. Some policies set out positive directives through the use of words such as “shall be”. Other policies set out limitations and prohibitions through the use of words such as “shall not”. Other policies use enabling or supportive language such as “should”, “promote”, and “encourage”.

Where specific language is used in a policy referenced in this Analysis, it has been intentionally **bolded** if it is a directive and <u>underlined</u> if it is enabling or supporting, to assist in understanding how the proposal is consistent with the PPS (2024). The *Guidelines on Permitted Uses in Ontario’s Prime Agricultural Areas* (2016) has been used as a guide in the analysis of relevant sections of the PPS (2024). As explained under Section 1 of the Guidelines (2016), the document is meant to complement, be consistent with, and explain the intent of the PPS. Where specific parameters are proposed, they represent best practices rather than specific standards that must be met in every scenario (p. 1).

A decision of the Council must also conform with applicable policies contained in the Official Plan for the County of Middlesex and the Official Plan for the Municipality of North Middlesex.

Within Planning Legislation, “Conformity” is applied to mean that the proposal must be similar in form to and be in harmony with the policies of the County Official Plan and Municipal Official Plan, such that it exists in compliant fashion with the higher order Official Plan policies that prevail above it. The policies of the Provincial Planning Statement, 2024 continue to apply after adoption and approval of an official plan.

For an OPA and ZBA to “conform”, it need not be absolute or identical in its adherence to the Official Plan policies, but it can neither be selective and conform to only some and ignore other aspects of the Plan’s policies.

This Section outlines in detail how the proposed OPA and ZBA has regard to matters of Provincial Interest, is consistent with PPS, 2024, and, conforms with the Upper Tier Official Plan and Lower Tier Official Plan. No provincial plan or plans are applicable to this development; therefore, the Planning Analysis has not been applied to any provincial plan(s).

4.1 Matters of Provincial Interest

Section 2 of the Planning Act identifies matters of Provincial Interest that Council must have regard to when carrying out its responsibilities under the *Planning Act*. Matters of Provincial Interest that are relevant to the proposal are identified and analyzed below in **Table 2–Matters of Provincial Interest**.

TABLE 2 –MATTERS OF PROVINCIAL INTEREST

Matter of Provincial Interest	Analysis
a) The protection of ecological systems, including natural areas, features and functions;	The proposed uses will be located outside of the natural areas and woodlands and Hazard Lands identified in **Figure 2** of this Report.
b) The protection of the agricultural resources of the Province;	The predominate use of the lands will continue to be for agricultural purposes, specifically, for the raising of livestock and growing and harvesting of cash crops.
e) The supply, efficient use and conservation of energy and water;	The proposed bunkies for Agri-Tourism use will be powered by solar energy and will use a composting toilet which will in turn conserve energy and efficiently use water resources.

4.2 Provincial Planning Statement, 2024 (PPS, 2024)

The Provincial Planning Statement (PPS, 2024) provides policy direction on matters of provincial interest related to land use planning and development. It is a key part of Ontario's policy-led planning system. Consequently, it sets the policy foundation for regulating the development and use of land province-wide, helping to achieve provincial goals and enhancing the quality of life for all Ontarians (p. 2).

4.2.1 Rural Areas in Municipalities

Section 2.5 of the PPS, 2024 provides for the following policies relevant to the proposed OA and ZBA:

Policy

1) *Healthy, integrated and viable rural areas <u>should be</u> supported by:*
   a) Building upon rural character, and leveraging rural amenities and assets;
   e) Promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or use of resources;
   f) Providing opportunities for sustainable and diversified tourism, including leveraging historical, cultural, and natural assets;
   h) Providing opportunities for economic activities in prime agricultural areas, in accordance with policy 4.3.

Analysis

Rural areas are defined under PPS (2024) as a "system of lands which include prime agricultural areas, natural heritage features and areas, and resource areas". In reference to **Figure 4** of this report, the Subject Lands are located within an area which includes prime agricultural lands, a system of natural areas and woodlands, and environmentally protected marshlands. The proposed Agri-Tourism uses will leverage the area's rural amenities and assets by providing opportunities for sustainable tourism accommodations that will leverage the area's natural assets. On-Farm Diversified uses, which include Agri-Tourism uses, are permitted economic activities in prime agricultural areas under policy 4.3. In accordance with the Guidelines (2016), on-farm diversified uses are intended to enable farm operators to diversify and supplement their farm income (p. 17). The proposed amendments will provide an opportunity for diversified economic activities on the Subject Lands. The proposed uses will also help diversify the economic base of the neighbouring rural community of Ailsa Craig known for its arts and culture.

4.2.2 Natural Heritage

Section 4.1 of the PPS, 2024 provides for the following policies relevant to the proposed OPA and ZBA:

Policy

1) *Natural features and areas **shall be** protected for the long term.*
2) *Development and site alteration **shall not** be permitted in:*
   b) significant woodlands in Ecoregions 6E and 7E (excluding Islands in Lake Huron and the St. Mary's River),

unless it has been demonstrated that there will be no negative impact on the natural features or their ecological functions.

Analysis

The Subject Lands contain natural areas and woodlands and are located within Ecoregions 6E and 7E. No development or site alteration is proposed within the natural areas or woodlands identified in Figure 2 of this report.

4.2.3 Agriculture

Section 4.3.2 of the PPS, 2024 provides for the following policies relevant to the proposed OPA and ZBA:

Policy

1) *In prime agricultural areas, permitted uses and activities are: agricultural uses, agriculture-related uses and on-farm diversified uses based on provincial guidance.*

   *Proposed agricultural related uses and on-farm diversified uses **shall be** compatible with, and shall not hinder, surrounding agricultural operations. Criteria for these uses may be based on provincial guidance or municipal approaches, as set out in municipal planning documents, which achieve the same objectives.*

*5) Where a residential dwelling is permitted on a lot in a prime agricultural area, up to two additional residential units **shall be** permitted in accordance with provincial guidance, provided that, where two additional residential units are proposed, at least one of these additional residential units is located within or attached to the principal dwelling, and any additional residential units:*

(a) Comply with the minimum distance separation formulae;
(b) Are compatible with, and would not hinder surrounding agricultural operations;
(c) Have appropriate sewage and water services;
(d) Address any public health and safety concerns;

(e) Are of a limited scale and are located within, attached, or in close proximity to the principal dwelling or farm dwelling cluster; and
(f) Minimize land taken out of agricultural production.

Analysis

A wide variety of uses may qualify as on-farm diversified uses based on the PPS definition, as long as they meet the criteria described in the Guidelines (2016). In accordance with the Guidelines (2016), all of the following criteria must be met to qualify as an on-farm diversified use, in accordance with the PPS:

1. **Located on a Farm.**
   On-farm diversified uses (OFDU) must be located on a farm property that is actively in agricultural use. Agricultural uses occur on a farm with the expectation of gain or reward. This does not include production primarily for use or consumption by members of the household of the owner or operator of the agricultural operation, for purposes of pastime or recreation, or in a park, on a property used primarily for residential purposes or in a garden located in a public space (Guidelines, 2016, p. 18). To qualify as an agricultural use, crops generally produce a harvestable product. Agricultural uses include the raising of livestock and other animals for food, fur or fibre. Animals must be raised, live on or be used on the farm.
   In addition to share cropping, Good Food Farms is focused on outdoor free range pastured chicken products. They make pre marinated kabobs, seasoned chicken burgers, breakfast patties, honey garlic wings, bone broth, soups, pot pie, quiche, enchiladas, smoked chicken from chickens raised on the farm for wholesaling of products and direct-to-consumer sales through farmers markets. Therefore, the proposed OFDU will be located on a farm.
2. **Secondary to the Principal Agricultural Use of the Property.**
   Agricultural uses must remain the dominant use of the property. This can be measured in spatial terms in accordance with the Guidelines (2016, p. 18). Spatially, the use must be secondary relative to the agricultural use of the property. The spatial limits are addressed below under the “limited in area” criterion. With consideration for the below, the proposed OFDU can be considered secondary to the principle agricultural use of the property.

3. **Limited in Area.**

This criterion is intended to:

• minimize the amount of land taken out of agricultural production, if any

• ensure agriculture remains the main land use in prime agricultural areas

• limit off-site impacts (e.g., traffic, changes to the agricultural-rural character) to ensure compatibility with surrounding agricultural operations

In accordance with the Guidelines (2016), many municipalities limit the scale of on-farm diversified uses by limiting the number or place of residence of employees, number of businesses, percentage of products sold that are produced on the farm or floor area of buildings and outdoor storage. However, these factors do not have a direct bearing on the amount of farmland displaced or fully account for all the land occupied by the uses. A preferred approach is to base “limited in area” on the total footprint of the uses, on a lot coverage ratio basis (p.19).

The Guidelines (2016) recommend that “limited in area” be relative to the size of the farm property on which the on-farm diversified use is located. The size of the entire farm property, and not just the portion of a farm that is in agricultural use, should be considered. The Guidelines (2016) recommend that the standard for the acceptable area occupied by an on-farm diversified use is up to 2% of a farm parcel to a maximum of 1 ha (10,000 m2). If more than one on-farm diversified use is proposed on a single property, the combined area of all on-farm diversified uses should be within the above area and lot coverage guidelines (p. 20).

The “limited in area” requirement should be based on the total land area that is unavailable for agricultural production as a result of the on-farm diversified use (i.e., the footprint occupied by the use, expressed as a percentage of lot coverage). The area calculation should account for all aspects related to an on-farm diversified use such as buildings, outdoor storage, landscaped areas, berms, well and septic systems, parking and new access roads (Guidelines, 2016, p. 19).

The Subject Lands have a total land area of +39 Hectares (or +97 acres). 2% of the land area is equal to +0.78 hectares (or 1.94 acres). The three (3) bunkies

will have an approximate building footprint of 278.7 square metres (or +3000 square feet). This represents an area of 0.02 hectares (or +0.07 acres). This leaves sufficient room for the inclusion of accessory parking spaces and access areas, outdoor areas, infrastructure, and the development of additional OFDUs in the future. The proposed OPA and ZBA will specify a limit of up to 2% to a maximum of 1 hectare to ensure future uses remain limited in area. Therefore, the proposed OFDU can be considered limited in area.

4. **Includes, but is not limited to, home occupations, home industries, agri-tourism uses and uses that produce value added agricultural products.**
   The proposed amendments are considered Agri-Tourism uses because they are a form of farm-related tourism use (limited accommodation) that promote the enjoyment, education or activities related to the farm operation. Future OFDU uses including a commercial kitchen and on-farm store where products from livestock raised on the farm can be processed and sold are uses that produce value added agricultural products and are also considered OFDUs.
5. **Shall be compatible with, and shall not hinder, surrounding agricultural operations.**
   In accordance with the Guidelines (2016), Compatibility Considerations include:
   - **if the use hinders surrounding agricultural operations;**
     The use will be contained completely on the subject lands. Through the SPCA process, the exact location of the bunkies will be determined so as not to hinder the agricultural operations on the lands. The bunkies will be required to comply with MDS regulations as per the Zoning By-Law amendment, too.
   - **if the use is appropriate to available rural services and infrastructure;**
     The use will be serviced by private on-site sewage systems and water systems. Private servicing is permissible in the rural area under the Upper Tier and Lower Tier Official Plan.
   - **if the use maintains the agricultural/rural character of the area;**
     The agricultural/rural character of the area will be maintained because the proposed use is a permitted use in the agricultural area and promotes agriculture.

- **If the use meets all applicable environmental standards;**
  The use will not be located within a natural area or woodland, or within hazardous lands.
- **If the cumulative impact of multiple uses in prime agricultural areas is limited and does not undermine the agricultural nature of the area (p. 22);**
  All proposed OFDU and Agri-Tourism uses will be limited to 2% of the land area. The predominate use of the lands will continue to be for primary agricultural uses, specifically, the growing of cash crops and raising of livestock.

The A1 Zone permits a Single Detached Residential dwelling associated with an agricultural use and on an agricultural lot under Subsection 7.1 of By-Law 35 of 2004. One (1) Additional Detached Residential Unit (ADRU) is proposed on the site. The ADRU is proposed to be located in close proximity to the principal dwelling and the farm building cluster, as identified in the **Figure 5** below.

The majority of the area where a future ADRU is proposed to be located is landscaped and not under agricultural production. Every effort will be made to minimize the impact of the proposed dwelling on the lands under agricultural production. Therefore, the dwelling will not hinder surrounding agricultural operations. The impact to agriculture can be further mitigated by prescribing a maximum footprint for the ADRU. The proposed Zoning By-Law Amendment prescribes a Gross Floor Area (GFA) for the ADRU that is no lager than the principal dwelling. The ADRU has access to existing municipal water services. The ADRU must be serviced by a private on-site septic system. The site is sufficiently large enough to accommodate a new septic system. The ARU will be located outside the Hazardous lands, therefore, there is no public health or safety concerns. The ARU will be required to comply with the MDS formulae between new development and existing livestock facilities.

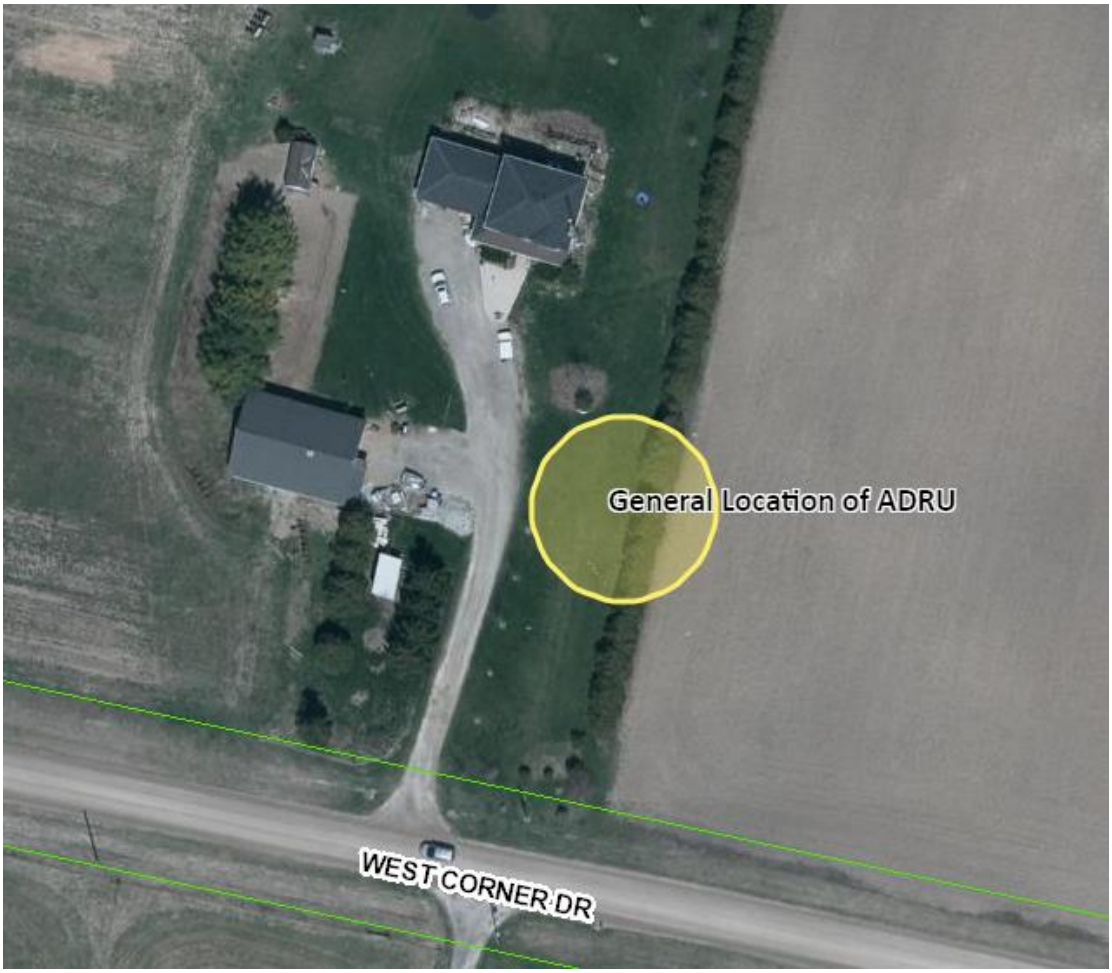


Figure 5. General Location of ADRU

Summary

Based on the foregoing analysis, it is my professional opinion that the OPA and ZBA are consistent with the Provincial Planning Statement, 2024 (PPS, 2024).

4.3 Middlesex County Official Plan (2023)

The Provincial Planning Statement (PPS, 2024) states that the official plan is the most important vehicle for implementation of the PPS, 2024 and for achieving comprehensive, integrated and long-term planning (p. 2). Planning authorities shall keep their official plans up-to-date with the PPS, 2024.

The Middlesex County Official Plan (2023) (the "Upper Tier OP") is one tool to be used in working towards the long-term vision for the County. The Upper Tier OP (2023) directs

and guides the County in land use policy and physical planning on a broad basis and is intended to:

- Establish an upper tier policy framework that provides direction to the local municipalities in the preparation of local Official Plans and Zoning By-Laws;
- Set a framework for coordination and cooperation amongst the local municipalities and the County on planning and development issues that transcend municipal boundaries (p. 1-2).

4.3.1 Natural Heritage Features

Section 2.3.10 of the Upper Tier OP (2023) provides for the following policies relevant to the proposed OPA and ZBA:

Policy

When an application for development within a Natural Heritage Feature, or on the adjacent lands […], the appropriate Conservation Authority and the Province ***shall be*** *consulted.*

Analysis

No development is proposed within the natural areas or woodlands.

4.3.2 Natural Hazards Policies

Section 2.3.11 of the Upper Tier OP (2023) provides for the following policies relevant to the proposed OPA and ZBA:

Policy

It is the policy of this Plan to direct development and site alteration to areas outside of Natural Hazards to reduce potential risks to public health or safety or of property damage.

The County also requires local municipalities enact zoning by-laws that impose appropriate setbacks from Natural Hazards, based on the kind, extent and severity of existing and potential hazard to public safety and infrastructure.

Analysis

The applicant has consulted with the Ausable Bayfield Conservation Authority (ABCA). The Conservation Authority has acknowledged that bunkies will be located in an area generally outside ABCA's regulation limit based on a conceptual site plan.

The Conservation Authority has explained that the regulation limit indicates a 15-metre setback from the theoretical stable top of the bank above the valley. Based on a cursory

review, the Conservation Authority states that the drawings suggests that the structure is nestled tightly near the end section of the “peninsula” shaped area. Other associated elements of the plan such as trees, chicken coops, plantings, sprawl out into regulated tablelands adjacent to the top of the bank. The Conservation Authority has confirmed that these elements would have marginal impacts on the condition of the tablelands from its current agricultural state. The intent of ABCA’s valley land and slope stability policies is to protect life and property from slope failures. They recommend that the regulated tablelands adjacent to the top of the bank *should* be left in a natural state to allow for the natural succession of vegetation from the valley.

4.3.3 Agriculture

Section 2.2.2 of the Upper Tier OP (2023) provides for the following policies relevant to the proposed OPA and ZBA:

Policy

2.2.2.2 General Policies

> Agricultural-related and on farm diversified uses **shall be** compatible with and not hinder, surrounding agricultural operations. Permitted agricultural-related and on-farm diversified uses shall be in accordance with the 2016 Guidelines for Permitted Uses in Ontario’s Prime Agricultural Area as released by the Province.

Analysis

The proposed OFDUs are compatible with the surrounding agricultural operations and have been evaluated based on the 2016 Guidelines for Permitted Uses in Agricultural Areas.

4.3.4 Economic Development

Section 2.3.4 of the Upper Tier OP (2023) provides for the following policies relevant to the proposed OPA and ZBA:

Policy

s) *promote the development of agri-tourism and work with local municipalities and agricultural representatives to explore options for the development of local agri-tourism, including identifying strengths, unique local attributes, opportunities, and potential links with value added agriculture, local foods, potential new product markets, local heritage, recreation opportunities, farm vacation enterprises, and natural heritage and identifying the facilities, infrastructure, and resources*

necessary to support an agri-tourism industry. The development of agri-tourism must not interfere with agricultural operations.

Analysis

The proposed amendments will promote the development of local agri-tourism use, specifically, farm vacation enterprises and recreation opportunities. The proposed uses will be limited in area and will not interfere with agricultural operations.

4.3.5 Additional Residential Units

Section 2.3.7.4 of the Upper Tier OP (2023) provides for the following policies relevant to the proposed OPA and ZBA:

Policy

*The development of additional residential units **shall be** permitted as a means of increasing the diversity and stock of rental and affordable housing, creating opportunities for aging in place, and providing homeowners with additional sources of income.*

*Local municipal official plans and zoning by-laws **shall** address the following:*

a) the building code, fire code, and all other Provincial, County, and Municipal standards,
b) the provision of adequate access, including emergency access,
c) that the additional residential unit(s) be clearly subordinate in scale and function to the primary unit, and,
d) not be permitted within hazard lands as defined and regulated by conservation authorities.

*Specific to the creation of additional residential units outside of settlement areas, such uses shall be grouped with the primary dwelling, **shall** meet Minimum Distance Separation formulae, and shall be prohibited from being severed from the property unless as part of the severance of the primary dwelling unit as a residence surplus to a farming operation.*

Analysis

The proposed ADRU will be limited in area to be not greater than the principal dwelling unit and therefore will be subordinate in scale and function to the primary unit. The ADRU will not be located in hazard lands and will be required to meet MDS formulae. The ADRU will be grouped in close proximity to the primary dwelling within the existing building cluster. The ADRU will not be permitted to be severed on a separate lot in accordance with County policies.

4.3.6 Agricultural Areas

Section 3.3 of the Upper Tier OP (2023) provides for the following policies relevant to the proposed OPA and ZBA:

Policy

3.3.2 Limited on-farm diversified uses may be permitted in the Prime Agricultural Areas subject to site specific zoning regulations and are not removed from the Agricultural Area land use designation.

*3.3.3 Agricultural areas **shall** generally permit the following use:*

k) Additional Residential Units in accordance with Section 2.3.7.4

l) agriculture-related and on-farm diversified uses in accordance with Section 3.3.5

3.3.5 Agricultural-related and on-farm diversified uses directly related to, and supportive of, agricultural operations, including […] agri-tourism may be permitted providing the following policies are considered:

a) the agriculture-related use and on-farm diversified use cannot reasonably be located in a Settlement Area and must be located in proximity to farming activities;

*b) such uses **shall** be located to conform with the Minimum Distance Separation Formula;*

c) where local zoning by-laws do not provide as of right zoning for agriculture related and on-farm diversified uses a site-specific amendment to the Zoning By-Law is approved;

*d) the agriculture-related and on-farm diversified use shall not require large volumes of water nor generate large volumes of effluent and **shall** be serviced with appropriate water supply and sewage treatment facilities;*

*e) agriculture-related and on-farm diversified uses **shall** be located and designated to minimize potential adverse impacts upon adjacent residential or other sensitive uses by buffering measures such as landscaping, berming and building setback and layout;*

*f) the location of agriculture-related and on-farm diversified uses **must** provide for a minimum sight distances from access points in either direction along a County or local road;*

g) the site plan policies of the Official Plan;

*h) the agriculture-related and on-farm diversified uses **shall** be in accordance with the Provincial Guidelines on Permitted Uses in Prime Agricultural Areas;*

i) for on-farm diversified uses, the relationship of the proposed use to the underlying farm operation;

j) agriculture-related and on-farm diversified uses are to remain within the Agricultural Area land use designation and are permitted without the need to amend this Plan.

Analysis

The proposed OFDUs will be subject to site specific zoning regulations. The proposed OFDUs will not be removed from the agricultural land use designation. The proposed OFDUs will be for Agri-Tourism use. The proposed OFDU cannot be reasonably located in a Settlement Area because the proposed OFDU is an Agri-Tourism use which seeks to promote the sustainable practices of the farm and the natural beauty of the lands. The proposed use will conform with all MDS formula. Zoning regulations for the OFDU have been proposed. The proposed OFDU will be self sustaining and will therefore not require large volumes of water nor generate large volumes of effluent and will be serviced with appropriate water supply and sewage treatment facilities. The OFDU will be subject to SPC approval.

Summary

Based on the foregoing analysis, it is my professional opinion that the OPA and ZBA conforms with the County of Middlesex Official Plan.

4.4 North Middlesex Official Plan

The Goals of the North Middlesex Official Plan is:

a) to create a planning framework that promotes a flexible and adaptable economic environment to encourage investment and a broad range of employment opportunities, protects the dominance of the agricultural industry, and protects other rural resources;
b) To promote the health and well-being of the Municipality and its residents through the planning and development of strong, efficient and healthy communities and associated services; and
c) To enhance and protect the quality of the natural and built environment, while providing for the changing needs of the community.

4.4.1 Growth Management Objectives

Section 3.3.1 of the Lower Tier OP (2024) provides for the following policies relevant to the proposed OPA and ZBA:

Policy

d) *Protect the rural area as the principle focus of resource related activities, including, but not limited to, agriculture, resource extraction, and environmental protection and appreciation.*

Analysis

The proposed amendments will protect the area for agricultural uses.

4.4.2 Economic Development Objectives

Section 3.3.2 of the Lower Tier OP (2024) provides for the following policies relevant to the proposed OPA and ZBA:

Policy

a) Ensure the continued economic strength of agriculture in North Middlesex.

b) Foster tourism potential through the protection and augmentation of the Municipality's unique characteristics.

Analysis

The proposed amendments are intended to foster agri-tourism in the area through leveraging the area's natural assets.

4.4.3 Agriculture & Rural Resource Objectives

Section 3.3.3 of the Lower Tier OP (2024) provides for the following policies relevant to the proposed OPA and ZBA:

Policy

a) Preserve agriculture as the primary land use outside of the Settlement Areas.

b) Recognize and preserve the rural context and agricultural heritage as a significant factor contributing to the Municipal economy.

c) Promote the viability of farm operations, ensuring their continued economic strength, wherever possible.

Analysis

OFDUs are intended to enable farm operators to diversify and supplement their farm income, as well as to accommodate value-added and agri-tourism uses in prime agricultural areas. Therefore, the proposal promotes the viability of the farm operation ensuring its continued economic strength.

4.4.4 Land Use Objectives

Section 3.3.5 of the Lower Tier OP (2024) provides for the following policies relevant to the proposed OPA and ZBA:

Policy

a) *Protect agricultural activities and the agricultural land base from the intrusion of incompatible uses.*
b) *Reduce conflicts between existing and proposed land uses through buffering, setbacks, landscaping and other appropriate standards in the Zoning By-law.*
c) *Guide the maintenance and growth of economic activity in the Municipality through the development of proactive and flexible land use policy for areas of economic activity.*

Analysis

The proposed uses are permitted uses in the agricultural area and therefore protect agricultural activities and the agricultural land base. Appropriate Zoning By-Law standards have been proposed to ensure buffering through setbacks between incompatible and sensitive land uses.

4.4.5 Tourism Related Economic Development

Section 4.1.2 of the Lower Tier OP (2024) provides for the following policies relevant to the proposed OPA and ZBA:

Policy

This Plan encourages growth in tourism and visitation to the Municipality, particularly in the Central Areas of Ailsa Craig and Parkhill and in areas of rural amenity. The following tourism related policies shall apply.

a)This Plan promotes the existing tourism and destination-oriented uses in the Municipality and encourages the establishment of additional tourism opportunities within the Urban Settlement Areas and areas of scenic quality.

c)Agriculturally related and rural resource-related tourism opportunities will be encouraged.

Analysis

The proposed amendments will add rural resource related tourism opportunities and encourage growth in tourism in the Central Areas of Aisla Craig as the Subject Lands are located just outside the community.

4.4.6 Agricultural Area Land Use Designation

Section 6.4 of the Lower Tier OP (2024) provides for the following policies relevant to the proposed OPA and ZBA:

Policy

6.4.1 Permitted Uses permitted on lands designated Agricultural Area on Schedule "A" are as follows.

a) The primary use of land shall be for farming, agriculture and agriculturally-related uses. The farm unit shall generally consist of farmland, the farm residence, farm buildings and structures and any farm woodlots or natural heritage features.

f) The following secondary uses may also be permitted, provided these uses do not conflict with existing farming operations or with any Natural Heritage Features:

> *i) Accessory residential dwellings, "granny flats" or garden suites, subject to the policies of Section 5.2.3,save and except for that use of existing site services is permitted in lieu of full municipal services;*
>
> *iii) On-farm secondary businesses, subject to the policies of Section 6.4.2.e*

6.4.2 Policies The following policies apply to lands designated Agricultural Area.

e) On-farm secondary businesses comprise a gainful occupation conducted in whole or in part in an accessory building (shed or farm building) by a member of the farm family, with support of up to three non-farm family members. In order to ensure that the scale of the business is clearly accessory to the farm use, the gross floor area of the on-farm secondary business shall not exceed the gross floor area of the residential unit. Outside storage associated with the on-farm secondary business shall be limited in scale and be screened from view from surrounding roads. On-farm secondary businesses shall have no negative impact on Natural Heritage Features or their ecological functions. The range of on-farm secondary businesses permitted and the standards applying to them shall be set out in the Zoning By-law. On-farm secondary businesses shall be subject to site plan control.

Analysis

The proposed amendments will add an accessory residential dwelling and on-fam secondary businesses, consistent with uses that are permitted in the agricultural area and subject to different policies and regulations to better align with Provincial policy and the Upper Tier Official Plan.

4.4.7 Official Plan Amendments

Section 9.6.1 of the Lower Tier OP (2024) provides for the following policies relevant to the proposed OPA and ZBA:

Policy

The following policies shall apply to the consideration of applications to amend this Plan:

a) Applications to amend this Plan shall include a justification report for the proposed change, prepared by the applicant. This shall include, but not be limited to, information regarding the proposed use, servicing, density if applicable, floor area if applicable, lot layout and site plans as appropriate and applicable.

b) Applications for Official Plan Amendment shall be carried out in accordance with the relevant policies and procedures outlined in the Land Use Policies of this Plan and the policies of Section 9.6.1c).

c) Council shall consider the following criteria where reviewing applications to amend this Plan:

i) The manner in which the proposed amendment conforms to prevailing Provincial policy and regulations;

ii) The manner in which the proposed amendment conforms to the Middlesex County Official Plan;

iii) The manner in which the proposed amendment conforms to the goals, objectives and policies of this Plan;

iv) The manner in which the proposed amendment conforms to the Municipal Strategic Plan;

v) The impacts of the proposed amendment on the provision of and demand for municipal services, infrastructure and facilities;

vi) The adequacy of the proposed servicing solution with respect to the servicing policies of this Plan;

vii) The impact of the proposed amendment on surrounding lands uses, the transportation system, municipal services and community amenities and service;

viii) The impact of the proposed amendment on the hierarchy of Settlement Areas and the structure and nature of the Urban, Community and/or Hamlet Settlement Areas;

ix) The impact of the proposed amendment on cultural and/or natural heritage features;

x) The impact of the proposed amendment on the finances of the Municipality; and

xi) Any other information determined to be appropriate and applicable.

Analysis

The proposed amendments are consistent with the PPS (2024) and conform with the Upper Tier and Lower Tier Official Plan as described in this report.

The proposed amendments will have no impact on municipal services as the bunkies are intended to be self sufficient. The ARU will be serviced through existing water services.

The proposed amendments are similar in nature to uses permitted in the agricultural area (ARUs and On-Farm Secondary Businesses) and will therefore have no impact on the surrounding land uses.

The proposed amendments will have no impact on cultural or natural heritage features.

The proposed amendments are consistent with the Goals of the North Middlesex Community and Corporate Strategic Plan 2018-2028 because it will Support rural economic activity, including production of agricultural and agriculture-related products, and rural recreational activities (p. 43).

Summary

Based on the foregoing analysis, it is my professional opinion that the OPA and ZBA conforms with the North Middlesex Official Plan (2024).

5.0 Proposed Zoning By-Law Amendment

The Subject Lands are zoned General Agricultural (A1) in accordance with Map 15 of By-Law 35 of 2004.

Amendments to By-Law No. 35 of 2024, as amended, are required to facilitate the construction of the proposed second Single Detached Dwelling and On-Farm Diversified/Agri-Tourism Use.

The following actions are required to facilitate the ZBA:

Add the following General Agricultural Exception under Subsection 7.4 of Section 7, General Agricultural (A1) Zone, for the Lands known municipally as 3610 West Corner Drive:

1. Notwithstanding Section 7.1, on lands shown on Schedule “A” (Map 15), the provisions of Section 7 shall apply with the exception that an Additional Residential Dwelling Unit shall be permitted within a detached building physically separate from the principal dwelling and subject to the following regulations:
   a) Maximum Lot Coverage: Equal to or less than the Principal Dwelling
   b) Minimum Front Yard: 15 m
   c) Minimum Interior side yard: 15m
   d) Maximum Building Height: Equal to or less than the Principal Dwelling
   e) The Minimum Distance from an intensive agricultural use for a detached Additional Residential Dwelling Unit shall be in accordance with the MDS-1 provided for under section 6.26 of the Zoning By-Law.
   f) Despite subsection 7.2.6 of the Zoning By-Law, the detached Additional Residential Dwelling Unit shall not be required to be temporary and the dwelling may be used for the purposes of boarding on-farm labourers.
2. Notwithstanding Section 7.1, on lands shown on Schedule “A” (Map 15), the provisions of Section 7 shall apply with the exception that On-Farm Diversified Uses and Agri-Tourism Uses shall be permitted and subject to the following regulations:
   a) On-Farm Diversified Uses shall mean uses that are secondary to the principal agricultural use of the property, and are limited in area. On-Farm Diversified uses include, but are not limited to, home occupations, home industries, agri-tourism uses, uses that produce value-added agricultural products, and electricity generation facilities and transmission systems, and energy storage systems.
   b) Agri-tourism uses shall be defined as those farm-related tourism uses, including limited accommodation such as farm vacation suites, that promote the enjoyment, education or activities related to the farm operation.
   c) On-Farm Diversified Uses and Agri-Tourism uses shall be permitted within a building or within a designated outdoor area.
   d) On-Farm Diversified Uses and Agri-Tourism uses shall not occupy more than 2% of the total land area up to a maximum of 1 hectare.

e) The parking requirements shall be in accordance with subsection 6.34 of the Zoning By-Law expect that a farm vacation suite shall require a minimum of one (1) parking space per suite.

f) Subsection 6.32 of the Zoning By-Law shall not apply to an On-Farm Diversified Use or Agi-Tourism use.

g) Subsection 7.3.1 of the Zoning By-law shall apply to On-Farm Diversified Uses and Agri-Tourism Uses expect that provisions respecting the minimum lot frontage and minimum lot area of the Subject Lands.

h) the maximum building height of a farm vacation suite shall be 10.5m.

Table 3.0 and **Table 4.0** provides an overview of how the proposed Zoning regulations comply with the Provincial policies and Guidelines.

Table 3.0 Zoning By-Law Compliance

Regulation	Required	Proposed	Compliance
Additional Residential Dwelling Unit (ADRU)			
Permitted Use	Second detached residential dwelling accessory to an agricultural use permitted only for temporary purposes and only to be used for the boarding of seasonal farm labourers.	An ADRU within a detached building physically separate from the principal dwelling	A permanent ADRU is permitted under the PPS (2024) and the Upper Tier Official Plan (2024).
Maximum Lot Coverage	No requirement	Equal to or less than principal dwelling	Required to ensure dwelling does not impact agriculture.
Minimum Front Yard	20 m	20 m	Complies
Minimum Interior Side Yard	15m	15m	Complies
Maximum Building Height	12m for a Dwelling on an existing lot of record	Equal to or less than principal dwelling	Required to ensure dwelling is subordinate to principal dwelling.

MDS	In accordance with MDS-I under section 6.26	In accordance with MDS-I under section 6.26	Complies
Subsection 7.2.6	Requires ADRU to be temporary and only for the boarding of seasonal farm help	ADRU not required to be temporary and not required to be for the boarding of seasonal farm help.	A second ADRU is not required to be solely for the purpose of boarding farm help under Provincial and County policy.

Table 4.0 Zoning By-Law Compliance

Regulation	Required	Proposed	Compliance
On-Farm Diversified Uses and Agri-Tourism Uses			
Permitted Use	On-Farm Secondary Business	On-Farm Diversified Uses and Agri-Tourism Uses	Permitted under Provincial and County Policy and Gudelines
Location	Only permitted in building	within a building or within a designated outdoor area	Complies with Provincial Policy and Guidelines
Lot Coverage	No greater than GFA of dwelling	2% of the total land area up to a maximum of 1 hectare	Complies with Provincial Policy and Guidelines
Parking Requirements	Minimum of 6 required parking spaces	in accordance with subsection 6.34 of the Zoning By-Law expect that a farm vacation suite shall require a minimum of one (1) parking space per suite.	Based on requirements of vacation suites.
Section 6.32	only one On Farm business permitted must be located in building and cannot	Shall not apply to an OFDU or Agri-Tourism Use	Section 6.32 is not consistent with provincial guidance

	be larger than dwelling requires property owner to operate and limits employees no on-site retail sale		Replaced with site-specific zoning by-law amendments
Section 7.3.1	150.0 m lot frontage; 39.0 hectare lot area; 10.5 m maximum building height	minimum lot frontage and minimum lot area of the Subject Lands maximum building height shall be 10.5m	Lot frontage and lot area are not applicable to a OFDU/Agri-Tourism use as long as it meets the provincial criteria. Complies with height of accessory buildings.

6.0 Summary and Conclusions

It is my opinion that the applications for Official Plan Amendment (OPA) and Zoning By-Law Amendment (ZBA) to represent good planning and are in the public interest. The application should be approved for the following reasons:

- **The applications have regard to matters of Provincial Interest, as required under Section 2 of the Planning Act.**
- **The applications are consistent with the Provincial Planning Statement (PPS, 2024).**
- **The applications conform with the Middlesex County Official Plan and North Middlesex Official Plan.**
- **The applications allow for On-Farm Diversified Uses and Agri-Tourism uses which are supportive of agriculture and leverage the natural assets of the area.**

- **The applications allow for the provision of housing opportunities in rural areas that support the social and economic needs of the farmer.**
- **The applications promote sustainability in design, conservation of resources, and adaptation to a changing climate.**

Respectfully submitted,

Rita Jabbour, RPP, MSc, BA
Registered Professional Planner
T: 519-322-7974
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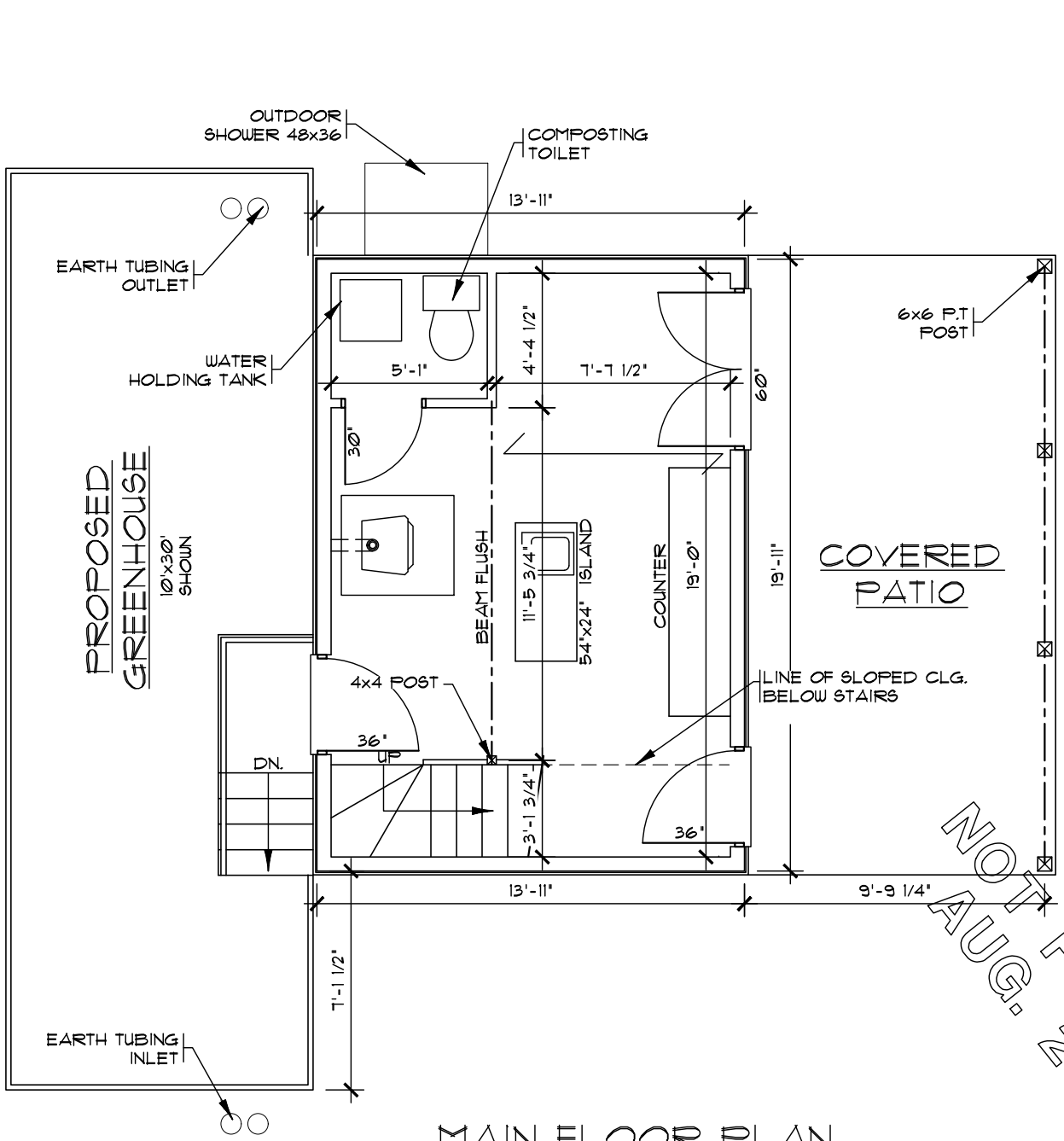
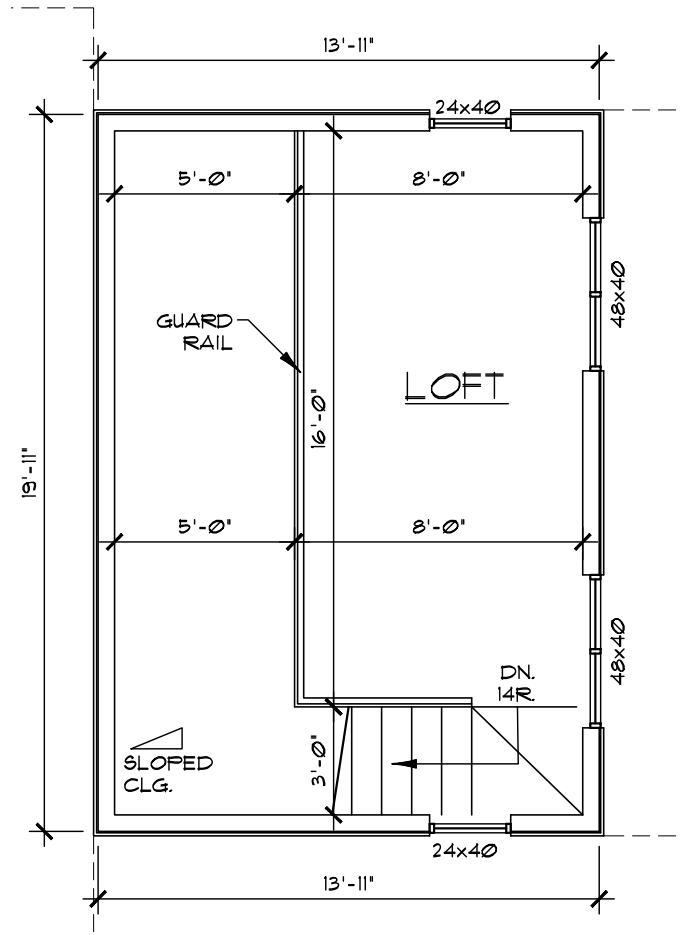
W: www.rjplanner.com



MAIN FLOOR PLAN

TOTAL LIVING AREA:280 Sq.ft.
SCALE: 3/16" = 1'-0"



SECOND FLOOR PLAN

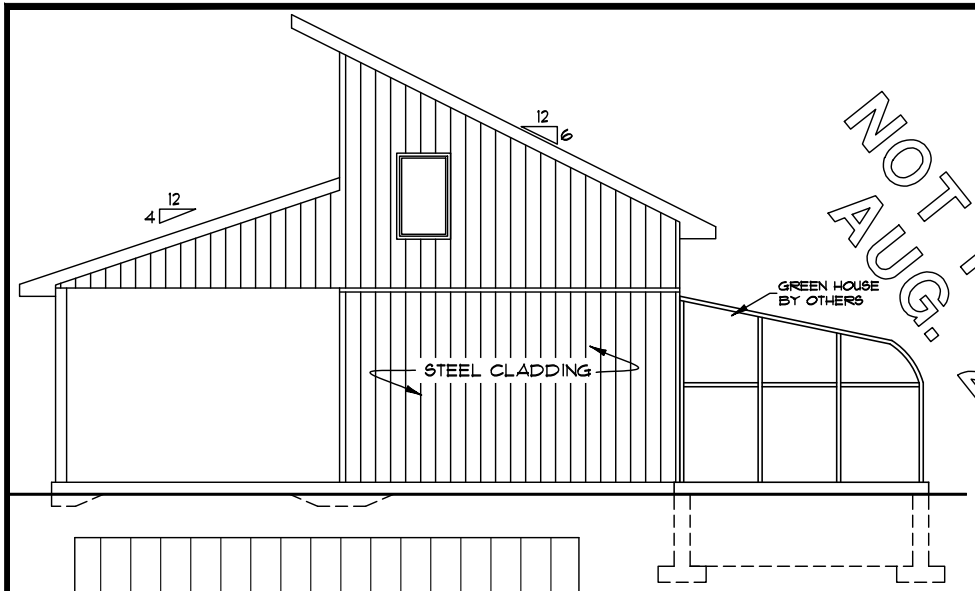
TOTAL LIVING AREA:128 Sq.ft.
SCALE: 3/16" = 1'-0"

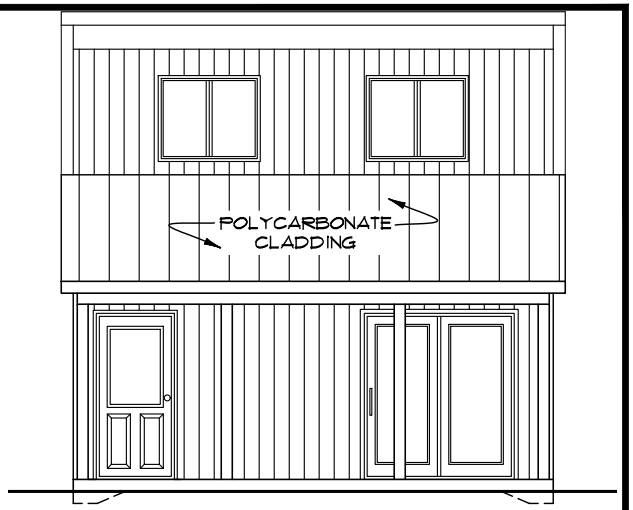
NOT FOR PERMIT AUG. 27 2024

REV.1 FOR PERMIT 2024

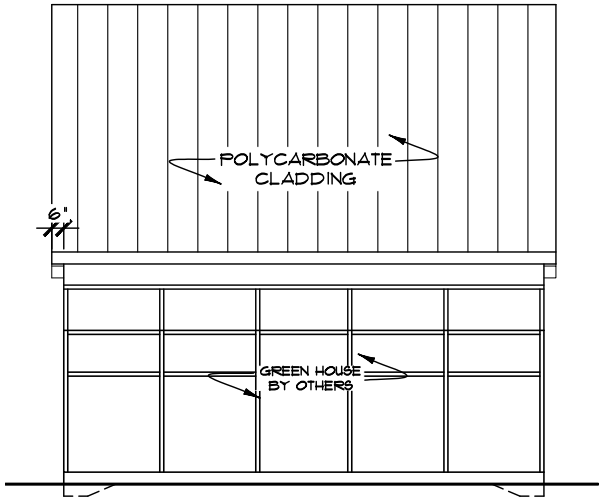
DO NOT SCALE DRWG.

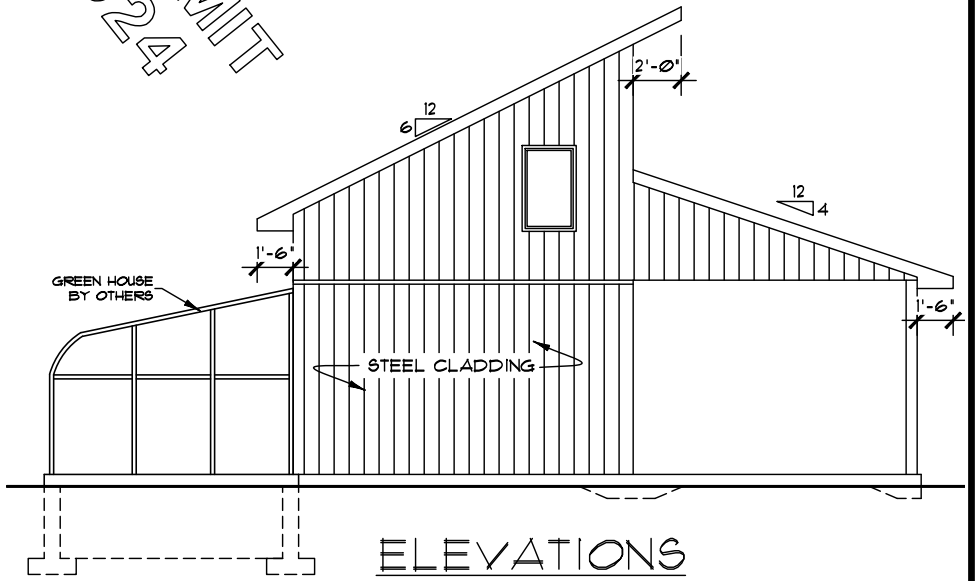
PRELIMINARY	PROJECT No: 24-038
MELABU DESIGN & DRAFTING	
PROJECT: TINA GOKSTORP BUNKIE PLANS	
DATE: 07/23/24	SHEET: 1 OF 2





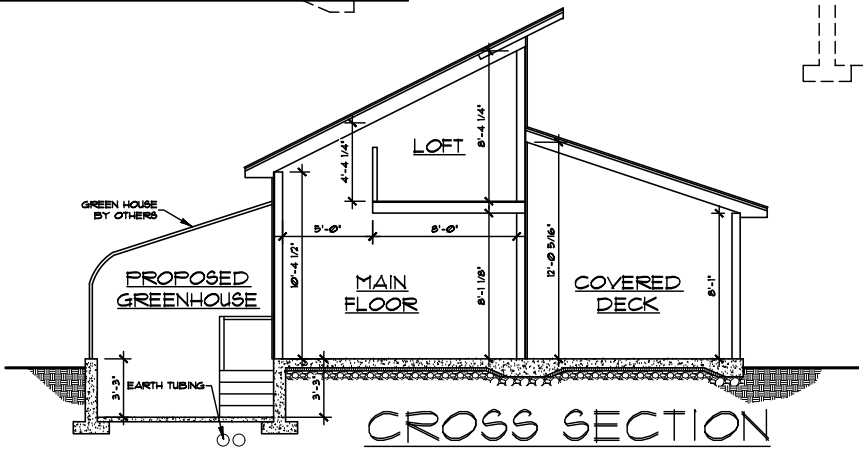
NOT FOR PERMIT
AUG. 27 2024
REV.1





ELEVATIONS

SCALE: 1/8" = 1'-0"



CROSS SECTION

SCALE: 3/32" = 1'-0"

DO NOT SCALE DRWG.

PRELIMINARY	PROJECT No: 24-038

MELABU
DESIGN & DRAFTING

PROJECT:
TINA GOKSTORP
BUNKIE PLANS

DATE:	SHEET:
07/23/24	2 OF 2

REPORT TO: **Mayor and Members of Council**Choose an item.

PREPARED BY: **Brandon McLeod, Manager of Public Works**

DEPARTMENT: **Infrastructure & Operations**

DIVISION: **Public Works**

MEETING DATE: **December 4, 2024**

SUBJECT: **Asphalt Program 2025**

PROPOSED MOTION

THAT Council receives the Asphalt Program 2025 report for information;

AND THAT Council pre-approve the Sylvan Road Reconstruction, and the Extension of Approaches on Nairn Road and Parkhill Drive, for $799,720.00 in the 2025 capital budget;

STAFF RECOMMENDATION

THAT Council receives the Asphalt Program 2025 report for information;

AND THAT Council pre-approve the Sylvan Road Reconstruction, and the Extension of Approaches on Nairn Road and Parkhill Drive, for $799,720.00 in the 2025 capital budget;

EXECUTIVE SUMMARY

Staff recommend joining Middlesex County paving tender in January 2025 advance of 2025 budget approval. Staff recommend starting the 2025 asphalt program on Sylvan Road between Townsend Line and Elm Tree Drive, because Middlesex County is paving three of their roads in North Middlesex. Staff are recommend to do 45mm lift of asphalt on Sylvan Road between Townsend Line and Elm Tree Drive. Staff also recommend doing the pre-construction by the Public Works Department on Sylvan Road before asphalt is put down.

Joining the Middlesex County tender process for paving in January offers the Municipality a better price, then Municipality can get tending their self. Staff doing the pre-construction work by the Public Works Department will help with the cost.

LINK TO STRATEGIC PRIORITIES

Choose an item. Choose an item.

Choose an item. Choose an item.

Plans: To Support Robust Industrial, Commercial and Residential Growth By Developing A Safe And Secure Municipality

Choose an item. Choose an item.

Choose an item. Choose an item.

BACKGROUND

North Middlesex's hasn't had any re-constructed done to our asphalt road in 6 years. Council and staff have identified road needs study in 2024 capital budget to identify our current road condition. This capital project has et to be competed. Staff have investigated Sylvan Road between Townsend Line and Elm tree Drive and have concluded that this section is in need of re-constructing. The deficiency on this section of road identified by staff include: bumps at the bridge and box culvert, pot holes, and multiple types of cracking (alligator, block, longitudinal, transverse, edge, and slippage). The current condition of this section of Sylvan Road doesn't meet the current standard of class 4 road.

DISCUSSION

In order to procure the best price for the Municipality, staff recommend joining Middlesex County asphalt tender in 2025. County is planning to pave Townsend line which abuts Sylvan Road. Due to the close proximity, staff along with the assistance of County's Engineering Supervisor, believe that cost saving will be approximately 10%. Outline below are the cost estimates for the project:

Description	
45mm lift of asphalt on Sylvan Rd between Townsend Line and Elm Tree Dr (4.20km)	$437,000.00

Milling	$10,000
Pulverize Sylvan Rd	$11,000
Culverts Replacement	$6,000
Shouldering	$15,000
Sub-base Gravel (A gravel)	$94,000
Sub-base Gravel (B gravel)	$15,000
Equipment Rental	$10,000
Replace Asphalt Troughs on Sylvan Rd hill	$16,000
Approaches off Nairn Rd & Parkhill Dr	$30,000
Sub Total	$644,000
HST	$83,720
Total	$727,720
10% Contingency	$72,000
Total	$799,720

County is also completing paving on Nairn Road between Petty Street and Hwy 7 and Parkhill Drive between Victoria Street and Tow Road. Staff are recommending extending the approaches on Municipality's roads off those section of roads to reduce the impact of acceleration has on our gravel roads (wash boarding).

Staff is planning to re-construct most the section of Sylvan Road in house for cost saving.

Staff are recommending that North Middlesex join the County tender in January to complete aforementioned section of Sylvan Road in 2025.

FINANCIAL

Preapproval

ATTACHMENT

Prepared By: Choose an item.

Reviewed By: Choose an item.
Reviewed By: Choose an item.
Approved By: Choose an item.

REPORT TO: **Mayor and Members of Council**

PREPARED BY: **Ralph D'Alessandro, Director of Finance/Treasurer**

DEPARTMENT: **Administration & Finance**

DIVISION: **Treasury**

MEETING DATE: **December 4, 2024**

SUBJECT: **By-Law #99 of 2024**

PROPOSED MOTION

That Council approve and pass By-Law #99 of 2024 being a by-law to authorize borrowing from Ontario Infrastructure and Lands Corporation (OILC) for capital works through the issuance of a debenture.

STAFF RECOMMENDATION

That Council receive, review, approve and pass By-Law #99 of 2024.

EXECUTIVE SUMMARY

In 2021, By-Law #56 of 2021 authorized staff to apply to OILC and enter into a Financing Agreement with a limit of $8,000,000 to provide cash advances towards capital work(s) relating to the Ailsa Craig water tower project. Over the past three years, several advances have been received with a total value of $6,503,568 and whereas the capital work(s) are deemed completed, staff is seeking direction to finalize the agreement with the issuance of debentures to OILC for the value advanced.

BACKGROUND

In 2021, the Council of-the-day approved By-Law #56 of 2021being a by-law to authorize the submission of an application to Ontario Infrastructure and Lands Corporation (OILC) for financing of certain ongoing capital work(s) of the municipality; to authorize temporary borrowing (advances) from OILC to meet expenditures in connection with such capital work(s); and to authorize long-term borrowing for such capital work(s) through the issue of debentures to OILC. The application was approved by OILC and a Financing Agreement entered into with a limit of $8,000,000.

Over the past three years, several advances have been received with a total value of $6,503,568 and whereas the capital work(s) are deemed completed, staff is seeking direction to finalize the agreement with the issuance of debentures to OILC for the value advanced. To that end, staff have initiated the process with OILC and received the attached terms and amortization schedule showing the debenture of $6,503,568, an interest rate of 4.59%, a term of 20 years and a closing date of December 16, 2024. The first payment will be due June 16, 2025, in the amount of $250,313.38 and will continue semi-annually on June 16th and December 16th each year until December 16, 2044. Over the course of the debenture, the municipality will make payments totalling $10,008,535.20 which will include $3,504,967.21 in interest charges.

DISCUSSION

This debenture does not provide any new cash flow but rather formalizes the repayment of the advances received during the completion of the capital work(s). The municipality would either have to self-finance this amount or seek other debt arrangements to repay OILC's advances and interest accumulated to date. Alternative financing options are not plentiful nor more attractive as far as rate and terms. Furthermore, not following through with the Financial Agreement as signed in 2021 would jeopardize future financing options with the province.

FINANCIAL

In 2025, the municipality will make payments totalling $500,426.76 (as they will annually until 2044) of which $204,229.94 will reduce the principal amount of the debenture and $296,196.82 will be interest expense. Although the payments each year will remain constant, the portion repaying the principal versus the portion that is interest expense will follow the amortization table at the end of Schedule A.

ATTACHMENT

Prepared By: Ralph D'Alessandro, Director of Finance /Treasurer
Approved By: Carolyn Tripp, Chief Administrative Officer

THE CORPORATION OF THE MUNICIPALITY OF NORTH MIDDLESEX

BY-LAW NUMBER 99-2024

A BY-LAW OF THE CORPORATION OF THE MUNICIPALITY OF NORTH MIDDLESEX TO AUTHORIZE THE BORROWING UPON AMORTIZING DEBENTURES IN THE PRINCIPAL AMOUNT OF $6,503,568.00 TOWARDS THE COST OF THE NORTH MIDDLESEX AILSA CRAIG WATER TOWER INSTALLATION.

WHEREAS subsection 401 (1) of the *Municipal Act*, *2001*, as amended (the "**Act**") provides that a municipality may incur a debt for municipal purposes, whether by borrowing money or in any other way, and may issue debentures and prescribed financial instruments and enter prescribed financial agreements for or in relation to the debt;

AND WHEREAS subsection 408 (2.1) of the Act provides that a municipality may issue a debenture or other financial instrument for long-term borrowing only to provide financing for a capital work;

AND WHEREAS the Council of The Corporation of The Municipality of North Middlesex (the "**Municipality**") has passed the By-law(s) enumerated in column (1) of Schedule "A" attached hereto and forming part of this By-law authorizing the capital work(s) described in column (2) of Schedule "A" (the "**Capital Work(s)**"), and authorizing the entering into of a Financing Agreement dated as of July 05, 2021 for the provision of temporary and long-term borrowing from Ontario Infrastructure and Lands Corporation ("**OILC**") in respect of the Capital Work(s) (the "**Financing Agreement**");

AND WHEREAS the Municipality has entered into the Financing Agreement for the provision of temporary and long-term borrowing from OILC in respect of the Capital Work(s) and desires to issue debentures for the Capital Work(s) in the amount(s) specified in column (5) of Schedule "A";

AND WHEREAS before authorizing the Capital Work(s) and before authorizing any additional cost amount and any additional debenture authority in respect thereof (if any) the Council of the Municipality had its Treasurer calculate an updated limit in respect of its most recent annual debt and financial obligation limit received from the Ministry of Municipal Affairs and Housing in accordance with the applicable regulation and, prior to the Council of the Municipality authorizing the Capital Work(s)**,** each such additional cost amount and each such additional debenture authority (if any), the Treasurer determined that the estimated annual amount payable in respect of the Capital Work(s), each such additional cost amount and each such additional debenture authority (if any), would not cause the Municipality to exceed the updated limit and that the approval of the Capital Work(s), each such additional cost amount and each such additional debenture authority (if any), by the Ontario Land Tribunal pursuant to such regulation was not required;

AND WHEREAS the Municipality has submitted an application to OILC for long-term borrowing through the issue of debentures to OILC in respect of the Capital Work(s) (the "**Application**") and the Application has been approved;

AND WHEREAS to provide long-term financing for the Capital Work(s) and to repay certain temporary advances in respect of the Capital Work(s) made by OILC pursuant to the Financing Agreement (if any), it is now deemed to be expedient to borrow money by the issue of amortizing debentures in the principal amount of $6,503,568.00 dated December 16, 2024 and maturing on December 16, 2044, and payable in semi-annual instalments of combined principal and interest on the sixteenth day of June and on the sixteenth day of December in each of the years 2025 to 2044 commencing on June 16, 2025, both inclusive on the terms hereinafter set forth;

NOW THEREFORE THE COUNCIL OF The Corporation of The Municipality of North Middlesex ENACTS AS FOLLOWS:

1. The submitting of the Application and the execution and delivery of the Financing Agreement by the Municipality are hereby confirmed, ratified and approved. For the Capital Work(s), the borrowing upon the credit of the Municipality at large of the principal amount of $6,503,568.00 and the issue of amortizing debentures therefor to be repaid in semi-annual instalments of combined principal and interest as hereinafter set forth, are hereby authorized.

2. The Mayor and the Treasurer of the Municipality are hereby authorized to cause any number of amortizing debentures to be issued for such amounts of money as may be required for the Capital Work(s) in definitive form, not exceeding in total the said aggregate principal amount of $6,503,568.00 (the "**Debentures**"). The Debentures shall bear the Municipality's municipal seal and the signatures of the Mayor and the Treasurer of the Municipality, all in accordance with the provisions of the Act. The municipal seal of the Municipality and the signatures referred to in this section may be printed, lithographed, engraved or otherwise mechanically reproduced. The Debentures are sufficiently signed if they bear the required signatures and each person signing has the authority to do so on the date he or she signs.

3. The Debentures shall be in fully registered form as one or more certificates in the principal amount of $6,503,568.00, in the name of OILC, or as OILC may otherwise direct, substantially in the form attached as Schedule "B" hereto and forming part of this By-law with provision for payment of principal and interest (other than in respect of the final payment of principal and outstanding interest on maturity upon presentation and surrender) by pre-authorized debit in respect of such principal and interest to the credit of such registered holder on such terms as to which the registered holder and the Municipality may agree.

4. In accordance with the provisions of section 25 of the *Ontario Infrastructure and Lands Corporation Act, 2011*, as amended from time to time hereafter, the Municipality is hereby authorized to agree in writing with OILC that the Minister of Finance is entitled, without notice to the Municipality, to deduct from money appropriated by the Legislative Assembly of Ontario for payment to the Municipality, amounts not exceeding any amounts that the Municipality fails to pay OILC on account of any unpaid indebtedness of the Municipality to OILC under the Debentures and to pay such amounts to OILC from the Consolidated Revenue Fund.

5. The Debentures shall all be dated December 16, 2024, and as to both principal and interest shall be expressed and be payable in lawful money of Canada. The Debentures shall bear interest at the rate of 4.59% per annum and mature during a period of 20 years from the date thereof payable semi-annually in arrears as described in this section. The Debentures shall be paid in full by December 16, 2044 and be payable in equal semi-annual instalments of combined principal and interest on the sixteenth day of June and on the sixteenth day of December in each of the years 2025 to 2044 commencing on June 16, 2025 , both inclusive, save and except for the last instalment which may vary slightly from the preceding equal instalments, as set forth in Schedule "C" attached hereto and forming part of this By-law ("**Schedule "C**").

6. Payments in respect of principal of and interest on the Debentures shall be made only on a day, other than Saturday or Sunday, on which banking institutions in Toronto, Ontario, Canada and the Municipality are not authorized or obligated by law or executive order to be closed (a "**Business Day**") and if any date for payment is not a Business Day, payment shall be made on the next following Business Day.

7. Interest shall be payable to the date of maturity of the Debentures and on default shall be payable on any overdue amounts both before and after default and judgment at a rate per annum equal to the greater of the rate specified on the Schedule as attached to and forming part of the Debentures for such amounts plus 200 basis points or Prime Rate (as defined below) plus 200 basis points, calculated on a daily basis from the date such amounts become overdue for so long as such amounts remain overdue and the Municipality shall pay to the registered holders any and all costs incurred by the registered holders as a result of the overdue payment. Any amounts payable by the Municipality as interest on overdue principal or interest and all costs incurred by the registered holders as a result of the overdue payment in respect of the Debentures shall be paid out of current revenue. Whenever it is necessary to compute any amount of interest in respect of the Debentures for a period of less than one full year, other than with respect to regular semi-annual interest payments, such interest shall be calculated on the basis of the actual number of days in the period and a year of 365 days or 366 days as appropriate.

   "**Prime Rate"** means, on any day, the annual rate of interest which is the arithmetic mean of the prime rates announced from time to time by the following five major Canadian Schedule I banks, as of the issue date of the Debentures: Royal Bank of Canada; Canadian Imperial Bank of Commerce; The Bank of Nova Scotia; Bank of Montreal; and The Toronto-Dominion Bank (the "**Reference Banks**") as their reference rates in effect on such day for Canadian dollar commercial loans made in Canada. If fewer than five of the Reference Banks quote a prime rate on such days, the "**Prime Rate**" shall be the arithmetic mean of the rates quoted by those Reference Banks.

8. In each year in which a payment of equal semi-annual instalments of combined principal and interest becomes due in respect of the Capital Work(s) including the last 'non-equal' instalment, there shall be raised as part of the Municipality's general levy the amounts of principal and interest payable by the Municipality in each year

as set out in Schedule “C” to the extent that the amounts have not been provided for by any other available source including other taxes or fees or charges imposed on persons or property by a by-law of any municipality.

9. The Debentures may contain any provision for their registration thereof authorized by any statute relating to municipal debentures in force at the time of the issue thereof.

10. The Municipality shall maintain a registry in respect of the Debentures in which shall be recorded the names and the addresses of the registered holders and particulars of the Debentures held by them respectively and in which particulars of the cancellations, exchanges, substitutions and transfers of Debentures, may be recorded and the Municipality is authorized to use electronic, magnetic or other media for records of or related to the Debentures or for copies of them.

11. The Municipality shall not be bound to see to the execution of any trust affecting the ownership of any Debenture or be affected by notice of any equity that may be subsisting in respect thereof. The Municipality shall deem and treat registered holders of the Debentures as the absolute owners thereof for all purposes whatsoever notwithstanding any notice to the contrary and all payments to or to the order of registered holders shall be valid and effectual to discharge the liability of the Municipality on the Debentures to the extent of the amount or amounts so paid. When a Debenture is registered in more than one name, the principal of and interest from time to time payable on such Debenture shall be paid to or to the order of all the joint registered holders thereof, failing written instructions to the contrary from all such joint registered holders, and such payment shall constitute a valid discharge to the Municipality. In the case of the death of one or more joint registered holders, despite the foregoing provisions of this section, the principal of and interest on any Debentures registered in their names may be paid to the survivor or survivors of such holders and such payment shall constitute a valid discharge to the Municipality.

12. The Debentures will be transferable or exchangeable at the office of the Treasurer of the Municipality upon presentation for such purpose accompanied by an instrument of transfer or exchange in a form approved by the Municipality and which form is in accordance with the prevailing Canadian transfer legislation and practices, executed by the registered holder thereof or such holder’s duly authorized attorney or legal personal representative, whereupon and upon registration of such transfer or exchange and cancellation of the Debenture or Debentures presented, the Mayor and the Treasurer shall issue and deliver a new Debenture or Debentures of an equal aggregate principal amount in any authorized denomination or denominations as directed by the transferor, in the case of a transfer or as directed by the registered holder in the case of an exchange.

13. The Mayor and the Treasurer shall issue and deliver new Debentures in exchange or substitution for Debentures outstanding on the registry with the same maturity and of like form which have become mutilated, defaced, lost, subject to a mysterious or unexplainable disappearance, stolen or destroyed, provided that the applicant therefor shall have: (a) paid such costs as may have been incurred in

connection therewith; (b) (in the case when a Debenture is mutilated, defaced, lost, mysteriously or unexplainably missing, stolen or destroyed) furnished the Municipality with such evidence (including evidence as to the certificate number of the Debenture in question) and an indemnity in respect thereof satisfactory to the Municipality in its discretion; and (c) surrendered to the Municipality any mutilated or defaced Debentures in respect of which new Debentures are to be issued in substitution.

14. The Debentures issued upon any registration of transfer or exchange or in substitution for any Debentures or part thereof shall carry all the rights to interest if any, accrued and unpaid which were carried by such Debentures or part thereof and shall be so dated and shall bear the same maturity date and, subject to the provisions of this By-law, shall be subject to the same terms and conditions as the Debentures in respect of which the transfer, exchange or substitution is effected.

15. The cost of all transfers and exchanges, including the printing of authorized denominations of the new Debentures, shall be borne by the Municipality. When any of the Debentures are surrendered for transfer or exchange the Treasurer of the Municipality shall: (a) in the case of an exchange, cancel and destroy the Debentures surrendered for exchange; (b) in the case of an exchange, certify the cancellation and destruction in the registry; (c) enter in the registry particulars of the new Debenture or Debentures issued in exchange; and (d) in the case of a transfer, enter in the registry particulars of the registered holder as directed by the transferor.

16. Reasonable fees in respect of the Debentures, in the normal course of business, other than reasonable fees for the substitution of a new Debenture or new Debentures for any of the Debentures that are mutilated, defaced, lost, mysteriously or unexplainably missing, stolen or destroyed and for the replacement of any of the principal and interest cheques (if any) that are mutilated, defaced, lost, mysteriously or unexplainably missing, stolen or destroyed may be imposed by the Municipality. When new Debentures are issued in substitution in these circumstances the Municipality shall: (a) treat as cancelled and destroyed the Debentures in respect of which new Debentures will be issued in substitution; (b) certify the deemed cancellation and destruction in the registry; (c) enter in the registry particulars of the new Debentures issued in substitution; and (d) make a notation of any indemnities provided.

17. Except as otherwise expressly provided herein, any notice required to be given to a registered holder of one or more of the Debentures will be sufficiently given if a copy of such notice is mailed or otherwise delivered to the registered address of such registered holder in accordance with the provisions of the Financing Agreement.

18. The Mayor and the Treasurer are hereby authorized to cause the Debentures to be issued, one or more of the Clerk and Treasurer are hereby authorized to generally do all things and to execute all other documents and other papers in the name of the Municipality in order to carry out the issue of the Debentures and the Treasurer is authorized to affix the Municipality's municipal seal to any of such documents and papers.

19. The money received by the Municipality from the sale of the Debentures to OILC, including any premium, and any earnings derived from the investment of that money, after providing for the expenses related to their issue, if any, shall be apportioned and applied to the Capital Work(s) and to no other purpose except as permitted by the Act.

20. Subject to the Municipality's investment policies and goals, the applicable legislation and the terms and conditions of the Debentures, the Municipality may, if not in default under the Debentures, at any time purchase any of the Debentures in the open market or by tender or by private contract at any price and on such terms and conditions (including, without limitation, the manner by which any tender offer may be communicated or accepted and the persons to whom it may be addressed) as the Municipality may in its discretion determine.

21. This By-law takes effect on the day of passing.

By-law read a first and second time this 4th day of December, 2024

By-law read a third time and finally passed this 4th day of December, 2024

Brian Ropp Mayor	Alan Bushell Clerk

The Corporation of The Municipality of North Middlesex

Schedule "A" to By-law Number 99-2024

(1)	(2)	(3)	(4)	(5)	(6)
By-law	**Project Description**	**Approved Amount to be Financed Through the Issue of Debentures**	**Amount of Debentures Previously Issued**	**Amount of Debentures to be Issued**	**Term of Years of Debentures**
056-2021	North Middlesex Ailsa Craig Water Tower Installation	$8,000,000.00	$0.00	$6,503,568.00	20 years

The Corporation of The Municipality of North Middlesex

Schedule "B" to By-law Number 99-2024

No. 99-2024

$6,503,568.00

C A N A D A
Province of Ontario
The Corporation of The Municipality of North Middlesex

FULLY REGISTERED 4.59% AMORTIZING DEBENTURE

The Corporation of The Municipality of North Middlesex (the "**Municipality**"), for value received, hereby promises to pay to

ONTARIO INFRASTRUCTURE AND LANDS CORPORATION ("**OILC**")

or registered assigns, subject to the Conditions attached hereto which form part hereof (the "**Conditions**"), upon presentation and surrender of this debenture (or as otherwise agreed to by the Municipality and OILC) by the maturity date of this debenture (December 16, 2044), the principal amount of

SIX MILLION FIVE HUNDRED THREE THOUSAND FIVE HUNDRED SIXTY EIGHT DOLLARS

---------- ($6,503,568.00)----------

by equal semi-annual instalments of combined principal and interest on the sixteenth day of June and on the sixteenth day of December in each of the years 2025 to 2044 commencing on June 16, 2025, both inclusive, save and except for the last instalment which may vary slightly from the preceding equal instalments, in the amounts set forth in the attached Amortizing Debenture Schedule (the "**Amortization Schedule**") and subject to late payment interest charges pursuant to the Conditions, in lawful money of Canada. Subject to the Conditions: interest shall be paid until the maturity date of this debenture, in like money in semi-annual payments from the closing date (December 16, 2024), or from the last date on which interest has been paid on this debenture, whichever is later, at the rate of 4.59% per annum, in arrears, on the specified dates, as set forth in the Amortization Schedule; and interest shall be paid on default at the applicable rate set out in the Amortization Schedule both before and after default and judgment. The payments of principal and interest and the outstanding amount of principal in each year are shown in the Amortization Schedule.

The Municipality, pursuant to section 25 of the *Ontario Infrastructure and Lands Corporation Act, 2011* (the "**OILC Act, 2011**") hereby irrevocably agrees that the Minister of Finance is entitled, without notice to the Municipality, to deduct from money appropriated by the Legislative Assembly of Ontario for payment to the Municipality, amounts not exceeding any amounts that the Municipality fails to pay OILC on account of any unpaid indebtedness

under this debenture, and to pay such amounts to OILC from the Consolidated Revenue Fund.

This debenture is subject to the Conditions.

DATED at The Corporation of The Municipality of North Middlesex as at the 16th day of December, 2024

IN TESTIMONY WHEREOF and under the authority of By-law Number 99-2024 of the Municipality duly passed on the 4th day of December, 2024 (the "**By-law**"), this debenture is sealed with the municipal seal of the Municipality and signed by the Mayor and by the Treasurer thereof.

Date of Registration: December 16, 2024

[NTD: SIGNATURE NOT REQUIRED ON FORM OF CERTIFICATE]	[NTD: SIGNATURE NOT REQUIRED ON FORM OF CERTIFICATE]
_____	(Seal) _____
Brian Ropp, Mayor	Raffaelo D'Alessandro, Treasurer (Interim)

OILC hereby agrees that the Minister of Finance is entitled to exercise certain rights of deduction pursuant to section 25 of the OILC Act, 2011 as described in this debenture.

Ontario Infrastructure and Lands Corporation

by: _____	by:_____
Authorized Signing Officer	Authorized Signing Officer

LEGAL OPINION

We have examined the By-law of the Municipality authorizing the issue of amortizing debentures in the principal amount of $6,503,568.00 dated December 16, 2024 and maturing on December 16, 2044 payable in equal semi-annual instalments of combined principal and interest on the sixteenth day of June and on the sixteenth day of December in each of the years 2025 to 2044 commencing on June 16, 2025, both inclusive, save and except for the last instalment which may vary slightly from the preceding equal instalments as set out in Schedule “C” to the By-law.

In our opinion, the By-law has been properly passed and is within the legal powers of the Municipality. The debenture issued under the By-law in the within form (the “**Debenture**”) is the direct, general, unsecured and unsubordinated obligation of the Municipality. The Debenture is enforceable against the Municipality subject to the special jurisdiction and powers of the Ontario Land Tribunal over defaulting municipalities under the *Municipal Affairs Act*. This opinion is subject to and incorporates all the assumptions, qualifications and limitations set out in our opinion letter.

December 16, 2024

David Samuels, County of Middlesex – Legal Services

[no signature required]

CONDITIONS OF THE DEBENTURE

Form, Denomination, and Ranking of the Debenture

1. The debentures issued pursuant to the By-law (collectively the "**Debentures**" and individually a "**Debenture**") are issuable as fully registered Debentures without coupons.

2. The Debentures are direct, general, unsecured and unsubordinated obligations of the Municipality. The Debentures rank concurrently and equally in respect of payment of principal and interest with all other debentures of the Municipality except for the availability of money in a sinking or retirement fund for a particular issue of debentures.

3. This Debenture is one fully registered Debenture registered in the name of OILC and held by OILC.

Registration

4. The Municipality shall maintain at its designated office a registry in respect of the Debentures in which shall be recorded the names and the addresses of the registered holders and particulars of the Debentures held by them respectively and in which particulars of cancellations, exchanges, substitutions and transfers of Debentures, may be recorded and the Municipality is authorized to use electronic, magnetic or other media for records of or related to the Debentures or for copies of them.

Title

5. The Municipality shall not be bound to see to the execution of any trust affecting the ownership of any Debenture or be affected by notice of any equity that may be subsisting in respect thereof. The Municipality shall deem and treat registered holders of Debentures, including this Debenture, as the absolute owners thereof for all purposes whatsoever notwithstanding any notice to the contrary and all payments to or to the order of registered holders shall be valid and effectual to discharge the liability of the Municipality on the Debentures to the extent of the amount or amounts so paid. Where a Debenture is registered in more than one name, the principal of and interest from time to time payable on such Debenture shall be paid to or to the order of all the joint registered holders thereof, failing written instructions to the contrary from all such joint registered holders, and such payment shall constitute a valid discharge to the Municipality. In the case of the death of one or more joint registered holders, despite the foregoing provisions of this section, the principal of and interest on any Debentures registered in their names may be paid to the survivor or survivors of such holders and such payment shall constitute a valid discharge to the Municipality.

Payments of Principal and Interest

6. The record date for purposes of payment of principal of and interest on the Debentures is as of 5:00 p.m. on the sixteenth calendar day preceding any payment date including the maturity date. Principal of and interest on the Debentures are payable by the Municipality to the persons registered as holders in the registry on the relevant record date. The Municipality shall not be required to register any transfer, exchange or substitution of Debentures during the period from any record date to the corresponding payment date.

7. The Municipality shall make all payments in respect of equal semi-annual instalments of combined principal and interest including the last 'non-equal' instalment on the Debentures on the payment dates commencing on June 16, 2025 and ending on December 16, 2044 as set out in Schedule "C" to the By-law, by pre-authorized debit in respect of such interest and principal to the credit of the registered holder on such terms as the Municipality and the registered holder may agree.

8. The Municipality shall pay to the registered holder interest on any overdue amount of principal or interest in respect of any Debenture, both before and after default and judgment, at a rate per annum equal to the greater of the rate specified on the Schedule as attached to and forming part of the Debenture for such amount plus 200 basis points or Prime Rate (as defined below) plus 200 basis points, calculated on a daily basis from the date such amount becomes overdue for so long as such amount remains overdue and the Municipality shall pay to the registered holder any and all costs incurred by the registered holder as a result of the overdue payment.

9. Whenever it is necessary to compute any amount of interest in respect of the Debentures for a period of less than one full year, other than with respect to regular semi-annual interest payments, such interest shall be calculated on the basis of the actual number of days in the period and a year of 365 days or 366 days as appropriate.

10. Payments in respect of principal of and interest on the Debentures shall be made only on a day, other than Saturday or Sunday, on which banking institutions in Toronto, Ontario, Canada and the Municipality are not authorized or obligated by law or executive order to be closed (a "**Business Day**"), and if any date for payment is not a Business Day, payment shall be made on the next following Business Day as noted on the Amortization Schedule.

11. The Debentures are transferable or exchangeable at the office of the Treasurer of the Municipality upon presentation for such purpose accompanied by an instrument of transfer or exchange in a form approved by the Municipality and which form is in accordance with the prevailing Canadian transfer legislation and practices, executed by the registered holder thereof or such holder's duly authorized attorney or legal personal representative, whereupon and upon registration of such transfer or exchange and cancellation of the Debenture or Debentures presented, a new Debenture or Debentures of an equal aggregate principal amount in any authorized denomination or denominations will be delivered as directed by the transferor, in the case of a transfer or as directed by the registered holder in the case of an exchange.

12. The Municipality shall issue and deliver Debentures in exchange for or in substitution for Debentures outstanding on the registry with the same maturity and of like form in the event of a mutilation, defacement, loss, mysterious or unexplainable disappearance, theft or destruction, provided that the applicant therefor shall have: (a) paid such costs as may have been incurred in connection therewith; (b) (in the case of a mutilated, defaced, lost, mysteriously or unexplainably missing, stolen or destroyed Debenture) furnished the Municipality with such evidence (including evidence as to the certificate number of the Debenture in question) and an indemnity in respect thereof satisfactory to the Municipality in its discretion; and (c) surrendered to the Municipality any mutilated or defaced Debentures in respect of which new Debentures are to be issued in substitution.

13. The Debentures issued upon any registration of transfer or exchange or in substitution for any Debentures or part thereof shall carry all the rights to interest if any, accrued and unpaid which were carried by such Debentures or part thereof and shall be so dated and shall bear the same maturity date and, subject to the provisions of the By-law, shall be subject to the same terms and conditions as the Debentures in respect of which the transfer, exchange or substitution is effected.

14. The cost of all transfers and exchanges, including the printing of authorized denominations of the new Debentures, shall be borne by the Municipality. When any of the Debentures are surrendered for transfer or exchange the Treasurer of the Municipality shall: (a) in the case of an exchange, cancel and destroy the Debentures surrendered for exchange; (b) in the case of an exchange, certify the cancellation and destruction in the registry; (c) enter in the registry particulars of the new Debenture or Debentures issued in exchange; and (d) in the case of a transfer, enter in the registry particulars of the registered holder as directed by the transferor.

15. Reasonable fees for the substitution of a new Debenture or new Debentures for any of the Debentures that are mutilated, defaced, lost, mysteriously or unexplainably missing, stolen or destroyed and for the replacement of mutilated, defaced, lost, mysteriously or unexplainably missing, stolen or destroyed principal and interest cheques (if any) may be imposed by the Municipality. When new Debentures are issued in substitution in these circumstances the Municipality shall: (a) treat as cancelled and destroyed the Debentures in respect of which new Debentures will be issued in substitution; (b) certify the deemed cancellation and destruction in the registry; (c) enter in the registry particulars of the new Debentures issued in substitution; and (d) make a notation of any indemnities provided.

16. If OILC elects to terminate its obligations under the financing agreement or rate offer agreement entered into between the Municipality and OILC, pursuant to which the Debentures are issued, or if the Municipality fails to meet and pay any of its debts or liabilities when due, or uses all or any portion of the proceeds of any Debenture for any purpose other than for a Capital Work(s) as authorized in the By-Law, the Municipality shall pay to OILC the Make-Whole Amount on account of the losses that it will incur as a result of the early repayment or early termination.

Notices

17. Except as otherwise expressly provided herein, any notice required to be given to a registered holder of one or more of the Debentures will be sufficiently given if a copy of such notice is mailed or otherwise delivered to the registered address of such registered holder. If the Municipality or any registered holder is required to give any notice in connection with the Debentures on or before any day and that day is not a Business Day (as defined in section 10 of these Conditions) then such notice may be given on the next following Business Day.

Time

18. Unless otherwise expressly provided herein, any reference herein to a time shall be considered to be a reference to Toronto time.

Governing Law

19. The Debentures are governed by and shall be construed in accordance with the laws of the Province of Ontario and the federal laws of Canada applicable in Ontario.

Definitions:

(a) "**Prime Rate"** means, on any day, the annual rate of interest which is the arithmetic mean of the prime rates announced from time to time by the following five major Canadian Schedule I banks, as of the issue date of this Debenture: Royal Bank of Canada; Canadian Imperial Bank of Commerce; The Bank of Nova Scotia; Bank of Montreal; and The Toronto-Dominion Bank (the "**Reference Banks**") as their reference rates in effect on such day for Canadian dollar commercial loans made in Canada. If fewer than five of the Reference Banks quote a prime rate on such days, the "**Prime Rate**" shall be the arithmetic mean of the rates quoted by those Reference Banks.

(b) "**Make-Whole Amount**" means the amount determined by OILC as of the date of prepayment of the Debenture, by which (i) the present value of the remaining future scheduled payments of principal and interest under the Debenture to be repaid from the prepayment date until maturity of the Debenture discounted at the Ontario Yield exceeds (ii) the principal amount under the Debenture being repaid provided that the Make-Whole Amount shall never be less than zero.

(c) "**Ontario Yield**" means the yield to maturity on the date of prepayment of the Debenture, assuming semi-annual compounding, which a non-prepayable term loan made by the Province of Ontario would have if advanced on the date of prepayment of the Debenture, assuming the same principal amount as the Debenture and with a maturity date which is the same as the remaining term to maturity of the Debenture to be repaid minus 100 basis points.

THE CORPORATION OF THE MUNICIPALITY OF NORTH MIDDLESEX

Schedule "C" to By-law Number 99-2024

Loan.....: 2986
Name.....: North Middlesex, The Corporation of The Municipality
Principal: 6,503,568.00
Rate.....: 04.5900
Term.....: 240
Compound.: Semi-annual
Matures..: 12/16/2044

Pay #	Date	Amount Due	Principal Due	Interest Due	Rem. Principal
1	06/16/2025	250,213.38	100,956.49	149,256.89	6,402,611.51
2	12/16/2025	250,213.38	103,273.45	146,939.93	6,299,338.06
3	06/16/2026	250,213.38	105,643.57	144,569.81	6,193,694.49
4	12/16/2026	250,213.38	108,068.09	142,145.29	6,085,626.40
5	06/16/2027	250,213.38	110,548.25	139,665.13	5,975,078.15
6	12/16/2027	250,213.38	113,085.34	137,128.04	5,861,992.81
7	06/16/2028	250,213.38	115,680.65	134,532.73	5,746,312.16
8	12/16/2028	250,213.38	118,335.52	131,877.86	5,627,976.64
9	06/16/2029	250,213.38	121,051.32	129,162.06	5,506,925.32
10	12/16/2029	250,213.38	123,829.44	126,383.94	5,383,095.88
11	06/16/2030	250,213.38	126,671.33	123,542.05	5,256,424.55
12	12/16/2030	250,213.38	129,578.44	120,634.94	5,126,846.11
13	06/16/2031	250,213.38	132,552.26	117,661.12	4,994,293.85
14	12/16/2031	250,213.38	135,594.34	114,619.04	4,858,699.51
15	06/16/2032	250,213.38	138,706.23	111,507.15	4,719,993.28
16	12/16/2032	250,213.38	141,889.53	108,323.85	4,578,103.75
17	06/16/2033	250,213.38	145,145.90	105,067.48	4,432,957.85
18	12/16/2033	250,213.38	148,477.00	101,736.38	4,284,480.85
19	06/16/2034	250,213.38	151,884.54	98,328.84	4,132,596.31
20	12/16/2034	250,213.38	155,370.29	94,843.09	3,977,226.02
21	06/16/2035	250,213.38	158,936.04	91,277.34	3,818,289.98
22	12/16/2035	250,213.38	162,583.62	87,629.76	3,655,706.36
23	06/16/2036	250,213.38	166,314.92	83,898.46	3,489,391.44
24	12/16/2036	250,213.38	170,131.85	80,081.53	3,319,259.59
25	06/16/2037	250,213.38	174,036.37	76,177.01	3,145,223.22
26	12/16/2037	250,213.38	178,030.51	72,182.87	2,967,192.71
27	06/16/2038	250,213.38	182,116.31	68,097.07	2,785,076.40
28	12/16/2038	250,213.38	186,295.88	63,917.50	2,598,780.52
29	06/16/2039	250,213.38	190,571.37	59,642.01	2,408,209.15
30	12/16/2039	250,213.38	194,944.98	55,268.40	2,213,264.17
31	06/16/2040	250,213.38	199,418.97	50,794.41	2,013,845.20

32	12/16/2040	250,213.38	203,995.63	46,217.75	1,809,849.57
33	06/16/2041	250,213.38	208,677.33	41,536.05	1,601,172.24
34	12/16/2041	250,213.38	213,466.48	36,746.90	1,387,705.76
35	06/16/2042	250,213.38	218,365.53	31,847.85	1,169,340.23
36	12/16/2042	250,213.38	223,377.02	26,836.36	945,963.21
37	06/16/2043	250,213.38	228,503.52	21,709.86	717,459.69
38	12/16/2043	250,213.38	233,747.68	16,465.70	483,712.01
39	06/16/2044	250,213.38	239,112.19	11,101.19	244,599.82
40	12/16/2044	250,213.38	244,599.81	5,613.57	0.01
		---	---	---	
		10,008,535.20	6,503,567.99	3,504,967.21	

No. 99-2024

$6,503,568.00

C A N A D A
Province of Ontario
The Corporation of The Municipality of North Middlesex

FULLY REGISTERED 4.59 % AMORTIZING DEBENTURE

The Corporation of The Municipality of North Middlesex (the "**Municipality**"), for value received, hereby promises to pay to

ONTARIO INFRASTRUCTURE AND LANDS CORPORATION ("**OILC**")

or registered assigns, subject to the Conditions attached hereto which form part hereof (the "**Conditions**"), upon presentation and surrender of this debenture (or as otherwise agreed to by the Municipality and OILC) by the maturity date of this debenture (December 16, 2044), the principal amount of

SIX MILLION FIVE HUNDRED THREE THOUSAND FIVE HUNDRED SIXTY EIGHT DOLLARS

---------- ($6,503,568.00) ----------

by equal semi-annual instalments of combined principal and interest on the sixteenth day of June and on the sixteenth day of December in each of the years 2025 to 2044 commencing on June 16, 2025, both inclusive, save and except for the last instalment which may vary slightly from the preceding equal instalments, in the amounts set forth in the attached Amortizing Debenture Schedule (the "**Amortization Schedule**") and subject to late payment interest charges pursuant to the Conditions, in lawful money of Canada. Subject to the Conditions: interest shall be paid until the maturity date of this debenture, in like money in semi-annual payments from the closing date (December 16, 2024), or from the last date on which interest has been paid on this debenture, whichever is later, at the rate of 4.59% per annum, in arrears, on the specified dates, as set forth in the Amortization Schedule; and interest shall be paid on default at the applicable rate set out in the Amortization Schedule both before and after default and judgment. The payments of principal and interest and the outstanding amount of principal in each year are shown in the Amortization Schedule.

The Municipality, pursuant to section 25 of the *Ontario Infrastructure and Lands Corporation Act, 2011* (the "**OILC Act, 2011**") hereby irrevocably agrees that the Minister of Finance is entitled, without notice to the Municipality, to deduct from money appropriated by the Legislative Assembly of Ontario for payment to the Municipality, amounts not exceeding any amounts that the Municipality fails to pay OILC on account of any unpaid indebtedness under this debenture, and to pay such amounts to OILC from the Consolidated Revenue Fund.

This debenture is subject to the Conditions.

DATED at The Corporation of The Municipality of North Middlesex as at the 16th day of December, 2024

IN TESTIMONY WHEREOF and under the authority of By-law Number 99-2024 of the Municipality duly passed on the 4th day of December, 2024 (the "**By-law**"), this debenture is sealed with the municipal seal of the Municipality and signed by the Mayor and by the Treasurer thereof.

Date of Registration: December 16, 2024

_____ (Seal) _____

Brian Ropp, Mayor

Raffaelo D'Alessandro, Treasurer (Interim)

OILC hereby agrees that the Minister of Finance is entitled to exercise certain rights of deduction pursuant to section 25 of the OILC Act, 2011 as described in this debenture.

Ontario Infrastructure and Lands Corporation

by: _____
Authorized Signing Officer

by:_____
Authorized Signing Officer

LEGAL OPINION

We have examined the By-law of the Municipality authorizing the issue of amortizing debentures in the principal amount of $6,503,568.00 dated December 16, 2024 and maturing on December 16, 2044 payable in equal semi-annual instalments of combined principal and interest on the sixteenth day of June and on the sixteenth day of December in each of the years 2025 to 2044 commencing on June 16, 2025, both inclusive, save and except for the last instalment which may vary slightly from the preceding equal instalments as set out in Schedule “C” to the By-law.

In our opinion, the By-law has been properly passed and is within the legal powers of the Municipality. The debenture issued under the By-law in the within form (the “**Debenture**”) is the direct, general, unsecured and unsubordinated obligation of the Municipality. The Debenture is enforceable against the Municipality subject to the special jurisdiction and powers of the Ontario Land Tribunal over defaulting municipalities under the *Municipal Affairs Act*. This opinion is subject to and incorporates all the assumptions, qualifications and limitations set out in our opinion letter.

December 16, 2024

David Samuels, County of Middlesex – Legal Services

[no signature required]

CONDITIONS OF THE DEBENTURE

Form, Denomination, and Ranking of the Debenture

1. The debentures issued pursuant to the By-law (collectively the "**Debentures**" and individually a "**Debenture**") are issuable as fully registered Debentures without coupons.

2. The Debentures are direct, general, unsecured and unsubordinated obligations of the Municipality. The Debentures rank concurrently and equally in respect of payment of principal and interest with all other debentures of the Municipality except for the availability of money in a sinking or retirement fund for a particular issue of debentures.

3. This Debenture is one fully registered Debenture registered in the name of OILC and held by OILC.

Registration

4. The Municipality shall maintain at its designated office a registry in respect of the Debentures in which shall be recorded the names and the addresses of the registered holders and particulars of the Debentures held by them respectively and in which particulars of cancellations, exchanges, substitutions and transfers of Debentures, may be recorded and the Municipality is authorized to use electronic, magnetic or other media for records of or related to the Debentures or for copies of them.

Title

5. The Municipality shall not be bound to see to the execution of any trust affecting the ownership of any Debenture or be affected by notice of any equity that may be subsisting in respect thereof. The Municipality shall deem and treat registered holders of Debentures, including this Debenture, as the absolute owners thereof for all purposes whatsoever notwithstanding any notice to the contrary and all payments to or to the order of registered holders shall be valid and effectual to discharge the liability of the Municipality on the Debentures to the extent of the amount or amounts so paid. Where a Debenture is registered in more than one name, the principal of and interest from time to time payable on such Debenture shall be paid to or to the order of all the joint registered holders thereof, failing written instructions to the contrary from all such joint registered holders, and such payment shall constitute a valid discharge to the Municipality. In the case of the death of one or more joint registered holders, despite the foregoing provisions of this section, the principal of and interest on any Debentures registered in their names may be paid to the survivor or survivors of such holders and such payment shall constitute a valid discharge to the Municipality.

Payments of Principal and Interest

6. The record date for purposes of payment of principal of and interest on the Debentures is as of 5:00 p.m. on the sixteenth calendar day preceding any payment date including the maturity date. Principal of and interest on the Debentures are payable by the Municipality to the persons registered as holders in the registry on the relevant record date. The Municipality shall not be required to register any transfer, exchange or substitution of Debentures during the period from any record date to the corresponding payment date.

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8. The Municipality shall pay to the registered holder interest on any overdue amount of principal or interest in respect of any Debenture, both before and after default and judgment, at a rate per annum equal to the greater of the rate specified on the Schedule as attached to and forming part of the Debenture for such amount plus 200 basis points or Prime Rate (as defined below) plus 200 basis points, calculated on a daily basis from the date such amount becomes overdue for so long as such amount remains overdue and the Municipality shall pay to the registered holder any and all costs incurred by the registered holder as a result of the overdue payment.

9. Whenever it is necessary to compute any amount of interest in respect of the Debentures for a period of less than one full year, other than with respect to regular semi-annual interest payments, such interest shall be calculated on the basis of the actual number of days in the period and a year of 365 days or 366 days as appropriate.

10. Payments in respect of principal of and interest on the Debentures shall be made only on a day, other than Saturday or Sunday, on which banking institutions in Toronto, Ontario, Canada and the Municipality are not authorized or obligated by law or executive order to be closed (a "**Business Day**"), and if any date for payment is not a Business Day, payment shall be made on the next following Business Day as noted on the Amortization Schedule.

11. The Debentures are transferable or exchangeable at the office of the Treasurer of the Municipality upon presentation for such purpose accompanied by an instrument of transfer or exchange in a form approved by the Municipality and which form is in accordance with the prevailing Canadian transfer legislation and practices, executed by the registered holder thereof or such holder's duly authorized attorney or legal personal representative, whereupon and upon registration of such transfer or exchange and cancellation of the Debenture or Debentures presented, a new Debenture or Debentures of an equal aggregate principal amount in any authorized denomination or denominations will be delivered as directed by the transferor, in the case of a transfer or as directed by the registered holder in the case of an exchange.

12. The Municipality shall issue and deliver Debentures in exchange for or in substitution for Debentures outstanding on the registry with the same maturity and of like form in the event of a mutilation, defacement, loss, mysterious or unexplainable disappearance, theft or destruction, provided that the applicant therefor shall have: (a) paid such costs as may have been incurred in connection therewith; (b) (in the case of a mutilated, defaced, lost, mysteriously or unexplainably missing, stolen or destroyed Debenture) furnished the Municipality with such evidence (including evidence as to the certificate number of the Debenture in question) and an indemnity in respect thereof satisfactory to the Municipality in its discretion; and (c) surrendered to the Municipality any mutilated or defaced Debentures in respect of which new Debentures are to be issued in substitution.

13. The Debentures issued upon any registration of transfer or exchange or in substitution for any Debentures or part thereof shall carry all the rights to interest if any, accrued and unpaid which were carried by such Debentures or part thereof and shall be so dated and shall bear the same maturity date and, subject to the provisions of the By-law, shall be subject to the same terms and conditions as the Debentures in respect of which the transfer, exchange or substitution is effected.

14. The cost of all transfers and exchanges, including the printing of authorized denominations of the new Debentures, shall be borne by the Municipality. When any of the Debentures are surrendered for transfer or exchange the Treasurer of the Municipality shall: (a) in the case of an exchange, cancel and destroy the Debentures surrendered for exchange; (b) in the case of an exchange, certify the cancellation and destruction in the registry; (c) enter in the registry particulars of the new Debenture or Debentures issued in exchange; and (d) in the case of a transfer, enter in the registry particulars of the registered holder as directed by the transferor.

15. Reasonable fees for the substitution of a new Debenture or new Debentures for any of the Debentures that are mutilated, defaced, lost, mysteriously or unexplainably missing, stolen or destroyed and for the replacement of mutilated, defaced, lost, mysteriously or unexplainably missing, stolen or destroyed principal and interest cheques (if any) may be imposed by the Municipality. When new Debentures are issued in substitution in these circumstances the Municipality shall: (a) treat as cancelled and destroyed the Debentures in respect of which new Debentures will be issued in substitution; (b) certify the deemed cancellation and destruction in the registry; (c) enter in the registry particulars of the new Debentures issued in substitution; and (d) make a notation of any indemnities provided.

16. If OILC elects to terminate its obligations under the financing agreement or rate offer agreement entered into between the Municipality and OILC, pursuant to which the Debentures are issued, or if the Municipality fails to meet and pay any of its debts or liabilities when due, or uses all or any portion of the proceeds of any Debenture for any purpose other than for a Capital Work(s) as authorized in the By-Law, the Municipality shall pay to OILC the Make-Whole Amount on account of the losses that it will incur as a result of the early repayment or early termination.

Notices

17. Except as otherwise expressly provided herein, any notice required to be given to a registered holder of one or more of the Debentures will be sufficiently given if a copy of such notice is mailed or otherwise delivered to the registered address of such registered holder. If the Municipality or any registered holder is required to give any notice in connection with the Debentures on or before any day and that day is not a Business Day (as defined in section 10 of these Conditions) then such notice may be given on the next following Business Day.

Time

18. Unless otherwise expressly provided herein, any reference herein to a time shall be considered to be a reference to Toronto time.

Governing Law

19. The Debentures are governed by and shall be construed in accordance with the laws of the Province of Ontario and the federal laws of Canada applicable in Ontario.

Definitions:

(a) "**Prime Rate"** means, on any day, the annual rate of interest which is the arithmetic mean of the prime rates announced from time to time by the following five major Canadian Schedule I banks, as of the issue date of this Debenture: Royal Bank of Canada; Canadian Imperial Bank of Commerce; The Bank of Nova Scotia; Bank of Montreal; and The Toronto-Dominion Bank (the "**Reference Banks**") as their reference rates in effect on such day for Canadian dollar commercial loans made in Canada. If fewer than five of the Reference Banks quote a prime rate on such days, the "**Prime Rate**" shall be the arithmetic mean of the rates quoted by those Reference Banks.

(b) "**Make-Whole Amount**" means the amount determined by OILC as of the date of prepayment of the Debenture, by which (i) the present value of the remaining future scheduled payments of principal and interest under the Debenture to be repaid from the prepayment date until maturity of the Debenture discounted at the Ontario Yield exceeds (ii) the principal amount under the Debenture being repaid provided that the Make-Whole Amount shall never be less than zero.

(c) "**Ontario Yield**" means the yield to maturity on the date of prepayment of the Debenture, assuming semi-annual compounding, which a non-prepayable term loan made by the Province of Ontario would have if advanced on the date of prepayment of the Debenture, assuming the same principal amount as the Debenture and with a maturity date which is the same as the remaining term to maturity of the Debenture to be repaid minus 100 basis points.

Loan.....: 2986
Name.....: North Middlesex, The Corporation of The Municipality
Principal: 6,503,568.00
Rate.....: 04.5900
Term.....: 240
Compound.: Semi-annual
Matures..: 12/16/2044

Pay #	Date	Amount Due	Principal Due	Interest Due	Rem. Principal
1	06/16/2025	250,213.38	100,956.49	149,256.89	6,402,611.51
2	12/16/2025	250,213.38	103,273.45	146,939.93	6,299,338.06
3	06/16/2026	250,213.38	105,643.57	144,569.81	6,193,694.49
4	12/16/2026	250,213.38	108,068.09	142,145.29	6,085,626.40
5	06/16/2027	250,213.38	110,548.25	139,665.13	5,975,078.15
6	12/16/2027	250,213.38	113,085.34	137,128.04	5,861,992.81
7	06/16/2028	250,213.38	115,680.65	134,532.73	5,746,312.16
8	12/16/2028	250,213.38	118,335.52	131,877.86	5,627,976.64
9	06/16/2029	250,213.38	121,051.32	129,162.06	5,506,925.32
10	12/16/2029	250,213.38	123,829.44	126,383.94	5,383,095.88
11	06/16/2030	250,213.38	126,671.33	123,542.05	5,256,424.55
12	12/16/2030	250,213.38	129,578.44	120,634.94	5,126,846.11
13	06/16/2031	250,213.38	132,552.26	117,661.12	4,994,293.85
14	12/16/2031	250,213.38	135,594.34	114,619.04	4,858,699.51
15	06/16/2032	250,213.38	138,706.23	111,507.15	4,719,993.28
16	12/16/2032	250,213.38	141,889.53	108,323.85	4,578,103.75
17	06/16/2033	250,213.38	145,145.90	105,067.48	4,432,957.85
18	12/16/2033	250,213.38	148,477.00	101,736.38	4,284,480.85
19	06/16/2034	250,213.38	151,884.54	98,328.84	4,132,596.31
20	12/16/2034	250,213.38	155,370.29	94,843.09	3,977,226.02
21	06/16/2035	250,213.38	158,936.04	91,277.34	3,818,289.98
22	12/16/2035	250,213.38	162,583.62	87,629.76	3,655,706.36
23	06/16/2036	250,213.38	166,314.92	83,898.46	3,489,391.44
24	12/16/2036	250,213.38	170,131.85	80,081.53	3,319,259.59
25	06/16/2037	250,213.38	174,036.37	76,177.01	3,145,223.22
26	12/16/2037	250,213.38	178,030.51	72,182.87	2,967,192.71
27	06/16/2038	250,213.38	182,116.31	68,097.07	2,785,076.40
28	12/16/2038	250,213.38	186,295.88	63,917.50	2,598,780.52
29	06/16/2039	250,213.38	190,571.37	59,642.01	2,408,209.15
30	12/16/2039	250,213.38	194,944.98	55,268.40	2,213,264.17
31	06/16/2040	250,213.38	199,418.97	50,794.41	2,013,845.20
32	12/16/2040	250,213.38	203,995.63	46,217.75	1,809,849.57
33	06/16/2041	250,213.38	208,677.33	41,536.05	1,601,172.24
34	12/16/2041	250,213.38	213,466.48	36,746.90	1,387,705.76
35	06/16/2042	250,213.38	218,365.53	31,847.85	1,169,340.23
36	12/16/2042	250,213.38	223,377.02	26,836.36	945,963.21
37	06/16/2043	250,213.38	228,503.52	21,709.86	717,459.69
38	12/16/2043	250,213.38	233,747.68	16,465.70	483,712.01
39	06/16/2044	250,213.38	239,112.19	11,101.19	244,599.82

40	12/16/2044	250,213.38	244,599.81	5,613.57	0.01
		---	---	---	
		10,008,535.20	6,503,567.99	3,504,967.21	

CERTIFICATE OF THE CLERK

To: **David Samuels, County of Middlesex – Legal Services**

And To: **OILC**

IN THE MATTER OF an issue of a 20 years, 4.59% amortizing debenture of The Corporation of The Municipality of North Middlesex (the "**Municipality**") in the principal amount of $6,503,568.00, authorized by Debenture By-law Number 99-2024 (the "**Debenture By-law**");

AND IN THE MATTER OF authorizing by-law(s) of the Municipality enumerated in Schedule "A" to the Debenture By-law.

I, Alan Bushell, Clerk of the Municipality, **DO HEREBY CERTIFY THAT**:

1. The Debenture By-law was finally passed and enacted by the Council of the Municipality on December 04, 2024 in full compliance with the *Municipal Act, 2001*, as amended (the "**Act**") at a duly called meeting at which a quorum was present. Forthwith after the passage of the Debenture By-law, the same was signed by the Mayor and the Clerk and sealed with the municipal seal of the Municipality.

2. The authorizing by-law(s) referred to in Schedule "A" to the Debenture By-law (the "**Authorizing By-law(s)**") have been enacted and passed by the Council of the Municipality in full compliance with the Act at meeting(s) at which a quorum was present. Forthwith after the passage of the Authorizing By-law(s) the same were signed by the Mayor and by the Clerk and sealed with the municipal seal of the Municipality.

3. With respect to the undertaking of the capital work(s) described in the Debenture By-law (the "**Capital Work(s)**"), before the Council of the Municipality exercised any of its powers in respect of the Capital Work(s)**,** and before authorizing any additional cost amount and any additional debenture authority in respect thereof (if any), the Council of the Municipality had its Treasurer complete the required calculation set out in the relevant debt and financial obligation limits regulation (the "**Regulation**"). Accordingly, based on the Treasurer's calculation and determination under the Regulation, the Council of the Municipality authorized the Capital Work(s), each such additional cost amount and each such additional debenture authority (if any), without the approval of the Ontario Land Tribunal pursuant to the Regulation.

4. No application has been made or action brought to quash, set aside or declare invalid the Debenture By-law or the Authorizing By-law(s) nor have the same been in any way repealed, altered or amended, except insofar as some of the Authorizing By-law(s) may have been amended by any of the Authorizing By-law(s) set forth in Schedule "A" (if any), and the Debenture By-law and the Authorizing By-law(s) are now in full force and effect. Moreover, the Mayor has not provided written notice to the Council of the Municipality of an intent to consider vetoing the Debenture By-law and no written veto document in respect of the Debenture By-law has been given to the Clerk.

5. All of the recitals contained in the Debenture By-law and the Authorizing By-law(s) are true in substance and fact.

6. To the extent that the public notice provisions of the Act are applicable, the Authorizing By-law(s) and the Debenture By-law have been enacted and passed by the Council of the Municipality in full compliance with the applicable public notice provisions of the Act.

7. None of the debentures authorized to be issued by the Authorizing By-law(s) have been previously issued.

8. The Municipality is not subject to any restructuring order under part V of the Act or other statutory authority, accordingly, no approval of the Authorizing By-law(s) and of the Debenture By-law and/or of the issue of the OILC Debentures is required by any transition board or commission appointed in respect of the restructuring of the municipality.

9. The Authorizing By-law(s) and the Debenture By-law and the transactions contemplated thereby do not conflict with, or result in a breach or violation of any statutory provisions which apply to the Municipality or any agreement to which the Municipality is a party or under which the Municipality or any of its property is or may be bound, or, to the best of my knowledge, violate any order, award, judgment, determination, writ, injunction or decree applicable to the Municipality of any regulatory, administrative or other government or public body or authority, arbitrator or court.

DATED at The Corporation of The Municipality of North Middlesex as at the 16th day of December, 2024

_____

[AFFIX SEAL] Alan Bushell, Clerk

CERTIFICATE OF THE TREASURER

To: **David Samuels, County of Middlesex – Legal Services**

And To: **OILC**

IN THE MATTER OF an issue of a 20 years, 4.59% amortizing debenture of The Corporation of The Municipality of North Middlesex (the "**Municipality**") in the principal amount of $6,503,568.00, for Capital Work(s) of the Municipality authorized by Debenture By-law Number 99-2024 (the "**Debenture By-law**");

AND IN THE MATTER OF authorizing by-laws of the Municipality enumerated in Schedule "A" to the Debenture By-law.

This Certificate is issued pursuant to the financing agreement between OILC and the Municipality effective the July 05, 2021 (the "**Financing Agreement**"). Capitalized terms used herein and defined in the Financing Agreement have the meanings ascribed to them in the Financing Agreement.

I, Raffaelo D'Alessandro, Treasurer (Interim) of the Municipality, **DO HEREBY CERTIFY THAT**:

1. The Municipality has received from the Ministry of Municipal Affairs and Housing its annual debt and financial obligation limit for the relevant years.

2. With respect to the undertaking of the capital work(s) described in the Debenture By-law (the "**Capital Work(s)**"), before the Council of the Municipality authorized **the** Capital Work(s),and before authorizing any additional cost amount and any additional debenture authority in respect thereof (if any), the Treasurer calculated the updated relevant debt and financial obligation limit in accordance with the applicable debt and financial obligation limits regulation (the "**Regulation**"). The Treasurer thereafter determined that the estimated annual amount payable in respect of the Capital Work(s), each such additional cost amount and each such additional debenture authority (if any), would not cause the Municipality to reach or to exceed the relevant updated debt and financial obligation limit as at the date of the Council's approval. Based on the Treasurer's determination, the Council of the Municipality authorized the Capital Work(s),each such additional cost amount and each such additional debenture authority (if any), without the approval of the Ontario Land Tribunal pursuant to the Regulation.

3. As at the date hereof the Municipality has not reached or exceeded its updated annual debt and financial obligation limit.

4. In updating the relevant debt and financial obligation limit(s), the estimated annual amounts payable described in the Regulation were determined based on current interest

rates and amortization periods which do not, in any case, exceed the lifetime of any of the purposes of the Municipality described in such section, all in accordance with generally accepted accounting principles for local governments as recommended, from time to time, by the relevant Public Sector Accounting Board.

5. Any issues that were raised in any audit conducted under paragraph 16 (a) of the Financing Agreement have been resolved to the satisfaction of OILC in its sole discretion and/or OILC has not required an audit under paragraph 16 (a) of the Financing Agreement or such audit is not ongoing.

6. The term within which the debentures to be issued for the Municipality in respect of the Capital Work(s) pursuant to the Debenture By-law are made payable does not exceed the lifetime of such Capital Work(s).

7. The principal amount now being financed through the issue of debentures pursuant to the Debenture By-law in respect of the Capital Work(s) does not exceed the net cost of each such Capital Work and does not exceed the Committed Amount for such Capital Work(s).

8. Expenditures on the Capital Work(s) have been made or will be made in an amount that does not exceed the Committed Amount for such Capital Work(s), if OILC, in its sole discretion, has agreed to purchase the debentures to be issued pursuant to the Debenture By-law prior to making any Advance or prior to the expenditure of all or any portion of the Committed Amount on the Capital Work(s).

9. The money received by the Municipality from the sale of the debentures issued pursuant to the Debenture By-law, including any premium, and any earnings derived from the investment of that money after providing for the expenses related to their issue, if any, shall be apportioned and applied to the Capital Work(s), and to no other purpose except as permitted by the *Municipal Act, 2001*.

10. As of the date hereof none of the events specified in paragraph 12(c) of the Financing Agreement have occurred or are continuing.

11. On or before December 16, 2024, I as Treasurer, signed the fully registered amortizing debenture numbered 99-2024 in the principal amount of $6,503,568.00 dated December 16, 2024, registered in the name of Ontario Infrastructure and Lands Corporation and authorized by the Debenture By-law (the "**OILC Debenture**").

12. On or before December 16, 2024, the OILC Debenture was signed by Brian Ropp, Mayor of the Municipality at the date of the execution and issue of the OILC Debenture, the OILC Debenture was sealed with the seal of the Municipality, the OILC Debenture is in all respects in accordance with the Debenture By-law and in issuing the OILC Debenture the Municipality is not exceeding its borrowing powers.

13. The said Brian Ropp, is the duly elected Mayor of the Municipality and that I am the duly appointed Treasurer of the Municipality and that we were severally authorized under the Debenture By-law to execute the OILC Debenture in the manner aforesaid and that the OILC Debenture is entitled to full faith and credence.

14. No litigation or proceedings of any nature are now pending or threatened, attacking or in any way attempting to restrain or enjoin the issue and delivery of the OILC Debenture or in any manner questioning the proceedings and the authority under which the same is issued, or affecting the validity thereof, or contesting the title or official capacity of the said Mayor or myself as Treasurer of the Municipality, and no proceedings for the issuance of the OILC Debenture or any part of it has been repealed, revoked or rescinded in whole or in part.

15. The representations and warranties of the Municipality set out in paragraph 2 of the Financing Agreement were true and correct as of the date of the request to purchase the debentures in respect of the Capital Work(s) pursuant to the Debenture By-law and are true and correct as of the date hereof and the Municipality is not in material default of any of its obligations under such Financing Agreement.

DATED at The Corporation of The Municipality of North Middlesex as at the 16th day of December, 2024.

[AFFIX SEAL] _____
Raffaelo D'Alessandro, Treasurer (Interim)

I, Alan Bushell, Clerk of the Municipality do hereby certify that the signature of Raffaelo D'Alessandro, Treasurer (Interim) of the Municipality described above, is true and genuine.

[AFFIX SEAL] _____
Alan Bushell, Clerk

FORM OF OPINION
[Letterhead of External Counsel]

December 16, 2024

Ontario Infrastructure and Lands Corporation
1 Dundas Street West, Suite 2000
Toronto, ON M5G 1Z3

To Whom It May Concern:

Re: OILC file number 1624
The Corporation of The Municipality of North Middlesex
December 16, 2024 OILC 4.59% Amortizing Debentures - $6,503,568.00

We have acted as counsel to The Corporation of The Municipality of North Middlesex (the "**Municipality**") in connection with the issue and sale today by the Municipality to Ontario Infrastructure and Lands Corporation ("**OILC**") of $6,503,568.00 principal amount of amortizing debentures (the "**OILC Debentures**") maturing on December 16, 2044 and payable in equal semi-annual instalments of combined principal and interest on the sixteenth day of June and on the sixteenth day of December in each of the years 2025 to 2044 commencing on June 16, 2025, both inclusive save and except for the last instalment which may vary slightly from the preceding equal instalments, as set out in Schedule "C" to By-law Number 99-2024. (the "**Debenture By-law**"). The OILC Debentures bear interest at the rate of 4.59% per annum in each year of their currency. The OILC Debentures issued today for the capital work(s) of The Corporation of The Municipality of North Middlesex are represented by one fully registered definitive debenture certificate registered in the name of OILC.

The OILC Debentures issued today are payable as to semi-annual instalments of combined principal and interest as described above by pre-authorized debit. The OILC Debentures do not provide for redemption prior to their maturity date.

We have considered such questions of law, examined such statutes and regulations, public records, certified copies or records of the Municipality, certificates and other documents and made such investigations as we have considered necessary or desirable to enable us to express the opinions given. We have also examined and relied upon the following:

1. Authorizing by-law(s) referred to in Schedule "A" to the Debenture By-law;

2. Debenture By-law of the Municipality;

3. Certificate of the Clerk of the Municipality dated December 16, 2024;

4. Certificate of the Treasurer of the Municipality dated December 16, 2024.

In our examinations, we have assumed the genuineness of all signatures, the authenticity of all documents submitted to us as originals, and the conformity to authentic original documents of all documents submitted to us as copies.

The opinions expressed below are limited to the laws of the Province of Ontario and the laws of Canada applicable therein.

The opinions set out herein are given as at the date hereof and reliance on such opinions after the date hereof must be on the assumption that there has been no change in the law or in the facts on which the opinions are based; we expressly disclaim any obligation to advise any person to whom this opinion is addressed of any matters (including without limitation any facts or circumstances or any subsequently enacted, published or reported laws, regulations or judicial decisions having retroactive effect) which may come to our attention after the date hereof and which may affect any of the opinions set out herein.

Based upon and subject to the foregoing, we are of the opinion that:

1. The Debenture By-law has been properly passed and is within the legal powers of the Municipality.

2. The OILC Debentures are direct, general, unsecured and unsubordinated obligations of the Municipality and rank concurrently and equally in respect of payment of principal and interest thereon with all other debentures of the Municipality except as to the availability of money in a sinking or retirement fund for a particular issue of debentures.

3. The OILC Debentures are enforceable against the Municipality, subject to the special jurisdiction and powers of the Ontario Land Tribunal over defaulting municipalities under the *Municipal Affairs Act* (Ontario).

This opinion is for the sole use of OILC and in connection with the transaction described above, and may not be relied upon by any other person or for any other purpose, nor quoted from or referred to in any other document without our prior written consent.

Yours truly,

David Samuels,

County of Middlesex – Legal Services

UNDERTAKING

TO: **ONTARIO INFRASTRUCTURE AND LANDS CORPORATION ("Infrastructure Ontario")**

RE: **Infrastructure Ontario File No. 1624**
The Corporation Of The Municipality Of North Middlesex (the "Municipality") Debentures dated as of December 16, 2024, (the "Closing Date") in the amount of $$6,503,568.00

I, the undersigned, hereby certify and confirm to Infrastructure Ontario that I have in my possession the document(s) listed below (the "**Document(s)**") and undertake, in consideration of the closing of the debenture(s) issued by the Municipality on December 16, 2024, in the amount of **$6,503,568.00** to ensure that Infrastructure Ontario receives the Document(s) forthwith:

> **An original of Debenture Certificate No. 99-2024 dated as of the Closing Date bearing the Municipality's original seal.**

DATED at _____, Ontario, on **December 16, 2024**

Per: _____

Name: David Samuels,
County of Middlesex – Legal Services

BOARD OF DIRECTORS

Thursday, November 21, 2024

Ausable Bayfield Conservation Authority Administration Centre
Morrison Dam Conservation Area

10:00 a.m.

AGENDA

1. Chair's Welcome and Call to Order
2. Land Acknowledgement Statement
3. Adoption of Agenda
4. Disclosure of Pecuniary Interest
5. Disclosure of intention to record this meeting by video and/or audio device
6. Approval of Minutes from October 24, 2024
7. **Business Out of the Minutes**
   - 2025 Fee Schedule and Pay Grid Approval – Davin Heinbuck

8. **Presentation:** Investment Income Semi-Annual Report – Adam Skillen, *Skillen Investment Management*

9. **Program Reports**
   Report 1: (a) Development Review (O Reg 41/24) – Andrew Bicknell
   (b) Violations/Appeals Update – Geoff Cade
   Report 2: Process for Administrative Review Under Section 8 of O. Reg 41/24 – Geoff Cade
   Report 3: Conservation Lands Strategy – Nathan Schoelier
   Report 4: Workshop Renovation Tender Process – Nathan Schoelier
   Report 5: Risk Management Official/Inspector Appointments – Elizabeth Balfour
   Report 6: ABCA Infrastructure Operational Plan – Daniel King

10. Committee Reports
11. Correspondence
12. New Business
13. Committee of the Whole
14. Adjournment

Upcoming Meetings and Events

December 19, 2024 Board of Directors Meeting at 2:30 p.m.

Please Note: The December Board Meeting will be followed by the Christmas Dinner at Ironwood Golf Club

BOARD OF DIRECTORS MEETING

Thursday, October 24, 2024
Ausable Bayfield Conservation Authority Boardroom
Morrison Dam Conservation Area

DIRECTORS PRESENT
Ray Chartrand, Adrian Cornelissen, Joey Groot, Steve Herold, Jaden Hodgins, Dave Jewitt, Wayne Shipley, Marissa Vaughan

DIRECTORS ABSENT
Dave Marsh

STAFF PRESENT
Elizabeth Balfour, Andrew Bicknell, Tina Crown, Abbie Gutteridge, Davin Heinbuck, Brian Horner, Erik Strahl, Mari Veliz, Cristen Watt, Ellen Westelaken.

CALL TO ORDER
Chair Marissa Vaughan called the meeting to order at 10:00 a.m., welcomed everyone in attendance, and read the Land Acknowledgement Statement.

ADOPTION OF AGENDA

MOTION #BD 81/24 **Moved Ray Chartrand**
Seconded by Jaden Hodgins

"RESOLVED, THAT the agenda for the October 24, 2024, Board of Directors Meeting be approved."

Carried.

DISCLOSURE OF PECUNIARY INTEREST
There were no disclosures of pecuniary interest at this meeting or from the previous meeting.

DISCLOSURE OF INTENTION TO RECORD
None.

ADOPTION OF MINUTES

MOTION #BD 82/24 **Moved by Adrian Cornelissen**
Seconded by Wayne Shipley

"RESOLVED, THAT the minutes of the Board of Directors meeting held on September 19, 2024, and the Budget Committee Meeting held on October 10, 2024, and the motions therein be approved as circulated."

Carried.

BUSINESS OUT OF THE MINUTES
2025 Proposed Budget
Davin Heinbuck, General Manager/Secretary-Treasurer, reminded the Board that they asked staff to provide some options for bringing the budget to a total increase of approximately 3.5 percent, 4 percent or 5 percent. Staff provided several options, including no increase in the budget for some programs, reallocating funds to cover costs, and drawing down on interest from investments or from reserves. The Board of Directors decided to choose two options (reallocation of revenue and using reserves or interest from investments) to bring the total proposed budget increase to 3.93 percent, or $56,644 over the 2024 budget. With these adjustments made, the total combined levy would be $1,497,266.

All Directors present were satisfied with the overall Proposed 2025 Budget with the above adjustments and agreed that it can be sent to member municipalities for review. Considering the 30-day review period, the earliest meeting at which Directors could vote on the proposed budget is December 19, 2024.

MOTION #BD 83/24 **Moved by Dave Jewitt**
Seconded by Ray Chartrand

"RESOLVED, THAT the proposed amendments to the 2025 proposed budget be approved as presented, and

"FURTHER, THAT the member municipalities be advised of the 2025 Category 1 and Category 3 Operating Levy and budget, and provided with supplementary information for the 30-day review, as the weighted vote by apportionment is intended to be held at the December 19, 2024 Board of Directors meeting."

Carried.

PROGRAM REPORTS

1. (a) Development Review

Andrew Bicknell, Senior Regulations Coordinator, presented the Development Review report pursuant to Ontario Regulation Ontario Regulation 41/24 *Prohibited Activities, Exemptions and Permits*. Through the application process, proposed developments within regulated areas are protected from flooding and erosion hazards. Staff granted permission for 5 *Applications for Permission* and 7 *Minor Works Applications.*

(b) Violation/Appeals Update

Andrew Bicknell advised that there was no update on current violations and appeals.

MOTION #BD 84/24 **Moved by Jaden Hodgins**
Seconded by Wayne Shipley

"RESOLVED, THAT the Board of Directors affirm the approval of applications as presented in Program Report # 1 – a) Development Review and receive the verbal Violations and Appeals update as presented."

Carried.

2. Profit and Loss Statement

Brian Horner, Financial Services Supervisor, provided the profit and loss statement to September 30, 2024, including a projection for the remaining quarter of 2024. In general, he reported that ABCA is on track with the 2024 budget. Chair Vaughan asked that staff include interest earned on future Profit and Loss Statements, or provide a verbal update.

MOTION #BD 85/24 **Moved by Joey Groot**
Seconded by Dave Jewitt

"RESOLVED, THAT the financial statement to September 30, 2024 be received as presented."

Carried.

3. O. Reg 41/24 Mapping Updates

Tracey McPherson, GIS/IT Supervisor reminded Directors that Ontario Regulation 41/24 (Prohibited Activities, Exemptions, and Permits) and Part VI of the Conservation Authorities Act came into effect on April 1, 2024, replacing Ontario Regulation 147/06 – Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses, and it was noted in an earlier meeting that this would result in some mapping changes. The definition of a watercourse has changed to a "defined channel, having a bed and banks or sides, in which a flow of water regularly or continuously occurs." Therefore, many of our regulated watercourses no longer meet the definition, and are typically headwater watercourses in agricultural lands.

Staff reviewed these watercourses and decided that any watercourse that has been tiled or does not have a defined channel, but has a flood estimation completed on it, will continue to be regulated under O. Reg 41/24; however, those that do not have a flood estimation will be removed from regulation. This change will reduce regulated area around watercourses by 2.5 square kilometers. Other changes to mapping include a reduction to the allowance on Provincially Significant Wetlands, which created an overall reduction of 11.5 square kilometers of regulated area. Staff recommend approval of these changes and the immediate distribution of the new polygon layers to member municipalities and counties, as well as the public web mapping application.

MOTION #BD 86/24 **Moved by Steve Herold**
Seconded by Jaden Hodgins

"RESOLVED, THAT the Ausable Bayfield Conservation Authority Board of Directors approves the mapping updates resulting from staff review as outlined in the accompanying report, O. Reg 41/24 Mapping Updates – Watercourses, and

"FURTHER, THAT the updated O. Reg 41/24 Regulated polygon layer be distributed to our municipal partners for their use in their internal mapping applications and that the layer be available on our public CA Maps web mapping application."

Carried.

PRESENTATION

Mari Veliz, Healthy Watersheds Manager, and Cristen Watt, Water Quality Technician provided a presentation on priority places within the watershed, focusing on parts of the Ausable River Watershed. Specifically, the focus was on the Carolinian Zone and how the ABCA leverages community interest as well as provincial and national interests in this area, such as species-at-risk turtles, to help further other important watershed management issues such as flooding and erosion.

MOTION #BD 87/24 **Moved by Wayne Shipley**
Seconded by Jaden Hodgins

"RESOLVED, THAT the presentation "Ausable Priority Places – Turtles: Turning Interest into Watershed Action" be received for information."

Carried.

COMMITTEE REPORTS

Committee Reports for the Joint Management Committee and Source Protection Committee were presented by Elizabeth Balfour, and the Arkona Lions Museum Management Committee by Abbie Gutteridge.

MOTION #BD 88/24 **Moved by Ray Chartrand**
Seconded by Dave Jewitt

"RESOLVED that the minutes of the Joint Management Committee meeting held on August 8, 2024, the minutes of the Source Protection Committee meeting held on September 25, 2024, and the minutes of the Arkona Lions Museum Management Committee meeting held on October 7, 2024 and the motions therein be approved as circulated."

Carried.

CORRESPONDANCE
None.

NEW BUSINESS

1. Davin Heinbuck reported that Nathan Schoelier would be coming to the Board of Directors during the winter months with a presentation on ABCA's phragmites management program, as requested by Directors.

2. Jaden Hodgins commended ABCA staff and the North Middlesex Trails group on their fundraiser for the Parkhill Trails, which was a dinner held at Nikos Restaurant in Parkhill on October 21, 2024. He reported that it was an excellent evening and was pleased to see it was well supported by the community as well as ABCA staff.

COMMITTEE OF THE WHOLE
None.

ADJOURNMENT
The meeting was adjourned at 11:55 a.m.

_____	_____
Marissa Vaughan	Abigail Gutteridge
Chair	Secretary

Copies of program reports are available upon request.
Contact Abigail Gutteridge, Corporate Services Coordinator

ABCA Program Report

To: **Board of Directors**
Date: **November 21, 2024**
From: **Davin Heinbuck, General Manager/Secretary Treasurer**
Subject: **2025 Fee Schedule and Pay Grid Approval**
Report Type: **ACTION REQUIRED**

Recommendation:

THAT the Ausable Bayfield Conservation Authority Board of Directors approve the proposed 2025 Fee Schedule as presented, and

THAT, the Ausable Bayfield Conservation Authority Board of Directors approve the pay grid increase of 2.5% as presented.

Background:

At the October 10th Budget Information Session, staff presented the board with a proposed 2025 Fee Schedule, and a pay grid increase of 2.5%. Direction from the Board at the Budget Information Session, and the October 24th Board Meeting, has been that the pay grid increase of 2.5% remain as presented. Before staff proceed with the preparation of the proposed 2025 budget, approval of the items noted above is requested.

ABCA Program Report

To: **Board of Directors**
Date: **November 21, 2024**
From: **Andrew Bicknell, Acting Water and Planning Supervisor**
Subject: **Applications for Permission**
Ontario Regulation 41/24 – Prohibited Activities, Exemptions and Permits
Report Type: **ACTION REQUIRED**

Recommendation:

THAT the Ausable Bayfield Conservation Authority Board of Directors affirm the approval of the permits issued by ABCA staff as outlined in the *Applications for Permission* Program Report.

The following *Applications for Permission* have been issued by staff since the last Board of Directors Meeting.

*A Coastal Assessment was provided as part of the application
**Work commenced without a permit

Major Permits

(1) PERMIT # 2024-51
NAME: Municipality of North Middlesex
ADDRESS: Lot 19 & 20 Concession 8 ECR
MUNICIPALITY: North Middlesex
PERMISSION TO: Perform drain improvements and open ditch enclosure to Gilbert-Windsor Drain.

COMPLETED APPLICATION RECEIVED ON DATE:	September 4, 2024
PERMISSION GRANTED BY STAFF DATE:	October 17, 2024
NUMBER OF BUSINESS DAYS TO REVIEW:	29
STAFF NAME:	Erik Strahl

(2) PERMIT # 2024-49
NAME: KB Shoring c/o Brad Bowden
ADDRESS: 75453 Pridham Road, Bayfield
MUNICIPALITY: Bluewater
PERMISSION TO: Construct a steel shore wall and associated work.

COMPLETED APPLICATION RECEIVED ON DATE:	October 10, 2024
PERMISSION GRANTED BY STAFF DATE:	October 21, 2024
NUMBER OF BUSINESS DAYS TO REVIEW:	8
STAFF NAME:	Erik Strahl

(3) PERMIT # 2024-17A
NAME: Gold Leaf Properties Inc.
ADDRESS: 84 Queen Street, Ailsa Craig
MUNICIPALITY: North Middlesex
PERMISSION TO: [Transfer] For the purposes of enhancing an existing SWM outlet and associated work.

COMPLETED APPLICATION RECEIVED ON DATE:	October 23, 2024
PERMISSION GRANTED BY STAFF DATE:	October 24, 2024
NUMBER OF BUSINESS DAYS TO REVIEW:	1
STAFF NAME:	Erik Strahl

(4) PERMIT # 2023-29A
NAME: Northlander c/o Jason Brown
ADDRESS: 9 Eva Street, Grand Bend
MUNICIPALITY: South Huron
PERMISSION TO: [Renewal] For the purposes of reconstructing a house, installation of septic system, and associated work.

COMPLETED APPLICATION RECEIVED ON DATE:	October 22, 2024
PERMISSION GRANTED BY STAFF DATE:	October 29, 2024
NUMBER OF BUSINESS DAYS TO REVIEW:	6
STAFF NAME:	Erik Strahl

(5) PERMIT # 2024-50
NAME: Louise and Glen Thompson
ADDRESS: 9898 Prince Phillip Street, Port Franks
MUNICIPALITY: Lambton Shores
PERMISSION TO: Construct a sunroom and deck and associated work

COMPLETED APPLICATION RECEIVED ON DATE:	September 26, 2024
PERMISSION GRANTED BY STAFF DATE:	October 16, 2024
NUMBER OF BUSINESS DAYS TO REVIEW:	14
STAFF NAME:	Andrew Bicknell

(6) PERMIT # 2024-52
NAME: Linda White, Catherine McAllister, Margaret White
ADDRESS: 76625 Jowett Drive, Bayfield
MUNICIPALITY: Central Huron
PERMISSION TO: Construct a replacement residence and associated work
COMPLETED APPLICATION RECEIVED ON DATE: October 15, 2024
PERMISSION GRANTED BY STAFF DATE: October 28, 2024
NUMBER OF BUSINESS DAYS TO REVIEW: 9
STAFF NAME: Andrew Bicknell

Minor Permits

(1) PERMIT # MW2024-64
NAME: David Griffiths
ADDRESS: Wildwood by the River (site 63)
MUNICIPALITY: Bluewater
PERMISSION TO: Replace existing trailer and deck.
COMPLETED APPLICATION RECEIVED ON DATE: October 2, 2024
PERMISSION GRANTED BY STAFF DATE: October 15, 2024
NUMBER OF BUSINESS DAYS TO REVIEW: 9
STAFF NAME: Ellen Westelaken

(2) PERMIT # MW2024-65
NAME: Justin Elgie (c/o Jamilla Akhi)
ADDRESS: Plan No. 532, Lot 6
MUNICIPALITY: Bluewater
PERMISSION TO: Construct a modular home.
COMPLETED APPLICATION RECEIVED ON DATE: October 4, 2024
PERMISSION GRANTED BY STAFF DATE: October 21, 2024
NUMBER OF BUSINESS DAYS TO REVIEW: 12
STAFF NAME: Ellen Westelaken

ABCA Program Report

To: **Board of Directors**
Date: **November 21, 2024**
From: **Geoff Cade, Water & Planning Manager**
Subject: **Conservation Authorities Act & Ontario Regulation 41/24 Administration Review Policy**
Report Type: **ACTION REQUIRED**

Recommendation:

THAT the Ausable Bayfield Conservation Authority Board of Directors delegates the ABCA's Administrative Review powers, as defined in Section 8 of Ontario Regulation 41/24, to the General Manager of the Ausable Bayfield Conservation Authority, and

THAT the Board of Directors approves the Process for Administrative Review under Section 8 of Ontario Regulation 41/24 for use by ABCA staff.

Background:

With adoption of Ontario Regulation 41/24 (the regulation) in April 2024, new accountability requirements were introduced. Specifically, Section 8 of the regulation permits an applicant to seek a formal review of an application when there is a question regarding:

- whether an application is complete or not (Section 8 (b))
- the reasonableness of requests for additional information (Section 8 (c))

Or when the ABCA has not provided formal response within 21 days (Section 8 (a)) of receipt of an application.

Staff have prepared the attached draft process. The draft process follows a recommended process prepared by Conservation Ontario for all conservation authorities. ABCA staff have revised the draft process to reflect local concerns and capacity. Staff recommends the approval of the process.

The Board of Directors can delegate its 'Administrative Review' process to the Authority's General Manager. Staff recommends this approach, and the draft proposed process has been revised as such. It is understood that other CA's are also delegating Administrative Review powers to their General Managers.

Process for Administrative Review Under Section 8 of Ontario Regulation 41/24

AUSABLE BAYFIELD CONSERVATION AUTHORITY
Draft Version: November 21, 2024

This policy is intended to guide the Ausable Bayfield Conservation Authority (ABCA) when receiving, evaluating, and making a decision related to a request for a review submitted in accordance with Section. 8 of *Ontario Regulation 41/24* (O.Reg. 41/24 or the Regulation) made under the *Conservation Authorities Act,* (CAA), as amended.

Such a review is called an '*Administrative Review*'.

1 Purpose of an Administrative Review

Administrative Reviews are not undertaken to determine whether a permit will be issued, or the scope of conditions proposed to be attached to a permit. These factors are assessed through the permit review process – once an Administrative Review (if requested by the applicant) is complete.

Additionally, Administrative Reviews are not intended to be a procedure to address permit fee disputes. Disputes related to the ABCA's permit fees will be addressed in accordance with the authority's fee policy.

The purpose of an Administrative Review is to resolve issues outlined in Section 8 (1) of the Regulation.

Pre-submission Consultation

As per the regulation, pre-submission consultation is only mandatory when requested by the applicant.

However, the ABCA recommends pre-submission consultation for all applications. Pre-submission consultation helps ABCA staff to better understand a proposal and an applicant to better understand applicable provincial and ABCA policy. ABCA staff can also provide detailed information about the application review process. During pre-submission consultation ABCA staff can provide the applicant with complete application requirements, and where any required studies can be discussed and possibly 'scoped'.

Pre-submission consultation takes place prior to an application being submitted and is a meeting between Authority staff, the applicant, and where appropriate, the municipality and/or other regulatory agencies. This meeting may occur prior to or at the same time as a site visit to the property where the activity is proposed to be carried out.

Where an application has been submitted without pre-consultation, complete application requirements should be communicated to the applicant, in writing, during the 21 days allotted for a complete application decision.

It is expected that a robust pre-submission consultation will reduce the number of Administrative Reviews.

Authority Powers

Section 28.4 of the *Conservation Authorities Act* enables a conservation authority to delegate powers related to permit review to an executive committee or other person or body - subject to limitations or requirements prescribed by regulation. As such, the Board of Directors has delegated Administrative Review powers to the General Manager of the ABCA. (*insert board resolution number here*).

Subsection 8(2) of the regulation requires that upon completion of an Administrative Review; the ABCA must:

(a) confirm that the application meets the requirements for a complete application; or provide reasons why the application is incomplete; and/or,
(b) provide reasons why a request for other information, studies or plans is reasonable or withdraw the request for all or some of the information, studies, or plans.

Submitting a Request for Administrative Review

The Administrative Review process is commenced by the applicant by first notifying the General Manager of the ABCA. The applicant will be provided with a 'Request for Administrative Review' form. Upon submission of the completed form and permit application fee, the General Manager will commence the Administrative Review.

Eligibility

Requests for Administrative Review apply to applications made under Section. 28.1 of the *Conservation Authorities Act*. Administrative Reviews are undertaken by the General Manager for the ABCA and shall be conducted under the following circumstances:

1) The applicant has not received written confirmation from the Authority within 21 days upon submission of the application and fee in accordance with the Authority's Complete Application Policies; or,
2) The applicant disagrees with the Authority's determination that the application for a permit is incomplete; and/or,
3) The applicant is of the view that the request for other information, studies or plans is not reasonable.

The Administrative Review process is not available where the development activity has commenced without the necessary ABCA permits in place.

Timeline for Review

Administrative Reviews are to be completed within 30 days of receipt of the formal request for review. However, there may be extenuating circumstances where it is not possible to complete the Administrative Review within 30 days. In these cases, the Authority will provide notice to the applicant of any anticipated delays and obtain written approval of the applicant to extend the timeline, if feasible.

Administrative Review Process

Upon receipt of a completed "Request for Administrative Review" form, the General Manager for the ABCA shall review all the information provided through the submission as well as all information available on the application in question. The General Manager for the ABCA may also reach out to the applicant for clarification or questions regarding their request for Administrative Review.

The General Manager for the ABCA will evaluate the request for Administrative Review in accordance with section 8.1 of O. Reg. 41/24 (below).

Evaluation Criteria

The General Manager for the ABCA shall evaluate the request for Administrative Review in accordance with the following standards:

1) That the request for Administrative Review meets the eligibility criteria.
2) That the application and/or the requests for information, studies and plans by the ABCA are consistent with the requirements of the *Conservation Authorities Act* and O. Reg. 41/24.
3) That the applicant has submitted the required application fees.
4) To determine if the ABCA's request for other information, plans and studies is reasonable, the request must be made in accordance with the ABCA's Policies and Procedures Guidelines for the proposed project, must reflect site-specific hazards, and the request is consistent with similar application requirements within the watershed.

Decision

The decision for an Administrative Review is limited to determining a complete application and / or whether the request for all or some of the information, studies or plans is reasonable; it is not a decision as to whether to issue a permit, nor a process to settle permit fee disputes.

Upon completing the Administrative Review, the General Manager for the ABCA will notify the applicant of the decision in writing, which must:

- Confirm that the application meets the Authority's complete application requirements and is complete or provide reasons why the application is incomplete; or,
- Provide reasons why requests for other information, studies or plans are reasonable, or withdraw the request for all or some of the information, studies or plans (if applicable).

The Administrative Review decision of the General Manager for the ABCA is final.

Notice and Communication

The General Manager for the ABCA shall provide the following correspondence in writing to the applicant:

1) Within 1-2 business days, upon receipt of a "Request for Review" form, confirm the receipt of the request, set out the start and end dates of the administrative review period (requests for administrative review shall be completed within 30 days upon receipt of the request, unless an extension is approved by the applicant); and,
2) Upon completion of the review, provide notice of decision, with reasons.

ABCA Program Report

To: **Board of Directors**
Date: **November 21, 2024**
From: **Nathan Schoelier, Stewardship and Lands Manager**
Subject: **Conservation Lands Strategy**
Report Type: **ACTION REQUIRED**

Recommendation:

THAT the Ausable Bayfield Conservation Authority Board of Directors approves the Conservation Lands Strategy.

Background:

The Conservation Lands Strategy (CLS) provides a high-level framework for managing Ausable Bayfield Conservation Authority's (ABCA) properties.

Legislative Requirements

This section of the report provides an overview of how the draft CLS fulfils the CLS requirements stated under Ontario Regulation 686/21: Mandatory Programs and Services under the Conservation Authorities Act (CA Act).

Under Section 9(1) it outlines the following required component: "*A conservation area strategy, prepared on or before December 31, 2024, for all lands owned or controlled by the authority, including any interests in land registered on title, that meets the requirements set out in section 10.*"

The following table depicts how the draft CLS meets the requirements set out in Section 10.

Required Component Under Section 10 (1)	Draft CLS Section	Page Number
Objectives established by the authority that will inform the authority's decision-making related to the lands it owns and controls, including decisions related to policies governing the acquisition and disposition of such lands.	Goals and Objectives	16-19
Identification of the mandatory and non-mandatory programs and services that are provided on land owned and controlled by the authority, including the sources of financing for these programs and services.	Programs and Services on Conservation Lands	4
Where the authority considers it advisable to achieve the objectives referred to in paragraph 1, an assessment of how the lands owned and controlled by the authority may, i) augment any natural heritage located within the	Management Considerations – Conservation Designations and	6-8; 16-19

authority's area of jurisdiction, and ii) integrate with other provincially or municipally owned lands other publicly accessible lands and trails within the authority's area of jurisdiction	Natural Heritage Features; Goals and Objectives	
The establishment of land use categories for the purpose of classifying lands in the land inventory described in section 11 based on the types of activities that are engaged in on each parcel of land or other matters of significance related to the parcel.	Land Use Categories	5
A process for the periodic review and updating of the conservation area strategy by the authority, including procedures to ensure stakeholders and the public are consulted during the review and update process.	Strategy Review	21

Section 10 (2) states '*The authority shall ensure stakeholders and the public are consulted during the preparation of the conservation area strategy in a manner that the authority considers advisable.*' To fulfill this requirement, staff:

- Consulted stakeholders and the public through an online survey that was available prior to the preparation of the draft CLS. The survey was available from November 7, 2023, until December 7, 2023. Conducting the survey prior to developing the draft CLS allowed staff to incorporate feedback from the onset of its development.
- Met with The Chippewas of Kettle and Stony Point First Nation (KSPFN) and visited conservation lands properties, and the Ausable River Cut Conservation Area (ARCA) to discuss the CLS application to property management. KSPFN were also consulted on the draft CLS version that was available for public and stakeholder feedback.
- Posted the draft CLS on ABCA's website for public consultation from October 1, 2024, until October 22, 2024.
- Provided the draft CLS to stakeholders to provide feedback, this included all member municipalities, and several volunteer groups

The feedback is summarized in the 'What We Heard – Engagement Summary' on page 2 of the draft CLS. The feedback was supportive, constructive, and appreciated by staff, to improve the strategy and incorporate the community's connections to and vision for conservations lands.

Section 10 (3) states '*The authority shall ensure that the conservation area strategy is made public on the authority's website, or by such other means as the authority considers advisable.*' To fulfill this requirement, the CLS will be posted to ABCA's website, when it is approved by the Board of Directors.

ABCA Program Report

To: **Board of Directors**
Date: **November 8, 2024**
From: **Elizabeth Balfour and Donna Clarkson, DWSP Co-Supervisors**
Subject: **Appointment of Risk Management Official and Risk Management Inspector for the Ausable Bayfield Conservation Authority as required under Sections 18 (1-3) of the *Clean Water Act, 2006***
Report Type: **ACTION REQUIRED**

Recommendation:

THAT the reappointment of Donna Clarkson and Tim Cumming and the appointment of Elizabeth Balfour and Aaron Clarke as Risk Management Official (RMO) and Risk Management Inspector (RMI) as required under Sections 48 (1-3) of the *Clean Water Act, 2006* be approved; and

THAT the appointment of Mary Lynn MacDonald as RMO/RMI be rescinded, and

THAT a certificate of appointment be issued for Elizabeth Balfour and Aaron Clarke as required by Section 48(3) of the Act.

Background:

The *Clean Water Act, 2006* enables municipalities to enter into an agreement with a Source Protection Authority (SPA) for the enforcement of Part IV of the *Act*. Once an agreement has been entered into, the SPA is required to appoint Risk Management Official(s) (RMO) and Risk Management Inspector(s) (RMI) to carry out required Part IV power enforcement tasks. The RMO and RMI can be the same individual. Once appointed, the SPA shall also issue a certificate of appointment to each Risk Management Officer and Risk Management Inspector.

The Conservation Authority serves as the Source Protection Authority under regulation 284/07 of the *Act*, and hence the Conservation Authority is ultimately responsible for appointing the RMO and RMI.

The ABCA has entered into agreements to provide Part IV power enforcement services to the municipalities of Bluewater, Huron East, Central Huron, Ashfield-Colborne-Wawanosh, Morris-Turnberry, Huron-Kinloss, and North Perth. When the Source Protection Plans took effect on April 1st, 2015, ABCA was required to appoint a minimum of one RMO and one RMI, and issue a certificate of appointment. In 2015, Mary Lynn MacDonald, Donna Clarkson, and Tim Cumming successfully completed the mandatory RMO/RMI training provided by the Ministry of Environment, Conservation and Parks (MECP), and were subsequently appointed by the ABCA Board of Directors at that time. Recently, Elizabeth Balfour and Aaron Clarke have completed the

mandatory RMO/RMI training provided by MECP.

Staff recommend that Donna Clarkson and Tim Cumming be reappointed as both Risk Management Official and Inspectors (RMO/RMI), and that Elizabeth Balfour and Aaron Clarke be appointed as RMO/RMIs to conduct ABCA's requirements under the agreement with the municipalities of Bluewater, Huron East, Central Huron, Ashfield-Colborne-Wawanosh, Morris-Turnberry, Huron-Kinloss, and North Perth. Furthermore, with the retirement of Mary Lynn MacDonald as of May 31st, 2024, it is recommended that her appointment be rescinded.

ABCA Program Report

To: **Board of Directors**
Date: **November 21, 2024**
From: **Nathan Schoelier, Stewardship and Lands Manager**
Subject: **Workshop Renovation Tender Process**
Report Type: **ACTION REQUIRED**

Recommendation:

THAT the Ausable Bayfield Conservation Authority Board of Directors approves staff to retain MR Engineering and Design Ltd. to prepare a tender opportunity for the Morrison Dam Conservation Area workshop renovation project.

THAT, the Ausable Bayfield Conservation Authority Board of Directors approves the tender opportunity to be distributed to contractors recommended by MR Engineering and Design Ltd.

Background:

The Ausable Bayfield Conservation Authority (ABCA) is renovating its workshop, located at Morrison Dam Conservation Area (MDCA). The focus of the renovation is to meet the standards outlined in the Accessibility for Ontarians with Disabilities Act (AODA). The primary use of the workshop is to support field staff operations; however, the workshop also supports several weeks of conservation education day camps per year.

MR Engineering and Design Ltd. was the successful contractor for designing the MDCA workshop renovation project. MR Engineering and Design Ltd. is also completing inspections to ensure the work is completed in accordance with the design, as well as working with the municipal building official. Upon receiving completed drawings, and an approved building permit, ABCA staff discussed the contract administration and tendering process with Matt Runge, Project Engineer, MR Engineering and Design Ltd. ABCA were advised that the contract administration process required for a public tender opportunity is significant, and is not advisable for a relatively small project, such as the MDCA workshop renovation. ABCA was advised that the contract administration process may have a financial impact comparable to that of the actual construction costs of the project. ABCA's policies state that *"Public tender shall be required for purchase, rent, service contract and construction contract with a unit cost in excess of $25,000. The approval of the Board of Directors shall also be obtained for any contract or purchase material from other than the lowest bidder where the cost exceeds $25,000."*

MR Engineering and Design Ltd. recommended that ABCA complete the tendering process by invitation, providing the opportunity to their recommended, local contractors. The cost for retaining MR Engineering and Design Ltd. to prepare a tender opportunity, distributed to their recommended contractors is $4000.00.

ABCA Program Report

To: **Board of Directors**
Date: **November 21, 2024**
From: **Daniel King P.Eng., Water Resources Engineer**
Subject: **ABCA Operational Plan**
Report Type: **INFORMATION REPORT**

Recommendation:

THAT the Ausable Bayfield Conservation Authority Board of Directors receives the report ABCA Infrastructure Operational Plan for information as presented.

Background:

The attached plan has been prepared by staff to meet Ontario Regulation 686/21: Mandatory Programs and Services, Section 5: Infrastructure, of the Conservation Authorities Act.

The focus of the plan is the Parkhill Dam, as it is the only structure actively operated. As previously reported to the Board, several additional flooding and erosion control structures are regularly inspected and maintained by the ABCA. These are listed in an appendix of the plan.

The ABCA Operational Plan will continue to be reviewed amended and updated by ABCA staff as needed in the future. It is intended to be a living document that provides overview of these operations.

As per O.Reg. 686/21, following the Board's receipt of this report, it will be posted on the ABCA website.

ABCA Infrastructure Operational Plan

Prepared by Daniel King P.Eng.

Water Resources Engineer

Ausable Bayfield Conservation Authority

Revisions:

Date	Revision Note
Nov 12, 2024	Draft for Board Approval

Contents

1. Introduction and Background

This report is intended to be a living document for use by ABCA staff to review the status of the operation of the ABCA Flood and Erosion control infrastructure. A full list of all infrastructure inspected and maintained by the ABCA is listed in Appendix E. The majority of this document is focused on the Parkhill Dam, which is the only structure operated for flood control within the ABCA watershed. Any significant changes to the dam or the operation of the structure should only be undertaken after reviewing the relevant information, and such changes should be subsequently incorporated into this Operational Plan.

This Operation Plan was completed by ABCA Staff in 2024 to meet the Legislative Requirements of O.Reg. 686/21 Mandatory Programs and Services – Infrastructure.

The Parkhill Dam consists of two embankment dams: a larger north embankment and a smaller south embankment containing a concrete control structure. Middlesex County Road 81)Grand Bend Road) passes on the crest of both the dams. This road also passes over the emergency spillway located to the north of the north dam. The south dam has a concrete intake structure with an elevated control tower for the safe operation of the gates during high reservoir levels. Water is discharged through the dam in one of three ways outlined in section 4. Parkhill Dam Operation.

2.History of the Parkhill Dam

Parkhill Dam was constructed from 1967 to 1969. The control room above the intake structure at the south dam was constructed in 1983. The primary purpose of the dam is to provide flood control and low flow augmentation. The dam is also used for recreational activities and as a source for water supply.

Parkhill Dam consists of the following components:

- a 366m long, 14.3m high earth embankment (north dam);
- a 152m long, 14.3m high earth embankment (south dam);
- a concrete control structure at the south embankment, including two vertical lift gates, a drop inlet, and a low flow valve; and,
- an emergency spillway.

The headwaters of Parkhill Dam watershed originate in the Mud Creek basin, which flows in the southerly direction into Parkhill Creek. The Parkhill Creek watershed at Parkhill Dam drains an area of approximately 134 km2, comprising mostly agricultural land.
The summer surface area and storage volume of the reservoir maintained by Parkhill Dam are approximately 80 ha and 920 ha-m, respectively.

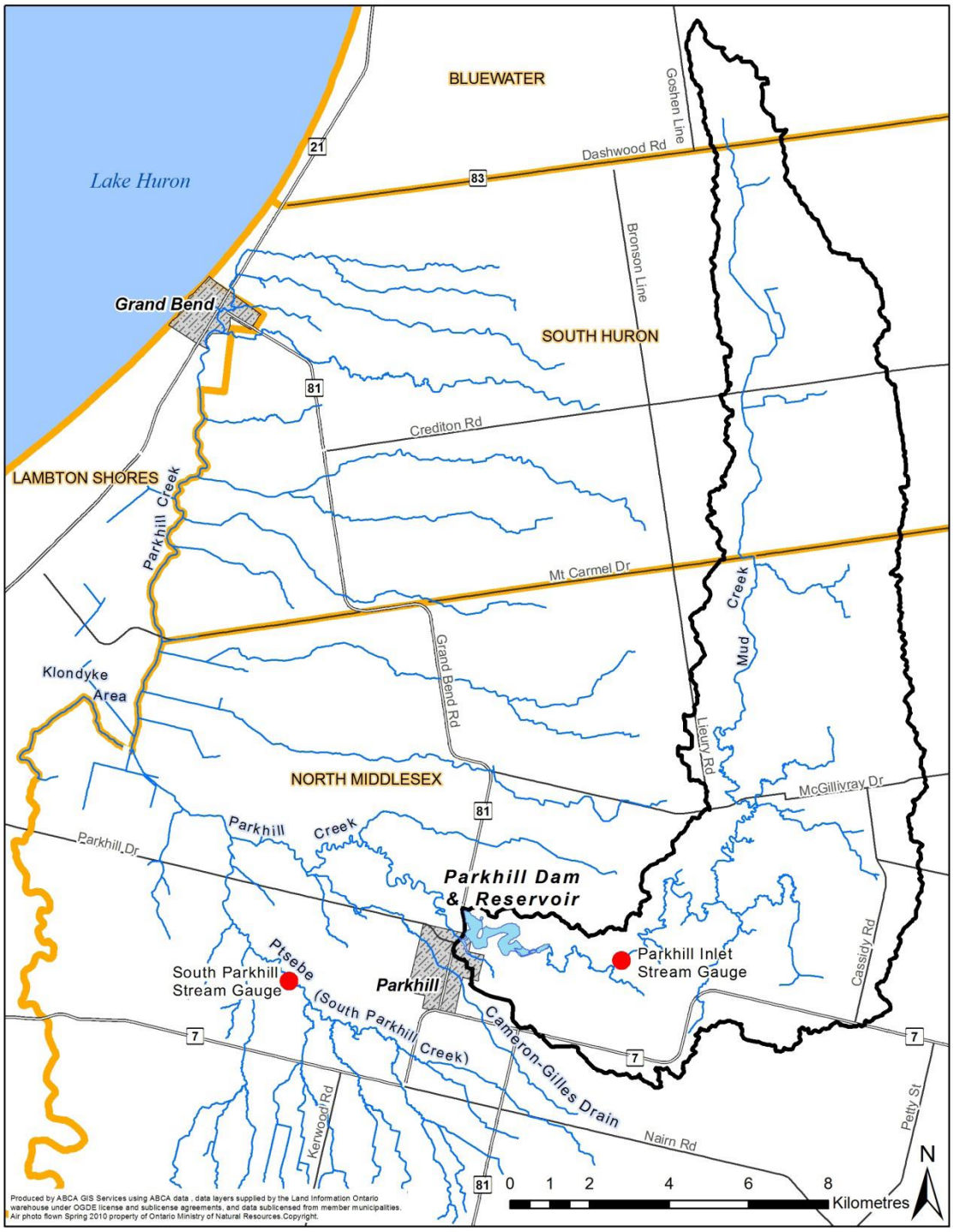

FIGURE 1 LOCATION OF THE PARKHILL CREEK WATERSHED

3. Regular Inspection of the Parkhill Dam

Annual Inspections

ABCA conducts annual visual inspections of the dam, with checklists reviewed and revised from time to time by ABCA staff. Photos, and notes from the visual inspection are stored internally on the ABCA server. The results of these inspections are used to determine maintenance needs throughout the year, and more significant maintenance that could be applied for under the Water Erosion Control Infrastructure (WECI) Program Funding provided by the Ministry of Natural Resources (MNR).

Monthly Inspections

In addition to the annual inspections, monthly inspections are undertaken by ABCA Field Services personnel where the condition, level, weather conditions and other applicable information is regularly noted. Issued with the dam are brought to the attention of the Flood Duty Officer, Water Resources Engineer or the General Manager as is applicable to remedy the issue.

Maintenance and the WECI Program

The Water and Erosion Control Infrastructure (WECI) program is a Ministry of Natural Resource (MNR) capital cost share program with municipalities to provide matched funding to Conservation Authorities (CAs) for major maintenance or related studies of water or erosion control structures that are either owned or maintained by Conservation Authorities. This program contributes to public safety and natural hazard prevention at the local watershed level.

The program framework and components are built on:
1) Provision of funding through a fair and transparent prioritization of existing CA water and erosion control related infrastructure.
2) A Committee of Conservation Authority peers that provide technical input, expertise and funding recommendations.
3) The financial and accountability requirements outlined in the Ontario Public Service Transfer Payment Accountability Guidelines.

A committee, made up of five Conservation Authority (CA) representatives, one Ministry of Natural Resources (MNR) representative and one Conservation Ontario (CO) staff representative, reviews project submissions and determines the priority list of eligible projects; in addition, the committee provides technical expertise, scores projects, monitors program successes, risks and reporting, and reviews expressions of interest when new committee members are solicited.

Applications are typically due in March of each year.

4. Parkhill Dam Operation

For the full detail of key water levels, detailed operations and flood routing procedures, Staff utilize the information in the Manual *of Operation Procedures for Routing Floods Through Parkhill Dam and Reservoir*, most recently updated in February 2012. This section provides a general overview of the

modes of operation of the dam. The Manual of Operations can be found in Appendix B of this Operation Manual.

Passive Operation

Under normal circumstances flow out of the dam is regulated passively by a side drop inlet structure which is always open. The elevation of this inlet maintains a permanent pool level in the reservoir. In addition, a 400-millimetre diameter low flow inlet can be opened and closed to supplement this flow downstream during dry periods, and to draw down the reservoir to a lower level for maintenance as required. Most flood flows are discharged out of the side inlet and do not require active operation of the dam.

Opening Gates

In addition to the passive side inlet and the low flow valve, the Parkhill Dam has two 2.13 metre square gates, referred to in the Dam designs as the North and South gates. These gates are operated at the dam during periods of larger flows.

During heavy rain events, the level of the reservoir should be regularly checked by the Flood Duty Officer. If the water level, or the rate of increase exceeds the thresholds in the *Manual of Operation Procedures for Routing Floods Through Parkhill Dam and Reservoir,* then the gates should be progressively opened based on the schedule of operations in that manual.

Closing gates after operations

Following the manual operation of Parkhill Dam, the procedure for gradually closing the North and South gates can be found in the *Manual of Operation Procedures for Routing Floods Through Parkhill Dam and Reservoir.*

5. Parkhill Dam Monitoring (FFW Network integration)

The reservoir level, outflow of the reservoir and the input to the reservoir are all monitored at two hydrometric stations. This allows ABCA Staff to remotely monitor the reservoir level for dam operation and integrate these flows into Flood Forecasting and Warning networks.

Messaging and Communications

When necessary to operate the dam gates, staff at the dam operating the gates should be in frequent communication with the Flood Duty Officer. The Municipality of North Middlesex should be contacted as soon as possible, as per the ABCA Flood Operations Manual found in Appendix C. Contact information for the appropriate staff at the municipality is maintained in the ABCA Flood Contingency Plan, updated annually, and provided to ABCA Staff involved in the Flood Forecasting and Warning Program, and their alternates.

Appendices:

Appendix A – Parkhill Dam Manual of Operation and Procedures

Click Here for Link

Appendix B – Dam Safety Assessment Report for the Parkhill Dam

Click here for link

Appendix C – Flood Operations Manual

Click here for link

Appendix D – Parkhill Dam Operation, Maintenance, Surveillance and Security Manual

Click here for link

Appendix E – List of ABCA Flood and Erosion Control Structures

Click here for link

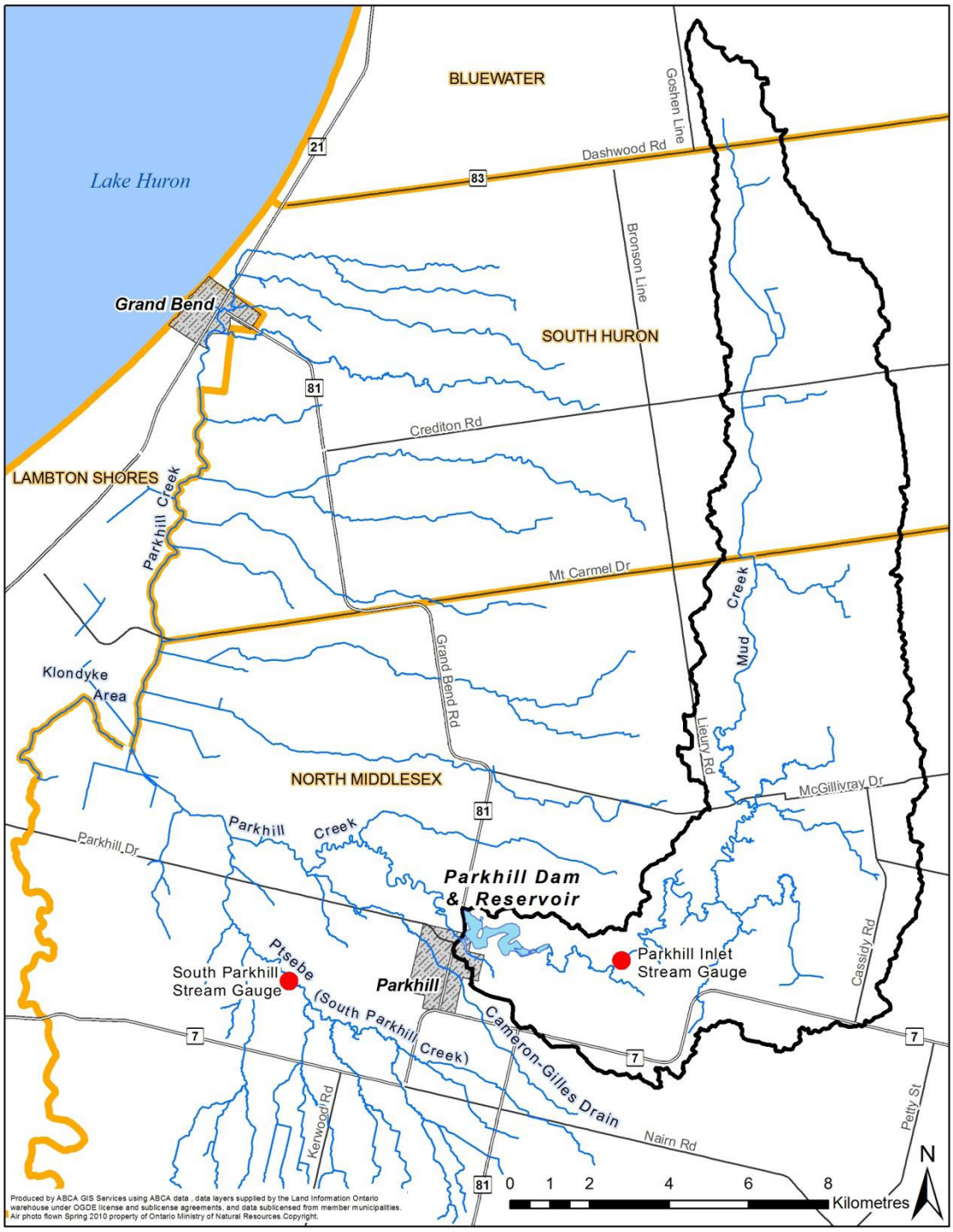

FIGURE 1 LOCATION OF THE PARKHILL CREEK WATERSHED

The Special Benefiting formula for the remaining costs are as follows:

Operating Levy - Category 1 Project portion (Reserves)	(25%)	$ 875.00
Special Benefitting Levy		
- Lambton Shores	(23.3%)	$ 815.50
- North Middlesex	(48.2%)	$ 1,687.00
- South Huron	(3.5%)	$ 122.50

MUNICIPALITY OF NORTH MIDDLESEX
LOCAL SCHOOLS ADVISORY COMMITTEE
Thursday, June 13, 2024 @ 6:00 p.m.

PRESENT

Councillor Bill Irwin – Chair
Deputy Mayor Paul Hodgins
Tonya Nichol - absent
Tammy Maguire
Marie Walker
Casandra Shackleton - regrets
Katie Katelaars – regrets
Jessica Rombouts
Carolyn Tripp – CAO/Staff Member
Brian Ropp, Mayor (ex-officio) – voting member for purpose of quorum. - regrets
Arlene Morell - regrets
Donna VanHooydonk, Recording Secretary
Brandon Drew, Director of Community Services

CALL TO ORDER

Chair Irwin called the meeting to order at 6:00 p.m. with a quorum present in the Council Chambers.

INTRODUCTIONS

Sadie Townsend has resigned from the committee, and Marie Walker has offered to be a voice for McGillivray Central School. The members of the committee introduced themselves.

REVIEW OF PREVIOUS MEETING MINUTES

Motion by: P. Hodgins
Seconded by: T. Maguire
That the minutes from the February 8, 2024, Meeting be approved as amended.
CARRIED

PROVISION FOR PECUNIARY INTEREST

None.

PREVIOUS BUSINESS

Chair Irwin updated the Group on the presentation that was made to the Thames Valley District School Board. Bill advised that the Mayor and CAO will be taking this to AMO in August, asking for delegation to the Minister, proposing that School Boards consider Plans of Subdivisions as part of their formula. It was questioned what the current formula is, which is a Provincial Funding Formula-1988. It was suggested and agreed that the presentation be shared with the Separate School Board.

a) Update from School Board Trustee – Arlene Morrell had a prior commitment and was unable to attend.

b) Thames Valley District School Board Agreement (Brandon Drew, Director of Community Services) – The Director of Community Services spoke to the committee regarding a reciprocal agreement with the local school boards for shared facility usage. The director outlined the reason for the agreement which was to improve the booking process specifically with regards to insurance certificates. The members of the committee asked that local home and school associations as well as parent executive groups be added into the agreement as third parties for the school and ask that the third parties for the municipality be left broader than only specifying the YMCA for the inclusion of other groups that run through the municipality. The Director will follow up with the school board to see about the potential changes within the current agreement and bring the necessary changes back to a future Council meeting for approval. Chair Irwin indicated that there is no motion required from the committee, that we are just looking for input on this.

c) Renewed Membership of the Committee – It was agreed that the committee is taking on a new direction. Originally, the committee was formed with respect to school closure(s), encouraging and advocating that the feeder schools in North Middlesex attend North Middlesex District High School. It was noted that neighboring schools are no longer accepting students, and the mandate of the committee has changed. One of the committee members advised that it was their understanding that one of the neighbouring secondary schools is not turning students away. Chair Irwin indicated that he would follow up with the Board on this matter. It was felt that October would be an opportune time to refresh the committee, as the new school season is underway, and parent/student councils have been established. Chair Irwin encouraged members to look for interested persons for the committee over the summer. Chair Irwin will also contact the

principal of the high school to determine how they want to determine the student representative(s).

d) Creation of Survey – the committee again had a discussion on the goal of this committee and are the goals aligning with the actual needs. Chair Irwin will poll Council at the next regular Council Meeting including questions that the municipality would like to include. As an example, more community involvement would be beneficial. Local businesses could participate with respect to careers in the community, partnering with the Horticultural Society, input from the community on better use of parks etc.

NEW BUSINESS

The Director of Community Services updated the committee on an initiative that came because of the approved Recreation Master Plan (2023). To better serve the community and gather the appropriate feedback, it was recommended to establish a Youth Advisory Committee to empower youth and give them a voice in the decision-making process. With staff support for coordination, the Youth Advisory Committee should be responsible for consulting with the broader youth population (including engaging students within schools); identifying trends, issues and programs that matter to them; and identifying how parks, recreation and culture opportunities can be improved and more youth friendly. The Director further explained that a Youth Advisory Committee within a municipality is essential for fostering civic engagement and ensuring that the perspectives of young residents are included in local governance. These committees provide a platform for youth to voice their opinions on issues affecting their community, thereby promoted inclusivity and democratic participation. By involving your people in decision-making processes, municipalities can address the unique needs and concerns of younger generations, which might otherwise be overlooked. Further, youth advisory committees help in developing leadership skills and civic responsibility among participants, preparing them for future roles in public service and community leadership. They can bring fresh ideas and innovative solutions to longstanding problems, contributing to more dynamic and responsive local governments. Ultimately, youth advisory committees play a crucial role in shaping policies that are more reflective of the entire population, promoting a more equitable and forward-looking approach to municipal governance.

The composition of the committee would be one council representative, a maximum of 8 young people between the ages of 9 and 17 and two staff liaisons.

The Director will be taking a report to Council, presenting the Terms of Reference for this committee and once approved, he will circulate. The term is one year, the hope is to have a September start date.

The committee members were very excited about this initiative.

OTHER BUSINESS

None

NEXT MEETING

Thursday, September 12, 2024 @ 6:00 p.m.

ADJOURNMENT

Motion by: T. Maguire
Seconded by: J. Rombouts
That the meeting be adjourned at 7:16 p.m. **CARRIED**

Chair **Recording Secretary**

RECREATION COMMITTEE

Tuesday September 24, 2024 @ 7:00 pm

North Middlesex Arena –

1. Call to Order at 7:03pm

2. Roll Call

Present: Chair, Councillor Chuck Daigle
Vice Chair, Councillor Sara Nirta
Councillor, John Keogh
Kathy Willemse
Tracey Puchala
Julie Wiseman

Staff: Manager, Brandon Drew
Secretary, Judy Gratton
Secretary in training, Yolanda

Regrets:
Jenny Sadler
Bev Timmers
Sam Cornelissen

3. MINUTES OF THE PREVIOUS MEETING

Approved the DRAFT minutes as presented from May 21, 2024.
MOTION RC#007/2024
NIRTA/PUCHALA

CARRIED

4. Brandon introduced new hired Co-op student, Yolanda Postma, training to fill in for Judy when she is off for surgery.

5. PREVIOUS BUSINESS

a) Update on Trillium grant for West Williams Hall, grant was not approved. Brandon has intentions to reapply in early spring of 2025.

i) Update on Permanent Liquor Licensing-we now have a license. Minor hockey will run on Friday nights and the cash bar will be open. Next 4 months, Brandon will monitor to be able to see if there is profit. Currently our cut is 20% and we are making a profit. In December we will look at the numbers and re-evaluate the percentage breakdown. Brandon is considering investing in Square terminal for greater flexibility in sales.

ii) Road sign and scoreboard are now here and will go up soon. The sign is the same design as the Lambton Shores sign. The playground in Coronation Park will also have a shade structure added by the splashpad to be moved to 2025. We will also need to replace the gazebo.

iii) Trail fundraiser update-Greek night-October 21, 2024: 150 tickets; $20 off each ticket goes back towards the trail fund. Filming for the video of the trails will go out on October 1st as a promotional.

6. NEW BUSINESS

a) Parks and Recreation By-Law

The By-Law provided by Brandon (Municipality of Middlesex Centre) is a good example of how in-depth the by-laws could be for NM Parks and Recreation. This document could assist in building a By-Law for NM. By-laws are complaints driven. They could be used to cover usage of trails. Anything we put on our list of by-laws needs to be sent to a provincial judge to approve. A discussion of how to enforce the by-laws and potential liability for injury and lawsuits came up as a starting point for conversation. The goal is to develop a list of by-laws by the third week of November when we meet again as a committee. Counsellor Chuck brought up the 519-Cruisers who utilize parking lots to meet in to have organized events with fireworks, etc. There should be some guidance around usage of parking lots. Suggestions – to add Tennis/Pickleball courts. Next meeting goal is to have By-Laws in DRAFT form.

b) 2024 Operational Variance Report

a. Director of Community Services, Brandon Drew said the report has yet to be completed however he gave a verbal report. Currently have 38% of yearly revenue and our biggest months of generation are yet to come. (See "Operations 2024" item 7 below.) Discussion of Snow Removal Contract was discussed. It was agreed that contracting out the work is worth the financial outlay. Advertising was discussed and first cheque from Damen Optimal Health and Fitness came in.

c) Operational Update 2024

The 2024 operation is currently heading into the final quarter. Through the first three quarters staff have seen many challenges operationally due to consistent staffing shortages.

i. Grass maintenance has increased due to rainfall-proposal to add summer staff for Summer 2025 – discussion of staffing issues and utilization of resources in a better way was brought forward by Tracey Puchala. Bev Timmers brought forward the idea of contracting out the grass service. Oversight of staffing is a concern. Brandon confirmed that grass-cutting crew did indeed complete the work given on the time schedule given. Kathy Willemse suggested having fewer summer students assigned for grass maintenance for hire and then contract out the service to a company. Brandon suggested that a supervisor be hired to complete a checklist for day-to-day operations and create accountability and enforcement in facility maintenance and create the checks and balances for the specifics required to operate community operations. The supervisor then could hire the students and hold them accountable to the work they take on.
ii. Reallotment of staff has negatively impacted Facility Maintenance. Senior staff will be recommending an increase in crossover operations staff and an additional summer staff to combat this.
iii. Community Services Department also experiencing shortages due to one Operator Resignation and one Operator taking on a crossover role. As an assertion of the point, requests have been made by the community to have a supervisor role put in place to manage staffing.

d) Operations Update 2024 and Budget 2025 Files

i. Top priority for 2025 will be to add the position of Supervisor to supervise the operations and increase the level of inspections, create a facility maintenance manual, lead the department's health and safety program, and digitalize all work orders. In addition, this role will ensure that the level of service be maintained at the current rate.
ii. 2025 Operations also plan to increase the summer staff compliment by one to help alleviate some of the stress caused by the recent climate changes faced.
iii. Approval of the reports titled 2024 Operations Update and Budget 2025 and filed as information only.

MOTION RC#008/2024
KEOGH/NIRTA

CARRIED

iv. Cost Recovery: In 2023, the last full year of financials available, the Community Services department had a cost recovery rate of 43%. The 43% is broken down in the Budget Report submitted by Director of Community Services, Brandon Drew.

7. OTHER BUSINESS

a) Discussion was had over the Leisure Club, Day Care Club, and other ways of bringing in revenue through leasing and renting opportunities through the Municipality Bookings. Brandon asserted that project timelines be planned in such a way that space use can be maximized in phases. 4-month building schedule will accommodate for wedding bookings.

b) Existing Programming for the Municipality:
   i. Pickleball
   ii. Walking Group
   iii. Senior Fitness
   iv. Yoga in A.C.

c) Discussion over fees and payments for services came up. Brandon suggested a donation box. Julie suggested we stick with current programming and not add to it. Should these programs have fees associated with them? Suggestion by Tracey to re-evaluate in 6 months.

d) **RECOMMENDATION:** Recommendation to get Agenda, Minutes, and Reports the Thursday or Friday before each scheduled meeting. Next meeting to take place on **November 19 at 6pm**.

8. Adjournment at 8:48pm
MOTION RC#009/2024
NIRTA/WISEMAN

CARRIED

(Chair)

(Secretary)

REPORT TO: **Council**

PREPARED BY: **Brandon Drew,Director of Community Services**

DEPARTMENT: **Community Services**

DIVISION: **Facilities and Parks**

MEETING DATE: **December 4, 2024**

SUBJECT: **Dressing Room Signage**

PROPOSED MOTION

THAT Council receive the report titled dressing room signage;

AND THAT Council authorize the Director of Economic Development & Community Services to enter into an agreement with Futuresign Multimedia Displays Inc. to provide digital dressing room signage at no cost to the Municipality.

STAFF RECOMMENDATION

THAT Council receive the report titled dressing room signage;

AND THAT Council authorize the Director of Economic Development & Community Services to enter into an agreement with Futuresign Multimedia Displays Inc. to provide digital dressing room signage at no cost to the Municipality.

EXECUTIVE SUMMARY

The current dressing room assignment software at the HMS Insurance Centre is outdated and has been problematic for staff and IT services. Staff, through communications with neighbours, have found a potential solution with Futuresigns Multimedia. The company provides signage and software at no cost to the Municipality and remits a portion of the advertising fees collected after the infrastructure costs have been covered. The Recreation Committee made a recommendation on which signage to proceed with.

LINK TO STRATEGIC PRIORITIES

Leadership: To Create a Positive, Open Organizational Culture By Providing High Quality Public Services

Plans: To Support Robust Industrial, Commercial and Residential Growth By Offering High Quality Public Spaces And Places

BACKGROUND

The HMS Insurance Centre's dressing room assignment software is outdated and has become problematic for staff utilising it. The ability to advertise on the dressing room signage has been requested from some advertisers in the past; however, the current software is difficult to customize and manage.

DISCUSSION

Staff investigated potential solutions to the issue and when communicating with neighbouring municipalities Futresigns Multimedia Displays Inc was mentioned as being a quality product that is currently utilized in Middlesex Centre, Lucan-Biddulph, Strathroy-Caradoc and Thames Centre's arenas.

Staff brought a rep from Futuresigns to the most recent Recreation Committee meeting for a presentation on potential solutions. The business model is: Futuresigns delivers the infrastructure required (including the software) and sells a portion of the screen as advertising to local businesses. In exchange, the Municipality gets an improved dressing room assignment software, an improved screen with more accessible font, and a portion of revenue kicked back from the advertising once the infrastructure costs are covered.

FINANCIAL

Not Applicable

ATTACHMENT

Prepared By: Brandon Drew, Director of Community Services

Municipality of North Middlesex
Human Resources Policy Manual

Section:	Operational Policies
Subject:	Messaging on Electronic Signage or Banners Policy
Policy Number:	TP.15
Version:	1
Review Frequency:	As needed
Approved by:	Council
Approval Date:	December 6, 2017
Application:	This policy applies to all municipally-owned electronic signs and banners installed by or behalf of the Municipality.
Notes:	

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Legislative Authority: None

Intent:

To share information which will promote and enhance our local communities and provide fair access to the various electronic signs owned or banners installed by the Municipality of North Middlesex while ensuring that only appropriate messages are posted and reduces possible distractions

Scope:

This policy applies to all municipally-owned electronic signs and banners installed by or on behalf of the Municipality and shall be administered by the Economic Development Departnement and/or Corporate Services Department in collaboration with the Community Services Department and the Public Works Department.

Deleted: Clerk

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Procedure:

This policy establishes the criteria for message users on electronic signage and banners owned or installed by the Municipality of North Middlesex including the following locations:

(a) Shared Services Centre electronic sign at corner of Parkhill Main Street and King Street;
(b) Shared Services Centre and Parkhill Arena Lobby monitors;
(c) Ye Olde Towne Hall electronic sign at corner of Ailsa Craig Main Street and Jameson Street
(d) Banner location on Parkhill Main Street and McLeod Street; and the
(e) Banner location on the east end of Ailsa Craig Main Street.

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1. Messages on electronic signs or banners are viewed by the general public as representing the Municipality of North Middlesex, and so must be operated in a manner to showcase the Municipality in a positive manner.

2. Prospective users are encouraged to use a variety of communication means for announcements rather than relying solely on the Municipality's signage opportunities.

3. The first priority for messaging on municipal electronic signage is to give important instructions and information to ensure public safety during emergencies including, but not limited to, extreme weather preparedness, road closures and police and fire emergencies. Use of an electronic sign by any other user may be restricted or suspended at the discretion of the Municipality at this time.

4. The following priority system shall be used in selecting messages to be posted on electronic signs depending on the sign location:

   a. Emergency messages as identified in (3) above;

   b. Other non-emergency messages announcements from the Municipality;

   c. Messages from other levels of government/governmental agencies having a local impact or significance;

   d. Messages from a community partner of the County of Middlesex Library system having a local impact or significance;

   e. Non-profit community groups may request announcements be placed on the electronic sign either by calling the municipal office or by completing and submitting the "Message on Sign Submission Form". The municipality has the sole discretion to accept or reject the organization making the request and/or content of the message, as well as the ability to alter the text accordingly to fit the sign design. In the event there are several requests for any given time period the requests will be posted on a first come – first served basis.

   f. The Friends of the Ye Olde Towne hall will have two (2) of five (5) priority message slots on the electronic sign located in front of the Ye Olde Towne Hall building.

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5. The following messages will not be permitted:

   a. Promotion of political, factional or religious viewpoints;

   b. False, deceptive, discriminating or misleading messages; and

c. Events/functions open only to members of an organization.

6. Receipt or acceptance of a message request does not guarantee the appearance of any message on an electronic sign.

7. The number of messages at any given time is limited on electronic signs and precedence will be given to the messages advertising the earliest event at the appropriate venue.

8. Appearance of messages is subject to constraints of priorities, as well as, electronic and mechanical limitations.

9. The brightness of the display will automatically adjust to the ambient light levels.

10. Electronic signage will be alight from sunrise to sunset if adjacent to residential properties.

11. Animation in displays will be limited in movement or static to reduce possible distractions to passerby. Each message will stay on the electronic board for a minimum of five (5) seconds and a maximum of eight (8) seconds.

12. There will be a maximum of six (6) messages per electronic sign, including one (1) message for the date, time, and temperature.

13. Messages may be edited for conciseness, clarity and conformity to the requirements of the medium and the Municipality is not responsible for any errors or omissions in content.

14. Messages, other than those from the Municipality, shall not state or imply municipal endorsement or approval.

15. The Municipality reserves the right to deny a request based upon merit, staff time and/or number of requests being made.

The maximum number of characteristics in a message is limited to the capability of the medium.

A "Message on Sign Submission Form" Application, will be available at the Shared Services Centre or on the North Middlesex website. These can be submitted in person or scanned and emailed to: admin@northmiddlesex.on.ca, or can be faxed to 519-294-0573 or by mail to 229 Parkhill Main Street, Parkhill, ON N0M 2K0.

Requests must be made a minimum three weeks prior to the posting. Any notices or events shall be on the sign for a maximum of two weeks. For an event, the two weeks will be, where possible accommodated two weeks prior to the event being held.

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PROCEDURE

1. Any outside organization or municipal department shall complete and submit the messaging application form to the Clerk or designate. This step is not required for an emergency message.

2. The Economic Development Department and/or Corporate Services Department shall review any application and either approve or reject the application. All applications shall be reviewed based on this policy and/or any other approved Corporate policies.

3. If a request is denied, the Economic Development Department and/or Corporate Services Department shall state reasons why it was denied and this information will be communicated by phone or e-mail to the requesting person within 2 business days of the denial.

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North Middlesex

Message on Sign Submission Form

Name of Organization: _____

Contact Information:

Contact Person _____

Telephone Number _____

E-mail or Fax _____

Event

Type of Message Electronic ☐ Banner ☐

Location of Message _____

Name of Event _____

Event Description _____

_____

_____

.

Date(s) & Time(s) _____

Location of Event _____

Contact for Info _____

Tickets Required YES ☐ NO ☐

Message _____

_____

I have read and understand the Municipality's Messaging Policy

_____ _____

NAME DATE

_____

SIGNTURE

For Municipal Use Only: Approved by:

Electronic Sign Elginfield Road (Recreation) ____Shared Services_____YOTH__ All ___

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North Middlesex

Message on Sign Submission Form

Name of Organization: _____

Contact Information:

Contact Person _____

Telephone Number _____

E-mail or Fax _____

Event

Type of Message Electronic ☐ Banner ☐

Location of Message _____

Name of Event _____

Event Description _____

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Date(s) & Time(s) _____

Location of Event _____

Contact for Info _____

Tickets Required YES ☐ NO ☐

Message _____

_____

I have read and understand the Municipality's Messaging Policy

_____ _____

NAME DATE

_____

SIGNTURE

For Municipal Use Only: Approved by:

Electronic Sign Elginfield Road (Recreation) _____Shared Services_____ YOTH All _____

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Municipality of North Middlesex
Utility Collection and Billing Policy

Subject:	**Utility Collection and Billing Policy**
Policy Number:	**FP.09.V2 – Utility Collection and Billing Policy**
Version:	**V2**
Review Frequency:	**Every 5 years and/or as required**
Approved by:	**Council**
Approval Date:	**December 4, 2024**
Notes:	**N/A**

Legislative Authority: Section 270 of the Municipal Act, 2001, S.O. 2001, c. 25

1. Purpose:

The purpose of this policy is to establish clear, consistent and equitable guidelines for the collection, billing and management of water and wastewater services provided by the Municipality. This policy aims to ensure reliable service delivery and financial accountability through efficient billing practices and proactive customer service. By defining procedures for accurate metering, timely billing, and fair collection processes, the policy supports sustainable infrastructure management, enhances operational transparency, and promotes the responsible use of water resources within the community.

2. Scope:

The Utility Collection and Billing policy applies to all Customers who purchase or receive water and/or wastewater services from the Municipality.

3. Definitions:

In this policy the following definitions are used:

a) "**Authorized Employee**" means the Director of Finance/Treasurer, CAO, Director of Infrastructure and Operations or designated employee of the Municipality

b) "**Average Consumption**" means a calculation done taking the average water consumption for a service address over the most recent consequent 12-month period.

c) "**Business Days**" means Monday to Friday, 8:30 a.m. to 4:30 p.m., excluding statutory holidays.

d) "**Customer**" means any owner, occupant, lessee, tenant or any other person purchasing or receiving services from the Municipality

e) "**Council**" means the Council of the Municipality of North Middlesex.

f) "**Due Date**" means the last date by which an invoice must be paid by a customer in accordance with the terms of payment on the Municipal invoice.

g) "**Fee & Charges By-Law**" means the current schedule of applicable fees, rates and other charges for services, which may be amended by Council from time to time.

h) "**Invoice**" means a bill issued by the Municipality to a customer indicating the amount owing over a single billing period for the delivery of water, sewer and meter service charges.

i) "**Meter**" means an apparatus for measuring the quantity of water used.

j) "**Municipality**" means the Municipality of North Middlesex.

k) "**Owner**" means an owner of a building or of lands.

l) "**Payment Plan**" means a written and signed payment arrangement authorized by the Municipality.

m) "**Receivables**" means any monies owed to the Municipality of North Middlesex for goods and/or services rendered other than property tax.

n) "**Services**" means all water and wastewater services supplied by the Municipality.

4. Roles & Responsibilities:

Municipal staff assigned to the administration and collection of utility accounts shall adhere to the policy and shall have roles and responsibilities as outlined below:

The **CAO** has the responsibility to ensure staff comply with this Policy.

The **Director of Finance/Treasurer** is the overall responsible staff person to ensure that this policy is appropriately administered by staff. The Director of Finance/Treasurer has the authority to make decisions as laid out in the Policy.

The **Revenue & Taxation Coordinator** has the responsibility to administer this policy and is the lead staff person for executing utility billing processes.

The **Director of Infrastructure and Operations** shall support the Director of Finance/Treasurer and the Revenue & Taxation Coordinator with technical matters relating to water and wastewater infrastructure and plumbing matters as required.

5. Utility Collection and Billing Procedure:

Readings

- Water consumption for billing purposes shall be collected as registered on water meters.
- Where a meter is not in place prior to occupancy, charges will be applied on a flat rate per the Municipality's Fees and Charges By-law.
- Meters shall be read and billed on a quarterly basis.
- Meter reads shall generally be completed two weeks prior to the end of the month: March 15, June 15, Sep. 15, Dec. 10.
- If an actual meter reading cannot be obtained, an estimated reading will be used for billing purposes. The estimated reading shall be calculated as an average of the previous four actual readings. Any necessary billing adjustments will be made when an actual reading can be obtained.
- If a meter reading cannot be obtained after two attempts/cycles, then the Revenue & Taxation Coordinator or designate shall create a work order for staff to investigate the cause of the issue.
- Staff may investigate the issue in any of the following ways:
  - Contact the property owner and have them check the meter.
  - Arrange for an inspection of the meter (by municipal staff, contractor, etc.).
  - Issue a letter to the property owner to advise them of the issue and request they contact the Municipality to arrange an inspection or meter replacement.
  - Arrange for the old meter to be replaced with a new meter.
  - Any other method deemed appropriate by the Director of Infrastructure and Operations.

- A final meter reading will be completed on the date that someone moves out. The Municipality must be notified of a required final reading a minimum of five business days in advance. The Municipality must be notified of the correct forwarding mailing address for the final invoice.

Billing

- All properties connected to the municipal drinking water system shall be metered.

- Every Customer connected to the drinking water system and wastewater system shall pay water and wastewater charges based on the metered water consumption as per the rates specified in the Municipal By-law(s).

- All water passing through the meter shall be charged for, whether used or lost/leaked/wasted.

- In the event of a dispute, the reading of the water meter register shall be the sole evidence of the quantity of water supplied to a Customer, unless the meter is proved to be defective through a meter test conducted by the Municipality at the sole direction of the Municipality.

- In instances where there is a discrepancy between the meter register and the remote reading device, the reading taken from the meter register will be deemed correct.

- Customers will be billed for municipal water and wastewater each quarter:
  - 1st quarter – January 1 to March 31
  - 2nd quarter – April 1 to June 30
  - 3rd quarter – July 1 to September 30
  - 4th quarter – October 1 to December 31

- Invoices will generally be mailed by the end of the last month of the billing quarter (March 31, June 30, September 30, December 31).

- Any billing sent by mail is considered delivered to and received by the addressee within three business days, unless an error in the mailing address is proven. Failure to notify the Municipality of an address change in writing will not be considered an error.

- Any billing sent by email is considered delivered to and received by the addressee immediately unless an error in the email address is proven. Failure to notify the Municipality of an email address change in writing will not be considered an error.

- For new water accounts, billing shall start from the time of building permit.

3-year Average Billing Structure

- The Municipality currently (2024) utilizes a combination of fixed/base charges and volume charges for its water/wastewater billing. Approximately 80% of the charge is within the base charge and 20% is within the volume charge.

- The base charge is based on the average volume usage over the previous 3-year period. There are currently 17 categories of base charges, as follows:
  - 0-75
  - 76-250
  - 251-300
  - 301-400
  - 401-500
  - 501-600
  - 601-800
  - 801-1000
  - 1,000-1,500
  - 1,501-2,000
  - 2,001-3,000
  - 3,001-4,000
  - 4,001-5,000
  - 5,001-7,500
  - 7,501-10,000
  - 10,001-12,000
  - 12,001+

- On an annual basis, the Revenue & Taxation Coordinator or designate shall re-calculate all accounts' 3-year average and manually update the accounts to the proper base charge category.

- For new Customers with less than three years of consumption data, one-year and two-year average consumption shall be utilized for base charge categorization.

- All new residential Customers shall be started in the 75 to 250 m^3 per year base charge category.

- For all other property types, the Municipality shall categorize the Customer into the base charge category based on the estimated/anticipated annual water consumption. This estimate may be developed by:
  - Referring to consumption values of a similar property;
  - Completing a data log to analyze daily/hourly flow;
  - Consulting with the Customer and/or Building Department; and/or
  - Using expert judgement.

- Once the Customer's actual annual average consumption has been determined, they shall be credited or invoiced for any overbilled or underbilled amounts from the estimate noted above.

Exceptions for 3-year Average

- The Director of Finance/Treasurer or designate has the authority to adjust the 3-year average when a Customer has a major water leak or when a Customer's consumption shows a significant change, as follows:

    - For a Customer who has had a major leak that has been fixed: Staff may use a typical quarterly consumption volume in place of the leak amount when calculating the 3-year average. The Customer must still pay the water/wastewater volume (per m^3) charges for the major leak. To be considered a major leak, the quarterly consumption must exceed three (3) times the Customer's average quarterly consumption and be greater than 120 cubic metres.

    - For a Customer who shows significant change in water usage (e.g., no longer has livestock): The Customer must submit in writing to the Municipality a description of the change of use at the property. The Municipality will allow two billing cycles to pass and then adjust the base charges category accordingly.

- The Director of Finance/Treasurer or designate shall have the authority to deal with unique situations for utility billings. If the Customer and Director of Finance/Treasurer are unable to reach an agreement, then the situation may be brought forth to the Policy Committee for review and decision.

Billing Errors

- Where billing errors have resulted in overbilling, the customer shall be credited the amount erroneously billed, inclusive of interest accrued, up to a maximum period of two years.

- Where billing errors have resulted in underbilling, the Customer shall be charged the amount erroneously not billed for a maximum period of two years. No interest will be charged.

Fees

- All fees shall be identified in the Municipality's Fees and Charges By-law.

- The Municipality shall pass a separate By-law to establish water and wastewater rates on an annual basis.

Payment of Bills

- Invoices are due 21 days after the bill issue date.

- Where payment is made by mail, payment will be deemed to be made on the date the payment is received by the Municipality. Where payment is made online, through telebanking or at a financial institution, payment will be deemed to be made on the date payment is received by the Municipality.

- A partial payment will be applied to any outstanding arrears and interest before being applied to the current billing, unless the Municipality has made special considerations.

- Post-dated cheques will not be accepted by the Municipality.

- Pre-Authorized Payment Plan (PAP):
  - Payment may be paid by PAP if a Customer provides a completed PAP application form accompanied by a void cheque, copy of a void cheque or pre-authorized debit form from the bank for which the amount owing will be withdrawn on the due date for the amount due as indicated on the Customer's bill.
  - Active billing accounts with PAPs will be exempt from late penalties and will not accrue interest on outstanding balances, nor will interest accrue on credits.
  - A Customer must submit changes and/or cancellations to their PAP in writing a minimum of ten calendar days prior to the next due date.

Late Payment Charges

A late payment charge of 5% per billing cycle, calculated on the outstanding amount, will be to the water account following the day after each due date.

Wastewater Charges Adjustments

The Municipality recognizes that there may be situations where a Customer's water consumption volume may be significantly higher than the amount of wastewater discharged to the municipal sanitary collection system. The Municipality may consider, at its sole discretion, adjusting the wastewater charge to equitably account for these unique situations.

Wastewater charges are only eligible for adjustment when it can be demonstrated, to the satisfaction of the Municipality, that at least 60% of water consumption does not discharge to the municipal sanitary sewer system.

Ineligible situations for wastewater charge adjustments are:

- Lawn watering and garden irrigation: this is considered normal and is not eligible for adjustment.

- Swimming pools: the Municipality does not allow adjustments for swimming pools.

- Plumbing problems: unusual and dramatic increases in water consumption are sometimes traced to plumbing problems that may be within a dwelling, structure or water service. This type of appeal is not eligible for adjustment because it is very difficult to measure the volume of water lost and to prove that the leak did not reach the sanitary collection system.

High Water Usage/Leak Adjustments

At the discretion of the Director of Finance/Treasurer, one-time billing adjustments may be made for high water usage or leaks as follows:

If a Customer believes that a leak after the meter has occurred, they can dispute the charges for one-time relief assistance through a written request to the Municipality.

The request must be made within 90 days of the invoice due date, for the invoice with the high-water usage/leak.

For the water usage to be deemed high, the consumption volume must be at least triple the average quarterly consumption and at least 120 cubic metres.

The Municipality reserves the right to inspect the property and infrastructure to verify the claim.
The potential adjustment will only be made for leaks, and no adjustments will be considered for theft, vandalism, construction damage, unattended/vacant dwellings/buildings, filling of pools/spas, irrigation systems or any similar cause.

If a water/wastewater bill adjustment is granted by the Director of Finance/Treasurer, a leak forgiveness credit will be applied to the Customer's water and/or wastewater billing account.

The credit will be calculated as 50% of the actual metered water consumption in excess of the Customer's average quarterly consumption. The credit will apply to both water and wastewater charges for the billing period, as applicable.

The maximum total credit amount for water and wastewater charges available is $2,000.

If a credit is granted, the Customer will not be eligible for another credit for a period of ten (10) years.

Credits shall only be issued after plumbing system repairs have been completed and the Municipality has verified that water usage has returned to normal.

Payment Agreements

A payment agreement may be reached if approved by an Authorized Employee.

Returned Payments

- An administrative fee set out in the Municipality's Fees and Charges By-law will be charged to the account for any payment returned by the account holder's financial institution. A letter will be mailed to the account holder advising them of the returned payment. The amount of the returned payment, the non-sufficient funds (NSF) fee and any other payment charges will be added back to the account.

- When a payment has been returned on a past due account, the Municipality will continue to collect the amount past due as if the payment was never made.

- When a payment has been returned on an account that has received a final notice, the amount of the returned payment, the NSF fee and any applicable late payment charges will be added to the property tax account.

- When a payment has been returned for an account on the PAP, the account holder has ten days to pay arrears, the NSF fee and any late payment charges, failing which the Municipality may terminate the account holder from the PAP.

- If a PAP payment has been returned for the same billing account two times or more in a calendar year, the Municipality reserves the right to cancel the account holder's participation in the PAP.

Past Due Notice and Transfer to Property Tax Roll

- After seven days, the overdue account will have penalties added to the account per the Municipality's Fees and Charges By-law added to the account.

- After 21 days, the account holder shall receive a reminder notice as well as an administrative fee based on the Municipality's Fees and Charges By-law.

- After 23 days, within the second billing period, a Final Arrears Notice shall be mailed to the account holder advising that balances six months in arrears will be transferred to the tax roll if payment is not received within 30 days.

- In the event that the account holder is a tenant, the outstanding balance will be transferred to the registered owner of the tenanted property.

- Billing arrears that are more than six months past due will be transferred to the tax roll with an administration fee as set out in the Municipality's Fees & Charges By-law.

Final Billed Accounts

- A collection letter will be sent to the previous account holder approximately five days after the due date of the final bill.

- The Municipality may add the arrears to the property tax roll after reasonable collection efforts have been made.

- A final account holder who has a credit will be refunded. Any unclaimed credit will be held by the Municipality for two years and then claimed as revenue. A written request may be required before the issuance of a replacement cheque.

- Credits or debits of $10.00 or less for inactive accounts will be written off.

Recovery of Arrears Through Monies Owed to Taxpayer

If the Municipality of North Middlesex is holding any monies owing to the account holder, such as accounts payable cheques, these amounts will be applied to the account holder's arrears, with notification to the account holder.

Reservation of Rights

The Municipality reserves any and all rights permitted by law to collect, enforce or realize upon any monies owed to or collectable by the Municipality in addition to any steps set out in this Policy.

Compliance

In case of policy violation, the Municipality may investigate and determine appropriate corrective action.

6. Appendices:

Pre-authorized Payment Plan Application

MUNICIPALITY OF NORTH MIDDLESEX
MUNICIPAL GOVERNANCE AND POLICY COMMITTEE
MEETING MINUTES
October 23, 2024

The Meeting for the Policy Committee was held on October 23, 2024, at the Shared Services Centre.

CALL TO ORDER
Meeting was called to order at 2:03 p.m.

ROLL CALL

Present:	Council -	Councillor Chuck Daigle (Chair) Mayor Brian Ropp Deputy Mayor Paul Hodgins
	Staff -	Carolyn Tripp, CAO Ralph D'Alessandro, Interim Treasurer Jaden Hodgins, Director of Infrastructure and Operations Alan Bushell, Director of Corporate Services/Clerk Brandon Drew, Director or Community Services Greg Vandenheuvel, Director of Emergency Services/Fire Chief Mandy Walker, Revenue and Taxation Coordinator Donna VanHooydonk, Secretary

MINUTES OF PREVIOUS MEETINGS

P. Hodgins/B. Ropp That the August 14, 2024, Policy Committee Meeting Minutes be accepted as presented. **CARRIED**

PROVISION FOR PECUNIARY INTEREST
None

DEFERRED POLICIES

Sewer Use Policy

Jaden Hodgins reported that he is still consulting with County legal regarding this policy and will be in receipt of this by the end of this week, the policy will be ready for the the next policy committee meeting agenda.

Water Charges Exception Policy

Jaden Hodgins and Many Walker presented their notes with respect to the proposed Water Charges Exception Policy. The proposed policy will be a comprehensive update to the current

Utility Billing and Collection Policy FP.09.V1, replacing this policy. The Director of Infrastructure and Operations and the Revenue and Taxation Coordinator reported that they have been working together on updating the existing policy regarding water and wastewater billing processes and procedures with the goal of improving some of the following ongoing issues and challenges. These include, but are not limited to the following:

1. Better documentation. Currently, there are no written processes how/why the 3-year average billing is used for the water and wastewater base charges.
2. The 3-year billing structure leads to issues and challenges with certain situation. As examples:
    a. If someone has a significant water leak, they will "pay" for this leak for three years, due to their 3-year average consumption being affected by the large water consumption from the leak. The Municipality does not have a process for handling these situations, and in the past the Treasurer has not made exceptions/corrections for leaks.
    b. If a large water user (farmer) decides to discontinue use of municipal water for a barn (e.g., because they have installed a well, or no longer have livestock), with the current structure, they are paying high water rates for three years based on past consumption, which many people think is unfair.
3. There are certain situations where a farm or agricultural property is a high-water user and has a dwelling or building connected to sewers, but only a fraction of the water being used is going to the sewer (with the rest going to a barn/agricultural use). There is not a defined process for having some properties in high water categories but lower sewer categories, although some properties have this set up.

To Address these issues, staff are recommending the following:

Item 1 (3-year average billing, and existing policy)

i) Do a complete and comprehensive update to the existing Utility Collection and Billing Policy.
ii) Ensure that the updated policy is clearly written, practical and addresses the various issues and challenges with the Municipality's current water/wastewater billing practices.
iii) Clearly document how the three-year average billing works, including steps in the procedure for doing the annual update of putting customers in their respective billing categories.
iv) Review other municipalities' similar policies to seek out best practices in water/wastewater billing policies.
v) Define roles and responsibilities within the policy (e.g., who has authority to make billing adjustments?).

Item 2 (challenges with the three-year average consumption billing model)

i. Create a water/wastewater billing adjustment procedure and include this within the updated Utility Collection and Billing Policy. The adjustment procedure would allow staff to fairly and equitably address billing issues that may arise due to the 3-year average billing model.

ii. Example 1: if a customer has a major water leak which then gets repaired, they still must pay for the water and sewer consumption, but their account should be "adjusted" so that they do not have to pay for it for the next three years (through increased base rates).

iii. Example 2: A customer has a barn full of animals and uses an average of 8,000 m3 of water per year. They decide to sell all their animals and abandon the barn, but still use municipal water for their house. Their water account should be "adjusted" so that they are not paying the base rate based on the previous three years when there was a barn and animals.

Item 3 (unique situations)

i. The updated policy should give staff the necessary authority and guidance to deal with unique billing arrangements, such as the one highlighted above (agricultural property connected to sanitary sewer).

Additional items for discussion and consideration:

A. The current billing structure has the majority of average customers within the 75 to 250 m3 per year category. The upper limit of 250 m3/year may disincentivize customers from conserving water. Do we want to look at different "blocks" of base charges, so that amount of consumption has more of an effect?

B. The way the rates are currently set up, there are two different consumption charges: customers who use 0-75 m3/year pay $0.48/m3, customers above 75 m3/year pay $0.96/m3. Note that $0.48/m3 is cheaper than the price the municipality pays for water from Lake Huron. Staff would recommend just having one single consistent consumption charge for water.

C. When a new customer opens a water/sewer account, they must be placed into one of the billing categories (without any prior consumption to reference). Current practice has been to put new customers in the 75-250 m3/year category. This may be unfair if they are actually low water users (<75m3) or high-water users (>250m3). This should be clarified in the updated policy.

D. There have been situations where water meters have malfunctioned and read zero for several years. Once a new meter is installed and water consumption goes up, should the water account be "adjusted" to go into the proper category?

Staff will continue to work on updating the Utility Collection and Billing Policy, and an updated policy will be brought back to the committee for review.

NEW AND EXISTING POLICIES FOR REVIEW

Video Monitoring Policy:

The Director of Community Services presented the updated Video Monitoring Policy. The purpose of bringing this forward is to update the persons/positions that may review the information recorded. The first version of the policy only allowed for the Municipal Clerk,

Manager of Recreation and Facilities and the CAO to review recorded surveillance. Firstly, there was the title change update for the Manager of Recreation and Facilities to the Director of Community Services. It was suggested further that this also be extended to the following positions:

- Designate of the Municipal Clerk
- Designate of the Director of Community Services
- Director of Emergency Services/Fire Chief or designate
- Human Resources Coordinator

Further, it was suggested to add "All staff shall have permission to view the live footage from the monitors at the physical facilities.

Following a discussion, the committee recommends the following:

P. HODGINS/C. TRIPP

That the committee recommends to Council the updated version of the Video Monitoring Policy to reflect the recent title change as well as the positions that may review the video footage. It is further recommended that this policy be reviewed every 4 years rather than annually.

CARRIED

Gym Membership Policy:

The HR Coordinator presented the Gym Membership Policy. The current policy aligns with the Collective Agreement benefit for a 50% the cost of a personal YMCA membership (employee only) upon presentation of receipts. Effective August 31, 2024, the YMCA ceased its operations, and effective September 1, 2024 Damen Optimal Health Team Fitness took over the gym. The proposed policy reflects the updated provider of the gym.

B. ROPP/C. TRIPP

That the committee recommends to Council the updated provider, Damen Optimal Health and Finess for the employee Gym Membership.

CARRIED

OTHER BUSINESS

The Interim Treasurer questioned if there was a Finance Policy with respect to the Asset Management obligations – April 1, 2022. This would include recognition of the asset. As an example, closure and post closure obligations associated with landfills; Measurement, Recovery, Disclosure and Departmental Financial Statements.

Ralph further highlighted the importance of the five accounting principles for municipalities which help to maintain the integrity of their financial practices and foster trust among residents and stakeholders. As an example, Financial Statements must be prepared consistently from year to year, allowing for comparability and transparency in reporting financial performance and position. This ensures that we are providing an accurate picture of the municipality's financial health.

POLICIES FOR REVIEW – November 8, 2024

Deferred:

- Sewer Use By-law (Jaden Hodgins)
- Water Charges Exception Policy (Jaden Hodgins, Mandy Walker)
- Electronic Sign Policy (Brandon Drew, Felicia Krista)
- EDAC – Terms of Reference (Felicia Krista)

ADJOURNMENT

M. Walker/R. D'Alessandro That the meeting be adjourned at 3:22 p.m.

CARRIED

Chair: _____

Secretary: _____

November 28, 2024

Warden Aina DeViet
County of Middlesex
399 Ridout Street North
London, ON N6A 2P1

RE: Monthly Board of Health Update – November 2024

Dear Warden DeViet,

Please find the November 2024 Board of Health meeting update attached to this memo. The attached update includes links to reports reviewed at the November 21, 2024 Board of Health meeting, as well as links to the minutes from the meeting.

Sincerely,

Michael Steele
Vice-Chair, Middlesex-London Board of Health

CC: Bill Rayburn, Chief Administrative Officer, Middlesex County
Marci Ivanic, Manager of Legislative Services/Clerk, Middlesex County
Middlesex County Municipal Clerks

BUREAU DE SANTÉ DE MIDDLESEX-LONDON HEALTH UNIT
www.healthunit.com

MIDDLESEX-LONDON BOARD OF HEALTH
Meeting Update

BOARD OF HEALTH MEETING – November 21, 2024 at 7:30 p.m.

Please note: This document contains draft versions of motions only from this meeting. Significant discussion on many items is not captured here but will be available in the approved minutes that will be published after the meeting of the following month.

Complete Agenda Package

Approved Minutes: October 17, 2024 - Board of Health Meeting

Received Minutes: October 17, 2024 – Governance Committee Meeting

Reports	Resolution (Motion)
Opioid Crisis Update 2024 **(Report No. 74-24)**	It was moved by **M. Newton-Reid, seconded by M. Smibert,** *that the Board of Health receive Report No. 74-24 re: "Opioid Crisis Update 2024" for information.* Carried
2023-25 Provisional Plan 2024 Q3 Status Update **(Report No. 75-24)**	It was moved by **S. Franke, seconded by H. Shears,** *that the Board of Health receive Report No. 75-24 re: "2023-25 Provisional Plan 2024 Q3 Status Update" for information.* Carried
2024 Budget Amendment **(Report No. 76-24)**	It was moved by **A. DeViet, seconded by M. Smibert,** *that the Board of Health:* *1) Receive Report No. 76-24 re: "2024 Budget - Amendment" for information; and* *2) Approve an amendment to the 2024 Middlesex-London Board of Health Budget to include the additional $304,120 in funding from the Ministry of Children, Community and Social Services for the Healthy Babies, Healthy Children program.* Carried
Q3 2024 Organizational Performance Reporting **(Report No. 77-24)**	It was moved by **S. Franke, seconded by S. Menghsha,** *that the Board of Health receive Report No. 77-24 re: "Q3 2024 Organizational Performance Reporting" for information.* Carried
Current Public Health Issues **(Verbal Report)**	It was moved by **S. Franke, seconded by H. Shears,** *that the Board of Health receive the verbal report re: Current Public Health Issues for information.* Carried

Acting Medical Officer of Health Activity Report for October **(Report No. 78-24)**	It was moved by **M. Smibert, seconded by M. Newton-Reid,** *that the Board of Health receive Report No. 78-24 re: "Acting Medical Officer of Health Activity Report for October" for information.* Carried
Board of Health Chair and Vice-Chair Activity Report for September and October **(Report No. 80-24)**	It was moved by **S. Menghsha, seconded by A. DeViet,** *that the Board of Health receive Report No. 80-24 re: "Board of Health Chair and Vice-Chair Activity Report for September and October" for information.* Carried
November Correspondence	It was moved by **S. Franke, seconded by M. Newton-Reid,** *that the Board of Health receive items a) through e) for information:* *a) Public Health Sudbury and Districts re: Support for Ontario to continue to protect the safety of private drinking water* *b) Municipality of Central Manitoulin re: Public Health Ontario Proposes Phasing Out Free Water Testing for Private Wells* *c) Town of Gore Bay re: Public Health Ontario proposes phasing out free water testing for private wells* *d) Peterborough Public Health re: Funding support for Student Nutrition Programs* *e) Middlesex-London Board of Health External Landscape for November 2024* Carried It was moved by **S. Franke, seconded by A. DeViet,** *that the Board of Health receive item f) for information re: Email Correspondence from Board of Health Chair, Chris Moise (Toronto Public Health).* Carried

Council Highlights

Middlesex County Council Meeting Highlights – November 26, 2024

Council Highlights is an informal summary of selected actions taken by Middlesex County Council or Committee of the Whole at business meetings. The Council Highlights are not an official record of County Council proceedings. To view official agendas and minutes, please visit Council Meetings and Minutes.

▶ Committee supports recommendations to modernize outdated Privacy Legislation

The Committee of the Whole supported calls for the modernization of the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA), last reviewed over 30 years ago. The Committee voted in support of the recommendations set out in the Association of Municipal Managers, Clerks and Treasurers of Ontario's (AMCTO) "Looking Ahead" report, which address outdated provisions, inefficiencies, and gaps in the legislation. The proposed reforms include regular legislative reviews, updated privacy breach protocols, and streamlined processes to enhance transparency, accountability, and service delivery. For more information, see the Modernizing MFIPPA report.

▶ County Approves Policy to Guide Responsible Use of Artificial Intelligence

The Committee of the Whole approved the Middlesex County Artificial Intelligence (AI) Policy to guide the ethical and transparent use of AI technologies. This policy establishes a framework for leveraging AI tools to improve service delivery, operational efficiency, and resource allocation while addressing privacy, security, and equity concerns. By incorporating best practices, including Algorithmic Impact Assessments and public disclosure of AI use, the policy ensures compliance with MFIPPA and other legislation. The policy emphasizes human oversight, equity, and continuous improvement, aligning AI adoption with the County's strategic priorities of innovation, transparency, and community well-being. For more information, check out the Artificial Intelligence (AI) Policy report.

▶ Council receives 2023 Year End Audit and Financial Statements

KPMG, the County's auditing firm, presented the results of the 2023 audit of Middlesex County's finances. The audit included a comprehensive review of the consolidated financial statements for The Corporation of the County of Middlesex and its subsidiaries for the year ending December 31, 2023. For further details, refer to the Audit Findings Report for the Year Ended December 31, 2023.

▶ 2023 Surplus to be Transferred to Tax Rate Stabilization Reserve

The Committee of the Whole approved a recommendation for the yearend surplus from the 2023 operating accounts in the amount of $1,749,283 to be transferred to the tax rate stabilization reserve. The surplus was influenced by additional revenue from investments, supplementary taxes, and higher than budgeted revenue from Federal Government and from Ministry of Long-Term Care for Strathmere Lodge. For more information, see the 2023 Surplus Report.

Recommendations made by the Committee of the Whole at the November 26, 2024 meeting will be considered by County Council at its next regular meeting on December 10, 2024. The Legislative Services Department maintains the official record for all County government proceedings.

THE MUNICIPALITY OF NORTH MIDDLESEX

BY-LAW NUMBER 092 OF 2024

BEING A BY-LAW TO CONFIRM THE PROCEEDINGS OF COUNCIL ON DECEMBER 4, 2024.

WHEREAS under Section 5(1) of the Municipal Act, 2001, S.O. c.25 the powers of a municipality shall be exercised by its council.

AND WHEREAS under Sub-Section 3 of Section 5 of the Municipal Act, 2001 S.O. 2001 c.25, the powers of every Council of a municipality shall be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of The Council of the Municipality of North Middlesex be confirmed and adopted by By-law**.**

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF NORTH MIDDLESEX ENACTS AS FOLLOWS:

1.The action of the Council of the Municipality of North Middlesex in respect to each recommendation contained in the reports of the Committees, and each motion and resolution passed and other action taken by Council at the December 4, 2024 meeting is hereby adopted and confirmed as if the same were expressly included with this By-law.

2.The Mayor and the proper officials of the Municipality are hereby authorized and directed to do all things necessary to give effect to the said action of the Council.

3.The Mayor and the Clerk are hereby authorized and directed to execute all documents necessary to the action taken by this Council as described in Section 1 of this By-law and to affix the Corporate Seal of the Corporation of the Municipality of North Middlesex to all documents referred to in said Section 1**.**

READ A FIRST AND SECOND TIME THIS 4th DAY OF DECEMBER 2024

READ A THIRD AND TIME AND FINALLY PASSED THIS 4th DAY OF DECEMBER 2024

_____ _____

MAYOR CLERK

THE MUNICIPALITY OF NORTH MIDDLESEX

BY-LAW NUMBER 093 OF 2024

BEING A BY-LAW TO APPROVE THE UTILITY COLLECTION AND BILLING POLICY.

WHEREAS under Section 5(1) of the Municipal Act, 2001, S.O. c.25 the powers of a municipality shall be exercised by its council.

AND WHEREAS under Sub-Section 3 of Section 5 of the Municipal Act, 2001 S.O. 2001 c.25, the powers of every Council of a municipality shall be exercised by by-law.

AND WHEREAS By-law 002 of 2024 is a Fees and Charges By-law that may be amended or replaced from time to time;

AND WHEREAS By-law 052 of 2024 is a Water and Wastewater Rates By-law that may be amended or replaced from time to time;

AND WHEREAS the Municipality finds it expedient to establish a Utility Collection and Billing Policy to assist in implementing the utility related fees and charges By-laws.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF NORTH MIDDLESEX ENACTS AS FOLLOWS:

1. THAT FP.09.V2 -Utility Collection and Billing Policy attached hereto as Schedule "A" be approved;

2. AND THAT if a conflict exist between this By-law and any other Municipality of North Middlesex By-law, this By-law shall prevail.

READ A FIRST AND SECOND TIME THIS 4th DAY OF DECEMBER 2024

READ A THIRD AND TIME AND FINALLY PASSED THIS 4th DAY OF DECEMBER 2024

_____	_____
MAYOR	CLERK

THE MUNICIPALITY OF NORTH MIDDLESEX

BY-LAW NUMBER 093 OF 2024

Schedule “A” – FP.09.V2 – Utility Collection and Billing Policy

Municipality of North Middlesex
Utility Collection and Billing Policy

Subject:	**Utility Collection and Billing Policy**
Policy Number:	**FP.09.V2 – Utility Collection and Billing Policy**
Version:	**V2**
Review Frequency:	**Every 5 years and/or as required**
Approved by:	**Council**
Approval Date:	**December 4, 2024**
Notes:	**N/A**

Legislative Authority: Section 270 of the Municipal Act, 2001, S.O. 2001, c. 25

1. Purpose:

The purpose of this policy is to establish clear, consistent and equitable guidelines for the collection, billing and management of water and wastewater services provided by the Municipality. This policy aims to ensure reliable service delivery and financial accountability through efficient billing practices and proactive customer service. By defining procedures for accurate metering, timely billing, and fair collection processes, the policy supports sustainable infrastructure management, enhances operational transparency, and promotes the responsible use of water resources within the community.

2. Scope:

The Utility Collection and Billing policy applies to all Customers who purchase or receive water and/or wastewater services from the Municipality.

3. Definitions:

In this policy the following definitions are used:

a) "**Authorized Employee**" means the Director of Finance/Treasurer, CAO, Director of Infrastructure and Operations or designated employee of the Municipality

b) "**Average Consumption**" means a calculation done taking the average water consumption for a service address over the most recent consequent 12-month period.

c) "**Business Days**" means Monday to Friday, 8:30 a.m. to 4:30 p.m., excluding statutory holidays.

d) "**Customer**" means any owner, occupant, lessee, tenant or any other person purchasing or receiving services from the Municipality

e) "**Council**" means the Council of the Municipality of North Middlesex.

f) "**Due Date**" means the last date by which an invoice must be paid by a customer in accordance with the terms of payment on the Municipal invoice.

g) "**Fee & Charges By-Law**" means the current schedule of applicable fees, rates and other charges for services, which may be amended by Council from time to time.

h) "**Invoice**" means a bill issued by the Municipality to a customer indicating the amount owing over a single billing period for the delivery of water, sewer and meter service charges.

i) "**Meter**" means an apparatus for measuring the quantity of water used.

j) "**Municipality**" means the Municipality of North Middlesex.

k) "**Owner**" means an owner of a building or of lands.

l) "**Payment Plan**" means a written and signed payment arrangement authorized by the Municipality.

m) "**Receivables**" means any monies owed to the Municipality of North Middlesex for goods and/or services rendered other than property tax.

n) "**Services**" means all water and wastewater services supplied by the Municipality.

4. Roles & Responsibilities:

Municipal staff assigned to the administration and collection of utility accounts shall adhere to the policy and shall have roles and responsibilities as outlined below:

The **CAO** has the responsibility to ensure staff comply with this Policy.

The **Director of Finance/Treasurer** is the overall responsible staff person to ensure that this policy is appropriately administered by staff. The Director of Finance/Treasurer has the authority to make decisions as laid out in the Policy.

The **Revenue & Taxation Coordinator** has the responsibility to administer this policy and is the lead staff person for executing utility billing processes.

The **Director of Infrastructure and Operations** shall support the Director of Finance/Treasurer and the Revenue & Taxation Coordinator with technical matters relating to water and wastewater infrastructure and plumbing matters as required.

5. Utility Collection and Billing Procedure:

Readings

- Water consumption for billing purposes shall be collected as registered on water meters.
- Where a meter is not in place prior to occupancy, charges will be applied on a flat rate per the Municipality's Fees and Charges By-law.
- Meters shall be read and billed on a quarterly basis.
- Meter reads shall generally be completed two weeks prior to the end of the month: March 15, June 15, Sep. 15, Dec. 10.
- If an actual meter reading cannot be obtained, an estimated reading will be used for billing purposes. The estimated reading shall be calculated as an average of the previous four actual readings. Any necessary billing adjustments will be made when an actual reading can be obtained.
- If a meter reading cannot be obtained after two attempts/cycles, then the Revenue & Taxation Coordinator or designate shall create a work order for staff to investigate the cause of the issue.
- Staff may investigate the issue in any of the following ways:
  - Contact the property owner and have them check the meter.
  - Arrange for an inspection of the meter (by municipal staff, contractor, etc.).
  - Issue a letter to the property owner to advise them of the issue and request they contact the Municipality to arrange an inspection or meter replacement.
  - Arrange for the old meter to be replaced with a new meter.
  - Any other method deemed appropriate by the Director of Infrastructure and Operations.

- A final meter reading will be completed on the date that someone moves out. The Municipality must be notified of a required final reading a minimum of five business days in advance. The Municipality must be notified of the correct forwarding mailing address for the final invoice.

Billing

- All properties connected to the municipal drinking water system shall be metered.

- Every Customer connected to the drinking water system and wastewater system shall pay water and wastewater charges based on the metered water consumption as per the rates specified in the Municipal By-law(s).

- All water passing through the meter shall be charged for, whether used or lost/leaked/wasted.

- In the event of a dispute, the reading of the water meter register shall be the sole evidence of the quantity of water supplied to a Customer, unless the meter is proved to be defective through a meter test conducted by the Municipality at the sole direction of the Municipality.

- In instances where there is a discrepancy between the meter register and the remote reading device, the reading taken from the meter register will be deemed correct.

- Customers will be billed for municipal water and wastewater each quarter:
  - 1st quarter – January 1 to March 31
  - 2nd quarter – April 1 to June 30
  - 3rd quarter – July 1 to September 30
  - 4th quarter – October 1 to December 31

- Invoices will generally be mailed by the end of the last month of the billing quarter (March 31, June 30, September 30, December 31).

- Any billing sent by mail is considered delivered to and received by the addressee within three business days, unless an error in the mailing address is proven. Failure to notify the Municipality of an address change in writing will not be considered an error.

- Any billing sent by email is considered delivered to and received by the addressee immediately unless an error in the email address is proven. Failure to notify the Municipality of an email address change in writing will not be considered an error.

- For new water accounts, billing shall start from the time of building permit.

3-year Average Billing Structure

- The Municipality currently (2024) utilizes a combination of fixed/base charges and volume charges for its water/wastewater billing. Approximately 80% of the charge is within the base charge and 20% is within the volume charge.

- The base charge is based on the average volume usage over the previous 3-year period. There are currently 17 categories of base charges, as follows:
  - 0-75
  - 76-250
  - 251-300
  - 301-400
  - 401-500
  - 501-600
  - 601-800
  - 801-1000
  - 1,000-1,500
  - 1,501-2,000
  - 2,001-3,000
  - 3,001-4,000
  - 4,001-5,000
  - 5,001-7,500
  - 7,501-10,000
  - 10,001-12,000
  - 12,001+

- On an annual basis, the Revenue & Taxation Coordinator or designate shall re-calculate all accounts' 3-year average and manually update the accounts to the proper base charge category.

- For new Customers with less than three years of consumption data, one-year and two-year average consumption shall be utilized for base charge categorization.

- All new residential Customers shall be started in the 75 to 250 m^3 per year base charge category.

- For all other property types, the Municipality shall categorize the Customer into the base charge category based on the estimated/anticipated annual water consumption. This estimate may be developed by:
  - Referring to consumption values of a similar property;
  - Completing a data log to analyze daily/hourly flow;
  - Consulting with the Customer and/or Building Department; and/or
  - Using expert judgement.

- Once the Customer's actual annual average consumption has been determined, they shall be credited or invoiced for any overbilled or underbilled amounts from the estimate noted above.

Exceptions for 3-year Average

- The Director of Finance/Treasurer or designate has the authority to adjust the 3-year average when a Customer has a major water leak or when a Customer's consumption shows a significant change, as follows:

  - For a Customer who has had a major leak that has been fixed: Staff may use a typical quarterly consumption volume in place of the leak amount when calculating the 3-year average. The Customer must still pay the water/wastewater volume (per m^3) charges for the major leak. To be considered a major leak, the quarterly consumption must exceed three (3) times the Customer's average quarterly consumption and be greater than 120 cubic metres.

  - For a Customer who shows significant change in water usage (e.g., no longer has livestock): The Customer must submit in writing to the Municipality a description of the change of use at the property. The Municipality will allow two billing cycles to pass and then adjust the base charges category accordingly.

- The Director of Finance/Treasurer or designate shall have the authority to deal with unique situations for utility billings. If the Customer and Director of Finance/Treasurer are unable to reach an agreement, then the situation may be brought forth to the Policy Committee for review and decision.

Billing Errors

- Where billing errors have resulted in overbilling, the customer shall be credited the amount erroneously billed, inclusive of interest accrued, up to a maximum period of two years.

- Where billing errors have resulted in underbilling, the Customer shall be charged the amount erroneously not billed for a maximum period of two years. No interest will be charged.

Fees

- All fees shall be identified in the Municipality's Fees and Charges By-law.

- The Municipality shall pass a separate By-law to establish water and wastewater rates on an annual basis.

Payment of Bills

- Invoices are due 21 days after the bill issue date.

- Where payment is made by mail, payment will be deemed to be made on the date the payment is received by the Municipality. Where payment is made online, through telebanking or at a financial institution, payment will be deemed to be made on the date payment is received by the Municipality.

- A partial payment will be applied to any outstanding arrears and interest before being applied to the current billing, unless the Municipality has made special considerations.

- Post-dated cheques will not be accepted by the Municipality.

- Pre-Authorized Payment Plan (PAP):
  - Payment may be paid by PAP if a Customer provides a completed PAP application form accompanied by a void cheque, copy of a void cheque or pre-authorized debit form from the bank for which the amount owing will be withdrawn on the due date for the amount due as indicated on the Customer's bill.
  - Active billing accounts with PAPs will be exempt from late penalties and will not accrue interest on outstanding balances, nor will interest accrue on credits.
  - A Customer must submit changes and/or cancellations to their PAP in writing a minimum of ten calendar days prior to the next due date.

Late Payment Charges

A late payment charge of 5% per billing cycle, calculated on the outstanding amount, will be to the water account following the day after each due date.

Wastewater Charges Adjustments

The Municipality recognizes that there may be situations where a Customer's water consumption volume may be significantly higher than the amount of wastewater discharged to the municipal sanitary collection system. The Municipality may consider, at its sole discretion, adjusting the wastewater charge to equitably account for these unique situations.

Wastewater charges are only eligible for adjustment when it can be demonstrated, to the satisfaction of the Municipality, that at least 60% of water consumption does not discharge to the municipal sanitary sewer system.

Ineligible situations for wastewater charge adjustments are:

- Lawn watering and garden irrigation: this is considered normal and is not eligible for adjustment.

- Swimming pools: the Municipality does not allow adjustments for swimming pools.

- Plumbing problems: unusual and dramatic increases in water consumption are sometimes traced to plumbing problems that may be within a dwelling, structure or water service. This type of appeal is not eligible for adjustment because it is very difficult to measure the volume of water lost and to prove that the leak did not reach the sanitary collection system.

High Water Usage/Leak Adjustments

At the discretion of the Director of Finance/Treasurer, one-time billing adjustments may be made for high water usage or leaks as follows:

If a Customer believes that a leak after the meter has occurred, they can dispute the charges for one-time relief assistance through a written request to the Municipality.

The request must be made within 90 days of the invoice due date, for the invoice with the high-water usage/leak.

For the water usage to be deemed high, the consumption volume must be at least triple the average quarterly consumption and at least 120 cubic metres.

The Municipality reserves the right to inspect the property and infrastructure to verify the claim.
The potential adjustment will only be made for leaks, and no adjustments will be considered for theft, vandalism, construction damage, unattended/vacant dwellings/buildings, filling of pools/spas, irrigation systems or any similar cause.

If a water/wastewater bill adjustment is granted by the Director of Finance/Treasurer, a leak forgiveness credit will be applied to the Customer's water and/or wastewater billing account.

The credit will be calculated as 50% of the actual metered water consumption in excess of the Customer's average quarterly consumption. The credit will apply to both water and wastewater charges for the billing period, as applicable.

The maximum total credit amount for water and wastewater charges available is $2,000.

If a credit is granted, the Customer will not be eligible for another credit for a period of ten (10) years.

Credits shall only be issued after plumbing system repairs have been completed and the Municipality has verified that water usage has returned to normal.

Payment Agreements

A payment agreement may be reached if approved by an Authorized Employee.

Returned Payments

- An administrative fee set out in the Municipality's Fees and Charges By-law will be charged to the account for any payment returned by the account holder's financial institution. A letter will be mailed to the account holder advising them of the returned payment. The amount of the returned payment, the non-sufficient funds (NSF) fee and any other payment charges will be added back to the account.

- When a payment has been returned on a past due account, the Municipality will continue to collect the amount past due as if the payment was never made.

- When a payment has been returned on an account that has received a final notice, the amount of the returned payment, the NSF fee and any applicable late payment charges will be added to the property tax account.

- When a payment has been returned for an account on the PAP, the account holder has ten days to pay arrears, the NSF fee and any late payment charges, failing which the Municipality may terminate the account holder from the PAP.

- If a PAP payment has been returned for the same billing account two times or more in a calendar year, the Municipality reserves the right to cancel the account holder's participation in the PAP.

Past Due Notice and Transfer to Property Tax Roll

- After seven days, the overdue account will have penalties added to the account per the Municipality's Fees and Charges By-law added to the account.

- After 21 days, the account holder shall receive a reminder notice as well as an administrative fee based on the Municipality's Fees and Charges By-law.

- After 23 days, within the second billing period, a Final Arrears Notice shall be mailed to the account holder advising that balances six months in arrears will be transferred to the tax roll if payment is not received within 30 days.

- In the event that the account holder is a tenant, the outstanding balance will be transferred to the registered owner of the tenanted property.

- Billing arrears that are more than six months past due will be transferred to the tax roll with an administration fee as set out in the Municipality's Fees & Charges By-law.

Final Billed Accounts

- A collection letter will be sent to the previous account holder approximately five days after the due date of the final bill.

- The Municipality may add the arrears to the property tax roll after reasonable collection efforts have been made.

- A final account holder who has a credit will be refunded. Any unclaimed credit will be held by the Municipality for two years and then claimed as revenue. A written request may be required before the issuance of a replacement cheque.

- Credits or debits of $10.00 or less for inactive accounts will be written off.

Recovery of Arrears Through Monies Owed to Taxpayer

If the Municipality of North Middlesex is holding any monies owing to the account holder, such as accounts payable cheques, these amounts will be applied to the account holder's arrears, with notification to the account holder.

Reservation of Rights

The Municipality reserves any and all rights permitted by law to collect, enforce or realize upon any monies owed to or collectable by the Municipality in addition to any steps set out in this Policy.

Compliance

In case of policy violation, the Municipality may investigate and determine appropriate corrective action.

6. Appendices:

Pre-authorized Payment Plan Application

THE CORPORATION OF THE MUNICIPALITY OF NORTH MIDDLESEX

BY-LAW NUMBER 99-2024

A BY-LAW OF THE CORPORATION OF THE MUNICIPALITY OF NORTH MIDDLESEX TO AUTHORIZE THE BORROWING UPON AMORTIZING DEBENTURES IN THE PRINCIPAL AMOUNT OF $6,503,568.00 TOWARDS THE COST OF THE NORTH MIDDLESEX AILSA CRAIG WATER TOWER INSTALLATION.

WHEREAS subsection 401 (1) of the *Municipal Act*, *2001*, as amended (the "**Act**") provides that a municipality may incur a debt for municipal purposes, whether by borrowing money or in any other way, and may issue debentures and prescribed financial instruments and enter prescribed financial agreements for or in relation to the debt;

AND WHEREAS subsection 408 (2.1) of the Act provides that a municipality may issue a debenture or other financial instrument for long-term borrowing only to provide financing for a capital work;

AND WHEREAS the Council of The Corporation of The Municipality of North Middlesex (the "**Municipality**") has passed the By-law(s) enumerated in column (1) of Schedule "A" attached hereto and forming part of this By-law authorizing the capital work(s) described in column (2) of Schedule "A" (the "**Capital Work(s)**"), and authorizing the entering into of a Financing Agreement dated as of July 05, 2021 for the provision of temporary and long-term borrowing from Ontario Infrastructure and Lands Corporation ("**OILC**") in respect of the Capital Work(s) (the "**Financing Agreement**");

AND WHEREAS the Municipality has entered into the Financing Agreement for the provision of temporary and long-term borrowing from OILC in respect of the Capital Work(s) and desires to issue debentures for the Capital Work(s) in the amount(s) specified in column (5) of Schedule "A";

AND WHEREAS before authorizing the Capital Work(s) and before authorizing any additional cost amount and any additional debenture authority in respect thereof (if any) the Council of the Municipality had its Treasurer calculate an updated limit in respect of its most recent annual debt and financial obligation limit received from the Ministry of Municipal Affairs and Housing in accordance with the applicable regulation and, prior to the Council of the Municipality authorizing the Capital Work(s)**,** each such additional cost amount and each such additional debenture authority (if any), the Treasurer determined that the estimated annual amount payable in respect of the Capital Work(s), each such additional cost amount and each such additional debenture authority (if any), would not cause the Municipality to exceed the updated limit and that the approval of the Capital Work(s), each such additional cost amount and each such additional debenture authority (if any), by the Ontario Land Tribunal pursuant to such regulation was not required;

AND WHEREAS the Municipality has submitted an application to OILC for long-term borrowing through the issue of debentures to OILC in respect of the Capital Work(s) (the "**Application**") and the Application has been approved;

AND WHEREAS to provide long-term financing for the Capital Work(s) and to repay certain temporary advances in respect of the Capital Work(s) made by OILC pursuant to the Financing Agreement (if any), it is now deemed to be expedient to borrow money by the issue of amortizing debentures in the principal amount of $6,503,568.00 dated December 16, 2024 and maturing on December 16, 2044, and payable in semi-annual instalments of combined principal and interest on the sixteenth day of June and on the sixteenth day of December in each of the years 2025 to 2044 commencing on June 16, 2025, both inclusive on the terms hereinafter set forth;

NOW THEREFORE THE COUNCIL OF The Corporation of The Municipality of North Middlesex ENACTS AS FOLLOWS:

1. The submitting of the Application and the execution and delivery of the Financing Agreement by the Municipality are hereby confirmed, ratified and approved. For the Capital Work(s), the borrowing upon the credit of the Municipality at large of the principal amount of $6,503,568.00 and the issue of amortizing debentures therefor to be repaid in semi-annual instalments of combined principal and interest as hereinafter set forth, are hereby authorized.

2. The Mayor and the Treasurer of the Municipality are hereby authorized to cause any number of amortizing debentures to be issued for such amounts of money as may be required for the Capital Work(s) in definitive form, not exceeding in total the said aggregate principal amount of $6,503,568.00 (the "**Debentures**"). The Debentures shall bear the Municipality's municipal seal and the signatures of the Mayor and the Treasurer of the Municipality, all in accordance with the provisions of the Act. The municipal seal of the Municipality and the signatures referred to in this section may be printed, lithographed, engraved or otherwise mechanically reproduced. The Debentures are sufficiently signed if they bear the required signatures and each person signing has the authority to do so on the date he or she signs.

3. The Debentures shall be in fully registered form as one or more certificates in the principal amount of $6,503,568.00, in the name of OILC, or as OILC may otherwise direct, substantially in the form attached as Schedule "B" hereto and forming part of this By-law with provision for payment of principal and interest (other than in respect of the final payment of principal and outstanding interest on maturity upon presentation and surrender) by pre-authorized debit in respect of such principal and interest to the credit of such registered holder on such terms as to which the registered holder and the Municipality may agree.

4. In accordance with the provisions of section 25 of the *Ontario Infrastructure and Lands Corporation Act, 2011*, as amended from time to time hereafter, the Municipality is hereby authorized to agree in writing with OILC that the Minister of Finance is entitled, without notice to the Municipality, to deduct from money appropriated by the Legislative Assembly of Ontario for payment to the Municipality, amounts not exceeding any amounts that the Municipality fails to pay OILC on account of any unpaid indebtedness of the Municipality to OILC under the Debentures and to pay such amounts to OILC from the Consolidated Revenue Fund.

5. The Debentures shall all be dated December 16, 2024, and as to both principal and interest shall be expressed and be payable in lawful money of Canada. The Debentures shall bear interest at the rate of 4.59% per annum and mature during a period of 20 years from the date thereof payable semi-annually in arrears as described in this section. The Debentures shall be paid in full by December 16, 2044 and be payable in equal semi-annual instalments of combined principal and interest on the sixteenth day of June and on the sixteenth day of December in each of the years 2025 to 2044 commencing on June 16, 2025 , both inclusive, save and except for the last instalment which may vary slightly from the preceding equal instalments, as set forth in Schedule "C" attached hereto and forming part of this By-law ("**Schedule "C**").

6. Payments in respect of principal of and interest on the Debentures shall be made only on a day, other than Saturday or Sunday, on which banking institutions in Toronto, Ontario, Canada and the Municipality are not authorized or obligated by law or executive order to be closed (a "**Business Day**") and if any date for payment is not a Business Day, payment shall be made on the next following Business Day.

7. Interest shall be payable to the date of maturity of the Debentures and on default shall be payable on any overdue amounts both before and after default and judgment at a rate per annum equal to the greater of the rate specified on the Schedule as attached to and forming part of the Debentures for such amounts plus 200 basis points or Prime Rate (as defined below) plus 200 basis points, calculated on a daily basis from the date such amounts become overdue for so long as such amounts remain overdue and the Municipality shall pay to the registered holders any and all costs incurred by the registered holders as a result of the overdue payment. Any amounts payable by the Municipality as interest on overdue principal or interest and all costs incurred by the registered holders as a result of the overdue payment in respect of the Debentures shall be paid out of current revenue. Whenever it is necessary to compute any amount of interest in respect of the Debentures for a period of less than one full year, other than with respect to regular semi-annual interest payments, such interest shall be calculated on the basis of the actual number of days in the period and a year of 365 days or 366 days as appropriate.

   "**Prime Rate"** means, on any day, the annual rate of interest which is the arithmetic mean of the prime rates announced from time to time by the following five major Canadian Schedule I banks, as of the issue date of the Debentures: Royal Bank of Canada; Canadian Imperial Bank of Commerce; The Bank of Nova Scotia; Bank of Montreal; and The Toronto-Dominion Bank (the "**Reference Banks**") as their reference rates in effect on such day for Canadian dollar commercial loans made in Canada. If fewer than five of the Reference Banks quote a prime rate on such days, the "**Prime Rate**" shall be the arithmetic mean of the rates quoted by those Reference Banks.

8. In each year in which a payment of equal semi-annual instalments of combined principal and interest becomes due in respect of the Capital Work(s) including the last 'non-equal' instalment, there shall be raised as part of the Municipality's general levy the amounts of principal and interest payable by the Municipality in each year

as set out in Schedule “C” to the extent that the amounts have not been provided for by any other available source including other taxes or fees or charges imposed on persons or property by a by-law of any municipality.

9. The Debentures may contain any provision for their registration thereof authorized by any statute relating to municipal debentures in force at the time of the issue thereof.

10. The Municipality shall maintain a registry in respect of the Debentures in which shall be recorded the names and the addresses of the registered holders and particulars of the Debentures held by them respectively and in which particulars of the cancellations, exchanges, substitutions and transfers of Debentures, may be recorded and the Municipality is authorized to use electronic, magnetic or other media for records of or related to the Debentures or for copies of them.

11. The Municipality shall not be bound to see to the execution of any trust affecting the ownership of any Debenture or be affected by notice of any equity that may be subsisting in respect thereof. The Municipality shall deem and treat registered holders of the Debentures as the absolute owners thereof for all purposes whatsoever notwithstanding any notice to the contrary and all payments to or to the order of registered holders shall be valid and effectual to discharge the liability of the Municipality on the Debentures to the extent of the amount or amounts so paid. When a Debenture is registered in more than one name, the principal of and interest from time to time payable on such Debenture shall be paid to or to the order of all the joint registered holders thereof, failing written instructions to the contrary from all such joint registered holders, and such payment shall constitute a valid discharge to the Municipality. In the case of the death of one or more joint registered holders, despite the foregoing provisions of this section, the principal of and interest on any Debentures registered in their names may be paid to the survivor or survivors of such holders and such payment shall constitute a valid discharge to the Municipality.

12. The Debentures will be transferable or exchangeable at the office of the Treasurer of the Municipality upon presentation for such purpose accompanied by an instrument of transfer or exchange in a form approved by the Municipality and which form is in accordance with the prevailing Canadian transfer legislation and practices, executed by the registered holder thereof or such holder’s duly authorized attorney or legal personal representative, whereupon and upon registration of such transfer or exchange and cancellation of the Debenture or Debentures presented, the Mayor and the Treasurer shall issue and deliver a new Debenture or Debentures of an equal aggregate principal amount in any authorized denomination or denominations as directed by the transferor, in the case of a transfer or as directed by the registered holder in the case of an exchange.

13. The Mayor and the Treasurer shall issue and deliver new Debentures in exchange or substitution for Debentures outstanding on the registry with the same maturity and of like form which have become mutilated, defaced, lost, subject to a mysterious or unexplainable disappearance, stolen or destroyed, provided that the applicant therefor shall have: (a) paid such costs as may have been incurred in

connection therewith; (b) (in the case when a Debenture is mutilated, defaced, lost, mysteriously or unexplainably missing, stolen or destroyed) furnished the Municipality with such evidence (including evidence as to the certificate number of the Debenture in question) and an indemnity in respect thereof satisfactory to the Municipality in its discretion; and (c) surrendered to the Municipality any mutilated or defaced Debentures in respect of which new Debentures are to be issued in substitution.

14. The Debentures issued upon any registration of transfer or exchange or in substitution for any Debentures or part thereof shall carry all the rights to interest if any, accrued and unpaid which were carried by such Debentures or part thereof and shall be so dated and shall bear the same maturity date and, subject to the provisions of this By-law, shall be subject to the same terms and conditions as the Debentures in respect of which the transfer, exchange or substitution is effected.

15. The cost of all transfers and exchanges, including the printing of authorized denominations of the new Debentures, shall be borne by the Municipality. When any of the Debentures are surrendered for transfer or exchange the Treasurer of the Municipality shall: (a) in the case of an exchange, cancel and destroy the Debentures surrendered for exchange; (b) in the case of an exchange, certify the cancellation and destruction in the registry; (c) enter in the registry particulars of the new Debenture or Debentures issued in exchange; and (d) in the case of a transfer, enter in the registry particulars of the registered holder as directed by the transferor.

16. Reasonable fees in respect of the Debentures, in the normal course of business, other than reasonable fees for the substitution of a new Debenture or new Debentures for any of the Debentures that are mutilated, defaced, lost, mysteriously or unexplainably missing, stolen or destroyed and for the replacement of any of the principal and interest cheques (if any) that are mutilated, defaced, lost, mysteriously or unexplainably missing, stolen or destroyed may be imposed by the Municipality. When new Debentures are issued in substitution in these circumstances the Municipality shall: (a) treat as cancelled and destroyed the Debentures in respect of which new Debentures will be issued in substitution; (b) certify the deemed cancellation and destruction in the registry; (c) enter in the registry particulars of the new Debentures issued in substitution; and (d) make a notation of any indemnities provided.

17. Except as otherwise expressly provided herein, any notice required to be given to a registered holder of one or more of the Debentures will be sufficiently given if a copy of such notice is mailed or otherwise delivered to the registered address of such registered holder in accordance with the provisions of the Financing Agreement.

18. The Mayor and the Treasurer are hereby authorized to cause the Debentures to be issued, one or more of the Clerk and Treasurer are hereby authorized to generally do all things and to execute all other documents and other papers in the name of the Municipality in order to carry out the issue of the Debentures and the Treasurer is authorized to affix the Municipality's municipal seal to any of such documents and papers.

19. The money received by the Municipality from the sale of the Debentures to OILC, including any premium, and any earnings derived from the investment of that money, after providing for the expenses related to their issue, if any, shall be apportioned and applied to the Capital Work(s) and to no other purpose except as permitted by the Act.

20. Subject to the Municipality's investment policies and goals, the applicable legislation and the terms and conditions of the Debentures, the Municipality may, if not in default under the Debentures, at any time purchase any of the Debentures in the open market or by tender or by private contract at any price and on such terms and conditions (including, without limitation, the manner by which any tender offer may be communicated or accepted and the persons to whom it may be addressed) as the Municipality may in its discretion determine.

21. This By-law takes effect on the day of passing.

By-law read a first and second time this 4th day of December, 2024

By-law read a third time and finally passed this 4th day of December, 2024

Brian Ropp Mayor	Alan Bushell Clerk

The Corporation of The Municipality of North Middlesex

Schedule "A" to By-law Number 99-2024

(1)	(2)	(3)	(4)	(5)	(6)
By-law	**Project Description**	**Approved Amount to be Financed Through the Issue of Debentures**	**Amount of Debentures Previously Issued**	**Amount of Debentures to be Issued**	**Term of Years of Debentures**
056-2021	North Middlesex Ailsa Craig Water Tower Installation	$8,000,000.00	$0.00	$6,503,568.00	20 years

The Corporation of The Municipality of North Middlesex

Schedule "B" to By-law Number 99-2024

No. 99-2024

$6,503,568.00

C A N A D A
Province of Ontario
The Corporation of The Municipality of North Middlesex

FULLY REGISTERED 4.59% AMORTIZING DEBENTURE

The Corporation of The Municipality of North Middlesex (the "**Municipality**"), for value received, hereby promises to pay to

ONTARIO INFRASTRUCTURE AND LANDS CORPORATION ("**OILC**")

or registered assigns, subject to the Conditions attached hereto which form part hereof (the "**Conditions**"), upon presentation and surrender of this debenture (or as otherwise agreed to by the Municipality and OILC) by the maturity date of this debenture (December 16, 2044), the principal amount of

SIX MILLION FIVE HUNDRED THREE THOUSAND FIVE HUNDRED SIXTY EIGHT DOLLARS

---------- ($6,503,568.00)----------

by equal semi-annual instalments of combined principal and interest on the sixteenth day of June and on the sixteenth day of December in each of the years 2025 to 2044 commencing on June 16, 2025, both inclusive, save and except for the last instalment which may vary slightly from the preceding equal instalments, in the amounts set forth in the attached Amortizing Debenture Schedule (the "**Amortization Schedule**") and subject to late payment interest charges pursuant to the Conditions, in lawful money of Canada. Subject to the Conditions: interest shall be paid until the maturity date of this debenture, in like money in semi-annual payments from the closing date (December 16, 2024), or from the last date on which interest has been paid on this debenture, whichever is later, at the rate of 4.59% per annum, in arrears, on the specified dates, as set forth in the Amortization Schedule; and interest shall be paid on default at the applicable rate set out in the Amortization Schedule both before and after default and judgment. The payments of principal and interest and the outstanding amount of principal in each year are shown in the Amortization Schedule.

The Municipality, pursuant to section 25 of the *Ontario Infrastructure and Lands Corporation Act, 2011* (the "**OILC Act, 2011**") hereby irrevocably agrees that the Minister of Finance is entitled, without notice to the Municipality, to deduct from money appropriated by the Legislative Assembly of Ontario for payment to the Municipality, amounts not exceeding any amounts that the Municipality fails to pay OILC on account of any unpaid indebtedness

under this debenture, and to pay such amounts to OILC from the Consolidated Revenue Fund.

This debenture is subject to the Conditions.

DATED at The Corporation of The Municipality of North Middlesex as at the 16th day of December, 2024

IN TESTIMONY WHEREOF and under the authority of By-law Number 99-2024 of the Municipality duly passed on the 4th day of December, 2024 (the "**By-law**"), this debenture is sealed with the municipal seal of the Municipality and signed by the Mayor and by the Treasurer thereof.

Date of Registration: December 16, 2024

[NTD: SIGNATURE NOT REQUIRED ON FORM OF CERTIFICATE]	[NTD: SIGNATURE NOT REQUIRED ON FORM OF CERTIFICATE]
_____	(Seal) _____
Brian Ropp, Mayor	Raffaelo D'Alessandro, Treasurer (Interim)

OILC hereby agrees that the Minister of Finance is entitled to exercise certain rights of deduction pursuant to section 25 of the OILC Act, 2011 as described in this debenture.

Ontario Infrastructure and Lands Corporation

by: _____	by:_____
Authorized Signing Officer	Authorized Signing Officer

LEGAL OPINION

We have examined the By-law of the Municipality authorizing the issue of amortizing debentures in the principal amount of $6,503,568.00 dated December 16, 2024 and maturing on December 16, 2044 payable in equal semi-annual instalments of combined principal and interest on the sixteenth day of June and on the sixteenth day of December in each of the years 2025 to 2044 commencing on June 16, 2025, both inclusive, save and except for the last instalment which may vary slightly from the preceding equal instalments as set out in Schedule “C” to the By-law.

In our opinion, the By-law has been properly passed and is within the legal powers of the Municipality. The debenture issued under the By-law in the within form (the “**Debenture**”) is the direct, general, unsecured and unsubordinated obligation of the Municipality. The Debenture is enforceable against the Municipality subject to the special jurisdiction and powers of the Ontario Land Tribunal over defaulting municipalities under the *Municipal Affairs Act*. This opinion is subject to and incorporates all the assumptions, qualifications and limitations set out in our opinion letter.

December 16, 2024

David Samuels, County of Middlesex – Legal Services

[no signature required]

CONDITIONS OF THE DEBENTURE

Form, Denomination, and Ranking of the Debenture

1. The debentures issued pursuant to the By-law (collectively the "**Debentures**" and individually a "**Debenture**") are issuable as fully registered Debentures without coupons.

2. The Debentures are direct, general, unsecured and unsubordinated obligations of the Municipality. The Debentures rank concurrently and equally in respect of payment of principal and interest with all other debentures of the Municipality except for the availability of money in a sinking or retirement fund for a particular issue of debentures.

3. This Debenture is one fully registered Debenture registered in the name of OILC and held by OILC.

Registration

4. The Municipality shall maintain at its designated office a registry in respect of the Debentures in which shall be recorded the names and the addresses of the registered holders and particulars of the Debentures held by them respectively and in which particulars of cancellations, exchanges, substitutions and transfers of Debentures, may be recorded and the Municipality is authorized to use electronic, magnetic or other media for records of or related to the Debentures or for copies of them.

Title

5. The Municipality shall not be bound to see to the execution of any trust affecting the ownership of any Debenture or be affected by notice of any equity that may be subsisting in respect thereof. The Municipality shall deem and treat registered holders of Debentures, including this Debenture, as the absolute owners thereof for all purposes whatsoever notwithstanding any notice to the contrary and all payments to or to the order of registered holders shall be valid and effectual to discharge the liability of the Municipality on the Debentures to the extent of the amount or amounts so paid. Where a Debenture is registered in more than one name, the principal of and interest from time to time payable on such Debenture shall be paid to or to the order of all the joint registered holders thereof, failing written instructions to the contrary from all such joint registered holders, and such payment shall constitute a valid discharge to the Municipality. In the case of the death of one or more joint registered holders, despite the foregoing provisions of this section, the principal of and interest on any Debentures registered in their names may be paid to the survivor or survivors of such holders and such payment shall constitute a valid discharge to the Municipality.

Payments of Principal and Interest

6. The record date for purposes of payment of principal of and interest on the Debentures is as of 5:00 p.m. on the sixteenth calendar day preceding any payment date including the maturity date. Principal of and interest on the Debentures are payable by the Municipality to the persons registered as holders in the registry on the relevant record date. The Municipality shall not be required to register any transfer, exchange or substitution of Debentures during the period from any record date to the corresponding payment date.

7. The Municipality shall make all payments in respect of equal semi-annual instalments of combined principal and interest including the last 'non-equal' instalment on the Debentures on the payment dates commencing on June 16, 2025 and ending on December 16, 2044 as set out in Schedule "C" to the By-law, by pre-authorized debit in respect of such interest and principal to the credit of the registered holder on such terms as the Municipality and the registered holder may agree.

8. The Municipality shall pay to the registered holder interest on any overdue amount of principal or interest in respect of any Debenture, both before and after default and judgment, at a rate per annum equal to the greater of the rate specified on the Schedule as attached to and forming part of the Debenture for such amount plus 200 basis points or Prime Rate (as defined below) plus 200 basis points, calculated on a daily basis from the date such amount becomes overdue for so long as such amount remains overdue and the Municipality shall pay to the registered holder any and all costs incurred by the registered holder as a result of the overdue payment.

9. Whenever it is necessary to compute any amount of interest in respect of the Debentures for a period of less than one full year, other than with respect to regular semi-annual interest payments, such interest shall be calculated on the basis of the actual number of days in the period and a year of 365 days or 366 days as appropriate.

10. Payments in respect of principal of and interest on the Debentures shall be made only on a day, other than Saturday or Sunday, on which banking institutions in Toronto, Ontario, Canada and the Municipality are not authorized or obligated by law or executive order to be closed (a "**Business Day**"), and if any date for payment is not a Business Day, payment shall be made on the next following Business Day as noted on the Amortization Schedule.

11. The Debentures are transferable or exchangeable at the office of the Treasurer of the Municipality upon presentation for such purpose accompanied by an instrument of transfer or exchange in a form approved by the Municipality and which form is in accordance with the prevailing Canadian transfer legislation and practices, executed by the registered holder thereof or such holder's duly authorized attorney or legal personal representative, whereupon and upon registration of such transfer or exchange and cancellation of the Debenture or Debentures presented, a new Debenture or Debentures of an equal aggregate principal amount in any authorized denomination or denominations will be delivered as directed by the transferor, in the case of a transfer or as directed by the registered holder in the case of an exchange.

12. The Municipality shall issue and deliver Debentures in exchange for or in substitution for Debentures outstanding on the registry with the same maturity and of like form in the event of a mutilation, defacement, loss, mysterious or unexplainable disappearance, theft or destruction, provided that the applicant therefor shall have: (a) paid such costs as may have been incurred in connection therewith; (b) (in the case of a mutilated, defaced, lost, mysteriously or unexplainably missing, stolen or destroyed Debenture) furnished the Municipality with such evidence (including evidence as to the certificate number of the Debenture in question) and an indemnity in respect thereof satisfactory to the Municipality in its discretion; and (c) surrendered to the Municipality any mutilated or defaced Debentures in respect of which new Debentures are to be issued in substitution.

13. The Debentures issued upon any registration of transfer or exchange or in substitution for any Debentures or part thereof shall carry all the rights to interest if any, accrued and unpaid which were carried by such Debentures or part thereof and shall be so dated and shall bear the same maturity date and, subject to the provisions of the By-law, shall be subject to the same terms and conditions as the Debentures in respect of which the transfer, exchange or substitution is effected.

14. The cost of all transfers and exchanges, including the printing of authorized denominations of the new Debentures, shall be borne by the Municipality. When any of the Debentures are surrendered for transfer or exchange the Treasurer of the Municipality shall: (a) in the case of an exchange, cancel and destroy the Debentures surrendered for exchange; (b) in the case of an exchange, certify the cancellation and destruction in the registry; (c) enter in the registry particulars of the new Debenture or Debentures issued in exchange; and (d) in the case of a transfer, enter in the registry particulars of the registered holder as directed by the transferor.

15. Reasonable fees for the substitution of a new Debenture or new Debentures for any of the Debentures that are mutilated, defaced, lost, mysteriously or unexplainably missing, stolen or destroyed and for the replacement of mutilated, defaced, lost, mysteriously or unexplainably missing, stolen or destroyed principal and interest cheques (if any) may be imposed by the Municipality. When new Debentures are issued in substitution in these circumstances the Municipality shall: (a) treat as cancelled and destroyed the Debentures in respect of which new Debentures will be issued in substitution; (b) certify the deemed cancellation and destruction in the registry; (c) enter in the registry particulars of the new Debentures issued in substitution; and (d) make a notation of any indemnities provided.

16. If OILC elects to terminate its obligations under the financing agreement or rate offer agreement entered into between the Municipality and OILC, pursuant to which the Debentures are issued, or if the Municipality fails to meet and pay any of its debts or liabilities when due, or uses all or any portion of the proceeds of any Debenture for any purpose other than for a Capital Work(s) as authorized in the By-Law, the Municipality shall pay to OILC the Make-Whole Amount on account of the losses that it will incur as a result of the early repayment or early termination.

Notices

17. Except as otherwise expressly provided herein, any notice required to be given to a registered holder of one or more of the Debentures will be sufficiently given if a copy of such notice is mailed or otherwise delivered to the registered address of such registered holder. If the Municipality or any registered holder is required to give any notice in connection with the Debentures on or before any day and that day is not a Business Day (as defined in section 10 of these Conditions) then such notice may be given on the next following Business Day.

Time

18. Unless otherwise expressly provided herein, any reference herein to a time shall be considered to be a reference to Toronto time.

Governing Law

19. The Debentures are governed by and shall be construed in accordance with the laws of the Province of Ontario and the federal laws of Canada applicable in Ontario.

Definitions:

(a) "**Prime Rate"** means, on any day, the annual rate of interest which is the arithmetic mean of the prime rates announced from time to time by the following five major Canadian Schedule I banks, as of the issue date of this Debenture: Royal Bank of Canada; Canadian Imperial Bank of Commerce; The Bank of Nova Scotia; Bank of Montreal; and The Toronto-Dominion Bank (the "**Reference Banks**") as their reference rates in effect on such day for Canadian dollar commercial loans made in Canada. If fewer than five of the Reference Banks quote a prime rate on such days, the "**Prime Rate**" shall be the arithmetic mean of the rates quoted by those Reference Banks.

(b) "**Make-Whole Amount**" means the amount determined by OILC as of the date of prepayment of the Debenture, by which (i) the present value of the remaining future scheduled payments of principal and interest under the Debenture to be repaid from the prepayment date until maturity of the Debenture discounted at the Ontario Yield exceeds (ii) the principal amount under the Debenture being repaid provided that the Make-Whole Amount shall never be less than zero.

(c) "**Ontario Yield**" means the yield to maturity on the date of prepayment of the Debenture, assuming semi-annual compounding, which a non-prepayable term loan made by the Province of Ontario would have if advanced on the date of prepayment of the Debenture, assuming the same principal amount as the Debenture and with a maturity date which is the same as the remaining term to maturity of the Debenture to be repaid minus 100 basis points.

THE CORPORATION OF THE MUNICIPALITY OF NORTH MIDDLESEX

Schedule “C” to By-law Number 99-2024

Loan.....: 2986
Name.....: North Middlesex, The Corporation of The Municipality
Principal: 6,503,568.00
Rate.....: 04.5900
Term.....: 240
Compound.: Semi-annual
Matures..: 12/16/2044

Pay #	Date	Amount Due	Principal Due	Interest Due	Rem. Principal
1	06/16/2025	250,213.38	100,956.49	149,256.89	6,402,611.51
2	12/16/2025	250,213.38	103,273.45	146,939.93	6,299,338.06
3	06/16/2026	250,213.38	105,643.57	144,569.81	6,193,694.49
4	12/16/2026	250,213.38	108,068.09	142,145.29	6,085,626.40
5	06/16/2027	250,213.38	110,548.25	139,665.13	5,975,078.15
6	12/16/2027	250,213.38	113,085.34	137,128.04	5,861,992.81
7	06/16/2028	250,213.38	115,680.65	134,532.73	5,746,312.16
8	12/16/2028	250,213.38	118,335.52	131,877.86	5,627,976.64
9	06/16/2029	250,213.38	121,051.32	129,162.06	5,506,925.32
10	12/16/2029	250,213.38	123,829.44	126,383.94	5,383,095.88
11	06/16/2030	250,213.38	126,671.33	123,542.05	5,256,424.55
12	12/16/2030	250,213.38	129,578.44	120,634.94	5,126,846.11
13	06/16/2031	250,213.38	132,552.26	117,661.12	4,994,293.85
14	12/16/2031	250,213.38	135,594.34	114,619.04	4,858,699.51
15	06/16/2032	250,213.38	138,706.23	111,507.15	4,719,993.28
16	12/16/2032	250,213.38	141,889.53	108,323.85	4,578,103.75
17	06/16/2033	250,213.38	145,145.90	105,067.48	4,432,957.85
18	12/16/2033	250,213.38	148,477.00	101,736.38	4,284,480.85
19	06/16/2034	250,213.38	151,884.54	98,328.84	4,132,596.31
20	12/16/2034	250,213.38	155,370.29	94,843.09	3,977,226.02
21	06/16/2035	250,213.38	158,936.04	91,277.34	3,818,289.98
22	12/16/2035	250,213.38	162,583.62	87,629.76	3,655,706.36
23	06/16/2036	250,213.38	166,314.92	83,898.46	3,489,391.44
24	12/16/2036	250,213.38	170,131.85	80,081.53	3,319,259.59
25	06/16/2037	250,213.38	174,036.37	76,177.01	3,145,223.22
26	12/16/2037	250,213.38	178,030.51	72,182.87	2,967,192.71
27	06/16/2038	250,213.38	182,116.31	68,097.07	2,785,076.40
28	12/16/2038	250,213.38	186,295.88	63,917.50	2,598,780.52
29	06/16/2039	250,213.38	190,571.37	59,642.01	2,408,209.15
30	12/16/2039	250,213.38	194,944.98	55,268.40	2,213,264.17
31	06/16/2040	250,213.38	199,418.97	50,794.41	2,013,845.20

32	12/16/2040	250,213.38	203,995.63	46,217.75	1,809,849.57
33	06/16/2041	250,213.38	208,677.33	41,536.05	1,601,172.24
34	12/16/2041	250,213.38	213,466.48	36,746.90	1,387,705.76
35	06/16/2042	250,213.38	218,365.53	31,847.85	1,169,340.23
36	12/16/2042	250,213.38	223,377.02	26,836.36	945,963.21
37	06/16/2043	250,213.38	228,503.52	21,709.86	717,459.69
38	12/16/2043	250,213.38	233,747.68	16,465.70	483,712.01
39	06/16/2044	250,213.38	239,112.19	11,101.19	244,599.82
40	12/16/2044	250,213.38	244,599.81	5,613.57	0.01
		---	---	---	
		10,008,535.20	6,503,567.99	3,504,967.21	

No. 99-2024

$6,503,568.00

C A N A D A
Province of Ontario
The Corporation of The Municipality of North Middlesex

FULLY REGISTERED 4.59 % AMORTIZING DEBENTURE

The Corporation of The Municipality of North Middlesex (the "**Municipality**"), for value received, hereby promises to pay to

ONTARIO INFRASTRUCTURE AND LANDS CORPORATION ("**OILC**")

or registered assigns, subject to the Conditions attached hereto which form part hereof (the "**Conditions**"), upon presentation and surrender of this debenture (or as otherwise agreed to by the Municipality and OILC) by the maturity date of this debenture (December 16, 2044), the principal amount of

SIX MILLION FIVE HUNDRED THREE THOUSAND FIVE HUNDRED SIXTY EIGHT DOLLARS

---------- ($6,503,568.00) ----------

by equal semi-annual instalments of combined principal and interest on the sixteenth day of June and on the sixteenth day of December in each of the years 2025 to 2044 commencing on June 16, 2025, both inclusive, save and except for the last instalment which may vary slightly from the preceding equal instalments, in the amounts set forth in the attached Amortizing Debenture Schedule (the "**Amortization Schedule**") and subject to late payment interest charges pursuant to the Conditions, in lawful money of Canada. Subject to the Conditions: interest shall be paid until the maturity date of this debenture, in like money in semi-annual payments from the closing date (December 16, 2024), or from the last date on which interest has been paid on this debenture, whichever is later, at the rate of 4.59% per annum, in arrears, on the specified dates, as set forth in the Amortization Schedule; and interest shall be paid on default at the applicable rate set out in the Amortization Schedule both before and after default and judgment. The payments of principal and interest and the outstanding amount of principal in each year are shown in the Amortization Schedule.

The Municipality, pursuant to section 25 of the *Ontario Infrastructure and Lands Corporation Act, 2011* (the "**OILC Act, 2011**") hereby irrevocably agrees that the Minister of Finance is entitled, without notice to the Municipality, to deduct from money appropriated by the Legislative Assembly of Ontario for payment to the Municipality, amounts not exceeding any amounts that the Municipality fails to pay OILC on account of any unpaid indebtedness under this debenture, and to pay such amounts to OILC from the Consolidated Revenue Fund.

This debenture is subject to the Conditions.

DATED at The Corporation of The Municipality of North Middlesex as at the 16th day of December, 2024

IN TESTIMONY WHEREOF and under the authority of By-law Number 99-2024 of the Municipality duly passed on the 4th day of December, 2024 (the "**By-law**"), this debenture is sealed with the municipal seal of the Municipality and signed by the Mayor and by the Treasurer thereof.

Date of Registration: December 16, 2024

_____	(Seal) _____
Brian Ropp, Mayor	Raffaelo D'Alessandro, Treasurer (Interim)

OILC hereby agrees that the Minister of Finance is entitled to exercise certain rights of deduction pursuant to section 25 of the OILC Act, 2011 as described in this debenture.

Ontario Infrastructure and Lands Corporation

by: _____	by:_____
Authorized Signing Officer	Authorized Signing Officer

LEGAL OPINION

We have examined the By-law of the Municipality authorizing the issue of amortizing debentures in the principal amount of $6,503,568.00 dated December 16, 2024 and maturing on December 16, 2044 payable in equal semi-annual instalments of combined principal and interest on the sixteenth day of June and on the sixteenth day of December in each of the years 2025 to 2044 commencing on June 16, 2025, both inclusive, save and except for the last instalment which may vary slightly from the preceding equal instalments as set out in Schedule “C” to the By-law.

In our opinion, the By-law has been properly passed and is within the legal powers of the Municipality. The debenture issued under the By-law in the within form (the “**Debenture**”) is the direct, general, unsecured and unsubordinated obligation of the Municipality. The Debenture is enforceable against the Municipality subject to the special jurisdiction and powers of the Ontario Land Tribunal over defaulting municipalities under the *Municipal Affairs Act*. This opinion is subject to and incorporates all the assumptions, qualifications and limitations set out in our opinion letter.

December 16, 2024

David Samuels, County of Middlesex – Legal Services

[no signature required]

CONDITIONS OF THE DEBENTURE

Form, Denomination, and Ranking of the Debenture

1. The debentures issued pursuant to the By-law (collectively the "**Debentures**" and individually a "**Debenture**") are issuable as fully registered Debentures without coupons.

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4. The Municipality shall maintain at its designated office a registry in respect of the Debentures in which shall be recorded the names and the addresses of the registered holders and particulars of the Debentures held by them respectively and in which particulars of cancellations, exchanges, substitutions and transfers of Debentures, may be recorded and the Municipality is authorized to use electronic, magnetic or other media for records of or related to the Debentures or for copies of them.

Title

5. The Municipality shall not be bound to see to the execution of any trust affecting the ownership of any Debenture or be affected by notice of any equity that may be subsisting in respect thereof. The Municipality shall deem and treat registered holders of Debentures, including this Debenture, as the absolute owners thereof for all purposes whatsoever notwithstanding any notice to the contrary and all payments to or to the order of registered holders shall be valid and effectual to discharge the liability of the Municipality on the Debentures to the extent of the amount or amounts so paid. Where a Debenture is registered in more than one name, the principal of and interest from time to time payable on such Debenture shall be paid to or to the order of all the joint registered holders thereof, failing written instructions to the contrary from all such joint registered holders, and such payment shall constitute a valid discharge to the Municipality. In the case of the death of one or more joint registered holders, despite the foregoing provisions of this section, the principal of and interest on any Debentures registered in their names may be paid to the survivor or survivors of such holders and such payment shall constitute a valid discharge to the Municipality.

Payments of Principal and Interest

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8. The Municipality shall pay to the registered holder interest on any overdue amount of principal or interest in respect of any Debenture, both before and after default and judgment, at a rate per annum equal to the greater of the rate specified on the Schedule as attached to and forming part of the Debenture for such amount plus 200 basis points or Prime Rate (as defined below) plus 200 basis points, calculated on a daily basis from the date such amount becomes overdue for so long as such amount remains overdue and the Municipality shall pay to the registered holder any and all costs incurred by the registered holder as a result of the overdue payment.

9. Whenever it is necessary to compute any amount of interest in respect of the Debentures for a period of less than one full year, other than with respect to regular semi-annual interest payments, such interest shall be calculated on the basis of the actual number of days in the period and a year of 365 days or 366 days as appropriate.

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12. The Municipality shall issue and deliver Debentures in exchange for or in substitution for Debentures outstanding on the registry with the same maturity and of like form in the event of a mutilation, defacement, loss, mysterious or unexplainable disappearance, theft or destruction, provided that the applicant therefor shall have: (a) paid such costs as may have been incurred in connection therewith; (b) (in the case of a mutilated, defaced, lost, mysteriously or unexplainably missing, stolen or destroyed Debenture) furnished the Municipality with such evidence (including evidence as to the certificate number of the Debenture in question) and an indemnity in respect thereof satisfactory to the Municipality in its discretion; and (c) surrendered to the Municipality any mutilated or defaced Debentures in respect of which new Debentures are to be issued in substitution.

13. The Debentures issued upon any registration of transfer or exchange or in substitution for any Debentures or part thereof shall carry all the rights to interest if any, accrued and unpaid which were carried by such Debentures or part thereof and shall be so dated and shall bear the same maturity date and, subject to the provisions of the By-law, shall be subject to the same terms and conditions as the Debentures in respect of which the transfer, exchange or substitution is effected.

14. The cost of all transfers and exchanges, including the printing of authorized denominations of the new Debentures, shall be borne by the Municipality. When any of the Debentures are surrendered for transfer or exchange the Treasurer of the Municipality shall: (a) in the case of an exchange, cancel and destroy the Debentures surrendered for exchange; (b) in the case of an exchange, certify the cancellation and destruction in the registry; (c) enter in the registry particulars of the new Debenture or Debentures issued in exchange; and (d) in the case of a transfer, enter in the registry particulars of the registered holder as directed by the transferor.

15. Reasonable fees for the substitution of a new Debenture or new Debentures for any of the Debentures that are mutilated, defaced, lost, mysteriously or unexplainably missing, stolen or destroyed and for the replacement of mutilated, defaced, lost, mysteriously or unexplainably missing, stolen or destroyed principal and interest cheques (if any) may be imposed by the Municipality. When new Debentures are issued in substitution in these circumstances the Municipality shall: (a) treat as cancelled and destroyed the Debentures in respect of which new Debentures will be issued in substitution; (b) certify the deemed cancellation and destruction in the registry; (c) enter in the registry particulars of the new Debentures issued in substitution; and (d) make a notation of any indemnities provided.

16. If OILC elects to terminate its obligations under the financing agreement or rate offer agreement entered into between the Municipality and OILC, pursuant to which the Debentures are issued, or if the Municipality fails to meet and pay any of its debts or liabilities when due, or uses all or any portion of the proceeds of any Debenture for any purpose other than for a Capital Work(s) as authorized in the By-Law, the Municipality shall pay to OILC the Make-Whole Amount on account of the losses that it will incur as a result of the early repayment or early termination.

Notices

17. Except as otherwise expressly provided herein, any notice required to be given to a registered holder of one or more of the Debentures will be sufficiently given if a copy of such notice is mailed or otherwise delivered to the registered address of such registered holder. If the Municipality or any registered holder is required to give any notice in connection with the Debentures on or before any day and that day is not a Business Day (as defined in section 10 of these Conditions) then such notice may be given on the next following Business Day.

Time

18. Unless otherwise expressly provided herein, any reference herein to a time shall be considered to be a reference to Toronto time.

Governing Law

19. The Debentures are governed by and shall be construed in accordance with the laws of the Province of Ontario and the federal laws of Canada applicable in Ontario.

Definitions:

(a) "**Prime Rate"** means, on any day, the annual rate of interest which is the arithmetic mean of the prime rates announced from time to time by the following five major Canadian Schedule I banks, as of the issue date of this Debenture: Royal Bank of Canada; Canadian Imperial Bank of Commerce; The Bank of Nova Scotia; Bank of Montreal; and The Toronto-Dominion Bank (the "**Reference Banks**") as their reference rates in effect on such day for Canadian dollar commercial loans made in Canada. If fewer than five of the Reference Banks quote a prime rate on such days, the "**Prime Rate**" shall be the arithmetic mean of the rates quoted by those Reference Banks.

(b) "**Make-Whole Amount**" means the amount determined by OILC as of the date of prepayment of the Debenture, by which (i) the present value of the remaining future scheduled payments of principal and interest under the Debenture to be repaid from the prepayment date until maturity of the Debenture discounted at the Ontario Yield exceeds (ii) the principal amount under the Debenture being repaid provided that the Make-Whole Amount shall never be less than zero.

(c) "**Ontario Yield**" means the yield to maturity on the date of prepayment of the Debenture, assuming semi-annual compounding, which a non-prepayable term loan made by the Province of Ontario would have if advanced on the date of prepayment of the Debenture, assuming the same principal amount as the Debenture and with a maturity date which is the same as the remaining term to maturity of the Debenture to be repaid minus 100 basis points.

Loan.....: 2986
Name.....: North Middlesex, The Corporation of The Municipality
Principal: 6,503,568.00
Rate.....: 04.5900
Term.....: 240
Compound.: Semi-annual
Matures..: 12/16/2044

Pay #	Date	Amount Due	Principal Due	Interest Due	Rem. Principal
1	06/16/2025	250,213.38	100,956.49	149,256.89	6,402,611.51
2	12/16/2025	250,213.38	103,273.45	146,939.93	6,299,338.06
3	06/16/2026	250,213.38	105,643.57	144,569.81	6,193,694.49
4	12/16/2026	250,213.38	108,068.09	142,145.29	6,085,626.40
5	06/16/2027	250,213.38	110,548.25	139,665.13	5,975,078.15
6	12/16/2027	250,213.38	113,085.34	137,128.04	5,861,992.81
7	06/16/2028	250,213.38	115,680.65	134,532.73	5,746,312.16
8	12/16/2028	250,213.38	118,335.52	131,877.86	5,627,976.64
9	06/16/2029	250,213.38	121,051.32	129,162.06	5,506,925.32
10	12/16/2029	250,213.38	123,829.44	126,383.94	5,383,095.88
11	06/16/2030	250,213.38	126,671.33	123,542.05	5,256,424.55
12	12/16/2030	250,213.38	129,578.44	120,634.94	5,126,846.11
13	06/16/2031	250,213.38	132,552.26	117,661.12	4,994,293.85
14	12/16/2031	250,213.38	135,594.34	114,619.04	4,858,699.51
15	06/16/2032	250,213.38	138,706.23	111,507.15	4,719,993.28
16	12/16/2032	250,213.38	141,889.53	108,323.85	4,578,103.75
17	06/16/2033	250,213.38	145,145.90	105,067.48	4,432,957.85
18	12/16/2033	250,213.38	148,477.00	101,736.38	4,284,480.85
19	06/16/2034	250,213.38	151,884.54	98,328.84	4,132,596.31
20	12/16/2034	250,213.38	155,370.29	94,843.09	3,977,226.02
21	06/16/2035	250,213.38	158,936.04	91,277.34	3,818,289.98
22	12/16/2035	250,213.38	162,583.62	87,629.76	3,655,706.36
23	06/16/2036	250,213.38	166,314.92	83,898.46	3,489,391.44
24	12/16/2036	250,213.38	170,131.85	80,081.53	3,319,259.59
25	06/16/2037	250,213.38	174,036.37	76,177.01	3,145,223.22
26	12/16/2037	250,213.38	178,030.51	72,182.87	2,967,192.71
27	06/16/2038	250,213.38	182,116.31	68,097.07	2,785,076.40
28	12/16/2038	250,213.38	186,295.88	63,917.50	2,598,780.52
29	06/16/2039	250,213.38	190,571.37	59,642.01	2,408,209.15
30	12/16/2039	250,213.38	194,944.98	55,268.40	2,213,264.17
31	06/16/2040	250,213.38	199,418.97	50,794.41	2,013,845.20
32	12/16/2040	250,213.38	203,995.63	46,217.75	1,809,849.57
33	06/16/2041	250,213.38	208,677.33	41,536.05	1,601,172.24
34	12/16/2041	250,213.38	213,466.48	36,746.90	1,387,705.76
35	06/16/2042	250,213.38	218,365.53	31,847.85	1,169,340.23
36	12/16/2042	250,213.38	223,377.02	26,836.36	945,963.21
37	06/16/2043	250,213.38	228,503.52	21,709.86	717,459.69
38	12/16/2043	250,213.38	233,747.68	16,465.70	483,712.01
39	06/16/2044	250,213.38	239,112.19	11,101.19	244,599.82

40	12/16/2044	250,213.38	244,599.81	5,613.57	0.01
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		10,008,535.20	6,503,567.99	3,504,967.21	

CERTIFICATE OF THE CLERK

To: **David Samuels, County of Middlesex – Legal Services**

And To: **OILC**

IN THE MATTER OF an issue of a 20 years, 4.59% amortizing debenture of The Corporation of The Municipality of North Middlesex (the "**Municipality**") in the principal amount of $6,503,568.00, authorized by Debenture By-law Number 99-2024 (the "**Debenture By-law**");

AND IN THE MATTER OF authorizing by-law(s) of the Municipality enumerated in Schedule "A" to the Debenture By-law.

I, Alan Bushell, Clerk of the Municipality, **DO HEREBY CERTIFY THAT**:

1. The Debenture By-law was finally passed and enacted by the Council of the Municipality on December 04, 2024 in full compliance with the *Municipal Act, 2001*, as amended (the "**Act**") at a duly called meeting at which a quorum was present. Forthwith after the passage of the Debenture By-law, the same was signed by the Mayor and the Clerk and sealed with the municipal seal of the Municipality.

2. The authorizing by-law(s) referred to in Schedule "A" to the Debenture By-law (the "**Authorizing By-law(s)**") have been enacted and passed by the Council of the Municipality in full compliance with the Act at meeting(s) at which a quorum was present. Forthwith after the passage of the Authorizing By-law(s) the same were signed by the Mayor and by the Clerk and sealed with the municipal seal of the Municipality.

3. With respect to the undertaking of the capital work(s) described in the Debenture By-law (the "**Capital Work(s)**"), before the Council of the Municipality exercised any of its powers in respect of the Capital Work(s)**,** and before authorizing any additional cost amount and any additional debenture authority in respect thereof (if any), the Council of the Municipality had its Treasurer complete the required calculation set out in the relevant debt and financial obligation limits regulation (the "**Regulation**"). Accordingly, based on the Treasurer's calculation and determination under the Regulation, the Council of the Municipality authorized the Capital Work(s), each such additional cost amount and each such additional debenture authority (if any), without the approval of the Ontario Land Tribunal pursuant to the Regulation.

4. No application has been made or action brought to quash, set aside or declare invalid the Debenture By-law or the Authorizing By-law(s) nor have the same been in any way repealed, altered or amended, except insofar as some of the Authorizing By-law(s) may have been amended by any of the Authorizing By-law(s) set forth in Schedule "A" (if any), and the Debenture By-law and the Authorizing By-law(s) are now in full force and effect. Moreover, the Mayor has not provided written notice to the Council of the Municipality of an intent to consider vetoing the Debenture By-law and no written veto document in respect of the Debenture By-law has been given to the Clerk.

5. All of the recitals contained in the Debenture By-law and the Authorizing By-law(s) are true in substance and fact.

6. To the extent that the public notice provisions of the Act are applicable, the Authorizing By-law(s) and the Debenture By-law have been enacted and passed by the Council of the Municipality in full compliance with the applicable public notice provisions of the Act.

7. None of the debentures authorized to be issued by the Authorizing By-law(s) have been previously issued.

8. The Municipality is not subject to any restructuring order under part V of the Act or other statutory authority, accordingly, no approval of the Authorizing By-law(s) and of the Debenture By-law and/or of the issue of the OILC Debentures is required by any transition board or commission appointed in respect of the restructuring of the municipality.

9. The Authorizing By-law(s) and the Debenture By-law and the transactions contemplated thereby do not conflict with, or result in a breach or violation of any statutory provisions which apply to the Municipality or any agreement to which the Municipality is a party or under which the Municipality or any of its property is or may be bound, or, to the best of my knowledge, violate any order, award, judgment, determination, writ, injunction or decree applicable to the Municipality of any regulatory, administrative or other government or public body or authority, arbitrator or court.

DATED at The Corporation of The Municipality of North Middlesex as at the 16th day of December, 2024

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[AFFIX SEAL] Alan Bushell, Clerk

CERTIFICATE OF THE TREASURER

To: **David Samuels, County of Middlesex – Legal Services**

And To: **OILC**

IN THE MATTER OF an issue of a 20 years, 4.59% amortizing debenture of The Corporation of The Municipality of North Middlesex (the "**Municipality**") in the principal amount of $6,503,568.00, for Capital Work(s) of the Municipality authorized by Debenture By-law Number 99-2024 (the "**Debenture By-law**");

AND IN THE MATTER OF authorizing by-laws of the Municipality enumerated in Schedule "A" to the Debenture By-law.

This Certificate is issued pursuant to the financing agreement between OILC and the Municipality effective the July 05, 2021 (the "**Financing Agreement**"). Capitalized terms used herein and defined in the Financing Agreement have the meanings ascribed to them in the Financing Agreement.

I, Raffaelo D'Alessandro, Treasurer (Interim) of the Municipality, **DO HEREBY CERTIFY THAT**:

1. The Municipality has received from the Ministry of Municipal Affairs and Housing its annual debt and financial obligation limit for the relevant years.

2. With respect to the undertaking of the capital work(s) described in the Debenture By-law (the "**Capital Work(s)**"), before the Council of the Municipality authorized **the** Capital Work(s),and before authorizing any additional cost amount and any additional debenture authority in respect thereof (if any), the Treasurer calculated the updated relevant debt and financial obligation limit in accordance with the applicable debt and financial obligation limits regulation (the "**Regulation**"). The Treasurer thereafter determined that the estimated annual amount payable in respect of the Capital Work(s), each such additional cost amount and each such additional debenture authority (if any), would not cause the Municipality to reach or to exceed the relevant updated debt and financial obligation limit as at the date of the Council's approval. Based on the Treasurer's determination, the Council of the Municipality authorized the Capital Work(s),each such additional cost amount and each such additional debenture authority (if any), without the approval of the Ontario Land Tribunal pursuant to the Regulation.

3. As at the date hereof the Municipality has not reached or exceeded its updated annual debt and financial obligation limit.

4. In updating the relevant debt and financial obligation limit(s), the estimated annual amounts payable described in the Regulation were determined based on current interest

rates and amortization periods which do not, in any case, exceed the lifetime of any of the purposes of the Municipality described in such section, all in accordance with generally accepted accounting principles for local governments as recommended, from time to time, by the relevant Public Sector Accounting Board.

5. Any issues that were raised in any audit conducted under paragraph 16 (a) of the Financing Agreement have been resolved to the satisfaction of OILC in its sole discretion and/or OILC has not required an audit under paragraph 16 (a) of the Financing Agreement or such audit is not ongoing.

6. The term within which the debentures to be issued for the Municipality in respect of the Capital Work(s) pursuant to the Debenture By-law are made payable does not exceed the lifetime of such Capital Work(s).

7. The principal amount now being financed through the issue of debentures pursuant to the Debenture By-law in respect of the Capital Work(s) does not exceed the net cost of each such Capital Work and does not exceed the Committed Amount for such Capital Work(s).

8. Expenditures on the Capital Work(s) have been made or will be made in an amount that does not exceed the Committed Amount for such Capital Work(s), if OILC, in its sole discretion, has agreed to purchase the debentures to be issued pursuant to the Debenture By-law prior to making any Advance or prior to the expenditure of all or any portion of the Committed Amount on the Capital Work(s).

9. The money received by the Municipality from the sale of the debentures issued pursuant to the Debenture By-law, including any premium, and any earnings derived from the investment of that money after providing for the expenses related to their issue, if any, shall be apportioned and applied to the Capital Work(s), and to no other purpose except as permitted by the *Municipal Act, 2001*.

10. As of the date hereof none of the events specified in paragraph 12(c) of the Financing Agreement have occurred or are continuing.

11. On or before December 16, 2024, I as Treasurer, signed the fully registered amortizing debenture numbered 99-2024 in the principal amount of $6,503,568.00 dated December 16, 2024, registered in the name of Ontario Infrastructure and Lands Corporation and authorized by the Debenture By-law (the "**OILC Debenture**").

12. On or before December 16, 2024, the OILC Debenture was signed by Brian Ropp, Mayor of the Municipality at the date of the execution and issue of the OILC Debenture, the OILC Debenture was sealed with the seal of the Municipality, the OILC Debenture is in all respects in accordance with the Debenture By-law and in issuing the OILC Debenture the Municipality is not exceeding its borrowing powers.

13. The said Brian Ropp, is the duly elected Mayor of the Municipality and that I am the duly appointed Treasurer of the Municipality and that we were severally authorized under the Debenture By-law to execute the OILC Debenture in the manner aforesaid and that the OILC Debenture is entitled to full faith and credence.

14. No litigation or proceedings of any nature are now pending or threatened, attacking or in any way attempting to restrain or enjoin the issue and delivery of the OILC Debenture or in any manner questioning the proceedings and the authority under which the same is issued, or affecting the validity thereof, or contesting the title or official capacity of the said Mayor or myself as Treasurer of the Municipality, and no proceedings for the issuance of the OILC Debenture or any part of it has been repealed, revoked or rescinded in whole or in part.

15. The representations and warranties of the Municipality set out in paragraph 2 of the Financing Agreement were true and correct as of the date of the request to purchase the debentures in respect of the Capital Work(s) pursuant to the Debenture By-law and are true and correct as of the date hereof and the Municipality is not in material default of any of its obligations under such Financing Agreement.

DATED at The Corporation of The Municipality of North Middlesex as at the 16th day of December, 2024.

[AFFIX SEAL] _____
Raffaelo D'Alessandro, Treasurer (Interim)

I, Alan Bushell, Clerk of the Municipality do hereby certify that the signature of Raffaelo D'Alessandro, Treasurer (Interim) of the Municipality described above, is true and genuine.

[AFFIX SEAL] _____
Alan Bushell, Clerk