



Municipality of West Elgin

Agenda

Council Meeting

Date: September 10, 2026, 4:00 p.m.
Location: Council Chambers
160 Main Street
West Lorne

Council Meetings are held in-person at 160 Main Street, West Lorne, and the post-meeting recording available at www.westelgin.net, when available (pending no technical difficulties).

Zoom Link: <https://us02web.zoom.us/j/83426252770?pwd=6K0phe1Y3wxhmy6crDpFJbD3Cms2kS.1>
Pages

1. Call to Order
2. Adoption of Agenda

Recommendation:

That West Elgin Council hereby adopts the Committee of the Whole Agenda for September 10, 2026 as presented.

3. Disclosure of Pecuniary Interest and General Nature Thereof
4. Public Meeting, Planning Act

Recommendation:

That West Elgin Committee of the Whole hereby proceed into a Public Meeting, pursuant to the *Planning Act*.

Recommendation:

That West Elgin Committee of the Whole hereby receives the report from Diana Morris, Senior Planner regarding Zoning By-law Amendment Application D14 06-2026 – Recommendation Report (Planning Report 2026-20), And

That West Elgin Committee of the Whole recommends the approval of Zoning By-law Amendment Application D14 06-2026 to rezone the subject property from Residential First Density (R1) Zone and Future Residential (FR) Zone to a Site-Specific Residential Third Density (R3-8) as presented in By-law 2026-39 attached as Appendix 1 to Planning Report 2026-20, for Council's consideration, And

That subject to no concerns being raised at the public meeting, that By-law 2026-39 to amend Zoning By-law 2015-36, as amended, be presented at the regular meeting of Council on September 24, 2026, for adoption. (Planning Report 2026-20).

4.1.1 Committee Comments

4.1.2 Public Comments

Recommendation:

That West Elgin Committee of the Whole hereby receives the report from Diana Morris, Senior Planner regarding Draft Plan of Subdivision Application and Zoning By-law Amendment Application (Application No. D14 09-2026) – Recommendation Report (Planning Report 2026-21), And

That West Elgin Committee of the recommends the approval of the proposed Draft Plan of Subdivision 34T-WE2501 to Elgin County, subject to the conditions listed in Appendix 3 to Planning Report PLA 2026-21 being assigned to any Notice of Decision by the County, for Council's consideration, And

That West Elgin Zoning By-law Amendment Application D14 09-2026 to rezone the subject property from Future Residential to a Site-Specific Residential Second Density (R2-3) Zone and to a Site-Specific Residential Third Density (R3-9) and a Site-Specific Open Space (OS-7) Zone as presented in By-law 2026-50 attached as Appendix 1 to Planning Report 2026-21 be recommended to Council, And

That subject to no concerns being raised at the public meeting, that By-law 2026-50 to amend Zoning By-law 2015-36, as amended, be presented at the regular meeting of Council on September 24th, 2026, for adoption. (Planning Report 2026-21).

4.2.1 Committee Comments

4.2.2 Public Comments

4.3 Adjournment of Public Meeting

Recommendation:

That West Elgin Committee of the Whole hereby adjourn the Public Meeting, pursuant to the *Planning Act*.

5. Adoption of Minutes

Recommendation:

That West Elgin Council hereby adopt the Minutes of June 11, 2026 as presented.

6. Business Arising from Minutes

7. Staff Reports

7.1 Planning

7.1.1 West Elgin Comprehensive Zoning By-law Review

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Recommendation:

THAT the Committee of the Whole receive the report from L. King, Policy Planner regarding the proposed scope of the West Elgin Comprehensive Zoning By-law Review; and

THAT the Committee of the Whole recommend that staff proceed with Option 1 – Comprehensive Zoning By-law Review; and,

THAT the Committee of the Whole recommend that Council direct staff to undertake the Zoning By-law Review in accordance with the scope described in this report as Option 1 and any additional direction provided by Council.

7.2 Community Services & Clerks

7.2.1 Procedural By-law Review

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Recommendation:

That West Elgin Committee of the Whole hereby receives the report from Terri Towstiuć, Manager of Community Services/Clerk regarding a review and modernization of West Elgin's Procedural By-law, And

That Committee of the Whole direct staff to bring back an updated Procedural By-law at a future Council meeting, for approval and adoption.

8. Adjournment

Recommendation:

That the Council of the Municipality of West Elgin hereby adjourn at _____ to start into Regular Council Meeting.



Staff Report

Report To: Committee of the Whole
From: Diana Morris, Senior Planner
Date: 2026-09-10
Subject: D14 06-2026- Zoning By-law Amendment Application
Recommendation Report- Planning Report 2026-20
194 Ridge Street and 172 Chestnut Street (West Lorne)

Recommendation:

That West Elgin Committee of the Whole hereby receives the report from Diana Morris, Senior Planner regarding Zoning By-law Amendment Application D14 06-2026 – Recommendation Report (Planning Report 2026-20), And

That West Elgin Committee of the Whole recommends the approval of Zoning By-law Amendment Application D14 06-2026 to rezone the subject property from Residential First Density (R1) Zone and Future Residential (FR) Zone to a Site-Specific Residential Third Density (R3-8) as presented in By-law 2026-39 attached as Appendix 1 to Planning Report 2026-20, for Council's consideration, And

That subject to no concerns being raised at the public meeting, that By-law 2026-39 to amend Zoning By-law 2015-36, as amended, be presented at the regular meeting of Council on September 24, 2026, for adoption. (Planning Report 2026-20).

Purpose:

The purpose of this application is to rezone the subject property from Residential First Density (R1) Zone and Future Residential (FR) Zone to a Site-Specific Residential Third Density (R3-8) Zone in order to reduce front yard depth, side yard depth, rear yard depth and outdoor amenity area. The zone is also proposed to increase lot coverage, building height and parking area coverage. The proposed uses consist of a mix of townhouse dwellings and apartments.

No concerns or objections have been identified by circulated agencies or the public at the time of writing this report.

Site Description:

The lands are referred to as 194 Ridge Street and 172 Chestnut Street and legally described as PLAN 199 S PT LOT 64 and PT LOTS 65 & 68 in the Geographic Village of West Lorne, in the Municipality of West Elgin. The subject lands are located on the south side of Chestnut Street, at the existing southern terminus of Ridge Street, within the West Lorne Settlement Area. The site is

approximately 1.67 hectares (4.13 acres) in size and contains approximately 30 metres of frontage along Chestnut Street and 20 metres of frontage on an unopened portion of the Ridge Street right-of-way. The majority of the lands are currently vacant/undeveloped. An existing single detached dwelling exists on the north portion of the site fronting Ridge Street. The site is bounded by existing residential development to the east and north. Lands to the south and west are currently used for mixed crop production but are within the Urban Settlement Area of West Lorne and designated for future development. A portion of the site is bounded by an existing Hydro One corridor along the south edge. Please see **Figure 1- Key Map**.

Application D14 06-2026	
Owner	Arvai Developments
Address	194 Ridge Street & 172 Chestnut Street
Water Supply	Municipal
Sewage Supply	Municipal
Existing Buildings/Structures	Single-detached dwelling
Elgin County Official Plan	Tier 1 Settlement Area
Municipality of West Elgin Official Plan	Residential

Figure 1-Key Map



Proposed Development:

The conceptual development plan illustrates an internal private roadway extending south from the existing terminus of Ridge Street, providing access throughout the proposed development. The concept plan shows a residential development consisting of thirty-two (32) single storey cluster townhouse units and a four (4) storey apartment building containing thirty-nine (39) dwelling units. To the west of the development block, townhouse units are proposed along with a centralized common amenity area which would include a clubhouse, outdoor patio, and sports court for the enjoyment by residents. The eastern portion of the block is proposed for the apartment building and townhouse units. The townhouses would include a mix of sixteen (16), one (1) bedroom and sixteen (16), two (2) bedroom bungalow style units. The apartment building is primarily intended to provide compact one (1) bedroom suites designed to accommodate singles and couples. Each townhouse unit will be provided with two (2) parking spaces (1 space in garage and 1 in the private driveway). Additional twenty-four (24) visitor parking spaces is distributed throughout the development block. The apartment building is proposed for forty-six (46) surface parking spaces.

Please see **Figure 2- Concept Plan**.

This development block comprises an area of 1.67ha (4.13ac) which accounts for a density of 42.5 units per hectare.

Figure 2-Concept Plan



The approval of this Zoning By-law Amendment will facilitate the future development and will establish the land uses on the subject lands.

Planning Analysis:

The application has been reviewed with respect to the relevant policies of the *Provincial Planning Statement (2024)*, Elgin County Official Plan, Municipality of West Elgin Official Plan and Municipality of West Elgin Zoning By-law 2015-36.

Provincial Planning Statement (2024):

Policy 2.1.4- Planning for People and Homes:

To provide for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area, planning authorities shall:

a) maintain at all times the ability to accommodate residential growth for a minimum of 15 years through lands which are designated and available for residential development; and

b) maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned, including units in draft approved or registered plans.

Policy 2.2.1- Housing:

To provide an appropriate range and mix of housing options and densities to meet projected needs of current and future residents.

Policy 2.3.1.1 and 2.3.1.2- General Policies for Settlement Areas

Settlement areas shall be the focus of growth and development and should be based on densities and a mix of land uses which efficiently use land and resources, optimize existing and planned infrastructure and public service facilities.

Comments: The proposed will provide additional residential units within a settlement area and increase the overall supply of housing to meet the Municipality's projected residential growth. The proposed development introduces a mix of housing form that broaden the range of housing opportunities and contributes to a more diverse housing supply. The subject lands are within a settlement area where growth and development is directed and will connect to existing municipal servicing infrastructure.

Elgin County Official Plan:

The subject lands are within the ***Tier 1 Settlement Area*** within West Lorne.

Section 4.2- Residential Land Supply

The County shall ensure there is an adequate supply of residentially designated land in the County to accommodate a minimum of 15 years of residential growth (including redevelopment and intensification opportunities, and 'greenfield' land). Further, local municipalities shall be required to maintain, at all times, land with servicing capacity sufficient to provide at least a five-year supply of residential units available through lands suitably zoned and (where available) serviced.

Section 4.3- Requiring a Mix of Housing

Providing for a range of housing typologies promotes affordability and ensures that the County maintains options for households at all stages of their lifecycle. In settlement areas where full municipal services are available, a range of housing typologies shall be provided. Where new residential development proposes single detached dwellings, they shall generally not comprise more than 70% of the dwelling mix.

Comments: The subject lands are within a designated settlement area, appropriate to accommodate residential growth and where servicing, infrastructure exists and provides a mix of housing forms.

Municipality of West Elgin Official Plan:

The subject lands are within the West Lorne Settlement Area and designated '**Residential.**'

Section 2.2- Goals

In alignment with the Provincial and County direction and to guide the future pattern of growth, the following five key goals have been established:

- a) To focus growth within the existing serviced settlement areas of Rodney and West Lorne while protecting the rural and agricultural character of hamlets and villages;*
- b) To achieve and foster sustainable growth in population, economic development and housing;*
- c) To improve the range of housing opportunities with compact and compatible development in an effort to build complete communities;*

3.3.1 Vision for Growth

The majority of the Municipality's future growth will be directed to the Tier 1 settlement areas of Rodney and West Lorne, as shown on Schedule 1. These settlement areas are the only areas of West Elgin which are serviced by municipal water supply and municipal sanitary sewage systems with reserve capacities to accommodate growth. By directing the majority of future population growth to the two villages, the amount of land needed to accommodate this growth will be used most efficiently, the viability of these settlements will be improved, the investment in municipal infrastructure better utilized and the loss of prime agricultural land to development minimized.

3.3.2.2 Settlement Area Hierarchy- Tier 1 Settlement Area

The Municipality has two tier 1 settlement areas: Rodney and West Lorne. These settlement areas generally have the largest population and are serviced by municipal water and municipal sanitary sewage systems. It is the intent of this Plan to direct the majority of growth to Tier 1 settlement areas through compact, complete mixed-use communities.

3.3.3 Development in Settlement Areas

Settlement areas are the focus of growth and development. Full municipal sewage and water services are the preferred form of servicing in the settlement areas. New development in settlement areas is intended to take place on full municipal services where possible.

Section 7.2.3- Residential

Areas designated for residential purposes include existing residential development and vacant lands for accommodating future residential development.

Section 7.2.3.3- Residential Density

The Municipality will support the County's overall minimum residential density target of 20 units per net hectare in Tier 1 Settlement Areas of Rodney and West Lorne by:

- a) promoting a mix of low and medium density housing opportunities;*
- b) encouraging the efficient use of land through the site plan and plan of subdivision process;*
- c) encouraging denser forms of development where appropriate; and,*
- d) updating the Municipality's Zoning by-law to include appropriate minimum and maximum densities for development, taking into account any servicing constraints/limitations in Rodney and West Lorne*

7.2.3.5- Housing Mix

In accordance with County policy, development proposals for undeveloped parcels shall incorporate a range of housing types and densities, such that no more than 70% of proposed dwelling units are composed of single detached dwellings....

Comments: The proposed would accommodate a variety/diversity of housing forms and densities in order to support complete communities and meet the housing needs of future residents within a settlement area.

Municipality of West Elgin Zoning By-law 2015-36 (ZBL):

The subject lands are currently zoned Residential First Density (R1) Zone and Future Residential (FR) Zone on Schedule 'C' Map No. 6.

In order to implement the proposed housing development, the requested zoning by-law amendment will rezone the lands to a Site-Specific Residential Third Density (R3-8) Zone.

Section(s)	Provisions
Existing Zoning	
Residential First Density (R1) Zone	This zone applies to lots for the purposes of single unit dwellings in the village areas of Rodney and West Lorne and are intended to be fully serviced by municipal water supply system and municipal sanitary sewage system.
Future Residential (FR)	This zone applies to large undeveloped parcels in settlement areas designated 'Residential' in the West Elgin Official Plan and is intended for future residential purposes. The zoning which would ultimately be applied to these lands would be determined upon submission of

		a plan of subdivision or plan of condominium approvals and a development agreement entered into with the Municipality.	
Proposed Zoning Site Specific Residential Second Density (R3-8).		The subject lands are proposed to be rezoned to a Residential zone to permit a range of housing types for medium density residential development (in addition to low density) with site specific regulations.	
Municipality of West Elgin Zoning By-law 2015-36	Residential 3 (R3) Zone Standards	Regulation	Proposed (R3-8)
	Maximum Lot Coverage	35%	40%
	Minimum Front Yard Depth	7.5m	6.0m
	Minimum Interior Side Yard Depth (townhouse dwelling)	6.0m	1.8m where the side wall of a townhouse unit faces the lot line and 3.75m where the rear wall of a townhouse unit faces the lot line
	Minimum Exterior Side Yard (townhouse dwelling)	10.5	1.8m where the side wall of a townhouse unit faces the lot line.
	Minimum Rear Yard Depth	10.5m	2.6m
	Minimum Outdoor Amenity Area	45sqm/unit	36sqm/unit
	Maximum Building Height	3 storey's	4 storey's
	Maximum Parking Area Coverage	15% of the lot area	27% of the lot area
	Yard Encroachment	Covered decks/patios projecting not more than two and one-half (2.5) metres into any required front yard, exterior side yard or rear yard provided they	Notwithstanding Section 4.29.1 of By-law 2015-36, covered decks/patios may project not more than two and one-half (2.5) metres into any required front yard, exterior side yard or rear yard provided they do not

		do not project into any sight triangle	project into any sight triangle
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The proposed site-specific zone is being requested to implement the conceptual plan while recognizing the unique characteristics of the subject lands. The amendment is intended to establish zoning provisions for a mixed residential development incorporating a range of medium-density built forms.

In addition to the uses permitted within the R3 Zone, the applicant has requested *additional permitted uses* which is to use the existing dwelling as a leasing centre and/or guest suite(s). The existing dwelling will temporarily be repurposed as a leasing office and sales centre during the marketing of the development. Once there is no use for the sales centre, the existing dwelling may be utilized as guest suites for residents and visitors.

Lot Coverage- Despite a 5% increase in lot coverage, the development will continue to provide landscaped open space areas, a common amenity area and overall site design that is consistent with the intent of the Residential 3 zone.

Front Yard Depth- A reduced front yard setback from 7.5m to 6.0m is proposed for the three townhouse units fronting Chestnut Street only. This reduction will maintain an interface with the public street. The 6.0m depth will continue to provide sufficient space for parking.

Minimum Interior Side Yard Depth- The proposed setbacks recognize the differing building orientations along the perimeter of the development. The reduced setback of 1.8m to the side wall of a townhouse is appropriate given the limited building interface. All other setbacks in the respective zone are maintained where townhouse elevations face the property boundary to provide private amenity space, landscaping and transitions between adjacent properties.

Minimum Exterior Side Yard Depth- A reduced exterior side yard is proposed adjacent to the Ridge Street right-of-way. This reduction is being requested due to the configuration of the property. The interface does not function as a typical public street frontage and therefore, the request for 1.8m setback reflects the comprehensive design of the development, maintains an appropriate relationship with the adjacent right-of-way and facilitates an efficient site layout.

Minimum Rear Yard Depth- A reduced rear yard setback of 2.6m is proposed along the southerly property line where the site abuts the Hydro One transmission corridor. Given the absence of existing residential development and the separation distance by the corridor, the reduced setback is not anticipated to result in adverse impacts and maintains an appropriate transition to adjoining lands.

Minimum Outdoor Amenity Area- A reduction in outdoor amenity area from 42sqm per unit to 36sqm per unit is proposed for each townhouse unit's private outdoor space. A common amenity area is also proposed within the development block.

Maximum Building Height- The increase from 3 storey's to 4 storey's for an apartment building allows for a compact building footprint, supports a range of housing opportunities and transition between surrounding land uses. The proposed building is centrally located within the development block and buffered by internal parking, landscaping and amenity areas.

Maximum Parking Area Coverage- The increase in parking area coverage from 15% to 27% is proposed as it incorporates driveways and hard surfaced parking lots which is distributed throughout the entire block and is integrated with the built form, landscaped open spaces and common amenity areas.

Yard Encroachment- A special provision to permit covered decks/patios to project up to 2.5 metres into the required front, exterior side and rear yards. The zoning by-law permits an encroachment the same distance into the required yards but extending this provision recognizes the bungalow townhouse units and provides enhanced usability for private outdoor amenity areas without adversely affecting adjacent properties or the overall intent of the yard setback regulations.

The Site-Specific By-law can be found in Appendix 1.

Supporting Studies

Stage 1-2 Archaeological Assessment

Haruta Archaeology conducted an investigation of archaeological resources on the subject site and concluded that no artifacts were recovered and therefore, no further assessments would be required.

Site Servicing Feasibility Design Brief

Co-elevate completed a report to present a servicing and stormwater management plan for the proposed development. The report concluded that the existing and proposed services have sufficient capacity to accommodate the proposed multi-residential uses.

Scoped Environmental Review Report

MTE completed a Scoped Environmental Review Report and Species at Risk (SAR) Screening and made the following conclusions/recommendations:

- No natural heritage features were identified on the subject lands. The area includes a significant woodland, however, as the northern extent of the feature is primarily composed of scattered residential trees on backlots, the ecological value of the feature is considered to be of limited ecological value or functional attributes, therefore, no negative impacts are anticipated as a result of the proposed development.
- No SAR were identified on, or adjacent to the subject lands. Species presence was not confirmed through targeted studies and therefore, avoidance or mitigation measures are recommended to ensure protection of potential wildlife.
- The lands were previously disturbed with low ecological value. No constraints were identified and site alteration may proceed, provided that mitigation measures are implemented.

The following recommendations/mitigation measures are to be implemented through the site plan approval process:

Recommendation 1- Tree removals should not occur during the bat maternity period (May 1 to September 31) to prevent disruption to bats during critical reproductive growth periods. If tree removals are required during the bat active season, bat surveys will be completed by a qualified biologist and if no bats are detected, trees may be removed within 24 hours.

Recommendation 2- It is recommended that any tree removals occur outside of the migratory breeding bird season (April 1 to August 31). If this time window can be avoided, nest searches to determine the presence or absence of nesting birds or breeding habitat should be conducted until clearing is complete, or until August 31, whichever comes first.

Recommendation 3- Advise workers for potential encounters with wildlife during construction. If an animal enters the work site, work at that location will stop and the animal should be permitted to leave un-harassed. If there are repeat observations of wildlife in the work area, barrier fencing (i.e. Silt fence) may be needed to direct wildlife away from active construction and toward natural areas.

Traffic Impact Brief

Strik, Baldinelli, Moniz Ltd. (SBM) conducted a brief to identify potential traffic impacts. The analysis concluded that the proposed is expected to generate a total of 25 trips in the AM peak hour (6 in and 19 out) and 32 trips during the PM peak hour (20 in and 12 out). The peak hour volumes will have negligible impact on the overall volumes and operations of the surrounding road network. There are no concerns with the existing or proposed intersections that will provide access to the site with respect to location, visibility or operations. No improvements to the external road network are required to accommodate the proposed development.

Analysis and Comments:

Planning Policy Review

When considering applications under the provisions of the *Planning Act*, Planning authorities shall ensure that decisions are consistent with the direction and policies within the *Provincial Planning Statement (PPS 2024)*, do not conflict with Provincial Plans and are based on sound planning principles. Decisions shall also conform to the policies of the County of Elgin Official Plan (CEOP) and Municipality of West Elgin Official Plan (OP).

Circulation:

Lower Thames Valley Conservation Authority: The subject property is not within any natural hazard area and therefore not subject to Natural Heritage policies of the Provincial Planning Statement or the Conservation Authority's regulations. Note that there is a municipal drain that cuts through this

parcel that outlets to the Brock Creek Drain. No concerns from a zoning perspective but further review will be completed through the site plan approval process.

Building Department: No concerns.

Water: No comments.

Drainage: No comments.

Infrastructure and Development: The Infrastructure and Development Department has reviewed the submission and the supporting technical reports provided to date. Based on the information currently available, the Department has no concerns with the proposed development at this stage, subject to the submission and review of the final detailed design and supporting documentation.

The technical reports submitted with the application include calculations and supporting analysis that generally demonstrate that the proposed subdivision can be serviced without negatively impacting existing municipal infrastructure or the surrounding community. Final confirmation of servicing requirements will be completed as part of the detailed design and engineering review prior to development proceeding.

One outstanding consideration is the sanitary servicing capacity of the Town of West Lorne. Municipal staff are continuing to review and refine the available sanitary flow and capacity calculations to establish a more accurate assessment of the system's existing and future capacity. This review is important as the available sanitary capacity may have implications for the extent and timing of future development within West Lorne.

Until the sanitary capacity assessment is finalized, it cannot be confirmed that the full build-out of the proposed plan, or other future development within the Town, can be accommodated by the existing sanitary system. The findings of this assessment may therefore influence the final servicing requirements, phasing, or overall development potential of this project.

At this time, staff are recommending that the application(s) proceed through the appropriate review process, with final approval and detailed servicing considerations remaining subject to confirmation of municipal sanitary capacity and acceptance of the final engineering design.

Chief Administrative Officer: No comments.

Public: No comments have been received from the public at the time of this report.

Financial Implications:

Application fees were collected in accordance with the Municipality's Fees and Charges By-law, as amended from time to time.

Alignment with Strategic Priorities:

Infrastructure Improvement	Recreation	Economic Development	Community Engagement
☒ To improve West Elgin's infrastructure to support long-term growth.	☐ To provide recreation and leisure activities to attract and retain residents.	☐ To ensure a strong economy that supports growth and maintains a lower cost of living.	☐ To enhance communication with residents.

Statutory Notice Requirements:

The Notice of the Public Meeting was provided in accordance with the provisions of the Planning Act. Property owners within 120m of the subject lands were provided notice through regular mail delivery. Applicable persons and public bodies were provided notice of the Public Meeting and a request for comments via email. Signage advising of the date of the Public Meeting, as well as the purpose and effect of the application, was placed on the subject property.

Upon Council making a decision regarding D14 06-2026, the required notice of decision will be circulated as prescribed under the regulations of the *Planning Act*. There is a 20-day appeal period where objections may be submitted to the Ontario Land Tribunal (OLT). To ensure that the OLT has regard to Council's decision, Council should be able to demonstrate that its decision was fully supported by relevant information and that the information was considered by Council.

Conclusion:

Subject to receiving additional comments from the public and Council, staff is in a position to state that the proposed zoning by-law amendment as proposed in By-law 2026-39 is;

- i) Consistent with the direction of the Provincial Planning Statement 2024, including but not limited to Sections 2.1.4, 2.2.1, 2.3.1.1 and 2.3.1.2;
- ii) Conforms to the relevant policies of the Elgin County Official Plan, including but not limited to Sections 4.2 and 4.3;
- iii) Conforms to the relevant policies of Municipality of West Elgin Official Plan, including but not limited to Sections 2.2, 3.3.1, 3.3.2.2, 3.3.3 and 7.23 and;
- iv) Satisfies the criteria of Zoning By-law 2015-36, subsection 10.3 as amended.

Therefore, staff recommends approval of Zoning By-Law No. 2026-39.

Respectfully submitted by:

Diana Morris

Senior Planner

Reviewed by:

Mat Vaughan

Director of Planning and Development (Elgin County)

Approved By:

Robin Greenall

Chief Administrator Officer

Attachments:

Appendix 1- By-law 2026-39

Report Approval Details

Document Title:	194 Ridge Street and 172 Chestnut Street- Zoning By-law Amendment - 2026-20-Planning.docx
Attachments:	- Appendix 1-Zoning By-law 2026-39.pdf
Final Approval Date:	Sep 4, 2026

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

Robin Greenall

Appendix 1- Draft By-law 2026-39



MUNICIPALITY OF
West Elgin

The Corporation of the Municipality of West Elgin

By-Law No. 2026-39

Being a By-Law to Amend the Municipality of West Elgin Comprehensive Zoning By-Law No. 2015-36

Whereas the Council of the Corporation of the Municipality of West Elgin deems it advisable to amend By-law No. 2015-36, as amended, being the Comprehensive Zoning By-law of the Municipality of West Elgin:

Now Therefore the Council of the Corporation of the Municipality of West Elgin enacts as follows:

1. **THAT** Schedule "C" Map No. 6 to By-law No. 2015-36, is hereby amended by changing the subject property from Residential First Density (R1) Zone and Future Residential (FR) Zone to a Site-Specific Residential Third Density (R3-8) Zone for those lands outlined on **Schedule 'A'** attached hereto and forming part of this By-law.
2. **THAT** Subsection 10.3- Site-Specific Zones of By-law 2015-36, as amended, is hereby further amended by adding the following Special Provisions:

"10.3.8 a) Defined Area (194 Ridge Street and 172 Chestnut Street)
R3-8 as shown on Schedule "C" Map No. 6.

b) Additional Permitted Uses

i) The dwelling existing prior to passing of this by-law can be used for a temporary leasing centre for a period not exceeding three (3) years from the date of passing of this by-law or once all lots within the proposed development are sold, whichever comes first.

Leasing Centre is defined as *"An existing dwelling used in the interim for the purpose of an office and/or show room/sales to promote the sale/rental of residential units within an approved development."*

ii) The dwelling existing prior to passing of this by-law can be used as guest suites.

Guest Suite is defined as *"The use of an existing dwelling for an intended short-term stay, for visitors and is not for permanent housekeeping or long-term tenancy."*

All other permitted uses in Section 10.1.1 shall apply

- c) Notwithstanding the provisions of Section 10 of the By-law, the lands zoned R3-8, the following provisions shall apply:

Maximum Lot Coverage	40%
Minimum front yard depth	6.0m
Minimum interior side yard depth (Townhouse)	1.8m where the side wall of a townhouse unit faces the lot line and 3.75m where the rear wall of a townhouse unit faces the lot line
Minimum exterior side yard depth (Townhouse)	1.8m where the side wall of a townhouse unit faces the lot line
Minimum rear yard depth	2.6m
Maximum building height	4 storey's shall be permitted for an Apartment building
Minimum Outdoor Amenity Area	36sqm per unit
Maximum parking coverage	27%
Yard Encroachment	Notwithstanding Section 4.29.1 of By-law 2015-36, Covered decks/patios may project not more than two and one-half (2.5) metres into any required front yard, exterior side yard or rear yard provided they do not project into any sight triangle.

- d) Where the development of any land is approved under Section 41 of the Planning Act and pursuant to a consent subsequently given under Section 53 of the Act or pursuant to an approval or exemption subsequently given under Section 50 of the Condominium Act, any part of the land is conveyed or otherwise dealt with, the regulations of this By-law are hereby deemed to apply to the land as a whole and to any building or structure thereon in the same manner and to the same extent as if the consent, approval or exemption was not given, so long as the land and any building or structure thereon are used and continue to be used for the purpose for which the development was approved.

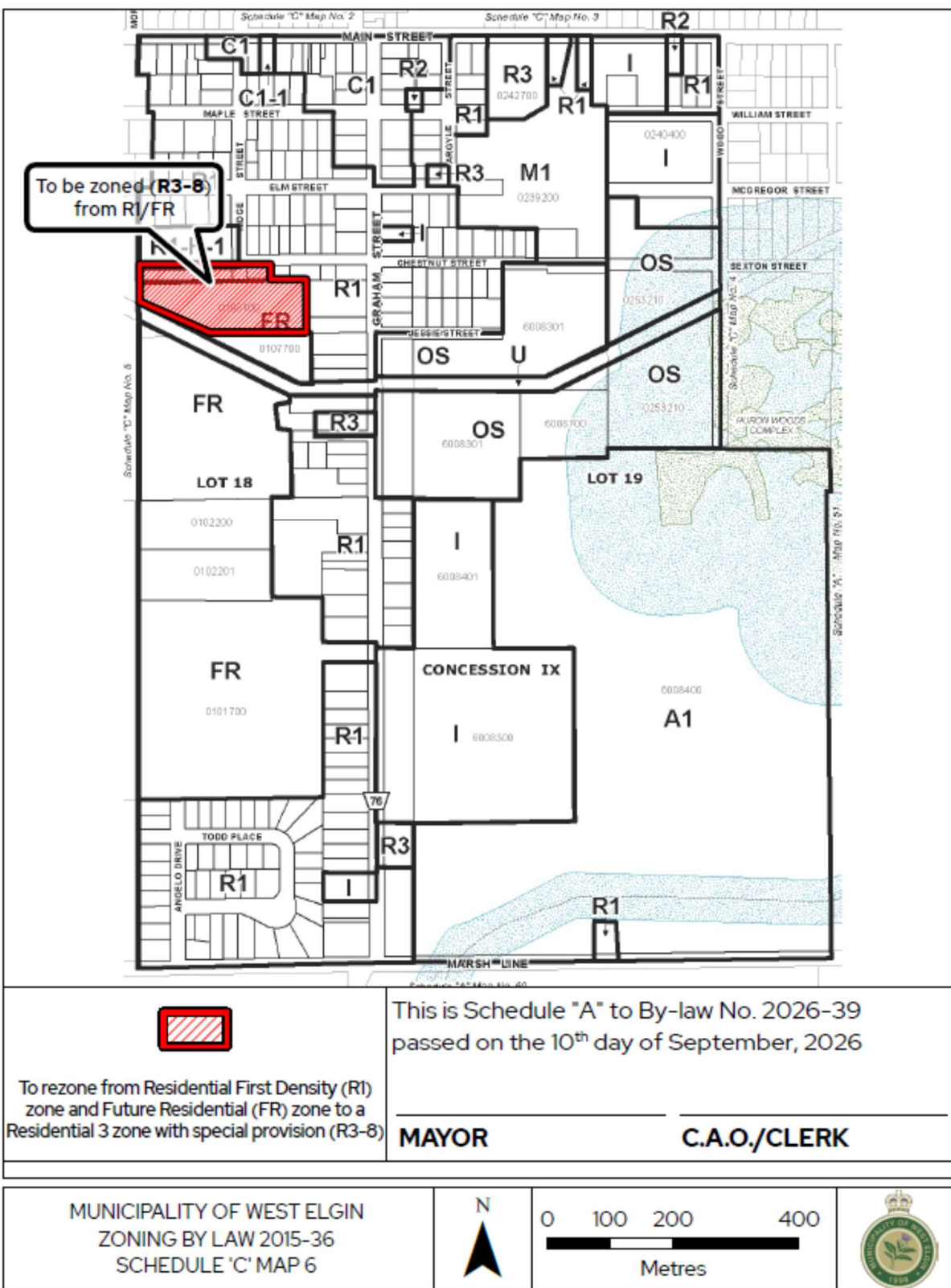
3. **THAT** this By-law shall come into force pursuant to Section 34(2) of the *Planning Act, RSO 1990*.

READ A FIRST AND SECOND TIME, CONSIDERING READ A THIRD TIME AND FINALLY PASSED THIS 10th DAY OF September, 2026.

Richard Leatham
Mayor

Terri Towstiuć
Clerk

Schedule A





Staff Report

Report To: Committee of the Whole
From: Diana Morris, Senior Planner
Date: 2026-09-10
Subject: Draft Plan of Subdivision 34T-WE2501 and Zoning By-law Amendment Application D14 09-2026- Recommendation Report (Planning Report 2026-21)- Elm Street

Recommendation:

That West Elgin Committee of the Whole hereby receives the report from Diana Morris, Senior Planner regarding Draft Plan of Subdivision Application and Zoning By-law Amendment Application (Application No. D14 09-2026) – Recommendation Report (Planning Report 2026-21), And

That West Elgin Committee of the recommends the approval of the proposed Draft Plan of Subdivision 34T-WE2501 to Elgin County, subject to the conditions listed in Appendix 3 to Planning Report PLA 2026-21 being assigned to any Notice of Decision by the County, for Council's consideration, And

That West Elgin Zoning By-law Amendment Application D14 09-2026 to rezone the subject property from Future Residential to a Site-Specific Residential Second Density (R2-3) Zone and to a Site-Specific Residential Third Density (R3-9) and a Site-Specific Open Space (OS-7) Zone as presented in By-law 2026-50 attached as Appendix 1 to Planning Report 2026-21 be recommended to Council, And

That subject to no concerns being raised at the public meeting, that By-law 2026-50 to amend Zoning By-law 2015-36, as amended, be presented at the regular meeting of Council on September 24th, 2026, for adoption. (Planning Report 2026-21).

Purpose:

The purpose of this application is to rezone the subject property from Future Residential to a Site-Specific Residential Second Density (R2-3) Zone and to a Site-Specific Residential Third Density (R3-9) and a Site-Specific Open Space (OS-7) Zone.

No concerns or objections have been identified by circulated agencies or the public at the time of writing this report.

Site Description:

The subject lands are legally described as Part of Lots 36, 70 and 79, Registered Plan No. 199 in the Municipality of West Elgin in the County of Elgin. The lands are located south of Elm Street and west of Graham Road, generally southwest of the downtown core of West Lorne. Existing road access is provided from Elm Street to the north and the terminus of Mehring Avenue to the east. The irregular shaped parcel of land has a total site area of 15.2 hectares (37.56 ac) and is predominately flat and presently used for agricultural cropland production.

There are two significant linear features which transect the Subject Lands: a municipal drain and hydro powerline corridor. **Figure 1- Location Map.**

The Brock Creek Drain is regulated by the Lower Thames Valley Conservation Authority and generally drains stormwater from north to south, from the terminus of Wellington Street to the southern property limit. Surface stormwater flows entering the drainage channel ultimately flow to Lake Erie. In addition to the physical drainage channel, municipal sanitary infrastructure has been placed via easement to the east of the drain.

The hydro corridor traverses the site to the north with overhead powerlines from the westerly limit of the property at Elm Street to the easterly property limit at Graham Street. The transmission corridor is not part of the Subject Lands.

The subject lands are located within the settlement area of West Lorne, a walkable community of predominately low-density residential uses, elementary & high school, West Lorne arena and community park (sports fields), and other commercial services within the downtown core.

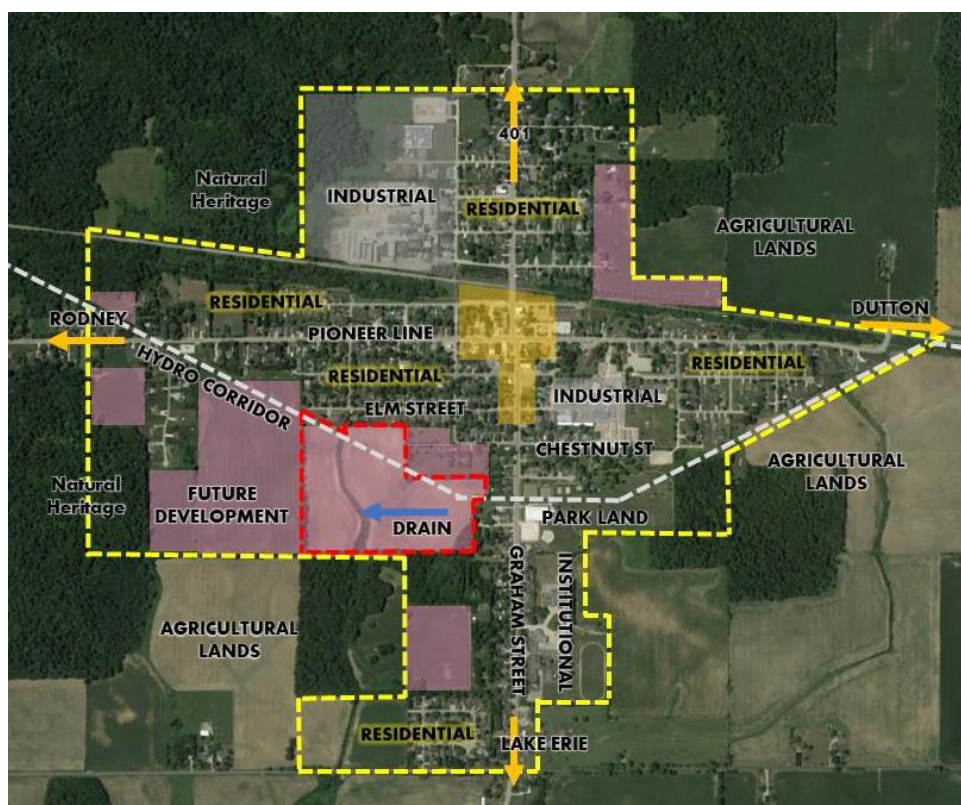
The immediate surrounding land uses include existing single detached residential homes to the north and east. Lands to the west are currently cultivated for agricultural uses but are designated and zoned for future residential development. To the south is a wooded natural area (outside the settlement area boundary) to be retained and other wooded areas and agricultural lands (within the settlement area) that are designated and zoned for future residential development (**Figure 2**).

Application D14 09-2026	
Owner	1000022065 Ontario Ltd. c/o Saravpreet Minhas
Address	Elm Street (no formal Municipal address assigned)
Water Supply	Municipal
Sewage Supply	Municipal

Existing Buildings/Structures	Vacant
Elgin County Official Plan	Tier 1 Settlement Area
Municipality of West Elgin Official Plan	Residential

Figure 1- Location Map



Figure 2- Surrounding Land Use Map**Proposed Development:**

The subject lands are proposed to be developed as a mixed-use residential community. The 15.1 ha of land would create six (6) new public roads (A' through 'F'), 113 single-detached residential lots, 10 semi-detached residential lots (20 dwelling units), and two (2) multi-unit blocks, for a total of approximately 157 dwelling units. The proposed development also includes two (2) blocks for a stormwater management pond, three (3) blocks for the municipal drain, two (2) blocks for open space and one (1) remnant parcel block. The stormwater management and municipal drain blocks would be dedicated to the municipality as a condition of draft plan approval. The proposed draft plan of subdivision is illustrated in **Appendix 2**.

Land Use	Number of Units/Blocks	Land Area (in hectares)
Single-detached dwellings	113	6.23
Semi-detached dwellings	10 (20 units total)	1.13
Medium Density	2 blocks (+/- 24 units)	0.83
Stormwater Management	2 blocks	0.98
Municipal Drain	3 blocks	1.57
Open Space	2 blocks	1.05
Right-of-Ways	3 blocks	3.28
Other Uses	1 block (remnant)	0.03
Total Area	+/- 157 units	15.1

Access to the development would be established by extending Mehring Street from Graham Road to the east. A new intersection would be created onto Elm Street to the north via Street 'C' that would also intersect the powerline corridor. Street 'B' and Street 'F' have also been oriented to potentially extend through the vacant lands to the north and connect to Ridge Street. Potential future development and street connection can be accommodated via Street 'A' to the west property limit and a reserve should those lands be developed in the future.

The two blocks (124 and 126) to the north property limit would be utilized for medium-density multi-unit residential developments, potentially in the form of townhouse dwellings.

A variety of residential lot sizes would be created to reflect contemporary building envelopes for both single detached and semi-detached lots. Lot depths vary in response to development constraints and street pattern. Variations in lot width and depth would create a variety of lot sizes resulting in multiple housing configurations and price points for a range of household types and incomes.

The approval of this Zoning By-law Amendment and Draft Plan of Subdivision will facilitate the future development outlined above and will establish the land uses on the subject lands.

Provincial Planning Statement (2024):

Policy 2.1.4- Planning for People and Homes:

To provide for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area, planning authorities shall:

a) maintain at all times the ability to accommodate residential growth for a minimum of 15 years through lands which are designated and available for residential development; and

b) maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned, including units in draft approved or registered plans.

Policy 2.2.1- Housing:

To provide an appropriate range and mix of housing options and densities to meet projected needs of current and future residents.

Policy 2.3.1.1 and 2.3.1.2- General Policies for Settlement Areas

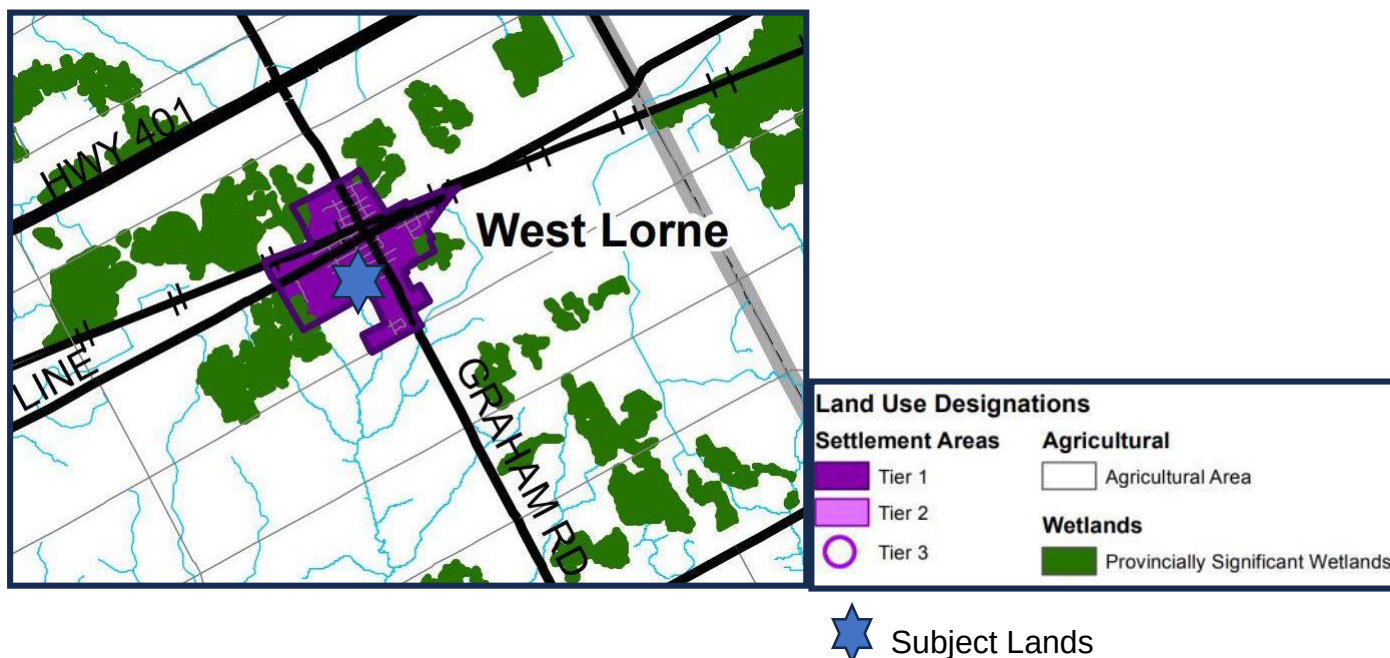
Settlement areas shall be the focus of growth and development and should be based on densities and a mix of land uses which efficiently use land and resources, optimize existing and planned infrastructure and public service facilities.

Comments: The proposed will provide additional residential units within a settlement area and increase the overall supply of housing to meet the Municipality's projected residential growth. The proposed development introduces a mix of housing forms that broaden the range of housing

opportunities and contributes to a more diverse housing supply. The subject lands are within a settlement area where growth and development are directed and will connect to existing municipal servicing infrastructure.

Elgin County Official Plan (2025):

The subject lands are within the **Tier 1 Settlement Area** within West Lorne.



Section 4.2- Residential Land Supply

The County shall ensure there is an adequate supply of residentially designated land in the County to accommodate a minimum of 15 years of residential growth (including redevelopment and intensification opportunities, and 'greenfield' land). Further, local municipalities shall be required to maintain, at all times, land with servicing capacity sufficient to provide at least a five-year supply of residential units available through lands suitably zoned and (where available) serviced.

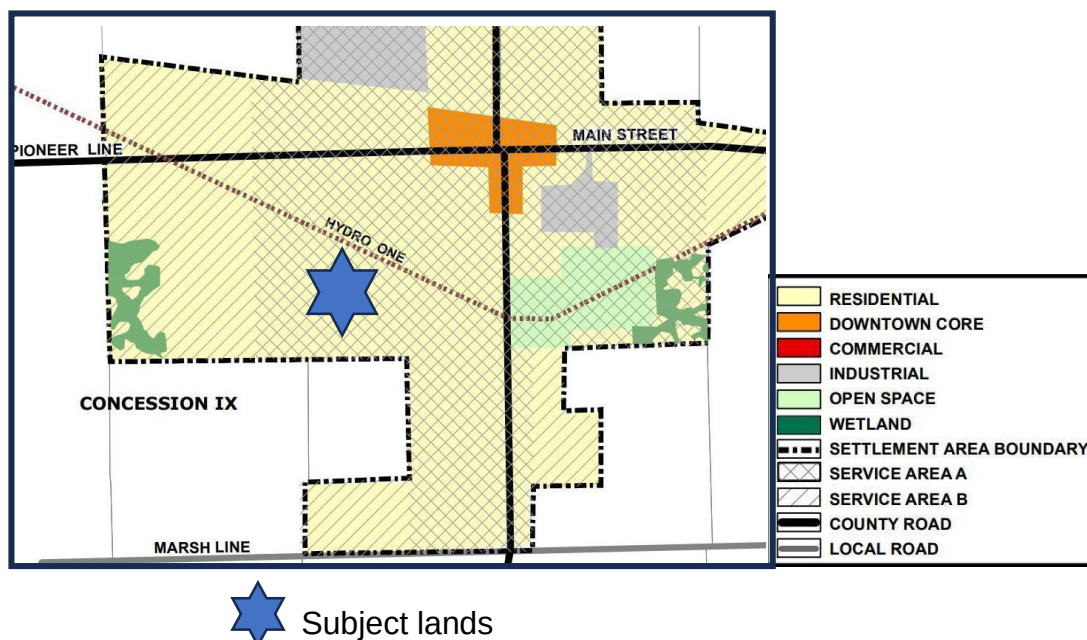
Section 4.3- Requiring a Mix of Housing

Providing for a range of housing typologies promotes affordability and ensures that the County maintains options for households at all stages of their lifecycle. In settlement areas where full municipal services are available, a range of housing typologies shall be provided. Where new residential development proposes single detached dwellings, they shall generally not comprise more than 70% of the dwelling mix. The proposed is slightly under this requirement at 69%.

Comments: The subject lands are within a designated settlement area (West Lorne) which can accommodate residential growth while providing a mix of housing and where servicing infrastructure exists.

Municipality of West Elgin Official Plan:

The subject lands are within the West Lorne Settlement Area and designated '**Residential**.'



Section 2.2- Goals

In alignment with the Provincial and County direction and to guide the future pattern of growth, the following five key goals have been established:

- a) To focus growth within the existing serviced settlement areas of Rodney and West Lorne while protecting the rural and agricultural character of hamlets and villages;*
- b) To achieve and foster sustainable growth in population, economic development and housing;*
- c) To improve the range of housing opportunities with compact and compatible development in an effort to build complete communities;*

3.3.1 Vision for Growth

The majority of the Municipality's future growth will be directed to the Tier 1 settlement areas of Rodney and West Lorne, as shown on Schedule 1. These settlement areas are the only areas of West Elgin which are serviced by municipal water supply and municipal sanitary sewage systems with reserve capacities to accommodate growth. By directing the majority of future population growth to the two villages, the amount of land needed to accommodate this growth will be used most efficiently, the viability of these settlements will be improved, the investment in municipal infrastructure better utilized and the loss of prime agricultural land to development minimized.

3.3.2.2 Settlement Area Hierarchy- Tier 1 Settlement Area

The Municipality has two tier 1 settlement areas: Rodney and West Lorne. These settlement areas generally have the largest population and are serviced by municipal water and municipal sanitary sewage systems. It is the intent of this Plan to direct the majority of growth to Tier 1 settlement areas through compact, complete mixed-use communities.

3.3.3 Development in Settlement Areas

Settlement areas are the focus of growth and development. Full municipal sewage and water services are the preferred form of servicing in the settlement areas. New development in settlement areas is intended to take place on full municipal services where possible.

Section 7.2.3- Residential

Areas designated for residential purposes include existing residential development and vacant lands for accommodating future residential development.

Section 7.2.3.3- Residential Density

The Municipality will support the County's overall minimum residential density target of 20 units per net hectare in Tier 1 Settlement Areas of Rodney and West Lorne by:

- a) promoting a mix of low and medium density housing opportunities;*
- b) encouraging the efficient use of land through the site plan and plan of subdivision process;*
- c) encouraging denser forms of development where appropriate; and,*
- d) updating the Municipality's Zoning by-law to include appropriate minimum and maximum densities for development, taking into account any servicing constraints/limitations in Rodney and West Lorne*

7.2.3.5- Housing Mix

In accordance with County policy, development proposals for undeveloped parcels shall incorporate a range of housing types and densities, such that no more than 70% of proposed dwelling units are composed of single detached dwelling.

Comments: The proposed development would accommodate a variety/diversity of housing forms and densities in order to support complete communities and meet the housing needs of future residents within a settlement area. The proposed single detached dwellings will account for slightly under the 70% maximum, at 69%.

Municipality of West Elgin Zoning By-law 2015-36 (ZBL):

The subject lands are currently zoned Future Residential (FR) Zone on Schedule 'C' Map No. 5.

In order to implement the proposed development, the requested zoning by-law amendment would rezone the lands to a Site-Specific Residential Second Density (R2-3) Zone and to a Site-Specific Residential Third Density (R3-9) Zone and a Site-Specific Open Space (OS-7) Zone.

Section(s)		Provisions	
Existing Zoning Future Residential (FR)		This zone applies to large undeveloped parcels in settlement areas designated 'Residential' in the West Elgin Official Plan and is intended for future residential purposes. The zoning which would ultimately be applied to these lands would be determined upon submission of a plan of subdivision or plan of condominium approvals and a development agreement entered into with the Municipality.	
Proposed Zoning Site Specific Residential Second Density (R2-3), Site Specific Residential Third Density (R3-9) and Site-Specific Open Space (OS-7)		The subject lands are proposed to be rezoned to Residential zones to permit a mix of housing types and open space zone for stormwater management and municipal drain blocks.	
Municipality of West Elgin Zoning By-law 2015-36	Residential 2 (R2) Zone Standards	Regulation	Proposed (R2-3)
	Minimum Lot Area (Single unit dwelling)	500sqm	370sqm
	Minimum Side Yard Width (Semi-detached)	1.5m and 7.5m abutting the street	1.2m and 4.0m on the side abutting the street
	Minimum Side Yard (Single unit)	1.5m, 4.5m on the other side and 7.5m abutting the street	1.2m with an attached garage, 1.2m on one side and 4.0m on the other side with no attached garage and 4.0m on the side abutting the street
	Residential 3 (R3) Zone Standards	Regulation	Proposed (R3-9)
	Minimum Side Yard (townhouse dwelling)	6.0m or one-half the height	3.0m to a wall with no window to a

		whichever is greater on an interior lot	habitable room and 6.0m to a wall with windows to a habitable room
	Minimum Rear Yard Depth (townhouse dwelling)	10.5m	3.0m to a wall with no window to a habitable room and 6.0m to a wall with windows to a habitable room
	Open Space (OS) Zone Standards	Regulation	Proposed (OS-7)
		Uses are not permitted	Addition of Stormwater Management Facility and Municipal Drain as permitted uses

The proposed site-specific zones are being requested to implement the conceptual plan which is intended to establish zone provisions for a mixed residential development incorporating a range of housing types/options.

The site-specific zoning by-law amendments (R2-3) aims to create a compact residential development that would offer a mix of built forms which would include singles, semis and townhomes on full municipal services. The requested provisions would allow for a greater degree of flexibility with respect to lot sizes/building envelopes that would maximize the functionality of each residential lot.

The medium density blocks (R3-9) are both irregularly shaped and the intent of the site-specific provisions is to maintain setbacks for the development blocks while maintaining flexibility. Design flexibility would maintain appropriate space from the property line by limiting placement of the built form. On walls where windows to a habitable room exist, the required setback is requested for the maintenance of building separation and would allow for reduced setback where no windows to habitable spaces occur. Generally, the reduced setback occurs along the side walls of multi unit developments. These design consideration place emphasis on the establishment of an appropriate separation for privacy and overlook rather than emphasis on the classification of the yard to which the setback is proposed.

The By-law can be found in **Appendix 1**.

Supporting Studies

Environmental Impact Assessment

MTE Consultants prepared an Environmental Impact Assessment to indicate potential ecological impacts on the nearby natural features. The findings included:

- no negative impacts are anticipated for the significant woodland retained on the subject lands or adjacent lands.
- a naturalized buffer of 15m is proposed. Appropriate erosion and sediment control measures are recommended to ensure that there are no direct impacts to Brock Creek Drain and the fish habitat.
- a monitoring plan is recommended to document the implementation of the mitigation and compensation measures.

The recommendations as outlined in the report will be implemented as conditions of Draft Plan approval.

Site Servicing and Feasibility Study

The site will be serviced by municipal water and wastewater, sanitary and storm servicing that can support the proposed development. Findings showed that the SWM facility is sufficient to meet both quality and quantity control requirements as outlined by the Municipality and Lower Thames Conservation Authority.

Archaeological Assessment Stage 1 & 2

No artifacts or archaeological resources were identified and as such, no further assessment was recommended.

Transportation Impact Study

The estimated trip generation from this development is 109 trips in the AM peak house (27 in and 82 out) and 144 trips in the PM peak hour (90 in and 54 out). The operational analysis focused on three intersections and these connections will be sufficient to accommodate traffic from the proposed full build out. The forecasted site traffic is not expected to introduce any operational problems on the surrounding road network and no external road improvements are specifically required to accommodate the proposed development.

Analysis and Comments:

Planning Policy Review

When considering applications under the provisions of the *Planning Act*, Planning authorities shall ensure that decisions are consistent with the direction and policies within the *Provincial Planning Statement (PPS 2024)*, do not conflict with Provincial Plans and are based on sound planning principles. Decisions shall also conform to the policies of the County of Elgin Official Plan (CEOP) and Municipality of West Elgin Official Plan (OP).

Circulation:

Lower Thames Valley Conservation Authority: No concerns from a zoning perspective. A permit would be required prior to any works/construction/site alteration taking place within 15 metres of the Trigger Drain and/or Wilton Drain. Conditions will be imposed as part of subdivision approval.

Building Department: No concerns.

Water: No comments.

Drainage: No comments.

Infrastructure and Development: The Infrastructure and Development Department has reviewed the subdivision submission and the supporting technical reports provided to date. Based on the information currently available, the Department has no concerns with the proposed development at this stage, subject to the submission and review of the final detailed design and supporting documentation.

The technical reports submitted with the application include calculations and supporting analysis that generally demonstrate that the proposed subdivision can be serviced without negatively impacting existing municipal infrastructure or the surrounding community. Final confirmation of servicing requirements will be completed as part of the detailed design and engineering review prior to development proceeding.

One outstanding consideration is the sanitary servicing capacity of the Town of West Lorne. Municipal staff are continuing to review and refine the available sanitary flow and capacity calculations to establish a more accurate assessment of the system's existing and future capacity. This review is important as the available sanitary capacity may have implications for the extent and timing of future development within West Lorne.

Until the sanitary capacity assessment is finalized, it cannot be confirmed that the full build-out of the proposed subdivision, or other future development within the Town, can be accommodated by the existing sanitary system. The findings of this assessment may therefore influence the final servicing requirements, phasing, or overall development potential of this project.

At this time, staff are recommending that the subdivision proceed through the appropriate review process, with final approval and detailed servicing considerations remaining subject to confirmation of municipal sanitary capacity and acceptance of the final engineering design.

Chief Administrative Officer: No comments.

Public: No comments have been received from the public at the time of writing this report.

Hydro One: conditions of draft plan approval will be implemented

Financial Implications:

Application fees were collected in accordance with the Municipality's Fees and Charges By-law, as amended from time to time.

Alignment with Strategic Priorities:

Infrastructure Improvement	Recreation	Economic Development	Community Engagement
☒ To improve West Elgin's infrastructure to support long-term growth.	☐ To provide recreation and leisure activities to attract and retain residents.	☐ To ensure a strong economy that supports growth and maintains a lower cost of living.	☐ To enhance communication with residents.

Statutory Notice Requirements:

The Notice of the Public Meeting was provided in accordance with the provisions of the Planning Act. Property owners within 120m of the subject lands were provided notice through regular mail delivery. Applicable persons and public bodies were provided notice of the Public Meeting and a request for comments via email. Signage advising of the date of the Public Meeting, as well as the purpose and effect of the application, was placed on the subject property.

Upon Council making a decision regarding D14 09-2026, the required notice of decision will be circulated as prescribed under the regulations of the Planning Act. There is a 20-day appeal period where objections may be submitted to the Ontario Land Tribunal (OLT). To ensure that the OLT has regard to Council's decision, Council should be able to demonstrate that its decision was fully supported by relevant information and that the information was considered by Council.

Conclusion:

Subject to receiving additional comments from the public and Council, staff is in a position to state that the draft plan of subdivision and proposed zoning by-law amendment as proposed in By-law 2026-50 are;

- i) Consistent with the direction of the Provincial Planning Statement 2024, including but not limited to Sections 2.1.4, 2.2.1, 2.3.1.1 and 2.3.1.2;
- ii) Conforms to the relevant policies of the Elgin County Official Plan, including but not limited to Sections 4.2 and 4.3;
- iii) Conforms to the relevant policies of Municipality of West Elgin Official Plan, including but not limited to Sections 2.2, 3.3.1, 3.3.2.2, 3.3.3, 7.23 and 7.2.3.5;
- iv) Satisfies the criteria of Zoning By-law 2015-36, subsections 9.3 and 10.3 as amended.

Therefore, staff recommends approval Zoning By-law No. 2026-50 as attached in Appendix 1 and approval of Draft Plan of Subdivision 34T-WE2501 (Appendix 2) subject to the endorsement of the conditions in Appendix 3.

Respectfully submitted by:

Diana Morris

Senior Planner

Reviewed by:

Mat Vaughan

Director of Planning and Development (Elgin County)

Approved By:

Robin Greenall

Chief Administrator Officer

Attachments:

Appendix 1- Zoning By-law 2026-50

Appendix 2- Draft Plan of Subdivision

Appendix 3- Draft Plan Conditions

Report Approval Details

Document Title:	Elm Street- Draft Plan of Subdivision 34T-WE2501 and Zoning By-law Amendment Application D14 09-2026 - 2026-21-Planning.docx
Attachments:	- Appendix 1-Zoning By-law No. 2026-50.pdf - Appendix 2- Draft Plan of Subdivision.pdf - Appendix 3- Draft Plan Conditions.pdf
Final Approval Date:	Sep 4, 2026

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

Robin Greenall

Appendix 1- Draft By-law 2026-50



MUNICIPALITY OF
West Elgin

The Corporation of the Municipality of West Elgin

By-Law No. 2026-50

Being a By-Law to Amend the Municipality of West Elgin Comprehensive Zoning By-Law No. 2015-36

Whereas the Council of the Corporation of the Municipality of West Elgin deems it advisable to amend By-law No. 2015-36, as amended, being the Comprehensive Zoning By-law of the Municipality of West Elgin:

Now Therefore the Council of the Corporation of the Municipality of West Elgin enacts as follows:

1. **THAT** Schedule "C" Map No. 5 to By-law No. 2015-36, is hereby amended by changing the subject property from Future Residential (FR) Zone to a Site-Specific Residential Second Density (R2-3) and Site Specific Residential Third Density (R3-9) Zone and a Site-Specific Open Space (OS-7) Zone for those lands outlined on **Schedule 'A'** attached hereto and forming part of this By-law.
2. **THAT** Subsection 9.3 and 10.3- Site-Specific Zones of By-law 2015-36, as amended, is hereby further amended by adding the following Special Provisions:

"9.3.4 a) Defined Area- R2-3 as shown on Schedule 'A' attached to this By-law.

b) Permitted Uses

Uses as outlined in Section 9.1.1 shall apply

- c) Notwithstanding the provisions of Section 9 of the By-law, the lands zoned R2-3, the following provisions shall apply:

Minimum Lot Area (*single unit dwelling*) 370 sqm

Minimum Side Yard Width
Semi-detached dwelling a) 1.2m provided that no side

yards shall be required between the common wall dividing the dwelling units

b) 4.0m on the side abutting the street and other requirements as listed in the R2 zone.

Single-detached dwelling

- a) 1.2m with an attached garage
- b) 1.2m on one side and 4.0m on the other side with no attached garage
- c) 4.0m on the side abutting the street and other requirements as listed above on the other side

“10.3.10 a) Defined Area- R3-9 as shown on Schedule ‘A’ attached to this By-law.

b) Permitted Uses

Uses as outlined in Section 10.1.1 shall apply

c) Notwithstanding the provisions of Section 10 of the By-law, the lands zoned R3-9, the following provisions shall apply:

Minimum side yard width (<i>townhouse dwelling</i>)	3.0m to a wall with no window to a habitable room and 6.0m to a wall with windows to a habitable room
Minimum rear yard depth (<i>townhouse dwelling</i>)	3.0m to a wall with no window to a habitable room and 6.0m to a wall with windows to a habitable room

d) Notwithstanding any future lot division, the provisions of the R3-9 zone is to be assessed as a whole

“25.3.7 a) Defined Area- OS-7 as shown on Schedule ‘A’ attached to this By-law

b) Additional Permitted Uses

Stormwater Management Facility
Municipal Drain

These are defined as follows:

Stormwater Management Facility- means the use of a premises where structures control and manage the quantity and quality of stormwater runoff.

Municipal Drain- A communal drainage system including ditches, closed pipes or creeks to resolve drainage issues on agricultural and urban lands. Shall also mean drainage works as defined by the *Drainage Act*, as amended, from time to time.

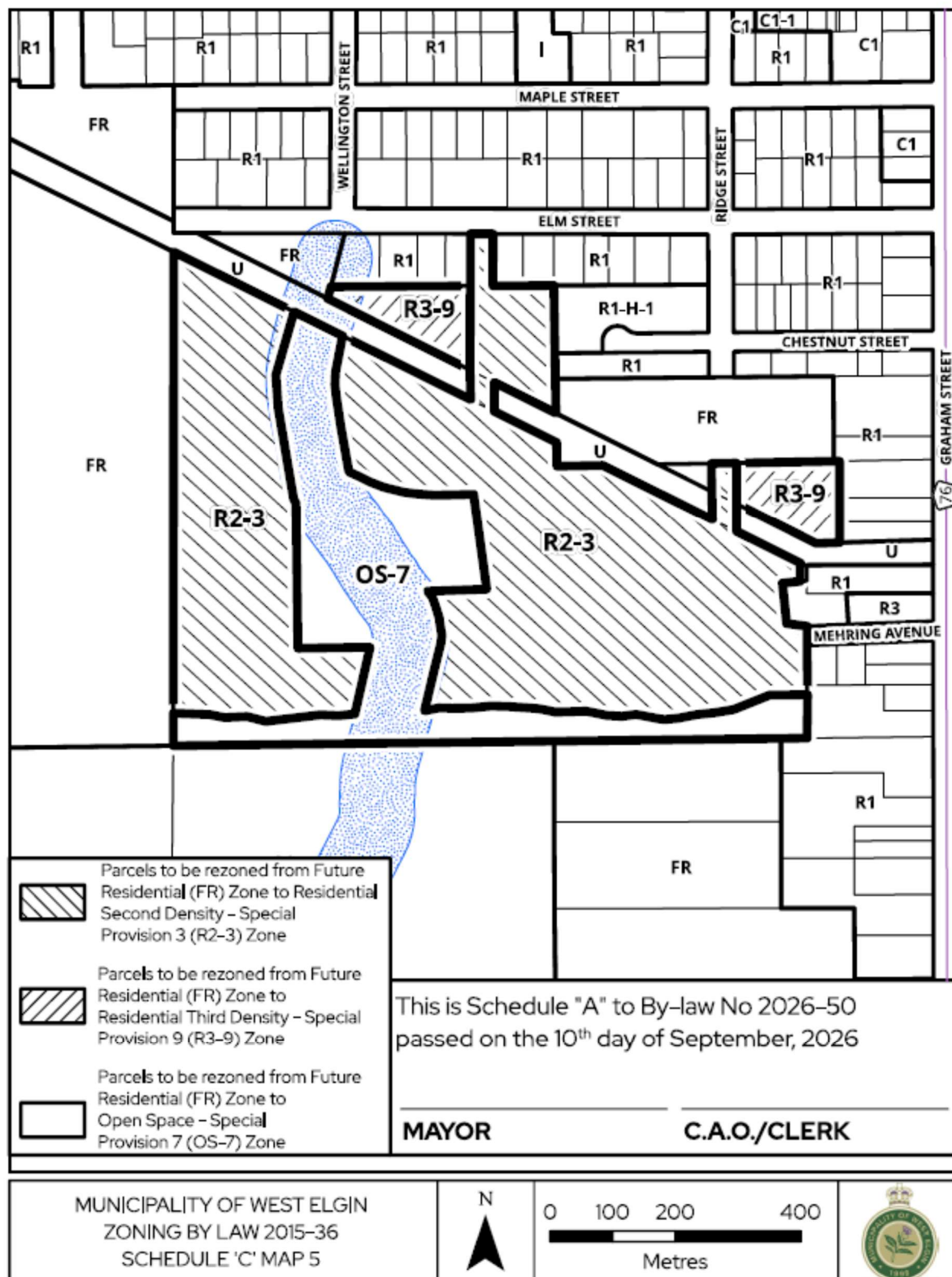
3. **THAT:** this By-law shall come into force pursuant to Section 34(2) of the *Planning Act*, RSO 1990.

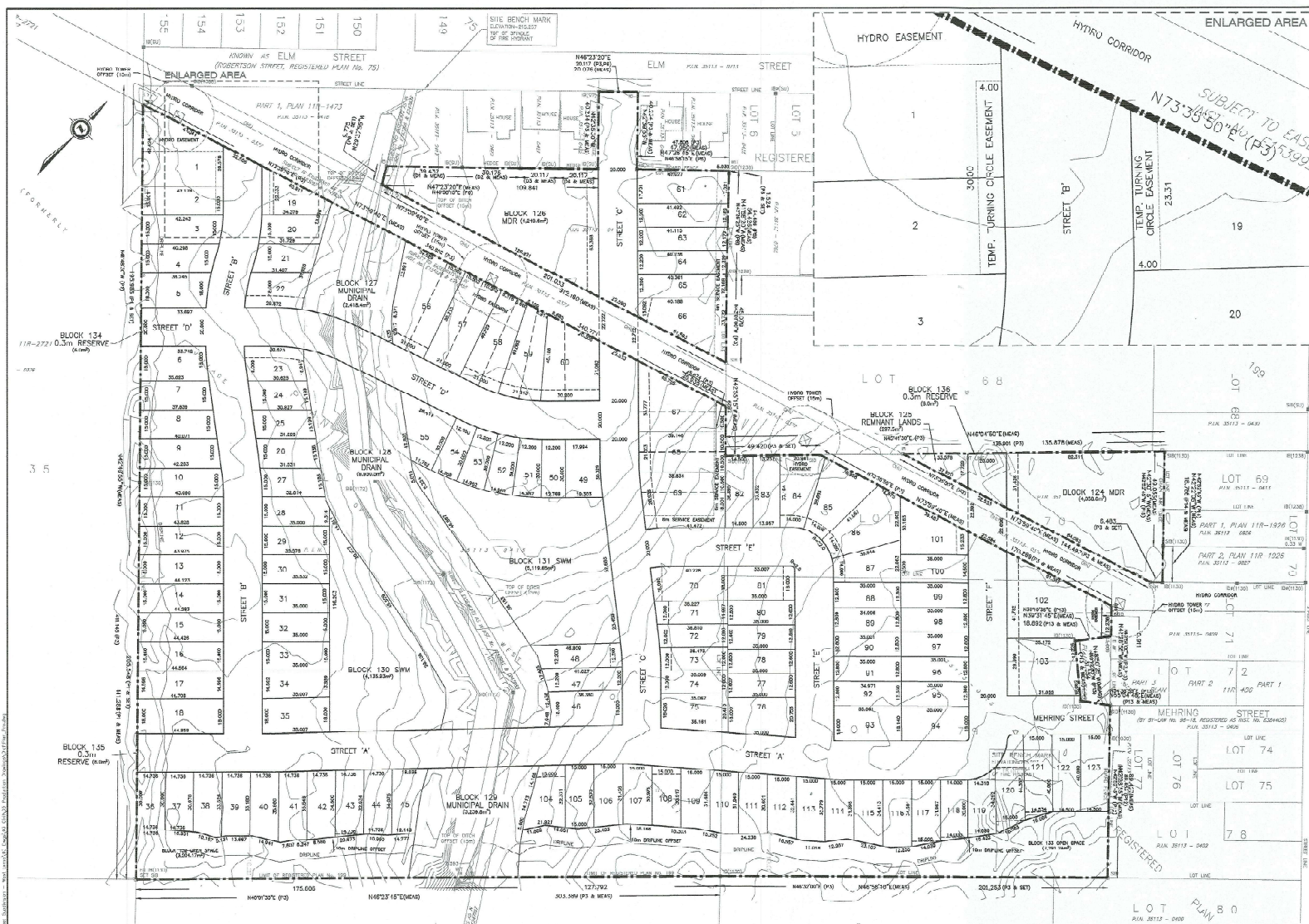
READ A FIRST AND SECOND TIME, CONSIDERING READ A THIRD TIME AND FINALLY PASSED THIS 10th DAY OF September 2026.

Richard Leatham
Mayor

Terri Towstiuć
Clerk

Schedule 'A'





KEY PLAN

LEGAL INFORMATION

PART OF
LOTS 36, 70 AND 79
REGISTERED PLAN No. 199
IN THE
MUNICIPALITY OF WEST ELGIN
COUNTY OF ELGIN

LEGEND:

- QUADRETER PROPERTY BOUNDARY
- PROPOSED LOT LINES
- TOP OF DITCH 15m BUFFER
- HYDRO TOWER 15m BUFFER
- HYDRO TOWER

LAND USE CHART

AREA TYPE	COUNT	COUNT	LAND AREA
SINGLE DETACHED	LOTS 1-25, 61-65, 70-101, 108-123	113	0.23 Ha
SEMI-DETACHED	LOTS 66-69, 67-69, 102-103	10 (20 UNITS)	1.13 Ha
MEDIUM DENSITY	BLK 120-126	2 BLOCKS	0.83 Ha
SWIM AREA	BLK 120-121	2 BLOCKS	0.88 Ha
MUNICIPAL DRAIN	BLK 122-126	3 BLOCKS	1.27 Ha
DRINK SPACE	BLK 120-121	2 BLOCKS	1.05 Ha
R.O.W.	STREET A-F, BLK 124-126	3 BLOCKS	3.28 Ha
OTHER USES	BLK 125 (SEMI-DET)	1 BLOCK	0.03 Ha
TOTAL AREA			15.1 Ha

REFERENCE DOCUMENTS:

1. TOPOGRAPHICAL PLAN OF SURVEY, COMPLETED BY MTC, DATED MAY 27, 2025.
2. TOPOGRAPHICAL PLAN OF SURVEY, COMPLETED BY MTC, FILE 48000-400-1 COPIES AND TIES.

OWNER'S CERTIFICATE:

I HEREBY CERTIFY THAT THE PLAN OF SUBDIVISION SUBMITTED TO THE COUNTY OF ELGIN FOR APPROVAL, DATED June 2026, IS THE PLAN OF THE SUBDIVISION.

SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LANDS TO BE SUBDIVIDED AND THEIR RELATIONSHIP TO ADJACENT LANDS ARE ACCURATELY SHOWN ON THIS PLAN.

METRIC:

DISTANCES SHOWN ON THIS PLAN ARE IN METRIC AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

AS CONSTRUCTED SERVICES DESIGN: JN CHECKED: NO DATE: 09/09/2023 DND: 21-1379		COMPLETION NO. 1 NO. 2 NO. 3 NO. 4 NO. 5 NO. 6 NO. 7 NO. 8		REVISIONS 1. INITIAL DESIGN FOR REVIEW 2. UPDATED AND SUBMITTED FOR REVIEW 3. FOR DRAFT PLAN APPROVAL 4. ADDED DRAINAGE 5. REVISIONS LISTING AS PER DRAINAGE SKETCH 6. REVISIONS AS PER DRAINAGE COMMENTS 7. REVISIONS FOR FINAL SIGNATURES 8. REVISIONS FOR SIGNATURES		DATE 04/01/23 03/02/23 03/02/23 20/11/23 14/01/24 16/06/24 15/04/24 08/06/24		BY JN JN JN JN JN JN JN JN		CONTRACT 04/01/23 03/02/23 03/02/23 20/11/23 14/01/24 16/06/24 15/04/24 08/06/24		DATE 04/01/23 03/02/23 03/02/23 20/11/23 14/01/24 16/06/24 15/04/24 08/06/24		BY JN JN JN JN JN JN JN		CONTRACT 04/01/23 03/02/23 03/02/23 20/11/23 14/01/24 16/06/24 15/04/24 08/06/24	
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**STRIK
BALDINELLI
MONIZ**

PLANNING - CIVIL - ARCHITECTURAL - MECHANICAL - ELECTRICAL
1600 KENNEDY RD. UNIT 101, LONDON, ONTARIO, N6A 4B8
Tel: (519) 471-6987 Fax: (519) 471-0004
Email: sbm@sbm.ca

**PRELIMINARY
NOT FOR
CONSTRUCTION**

1000022065 ONTARIO LTD.
 26 FIELDVIEW DR.
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DRAFT PLAN OF SUBDIVISION
WEST LORNE SUBDIVISION
 FLM STREET
 WEST LORNE, ON.

PROJECT NO:
SBM-21-1379

SHEET NO:
DP1

PLAN FILE NO:

APPENDIX 3- Municipal Recommended Conditions of Draft Approval 34T- WE2501

That Council of the Municipality of West Elgin recommend APPROVAL to the County of Elgin Approval Authority for the proposed Draft Plan of Subdivision 34T-WE2501 with the following Municipal conditions;

1. That this approval applies to the **draft plan of subdivision** prepared and certified by Jeremy Matthews **O.L.S., dated June 9, 2026**, that shows one-hundred and thirteen (113) lots for single detached dwellings, ten (10) lots for semi-detached dwellings for a total of 20 units, two (2) blocks for medium density residential uses, two (2) blocks for stormwater management, three (3) blocks for the municipal drain, two (2) blocks for Open Space, three (3) blocks Right-of-Ways, including reserves and one (1) block for a remnant parcel for lands legally described as Part of Lots 36, 70 and 79, Registered Plan No. 199, in the Municipality of West Elgin (formerly Village of West Lorne), County of Elgin.
2. The municipal road allowance included on the draft plan shall meet the standards of the Municipality of West Elgin and be shown and dedicated as public highways on the final plan submitted for approval and registration.
3. The streets within the draft plan of subdivision shall be named to the satisfaction of the Municipality.
4. That the Owner be required to enter into a development agreement with the municipality wherein the owner agrees to satisfy all the requirements financial and otherwise, including but not limited to: the payment of fees and development charges, provision of roads, installation and capacity of services, sanitary sewerage collection system, storm water collection system, water distribution system, utilities, stormwater management facilities, sidewalks, active transportation facilities, traffic signage, streetlighting system, pavement markings, temporary lot drainage, temporary drainage systems at limits of subdivision phases, fencing, buffering, retaining walls, and trees for the development of the lands within the plan, all in accordance with approved drawings and specifications.
5. That the development agreement between the Owner and the Municipality contain provisions requiring financial contributions be made and/or secured to the Municipality including all required letters of credit, cash securities and insurances (for a period of time up to and including two years after final completion of all required municipal infrastructure and services). Development Charges, Securities (100% of estimated work on public lands), Water Connection Fees, Deposit for legal fees, costs incurred by the Township, and all other associated fees to be paid upon submission of signed agreement.
6. That Securities be provided in a Letter of Credit or a Surety Bond to the satisfaction of the Municipality.
7. That the development agreement between the Owner and the Municipality be registered against the title of the lands to which it applies prior to the registration of the plan of subdivision.

8. That the Owner convey up to five percent (5%) of the land included in the plan to the Municipality for park or other recreational purposes or alternatively the Municipality require cash-in-lieu of all or a portion of the conveyance.
9. That the development agreement contains provisions to the satisfaction of the Municipality regarding the phasing or timing of the development. That the Owner shall submit plans showing any revised phasing to the Municipality for review and approval if this subdivision is to be developed in more than one registration.
10. That prior to final approval by Elgin County, the County is to be advised by the Municipality that this proposed subdivision conforms to the zoning by-law in effect. The Owner shall provide to the Municipality a table of lot areas and lot frontages certified by an Ontario Land Surveyor confirming compliance with the Zoning By-law.
11. That the Owner shall provide easements as may be required for services, access, maintenance, utility or drainage purposes, and where required by the Municipality, daylight corners and/or 0.3 metre reserves shall be shown on the final plan and conveyed in a form satisfactory to the Municipality and the relevant agency.
12. That the draft plan of subdivision include and show any required daylight/visibility triangles, to the satisfaction of the Municipality.
13. That the Owner provide to the municipality all servicing plans and reports for the review and final approval by the Municipality in accordance with the Development Standards Manual/to the satisfaction of the Municipality.
14. That prior to final approval, the Municipality shall confirm that reserve sewage treatment conveyance capacity and water supply capacity is available for all lots in the proposed development.
15. That the development agreement between the Owner and the Municipality, include the transfer of designated Right-of-Ways to the Municipality upon assumption.
16. That the development agreement between the Owner and Municipality include the dedication of the municipal drain and stormwater management blocks to the Municipality.
17. That the development agreement, between the Owner and the Municipality, contain provisions, to the satisfaction of the Municipality and the Lower Thames Conservation Authority that stipulates, that prior to obtaining final approval, for any phase of the development, that the Owner, will finalize an engineering analysis, to identify stormwater quality and quantity measures, and flood hazards, in accordance with any relevant municipal/provincial, standards or guidelines, in consultation with the applicable authority.
18. That the development agreement, between the Owner and the Municipality, contain provisions, to the satisfaction of the Municipality, that stipulates, that prior to obtaining final approval, for any phase of the development, that the Owner, will finalize the following plans and reports in accordance with any relevant municipal/provincial, standards or guidelines, in consultation with the applicable authority and the satisfaction of the Municipality:

- Grading Plans
 - Site Servicing Plans
 - Erosion and Sediment Control Plans
 - Phasing Plans
 - Sanitary and Storm Area Plans – showing pre and post tributary areas, outlets storm water management, calculations etc
 - Subdivision Plans
 - Details and Notes Plans as Required
 - Plan and Profiles
 - Landscaping Plans
 - Any other plans deemed necessary by the Township
19. That the recommendations outlined in the submitted Geotechnical Investigation Report prepared by MTE Consultants, dated August 22, 2025, be implemented, as required, to the satisfaction of the Municipality.
 20. That the recommendations outlined in the submitted Preliminary Hydrogeological Report prepared by MTE Consultants, dated September 11, 2025, be implemented, as required, to the satisfaction of the Municipality.
 21. That the recommendations outlined in the submitted Traffic Impact Study prepared by SBM Ltd, dated September 2022, and addendums dated July 14, 2025, and June 10, 2026, be implemented, as required, to the satisfaction of the Municipality.
 22. That the recommendations outlined in the submitted Environmental Impact Study prepared by MTE Consultants, dated September 15, 2025, and revised September 22, 2025, be implemented, as required, to the satisfaction of the Municipality and Lower Thames Conservation Authority.
 23. That prior to undertaking construction or site alteration activities, any necessary permits or approvals, be received, from the Lower Thames Conservation Authority.
 24. That the development agreement between the Owner and the Municipality shall contain the following clause:

In the event that an improperly constructed, maintained or abandoned Well is found upon or within any lands either conveyed to the Municipality as a requirement of the development agreement or lands which become owned by and/or under the jurisdiction of the Municipality as a result of the registration of the plan of subdivision, the Owner covenants and agrees to indemnify and save harmless the Municipality for all costs incurred relating to the capping, repairing or otherwise remediating of such Well in accordance with the applicable legislation, regulations, guidelines or orders. It is the intention of the parties that this provision shall survive the closing of any transaction related to the transfer of the applicable lands.

25. The Owner shall acknowledge that no grading or other soil disturbances shall take place on the subject property prior to the Owner's Licensed Archaeologist providing a letter to the Township and County indicating that there are no further concerns for impacts to archaeological sites on the subject lands. This is to be accompanied by a Ministry of Tourism, Culture and Sport letter indicating that the licensee has met the terms and conditions for Archaeological Licensing and that the report has been entered into the Ontario Public register of archaeological reports.
26. That the subdivision agreement between the Owner and the Municipality contain a provision requiring the owner to notify in writing each person who first offers to purchase any subdivided lot within the plan of subdivision of all approved development charges, including development charges for school purposes, relating to any such lot pursuant to Section 59(4) of the Development Charges Act, 1997, and the Education Act.
27. That prior to final approval by Elgin County, the Owner shall submit for review and approval by the Municipality, a draft of the final M plan.



Municipality of West Elgin

Minutes

Committee of the Whole

June 11, 2026, 4:00 p.m.
Rodney Recreation Centre
135 Queens Line
Rodney, ON

Present: Mayor Leatham
Deputy Mayor Tellier
Councillor Statham
Councillor Denning
Councillor Sousa

Staff Present: Robin Greenall, Chief Administrative Officer
Dave Charron, Manager of Infrastructure & Development
Terri Towstiuic, Manager of Community Services/Clerk
Emma Nilsson, Manager of Corporate Services/Treasurer

Also Present: Evan McKinstry, Jr. Planner, County of Elgin
Lindsay King, Policy Planner, County of Elgin

Committee of the Whole meetings are temporarily held in-person at 135 Queen Street, Rodney, and the post-meeting recording available at www.westelgin.net, when available (pending no technical difficulties).

1. Call to Order

Mayor Leatham called the meeting to order at 4:00 pm.

2. Adoption of Agenda

Resolution No. 2026- 30

Moved: Councillor Statham

Seconded: Councillor Sousa

That West Elgin Committee of the Whole hereby adopts the agenda for June 11, 2026, as presented.

Carried

3. Disclosure of Pecuniary Interest and General Nature Thereof

No disclosures

4. Adoption of Minutes

Resolution No. 2026- 31

Moved: Councillor Denning

Seconded: Councillor Statham

That West Elgin Committee of the Whole hereby adopt the Minutes of May 14, 2026, as presented.

Carried

5. Business Arising from Minutes

None.

6. Staff Reports

6.1 Infrastructure & Development

6.1.1 Water Service Meter Reading Software and Meters

Resolution No. 2026- 32

Moved: Deputy Mayor Tellier

Seconded: Councillor Sousa

That West Elgin Committee of the Whole hereby receives the report
Re: Water Service Meter Reading Software and Meters from D.
Charron, Manager of Infrastructure and Development; And

That West Elgin Committee of the Whole direct staff bring back a
final report to council for approval based on discussions.

Carried

7. Adjournment

Resolution No. 2026- 33

Moved: Deputy Mayor Tellier

Seconded: Councillor Sousa

That West Elgin Committee of the Whole hereby adjourn at 4:08pm, to move into Regular Session of Council.

Richard Leatham, Mayor

Terri Towstiuc, Clerk



Staff Report

Report To: Committee of the Whole
From: Lindsay King, Policy Planner
Date: 2026-09-10
Subject: West Elgin Comprehensive Zoning By-law Review – Project Scope

Recommendation:

THAT the Committee of the Whole receive the report from L. King, Policy Planner regarding the proposed scope of the West Elgin Comprehensive Zoning By-law Review; and

THAT the Committee of the Whole recommend that staff proceed with Option 1 – Comprehensive Zoning By-law Review; and,

THAT the Committee of the Whole recommend that Council direct staff to undertake the Zoning By-law Review in accordance with the scope described in this report as Option 1 and any additional direction provided by Council.

Purpose:

The purpose of this report is to inform the West Elgin Committee of the Whole and seek direction regarding the scope of the Municipality of West Elgin's Zoning By-law Review. The Municipality's current Comprehensive Zoning By-law was adopted in 2015. Since that time, changes have occurred to provincial planning legislation and policy, and the Municipality adopted a new Official Plan in 2025. An update to the Zoning By-law is therefore required to ensure that it conforms with the current Official Plan and remains consistent with applicable provincial planning legislation and policy. Staff have identified two potential approaches to completing the review:

Option 1 – Comprehensive Review: Undertake a comprehensive review of the Zoning By-law, including legislative and Official Plan conformity updates as well as broader changes to its structure, zones, definitions, provisions, mapping, formatting, and overall usability, where considered appropriate by staff.

Option 2 – Scoped Review: Retain the existing structure, zone framework, definitions, and general approach of the current Zoning By-law and undertake only those amendments necessary to ensure conformity with the Municipality's current Official Plan and consistency with provincial planning legislation and policy.

Committee direction regarding these two approaches will establish the scope of the project and provide staff with a clear framework to proceeding to Council for approval with the Zoning By-law Review.

Background:

Municipal zoning by-laws are the primary tool used to implement the vision, goals, and land use policies of an Official Plan. Under the *Planning Act*, zoning by-laws are required to conform to the applicable Official Plan and be consistent with the Provincial Planning Statement, 2024, as amended from time to time. As provincial legislation and policy evolve, municipalities are encouraged to periodically review and update their zoning by-laws to ensure they remain current, effective, and aligned with the provincial planning framework.

The Municipality of West Elgin's current Comprehensive Zoning By-law was adopted in 2015 and has been amended on numerous occasions to respond to individual development applications and changing local needs. While the by-law continues to function effectively as the Municipality's primary land use regulation tool, staff have identified opportunities to improve conformity with the current provincial planning policy and legislation, update and clarify zoning provisions, and address various administrative and technical matters identified through day-to-day implementation. In 2025, the Municipality completed a comprehensive review of its Official Plan. As the Official Plan was recently updated, no amendments to the Official Plan are anticipated as part of this project. Instead, the objective is to implement the policies of the recently adopted Official Plan.

Given the breadth of a Comprehensive Zoning By-law Review, the level of work undertaken can vary significantly depending on the Municipality's objectives. Establishing the project scope at the outset will provide clear direction to staff regarding the extent of the review, consultation program, technical work, project timeline, and anticipated deliverables.

Discussion:

Under Option 1, staff would undertake a comprehensive review of the Zoning By-law. This approach would include all amendments necessary to ensure conformity with the Municipality's Official Plan and consistency with provincial legislation and policy. It would also provide staff with direction to review the Zoning By-law more broadly and make changes considered appropriate to improve its effectiveness, clarity, and usability.

The comprehensive review may include:

- reviewing and updating definitions;
- reviewing existing zone categories and consolidating zones where appropriate;
- reviewing permitted uses and zoning regulations;
- reviewing general provisions;
- removing obsolete, redundant, or inconsistent provisions;
- addressing administrative issues identified through the implementation of the existing By-law;
- identifying opportunities to simplify zoning requirements and reduce unnecessary regulatory barriers;
- improving the organization, readability, and accessibility of the document;
- updating zoning mapping and incorporating historic amendments or correcting identified mapping anomalies;

- aligning zoning provisions with the Municipality's current planning and economic development objectives, where consistent with the Official Plan and provincial policy; and,
- undertaking targeted consultation with residents, businesses, agricultural stakeholders, development professionals, and other interested parties.

A comprehensive review would provide staff with flexibility to address issues identified throughout the review process without requiring Council to separately authorize each individual area of work. Staff are not proposing extensive new technical background studies as part of the comprehensive review. Several technical datasets relevant to zoning, including Source Water Protection, Natural Heritage and Hazard mapping, are maintained or being updated through County-level initiatives. Staff do not consider duplication of these studies to be necessary for the purposes of the Zoning By-law Review. This option is estimated to require approximately 1,800 to 2,500 hours of staff time and approximately 12 to 24 months to complete.

Under Option 2, staff would undertake a more limited review focused on bringing the existing Zoning By-law into conformity with the Municipality's current Official Plan and ensuring consistency with applicable provincial planning legislation and policy. The existing structure and general approach of the Zoning By-law would otherwise be retained. Staff would not undertake a broader reconsideration of matters such as the overall zone structure, consolidation of existing zones, definitions, organization of the document or zoning standards except where changes are required to achieve legislative or Official Plan conformity.

Under this approach, amendments would generally be limited to matters such as:

- implementing new or revised Official Plan policies;
- updating zoning provisions affected by changes to provincial legislation or policy;
- updating terminology where required by the Official Plan or provincial planning framework;
- making consequential amendments necessary to implement these changes; and,
- correcting minor errors directly encountered through the conformity exercise.

Option 2 would result in a more limited project and would retain the overall structure and regulatory approach of the existing 2015 Zoning By-law. Administrative improvements or modernization opportunities that are not required for conformity would generally be addressed separately through future housekeeping or site-specific amendments. This option is estimated to require approximately 500 to 800 hours of staff time and approximately 4 to 8 months to complete.

Consideration	Option 1 – Comprehensive Review	Option 2 – Scoped Review
Primary Objective	Update and modernize the Zoning By-law while achieving legislative and Official Plan conformity	Achieve legislative and Official Plan conformity.
Existing Format/ Structure	May be reorganized or revised	Generally retained
Zone Categories	Reviewed and potentially consolidated or revised	Generally retained
Definitions	Reviewed comprehensively	Updated only where required for conformity
General Provisions and Regulations	Reviewed comprehensively	Updated only where required for conformity
Mapping	Reviewed comprehensively	Updated only where required for conformity
Administrative Improvements	Included	Generally deferred
Estimated Staff Time	600-800 hours	150-200 hours
Estimated Cost	\$32,000	\$16,000
Estimated Duration	12-16 months	4-8 months
Overall Result	Modernized Comprehensive Zoning By-law	Updated version of existing Zoning By-law

Staff recommend Option 1 – Comprehensive Zoning By-law Review. While both options would address the Municipality’s legislative and Official Plan conformity requirements, a comprehensive review would allow staff to address broader issues that have accumulated since the existing Zoning By-law was adopted in 2015. In particular, staff have identified opportunities to consolidate certain zoning categories, improve definitions and general provisions, address mapping anomalies, remove obsolete requirements and improve the overall organization and usability of the By-law. Undertaking this work concurrently with the required conformity would all staff to be considered comprehensively rather than addressed through a series of incremental housekeeping amendments over subsequent years.

The recent adoption of the Municipality’s new Official Plan also provides an appropriate opportunity to reconsider how the Zoning By-law implements Council’s current land use planning framework. Option 1 would require a greater commitment of staff resources and a longer project timeline. However, staff are of the opinion that completing the broader review at this time would provide greater long-term value and result in a clearer more current and functional Zoning By-law.

Financial Implications:

The Zoning By-law Review is anticipated to be undertaken primarily in-house by Elgin County Planning staff in collaboration with Municipal staff. Completing the majority of the work internally will allow staff to draw upon their knowledge of the Municipality, its planning framework and local development context while limiting reliance on external consulting services.

The principal financial implication associated with the two options is staff time. Option 1 is estimated to require approximately 1,800 to 2,500 hours of staff time over approximately 12 to 24 months (estimated \$32,000). Option 2 is estimated to require approximately 500 to 800 hours over approximately 4 to 8 months (estimated \$16,000).

Staff are not recommending extensive technical background studies as part of either option. Should specialized technical work or professional services become necessary during the review, any associated financial implications would be identified for Council prior to proceeding.

Establishing a clear project scope at the outset will also help manage project costs and staff resources by defining project deliverables, consultation requirements, and technical work. This approach will reduce unnecessary revisions, limit changes in project direction, and support the efficient delivery of the project.

Policies/Legislation:

Section 26 of the *Planning Act* requires municipalities to periodically review and update their Official Plans to ensure consistency with provincial policy and conformity with applicable provincial plans. Pursuant to subsection 26(9), municipalities are further required to amend their zoning by-laws within three years of an Official Plan review coming into effect to ensure conformity with the updated Official Plan. As the Municipality of West Elgin adopted a new Official Plan in 2025, the proposed zoning by-law update represents the next step in implementing Council's land use planning vision while ensuring continued consistency with the *Planning Act*, the Provincial Planning Statement, 2024, and current provincial legislation.

Alignment with Strategic Priorities:

Infrastructure Improvement	Recreation	Economic Development	Community Engagement
☒ To improve West Elgin's infrastructure to support long-term growth.	☐ To provide recreation and leisure activities to attract and retain residents.	☒ To ensure a strong economy that supports growth and maintains a lower cost of living.	☒ To enhance communication with residents.

Conclusion:

While a comprehensive review represents a greater investment of staff resources, staff are of the opinion that completing the broader review at one time will provide greater long-term value than undertaking multiple incremental updates over several years. The recommended scope strikes an appropriate balance between legislative compliance, modernization, public engagement, and responsible use of municipal resources. Council's direction on the proposed scope will provide staff with a clear framework to proceed with the Zoning By-law Review and ensure that West Elgin is in legislative compliance.

Respectfully submitted by,

Lindsay King

Policy Planner

Reviewed by,

Mat Vaughan

Planning Director (County of Elgin)

Robin Greenall

Chief Ad

Report Approval Details

Document Title:	West Elgin Zoning By-law Review - Project Scope - 2026-18-Planning.docx
Attachments:	
Final Approval Date:	Sep 4, 2026

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

Robin Greenall



Staff Report

Report To: Committee of the Whole
From: Terri Towstiuc, Manager of Community Services/Clerk
Date: 2026-09-10
Subject: Procedural By-law Review and Modernization

Recommendation:

That West Elgin Committee of the Whole hereby receives the report from Terri Towstiuc, Manager of Community Services/Clerk regarding a review and modernization of West Elgin's Procedural By-law, And

That Committee of the Whole direct staff to bring back an updated Procedural By-law at a future Council meeting, for approval and adoption.

Purpose:

The purpose of this report is to provide the members of the COTW with an overview of the current [West Elgin Procedural By-law \(2024-05\)](#), provide modernization recommendations, and compare the current structure and process with neighbouring municipalities. Comparative examples include the Township of Malahide and the County of Elgin, both of which were amended in 2025 and are currently in practice. The Township of Malahide was selected as a comparative, as it was methodically created with a strong focus on Roberts Rules of Order and provides a clear and modernized framework, while the County of Elgin followed by using Malahide as a guide to adopt their own by-law.

The intention is not to duplicate either by-law verbatim, but to establish a West Elgin specific procedural framework that reflects current municipal practices, improves agenda efficiency, supports public participation and provides clearer direction to Council, staff and the public. In accordance with the directions contemplated by this report, provisions associated with Strong Mayor Powers are to be removed.

Similarly, although the County of Elgin by-law provides a useful secondary model, its governance structure contains numerous County-specific provisions. The County by-law includes sections addressing its' Council structure and offices that are not appropriate for a lower-tier West Elgin procedural by-law. An amended West Elgin by-law should therefore use only those provisions that improve local meeting administration, public participation, agenda management or parliamentary procedure.

Background:

The existing West Elgin Procedural By-law contains the fundamental provisions necessary for conducting municipal meetings, including meeting procedures, agendas, delegations, minutes, rules of conduct, motions, voting, committees and closed meetings.

The existing agenda structure separately lists staff reports, including quarterly reports, committee/board reports, accounts, correspondence and items requiring Council consideration.

The existing by-law recognizes Robert's Rules of Order as the supplementary parliamentary authority where the by-law is silent, such as provisions listed under "Points Not Provided For," requiring reference to Robert's Rules where questions arise concerning interpretation or procedures not otherwise addressed.

Accordingly, the recommended amendments represent an evolution and modernization of West Elgin's existing practices rather than a fundamental change to Council governance.

High-Level Comparison

Area	West Elgin	Malahide	County of Elgin	Recommended West Elgin Approach
Overall Structure	Functional but comparatively condensed	Highly organized and detailed, with clearly separated definitions, meeting procedures, agendas/minutes, order of proceedings, delegations, debate, motions and voting	Comprehensive and detailed, with separate provisions for Council and Committee of the Whole	Use Malahide as the primary structural model, supplemented by appropriate County provisions
Agenda Organization	Quarterly reports, committee/board reports and correspondence appear as separate	Separates Council business into clearly defined categories and	Separates reports, correspondence, presentations/delegations and Committee of the Whole business	Adopt Malahide-style agenda organization (see recommended structure below).

Area	West Elgin	Malahide	County of Elgin	Recommended West Elgin Approach
	agenda categories	incorporates a Consent Agenda		
Consent Agenda	No formal consent agenda	Expressly provides for a "Business for Approval (Consent Agenda)"	Uses categories for information reports and correspondence rather than the same Malahide consent model	Establish a West Elgin Consent Agenda
Quarterly Reports	Staff reports, including quarterly reports, appear as regular business	Framework permits routine matters to be handled more efficiently through agenda categorization	Separates information reports from matters requiring immediate consideration	Place routine quarterly updates on Consent Agenda
Correspondence	Separate agenda category	Correspondence appears as a Consent Agenda item	Detailed correspondence provisions; receipt does not constitute endorsement	Place routine correspondence on Consent Agenda; pull items requiring action
Committee/ Board Minutes	Committee minutes are forwarded to Council to be received as information	Committee minutes are presented to Council for information, with recommendations requiring Council approval brought forward separately	Outside-board reports are expressly contemplated	Acknowledge all submitted minutes; separately identify recommendations requiring action

Area	West Elgin	Malahide	County of Elgin	Recommended West Elgin Approach
Delegations	Generally maximum 10 minutes; existing deadline is noon Monday before the meeting	Maximum 15 minutes; request deadline is noon Friday of the week prior	Maximum 15 minutes; eight days' notice	Permit West Elgin requests until noon on the business day immediately preceding the meeting, allowing delegates to speak on a specific agenda topic.
Presentations	Delegation terminology encompasses presentations	Primarily structured around delegations	Separately recognizes presentations and permits presentations of up to 10 minutes, subject to extension	Create separate definitions and rules for Delegations and Presentations
Public Accessibility	Existing framework provides for public meetings and delegations	Strong emphasis on openness, transparency, accessibility and public participation	Expressly identifies openness, transparency, accountability and opportunities for public input as guiding principles	Incorporate these principles and move Open Session to 6:00 p.m.
Parliamentary Authority	Robert's Rules already referenced	Uses parliamentary authority where the by-law is silent	Defines Rules of Procedure as the by-law together with Robert's Rules where necessary	Retain and clarify reference to current Robert's Rules

Items for Committee Discussion and staff recommendations.

Staff recommend that the Township of Malahide Procedural By-law be used as the principal model for restructuring West Elgin's Procedural By-law.

Malahide's by-law provides a logical progression from definitions and general provisions through duties, meeting procedures, agendas and minutes, order of proceedings, delegations, rules of debate, motions and voting. The structure of this document is easier to navigate and provides clear separation between administrative agenda procedures and parliamentary meeting rules.

A particular benefit of Malahide's detailed agenda structure is the inclusion of a Consent Agenda, Committee of the Whole Business, correspondence, closed session and confirming by-law in clearly identifiable sections.

Amendments to the West Elgin procedures should be simplified and adapted to expressly reference Robert's Rules of Order Newly Revised, current edition, where the by-law and applicable legislation do not provide sufficient procedural direction.

Consent Agenda

Malahide's model provides that items on its Consent Agenda are generally recommendations previously considered through Committee of the Whole that do not require further debate. The entire Consent Agenda may be approved through one motion, while allowing Council members to request specific items be removed for separate consideration.

Administration recommends expanding this concept to accommodate routine information. The West Elgin Consent Agenda should generally include:

- monthly departmental update reports where no decision or direction is requested;
- correspondence received for information;
- board and committee minutes;
- routine information reports; and
- other non-controversial administrative matters that do not require separate consideration.

Council maintains the ability to pull an item from the Consent Agenda, similar to current practice for correspondence items. Once removed, the item would be placed under the appropriate portion of the agenda for discussion and, where necessary, a separate resolution.

This approach would not reduce Council's access to information or authority over municipal matters. Rather, it would allow Council meeting time to be concentrated on policy, financial, strategic and decision-oriented matters requiring discussion.

Board and Committee Minutes

West Elgin's existing by-law already provides that minutes of all Council committees are to be forwarded to Council and received as information.

Malahide provides further useful distinction. Committee minutes are presented to Council for information, while recommendations from a committee requiring Council approval are brought forward for Council consideration. Staff recommend formalizing this distinction.

All minutes submitted by municipal boards and committees should be acknowledged and received by Council, normally through the Consent Agenda. Receipt of minutes should not be interpreted as Council approving every discussion or position contained within those minutes.

Where a board or committee recommendation requires Council authorization, funding, policy approval or other formal action, that recommendation should be identified separately for Council consideration.

This provides Council with a complete record of the activities of its boards and committees while ensuring that matters requiring Council authority remain visible.

Delegations and Presentations

The amended by-law should establish a clearer distinction between a Delegation and a Presentation.

West Elgin currently defines a delegation broadly as a person or group addressing Council for the purpose of making a presentation. Its current rules provide a maximum of ten minutes and require delegation materials by noon on the Monday before the regular meeting.

Malahide allows delegations of up to 15 minutes, unless extended by the Chair with majority consent, and establishes clear eligibility and conduct provisions.

The County provides another useful distinction by expressly identifying Presentations within its agenda and allowing presentations up to ten minutes, subject to Council extending the time.

Delegation

The proposed amendment for the West Elgin Procedural by-law, a Delegation should generally mean an individual, group or organization appearing before Council or Committee to:

- express a position or concern;
- provide information;
- request Council action;
- advocate for a particular outcome; or
- address another matter within municipal jurisdiction.

Presentation

A Presentation should be distinguished as a scheduled or invited appearance primarily intended to provide Council with professional, technical, statutory, intergovernmental or organizational information.

Examples would include annual financial statement presentations from the municipal auditor; Conservation Authority updates; presentations from the County of Elgin or other municipal partners; consultants presenting studies or master plans; and similar professional or agency briefings.

Unlike a delegation, a presentation may reasonably require additional time because of the technical nature or complexity of the information. The by-law should therefore permit the Clerk, in consultation with the Mayor and CAO, to schedule an appropriate presentation period, rather than applying the standard delegation limit. Typically, most presenters will advise the Clerk of the proposed length of time required for their delegation.

Delegation Deadline and Public Accessibility

Staff recommend amending West Elgin's delegation request deadline to 12:00 noon on the business day prior the scheduled meeting, and subsequently allowing for amendments to the agenda, to be published by end of the business day prior to the scheduled meeting. This recommendation should also be extended to correspondence, allowing for public correspondence submissions to be added to the agenda, referring to a particular agenda item.

This represents a substantial increase in accessibility compared with the existing requirement for submissions by noon Monday prior to a regular meeting. This allows for delegates to speak on a subject matter listed on the agenda, prior to Council making a formal decision on a particular matter.

The proposed West Elgin deadline recognizes that residents may become aware of an issue after an agenda has been published and provides a greater opportunity to participate without requiring Council to waive its rules.

The request must still identify the subject and purpose of the delegation and provide sufficient information for the Clerk to determine whether the matter falls within Council's authority and satisfies the by-law.

Closed Session at the Beginning of the Meeting

As part of the proposed agenda restructuring, staff recommends that Closed Session be moved to the beginning of the Council meeting, rather than occurring later in the order of business. West Elgin's existing order of business currently places Closed Session after staff reports, committee and board updates, correspondence and other items requiring Council consideration.

Moving Closed Session to the beginning of the meeting would allow Council to receive and consider matters that qualify for closed-session consideration under Section 239(2) of the *Municipal Act, 2001* before proceeding with open-session reports or discussion that may relate to those matters.

West Elgin's existing Procedural By-law already recognizes that meetings may be closed where the subject matter falls within the permitted exceptions under Section 239, including matters relating to municipal property, identifiable individuals, land acquisition or disposition, labour relations, litigation, solicitor-client privilege, confidential information, municipal information having monetary value, and negotiations.

This revised meeting structure would provide several practical benefits. Council would have the opportunity to receive confidential legal, personnel, property, negotiation, or other permitted information before considering related recommendations in open session. It would also reduce the likelihood of Council having to interrupt the public portion of a meeting to enter Closed Session later in the evening.

Closed Session, where required, including the required resolution to enter Closed Session and consideration of permitted matters under Section 239 of the *Municipal Act, 2001*.

Following Closed Session

Council rises from Closed Session and reports in open session as required, while maintaining the confidentiality of matters that are not authorized to be disclosed.

Implementing this amendment, the Regular Open Session, beginning with the public portion of the Council agenda, would commence at 6:00pm. This structure would support both efficient Council decision-making and **improved public accessibility**. Confidential matters could be dealt with before open business begins, while members of the public would have a reliable 6:00 p.m. commencement time for the portion of the meeting they are entitled to attend, also not requiring the public to leave the room for a period of time, while Council received any Closed Session items.

Meeting Commencement Time

Staff recommend establishing the regular Open Session commencement time at 6:00 p.m.

Where Closed Session business is required, Closed Session would commence at 5:00 p.m., with Council returning to Open Session at 6:00 p.m.

The primary rationale for this change is public accessibility and engagement. A 6:00 p.m. Open Session provides residents who work during conventional daytime hours the opportunity to travel home from work and attend a Council meeting either as an observer, delegation, or participant in a public meeting.

Where no Closed Session is required, Council would simply commence at 6:00 p.m.

The proposed amendment has the advantage of moving confidential administrative matters ahead of the public portion of the meeting rather than requiring residents attending Council to wait while Council enters a lengthy Closed Session during the meeting.

Robert's Rules of Order, Newly Revised

West Elgin's current by-law already recognizes Robert's Rules of Order where its own rules do not address a procedural matter.

The amended by-law would retain this concept but use clearer wording such as *Where a procedural matter is not provided for by the Municipal Act, 2001, other applicable legislation or this Procedural By-law, the current edition of Robert's Rules of Order Newly Revised shall be referred to for guidance, where applicable and not inconsistent with this By-law or applicable law.*

This provides the Chair and Clerk with an established parliamentary reference for unforeseen procedural circumstances while maintaining the primacy of Ontario legislation and West Elgin's own Procedural By-law.

Parliamentary Procedure, Formality of Council Proceedings and Terminology

West Elgin already contains many of the necessary procedural concepts, but they are less clearly organized as a complete parliamentary process. For example, the current by-law requires motions to be moved and seconded before debate, establishes rules for amendments and procedural motions, and contains provisions for points of order and privilege. It also requires a member to be recognized by the Chair before speaking and establishes limits on debate. The opportunity in modernization is therefore not simply to add Robert's Rules, but to make the actual mechanics of conducting a meeting much clearer and more consistently applied.

The modernized by-law should make it clear that merely discussing an agenda item or a staff recommendation does not necessarily mean that a motion is formally before Council. There should be an identifiable sequence:

1. **Chair introduces the item** and recognizes members wishing to speak or ask preliminary questions.
2. **A Member moves the motion** — for example, *"I move the recommendation as presented."*
3. **Another Member seconds the motion.**
4. **The Chair states the motion** and confirms that it is formally before Council. At this point, the motion is **"on the floor."**
5. **The Chair opens debate** and recognizes members wishing to speak.
6. Any **amendment or permitted procedural motion** must be properly moved and seconded and dealt with according to its priority.
7. Once debate has concluded, the **Chair puts the question** to Council.
8. **Council votes.**
9. The **Chair announces whether the motion is carried or defeated.**

This approach is consistent with the County model, which provides that a main motion introduces a substantive matter for decision and that motions must be moved and seconded before being debated or voted upon.

The amended by-law should incorporate standard parliamentary terminology, including Main Motion, Amendment, Point of Order, Refer, Postpone, Reconsider, Rescind, Recess, Adjourn and Division of the Question. Clear definitions and procedures will assist members in understanding when and how each parliamentary tool may appropriately be used and will support consistent application of the rules by the Chair.

Although West Elgin's current by-law already provides that Robert's Rules of Order applies where the Procedural By-law is silent, staff recommend that the amended by-law not rely upon Robert's Rules as a substitute for establishing the basic rules of municipal meeting procedure. The most frequently used parliamentary procedures should be expressly contained within West Elgin's own by-law, with Robert's Rules of Order Newly Revised, current edition, serving as the secondary authority only where the Municipal Act and Procedural By-law do not address a procedural question.

This approach would create a more structured and predictable meeting environment, assist the Chair in maintaining order and moving Council efficiently through its business, provide members with clear procedural tools for participating in debate and decision-making, and make Council's decision-making process easier for members of the public to understand.

Basic Examples of Common Parliamentary Terms

Parliamentary Term	Plain-Language Meaning	Example During a Council Meeting
Main Motion	A proposal asking Council to make a decision.	"I move that Council approve the 2027 Capital Budget."
Mover	The Member who formally introduces a motion.	"Councillor Smith moves the recommendation."
Seconder	The Member who agrees that the motion should be placed before Council for consideration.	"I second the motion."
Motion on the Floor	A motion that has been properly brought before Council and is now available for debate and decision.	"The motion is now on the floor for discussion."
Amendment	A proposal to change the wording of the motion currently before Council.	"I move to amend the motion by changing the amount from \$20,000 to \$25,000."

Parliamentary Term	Plain-Language Meaning	Example During a Council Meeting
Point of Order	Used when a member believes the meeting rules or procedures are not being followed.	"Point of Order, Chair. The discussion is not related to the motion currently before Council."
Postpone / Defer	Delays consideration of the matter until a specified future meeting or time.	"I move that consideration of this matter be postponed until the next regular Council meeting."
Reconsider	Asks Council to reopen a matter that Council has already decided, subject to the rules in the Procedural By-law.	"I move that Council reconsider Resolution 2026-125."
Rescind	Seeks to cancel or repeal a previous decision of Council, subject to the applicable procedural requirements.	"I move that Resolution 2026-125 be rescinded."
Division of the Question	Separates a motion containing distinct parts so each part can be considered and voted on separately.	"I request that the motion be divided so the park project and arena project can be voted on separately."
Recess	Temporarily pauses the meeting.	"I move that Council recess for ten minutes."
Adjourn	Formally ends the meeting.	"I move that the meeting be adjourned."
Recorded Vote	Records how each individual Member voted.	"I request a recorded vote."
Carried	The motion received the required support and has been approved.	"The motion is carried."
Defeated / Lost	The motion did not receive the required support.	"The motion is defeated."
Withdraw a Motion	Removes a motion from consideration before Council has finally disposed of it, subject to the applicable rules.	"I request permission to withdraw my motion."
Recognized by the Chair	The Chair gives a member permission to speak.	"Councillor Jones, you have the floor."
Through the Chair	Members direct questions and comments through the presiding Chair rather than debating directly with another Member or staff.	"Through you, Mayor, could the Treasurer clarify the proposed expenditure?"

For West Elgin's amended Procedural By-law, staff recommend putting a concise version of these terms directly into the Definitions and Rules of Debate and Parliamentary Procedure sections. This

would give Council and committee members a practical reference during meetings rather than requiring them to consult Robert's Rules for routine procedural questions.

Proposed Agenda Framework

1. Call to Order
2. Approval of Agenda
3. Disclosure of Pecuniary Interest
4. Closed Session (if required)
5. Rise and Report from Closed Session
6. Open Session Commencement at 6:00 p.m.
7. Committee of the Whole (if required)
8. Announcements / Recognitions
9. Adoption of Council Minutes
10. Public Meetings
11. Presentations
12. Delegations
13. Consent Agenda
 - Monthly Departmental Update Reports
 - Correspondence for Information
 - Board and Committee Minutes
 - Routine Information Reports
14. Staff Reports
15. Unfinished Business
16. New Business / Notices of Motion
17. By-laws
18. Confirming By-law
19. Adjournment

A Municipal Council Procedural By-law establishes the rules and processes that govern how Council and its committees conduct meetings and make decisions. In Ontario, municipalities are required under the Municipal Act, 2001 to adopt a procedure by-law governing the calling, place, and proceedings of meetings. The procedural by-laws intent it to provide consistent meeting rules, support transparent and accountable decision-making, establish the other of business, define roles and responsibilities, set rules for debate and voting, regulate public participation, establish closed session procedures, promote orderly and efficient meetings, and provide procedural certainty.

The recommendations in this report and provided as a starting point for Committee discussion and recommendation for Council approval, and an upcoming meeting.

Financial Implications:

\$672+Tax, cost of notification in London Free Press (Public Notice By-law)

Policies/Legislation:

[Municipal Act, S. 238](#)

[Municipal Conflict of Interest Act, R.S.O. 1990](#)

[By-law 2024-04, West Elgin Procedural By-law](#)

Alignment with Strategic Priorities:

Infrastructure Improvement	Recreation	Economic Development	Community Engagement
☐ To improve West Elgin's infrastructure to support long-term growth.	☐ To provide recreation and leisure activities to attract and retain residents.	☐ To ensure a strong economy that supports growth and maintains a lower cost of living.	☒ To enhance communication with residents.

Respectfully submitted by,

Terri Towstiuc, Dipl. M.A.

Manager of Community Services/Clerk

Report Approval Details

Document Title:	Procedural By-law Review - 2026-36-Community ServicesClerks.docx
Attachments:	- By-law 2024-05 - Procedural By-Law 2024 Update.pdf - County of Elgin 25-06-Procedural-By-Law.pdf - Malahide Procedural_By-law.pdf
Final Approval Date:	Sep 4, 2026

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

Robin Greenall



The Corporation of The Municipality of West Elgin

By-Law 2024-05

Being a By-Law to establish rules of procedure for the meetings of Council, Council Committees and Boards of The Corporation of the Municipality of West Elgin, and Repeal By-law 2023-77

Whereas Section 238(2) of the *Municipal Act, 2001, S.O. 2001*, Chapter 25, as amended, provides that every Council shall adopt a Procedural By-Law for governing the calling, place and proceedings of meetings; and

Whereas Section 238(2.1) of the *Municipal Act, 2001, S.O. 2001*, Chapter 25 requires that the procedural by-law shall provide for public notice of meetings; and

Whereas Section 238(3.2) of the *Municipal Act, 2001, S.O. 2001*, Chapter 25 provides that the applicable procedure by-law may provide that a member of council, of a local board or of a committee of either of them, can participate electronically in a meeting to the extent and in the manner set out in the by-law; and

Whereas the Council of the Municipality of West Elgin deems it necessary to enact a procedural by-law to establish rules governing the calling, place, proceedings and giving of public notice of meetings of Council and its Committees;

Now therefore be it resolved that The Corporation of the Municipality of West Elgin hereby enacts as follows:

PART 1 SHORT TITLE

1.1. This By-Law shall be known as “The Procedural By-Law”.

PART 2 DEFINITIONS

- 2.1.** “CAO” means Chief Administrative Officer, or designate, for the Municipality of West Elgin.
- 2.2.** “Chair” means the person presiding at a meeting whether it be the mayor, a Member of Council or a duly appointed Member of a Committee.
- 2.3.** “Clerk” means the Clerk or designate, as appointed in writing by the Clerk, of the Municipality of West Elgin.

- 2.4.** “Closed Session” shall mean a meeting or part of a meeting of Council, a Council Committee or a Local Board and its Committees, not open to the public in accordance with the *Municipal Act, 2001, S.O. 2001, Chapter 25*, as amended.
- 2.5.** “Communication Device” shall include cellular phones, tablets, computers or any other technological equipment used for communication.
- 2.6.** “Committee” shall mean a Committee established by Council, the Members of which have been appointed by Council.
- 2.7.** “Conflict of Interest” means a pecuniary interest as defined in the *Municipal Conflict of Interest Act*.
- 2.8.** “Delegation” means a person or group of persons who address Council on behalf of an individual or a group for the purpose of making a presentation to Council.
- 2.9.** “Deputy Mayor” means the Member of Council who has been elected as a deputy mayor.
- 2.10.** “Electronic Participation” shall mean through a computer or telephone platform.
- 2.11.** “Emergency” means a situation or the threat of an impending situation caused by forces of nature, accidents or an intentional act that constitutes a danger of major proportions to life and property that affects public safety; meaning health, welfare and property as well as the environment and economic health of the municipality, as defined in the municipality’s Emergency Response Plan.
- 2.12.** “Head of Council” means the Mayor.
- 2.13.** “Meeting” shall mean any regular, special or other meeting of a council, of a local board or of a committee of either of them, where;
 - (a) A quorum of members is present, and
 - (b) members discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of the council, local board or committee.
- 2.14.** “Member” shall mean a Member of West Elgin Council, its Committees, or its local boards.
- 2.15.** “Municipal Office” shall mean the offices at 22413 Hoskins Line, Rodney Ontario.
- 2.16.** “Public Meeting” shall mean a public meeting as defined under any Act where Council has a requirement to hold a public meeting.
- 2.17.** “Quorum” shall mean a majority of the whole number of Members of Council or a Committee.

- 2.18.** “Recorded Vote” shall mean the recording of the name and vote by the Clerk of every Member voting on any matter or question during a Council meeting, in accordance with the *Municipal Act, 2001, S.O. 2001, Chapter 25*.
- 2.19.** “Resolution” means a vote taken on a motion that has been moved and seconded by Members of Council or Members of a Committee.

PART 3 GENERAL RULES

- 3.1.** Throughout this by-law, the words “he” and “his” shall, where appropriate; be deemed to read “she” and “her”.
- 3.2.** The rules and regulations contained in this by-law shall be observed in all proceedings of Council and Council Committees and shall be the rules and regulations for the order and dispatch of business in Council and Council Committees meetings.
- 3.3.** The provisions contained in this by-law shall govern the proceedings of Council and Committees, as appointed by Council from time to time, unless otherwise prescribed.
- 3.4.** Where this by-law is silent on a procedural matter the proceedings shall be regulated in accordance with Robert's Rules of Order, most recently revised addition.
- 3.5.** Any part or parts of this by-law may be suspended by a vote with the consent of Council Members present unless the part(s) is prescribed by statute or law.
- 3.6.** A Member of Council not able to be in attendance or who is going to be late for a meeting shall inform the Clerk in advance of the meeting, when possible.
- 3.7.** No person shall be allowed onto the floor of Council during meetings, except Members, employees and servants of the Corporation, and Delegations.
- 3.8.** Videotaping, video streaming or audio recording or streaming during a meeting requires a resolution of Council in advance of the meeting.
- 3.9.** All cell phones and electronic devices not required for conducting the meeting shall be turned off or turned to a silent mode.

PART 4 COUNCIL MEETINGS

4.1 Inaugural Meeting

Inaugural Meetings shall be held on the first Thursday of the new term of Council following a Regular Municipal Election at 7:00 pm. In case of inclement weather, the Inaugural Meetings shall be held on the first suitable day following, at the same hour, and Notice shall be given on the Municipal website and posted at the Municipal Office.

4.2. Regular Meetings

All meetings of Council, its Committees and local boards are open to the public except as provided in the *Municipal Act*, Section 239.

4.2.1. Location

Meetings of Council shall be held in the Council Chambers in the West Elgin Community Complex located at 160 Main Street, West Lorne, unless otherwise decided by Resolution of Council or as provided for in the *Municipal Act, 2001* when Notice is given. *Attendance by Council may be by electronic participation.*

4.2.2. Alter Time, Day, or Place

Council may, by Resolution, alter the time, day or place of any future Council and/or Council Committee Meeting.

4.2.3. Postponement of Meetings

Any regular meetings of the Council may be postponed to a day named in:

- a) A resolution of Council passed by the majority of Members; or,
- b) A notice by the Clerk as deemed necessary by the Clerk and Mayor, due to inclement weather or emergency, and Notice shall be given by the Clerk on the website and posted at the Municipal Office and directly to the Members.

4.2.4. Meeting Schedule

- a) Prior to the 31st of December in each year, the Council shall establish a schedule of all regular Council meeting dates for the calendar year. This Calendar shall be posted on the Municipal Website. This schedule is subject to change, at the call of the Chair.
- b) The meeting curfew shall be ~~be~~ six and a half (6.5) hours after the commencement of the Council meeting, on the published day of the meeting. Council may by resolution, proceed past the curfew for up to one hour, in order to proceed past the one-hour extension the unanimous consent of Members present shall be required.
- c) The Committee of Adjustment shall meet when required in conjunction with Regular Council meetings.

4.2.5. Procedure for electronic participation is as follows:

- 4.2.5.1.** The Chair shall read off each item on the agenda and canvas each member if they wish to speak on this item.

- 4.2.5.2.** The Chair or Clerk at Chair's request shall read the recommendation and the Chair shall call for a mover. The mover shall state his or her name and position.
- 4.2.5.3.** The Chair shall call for a seconder for the recommendation. The seconder shall state his or her name and position.
- 4.2.5.4.** The Chair shall canvas each member on their vote of ayes or nays.
- 4.2.5.5.** The Chair may choose to call for a recorded vote during an electronic participation meeting, if in the opinion of the Chair technical difficulties have arisen and they are unable to count the votes by a simple show of hands. 2021-04

4.2.6. Order of Business

- 4.2.6.1. The Agenda for each Meeting shall be prepared by the Clerk or designate. The order of the proceedings shall be as follows, or as otherwise determined by the Clerk or designate:

1. Call to Order
2. Adoption of Agenda (*Including Amendments to the Agenda*)
3. Disclosure of Pecuniary Interest
4. Public Meetings
5. Delegations
6. Adoption of Previous Minutes
7. Business Arising from Minutes
8. Staff Reports (*including Monthly Reports*)
9. Committee/Board Reports or Updates
10. Accounts
11. Notices of Motion
12. Council Announcements
13. Correspondence
14. Items Requiring Council Consideration
15. Closed Session
16. Report From Closed Session
17. By-Laws
18. Confirming By-Law
19. Adjournment

*The order of business may be altered to accommodate Council, delegations, Consultants, public or staff report/presentations.

- 4.2.6.2. At each duly constituted Regular Meeting of Council, the Minutes of the preceding Regular Meeting, Public Meeting and any Special Meeting shall be adopted by resolution of Council, subject to the correction of errors and omissions, and signed by the Mayor and the Clerk.

4.2.6.3. Amendments to the Agenda – Deadline

The deadline for receipt of added materials by the Clerk for addition to the regular Council Agenda shall be 12 noon on the business day prior to the Council Meeting.

4.3. Special Meetings

4.3.1. The Head of Council may at any time call a Special Meeting of Council.

4.3.2. In the event the Head of Council is absent, the CAO, may call a special meeting, in consultation with Council, if deemed necessary.

4.3.3. Upon receipt of a petition or a resolution of the majority of the Members of the Council, the Clerk shall summon a Special Meeting for the purpose and at the time mentioned in the petition. A resolution of Council shall be deemed to be a petition.

4.3.4. The only business to be dealt with at a Special Meeting is that which is listed in the Notice of the meeting.

4.3.5. The calling of a Special Meeting shall be in accordance with the Notice provisions in Section 5 of this by-law.

4.3.6. As per Section 238 (3.1) of the Municipal Act, S.O. 2001, members of Council are permitted to attend a Special meeting of Council through electronic means and still be counted towards quorum. 2021-04

4.3.7. Procedure for electronic participation is as follows:

- a) The Chair shall read off each item on the agenda and canvas each member if they wish to speak on this item.
- b) The Chair, or Clerk at the Chair's request, shall read the recommendation and call for a mover. The mover shall state his or her name and position.
- c) The Chair shall call for a seconder for the recommendation. The seconder shall state his or her name and position.
- d) The Chair shall canvas each member on their vote of ayes or nays.
- e) The Chair may choose to call for a recorded vote during an electronic participation meeting, if in the opinion of the Chair technical difficulties have arisen and they are unable to count the votes by a simple show of hands.

4.4. Public Statutory Meetings

4.4.1. Public Statutory Meetings shall correspond with the scheduled time of a Regular Council meeting.

4.5. Closed Session

4.5.1. All meetings of Council shall be open to the public except as provided for in Section 239(2), Section 239(3) and Section 239(3.1) of the Act.

4.5.2. A meeting or part of a meeting may be closed to the public if the subject matter being considered is:

- a) The security of the property of the municipality or local board;
- b) personal matters about an identifiable individual, including municipal or local board employees;
- c) a proposed or pending acquisition or disposition of land by the municipality or local board;
- d) labour relations or employee negotiations;
- e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
- f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- g) a matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act;
- h) information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or Crown agency of any of them;
- i) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;
- j) a trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value; or
- k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

4.5.3. A meeting or part of a meeting shall be closed to the public if the subject matter being considered is:

- a) A request under the Municipal Freedom of Information and Protection of Privacy Act, if the council, board, commission or other body is the head of an institution for the purposes of that Act; or
- b) An ongoing investigation respecting the municipality, a local board or a municipally-controlled corporation by the Ombudsman appointed under the Ombudsman Act, an Ombudsman referred to in subsection 223.13 (1) of this Act, or the investigator referred to in subsection 239.2 (1).

- 4.5.4.** A meeting of a council or local board or of a committee of either of them may be closed to the public if the following conditions are both satisfied:
- a) The meeting is held for the purpose of educating or training the members.
 - b) At the meeting, no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the council, local board or committee.
- 4.5.5.** Before holding a meeting or part of a meeting that is to be closed to the public, Council shall state by resolution the fact of holding a Closed Session and the general nature of the matter to be considered at the Closed Session; or in the case of a meeting that is an educational or training meeting, the fact of holding a Closed Session, the general nature of its subject matter and that it is to be closed as an education or training meeting.
- 4.5.6.** As provided in Section 239(5), subject to Subsection (6), a meeting shall not be closed to the public during the taking of a vote except if it is for a procedural matter or for giving directions or instructions to officers, employees or agents of the agents of the municipality, local board or committee of either of them or persons retained by or under a contract with the municipality or local board.
- 4.5.7.** When a Closed Session is necessary, it shall be a requirement that the minutes shall be prepared without note or comment and shall be approved at the next scheduled Closed Session.
- 4.5.8.** Confidential copies of all documents and reports shall be distributed to Council Members prior to the Closed Session.
- 4.5.9.** The Clerk shall be responsible for maintaining a confidential copy of all documents/reports distributed, relating to a Closed Session and for keeping confidential minutes of all Closed Sessions.
- 4.5.10.** Members and Staff shall respect the confidentiality of all matters disclosed to them and materials provided to them during Closed Sessions.
- 4.5.11.** As per Section 238 (3.1) of the Municipal Act, S.O. 2001, members of Council are permitted to attend a Closed Session of Council through electronic participation and still be counted towards quorum.

PART 5 PUBLIC NOTICE OF MEETINGS/AGENDAS

The notice requirements set out in this by-law are minimum requirements only and the Clerk may provide notice in an extended manner if, in the opinion of the Clerk, the extended manner is reasonable and necessary in the circumstances.

Any Notice usually posted on the municipal website shall be posted at the Municipal Office in the event that the website is unavailable.

Lack of receipt of Notice by any Member of Council shall not affect the validity of holding a meeting nor any action taken at a meeting.

5.1 Notice - Regular Meetings

- 5.1.1** At the beginning of each year, the meeting schedule shall be posted on the municipal website. In the event that the website is unavailable the meeting schedule shall be posted at the Municipal Office. The posting of the meeting schedule shall constitute Notice for all Council meetings. A note shall be placed on the meeting schedule to advise the public that the schedule is subject to change and the posted schedule shall be revised should a meeting time, date and/or location be changed.
- 5.1.2** In addition to section above, Notice of Council meetings shall be given by publication of the date and time of the next scheduled meeting in meeting minutes and the posting of meeting agendas on the municipal website prior to the meeting. The posted agenda shall also be considered as Notice of regular meetings of Council. The agenda shall include the date and time of the meeting.
- 5.1.3** The published agenda shall be considered adequate notice of the Regular Meeting Council.
- 5.1.4** The Clerk shall ensure that Notice of each Regular Meeting of Council is provided to the Members of Council and the public at least forty-five (45) hours in advance of said meeting.
- 5.1.5** The agenda for each Regular Meeting of Council shall be available forty-five (45) hours prior to the meeting.

5.2. Notice - Special Meetings

The Clerk shall ensure that Notice of each Special Meeting of Council is provided to the Members of Council and the public at least forty-five (45) hours in advance of the said meeting.

5.3. Notice - Emergency Meetings

Notwithstanding any other provision by this by-law, an Emergency Meeting may be held without written Notice, to deal with an emergency.

5.4. Notice - Change in Meeting Schedule

The Clerk shall provide Notice of cancellation of a meeting to Council, staff, the local media and all other known interested parties in advance of a meeting. Notice of cancellation of a meeting to the above shall be provided in a manner deemed to be effective and appropriate given the circumstance. The public shall receive Notice by posting on the municipal website and/or by posting Notice on the

entrance doors location at the municipal office; or in the event that the meeting is being held at another location, the entrance door of the meeting location.

PART 6 COMMUNICATIONS, DELEGATIONS & PETITIONS

- 6.1.** The deadline for the receipt of communication, delegations, or petition by the Clerk for inclusion on the Agenda shall be 12:00pm noon, on the Monday prior to the Regular Meeting of Council. A written or electronic copy or their presentation and purpose of the delegation must be included.
- 6.2.** Delegations shall be scheduled by the Clerk in accordance with the sequence of delegation requests, complete with information, received.
- 6.3.** Every petition, remonstrance, or other written application intended to be presented to the Council must be fairly written or printed and signed by at least one person.
- 6.4.** Communications and petitions addressed to the Mayor and Council shall be listed on the Agenda or included in a Council Information Package.
- 6.5.** Communications or petitions containing obscene or defamatory language shall not be listed on the Agenda but shall be held by the Clerk and may be directed to the police for investigation.
- 6.6.** Persons desiring to verbally present new information on matters of fact or make a request of Council shall contact the Clerk to make a timed delegation at Council.
- 6.7.** Delegations not providing sufficient notice may be heard at the discretion of a majority of Members of Council present.
- 6.8.** Delegations shall be limited in speaking to not more than ten (10) minutes in total per person, per group or per organization. A delegation consisting of five or more Members shall be limited to two (2) speakers.
- 6.9.** Council may refuse to hear delegations when, in the opinion of Council, the subject of the presentation is beyond the jurisdiction of the Municipality.
- 6.10.** Any person/organization shall be limited to two (2) delegations in a calendar year on the same subject matter.
- 6.11.** No person shall be permitted to address Council with respect to a specific personal issue, nor shall a brief respecting such issue be listed on a Council Agenda. A written brief by any person with respect to personal issues may be forwarded to the Clerk for consideration by Council in Closed Session.
- 6.12.** No person shall be permitted to address Council relating to any current litigation matters of which the Municipality is a party to the proceedings.

PART 7 MINUTES

- 7.1.** The Municipal Clerk or person designated by the Clerk shall record without note or comment all resolutions, decisions and other proceedings at a meeting of the body, whether it is closed to the public or not. The minutes, in the case of the meeting of a local board or committee, shall be recorded by the Clerk or the person designated by the Clerk.
- 7.2.** Minutes of the Council or Committee, whether it is closed to the public or not, shall record:
- 1) The date of the meeting;
 - 2) The record of the attendance of the Members;
 - 3) Disclosures of pecuniary Interest and the general nature thereof;
 - 4) Adoption of the minutes of prior meeting(s);
 - 5) All resolutions and decisions;
 - 6) All the other proceedings of the meeting without note or comment;
 - 7) Time of call to order, time of adjournment and time in and out of Closed Session, if any, or any Committee meeting.
- 7.3.** A resolution to adopt the minutes of a prior meeting may include the correction of any errors or omissions.
- 7.4.** Adopted minutes shall be signed by the presiding officer and by the Clerk, or person designated by him, that recorded the said minutes.
- 7.5.** The Minutes of the preceding Regular Meeting, Public Meeting and any Special Meeting shall be uploaded to the Municipal Website, only once adopted by resolution of Council subject to the correction of errors and omissions and signed by the Mayor and the Clerk.

PART 8 COMMENCEMENT OF MEETINGS

- 8.1.** The Mayor shall call the meeting to order as soon after the hour fixed for a meeting as a quorum is present.
- 8.2.** If there is no quorum present within fifteen minutes after the time appointed for the Meeting, the Council shall stand adjourned until the date and time of the next Regular or Special Meeting and the Clerk shall record the names of the Members present upon such adjournment.
- 8.3.** The Mayor, if present, shall preside at all meetings.
- 8.4.** The Deputy Mayor shall preside during the Meeting or until the arrival of the Mayor in the absence of the Mayor.
- 8.5.** In the absence of the Mayor and the Deputy Mayor, the Clerk shall call the Meeting to order fifteen minutes after the hour appointed for the Meeting, and the Members

shall appoint a Member by resolution to preside during the Meeting or until the arrival of the Mayor or the Deputy Mayor.

- 8.6.** Council shall recess for a period of five minutes if at any meeting the number of members is reduced to less than a quorum. The meeting shall stand adjourned if quorum is not achieved, subject to the provisions of the *Municipal Conflict of Interest Act*.

PART 9 ROLE OF THE MAYOR AS HEAD OF COUNCIL AND ROLE OF COUNCIL

- 9.1.** The roles of the Mayor and of Council shall be as per the Municipal Act, as amended.

- 9.2.** When presiding over Council meetings, the Head of Council shall:

- a) Open the meeting of Council by taking the chair and calling the Members to order;
- b) Announce the business before the Council in the order in which it is to be acted upon;
- c) Receive and submit, in the proper manner, all motions presented by the Members of Council;
- d) Put to vote all questions which are regularly moved and seconded, or necessarily arise in the course of proceedings, noting ayes and nays, and to announce the result;
- e) Vote on motions;
- f) Decline to put to vote motions that infringe the rules of procedure;
- g) Restrain the Members, within the rules of order, when engaged in debate;
- h) Enforce on all occasions the observance of order and decorum among the Members;
- i) Receive all messages and other communications and announce them to the Council;
- j) Authenticate, by his signature when necessary, all by-laws, resolutions, and minutes of the Council;
- k) Inform the Council, when necessary or when referred to for the purpose, on a point of order or usage;
- l) Represent and support the Council, declaring its will, and implicitly obeying its decision in all things;
- m) Adjourn the meeting when the business is concluded;
- n) Adjourn the meeting without question in the case of grave disorder arising in the Council Chamber.

ROLE OF HEAD OF COUNCIL

As per Section 225 of the Act, it is the role of Mayor as Head of Council:

- a) to act as chief executive officer of the municipality;
- b) to preside over council meetings so that its business can be carried out efficiently and effectively;
- c) to provide leadership to the council;

- d) (c.1) without limiting clause (c), to provide information and recommendations to the council with respect to the role of council described in clauses 224 (d) and (d.1);
- e) to represent the municipality at official functions; and
- f) to carry out the duties of the head of council under this or any other Act.

HEAD OF COUNCIL AS CHIEF EXECUTIVE OFFICER

As per Section 226.1 of the Act, as chief executive officer of a municipality, the head of council shall:

- a) uphold and promote the purposes of the municipality;
- b) promote public involvement in the municipality's activities;
- c) act as the representative of the municipality both within and outside the municipality, and promote the municipality locally, nationally and internationally; and
- d) participate in and foster activities that enhance the economic, social and environmental well-being of the municipality and its residents.

ROLE OF COUNCIL

As per Section 224 of the Act, it is the role of Council:

- a) to represent the public and to consider the well-being and interests of the municipality;
- b) to develop and evaluate the policies and programs of the municipality;
- c) to determine which services the municipality provides;
- d) to ensure that administrative policies, practices and procedures and controllership policies, practices and procedures are in place to implement the decisions of council;
- e) to ensure the accountability and transparency of the operations of the municipality, including the activities of the senior management of the municipality;
- f) to maintain the financial integrity of the municipality; and
- g) to carry out the duties of council under this or any other Act. 2001, c. 25, s. 224

As per Section 226 of the Act, a municipality may, with the consent of the head of council, appoint a member of council to act in the place of the head of council on any body, other than on the council of another municipality, of which the head of council is a member by virtue of being head of council.

PART 11 RULES OF CONDUCT - COUNCIL

11.1. No Member shall:

- a) Speak disrespectfully of the reigning sovereign, or any of the Royal Family, or of the Governor-General, the Lieutenant Governor, or any person administering the government of the Dominion of Canada, the Province of Ontario or of The Corporation of the Municipality of West Elgin.
- b) Use indecent, offensive or insulting language.
- c) Speak on any subject matter other than the subject in debate.
- d) Disturb the Council by any disorderly conduct.
- e) Speak disrespectfully of any Council Member or employee of the Municipality of West Elgin.

- 11.2. A Member shall not disobey the rules of the Council or a decision of the Mayor or of the Council on points of order or on the interpretation of the rules of procedure of the Council.
- 11.3. A Member shall not leave his seat or make any noise or disturbance while a vote is being taken or until the vote is declared.
- 11.4. A Member shall not interrupt a Member who is speaking, except to raise a point of order or a question of privilege.
- 11.5. In addition to powers granted by Section 241(2) of the *Municipal Act*, as amended, in the event that a Member persists in a breach of the Rules of this By-Law, after having being called to order by the Mayor, the Mayor may put the question "Shall the Member be ordered to leave his seat for the duration of the Meeting?" and such question is not debatable.
- 11.6. If the Council decides the questions set out in Section 10.5 of this by-law in the affirmative by a majority vote of the Members present, the Mayor shall order the Member to leave his seat for the duration of the Meeting.
- 11.7. If the Member apologizes, the Mayor, with the approval of the Council, may permit the Member to resume his seat.

PART 12 RULES OF CONDUCT – MEMBERS OF THE PUBLIC

- 12.1. Members of the public who constitute the audience in the Council Chamber, or other such place where a Meeting is held in accordance with Section 4 of this Procedural By-law, during a Meeting shall respect the decorum of Council, maintain order and quiet and may not:
 - a) Address Council without permission.
 - b) Interrupt any speaker or action of the Members or any person addressing Council.
 - c) Speak out.
 - d) Behave in a disorderly manner, or;
 - e) Make any noise or sound that proves disruptive to the conduct of the Meeting.
- 12.2. Placards, signs, posters, etc. or any advertising devices shall not be permitted in the Council Chambers, or any other location in which Council may conduct their business.
- 12.3. Should turn all electronic communication devices to "vibrate", "silent" or "mute" during the entire meeting or exit the meeting if they wish to make/receive a telephone call.
- 12.4. The Mayor or Chair may request that a member or members of the public vacate the Council Chambers or any other location in which Council may conduct their business if their behaviour is deemed to be disruptive to the business at hand.

PART 13 RULES OF DEBATE

- 13.1.** The Mayor shall preside over the conduct of the Meeting including the preservation of good order and decorum, ruling on points of order and deciding all questions relating to the orderly procedure of the Meeting, subject to an appeal to the Council.
- 13.2.** The Mayor may answer questions and comments in a general way without leaving the chair, but if he wishes to make a motion or to speak on a motion taking a definite position and endeavoring to persuade the Council to support that position, then he shall first leave the chair.
- 13.3.** If the Mayor desires to leave the chair for the purpose of taking part in the debate or for any other reasons, the Deputy Mayor shall sit in his place until the Mayor resumes the chair.
- 13.4.** Before a Member may speak to any matter, he shall first be recognized by the Mayor or Chair.
- 13.5.** When two or more Members indicate simultaneously that they wish to speak, the Mayor shall name the Member who is to speak first.
- 13.6.** When a Member is speaking to a motion, he shall confine his remarks to the motion and in speaking shall be limited to a maximum of five (5) minutes, unless otherwise decided by a majority vote of the Members present.
- 13.7.** A Member shall not speak more than twice to any motion unless otherwise decided by a majority vote of the Members present, except the Member who made a motion who shall be allowed to reply for a maximum of five (5) minutes.
- 13.8.** When a motion is under debate, a Member may ask a concisely worded question of another Member or a Staff Member through the Mayor prior to the motion being put to a vote by the Mayor.
- 13.9.** A Member may require the motion under debate to be read at any time during the debate, but not so as to interrupt a Member who is speaking.
- 13.10.** No Member shall speak more than once on an item of business until every Member who desires to speak has spoken.

PART 14 QUESTIONS OF PRIVILEGE AND ORDER

- 14.1.** If a Member believes that his rights, privileges or integrity or those of the Members collectively have been prejudicially affected, he shall ask leave of the Mayor to raise a question of privilege which shall take precedence over all other matters, but he shall not be permitted to enter into any argument or introduce any motion related to the question of privilege.

- 14.2.** No Member shall impugn the integrity of municipal staff. When a member considers that the integrity of a municipal staff member has been impugned or questioned the member may raise it as a point of order and the Mayor shall permit the Clerk to make a statement.
- 14.3.** When a Member desires to call attention to a violation of the Rules of Procedure, he shall ask leave of the Mayor to raise a point of order and after leave is granted, he shall state the point of order to the Mayor succinctly and the Mayor shall then decide upon the point of order and advise the Members of his decision.
- 14.4.** Unless a Member immediately appeals the Mayor's decision to the Council, the decision of the Mayor shall be final.
- 14.5.** If the decision of the Mayor is appealed to the Council, then the question "Shall the ruling of the Chair be sustained?" shall be put immediately without debate and its result shall be final.
- 14.6.** When the Mayor calls a Member to order, that Member shall cease speaking until the point of order is dealt with and that Member shall not speak again to the matter under discussion without the permission of the Mayor unless to appeal the ruling of the Mayor.

PART 15 MOTIONS

- 15.1.** All new motions shall be submitted in writing with the exception of procedural motions which may be verbally presented. Oral motions shall be restated by the Chair before debate or a vote.
- 15.2.** Any Member of Council may give notice of intent that he shall introduce a motion at the next, or at a subsequent meeting of Council to introduce a new matter or initiate any measure to make any change in the Council's established policy. The giving of notice requires no seconder and is not at that time debatable.

A Member may introduce a motion at a meeting regarding a matter that would not otherwise be considered by Council or a Committee at such meeting in writing, at a regular Council or Committee meeting, or by submission to the Clerk to be included in the Agenda, but it shall not be debated until the next regular meeting.
- 15.3.** The Clerk or Recording Secretary, upon receipt of a Notice of Motion in accordance with Section 15.2. shall print the motion, including the name of the mover or seconder in full on the Agenda for the next regular meeting of the Council or the Committee.
- 15.4.** A Notice of Motion does not require a seconder to be included in the Agenda.
- 15.5.** A Notice of Motion shall not be considered or otherwise disposed of by Council or the Committee unless the mover of the motion is in attendance at the meeting.
- 15.6.** All Notices of Motion shall be in writing, signed by the mover and filed with the Clerk.

- 15.7.** Notices of Motions filed with the Clerk shall be directed to the next Regular Council Meeting unless a subsequent meeting is specified.
- 15.8.** Motions shall be moved and seconded before being debated or put to a vote.
- 15.9.** Every motion shall be deemed to be in the possession of the Council for debate after it is received by the Mayor, but may, with the permission of the Council, be withdrawn at the joint request of the mover and seconder at any time before the motion is disposed of.
- 15.10.** When a motion is under debate, no other motion shall be in order except a motion:
- a) To adjourn;
 - b) To proceed beyond curfew;
 - c) To defer;
 - d) To call the question (close the debate);
 - e) To refer;
 - f) To amend.
- 15.11.** A motion to adjourn shall:
- a) Not be amended;
 - b) Not be debated;
 - c) Not include qualifications or additional statements; and
 - d) Always be in order except when a Member is speaking or the Members are voting or when made in Committee-of-the-Whole.
- 15.12.** When a motion to adjourn has been decided in the negative, no further motion to adjourn shall be made until after some subsequent proceeding has taken place.
- 15.13.** The Council shall always adjourn when there is no business before it.
- 15.14.** A motion to proceed beyond the hour of curfew shall:
- a) Not be amended;
 - b) Not be debated; and
 - c) Shall always be in order, except when a Member is speaking or the Members are voting.
- 15.15.** A motion to table/defer an agenda item shall:
- a) Be amendable only to the date;
 - b) Not be debated;
 - c) Apply to the main motion and any amendments thereto under debate at a time when the motion to table was made;
 - d) Not include qualifications or additional statements.
- 15.16.** If a motion to table/defer is decided in the affirmative by a majority vote of the Members present, then the main motion and any amendments thereto shall be removed for the Council's consideration until such time as a notice of motion to lift

the matter from the table is filed with the Clerk. A motion to take from the table is not debatable or amendable.

15.17. A motion to call the question (close the debate) shall:

- a) Not be amended;
- b) Not be debated;
- c) Apply to the motion or amendment under debate at the time when the motion to put the question is made;
- d) Not be received in any Committee;
- e) Be moved using the words "That the question now be called."

15.18. If a motion to call the question is decided in the affirmative by a majority vote of the Members present, then the preceding motion or amendment shall be voted on immediately without further debate or comment.

15.19. A motion to refer a matter under consideration to a Committee or the Administration or elsewhere shall:

- a) Be open to debate;
- b) Be amendable; and,
- c) Preclude amendment or debate of the preceding motion, unless the motion to refer is resolved in the negative, in which case the preceding motion shall be open to debate and amendment.

15.20. A motion to amend shall:

- a) Be open to debate;
- b) Not propose a direct negative to the main motion;
- c) Be relevant to the main motion; and
- d) Not be further amended more than once.

PART 16 VOTING PROCEDURES

16.1. Voting on the main motion and amending motions shall be conducted in the following order:

- a) A motion to amend a motion to amend the main motion;
- b) A Motion (as amended or not) to amend the main motion;
- c) The main motion (as amended or not).

16.2. When the motion under consideration contains two distinct propositions, upon the request of any Member, the Mayor or Chair shall divide the question and the vote upon each proposal shall be taken separately. The mover and seconder shall remain the same for both motions.

16.3. A motion shall be put to a vote by the Mayor immediately after all Members desiring to speak on the motion have spoken in accordance with Section 11.7. of this By-Law.

- 16.4.** After a motion is put to a vote no Member shall speak on that motion, except to request a recorded vote. No other motion shall be made until after the result of the vote is announced.
- 16.5.** Every Member present at a Council Meeting when a question is put shall vote thereon, except where he is disqualified to vote by reason of a pecuniary interest or is absent from the Council Chamber when the question is put.
- 16.6.** Every Member who is not disqualified from voting by reason of a declared pecuniary interest shall be deemed to be voting against the motion if he declines or abstains from voting.
- 16.7.** All votes shall be by show of hands, except when a recorded vote is requested. The manner of determining the decision of the Council on a motion shall not be by secret ballot or by any other method of secret voting.
- 16.8.** The Mayor shall announce the result of every vote after requesting both ayes and nays. The Clerk shall record the vote.
- 16.9.** When there is a tie vote on any motion, it shall be deemed to have been decided in the negative.
- 16.10.** When called for by any Member or when required by law, a recorded vote shall be taken by the Clerk in random order and the results shall be declared by the Clerk.
- 16.11.** A Member may call for a recorded vote prior to or immediately after the taking of the vote.
- 16.12.** When a recorded vote is taken, the names of those who voted for and against the motion shall be entered in the minutes.
- 16.13.** In any vote required of the Whole Council, the number of Members constituting the Council shall be determined by excluding:
 - a) The number of Members who are present at the Meeting but who are excluded by voting by reasons of the Municipal Conflict of Interest Act;
 - b) The number of seats that are vacant on the Council by reasons of Section 259 of the Municipal Act.

PART 17 RECONSIDERATION

- 17.1.** A motion to reconsider a decided matter within the term of Council shall only be introduced by a Member who voted with the majority on the original motion. Before accepting a motion to reconsider, the Mayor may ask the Member to confirm that he voted with the majority on the issue in question.

- 17.2.** No debate on a motion to reconsider a decided matter shall be permitted; however, the mover of a motion to reconsider may provide or may make a brief and concise statement outlining the reasons for proposing such reconsideration.
- 17.3.** No motion for reconsideration of any decided matter shall be permitted more than once during a period of twelve months following the date on which the question was decided.
- 17.4.** If a motion to reconsider is decided in the affirmative at a meeting, then consideration of the original matter shall become the next order of business.

PART 18 ENACTMENT OF BY-LAWS

- 18.1.** The Clerk shall ensure that by-laws are prepared and placed on the agenda. Every by-law when introduced shall be in typewritten form and shall contain no blanks except such as may be required to confirm to accepted procedure or to comply with provisions of any Act and shall be complete.
- 18.2.** Every By-law shall receive three separate readings before being passed.
- 18.3.** The first, second, and the third and final reading for all by-laws addressed in a single motion, without amendment or debate. By-laws may be addressed in a consent agenda, with the vote to be carried out in the By-law portion of the agenda.
- 18.4.** By-laws may be given all three readings at the same meeting, except when requested otherwise by a motion passed by the majority of the Members present or as otherwise provided in law.
- 18.5.** Every by-law enacted by the Council shall be numbered and dated, and shall be, sealed with the seal of the Corporation, and signed by the Mayor or presiding officer and the Clerk and shall be deposited in the vault by the Clerk for safekeeping.

PART 19 COMMITTEES

19.1. Procedure

A committee shall conform to the rules governing protocol and procedures for Council meetings, unless otherwise noted herein.

All committees shall be bound by Closed Session provisions set out in this by-law.

19.2. Establishment-Appointment

19.2.1. Council may establish Council Committees to help support it's work. Council shall set the mandate for each Council Committee by resolution or by-law.

19.2.2. The names of Members required to serve on the Council Committees, Boards, Commissions or other bodies to which Council is required or empowered to appoint persons, shall be determined by Council.

19.2.3. Council may appoint Members to any Local Boards or Council Committees to act in the place of any Members thereof who, by reason of illness or absence from the Municipality, are unable to attend the meetings of the Council Committees or who resign before their terms of office have expired.

19.3. Local Boards

Council shall appoint members to Local Boards as requires by statute.
Members are appointed to Local Boards by Council by by-law or resolution.

19.4. Standing Committees

Standing Committees of Council are committees that consist of at least 50% of the membership consisting of Members of Council, which are appointed by Council by by-law.

19.5. Council Advisory Committees

The duties of Advisory Committees created by Council shall be to report and to make recommendations to Council on all matters relating to their terms of reference or that have been referred to them. Advisory Committees shall generally have one representative appointed from Council.

19.6. Special Purpose Committees

The duties of Special Purpose Committees, appointed by Council By-Law or Resolution, shall report to Council on any matters relating to their terms of reference or that have been referred to them.

19.7. Mayor-Ex-officio

The Mayor is an ex-officio Member of every Council Committee.

The Mayor may vote and otherwise participate without any restriction in the business of the Committee on the same basis as any other Committee Member, but shall not be counted in quorum for the Committee.

19.8. Terms of Reference

Subject to the provision of any general or special Act, the Council, in establishing any Council Committee, shall set forth terms of reference and such other provisions as the Council deems proper.

Council may consider any matter without referring it to a Council Committee or may refer it to one or more committees or refer it to the Committee-of-the-Whole Meeting and may withdraw a matter from a Council Committee whether or not the Council Committee has entered into consideration.

19.9. Quorum

A majority of the Members of a Council Committee shall be a quorum.

19.10. Committee Chair

Annually, each Committee at its first meeting shall appoint a Committee Chair and Committee Vice-Chair from among its Members, unless otherwise specified in the Council Committee's Terms of Reference. Each Committee shall have the authority to alter the time of its meetings and to hold special meetings. Notice of Council Committee meetings shall be given by the Clerk in accordance with this by-law.

19.11. Attendance

Members of Council may attend meetings of any Advisory Committee of which they are not Members but shall not have the privilege of voting and may not address the Committee without the permission of the Chair.

19.12. Minutes

The Minutes of all Council Committees shall be recorded according to the process set out in this by-law and forwarded to Council to be received as information. The Clerk, Deputy Clerk or a person delegated by the Clerk in writing shall be the recording secretary for all Standing Committees of Council.

PART 20 DISCLOSURES OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF

- 20.1. Members shall be required to comply with and disclose as required by the *Conflict of Interest Act*.

PART 21 MAYOR AND COUNCILLOR COMMENTS AND ANNOUNCEMENTS

- 21.1 The Mayor and Councillor Comments and Announcements section of the agenda is for the purpose of providing information only. Comments are not debatable, nor shall they introduce new business. Comments shall be limited to five (5) minutes per Member.

PART 22 CONFIRMING BY-LAW

- 22.1 The proceedings at every Regular and Special Meeting shall be confirmed by By-Law so that every decision of the Council at the previous Regular Meeting and any Special Meetings and every Resolution passed thereat shall have the same force and effect as if each and every one of them had been the subject matter of a separate by-law duly enacted.

PART 23 POINTS NOT PROVIDED FOR

- 23.1. Subject to the provisions of the Municipal Act, and except as expressly provided for in this By-law, Robert's Rules of Order, current addition, shall be referred to and abided by as far as applicable when questions arise respecting the interpretation of the rules contained in this By-law, and on all points of order or procedure not provided for in this By-law.

- 23.2.** Subject to Section 34.1, all points of order or procedure not provided for in this By-law or in Roberts Rules of Order shall be decided by a vote of Council or Committee members present.

PART 24 PROCEDURAL IMPERFECTIONS

- 24.1.** The lawful will and intent of the Council shall always take precedence and procedural imperfections in the dispatch of business shall not affect the validity of any action taken.

PART 25 EXECUTION OF DOCUMENTS

- 25.1.** Whenever to give effect and any resolution or by-law of the Corporation, or to perform any of the statutory duties of the Corporation the execution of any document is required, the Head of Council or designate, Clerk or designate are hereby authorized for and in the name of the Corporation to affix the seal of the Corporation to such documents.

PART 26 VALIDITY AND SEVERABILITY

- 26.1.** If any section, subsection, clause, paragraph, or provision of this by-law be declared by a court of competent jurisdiction to be invalid, unenforceable, illegal or beyond the powers of Council to enact, the same shall not affect the validity or enforceability of any other provision of this by-law or of the by-law as a whole.

PART 27 ACCESSIBILITY OF DOCUMENTS

- 27.1.** Documents are available in alternate formats upon request from the Clerk.

PART 28 ENACTMENT

- 28.1.** THAT By-Law 2023-77 is hereby repealed.
- 28.2.** THAT this By-Law shall come into force and take effect on the date of its final passing.

Read a first, second and third and final time this 25th day of January, 2024.

ORIGINAL SIGNED AT MUNICIPAL OFFICE

Richard Leatham, Mayor

Terri Towstiuc, Clerk

COUNTY OF ELGIN

By-Law No. 25-06

**“BEING A BY-LAW TO REGULATE THE PROCEEDINGS OF THE MUNICIPAL
COUNCIL OF THE CORPORATION OF THE COUNTY OF ELGIN”**

WHEREAS pursuant to Section 238 of the Municipal Act, 2001, S.O 2001, Chapter M. 45, as amended, every municipality shall pass a procedure by-law for governing the calling, place and proceedings of Meetings; and

WHEREAS the Council of the Corporation of the County of Elgin did pass By-Laws No. 19-41, 18-38, 11-06, 07-36, 03-33, 02-37 and amendments thereto in order to make and establish rules and regulations for governing the proceedings of Council; and

WHEREAS the Council of the Corporation of the County of Elgin deems it necessary to update the Procedural By-Law to govern the proceedings of Council that reflects the current practices, procedures and statutory requirements of Council;

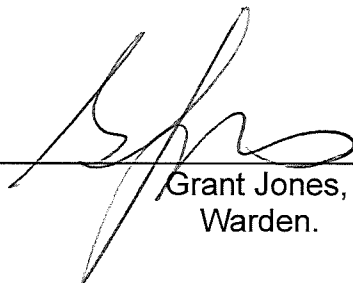
NOW THEREFORE BE IT RESOLVED THAT the Municipal Council of the Corporation of the County of Elgin enacts as follows:

1. THAT this By-Law comes into force and takes effect upon passing.
2. THAT By-Laws No. 19-41, 20-47, 21-42, 24-40 and any previous By-Law inconsistent with this By-Law be and are hereby repealed.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 11th DAY OF FEBRUARY 2025.



Blaine Parkin,
Chief Administrative Officer/Clerk.



Grant Jones,
Warden.

APPENDIX “A”

By-Law No. 25-06

Rules of Order and Procedures Governing the Municipal Council of the Corporation of the County of Elgin.

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1. Short Title

1.1 This By-Law shall be cited as the "Procedural By-Law".

2. Definitions

2.1 In this By-Law:

"Act" means the *Municipal Act, 2001* S.O. 2001, Chapter 25, as amended.

"Adjourn" means to conclude the meeting. This motion requires a second, is not debatable, requires a majority vote for adoption and cannot be reconsidered.

"Advisory Committee" means a committee established by Council to advise on matters which Council has deemed appropriate for the Committee to consider.

"Ad Hoc Committee" means a committee, sub-committee or similar entity of which at least 50 percent of the Members are also Members of Council, appointed by Council to review and report on a specific issue. Once the final report is delivered and a resolution of Council is adopted concerning the specific issue, the Ad Hoc Committee is automatically dissolved.

"Alternate Member" means an authorized individual who, during the absence of the Member for whom that individual is an alternate, shall act in the place and stead of such member and perform such other duties as assigned.

"Business Day" means the days of the week in which Council or Committee shall conduct its business transactions and hold meetings, excluding Saturday and Sunday or statutory holidays.

"Clerk" means the Clerk of the County of Elgin or their designate. Clerk means the person duly appointed, by By-Law pursuant to Section 228 of the Act, as the Clerk of the County.

"Chair" means the position of the person appointed to preside, or presiding at, a meeting, whether that person is the regular Chair or not.

"Closed Session" means a meeting of Council or Committee that is not open to the public, pursuant to Section 239 of the Act or any successor provision thereto.

"Committee" means any advisory or other committee created by Council, of which at least one Member is also a Member of Council, which is established under any Act with respect to the affairs or purposes of one or more municipalities.

"Committee of the Whole" means the Committee of which all Members present sit on Council and reports directly to Council. The purpose of this committee is to enable Council to give detailed consideration to a matter under conditions of freedom approximating that of a committee. When sitting as Committee of the Whole, the results of votes taken are not final decisions of Council but have the status of recommendations which Council is given the opportunity to consider further and which it votes on during a Regular Meeting of Council.

"Confidential Matter" means those items of business discussed in Closed Session.

"Council" means the elected Mayors and/or Deputy Mayors or alternate(s) of the County's constituent municipalities when they sit in deliberative assembly.

"County" means the Corporation of the County of Elgin.

“Delegation” means to address Council or a Committee at the request of the person wishing to speak.

“Deputy Warden” means the Member of Council who has most recently held the position of Warden or has been elected Deputy Warden in accordance with the procedures of this By-Law.

“Ex-Officio” means a Member who has the right, but not the obligation, to participate in the proceedings of the meeting, and is not counted in determining the number required for a quorum or whether a quorum is present at a meeting. Ex-Officio cannot attend a committee meeting if by attending a quorum of Council is created.

“Inaugural Meeting” means the first meeting of Council after a regular election, as set out in the Act, or the first meeting following the election of a Warden, as set out in this By-Law, as context requires.

“Majority” means more than half of the votes cast by Members entitled to vote.

“Meeting” means an event wherein business is transacted for any regular or special purpose by Council or local board, or a Committee or sub-Committee of either of them, as the case may be, where, (a) a quorum of Members is present, and (b) Members discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of Council, local Board or Committee.

“Member” means a person duly elected to hold office with the County of Elgin’s constituent municipalities, pursuant to the *Municipal Elections Act*, 1996 S.O. Chapter 32, as amended; or a person appointed by Council to a Committee.

“Minutes” means a written record of meetings of Council prepared by the Clerk without note or comment, and the Minutes are to include the events of the meeting, a list of attendees, a statement of the issues considered by the Members, related responses and decisions on issues.

“Motion” means a proposal moved by a Member, and if moved in Council or Committee, seconded by another Member, to adopt, amend or otherwise deal with a matter before Council or Committee.

“Municipal Office” means 450 Sunset Drive, St. Thomas, Ontario, N5R 5V1 or any location in the County subsequently designated as its municipal office.

“Notice” means written Notice, except where legislation, By-Law or Corporate Policy provides for another form and manner of Notice.

“Open Meeting” means a Meeting at which a quorum of Members is present, and they discuss or otherwise deal with a matter in a way that materially advances the business or decision-making of the relevant council, local board or Committee.

“Pecuniary Interest” means an interest, whether direct or indirect, that meets the criteria set out in the *Municipal Conflict of Interest Act*, RSO 1990, c. M.50, ss. 2, ss. 3.

“Point of Order” means a statement made by a Member during a meeting, drawing to the attention of the Chair a breach of the rules of procedure.

“Point of Privilege” means a Motion concerning the health, safety, rights or integrity of the Members, the Council, a Committee, staff, or anyone present at a Meeting.

“Pregnancy and Parental Leave” for the purposes of this By-Law means the period of time the Member of Council will not attend meetings of Council or any Committee to which the Member has been appointed as a result of the Member’s pregnancy, the birth of the Member’s child or the adoption of a child by the Member.

“Quasi-Judicial Board” means a local board or committee that has been delegated Council’s decision-making powers and makes quasi-judicial decisions.

“Question” means a Motion that has been appropriately placed before Council or Committee. Only once duly recognized by the Chair and “on the floor” can a Motion be debated and put to a question of the Members for proper resolution.

“Quorum” means, in the case of Council, a majority of Members, pursuant to Section 237 of the Act. In the case of a Committee of Council, quorum is a majority of the whole number of Members of the Committee, including the Chair.

“Recorded Vote” means a vote taken on a matter of business, whereupon the Clerk duly notes the name of each Member present and their vote in the Minutes, as provided for in Section 246 of the Act. Section 246(2) of the Act specifically notes that a failure to vote by a Member who is present at the Meeting at the time of the vote and who is qualified to vote shall be deemed to be a negative vote.

“Reports” means written documents by Councillors, municipal employees, committees, consultants or other individuals appointed at the pleasure of the Council for the purpose of providing advice, alternatives, information, and/or recommendations on various matters.

“Resolution” means a Motion that has been carried by Council or Committee.

“Rules of Procedure” means the rules and regulations provided in this By-Law and, where necessary, *Robert’s Rules of Order* (Newly Revised).

“Secretary” means the person responsible for recording the Minutes of Council or Committee meetings, the preparation of the agenda and the preparation of any resulting correspondence, as designated by the Clerk.

“Special Meeting” means a meeting not scheduled in accordance with the approved schedule of meetings.

“Standing Committee” means a Committee established by Council, comprised entirely of Members of Council, to carry out duties on an ongoing basis, as specified by Council.

“Steering Committee” means any advisory body, roundtable or other body Council established to advise on specific areas of interest, with Members of the public and staff making up more than 50 per cent of the membership and Council Members or other elected officials making up the rest.

“Warden” means the Warden of the Corporation of the County of Elgin, in accordance with the Act, and the term is interchangeable with “Chair”, “Chief Executive Officer (CEO)”, and “Head of Council” for the purposes of conducting Committee meetings.

“Website” means the County of Elgin website address identified as www.elgincounty.ca

3. Purpose

- 3.1 This By-Law establishes the rules of order for the Council of the Corporation of the County of Elgin Council Meetings.
- 3.2 The rules governing the procedure of Council and the conduct of Members of Council shall be observed in Committee of the Whole so far as they are applicable.

4. Principles of the Procedural By-Law

- 4.1 The principles of openness, transparency and accountability to the public guide the County's decision-making process. In the context of Council proceedings, this is accomplished by:
 - 4.1.1 Ensuring the decision-making process is understood by the public and other stakeholders;
 - 4.1.2 Providing access to information and opportunities for input by the public and other stakeholders consistent with the requirements of this By-Law and other statutory requirements;
 - 4.1.3 Exercising and respecting individual and collective roles and responsibilities provided for in this Procedural By-Law and other statutory requirements; and
 - 4.1.4 The protection of basic rights by recognizing the right of the majority to decide, the minority to be heard and individuals to participate.
- 4.2 The principles of parliamentary law governing Council include:
 - 4.2.1 The majority of Members have the right to decide;
 - 4.2.2 The minority of Members have the right to be heard;
 - 4.2.3 All Members have the right to information to help make decisions, unless otherwise prevented by law;
 - 4.2.4 All Members have a right to an efficient Meeting;
 - 4.2.5 All Members have the right to be treated with respect and courtesy; and
 - 4.2.6 All Members have equal rights, privileges and obligations.

5. General Provisions

- 5.1 In the event of conflict between this By-Law and a valid and binding statute, the provisions of the statute prevail.
- 5.2 A specific statement or rule in this By-Law supersedes a general statement on the same subject matter.
- 5.3 If there is a conflict between two or more rules in this By-Law, or if there is no specific rule on a matter, the Chair will rule. In making a ruling, the Chair may consult the Clerk, rely on previous rulings or practices, or refer to *Robert's Rules of Order* (Newly Revised).

6. Suspension of the Rules

- 6.1 The rules and regulations contained herein that are discretionary and not mandatory under statute may be temporarily suspended by a two-thirds vote of the whole Council, with the exception of the following circumstances:
 - 6.1.1 Where required by law;
 - 6.1.2 Contractual agreements binding the County;
 - 6.1.3 Amending this Procedural By-Law; and,
 - 6.1.4 Quorum requirements.

7. Video Equipment and Recording Devices

- 7.1 The County will make a reasonable effort to ensure that live streaming and video recordings of Council and Committee meetings are available to the public. However, there may be situations where the live streaming and video recordings may be unavailable or delayed due to technical difficulties. Meetings will not be cancelled or postponed due to technical issues with live streaming or recording of meetings if Council Chambers is physically open and accessible to the public.
- 7.2 If live streaming and/or video recordings are unavailable or delayed due to technical difficulties, the Warden or Committee Chair may, at their discretion, delay the meeting until the public and media may be notified.
- 7.3 Where a meeting of Elgin County Council is held at a location other than the Elgin County Council Chambers, it will not be live streamed.
- 7.4 The official record of all Council/Committee Meetings shall be written in minutes in accordance with the *Municipal Act, 2001* Section 239(1) which states that minutes of meetings are to be recorded without note or comment by the Clerk.

8. Council Composition

- 8.1 Section 458 of the Act provides that, as of January 2, 2003, the composition of the Council of a municipality, the method of electing or appointing its Members, the number of votes given to each Member and the titles of its Members shall be the same as they were on December 31, 2002. On December 31, 2002, pursuant to By-Law 97-8 passed on March 18, 1997, the composition of the Corporation of the County of Elgin Council ("Elgin County Council") was:

County Council will have nine (9) Members, being the Mayors from each of the seven (7) municipalities within the County of Elgin and the Deputy Mayors of the Municipality of Central Elgin and the Township of Malahide, thereby constituting the composition of such Council as follows:
 - 8.1.1 Municipality of West Elgin – One (1) Member (the Mayor);
 - 8.1.2 Municipality of Dutton Dunwich – One (1) Member (the Mayor);
 - 8.1.3 Township of Southwold – One (1) Member (the Mayor);
 - 8.1.4 Municipality of Central Elgin – Two (2) Members (the Mayor and the Deputy Mayor);
 - 8.1.5 Township of Malahide – Two (2) Members (the Mayor and the Deputy Mayor);
 - 8.1.6 Town of Aylmer – One (1) Member (the Mayor); and
 - 8.1.7 Municipality of Bayham – One (1) Member (the Mayor).
- 8.2 The Head of Council, the Warden, will be elected by County Council from amongst the Members of Council on an annual basis.
- 8.3 Each Member of Council will have one (1) vote.
- 8.4 As provided for in the Act, the Councils of the seven (7) municipalities have the authority to appoint alternates from the Members of Council to represent the municipality on County Council in the absence of Mayor and/or Deputy Mayor in accordance with Section 32 of this Procedural By-Law.

8.5 The term of office of Warden shall be one (1) year.

9. Inaugural Meeting and Annual Election of Warden

- 9.1 A person elected or appointed as a Member of Council shall not take a seat on Elgin County Council until the Clerk has received the certificate from the constituent municipality certifying the name of each person elected or appointed.
- 9.2 No business shall be conducted at the first meeting of Council after a regular election until after the declarations of office have been made by all members who present themselves for that purpose.
- 9.3 The first Meeting of County Council after a regular election shall be held in the evening of the second Tuesday of the month of December, or at such hour and on such day thereafter as the majority of the members of the Council are present in the Council Chambers but in any case, not later than 31 days after its term commences, as provided for in the Act.
- 9.4 The annual election of the Warden shall be held in the evening of the second Tuesday of the month of December, or at such hour and on such day thereafter as the majority of the Members of Council are present in the Council Chambers.
- 9.5 Section 233 of the Act requires Council to appoint the Head of Council ("Warden") at its first Meeting. No other business shall be conducted until the Head of Council is confirmed.
- 9.6 For the appointment of the Warden, the following regulations and procedures shall be followed:
 - 9.6.1 The Clerk shall take the Chair;
 - 9.6.2 The Clerk shall prepare ballots for voting;
 - 9.6.3 The Clerk shall inform the members that they are ready to proceed with the election of Warden, unless only one member indicates their intention to run for the Office, in which case the election procedure is dispensed with in favour of a resolution appointing the Warden;
 - 9.6.4 The Clerk shall ask those members of Council seeking the Office of Warden to stand;
 - 9.6.5 The Clerk shall announce that any person aspiring to the position of Warden shall be granted an opportunity, not exceeding five (5) minutes, to address Council. Candidates will address Council in alphabetical order;
 - 9.6.6 Voting shall be by secret ballot. Balloting will continue until a candidate obtains a majority of votes.
 - 9.6.7 If after one round of balloting, no candidate has achieved a majority, another round of balloting will follow. If no candidate has achieved a majority after this second round of balloting, each candidate standing for the position of Warden shall have an additional opportunity, not exceeding five (5) minutes, to address Council. Candidates will address Council in alphabetical order by surname.
 - 9.6.8 The process described in 9.6.7 will repeat until one of the Candidates has achieved a majority. References to rounds of balloting shall be construed to mean each round subsequent to the opportunity for candidates to address Council.

- 9.6.9 By Motion, the Clerk shall be directed to destroy the ballots after the election has been completed;
- 9.6.10 For the purposes of electing the Warden, each Member of County Council shall have one vote;
- 9.6.11 The Warden-Elect shall forthwith sign and declare and read aloud the Declaration of Office and, on completion thereof, they shall take the Chair.

10. Appointment of Deputy Warden

- 10.1 A position of "Deputy Warden" shall be held by the most immediate past Warden who is a member of Council. In the event that there are no Past Wardens on Council following a Municipal Election, Council shall vote and appoint a Deputy Warden at the Inaugural Meeting. Voting shall be by secret ballot and follow the same procedure set out for the Election of the Warden in Section 9 of this By-Law. The election of the Deputy Warden, when necessary, will follow the election of the Warden.
- 10.2 Any Member who was not elected Warden shall be eligible to stand for the election to the office of Deputy Warden.
- 10.3 The Warden may request said Deputy Warden or any other member of Council to represent him or her at any Meeting or function where the Warden is unable to attend.
- 10.4 If the Warden, at any point during their term, is unable to continue in their role, the Deputy Warden will fulfill the duties of the Warden on a temporary basis until an election of Warden occurs using the same procedure described in section 9. Such election shall be held as soon as practicable.
- 10.5 The Deputy Warden attending functions on behalf of the Warden, shall be paid mileage at the same rate established for the use of personal vehicles for County business and any other eligible "out of pocket" expense that may occur.

11. Meetings of Council/Committee of the Whole

11.1 Location and Schedule of Meetings of Council

- 11.1.1 After its Inaugural Meeting, Council shall meet in the Council Chambers of the Elgin County Administration Building, 450 Sunset Drive, St. Thomas, ON or other designated location, at a time designated by the Warden, with regular meeting generally being on the second and fourth Tuesday of each month, subject to such changes, additions or deletions to the meeting schedule as may be made pursuant to the Act and when Notice is given;
- 11.1.2 Council shall approve a schedule of regular Meetings of Council and Committee of the Whole for each calendar year, which may be amended. The schedule of Meetings is made available to the public on the County's website and from the Municipal Office;
- 11.1.3 As soon after the time appointed for a Meeting of Council as a Quorum is present, the Warden shall assume the Chair and call the Meeting to order;
- 11.1.4 Council shall always recess/adjourn no later than 12:00 noon and 6:00 P.M., if in a Meeting at these hours, unless otherwise determined by a resolution, but in all cases shall adjourn no later than 10:00 P.M.; and

- 11.1.5 The Members of Council shall not leave their places on adjournment, until the Warden or other Presiding Officer leaves the Chair.

11.2 Notice of Meetings of Council

- 11.2.1 The agenda shall be considered as Notice of Regular Meetings of Council and By-Law 24-15, being a By-Law to establish a policy respecting the manner in which Notice will be provided, as amended, shall be utilized in respect thereof;
- 11.2.2 Notice will be given by providing Council with a regular agenda on each Thursday preceding a Meeting Day of Council, being five (5) days Notice. Public Notice will be provided on the Friday preceding a Meeting Day of Council, being four (4) days Notice.
- 11.2.3 Reports or actions before Council that require enactment of a By-Law, with Notice, shall be subject to terms of the By-Law 24-15, as amended; and
- 11.2.4 The Clerk gives Notice of a Meeting of Council by:
 - 11.2.4.1 Providing Council with a regular agenda on each Thursday preceding a Meeting day of Council.
 - 11.2.4.2 Where required, providing Council with a Closed Session agenda in accordance with the publishing timeframes set out of regular, addenda and additional addenda set out in Sections 12, 14 and 15.

11.3 Special Meetings of Council

- 11.3.1 If a matter arises which, in the opinion of the Clerk, in consultation with the Warden, is considered to be of an urgent or time sensitive nature, or warrants a meeting separate from the next regularly scheduled Council Meeting, the Notice requirements of By-Law 24-15, as amended, may be waived and the Clerk will provide Notice in accordance with Section 11.2 of this By-Law.
- 11.3.2 A Special Meeting of Council may be called by the Warden at any time. A Special Meeting of Council is limited to business matters included in the Notice of Meeting; and
- 11.3.3 When the Clerk receives a petition for a Special Meeting of Council signed by a majority of the Members of Council, a Special Meeting of Council is called for the purpose and at the time identified in the Petition. The Petition shall include:
 - 11.3.3.1 Original signatures of Members;
 - 11.3.3.2 A clear statement of the purpose of the Special Meeting;
 - 11.3.3.3 A proposed date and time for such Special Meeting.

11.4 Emergency Meetings of Council

- 11.4.1 Notwithstanding any other provision in this By-Law, the Warden may, at any time, call or provide Notice of an Emergency Meeting of Council if a matter arises which could affect the health, well-being, or security of residents of the County, and/or if a state of emergency is declared by any Provincial Ministry; and

- 11.4.2 An Emergency Meeting of Council is limited to business matters included in the Notice of Meeting; and
- 11.4.3 In the case of an emergency, Council may hold its Meetings at any convenient location within or outside the territorial limits of Elgin County.

11.5 Notice of Emergency Meetings of Council

- 11.5.1 The Clerk gives Notice of Emergency Meetings of Council to Members by:
 - 11.5.1.1 Providing Council with an agenda in person or by telephone, mail, or electronic mail at least 24 hours prior to the Meeting.
 - 11.5.1.2 Posting a Notice on the County's website, if possible, under the circumstances.
 - 11.5.1.3 Where items 11.5.1.1 and 11.5.1.2 cannot be achieved, posting a Notice at the Main Entrance to the Municipal Office that indicates the date and time of the Emergency Meeting of Council and the purpose of the Emergency Meeting.

11.6 Public Meetings

- 11.6.1 Where any statute confers a right to be heard by Council before the passing of a by-law, or where Council is by statute required to hold a public meeting before the passing of a by-law, the Clerk shall call a Public Meeting.
- 11.6.2 The Clerk may call a Public Meeting at any time where so directed by the Head of Council for the purpose of soliciting feedback from the public on issues of importance to Council.
- 11.6.3 Notice of a Public Meeting shall meet the notice requirements of the statute under which the Public Meeting is required. If the Public Meeting is not required by statute, notice shall be provided in accordance with Section 11.2 of this By-Law.
- 11.6.4 Delegations at a Public Meeting are not required to provide written submissions to the Clerk in advance of the meeting, unless otherwise prescribed by legislation. However, Delegations are encouraged to provide written submissions to the Clerk in order to facilitate the efficient conduct of the meeting.
- 11.6.5 The procedures set out in this By-Law shall continue to apply to a Public Meeting held pursuant to this section, except that this section and the statute or by-law under which the Public Meeting is required, shall prevail to the extent of any conflict.

11.7 Committee of the Whole

- 11.7.1 Committee of the Whole Meetings shall be held immediately following regular council meetings in the Council Chambers at 450 Sunset Drive St. Thomas, or any other location and/or time designated by the Clerk.
- 11.7.2 Unless otherwise provided for in this by-law or on an agenda, Council shall receive Members Motions and Reports in Committee of the Whole.
- 11.7.3 When sitting as Committee of the Whole, the results of votes taken constitute resolutions of the Committee of the Whole and not resolutions

of Council. All resolutions made by the Committee of the Whole while convening in accordance with this section shall be forwarded to the next regular meeting of Council for consideration, unless otherwise decided by Council.

- 11.7.4 The procedures set out in this By-law for Council meetings shall apply to meetings of the Committee of the Whole insofar as practicable.

11.8 Notice of Committee of the Whole Meetings

- 11.8.1 The agenda shall be considered as Notice of Committee of the Whole Meetings and By-Law 24-15, being a By-Law to establish a policy respecting the manner in which Notice will be provided, shall be utilized in respect thereof;

- 11.8.2 Notice will be given by providing Council with an agenda on each Thursday preceding a Meeting Day of Committee of the Whole, being five (5) days Notice. Public Notice will be provided on the Friday preceding a Meeting Day of Committee of the Whole, being four (4) days Notice.

- 11.8.3 The Clerk gives Notice of a Meeting of Committee of the Whole by:

- 11.8.3.1 Providing Council with a regular agenda on each Thursday preceding a Meeting Day of Committee of the Whole.

11.9 Cancellation or Postponement of Meetings

- 11.9.1 A regular, special, or emergency Meeting of Council or a Committee of the Whole Meeting may be cancelled or postponed where Quorum cannot be achieved, by Council resolution, in the event of an emergency, or where the Meeting is no longer required, as deemed by the Warden and/or Clerk; and

- 11.9.2 The Clerk gives Notice on the County's website and time permitting, through the local media, of a cancellation or postponement of a regular, special, or emergency Meeting of Council or a Committee of the Whole Meeting. Where time is limited, a Notice is posted at the main entrance to the Municipal Office.

11.10 Invalidation of Notice of Meeting

- 11.10.1 If Meeting Notice is substantially given but varies from the form and manner provided in this Procedural By-Law, the ability to hold the Meeting and actions taken at the Meeting are not invalidated.

11.11 Quorum

- 11.11.1 Members of Council will attempt to advise the office of the Clerk at least two days in advance if unable to attend a Meeting of Council. If Quorum cannot be met, the Meeting may be cancelled by the Clerk;

- 11.11.2 Unless there shall be a Quorum present within thirty (30) minutes of the time appointed for the Meeting of Council, Council shall then stand absolutely adjourned until the date of the next regular Meeting and the Clerk shall record the names of the Members present at the expiration of such thirty (30) minutes; and

11.11.3 A majority of the Members of the whole Council will constitute a quorum and be necessary for the transactions of business. A majority of all Members of Council shall be determined as five (5) Members of Council.

11.11.4 Where there is an insufficient number of Members of Council present to achieve Quorum at a Meeting of Council due to a provision of the *Municipal Conflict of Interest Act*, RSO 1990, c. M.50, ss. 2, ss. 3., the remaining Members of Council constitute Quorum, provided that such number in no case be less than two (2).

11.12 Late Arrival

11.12.1 If a Member arrives late at a Meeting, any prior discussion is not reviewed without the consent of the Members present.

11.13 Electronic Participation

11.13.1 Pursuant to Section 238 (3.1) of the Municipal Act, 2001, as amended, the following rules and regulations for electronic participation in a Council Meeting shall apply:

11.13.1.1 A Member who is unable to attend a Council Meeting in person may participate in any and all sessions of that Meeting, including but not necessarily limited to open and closed sessions thereof, by electronic or other communication facilities if,

11.13.1.1.1 The facilities enable all participating Members, whether attending in person or through electronic participation, to hear and be heard by all other Members.

11.13.1.1.2 Except for all or any part of the Council Meeting that is closed to the public, the electronic or other facilities are capable of and enable the public to hear, or watch and hear, all Members participating in the Meeting.

11.13.1.1.3 A Member who intends to participate in any such Meeting of Council by electronic or other communication facilities shall give to the Clerk Notice of that intention at least 24 hours prior to the commencement of such Meeting, provided that, if Notice of such Meeting is provided less than 24 hours prior to its scheduled commencement, then the Member shall give to the Clerk as much notice as possible prior to commencement of such Meeting. In all such circumstances, the Clerk will, as soon as reasonably possible, provide the Member intending to attend by electronic participation with instructions on how to connect to and participate in that Meeting by electronic or other communication facilities.

11.13.1.2 There shall be no limit upon the number of Members who may attend a Meeting of Council by electronic or other communication facilities.

11.13.1.3 The following rules apply to Meetings where any Member is

participating electronically:

- 11.13.1.3.1 The Warden (or designate), as Chair, shall lead the Meeting and, when possible and/or appropriate, be present from a designated meeting location supported by the Clerk (or designate).
- 11.13.1.3.2 Each Member attending the Meeting by electronic or other communication facilities shall notify the Chair and other Members when they join the Meeting and, if and when applicable, upon leaving the Meeting.
- 11.13.1.3.3 Any Member attending and present during a Meeting by electronic or other communication facilities shall be counted for purposes of quorum at the commencement of and at any point in time during the Meeting.
- 11.13.1.3.4 Any Member attending and present during a Meeting by electronic or other communication facilities may participate in all aspects of the Meeting as if present in person, including but not limited to debate, questioning, presentation of motion, and/or voting.
- 11.13.1.3.5 During the course of a Meeting within which any Member is participating by electronic or other communication facilities, the Chair (or designate) shall announce each agenda item on the floor of the Meeting and shall thereafter maintain an orderly meeting process, including keeping Members fully informed.
- 11.13.1.3.6 Any Member attending and present during a Meeting by electronic or other communication facilities may vote on any matter being considered in such Meeting and that vote shall be counted and, as set forth below.
- 11.13.1.3.7 During the course of each vote conducted within such Meeting,
 - 11.13.1.3.7.1 The Clerk shall call the name of each Member to vote and they shall signal “yea”, “nay”, or “abstain”.
 - 11.13.1.3.7.2 If the Member, after two attempts, fails to respond to the call of their name, then the vote is considered as “nay”, unless directed otherwise by the Chair.
- 11.13.1.3.8 During the course of the Meeting,
 - 11.13.1.3.8.1 Each Member shall remain silent and attentive to the proceeding when not assigned to the floor by the Chair.

11.13.1.3.8.2 Each Member shall listen for their name to be assigned to the floor to speak or to vote.

11.13.1.3.8.3 All Members shall take and abide by the directions of the Chair in order to facilitate an effective, efficient, and orderly Meeting.

11.13.2 The above rules and practices shall apply to all sessions of the Meeting, whether open or closed to the public.

12. Preparation of the Agendas of Council

12.1 The Clerk and their staff are charged with providing guidance and recommendations to Council related to municipal business and to implement the decisions of Council.

12.2 The Clerk shall chair a regularly scheduled meeting of senior staff and invited attendees to review draft agenda items in order to support the business of Council.

12.3 The Clerk shall either personally or by their approved staff establish an administrative process to support the approval, preparation, Notice, publication and distribution/public access to agendas and agenda items.

13. Agenda

In respect of a Regular, Special or Emergency Meetings of Council, or a Meeting of Committee of the Whole, the Clerk shall have prepared an agenda of the Orders of the Day, containing:

13.1 Regular/Special/Emergency Meeting of Council

- 1st Meeting Called to Order
- 2nd Approval of Agenda
- 3rd Introductions, Recognitions, Memorials
- 4th Adoption of Minutes
- 5th Disclosure of Pecuniary Interest and the General Nature Thereof
- 6th Presenting Petitions, Presentations and Delegations
- 7th Motion to Adopt Recommendations from the Committee of the Whole
- 8th Committee Recommendations
- 9th Reports for Information and Immediate Consideration
- 10th Council Correspondence
- 11th Statements/Inquiries by Members
- 12th Closed Meeting Items
- 13th Motion to Rise and Report
- 14th Consideration of By-Laws
- 15th Adjournment

13.2 Inaugural Meeting/Annual Warden's Election

- 1st Meeting Called to Order
- 2nd Receipt of Declaration of Acclamation to Office or Declaration of Election from Councillors (the first year only after a Municipal Election)
- 3rd Declaration of Office by Councillors (the first year only after a Municipal Election)
- 4th Election of Warden
Candidates for Warden to Stand

- Prospective Candidates to Speak (alphabetical order)
- Proceed with Election (Ballot or Resolution)
- 5th Administering and Signing of the Declaration of Office
- 6th Gowning
- 7th Presentation by Past Warden
- Chain of Office
- Lord Elgin Watch
- Gavel of Office
- 8th Warden's Address
- 9th Resolution to Destroy the Ballots (if required)
- 10th Recess

13.3 Public Meeting

- 1st Meeting Called to Order
- 2nd Disclosure of Pecuniary Interest and the General Nature Thereof
- 3rd Reports of Staff or Consultants
- 4th Public Comments
- 5th Closed Meeting Items
- 6th Motion to Rise and Report
- 7th Adjournment

13.4 Committee of the Whole Meeting

- 1st Meeting Called to Order
- 2nd Approval of the Agenda
- 3rd Adoption of Minutes
- 4th Disclosure of Pecuniary Interest and the General Nature Thereof
- 5th Members' Motions
- 6th Reports of Council, Staff or Outside Boards
- 7th Adjournment

14. Changes in Order of Agenda of Council or Committee of the Whole

- 14.1 The business of Council and Committee of the Whole is dealt with in the order stated on the published agenda, unless the Warden consents to changing the order.

15. Matters of Urgency/Addendum to Agenda (Approval of Agenda)

- 15.1 When, after the Agenda has been prepared and distributed as Notice of a Meeting of Council, a Member wishes to inform Council of an additional matter that, in their opinion, should be considered immediately and during the course of such Meeting, then, after notification of the Clerk, they shall present such matter to Council at such Meeting through the Chair and, with the consent of the majority of Members present, the matter shall only then be added to the Agenda and considered as an additional item under Reports for Information or Immediate Consideration without any prior or further Notice being given or required.
- 15.2 If Council deems appropriate, they may refer this matter to a future Committee of the Whole meeting.

16. Pecuniary Interest

- 16.1 As required by the *Municipal Conflict of Interest Act*, RSO 1990, c. M.50, ss. 2, ss. 3, a member who has any pecuniary interest, direct or indirect, in any matter and is present at a meeting of the council or local board at which the matter is subject to consideration, the member,

- 16.1.1 Shall, prior to any consideration of the matter at the meeting, disclose the interest and the general nature thereof;
- 16.1.2 Shall not take part in the discussion of, or vote on any question in respect to the matter; and
- 16.1.3 Shall not attempt in any way whether before, during or after the meeting to influence the voting on any such question.
- 16.2 Where the interest of a member has not been disclosed as required in Section 16.1 by reason of the member's absence from the meeting referred to therein, the member shall disclose the interest and otherwise comply with Section 16.1. at the first meeting of the council or local board, attended by the member after the meeting where the matter was considered.
- 16.3 A member shall file with the Clerk a written statement of any interest declared by the Member in accordance with the *Municipal Conflict of Interest Act, RSO 1990 Act* and its general nature, and the Clerk will make the disclosure publicly available and will maintain a registry of written statements of disclosure.
- 16.4 In the case of items to be discussed in a Closed Session Meeting, the Member declaring a pecuniary or other conflict of interest shall leave the Meeting and shall take no action to participate in, or influence, the vote of the other Members when said item is to be resolved by Council.

17. Minutes

- 17.1 The Minutes of Council shall consist of:
 - 17.1.1 A record of the place, date and time of Meeting;
 - 17.1.2 The name of the Chair, a record of all Members present, and the names of those Members who are absent;
 - 17.1.3 The reading, if requested, correction and adoption of the Minutes of prior Meetings;
 - 17.1.4 All other proceedings of the Meeting without note or comment.
- 17.2 The Clerk shall ensure that a copy of the Minutes of each Meeting is delivered to each Member of Council at least forty-eight (48) hours prior to the commencement of the Meeting of Council; and
- 17.3 The Clerk shall keep a permanent copy of all Council Minutes for public inspection.

18. Introductions, Recognitions, Memorials

- 18.1 Introductions, awards/certificate presentations, moments of silence, and other recognitions presented to/by the County, its staff or related parties. Such presentations are received or presented by the Chair.
- 18.2 Presentations may be up to ten (10) minutes. The consent of Council is required to extend the presentation beyond ten (10) minutes.

19. Petitions, Delegations, Correspondence

19.1 Petitions

- 19.1.1 Every petition, protest, or other written application intended to be presented to Council must be legibly written or printed on paper, and

signed by at least one person, complete with their mailing address and telephone number. The Warden, in consultation with the Clerk, shall determine whether the delegation(s) request is suitable and appropriate for consideration by County Council. In determining the suitability of each delegation for authority to address Council, the Warden shall ensure that the request is within the purview and jurisdiction of Council;

- 19.1.2 Every Member presenting any petition, protest, or other written application to Council, shall examine the same and shall be answerable that they contain only relevant or proper matter and that the same is respectful and temperate in its language; They shall also endorse thereon the name of the applicant and the substance of such application, sign their name thereto, which endorsement only shall be read by the Clerk, unless a Member shall require the reading of the paper, in which case the whole shall be read; and
- 19.1.3 All petitions or other written communications received prior to any Meeting of Council and on any subject that falls within the jurisdiction of any outside board shall, upon presentation, be referred to the outside board by the Clerk for consideration. Any matters arising subsequently shall be referred by the Warden without Motion and no Member shall speak upon nor debate on the presentation of any such petitions or other communications to Council.

19.2 Delegations

- 19.2.1 Any individual or group of individuals wishing to appear before the Council on Municipal business shall notify the Clerk, in writing, at least eight (8) days prior to the date of the Council Meeting. Written briefs outlining the subject matter of the presentation shall be provided for inclusion on the agenda.
- 19.2.2 Delegations will be scheduled on a first come first serve basis and, the Clerk's determination as to when a deputation will be scheduled is final.
- 19.2.3 No more than (4) delegations shall be scheduled to address Council at any Regular, Special, or Emergency Meeting.
- 19.2.4 A delegation shall be limited to a maximum of fifteen (15) minutes. Council may by Motion, and with the support of the majority of its members, lengthen the time for hearing of delegations.
- 19.2.5 No more than three (3) persons shall be permitted to speak to a delegation, unless otherwise permitted by the Chair.
- 19.2.6 No individual or group shall be allowed to address Council during any Meeting of Council without the permission of the Warden or other Chair.
- 19.2.7 Members of Council may ask questions of a delegation but shall not enter into debate with any representative of any such delegation. With the permission of the Warden or other Chair, the Clerk may ask questions of delegations. All questions to delegations shall be addressed through the Chair.
- 19.2.8 Once a delegation has addressed Council, no further request on the same issue will be entertained within a 12-month period, unless written information is produced to Council and it agrees that another delegation is warranted.
- 19.2.9 The Warden has the discretion to limit delegations on repetitive topics, or topics that are deemed to be frivolous.

19.2.10 No delegation shall be permitted regarding:

19.2.10.1 Labour relations and negotiations

19.2.10.2 Any employee relations

19.2.10.3 Litigation or Potential Litigation Matters

19.2.10.4 Advertisements for products or services

19.2.10.5 Bidders or Potential Bidders

19.2.10.6 Election campaigning

19.2.10.7 Requests for Financial Assistance and Fee Waivers Outside of Established Process

19.2.10.8 Matters which have been decided upon by Council during the current term of Council and requests for reconsideration

19.2.10.9 Matters which have been referred to staff for a report, until the matter is before Council or Committee

19.2.10.10 Matters which are the subject of an Education and Training Session

19.2.11 Delegations on excluded topics will not be scheduled or heard by the Council and the Clerk will inform the requesting party, explaining the reasons and providing references to the relevant by-law sections.

19.2.12 Council may, at their discretion, refuse to hear any delegation.

19.2.13 The Clerk shall provide all individuals or groups seeking to address Council with a copy of the appropriate section of this Procedural By-Law dealing with delegations.

19.2.14 Should an individual or group wish to be provided with further notice related to a matter addressed by a delegation before Council, they are required to indicate this wish to the Clerk as part of their original delegation request.

20. Reports

20.1 Reports for Information or Immediate Consideration

20.1.1 If deemed appropriate by the Clerk, any County staff may report to the Warden and Members of Council at any session of Council.

20.1.2 A report for information may be placed on the Council Agenda where no action or direction is required from Council.

20.1.3 If in consideration of the information report it is determined by Council that further action is required, Council shall direct at which meeting the follow up report will be considered or may refer the report to the Committee of the Whole.

20.1.4 A Report for Immediate Consideration is a report that has not been considered by Committee of the Whole or any other committee that reports to Council. Reports that appear on the agenda for immediate consideration shall be determined by the Chief Administrative Officer.

20.2 Reports of Council, Staff and Outside Boards

- 20.2.1 This section provides for members to consider recommendations on items such as Reports of Council, Staff and Outside Boards in the Committee of the Whole. Committee of the Whole permits members to discuss and debate matters in a more informal and flexible setting.
- 20.2.2 The results of votes taken during Committee of the Whole, regarding matters discussed under Section 20.2, constitute resolutions of the Committee of the Whole and not resolutions of Council.
- 20.2.3 Before Reports of Council, Staff, and Outside Boards are discussed, the Warden will inquire as to whether any members of the public would like to speak to any of the items on the agenda. The Warden will take note of any requests.
- 20.2.4 If there is a request from a member of the public to speak to an item on the agenda, the Warden will give that member the opportunity to do so, immediately after the agenda item has been presented, and before Council has discussed or debated said item.
- 20.2.5 Members of the public speaking to an item on the agenda will have ten (10) minutes to speak, which may be extended by a resolution of Committee of the Whole.

21. Correspondence

- 21.1 When correspondence has been requested to be included on a Council agenda or on the request of a Member of Council to the Clerk, such correspondence is placed on the agenda for a regular Meeting. Correspondence must be received no less than eight (8) days prior to a regular Council Meeting. Where required due to urgency or timing, correspondence may be considered directly by Council as an Addendum to the Agenda, or as a matter for Closed Session;
- 21.2 Staff may prepare recommendations related to any matter raised in Correspondence for consideration by Council;
- 21.3 Council will direct, to the Clerk, correspondence clearly intended to be considered as part of an agenda of Council;
- 21.4 The Clerk is required to verify whether it is the intent of an individual to include their correspondence on a public agenda. For reasons of privacy, irrelevant personal information will be severed from correspondence. General correspondence between Councillors or staff and constituents or stakeholders will not be included unless the Clerk is satisfied that it was clearly the individual's intent to include their correspondence on a public agenda;
- 21.5 Correspondence must be legible and not contain any defamatory statements. Anonymous correspondence will not be acknowledged, circulated or placed on an agenda;
- 21.6 Receipt of correspondence by Council does not constitute endorsement of either the correspondence by the County or of any recommendations it may contain or actions it may advocate; and
- 21.7 When not requested to be included in a Council agenda, correspondence may be circulated by the Clerk to Members of Council and applicable staff for their information.

22. Motions from Other Municipalities and Organizations Requesting Endorsement

- 22.1 Motions from other municipalities communicated to Elgin County are placed on the agenda for County Council under correspondence. Where required due to urgency or timing, the Motions from other municipalities and organizations that request endorsement or action by Council may be considered directly as an addition to the Council agenda.
- 22.2 Staff may prepare recommendations related to the matter for Council's consideration.
- 22.3 Council's receipt of Motions from other municipalities in Elgin County does not constitute endorsement by the County of any recommendations or actions they may contain.

23. Statements/Inquiries by Members

- 23.1 When a Councillor wishes to inform Council of a matter that does not require action and consideration by Council or otherwise wishes clarification of a matter, such information may be announced under "Statements/Inquiries by Members". It is understood that these announcements are made solely for Council's information and that under no circumstances shall Council take action within this category.

24. Members Motions

- 24.1 Members Motions shall be placed on the Committee of the Whole agenda for consideration.
- 24.2 Members Motions must be received by the Clerk, in writing, by noon on the Tuesday preceding the distribution of the agenda material and shall be printed in the agenda.
- 24.3 A Members Motion shall be dealt with by Committee of the Whole at the meeting which it appears on the agenda.
- 24.4 The results of votes taken on Members Motions are not final decisions of Council, rather they are recommendations which will be given further consideration and finally voted on under regular rules of Council.

25. Rules of Debate

25.1 Conduct of Members

- 25.1.1 No Member shall speak disrespectfully of any person or use un-parliamentary or offensive language in or against Council or against any Member, staff, or other person in the Council.
- 25.1.2 The County of Elgin's "Council Code of Conduct" shall govern the actions and behaviour of the Members of Council.
- 25.1.3 During any Council meeting, except during any period sitting as Committee of the Whole, no Member, unless Council consents to it, shall speak more than once on the same motion.
- 25.1.4 During any period sitting as Committee of the Whole, a member will not speak more than once until all other Members have had the opportunity to speak to the question.

- 25.1.5 The Chair shall maintain a list of Members who have requested to speak or ask questions. The Chair designates Members to speak or ask questions in the order in which they appear on the list.
- 25.1.6 When the Chair is putting forth the question, no Member shall walk across or out of the room, shall not interrupt the speaker, except to a question of order, nor pass between the speaker and the Chair.
- 25.1.7 Any Member called to order shall at once cease speaking, unless permitted to explain, and the ruling of the Warden or other Chair shall be final, unless otherwise decided by Council on an appeal from such ruling.
- 25.1.8 No Member shall partake of food in the Council Chambers while the Council is Meeting.
- 25.1.9 All communication devices shall be switched to 'silent' upon entering the location where any Council/Committee Meeting is being held.
- 25.1.10 Members of Council or Committee, except the Warden and Deputy Warden, shall be referred to as County Councillors.
- 25.1.11 No person other than Members or staff of the County shall be allowed to speak from the gallery during the Meetings of Council without permission from the Chair.

25.2 Warden Entering Debate

- 25.2.1 If the Warden desires to take part in the debate of Council, they may remain in the Chair to do so. Alternatively, and when they deem appropriate, they may leave the Chair and, at that time, call on the Deputy Warden to fill their place until they resume the Chair.

25.3 Voting

- 25.3.1 Unless the Procedural By-Law states otherwise, a matter passes when a Majority of Members present vote in the affirmative.
- 25.3.2 Where a vote is taken, and a Member abstains from voting, the Member will be deemed to have voted in the negative.
- 25.3.3 At any time when a vote, taken by a show of hands, is unclear as to the outcome, the Warden or other Chair may request the Members to indicate their YEA or NAY.
- 25.3.4 Upon a tie vote on any question, by a show of hands, a recorded vote shall be taken. Upon a tie recorded vote, the question shall be considered a defeated motion.

25.4 Specific Rules Related to Motions

25.4.1 Motions

- 25.4.1.1 A Main Motion introduces a substantive matter to the assembly for decision.
- 25.4.1.2 All Motions shall be moved and seconded before being debated or put to vote; and all Motions shall be read and then conveyed to the Warden, who may again read the same.

- 25.4.1.3 After a Motion has been received by the Warden or other Chair, it shall be deemed to be in the possession of Council but may be withdrawn at any time before the decision, by consent of a majority of the Members present.
- 25.4.1.4 After a Motion has been read, a Member may propose a friendly amendment. A friendly amendment that is perceived by all parties as an enhancement to the original motion and is to provide clarification of the intent of the motion. Friendly amendments may be permitted by the Warden or other Chair, after consent by the original Mover and Seconder of the Motion, and then by all the Members.
- 25.4.1.5 After any question is finally put to vote by the Warden or other Chair, no Member shall speak to the question nor shall any other Motion be made until after the result is declared; and
- 25.4.1.6 Members shall always take their places prior to any decision being called.

25.4.2 Amend

- 25.4.2.1 A Motion to Amend is used to change the wording of a Main Motion. The amendment can insert new wording, strike out wording, strike out and insert other wording, or substitute one Main Motion with another Main Motion provided that the substitute is on the same subject matter and does not contradict the Main Motion.
- 25.4.2.2 A Motion to Amend must be germane (relevant) to the subject matter under discussion.
- 25.4.2.3 All Motions to Amend shall be placed in the reverse order in which they are moved; and every amendment to the Motion shall be decided upon or withdrawn before the main question is put to vote.
- 25.4.2.4 There shall not be more than two (2) amendments to the main question or any Motion.
- 25.4.2.5 There shall not be more than one (1) amendment to any amendment.

25.4.3 Refer

- 25.4.3.1 A Motion to Refer is used to send an item of business to a committee or staff where the item will receive additional, in-depth consideration. Council may provide instructions to the Committee or staff, including when it is expected to report back to Council.
- 25.4.3.2 A Motion to Refer the Main Motion to staff or a Committee shall preclude all amendments of the main question until the Motion to Refer is decided.

25.4.4 Postpone to a Certain Time

- 25.4.4.1 A Motion to Postpone to a Certain Time is used to delay the consideration of a main motion and to fix a definite date or time (within the current meeting or to the next regular

meeting) for consideration. Debate is restricted as to the merits of postponing and to the time to which to postpone.

25.4.5 Postpone Temporarily (Table)

- 25.4.5.1 A Motion to Postpone Temporarily (Table) is used to set an item of business (a Main Motion) aside temporarily, when something more urgent has arisen or Members may need some other information on the Main Motion which is not currently or readily available.
- 25.4.5.2 A Motion to Postpone Temporarily (Table) is always in order and will supersede the Main Motion.

25.4.6 Close Debate and Vote Immediately (Call the Question)

- 25.4.6.1 A Motion to Close Debate and Vote Immediately is used to close debate on an immediately pending Motion or on a series of consecutive pending motions. When it is adopted, the Chair should immediately take the vote on the affected motion or motions. When adopted, the making of amendments on the affected motions stop.

25.4.7 Recess

- 25.4.7.1 A recess shall be convened by either a Motion to Recess or a recess at the discretion of the Chair and is used to take a break in the meeting and set a time for continuing the meeting.
- 25.4.7.2 A Motion to Recess or a recess at the discretion of the Chair when other business is before the Meeting shall specify the length of time of the recess.
- 25.4.7.3 A Motion to Recess, when other business is before the Meeting, shall not be debatable and shall only be amendable with respect to the length of the recess.

25.4.8 Adjourn

- 25.4.8.1 A Motion to Adjourn is used to conclude the meeting. It is the duty of the Chair to ensure that no important business has been overlooked that should be taken up by Council before adjournment.
- 25.4.8.2 A motion to adjourn shall always be in order unless a vote is being taken.
- 25.4.8.3 A motion to adjourn, when resolved in the negative, shall not be presented again until after some intermediate proceedings have been completed by the Council.

25.4.9 Division of Question

- 25.4.9.1 A Main Motion that is composed of two or more independent parts may be split into two or more individual motions and discussed and voted on separately.
- 25.4.9.2 A Member wishing to Divide the Question, should indicate how the Main Motion is to be divided and if the Warden or other Chair agrees, they will be dealt with separately.

- 25.4.9.3 If the Warden or other Chair disagrees that the Main Motion can be divided, the Member may move a Motion to Divide, and the assembly will decide by majority vote.

25.4.10 Reconsideration

- 25.4.10.1 A Motion to Reconsider may only be introduced by a Member if there is new, substantive information that is relevant to the deliberation of Council on the issue that could not, with reasonable diligence, have been received by Council at the time the initial decision was made.
- 25.4.10.2 Within the first twelve (12) months following the initial vote on a Main Motion, a question may only be reconsidered once, unless such twelve (12) month period is truncated by the end of the Council term.
- 25.4.10.3 In the event that the twelve (12) month period following the initial vote on the Main Motion is truncated by the end of the Council term, the Main Motion may be reconsidered at any time during the new term of Council.
- 25.4.10.4 After the period of twelve (12) months following the initial vote on the Main Motion has elapsed, and within the same Council term as the initial vote on the Main Motion, a member who voted in the majority may present a Member's Motion to reconsider the matter.
- 25.4.10.5 A Motion to Reconsider shall be introduced by the same method as Member's Motions and follow the same process.
- 25.4.10.6 Approval of a Motion to Reconsider requires the approval of two-thirds of the Members present.
- 25.4.10.7 If a Motion to Reconsider is decided in the affirmative at a Meeting of Council, then the consideration of the original Main Motion shall become the next order of business and debate on the question to be reconsidered shall proceed as though it had never previously been considered.

25.4.11 Point of Order

- 25.4.11.1 A Point of Order occurs when a Member believes that the rules of procedure are being violated. The Member shall call upon the Warden or other Chair for a ruling and an enforcement of the regular rules.
- 25.4.11.2 The Warden or other Chair's ruling on the matter is final.
- 25.4.11.3 When the Warden or other Chair is called upon to decide a Point of Order, they shall state the rule or authority applicable to the case.

25.4.12 Point of Privilege

- 25.4.12.1 Where a Member considers that the integrity of any member or the integrity of the Council as a whole has been impugned, the member may interrupt the proceedings or interrupt a member speaking to raise a point of privilege. With the Chair's consent the member will explain the privilege being tainted or damaged to Council. When a point of privilege is

raised, it shall be considered and decided by the Chair immediately.

25.4.12.2 The decision of the Chair on a point of privilege is final.

26. Readings of By-Laws and Proceedings

- 26.1 Every By-Law shall be printed in written or in electronic form and introduced by the Clerk and shall be considered for enactment by Council.
- 26.2 All By-Laws collectively shall be given first, second and third readings in a single Motion, unless a Member wishes to discuss the contents of a By-Law or a matter requires that the By-Law receive first and second reading only and third reading at a future Meeting, at which time the subject By-Law shall be removed from the Motion list and dealt with separately. The headnote only of the By-Law shall be read and a By-Law shall not be enacted until it has received three readings.
- 26.3 The Proceedings of every Regular, Special or Emergency Meeting shall be confirmed by a Confirmation By-Law so that every decision of Council and every resolution passed at that Meeting shall have the same force and effect as if each one of them had been the subject matter of a separate By-Law duly enacted.
- 26.4 The Clerk shall maintain a permanent copy of all By-Laws for public inspection.

27. Open Meetings and Closed Session Meetings

27.1 Open Meetings and Improper Conduct

- 27.1.1 Except as provided in this section, all Meetings of Council shall be open to the public pursuant to the Act, S. 239 (1); and
- 27.1.2 The Chair may expel any person for improper conduct at a Meeting, pursuant to the Act, 2001, S. 241 (2).

27.2 Closed Session Meetings

- 27.2.1 Persons may be excluded when Council is in Closed Meeting in accordance with Section 239 of the Act and amendments thereto. As provided for in the Act, Council shall resolve to move into a session closed to the public in order to discuss matters related to one or more of the following:
- (a) the security of the property of the County or local board;
 - (b) personal matters about an identifiable individual, including County or local board employees;
 - (c) a proposed or pending acquisition or disposition of land by the County or local board;
 - (d) labour relations or employee negotiations;
 - (e) litigation or potential litigation, including matters before administrative tribunals, affecting the County or local board;
 - (f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

- (g) a matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act;
- (h) information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency or any of them;
- (i) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or the organization;
- (j) a trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value; or
- (k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board;

27.2.2 A meeting or part of a meeting shall be closed to the public if the subject matter being considered is:

- 27.2.2.1 a request under the Municipal Freedom of Information of Information and Protection of Privacy Act, if the council, board, commission or other body is the head of an institution for the purposes of that Act; or
- 27.2.2.2 an ongoing investigation respecting the municipality, a local board or a municipally-controlled corporation by the Ombudsman appointed under the Ombudsman Act, an Ombudsman appointed by Council or the investigator appointed by Council;

27.2.3 A meeting of Council may be closed to the public if the following conditions are both satisfied:

- 27.2.3.1 the meeting is held for the purpose of educating or training the members; and
- 27.2.3.2 at the meeting, no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of Council;

27.2.4 Before holding a Meeting or part of a Meeting closed to the public, Council shall approve a Motion, stating the following:

- 27.2.4.1 The fact that the Meeting will be closed to the public as provided for in the Act; and
- 27.2.4.2 The general nature of the matter to be considered at the Meeting closed to the public;

27.2.5 Pursuant to Section 239 of the Act, when a Motion to proceed in a Closed Meeting is carried, the Warden or the Chair may, with the approval of Council, exclude such persons as deemed appropriate from the meeting room.

- 27.2.6 When in a Closed Meeting, no one shall leave and re-enter the Meeting room without the approval of the Warden or Chair.
- 27.2.7 All Closed Meeting Minutes for Council Meetings shall be circulated electronically prior to the commencement of the next Meeting; and
- 27.2.8 Closed Meeting Minutes for Council Meetings are maintained by the Clerk and are only accessible by the Clerk.

27.3 Voting During Meetings Closed to the Public

- 27.3.1 No vote will be taken at a Meeting described in Section 27.2 of this Procedural By-Law, and which is closed to the public, unless:
 - 27.3.1.1 The subject matter relates to an issue as described in Section 27.2 of this By-Law; and
 - 27.3.1.2 The vote is for a procedural matter or for giving directions or instructions to officers, employees or agents of the Municipality or persons related by or under contract with the Municipality.
- 27.3.2 On Motion in Council in a Closed Meeting, to rise and report the question shall be decided without debate involving any of the following:
 - 27.3.2.1 Motion to rise without reporting
 - 27.3.2.2 Motion to rise and report
 - 27.3.2.3 Motion to provide staff direction
- 27.3.3 With respect to debate and/or vote in a Meeting closed to the public:
 - 27.3.3.1 The number of times a Member may speak to any question shall not be limited during a Closed Session, provided that no Member shall speak more than once until every Member who desires to do so shall have spoken.
 - 27.3.3.2 A Member present at a Closed Session shall, prior to consideration of any matter, declare any pecuniary interest, direct or indirect and the general nature thereof and said Member shall leave the Closed Session, or part thereof, during which the matter is under consideration. The declaration of Pecuniary Interest shall be recorded in the Minutes.

27.4 Notice of Meetings Closed to the Public

- 27.4.1 Where a matter may be considered by Council for discussion in Closed Session, whenever possible, written Notice provided for in this By-Law shall disclose:
 - 27.4.1.1 The fact that the Meeting will be closed to the public as provided for in the Act;
 - 27.4.1.2 The general nature of the matter to be considered at the closed Meeting.

27.5 Confidentiality of Closed Session Discussions and Public Disclosure

- 27.5.1 A summary of any discussion held in Closed Session and any required vote if permitted, will occur following the Closed Session discussion of Council;
- 27.5.2 The summary of Closed Session discussion and vote will provide sufficient detail, without detrimentally affecting the confidentiality of the matter(s) discussed in Closed Session and the position of the Municipality;
- 27.5.3 No Member shall disclose or discuss, through written, electronic or verbal communication, to any individual or corporate third party, any information that has been or will be discussed at a Closed Session Meeting of Council until such time that such Council has determined or has been advised by staff that the matter, or any part of the matter, can be made public subject to review by the Chair or designate under the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56 or if directed to do so by a court;
- 27.5.4 A Motion to adjourn a Closed Meeting shall always be in order and be decided without debate, except when a Member is in possession of the floor; and
- 27.5.5 Upon rising from a Closed Meeting, the Chair shall announce the result of the vote as it is to be recorded in the Minutes.

27.6 Closed Meeting Investigation

- 27.6.1 Council shall appoint a Closed Meeting Investigator to carry out Closed Meeting Investigations;
- 27.6.2 If, after completing an investigation, the investigator is of the opinion that the Meeting or part of the Meeting that was the subject-matter of the investigation appears to have been closed to the public contrary to the Act or to this By-Law, the investigator shall report their opinion and the reasons for it to Council and may make such recommendations as they think fit;
- 27.6.3 The County of Elgin shall ensure that reports contemplated in this section are made available to the public as required by the Act;
- 27.6.4 If the investigator is of the opinion that the Meeting was closed to the public contrary to Act, Council shall pass a resolution stating how it intends to address such opinion and the report in which it was delivered; and
- 27.6.5 A person may request that an investigation be undertaken to determine whether Council complied with the requirements of the Act and this By-Law in respect of a Meeting or part of a Meeting closed to the public. A person may initiate such a request by completing and submitting a copy of the *Municipal Investigation of Closed Meetings* form.

28. Duties of the Warden and Chair

- 28.1 The Chair of a Meeting of Council, whether a Regular, Special, Emergency or a Committee of the Whole Meeting is the Warden. In the absence of the Warden, the Deputy Warden is Chair as provided for in this By-Law.
- 28.2 It shall be the duty of the Warden or other duly appointed Chair:

- 28.2.1 To act as Chief Executive Officer of the municipality;
- 28.2.2 To preside over Council Meetings so that its business can be carried out efficiently and effectively;
- 28.2.3 To provide leadership to Council;
- 28.2.4 To represent the County at official functions;
- 28.2.5 To carry out the duties of the Chair under any other Act or any other Statute of the Province;
- 28.2.6 To provide information and recommendations to the Members of Council with respect to Council's role to ensure the accountability and transparency of the operations of the municipality including the activities of the senior management of the municipality;
- 28.2.7 To provide information and recommendations to Council to ensure that administrative policies, practices and procedures are in place to implement the decisions of Council;
- 28.2.8 To open the Meeting of Council by taking the Chair and calling the Members to order;
- 28.2.9 To announce the business before Council in the order which it is to be acted upon;
- 28.2.10 To receive, in the proper manner, all Motions presented by the Members of Council and to submit these Motions as questions for proper debate;
- 28.2.11 To put to a vote all questions which are duly moved and seconded or which necessarily arise in the course of proceedings and to announce the results;
- 28.2.12 To decline to put to a vote Motions which infringe upon the Rules of Procedure as provided for in this By-Law;
- 28.2.13 To restrain the Members, within the Rules of Procedures, when engaged in debate;
- 28.2.14 To enforce on all occasions the observance of order and decorum among the Members and those before Council;
- 28.2.15 To call by name any Member persisting in breach of the Rules of Procedure, thereby ordering the Member to vacate the meeting place;
- 28.2.16 To receive all messages and other communications and announce them;
- 28.2.17 To authenticate by their signature, when necessary, all By-Laws and Minutes of Council;
- 28.2.18 To inform the Members of Council, when necessary or when referred to for the purpose, on any point of order;
- 28.2.19 To represent and support Council, implicitly obeying its decision in all matters;
- 28.2.20 To ensure that the decisions of Council are in conformity with the laws and By-Laws governing the activities of Council;

- 28.2.21 When appointed to be, may be an Ex-Officio Member of all Committees of Council;
 - 28.2.22 To perform all duties as required of a Member of Council;
 - 28.2.23 To adjourn the Meeting without question in the case of grave disorder arising during the Meeting or suspend the sitting of Council until a time to be names by the Warden; and
 - 28.2.24 To adjourn the Meeting when the business of Council is concluded.
- 28.3 As Chief Executive Officer of the County, the Warden shall:
- 28.3.1 Uphold and promote the purposes of the municipality;
 - 28.3.2 Promote public involvement in the municipality's activities;
 - 28.3.3 Act as the representative of the municipality both within and outside the territorial limits of the municipality, and promote the municipality locally, nationally and internationally; and
 - 28.3.4 Participate in and foster activities that enhance the economic, social and environmental well-being for the municipality and its residents.

29. Council Member Roles and Responsibilities

- 29.1 Council Members are responsible for, where applicable:
- 29.1.1 Attending scheduled Meetings;
 - 29.1.2 Carefully considering and making decisions about Meeting business, including seeking information and advice from staff prior to and during a Meeting;
 - 29.1.3 Voting on Motions put to a vote;
 - 29.1.4 Respecting the rules of order in this Procedural By-Law;
 - 29.1.5 Listening attentively, participating in a Meeting and not interrupting, unless to raise a Point of Order;
 - 29.1.6 Remaining silent in their seats while Council votes and until the Chair announces the results of the vote;
 - 29.1.7 Refraining from using any offensive, disrespectful or un-parliamentary language about any Member, municipal employee, Meeting attendees and Council as a whole;
 - 29.1.8 Respecting and following the decisions of Council;
 - 29.1.9 Respecting the confidentiality of matters discussed in Closed Session Meetings and not disclosing the subject or substance of these discussions unless authorized to do so;
 - 29.1.10 Complying with the Chair's ruling and Council's decisions; and
 - 29.1.11 Complying with the Council Code of Conduct.

29.2 The role of Council Members also includes, where applicable:

- 29.2.1 To represent the public and to consider the well-being and interests of the County;
- 29.2.2 To develop and evaluate the policies and programs of the County;
- 29.2.3 To determine which services and the extent to which such services are provided to the residents of the County;
- 29.2.4 To ensure that administrative policies, practices and procedures and financial policies, practices and procedures are in place to implement the decisions of Council;
- 29.2.5 To ensure the accountability and transparency of the operations of the County, including the activities of the senior management of the County;
- 29.2.6 To maintain the financial integrity of the County; and
- 29.2.7 To carry out the duties of a Member as provided for under any Act or By-Law.

30. Restriction on Power of Members

- 30.1 No Member of Council shall have power to direct or interfere with the performance of any work of the County Corporation.

31. Absence of Warden and/or Deputy Warden

- 31.1 In case the Warden does not attend within fifteen (15) minutes after the time appointed for a Meeting of Council, the Deputy Warden shall call the Meeting to order and preside as Chair, subject to any restrictions regarding Conflict of Interest.
- 31.2 In case the Warden and Deputy Warden are unable to attend the Meeting, the Members will, by resolution duly moved and seconded, appoint a Chair. While so presiding, the Chair shall have all the powers of the Chair.
- 31.3 Should the Warden or Deputy Warden, as the case may be, arrive after the Meeting has been called to order, the Chair shall relinquish the position of the Chair to the Warden, or Deputy Warden as the case may be, immediately after the current item of business on the Council Orders of the Day is considered or otherwise disposed.

32. Alternate Council Member

32.1 General Procedures

- 32.1.1 The following procedure relates to alternates to County Council who are appointed by local municipalities under section 268 of the Act when they are required to attend a Council Meeting;
- 32.1.2 The Council of a constituent municipality may appoint one of its Members as an Alternate Member of County Council to act in place of a person who is a Member of the Council of the constituent municipality and the County when the Member is unable to attend a Meeting of County Council for any reason;
- 32.1.3 County Council has no role in the appointment of Alternate Members but it can establish procedures for accommodating Alternate Members at County Council;

- 32.1.4 Constituent municipalities are able to appoint an Alternate Member of County Council in accordance with the following provisions:
 - 32.1.4.1 There can only be one Alternate Member appointed per municipality;
 - 32.1.4.2 The appointment is for the term of Council; and
 - 32.1.4.3 Municipalities cannot appoint another Alternate Member to act in place of the appointed Alternate Member;
- 32.1.5 Alternate Members shall make their declaration of office prior to taking their seat as an Alternate Member of Council. This is not required for subsequent Meetings they might attend;
- 32.1.6 The Alternate Member shall have all the powers and duties of a Member, including the power to make motions and vote and the duty to abide by this By-Law and Code of Conduct, as applicable; and
- 32.1.7 Alternate Members must only be used when the Member is unable to attend an entire Meeting.
- 32.1.8 Alternate Members are eligible to become Members of Elgin County Boards and Committees, subject to Council appointment.

32.2 Notification Process

- 32.2.1 A local municipality shall notify the Clerk in the event that its council appoints an Alternate Member of County Council and shall provide the Clerk with a certified copy of the By-Law so appointing the Alternate Member;
- 32.2.2 The Clerk shall keep a record of all appointed Alternate Members which shall be available to the public;
- 32.2.3 The local Clerk or incumbent Council Member shall notify the Clerk, in writing, as soon as reasonably possible when an Alternate Member shall be attending a Meeting of Council;
- 32.2.4 Each local municipality will be responsible for notifying its Alternate Member that they are to attend any County Council Meeting;
- 32.2.5 In situations where no prior notice has been given, the Alternate Member shall at the time they attend a County Council Meeting, provide the Clerk with written confirmation that they are acting as an Alternate Member for that Council Meeting;
- 32.2.6 Alternate Members shall receive a regular agenda on each Thursday preceding a Meeting Day of Council. If no notice was provided, they shall receive a hard copy or electronic agenda at the time they attend the Council Meeting; and
- 32.2.7 Closed Meeting agendas, reports and minutes will be provided to the Alternate Member on paper and shall be returned at the end of the meeting.

32.3 Meeting Administration

- 32.3.1 The Alternate Member's powers and duties as a Member extend only to the time they are present at the Council Meeting;

- 32.3.2 Council Minutes shall note the absence of the incumbent Member and the attendance of an Alternate Member; and
- 32.3.3 Where both an Alternate Member and Member attend a Council Meeting, the Member shall assume their seat. The Alternate Member may attend as a spectator.

32.4 Appointment of Alternate Member for a Period of Less Than One (1) Month

- 32.4.1 If a person who is a Member of the council of a constituent municipality and a Member of County Council is unable to act as a Member of those councils for a period of less than one (1) month, the Council of the constituent municipality may appoint one of its Members as an Alternate Member of County Council to act in place of the Member until the Member is able to resume acting as a Member of those councils;
- 32.4.2 An Alternate Member appointed at the discretion of a constituent municipality as contemplated by section 32.4.1 above shall not receive compensation from the County for any Meetings of Council they are required to attend in the absence of the Member but shall be paid mileage at the same rate established for the use of personal vehicles for County business and any other eligible "out of pocket" expense that may occur;
- 32.4.3 An Alternate Member shall not be eligible to be reimbursed for attendance at conventions, seminars or training;
- 32.4.4 An Alternate Member while acting in their capacity, shall be governed by all applicable policies of the County such as but not limited to this By-Law and Council Code of Conduct; and
- 32.4.5 An Alternate Member shall have access to applicable support resources such as but not limited to the County's Integrity Commissioner.

32.5 Appointment of Alternate Member for a Period Exceeding One (1) Month

- 32.5.1 If a person who is a Member of the council of a constituent municipality and a Member of County Council is unable to act as a Member of those councils for a successive period exceeding one (1) month, the council of the constituent municipality may appoint one of its Members as an Alternate Member of County Council to act in place of the Member until the Member is able to resume acting as a Member of those councils;
- 32.5.2 Upon notice of vacancy of a Member exceeding one (1) month, the Member's compensation and expense reimbursement eligibility will cease and will be provided to the Alternate Member so appointed in their place by the constituent municipality in the same manner;
- 32.5.3 An Alternate Member so appointed shall be eligible to be reimbursed for attendance at conventions, seminars or training;
- 32.5.4 An Alternate Member, while acting in this capacity, shall be governed by all applicable policies of the County such as but not limited to this By-Law and Council Code of Conduct; and
- 32.5.5 An Alternate Member so appointed shall have access to all equipment supplied to a regular Member including but not limited to information technology equipment, account access and applicable support resources such as but not limited to the County's Integrity Commissioner.

33. Member Vacancy

33.1 Vacancy of Seat of Member of Council

- 33.1.1 The Council of the constituent municipality may appoint one of its Members as an Alternate Member of County Council to act in place of Member Vacancy. The office of a Member of Council becomes vacant if the Member:
- 33.1.1.1 becomes disqualified from holding the office of a Member of Council;
 - 33.1.1.2 fails to make the declaration of office before the deadline;
 - 33.1.1.3 is absent from the meetings of council for three (3) successive months without being authorized to do so by a resolution of Council;
 - 33.1.1.4 resigns from their office;
 - 33.1.1.5 is appointed or elected to fill any vacancy in any other office on the same council;
 - 33.1.1.6 has their office declared vacant in any judicial proceeding;
 - 33.1.1.7 forfeits their office under the Act or any other Act; or
 - 33.1.1.8 dies, whether before or after accepting office and making the prescribed declarations.
- 33.1.2 Seats declared vacant by a constituent municipality will be dealt with as outlined in the Act;
- 33.1.3 Upon notice of vacancy, the Member's compensation and expense reimbursement eligibility will cease and will be provided to the Alternate Member so appointed by the constituent municipality in the same manner;
- 33.1.4 An Alternate Member, so appointed shall be eligible to be reimbursed for attendance at conventions, seminars or training;
- 33.1.5 An Alternate Member, while acting in this capacity, shall be governed by all applicable policies of the County such as but not limited to the Council Code of Conduct; and
- 33.1.6 An Alternate Member so appointed shall have access to all equipment supplied to a regular Member including but not limited to information technology equipment, account access and applicable support resources such as but not limited to the County's Integrity Commissioner.

33.2 Vacancy of Seat of Warden

- 33.2.1 If the position of Warden is vacant, Council shall fill the vacancy by appointment in the same manner as Warden was originally appointed, as provided for in this By-Law.

33.3 Pregnancy and Parental Leave

- 33.3.1 The provisions of this sub-section applies to a Member of Council who is absent from Meetings of Council for at least three (3) consecutive months as a result of the Member's pregnancy, the birth of the Member's child, or the adoption of a child by the Member;

- 33.3.2 The office of a Member of Council shall not become vacant if a Member is absent for twenty (20) consecutive weeks or less when such absence is a result of the Member's pregnancy, the birth of the Member's child or the adoption of a child by the Member;
- 33.3.3 Prior to the Member missing meetings of Council for three (3) consecutive months, a Member of Council shall provide a request for pregnancy and/or parental leave in writing to the Clerk;
- 33.3.4 If a Member wishes to seek a leave in excess of twenty (20) consecutive weeks, the Member shall request an extended leave, in writing to the Clerk, as soon as the need for an extended leave is known. If an extended leave is requested, the Clerk shall prepare a report for Council's consideration of the extended leave;
- 33.3.5 Member on pregnancy or paternity leave is exempt from attending meetings of Council to which the Member has been appointed;
- 33.3.6 Members shall still receive all Council Agenda packages;
- 33.3.7 Any Member on pregnancy or paternity leave shall participate in events, conferences, committee meetings, constituent meetings or respond to communications at the level they determine, utilizing an out of office email feature to identify they are on leave, the level of service offered and an alternate contact if required;
- 33.3.8 Members of Council on pregnancy or paternity leave shall continue to receive all remuneration afforded to regular Members of Council; and
- 33.3.9 Members of Council on pregnancy or paternity leave shall continue to have access to all equipment supplied to a regular Member including but not limited to information technology equipment, account access and staff support.

34. Administrative Authority of Clerk

- 34.1 The Clerk is authorized to amend By-Laws, Minutes and other Council and Committee documentation for technical, typographical or other administrative errors or omissions for the purpose of ensuring an accurate and complete record of proceedings.
- 34.2 Significant changes to By-Laws, Minutes and other Council and Committee documentation including a change in meaning, shall be presented to Council or the involved Committee for approval and adoption.

35. Organization of Committees

- 35.1 The Warden shall recommend, and Council shall appoint representatives from within their membership to various Committees, Local Boards and Agencies at the first Meeting in January of each year.
- 35.2 Council may at any time, on Motion of a Member duly considered and agreed to by a majority vote strike a Committee, Ad Hoc Committee and/or Steering Committee, as the case may be, which shall consider and report on any matter or to perform any special service within the spheres of jurisdiction of Elgin County, pursuant to the Act.

36. Repeal of Amendment of this By-Law

- 36.1 This By-Law is not to be amended or repealed except by a majority vote when all Members of Council are present.
- 36.2 No amendment or repeal of this By-Law is to be considered at any Meetings of Council unless Notice of the proposed amendment or repeal has been given at a previous regular meeting of Council.

37. Public Record

- 37.1 All communications that the Clerk receives about a matter on the agenda of a public or open Meeting will form part of the public record. Personal information and opinions in communications are part of the public record unless the author of the communication requests the removal of their personal information when submitting it or when otherwise confirmed by the Clerk.

38. Severability

- 38.1 Each provision of this By-Law is distinct and severable. If any provision of this By-Law, in whole or in part, is or becomes illegal, invalid, void, voidable or unenforceable in any jurisdiction by order of any court of competent jurisdiction, the illegality, invalidity or unenforceability of that section, in whole or in part, will not affect:
 - 38.1.1 The legality, validity or enforceability of the remaining provisions of this By-Law, in whole or in part; or
 - 38.1.2 The legality, validity or enforceability of that section, in whole or in part, in any other jurisdiction.

Notwithstanding the date this by-law is passed, it shall not come into force until April 1, 2025. Until this date, By-Law No. 19-41, as amended, shall remain in effect.

THE CORPORATION OF THE TOWNSHIP OF MALAHIDE

BY-LAW NO. 25-60

Being a By-law to Govern the Proceedings of Council and Committee Meetings of the Corporation of the Township of Malahide.

WHEREAS Section 238 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, requires that every municipality pass a procedure by-law to govern:

- The calling, place, and proceedings of meetings;
- The provision of public notice of meetings; and
- Electronic participation in meetings.

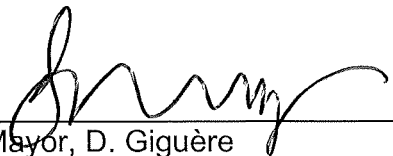
AND WHEREAS The Township of Malahide wishes to repeal and replace its existing procedure by-laws to ensure alignment with legislative requirements, enhanced transparency, and effective governance, including provisions related to Part VI.1 of the Municipal Act, 2001 (Strong Mayor Powers).

NOW THEREFORE, be it resolved Council of The Corporation of the Township of Malahide HEREBY ENACTS AS FOLLOWS:

1. By-laws 24-35 and all previous by-laws related to meeting procedures of Council and Committee, including amending by-laws, are hereby repealed.
2. That this By-law shall come into effect on the final passing thereof.

READ a FIRST and SECOND time this 20th day of November, 2025.

READ a THIRD time and **FINALLY PASSED** this 20th day of November, 2025.



Mayor, D. Giguère



Clerk, A. Adams

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1. SHORT TITLE

- 1.1. This By-law shall be known as "The Procedural By-law" for The Corporation of the Township of Malahide.

2. DEFINITIONS IN THIS BY-LAW

- 2.1. Interpretation Clause: Unless the context otherwise requires, words importing the feminine gender include the masculine and vice versa; words in the singular include the plural and vice versa.

General Terms and Legislation

- 2.2. "Municipality" means The Corporation of the Township of Malahide.
- 2.3. "Municipal Act" means the Municipal Act, 2001, S.O. 2001, c. 25, as amended.
- 2.4. "MCIA" means the Municipal Conflict of Interest Act, R.S.O. 1990, c. M.50, as amended.
- 2.5. "MFIPPA" means the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56, as amended.
- 2.6. "Planning Act" means the Planning Act, R.S.O. 1990, c. P.13, as amended.

Council Positions and Titles

- 2.7. "Council" means the Council of The Corporation of the Township of Malahide.
- 2.8. "Mayor" means the elected official who holds the office of Mayor for The Corporation of the Township of Malahide. The Mayor is the Head of Council for the purposes of the Municipal Act, 2001, and exercises the duties and responsibilities outlined in this By-law and any applicable legislation.
- 2.9. "Head of Council" means the Mayor of The Corporation of the Township of Malahide when exercising statutory powers and duties conferred under the Municipal Act, 2001, including, where applicable, powers assigned under Part VI.1 (Strong Mayor Powers).
 - (1) For clarity, such powers do not transfer to the Deputy Mayor or any Acting Head of Council unless explicitly delegated in writing by the Mayor or as otherwise permitted by applicable law.
- 2.10. "Deputy Mayor" means the Member of Council elected or appointed to serve in that role, who shall assume the duties and responsibilities of the Mayor during their absence, except for any powers that are exclusively assigned to the Head of Council under the Municipal Act, 2001.
 - (1) For clarity, the Deputy Mayor does not assume strong mayor powers under Part VI.1, unless expressly delegated by the Mayor in writing.

2.11. “Acting Head of Council” means the Deputy Mayor when the Mayor is absent or the Office of the Mayor is vacant; or where both the Mayor and Deputy Mayor are absent or their offices are vacant, the Member of Council appointed by resolution to act in the place and stead of the Mayor.

- (1) While so acting, the Acting Head of Council may exercise the rights, powers, and duties of the Mayor except those powers that are exclusively assigned to the Head of Council under Part VI.1 of the Municipal Act, 2001

2.12. “Councillor” means a person elected or appointed as a Member of Council, excluding the Mayor and Deputy Mayor.

2.13. “Member” means: A Member of Council, or a Member of a Committee, as the context requires.

Staff Positions and Titles

2.14. “Staff” all persons employed by The Corporation of the Township of Malahide, whether full-time, part-time, permanent, or temporary, and includes those appointed under the authority of the Municipal Act, 2001, or by municipal by-law.

“CAO” the Chief Administrative Officer of The Corporation of the Township of Malahide, a position established under Section 229 of the Municipal Act, 2001, and appointed by the Head of Council under Section 284.5 or appointed through delegated authority of Council under Section 284.13. This includes any individual formally appointed to act in that capacity during the absence or vacancy of the position.

- (1) Where powers have been delegated by the Mayor under Part VI.1 of the Municipal Act, 2001, the CAO may exercise such powers subject to the terms of the written delegation.

2.15. “Clerk” means the Clerk of The Corporation of the Township of Malahide, as appointed under Section 228 of the Municipal Act, 2001.

- (1) This includes the Deputy Clerk or any person formally appointed to exercise the statutory powers and duties of the Clerk during their absence, including those relating to meeting procedures, recordkeeping, and public notice.
- (2) Where the terms “Committee Clerk” or “Staff Liaison” are used, they refer to any staff person designated by the Clerk or CAO to carry out procedural and clerical duties during a Committee meeting.

Meeting Positions and Titles

2.16. "Chair" means:

- (1) In the case of a Council meeting, the Mayor, or in their absence, the Deputy Mayor, or a Member of Council appointed to act as Chair. While acting as Chair, the Member shall exercise all the procedural powers and responsibilities of the Mayor under this By-law, except where those powers are exclusively assigned to the Mayor under the Municipal Act, 2001, including Part VI.1 (Strong Mayor Powers).
- (2) In the case of a Statutory Public Meeting, Public Meeting, or Court of Revision Hearing, the Mayor, Deputy Mayor, or a Member of Council who presides over that portion of the meeting, as designated under this By-law.
- (3) In the case of a Committee, the Member appointed as Chair by Council, or by the Mayor where the appointment authority is exercised under Section 284.8 of the Municipal Act, 2001, as applicable.

2.17. "Vice Chair" means, in the case of a Committee, the Member appointed to act in the place and stead of the Committee Chair when the Chair is absent. The Vice Chair shall exercise all the rights, powers, and authorities of the Committee Chair while so acting, subject to any statutory limitations under the Municipal Act, 2001.

Meetings, Committees and Local Boards

2.18. "Meeting" means any regular, special, or emergency meeting of Council or a Committee, including a Statutory Public Meeting, Public Meeting, or Court of Revision Hearing, where:

A quorum of Members is present, and

Members discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of the Council, Committee, or Local Board.

This definition shall be interpreted in accordance with Section 238(1) of the Municipal Act, 2001 and any applicable case law or closed meeting investigation findings.

- (1) "Quorum" means the minimum number of Members required to be present at a meeting in order to conduct business, as prescribed by the Municipal Act, 2001 and as further defined in Section 5.9 of this By-law.

2.19. "Committee" means any ad hoc, advisory, joint, standing, statutory, or other committee, subcommittee or similar entity established by the Municipality, of which at least 50% of its Members are also Members of Council or of a Local Board.

- (1) "Ad Hoc Committee" means a committee established by Council for a specific purpose and of limited duration, which shall be dissolved automatically upon delivery of its final report, unless otherwise extended by Council.
- (2) "Advisory Committee" means a committee appointed by Council to provide non-binding advice or recommendations on strategic or operational matters within its mandate, throughout the term of Council or as otherwise directed.

- (3) “Joint Committee” means a committee composed of Members from the Township and one or more other municipalities, or other entities, established to address regional, intergovernmental, or shared service matters.
 - (4) “Standing Committee” means a committee appointed by Council with a continuing mandate over a specific portfolio of municipal operations or governance matters.
 - (5) “Statutory Committee” means a committee required or enabled by legislation, with responsibilities defined in law, including but not limited to a Committee of Adjustment, Court of Revision, or Property Standards Committee.
- 2.20. “Committee of the Whole” means a meeting format rather than a standalone committee under s. 238(1) of the Municipal Act, 2001, in which all Members of Council sit as a committee to consider matters in a less formal setting than a regular Council meeting.
- (1) The Committee of the Whole is used to facilitate in-depth discussion, receive presentations or staff reports, and develop non-binding recommendations to Council. While the Committee of the Whole may deliberate and vote on matters for recommendation, it shall not pass by-laws or make final decisions unless otherwise authorized by resolution of Council.
- 2.21. “Local Board” means a municipal service board, transportation commission, board of health, planning board, or any other board, commission, committee, body or local authority established or exercising any power under any Act with respect to the affairs or purposes of one or more municipalities.
- (1) This definition excludes a school board, conservation authority, police services board, and public library, as set out in section 1(1) of the Municipal Act, 2001. Local Boards are legally distinct from Committees and are governed by their own enabling legislation or terms of reference.

Recommendations and Decision-Making Mechanisms

- 2.22. “Recommendation” means a proposal submitted by a Member, staff person, or external party for consideration by Council or a Committee. Recommendations may be incorporated into a motion or report and do not carry any binding authority until formally adopted by resolution.
- 2.23. “Motion” means a formal proposal moved by a Member and seconded by another Member for debate and decision at a meeting of Council or a Committee. If adopted by a majority vote, a motion becomes a resolution.
- 2.24. “Direction” means non-binding guidance issued by Council to staff or Committees indicating a preferred course of action or desired outcome. Directions may be recorded in the meeting minutes, but do not require a vote or create a binding decision unless formally adopted by resolution.

- (1) “Mayoral Direction to Staff” means a written instruction issued by the Mayor to municipal employees under Part VI.1 requiring research, advice, or implementation actions within the scope of strong-mayor powers.
- 2.25. “Resolution” means a binding decision or expression of will of Council or a Committee, adopted by majority vote through a properly moved and seconded motion.
- 2.26. “By-law” means a formal enactment of Council that has the force of law within the jurisdiction of the Municipality. By-laws may regulate, prohibit, or authorize matters under municipal authority and are enforceable under the Municipal Act, 2001 and other applicable legislation.
- (1) “Confirmatory By-law” means a by-law passed at the conclusion of a Council meeting for the purpose of giving formal effect to the decisions and proceedings taken by Council at that meeting. A Confirmatory By-law consolidates all resolutions, approvals, and directions into a single legally binding instrument, unless a separate by-law has already been adopted for a specific matter.
- 2.27. “Mayoral Decision” means a written instrument issued by the Mayor under Part VI.1, including a veto notice, a requirement that Council consider a matter, a committee or organizational decision, a budget instrument, or a delegation or revocation.
- (1) “Register of Mayoral Decisions” means the public register maintained by the Clerk containing copies of all Mayoral Decisions and delegated or revoked powers issued under Part VI.1, subject to MFIPPA.
- (2) “Budget Amendment Veto” means a written Mayoral Decision vetoing a Council amendment to the Proposed Budget under Part VI.1, which Council may override by a two-thirds vote of all Members.
- (3) “By-law Veto” means a written Mayoral Decision vetoing a by-law, in whole or in part, that in the opinion of the Mayor could interfere with a prescribed Provincial Priority, which Council may override by a two-thirds vote of all Members.

Voting Terms

- 2.28. “Abstain” means to refrain from voting. Unless a Member is prohibited from voting due to a declared pecuniary interest under the Municipal Conflict of Interest Act, an abstention shall be deemed to be a vote in the negative.
- 2.29. “Recorded Vote” means a written record of the name and vote (yea, nay, or abstain) of each Member present at the time a vote is taken, as required under this By-law or upon request by any Member.

- 2.30. “Override Vote” means a vote of two-thirds of all Members of Council to override a Mayoral Decision where the Municipal Act, 2001 so provides, including a budget amendment veto or a by-law veto.

Rules of Order and Procedural Tools

- 2.31. “Point of Order” means an interjection by a Member during a Meeting to alert the Chair to a potential breach of this Procedural By-law or improper conduct.
- 2.32. “Point of Privilege” means a question raised by a Member concerning their personal rights, dignity, or integrity, or the collective rights or integrity of Council, Committee, or staff, where the Member believes they have been impugned or misrepresented.
- 2.33. “Rules of Procedure” means the rules and procedures established in this Procedural By-law, as amended from time to time.

Public Engagement, Participation and Access

- 2.34. “Delegation” means a person, group, or organization that appears before Council or a Committee to present information, express views, or make a request related to a matter within the Municipality’s jurisdiction.
- 2.35. “Electronic Participation” means attendance and participation by a Member or delegation at a Meeting through electronic means, including audio, video, or telecommunications platforms, as determined and provided by the Clerk under Section 238(3.1) of the Municipal Act, 2001.
- 2.36. “Website” means the official website of The Corporation of the Township of Malahide, located at www.malahide.ca

Strong Mayor Powers

- 2.37. “Strong Mayor Powers” means the special powers and duties assigned to the Head of Council under Part VI.1 of the Municipal Act, 2001.
- 2.38. “Provincial Priority” means a priority prescribed by regulation for the purposes of Part VI.1 of the Municipal Act, 2001, including housing and related infrastructure.
- 2.39. “Mayoral Delegation” means a written instrument by which the Mayor delegates, in whole or in part, a strong mayor power or duty that is permitted to be delegated under Part VI.1 and applicable regulations, and includes any written revocation.

3. GENERAL PROVISIONS

3.1. ***Applicability of the Procedural By-law:*** These procedural rules apply to all Meetings of Council and Committees unless otherwise specified in this By-law or required by law.

3.2. ***Principles of Governance and Parliamentary Procedure***

- (1) The principles of openness, transparency, and accountability to the public shall guide all Council and Committee proceedings. These principles are realized by:
 - (a) Ensuring that decision-making processes are accessible and understandable to the public and stakeholders;
 - (b) Providing timely access to information and opportunities for input consistent with this By-law and applicable legislation;
 - (c) Respecting the distinct roles and responsibilities of Members and Staff as set out in this By-law and applicable law; and
 - (d) Protecting the fundamental rights of participants, recognizing the right of the majority to decide, the minority to be heard, and the public to participate.
- (2) The principles of parliamentary law governing Council and Committees include:
 - (a) The majority of Members have the right to decide;
 - (b) The minority of Members have the right to be heard;
 - (c) All Members have the right to access relevant information to support decision-making, unless otherwise prohibited by law;
 - (d) All Members have the right to participate in efficient Meetings;
 - (e) All Members shall be treated with respect and courtesy; and
 - (f) All Members have equal rights, privileges, and obligations under this By-law.

3.3. ***Suspension of Rules and Procedures***

- (1) Authority to Suspend: Council may temporarily suspend any provision of this By-law that is not required by legislation or otherwise legally binding, through a majority vote of the Members present
- (2) Restrictions
The following provisions shall not be suspended:
 - (a) Any requirement mandated by provincial or federal law;
 - (b) Procedural obligations arising from binding contracts or agreements;
 - (c) The process for amending this By-law;
 - (d) Quorum requirements.

3.4. ***Issue not Addressed***

- (1) Chair's Discretion: Where a procedural matter arises that is not specifically addressed in this By-law, the Chair shall rule on the matter, subject to an appeal to the Members..
- (2) Use of Parliamentary Authority: Where this By-law is silent and a procedural ruling is required, the rules of procedure set out in the most recent edition of Robert's Rules of Order shall be used for guidance, provided such rules are not inconsistent with this By-law or applicable legislation.

3.5. *Electronic Devices, Live Streaming, and Official Record*

- (1) All communication devices shall be set to silent or turned off during any Council or Committee Meeting.
- (2) The Municipality will make every reasonable effort to provide live streaming and video recordings of public Meetings. Meetings shall proceed as scheduled even if technical issues prevent livestreaming or recording, provided the physical Meeting space remains accessible to the public.
- (3) The official record of Council and Committee Meetings shall be the written minutes prepared by the Clerk, as required by Section 239(7) of the Municipal Act, 2001. These minutes shall record all decisions and resolutions without note or comment.
- (4) Video recordings posted on the internet form part of the public record but may be subject to alteration by external parties beyond the Municipality's control. The Municipality assumes no responsibility for unauthorized modifications or misrepresentations.

4. DUTIES OF COUNCIL & COMMITTEES

(4.1–4.3: Roles at Council Meetings)

4.1. *Duties of the Mayor:*

- (1) It shall be the duty of the Mayor to carry out the responsibilities of Head of Council set forth in the Municipal Act, 2001, including, where applicable, powers assigned under Part VI.1 (Strong Mayor Powers), in addition to the following responsibilities:
 - (a) to open the Meeting of Council by taking the Chair and calling the Members to order;
 - (b) to announce the business before the Council in the order in which it is to be acted upon;
 - (c) to receive and submit, in the manner prescribed by this Procedural By-law, all motions presented by Members;
 - (d) to recognize any Member who wishes to speak and to determine the order of speakers;
 - (e) to put to vote all questions which are regularly moved and seconded, or necessarily arise in the course of the proceedings, and to announce the result, in accordance with this By-law and applicable law;
 - (f) to decline to put to vote motions which contravene the provisions of the Procedural By-law;
 - (g) to enforce the provisions of the Procedural By-law;
 - (h) to enforce on all occasions the observance of order and decorum among the Members;
 - (i) to call by name any Member refusing to comply with this Procedural By-law and to order the Member to vacate the Council Chambers or the place of Meeting, as the case may be;
 - (j) to cause to be expelled and excluded any member of the public who creates a disturbance or acts improperly during a Meeting and, if necessary, to direct the Clerk to seek appropriate assistance from the Police Service;

- (k) to authenticate, by signature, all By-laws and Meeting minutes, unless the matter is delegated to staff or another Member;
 - (l) to rule on any points of order raised by Members;
 - (m) to represent and support the decisions of Council, declaring its will and explicitly and implicitly obeying its decisions in all things;
 - (n) to adjourn the Meeting when the business is concluded or, if considered necessary by the Mayor because of grave disorder, to adjourn the sitting without putting to the vote any question, or suspend the sitting for a time to be named;
 - (o) to nominate Members of Council for appointment to Committees or to request advice or nominations from Council for such appointments, including the appointment of Committee Chairs under Section 284.8 of the Municipal Act, 2001, where applicable;
 - (p) to consult with the Clerk and CAO on the preparation of the agenda pursuant to Section 6.1 of this Procedural By-law and to add items to the agenda when advancing a prescribed Provincial Priority under Section 284.10 of the Municipal Act, 2001.
- (2) The Mayor may attend any meeting of a Committee of Council in an ex officio, non-voting capacity, unless formally appointed by resolution of Council or by the Mayor under section 2(1) of O. Reg. 530/22, in which case the Mayor shall have the same rights and responsibilities as any other appointed Member.
- (a) When attending in a non-voting ex officio capacity, the Mayor:
 - (i) shall not count toward quorum;
 - (ii) may participate in discussion at the discretion of the Chair; and
 - (iii) shall not move or second motions.
 - (b) The Mayor shall receive notice, agendas, and minutes for all Committees of Council, but the absence of the Mayor shall not affect the ability of a Committee to meet or conduct its business.
- (3) **Participation of the Mayor in Debate**
- (a) The Mayor, while presiding as Chair at a Council meeting, may state their position on any matter before Council without leaving the Chair.
 - (b) If the Mayor wishes to move a motion or engage in debate beyond clarification or summary, they shall vacate the Chair and request that the Deputy Mayor, or another Member designated by Council, preside temporarily.
 - (c) The Mayor shall resume the Chair following the disposition of the matter, unless Council directs otherwise.
- (4) **Special Powers and Duties of the Head of Council**
- (a) The Mayor shall exercise the special powers and duties conferred under Part VI.1 of the Municipal Act, 2001 and O. Reg. 530/22, including:
 - (i) proposing and presenting the annual budget by February 1 of each year;
 - (ii) vetoing Council amendments to the budget;

1. veto must occur within 10 days after Council amendment
 2. requires 2/3 (two-thirds) Council vote to override
 - (iii) vetoing by-laws that could interfere with a prescribed provincial priority;
 1. veto must occur within 5 days after Council passage
 2. requires 2/3 (two-thirds) Council vote to override
 - (iv) requiring Council to consider matters that could advance a prescribed provincial priority;
 1. passes with 1/3 (one-third) Council vote
 2. requires 2/3 (two-thirds) Council vote to override
 3. refer to Protocol ("Responsible Use of Powers Regarding Provincial Priorities" September 18, 2025)
 - (v) appointing or dismissing specified employees, except those whose appointment is otherwise prescribed by statute;
 1. power has been delegated (MDE-2025-02 "Delegation of Authority of CAO Appointment and Dismissal" July 8, 2025)
 2. power has been delegated (MDE-2025-03 "Delegation of Authority for Re-organization, Hiring, and Dismissal of Division Head Powers to the CAO" July 8, 2025)
 - (vi) reorganizing the administrative structure of the Municipality; and
 1. power has been delegated (MDE-2025-01 "Delegation of Authority of CAO Powers to the CAO" July 8, 2025)
 - (vii) establishing, dissolving, or modifying Committees of Council.
 1. refer to Protocol ("Responsible Use of Powers Regarding Committees of Council" September 18, 2025)
 2. refer to Protocol ("Appointing Chairs and Vice-Chairs of Local Boards" September 18, 2025)
- (b) All decisions, vetoes, and directions under this Part shall be made in writing, filed with the Clerk within the deadline as stipulated under O. Reg. 530/22, and recorded in a Register of Mayoral Decisions available to the public, subject to MFIPPA.
- (c) Where a written delegation of powers is issued by the Mayor under s. 284.12, the delegation and any revocation shall likewise be filed with the Clerk.
- (d) Where conflict arises between this By-law and Part VI.1 or O. Reg. 530/22, the legislation shall prevail.

4.2. ***Duties of the Deputy Mayor***

- (1) Where the Mayor gives notice to the Clerk that they will be absent from the Municipality, or of their absence through illness, or their office is vacant, or they vacate the chair, then the Deputy Mayor shall act in their place and stead and, while so acting, has and may exercise all the rights, powers and authority of the Head of Council, except where powers are assigned exclusively to the Mayor under Part VI.1 of the Municipal Act, 2001 unless delegated in writing by the Mayor.

4.3. *Duties of the Members of Council*

- (1) It shall be the duty of the Members to carry out the role of Council as set forth in the Municipal Act, 2001, in addition to the following responsibilities:
 - (a) to deliberate on the business submitted to Council;
 - (b) to vote when a motion is put to a vote, except where otherwise disqualified from doing so by law;
 - (c) to represent and support the decisions of Council, declaring its will and explicitly and implicitly obeying its decisions in all things;
 - (d) to Chair the portion of a Meeting for which the Member is the appointed Chair and assume the duties of the Mayor as detailed in Section 4.1; and
 - (e) to apply and respect the Rules of Procedure.
- (2) Council Members shall adhere to the Council Code of Conduct as adopted by Council and as amended from time to time.
- (3) To act as an alternate lower-tier Member to attend County Council where the Municipality gives notice to the County Clerk of the absence of a County Councillor in accordance with the Elgin County Procedural By-law.
- (4) No Member of Council shall have the power to direct or interfere with the performance of any work for the Corporation of the Township of Malahide, except where the Mayor exercises direct authority under Part VI.1 of the Municipal Act, 2001.

(4.4–4.7: Roles at Committee Meetings)

4.4. *Duties of the Committee Chair:*

- (1) It shall be the duty of the Chair to:
 - (a) open the Committee Meeting by taking the Chair and calling the Members to order;
 - (b) announce the business before the Committee in the order in which it is to be acted upon;
 - (c) receive and submit, in the manner prescribed by this Procedural By-law, all motions presented by Members;
 - (d) recognize any Member who wishes to speak and determine the order of speakers;
 - (e) put to vote all questions which are regularly moved and seconded, or necessarily arise in the course of the proceedings;
 - (f) decline to put to vote motions which contravene the provisions of the Procedural By-law;
 - (g) enforce the provisions of the Procedural By-law;
 - (h) enforce on all occasions the observance of order and decorum among the Members;
 - (i) call by name any Member refusing to comply with this Procedural By-law and to order the Member to vacate the Meeting;
 - (j) cause to be expelled and excluded any member of the public who creates a disturbance or acts improperly during a Meeting and, if necessary, direct the Committee Clerk to seek appropriate assistance;

- (k) authenticate, by signature, all Meeting minutes;
- (l) rule on any points of order raised by Members;
- (m) represent and support the decisions of the Committee;
- (n) adjourn the Meeting when the business is concluded, or suspend the Meeting for cause;
- (o) consult with the Committee Clerk on the preparation of the agenda.

(2) Participation of the Committee Chair in Debate

- (a) The Chair may state their position on a matter before voting, but shall not move a motion or debate while presiding without first leaving the Chair.
- (b) If the Chair wishes to move a motion or participate in debate, they shall call on the Vice Chair or another Member to preside temporarily.

4.5. Duties of the Committee Vice Chair

- (1) Where the Chair gives notice that they will be absent, the Vice Chair shall act in their place and, while so acting, has and may exercise all the rights, powers and authority of the Chair.

4.6. Duties of the Committee Members

- (1) It shall be the duty of Members of a Committee to:
 - (a) deliberate on the business submitted to the Committee;
 - (b) vote when a motion is put to a vote, unless disqualified by law;
 - (c) represent and support the decisions of the Committee;
 - (d) Chair a portion of the Meeting when appointed as Chair;
 - (e) apply and respect the Rules of Procedure.
- (2) Council Committee Members shall adhere to the Council Code of Conduct.
- (3) Non-Council Committee Members shall adhere to the Employee Code of Conduct.
- (4) No Committee Member shall have power to direct or interfere with the performance of any work for the Corporation of the Township of Malahide.

5. MEETING PROCEDURES

(5.1–5.13: Council Meeting Procedures)

5.1. Place of Meeting

- (1) Unless otherwise directed by Council, all Regular and Special Meetings of Council shall be held in the Council Chambers at the Springfield & Area Community Services Building, 51221 Ron McNeil Line, Springfield, Ontario.
- (2) Notwithstanding subsection (1), the Mayor, in consultation with the Clerk, may direct that any Meeting be held in a fully electronic format, where circumstances warrant such action.

- (3) Circumstances that may warrant a fully electronic Meeting include, but are not limited to:
 - (a) severe or inclement weather,
 - (b) public safety concerns,
 - (c) facility-related disruptions,
 - (d) public health considerations, or
 - (e) other operational or security-related concerns that may impede the safe or orderly conduct of the Meeting.
- (4) In such cases, the Clerk shall ensure that:
 - (a) the electronic platform enables all Members to be seen and heard;
 - (b) the public is able to hear, or watch and hear, all open session proceedings; and
 - (c) public notice of the change is posted on the Municipal Website as soon as practicable.
- (5) The physical or electronic location of the Meeting shall be included in the Agenda and Notice of Meeting.

5.2. *Inaugural Meeting*

- (1) The first Meeting of Council following a regular election shall be held at a date and time set by the Clerk, in consultation with the Mayor, in accordance with section 230(1) of the Municipal Act, 2001. The Clerk shall be responsible for the location, format, and ceremonial arrangements for the Inaugural Meeting, in consultation with the Mayor as Head of Council.
- (2) At the Inaugural Meeting:
 - (a) Each Member present shall take the Declaration of Office in accordance with section 232 of the Municipal Act, 2001.
 - (b) Each Member shall sign the Council Code of Conduct as a condition of assuming office.

5.3. *Regular Meetings*

- (1) Regular Meetings of Council shall be held on the first and third Thursday of each month at 7:00 p.m., except where the date falls on a statutory holiday or as otherwise amended by Council resolution.
- (2) Notwithstanding subsection (1), in January, July, and August, Council shall meet on only one scheduled Thursday per month, at 7:00 p.m., as determined by Council resolution, unless the scheduled date is a statutory holiday.
- (3) Where a Regular Meeting falls on a statutory holiday, it shall be held on the next business day, unless otherwise determined by Council resolution.

5.4. *Special Meetings*

- (1) In addition to Regular Meetings, the Mayor may summon a Special Meeting of Council at any time by directing the Clerk to provide notice stating the date, time, and purpose of the Meeting.
- (2) The Clerk shall also summon a Special Meeting when requested in writing by a majority of Members, to be held at the date and time specified in the request.

- (3) Written notice of a Special Meeting shall be provided to all Members at least twenty-four (24) hours before the meeting and delivered via municipal email.
 - (a) The notice shall include the date, time, place, and specific business to be considered.
- (4) No business shall be considered at a Special Meeting except that which is included in the notice.
- (5) Unless otherwise specified in the notice, the Special Meeting shall be held at the same location as the last Regular Meeting.

5.5. ***Emergency Meeting***

- (1) An Emergency Meeting is a form of Special Meeting convened under urgent or extraordinary circumstances, where the normal notice provisions in Section 5.4 may be waived, in accordance with this section.
- (2) Notwithstanding any other provision of this by-law, in the event of an urgent or extraordinary situation, the Mayor may instruct the Clerk to summon an Emergency Meeting of Council without the standard notice period, for the purpose of dealing with matters that require immediate action to protect public health, safety, security, or the continuity of municipal operations.
- (3) The Mayor shall:
 - (a) Make reasonable efforts to contact all Members of Council; and
 - (b) Obtain the verbal or written consent of a majority of Members to hold the Meeting without the usual notice.
- (4) Notice of the Emergency Meeting shall be provided to the public as soon as practicable, through the Township's website or other available means.
- (5) An Emergency Meeting may be held:
 - (a) Electronically, using communication technology that enables all Members to hear and be heard, and enables public access where required; or
 - (b) At an alternative physical location, including outside the municipal boundaries, if necessary due to the nature of the emergency.
- (6) Council is not required to pass a resolution in advance to authorize an Emergency Meeting or a change in location.
- (7) Only business directly related to the emergency may be considered at an Emergency Meeting.
- (8) For greater clarity, Emergency Meetings of Council are distinct from the legislated emergency response procedures carried out by the Municipality's Emergency Control Group (ECG) under the Emergency Management and Civil Protection Act, 1990. The ECG is the primary body responsible for coordinating operational response and making decisions required under the Township's Municipal Emergency Plan. Council may convene an

Emergency Meeting in parallel with ECG operations to provide political direction, approve extraordinary measures, or enact required by-laws.

5.6. *Statutory Public Meetings and Other Legislated Hearings*

- (1) Council may, from time to time, conduct a Statutory Public Meeting, Public Meeting, Court of Revision Hearing, Appeal Hearing, or other Information Session required under the Planning Act, Development Charges Act, Drainage Act, or other applicable legislation.
- (2) Where Council is required by law to hold such a proceeding, notice shall be given in accordance with the applicable statute or the Township's Public Notice By-law, as amended from time to time.
- (3) Unless otherwise required by statute or regulation, the Rules of Procedure set out in this By-law shall apply to the conduct of such meetings or hearings, with necessary modifications.

5.7. *Meetings Open to Public*

- (1) Except as provided in Section 5.8 (Closed Meetings) of this By-law and subject to section 239 of the Municipal Act, 2001, all Council Meetings shall be open to the public, and no person shall be excluded except for improper conduct or disruption of the Meeting.
- (2) A Meeting is deemed to be open to the public if:
 - (a) members of the public have physical access to the meeting location, or
 - (b) the Meeting is livestreamed using electronic or other communication facilities that enable the public to hear, or both watch and hear, all participating Members.
- (3) If a person or group of persons disrupts a Meeting such that the business of Council cannot be effectively conducted, the Chair may:
 - (a) temporarily suspend the Meeting until order is restored;
 - (b) request that the person(s) vacate the Council Chambers or Meeting platform; and
 - (c) request assistance from the Clerk or law enforcement if necessary to restore decorum.

5.8. *Closed Meetings*

- (1) Except as provided in this section, all Meetings of Council shall be open to the public in accordance with Section 239 of the Municipal Act, 2001.
- (2) A Meeting or part of a Meeting may be closed to the public if the subject matter being considered relates to one or more of the following:
 - (a) the security of the property of the municipality or local board;
 - (b) personal matters about an identifiable individual, including municipal or local board employees;
 - (c) a proposed or pending acquisition or disposition of land by the municipality or local board;

- (d) labour relations or employee negotiations;
 - (e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
 - (f) the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
 - (g) a matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act;
 - (h) information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory, or a Crown agency of any of them;
 - (i) a trade secret or scientific, technical, commercial or financial information supplied in confidence to the municipality or local board which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group or organization;
 - (j) a trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value;
 - (k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board;
 - (l) a request under the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) if the council is the head of an institution for the purposes of that Act;
 - (m) an ongoing investigation respecting the municipality, a local board or a municipally-controlled corporation by the Ontario Ombudsman, a municipal Ombudsman, or a closed meeting investigator;
 - (n) an educational or training session, provided that no Member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the Council or Committee.
- (3) Before holding a Meeting or part of a Meeting that is to be closed to the public, Council shall state by resolution:
- (a) that the Meeting is to be closed to the public; and
 - (b) the general nature of the matter to be considered.
- (4) Where a Meeting or part of a Meeting is closed to the public:
- (a) the Chair shall request all persons not entitled to attend the closed session to vacate the Council Chambers or discontinue access to the virtual platform; and
 - (b) any audio or video recording or live stream shall be discontinued for the duration of the closed session.
- (5) A Meeting or part of a Meeting shall not be closed to the public during a vote, unless:
- (a) the subject matter falls within one of the exceptions listed in subsection 5.8(2); and
 - (b) the vote is for a procedural matter or for giving directions or instructions to officers, employees, or agents of the municipality, or persons retained under contract with the municipality (per section 239(6) of the Act).

- (6) A vote to approve a by-law or a resolution, including a resolution to authorize a land sale or acquisition, must occur in open session, unless otherwise authorized by law.
- (7) The Clerk shall record, without note or comment, all resolutions, decisions, and other proceedings during a closed Meeting, and such records shall be retained in accordance with the Township's Records Retention Policy.
- (8) The motion to rise from "In Camera" shall include the time Council rose and may summarize any directions given or procedural resolutions passed during the closed session in accordance with section 239(6) of the Municipal Act, 2001. Any resolutions requiring final approval must be passed upon return to open session.
- (9) Members shall ensure that all information discussed during a closed Meeting remains confidential. A breach of closed session confidentiality may be subject to penalties as set out in the Council Code of Conduct or applicable legislation.

5.9. ***Quorum***

- (1) A quorum for a Meeting of Council shall consist of a majority of the total number of Members of Council, which shall be four (4) Members for the Township of Malahide.
- (2) If a quorum is not present within fifteen (15) minutes after the time appointed for the Meeting, the Clerk or their designate shall record the names of the Members present and the Meeting shall stand adjourned until the next Regular Meeting or a future Meeting called in accordance with this Procedural By-law.

5.10. ***Public Notice of Meeting***

- (1) Public notice of each Regular Meeting of Council shall be deemed to be given when the Agenda is posted on the Municipal Website no later than 4:30 p.m. on the Tuesday preceding the scheduled Meeting, unless circumstances prevent this, in which case the Clerk shall post the Agenda as soon as practicable.
- (2) Public notice of a Special Meeting of Council shall be given by posting the notice on the Municipal Website not less than twenty-four (24) hours before the time appointed for the Meeting.
- (3) Where an Emergency Meeting of Council is held in accordance with Section 5.5 of this By-law, notice of the Meeting shall be posted on the Municipal Website as soon as practicable, recognizing that advance notice may not be possible due to the urgent nature of the Meeting.
- (4) The failure to provide notice in accordance with this section shall not affect the validity of a Council Meeting or any action taken thereat, provided that a quorum is present and the Meeting is open to the public, except where a statute requires public notice as a condition of Council's authority to act.
 - (a) Such statutory notice requirements include, but are not limited to:

- (i) Public meetings under the Planning Act, including notices for official plan amendments, zoning by-law amendments, plans of subdivision, consents, and minor variances;
- (ii) Public meetings under the Development Charges Act for adoption or amendment of development charge by-laws;
- (iii) Notice under section 290 of the Municipal Act, 2001, regarding budget adoption, where applicable;
- (iv) Notice under section 270 of the Municipal Act, 2001, for the sale or disposition of municipal land;
- (v) Public meetings under the Municipal Conflict of Interest Act for Code of Conduct and Integrity Commissioner matters;
- (vi) Any other statutory public notice required by law or the Municipality's Public Notice Policy or By-law.

5.11. *Adjournment – Due Hour*

- (1) Where a Regular or Special Meeting of Council is still in session at 11:00 p.m., the Chair shall declare the Meeting adjourned.
- (2) If Council wishes to continue the Meeting beyond 11:00 p.m., a motion to suspend the rules under Section 3.3 must be passed by a majority of the Members present.
- (3) If no such motion is passed, the unfinished business shall be deemed deferred and shall be placed on the agenda for:
 - (a) the next Regular Meeting of Council; or
 - (b) such other date and time as Council, by resolution, may direct.

5.12. *Cancellation of a Council Meeting*

- (1) A Council Meeting may be cancelled where, in the opinion of:
 - (a) the Mayor; or
 - (b) the Deputy Mayor, in the absence of the Mayor; or
 - (c) the Clerk, in the absence of both the Mayor and Deputy Mayor;
 - (d) there is sufficient cause or an emergency that warrants cancellation. The Clerk shall make reasonable efforts to notify all Members as soon as practicable.
- (2) Sufficient cause under subsection (1) includes, but is not limited to:
 - (a) advanced notice from the Clerk that quorum will not be achieved;
 - (b) a resolution of Council recommending cancellation;
 - (c) an emergency, including severe weather or public safety risks;
 - (d) the absence of any forecasted agenda items, as determined by the Clerk.

- (3) Where a Meeting is cancelled, public notice shall be posted on the Municipal Website as soon as practicable.

5.13. *Electronic Participation in Council Meetings*

- (1) A Member who is unable to attend a Council Meeting in person may participate by secure video conferencing, provided that their connection enables them to be continuously seen and heard by all other Members throughout the Meeting.
- (2) For any portion of the Meeting that is open to the public, the Member shall ensure their video and audio connection also allows the public to see and/or hear their participation, in accordance with section 238(3.1) of the Municipal Act, 2001.
- (3) For any portion of the Meeting that is closed to the public, the Member shall ensure their participation remains confidential and secure, and that no unauthorized person is able to see, hear, or otherwise access the closed session proceedings.
- (4) It is the responsibility of each participating Member to ensure that their electronic participation meets all applicable requirements for quorum, decorum, confidentiality, and public access, as applicable.
- (5) A Member intending to participate electronically shall notify the Clerk at least twenty-four (24) hours in advance of the Meeting, or as soon as possible if shorter notice is required.
- (6) Members participating electronically shall be counted for quorum and may vote on all matters.
- (7) Members shall notify the Chair and the Clerk when joining or leaving the Meeting.

(5.14–5.23: Committee Meeting Procedures)

5.14. *Place of Meeting – Committees*

- (1) Unless otherwise directed by Council, all Committee Meetings shall be held in the Council Chambers at the Springfield & Area Community Services Building, 51221 Ron McNeil Line, Springfield, Ontario or another such facility accessible to the public.
- (2) Notwithstanding subsection (1), the Committee Chair, in consultation with the Committee Clerk, may direct that a Committee Meeting be held in a fully electronic format where circumstances warrant such action.
- (3) Circumstances that may warrant a fully electronic Committee Meeting include, but are not limited to:
 - (a) severe or inclement weather;

- (b) public health or safety concerns;
 - (c) unexpected facility closures or disruptions; or
 - (d) other operational or security-related issues that may impede the safe or orderly conduct of the Meeting.
- (4) In such cases, the Clerk or Committee Secretary shall ensure that:
 - (a) the electronic platform enables all Committee Members to be seen and heard;
 - (b) members of the public are able to hear, or watch and hear, all open session proceedings; and
 - (c) public notice of the change in meeting format or location is posted on the Municipal Website as soon as practicable.
- (5) The physical or electronic location of the Committee Meeting shall be included in the Agenda and Notice of Meeting.

5.15. *Inaugural Meeting – Committees*

- (1) The first Meeting of a Committee following its establishment or reconstitution shall be held at a date and time determined by the Clerk or designate, in consultation with the Committee Clerk and the Mayor where applicable. The Committee Clerk shall be responsible for issuing notice, preparing the Agenda, and facilitating the inaugural proceedings.
- (2) Where applicable, Committee appointments, including Members of Council and members of the public, shall take effect on the date specified in the Council resolution or by-law establishing the Committee.
- (3) At the inaugural Committee Meeting:
 - (a) Members shall be provided with an orientation to the Committee’s mandate, Terms of Reference, and applicable policies and procedures, including the Township’s Procedural By-law, Code of Conduct, and Conflict of Interest obligations;
 - (b) Each Member shall confirm their receipt of the Terms of Reference and Code of Conduct;
 - (c) The Committee shall organize its proceedings as follows:
 - (i) Where the Mayor has not exercised their authority to appoint a Chair or Vice Chair under section 284.8 of the Municipal Act, 2001, the Committee shall elect a Chair and Vice Chair from among its Members at the first meeting;
 - (ii) Where the Mayor has made such appointments, the Committee Clerk shall announce the names of the appointed Chair and Vice Chair at the Meeting, and no election shall be required.

5.16. *Regular Meetings – Committees*

- (1) Regular Meetings of a Committee shall be held on a schedule established by Council through resolution, or as set out in the Committee’s Terms of Reference. Where no

schedule has been predetermined, the Clerk or staff liaison shall coordinate the scheduling of Committee Meetings in consultation with the Chair and Committee Members.

- (2) Where a Regular Committee Meeting is scheduled on a statutory holiday or a day when Municipal Offices are closed, the Meeting shall be rescheduled to the next available business day, or as otherwise determined by the Clerk or staff liaison in consultation with the Chair.
- (3) The frequency and timing of Regular Committee Meetings may be adjusted to reflect the Committee's mandate, workload, or seasonal requirements, subject to any direction from Council or the Mayor.
- (4) Notice of all Regular Committee Meetings shall be posted on the Municipal Website in accordance with the notice provisions of this By-law.

5.17. *Special Meetings – Committees*

- (1) A Special Meeting of a Committee may be convened at the request of the Committee Chair, the Mayor, or the Committee Clerk, where it is deemed necessary to address time-sensitive matters that cannot reasonably be deferred to the next Regular Meeting.
- (2) A Special Meeting shall also be convened if requested in writing by a majority of the Committee Members, specifying the reason for the Meeting and the date and time proposed. The Committee Clerk or staff liaison shall coordinate the scheduling in consultation with the Committee Chair and Mayor, as applicable.
- (3) Written notice of a Special Committee Meeting shall be provided to all Committee Members at least twenty-four (24) hours prior to the Meeting and shall be delivered electronically to Members' registered email accounts.
- (4) The notice shall include the date, time, place, and specific business to be considered at the Meeting.
- (5) No business shall be considered at a Special Committee Meeting other than that stated in the notice.
- (6) Unless otherwise specified in the notice, the Special Meeting shall be held at the same location as the Committee's last Regular Meeting or through electronic means as permitted under this By-law.

5.18. *Closed Meetings – Committees*

- (1) Except as provided in this section, all Committee Meetings shall be open to the public in accordance with section 239 of the Municipal Act, 2001, where the Committee meets the definition of "committee" in section 238(1) of the Act.

- (2) A Committee Meeting or part of a Committee Meeting may be closed to the public if at least 50% of its membership is composed of Members of Council and the subject matter being considered relates to one or more of the following exceptions under the Act:
- (a) the security of the property of the municipality or local board;
 - (b) personal matters about an identifiable individual, including municipal or local board employees;
 - (c) a proposed or pending acquisition or disposition of land by the municipality or local board;
 - (d) labour relations or employee negotiations;
 - (e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
 - (f) the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
 - (g) a matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act;
 - (h) information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory, or a Crown agency of any of them;
 - (i) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;
 - (j) a trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value;
 - (k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board;
 - (l) a request under the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), if the committee is the head of an institution for the purposes of that Act;

- (m) an ongoing investigation respecting the municipality, a local board or a municipally-controlled corporation by the Ontario Ombudsman, a municipal Ombudsman, or a closed meeting investigator;
 - (n) an educational or training session, provided that no Member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the Committee.
- (3) Before holding a Meeting or part of a Meeting that is to be closed to the public, the Committee shall state by resolution:
 - (a) that the Meeting is to be closed to the public; and
 - (b) the general nature of the matter to be considered.
- (4) Where a Committee Meeting or part thereof is closed to the public:
 - (a) the Chair shall request that all persons not entitled to attend vacate the physical or virtual space;
 - (b) any live stream, audio or video recording shall be disabled for the duration of the closed session.
- (5) While in closed session, a Committee may only pass procedural motions, including motions:
 - (a) to recess;
 - (b) to receive information or reports for discussion purposes only;
 - (c) to request that the Committee Clerk or staff prepare a recommendation for consideration in open session or at a future meeting; or
 - (d) to rise from closed session.
- (6) The Committee Clerk shall record, without note or comment, all procedural motions passed during the closed session. Any recommendations to Council must be made and voted on in open session only.
- (7) Committees shall not consider or vote on any recommendation to Council while in closed session.
- (8) The motion to rise from closed session shall include the time the Committee returned to open session and may summarize procedural steps taken.

- (9) All Members are required to maintain the confidentiality of closed session discussions in accordance with the Township's Codes of Conduct and applicable legislation. Any breach of confidentiality may result in sanctions under the Codes or other applicable rules.

5.19. *Quorum – Committee Meetings*

- (1) A quorum for a Committee Meeting shall consist of a majority of the total number of Members formally appointed to the Committee, whether by resolution of Council or by written appointment of the Mayor under Part VI.1 of the Municipal Act, 2001.
- (2) If a quorum is not present within fifteen (15) minutes after the time appointed for the Meeting, the Committee Clerk shall record the names of the Members present, and the Meeting shall be deemed adjourned. The Committee Clerk or Committee Chair may reschedule the Meeting in accordance with this By-law and any applicable notice provisions.
- (3) For greater clarity, no Committee business shall be transacted unless a quorum is present.

5.20. *Public Notice of Committee Meetings*

- (1) Public notice of each Regular Committee Meeting shall be deemed to be given when the Agenda is posted on the Municipal Website no later than forty-eight (48) hours prior to the scheduled start time of the Meeting, unless circumstances prevent this, in which case the Committee Clerk shall post the Agenda as soon as practicable.
- (2) Public notice of a Special Committee Meeting shall be posted on the Municipal Website not less than twenty-four (24) hours prior to the scheduled start time of the Meeting.
- (3) Where a Committee Meeting is cancelled or rescheduled, notice of such cancellation or rescheduling shall be posted on the Municipal Website as soon as practicable.
- (4) The failure to provide notice in accordance with this section shall not affect the validity of a Committee Meeting or any action taken thereat, provided that:
 - (a) a quorum is present;
 - (b) the Meeting is open to the public (except where lawfully closed under section 239 of the Municipal Act, 2001); and
 - (c) no statutory notice provisions apply.
- (5) For clarity, Committees do not conduct statutory public meetings under the Planning Act, Development Charges Act, or other legislation, unless such responsibility has been explicitly delegated by Council or permitted by law. Any such delegated responsibilities shall follow the applicable notice provisions set out in the relevant statute and the Township's Public Notice By-law.

5.21. *Cancellation of a Committee Meeting*

- (1) A Committee Meeting may be cancelled where, in the opinion of:
 - the Committee Chair, or
 - the Vice-Chair, in the absence of the Chair, or
 - the Clerk, in the absence of both the Chair and Vice-Chair,there is sufficient cause or an emergency that warrants cancellation. The Clerk shall make reasonable efforts to notify all Committee Members as soon as practicable.
- (2) Sufficient cause under subsection (1) includes, but is not limited to:
 - (a) advance notice from the Committee Clerk that quorum will not be achieved;
 - (b) an emergency, including severe weather or public safety risks;
 - (c) the absence of any forecasted agenda items, as determined by the Committee Clerk.
- (3) Where a Committee Meeting is cancelled, public notice shall be posted on the Municipal Website as soon as practicable.

5.22. *Electronic Participation in Committee Meetings*

- (1) A Member who is unable to attend a Committee Meeting in person may participate by secure video conferencing, provided that their connection enables them to be continuously seen and heard by all other Members throughout the Meeting.
- (2) For any portion of the Meeting that is open to the public, the participating Member shall ensure their video and audio connection also allows the public to see and/or hear their participation, in accordance with section 238(3.1) of the Municipal Act, 2001.
- (3) For any portion of the Meeting that is closed to the public, the Member shall ensure their participation remains confidential and secure, and that no unauthorized person is able to see, hear, or otherwise access the closed session proceedings.
- (4) Each participating Member shall be responsible for maintaining their electronic connection in a manner that satisfies all applicable requirements for quorum, decorum, confidentiality, and public access.
- (5) A Member intending to participate electronically shall notify the Committee Clerk at least twenty-four (24) hours in advance of the Meeting, or as soon as practicable if shorter notice is necessary.
- (6) Members participating electronically shall be counted for quorum and may vote on all matters.

- (7) Members shall notify the Chair and the Committee Clerk when joining or leaving the Meeting.

6. AGENDAS AND MINUTES

(6.1–6.3: Council Meeting Agendas and Minutes)

6.1. *Council Meeting Agenda*

- (1) The Clerk, in consultation with the CAO and the Mayor, shall cause to be prepared an Agenda for each Meeting of Council, in accordance with this By-law and any applicable policies or resolutions of Council.
- (2) The Agenda shall generally follow the order of business outlined below, subject to change by the Clerk for administrative purposes, or by Council resolution:

Council Portion:

- (a) Call to Order
- (b) Approval of the Agenda
- (c) Disclosures of Pecuniary Interest
- (d) Announcements
- (e) Adoption of Minutes of Previous Meeting(s)
- (f) Public Meetings and Committee of Adjustment
- (g) *Delegations
- (h) Business for Approval (Consent Agenda)
- (i) Unfinished Business
- (j) New Business
- (k) By-laws

Committee of the Whole Portion:

- (l) Business for Consideration
- (m) Unfinished Business
- (n) New Business

Council Reconvenes:

- (o) Correspondence (Consent Agenda)
- (p) Closed Session
- (q) Confirmatory By-law
- (r) Adjournment

- (3) Where the Mayor exercises authority under s. 284.10 of the Municipal Act, 2001, to require Council consideration of a matter advancing a prescribed provincial priority, the Clerk shall place the item on the next appropriate agenda. The agenda shall identify such

matters as “Provincial Priority Items (Part VI.1)” placed pursuant to Section 284.10, including a link to O.Reg. 580/22 for the relevant provincial priority, for public awareness.

- (4) *Delegation Placement: In preparing the Agenda, the Clerk may place delegations directly related to a specific agenda item immediately before that item is considered. Delegations that are for information purposes only and not related to a business item shall be placed under the “(g) Delegations” section of the agenda.
- (5) Any proposed additions or alterations to the Agenda after it has been published shall require the approval of Council at the Approval of the Agenda portion of the Meeting.

6.2. Council Meeting Minutes

- (1) The Clerk shall cause minutes to be taken of each Meeting of Council, whether open to the public or closed, in accordance with section 239(7) of the Municipal Act, 2001. The minutes shall include:
 - (a) the place, date, and time of the Meeting;
 - (b) the names of Members in attendance and a record of attendance;
 - (c) where a Member enters after commencement or leaves before adjournment, the time shall be recorded;
 - (d) any declarations of pecuniary interest; and
 - (e) all resolutions of the Meeting, without note or comment.
- (2) Following approval, the Minutes shall be signed by the Mayor and the Clerk.
- (3) The Clerk shall ensure that the approved Minutes of open Meetings of Council are posted on the Municipal Website.
- (4) The Minutes of each Meeting shall be presented to Council for confirmation at the next Regular Meeting.

6.3. Council Pre-Meeting Inquiries

- (1) This section provides a process for Members of Council to seek clarification from staff prior to a Council Meeting. It does not limit a Member’s right to ask questions during the Meeting in accordance with the Rules of Procedure.
- (2) Members may submit written inquiries to the CAO regarding any recommendation, by-law, motion, report, or other matter appearing on the published Council Agenda.
- (3) Pre-meeting inquiries should be submitted at least twenty-four (24) hours before the Meeting at which the matter is to be considered.
- (4) Staff will endeavour to provide responses to all pre-meeting inquiries prior to the Meeting, with the responses circulated to all Members of Council in a consolidated format.

- (a) Where an inquiry requires substantial research, cross-departmental coordination, or legal review, the CAO may defer the response as needed.
- (5) During pre-meeting discussions, Members may ask questions for clarification but shall not engage in debate with staff or other Members. Debate on any matter is reserved for the Meeting.

(6.4–6.6: Committee Meeting Agendas and Minutes)

6.4. *Committee Meeting Agenda*

- (1) The Committee Clerk, in consultation with the Committee Chair, shall cause to be prepared an Agenda for each Meeting of the Committee, in accordance with this By-law and any applicable policies or resolutions of Council.
- (2) The Agenda shall generally follow the order of business outlined below, subject to change by the Committee Clerk for administrative purposes, or by resolution of the Committee:

- (a) Call to Order
- (b) Approval of the Agenda
- (c) Disclosures of Pecuniary Interest
- (d) Announcements
- (e) Adoption of Minutes of Previous Meeting(s)
- (f) *Delegations
- (g) Unfinished Business
- (h) New Business
- (i) Correspondence
- (j) Closed Session
- (k) Adjournment

- (3) *Delegation Placement: In preparing the Agenda, the Committee Clerk may place delegations directly related to a specific agenda item immediately before that item is considered. Delegations that are for information purposes only and not related to a business item shall be placed under the “(f) Delegations” section of the agenda.

- (4) The Mayor, in consultation with the Committee Clerk and Committee Chair, may request the inclusion or prioritization of matters on the agenda to support the strategic priorities of the Municipality.

- (5) Any proposed additions or alterations to the Agenda after it has been published shall require the approval of the Committee at the “Approval of the Agenda” portion of the Meeting.

6.5. *Committee Meeting Minutes*

- (1) The Committee Clerk shall cause minutes to be taken of each Meeting of a Committee, whether open to the public or closed, in accordance with section 239(7) of the *Municipal Act, 2001*. The minutes shall include:

- (a) the place, date, and time of the Meeting;
 - (b) the names of Members in attendance and a record of attendance;
 - (c) where a Member enters after commencement or leaves before adjournment, the time shall be recorded;
 - (d) any declarations of pecuniary interest; and
 - (e) all procedural motions or recommendations to Council passed during the Meeting, without note or comment.
- (2) The draft Minutes of each Committee Meeting shall be presented to Council for information at the next Regular Meeting.
 - (3) Any recommendations from a Committee requiring Council approval shall be brought forward by report from the Committee for consideration at a Council Meeting.
 - (4) The Minutes of each Committee Meeting shall be presented to the Committee for confirmation at its next Meeting.
 - (5) Following confirmation, the Minutes shall be signed by the Committee Chair and the Committee Clerk.
 - (6) The Committee Clerk shall ensure that the approved Minutes are posted on the Municipal Website.

6.6. *Committee Pre-Meeting Inquiries*

- (1) This section provides a process for Committee Members to seek clarification from staff prior to a Committee Meeting. It does not limit a Member's right to ask questions during the Meeting in accordance with the Rules of Procedure.
- (2) Members may submit written inquiries to the Committee Clerk regarding any recommendation, report, or other matter appearing on the published Committee Agenda.
- (3) Pre-meeting inquiries should be submitted at least twenty-four (24) hours before the Meeting at which the matter is to be considered.
- (4) Staff will endeavour to provide responses to all pre-meeting inquiries prior to the Meeting, with the responses circulated to all Committee Members in a consolidated format.
 - (a) Where an inquiry requires substantial research, cross-departmental coordination, or legal review, the Committee Clerk may defer the response as needed.
- (5) During pre-meeting discussions, Members may ask questions for clarification but shall not engage in debate with staff or other Members. Debate on any matter is reserved for the Committee Meeting.

7. ORDER OF PROCEEDINGS – COUNCIL & COMMITTEES

7.1. *Call to Order*

- (1) As soon as a quorum is present after the scheduled start time of the Meeting, the Mayor or Chair shall assume the chair and call the Meeting to order.
- (2) If the Mayor/Chair is not present within fifteen (15) minutes after the scheduled start time and a quorum is present, the Deputy Mayor or Vice Chair shall preside and exercise all duties of the Mayor/Chair for the duration of the Meeting, or until the Mayor/Chair arrives and is able to assume the chair.
- (3) If neither the Mayor/Chair nor the Deputy Mayor/Vice Chair is present within fifteen (15) minutes after the scheduled start time and a quorum is present, the Clerk (or Committee Clerk) shall call the Meeting to order, and the Members present shall elect a Presiding Member to chair the Meeting until the arrival of the Mayor/Chair or Deputy Mayor/Vice Chair, whichever occurs first.
- (4) For Committees, if neither the appointed Chair nor Vice Chair is present within fifteen (15) minutes after the scheduled start time and a quorum is present, the Committee Clerk shall call the Meeting to order and the Members present shall elect an Acting Chair for that Meeting.

7.2. *Approval of the Agenda*

- (1) At the commencement of each Regular Meeting of Council or Committee, Members may propose amendments to the published Agenda, including the addition, removal, or re-ordering of items, subject to the rules in this By-law.
- (2) No additions may be made to the Agenda of a Special Meeting of Council or Committee, and only the business stated in the Notice of Meeting shall be considered.
- (3) Any amendment to a Regular Meeting Agenda after publication shall require approval by a majority vote of the Members present.

7.3. *Disclosures of Pecuniary Interest*

- (1) Where a Member, either on their own behalf or while acting for, by, with, or through another, has any direct or indirect pecuniary interest in a matter being considered at a Meeting, the Member shall:
 - (a) Prior to consideration of the matter, disclose the interest and the general nature thereof;
 - (b) Refrain from taking part in the discussion or vote on any question related to the matter; and
 - (c) Not attempt in any way, before, during, or after the Meeting, to influence the voting on the matter.
- (2) Where the Meeting or portion thereof is closed to the public, in addition to the requirements in subsection (1), the Member shall immediately leave the Meeting for the duration of the discussion on the matter.

- (3) Where a Member is absent from a Meeting at which they have a pecuniary interest in a matter, the Member shall disclose the interest and otherwise comply with subsection (1) at the first Meeting attended thereafter.
- (4) In accordance with the MCIA, a Member shall file with the Clerk a written statement of the interest and its general nature following the declaration. The Clerk shall:
 - (a) Make the written statement available to the public as soon as practicable; and
 - (b) Maintain a publicly accessible registry of written statements of disclosure.

7.4. *Announcements*

- (1) Members may, without debate, make brief announcements at the appropriate point on the Agenda, including:
 - (a) Upcoming community events;
 - (b) Recognition of notable achievements or contributions by individuals or groups in the community;
 - (c) Expressions of gratitude or condolences;
 - (d) General information regarding conferences, seminars, or training attended; and
 - (e) Presentation of awards or certificates.

Announcements shall not be used to introduce new business items or engage in debate, and shall not materially advance the business of Council outside of the approved Agenda.

7.5. *Adoption of Minutes*

- (1) The Minutes of previous Meetings shall be listed under this section of the Agenda for consideration.
- (2) Unless a Member requests that a set of Minutes be separated for individual consideration, all listed Minutes may be adopted through a single resolution.
- (3) Adoption of Minutes confirms their accuracy as a record of the proceedings and does not constitute approval of any decisions contained therein that require separate Council or Committee action.

7.6. *Delegations*

- (1) Delegations shall be conducted in accordance with Section 8 of this by-law.

7.7. *Business for Approval (Consent Agenda) – Council Meetings Only*

- (1) Items listed under the Consent Agenda shall generally consist of recommendations referred from a previous Committee of the Whole session that do not require further debate.
- (2) The Consent Agenda shall be approved in a single motion, without debate, unless a Member requests that one or more items be removed for separate consideration.

- (3) Any item removed from the Consent Agenda shall be placed on the appropriate section of the Agenda for discussion and a separate vote.

7.8. Unfinished Business

- (1) This section shall include matters from previous Meetings that remain outstanding, were deferred, or were not fully resolved, and are being brought forward for further consideration or final disposition.
- (2) For Council Meetings only, this section shall also include any items removed from the Consent Agenda under section 7.7 for separate discussion and vote.

7.9. New Business

- (1) This section shall provide an opportunity for Members to consider new matters requiring an immediate final decision of Council, or to receive and act on a recommendation from a Committee where time constraints prevent deferral to a future meeting.
- (2) Items for this section must be introduced and approved at the “Approval of the Agenda” stage of the Meeting.
- (3) Council Meetings only – New Business items must:
 - (a) Be time-sensitive in nature;
 - (b) Have a clear connection to the interests of the Municipality; and
 - (c) Require immediate action or decision within the jurisdiction of the Municipality, with limited time for extended discussion or deferral.

Council Meetings only – Despite subsections (1) to (3), Planning Reports, Procurement Reports, and Reports for Information shall be introduced as New Business during the Council portion of the Meeting.

- (4) Matters requiring additional debate or staff follow-up before a final decision shall be added to the Committee of the Whole New Business section instead.

7.10. By-laws – Council Meetings Only

- (1) Every By-law introduced shall be in written form, free of blanks except those necessary to conform to accepted procedure or comply with statutory requirements, and complete with its number and date to be affixed.
- (2) Upon being reported to Council, a By-law shall, unless otherwise directed by Council, receive first, second, and third readings in a single motion at the same Meeting, and shall be passed on the affirmative vote of the majority of the Members present and voting.
- (3) Every By-law enacted by Council shall be numbered and dated, signed by the Mayor (or their designate) and the Clerk, sealed with the seal of the Municipality, and retained under the control of the Clerk in accordance with the Records Retention By-law.

7.11. *Committee of the Whole – Council Meetings Only*

- (1) The Committee of the Whole is a procedural format in which all Members of Council meet as one committee to allow for more informal discussion and detailed consideration of matters prior to final Council decisions.
- (2) The rules of procedure governing Council Meetings and the conduct of Members shall apply in Committee of the Whole, except that:
 - (a) Recorded votes are not permitted; and
 - (b) The Chair may allow greater latitude in debate and discussion to facilitate the exchange of information.
- (3) The results of votes taken during the Committee of the Whole are not final decisions of Council, rather they are recommendations which will be given further consideration and finally voted on under regular rules of Council.
- (4) Business for Consideration – Committee of the Whole:
 - (a) Includes matters such as staff and committee reports, draft by-laws, draft policies, or other items referred by Council for detailed review and discussion.
- (5) Unfinished Business:
 - (a) Includes matters under “Business for Consideration” that were previously discussed or initiated but not concluded. These items are carried forward for continuation or conclusion.
- (6) New Business – Committee of the Whole:
 - (a) Provides an opportunity for Members to propose new items for discussion or preliminary consideration, where the outcome is typically a recommendation to Council rather than a final decision.
 - (b) Items must be introduced at the “Approval of the Agenda” stage.
 - (c) To be eligible for inclusion, items must:
 - (i) Have a clear connection to the interests of the Municipality; and
 - (ii) Require consideration or a recommended course of action for Council.
 - (d) Matters requiring an immediate final decision by Council shall be introduced as New Business in the Council portion instead.

7.12. *Correspondence*

- (1) Form and Content
 - (a) All correspondence, including petitions, intended to be presented to Council or a Committee shall:
 - (i) Be legibly written or printed;
 - (ii) Not contain defamatory, impertinent, or improper matter or language;
 - (iii) Clearly identify the author(s) by full name and municipal address; and
 - (iv) Be signed (digital or handwritten) or otherwise verifiably submitted by the author(s).

- (2) Correspondence shall not be placed on an agenda if the identity of the author(s) cannot be confirmed.
- (3) Distribution at Meetings
 - (a) No person, except a Member of Council or an authorized municipal employee, shall before or during a meeting of Council or a Committee, place on the desks of Members or otherwise distribute any material whatsoever without prior consent of the Clerk.
- (4) Confidential Correspondence
 - (a) Correspondence, including emails, intended for Council or a Committee is generally received as public information subject to the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA).
 - (b) Where a submission contains confidential material, the author shall indicate the request for confidentiality and the general nature of the confidentiality.
 - (c) The Clerk shall review the request and determine whether the item meets the criteria for confidential correspondence, and whether it will be:
 - (i) Included in the open agenda;
 - (ii) Circulated under separate confidential cover; or
 - (iii) Placed on a closed meeting agenda in accordance with the Municipal Act, 2001.
- (5) Submission Deadlines and Agenda Placement
 - (a) Every item of correspondence shall be delivered to the Clerk no later than 12:00 p.m. on the Friday prior to the week of the meeting.
 - (b) The Clerk is delegated the authority to determine the most appropriate agenda for the item, whether Council, Committee of the Whole, or another Committee, and may prepare a brief summary of the content for inclusion in the agenda.
 - (c) Late submissions may be added to an agenda at the Clerk's discretion if they are time-sensitive and meet all other requirements.
- (6) Electronic Submission
 - (a) Correspondence may be submitted electronically in PDF or other standard formats acceptable to the Clerk.
 - (b) The Clerk may require verification of identity for electronically submitted correspondence before placement on an agenda.

7.13. *Closed Session*

- (1) See section 5.8.

7.14. *By-law to Confirm the Proceedings of Council – Council Meetings Only*

- (1) At the conclusion of all Regular and Special Meetings of Council, and prior to Adjournment, a Confirming By-law shall be presented to confirm the proceedings of the Meeting, including every motion, resolution, and other action taken by Council.
- (2) A Confirming By-law, when introduced, shall be deemed to have been read and shall be voted on without debate.

- (3) The Confirming By-law shall not be interpreted as confirming or altering any action taken by the Mayor under Part VI.1 of the Municipal Act, 2001, which actions are effective in accordance with that Part.

7.15. *Adjournment*

- (1) See Sections 10.15.

8. DELEGATIONS

- 8.1. Persons desiring to verbally present information on matters of fact or to make a request to Council or a Committee shall provide written notice, including specific details regarding the subject of their address, to the satisfaction of the Clerk no later than 12:00 p.m. on the Friday of the week prior to the Meeting.
- 8.2. The following types of subject matter are not eligible for presentation by a delegation and shall not be placed on an agenda:
 - (1) Matters outside municipal authority
 - (a) Items that are outside the jurisdiction of Council or the Committee.
 - (2) Matters already decided by Council
 - (a) Items that have been decided upon by Council during the current term, including requests for reconsideration, unless new and material information is presented that, in the opinion of the Clerk, warrants Council's reconsideration.
 - (3) Matters under active staff or legal process
 - (a) Matters referred to staff for a report, until the report is formally before Council or Committee.
 - (b) Matters related to an ongoing municipal investigation, enforcement action, or by-law compliance file, until such matter is concluded.
 - (c) Matters involving litigation or potential litigation in which the Municipality is involved.
 - (4) Personnel and labour matters
 - (a) Matters relating to labour relations or negotiations.
 - (b) Matters relating to employee relations.
 - (c) Matters about an identifiable individual, except where the matter is the subject of a scheduled statutory public meeting.
 - (5) Election or procurement processes
 - (a) Matters involving election campaigning.
 - (b) Matters from a bidder or potential bidder in an active procurement process, until the procurement is concluded.

- (6) Commercial or funding requests outside process
 - (a) Matters that constitute an advertisement for products or services.
 - (b) Requests for financial assistance or fee waivers outside of established municipal processes.
- (7) Matters not relevant to the approved delegation topic
 - (a) Items that are not directly related to the subject for which the delegation received approval to address Council or Committee.
- 8.3. Despite section 8.1, a person is not required to give written notice or be listed on the agenda with respect to a matter for which the public has been given notice of a public meeting under the Planning Act, any other Act, or applicable municipal policy.
- 8.4. Delegations shall provide their name and municipality of residence for the record. All remarks shall be addressed to Council/Committee as a whole and not to any individual Member or staff.
- 8.5. Delegations shall be permitted up to fifteen (15) minutes for their presentation, unless otherwise extended by the Chair during the meeting with the consent of the majority of Members present. The Chair may also, with the consent of the majority, reduce the speaking time for delegations when multiple presentations are scheduled or where time constraints exist.
- 8.6. Written communications or petitions may be provided to the Clerk for distribution at the Clerk's discretion.
- 8.7. No delegation shall:
 - (1) Speak disrespectfully of any person;
 - (2) Use improper or unparliamentary language;
 - (3) Address or comment on any matter that is ineligible for presentation under Section 8.2;
 - (4) Violate the rules of procedure or a decision of the Chair;
 - (5) Engage in cross debate with other delegations, staff, Members of Council/Committee, or the Chair.
- 8.8. Municipal audio-visual equipment may be used with the Clerk's approval, provided the material is submitted by 12:00 p.m. on the Friday before the Meeting.
- 8.9. Members may only ask questions of delegations to clarify or obtain additional relevant information related to the delegation's presentation.
- 8.10. The Clerk, in consultation with the Chair, may refuse a delegation request when the subject is beyond municipal jurisdiction, is repetitive, or is deemed frivolous or vexatious.
- 8.11. Delegations may participate electronically if:

- (1) Electronic means are available for the meeting;
- (2) Audio and video quality allows for two-way communication;
- (3) All rules of decorum and procedure are followed; and
- (4) If technical issues cause unreasonable delay or interference, the Chair may terminate the connection.

9. RULES OF DEBATE AND CONDUCT

9.1. *General Standards of Conduct*

- (1) No Member shall:
 - (a) Speak disrespectfully of:
 - (i) The Reigning Sovereign or any Member of the Royal Family;
 - (ii) The Governor General;
 - (iii) The Lieutenant Governor of any Province;
 - (iv) Any Member of the Senate, the House of Commons, or the Legislative Assembly of Ontario.
 - (b) Use offensive or unparliamentary language, or speak disrespectfully against Council, any Member, or any officer or employee of the Municipality.
 - (c) Speak in a discriminatory manner based on race, ancestry, place of origin, ethnic origin, citizenship, creed, gender, sexual orientation, age, colour, marital status, family status, or disability.
 - (d) Speak on any subject other than the matter currently under debate.
 - (e) Disobey the Rules of Procedure or a ruling of the Chair, unless overruled under this By-law.
 - (f) Disclose confidential information from a Closed Meeting where the matter remains confidential.
 - (g) Persist in disobedience after being called to order, in which case the Chair shall order the Member to vacate the Meeting location. If the Member apologizes, the Chair may permit the Member to resume their seat.
- (2) Members shall refrain from discussion on matters that are ineligible for presentation by a delegation under Section 8.2, unless such matters are legitimately before Council or Committee in accordance with this By-law.

9.2. *Speaking Protocol*

- (1) A Member shall be recognized by the Chair before speaking and shall address all remarks to the Chair.
- (2) When two or more Members wish to speak, the Chair shall recognize Members in the order in which they indicated their intent to speak.
- (3) When a Member is speaking, no other Member shall interrupt except to raise a Point of Order.

- (4) A Member shall not speak more than once to the same question without the permission of the Chair, except that the Member who moved the main motion may reply at the close of debate, but not if they also moved an amendment or procedural motion.
- (5) A Member shall not speak for more than five (5) minutes to the same question or in reply without the permission of the Chair.
- (6) A Member may require the Clerk to read the motion under discussion at any time, provided it does not interrupt the Member who has the floor.

9.3. Question

- (1) A Member may, through the Chair, ask questions only for the purpose of obtaining information relevant to the matter under discussion.
- (2) A Member who has been recognized to speak may, before beginning their remarks, ask such a question through the Chair, and then proceed with their remarks.

9.4. Point of Privilege

- (1) A Member may rise on a Point of Privilege, with the consent of the Chair, if they believe:
 - (a) Their integrity;
 - (b) The integrity of the Council/Committee; or
 - (c) The integrity of staffhas been impugned.
- (2) A Point of Privilege shall take precedence over all other matters and shall be considered immediately. No motions or debate are permitted while raising the Point.
- (3) Where the integrity of staff is questioned, the Chair may permit staff to respond.
- (4) The Chair shall rule on the Point without delay. The ruling is final unless immediately appealed in accordance with Section 9.6.

9.5. Point of Order

- (1) A Member may rise on a Point of Order to draw attention to a breach of the Rules of Procedure.
- (2) Upon being recognized by the Chair, the Member shall state the Point succinctly.
- (3) The Chair shall rule on the Point without delay. The ruling is final unless immediately appealed in accordance with Section 9.6.

9.6. Appeal of Rulings for Points of Privilege/Order

- (1) A ruling of the Chair on a Point of Privilege or Point of Order is final unless immediately appealed to Council/Committee.
- (2) Upon appeal, the Chair shall briefly state the reasons for the ruling and shall immediately put the following question to a vote, without debate: "Will the ruling of the Chair be sustained?"
- (3) The Chair may vote on the question. In the event of a tie, the ruling of the Chair shall be sustained.

10. MOTIONS

10.1. *General Rules*

- (1) All motions must be moved and seconded before the Chair may put the question on the floor for consideration. If no seconder is provided, the motion shall not be considered and shall not appear in the minutes.
- (2) If a motion appears in the agenda as a separate item or within a report, it shall be deemed read unless a Member requests it be read in full.
- (3) Where a matter falls under the Mayor's special powers and duties pursuant to Part VI.1 of the Municipal Act, 2001, a motion that is inconsistent with those powers shall be ruled out of order unless:
 - (a) The Mayor has delegated the authority in writing; or
 - (b) The motion is otherwise consistent with law.

10.2. *Withdrawal of Motion*

- (1) After being moved and seconded, a motion is in possession of Council/Committee and may only be withdrawn:
 - (a) By the mover with the consent of the seconder; or
 - (b) With leave of Council/Committee, granted by majority vote without debate.

10.3. *Motions Out of Order*

- (1) The Chair shall rule out of order any motion that:
 - (a) Is contrary to law or these Rules of Procedure;
 - (b) Is not within the jurisdiction of Council/Committee;
 - (c) Conflicts with a decision of Council/Committee during the current term, unless reconsidered in accordance with Section 10.13.

10.4. *Priority of Disposition*

- (1) A motion properly before Council/Committee must be disposed of before any other motion can be received, except for a procedural motion under Section 10.5.

10.5. *Procedural Motions Without Notice*

- (1) Not Debatable: May be introduced orally and decided without debate or amendment:
 - (a) Point of Order or Point of Privilege;
 - (b) Adjourn;
 - (c) Table without instructions;
 - (d) Suspend the Rules of Procedure;
 - (e) Lift from the table;
 - (f) Divide the question;
 - (g) Refer without instructions;
 - (h) "That the question be now put";
 - (i) Recess.
- (2) Debatable: May be introduced orally and debated only on the stated purpose:
 - (a) Refer with instructions (debate on instructions only);

- (b) Table with instructions (debate on instructions only);
- (c) Amend;
- (d) Rescind.

10.6. ***Motion to Amend***

- (1) An amendment must:
 - (a) Relate to the subject of the main motion;
 - (b) Not propose a direct negative to the main motion;
 - (c) Be voted on in reverse order of introduction (last moved, first voted).

10.7. ***Motion to Put the Question***

- (1) The motion “That the question be now put”:
 - (a) Is not debatable and cannot be amended;
 - (b) Cannot be moved while an amendment is under consideration, except to close debate on the amendment;
 - (c) Requires a two-thirds (2/3) vote of Members present;
 - (d) If carried, debate ceases immediately and the pending question is put to a vote.

10.8. ***Motion to Refer, Defer, or Postpone***

- (1) May include instructions, in which case only the instructions are debatable or amendable.
- (2) Without instructions, such a motion is not debatable or amendable.

10.9. ***Motion to Table***

- (1) Without instructions: not debatable, not amendable.
- (2) With instructions: treated as a motion to defer under Section 10.8.
- (3) A tabled matter may only be taken up by a motion to lift from the table, which is not debatable or amendable.

10.10. ***Motion to Divide***

- (1) A motion containing distinct proposals may be divided for separate votes if approved by majority vote.

10.11. ***Motion to Rescind***

- (1) Requires two-thirds (2/3) vote of Members present, unless notice was given at the previous Meeting or in the agenda, in which case a majority suffices.
- (2) Cannot be used where action has been taken that cannot be reversed.

10.12. ***Reconsideration***

- (1) Only a Member who voted on the prevailing side may move reconsideration.
- (2) Requires two-thirds (2/3) vote to reopen debate.
- (3) Debate is limited to the merits of reconsidering the matter.
- (4) If carried, the matter is immediately taken up as if never decided, unless the motion specifies a future date.
- (5) A matter shall not be reconsidered more than once in the same term.

10.13. *Motion to Recess*

- (1) Not debatable, but amendable as to length of recess.
- (2) Not in order when another motion is on the floor.

10.14. *Motion to Adjourn*

- (1) Not debatable or amendable and always in order except when:
 - (a) Another Member has the floor;
 - (b) A vote has been called;
 - (c) Members are voting; or
 - (d) A Member has indicated intent to speak on the pending matter.
- (2) If passed without specifying a reconvening time, the adjournment shall end the meeting.
- (3) A motion to proceed beyond the scheduled adjournment time:
 - (a) Shall not be amended or debated;
 - (b) Requires majority support of Members present.

11. NOTICE OF MOTIONS

- 11.1. A Member of Council may file a Motion or Notice of Motion with the Clerk to be placed on the Council Agenda, provided it is received no later than 4:00 p.m. on the Friday of the week preceding the Council Meeting at which it is to be considered.
- 11.2. A motion may be introduced without notice if Council, without debate, passes a majority vote to dispense with notice.

12. VOTING ON MOTIONS

- 12.1. Immediately before taking a vote on a motion, the Chair may state the question in the form in which it was introduced and shall do so if requested by a Member.
- 12.2. Once the Chair has put the question, no Member shall speak to the question and no other motion shall be made until the vote has been taken and the result declared.
- 12.3. Every Member present at the Meeting when the question is put shall vote unless disqualified from voting under the Municipal Conflict of Interest Act.
- 12.4. Except where a Member is disqualified under the Municipal Conflict of Interest Act, if a Member abstains from voting when the question is put, that Member shall be deemed to have voted in the negative.
- 12.5. Each Member is entitled to one vote.
- 12.6. Failure to Vote/and or Respond

- (1) When a vote is called, any Member present, whether in person or participating electronically, who abstains or fails to vote or respond after two (2) consecutive prompts from the Chair shall be deemed to have voted in the negative.

13. METHODS OF VOTING

13.1. Unrecorded Vote

- (1) The method of determining the decision of Council or a Committee on a motion shall be at the discretion of the Chair and may be by voice, show of hands, standing, or another method.

13.2. Recorded Vote

- (1) Immediately before or after the taking of a vote on a motion, a Recorded Vote may be requested by a Member. When a Recorded Vote is requested, each Member present, except those disqualified from voting by any Act, shall announce their vote openly, and the Clerk shall record each Member's name and vote on the question.
- (2) The order in which Members present and voting shall announce their vote during a Recorded Vote is:
 - (a) Ward Councillors (in ascending numerical order),
 - (b) Deputy Mayor, and
 - (c) Mayor

14. CONDUCT OF THE AUDIENCE

- 14.1. Members of the public in attendance at a Meeting of Council or a Committee, whether in the Council Chambers or another location in accordance with Section 5 of this Procedural By-law, shall respect the decorum of the proceedings, maintain order and quiet, and shall not:

- (1) Address Council or a Committee without the permission of the Mayor or Chair;
- (2) Interrupt any speaker or action of Members or any person addressing Council or a Committee;
- (3) Speak out without recognition from the Chair;
- (4) Behave in a disorderly manner; or
- (5) Make noise or sound that disrupts the conduct of the Meeting.

- 14.2. Placards, signs, posters, advertising devices, or similar items are not permitted in the Council Chambers or any other location where Council or a Committee is conducting business.

- 14.3. The Mayor or Chair may direct any member of the public to vacate the Council Chambers or other meeting location if, in their opinion, the individual's behaviour is disruptive to the business at hand.

15. ADMINISTRATION

- 15.1. This By-law shall be administered by the Clerk.
- 15.2. The Clerk is delegated the authority to make minor clerical, typographical, or grammatical corrections to any Council record or documentation, including, but not limited to, by-laws, motions, resolutions, agendas, and minutes. Such corrections may be made to ensure the accurate and complete implementation of the decisions and actions of Council and its Committees.
- 15.3. The Clerk is authorized to update numbering, cross-references, and formatting within this By-law when amendments are made, for the purpose of maintaining consistency and accuracy, without altering the intent or effect of the provisions.