

# **HALDIMAND COUNTY INTEGRITY COMMISSIONER, DAVID G. BOGHOSIAN**

**Citation:** Complaint re: Councillors Shirton & Lawrence – DGB-Haldimand County ICI-2026-02

**Date:** March 19, 2026

## **REPORT ON COMPLAINT**

### **Overview**

[1] On February 4, 2026, I received a Complaint from a Complainant who wishes to remain anonymous. The Complaint alleges that Cllrs. Shirton and Lawrence had dinner with Mr. Steven Armstrong, a Registered Professional Planner and principal of Armstrong Planning,<sup>1</sup> and Mr. Ken Hewitt, former Mayor of Haldimand County and a current part-time member of the Ontario Land Tribunal (“OLT”),<sup>2</sup> on January 18, 2026, at Hy’s Steakhouse and Cocktail Bar in Toronto. The Complaint states that there was an active application scheduled for consideration, being Report PDD-05-2026 - Nelles Estates Zoning By-Law Amendment Recommendation Report (the “Report”) - at the January 21, 2026 Council meeting in which Mr. Armstrong was the Planner representing the Applicant. The Report had previously been considered at the January 13, 2026 Council in Committee meeting.

[2] The Complaint did not cite any specific sections of the Council Code of Conduct Policy (the “Code”), but did suggest that the above-noted conduct was a potential conflict of interest. In my response to the Complaint, I noted that the alleged conduct may raise issues relating to Sections 8 (Gifts and Benefits) and 9 (Conflict of Interest – Pecuniary Interest) of the Code.

### **Complaint**

[3] The Complaint along with the further particulars received, are reproduced below, redacted to preserve the Complainant’s anonymity:

I am inquiring about a potential conflict in regards to two council members having dinner during our ROMA conference<sup>3</sup> with a large-scale developer that had a

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<sup>1</sup> See Mr. Armstrong’s profile on the Ontario Professional Planner’s Institute website: <https://ontarioplanners.ca/member-register>.

<sup>2</sup> Mr. Hewitt was appointed to the OLT on December 8, 2025 for a one-year term in Turkey Point (i.e. Norfolk County), see the following: <https://www.pas.gov.on.ca/Home/Agency/660>.

<sup>3</sup> As per [its website](#), the Rural Ontario Municipal Association (ROMA) is the rural voice of the Association of Municipalities of Ontario (AMO). The Association is an integral part of AMO and a number of its Executive Members serve on the AMO Board of Directors. Policy, research and advocacy activities are undertaken by ROMA through AMO. ROMA represents rural communities through its policy and advocacy and recently includes resources such as:

- Opportunities for Rural Ontario in a Post-Covid World - An Action Plan

current application open to be ratified at our council meeting following ROMA, the developer also had a member of the Ontario Land Tribunal present during the dinner.

I believe this dinner was paid for by the developer, as no receipts were submitted by the council members under their expense claim.<sup>4</sup>

The dinner took place on January 18, 2026 around 7pm at Hy's Steakhouse and Cocktail Bar 365 Bay St. Toronto. Councillor Lawrence and Councillor Shirton were having dinner with Steven Armstrong from Armstrong Planning as well as with Ken Hewitt former Mayor and member of the Ontario Land Tribunal.

There was an active application to be considered Report PDD-05-2026 Nelles Estates Zoning By-Law Amendment Recommendation Report. This was heard at a public meeting at Council in Committee on January 13th and deferred until the council meeting on January 21st.

[4] Based on its website, the Rural Ontario Municipal Association ("ROMA") conference was held at the Sheraton Centre Hotel in Toronto from January 18 to 20, 2026.<sup>5</sup> The Sheraton Centre Hotel is around the corner from Hy's Steakhouse; Google Maps indicates that they are a five-minute walk from each other.<sup>6</sup>

### **Applicable Law**

[5] The following sections of the Code are relevant with respect to this Complaint:

#### 2. Policy

This policy is designed to provide clear expectations and standards and act as a supplement to the legal requirements within which Members must operate. The policy serves to enhance public confidence that Haldimand's Members operate from a basis of integrity and accountability for others.

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- Attainable Housing Task Force Report
  - Supports for elected officials on broad band decision making and implementation
  - Policy and advocacy on a range of issues impacting rural communities
  - Support for federal fairness to Ontario

<sup>4</sup> Section 6 of the Council Eligible Expense Policy (Policy number: 2025-06) states that Haldimand County will reimburse members for legitimate, reasonable, Haldimand County related expenses in accordance with Haldimand County's policies and procedures. Section 6.1.3 Meals states that meals are eligible [for reimbursement] if they relate to an off-site business event, such as a seminar/conference (with the meal not provided); or representing the County at a business meeting.

<sup>5</sup> See the event details for the 2026 ROMA conference: <https://www.roma.on.ca/learning/events/roma-conference>

<sup>6</sup> See the [Google Maps directions](#):

The Council Code of Conduct and related policies identify the expectations of Members and establishes rules for appropriate conduct to ensure that:

...

- Members shall be committed to performing their functions with integrity, honesty and accountability, and to avoid the improper use of the influence of their office, and conflicts of interest, both real and apparent;

...

- Members behave in a manner that is both ethical and accountable at all times in upholding the public interest and will withstand public scrutiny;

...

In carrying out their responsibilities regarding the Code, the Integrity Commissioner is not limited to looking at the pecuniary interest of the Member and, for clarity, the Integrity Commissioner is specifically authorized to investigate issues of conflict of interest in a broad and comprehensive manner.

### **3. Definitions**

...

3.7 Gift or Benefit - Includes a commission, fee, advance, cash, gift, hospitality, gift certificate, bonus, reward or benefit and the use of property or facilities, such as a vehicle, office or vacation property at less than fair market value or at no cost that would, to a reasonable member of the public, appear to be in gratitude for influence, to induce influence, or otherwise to go beyond the necessary and appropriate public functions involved;

...

3.11 Interest in Common with Electors Generally - Means a pecuniary interest in common with the electors within the area of jurisdiction and, where the matter under consideration affects only part of the area of jurisdiction, means a pecuniary interest in common with the electors within that part.

### **5. Roles and Responsibilities**

...

5.2 Members shall ensure that their office is not used for personal gain by refraining from using it or the influence of it to:

...

- Exclusively advance their interests or the interests of any person or organization with whom or with which they are associated;

## **8. Gifts, Benefits and Hospitality**

8.1 No Member shall accept, solicit, offer or agree to accept a gift or benefit that is connected directly or indirectly with the performance of their duties unless permitted by the exceptions listed in section 8.3 below.

8.2 For the purpose of this Code, a gift or benefit provided with the Member's knowledge to a friend, family member that is connected directly or indirectly to the performance of the Member's duties, is deemed to be a gift to that Member.

8.3 Members are not precluded from accepting:

...

- c. Food and beverage at banquets, receptions, ceremonies or similar events, if:
  - a. Attendance serves a legitimate business purpose;
  - b. The person extending the invitation as a representative of an organization is in attendance; and
  - c. The value is reasonable and the invitations infrequent;

...

- e. Food, lodging, transportation, hospitality and entertainment provided by other levels of government, by other local governments, boards or commissions or by a foreign government within a foreign country;

...

- h. Token gifts such as souvenirs, mementos and commemorative gifts that are given in recognition of service on a committee, for speaking at an event or representing the corporation at an event; and
- i. Gifts that are received as an incident of protocol or social obligation that normally and reasonably accompany the responsibility of office.

8.4 In the case of exceptions claimed under 8.3 (c), (e), (h) and (i), if the value of the gift, hospitality or benefit exceeds \$300.00, or if the total value of gifts, hospitality or benefits received from one source during the course of a calendar year exceeds \$300.00, the Members shall within 30 days of receipt of the gift, hospitality

or benefits or reaching the annual limit, complete a disclosure statement in a form prescribed by the Integrity Commissioner and file it with the Integrity Commissioner. A disclosure statement shall be a matter of public record.

8.5 On receiving a disclosure statement, the Integrity Commissioner shall examine it to ascertain whether the receipt of the gift, hospitality or benefit might, in their opinion, create a conflict between a private interest and the public duty of the Member. In the event that the Integrity Commissioner makes that preliminary determination, they shall call upon the Member to justify receipt of the gift or benefit.

8.6 If the Integrity Commissioner finds that receipt of the gift or benefit is contrary to the Code, the Commissioner shall issue a written explanation as to why the gift or benefit cannot be accepted and the recipient Member shall return the gift or benefit which does not comply with this Code.

8.7 Members can contact the Integrity Commissioner regarding advice and education on matters related to acceptable gifts or benefits under the Code.

## **9. Conflict of Interest - Pecuniary Interest**

9.1 Members of Council will recognize their obligations to follow and respect the provisions of the *Municipal Conflict of Interest Act*, R.S.O. 1990, c. M. 50. Members must publicly declare their direct or indirect pecuniary interest and file a statement of the conflict and the general nature of it with the Municipal Clerk, as soon as possible after becoming aware of the conflict.

9.2 In considering whether or not to declare a conflict, Members should be guided by the overall purpose of the Code. Members should consider whether the matter in question would meet the test of a pecuniary interest or a perceived pecuniary interest.

9.3 Members of Council will not be required to declare a pecuniary interest when the interest is an interest in common with electors generally.

9.4 Members must refrain from influencing, discussing, or voting on a matter in which they have a pecuniary interest. Members should be aware of the exceptions to what constitutes a pecuniary interest as set out in the *Municipal Conflict of Interest Act*, R.S.O. 1990, c. M. 50.

9.5 Members shall leave the Council chamber when a debate or vote is to take place on a matter in which they have declared a direct or indirect pecuniary interest prior to the earliest of the commencement of the debate or vote, as the case may be.

9.6 If the matter is of a confidential nature, Members shall retire from the confidential meeting for the entire duration of the discussion. Members shall not vote on any aspect of the matter in question in which the Member has an interest

and shall refrain from any comment regarding the matter at any time, whether in a Council, Council in Committee, or elsewhere on the issue.

9.7 Members may seek guidance from the Integrity Commissioners on matters of pecuniary interest.

### **Investigation**

[6] My office reviewed the following documents as part of the review of this Complaint:

***Report PDD-05-2026 Nelles Estates Zoning By-Law Amendment Recommendation Report<sup>7</sup>***

[7] The subject-matter of this Report is the rezoning of vacant lands located between Nelles Street and Gowland Road, north of John Street, in the Hamlet of York, from “Agriculture (A)” Zone to “Hamlet Residential (RH)” Zone to facilitate a draft plan of subdivision.

[8] The Report states that the County received a Zoning By-Law amendment application (PLZ-HA-2025-062) and subdivision application (PL28T-2025-051). The Subdivision application proposes, among other things, the creation of thirty residential lots. The lands are designated as “Hamlet” in the County Official Plan and zoned “Agriculture A” in the County Zoning Bylaw HC 1-2020. An amendment to the Zoning By-law is required to facilitate the proposed development.

[9] The Report states that the Zoning By-law Amendment Application conforms to the intent of the Provincial Planning Statement, 2024. It further notes that County staff are confident, based a review of the material submitted with the application, that the appropriate subdivision design exists for the application lands and that rezoning the application lands would align with the current County Official Plan.

[10] A previous information report regarding the Zoning By-law amendment, PDD-33-2025, was presented at the October 28, 2025 Council in Committee meeting. Public feedback regarding the proposed amendment was received at that meeting.

***Notice of Public Meeting for a Planning Application, October 28, 2025<sup>8</sup>***

[11] This is a public notice for a meeting to be held on the above noted date for Planning Application PLZ-HA2025062 & PL28T-2025-051. The applicant and agent are both noted as Armstrong Planning c/o Katrina Munshaw.<sup>9</sup>

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<sup>7</sup> The Report can be found here: <https://pub-haldimandcounty.escribemeetings.com/filestream.ashx?DocumentId=43750>

<sup>8</sup> The Notice can be found here: [https://www.haldimandcounty.ca/media/hm4lnscj/pdd-plzah2025062\\_notice-of-public-meeting\\_package.pdf](https://www.haldimandcounty.ca/media/hm4lnscj/pdd-plzah2025062_notice-of-public-meeting_package.pdf)

<sup>9</sup> Ms. Munshaw’s profile on Armstrong Planning | Project Management website states that she is a planner/project manager.

[12] The Application Details appended to the notice state that the applicant submitted a Zoning By-law Amendment application and draft plan of subdivision, both of which are described above. The applicant is noted as 1000946882 ONTARIO INC. on a Location Map appended to the Details section of the Notice.

***Ontario Profile Report for 1000946882 ONTARIO INC.***

[13] 1000946882 ONTARIO INC. was incorporated on July 9, 2024 with a registered head office in Caledonia, Ontario. The sole director and officers (secretary, president, and treasurer) of this company is Mr. Christopher Moffatt of Caledonia, Ontario. The registered head office is the same address noted as the address for service for the sole director and officer.

***January 13, 2026 Council in Committee Minutes<sup>10</sup>***

[14] No Members made disclosures of pecuniary interest(s). Shannon Van Dalen, Manager, Planning and Development with the County, provided an overview of the Report. After Ms. Van Dalen's presentation, Mr. Stephen Armstrong, on behalf of the applicant,<sup>11</sup> provided additional submissions. He noted that he was present at the public meeting,<sup>12</sup> and noted that the lands that are the subject of the application are designated for the use proposed in the Application, which is why there is no requirement to amend the County Official Plan. Instead, this is a proposed Zoning By-law amendment.

[15] Starting at approximately 35:50 of the Meeting Video, Cllr. Lawrence asks Mr. Armstrong about a concern raised by the Mississaugas of the Credit First Nation about an archeological assessment. Mr. Armstrong noted that the stage 3 assessment had been completed and provided to the First Nation, but noted that the stage 4 assessment was still pending and to be completed in spring of 2026. He added that the First Nation has been on site during the development process.

[16] At approximately 37:00 of the Meeting Video, Cllr. Shirton asks about the target market for the approximate 30 residential homes that are to be built as part of the subdivision. Mr. Armstrong noted that these were "executive" or "family-style" homes for families that want larger homes, but do not want to live in a rural area. He added that the York Hamlet is a hybrid area where residents are 15 minutes from Caledonia and close to Cayuga, while preserving the "hamlet feel." Mr. Armstrong concluded by noting that this would be a niche market.

[17] In response to a question from Mayor Bentley at approximately 45:30 of the Meeting Video regarding how the proposed homes were going to be marketed, Mr. Armstrong explained that this Application was being brought by two local business people, not Empire Homes (Empire Communities Corp.). He continued that the concept was for lots to be sold to custom home

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<sup>10</sup> A video of the meeting can be found here: <https://pub-haldimandcounty.escrimetings.com/Meeting.aspx?Id=656307ac-9065-4af8-a09b-9c71b60ccd16&Agenda=PostMinutes&lang=English&Item=39&Tab=attachments>

<sup>11</sup> Mr. Armstrong did not identify the applicant.

<sup>12</sup> I presume that this is the same October 28, 2025 meeting, noted above.

builders or local builders, and that there would be architectural control over the homes. Each home would be a custom home, with approval on design from the owners of the subdivision.

[18] Recommendation 1 from the Report, produced below, was moved by Cllr. Shirton and seconded by Cllr. Lawrence:

1. THAT Report PDD-05-2026 Nelles Estates Zoning By-law Amendment Recommendation Report be received;
2. AND THAT application PLZ-HA-2025-062 to amend the Haldimand County Zoning By-law HC 1-2020 by rezoning the subject lands from ‘Agriculture “(A)”’ Zone to ‘Open Space “(OS)”’ Zone (Part 1); ‘Hamlet Residential “(RH-H)”’ Zone, subject to Special Provision RH.8 with a Holding (H) provision (Part 2) and ‘Hamlet Residential “(RH)”’ Zone, subject to Special Provision RH.8 (Part 3), be approved for reasons outlined in Report PDD-05-2026;
3. AND THAT the proposal is deemed to be consistent with the Provincial Planning Statement, 2024, conforms with the Haldimand County Official Plan and has sufficient regard for matters of Provincial interest under the Planning Act, R.S.O. 1990, c. P.13;
4. AND THAT the General Manager of Development Services be authorized to remove the Holding (H) provision on the subject lands when the conditions have been satisfied;
5. AND THAT the by-law attached to Report PDD-05-2026 be approved at a future Council meeting.

[19] An amendment, moved by Cllr. Adams and seconded by Mayor Bentley, to defer this item to a future Council meeting in order to locate additional signed pages of the petition submitted by a resident at this meeting, was carried.

### ***January 21, 2026 Council Agenda<sup>13</sup>***

[20] The discussion regarding PDD-05-2026 Nelles Estates Zoning By-law Amendment Recommendation Report was continued at this meeting. As part of the discussion, Cllr. Shirton noted that Council was able to receive and review a complete version of the petition referred to above. He asked staff about a concern raised at the previous meeting regarding the plan to divert surface drainage from the subdivision into a pond on private property. Ms. Van Dalen responded that the proposed subdivision includes a stormwater management block with a dedicated portion of the subdivision controlling stormwater or run-off from the property. She did note that the subdivision was adjacent to a creek and pond, which is split between the lands proposed for development and neighbouring properties. In conclusion, Ms. Van Dalen advised that all water

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<sup>13</sup> A video of the meeting can be found here: <https://pub-haldimandcounty.escrimemeetings.com/Meeting.aspx?Id=a8489fda-487a-4900-a0f9-fb71e142b962&Agenda=Agenda&lang=English&Item=39&Tab=attachments>

would be directed through the stormwater management system where it would be processed and controlled before flowing out.

[21] The following motion was passed by an unrecorded 4-3 vote:

THAT Report PDD-05-2026 Nelles Estates Zoning By-law Amendment Recommendation Report be received;

AND THAT application PLZ-HA-2025-062 to amend the Haldimand County Zoning By-law HC 1-2020 by rezoning the subject lands from ‘Agriculture “(A)”’ Zone to ‘Open Space “(OS)”’ Zone (Part 1); ‘Hamlet Residential “(RH-H)”’ Zone, subject to Special Provision RH.8 with a Holding (H) provision (Part 2) and ‘Hamlet Residential “(RH)”’ Zone, subject to Special Provision RH.8 (Part 3), be approved for reasons outlined in the Report PDD-05-2026;

AND THAT the proposal is deemed to be consistent with the Provincial Planning Statement, 2024, conforms with the Haldimand County Official Plan and has sufficient regard for matters of Provincial interest under the Planning Act, R.S.O. 1990, c. P.13;

AND THAT the General Manager of Development Services be authorized to remove the Holding (H) provision on the subject lands when the conditions have been satisfied;

AND THAT the by-law attached to Report PDD-05-2026 be approved at the January 21, 2026 Council meeting.

### **Responses to the Complaint**

[22] On February 10, 2026, my office emailed Cllrs. Shirton and Lawrence a Notice of Complaint that read as follows:

Cllrs. Shirton and Lawrence had dinner with Steven Armstrong of Armstrong Planning, who had an application open to be ratified at a subsequent council meeting, as well as with Ken Hewitt, former Mayor and member of the Ontario Land Tribunal. The dinner took place on January 18, 2026 around 7pm at Hy’s Steakhouse and Cocktail Bar 365 Bay Street, Toronto. The dinner is alleged to have been paid for by Mr. Armstrong.

The active application to be considered was Report PDD-05-2026 Nelles Estates Zoning By-law Amendment Recommendation Report. This was heard at a public meeting at Council in Committee on January 13, 2026 and deferred until the Council meeting held on January 21, 2026.

It is alleged that this conduct is contrary to sections 8 (Gifts and Benefits) and 9 (Conflict of Interest – Pecuniary Interest) of the Council Code of Conduct Policy.

[23] In addition, the Notice asked the following questions:

1. Did you have dinner with Mr. Armstrong on January 18, 2026?
2. If so, did Mr. Armstrong pay for your meal or provide you anything of value that could be considered a Gift or Benefit under the Code?
3. If you paid for your respective meal, please provide supporting documentation to support that assertion; and
4. Did you vote in favour of the resolution described as item J. Unfinished Business at the January 21, 2026 Council Meeting approving the Zoning By-law amendment described in Report PDD-05-2026 Nelles Estates Zoning By-Law Amendment Recommendation Report?

### **Councillor Shirton**

[24] On February 19, 2026, my office received Cllr. Shirton's Response to the Complaint, which is as follows:<sup>14</sup>

1. *Did you have dinner with Mr. Armstrong on January 18, 2026:*  
Yes.
2. *If so, did Mr. Armstrong pay for your meal or provide you anything of value that could be considered a Gift or Benefit under the Code:*

I went for dinner expecting to pay for my own meal. While Mr. Armstrong did end up paying for my meal, it should not be considered in violation of the Code of Conduct as it met all of the requirements set out in Section 8.3 c of the Code, as it was less than \$300.00. If I could add, it is quite common for all members of Council to attend receptions and dinners hosted by companies who do business with municipalities when they attend ROMA or AMO.

I am not in violation under Code section 8.3 c. Members are not precluded from accepting food and beverage at banquets, receptions, ceremonies or similar events, OR a. Attendance serves a legitimate business purpose.

3. *If you paid for your respective meal, please provide supporting documentation to support that assertion:*  
N/A
4. *Did you vote in favour of the resolution described as item J. Unfinished Business at the January 21, 2026 Council Meeting approving the Zoning*

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<sup>14</sup> Cllr. Shirton responded to the four questions in the Notice of Complaint and provided additional submissions afterwards. For ease of reference, the questions that were set out in the Notice of Complaint have been italicized and the relevant portion of his submissions included.

*By-Law amendment described in Report PDD-05-2026 Nelles Estates Zoning By-Law Amendment Recommendation Report:*

Yes, I did. I also supported the application verbally at CIC prior to attending the ROMA conference or dinner, not because of any influence from Mr. Armstrong- but because it was the recommendation of Staff to support it along with GRCA who also supported the application. If you watch the recorded CIC meeting before ROMA, you will find it is quite obvious who did and who did not support it. It was straightforward in my opinion. It was deferred for more new information that didn't come forward at the Council meeting. It is important to note that the timing of the Council meeting on January 21st did not have anything to do with the dinner and my position on the application never changed.

The purpose of dinner was not to discuss the Nelles Estate application. In fact, Nelles Estate application was never mentioned at our dinner. Our former Mayor Mr. Hewitt attended the dinner too; Ken Hewitt is a member of the Ontario Land Tribunal. The purpose of the dinner was to continue to build a positive working relationship with a key developer who often does business in Haldimand and provides additional benefits to the community and municipality by contributing to events, projects etc. The prospect of this or any developer contributing to an indoor pool in the future, is in the best interest of the public and it is important to maintain good working relationships with any person or business who shows a development interest in the County- whether that is economic, industrial or residential development.

The dinner also provided an opportunity to get an update on the Nanticoke lands which Mr. Armstrong's group, Empire Homes, owns. There are lots of possibilities, both industrial and residential, to be developed which would be a benefit to Haldimand County taxpayers whom currently rely on a high burden of residential taxes.

I do not believe I have a pecuniary interest related to this application or Steven Armstrong. The County sought [a] legal opinion in the past about me voting on development applications since I am a Realtor. The legal opinion stated that I did not have a pecuniary interest and that that it was "an interest in common with electors generally"

Mayor Bentley recently accepted Strong Mayor Powers (SMP) from the province in April 2025 and repeatedly states they were not accepted to just to terminate our previous CAO. The main intent of SMP is to advance provincial priorities that have been written into legislation- that being housing and infrastructure development. I think it is more important now than ever before, that Council assist our Mayor in building positive relationships with all interested developers in the County, so she is able to meet the provincial targets of growth and housing that she accepted, and

certainly not violate legislation. At the dinner in question, no business was advanced, there was not a quorum and I viewed it as a meaningful interaction to keep the relationship with Haldimand County positive.

### **Councillor Lawrence**

[25] My office received Cllr. Lawrence Response to the Complaint on February 17, 2026 and it is as follows:<sup>15</sup>

1. *Did you have dinner with Mr. Armstrong on January 18, 2026;*

Yes, I did.

2. *If so, did Mr. Armstrong pay for your meal or provide you anything of value that could be considered a Gift or Benefit under the Code;*

Mr. Armstrong did pay for my meal and under the Haldimand County Code of Conduct 8.4, I am not in violation of accepting the meal as paid for by another person. If I may quote the Code as written in the following sections;

8.3 Members are not precluded from accepting:

C. Food and beverage at banquets, receptions, ceremonies or similar events, if:

A. Attendance serves a legitimate business purpose

The dinner provided an opportunity to discuss current lands zoned industrial in Haldimand County owned by a company Mr. Armstrong provides professional planning services to and how the procurement of new employers to the area is coming. The lands are in demand for industrial growth, which with the securing of new industrial partners, will add employment and new taxes to the Municipality and improve socio-economic prosperity to all residents of Haldimand. Nelles Estates was not discussed at all.

8.4 "if the value of the gift, hospitality or benefit exceeds \$300.00, or if the total value of gifts, hospitality or benefits received from one source during the course of a calendar year exceeds \$300.00, the Members shall within 30 days of receipt of the gift, hospitality or benefits or reaching the annual limit, complete a disclosure statement in a form prescribed by the Integrity Commissioner and file it with the Integrity Commissioner. A disclosure statement shall be a matter of public record."

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<sup>15</sup> Cllr. Lawrence responded to the four questions in the Notice of Complaint and provided additional submissions afterwards. For ease of reference, the questions that were set out in the Notice of Complaint have been italicized and the relevant portion of his submissions included.

I ordered the following with the pricing as published on the Hy's Steakhouse and Cocktail Bar website, paid for by Mr. Armstrong:

Steak Au Poivre	\$75.95
Oysters Rockefeller	34.95
Two glasses Merlot Red Wine \$20/ea.	40.00
Total before taxes and gratuity	\$150.90

The meal falls well under the Code of Conduct requirement limit to report, otherwise I would have prepared the necessary documentation as required. My understanding is, I did not break the Code of Conduct with regard to receiving the meal paid for by Mr. Armstrong. It must be noted that there was never the expectation of Mr. Armstrong to pay for my meal before the bill was presented to the table.

In regard to Section 9 of the Code of Conduct, Conflict of Interest - Pecuniary Interest, please see the following;

The assertion that I broke the Code of Conduct due to having a Pecuniary Interest with Mr. Armstrong or any of the proponents he represents who have interests in Haldimand County is without foundation, a false accusation. I have "NO" pecuniary interest in Nelles Estates or quite frankly any property Mr. Armstrong may represent, past, or present. Therefore, I did not break Section 9 of the Code of Conduct.

3. *If you paid for your respective meal, please provide supporting documentation to support that assertion; and*

I did not pay for my meal as stated in previous question, thus the answer is no I do not have any supporting documentation as being fully transparent with disclosure.

4. *Did you vote in favor of the resolution described as item J. Unfinished Business at the January 21, 2026 Council Meeting approving the Zoning By-law amendment described in Report PDD-05-2026 Nelles Estates Zoning By-Law Amendment Recommendation Report;*

I did vote in favor of the resolution in reference to Report PDD-05-2026 Nelles Estates Zoning By-Law Amendment Recommendation Report. The question due to the complaint must be asked and answered, Why? The answer is not complex and is transparent. Haldimand County is blessed with outstanding staff in all departments. The proposal, as presented by Armstrong Planning, on behalf of the local proponents/owners of land in question, received full Staff approval from our Professionally designated Planning and Engineering Staff. The approval for the proposal meets the

necessary requirements as legislated through the Planning Act. If the criteria were not met or check all the boxes, there would be no approval given by Staff, thus the proposal would not have received my vote to move forward.

If I may further continue as to reinforce my support/vote was to accept the proposal, two more pieces of information must be conveyed. Firstly, the property in question logistically is located not far from the Grand River, therefore approval from the Grand River Conservation Authority (GRCA), is a necessity for the proposal to move forward. The GRCA found the proposal to be in accordance with their policies, provincial environmental legislation, thus supported the County Staff report. Secondly, Mayor Bentley in April of 2025 accepted Strong Mayors Powers (SMP's) and by doing so, made the commitment to the Province to meet new start housing targets. Therefore, even though I do not agree with SMP's, as part of the Provincial Priority to build more homes, the Nelles Estates, thirty units, falls into place as dictated by the Province and the commitment put forth by Mayor Bentley on behalf of the County.

## **Analysis**

### **Findings of Fact**

[26] The following findings of fact are made on the balance of probabilities standard.

[27] Based on their respective Responses to Complaint, I find that Cllrs. Shirton and Lawrence did have dinner with Mr. Armstrong and that he paid for their meals. I also find that this dinner had no connection to the ongoing ROMA Conference, aside from the fact that the dinner attendees had also attended the conference. Nevertheless, the Councillors were attending the dinner in their official capacities.

[28] With respect to the topics of conversation during the dinner, I find that the participants did not discuss the Nelles Estates Zoning By-Law Amendment, or the Report related to it.

### **How Should Section 8 (Gifts and Benefits) of the Code be Interpreted?**

[29] Section 8.1 of the Code includes a general prohibition on accepting gifts or benefits of any value connected with the performance of a Member's duties, subject to the exceptions set out in section 8.3. Exception 8.3(c) allows members to accept food and beverages at a banquet, reception, ceremony, or a similar event if the following three conditions are met: (1) their attendance serves a legitimate business purpose, (2) the person who invited them on behalf an organization is in attendance, and (3) the value [of the food and beverage] is reasonable and the invitations [to such events] infrequent.

[30] Despite the fact that numerous codes of conduct for other municipalities either currently or did at one point contain an identical or similar provision to section 8.3,<sup>16</sup> none of the decisions

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<sup>16</sup> See the following decisions by other Ontario Integrity Commissioners noting that the codes of conduct for the City of Toronto (*Mammoliti (Re)*, [2014 ONMIC 5 \(CanLII\)](#), *Ford (Re)*, [2016 ONMIC 11 \(CanLII\)](#) *Grimes (Re)*, [2016](#)

dealing with their respective “Gifts and Benefits” sections define the terms “banquet”, “reception”, or “ceremony.” As a result, I turn to statutory interpretation to understand these terms.

[31] The modern approach to statutory interpretation requires that the words of the Act are to be read in their entire context and in their grammatical and ordinary sense harmoniously with the scheme of the Act, object of the Act, and the intention of Parliament. This approach applies equally to the interpretation of municipal by-laws.<sup>17</sup>

[32] Words that initially appear to be clear and unequivocal may turn out to be ambiguous when read in context. One principle of statutory interpretation used to resolve any latent ambiguity is *noscitur a sociis*, which requires that words be interpreted in the context of their surrounding terms. The application of this rule means that the meaning of a term can be restricted by the context of a statute or by-law, as the case may be, to a definition far narrower than that found in a dictionary.<sup>18</sup> Further, the statutory principle of *ejusdem generis* states that where a class of things is modified by general wording that expands the class, the general wording is restricted to things that are of the same type as the listed items.<sup>19</sup>

[33] The Cambridge University Dictionary defines the terms in question as follows:

- *Banquet*: a large formal meal for many people, often followed by speeches in honor of someone;<sup>20</sup>
- *Reception*: a formal party at which important people are welcomed;<sup>21</sup> and

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[ONMIC 7 \(CanLII\)](#) and the Township of Adjala-Tosorontio (*Pinto v Anderson*, [2022 ONMIC 1 \(CanLII\)](#)) all contain an identical or similar provision.

<sup>17</sup> *Montréal (City) v. 2952-1366 Québec Inc.*, 2005 SCC 62 (CanLII) at [para 9](#).

<sup>18</sup> *Brossard (Town) v. Quebec (Commission des droits de la personne)*, [1988 CanLII 7 \(SCC\)](#), [1988] 2 S.C.R. 279, at pp. 328-29; *Ontario v. Canadian Pacific Ltd.*, [1995 CanLII 112 \(SCC\)](#), [1995] 2 S.C.R. 1031, at para. [64](#); *2747-3174 Québec Inc.*, at para. [195](#); *R. v. Daoust*, [2004] 1 S.C.R. 217, [2004 SCC 6](#), at para. [51](#); *National Bank of Greece (Canada) v. Katsikonouris*, [1990 CanLII 92 \(SCC\)](#), where it is cited as part of the dissenting opinion.

<sup>19</sup> *Schnarr v. Blue Mountain Resorts Limited*, 2018 ONCA 313 at [para 52](#).

<sup>20</sup> *Cambridge Dictionary*, *sub verbo* “banquet,” accessed March 16, 2026, <https://dictionary.cambridge.org/us/dictionary/english/banquet?q=%E2%80%A2%09Banquet%3A#:~:text=banquet%20in%20English-,banquet,-noun%20%5B%20C>.

<sup>21</sup> *Cambridge Dictionary*, *sub verbo* “reception,” accessed March 16, 2026, <https://dictionary.cambridge.org/us/dictionary/english/reception#:~:text=reception%20in%20English-,reception,-noun>

- *Ceremony*: (a set of) formal acts, often fixed and traditional, performed on important social or religious occasions.<sup>22</sup>

[34] As a result, when read in context, I find that these terms refer to events of a larger scale and purpose than a dinner between four participants. This restricts the scope of meaning for the phrase “or similar events” to those that fall within the same scope as those terms defined above. Further, the second requirement set out in section 8.3(c) requires that the person who invited them on behalf of an organization be in attendance at the event. Taken together, an example of an acceptable event at which Members could accept food or drink would be an affiliated reception following the ROMA conference, where complimentary appetizers are served and drink tickets are provided, and at which the organizers are present. The purpose of section 8.3(c) is not to permit private dinners paid for by a member of an organization.

### **Did Cllrs. Shirton and Lawrence Breach section 8.3(c) of the Code of Conduct?**

[35] Given the interpretation of section 8.3(c) set out above, I find that Cllrs. Shirton and Lawrence did contravene this section of the Code. The dinner described by the Complaint and the Responses does not fall within the allowable exceptions set out in section 8.3. That being said, based on their respective responses, I find that the Cllrs. attended and permitted Mr. Armstrong to pay for them under the false impression that they were acting in compliance with the Code. I further find that they had no improper motive in allowing Mr. Armstrong to pay for their meals. They turned their mind to the Code and were not willfully blind to the fact that they were bound by it.

### **Did Cllrs. Shirton and Lawrence Breach section 9 of the Code of Conduct?**

[36] Section 9 of the Code requires that Members comply with the *Municipal Conflict of Interest Act* (“MCIA”), which requires them to refrain from participating in matters in which they have a pecuniary interest. The term “pecuniary interest” is not defined in the MCIA, but has been held to mean a “financial or economic interest” that relates to money in some shape or form. This interest must have crystallized at the time of the Member’s alleged conduct and not be based on hypothetical circumstances or speculation.<sup>23</sup> Though the Complaint suggests that the dinner is a “potential conflict”, I interpret this aspect to be more akin to the conduct prohibited by section 5 of the Code, dealt with below, but have nevertheless addressed this section for the sake of completeness.

[37] I find that neither Cllr. Shirton nor Lawrence contravened section 9 of the Code or the MCIA because there is no evidence that they had a pecuniary interest in the matters considered at the January 21, 2026 meeting of Council, including the Zoning By-law amendment. This paragraph is to serve as notice that I will not be making an application under the MCIA with respect to same.

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<sup>22</sup> *Cambridge Dictionary, sub verbo* “ceremony,” accessed March 16, 2026, <https://dictionary.cambridge.org/us/dictionary/english/ceremony?q=Ceremony#:~:text=ceremony%20in%20English-,ceremony,-noun>

<sup>23</sup> *Gammie v. Turner*, 2013 ONSC 4563 at [paras 27](#) and [57](#).

### **Did Cllrs. Shirton and Lawrence Breach section 5 of the Code of Conduct?**

[38] Section 5 of the Code prohibits Members from using their office for personal gain by exclusively advancing their interests or the interests of their associates, be they people or organizations. This section is closely related to section 8. The purpose of both these sections is to prevent improper or extraneous considerations from influencing the way in which Members conduct themselves or apply the power of their office. Both sections do so by preventing Members from acting purely for their own personal interest or that of their associates in the case of section 5 and by restricting the circumstances in which Members may receive compensation (i.e. Gifts and Benefits) beyond that which they receive from the County.

[39] I find that neither Councillor contravened section 5. Both expressed support for the resolution set out in the Report before having dinner with Mr. Armstrong. I further accept that they did not discuss the Report at that dinner with him.

[40] Section 5 states that Members must not exclusively advance their interests or the interests of their associates. To give effect to the purpose of this section, the word “exclusive” must mean an interest that is more narrow than for all residents within the County. Adopting the resolution at the January 21, 2026 meeting, including the Zoning By-law application PLZ-HA-2025-062, was solely for the benefit of the applicant. However, given the ease with which it may be found that an act of a Member was for the benefit of an entity and the broad language of “the interests of any person or organization with whom or with which they are associated”, the term “associated” must be read narrowly to mean a direct or substantial connection. Were that term interpreted loosely, it could lead to the absurd result of Members being found in breach of section 5 for tangential or fleeting associations with various groups and voting in favour of interests that would benefit that associated entity.

[41] Given that there is no evidence that either Councillor is associated with Mr. Armstrong nor the proponent of the project beyond the dinner, I find that they did not contravene section 5 of the Code.

### **Appropriate Penalty**

[42] I recommend that both Councillors be given a reprimand. As noted above, they both turned their mind to the Code and, at least in the case of one of the councillors, did not attend the dinner with the expectation that Mr. Armstrong would pay for their meal. While not necessarily part of the analysis and not serving as an enforceable obligation on Members, section 2 of the Code does serve as guidance on how to interpret the Code’s other enforceable sections. Section 2 states, in part, that “Members shall...avoid the improper use of the influence of their office, and conflicts of interest, both real and apparent.”

### **Concluding Remarks**

[43] I have found that Councillors Shirton and Lawrence breached s. 8.1 of the Code of Conduct and I am recommending that they be reprimanded. I have otherwise dismissed all other complaints against them.

[44] Though I found that neither Councillor was acting in a conflict of interest or improperly using the influence of their office, I caution members to be cognizant of appearances – namely, permitting a planner acting on behalf of an applicant with a pending Zoning By-law amendment to pay for dinner at a downtown Toronto steakhouse while that application is set to be considered by Council only days later. This is not to say that Members are precluded from communicating with proponents or those acting on their behalf while matters are pending before Council. Instead, it is to remind members of their obligations when engaging in matters relating to their office and to be conscious of how their actions may be interpreted by others.

[45] This concludes my investigation.

Respectfully Submitted,



David G. Boghosian,  
Integrity Commissioner,  
Haldimand County