



Cunningham Swan

LAWYERS

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CONFIDENTIAL

April 29, 2026

SENT BY EMAIL TO: mcannon@mcnabbraeside.com

Mayor and Council
c/o Mandy Cannon, Acting CAO
Township of McNab/Braeside
2473 Russett Drive
Arnprior, Ontario
K7S 3G8

Dear Mayor and Council:

RE: Code of Conduct Complaint – Final Report – Mayor Hoddinott
Our File No.: 33392-18

This public report of our investigation is being provided to Council in accordance with Section 223.6(2) of the *Municipal Act*. We note that Section 223.6(3) of the *Municipal Act* requires that Council make the report public. The Clerk should identify on the agenda for the next open session Council meeting that this report will be discussed. Staff should consider whether it is appropriate to place the full report on the agenda in advance of Council deciding how the report should otherwise be made public.

Should Council desire, the Integrity Commissioner is prepared to attend virtually at the open session meeting to present the report and answer any questions from Council.

At the meeting, Council must first receive the report for information. The only decisions Council is afforded under the *Municipal Act* is to decide how the report will be made public, and whether to adopt any recommendations made by the Integrity Commissioner. Council

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does not have the authority to alter the findings of the report, only consider the recommendations.

The Integrity Commissioner has included only the information in this report that is necessary to understand the findings. In making decisions about what information to include, the Integrity Commissioner is guided by the duties set out in the *Municipal Act*. Members of Council are also reminded that Council has assigned to the Integrity Commissioner the duty to conduct investigations in response to complaints under the Code of Conduct, and that the Integrity Commissioner is bound by the statutory framework to undertake a thorough process in an independent manner. The findings of this report represent the Integrity Commissioner's final decision in this matter.

Timeline of Investigation

The key dates and events during the course of this investigation are as follows:

- April 8, 2026 complaint received
- April 8, 2026, request contact information for complainant
- April 9, 2026, Complainant agreed to have their identity disclosed
- April 13, 2026, Complaint sent to Member
- April 14, 2026, response from Member received
- April 14, 2026, Member's response sent to complainant
- Complainant's response received April 17, 2026
- April 23, 2026, Interview Member

Complaint

The complaint centered around an April 6, 2026 Facebook post by Mayor Hoddinott (the "Member") responding to a comment about members of Council not being permitted to block constituents from their social media. The Member responded:

No one is blocked from the Township page. My page is a courtesy page, privately run, and if out of town people want to attack me on a personal basis, or others post satellite view maps penciling in the route to my home where my minor child lives – then they get blocked from my page. IC verified its 100% allowed.

The post did not name any individual.

Subsequently, the complainant responded and confirmed that she had posted a map – the complainant then clarified what the map referred to in her earlier post (which was from July of 2025).

The Member then responded to the complainant's statement.

The complaint alleges that the Member breached the Code of Conduct by lying in the April 2026 posts and that the Member infringed the complainant's freedom of expression in 2025 when the Member blocked the complainant from her site.

Limitation Period

The Code of Conduct states:

19.5 Complainants must be submitted within six weeks of the matter becoming known to the person making the complaint and no more than six months after the alleged violation occurring. No action will be taken on a complaint received beyond these deadlines.

Therefore, the allegation that the complainant's freedom of expression has been breached by being blocked on the Mayor's social media page is outside the jurisdiction of the Integrity Commissioner and that aspect of the complaint is dismissed. In addition, any comments made in 2025 are outside the jurisdiction of the Integrity Commissioner and cannot be investigated.

Code of Conduct Findings

The sections of the Code of Conduct engaged by this allegation include:

5.1. Members are responsible for making honest statements. No member shall make a statement when they know that statement is false. No member shall make a statement with the intent to mislead Council or members of the public.

5.14 Members of Council will:

(f) may not make statements known to be false or make a statement with the intent to mislead Council or the public.

Unfortunately, both sections are similar, but not identical. Section 5.14 does not contain the plain prohibition on making an untrue statement, it qualifies that to include the element that the member of Council must know the statement is false. We find that each of the three sentences in section 5.1 cannot stand alone in isolation from each other and form separate obligations. It is not possible to breach the Code of Conduct by making a false statement where the member of Council did not know it was false; that is inconsistent with section 5.14 (f) which does not contain a prohibition of simply making a false statement with no knowledge of its truth.

Both sections 5.1 and 5.14(f) must be read together in a way that is internally consistent. In order to make sense of both sections, the Integrity Commissioner finds that the prohibition in section 5.14 (f) must be read as one prohibition, with three constituent elements that must be present, and section 5.1 should be interpreted similarly.

We come to this conclusion in the context of the protections afforded to politicians under the Charter of Rights and Freedoms. Section 2(b) of the Charter protects freedom of expression, and political expression is a highly protected form of expression. The cases dealing with this freedom obligate an Integrity Commissioner to undertake a balancing analysis to assess the purpose of the Code of Conduct provision and balance that purpose against the protections for freedom of expression.

In this case, the Integrity Commissioner sees the value in obligating members of Council to be truthful – that will advance good governance and give the public confidence in their elected officials and the decisions that they make. This purpose, however, must be balanced under the Charter to allow politicians the freedom to express themselves without fear that any misstatement will be used against them and form the basis for a Code of Conduct complaint. The Integrity Commissioner finds that an interpretation of the Code of Conduct that exposes a member of Council to a complaint for making an honest misstatement cannot be what Council intended. The proper balance requires that all three constituent elements must be present in order to find a member of Council has breached the Code of Conduct. This establishes an appropriate balance. Therefore, in order to find a breach of sections 5.1 or 5.14(f), the following elements must be present:

1. The statement must be dishonest; and
2. The member must know that the statement is false; and
3. The statement must be made with the intent to mislead Council or members of the public.

With this understanding of the framework, we then assessed the statements set out in the Facebook posts.

April 2026 Posts

In order to assess the truth of the April 2026 statements, the Integrity Commissioner reviewed the posts from 2025. It is important to note that the 2025 posts are not subject to this complaint, they are only relevant to determine if the Member's statements in 2026 were truthful.

The Member's post responding to the complainant in April 2025 contained the following statements:

Statement:

“Three years ago, I was having a conversation with a resident about whether anyone has a right to a view.”

Finding/analysis:

The discussion was not 3 years ago, it was a little less than a year before. This statement is not true. The Member confirmed that she believed that the original interaction was 3 years

previously, and when she looked back to respond to the complaint was surprised that it was only a year ago. The Member confirmed that it was not her intent to mislead the public with respect to the date. Given the innocuous nature of the mistake, the Integrity Commissioner accepts that the Mayor did not intend to mislead the public.

While the statement was not true, it was not intentional and was not intended to mislead. This is not a breach of the Code of Conduct.

Statement:

“I used a local example of a tree plantation that eventually grew in and changed the view for several homes. I did not complain about it, and I did not say it impacted property values.”

Finding:

The Integrity Commissioner finds that a tree plantation was planted and had grown over time. The Integrity Commissioner has no basis to dispute the Member’s belief that the presence of the trees changed her view and that of other homes.

The Member did say, in 2025, “no one cared about the devaluing of the properties around the park”. The plain words written by the Member in 2025 can be read as implying a reduction in property value.

When asked about this statement, the Member explained that in 2025 she was responding to a resident who was talking about the assessed value of their home and their argument that because their view had been altered (not a property near the Member’s home - a different view) the property assessment of their property should be reduced. Reducing their property’s assessment reduces the property taxes the owner must pay. In that context, the Member said that even though the view had changed the value in the context of a possible sale, the assessed value had not been reduced.

The Member agreed she could have used better language to express her statement. The Member did not intend to mislead anyone; she just did not express herself as well as she could have.

The Integrity Commissioner finds that the Member was talking about reduced property values in 2025 related to a loss of view. The plain words of the statement from 2025, even with the added context provided by the Member, leads to the conclusion that the Member did believe that the loss of views affected property value – not simply assessed value.

Therefore, the Mayor was not correct in 2026 when she said that her previous statement did not say the trees impacted property values. The Member misremembered what she had said, and/or understood what she meant differently than the 2025 post indicates.

In these circumstances, the Integrity Commissioner finds that the Member did not knowingly lie, the Member believed she had expressed her views differently than the plain language suggested.

There may be an argument that every member of Council should undertake the necessary due diligence to ensure that what they are saying is correct. In this case, the Member could have gone back to the original post in 2025 and confirmed what she said. The Integrity Commissioner finds that imposing that level of due diligence on members of Council would be onerous and would have a potential chilling effect on councillor's ability to speak to issues. That would infringe unreasonably on a councillor's freedom of expression. Therefore, a member of Council does not breach the Code of Conduct for honest misstatements.

Even though it is unnecessary to assess whether the statement was made with the intent to mislead, given the finding that it was not knowingly made, the Integrity Commissioner nonetheless considered this third requirement.

The Member did not believe that she had said that a loss of views devalued a property. The Member readily conceded that she could have used better language to express her statement. The Integrity Commissioner finds that the Member did not intend to mislead anyone; she simply did not express herself as well as she could have.

This is not a breach of the Code of Conduct.

Statement:

“Tanya – posting under [redacted] account – you inserted yourself into that conversation”.

Finding:

The statement that the complainant posted under “[redacted] account” is objectively not true. The Member could have reviewed the previous messages and determined this was not true with minimal due diligence. The level of due diligence required to make this assessment is not difficult and therefore the Member should have known that this statement was not true.

Despite the lack of diligence, the Member believed this to be a true statement and there was no basis to find that the Member was deliberately lying or knew that she was lying.

There is also no basis to find that the statement was made with the intent of misleading the public; this was a mistake, but not a mistake that was intended to mislead.

This is not a breach of the Code of Conduct.

Statement:

“Referencing fruit trees you planted, which had nothing to do with the example being discussed.”

Finding:

It is clear from the posts that there was confusion as to what the complainant and Mayor believed they were talking about when each were referring to trees. This appears to be a misunderstanding and not a deliberate lie intended to mislead the public.

This is not a breach of the Code of Conduct.

Statement:

“Then it escalated to “the Mayor hates trees” and doubling down included posting a marked up satellite image identifying my home with the description of “for those who don’t know where the Mayor’s house is”. That was inappropriate and you know it.”

Finding:

The original post did not include the words, “for those who don’t know where the Mayor’s house is”. This is not a true statement.

The Member acknowledged that this was not a quote from the complainant’s original posts and admitted that when she was posting in 2026 she included the quotation marks in error. The Member advised that she wanted to use different punctuation – not to imply the original post used those exact words, but to indicate that the use of the map effectively illustrated where the Mayor lived. Once the post was issued, the Member did not have administrative privileges to correct it.

The original 2025 post included a map that did show a portion of the Mayor’s property (albeit not the whole of her property) and it was clear from the text of the post that the line drawn on the map was showing the Mayor’s property and the view from that property to the line of trees in the park that were the subject of the discussion about views. The precise statement, while untrue, was not misleading to the extent that it could be said to breach the Code of Conduct.

At no time in 2026 did the Member accuse the complainant of illegal activity – the word used was “inappropriate”.

This is not a breach of the Code of Conduct.

Recommendations

The complaint is dismissed. As there were no breaches of the Code of Conduct, no recommendation is necessary.

Sincerely,

Cunningham, Swan, Carty, Little & Bonham LLP

A handwritten signature in black ink, appearing to read 'Tony E. Fleming', with several horizontal strokes underneath.

Tony E. Fleming,
Anthony Fleming Professional Corporation