

BLUEWATER GEOSCIENCE

CONSULTANTS INC.

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January 4, 2010

The Township of Melancthon
R.R. #6
Shelburne, Ontario
L0N 1S9

Attn.: Ms. Denise Holmes, A.M.C.T., Clerk-Treasurer

Re: County of Dufferin Waste Management Assumption Presentation

Ms. Holmes:

The Council for the Township of Melancthon requested that Bluewater Geoscience Consultants Inc. (Bluewater) attend the December 17, 2009 Council meeting to listen to a presentation on potential County of Dufferin (County) Waste Management Assumption in Melancthon Township. The presentation was given to Council and members of the public by Mr. Trevor Lewis, director of Public Works for the County. Mr. Breton Lemieux, Senior Geoscientist for Bluewater attended the presentation.

Mr. Lewis related that the County is considering building an 'energy from waste' facility where County waste will be used to generate energy. The proposed location will not be in Melancthon Township, possibly in Amaranth Township. No Approvals for the project have been sought or granted at this point, the plan is still conceptual in nature. Mr. Lewis related to Council that the volume of waste generated by current County sources would not be sufficient economically to support the facility and they were therefore seeking 'partners' in this proposed venture. Mr. Lewis did state that even if the 'energy from waste' facility wasn't approved, the County may still wish to take waste assumption.

The exact logistics and fine details of the plan have not been determined at this point, Mr. Lewis was simply seeking opinions on Melancthon's view of the project and whether there would be any issues that may preclude Melancthon's inclusion at this point. Mr. Lewis did relate that the plan would likely include determining the assets/liabilities of the current Township landfill site and then County assumption of the site and its operations. Details as to how any asset value or liability deficit would be settled were not provided.

Mr. Lewis stated that if the County did assume control of the current Township landfill site, waste from other municipalities could be brought to this site for disposal. The site may also be left active for local use, used as a transfer site or closed, depending on circumstances. Mr. Lewis stated that instatement of individual waste pickup may be considered for Melancthon, particularly if selected transfer sites were remote to the Township.

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Issues raised in the form of questions and comments from Council and members of the public included:

- Trucking of waste from other jurisdictions into the Township and filling of the current Township landfill in a rapid fashion was not looked upon favourably;
- Having to drive excessive distances to drop off household waste was raised as a concern;
- Potential lack of input into overall waste management strategies from a Township perspective;
- Concerns regarding the cost to taxpayers relative to current waste disposal costs and the potential for excessive costs during permitting/construction of the proposed facility;
- What will be done by the County should it be determined that the 'energy from waste' facility is not feasible? Would additional landfills be sited within Melancthon?
- How would the determination of our current landfill assets and liabilities be determined? How would any resulting value or deficit be settled? If the landfill is determined to be an asset, could this value be used to offset waste services offered from the County in the future?

At this time, the County's Waste Assumption Plan has not been thoroughly enough developed for Melancthon to definitively say we will participate. Most of the details that will determine whether this plan is suitable for Melancthon are not known at this time and would have to be more fully-developed however, there is no reason why the Township should preclude continued participation in the development of the County Waste Planning. Consideration may be given to having a member of Council (or delegate) become a member of any County committee steering the development of the Plan so that Township interests can be raised and addressed.

Sincerely,
BLUEWATER GEOSCIENCE CONSULTANTS INC.



Breton J. Lemieux, M.Sc., P.Geo., QP
President, Senior Geoscientist

Date: January 4, 2010

December 30, 2009

The Council of the Township of Melancthon
157101 Highway 10
RR#6
Shelburne, ON L0N 1S9

Attention: Chief Administrative Officer

Dear Members of Council:

Re: Proposed Demolition Control By-law

We are solicitors for the Highland Group of Companies ("Highland"). We are writing to express Highland's deep concern regarding the proposed enactment of a demolition control by-law.

Frankly, we find it surprising that the public is being expected to comment on the by-law on such short notice, especially when it was placed on the Township's webpage immediately prior to the Christmas holidays, with written public response expected by 8:30 AM on Monday, January 4, 2010, the first business day following the holiday.

More importantly, we believe that the by-law has little to do with demolition control, and much more to do with stopping Highland's proposed quarry. There is a clear trail of communication establishing that point. Indeed, the first suggestion of a demolition control by-law came from NDACT, whose spokesman stated publicly that "it's just another step to hopefully slow down the process and stop this quarry." We must remind Council of its October 5, 2009 Resolution, relating to the Highland initiative, stating that, "Council will not engage in exercises the sole purpose of which would appear to be to defeat the initiative."

There is substantial legal jurisprudence to the effect that a Municipal Council cannot use its discretionary powers intended for one purpose to achieve another unrelated objective. We believe that by embarking on such an exercise, Council would be acting contrary to the interests of its taxpayers, and exposing itself to costly and unnecessary processes.

We also believe there is no legitimate purpose for a demolition control by-law in Melancthon. Demolition control was introduced into the *Planning Act* in 1974. A key purpose was to deal with demolitions of older low-rent apartment buildings in urban areas. The construction of affordable housing, rather than its demolition, was being strongly encouraged.

The situation in Melancthon, and other rural communities, is exactly the opposite. The Provincial Policy Statement, as well as Melancthon's official plan, strongly discourages the construction of the type of housing now sought to be protected. For example, your official plan, in Section 7(c)

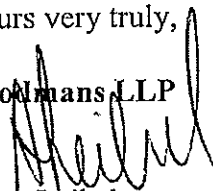
includes, as a Council Policy, "the prevention of scattered isolated residential development throughout the Township". It would be the height of inconsistency for a municipality to seek to protect the very type of housing it is trying to discourage. Obviously, the true intent of those proposing the by-law has little to do with protecting housing.

In all cases where Highland has removed a building, it has been done with the appropriate permits, and the vacated land has been returned to farm use, enhancing the farm's economic return.

In conclusion, we believe that demolition control in Melancthon is unnecessary, contrary to Township Policy, potentially subject to legal challenge, and an unfair and discriminatory cost on its taxpayers.

Yours very truly,

Goodmans LLP


Allan Leibel

V5798151

Denise Holmes, AMCT

From: Steve and Marni from Baker Magic Shows.com [abra@bellnet.ca]
Sent: Saturday, January 02, 2010 8:23 PM
To: Denise Holmes, Melancthon Township
Subject: demolition by-law

Dear Council,

I am pleased to see the new Residential Control By-law, but I have grave concerns over the delay in implementing it. Citizens have implored council to use the Heritage Act and Section #33 of the Planning Act to establish this by-law for many months. The delay has resulted in the destruction of nearly 20 Melancthon homesteads and the chipping away of our community's taxbase, heritage, and pride. Section #33 of the Planning Act seems quite straight forward and should not have caused our Planner or Lawyers any confusion. Why was it necessary to consult an outside Planner? Why did Council delay in doing so? What did this cost? Why did Jerry Jordan not advise Council to implement this by-law months ago before the damage was done? How can we the people feel secure in the handling of a massive mine application, which will affect all our lives, if a simple by-law cannot be implemented with efficiency? I share the concern of many, that Council does not have the support it needs in place to handle this very new and massive issue.

What I will remember most about the demolition of Melancthon is a young, 19 year old girl begging council, on August 13th, 2009, to implement Section #33 of the Planning Act and save her community. Why did you not respond to her?

Marni Walsh
 Melancthon

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Denise Holmes, AMCT

From: Cosack [cosack@stn.net]
Sent: Sunday, January 03, 2010 5:20 PM
To: dholmes@melanctontownship.ca
Subject: DEMOLITION CONTROL BYLAW

Dear Mayor Fawcett and Council members,
I am not a voter in Melancton, nor a property owner, however I have an acute interest to what is happening to/in our sister community to the west.
It has come to my attention that Council is seeking input regarding the above mentioned by-law. I am grateful to you that you are proceeding with these steps and thus are protecting the assessment base as well as Melancton's ability to maintain/increase its population base. The lack of a bylaw has been duly exploited and I fully support its enactment. I also fully support the study by planner Andrew Fyfe, in which he makes all the arguments necessary so there is no need for me to reiterate them. On behalf of housing in Melancton, and those seeking accommodations, and of those people who value the rural landscape and its residents, and one who appreciates what those residents can bring to our larger community, I thank you for this step by protecting our mutual rural values.

Sincerely,
Carl Cosack
638135 Prince of Wales Rd.
RR#3 Shelburne
L0N 1S7
519 925 6628

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