



TOWNSHIP OF MELANCTHON

A G E N D A

Thursday, May 21, 2015 - 5:00 p.m.

1. **Call to Order**
2. **Announcements**
3. **Additions/Deletions/Approval of Agenda**
4. **Declaration of Pecuniary Interest and the General Nature Thereof**
5. **Approval of Draft Minutes - May 7, 2015**
6. **Business Arising from Minutes**
7. **Point of Privilege or Personal Privilege**
8. **Public Question Period** (Please visit our website under Agenda & Minutes for information on Public Question Period)
9. **Road Business**
 1. Data from road traffic counters - 2nd Line SW and 4th Line NE
 2. Unfinished Business
 1. Hunt Trucking - Road Use Agreement
 2. Amendment to Half Loads By-law
10. **Correspondence**

*** Outside Board & Committee Minutes**

1. Minutes of the Shelburne & District Fire Board - Meeting April 7, 2015
2. Minutes of the Shelburne & District Fire Board - Meeting April 15, 2015

*** Items for Information Purposes**

1. Email from Finbar Desir, P. Eng., Secretary, Normal Farm Practices Protection Board dated May 4, 2015, Re - Motion and Pre-Hearing Order - Cox vs Town of Mono
2. Email from Finbar Desir, P. Eng., Secretary, Normal Farm Practices Protection Board dated May 13, 2015, Re - Pre-Hearing Conference Order No. 2 - Cox vs Town of Mono
3. Letter from Ernie Hardeman, MPP Oxford, PC Critic for Municipal Affairs and Housing dated April 29, 2015, Re - Correspondence sent to the Minister of Energy and response
4. Email from Darlene Noakes, Court Services Manager, Town of Caledon dated May 4, 2015, Re - Response to MAG'S AMPS Consultation Paper
5. Copy of a resolution passed by the Town of Mono and supported by the Township of East Garafraxa dated May 12, 2015, Re - POA Service Delivery within the County of Dufferin
6. Copy of a resolution passed by the Town of Mono and supported by the Township of Amaranth dated May 6, 2015, Re - POA Service Delivery within the County of Dufferin
7. Copy of a resolution passed by the Town of Mono and supported by the Township of Mulmur dated May 7, 2015, Re - POA Service Delivery within the County of Dufferin
8. GRCA Current - May 2015 - Volume 20 Number 4
9. Letter from Steven Del Duca, Ministry of Transportation dated May 4, 2015, Re - Winter Highway Maintenance in Ontario
10. Email from South Georgian Bay Lake Simcoe Source Protection Region dated May 13, 2015, Re - Shelburne Well Supply Changes: Public Consultation
11. Notice of Complete Application and Public Meeting Under Sections 34 and 51 of the Planning Act Regarding a Requested Amendment To The Town of Shelburne Zoning-By-law And A Proposed Plan of Subdivision (Greenbrook Village Phase 8)

10. Correspondence

*** Items for Council Action**

1. Email from G.W. Jorden, Planning Consultants Limited dated May 12, 2015, Re - Preparation of a Consolidated Edition of the Approved Official Plan
2. Copy of a resolution passed by the Township of Madawaska Valley and supported by the Township of Amaranth dated May 6, 2015, Re - Relief for Ontario Hydro One Customers
3. Notice of Request for Drain Maintenance and/or Repair - Ferguson Drainage Works, D Drain

***Dufferin County Official Plan**

1. Letter from Marcia Wallace, PhD, Regional Director dated May 1, 2015, Re - County of Dufferin Official Plan
2. Letter from Sybelle von Kursell, Team Lead, Community Planning and Development, Central Municipal Services Office dated May 1, 2015, Re - County of Dufferin Official Plan

11. General Business

1. Applications to Permit
2. Open quotes received for grass cutting and general maintenance for the Horning's Mills Cemetery, Park and Hall
3. New/Other Business
 1. Community and OPP Meeting - June 1st at Horning's Mills Hall - Update - Councillor Webster
4. Unfinished Business
 1. Corbetton Park
 2. Hill Machinery Clean up of Property - Onsite rescheduled to June 4th Council meeting
 3. Code of Conduct
 4. By-law Enforcement
 5. OMAFRA Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas
 6. Shelburne Library - Renovation of Children's Library

12. Delegations

1. **6:30 p.m.** - Public Meeting - Application for Zoning By-law Amendment - B7/14 (Bonfield)
2. **6:40 p.m.** - Public Meeting - Application for Zoning By-law Amendment - B8/14 (Bonfield)
3. **6:50 p.m.** - Public Meeting - Application for Zoning By-law Amendment - B10/14 (Bonfield)
4. **7:00 p.m.** - Michelle Vivar, Rogers - Re - Telecommunications Tower on West Part of Lot 16, Concession 2 OS
5. **7:10 p.m.** - Norman Bauman, MB Fasteners, Request for clean out of Road ditch along 260 Sideroad

13. Closed Session (if required)

1. Approval of Draft Minutes - February 5, 2015

14. Notice of Motion

1. Motion by Councillor Hannon for a four-way stop in Horning's Mills

15. Confirmation By-law

16. Adjournment and Date of Next Meeting - Thursday, June 4, 2015 - 5:00 p.m.

17. On Sites

18. Correspondence on File at the Clerk's Office

Station Name:2nd Line Sw South of 250
Site ID:000000118072
Start Date/Time:05/04/15 11:15
End Date/Time:05/08/15 11:00

	Class 1	Class 2	Class 3	Class 4	Class 5	Class 6	Class 7	Class 8	Class 9	Class 10	Class 11	Class 12	Class 13	Class 14	Class 15	All Classes
4-May-15	0	338	144	4	33	1	0	4	0	0	0	0	0	0	0	524
5-May-15	6	519	217	8	42	11	0	5	1	0	0	0	0	0	0	809
6-May-15	14	493	221	4	51	9	0	5	2	2	0	0	0	0	0	801
7-May-15	16	568	222	9	51	6	0	6	0	0	0	0	0	0	1	879
8-May-15	2	185	65	8	12	0	3	2	0	0	0	0	1	0	0	278
Totals	38	2103	869	33	189	27	3	22	3	2	0	0	1	0	1	3291
Percentage	1.15%	63.90%	26.41%	1.00%	5.74%	0.82%	0.09%	0.67%	0.09%	0.06%	0.00%	0.00%	0.03%	0.00%	0.03%	100.00%
Total Trucks	281		8.54%													

	40 KPH	45 KPH	50 KPH	55 KPH	60 KPH	65 KPH	70 KPH	75 KPH	80 KPH	85 KPH	90 KPH	95 KPH	100 KPH	110 KPH	> 110 KPH	All Speeds
4-May-15	2	0	0	3	3	9	14	26	26	42	93	109	101	69	27	524
5-May-15	0	1	0	2	4	12	17	29	48	58	155	154	137	134	58	809
6-May-15	5	3	2	2	3	13	10	28	50	62	121	155	167	133	47	801
7-May-15	5	3	1	4	5	10	18	29	67	76	138	150	174	138	61	879
8-May-15	1	1	0	0	4	0	7	16	20	26	52	46	46	42	17	278
Totals	13	8	3	11	19	44	66	128	211	264	559	614	625	516	210	3291
Percentage	0.40%	0.24%	0.09%	0.33%	0.58%	1.34%	2.01%	3.89%	6.41%	8.02%	16.99%	18.66%	18.99%	15.68%	6.38%	100.00%
Total Speeders	2788			84.72%												

Most Speeders between 7:00 &8:00 and 15:00 & 18:00

RD 1 - MAY 21 2015

Station Name:4th Line NE South of County Road 9
Start Date/Time:04/28/15 00:00
Stop Date/Time:05/05/11 00:00

	Class 1	Class 2	Class 3	Class 4	Class 5	Class 6	Class 7	Class 8	Class 9	Class 10	Class 11	Class 12	Class 13	Class 14	Class 15	All Classes
28-Apr-15	3	77	43	3	2	6	0	0	2	2	0	0	0	0	0	138
29-Apr-15	5	214	91	5	3	12	0	3	5	5	0	0	2	0	3	348
30-Apr-15	0	212	104	2	8	16	1	1	7	4	0	0	0	0	2	357
1-May-15	7	213	97	4	13	15	1	1	3	4	0	0	1	0	3	362
2-May-15	13	209	77	3	7	10	0	1	1	0	0	0	0	0	1	322
3-May-15	27	212	58	1	5	5	0	2	1	2	0	0	0	0	0	313
4-May-15	0	69	23	3	0	4	0	0	1	2	0	0	0	0	0	102
Totals	55	1206	493	21	38	68	2	8	20	19	0	0	3	0	9	1942
Percent	2.83%	62.10%	25.39%	1.08%	1.96%	3.50%	0.10%	0.41%	1.03%	0.98%	0.00%	0.00%	0.15%	0.00%	0.46%	100.00%

Trucks167

	40 KPH	45 KPH	50 KPH	55 KPH	60 KPH	65 KPH	70 KPH	75 KPH	80 KPH	85 KPH	90 KPH	95 KPH	100 KPH	110 KPH	> 110 KPH	All Speeds
28-Apr-15	9	0	0	4	14	10	20	25	24	13	11	2	4	1	1	138
29-Apr-15	14	3	9	8	21	22	45	101	47	31	31	10	2	4	0	348
30-Apr-15	2	1	6	15	24	36	51	72	64	30	31	13	7	5	0	357
1-May-15	7	4	7	7	21	26	40	96	53	37	40	13	9	1	1	362
2-May-15	8	6	9	18	15	25	44	68	58	33	20	7	6	4	1	322
3-May-15	6	3	11	15	22	24	57	45	48	39	25	9	7	2	0	313
4-May-15	1	1	2	4	5	11	14	24	14	8	12	4	2	0	0	102
Totals	47	18	44	71	122	154	271	431	308	191	170	58	37	17	3	1942
Percent	2.42%	0.93%	2.27%	3.66%	6.28%	7.93%	13.95%	22.19%	15.86%	9.84%	8.75%	2.99%	1.91%	0.88%	0.15%	100.00%

Speeders476
TimeNo Consistant Time

SHELBURNE & DISTRICT FIRE BOARD

April 7, 2015

The Shelburne & District Fire Department **Board of Management** was held at the Fire Hall on the above mentioned date at 7:00 P.M.

Present

As per attendance record.

1. Opening of Meeting

- 1.1 Chair Tom Egan called meeting to order at 7:00 pm.

2. Additions or Deletions to Agenda

- 2.1 None at this time.

3. Approval of Agenda

3.1 Resolution #1

Moved by K. McGhee - Seconded by H. Foster

BE IT RESOLVED THAT:

The Board of Management approves the agenda as presented.
Carried

4. Approval of Minutes

4.1 Resolution #2

Moved by J. Horner - Seconded by K. McGhee

BE IT RESOLVED THAT:

The Board of Management adopt the minutes under the date of March 3, 2015 as circulated.

Carried

5. **Pecuniary Interest**

- 5.1 No pecuniary interest declared.

6. **Public Question Period**

- 6.1 No public present.

7. **Delegations / Deputations**

- 7.1 John Telfer – Town of Shelburne

It was stated that the Town of Mono has withdrawn their offer of overseeing the Secretary-Treasurer position for the Shelburne & District Fire Department. It was brought to the Board's attention that The Shelburne & District Fire Board Agreement needs to be amended through a by-law, which will not limit the board to hire an employee from one of the municipalities. A few concerns arose; supervision and remuneration, computer and accounting software would be required, would the board be the supervisor of this position, and would this position be a contract position (the library board and the CDRC board have employees). It was discussed that a job description would be needed and should be advertised soon. It was agreed that the staffing review committee will meet to discuss. The Shelburne & District Fire Board will empower the sub-committee to proceed with the available job advertisement for a Secretary-Treasurer. The following motion was then passed:

Resolution #3

Moved by: H. Hayes – Seconded by: F. Nix

BE IT RESOLVED THAT:

WHEREAS the Town of Shelburne has given notice regarding the administration responsibilities for the Fire Board to be expired as of the end of March 2015;

AND WHEREAS the sub-committee of the Fire Board have not provided any recommendations to the Fire Board as far as next steps;

AND WHEREAS the Town of Shelburne recommends the Fire Board Agreement be amended to allow administrative duties of the Secretary/Treasurer of the Board to be open to proposals rather than restrictive to participating municipalities' employees only;

AND WHEREAS the advertising of the position of the Secretary/Treasurer needs to be completed to complete the transition of the duties;

NOW THEREFORE BE IT RESOLVED THAT the Board approves the wording to be changed as an amendment to the agreement and brought forward to each Council for ratification at their next Council meeting. **Carried**

8. **Unfinished Business**

8.1 **Update on Staff Replacements**

John Telfer offered the board assistance with the process of staff replacements. It was mentioned again that a cost sharing formula needs to be drafted for the additional hours of the FPO services as Shelburne will not always be contributing as much as they have offered in 2015.

The board agreed that the sub-committee needs to take John Telfer up on his offer to assist and to meet as soon as possible. A sub-committee meeting date was set for Thursday, April 9th, 2015, 7:00 pm at the Town Hall and the following motion was then passed:

Resolution #4

Moved by: K. McGhee – Seconded by: G. Little

The Shelburne & District Fire Board direct the Human Resource Sub-Committee comprised of a representative from each of the participating municipalities on the Shelburne & District Fire Board, working with the Town of Shelburne CAO to:

- a) Develop a job description for the Secretary-Treasurer position
- b) Advertise the said position in appropriate venues
- c) Develop a job description for the Chief/FPO position and bring it back to the board at the May 2015 meeting

Carried

9. **New Business**

9.1 **Financial Statement Review**

Resolution #5

Moved by: K. McGhee – Seconded by: W. Hannon

BE IT RESOLVED THAT

The Shelburne & District Fire Board accept the Financial Statement Trial Balance as presented by the Secretary-Treasurer dated April 2nd, 2015.

10. **Chief's Report**

10.1 **Monthly Report (March 2015)**

There were a total of 11 calls for the month of March, and inspections are continuing in the area.

10.2 **Update from Acting Fire Chief**

Acting Fire Chief Ed Walsh reported that the ad has gone out in the local newspaper for new recruits. He also wanted a reminder to be sent to all of the municipalities to please inform the Fire Department of any road closures in our catchment area – even for events and short periods of time – not just for road construction. The new photocopier has been installed at the fire department and the LED sign has been ordered.

11. **Future Business**

11.1. Nothing at this time.

12. **Accounts & Payroll**

12.1 **Resolution #6**

Moved by J. Horner - Seconded by W. Hannon

BE IT RESOLVED THAT:

The bills and accounts in the amount of \$26,736.14 for the period of February 28th, 2015 to April 2nd, 2015 as presented and attached be approved for payment.

Carried

12.2 Resolution #7

Moved by H. Hayes – Seconded by K. McGhee

BE IT RESOLVED THAT:

Payroll for the following month(s) be approved for payment:

March 2015 - \$10,451.30

Carried

13. Confirming and Adjournment

13.1 Resolution #8

Moved by H. Foster – Seconded by W. Hannon

BE IT RESOLVED THAT:

All actions of the Board Members and Officers of the Shelburne and District Fire Board of Management, with respect to every matter addressed and/or adopted by the Board on the above date are hereby adopted, ratified and confirmed; And each motion, resolution and other actions taken by the Board Members and Officers at the meeting held on the above date are hereby adopted, ratified and confirmed.

Carried

13.2 Resolution #9

Moved by W. Hannon – Seconded by J. Horner

BE IT RESOLVED THAT:

The Board of Management do now adjourn at 8:08 pm to meet again on May 5th, 2015 at 7:00 pm or at the call of the Chair.

Carried

Respectfully submitted by:

Carey Holmes

Carey Holmes, AMCT
Secretary-Treasurer

Approved:

Tom Egan

Tom Egan
Chairperson

SHELBURNE & DISTRICT FIRE BOARD MEMBERS

Meeting Attendance Record Under Date of April 7, 2015

Municipality / Member	Present	Absent
Township of Amaranth		
Heather Foster	X	
Gail Little	X	
Town of Mono		
Ken McGhee	X	
Fred Nix	X	
Township of Melancthon		
Janice Elliott		X
Wayne Hannon	X	
Town of Shelburne		
Tom Egan	X	
Ken Bennington	X	
Township of Mulmur		
Heather McIntosh-Hayes	X	
Janet Horner	X	
Staff		
Ed Walsh – Acting Fire Chief	X	
David Holmes - Captain	X	
Carey Holmes - Sec/Treas.	X	

SHELBURNE & DISTRICT FIRE BOARD

April 15, 2015

The Shelburne & District Fire Department Board of Management was held at the Fire Hall on the above mentioned date at 7:00 P.M.

Present

As per attendance record.

1. Opening of Meeting

- 1.1 Chair Tom Egan called meeting to order at 7:00 pm.

2. Approval of Agenda

2.1 Resolution #1

Moved by: J. Elliott - Seconded by: F. Nix

BE IT RESOLVED THAT:

The Board of Management approves the agenda as presented.

Carried

3. Fire Chief Job Description & Advertisement

- 3.1 The Board reviewed the Fire Chief Job Description & Advertisement and made minor changes.

Resolution #2

Moved by: F. Nix – Seconded by: W. Hannon

BE IT RESOLVED THAT:

The Shelburne & District Fire Board approve the Job Description for a Full Time Fire Chief (including the role of FPO) as amended;

And further that the Secretary-Treasurer be instructed to advertise the position immediately.

Carried

4. **Confirming and Adjournment**

4.1 **Resolution #3**

Moved by F. Nix – Seconded by J. Elliott

BE IT RESOLVED THAT:

All actions of the Board Members and Officers of the Shelburne and District Fire Board of Management, with respect to every matter addressed and/or adopted by the Board on the above date are hereby adopted, ratified and confirmed; And each motion, resolution and other actions taken by the Board Members and Officers at the meeting held on the above date are hereby adopted, ratified and confirmed.

Carried

4.2 **Resolution #4**

Moved by J. Elliott – Seconded by W. Hannon

BE IT RESOLVED THAT:

The Board of Management do now adjourn at 7:28 pm to meet again on May 5th, 2015 at 7:00 pm or at the call of the Chair.

Carried

Respectfully submitted by:

Carey Holmes

Carey Holmes, AMCT
Secretary-Treasurer

Approved:

Tom Egan

Tom Egan
Chairperson

SHELBURNE & DISTRICT FIRE BOARD MEMBERS

Meeting Attendance Record Under Date of April 15, 2015

Municipality / Member	Present	Absent
Township of Amaranth		
Heather Foster		X
Gail Little		X
Town of Mono		
Ken McGhee		X
Fred Nix	X	
Township of Melancthon		
Janice Elliott	X	
Wayne Hannon	X	
Town of Shelburne		
Tom Egan	X	
Ken Bennington	X	
Township of Mulmur		
Heather McIntosh-Hayes	X	
Janet Horner		X
Staff		
Ed Walsh – Acting Fire Chief	X	
David Holmes - Captain	X	
Carey Holmes - Sec/Treas.	X	

Denise Holmes

From: Desir, Finbar (OMAFRA) <finbar.desir@ontario.ca>
Sent: May-04-15 4:41 PM
To: Justin Stein (justinstein0007@gmail.com); jwilker@thomsonrogers.com; Elaine Kehoe (ekehoe@sympatico.ca); carmela_marshall@yahoo.ca; Luellaholmes@aol.com; Katherine Lindsay (km_lindsay@hotmail.com); Denise Holmes (dholmes@melancthontownship.ca); fred.nix@townofmono.com; Don MacFarlane (macfarlane.don.m@gmail.com)
Cc: Curran, Becky (OMAFRA); Brook, Timothy (OMAFRA)
Subject: Motion and Pre-Hearing Order - NFPPB 2014-05: Cox vs Town of Mono
Attachments: MOTION PHC ORDER - May 4, 2015.docx
Importance: High

Please find attached the Order of the Normal Farm Practices Protection Board regarding the Motion from the Town of Mono and the subsequent Pre-Hearing Conference, held on April 2, 2015, in the case of NFPPB 2014-05: Cox vs. Town of Mono.

Finbar Desir, P. Eng., Secretary
Normal Farm Practices Protection Board
1 Stone Rd. W., 3rd Floor
Guelph, ON N1G 4Y2
Tel: 519-826-3549
Fax: 519-826-3259
finbar.desir@ontario.ca

Please verify receipt of this email.

Total Control Panel

[Login](#)

To: dholmes@melancthontownship.ca
From: finbar.desir@ontario.ca

Message Score: 1
My Spam Blocking Level: High

High (60): Pass
Medium (75): Pass
Low (90): Pass

[Block](#) this sender
[Block](#) ontario.ca

This message was delivered because the content filter score did not exceed your filter level.

Normal Farm Practices
Protection Board

3rd Floor
1 Stone Road West
Guelph, Ontario N1G 4Y2
Tel: (519) 826-3549
Fax: (519) 826-3259

Commission de protection
des pratiques agricoles
normales

3^e étage
1 Stone Road West
Guelph (Ontario) N1G 4Y2
Tél.: (519) 826-3549
Télec.: (519) 826-3259



Normal Farm Practices Protection Board

MOTION DECISION AND PRE-HEARING CONFERENCE ORDER

IN THE MATTER OF *The Farming And Food Production Protection Act, S.O. 1998, Chapter 1.*

AND IN THE MATTER OF An Application To The Board, Under Section 6 Of *The Farming And Food Production Protection Act, S.O. 1998, Chapter 1*, For A Determination As To Whether A Municipal Bylaw Has The Effect Of Precluding A Normal Farm Practice.

Board File Number: 2014-05: Cox v. Mono

Between:

Douglas Cox

Applicant

and

Town Of Mono,

Respondent

Before: Marty Byl, Board Member

Date: Thursday, April 2 2015

Location: Town of Mono Municipal Building, Mono, Ontario

Background

The Normal Farming Practices Protection Board received an application by mail from Douglas Cox under s. 6 of the *Farming and Food Production Protection Act, 1998* ("the Act") regarding the Town's Fill By-law 2014-31. The application is dated January 28, 2015. It was made by Mr. Robert Iachetta of Soilcan Inc., acting as agent for Mr. Cox.

With the consent and input as to dates from the Applicant and the Town of Mono, the Board scheduled a prehearing conference (PHC) and settlement conference, to be held Thursday, April 2, 2015 at Town of Mono Municipal Office, 347209 Mono Centre Road, Mono, Ontario. Notice of this proceeding was given to both parties by the Board on February 25, 2015.

Two individuals, Elaine Kehoe and Camilla Marshall contacted the Board on March 5 and 6, 2015 respectively, after the prehearing and settlement conferences had been scheduled and notice served. These individuals did not at the time request status as a full party to the application, but both expressed the desire to attend the scheduled conferences and to participate in the main hearing of this matter in order to make their views known to the Board. A letter was also received by the Board from Mrs. Katharine Lindsay dated April 1, 2015, expressing concerns about the application. All three individuals were made aware of the prehearing conference and settlement conference. Not all of these interested individuals were able to attend on April 2, 2015; however, they were invited to send a letter outlining their desire to participate for the Board's consideration during the PHC. In addition, letters of concern were received from area residents Mathilde Struck (March 21), Howard and Donna Holmes (March 28) and Fred Nix, a Town Councillor (April 1). A letter of support for the Applicant was received from resident Frank Tucker ((March 12). Other than Ms. Kehoe and Ms. Marshall, the residents who wrote to the Board did not request standing at the hearing. The Town of Melancthon did request Presenter status in an email of April 1, 2015.

A Motion to Adjourn the PHC was submitted to the Board on March 20, 2015 by the Respondent's solicitors, Jeffrey J. Wilker and David N. Germain.

A subsequent notice of a motion hearing was issued by the Board on March 31, 2015 and served to both parties and their solicitors. This notice superseded the previous notice and notified parties of the following:

"This Notice supersedes the Notice of Notice of Pre-Hearing and Settlement Conferences issued on February 25, 2015."

"Please note the following:

- 1. "If the Motion is granted, the Pre-Hearing and Settlement Conferences will be re-scheduled as ordered at the Motion hearing."*
- 2. "If the Motion is not granted, the Pre-Hearing and Settlement Conferences will commence immediately after the Motion Hearing and will proceed according to the original Notice of Pre-Hearing and Settlement Conferences, adjusted for time."*

The motion was filed with the Board and served on the Applicant by counsel for the Respondent. Receipt was acknowledged by the Applicant.

On Thursday, April 2, 2015 the motion was heard before member Marty Byl at the Town of Mono Municipal Office, 347209 Mono Centre Road, Mono, Ontario.

The Applicant, Douglas Cox was represented by Mr. Jeff Stein, rather than by Mr. Iachetta of Soilcan, who had made the application to the Board as Agent for Mr. Cox. Mr. Stein indicated that he and his company, 2294948 Ontario Limited were separate and independent of Soilcan. Mr. Stein indicated employees of Soilcan would be testifying at a full hearing, should one occur, and therefore Soilcan could no longer act as Agent for Mr. Cox. Mr. Iachetta was also present along with Mr. Cox and Mr. Stein.

The Town of Mono was represented by their counsel, Jeffrey J. Wilker, accompanied by the Director of Planning for the Town of Mono, Mr. Mark Early.

All parties acknowledged receipt of the original notice of prehearing conference and settlement conference, and the notice of motion hearing.

The chairing member (PHC Chair) polled the room, inquiring of the gallery if any person wished to seek party status. No one identified themselves at that time as seeking party status. The member heard oral arguments from Mr. Wilker and Mr. Stein.

An oral ruling denying the motion was presented to both parties at the motion hearing and the prehearing conference commenced thereafter. A settlement conference was not held as one party indicated they were not prepared to proceed.

The Motion

The motion by the Town of Mono was to adjourn the prehearing conference in order to enable area landowners concerned with this matter and unable to attend on April 2, 2015, to attend the prehearing and settlement conferences.

The reasons for denying this motion are as follows.

The prehearing conference and settlement conference are held by the Board for reasons as indicated in Rule 23(1) of the Board's Rules of Practice and Procedure. Rule 23(1) reads as follows:

23. (1) In any proceeding the Board, on its own initiative or on the motion of any party or any person seeking party status, may direct the parties to make submissions in writing or may hold one or more pre-hearing or settlement conferences, for the purposes of:

- a. identifying parties;*
- b. defining, formulating or simplifying issues;*
- c. clarifying, amplifying or limiting an application, intervention or reply;*
- d. deciding the procedure to be adopted in the proceeding;*
- e. disclosure of evidence, including:*
 - i. identifying documents the parties intend to rely on;*

- ii. exchanging or arranging for the exchange of documents among parties;*
- iii. identifying witnesses, the nature of their evidence, and their order of presentation;*
- iv. considering the advantages and disadvantages of filing witness statements and interrogatories and establishing a procedure for their service and filing if needed;*
- f. setting the date and place for commencement of the hearing;*
- g. estimating the length of the hearing;*
- h. deciding any other matters that may aid in the simplification or most just disposition of the proceeding;*
- i. considering the possibility of settlement of any or all of the issues in the proceeding; and*
- j. for any other purpose that the Board deems appropriate.*

It is the very purpose of the prehearing conference to address procedural matters such as public participation in the main hearing.

While one person who indicated a desire to participate in the hearing of this matter was unable to attend the prehearing conference, she was given the option of submitting a written request or sending an alternate to represent her. If submitting a written request, she was referred to Rule 55 of the Board's Rules of Practice and Procedure, and advised to identify in general terms the information she would like to present at the hearing, whether she plans to represent others, and the estimated length of her presentation. If seeking full party status, she was directed to subsection 6(8) of the Act. Links for the Rules and the Act were provided.

While this type of submission may not allow for complete planning of how the hearing is to unfold, as other interested persons may still come forward before the hearing, it does inform the decision on the procedure to be adopted for the hearing and/or for adopting a framework for how public participation is to occur.

Furthermore, adjourning the prehearing conference would not address the issues presented by an unknown number of interested persons who desire to participate, with, of course, unknown availability. Even if the prehearing conference was adjourned and a new date set, others who desire to participate in the hearing in some way may not be available on that new date. It is also important to note that regardless of the length of any adjournment, others could still come forward after a prehearing conference held at a later date, and the hearing panel would still have to address as a preliminary matter requests for adding parties and requests for standing under Rule 55 to give public testimony.

Concerns with an unknown number of interested persons, with unknown availability, with a possibility of others expressing an interest in participating in this matter after the prehearing conference (whenever it is held) were key considerations in the denial of this motion orally on April 2. At the time of writing, subsequent events have demonstrated these concerns to be valid, as others have since come forward.

The Board also notes that the April 2, 2015 date was set on consent and input from both the Applicant and Respondent. Rule 22 (1) states:

A date for a hearing, prehearing conference, settlement conference or motion that has been fixed by the Board with the agreement of all the parties or counsel for the parties will be considered peremptory to all consenting parties and counsel and will be considered to have committed themselves to be present on the date fixed and to have undertaken to make no other commitments that will render their attendance impossible.

The Board also notes that further prehearing conferences may be held in any case to address procedural issues as outlined in Rule 23(1).

Thus, adjourning the prehearing conference due to the unavailability of some interested persons would not achieve the town's aim as stated in paragraph 14 of their motion materials, namely to enable adjacent landowners to participate fully, simply because all of the interested persons are not known at this time, the date an adjourned prehearing conference is set for may still not be suitable to all interested persons, and allowing and planning for public participation would not be affected by proceeding to address other matters set out in Rule 23(1) on April 2, 2015. Denying the adjournment request does not prevent public participation in the hearing of this application in any way.

The Town also included in their motion a point about notice for the prehearing conference being insufficient, relying on s. 6(9) of the Act. This section pertains to notice of the main hearing of a matter and not a prehearing conference. Furthermore, information necessary to fulfill s. 6(9) is required to be provided by the Town as per s. 6(13).

Other Procedural Matters

Adding parties and public testimony

It is obvious that there is much public interest in this application to the Board and the proposal of Mr. Cox. The Board received communications from five residents, one citizen's group and one other municipality before the prehearing conference. As of the time of writing this decision and procedural order, one additional citizen's group has also come forward expressing their views and an interest to participate in the hearing of this application.

The Act allows for adding parties to an application in s. 6(8), and the Rules provide for the giving of public testimony in Rule 55 and the receiving of written submissions in Rule 56.

Following the ruling on the motion, one person sought party status, Mrs. Elaine Kehoe. The PHC Chair explained the rights and obligations of a party, and she indicated that she understood them. Neither existing party objected to her being added as a party. Mrs. Kehoe was accepted as a party to the Application.

From the amount of interest indicated, some plan for public participation at the hearing is advisable in order to ensure that concerned residents and other entities have a means of having their views known. However, at this time, the total number of interested persons is not known, and it is likely that the hearing panel will have to address the issue of public participation at the commencement of the hearing.

While the Board values hearing the views of those who could be affected by a proposal or an application, ensuring an opportunity for public participation must be balanced with the desire to have a manageable hearing that is not unduly lengthy. To that end, unduly repetitive presentations may be limited by the hearing panel. In order to keep the hearing from becoming unduly lengthy, it was indicated that there would be a limit of 5 presentations permitted under Rule 55. Concerned members of the public and other entities are encouraged to be mindful of this, and perhaps arrange for representative speakers to provide Rule 55 testimony or testimony as a witness on behalf of concerned residents with similar positions. Written submissions under Rule 56 are also an option. Any persons or entities interested in participating in the hearing of this matter may attend and seek standing from the hearing panel, but they should be mindful of the above points. All interested persons and other entities who contacted the Board by the date of the issue of this decision and order are included in the mailing list for this order and all those who contact the Board indicating a desire to make their views known will be provided with further notices in this proceeding.

Scope of hearing

The PHC Chair was asked to rule on the scope of the hearing by counsel for the Respondent. The Respondent argued that the jurisdiction of the Board was limited by the application, and its discussion of fees, deposits and hours of operation. Mrs. Kehoe similarly argued for a narrow scope limited to these three items. Mr. Stein argued for a broad scope of all issues. He cited that the intent was to resolve all matters, rather than to reapply should these three issues be resolved and their application before the Town still be denied. An application for permit has not been submitted to the Town due to the monetary issues stated above.

It is important to note that section 6 (1) of the *Farming and Food Production Protection Act* reads “No municipal by-law applies to restrict a normal farm practice carried on as part of an agricultural operation.” The wording within section 6(1) directs the Board to consider whether the practice is a normal farm practice carried on as part of an agricultural operation in order to determine whether the practice qualifies for protection under the Act. Furthermore, the application clearly indicates the proposal as including the importation of topsoil in the opening paragraph of its accompanying letter. *“This letter is an explanation of how the Town of Mono Site Alteration Bylaw is affecting Mr. Cox's farming practices. The purpose of the importation and grading of fill and topsoil is to rehabilitate agricultural land to a usable farmable property which he has been farming for over 35 years with the intention to increase his sheep herd from 250 to over 500.”*

While other paragraphs do outline fees, deposits and restrictions on hours of operation, the opening paragraph lists the practice of soil importation and alleges it is a normal farm practice.

As the issue of whether the proposal is a normal farm practice carried on as part of an agricultural operation goes to the heart of this matter, as only normal farm practices receive protection under the Act, and because of the stated reason for the application, the entire proposal will need to be considered. Following that determination, it may be necessary to consider how the by-law applies to restrict the proposal. However, the application was made to the Board at an early stage, due to the alleged impacts of the by-law on the proposal at this time (i.e. deposits, etc.), and thus all possible ways the by-law may

affect the proposal would be speculative at this point. The alleged ways the by-laws applies to restrict a normal farm practice should only relate to what is known at this time – i.e. the fees, deposit and hours of operation.

As there may be an issue with the timing of the application to the Board as the entirety of the impacts of the by-law are not known, it is conceivable that the Applicant may need to make a further application to the Board, depending on the outcome of the hearing. Note that the hearing panel may determine that other issues are relevant.

Witness identification and length of hearing

Intentions regarding the witnesses to be called by each party were canvassed at the PHC. The Applicant indicated he planned on calling 10 witnesses of whom 5 would give expert testimony. The Respondent indicated 4 or 5 witnesses would be called, all of whom would give expert testimony. Mrs. Kehoe also indicated she wished to call 10 witnesses, none of whom would give expert testimony. The Parties agreed that there would be a possible variation in each of their present plans for the presentation of documentary evidence and the number of witnesses which would be required to be called to complete the presentation of that evidence.

With regard to the lengthy witness lists, the Parties are advised to consider the following:

- whether some testimony would be repetitive and unnecessary;
- whether it would be more appropriate for proposed witnesses to give Rule 55 presentations;
- whether groups of concerned members of the public should appoint a representative speaker who would seek standing under Rule 55 to speak on their behalf.

It is apparent that some clarity is needed regarding the proposed witnesses. It is not clear at this time who all of the proposed witnesses are and what they intend to testify to, and thus, it is not clear whether their testimony would be relevant or unduly repetitious.

In order to ensure a manageable hearing and to anticipate the length of the hearing, a second PHC, to be held by way of teleconference call among the current parties, will need to be conducted to ensure that witnesses provide relevant testimony that is not unduly repetitious. Parties should be prepared to identify proposed witnesses and to identify, in general terms, the anticipated content of their testimony, as well as any expert credentials. CV's and statements of proposed witnesses may be exchanged prior to a second PHC if desired, but need not be exchanged until the document exchange dates which will be set following a second PHC.

ORDER

The scope of the hearing issues shall include whether the applicant's proposal is a normal farm practice carried on as part of an agricultural operation, and whether the Town's Site Alteration Bylaw 2014-31, as applied in terms of fees, deposits, and hours of operation, restricts the alleged normal farm practice.

The Board orders that conflict resolution between the parties, considering the above ruling on scope, be attempted prior to the hearing.

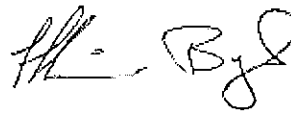
The three parties are to contact the Secretary of the Board by 12.00 pm May 15, 2015 to schedule a PHC teleconference call.

As per his undertaking, Mr. Stein is instructed to provide documentary proof to the Board, by 12.00 pm May 15, 2015, of the independence of himself and his company from Soilcan.

The Town is instructed to provide the information required by s. 6(13) of the Act.

Document exchange will be addressed at the second PHC.

DATED May 4th, 2015

A handwritten signature in black ink, appearing to read "Marty Byl", is written above a horizontal line.

Marty Byl, Pre-Hearing Chair

Denise Holmes

From: Desir, Finbar (OMAFRA) <finbar.desir@ontario.ca>
Sent: May-13-15 4:09 PM
To: Justin Stein (justinstein0007@gmail.com); Jeff Wilker (jwilker@thomsonrogers.com); David Germain (dgermain@thomsonrogers.com); Elaine Kehoe (ekehoe@sympatico.ca); Don MacFarlane (macfarlane.don.m@gmail.com); carmela_marshall@yahoo.ca; Denise Holmes (dholmes@melancthontownship.ca); fred.nix@townofmono.com; Luellaholmes@aol.com; Katherine Lindsay (km_lindsay@hotmail.com)
Cc: Curran, Becky (OMAFRA)
Subject: Pre-Hearing Conference Order No. 2
Attachments: MOTION PHC ORDER #2 - May 13 2015.docx

Importance: High

Please find attached Pre-Hearing Conference Order No. 2 in the matter of NFPPB 2014-05 Cox v Mono, following the Pre-Hearing Conference held at the Town of Mono on April 2, 2015, and the Board Order dated May 4, 2015.

Finbar Desir, P. Eng., Secretary
Normal Farm Practices Protection Board
1 Stone Rd. W., 3rd Floor
Guelph, ON N1G 4Y2
Tel: 519-826-3549
Fax: 519-826-3259
finbar.desir@ontario.ca

Please verify receipt of this email.

Total Control Panel

[Login](#)

To: dholmes@melancthontownship.ca
From: finbar.desir@ontario.ca

Message Score: 1
My Spam Blocking Level: High

High (60): Pass
Medium (75): Pass
Low (90): Pass

[Block](#) this sender
[Block](#) ontario.ca

This message was delivered because the content filter score did not exceed your filter level.

**Normal Farm Practices
Protection Board**

**3rd Floor
1 Stone Road West
Guelph, Ontario N1G 4Y2
Tel: (519) 826-3549
Fax: (519) 826-3259**

**Commission de protection
des pratiques agricoles
normales**

**3^e étage
1 Stone Road West
Guelph (Ontario) N1G 4Y2
Tél.: (519) 826-3549
Télé.: (519) 826-3259**



Normal Farm Practices Protection Board

PRE-HEARING CONFERENCE ORDER No. 2

IN THE MATTER OF *The Farming And Food Production Protection Act, S.O. 1998, Chapter 1.*

**AND IN THE MATTER OF An Application To The Board, Under Section 6
Of *The Farming And Food Production Protection Act, S.O. 1998, Chapter 1*, For
A Determination As To Whether A Municipal Bylaw Has The Effect Of
Restricting A Normal Farm Practice.**

Board File Number: 2014-05: Cox v. Mono

Between:

Douglas Cox

Applicant

and

Town Of Mono,

Respondent

Before: Marty Byl, Board Member

Date: Thursday, April 2, 2015

Location: Town of Mono Municipal Building, Mono, Ontario

Background

The Normal Farming Practices Protection Board received an application by mail from Douglas Cox under s. 6 of the *Farming and Food Production Protection Act, 1998* ("the Act") regarding the Town's Fill By-law 2014-31. The application is dated January 28, 2015. It was made by Mr. Robert Iachetta of Soilcan Inc., acting as agent for Mr. Cox.

With the consent and input as to dates from the Applicant and the Town of Mono, the Board scheduled a prehearing conference (PHC) and settlement conference, to be held Thursday, April 2, 2015 at Town of Mono Municipal Office, 347209 Mono Centre Road, Mono, Ontario. Notice of this proceeding was given to both parties by the Board on February 25, 2015.

Two individuals, Elaine Kehoe and Carmela Marshall, contacted the Board on March 5 and 6, 2015, respectively, after the prehearing and settlement conferences had been scheduled and notice served. These individuals did not at the time request status as a full party to the application, but both expressed the desire to attend the scheduled conferences and to participate in the main hearing of this matter in order to make their views known to the Board. A letter was also received by the Board from Mrs. Katharine Lindsay dated April 1, 2015, expressing concerns about the application. All three individuals were made aware of the prehearing conference and settlement conference. Not all of these interested individuals were able to attend on April 2, 2015; however, they were invited to send a letter outlining their desire to participate for the Board's consideration during the PHC. In addition, letters of concern were received from area residents Mathilde Struck (March 21), Howard and Donna Holmes (March 28) and Fred Nix, a Town Councillor (April 1). A letter of support for the Applicant was received from resident Frank Tucker (March 12). Other than Ms. Kehoe and Ms. Marshall, the residents who wrote to the Board did not request standing at the hearing. The Town of Melancthon did request Presenter status in an email of April 1, 2015.

A Motion to Adjourn the prehearing conference was submitted to the Board on March 20, 2015 by the Respondent's solicitors, Jeffrey J. Wilker and David N. Germain.

The Applicant, Douglas Cox was represented by Mr. Jeff Stein, rather than by Mr. Iachetta of Soilcan, who had made the application to the Board as Agent for Mr. Cox. Mr. Stein indicated that he and his company, 2294948 Ontario Limited were separate and independent of Soilcan. Mr. Stein indicated employees of Soilcan would be testifying at a full hearing, should one occur, and therefore Soilcan could no longer act as Agent for Mr. Cox. Mr. Iachetta was also present along with Mr. Cox and Mr. Stein.

A subsequent notice of a motion hearing was issued by the Board on March 31, 2015 and served to both parties and their solicitors. This notice superseded the previous notice.

The motion was filed with the Board and served on the Applicant by counsel for the Respondent. Receipt was acknowledged by the Applicant.

On Thursday, April 2, 2015 the motion was heard before member Marty Byl at the Town of Mono Municipal Office, 347209 Mono Centre Road, Mono, Ontario.

A motion decision and Prehearing Order was issued by the Board on May 4, 2015. The order reads in part:

While the Board values hearing the views of those who could be affected by a proposal or an application, ensuring an opportunity for public participation must be balanced with the desire to have a manageable hearing that is not unduly lengthy. To that end, unduly repetitive presentations may be limited by the hearing panel. In order to keep the hearing from becoming unduly lengthy, it was indicated that there would be a limit of 5 presentations permitted under Rule 55. Concerned members of the public and other entities are encouraged to be mindful of this, and perhaps arrange for representative speakers to provide Rule 55 testimony or testimony as a witness on behalf of concerned residents with similar positions. Written submissions under Rule 56 are also an option. Any persons or entities interested in participating in the hearing of this matter may attend and seek standing from the hearing panel, but they should be mindful of the above points. All interested persons and other entities who contacted the Board by the date of the issue of this decision and order are included in the mailing list for this order and all those who contact the Board indicating a desire to make their views known will be provided with further notices in this proceeding.

And also reads:

In order to ensure a manageable hearing and to anticipate the length of the hearing, a second PHC, to be held by way of teleconference call among the current parties, will need to be conducted to ensure that witnesses provide relevant testimony that is not unduly repetitious. Parties should be prepared to identify proposed witnesses and to identify, in general terms, the anticipated content of their testimony, as well as any expert credentials. CV's and statements of proposed witnesses may be exchanged prior to a second PHC if desired, but need not be exchanged until the document exchange dates which will be set following a second PHC.

Prior to issuance and since the May 4 Order was issued, other persons and groups have contacted the Board seeking either party status or seeking to make presentations under Rule 55 of the Board's rules.

Reconsideration and clarification of the May 4, 2015 Order as it relates to public participation, witnesses and a second prehearing conference

Concerns have been raised regarding public participation issues being addressed at the commencement of the hearing, and that it is evident that at least some of those who have expressed an interest in participating in this matter desire to have a ruling on standing in advance of the first hearing day in order to better prepare.

There is a possibility that some of the proposed witnesses include persons only seeking to make their views for or against the applicant's proposal known, and that these individuals may be more appropriately considered as Rule 55 presenters and not witnesses.

The Board did not receive any summaries of proposed presentations nor any indication of the estimated duration of anticipated presentations from those unable to attend the PHC. Therefore, the Board is issuing this order clarifying and reconsidering, in part, the order dated May 4, 2015, as it relates to public participation, witnesses and a second prehearing conference.

The Board issues this Order to:

1. Cause a second prehearing conference to be scheduled
2. Ensure receipt of written summaries of persons seeking to make oral presentations under Rule 55.
3. Ensure identification of proposed witnesses and to receive summaries of anticipated testimony.
4. Inform a ruling on the status of any persons or groups seeking standing in the application.

Rules 55 and 56 of the Board's Rules of Practice and Procedure are presented below:

Public Testimony

55. *Any person having relevant testimony may, with the Board's permission, testify without becoming a party to the hearing or being called as a witness by a party.*

Written Submissions

56. (1) *The Board prefers evidence to be given orally at the hearing so that the evidence given may be tested by cross-examination. However, where notice of a hearing has been given, any person who does not wish to be a party to the hearing or testify but who wishes to make his or her views regarding the hearing known to the Board may file with the Board a written submission commenting on the hearing, which describes the nature of the person's interest in the hearing and states clearly his or her views regarding the hearing, together with any relevant information that may be useful in explaining or supporting those views.*
- (2) *Before a written submission is made part of the record, the Board shall make it available to all other parties to the hearing and provide an opportunity for parties to comment on its relevance, admissibility, and whether it would be unfair to make the submission part of the record without an opportunity to cross-examine the person making the written submission.*
- (3) *The Board may take into account any such written submission unless, after hearing submissions, it determines that accepting it as evidence would unduly prejudice any party.*

ORDER

A second prehearing conference will be held where all Parties are to attend, either in person or by an agent or representative.

Those interested in making a presentation under Rule 55 or being added as a Party must submit a written summary of their anticipated testimony or their proposed witnesses' anticipated testimony, including the estimated duration of their presentations or the estimated duration of the examination in chief of proposed witnesses, by June 8, 2015. These individuals and group representatives may attend the second prehearing conference if they chose.

All Parties must submit by June 8, 2015 proposed witness statements for non-expert witnesses. These statements shall be a succinct summary only.

Parties and those seeking Party status should be prepared to identify at the PHC all proposed expert witnesses and to speak to the relevance of their anticipated testimony.

The Board will use these summaries and estimates of presentation duration to inform an order on standing, to better plan for public participation at the hearing, and to estimate the hearing time required for the testimony of Parties' witnesses and for public participation.

This will permit some additional preparation time for those granted standing in this matter and will help ensure that testimony is relevant and not unduly repetitious.

For those members of the public, including citizens groups, municipalities, and other organizations, who do not make a written submission that outlines their anticipated testimony or their proposed witnesses' anticipated testimony, including an estimated duration of their presentations, or the duration of their examination in chief of proposed witnesses, by June 8, 2015, their participation will be conducted as a Rule 56 written submission for the hearing panel's consideration. Written submission under Rule 56 must be submitted prior to the commencement of the hearing.

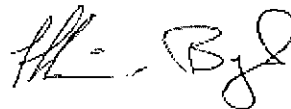
Where it appears from the summaries that proposed presentations of members of the public or witnesses are repetitious, the Board may, depending on the number of requests for standing made and on the number of proposed witnesses giving non-expert testimony, direct some of those interested persons and proposed witnesses to make a written submission under Rule 56 instead of giving oral testimony at the hearing.

All Rule 56 written submissions will be considered by the hearing panel.

All other aspects of the May 4 order, including the order as it pertains to conflict resolution, Mr. Stein's undertaking, obligations under s. 6(13) of the Act and document exchange, remain unchanged.

All Parties are to contact the Secretary of the Board by June 1, 2015 to provide available dates for the second prehearing conference.

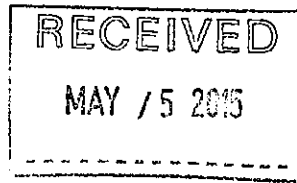
DATED May 13th, 2015

A handwritten signature in black ink, appearing to read "Marty Byl", is written above a horizontal line.

Marty Byl, Pre-Hearing Chair



LEGISLATIVE ASSEMBLY



ERNIE HARDEMAN, M.P.P.
Oxford

Queen's Park Office:
Room 413, Legislative Bldg.
Toronto, Ontario
M7A 1A8

Tel. (416) 325-1239
Fax (416) 325-1259

Constituency Office:
12 Perry Street
Woodstock, Ontario
N4S 3C2

Tel. (519) 537-5222
Fax (519) 537-3577

April 29, 2015

Mayor Darren White
Township of Melancthon
157101 Highway 10
Melancthon, ON L9V 2E6

Dear Mayor White,

Thank you again for meeting with me during the recent ROMA/OGRA Conference.

As I mentioned in my last letter, I wrote to the Minister of Transportation asking for clarification regarding the placement of transmission line poles on municipal road allowances.

The Minister of Transportation forwarded the letter to the Minister of Energy for response.

Enclosed, please find a copy of the response that I received from the Ministry of Energy. While it doesn't clarify the authority over placing transmission poles on municipal road allowances, it does indicate that there is more than one instance where this problem has occurred and that they are currently examining the issue.

I hope that raising the issue with the Ministries has helped encourage them to find a solution which gives you the authority you need to ensure the safety of your roads.

If I can be of any further assistance please feel free to contact me.

Sincerely,

Ernie Hardeman, MPP Oxford
PC Critic for Municipal Affairs and Housing

cc: Sylvia Jones, MPP Dufferin-Caledon

Info 3 -

MAY 21 2015





Ministry of Energy

77 Grenville Street
Toronto, Ontario
7th Floor
M7A 2C1

Ministère de l'Énergie

77 rue Grenville
7^e étage
Toronto (Ontario)
M7A 2C1

April 27, 2015

Mr. Ernie Hardeman, MPP
Room 413, Legislative Building
Toronto, ON M7A 1A8

Dear Mr. Hardeman:

I was forwarded your letter to Minister Del Duca of March 11, 2015 with regard to transmission line pole placement in municipal road allowances and I am happy to respond.

First let me set out that while I would like to provide some general information to answer your questions, this letter should not be considered legal advice on interpreting the application of Ontario's laws. Municipalities that are interested in determining their legal options in respect of this issue should seek their own legal advice.


In your letter you asked about the extent of municipal authority over the location of transmission poles that are sited in municipal road allowances. There are provisions in the *Electricity Act* that confer certain rights to transmitters and distributors in relation to pole placement, and in some circumstances where there is a lack of municipal agreement there is a role for the Ontario Energy Board. In the great majority of cases this regime has ensured that new or upgraded lines are located in a manner agreeable to the local municipality. However, this Ministry has recently become aware of instances related to renewable energy projects where concerns about transmission pole placement have been raised.

As a result, we are currently examining this issue in cooperation with Ministry of the Environment and Climate Change (MOECC).

Your letter also specifically asks about requirements related to pole placement for transmission lines associated with renewable energy projects. With regard to setback distances, there are no regulatory requirements for setback distances from roads for transmission line pole placement under the Renewable Energy Approval (REA) Regulation (O.Reg. 359/09) administered by MOECC. The setback distance requirement from roads in the REA regulation applies only to the wind turbines. However, municipal consultation is a key component of the REA and there are regulatory requirements to seek input from the municipality through a Municipal Consultation Form. This is a good opportunity for municipalities to identify issues and communicate expectations related to the placement of distribution or transmission poles in municipal road allowances, if applicable. The proponent is also required to complete a Consultation Report that describes how issues raised during consultation were considered and this report is evaluated by MOECC in its decision on the REA. The REA process is an additional avenue available to municipalities to discuss placement of transmission or distribution poles for renewable energy projects.

I trust you will find this information helpful, and thank you for writing.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ken Nakahara', with a long horizontal stroke extending to the right.

Ken Nakahara
Director, Energy Networks & Partnerships

Wendy Atkinson

From: Darlene Noakes <darlene.noakes@caledon.ca>
Sent: May-04-15 2:44 PM
To: Carey deGorter; Denise Holmes, Melancthon; Heather Boston, Mulmur; Heather Foster; Heather Haire; Jane M. Wilson, Grand Valley; John Telfer, Shelburne; Karen Canivet, Amaranth-East Garafraxa; Keith J. McNenly, Mono; Ken McGhee; Nicole Shearman; Pam Hillock, Dufferin County; Patti Hossie, Shelburne; Peggy Tollett; Sue Stone, Amaranth-East Garafraxa; Susan Greatrix, Orangeville; Terry Horner, Mulmur; Vern Douglas, Orangeville; Wendy Atkinson, Melancthon
Cc: Leo Butko; Colleen Grant; Melanson, Tim (JUS); Sills, Steven (JUS) (Steven.Sills@opp.ca); kmoore@shelburnepolice.com; Wayne Kalinski
Subject: Response to MAG'S AMPS Consultation Paper
Attachments: AMPS response.pdf

Good Afternoon,

Please find attached the Town of Caledon's response to the Ministry of Attorney General's public request for a response to their AMPS Consultation Paper.

Our Town Solicitor and myself prepared a Report to Council and the attached response together and we encourage you to familiarize yourself with this information.

I have attached the link from the MAG website for some background information
http://www.attorneygeneral.jus.gov.on.ca/english/POA%20ConsultationPaper%20Final_ENG.pdf

If you have any questions regarding this Ministry initiative please give me a call.

Thank you,

Darlene Noakes
Court Services Manager
Town of Caledon

905-584-2272 x 4119

"This message (and any associated files) is intended only for the use of the individual or entity to which it is addressed. The content of the message is the property of the Corporation of the Town of Caledon. The message may contain information that is privileged, confidential, subject to copyright and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are notified that any dissemination, distribution, copying, or modification of this message is strictly prohibited. If you have received this message in error, please notify the sender immediately, advising of the error and delete this message without making a copy. (Information related to this email is automatically monitored and recorded and the content may be required to be disclosed by the Town to a third party in certain circumstances). Thank you."

Total Control Panel

[Login](#)

To: watkinson@melancthontownship.ca
From: darlene.noakes@caledon.ca

Message Score: 57
My Spam Blocking Level: Medium

High (60): Pass
Medium (75): Pass
Low (90): Pass

[Block this sender](#)



Albion, 1840

Alton, 1820

Belfountain, 1825

Bolton, 1823

Caledon East, 1821

Caledon Village, 1826

Campbell's Cross, c. 1820

Cataract, 1858

Cheltenham, 1827

Claude, c. 1832

Inglewood, 1883

Mayfield West, 2006

Melville, 1831

Mono Road, 1871

Mono Mills, 1819

Palgrave, 1846

Sandhill, 1839

Terra Cotta, 1855

Tullamore, c. 1820

Victoria, c. 1850

Wildfield, 1833

Administration

6311 Old Church Road
Caledon, ON L7C 1J6
www.caledon.ca

T. 905.584.2272
1.888.225.3366
F. 905.584.4325

April 28, 2015

Sent by email to: poa-amp.feedback@ontario.ca

POA-AMP Consultation
Ministry of the Attorney General
720 Bay Street
11th floor
Toronto, ON M7A 2S9

Dear Sir/Madam:

RE: Administrative Monetary Penalty System for Provincial Offences

The Corporation of the Town of Caledon is pleased to provide a response to the consultation paper on the use of online Administrative Monetary Penalties for infractions of provincial statutes and municipal by-laws in Ontario from the Ministry of Attorney General.

The Town's response to the questions contained within the consultation paper is attached to this letter.


The provision of access to justice requires all of the parties involved in the judicial system to participate in a fair and equitable manner. Access to justice involves the rights of individuals to respond and defend one's actions before an impartial tribunal.

In order to provide a comprehensive response and opinion as to the viability of the project, the Town would ask that further details be provided, including information regarding the retention of AMPS revenues by the municipality, the types of offences to be included, proposed penalties such as demerit points, details regarding the process to either resolve or dispute matters, proposed online processes and process of the hiring of hearing officers.

Once further information has been provided to the stakeholders, it may be possible to address the impact upon the rights of individuals, the impact upon public safety, and the impact upon municipalities.

We thank you for the opportunity to become involved and look forward to being included in further consultation.

Yours truly,


Colleen Grant
Manager of Legal Services/Solicitor

cc. Douglas Barnes, Chief Administrative Officer
Carey deGorter, Director of Administration/Town Clerk
Darlene Noakes, Court Services Manager, Provincial Offences
Fuwing Wong, Chief Financial Officer

Encl.

POA Modernization

Administrative Monetary Penalties (AMPS)

Ministry Statement: Administrative monetary penalties are a civil mechanism for enforcing compliance with regulatory requirements.

Access to Justice refers to the right to defend one's actions with the judiciary. The burden of proof is on the prosecutor.



POA Modernization

Administrative Monetary Penalties (AMPS)

The following is The Corporation of the Town of Caledon's response to the Consultation Paper "Exploring an online Administrative Monetary Penalty System for infractions of provincial statutes and municipal by-laws in Ontario".

Question 1: not applicable

Question 2: not applicable

Question 3: What benefits and/or challenges do you foresee with creating an online AMP system for minor and/or straightforward matters currently dealt with under the POA?

- The diverse culture may dictate the limitations of an on-line system. Studies into the success of those systems already in place should be conducted and shared.
- The best use of an on-line system would be for payment or requesting an appointment as an initial phase.
- Consider alternative methods of filing trial requests such as on-line, electronic filing and not in person.

Question 4: What kinds of infractions do you think could be fairly and appropriately addressed in an online AMP system?

- The AMP system would be beneficial for parking offences and regulatory by-law charges. This system is successful for minor penalties without affecting road safety.
- Charges under the POA Statutes require a judicial process as strict or absolute liability is defined on a case by case basis.

Summary

...

Conduct and share studies that display the success in Ontario with AMPs.

Review the pilot AMP process in the west before changing legislation.

Increase the current threshold of the AMP process from \$100 to allow for all parking infractions to be heard and paid in one stream.

A few questions to consider.....

How many municipalities currently have an AMP system?

Is the parking process administered through the municipality or through the court?

Question 5: If the first phase of the transition to an online AMP system was to focus on traffic infractions, what should be included? What should be excluded?

- The first phase should be to implement AMPs for parking infractions and consider whether all municipalities will opt in or out.
- Charges contained within the Highway Traffic Act should be excluded as they require a judicial process.
- Often these charges are given together at the side of the road and could not be separated. If they were separated we would be adding another layer of process for the public.
- Until we have clarification on the proposed penalties, we cannot comment on the types of infractions that would be suitable.
- There needs to be a balance of all involved parties' interests. (i.e. Prosecution, Administration, Judiciary, Enforcement and Defendants).
- We cannot comment on how traffic infractions would be enforced through the AMPS system. Further consultation is needed with these stakeholders.
- In order to ensure that all members of the public are treated equally when enforcement takes place these rules would need to be imposed provincially.

Question 7: We encourage you to share your ideas for other approaches the ministry should consider achieving its Better Justice Together goals.

- Streamlining the process to assist the public once they are in the judicial process:
 - Allowing administrators to process and be given the authority to sign:
 - Extensions of Time to Pay
 - Re-opening Applications
 - FTR dockets
 - Administration has the historical data and staffing to manage this process, in coordination with collection staff, and assist the public with this stream in a more efficient and timely manner.
 - Defendants often remain unlicensed or suspended while they await a judicial decision regarding the Re-opening Application. Removing this task from the judiciary would free additional intake time for attendance in court.
 - Currently, parking infractions are reviewed by an administrator and a conviction is entered with an administrative authority.
 - This process could be moved along with Part 1 tickets requiring a conviction on a Fail to Respond docket in the same manner and removed from the judiciary as an intake task.
- Provide Legal Aid/Assistance to the public for POA matters when incarceration is imposed or for those with mental health issues.
 - All stakeholders invest a significant amount of judicial resources to unrepresented individuals facing serious consequences of conviction.
- Consider a review of the current appeal process to improve access to Justice for defendants.

POA Modernization

• • •

Question 8: What impact would a new AMP system have on your organization? What challenging implementation issues to you foresee? How might we address them?

- Currently, we do not use the AMP system, however, we would consider this option should all fine thresholds be included.
- Adding the AMP system would require new hiring for screening and hearing officers and therefore we could not be implemented without budget and council approval.
- The new form would need to be ordered and would also impact budget lines for municipalities.
- All police agencies would need to be on-board and fully trained.
- Local municipalities with opt-in and opt-out parking agreements would be impacted by new software, processes and staffing.
- Currently all POA tickets can be paid at any provincial court. How will the new system be implemented? Will the software be provincial? Having multiple payment systems will confuse the process for the public.

ADM-2015-033

To: Mayor and Members of Council

From: Administration Department

Meeting: 2015-04-28

**Subject: Response to Ministry of Attorney General's Public Consultation
Administrative Monetary Penalty System**

RECOMMENDATIONS

That Report ADM-2015-033 regarding Response to Ministry of Attorney General's public consultation regarding Administrative Monetary Penalty System, be received; and

That the Manager of Court Services in consultation with the Manager of Legal Services be authorized to respond to the public consultation on behalf of the municipality; and

That the Ministry of Attorney General be requested to consult with the Town in any further discussions relating to this program.

EXECUTIVE SUMMARY

- In 1999 the Ministry of Attorney General ("MAG") transferred the responsibility for the administration of the Provincial Offences Court and certain prosecution functions to municipalities.
- As a result of this, the Town entered into a Memorandum of Understanding (MOU) with MAG in 1999 regarding the court's administrative and prosecutorial functions.
- On March 3, 2015, MAG published a consultation paper entitled "Exploring an online Administrative Monetary Penalty System for infractions of provincial statutes and municipal by-laws in Ontario." The consultation requested input from the public and MAG's direct stakeholders simultaneously.
- These proposed changes to the delivery of service by the Town could have a significant impact upon the Town of Caledon.
- Staff recommends they be authorized to respond to the consultation paper on behalf of the municipality.

DISCUSSION

Purpose (background)

Responsibility for Provincial Offences Court administration and prosecution of certain offences was transferred to Caledon in 1999 pursuant to the *Provincial Offences Act* and a Memorandum of Understanding executed between the Town and the Queen in Right of Ontario (Ministry of Attorney General). As a result of the transfer, the Town retains the majority of the fine revenues imposed. However, victim fine surcharge and other costs such as Justice of Peace and Prosecutor salaries are reimbursed to MAG.

Presently, the Town administers the Provincial Offences Court for Caledon and Dufferin County and prosecutes matters under the *Provincial Offences Act* ("POA"), including the *Highway Traffic Act* and the Town's regulatory by-laws such as the Traffic By-law (parking infractions).

The POA matters fall into three categories:

1. Part 1- Minor ticketable offences with a maximum penalty of \$1000.00 fine, including municipal by-law offences;
2. Part 2- Parking tickets;
3. Part 3- Serious matters where defendants are required to appear before court and where the maximum penalty could be significant fines and/or jail time, including municipal by-law offences.

All **Part 1 Matters** have the option of the following:

- Plead guilty – payment out of court either on-line, in person or by phone.
- Request an Early Resolution meeting with the prosecutor to discuss a reduction. The request can be made by mail or in person.
- Request a Trial to plead not guilty. This request must be filed in person at the court location issued.

Currently, for **Part 2 Parking Matters**, the Town has a parking facilitation program in place whereby a defendant may appear at the POA counter to request a reduction otherwise they have the option to request a trial and appear in court. Payment is also accepted on-line, by phone, mail or in person.

All **Part 3 Matters** issued by an enforcement agency are prosecuted by a Part 3 prosecutor provided by the Attorney General. The only exception being the Municipal By-law charges issued by the Town of Caledon which are prosecuted by the Town's Municipal Prosecutor. These charges do not have a set fine and the person must appear before the Justice of the Peace in court to resolve or dispute their charge.

In 2006, the *Municipal Act, 2001* and the *Provincial Offences Act* were amended to permit municipalities to implement an alternate system. Administrative Monetary Penalty System (AMPS) was introduced and optional for specified municipal offences, including licensing and parking infractions, for matters involving fines up to \$100.00. The City of Vaughan and this year, the City of Mississauga and Brampton have opted into this process for parking and licensing.

The **Town of Caledon does not have this process in place** as the volume of matters for parking and licensing subject to AMPS is low.

MAG is presently conducting a consultation process to study the proposed expansion of the AMPS program. The consultation paper is attached as Schedule "A" to this report.

ADM-2015-033

Staff has reviewed the consultation paper's broad ideas and is proposing to submit the following comments to MAG on behalf of the municipality.

- The existing Memorandum of Understanding (MOU) between the Town and MAG permits the Town to retain revenues from fines imposed in POA court. The proposed consultation paper does not indicate if revenues will remain with the municipality or return to the Province. This may have a serious financial impact upon the Town.
- It is unclear as to who will be responsible for the hiring of a hearing officer. This too could potentially have a financial impact upon the Town.
- As the current AMPS parking and licensing program is in the early stages, it would be beneficial to study the results of the AMPS program once it is fully in place. The first phase would be to fully expand the parking potential across the province before broadening to other areas.
- Additional information, concerning demerit points and licence plate denial, has not been addressed in the consultation paper.

As the proposed consultation paper is very broad in nature, staff believes that specific comments concerning the benefits or drawbacks of the proposed AMPS system in relation to the municipality is premature at this time. Further information is required to comment on the full impact this system may have on the current POA system in the Town of Caledon..

It is recommended that the Manager of Provincial Offences Office in conjunction with the Manager of Legal Services, respond to the questions imposed in the paper and provide comments as set out in this report.

It is also recommended that staff request that the Town be consulted in any future discussions relating to the AMPS program as a direct stakeholder.

Financial Implications

At this time, the Province has not provided any information concerning whether or not the revenues from the proposed Administrative Monetary Penalty System (AMPS) would continue to be recovered by the municipality.

The 2015 budget for the Caledon Provincial Offences Court is as follows:

Revenue	\$2,886,116
Expense	<u>\$1,502,701</u>
Net Budget	\$1,363,415

Applicable Legislation and Requirements

The legal implications are set out in the other sections of this report.

COMMUNITY BASED STRATEGIC PLAN

Not applicable

NEXT STEPS

Staff will submit a response to the consultation paper on behalf of the municipality.

ATTACHMENTS

Schedule A- Consultation Paper

Prepared by: Darlene Noakes and Colleen Grant

Approver (L1): Darlene Noakes

Approver (L2): Carey deGorter

Approver (L3): Doug Barnes

Approver (L4):

Approver (L5):

Exploring an online Administrative Monetary Penalty System for infractions of provincial statutes and municipal by- laws in Ontario

Ministry of the Attorney General

March 3, 2015

Exploring an Online Administrative Monetary Penalty System for Infractions of Provincial Statutes and Municipal By-Laws in Ontario

Objectives of this Consultation

This consultation seeks public input on the merits and key features of an online Administrative Monetary Penalty (AMP) system for infractions of provincial statutes and municipal by-laws, excluding very serious offences (including those that result in imprisonment). This input will help the ministry make decisions about a potential framework and key features for the system, and draft proposals for legislative change needed for its implementation.¹

Introduction

When an individual violates a provincial statute or municipal by-law, the current system treats it as an “offence” to be prosecuted under the Provincial Offences Act (POA).

Last year in Ontario, roughly 1,650,000 Part I and Part III provincial offences charges were laid under provincial statutes and municipal by-laws. These charges are largely made up of traffic matters (e.g. driving without a license).

Although provincial offences are not crimes, the process for fighting them in court often mirrors the criminal trial process, which is designed to emphasize the seriousness of an offence and to protect defendants from being unfairly punished. Like the criminal court process, the process for dealing with these matters requires significant court and law enforcement resources, which are paid for by Ontario and municipal taxpayers – resources that could be redirected to other needs.

Compare and Contrast: POA vs. Criminal charges

Approximately **1,650,000** Part I and Part III provincial offences charges were laid in Ontario last year. In contrast, between **500,000 and 600,000** criminal charges are laid annually.

¹ Detail about how the system will operate, and specifically the elements of the online adjudication system, is beyond the scope of this consultation. The ministry plans to work with technological and subject-matter experts throughout the development process.

An Online AMP System for Infractions of Provincial Statutes and Municipal By-Laws

The complexity of the current system may also pose barriers to meaningful access to justice. Those who wish to dispute provincial offence charges may find that the cost, length of time involved, formality and inconvenience of the court process are significant deterrents to fighting a ticket.

To help build a system that is effective, simpler, faster, less expensive – but still fair – for all Ontarians, the Ministry of the Attorney General (“the ministry”) is exploring whether to adopt an online administrative monetary penalty system (AMP) for select infractions of provincial statutes and municipal by-laws. The most serious provincial matters would continue to be prosecuted as offences in the Ontario Court of Justice.

An online AMP system has the potential to be a more appropriate and accessible way to deal with certain matters under the Provincial Offences Act. It may also meet the public’s expectation of electronic access to modern public services.

See Appendix for more information about Ontario’s current system for provincial offences

About administrative monetary penalties

Administrative monetary penalties (AMPs) are a civil (rather than quasi-criminal) mechanism for enforcing compliance with regulatory requirements. They are an effective, quick, clear and tangible way for regulators to respond to infractions of the law. In practice, a monetary penalty is assessed and imposed in the form of a notice with a prescribed date and time for payment. While monetary penalties do not lead to convictions or pose a risk of imprisonment, administrative decisions may still be made (e.g. demerit points, driver license suspensions).

Because AMPs are imposed without a court hearing, other protections are put in place (e.g. unbiased decision maker, right to be heard) to ensure that the process for imposing a penalty is fair and in accordance with the principles of natural justice. AMP systems have been upheld by the courts as appropriate for matters under provincial control.

The case for change

Costs of the current system

The resources required to enforce straightforward infractions of provincial statutes and municipal by-laws under the Provincial Offences Act are significant.

An AMP system could provide a more proportionate, efficient means to ensure enforcement. Last year, POA matters used over 17 per cent of court time at the Ontario

An Online AMP System for Infractions of Provincial Statutes and Municipal By-Laws

Court of Justice², even though only three per cent of tickets resulted in a full trial. While criminal matters are given priority over provincial offences in scheduling, a significant portion of justice of the peace time must be set aside for provincial and municipal disputes.

Managing the cost of POA court in Toronto

In 2013, the City of Toronto was responsible for one quarter of all POA charges filed in the province.

As a result of a high volume of charges, the city has budgeted over \$50 million annually for POA courts in recent years. In 2014, the cost of having police officers appear in Toronto POA courts was over \$5.5 million.

In addition, most POA trials – even for minor traffic offences – require the in-person participation of a justice of the peace or judge, a prosecutor and the officer who laid the charge. POA trials are therefore often scheduled months in advance, extending the public's wait times to resolve their cases and tying up valuable court resources that could be used for more serious, including criminal, matters.

Justices of the peace and prosecutors also perform critical functions in the criminal justice system. Addressing the less complex, straightforward provincial and municipal matters, which are not criminal in nature, through a civil process would not only be more proportionate to the seriousness of the majority of these infractions, but would also allow the Ontario Court of Justice to focus its resources on the over 220,000 criminal cases heard before the court each year.

Other key costs associated with POA trials include the attendance of enforcement officers as witnesses and courtroom facilities. An online AMP system would not require most of these resources and their associated costs.

The Law Commission of Ontario's report

In its 2011 report, Modernizing the Provincial Offences Act, the Law Commission of Ontario conducted an in-depth review of the POA system. The review was to ensure the POA system was appropriate for Ontario's current legal environment, and to determine

² The remainder of Ontario Court of Justice court time is comprised of criminal matters (74%) and family matters (9%).

An Online AMP System for Infractions of Provincial Statutes and Municipal By-Laws

whether a less expensive, but equally fair, forum for adjudicating provincial offences should be made available to the public.

In developing the report, the Commission consulted with the judiciary and a wide range of stakeholders, including municipalities, court administrators, prosecutors, the criminal defence bar, police and ministry officials.

The report recommended that all parking offences be resolved in an AMP system. It also recommended a review of other minor provincial infractions to ascertain their suitability for AMPs. These recommendations were based on three core factors:

1. The high volume of minor cases being heard within POA courts on a yearly basis
2. The significant costs associated with the administration of those courts
3. The increased use of AMP systems in Canada and Ontario as alternatives to traditional court processes

The Commissions' review of AMPs, and literature documenting their effectiveness and advantages as an enforcement tool, provided a compelling case for a gradual shift away from court-based processes. Aside from court and resource considerations, the Law Commission of Ontario suggested that a greater respect for the rule of law and administration of justice would be achieved if court and judicial resources were reserved for more serious matters.

Achieving Ontario's access to justice goals

The Ministry of the Attorney General is committed to working with justice partners in new and more collaborative ways to make the province's justice system simpler, faster and less expensive for all Ontarians.

To achieve this goal, the ministry is leading a comprehensive plan to build Better Justice Together. This strategy seeks to improve access to justice for all Ontarians by implementing changes in thoughtful, evidence-based and innovative ways that uphold principles of justice and fairness while making the best use of resources.

Many of these changes leverage new technologies to target and meet the expectations of court users and the public. For example:

- Ontariocourtdates.ca now provides information to the public and lawyers about cases being heard the next day in the Superior Court of Justice and the Ontario Court of Justice.

An Online AMP System for Infractions of Provincial Statutes and Municipal By-Laws

- Under a new pilot initiative, people or businesses can file small claims in Brampton, Oshawa, Ottawa and Richmond Hill online using an e-filing application.
- In the far North, the ministry is providing video solutions to connect First Nations people remotely with justice services.

Exploring the creation of an online administrative monetary penalty system for infractions of provincial statutes and municipal by-laws directly aligns with the ministry's vision.

Exploring an online administrative monetary penalty system

The provincial offences system is the part of the justice system that members of the public are most likely to use. Today, a significant number of people in the provincial offences courts are self-represented. An online AMP system for designated POA matters would provide an appropriate, efficient, accessible and fair process for challenging tickets, while decreasing costs to the public.

Specifically, the ministry is exploring a system that:

- takes place online, and provides essential educational and/or law-related resources to help users understand and navigate provincial or municipal infractions
- utilizes independent hearing officers, rather than judicial officers
- directs as many straightforward infractions out of the courts as possible
- resolves disputes through an informal, fair and accessible hearing process

The ministry is also interested in the views of the public and our justice partners about what kind of ticketable infractions could be captured within such a system.

Given the many kinds of offences currently prosecuted under the POA, a phased approach to implementation will help us to properly assess the suitability of an online AMP process. For example, the majority of POA matters heard in court are traffic-related. Some of these matters, along with parking and minor by-law tickets, might therefore appropriately be among the first to be dealt with in an alternative online AMP system.

An Online AMP System for Infractions of Provincial Statutes and Municipal By-Laws

Traffic-related charges in Ontario

Approximately **85 per cent** of POA charges result from violations of the Highway Traffic Act (e.g. speeding, no vehicle permit) and Compulsory Automobile Insurance Act.

The ministry recognizes that not all matters are suitable for an online administrative monetary penalty system. Very serious offences raising significant concerns about public safety and welfare, for example, would continue to be prosecuted as offences in the court system. This would include prosecutions under *Christopher's Law* where the penalty includes imprisonment, or the most serious provincial matters resulting in death or serious harm. As mentioned earlier, such matters would continue to be prosecuted as offences in the Ontario Court of Justice.

The widening use of AMPs generally, and for traffic offences

AMP systems are becoming widely accepted as the modern approach to regulation in Ontario, across Canada and around the world. There is a growing belief that using AMPs for straightforward infractions which are currently prosecuted as provincial offences more accurately reflects their regulatory nature, while also distinguishing them from criminal offences.

In Ontario, AMPs exist for many non-criminal violations of the law, including violations of energy licences, environmental damages and unfair insurance practices, among others. They are also being applied to parking infractions in several municipalities, including Oshawa, Brampton, Mississauga, and Windsor.

Ontario is not the only jurisdiction in Canada to explore the use of AMPs for some traffic matters. This is a relatively new concept taking shape in both British Columbia and Alberta. Like Ontario, both jurisdictions currently resolve traffic offences in provincial courts that are designed for prosecuting serious cases. Alberta, in particular, claims that this practice has become expensive, intimidating and confusing to taxpayers.

Both jurisdictions are currently in the design and development phases of their projects. British Columbia passed legislation in 2012 to set up an AMP system, which has not yet been implemented. Alberta consulted on their traffic court reform in early 2014. A pilot project is underway in Red Deer that removes traffic violations from local courts and redirects the public to a designated venue where their matters are heard before an impartial adjudicator.

An Online AMP System for Infractions of Provincial Statutes and Municipal By-Laws

Guiding principles for exploring an alternative system

Increase access to justice through online technologies

Online technologies have the potential to promote both efficiency and meaningful access to justice. While an online system for resolving POA disputes does not yet exist in Canada, it would have a number of advantages.

The current process for dealing with provincial and municipal infractions is primarily paper-based. Transitioning appropriate provincial and municipal matters to a user-friendly, online system could remove the barriers of complexity, formality and inconvenience experienced by some defendants.

There is growing consensus globally about the need to integrate technology into the provision of public services, including justice services. Today, Ontarians are growing increasingly accustomed to using computer and mobile devices to access business and government services, such as online shopping, banking, or applying for a new driver's licence or health card.

We are also seeing an increasing number of jurisdictions utilizing online technologies for the resolution of civil disputes. British Columbia began testing the use of online dispute resolution ("ODR") in 2011 for tenancy and consumer disputes. Since then, ODR models are being used by Consumer Protection BC and the Property Assessment Appeal Board with very promising results. BC is also finalizing the development and implementation of its Civil Resolution Tribunal, which it claims will rely heavily on modern information communication technologies, like ODR, to deliver its services. We can find examples of ODR being used globally in other areas including family law, housing or tenancy and employment. These examples demonstrate a shift towards alternative dispute resolution processes that are streamlined, user-focussed and complementary alternatives (or additions) to traditional court processes.

The Law Commission noted that the provincial offences system is the "face of the justice system" for most Ontarians and that most defendants are unrepresented. The POA must, therefore, have "simple, easily understood and accessible procedures". An online system could therefore provide a familiar and easy way for the public to access and efficiently resolve penalty disputes. It could also provide those wishing to challenge a penalty with important information about the dispute process, relevant legal considerations, including available defences and possible outcomes, and references to educational resources.

An Online AMP System for Infractions of Provincial Statutes and Municipal By-Laws

Proportionality

Proportionality is an important consideration in exploring an online AMP system. Proportionality means that the public resources allocated to resolving a dispute are justified by, and do not exceed what would be appropriate for, the severity of that dispute. The most costly procedures should be reserved for the most serious disputes. This concept has been supported in civil law all the way up to the Supreme Court of Canada.

Proportionality in the courts

There is, of course, always some tension between accessibility and the truth-seeking function, but as much as one would not expect a jury trial over a contested parking ticket, the procedures used to adjudicate civil disputes must fit the nature of the claim. If the process is disproportionate to the nature of the dispute and the interests involved, then it will not achieve a fair and just result.

Supreme Court, Madam Justice Karakatsanis writing for the court in *Hryniak v. Mauldin*, 2014 SCC 7 (CanLII) at para 29

Even in criminal law proportionality is one of many valid goals. For example, some years ago the federal government “reclassified” a number of criminal offences so that a prosecutor can now decide whether a particular case needs the most costly of procedures, for example a jury trial, or could be heard following a simpler and faster process.

Utilizing the same process for disputing some traffic, and other ticketable, matters that is required for prosecuting serious matters is disproportionate and unnecessary. Moving some POA matters from the courts to an administrative system would uphold the concept of proportionality while continuing to protect the public interest in using court resources where most appropriate.

Our next steps

The ministry has not made any decisions about a possible future online AMP system for infractions of provincial statutes or municipal by-laws, or what infractions would move to an AMP system. Your advice and input will help inform decisions about if and how the ministry will proceed with the AMP system, and the key components that could be included.

An Online AMP System for Infractions of Provincial Statutes and Municipal By-Laws

Determining the design elements of a delivery model, such as an online dispute resolution system, will require further consultation with technology and legal experts. These more detailed discussions will take place in future phases of this initiative.

Consultation questions

We would appreciate your input on any of these issues and on the questions below.

See **submissions** below for details on how to submit your input to the ministry.

- 1) What has been your experience with the current court process for prosecuting provincial offences, like traffic matters? Please provide details. For example:
 - Was it inconvenient to have to attend in person?
 - Was your matter resolved quickly?
 - Do you have concerns about the complexity of the process, significant lead times for trials, etc.?
- 2) Please tell us about your experiences with AMP systems (generally) in Ontario and/or other jurisdictions. Were you satisfied with the process and outcome? Why or why not?
- 3) What benefits and/or challenges do you foresee with creating an online AMP system for minor and/or straightforward matters currently dealt with under the POA? Also consider:
 - If the on-line system provided supporting information and guidance through the dispute or payment process, would this enhance access to justice for self-represented litigants?
 - What kinds of information and services could be provided on-line to help users (e.g. instructional videos, smart forms, on-line mediation, etc.?)
 - What is the best way for people without internet access to receive services, attain information or dispute a matter, e.g. over the telephone?
 - Would it be an advantage if the system was available 24-7?
- 4) What kinds of infractions do you think could be fairly and appropriately addressed in an online AMP system? For example:

An Online AMP System for Infractions of Provincial Statutes and Municipal By-Laws

- Matters that could result in jail time are not appropriate for AMPs. Are there others?
- 5) If the first phase of the transition to an online AMP system was to focus on traffic infractions, what should be included? What should be excluded?
- 6) If you live in a municipality that is using AMPs for parking infractions, please tell us about your experience. What did you like/dislike about the system? Also:
- Some Ontario municipalities employ screening and hearing officers to resolve parking infraction disputes. What training and expertise should be expected of a screening and/or hearing officer in a new online AMP system for infractions of other ticketable matters?
- 7) In the coming years, the Ontario government will be focusing its energy on modernizing ministry and court processes and technologies to make our services more efficient, and to improve access to justice. Exploring an AMP system for POA infractions, and the online delivery of that system, is just one of the many approaches the ministry is considering. We encourage you to share your ideas for other approaches the ministry should consider to achieve its Better Justice Together goals.
- 8) (For large organizations) What impact would a new AMP system have on your organization? What challenging implementation issues do you foresee? How might we address them?

Submissions

Please provide your submissions no later than **April 14, 2015**.

Both electronic and hard copy submissions will be accepted.

Electronic submissions may be sent by email to poa-amp.feedback@ontario.ca. Please use subject line: Administrative Monetary Penalty System for Provincial Offences.

Written submissions may be mailed to:

POA-AMP Consultation
Ministry of the Attorney General
720 Bay Street, 11th Floor
Toronto, Ontario
M7A 2S9

An Online AMP System for Infractions of Provincial Statutes and Municipal By-Laws

Questions/Privacy Statement

Please note that unless agreed otherwise by the Ministry of the Attorney General, all responses received from organizations in response to this consultation will be considered public information and may be used and disclosed by the ministry to assist in evaluating and revising the proposal. This may involve disclosing any response received to other interested parties.

An individual who provides a response and who indicates an affiliation with an organization will be considered to have submitted the response on behalf of that organization.

Responses received from individuals who do not indicate an affiliation with an organization will not be considered public information. Responses from individuals may be used and disclosed by the ministry to assist in evaluating and revising the proposal. Any personal information such as an individual's name and contact will be handled in accordance with the Freedom of Information and Protection of Privacy Act and will not be disclosed by the ministry except in accordance with that Act or as may otherwise be required by law.

If you have any questions about the collection of this information or about any other aspect of the review, please contact: poa-amp.feedback@ontario.ca

Appendix A: About Ontario's current system for provincial offences

Canada's constitution enables the federal government to make substantive criminal law. It also grants provinces with the power to impose punishments by fine, penalty or imprisonment for the purpose of enforcing otherwise valid provincial law. In Ontario, the Provincial Offences Act (POA) is the procedural code for prosecuting offences created by provincial statutes, regulations and municipal by-laws. This means that while charges are laid under the legislation that created the offences (e.g. speeding and many other traffic-related charges are laid under the Highway Traffic Act), the forms used and the procedures followed are set out in the POA.

POA offences are divided into three categories:

Part I: Minor ticketable offences with a maximum penalty of a \$1,000 fine. There were 1,500,000 charges received in 2014.

Part II: Parking tickets. About 4 million are issued each year. These matters take up a minimum amount of POA court time.

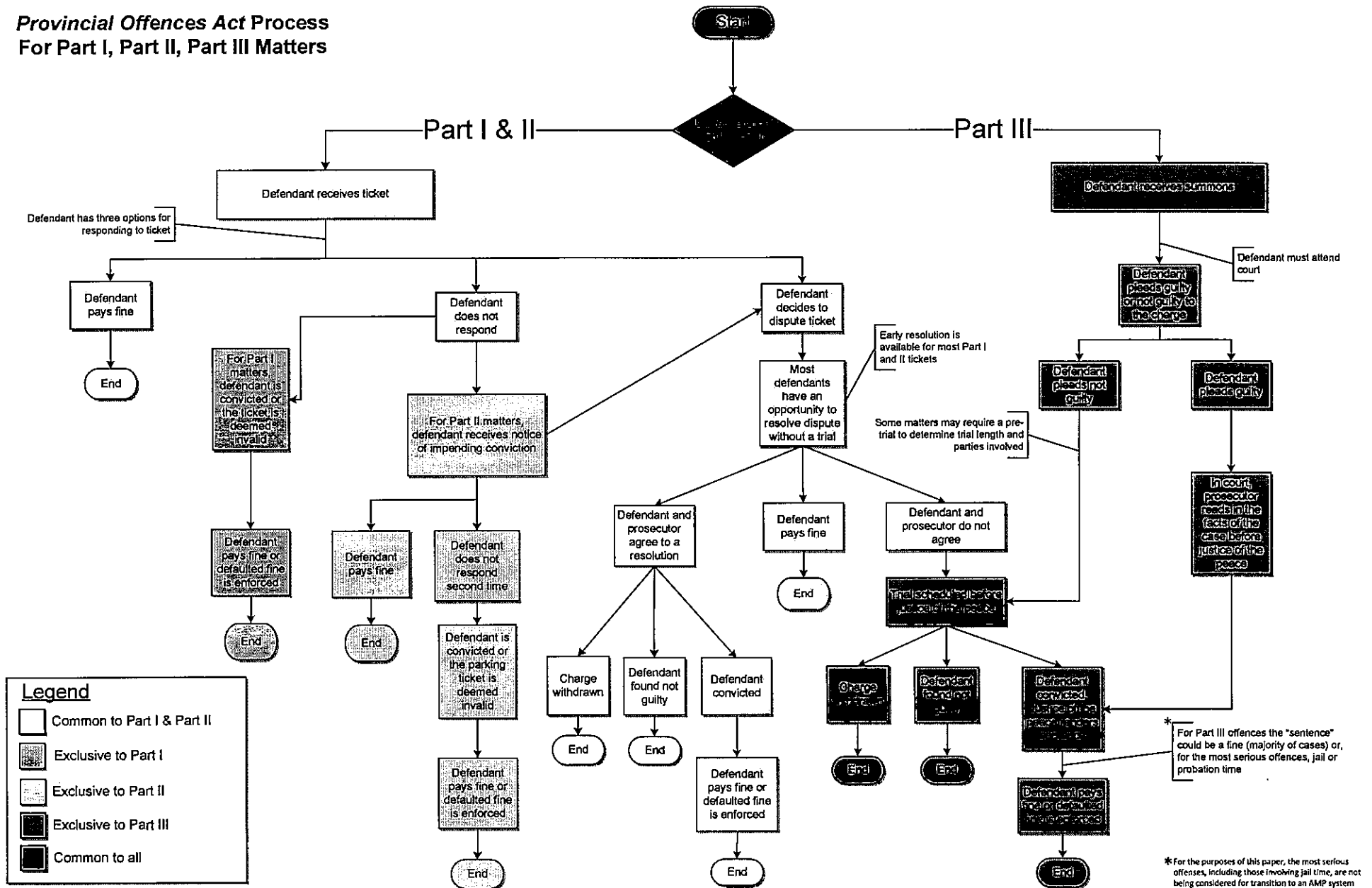
Part III: Serious matters where defendants are required to appear before the court and the maximum penalty could be a significant fine and/or jail time. There were 145,000 charges received in 2014.

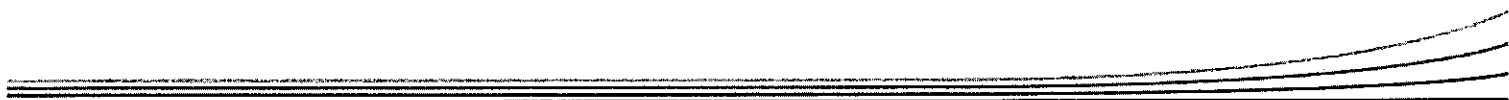
Municipalities administer the courts where provincial offences trials are heard. Justices of the peace adjudicate most provincial offence trials. Some provincial offences trials – usually those pertaining to serious matters— are heard by judges. Depending on the type of charge, prosecutions are conducted by either municipal or provincial prosecutors, or by Crown counsel in the Ministry of the Attorney General.

The following page provides a map of the Part I, Part II, and Part III processes for resolving disputes in the current POA model. For a complete written description of each process, please see the **Provincial Offences Act Process Map-Text Version** which is also posted on the ministry's website. If you require an alternative format to either the map or the written document, you may submit your request to the contact provided in the **submissions** section of this paper.

An Online AMP System for Infractions of Provincial Statutes and Municipal By-Laws

Provincial Offences Act Process For Part I, Part II, Part III Matters







TOWNSHIP OF EAST GARAFRAXA

DATE: May 12, 2015

MOVED BY

Tom Pinkney

SECONDED BY

John Stirk

BE IT RESOLVED THAT

Council do hereby support the resolution passed by the Town of Mono calling for the County of Dufferin in co-operation with the Town of Caledon, to investigate the delivery of the POA service within the County of Dufferin, and that a discussion paper be prepared for the consideration of the County of Dufferin, local Dufferin municipalities, the Town of Caledon and the Province.

CARRIED

Guy Gardhouse
Mayor

Recorded Vote

YEA

NAY

ABSTAIN

Deputy Mayor John Stirk
Councillor Lenora Banfield
Councillor Frances Pinkney
Councillor Tom Nevills
Mayor Guy Gardhouse

☐
☐
☐
☐
☐

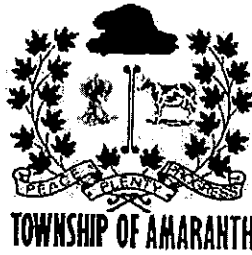
☐
☐
☐
☐
☐

☐
☐
☐
☐
☐

Info 5 -

MAY 21 2015

BEN RYZEBOL, Director of Public Works
PUBLIC WORKS - TELEPHONE: (519) 941-1065
FAX: (519) 941-1802
email: bryzebol@amaranth.ca



SUSAN M. STONE, C.A.O./Clerk-Treasurer
TELEPHONE: (519) 941-1007
FAX: (519) 941-1802
email: suestone@amaranth-eastgary.ca

374028 6TH LINE, AMARANTH, ONTARIO
L9W 0M6

May 6, 2015

Keith McNenly
Chief Administrative Officer and Clerk
Town of Mono
347209 Mono Centre Road
Mono, ON L9W 6S3

Dear Mr. McNenly:

Re: POA Service Delivery within the County of Dufferin

At the regular meeting of Council held May 6, 2015, the following resolution was set forth:

Moved by J. Aultman – Seconded by G. Little

Resolved that Council do hereby support the resolution passed by the Town of Mono calling for the County of Dufferin in co-operation with the Town of Caledon to investigate the delivery of the POA service within the County of Dufferin, and that a discussion paper be prepared for the consideration of the County of Dufferin, local Dufferin municipalities, the Town of Caledon and the Province. **Carried.**

Should you require anything further please do not hesitate to contact this office.

Yours truly,

Susan M. Stone, A.M.C.T.
CAO/Clerk-Treasurer
Township of Amaranth

SMS/kp

cc: County of Dufferin
Town of Caledon
Ministry of the Attorney General

Ind66 -

MAY 21 2015

CORPORATION OF THE

township of mulmur

758070 2nd Line East

Mulmur ON L9V 0G8

TELEPHONE: 705-466-3341 • FAX: 705-466-2922



May 7, 2015

Mr. Keith McNenly
CAO/Clerk
Town of Mono
347209 Mono Centre Road,
Mono, Ontario. L9W 6S3

Dear Mr. McNenly:

Re: Provincial Offences Act Administration

Mulmur Township Council at their meeting on May 6th, passed the following motion;

That the Council of the Township of Mulmur support the resolution passed by the Town of Mono calling for the County of Dufferin in co-operation with the Town of Caledon to investigate the delivery of the POA service within the County of Dufferin, and that a discussion paper be prepared for the consideration of Dufferin County, local Dufferin municipalities, the Town of Caledon and the Province.

Should you have any questions, please do not hesitate to contact me.

Yours truly, -

Terry Horner, AMCT

CAO/Clerk.

- c. Dufferin County Municipalities
- Town of Caledon
- Ministry of the Attorney General

Info 7 -

MAY 21 2015

GRCA Current



May 2015 • Volume 20 Number 4

GRCA General Membership

Chair	Jane Mitchell
Vice-Chair	Vic Prendergast
Townships of Amaranth, East Garafraxa, Melancthon and Southgate and Town of Grand Valley	Guy Gardhouse
Townships of Mapleton and Wellington North	Pat Salter
Township of Centre Wellington	Kelly Linton
Town of Erin, Townships of Guelph/Eramosa and Puslinch	Chris White
City of Guelph	Bob Bell, Mike Salisbury
Region of Waterloo	Les Armstrong, Sue Foxton, Helen Jowett, Geoff Lorentz, Jane Mitchell, Joe Nowak, Wayne Roth, Sandy Shantz, Warren Stauch, Wayne Wettlaufer
Municipality of North Perth and Township of Perth East	George Wicke
Halton Region	Cindy Lunau
City of Hamilton	Jeanette Jamieson
Oxford County	Bruce Banbury
County of Brant	Brian Coleman, Shirley Simons
City of Brantford	Vic Prendergast
Haldimand and Norfolk Counties	Bernie Corbett, Fred Morison



www.grandriver.ca

Successful Brant Park burn

Perfect weather led to a very successful prescribed burn on six hectares of mature tallgrass prairie habitat at Brant Park April 12.

Burns are held periodically to create or improve tallgrass prairie habitat at specific locations on GRCA land. Tallgrass prairies require occasional fires to remove non-native invasive plants and woody plants and help germinate native prairie seeds.

The GRCA hires an experienced contractor to develop and carry out these burns. This will help bring back native species such as little bluestem, Indian prairie grass, green milkweed, round-headed

bushclover and wild bergamot, as well as provide habitat for native wildlife.

Burns require very specific conditions and must be carried out during early April when the weather is dry. Burns have taken place at Brant Park in 2006, 2008 and 2010.

Osprey cam operating

A new webcam is giving watershed residents a bird's eye view of an osprey family living near the gatehouse at Belwood Lake Park.

The nest has been occupied by osprey for several years. A breeding pair arrived back at the Belwood nest on April 8, when the camera had already been put in place.

The live feed was set up on April 25 and at that time, the osprey were sitting on the nest which had two eggs. The camera is now operational and there are three eggs in the nest. The live feed can be viewed at www.grandriver.ca/osprey.

This webcam is a special project that helps people connect with nature, and it generated a lot of interest when it was announced on social media even before the camera went live. Donations were solicited for the set-up cost.

Osprey numbers declined between 1940 and 1970 as a result of eggshell thinning and egg mortality which has been linked to DDT and other

compounds used in pesticides. After DDT was banned in 1972, osprey have come back.

Based on the dates the eggs appeared, they should hatch sometime close to June 2.

Water Festivals

The Grand River Conservation Authority is a proud partner in three children's water festivals that all take place this month and all are celebrating significant anniversaries this year.

The Waterloo Wellington Children's Groundwater Festival (May 25 to 29) turns 20 and was among the first in Ontario. Over the past 20 years, this festival has educated 80,000 Grade 2 to 5 students at Doon Heritage Village and the Waterloo Region Museum in Kitchener. Water consumption is well under the Canadian average for both these municipalities, and the festival has helped bring about that change. The Brantford/Brant Children's Water Festival May 12 to 14 turns 10 this year. It is exclusively for Grade 4 students and about 15,000 from Brantford, Brant and Six Nations have attended this event through the years.

The toddler of the trio is the Haldimand Children's Water Festival which took place for the first time last fall at Taquanyah Nature Centre, Cayuga. This year it will be held in September for the second time with funding committed for the next three years.

While the GRCA assists with these festivals, funding comes from donors.

Source protection consultation complete

All public consultation meetings for updates to the Grand River Source Protection and the Long Point Region Source Protection Plan are now complete.

Revised plans will be submitted to the Source Protection Authority in June 2015, with submission to the Ministry of Environment and Climate Change to follow.

The Ministry has confirmed funding for this

Grand River Conservation Authority

Info - MAY 21 2015

program for the 2015/16 fiscal year, with \$572,000 allocated to staffing and \$909,000 allocated to Tier 3 Water Quantity Risk Assessments.

New Guelph agreement

The GRCA and the City of Guelph have negotiated a new updated maintenance agreement for recreational use of GRCA land within the city limits.

The GRCA has 63 different municipal maintenance agreements across the watershed, many of which date back 30 to 50 years. Four previous agreements with the City of Guelph have expired. The new agreement replaces these four agreements. It also clearly outlines the responsibilities of Guelph for maintaining those lands.

Most GRCA lands are passive parkland, but some have become more actively used with sports fields, playgrounds, trails and swimming facilities. The GRCA owns some land along the rivers and Hanlon Creek Conservation Area within Guelph.

Over the next five years, the GRCA and Guelph will work together to evaluate all the lands and related water infrastructure and determine if the GRCA or the City are the appropriate landowners.

The GRCA owns 19,400 hectares within the watershed, including urban parkland. Many of these land parcels were acquired for flood control purposes or were purchased by the GRCA at the request of the municipality with provincial grants for land acquisition that are no longer available.

Normal weather in April

Precipitation was close to or above average for April, allowing the GRCA to fill the reservoirs to seasonal levels.

Temperatures were 5.8 degrees, which is very close to the long-term average. Daytime highs were above freezing and reached 20 degrees C April 13, however it snowed April 23.

Higher stream flows helped bring the reservoir levels back to their normal operating range. All of the large reservoirs have met the filling target level for April 1 and are on target for May 1.

Lake Erie was slightly below the long-term average at the end of the month. Ice cover on the lake gradually melted throughout the

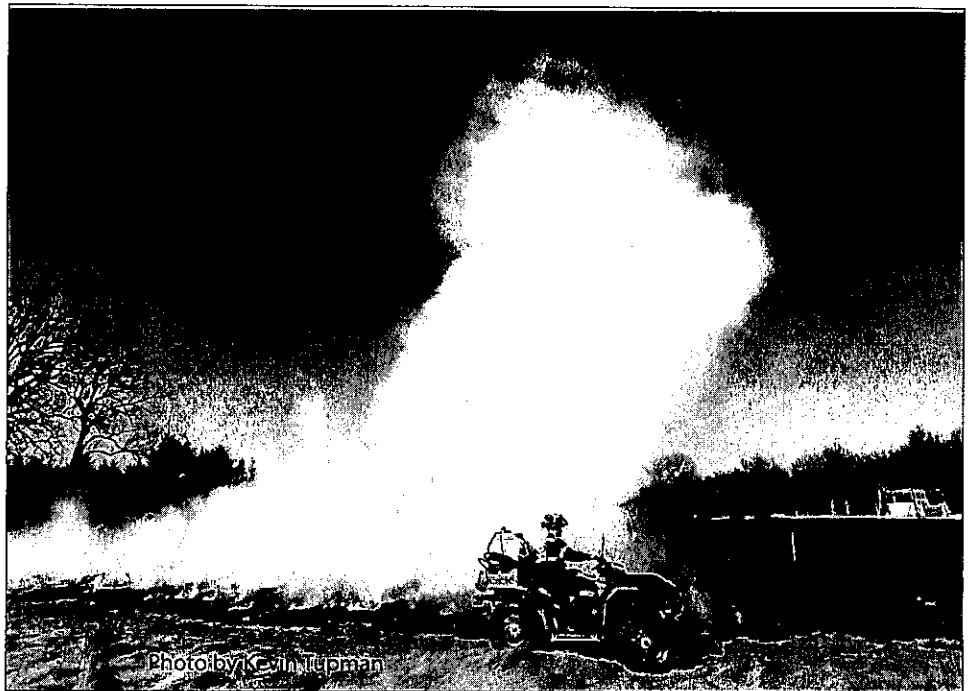


Photo by Kevin Lipman
A successful controlled burn took place at Brant Park in April to improve the tallgrass prairie habitat. The burn kills invasive plants and gives a boost to native vegetation. This area of the park has been burned in previous years.

month with no ice left at the end of April.

Two watershed conditions statements were issued in April, both for water safety. The first was issued April 2 and warned of rising water levels from precipitation and melting snow. The second on April 9 was based on a forecast of 35 mm of rain. No major flooding occurred during either event.

Foundation turns 50

The Grand River Conservation Foundation dates back 50 years to April 12, 1965, when it received its letters patent from the province.

Over the years it has raised \$11 million for GRCA-related projects and programs. It is gaining momentum, with \$1 million raised in each of the last three years.

As of April, the GRCF has a new logo. The update will help prepare for the next 50 years. The new logo continues themes of water, land and trees, with a new modern twist.



Grand River
CONSERVATION FOUNDATION

Parks opened May 1

Grand River Parks opened for business May 1 and will close Oct. 15.

The weather on opening weekend was ideal and the camping reservation system is fully functional.

This issue of *GRCA Current* was published in May 2015.

It is a summary of the April 2015 business conducted by the Grand River Conservation Authority board and committees as well as other noteworthy happenings and topics of interest.

The Grand River Conservation Authority welcomes the photocopying, forwarding and distribution of *GRCA Current*.

Next board meeting:
May 22 at 9:30 a.m.,
GRCA Administration Centre.

Subscribe to GRCA Current:
GRCAcurrent-subscribe@grandriver.ca

Meeting reports
www.grandriver.ca/MeetingReports

Coming events:
www.grandriver.ca/Calendar

Grand Actions newsletter:
www.grandriver.ca/GrandActions

**Ministry of
Transportation**

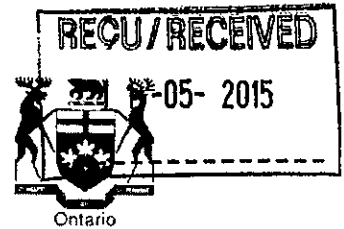
Office of the Minister

Ferguson Block, 3rd Floor
77 Wellesley St. West
Toronto, Ontario
M7A 1Z8
416-327-9200
www.ontario.ca/transportation

**Ministère des
Transports**

Bureau du ministre

Édifice Ferguson, 3^e étage
77, rue Wellesley ouest
Toronto (Ontario)
M7A 1Z8
416-327-9200
www.ontario.ca/transports



M2015-1860

May 4, 2015

His Worship Darren White
Mayor
Township of Melancthon
157101 Highway 10
Melancthon ON L9V 2E6

Dear Mayor White:

The Auditor General released her report on winter highway maintenance in Ontario on April 29, 2015. We thank her for this thorough and thoughtful review, and her recommendations. While we have already taken action on many of them, we continue to work with our contractors and the OPP to improve highway snow clearing operations.

Being able to travel safely on our highways is very important to Ontarians, and at the Ministry of Transportation (MTO) it's our top priority. Over the past few years, MTO has worked to improve the quality of highway snow clearing by adding more than 100 pieces of equipment. We've also strengthened our oversight and enhanced the way we plow truck climbing and passing lanes, and freeway ramps and shoulders. In the coming months, we'll be doing more to make driving conditions better in winter 2015/16.

The Auditor General's report provides eight recommendations to the ministry. These recommendations identify improvements to how maintenance contracts are awarded; oversight of highway maintenance contractors; the effective use of equipment, sand, salt or anti-icing liquid to achieve the ministry's snow clearing standards; contractors' patrolling and reporting; and improved communications with the public on winter driving conditions and winter maintenance performance.

As a ministry, we have a lot of work to do and so do our contractors. I will be meeting with them in person as soon as possible to determine how we can work together to improve this program and their performance.

.../2

Info-9 -

MAY 21 2015

Further, I have directed ministry staff to provide me with an action plan within 60 days that outlines ways to further strengthen and improve winter maintenance, while addressing the Auditor's recommendations, to ensure that we are doing everything possible to provide Ontarians with safe highway conditions. I will make that action plan public.

I have heard from some municipalities regarding how winter maintenance has improved this past winter season but there is more we need to do. I look forward to reporting back on our action plan, our progress implementing the Auditor's recommendations and the additional steps we will be taking to enhance winter maintenance in Ontario.

Sincerely,

A handwritten signature in black ink, appearing to read 'Steven Del Duca', with a stylized, cursive script.

Steven Del Duca
Minister

Denise Holmes

From: South Georgian Bay Lake Simcoe Source Protection Region <swp@ourwatershed.ca>
Sent: May-13-15 12:01 PM
To: dholmes@melancthontownship.ca
Subject: Shelburne Well Supply Changes: Public Consultation



Dear Denise Holmes,

Please share this with your members of council immediately.

Pursuant to requirements under the Clean Water Act, we are sending this notice to advise of amendments to the technical Assessment Report for the Nottawasaga Valley Source Protection Area of the South Georgian Bay Lake Simcoe Source Protection Region.

As you probably already know, over the past few years, the municipal well supplies in Shelburne have undergone some changes. The addition of Well 7 (located just west of Town limits, in the Township of Melancthon) and the decommissioning of Well 2 (Dufferin Street, south of Highway 89) have required that we update the Nottawasaga Valley technical Assessment Report to capture local information about water supplies and potential threats.

As such, the Assessment Report chapter for Shelburne in the Nottawasaga Valley Area of South Georgian Bay Lake Simcoe Source Protection Region has been updated to reflect the changes. The updated chapter can be found online here:

http://www.ourwatershed.ca/documents/assessment_reports.php

The main changes that have resulted include:

1. Addition of vulnerable areas around the new well (Well 7).
2. Removal of vulnerable areas for the well that has been decommissioned (Well 2).
3. Changes to the vulnerable areas for the existing wells as a result of #1 and #2 above.
4. Approved Source Protection Plan policies will apply in the updated vulnerable areas

We are reaching out to you to advise that changes have taken place and to let you know that we are engaging in a public consultation with area residents about the changes.

We will be placing advertisements in your local newspaper, the Shelburne Free Press, in its May 14 and 21 editions. We are posting the information on our website and we are visiting properties in the newly identified vulnerable areas. The consultation period runs from May 14 to June 19, 2015.

If you have any questions about this communication, feel free to contact Ryan Post at the Nottawasaga Valley Source Protection Authority. He can be reached at

r.post@nvca.on.ca or 705-424-1479, ext 249.

Sincerely,

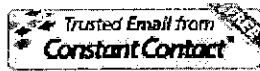


Lynn Dollin, Chair, Source Protection Committee
South Georgian Bay Lake Simcoe Source Protection Region

Forward this email

 **SafeUnsubscribe™**

This email was sent to dholmes@melancthontownship.ca by swp@ourwatershed.ca |
[Update Profile/Email Address](#) | Rapid removal with [SafeUnsubscribe™](#) | [Privacy Policy](#).



Try it FREE today.

South Georgian Bay Lake Simcoe Source Protection Region | 120 Bayview Parkway |
Newmarket | Ontario | L3Y 3W3 | Canada

Total Control Panel

[Login](#)

To: dholmes@melancthontownship.ca

Message Score: 2

High (60):

Pass

From:

abndsuwv2qt+hessilesluw=1105697511064_oivpcgcgeeoc19suorceq=@in.constantcontact.com

My Spam Blocking Level:
High

Medium (75):

Pass

Low (90):

Pass

[Block](#) this sender

[Block](#)

in.constantcontact.com

This message was delivered because the content filter score did not exceed your filter level.



THE CORPORATION OF THE TOWN OF SHELBURNE
NOTICE OF COMPLETE APPLICATION AND PUBLIC MEETING
UNDER SECTIONS 34 AND 51 OF THE PLANNING ACT REGARDING A REQUESTED AMENDMENT TO THE TOWN OF SHELBURNE ZONING BY-LAW
AND A PROPOSED PLAN OF SUBDIVISION (GREENBROOK VILLAGE PHASE 8)

Take notice that the Council of the Corporation of the Town of Shelburne has received a complete application for a Draft Plan of Subdivision and Zoning By-law Amendment and will hold a public meeting on:

MONDAY, JUNE 8, 2015

The public meeting is scheduled to start at 7:00 p.m., or as shortly thereafter as possible, and will be held in the Council Chambers at the Municipal Office, 203 Main Street East, Shelburne.

The purpose of the meeting is to consider a proposed Draft Plan of Subdivision and related Amendment to the Town of Shelburne Zoning By-law No. 38-2007. Take notice that the application has been deemed complete so that it can be circulated and reviewed.

The land subject to these applications is part of the Greenbrook Village subdivision known as "Phase 8" and is legally described as Part of the East Half of Lot 2, Concession 2, Plan 7M-49, Blocks 91 & 94 in the Town of Shelburne, County of Dufferin. The subject land has a total area of approximately 2.89 hectares (7.14 acres) previously registered as two future development blocks. The subject land is designated as 'Residential' in the Town of Shelburne Official Plan and is currently zoned 'Development - D' in the Town of Shelburne Zoning By-law No. 38-2007. The accompanying map illustrates the location of the land subject to the proposed zoning amendment and plan of subdivision.

Application for Zoning By-law Amendment (File No. Z15/01)
The purpose of the requested amendment to the Town's Zoning By-law is to re-zone the subject land from Development (D) Zone to Residential Type Three (R3) Zone to permit the proposed single detached dwellings.

Application for Plan of Subdivision (File No. DPS15/01)
The purpose of the proposed plan of subdivision is to create 45 lots for the development of single detached dwellings, with 31 of the proposed lots having a minimum frontage of 12.2 metres and 14 lots having a minimum lot frontage of 13.1 metres. The proposed Draft Plan of Subdivision is shown below. Wansburgh Way currently provides access to the subject land from County Road 124 to the east. Halbert Drive and Hammond Street currently terminate in temporary turning circles to the west of the subject land. Access to the proposed 45 new lots will require the removal of the two existing temporary turning circles to allow for the extension of Halbert Drive and Hammond Street connected to Wansburgh Way via new 20 metre right-of-way. At the time of this Notice, the County of Dufferin is the approval authority for the draft plan of subdivision application. On May 13, 2015, the County requested as per section 51(20) of the Planning Act that the Town provide notification and hold a public meeting for this application.

At the meeting you will be given an opportunity to ask questions and indicate whether you support or oppose the applications for a Draft Plan of Subdivision and Zoning By-law Amendment. Written submissions will be accepted by the Clerk of the Town of Shelburne up to the time of the Public Meeting and will be given consideration by the Council prior to a decision being made.

If a person or public body does not make oral submissions at a public meeting, or make written submissions to the Clerk of the Town of Shelburne before the zoning by-law is passed, or to the Clerk of the County of Dufferin and the Clerk of the Town of Shelburne in respect of the proposed plan of subdivision before the approval authority gives or refuses to give approval to the draft plan of subdivision, the person or public body is not entitled to appeal the decision of the Council of the Town of Shelburne or the County of Dufferin to the Ontario Municipal Board.

If a person or public body does not make oral submissions at a public meeting, or make written submissions to the Clerk of the Town of Shelburne before the zoning by-law is passed, or to the Clerk of the County of Dufferin and the Clerk of the Town of Shelburne in respect of the proposed plan of subdivision before the approval authority gives or refuses to give approval to the draft plan of subdivision, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

If you wish to be notified of the decision of the approval authority in respect of the proposed plan of subdivision, you must make a written request to the Clerk of the County of Dufferin, 55 Zina Street, Orangeville, Ontario, L9W 1E5. At the date of this Notice, the County of Dufferin is the approval authority for plans of subdivision in the Town of Shelburne. Changes to the approval authority for plans of subdivision are being considered, and therefore all requests to be notified and submissions addressed to the County of Dufferin pursuant to this Notice must also be addressed to the Clerk of the Town of Shelburne.

If you wish to be notified of the passing of the zoning by-law, or refusal of the zoning by-law, you must make a written request to the Town of Shelburne at the address below.

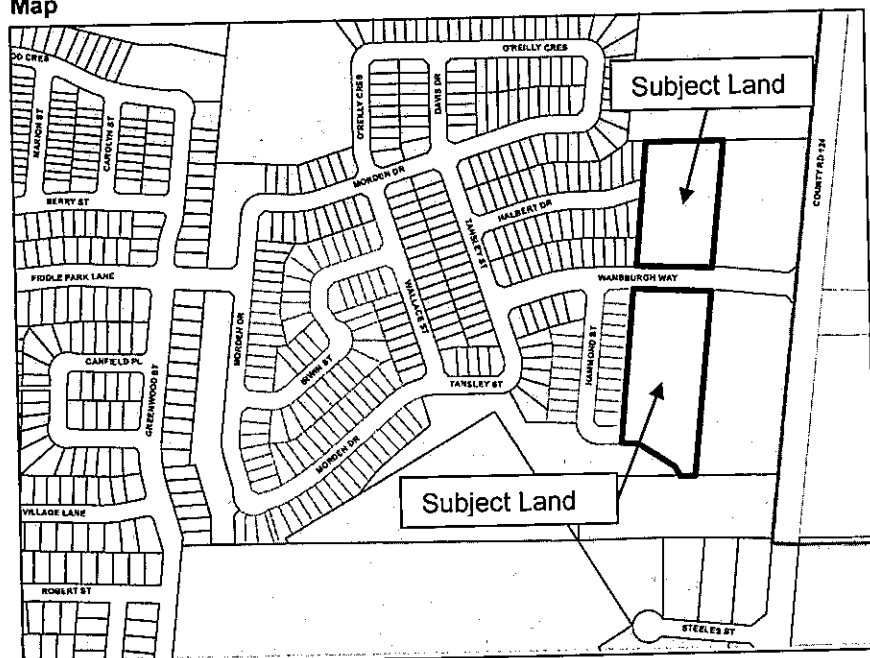
Additional information relating to the proposed Draft Plan of Subdivision and Zoning By-law Amendment is available for inspection at the Town of Shelburne Municipal Office at 203 Main Street East, during normal office hours, 8:30 a.m. to 4:30 p.m. and on the Town's website at www.shelburne.ca.

Dated at the Town of Shelburne on the 14th day of May, 2015.

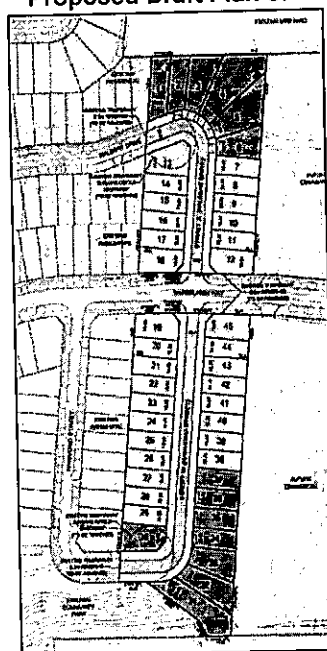
John Telfer, CAO/Clerk
Town of Shelburne
203 Main Street East
Shelburne, Ontario
L9V 3K7

Phone: 519-925-2600
Fax: 519-925-6134

Map



Proposed Draft Plan of



Infoll - MAY 21 2015

May 12, 2015

VIA EMAIL

Ms. Denise B. Holmes, AMCT
CAO/Clerk
Township of Melancthon
157101 Highway 10
Melancthon, Ont.
L9V 2E6

Dear Ms. Holmes:

**Preparation of a
Consolidated Edition of the
Approved Official Plan**

Now that the Ministry has modified and approved the new Official Plan, a consolidated edition of that Plan incorporating the modifications should be prepared for use by the Township and the public. In view of the Township's appeal of three parts of the Plan, this can either be done now with the appealed sections identified in the Plan or it can be held until there is a decision on the appeal.

If you wish to proceed with this work now, I can provide the computer file of the text of the Plan for Township staff use in preparing the consolidated edition. It would be preferable if I could have an opportunity to review the new edition of the Plan's text before it is finalized for printing and posting on the Township website. Alternatively, if you would prefer, I could prepare the consolidated edition of the Plan's text for the Township's review, printing and posting on the website.

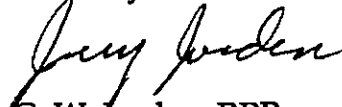
I can have the map schedules to the Plan revised to reflect the Ministry's decision and modifications and provide you with PDF editions. In summary, the map schedule changes would include the following.

1. Schedule D: an area would be removed from the provincially significant wetland category.
2. Schedule E: a "watercourses" category would be added to the legend.

3. Schedule G: would be either marked as being subject to an appeal or the decision on the appeal would be reflected on the schedule.
4. Schedule H: the map title, legend and a portion of the actual map would be revised to reflect the Ministry's modifications
5. All schedules: the date on the schedules would be changed to reference the date of the Ministry's approval.

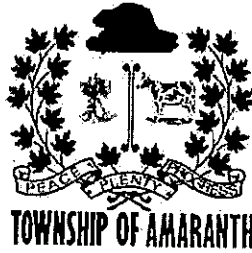
Assuming the work is done now rather than after a decision on the Township's appeal, the estimated costs for this firm's work in assisting to prepare a consolidated up to date edition of the Official Plan would be either \$300 or \$600, plus HST, depending on whether we were to prepare the revised text of the Plan or simply review that text as prepared by the Township.

Sincerely,

A handwritten signature in cursive script, appearing to read "G. W. Jorden".

G. W. Jorden, RPP

BEN RYZEBOL, Director of Public Works
PUBLIC WORKS - TELEPHONE: (519) 941-1065
FAX: (519) 941-1802
email: bryzebol@amaranth.ca



SUSAN M. STONE, C.A.O./Clerk-Treasurer
TELEPHONE: (519) 941-1007
FAX: (519) 941-1802
email: suestone@amaranth-eastgary.ca

374028 6TH LINE, AMARANTH, ONTARIO
L9W 0M6

May 6, 2015

Hon. Kathleen Wynne, Premier
Legislative Building, Queen's Park
Toronto, ON M7A 1A1

Dear Premier Wynne:

Re: Resolution from the Township of Madawaska Valley – Relief for Ontario Hydro One Customers

At the regular meeting of Council held May 6, 2015, the following resolution was set forth:

Moved by C. Gerrits – Seconded by H. Foster

Resolved that Council do hereby support the resolution of the Township of Madawaska Valley calling on Premier Wynne and the Province of Ontario to take immediate action to prevent Hydro One rate increases; and further to bring these rates down to a reasonable level. **Carried.**

Council of the Township of Amaranth would also like to voice their strong opposition to the proposed sale of Hydro One.

Yours truly,

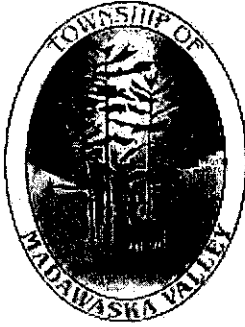
Susan M. Stone, A.M.C.T.
CAO/Clerk-Treasurer
Township of Amaranth

SM5/kp

cc: Mayor K. Love, Township of Madawaska Valley
Sylvia Jones, MPP, Dufferin Caledon

Act 2 -

MAY 21 2015



THE CORPORATION OF THE TOWNSHIP OF MADAWASKA VALLEY

85 Bay Street, P.O. Box 1000, Barry's Bay, Ontario K0J 1B0
TEL: (613) 756-2747 FAX: (613) 756-0553
E-MAIL: info@madawaskavalley.ca

Tuesday, April 7, 2015

Dear Municipal Leader,

The Township of Madawaska Valley recognizes the struggle that many of its ratepayers in our rural area are experiencing with rising hydro rates and feels that, as a collective of municipalities, we must let our voices be heard to the Province. Similar to many municipalities across Ontario, we have an aging community, many on a fixed income, who have a decreasing ability to make ends meet. Similarly, industrial and commercial growth in rural Ontario is becoming increasingly difficult because of rising hydro rates; it is preventing younger families from relocating to our communities to help them grow. To that end, the Council of the Township of Madawaska Valley, at their March 23, 2015 regular meeting of council, passed the following resolution:

Moved by: Councillor Bromwich

14-2303-15

Seconded by: Councillor Archer

23 March 2015

BE IT RESOLVED:

WHEREAS the cost of hydro has doubled and in some cases more than doubled in the past five years; and

WHEREAS the costs of electricity in the Province of Ontario is forcing businesses to consider leaving the area; and

WHEREAS many families are having difficulty keeping up with their monthly payments; and

WHEREAS the Province's Long Term Energy Plan anticipates that consumers will face hydro rates that will rise by 42% over the next five (5) years; and

WHEREAS it is essential that the residents and businesses of the Madawaska Valley to have access to affordable hydro to thrive and prosper; and

WHEREAS Council urges Provincial relief to Ontario Hydro One Customers to reflect the means of rural residents to reasonably access hydro through a review of Provincial policies and their agencies that set Ontario rates for electricity, distribution charges, debt retirement, global adjustments costs and carbon taxes. Council requests, that this review would include consultation with rural and urban municipalities; and

WHEREAS Council reminds Rural municipalities to advocate the investigation by the Ontario Ombudsman regarding the major systemic issues identified by complaints involving overcharging of hydro, an explanation of line items on billing and, resolve of related matters; and

WHEREAS it is imperative that the Province of Ontario review their energy policies and utilize The Rural and Northern Lens advocated by the Rural Ontario Municipal Association to evaluate and assess the needs of rural municipalities so that they can succeed and thrive. Many rural municipalities have a population of 50% or more seniors on fixed incomes who are struggling to keep warm in low population density communities with colder temperatures that do not benefit from the heat retention in

condominium residences and whom are challenged by geography and climate scales. Our core sectors of economic development in our region, lumber mills and farming, are often under-employed and are subject to rates that are higher than other provinces due to impact of high delivery charges and global adjustment fees (that can be up to 2.5 times higher than the actual hydro used) and threaten the sustainability of families and agro-food sectors in rural Ontario; and

WHEREAS all municipalities that have a significant amount of citizens moving into the seasonal residences, that they are encouraged to inform those residents to seek relief from seasonal hydro rates through direct communication of such to their electrical utility provider;

WHEREAS all municipalities should be encouraged to monitor, through specific data categories, smart meter electrical fires and/or smart meter malfunctions that have resulted in explosions, and further to better assess their impact and the potential need of CSA approved meters employing codes and standards used globally by regulators and industry to facilitate safer and more sustainable products.

NOW THEREFORE BE IT RESOLVED THAT the Township of Madawaska Valley CALL ON Premier Wynne and the Province of Ontario to take immediate action to prevent these and any other rate increase from being implemented; and

THAT Premier Wynne and the Province of Ontario be encouraged to do something to bring these rates down to a reasonable level and to do so as quickly as possible; and

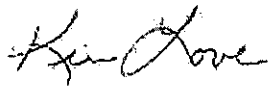
THAT this motion be circulated to all Ontario municipalities for support.

The Township of Madawaska Valley is a smaller municipality, in the western quadrant of Renfrew County with approximately 4300 permanent residents, with a larger summer population. For more information on our municipality, please visit us online at www.madawaskavalley.ca.

Like many rural Ontario municipalities, we are faced with increasing adversity to growth. It is the Council's desire to show support for the Township's homeowners by passing this resolution and asking for immediate relief from the Province.

On behalf of the Council of the Township of Madawaska Valley, please endorse our resolution and send it to the appropriate representatives at Queen's Park.

Sincerely,



Kim Love

Mayor, Township of Madawaska Valley

cc.

Honourable Kathleen Wynne, Province of Ontario

MPP John Yakabuski, Renfrew-Nippissing-Pembroke

Peter Emon, Warden, County of Renfrew

**Notice of Request for Drain Maintenance
and/or Repair**

Drainage Act, R.S.O. 1990, c. D.17, subs. 79(1)

RECU/RECEIVED

To: The Clerk of the Corporation of the Township of Melancthon

Re: Ferguson Drainage Works, D Drain

(Name of Drain)

In accordance with section 74 and 79(1) of the *Drainage Act*, take notice that I, as a person affected by the above mentioned drain, request that it be maintained and repaired.

Provide a brief description of how you are affected by the condition of this drain:

The Ferguson Drainage Works, D Drain has silted in and become obstructed by trees and brush. The drain needs to be cleaned out up to the road culvert on the 3rd Line.

Property Owners:

- Your municipal property tax bill will provide the property description and parcel roll number.
- In rural areas, the property description should be in the form of (part) lot and concession and civic address.
- In urban areas, the property description should be in the form of street address and lot and plan number, if available.

Property Description

Pt. Lot 23, Concession 3 OS

Ward or Geographic Township

Melancthon

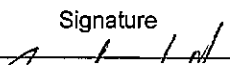
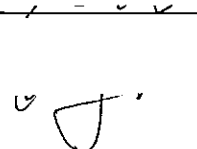
Parcel Roll Number

22-19-000-002-07400-0000

If property is owned in partnership, all partners must be listed. If property is owned by a corporation, list the corporation's name and the name and corporate position of the authorized officer. Only the owner(s) of the property may request drain maintenance and/or repair.

Partnership

Partnership (Each partner in the partnership must complete this section).

Name (Last Name, First Name)	Signature	Date (yyyy/mm/dd)
Roberts, Frank		2015/05/11
Roberts, Mary		2015/05/11

Info 3-

MAY 21 2015

Enter the mailing address and primary contact information:

Last Name Roberts		First Name Frank		Middle Initial W
Mailing Address				
Unit Number	Street/Road Number	Street/Road Name 478170 3rd Line		PO Box
City/Town Melancthon		Province Ontario		Postal Code L9V 1T7
Telephone Number	Cell Phone Number (Optional)		Email Address (Optional)	

To be completed by recipient municipality:

Notice filed this 12th day of May 20 15

Name of Clerk (Last Name, First Name) <u>Holmes, Denise B.</u>	Signature of Clerk <u>Denise B. Holmes</u>
---	---



**Ministry of
Municipal Affairs
and Housing**

Municipal Services Office
Central Ontario
777 Bay Street, 13th Floor
Toronto ON M5G 2E5
Phone: 416-585-6226
Fax: 416-585-6882
Toll-Free: 1-800-668-0230

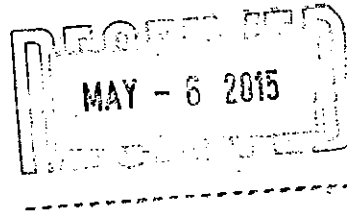
**Ministère des
Affaires municipales
et du Logement**

Bureau des services aux municipalités
Centre de l'Ontario
777, rue Bay, 2nd étage
Toronto ON M5G 2E5
Téléphone: 416-585-6226
Télécopieur: 416-585-6882
Sans frais: 1-800-668-0230



May 1, 2015

Pam Hillock, Clerk
County of Dufferin
55 Zina Street
Orangeville, ON
L9W 1E5



Dear Ms. Hillock:

**Subject: County of Dufferin Official Plan
MMAH File #: 22-OP-143362**

Further to the Notice of Decision given on March 27, 2015 under subsection 17(34) of the *Planning Act* with respect to the approval of the new Dufferin County Official Plan, this letter is intended to provide you with the status of the decision on the Official Plan pursuant to subsections 17(36) and (38) of the *Planning Act* which pertain to appeals, when decisions become final, and when approvals come into effect.

I am pleased to advise that, with the exception of the parts noted below, the County of Dufferin Official Plan is now in effect.

Three appeals have been lodged within the 20-day appeal period. These appeals are specific to the following parts of the Official Plan:

- Section 5.4 – Water Resources and Source Water Protection,
- Schedule D, Mineral Aggregate Resource Areas – only as it relates to lands described as Part Lot 30, Lot 31 and 32, Concession 4, E.H.S., Town of Mono, and
- Appendix 2, Source Water Protection.

The remainder of the County Official Plan as modified by the Minister is in effect, in accordance with subsection 17(38) of the *Planning Act*, which states:

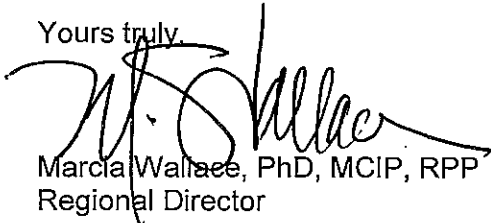
- “(38) **Decision final** - If no notice of appeal is filed under subsection (36) in respect of all or part of the decision of the approval authority and the time for filing appeals has expired,
- (a) the decision of the approval authority or the part of the decision that is not the subject of an appeal is final; and
 - (b) the plan or part of the plan that was approved and that is not the subject of an appeal comes into effect as an official plan or part of an official plan on the day after the last day for filing a notice of appeal.”

In accordance with subsections 17(2) and (4) of *Planning Act* the County of Dufferin is now the approval authority in respect of the official plans of its lower tier municipalities. Similarly, in accordance with subsections 51(5) and (5.1) of the *Planning Act*, the County is now the approval authority the purposes of sections 51 and 51.1 pertaining to subdivision of land. Furthermore, pursuant to section 9 of the *Condominium Act*, 1998, the County is responsible for condominium descriptions (in addition to plans of subdivision).

Please note that under separate cover, we will provide you with details pertaining to in-process applications that will be transferred to the County for a decision, and provide guidance regarding the Municipal Plan Review and One Window Planning Service processes.

If you require further clarification or have any questions, please contact Sybelle von Kursell at (416) 585-6053.

Yours truly,

A handwritten signature in black ink, appearing to read 'M. Wallace', is written over the typed name and title.

Marcia Wallace, PhD, MCIP, RPP
Regional Director

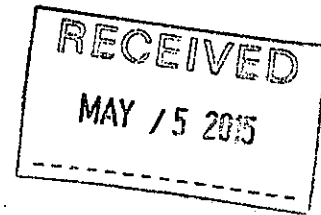
- c. Those on the Decision Notification List
Toronto and Region Conservation Authority
John Alati, on behalf of Valley Grove Investments Inc. and Hamount Investment Inc. (Appellant)

**Ministry of
Municipal Affairs
and Housing**

Municipal Services Division
777 Bay Street – 13th Floor
Toronto ON M5G 2E5
Telephone: 416 585-6226
Fax: 416 585-6882
Toll-Free: 1-800-668-0230

**Ministère des
Affaires municipales
et du Logement**

Division des services municipaux
777, rue Bay, 13^e étage
Toronto ON M5G 2E5
Téléphone: 416 585-6226
Télécopieur: 416 585-6882
Sans frais: 1-800-668-0230



May 1, 2015

Ms. Joanne Hayes
Registrar/Secretary
Ontario Municipal Board
655 Bay Street, Suite 1500
Toronto ON M5G 1E5

Dear Ms. Hayes:

**Re: County of Dufferin Official Plan
MMAH File No.: 22-OP-143362-DCOP 2014**

On behalf of the Ministry of Municipal Affairs and Housing, and pursuant to section 17(42) of the *Planning Act* ("the Act"), I hereby forward to you Notices of Appeal, attached to this record, filed against this Ministry's decision to approve the first Official Plan for the County of Dufferin.

The Official Plan will guide land use planning and development within the whole County of Dufferin. The Official Plan establishes policy direction on matters of County significance such as growth management, the promotion of economic development objectives, and the natural environment and resources.

The Official Plan applies to all lands within the County of Dufferin (Amaranth Township, East Garafraxa Township, Town of Grand Valley, Town of Orangeville, Melancthon Township, Town of Mono, Mulmur Township and Town of Shelburne).

The Official Plan was adopted by By-law No. 2014-31 on September 11, 2014 and was submitted to the Ministry for approval, pursuant to subsection 17(31) of the Act. On March 25, 2015, the Minister of Municipal Affairs and Housing made a decision to approve the Official Plan with modifications. On March 27, 2015, a Notice of Decision was issued, pursuant to subsection 17(35) of the Act.

The last date for appeal was **Monday, April 16, 2015**.

The Ministry received **three (3)** Notices of Appeal within the 20-day appeal period. The appeals are to **parts** of the Official Plan.

Please note that based on the review of the County's record, the following appellants did not make a submission either oral or written to the County Council prior to adoption of the Official Plan:

1682843 Ontario Limited c/o Sam Greenwood, and
Valley Grove Investments Inc. and Hamount Investments Inc.

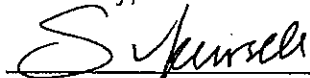
List of Materials

Section 17(42) of the *Planning Act* and section 9 of O. Reg. 543/06 direct the approval authority to forward specific materials to the Board. As such, in addition to a copy of this cover letter and Board Form R1, the items below are attached according to the corresponding tabs:

Tab 1	All original copies of notices of appeal and reasons for appeal, with an indication of the date on which the notice was filed – pursuant to subsection 9(2) of O. Reg. 543/06. The fee paid by Appellants and made payable to the Minister of Finance is affixed to the Notices of Appeal.
Tab 2	Certified copies of both the by-law adopting the proposed OPA and the adopted OPA.
Tab 3	A copy of the approval authority's notice of decision and decision – pursuant to subsection 9(1) of O. Reg. 543/06.
Tab 4	A list of suggested names and addresses of persons and agencies to be notified of the OMB hearing.
Tab 5	A copy of the Ministry Staff Report – pursuant to subsection 9(7) of O. Reg. 543/06.
Tab 6	One original record received by the approval authority – pursuant to subsection 9(3) of O. Reg. 543/06.
Tab 7	A statement from an employee of the approval authority as to whether the decision of the council, planning board or approval authority, i. is consistent with the policy statements issued under subsection 3(1) of the <i>Act</i> ; and ii. conforms to or does not conflict with any applicable provincial plan or plans. Pursuant to subsection 9(5) of O. Reg. 543/06.
Tab 8	A sworn declaration made by an employee of the approval authority certifying that the requirements for giving notice of the decision under subsection 17(35) of the <i>Act</i> have been complied with – pursuant to subsection 9(4) of O. Reg. 543/06.

I trust that you will find the enclosed satisfactory. Please feel free to contact me at (416) 585-6063 should you have any questions.

Sincerely,



Sybelle von Kursell, MCIP RPP
Team Lead, Community Planning and Development
Central Municipal Services Office

Enclosures

cc.: Pam Hillock, Clerk, County of Dufferin (letter only)
Irvin Shachter, MAH Legal Services Branch (letter with enclosures on CD)
Karen Partanen, Team Lead, One Window Planning Office, MAH (letter only)
Gord Miller, Environmental Commissioner of Ontario (letter only)
Sonya Pritchard, County of Dufferin (letter only)
Sue Stone, Townships of Amaranth and East Garafraxa (letter only)
Keith J. McNenly, Town of Mono (letter only)
Susan Greatrix, Town of Orangeville (letter only)
John Telfer, Town of Shelburne (letter only)
Jane M. Wilson, Town of Grand Valley (letter only)
Denise Holmes, Township of Melancthon (letter only)
Terry Horner, Township Mulmur (letter only)

TOWNSHIP OF MELANCTHON
NOTICE OF RECEIPT OF A COMPLETE APPLICATION
FOR A ZONING BY-LAW AMENDMENT
AND
NOTICE OF A PUBLIC MEETING CONCERNING A RELATED
PROPOSED ZONING BY-LAW AMENDMENT

TAKE NOTICE that the Township of Melancthon has received a complete application to amend Municipal Zoning By-law 12-79, as amended. The purpose of the rezoning is to amend the Township's Comprehensive Zoning By-law to zone lands located in Lot 25, Concession 3, O.S., that were the subject of a recent severance approval.

AND PURSUANT to Section 34 (12) of the Planning Act, the Zoning By-law amendment application file is available for review at the Township Office. Please contact the Township Clerk to arrange to review this file.

NOTICE OF PUBLIC MEETING WITH COUNCIL

TAKE NOTICE that the Council for the Corporation of the Township will be holding a Public Meeting under Section 34 of the Planning Act, R.S.O. 1990, c.P. 13, as amended, to explain the proposed Zoning By-law amendment as described below and to receive public comments on it.

DATE AND LOCATION OF THE PUBLIC MEETING

Date: Thursday, May 21, 2015
 Time: 6:30 p.m.
 Location: Township of Melancthon Municipal Office (Council Chambers)

DETAILS OF THE ZONING BY-LAW AMENDMENT

The application affects lands located in Lot 25, Concession 3, O.S. in the Township of Melancthon. A key map has been appended to this Notice to identify the subject lands.

The purpose of the proposed By-law is to amend Restricted Area (Zoning) By-law No. 12-79, as amended, to rezone lands that were the subject of consent application B7/14. The By-law would implement two approval conditions for that application. The severance would create a lot containing an existing residence which is surplus to the needs of the land owner as a result of farm consolidation. The By-law would rezone that proposed lot from the General Agricultural (A1) zone to the Rural Residential (RR) zone to permit its continued use for a detached dwelling. The By-law would also rezone the retained lands, as identified in the consent application, from the General Agricultural (A1) zone to the General Agricultural Exception (A1-128) zone. All uses permitted in the A1 zone would be permitted in the A1-128 zone except that a dwelling would be prohibited in compliance with the requirements of the Provincial Policy Statement for surplus dwelling severances. The effect of the proposed By-law would be to recognize the residential use of the severed lot and to permit agriculture on the retained lands while prohibiting any new dwelling on those retained lands.

Information relating to this application is available at the Township of Melancthon Municipal Office for public review during regular office hours.

FURTHER INFORMATION AND MAP OF LAND SUBJECT TO THE APPLICATION

Key maps have been appended identifying the lands that are subject to this amendment.

The purpose of this meeting is to ensure that sufficient information is made available to enable the public to generally understand the proposed Zoning By-law Amendment. Any person who attends the meeting shall be afforded an opportunity to make representations in respect of the proposed amendment.

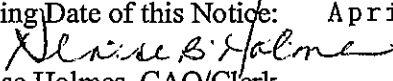
If you wish to be notified of Township Council's decision in respect to the proposed Zoning By-law Amendment, you must submit a written request (with forwarding addresses) to the Clerk of the Township of Melancthon at 157101 Highway 10, Melancthon, Ontario, L9V 2E6. Phone: (519) 925-5525. Fax (519) 925-1110

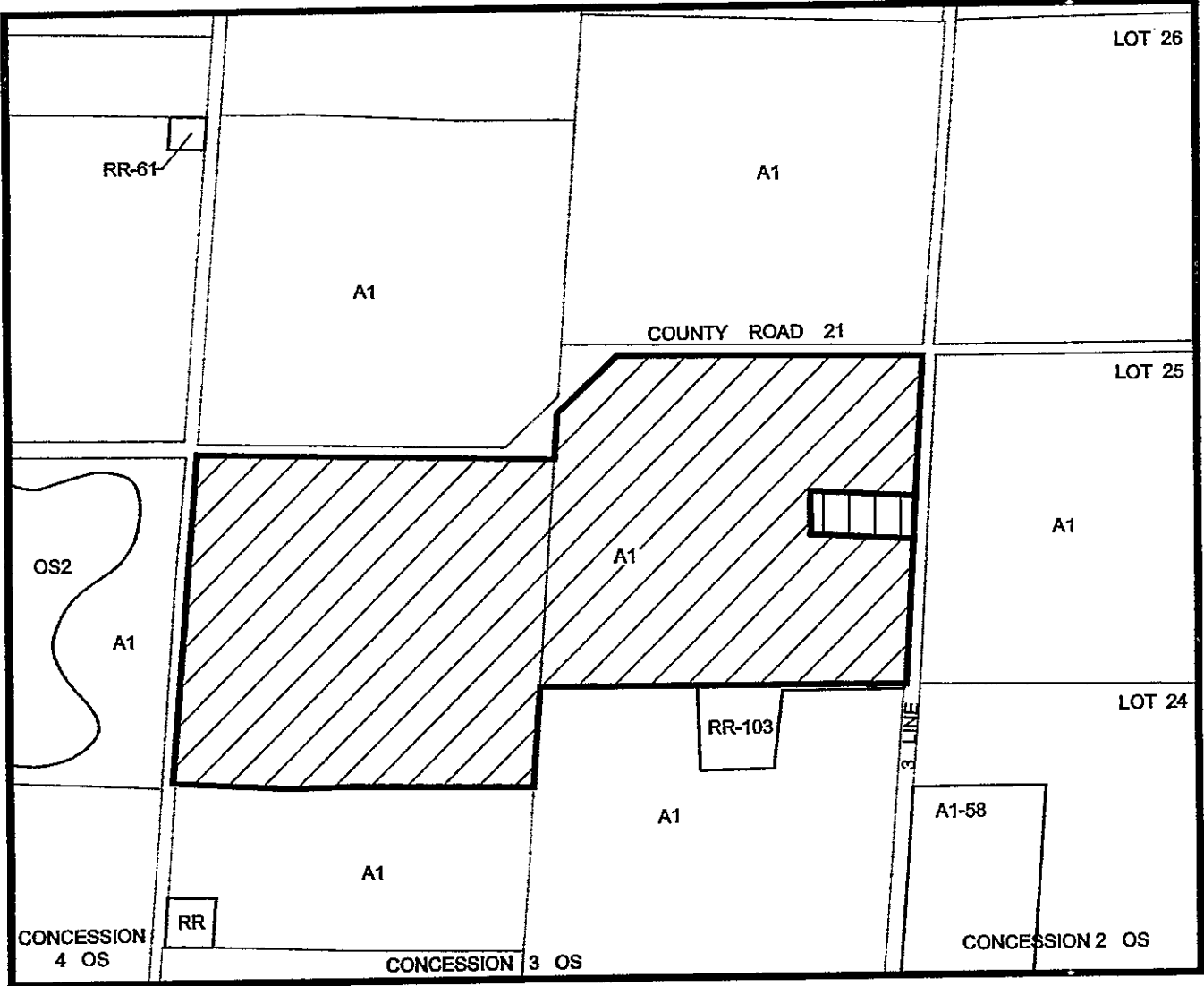
If a person or public body does not make oral submissions at a public meeting or make written submissions to the Township of Melancthon before the by-law is passed, the person or public body is not entitled to appeal the decision of the Council of the Township of Melancthon to the Ontario Municipal Board.

If a person or public body does not make oral submissions at a public meeting or make written submissions to the Township of Melancthon before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

Further information relating to the proposed amendment is available to the public for inspection at the Township of Melancthon Municipal Office on Monday to Friday, between the hours of 8:30 a.m. and 4:30 p.m.

Mailing Date of this Notice: April 13, 2015


 Denise Holmes, CAO/Clerk
 Township of Melancthon



Areas Affected by Proposed By-law



Bonnefield B8/14

TOWNSHIP OF MELANCTHON
NOTICE OF RECEIPT OF A COMPLETE APPLICATION
FOR A ZONING BY-LAW AMENDMENT
AND
NOTICE OF A PUBLIC MEETING CONCERNING A RELATED
PROPOSED ZONING BY-LAW AMENDMENT

TAKE NOTICE that the Township of Melancthon has received a complete application to amend Municipal Zoning By-law 12-79, as amended. The purpose of the rezoning is to amend the Township's Comprehensive Zoning By-law to zone lands located in parts of Lots 17, 18 and 19, Concession 2, O.S., that were the subject of a recent severance approval.

AND PURSUANT to Section 34 (12) of the Planning Act, the Zoning By-law amendment application file is available for review at the Township Office. Please contact the Township Clerk to arrange to review this file.

NOTICE OF PUBLIC MEETING WITH COUNCIL

TAKE NOTICE that the Council for the Corporation of the Township will be holding a Public Meeting under Section 34 of the Planning Act, R.S.O. 1990, c.P. 13, as amended, to explain the proposed Zoning By-law amendment as described below and to receive public comments on it.

DATE AND LOCATION OF THE PUBLIC MEETING

Date: Thursday, May 21, 2015
Time: 6:40 p.m.
Location: Township of Melancthon Municipal Office (Council Chambers)

DETAILS OF THE ZONING BY-LAW AMENDMENT

The application affects lands located in parts of Lots 17, 18 and 19 Concession 2, O.S. in the Township of Melancthon. Key maps have been appended to this Notice to identify the subject lands.

The purpose of the proposed By-law is to amend Restricted Area (Zoning) By-law No. 12-79, as amended, to rezone lands that were the subject of consent application B8/14. The By-law would implement two approval conditions for that application. The severance would create a lot containing an existing residence which is surplus to the needs of the land owner as a result of farm consolidation. The By-law would rezone that proposed lot from the Open Space Conservation (OS2) zone and the General Agricultural (A1) zone to the Rural Residential Exception (RR-158) zone to permit its continued use for a detached dwelling and to recognize the 40 metre lot frontage which is below the 60 metre minimum zone requirement. The By-law would also rezone most of the retained lands, as identified in the consent application, from the General Agricultural (A1) and General Agricultural Exception (A1-72) zones to the General Agricultural Exception (A1-127) zone. All uses permitted in the A1 zone would be permitted in the A1-127 zone except that a dwelling would be prohibited in compliance with the requirements of the Provincial Policy Statement for surplus dwelling severances. The effect of the proposed By-law would be to recognize the residential use of the severed lot and to permit agriculture on the retained lands while prohibiting any new dwelling on those retained lands.

Information relating to this application is available at the Township of Melancthon Municipal Office for public review during regular office hours.

FURTHER INFORMATION AND MAP OF LAND SUBJECT TO THE APPLICATION

Key maps have been appended identifying the lands that are subject to this amendment.

The purpose of this meeting is to ensure that sufficient information is made available to enable the public to generally understand the proposed Zoning By-law Amendment. Any person who attends the meeting shall be afforded an opportunity to make representations in respect of the proposed amendment.

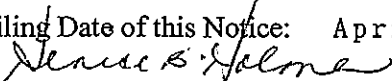
If you wish to be notified of Township Council's decision in respect to the proposed Zoning By-law Amendment, you must submit a written request (with forwarding addresses) to the Clerk of the Township of Melancthon at 157101 Highway 10, Melancthon, Ontario, L9V 2E6. Phone: (519) 925-5525. Fax (519) 925-1110

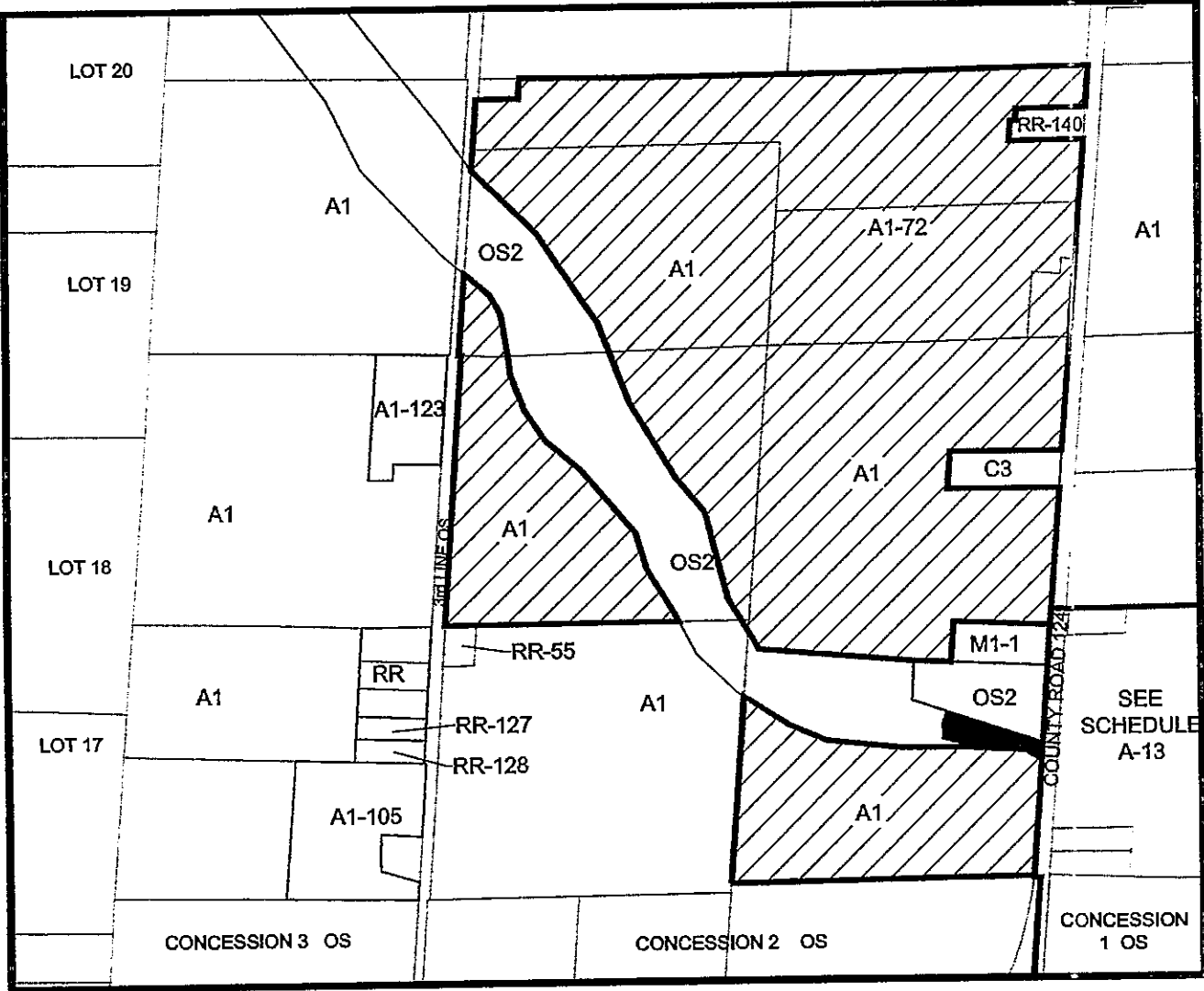
If a person or public body does not make oral submissions at a public meeting or make written submissions to the Township of Melancthon before the by-law is passed, the person or public body is not entitled to appeal the decision of the Council of the Township of Melancthon to the Ontario Municipal Board.

If a person or public body does not make oral submissions at a public meeting or make written submissions to the Township of Melancthon before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

Further information relating to the proposed amendment is available to the public for inspection at the Township of Melancthon Municipal Office on Monday to Friday, between the hours of 8:30 a.m. and 4:30 p.m.

Mailing Date of this Notice: April 13, 2015


Denise Holmes, CAO/Clerk
Township of Melancthon



Areas Affected by Proposed By-law



Bonnefield B10/14

**TOWNSHIP OF MELANCTHON
NOTICE OF RECEIPT OF A COMPLETE APPLICATION
FOR A ZONING BY-LAW AMENDMENT**

**AND
NOTICE OF A PUBLIC MEETING CONCERNING A RELATED
PROPOSED ZONING BY-LAW AMENDMENT**

TAKE NOTICE that the Township of Melancthon has received a complete application to amend Municipal Zoning By-law 12-79, as amended. The purpose of the rezoning is to amend the Township's Comprehensive Zoning By-law to zone lands located in parts of Lots 16, 17, 18, 19, 20 and 21, Concession 3, O.S., that were the subject of a recent severance approval.

AND PURSUANT to Section 34 (12) of the Planning Act, the Zoning By-law amendment application file is available for review at the Township Office. Please contact the Township Clerk to arrange to review this file.

NOTICE OF PUBLIC MEETING WITH COUNCIL

TAKE NOTICE that the Council for the Corporation of the Township will be holding a Public Meeting under Section 34 of the Planning Act, R.S.O. 1990, c.P. 13, as amended, to explain the proposed Zoning By-law amendment as described below and to receive public comments on it.

DATE AND LOCATION OF THE PUBLIC MEETING

Date: Thursday, May 21, 2015
Time: 6:50 p.m.
Location: Township of Melancthon Municipal Office (Council Chambers)

DETAILS OF THE ZONING BY-LAW AMENDMENT

The application affects lands located in parts of Lots 16, 17, 18, 19, 20 and 21, Concession 3, O.S. in the Township of Melancthon. A key map has been appended to this Notice to identify the subject lands.

The purpose of the proposed By-law is to amend Restricted Area (Zoning) By-law No. 12-79, as amended, to rezone lands that were the subject of consent application B10/14. The By-law would implement two approval conditions for that application. The severance would create a lot containing an existing residence which is surplus to the needs of the land owner as a result of farm consolidation. The By-law would rezone that proposed lot from the General Agricultural (A1) zone to the Rural Residential Exception (RR-159) zone to permit its continued use for a detached dwelling and to recognize the 7,500 square metre lot area which is below the 8,000 square metre minimum zone requirement. The By-law would also rezone most of the retained lands, as identified in the consent application, from the General Agricultural (A1) zone, the General Agricultural Exception (A1-54) zone and the Rural Residential zone to the General Agricultural Exception (A1-129) zone. All uses permitted in the A1 zone would be permitted in the A1-129 zone except that a dwelling would be prohibited in compliance with the requirements of the Provincial Policy Statement for surplus dwelling severances. The proposed By-law's effect would be to recognize the size and residential use of the severed lot and to permit agriculture on the retained lands while prohibiting any new dwelling on those retained lands.

Information relating to this application is available at the Township of Melancthon Municipal Office for public review during regular office hours.

FURTHER INFORMATION AND MAP OF LAND SUBJECT TO THE APPLICATION

Key maps have been appended identifying the lands that are subject to this amendment.

The purpose of this meeting is to ensure that sufficient information is made available to enable the public to generally understand the proposed Zoning By-law Amendment. Any person who attends the meeting shall be afforded an opportunity to make representations in respect of the proposed amendment.

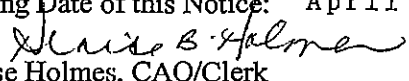
If you wish to be notified of Township Council's decision in respect to the proposed Zoning By-law Amendment, you must submit a written request (with forwarding addresses) to the Clerk of the Township of Melancthon at 157101 Highway 10, Melancthon, Ontario, L9V 2E6. Phone: (519) 925-5525. Fax (519) 925-1110

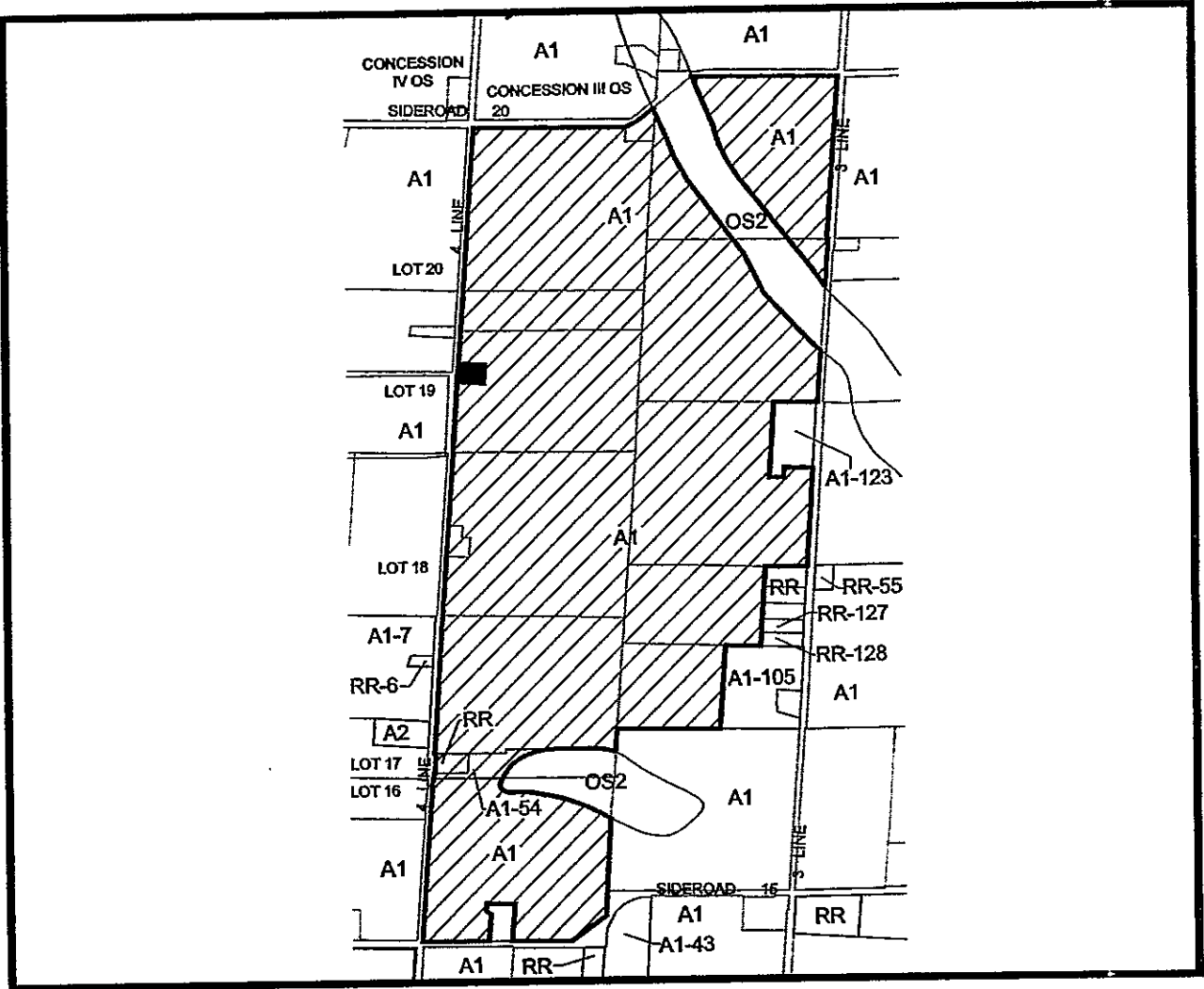
If a person or public body does not make oral submissions at a public meeting or make written submissions to the Township of Melancthon before the by-law is passed, the person or public body is not entitled to appeal the decision of the Council of the Township of Melancthon to the Ontario Municipal Board.

If a person or public body does not make oral submissions at a public meeting or make written submissions to the Township of Melancthon before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

Further information relating to the proposed amendment is available to the public for inspection at the Township of Melancthon Municipal Office on Monday to Friday, between the hours of 8:30 a.m. and 4:30 p.m.

Mailing Date of this Notice: April 13, 2015


Denise Holmes, CAO/Clerk
Township of Melancthon



Areas Affected by Proposed By-law





Corporation of the Township of Melancthon

Moved by WAYNE HANNON

Seconded by Date MAY 7, 2015

Be it resolved that:

THE INTERSECTION AT SIDEROAD 15 AND
MAIN ST HORNING'S MILLS BE MADE A FOUR
WAY STOP TO IMPROVE SAFETY CONDITIONS
AROUND THE PARK AND THAT COUNCIL
REVIEW THIS SITUATION IN FOUR MONTHS.

<u>Recorded Vote</u>	<u>Yea</u>	<u>Nay</u>
Mayor Darren White		
Deputy Mayor Janice Elliott		
Councillor Dave Besley		
Councillor Wayne Hannon		
Councillor James C. Webster		

Carried/Lost: _____

MAYOR

MEMORANDUM

To: The Corporation of the Township of Melancthon
Attn: Denise Holmes, AMCT

From: Stutz Brown & Self Professional Corporation
Attn: Steve Christie

Date: May 19, 2015

Re: Reduced Load By-Law - Amendment

Further to your request, I am providing you with a memorandum with respect to the proposed amendment to the Township's Reduced Load By-law.

As indicated in prior correspondence to you, there is a potential issue regarding the grant of an exemption to Hunt Trucking as the by-law does not allow for exemptions as currently drafted. I do note that there are several different approaches that other municipalities employ, and which the Township could consider.

Firstly, it is possible for Melancthon to take a case-by-case approach to exemptions to the Reduced Load By-law. That is, if approached with a request for the exemption, staff could consider the request and if it would be recommended, then it could be presented to Council. Council may agree with the imposition of condition(s) (i.e. entering into a Road Use Agreement acceptable to Council). Once conditions are met, the affected road(s) would be removed from the by-law. A downside to this approach is that once a road is removed from the by-law, then anyone would be entitled to carry heavy loads over these roads since nothing would preclude them from doing so (as the by-law would no longer prohibit such a use). This would be contrary to the expectations of the applicant as well since they would agree to be responsible for damage, although anyone could cause it. Quantifying the damage and attributing it to the applicant would be difficult, if not impossible, if there were a number of users carrying heavy loads. In addition, the costs, including legal expenses, relating to requests to an exemption may be borne by the Township.

Alternatively, an amendment to the by-law could be considered wherein it provides for an exemption process. To this end, I would turn Council's attention to the County of Dufferin's Consolidated Traffic By-law which provides for a permitting process. This is the process followed in a number of municipalities. The benefit to this approach is that the Township could collect an application fee which would off-set the expenses in considering the application. I have attached a copy of the relevant sections of the County's by-law. More information, including a copy of the Permit application can be found at:

<http://www.dufferincounty.ca/government/permits-and-applications/#Excess%20Load%20Permit>

(attached)

This approach further would enable the applicant to receive a permit to carry in the event that it's right to carry heavy loads were questioned, and would enable the Township to manage the number of heavy trucks using its roads. For this reason, the Township should consider bringing in such a permitting process if it will be considering exemptions to the Reduced Load by-law.

Trusting this to be of assistance.

REDUCED LOADS

10. Delegation to Staff

- (1) Upon certification by the County Engineer that the structure of a highway is at risk of damage, the Director may post-signs designating such a highway as restricted to reduced loads during the reduced load period declared in s. 11 of this By-law.
- (2) The Director is given the authority to stipulate the conditions for the application of any permit issued pursuant to Section 12 of this By-law.
- (3) The Director is given the authority to stipulate the amount of security deposit for damages to Highways, if any, is required prior to the issuance of a permit pursuant to Section 12 of this By-law.

X 11. Reduced Load Period; Restrictions During That Time

- (1) The reduced load period shall be on and from the 1st day of October in each year, to and on the 31st day of May of the following year.
- (2) The reduced load period may be altered if the County Engineer certifies that the condition of the highway is such that there is risk of damage to the highway if the reduced load is not imposed.
- (3) During the reduced load period, it constitutes an offence for a person to operate, draw or haul a Commercial Motor Vehicle or Trailer, other than a public Vehicle referred to in Section 12 (1) upon any Designated Highway, where the weight upon any one axle of the Vehicle exceeds five thousand (5000 kg) kilograms.
- (4) During the reduced load period, it constitutes an offence for a person to operate a two axle tank truck, while used exclusively for the transportation of liquid or gaseous heating fuel upon any Designated Highway where the weight upon an axle exceeds seven thousand five hundred (7500 kg) kilograms.
- (5) During the reduced load period, it constitutes an offence for a person to operate a two axle tank truck, while used exclusively for the transportation of livestock or feed upon any Designated Highway where the weight upon an axle exceeds seven thousand five hundred (7500 kg) kilograms.
- (6) During the reduced load period, it constitutes an offence for a person to operate a two axle tank truck, while used exclusively for the transportation of poultry upon any Designated Highway where the weight upon an axle exceeds seven thousand five hundred (7500 kg) kilograms.

- (7) During the reduced load period, it constitutes an offence for a person to operate a Vehicle having a carrying capacity in excess of one thousand (1000 kg) kilograms, other than a motor Vehicle or Trailer, upon any Designated Highway where the weight upon any millimeter in the width of the tire exceeds five (5 kg) kilograms.
- (8) It constitutes an offence for a person who is the bearer of a permit issued pursuant to Section 12 of this By-law, to fail to comply with any conditions set out in the permit relating to protection of persons and property from injury or damage.

12. Exemptions & Permits

- (1) Section 11 of this By-law does not apply to:
 - (a) Vehicles operated by or on behalf of the municipality or other authority having jurisdiction and control of a Highway, where the Vehicles are engaged in Highway maintenance, including the carriage and application of abrasives or chemicals to the Highway, the stock piling of abrasives or chemicals for use on a Highway, or the removal of snow from a Highway;
 - (b) Vehicles used exclusively for the transportation of milk;
 - (c) Fire apparatus;
 - (d) Vehicles operated by or on behalf of the municipality collecting and/or transporting waste; or
 - (e) Public Utility Vehicles.
- (2) Upon application in writing, a permit may be granted to a person to permit the moving of heavy Vehicles, loads, objects or structures in excess of the load restrictions set out in this By-law during reduced load periods. The holder of a permit is exempt from the provisions of Section 11 of this By-law.
- (3) A non-refundable administrative fee, as determined from time to time by Council, applies to any application for a permit under 12 (2) above.
- (4) Permits issued under 12 (2) above shall be effective only for the time period specifically set out for that permit, and for the particular Highway or Highways set out for that permit. The exemption granted by 12 (2) above applies strictly and solely to the Highways and times prescribed by the permit itself.
- (5) The Director may impose any reasonable conditions with respect to the permit referred to in 12 (2) above, including, but not limited to those conditions necessary to:

- (a) protect persons and/or property from injury or damage;
 - (b) protect the structural integrity of the highway; and
 - (c) prevent any further damage to the structure of the highway persons or property.
- (6) It is deemed to be a condition of every permit issued that the original of the permit be carried in the Vehicle for which the permit was issued and be produced when demanded by a police officer or an officer appointed for carrying out the provisions of this By-law. Failure to comply with this condition constitutes an offence.

13. Highway Damage

- (1) Any person who contravenes Sections 11 or 12 of this By-law is liable for the damages caused to the Highway as a result of that contravention, in addition to, and not in substitution for, any penalty imposed for committing an offence pursuant to this By-law.

SPEED LIMITS

- 14.
 - (1) The maximum rate of speed on any County road shall be 80 kilometres per hour, except where official signs have been erected and are on display in accordance with the maximum rates of speed prescribed in Subsections (2), (3) and (4) of this Section.
 - (2) When the highways set out in Schedule "F" to this by-law, Column 1, between the limits set out respectively in Columns 2 and 3 of the said Schedule, have official signs erected and on display in compliance with the Regulations of the Act, the maximum rate of speed thereon shall be 50 kilometres per hour.
 - (3) When the highways set out in Schedule "G" to this by-law, Column 1, between the limits set out respectively in Columns 2 and 3 of the said Schedule, have official signs erected and on display in compliance with the Regulations of the Act, the maximum rate of speed thereon shall be 60 kilometres per hour.
 - (4) When the highways set out in Schedule "H" to this by-law, Column 1, between the limits set out respectively in Columns 2 and 3 of the said Schedule, have official signs erected and on display in compliance with the Regulations of the Act, the maximum rate of speed thereon shall be 70 kilometres per hour.



COUNTY OF DUFFERIN
PUBLIC WORKS DEPARTMENT
55 ZINA STREET, 2 FLOOR, ORANGEVILLE, ONTARIO, L9W 1E5
PH: 519-941-2816 ext. 2600 FAX: 519-941-4565
www.dufferincounty.ca EMAIL: publicworksinfo@dufferincounty.ca

Permit No. Office Use Only:

APPLICATION TO MOVE EXCESS LOAD
Under Section 110 of the Highway Traffic Act

- ☐ **Annual Permit** (within MTO annual maximums). \$200.00 each. Valid Jan 1 - Dec 31.
Complete Sections 1, 2, 6 Only
- ☐ **Special Annual Permit**** (in excess of MTO annual maximums) \$200 each. Valid Jan 1 - Dec 31.
Complete All Sections as applicable **Note Conditions.
- ☐ **Temporary (Single Trip Permit)** \$40 per vehicle per trip.
Complete All Sections

**MTO ANNUAL MAXIMUM
DIMENSIONS:**
LENGTH (m): 25
HEIGHT AT HIGHEST POINT (m): 4.26
WIDTH AT WIDEST POINT (m): 3.7
GROSS WEIGHT (kgs): HTA

SECTION 1 - APPLICANT INFORMATION (Must be completed for ALL permit types)

COMPANY NAME: CONTACT NAME:
ADDRESS: CITY: PROV/STATE: POSTAL/ZIP CODE:
TELEPHONE: EXT: EMAIL: (REQUIRED)

SECTION 2 - MTO PERMIT (Must be completed for ALL permit types)

MTO PERMIT #: (Required)
Submit Copy

OR: Permit Pending, will submit as soon as received.
(Note: permit will not be issued until receipt of MTO permit) ☐

Note: all conditions of MTO permit shall apply to County Permit.

OR: NO MTO permit required and/or available.
Please contact office immediately. ☐

SECTION 3 - LOAD DIMENSIONS

LENGTH (m): WIDTH AT WIDEST POINT (m): HEIGHT AT HIGHEST POINT (m): GROSS WEIGHT (kgs): OR: HTA ☐

SECTION 4 - LOAD DESCRIPTION/ROUTE

LOAD DESCRIPTION: ROUTE WITHIN DUFFERIN:
ORIGIN: DESTINATION:

SECTION 5 - DATES REQUIRED Complete for Single Trip Permits ONLY (Annual/Sp Annual permits are Jan 1-Dec 31)

DATES REQUIRED: to: # of trucks: (COST = \$40 per truck, Single Trip)

SECTION 6 - DECLARATION (Must be completed for ALL permit types)

- ☐ I have reviewed and accept all Provisions and Conditions attached to this application (see page 2)
- ☐ I have/will submit an Insurance Certificate, naming the County as additional insured, as required prior to permit issue.
- ☐ I have/will submit page 1 of my MTO permit, as required prior to permit issue.
- ☐ I have/will provide payment, as required prior to permit issue. (see page 3 - required)

NOTE:
Email, Print and
Payment options (required)
are on page 3

(Office Use Only)

Permission is hereby granted to the above applicant to move loads described hereon over the routes indicated, subject to the provisions, agreements and conditions herein contained including those contained on the obverse and all other required approvals being obtained.

Signature of Issuer:

Date:

PROVISIONS AND CONDITIONS
for
PERMIT TO MOVE EXCESS LOAD
Issued Under Section 110 of the Highway Traffic Act

PERMIT IS NOT VALID:

- a) on any road or highway other than roads under the jurisdiction of the County of Dufferin.
- b) for overweight vehicles on any load restricted County Road. Load restrictions generally apply annually during the period of March 1st to May 15th but may change at the County's discretion. Roads not affected by reduced load periods include County Roads 3, 24, 25, 109 and 124. Permit holder is responsible for verifying current load restrictions.
- c) on Saturdays, Sundays and Statutory Holidays.
- d) in congested traffic conditions when the overall width exceeds 3.05 metres (10 feet) or the overall length exceeds 24.5 metres (80 feet).
- e) from 1/2 hour after sunset to 1/2 hour before sunrise or at any other time when, due to insufficient light or unfavourable atmospheric conditions, persons and vehicles on the road are not clearly discernible at a distance of 150 metres or less.
- f) Subsections (c),(d) and (e) do not apply to overweight and over height vehicles.

CONDITIONS:

- a) all conditions that are contained on the Ontario Ministry of Transportations Permit shall apply to this permit.
- b) Permit holder must provide escort vehicles to precede and follow load(s) in excess of 4.0 metres in width when crossing the Grand River Bridge (200 m west of Dufferin 24 on Dufferin 109).
- c) Annual permit holders in excess of MTO annual permit limits ("Sp Annual") must notify the County of Dufferin a minimum of 2 business days in advance of each haul. (Quote permit #) The County reserves the right to deny specific loads. Confirmation of notification and approval will be issued by the County and must be carried in the vehicle for each load.
- d) A photo copy of this permit and an original of the Ontario Ministry of Transportations permit must be carried in the vehicle and produced on demand of a police officer or an officer for carrying out enforcement of the Highway Traffic Act.
- e) It is the responsibility of the permit holder to confirm all horizontal and vertical clearances along haul route prior to transport. Permit is issued on the condition the permit holder accepts responsibility for any and all damage that may be caused to overhead wires, structures, roads, encroachments, or railway rights-of-ways.

MTO ANNUAL MAXIMUMS:

Width: 3.7 metres; height: 4.26 metres, length: 25 metres, weight as per hta

Credit Card/Payment Authorization Letter

Company Name

Contact Name

Email

Phone Number

Ext.

I,

hereby authorize the County of Dufferin to charge my:

☐ VISA

☐ Mastercard

Card Number:

Exp Date (mm/yy)

For the following items:

	Quantity	Total
<input type="radio"/> Excess Load Permit - Annual (\$200)	<input type="text"/>	<input type="text" value="\$0.00"/>
<input type="radio"/> Excess Load Permit - Special Annual (\$200)	<input type="text"/>	<input type="text" value="\$0.00"/>
<input type="radio"/> Excess Load Permit - Single Trip (\$40)	<input type="text"/>	<input type="text" value="\$0.00"/>
<input type="radio"/> Emergency Number (\$20 +HST)	<input type="text"/>	<input type="text" value="\$0.00"/>
<input type="radio"/> Emergency Number Post (\$15 + HST)	<input type="text"/>	<input type="text" value="\$0.00"/>
	HST	<input type="text" value="\$0.00"/>
	Grand Total	<input type="text" value="\$0.00"/>

Date: 20/05/15

I hereby authorize the indicated Grand Total to be charged to my credit card.

☐

Signature: *ONLY necessary if faxing or mailing this form:*

OR:

☐ I am providing payment by alternate methods (mail cheque, fax/phone credit card info.)

Submit Application

This will create an email with your completed application as an attachment (PDF).
You can then include a message or add other documents (MTO, insurance certificate, etc.) before you press "SEND".

Print

a copy for your records

The personal information collected on this form is for the purpose of the proper administration of Credit Card payments. Specific questions relating to the Municipal Freedom of Information and Protection of Privacy Act can be directed to the Coordinator for the County of Dufferin, Clerk, 519-941-2816 ext 2503.

COUNTY OF DUFFERIN

55 Zina Street, Orangeville, ON L9W 1E5 | 519.941.2816 ext. 2600 | dufferincounty.ca

Oversize/overweight permits

Carriers must apply for permits to operate or transport oversized or overweight vehicles and loads. Carriers are responsible for following all permit conditions to ensure their vehicles operate safely on Ontario's King's highways.

Who needs a permit

You will need an oversize/overweight permit if the dimensions or weight of your vehicle and/or load exceed the limits set out in the Highway Traffic Act
<http://www.e-laws.gov.on.ca/html/regs/english/elaws_regs_050413_e.htm>.

Permits are issued for oversize vehicles or loads if they cannot be reduced in size or would:

- be unable to perform the function for which they were intended
- be unusable for their intended purposes
- require more than eight work hours to dismantle using appropriate resources and equipment

Limitations

Overheight:

- the load must not be made up of articles loaded or mounted on top of each other in a way that will create additional height

Overwidth:

- the load must not be made up of articles loaded or mounted side by side or crosswise in a way that will create additional width

Overlength:

- the load must not be made up of articles loaded or mounted one behind the other in a way that will create additional length
- any overhang to the rear must not exceed 4.65 m from the centre of the rearmost axle

Overweight:

- the load must not be made up of more than one article
- when crossing bridges, vehicles over 45,000 kg gross weight must be operated at the lowest practicable speed
- bridge postings and load restrictions pursuant to Part VII of the HTA apply

Types of permits

There are four types of oversize/overweight permits. Each permit has specific conditions that must be strictly adhered to.

1. Annual permits

Annual permits are used for repeat trips with oversize/overweight vehicle and/or loads to maximum weights and dimensions as follows (subject to vehicle configuration):

- Weight : 63,500 kg
- Width : 3.85 metres on multi-lane highways, 3.7 metres on 2-lane highways
- Length : 25 metres
- Height : 4.26 metres

They are valid for 12 months from the date of issue on all King's highways.

Carriers with annual permits can travel on Highway 407 ETR as long as the vehicle has a valid transponder.

When to apply

Annual permits take 10 to 15 business days to be issued from the date the application is received. To avoid delays, apply at least 30 days before the requested start date.

2. Project permits

Project permits are issued to allow carriers operating under the terms of a contract, to move similar loads, objects and structures over the same specified route for a period up to and

including six months, depending on the duration of the contract. Maximum weights and dimensions as follows (subject to vehicle configuration):

- Weight : 70,000 kg
- Width : 4.3 metres (subject to clearance check)
- Length : 36.75 metres
- Height : subject to clearance check

The weights and dimensions provided must be specific to the load. The weights and dimensions specified on the permit are those of the load, not the maximum limit.

When to apply

Include a copy of the contract with your application. The letter of contract must be written on company letterhead and include:

- the name and address of the carrier
- the contract number (if available)
- the duration of the contract
- a description of the product being transported
- the origin and destination of the load, specifying the complete route (including municipal roads)

Once the ministry receives all the required documents, staff will assess traffic and construction concerns before it approves and issues the permit.

3. Single trip permits

A single trip permit is issued for a one-way trip along a specified route for a limited period.

When to apply

A carrier must apply a minimum of 3 business days prior to the proposed move date to allow the Permit Issuing Office sufficient time to process the permit request.

Superloads

Superloads exceed any of the following limits:

- 120,000 kg gross vehicle weight
- 5 metres in width
- 45.75 metres in length

Permit applications for Superloads of 6 metres or greater must include justification that demonstrates the necessity of transporting the loads on the province's highways, and require extra time and documentation. These loads will be subject to a thorough review by the ministry's Weight and Load Engineer, as well as various senior ministry management personnel.

Those considering Superload moves should consult with the Permit Issuing Office in the early planning stages. A carrier must submit their application a minimum of 5 days prior to the proposed move date due to the more involved approval process. Complex operations may take as many as 6 months to fulfill all requirements.

For gross vehicle weights exceeding 120,000 kg, carriers will need to submit an evaluation by a qualified engineer to evaluate the bridges on their route for ministry approval.

Approved bridge consulting engineers with design and evaluation qualifications

<https://www.raqs.mto.gov.on.ca/login/raqs.nsf/English/Graphic/frmViewApprovedConsultants?OpenForm&Start=1&Count=1000&Collapse=2.2.3&Seq=4>

4. Special vehicle configuration permits

Special vehicle configuration permits are issued for vehicles with unique weights or dimensions that vary from the HTA and other regulation. They are subject to economic, infrastructure and safety assessments by the applicant, to prescribed ministry standards.

The purpose of these permits is to:

- harmonize configurations, weights and dimensions with those of any other jurisdiction
- allow for a trial of a vehicle
- allow for a variance from a limit within a specific geographical area

When to apply

Applications for these permits may take up to 14 days to process. To learn more, contact the ministry at:

- 416-246-7166 ext. 6306
- 1-800-387-7736 ext. 6306 (Ontario only)

Applying for a permit

Download an application form and guidelines (see below). Incomplete applications will be returned.

Applications can be printed, filled out and sent to the Ministry of Transportation by fax to 905-704-2545, by mail or in person.

Before you obtain a permit, there may be other requirements you need to meet to travel in Ontario (e.g. CVOR, National Safety code, etc.). The operator is responsible for complying with registration, fuel tax and other federal and provincial requirements and procedures.

The ministry must review and approve all documentation before it issues a permit. Consideration will only be given to the move if you can adequately prove that it is absolutely necessary.

- Single Trip Permit Application
[http://www.forms.ssb.gov.on.ca/mbs/ssb/forms/ssbforms.nsf/GetFileAttach/023-SR-L-105ST-E~1/\\$File/SR-L-105ST-E.pdf](http://www.forms.ssb.gov.on.ca/mbs/ssb/forms/ssbforms.nsf/GetFileAttach/023-SR-L-105ST-E~1/$File/SR-L-105ST-E.pdf) (PDF - 1010 KB)
- Annual Permit Application
[http://www.forms.ssb.gov.on.ca/mbs/ssb/forms/ssbforms.nsf/GetFileAttach/023-SR-L-105A-E~1/\\$File/SR-L-105A_E.pdf](http://www.forms.ssb.gov.on.ca/mbs/ssb/forms/ssbforms.nsf/GetFileAttach/023-SR-L-105A-E~1/$File/SR-L-105A_E.pdf) (PDF - 1145 KB)
- Application to Exercise Special Tow Truck Certificates
[http://www.forms.ssb.gov.on.ca/mbs/ssb/forms/ssbforms.nsf/GetFileAttach/SR-E-504E~1/\\$File/SR-E-504E.pdf](http://www.forms.ssb.gov.on.ca/mbs/ssb/forms/ssbforms.nsf/GetFileAttach/SR-E-504E~1/$File/SR-E-504E.pdf) (PDF - 863 KB)
- Project Permit Application
[http://www.forms.ssb.gov.on.ca/mbs/ssb/forms/ssbforms.nsf/GetFileAttach/023-SR-L-105PP-E~1/\\$File/SR-L-105PP-E.pdf](http://www.forms.ssb.gov.on.ca/mbs/ssb/forms/ssbforms.nsf/GetFileAttach/023-SR-L-105PP-E~1/$File/SR-L-105PP-E.pdf) (PDF - 1075 KB)
- Credit Card Authorization Form
[http://www.forms.ssb.gov.on.ca/mbs/ssb/forms/ssbforms.nsf/GetFileAttach/023-SR-LV-034E~2/\\$File/SR-LV-034E.pdf](http://www.forms.ssb.gov.on.ca/mbs/ssb/forms/ssbforms.nsf/GetFileAttach/023-SR-LV-034E~2/$File/SR-LV-034E.pdf) (PDF - 1255 KB)

Special vehicle configuration permits

- Long Combination Vehicle Pilot Program Permit Application Forms
 - Long Combination Vehicle Permit Application
[http://www.forms.ssb.gov.on.ca/mbs/ssb/forms/ssbforms.nsf/GetFileAttach/SR-E-501E~1/\\$File/SR-E-501E.pdf](http://www.forms.ssb.gov.on.ca/mbs/ssb/forms/ssbforms.nsf/GetFileAttach/SR-E-501E~1/$File/SR-E-501E.pdf) (PDF - 1658 KB)
 - Long Combination Vehicle Origin-Destination (O/D) Application
<http://www.forms.ssb.gov.on.ca/mbs/ssb/forms/ssbforms.nsf/FormDetail?OpenForm&ACT=RDR&TAB=PROFILE&ENV=WWE&NO=023-05005E> (PDF - 96 KB)
 - Long Combination Vehicle Origin/Destination Location - Road Authority Consent
<http://www.forms.ssb.gov.on.ca/mbs/ssb/forms/ssbforms.nsf/FormDetail?OpenForm&ACT=RDR&TAB=PROFILE&ENV=WWE&NO=023-05006E> (PDF - 92 KB)
- Permits to Extend Grandfathering of Dump Semi-Trailers
 - Dump Semi Trailers Extension Permit application
[http://www.forms.ssb.gov.on.ca/mbs/ssb/forms/ssbforms.nsf/GetFileAttach/SR-E-500E~1/\\$File/SR-E-500E.pdf](http://www.forms.ssb.gov.on.ca/mbs/ssb/forms/ssbforms.nsf/GetFileAttach/SR-E-500E~1/$File/SR-E-500E.pdf) (PDF - 949 KB)

Permits to operate Extended Tractor B-Train Double Trailers up to 27.5 metres in overall length are **available on request** by:

By mail:

Permit Office
Ministry of Transportation
301 St. Paul Street
3rd Floor
St Catharines, Ontario L2R 7R4

By phone: 416-246-7166 ext. 6306 or 1-800-387-7736 ext. 6306

By fax: 905-704-2545

By email: oo.permits@ontario.ca <<mailto:oo.permits@ontario.ca>>

Permit fees

	Oversize/overweight permit fees
Annual Permit	\$400
Project Permit	\$260
Single Trip Permit	
Oversized	\$65
Overweight up to 120,000 kg and up to 100 km of travel on provincial highways.	\$125
Overweight up to 120,000 kg and between 101 km and 500 km of travel on provincial highways.	\$200
Overweight up to 120,000 kg and over 500 km of travel on provincial highways.	\$260
Overweight greater than 120,000 kg and unlimited travel distance.	\$700
Special Vehicle Configuration Permit	Refer to <i>Highway Traffic Act</i> s110.1 (10)

The following types of payment are accepted:

- credit card (VISA, MasterCard or American Express)
- personal cheque (must be certified, unless sent by mail)
- cash (walk-in clients only)
- Ministry pre-paid account

Permit issuing office

Contact the permit issuing office at:

By mail:

Ministry of Transportation
Permit Office
301 St. Paul Street
3rd Floor
St Catharines, Ontario L2R 7R4

By phone: 416-246-7166 ext. 6306 or 1-800-387-7736 ext. 6306 (English) or 6307 (French)

By fax: 905-704-2545

By email: oo.permits@ontario.ca <<mailto:oo.permits@ontario.ca>>

Recommended for you

- [Commercial vehicle operator's registration \(CVOR\)](http://www.ontario.ca/english/trucks/commercial-vehicle-operators-registration.shtml)
<<http://www.ontario.ca/english/trucks/commercial-vehicle-operators-registration.shtml>>
- [Get or renew CVOR certificate](http://www.ontario.ca/english/trucks/get-renew-cvor-certificate.shtml) <<http://www.ontario.ca/english/trucks/get-renew-cvor-certificate.shtml>>
- [Commercial motor vehicle safety requirements](http://www.ontario.ca/english/trucks/commercial-vehicle-safety-requirements.shtml)
<<http://www.ontario.ca/english/trucks/commercial-vehicle-safety-requirements.shtml>>
- [Commercial Vehicle Operators Safety Manual](http://www.ontario.ca/english/trucks/pdfs/commerical-vechicle-operators-safety-manual.pdf)
<<http://www.ontario.ca/english/trucks/pdfs/commerical-vechicle-operators-safety-manual.pdf>> (PDF - 4.70 MB)
- [Farm Guide - Farm Equipment on the Highway](http://www.ontario.ca/english/trucks/pdfs/farm-guide-farm-equipment-on-the-highway.pdf)
<<http://www.ontario.ca/english/trucks/pdfs/farm-guide-farm-equipment-on-the-highway.pdf>> (PDF - 817 KB)
- [Commercial vehicles - frequently asked questions](http://www.ontario.ca/english/trucks/commercial-vehicle-faq.shtml)
<<http://www.ontario.ca/english/trucks/commercial-vehicle-faq.shtml>>

Another example

Township of Minden Hills ROADS DEPARTMENT

BOX 359,
MINDEN, ON K0M 2K0

Ph: (705) 286-1260

Fax: (705) 286-4917

OVER DIMENSIONAL ANNUAL PERMIT No. :

Permit Fee : \$300.00

Issue Date :

COMPANY : _____

ADDRESS : _____

CONTACT : _____

Phone: () _____

Fax: () _____

1. Authorizing the moving of: _____

2. For the following period : _____ To _____

3. Overall Length: m (For Two Lanes Highways - See Highway Traffic Act for Various Combinations)
Overall Width: m (Legal Width For Two Lane Highways - 2.60m)
Overall Height: m (Legal Height For Two Lane Highways - 4.15m)
Overall Weight: As permitted by The Highway Traffic Act

4. Authorized route from/to Via Township Roadway : **Various Destinations Within The Township of Minden Hills**

5. This permit not valid

- i) On any roadway other than roads comprising the Township Road System.
- ii) On Saturdays, Sundays or Statutory Holidays except Easter Monday and Remembrance Day, when Remembrance Day falls on Monday to Friday inclusive.
- iii) From one half hour after sunset to one half hour before sunrise or at any other time when, due to insufficient light or unfavourable atmospheric conditions, persons and vehicles on the highway are not clearly discernible at a distance of 150 metres or less.

6. The original of this permit, including any attachment, must be carried in the vehicle and produced on demand of a police officer or an officer appointed for carrying out the provisions of the Highway Traffic Act.

7. The issuance of this permit is contingent upon the Permit Holder accepting responsibility for any and all damage that may be caused to overhead wires, structures, highways, encroachments or railways right of ways. The Permit Holder must obtain any additional approvals that may be required from other municipal, county and/or provincial authorities for encroachments within the selected routes.

8. Any overweight privileges contained in this permit are not valid on Township Roads designated for reduced loading during the months of March to May. (as per the provisions outlined in Township By-Law # 2216 -- Reduced Load Period)

9. Notwithstanding condition 5(ii), loads may be moved under this permit on Saturday, except during the months of July and August.

10. Exemption from Ontario Regulation 363/04 ☐ Yes ☐ No
(Security of Loads)

Notwithstanding Ontario Regulation 363/04, where the permit specifically provides for exemption, loads may be moved under this permit provided they are firmly bound, or otherwise secured or loaded, in such manner that no portion of the load may become dislodged or fall from the motor vehicle or trailer on which they are being transported.

Approval of Township Road Authority
Road Superintendent

NOTE : See conditions on the reverse side.

Forward with cheque: INSURANCE: TOWNSHIP TO BE NAMED AS ADDITIONAL INSURED

OVER DIMENSIONAL LOAD PERMIT

General Conditions

THIS PERMIT SHALL BE SUBJECT TO THE FOLLOWING CONDITIONS AND ANY SUPPLEMENTARY CONDITIONS ESTABLISHED BY THE TOWNSHIP AUTHORITY AT TIME OF ISSUE

1. A permit is valid only upon the township roads specified in the route destination. The applicant is responsible for notifying the township and all other applicable agencies in the event of a change in route or time of the **Intended Move**.
2. The Applicant shall produce evidence satisfactory to the Township Road Authority of adequate insurance coverage to save harmless the Township of Minden Hills in all possible claims of damage, personal or property, that may arise from the **Intended Move**.
3. The Applicant shall notify the Township of Minden Hills Roads Department 48 hours prior to the commencement of the **Intended Move**.
4. Certain restrictions may apply concerning the days and hours of travel. These will be indicated on the Permit.
5. Overall dimensions beyond Highway Traffic Act limitations are as follows:
 - i) **LENGTH:** The load shall not be composed of articles loaded one behind the other and any overhang shall not exceed 4.65 metres from the center of the rearmost axle.
 - ii) **WIDTH:** The load shall not be composed of articles loaded side by side or crosswise rather than lengthwise.
 - iii) **HEIGHT:** The load shall not be composed of articles loaded one on top of the other. The applicant shall obtain approval from the owners of all overhead utilities that may be impacted via the selected route.
 - iv) **WEIGHT:** The load shall not be composed of more than one article. In all circumstances, the weight authorized is subject to bridge loading and load restrictions.
6. Vehicles and loads in excess of the width and/or length prescribed under the Highway Traffic Act shall be marked with four or more flags, one as near as practical to each corner of the vehicle or load. The flags shall be red or orange in colour, and shall not be less than 40cm square. Where a vehicle or load is wider at any point on either side than at any corner, it shall, where practical, be so marked with a flag.
7. Vehicles and loads in excess of the length prescribed under the Highway Traffic Act shall, in addition to the flags required under Condition No. 6, display on the rear, a sign bearing the words "**LONG LOAD**" in black letters at least 200mm high with lines forming the letters at least 30mm wide on a yellow background.
8. A permit may be cancelled at any time for breach of the regulations or conditions of the permit or for such other reasons as the Township may deem proper.

Denise Holmes

From: Rose Dotten <rdotten@shelburnelibrary.ca>
Sent: May-20-15 12:31 PM
To: 'Denise Holmes'
Subject: Funding Formula etc.

Hi Denise

In the letter requesting funding for the Children's Library expansion, the request for funding was based on approximately 16% of the remaining \$45,000.00 in costs. The 16% is probably a rounded off number of the same % amount Melancthon contributes to our operational budget.

The number of patrons in 2014 for Melancthon is 994 which is approximately an 8% increase from 2013. I sent the Board members an explanation of how the funding formula relates to the budget and I will insert it as a quote for you. Hope this helps.
We do really appreciate your continued support.
Best regards
Rose

"To the best of my knowledge the original formula was based on the Fire catchment area and indeed has not changed in years... the one year we looked at a user based schedule for one of the Townships, it would have increased their % ratio incredibly so it was never followed up. You can go into the xls spreadsheet on the budget and that should give you the formula for each township.. I can give you a list of the formulae that we use.

Coming up with a new process would be a major undertaking and require much research and work and staff time. It would need our Board to approve and recommend to proceed and a significant cost associated with the work would need to be considered.

The formulae are as follows:

Shelburne 54 %
Amaranth 12.80 %
Melancthon 16.00 %
Mono 8.80 %
Mulmur 8.70 %

It is also interesting to note that all of the Municipalities have increased their patrons by approximately 7 - 8%. Even though Shelburne has grown in terms of new development their increase of library patrons is within that % increase. Therefore changing the ratios of contribution would really not be a major factor at this time. In fact, looking at a historical profile and please remember this is an approximation, all of our municipalities have experienced a 30% growth since 2010, again reinforcing the fact that the formula that has been in place is still relevant as of 2010.

Using the above % formula as a base, resulted in the \$ amount of funding we requested towards the Children's Library expansion specific to each Municipality after subtracting \$5000.00 as the library reserve contribution."

Total Control Panel

[Login](#)

To: dholmes@melancthontownship.ca
From: rdotten@shelburnelibrary.ca

Message Score: 15
My Spam Blocking Level: High

High (60): Pass
Medium (75): Pass
Low (90): Pass

[Block](#) this sender